CALIFORNIA LEGISLATURE—ASSEMBLY.

TWENTY-SEVENTH SESSION.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Monday, January 3, 1887.

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

ROLL-CALL.

The roll of members, as prepared by the Secretary of State, was called by the Chief Clerk.

Quorum present.

PRAYER.

Prayer was offered by Rev. Carroll M. Davis, Chaplain of the twenty-sixth session.

MOTION.

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

Carried.

The credentials of members were then presented to the Chief 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. R H Campbell.
Second District—Humboldt. George Wilhams
Third District—Humboldt J. F. McGowan
Fourth District—Trinity and Shasta T W H Shanahan.
Fifth District—Modoc and Lassen. W. D Morris.
Sixth District—Plumas and Sierra R H F. Variel.
Seventh District—Tehama. W. P. Mathews.

Eighth District—Butte: Allen Henry.
Ninth District—Butte L. C. Granger.
Tenth District—Colusa: T J Hart
Eleventh District—Mendocino Philo Handy
Twelfth District—Lake L H Gruwell.
Thirteenth District—Sutter and Yuba. George Ohleyer.
Fourteenth District—Nevada Josiah Sims.
Fifteenth District—Nevada John I Sykes.
Sixteenth District—Placer John Davis
Seventeenth District—El Dorado Henry Mahler.
Eighteenth District—Sacramento H W Carroll.
Nineteenth District—Sacramento· L S Taylor
Twentieth District—Sacramento Seymour Carr.
Twenty-first District—Yolo L. B. Adams.
Twenty-second District—Napa· F. L Coombs.
Twenty-third District—Sonoma G. W Morgan.
Twenty-fouth District—Sonoma W J Hotchkiss
Twenty-fifth District—Sonoma James McDonnell, Jr.
Twenty-sixth District—Solano Frank O'Grady
Twenty-seventh District—Solano Robert J Currey.
Twenty-eighth District—Marin J. W Atherton
Twenty-ninth District—San Francisco James B Brown.
Thirtieth District—San Francisco Joseph Burnett.
Thirty-first District—San Francisco Edwin Lewis
Thirty-second District—San Francisco A M Lawrence.
Thirty-third District—San Francisco J J Callaghan
Thirty-fourth District—San Francisco Michael H Barry.
Thirty-fifth District—San Francisco. J. H. Colbert.
Thirty-sixth District—San Francisco C. F Curry
Thirty-seventh District—San Francisco Thomas M. Searey.
Thirty-eighth District—San Francisco Daniel S. Regan.
Thirty-ninth District—San Francisco· Jos E. Britt
Fortieth District—San Francisco· Andrew J. Martin.
Forty-first District—San Francisco Henry R. Mann
Forty-second District—San Francisco John La Blanc.
Forty-third District—San Francisco L. L Ewing.
Forty-fourth District—San Francisco: Richard Cohen.
Forty-fifth District—San Francisco· W A Brown.
Forty-sixth District—San Francisco· Hugh Toner.
Forty-seventh District—San Francisco Thomas Mitchell.
Forty-eighth District—San Francisco Jos. Windrow.
Forty-ninth District—San Mateo W Z. Price
Fiftieth District—Santa Cruz· Jesse Cope.
Fifty-first District—Alameda Hiram Bailey
Fifty-second District—Alameda John Ellsworth.
Fifty-third District—Alameda M D. Hyde.
Fifty-fourth District—Alameda F M Cooley.
Fifty-fifth District—Alameda W. H Jordan
Fifty-sixth District—Alameda C. O Alexander
Fifty-seventh District—Contra Costa· D. N Sherburne.
Fifty-eighth District—San Joaquin· J D. Young
Fifty-ninth District—San Joaquin J. R Henry.
Sixtieth District—Amador· J C. Brusie
Sixty-first District—Calaveras F W McClenahan
Sixty-second District—Tuolumne Edward Smyth.
Sixty-third District—Santa Clara I A Wilcox.
Sixty-fourth District—Santa Clara C M. Weber
Sixty-fifth District—Santa Clara Samuel Rucker.
Sixty-sixth District—Stanislaus C C. Wright
Sixty-seventh District—Merced and Mariposa J. W. Bost.
Sixty-eighth District—San Benito J H. Matthews.
Sixty-ninth District—Monterey Thomas Remson.
Seventieth District—Fresno J P Vincent.
Seventy-first District—Tulare A B Butler.
Seventy-second District—Alpine, Mono, and Inyo A. J Gould.
Seventy-third District—San Luis Obispo McD. R Venable.
Seventy-fourth District—Santa Barbara· Russel Heath
Seventy-fifth District—Kern and Ventura. J Marion Brooks.
Seventy-sixth District—Los Angeles J. R Brierly.
Seventy-seventh District—Los Angeles G W. Knox.
Seventy-eighth District—Los Angeles W. H Spurgeon.
Seventy-ninth District—San Bernardino· Hiram M Barton.
Eightieth District—San Diego Nestor A. Young.

Quorum present.

CLERKS.

Chief Clerk Frank D. Ryan, Minute Clerk Thos. E. Atkinson, and Journal Clerk Frank J. Brandon were present, in accordance with the requirements of the law.

APPOINTMENTS.

The Chief Clerk made the following appointments:

Assistant Clerks—Chas Long, Aaron Smith, and Ed J. Smith.
Assistant Sergeant-at-Arms—A F Chapman
Clerks to Sergeant-at-Arms—Geo O. Green and S F. Taylor.
Assistant Minute Clerk—R. D Cannon.
Gatekeepers—A Kerrigan, Eugene Jackson, and A Nixon
Doorkeeper—Horatio Balch.
Watchmen—Chas Douglas, B A Johnson, Chas Duhane, and Thos McGinnis
Porters—Martin Morelli, E Whitcomb, James Phillips, Hiram Clock, John Williams, and J O Barber
Postmistress—Mrs L C Stratton.
Assistant Postmaster—Charles Fehl.
Mail Carrier—R J. Sweener
Pages—Sherman McDowell, Charles Luce, Ed. Short, John Gwynne, Eddie Grogan, and Joe Smith.

RESOLUTION.

By Mr. Mathews of Tehama:

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

Adopted.

ELECTION OF SPEAKER.

Chief Clerk Ryan announced that nominations for Speaker of the Assembly were in order.

Mr. Sims nominated W. H. Jordan of Alameda.

MOTION.

Mr. Matthews of San Benito moved to adjourn until ten o'clock A. M. Tuesday, January 4, 1887.

Mr. Knox of Los Angeles moved, as an amendment, that the House adjourn until seven o'clock and thirty minutes P. M. to-day.

Mr. Variel moved, as a substitute, that when this House adjourns, that it adjourns to meet at seven o'clock and thirty minutes P. M. this day.

Mr. Matthews of San Benito accepted Mr. Knox's amendment.

Mr. Knox withdrew his amendment.

Mr. Matthews of San Benito moved to take a recess until half-past seven o'clock P. M. this day.

Roll call on the substitute of Mr. Variel being demanded by Messrs. Matthews of San Benito, Henry of Butte, and Brooks, the roll was called, and the motion adopted by the following vote:

AYES—Messrs Alexander, Atherton, Bailey, Barry, Brierly, Brown W. A., Brown J B, Brusie, Burnett, Butler, Campbell, Carr, Carroll, Cooley, Coombs, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Handy, Hyde, Jordan, Knox, LaBlanc, Martin, McDonnell, McGowan, Price, Sherburne, Sims, Sykes, Taylor, Variel, Vincent, Weber, Windrow, Wilcox, Williams, and Young of San Diego—41

NOES—Messrs Adams, Barton, Britt, Brooks, Callaghan, Cohen, Colbert, Cope, Granger, Gruwell, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Lawrence, Lewis, Mahler, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, Mitchell, Morgan, Morris, O'Grady, Ohleyer, Regan, Remson, Rucker Searey, Shanahan, Smyth, Spurgeon, Toner, Venable, Wright, and Young of San Joaquin—37.

MOTION TO ADJOURN.

Mr. Heath moved to adjourn.
The roll call was demanded by Messrs. Brooks, Cope, and Granger.
The roll was called, and the motion lost by the following vote:

AYES—Messrs Adams, Barton, Britt, Brooks, Callaghan, Cohen, Colbert, Cope, Granger, Gruwell, Hart, Heath, Henry of San Joaquin, Hotchkiss, Lawrence, Lewis, Mahler, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, Mitchell, Morgan, Morris, O'Grady, Ohleyer, Regan, Remson, Rucker, Searey, Shanahan, Smyth, Spurgeon, Toner, Venable, Wright, and Young of San Joaquin—38

NOES—Messrs. Alexander, Atherton, Bailey, Barry, Brierly, Brown J. B., Brown W A., Brusie, Burnett, Butler, Campbell, Carr, Carroll, Cooley, Coombs, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Handy, Henry of Butte, Hyde, Jordan, Knox, LaBlanc, Martin, McDonnell, McGowan, Price, Sherburne, Sims, Sykes, Taylor, Variel, Vincent, Weber, Windrow, Wilcox, Williams, and Young of San Diego—40.

MOTION.

Mr. Heath moved to take a recess until four o'clock this day.
The roll call was demanded by Messrs. Lewis, Mathews of Tehama, and Shanahan.
The roll was called, and the motion lost by the following vote:

AYES—Messrs Adams, Barton, Britt, Brooks, Callaghan, Cohen, Colbert, Cope, Granger, Gruwell, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Lawrence, Lewis, Mahler, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, Mitchell, Morgan, Morris, O'Grady, Ohleyer, Regan, Remson, Rucker, Searey, Shanahan, Smyth, Spurgeon, Toner, Venable, Wright, and Young of San Joaquin—38

NOES—Messrs Alexander, Atherton, Bailey, Barry, Brierly, Brown W. A., Brown J. B., Brusie, Burnett, Butler, Campbell, Carr, Carroll, Cooley, Coombs, Currey of Solano, Curry of San Francisco Davis, Ellsworth, Ewing, Gould, Handy, Hyde, Jordan, Knox, LaBlanc, Martin, McDonnell, McGowan, Price, Sherburne, Sims, Sykes, Taylor, Variel, Vincent, Weber, Windrow, Wilcox, Williams, and Young of San Diego—41.

PREVIOUS QUESTION.

Mr. Ellsworth moved the previous question.
Mr. Mathews of Tehama moved a call of the House.
Roll call demanded by Messrs. Heath, Brooks, and Wright.
The roll was called, and the motion for a call of the House lost by the following vote:

AYES—Messrs Adams, Barton, Britt, Brooks, Callaghan, Cohen, Colbert, Cope, Granger, Gruwell, Hart, Henry of Butte, Henry of San Joaquin, Hotchkiss, Lawrence, Lewis, Mahler, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, Mitchell, Morgan, Morris, O'Grady, Ohleyer, Regan, Remson, Rucker, Searey, Shanahan, Smyth, Spurgeon, Toner, Venable, Wright, and Young of San Joaquin—38.

NOES—Messrs. Alexander, Atherton, Bailey, Barry, Brierly, Brown W. A., Brown J. B., Brusie, Burnett, Butler, Campbell, Carr, Carroll, Cooley, Coombs, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Handy, Hyde, Jordan, Knox, LaBlanc, Martin, McDonnell, McGowan, Price, Sherburne, Sims, Sykes, Taylor, Variel, Vincent, Weber, Windrow, Wilcox, Williams, and Young of San Diego—41.

Mr. Ellsworth withdrew his motion for the previous question, by consent of the House.

ELECTION OF SPEAKER.

Mr. Allen Henry nominated Russel Heath of Santa Barbara.
The roll was called, with the following result:

For Mr Jordan—Messrs. Alexander, Atherton, Bailey, Barry, Brierly, Brown W. A., Brown J. B., Brusie, Burnett, Butler, Campbell, Carr, Carroll, Cooley, Coombs, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Handy, Heath, Hyde,

Knox, LaBlanc, Martin, McDonnell, McGowan, Price, Sherburne, Sims, Sykes, Taylor, Variel, Vincent, Weber, Windrow, Wilcox, Williams, and Young of San Diego

For Mr Heath—Messrs. Adams, Barton, Britt, Brooks, Callaghan, Cohen, Colbert, Cope, Granger, Gruwell, Hart, Henry of Butte, Henry of San Joaquin, Hotchkiss, Jordan, Lawrence, Lewis, Mahler, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, Mitchell, Morgan, Morris, O'Grady, Ohlever, Regan, Remson, Rucker, Searey, Shanahan, Smyth, Spurgeon, Toner, Venable, Wright, and Young of San Joaquin.

Whole number of votes cast	79
Necessary to a choice	40
W. H Jordan received	41
Russel Heath received	38

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

COMMITTEE.

The Chief Clerk appointed Messrs. Sims, Variel, and Heath a committee to conduct the Speaker elect to the chair.

The oath of office was now administered by Hon. Frank D. Ryan, Chief Clerk.

Speaker Jordan in the chair.

On taking the chair, Mr. Jordan said:

Gentlemen of the Assembly: In entering upon the duties of the position to which you have chosen me, permit me to express to you my sincere appreciation of the high compliment you have paid me in the vote just taken. To be the Speaker of the popular branch of the Legislature of this State is an honor in which the most distinguished citizen might take commendable pride But while the honors of the station are great, yet I am not unmindful of the fact that the responsibilities are likewise great To the discharge of these responsibilities I shall devote my best endeavors, and shall seek to so direct and preside over your deliberations as to merit the respect and commendation of all Most earnestly do I bespeak your assistance and support in this effort, well knowing that without your cooperation I can accomplish little. We are assembled here as the representatives of the people, intrusted with the duty of transacting their business, and at no time should it be forgotten that our every act will be watched with jealous interest by men of every walk in life throughout the commonwealth. Some new laws are undoubtedly required to be enacted, and others should be repealed, yet it ought not to be forgotten that the greatest danger lies not in the direction of a lack of law-making as in the making of too many laws. It is this danger of too much and too radical legislation that causes the great mercantile and agricultural interests of the State to feel restless and uneasy while the Legislature is in session, and to breathe free only when the gavel has fallen that disbands it. It is my hope that this session may be characterized by the moderation with which it deals with the existing state of affairs, and the conservativeness with which it adopts all new and untried measures Whatever errors, however, your judgment may detect in the Codes and Statutes as they now exist, it is your duty to eradicate, and if new laws are needed, let them be enacted, ever keeping in view that motto which has been written upon the walls of this chamber, "*Legislatorem est Justas leges condere.*"

MOTION.

At two o'clock P. M., on motion of Mr. Cooley, the House took a recess until seven o'clock and thirty minutes P. M. this day.

REASSEMBLED.

The House reassembled at seven o'clock and thirty minutes P. M.

Speaker Jordan in the chair.

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

Messrs. Adams, Alexander, Atherton, Bailey, Barry, Barton, Bost, Brierly, Britt, Brooks, Brown W A, Brown J. B, Brusie, Burnett. Butler, Callaghan, Campbell, Carl, Carroll, Cohen, Colbert, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Gruwell, Handy, Hart, Heath, Henry of Butte, Henry

of San Joaquin, Hotchkiss, Hyde, Jordan, Knox, LaBlanc, Lawrence, Lewis, Mahler, Martin, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Mitchell, Morgan, Morris, O'Grady, Ohlever, Price, Regan, Remson, Rucker, Searey, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Toner, Variel, Venable, Vincent, Weber, Windrow, Wilcox, Williams, Wright, and Young of San Diego

Quorum present.

Mr. J. W. Bost, Assemblyman of the Sixty-seventh District, who was absent at the morning session, presented himself and took the following oath of office, which was administered by Speaker Jordan:

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.

ELECTION OF CHIEF CLERK.

Nominations for Chief Clerk were declared in order.
Mr. Brusie of Amador nominated Hon. Frank D. Ryan.
Mr. Mathews of Tehama nominated Mr. W. H. Hall.
The roll was called, with the following result:

For Ryan—Messrs Alexander, Atherton, Bailey, Barry, Brierly, Brown W A, Brown J B, Brusie, Burnett, Butler, Campbell, Carr, Carroll, Cooley, Coombs, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Handy, Hyde, Jordan, Knox, LaBlanc, Martin, McDonnell, McGowan, Price, Sherburne, Sims, Sykes, Taylor, Variel, Vincent, Weber, Windrow, Wilcox, Williams, and Young of San Diego

For Hall—Messrs Adams, Barton, Bost, Britt, Brooks, Callaghan, Cohen, Colbert, Cope, Granger, Gruwell, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Lawrence, Lewis, Mahler, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, Mitchell, Morgan, Morris, O'Grady, Ohlever, Regan, Remson, Rucker, Searey, Shanahan, Smyth, Spurgeon, Toner, Venable, and Wright

Whole number of votes cast	79
Necessary to a choice	40
Mr. Ryan received	41
Mr. Hall received	38

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

ELECTION OF ASSISTANT CLERKS.

Nominations for Assistant Clerks were declared in order.
Mr. Young of San Diego nominated Ed. J. Smith.
Mr. Sims of Nevada nominated Frank W. Marston.
Mr. Rucker of Santa Clara nominated John F. Barry.
Mr. Gruwell of Lake nominated W. J. Masterson.
The roll was called, with the following result:

For Smith and Marston—Messrs Alexander, Atherton, Bailey, Barry, Brierly, Brown W. A, Brown J. B, Brusie, Burnett, Butler, Campbell, Carr, Carroll, Cooley, Coombs, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Handy, Hyde, Jordan, Knox, LaBlanc, Martin, McDonnell, McGowan, Price, Sherburne, Sims, Sykes, Taylor, Variel, Vincent, Weber, Windrow, Wilcox, Williams, and Young of San Diego.

For Barry and Masterson—Messrs. Adams, Barton, Bost, Britt, Brooks, Callaghan, Cohen, Colbert, Cope, Granger, Gruwell, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Lawrence, Lewis, Mahler, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, Mitchell, Morgan, Morris, O'Grady, Ohlever, Regan, Remson, Rucker, Searey, Shanahan, Smyth, Spurgeon, Toner, Venable, and Wright

Whole number of votes cast	79
Necessary to a choice	40
Messrs Smith and Marston received	41
Messrs Barry and Masterson received	38

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

SERGEANT-AT-ARMS.

Nominations for Sergeant-at-Arms were declared in order.
Mr. McGowan of Humboldt nominated P. R. Klein.
Mr. Barton of San Bernardino nominated J. H. Stanwood.
The roll was called, with the following result:

For Klein—Messrs. Alexander, Atherton, Bailey, Barry, Brierly, Brown W. A., Brown J. B., Brusie, Burnett, Butler, Campbell, Carr, Carroll, Cooley, Coombs, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Handy, Hyde, Jordan, Knox, LaBlanc, Martin, McDonnell, McGowan, Price, Sherburne, Sims, Sykes, Taylor, Variel, Vincent, Weber, Windrow, Wilcox, Williams, and Young of San Diego.

For Stanwood—Messrs Adams, Barton, Bost, Britt, Brooks, Callaghan, Cohen, Colbert, Cope, Granger, Gruwell, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Lawrence, Lewis, Mahler, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, Mitchell, Morgan, Morris, O'Grady, Ohleyer, Regan, Remson, Rucker, Searey, Shanahan, Smyth, Spurgeon, Toner, Venable, Wright, and Young of San Joaquin.

Whole number of votes cast	79
Necessary to a choice	40
Mr Klein received	41
Mr Stanwood received	38

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

ELECTION OF ASSISTANT SERGEANT-AT-ARMS.

Nominations for Assistant Sergeant-at-Arms were declared in order.
Mr. LaBlanc of San Francisco nominated W. H. H. Hussey.
Mr. Lawrence of San Francisco nominated J. R. Lewis.
The roll was called, with the following result:

For Hussey—Messrs Alexander, Atherton, Bailey, Barry, Brierly, Brown W A., Brown J B., Brusie, Burnett, Butler, Campbell, Carr, Carroll, Cooley, Coombs, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Handy, Hyde, Jordan, Knox, LaBlanc, Martin, McDonnell, McGowan, Price, Sherburne, Sims, Sykes, Taylor, Variel, Vincent, Weber, Windrow, Wilcox, Williams, and Young of San Diego.

For Lewis—Messrs Adams, Barton, Bost, Britt, Brooks, Callaghan, Cohen, Colbert, Cope, Granger, Gruwell, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Lawrence, Lewis, Mahler, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, Mitchell, Morgan, Morris, O'Grady, Ohleyer, Regan, Remson, Rucker, Searey, Shanahan Smyth, Spurgeon, Toner, Venable, Wright, and Young of San Joaquin

Whole number of votes cast	80
Necessary to a choice	41
Mr Hussey received	41
Mr. Lewis received	39

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

ELECTION OF MINUTE CLERK.

Nominations for Minute Clerk were declared in order.
Mr. Butler of Tulare nominated Guy H. Salisbury.
Mr. Hart of Colusa nominated W. H. Miles.
The roll was called, with the following result:

For Salisbury—Messrs. Alexander, Atherton, Bailey, Barry, Brierly, Brown W A., Brown J B, Brusie, Burnett, Butler, Campbell, Carr, Carroll, Cooley, Coombs, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Handy, Hyde, Jordan, Knox,

LaBlanc, Martin, McDonnell, McGowan, Price, Sherburne, Sims, Sykes, Taylor, Variel' Vincent, Weber, Windrow, Wilcox, and Young of San Diego

For Miles—Messrs Adams, Barton, Bost, Britt, Brooks, Callaghan, Cohen, Colbert, Cope, Granger, Gruwell, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Lawrence, Lewis, Mahler, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, Mitchell, Morgan, Morris, O'Grady, Ohleyer, Regan, Renison, Rucker, Searey, Shanahan, Smyth, Spurgeon, Toner, Venable, Wright, and Young of San Joaquin.

Whole number of votes cast	79
Necessary to a choice	40
Mr Salisbury received	41
Mr. Miles received	38

Mr. Salisbury, 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. Wright of Stanislaus nominated W. D. Logan.
Mr. LaBlanc of San Francisco nominated Albert Hart.
The roll was called, with the following result:

For Hart—Messrs. Alexander, Atherton, Bailey, Barry, Brierly, Brown W. A., Brown J. B., Brusie, Burnett, Butler, Campbell, Carr, Carroll, Cooley, Coombs, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Handy, Hyde, Jordan, Knox, LaBlanc, Martin, McDonnell, McGowan, Price, Sherburne, Sims, Sykes, Taylor, Variel, Vincent, Weber, Windrow, Wilcox, Wilhams, and Young of San Diego

For Logan—Messrs Adams, Barton, Bost, Britt, Brooks, Callaghan, Cohen, Colbert, Cope, Granger, Gruwell, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Lawrence, Lewis, Mahler, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, Mitchell, Morgan, Morris, O'Grady, Ohleyer, Regan, Renison, Rucker, Searey, Shanahan, Smyth, Spurgeon, Toner, Venable, Wright, and Young of San Joaquin

Whole number of votes cast	80
Necessary to a choice	41
Mr. Hart received	41
Mr. Logan received	39

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

ELECTION OF ENGROSSING CLERK.

Nominations for Engrossing Clerk were declared in order.
Mr. Barry of San Francisco nominated Jacob Shaen.
Mr. Renison of Monterey nominated George W. Peckham.
The roll was called, with the following result:

For Shaen—Messrs Alexander, Atherton, Bailey, Barry, Brierly, Brown W. A., Brown J. B., Brusie, Burnett, Butler, Campbell, Carr, Carroll, Cooley, Coombs, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Handy, Hyde, Jordan, Knox, LaBlanc, Martin, McDonnell, McGowan, Price, Sherburne, Sims, Sykes, Taylor, Variel, Vincent, Weber, Windrow, Wilcox, Wilhams, and Young of San Diego

For Peckham—Messrs Adams, Barton, Bost, Britt, Brooks, Callaghan, Cohen, Colbert, Cope, Granger, Gruwell, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Lawrence, Lewis, Mahler, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, Mitchell, Morgan, Morris, O'Grady, Ohleyer, Regan, Renison, Rucker, Searey, Shanahan, Smyth, Spurgeon, Toner, Venable, Wright, and Young of San Joaquin.

Whole number of votes cast	80
Necessary to a choice	41
Mr Shaen received	41
Mr. Peckham received	39

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

ELECTION OF POSTMASTER.

Nominations for Postmaster were declared in order.
Mr. Matthews of San Benito nominated Miss F. M. Burnett.
Mr. Cooley of Alameda nominated Mrs. C. E. Levy.
The roll was called, with the following result:

For Mrs Levy—Messrs Alexander, Atherton, Bailey, Barry, Brierly, Brown W. A., Brown J B, Brusie, Burnett, Butler, Campbell, Carr, Carroll, Cooley, Coombs, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Handy, Hyde, Jordan, Knox, LaBlanc, Martin, McDonnell, McGowan, Price, Sherburne, Sims, Sykes, Taylor, Variel, Vincent, Weber, Windrow, Wilcox, Williams, and Young of San Diego
For Miss Burnett—Messrs Adams, Barton, Bost, Britt, Brooks, Callaghan, Cohen, Colbert, Cope, Granger, Gruwell, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Lawrence, Lewis, Mahler, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, Mitchell, Morgan, Morris, O'Grady, Ohleyer, Regan, Rucker, Renison, Searey, Shanahan, Smyth, Spurgeon, Toner, Venable, Wright, and Young of San Joaquin.

Whole number of votes cast	80
Necessary to a choice	41
Mrs C E. Levy received	41
Miss F. M Burnett received	39

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

ELECTION OF SPEAKER PRO TEM.

Nominations for Speaker pro tem were declared in order.
Mr. Knox of Los Angeles nominated Hon. John R. Brierly.
Mr. Heath of Santa Barbara nominated Hon. Allen Henry.
The roll was called, with the following result:

For Brierly—Messrs. Alexander, Atherton, Bailey, Barry, Brown W. A., Brown J. B, Brusie, Burnett, Butler, Campbell, Carr, Carroll, Cooley, Coombs, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Handy, Henry of Butte, Hyde, Jordan, Knox, LaBlanc, Martin, McDonnell, McGowan, Price, Sherburne, Sims, Sykes, Taylor, Variel, Vincent, Weber, Windrow, Wilcox, Williams, and Young of San Diego.
For Henry—Messrs. Adams, Barton, Bost, Brierly, Britt, Brooks, Callaghan, Cohen, Colbert, Cope, Granger, Gruwell, Hart, Heath, Henry of San Joaquin, Hotchkiss, Lawrence, Lewis, Mahler, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, Mitchell, Morgan, Morris, O'Grady, Ohleyer, Regan, Renison, Rucker, Searey, Shanahan, Smyth, Spurgeon, Toner, Venable, Wright, and Young of San Joaquin.

Whole number of votes cast	80
Necessary to a choice	41
Mr Brierly received	41
Mr. Henry received	39

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

ELECTION OF CHAPLAIN.

Mr. Taylor offered the following resolution:

Resolved, That the Rev E R Dille be and he is hereby appointed Chaplain of the Assembly, and his per diem is hereby fixed at five dollars per day, payable out of the Contingent Fund of the Assembly.

Mr. Brooks offered the following substitute:

Resolved, That the election of Chaplain of the Assembly be indefinitely postponed

Mr. Variel moved to lay upon the table.

Roll call demanded by Messrs. Lawrence, McDonnell, and Curry of San Francisco.

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

AYES—Messrs Adams, Barton, Bost, Britt, Brooks, Callaghan, Cohen, Colbert, Cope, Ellsworth, Granger, Gruwell, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Lawrence, Lewis, Mahler, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, Mitchell, Morgan, Morris, O'Grady, Regan, Rucker, Searey, Shanahan, Smyth, Spurgeon, Toner, Venable, Wright, and Young of San Joaquin—38

NOES—Messrs. Alexander, Atherton, Bailey, Barry, Brierly, Brown W. A., Brown J. B., Brusie, Burnett, Butler, Campbell, Carr, Carroll, Cooley, Coombs, Currey of Solano, Curry of San Francisco, Davis, Ewing, Gould, Handy, Hyde, Jordan, Knox, LaBlanc, Martin, McDonnell, McGowan, Ohleyer, Price, Remson, Sherburne, Sims, Sykes, Taylor, Variel, Vincent, Weber, Windrow, Wilcox, Williams, and Young of San Diego—42

The question being upon the resolution offered by Mr. Brooks, roll call was demanded by Messrs. Mann, Smyth, and Matthews of San Benito.

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

AYES—Messrs Britt, Brooks, Callaghan, Cohen, Colbert, Cope, Granger, Gruwell, Hart, Heath, Henry of Butte, Hotchkiss, Lawrence, Lewis, Mahler, Mathews of Tehama, Matthews of San Benito, McClenahan, Mitchell, Morgan, O'Grady, Regan, Rucker, Searey, Shanahan, Smyth, Spurgeon, Toner, Venable, and Wright—30

NOES—Messrs Adams, Alexander, Atherton, Bailey, Barry, Barton, Bost, Brierly, Brown W A, Brown J B, Brusie, Burnett, Butler, Campbell, Carr, Carroll, Cooley, Coombs, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Handy, Henry of San Joaquin, Hyde, Jordan, Knox, LaBlanc, Martin Mann, McDonnell, McGowan, Morris, Ohleyer, Price, Remson, Sherburne, Sims, Sykes, Taylor, Variel, Vincent, Weber, Windrow, Wilcox, Williams, Young of San Diego, and Young of San Joaquin—49.

The question being upon the resolution of Mr. Taylor, Mr. Carr moved to amend by striking out the word "six," and inserting the word "five" where it occurs in the resolution.

The amendment was accepted by Mr. Taylor and the House.

The following substitute was offered by Mr. Granger:

Resolved, That the clergymen of this city be invited to offer prayer in this Assembly each morning session freely and without pay

Roll call demanded by Messrs. Brooks, Heath, and Lawrence.

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

AYES—Messrs Adams, Barton, Britt, Brooks, Callaghan, Cohen, Colbert, Cope, Granger, Gruwell, Hart, Heath, Henry of Butte, Hotchkiss, Lawrence, Lewis, Mahler, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, Mitchell, O'Grady, Ohleyer, Regan, Remson, Rucker, Searey, Shanahan, Smyth, Spurgeon, Toner, Venable, and Wright—34.

NOES—Messrs Alexander, Atherton, Bailey, Barry, Bost, Brierly, Brown W. A., Brown J B, Brusie, Burnett, Butler, Campbell, Carr, Carroll, Cooley, Coombs, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Handy, Henry of San Joaquin, Hyde, Jordan, Knox, LaBlanc, Martin, McDonnell, McGowan, Morgan, Morris, Price Sherburne, Sims, Sykes, Taylor, Variel, Vincent, Weber, Windrow, Wilcox, Williams Young of San Diego, and Young of San Joaquin—44.

The question being upon the resolution of Mr. Taylor, it was adopted.

RESOLUTIONS.

By Mr. Weber:

Resolved, That Frank J. Brandon 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

Mr. Brierly moved that the resolution be made the special order for to-morrow, immediately after the reading of the Journal.

So ordered.

By Mr. Coombs:

Resolved, That S F. Taylor is hereby appointed Copying Clerk of the Assembly, at the same per diem as other clerks at the desk

Mr. Lawrence moved that the resolution be referred to the Committee on Attachés and Employés, when said committee shall have been appointed.

So ordered.

By Mr. Cooley:

Resolved, That the Speaker be authorized and empowered to appoint the same number of attachés as were appointed by the Speaker of the last Assembly.

Adopted.

By Mr. Carroll:

Resolved, That R G. Falk be and he is hereby appointed Assistant Minute Clerk of the Assembly, at the same per diem as the clerks at the desk, payable out of the Contingent Fund of the Assembly.

Mr. Brooks moved to amend, by inserting the name of Amelio Ortego for that of R. G. Falk.

Roll-call demanded by Messrs. Lawrence, Matthews of San Benito, and Mann.

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

AYES—Messrs. Adams, Barton, Bost, Britt, Brooks, Callaghan, Cohen, Colbert, Cope, Granger, Gruwell, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Lawrence, Lewis, Mahler, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, Mitchell, Morgan, Morris, O'Grady, Ohleyer, Regan, Remson, Rucker, Searey, Shanahan, Smyth, Spurgeon, Toner, Venable, Wright, and Young of San Joaquin—39

NOES—Messrs Alexander, Atherton, Bailey, Barry, Brierly, Brown W A, Brown J. B, Brusie, Burnett, Butler, Campbell, Carr, Carroll, Cooley, Coombs, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Handy, Hyde, Jordan, Knox, LaBlanc, Martin, McDonnell, McGowan, Price, Sherburne, Sims, Sykes, Taylor, Variel, Vincent, Weber, Windrow, Wilcox, Williams, and Young of San Diego—41

Mr. Mathews of Tehama moved to refer the resolution to the Committee on Attachés and Employés, when appointed.

Lost, on division—ayes, 38; noes 40.

The question being upon the adoption of the resolution of Mr. Carroll, it was adopted.

By Mr. Curry of San Francisco:

Resolved, That A F Chapman 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

Mr. Henry of Butte moved to refer to the Committee on Attachés and Employés, when appointed.

Lost.

The resolution was then adopted.

OATH OF OFFICE.

Hon. J. R. Brierly, Speaker pro tem.; Frank D. Ryan, Chief Clerk; Frank W. Marston and Edward J. Smith, Assistant Clerks; P. R.

Klein, Sergeant-at-Arms; W. H. H. Hussey, Assistant Sergeant-at-Arms; Guy H. Salisbury, Minute Clerk; Albert Hart, Journal Clerk; Jacob Shaen, Engrossing Clerk; and Mrs. C. E. Levy, Postmistress, now came forward and took the following oath of office:

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

RESOLUTIONS.

By Mr. Henry of Butte:

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

Adopted.

By Mr. Brusie:

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

Adopted.

By Mr. Brooks:

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

Speaker	W. H. Jordan.
Speaker pro tem	J. R. Brierly.
Chief Clerk	F. D. Ryan.
Assistants Clerks	Ed. J. Smith and F. W. Marston.
Sergeant-at-Arms	P. R. Klein.
Assistant Sergeant-at-Arms	W. H. H. Hussey.
Minute Clerk	Guy H. Salisbury.
Assistant Minute Clerk	Ray G. Falk.
Journal Clerk	Albert Hart.
Assistant Journal Clerk	A. F. Chapman.
Engrossing Clerk	J. Shaen.
Postmistress	Mrs. C. E. Levy.
Chaplain	Rev. Dr. Dille.

And awaits its pleasure in legislative business.

APPOINTMENT OF COMMITTEES.

The Speaker announced the following committees: To notify the Governor that the House was organized and awaited any communications he had to make, Messrs. Allen Henry, George W. Knox, and F. L. Coombs; to ascertain mileage and per diem due the temporary officers, Messrs. J. C. Brusie, John Ellsworth, and H. W. Carroll.

ADJOURNMENT.

At nine o'clock and thirty-five minutes P. M., on motion of Mr. Taylor, the House adjourned until two o'clock P. M., Tuesday, January 4, 1887.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Tuesday, January 4, 1887.

The House met pursuant to adjournment, at two o'clock P. M.
Speaker Jordan in the chair.
The roll was called, and the following members answered to their names:

Messrs Adams, Alexander, Atherton, Bailey, Barry, Barton, Bost, Brierly, Britt, Brooks, Brown W A., Brown J. B, Brusie, Burnett, Butler, Callaghan, Campbell, Carr, Carroll, Cohen, Colbert, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Gruwell, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, Knox, LaBlanc, Lawrence, Lewis, Mahler, Martin, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Mitchell, Morgan, Morris, O'Grady, Ohleyer, Price, Regan, Renison, Rucker, Searey, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Toner, Variel, Venable, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr Speaker.

Quorum present.
Prayer by the Chaplain, Rev. E. R. Dille.

APPOINTMENTS.

The following appointments were made by the Speaker:

Pages—Wilkie Edwards, Willie Bailey, Charles Luce, Frank George, Thomas Kelly, Charles A. Phillips, and Ed. Short
Doorkeeper—H Balch
Mail Carrier—Frank S Cooley
Gatekeepers—J. R Taylor, J H Putnam, and L. H. Brown
Clerk to Sergeant-at-Arms—M J. Dunn
Assistant Clerk to Sergeant-at-Arms—H. M. Meacham
Assistant Postmaster—Miss Weaver
Rear Porter—James Phillips
Porters—W M Sanderson, B A. Johnson, John T. Hayes, Oscar Redfield, H E Karlin, D. C. Smith, and John L. Ewens
Committee Room Porters—J. H Williams, G. W. Pratt, John McNulty, and Chas. B. Cory.
Gallery Porter—W. L Becktell
Watchmen—W B Read, John L Robinson, J P Watson, and P H Maloney.
Porter to Sergeant-at-Arms—J. J. O'Riley.

Pending the reading of the Journal, Mr. Matthews of San Benito moved to dispense with further reading.
So ordered.

SPECIAL ORDER—RESOLUTION.

By Mr. Weber:

Resolved, That Frank J. Brandon 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.

Mr. Brierly moved to postpone the special order for two days.
Mr. Matthews moved to amend, by referring to the Committee on Attachés and Contingent Expenses, when appointed.
So ordered.

RESOLUTIONS.

By Mr. Renison:

Resolved, That the Secretary of State be authorized and requested to furnish each member of the Assembly with a copy of the Codes of this State.

Mr. R. J. Currey offered the following as an amendment:

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

Mr. Ellsworth moved, as an amendment to the amendment, that the words "they be returned to the Secretary of the State at the end of the session," be added to the resolution.

Mr. Renison accepted the amendment offered by Mr. Currey.

Mr. Variel moved to lay the whole subject-matter on the table.

Ayes and noes demanded by Messrs. Britt, Lawrence, and McDonnell.

The roll was called, and the motion to lay on the table carried by the following vote:

AYES—Messrs Adams, Alexander, Atherton, Bailey, Barton, Bost, Brierly, Britt, Brooks, Brusie, Burnett, Campbell, Carr, Carroll, Coombs, Cope, Currey of Solano, Davis, Ellsworth, Ewing, Granger, Gruwell, Henry of San Joaquin, Hotchkiss, LaBlanc, Lawrence, Mahler, Matthews of San Benito, McDonnell, McGowan, Mitchell, Morgan, Morris, Ohleyer, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Taylor, Variel, Vincent, Weber, Wilcox, Wright, and Young of San Diego—47

NOES—Messrs. Barry, Brown W. A., Brown J. B., Butler, Callaghan, Cohen, Colbert, Cooley, Curry of San Francisco, Gould, Handy, Hart, Heath, Henry of Butte, Hyde, Knox, Lewis, Martin, Mann, Mathews of Tehama, McClenahan, O'Grady, Price, Regan, Renison, Rucker, Searey, Sykes, Toner, Venable, Windrow, Williams, Young of San Joaquin, and Mr. Speaker—34.

RESOLUTION.

By Mr. Variel:

Resolved, That an additional number of two hundred and fifty copies of the Journal of the Assembly of January 3, 1887, be printed.

Carried.

REPORT OF SPECIAL COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, January 4, 1887.

MR SPEAKER Your committee to whom was referred a resolution relative to the per diem and mileage of the officers of the temporary organization, have had the same under consideration, and would respectfully report on the same, and recommend the adoption of the resolution herewith.

H. W. CARROLL.
JUD. C. BRUSIE.
JOHN ELLSWORTH.

Resolved, That the Controller be and he is hereby authorized to draw his warrant, on January 8, 1887, 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.

Jerome Porter, Sergeant-at-Arms, 168 miles	$16 80
C S Long, Assistant Clerk, 182 miles	18 20
Aaron Smith, Assistant Clerk, 956 miles	95 60
T E Atkinson, Minute Clerk, 168 miles	16 80
Frank J Brandon, Journal Clerk, 256 miles	25 60

Adopted.

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

Ed J Smith, Assistant Clerk, 168 miles, at ten cents	$16 80
Geo O. Green, Clerk to Sergeant-at-Arms, three days, at $8	24 00
S F Taylor, Assistant Clerk to Sergeant-at-Arms, three days, at $8	24 00
R. D Cannon, Assistant Minute Clerk, three days, at $8	24 00
A. Kerrigan, Gatekeeper, three days, at $4	12 00
Eugene Jackson, Gatekeeper, three days, at $4	12 00

A Nixon, Gatekeeper, three days, at $4	$12 00
Horatio Balch, Doorkeeper, three days, at $4	12 00
Charles Douglas, Watchman, three days, at $4	12 00
B A Johnson, Watchman, three days, at $4	12 00
Charles Duhane, Watchman, three days, at $4	12 00
Thomas McGinnis, Watchman, three days, at $4	12 00
Martin Morelli, Porter, three days, at $4	12 00
E Whitcomb, Porter, three days, at $4	12 00
James Phillips, Porter, three days, at $4	12 00
Hiram Clock, Porter, three days, at $4	12 00
John Williams, Porter, three days, at $4	12 00
J O. Barber, Porter, three days, at $4	12 00
Mrs L C Stratton, Postmistress, three days, at $3	9 00
Chas Fehl, Assistant Postmaster, three days, at $3	9 00
R J Sweener, Mail Carrier, three days, at $3	9 00
Sherman McDowell, Page, three days, at $3	9 00
Chas Luce, Page, three days, at $3	9 00
Ed Short, Page, three days, at $3	9 00
John Gwynne, Page, three days, at $3	9 00
Eddie Grogan, Page, three days, at $3	9 00
Joe Smith, Page, three days, at $3	9 00
A Grubbs, Porter, three days, at $4	12 00
C. Peck, Porter, three days, at $4	12 00

Adopted.

RESOLUTIONS.

By Mr. M. H. Barry:

Resolved, That E Jackson be and he is hereby appointed a Committee Room Porter of the Assembly, at a per diem of four dollars, payable out of the Contingent Fund of Assembly.

Referred to Committee on Attachés and Contingent Expenses, when appointed.

By Mr. Butler:

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

Adopted.

By Mr. Barton:

Resolved, That a committee of three be appointed to wait on the Secretary of State and ascertain from him, and to report to the House to-morrow, how many complete sets of the pocket Codes he has in his hands at the disposal of this Assembly.

Adopted.

ADJOURNMENT.

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

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Wednesday, January 5, 1887.

The House met pursuant to adjournment.

Speaker Jordan in the chair.

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

Messrs Adams, Alexander, Atherton, Bailey, Barry, Barton, Bost, Brierly, Britt, Brooks, Brown W A, Brown J. B, Brusie, Burnett, Butler, Callaghan, Campbell, Carr, Carroll, Cohen, Colbert, Cooley, Coombs, Currey of Solano, Curry of San Francisco, Davis, Ellis-

worth, Ewing, Gould, Granger, Gruwell, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, Knox, LaBlanc, Lawrence, Lewis, Mahler, Martin, Mann, Mathews of Tehama, Matthews of San Benito, McClenanan, McDonnell, McGowan, Mitchell, Morgan, Morris, O'Grady, Ohlever, Price, Regan, Rennson, Rucker, Searey, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Toner, Variel, Venable, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr. Speaker.

Quorum present.
Prayer by the Chaplain, Rev. E. R. Dille.
Journal of yesterday read and approved.

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

ALLEN HENRY.
KNOX
COOMBS.

INTRODUCTION OF BILL.

The following bill was introduced, and referred as follows:

By Mr. McDonnell: Assembly Bill No. 1—An Act to propose an amendment to section one, of Article XIII, of the Constitution, relating to revenue and taxation.

Referred to Committee on Constitutional Amendments, when appointed.

Mr. Young of San Diego moved to suspend the rules, and pass the order of business entitled "Introduction of Bills."

So ordered.

RESOLUTIONS.

By Mr. Heath:

Resolved, That Mrs. K. J. Troy be and she 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 Committee on Attachés and Employés, when appointed.

By Mr. Coombs:

Resolved, That James J Maloney be and he is hereby appointed Messenger, whose duty it shall be to transfer all papers and documents to the office of the Superintendent of State Printing, and to retransfer them and all printed matter for the Assembly from said office to the Clerk's desk of the Assembly. That for such service he shall be paid a per diem of four dollars, payable out of the appropriation for the contingent expenses of the Assembly.

Mr. Brooks moved to suspend the rules and adopt this resolution.

Lost, on a division—ayes, 42; noes, 20.

Referred to Committee on Attachés and Employés, when appointed.

By Mr. W. A. Brown:

Resolved, That the salaries of all of the employés and attachés of the Assembly now employed commence from the third day of January, 1887.

Adopted.

By Mr. Cooley:

Resolved, That B. S. Marston 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 Committee on Attachés and Employés, when appointed.
By Mr. C. F. Curry:

Resolved, That Charles F Metzner be and he is hereby appointed Second Assistant Minute Clerk, whose pay shall be the same as that of his principal, to be paid out of the Contingent Fund of the Assembly.

Referred to Committee on Attachés and Employés, when appointed.
By Mr. Brooks:

Resolved, That John S. Wilkins be and he is hereby appointed Porter of the Judiciary Committee, at a per diem of five dollars, payable out of the Contingent Fund of the Assembly.

Mr. Brooks moved to suspend the rules and adopt the resolution.
Ayes and noes demanded by Messrs. Brooks, Rucker, and Cohen.
The roll was called, and the motion lost by the following vote:

AYES—Messrs Adams, Barton, Bost, Britt, Brooks, Carr, Carroll, Cohen, Cope, Davis, Granger, Gruwell, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Lewis, Mahler, Mann, McClenahan, McDonnell, Mitchell, Morgan, Morris, O'Grady, Ohleyer, Regan, Remson, Rucker, Searey, Shanahan, Smyth, Spurgeon, Taylor, Toner, and Young of San Joaquin—37.

NOES—Messrs Alexander, Atherton, Bailey, Barry, Bierly, Brown W A, Brown J B, Brusie, Burnett, Butler, Campbell, Colbert, Cooley, Coombs, Currey of Solano, Curry of San Francisco, Ellsworth, Ewing, Gould, Hotchkiss, Hyde, Knox, LaBlanc, Lawrence, Martin, Mathews of Tehama, Matthews of San Benito, McGowan, Price, Sherburne, Sims, Sykes, Varnel, Venable, Vincent, Weber, Windrow, Wilcox, Williams, Wright, and Young of San Diego—41

Resolution referred to Committee on Attachés and Employés, when appointed.
By Mr. Carr:

Resolved, That James A. Orr 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.

Referred to Committee on Attachés and Employés, when appointed.
By Mr. Burnett:

Resolved, That the Speaker be authorized to appoint a Page for the desk of the Speaker and Chief Clerk, at the same per diem as is paid the other Pages, said per diem payable out of the appropriation for the contingent expenses of the Assembly.

Referred to Committee on Attachés and Employés, when appointed.
By Mr. Windrow:

Resolved, That Wm. T. Colbert be and is hereby appointed Messenger to the Minute Clerk, at a per diem of three dollars, payable out of the Contingent Fund of the Assembly.

Referred to Committee on Attachés and Employés, when appointed.
By Mr. Ewing:

Resolved, That Miss Nora Andrews is hereby appointed Copying Clerk of the Assembly, at a per diem of five dollars, payable out of the Contingent Fund of the Assembly.

Referred to Committee on Attachés and Employés, when appointed.
By Mr. Carroll:

Resolved, That Mrs. Edward Cadwalader be and she is hereby appointed Assistant Engrossing Clerk of the Assembly, at the same per diem as the Engrossing Clerk.

Referred to Committee on Attachés and Employés, when appointed.

By Mr. Cohen:

Resolved, That R. J. Sweeney be and is hereby appointed Committee Room Porter, at the same per diem as other Porters, payable out of the Contingent Fund of the Assembly.

Referred to Committee on Attachés and Employés, when appointed.

By Mr. Lewis:

Resolved, That John R Lewis, of San Francisco, be and hereby is appointed Second Assistant Clerk to the Sergeant-at-Arms, at the same per diem as the other clerks, payable out of the appropriation for the contingent expenses of the Assembly.

Referred to Committee on Attachés and Employés, when appointed.

By Mr. Taylor:

Resolved, That Eddie Grogan be and he is hereby appointed Post Office Page, at the same per diem as the other Pages, payable out of the Contingent Fund of the Assembly.

Referred to Committee on Attachés and Employés, when appointed.

QUESTION OF PRIVILEGE.

Mr. Heath arose to a question of privilege, upon an article that appeared in the San Francisco Examiner of January 4, 1887, regarding his views upon the distribution of the Codes to the members of the Assembly. He stated that the article misrepresented him.

APPOINTMENT OF COMMITTEES.

The Speaker announced the appointment of the following committees:

Committee to Visit Secretary of State Regarding Codes—H M. Barton, A. J. Martin, and J. I. Sykes

Committee on Elections—Seymour Carr, Chairman; J. C. Brusie, R H. F. Variel, J. E. Britt, G W Knox, Jesse Cope, and L. L. Ewing

Committee on Rules—John Davis, Chairman, Edward Smyth, W. P. Mathews, A. J Martin, and Chas. M. Weber

ADJOURNMENT.

At eleven o'clock and fifty minutes A. M. Mr. Mathews of Tehama moved to take a recess until three o'clock P. M.

Mr. Brooks moved, as an amendment, that the House do now adjourn.

The question being on the amendment, at eleven o'clock and fifty-five minutes A. M. the House adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Thursday, January 6, 1887.

The House met pursuant to adjournment.

Speaker Jordan in the chair.

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

Messrs Adams, Alexander, Atherton, Bailey, Barry, Barton, Bost, Brierly, Britt, Brooks, Brown W A, Brown J B, Brusie, Burnett, Butler, Callaghan, Campbell, Carr, Carroll, Cohen, Colbert, Cooley, Coombs, Cope, Curtey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Gruwell, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, Knox, LaBlanc, Lawrence, Lewis, Mahler, Martin, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Mitchell, Morgan, Morris, O'Grady, Ohleyer, Price, Regan, Remson, Rucker, Searey, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Toner, Variel, Venable, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr Speaker

Quorum present.

Prayer by the Chaplain, Rev. E. R. Dille.

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

So ordered.

Journal approved.

REPORT OF STANDING COMMITTEE.

ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, January 6, 1887

MR SPEAKER: Your Committee on Rules and Regulations beg leave to report the following rules and regulations, and recommend that they be adopted as the Standing Rules of the Assembly of the State of California for the Twenty-seventh Session of the Legislature, and recommend that five hundred copies thereof be printed in addition to the usual number.

DAVIS, Chairman

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, 1887, and thereafter at ten 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 a vote of the House.

II—ORDER OF BUSINESS

1. Roll-call
2. Prayer by the Chaplain
3. Reading and approval of the Journal.
4. Presentation of Petitions
5. Reports of Standing Committees.
6. Reports of Select Committees.
7. Messages from the Governor.
8. Messages from the Senate
9. Introduction and reference of Bills
10. Special Orders of the Day
11. Business on the Special File
12. Business on the General File and Third Reading of Bills.
13. Motions and Resolutions
14. 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 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 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 into question and be referred to them by the House, and to report their opinion thereon.

XXIII.—ON COMMERCE AND NAVIGATION.

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

XXIV.—ON PUBLIC LANDS.

It shall be the duty of the Committee on Public Lands to take into consideration all such petitions and matters or things respecting the lands of this 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 establishments.

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; and said committee shall

see that all engrossed bills are reported back in the order in which they were ordered engrossed.

XXXII.—ON EDUCATION.

It shall be the duty of the Committee on Education to consider and report on all matters pertaining to the State Normal 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, on 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 VI relating to third reading of bills. A motion or resolution proposing to increase or diminish a standing committee shall not be adopted until the same has been referred to the Committee on Rules and Regulations.

LXX.—MEMBERS ABSENTING THEMSELVES.

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

LXXI.—PERSONS ADMITTED TO FLOOR

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

LXXII.—SMOKING IN HALL

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

LXXIII.—PARLIAMENTARY RULES.

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

LXXIV.—USE OF HALL.

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

LXXV.—FEES FOR WITNESSES.

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

LXXVI.—PROTEST OF MEMBERS.

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

LXXVII.—ORDER OF MAKING FILE.

Upon the introduction of bills, they shall be referred to a Standing Committee of the House, 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 bills relating to appropriations for the support of the State Government and State institutions, revenue, and constitutional amendments, in the order named, and in the order in which the same may be reported to the Assembly, and he shall place no other bills thereon.

LXXIX —TAKING UP BILLS OUT OF ORDER.

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

LXXX —EXTRA PAY

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

LXXXI.—ENGROSSING AND ENROLLING BILLS

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

LXXXII —DUTY OF COMMITTEE ON ATTACHÉS AND EMPLOYÉS.

It shall be the duty of the Committee on Attachés and Employés, whenever there is a resolution offered for additional help in any of the various departments of clerical or other assistants in this Assembly, to inquire into the necessity for such proposed help, and 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.

Mr. Variel moved that the report of the Committee on Rules be received and the rules adopted.

Carried.

MESSAGE FROM THE GOVERNOR.

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

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
SACRAMENTO, CAL., January 6, 1887.

To the Assembly of the State of California:

I herewith transmit to your honorable body my second biennial message, with accompanying documents.

GEORGE STONEMAN, Governor.

Mr. Heath moved that the further consideration of the Governor's message be postponed until to-morrow, immediately after reading the Journal.

So ordered.

RESOLUTIONS.

By Mr. Variel:

Resolved, That a committee of three be appointed by the Chair to wait upon the Senate and ascertain what time will be agreeable to that body to meet in joint convention for the purpose of canvassing the vote of the late election, as provided by the Constitution

Adopted.

APPOINTMENT OF COMMITTEE.

The Speaker appointed as such committee, Messrs. Variel, Heath, and Wright.

By Mr. Windrow:

Resolved, That R. J. Kerrison be and he is hereby appointed Porter to the committee rooms of the Judiciary Committee, at a per diem of four dollars, payable out of the Contingent Fund.

Referred to Committee on Attachés and Employés, when appointed.

By Mr. Alexander:

Resolved, That the following be fixed as the per diem of the attachés of the Assembly, viz.:

Watchmen	$4 00
Porters	4 00
Pages	3 00
Gatekeepers	5 00
Committee Room Porters	4 00

Adopted.

By Mr. Campbell:

Resolved, That Miss Sarah Baker be and is hereby appointed Copying Clerk, at a per diem the same as other clerks at the desk, to be paid out of the Contingent Fund of the Assembly.

Referred to Committee on Attachés and Employés, when appointed.

By Mr. Brusie:

Resolved, That Mrs L C Stratton be and she is hereby appointed Second Assistant Journal Clerk, at the same per diem as the Journal Clerk, payable out of the appropriation for the contingent expenses of the Assembly.

Referred to Committee on Attachés and Employés, when appointed.

By Mr. McDonnell:

Resolved, That Thomas Rodgers be and he is hereby appointed Messenger between the Clerk's desk and the printing office, at a per diem of six dollars, payable out of the appropriation for the contingent expenses of the Assembly. His duties to be the same as are usually devolved upon the persons heretofore employed in such capacity.

Referred to Committee on Attachés and Employés, when appointed.

By Mr. Coombs:

Resolved, That upon the adjournment of this Assembly, the Assembly Chamber and Gallery be placed under the control of the Sergeant-at-Arms of the Assembly, and that he is hereby instructed and directed to prepare and arrange the same for the inauguration ceremonies, in accordance with the plans and directions of the committees of the Senate and House appointed for that purpose.

Adopted.

By Mr. Davis:

Resolved by the Assembly, the Senate concurring, That a committee of six, three from the Senate and three from the Assembly, be appointed for the purpose of framing a set of joint rules to govern the Senate and Assembly.

Lost.

By Mr. Carr:

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.

Mr. Carr moved to suspend the rules and adopt this resolution.

Ayes and noes demanded on the suspension of the rules, by Messrs. Brooks, Young of San Joaquin, and Gruwell.

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

AYES—Messrs. Alexander, Atherton, Bailey, Barry, Bost, Brierly, Britt, Brown W. A., Brown J. B., Brusie, Burnett, Butler, Callaghan, Campbell, Carr, Carroll, Cohen, Colbert, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Handy, Hyde, Knox, LaBlanc, Mahler, Martin, McDonnell, McGowan, Price, Regan, Sherburne, Sims, Sykes, Taylor, Variel, Weber, Windrow, Wilcox, Williams, and Young of San Diego—47.

NOES—Messrs Adams, Barton, Brooks, Granger, Gruwell, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Lawrence, Lewis, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, Mitchell, Morgan, Morris, O'Grady, Oblever, Renson, Rucker, Searey, Shanahan, Smyth, Spurgeon, Toner, Venable, Vincent, Wright, Young of San Joaquin, and Mr. Speaker—33.

Mr. W. A. Brown moved that when the House adjourns it adjourns to meet Monday, January tenth, eighteen hundred and eighty-seven, at two o'clock P. M.

Lost.

RESOLUTIONS—(RESUMED).

By Mr. Mathews of Tehama:

Resolved, That the Clerk have printed two thousand copies of the message of his Excellency the Governor, this day received.

Adopted, on motion of Henry of Butte.

By Mr. Taylor:

Resolved, That Alexander B Nixon be and he is hereby appointed Watchman of the Assembly, at the same per diem as other Watchmen, payable out of the Contingent Fund of the Assembly.

Referred to Committee on Attachés and Employés, when appointed.

By Mr. Cohen:

Resolved, That Miss Mollie Brennan be and she is hereby appointed Copying Clerk in the office of the Engrossing Clerk, at a per diem to be hereafter fixed, payable out of the Contingent Fund of the Assembly.

Referred to Committee on Attachés and Employés, when appointed.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, January 5, 1887.

MR SPEAKER: I am directed to inform your honorable body that the Senate, on this day, adopted the following resolution:

Resolved, That the Secretary of the Senate be directed to inform the Assembly that the Senate is now organized and ready to proceed to business, with the following officers

Stephen M White	President pro tem.
E H. Hamilton	Secretary.
R. B Oullahan	Assistant Secretary.
J M Corcoran	Assistant Secretary.
J J McCarthy	Assistant Secretary
John W. Wilcox	Sergeant-at-Arms
Thos Coleman	Assistant Sergeant-at-Arms
W F Huestis	Minute Clerk.
John F Meagher	Journal Clerk.
T W O'Neil	Enrolling Clerk.
M. S Brace	Engrossing Clerk.
Miss Hattie E Dixon	Postmistress.
Rev. H C. Christian	Chaplain

EDWIN F. SMITH, Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, January 6, 1887.

MR SPEAKER I am directed to inform your honorable body that the Senate, on this day, adopted the following.

Resolved, That the Senate will meet the Assembly in joint convention this day, January sixth, at twelve o'clock M., to canvass the votes for Governor and Lieutenant-Governor

E H HAMILTON, Secretary
By J. J. MCCARTHY, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, January 5, 1887

MR SPEAKER. I am directed to inform your honorable body that the Senate, on this day, adopted the following resolution:

Resolved, That Senators Jones, Yell, and Wilson be appointed a committee of three, to act in conjunction with a similar committee of the Assembly, to make preparations for the inauguration of his Excellency Governor-elect Washington Bartlett.

E H HAMILTON, Secretary.
By J. J. MCCARTHY, Assistant Secretary.

REPORT OF CONFERENCE COMMITTEE.

To the honorable Assembly

Your Committee on Conference with the Senate, concerning the time when it can meet with this House to canvass the returns of Governor and Lieutenant-Governor, report that we have performed that duty, and that the Senate has agreed to meet with this House at twelve o'clock M.

VARIEL.
HEATH
WRIGHT

Report received and committee discharged.

RECESS.

At eleven o'clock and thirty minutes A. M., on motion of Mr. Heath, the House took a recess until twelve o'clock M.

REASSEMBLED.

The House reassembled at twelve o'clock M.
Speaker Jordan in the chair.
Quorum present.
The Speaker notified the Sergeant-at-Arms of the Senate, who appeared at the bar of the House, that the Assembly is prepared to receive their honorable body in Joint Convention.

IN JOINT CONVENTION.

Proceedings of Joint Convention to canvass the returns of the election for Governor and Lieutenant-Governor.

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

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

The roll of Senators was called by the Secretary of the Senate, and the following Senators answered to their names:

Senators Abbott, Boggs, Bowers, Briceland, Byrnes, Caminetti, Chandler, Clunie, Conklin, Crandall Crimmins, Dixon, Dray, Gesford, Goucher, Hall, Haynes, Hinshaw, Jones, Lenahan, McCarthy, McCudden, Meany, Moffitt, Murphy, Patterson, Pinder, Rose, Roth, Sargent, Spellacy, Steele, Sullivan, Vrooman, Walrath, White, Wilson, and Yell.

The roll of the Assembly was called by the Chief Clerk, and the following members responded to their names:

Messrs Adams, Alexander, Atherton, Bailey, Barton, Bost, Brierly, Brooks, Brown W. A., Brown J. B., Brusie, Burnett, Butler, Callaghan, Campbell, Carr, Carroll, Cohen, Colbert, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Gruwell, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, Knox, LaBlanc, Lawrence, Lewis, Mahler, Martin, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Mitchell, Morgan, Morris, O'Grady, Ohleyer, Price, Regan, Remson, Rucker, Searey, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Toner, Variel, Venable, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr Speaker.

The Secretary of the Senate read the sections of the Political Code authorizing the Joint Convention.

The President of the Senate appointed as tellers, on the part of the Senate, Senator Boggs and Wilson.

The Speaker of the House appointed as tellers, on the part of the Assembly, Messrs. LeBlanc and Lewis.

The Speaker announced that the returns from all the counties except three had been received.

Mr. White moved that a committee of three be appointed by the Chair to wait upon the Secretary of State and ascertain if all the returns had been received by him, and if he had any information regarding the missing returns from said three counties.

So ordered.

The Speaker appointed as such committee Messrs. White, Haynes, and Heath.

RECESS.

At one o'clock and twelve minutes P. M. the Speaker declared a recess for five minutes.

REASSEMBLED.

At one o'clock and twenty minutes P. M. the Joint Convention reassembled.

Quorum present.

Mr. White, of the committee appointed to wait upon the Secretary of State, made verbal report that the committee have in their possession an abstract of the official returns from the missing counties.

Mr. White moved that the official abstract be admitted in lieu of the returns that should have been delivered to the Speaker.

Mr. Vrooman arose to a point of order, stating that this Convention cannot go outside of the sections of the Code as read by the Secretary of the Senate.

QUESTION OF PRIVILEGE.

Senator Vrooman arose to a question of privilege, and took exception to the remarks of a member of the Senate.

Senator Clunie also arose to a question of privilege in answer.

The Speaker decided the point of order made by Senator Vrooman as well taken, and refused to declare the result until the full returns from all the counties had been received by him.

RECESS.

At two o'clock and forty-five minutes P. M. Mr. Taylor moved that the Joint Convention take a recess until to-morrow, at three o'clock P. M.

Mr. Goucher moved to amend, by taking a recess until Saturday, January 8, 1887, at ten o'clock A. M.

Amendment accepted.

Mr. Brierly moved to amend, by making the hour three o'clock P. M. to-morrow.

Amendment lost.

The question recurring on the original motion, at two o'clock and fifty minutes P. M. the Speaker declared a recess of the Joint Convention until Saturday, January 8, 1887, at ten o'clock A. M.

REASSEMBLED.

At two o'clock and fifty-one minutes P. M. the House reassembled.

Speaker Jordan in the chair.

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

Messrs. Adams, Alexander Atherton, Bailey, Barry, Barton, Bost, Brierly, Britt, Brooks, Brown W A, Brown J B, Brusie, Burnett, Butler, Callaghan, Campbell, Carr, Carroll, Cohen, Colbert, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Gruwell, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, Knox, LaBlanc, Lawrence, Lewis, Mahler, Martin, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Mitchell, Morgan, Morris, O'Grady, Ohleyer, Price, Regan, Renison, Rucker, Searey, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Toner, Variel, Venable, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr. Speaker.

Quorum present.

LEAVE OF ABSENCE.

Mr. W. A. Brown was granted leave of absence until Monday.

REPORT OF SPECIAL COMMITTEE.

MR SPEAKER Your committee appointed to wait on Secretary of State and ascertain the number of complete sets of pocket Codes he has in his hands at the disposal of the Assembly, beg leave to report that we are informed there are none.

H. M. BARTON.
J. I. SYKES

ADJOURNMENT.

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

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Friday, January 7, 1887.

The House met pursuant to adjournment.

Speaker Jordan in the chair.

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

Messrs Adams, Alexander, Atherton, Bailey, Barry, Barton, Bost, Brierly, Britt, Brooks, Brown W A., Brown J B, Brusie, Burnett, Butler, Callaghan, Campbell, Carr, Carroll, Cohen, Colbert, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, Knox LaBlanc, Lawrence, Lewis, Mahler, Martin, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Mitchell, Morgan, Morris, O'Grady, Ohleyer, Price, Regan, Renison, Rucker, Searey, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Toner, Variel, Venable, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr. Speaker.

Quorum present.

Prayer by the Rev. Mr. Sims.

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

So ordered.

Journal corrected and approved.

SPECIAL ORDER.

Consideration of Governor's message.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
SACRAMENTO, CAL., January 6, 1887.

To the Assembly of the State of California:

I herewith transmit to your honorable body my second biennial message, with accompanying documents

GEORGE STONEMAN, Governor.

Message read.

MOTION.

Mr. Mathews of Tehama moved to take from the table the resolution respecting the Codes, as follows:

So ordered.

RESOLUTION.

By Mr. Renison:

Resolved, That the Secretary of State be authorized and requested to furnish each member of the Assembly with a copy of the Codes of this State.

Mr. R. J. Currey offered the following as an amendment:

Resolved, That the Secretary of State be authorized to purchase, and pay for out of the appropriation for the contingent expenses of the Assembly, one hundred amended copies of the latest pocket edition of the Codes of California

Mr. Ellsworth moved, as an amendment to the amendment, that the words "they be returned to the Secretary of State at the end of the session," be added to the resolution.

Mr. Renison accepted the amendment offered by Mr. Currey.

Mr. Heath offered the following as an amendment to the amendment:

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

PREVIOUS QUESTION.

Mr. Alexander moved the previous question.

Carried.

Amendment offered by Mr. Heath adopted.

The question being on the amendment offered by Mr. Ellsworth, the ayes and noes were demanded by Messrs. Brooks, Brierly, and McGowan.

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

AYES—Messrs Alexander, Atherton, Bailey, Barton, Brierly, Britt, Brown W A., Burnett, Campbell, Carr, Carroll, Coombs, Ellsworth, Gould, Granger, Gruwell, Heath, Mahler, Matthews of San Benito, McDonnell, Mitchell, Ohleyer, Remson, Sherburne, Sykes, Taylor, Vincent, Weber, Wilcox, Williams, Wright, and Mr Speaker—32

NOES—Messrs Adams, Barry, Bost, Brooks, Brown J B, Brusie, Butler, Callaghan, Cohen, Colbert, Cooley, Cope, Currey of Solano, Curry of San Francisco, Davis, Ewing, Handy, Hart, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, Knox, LaBlanc, Lawrence, Lewis, Martin, Mann, Mathews of Tehama, McClenahan, McGowan, Morgan, Morris, O'Grady, Price, Regan, Rucker, Searey, Shanahan, Sims, Smyth, Spurgeon, Toner, Variel, Venable, Windrow, Young of San Diego, and Young of San Joaquin—48

The question being on the adoption of the resolution, the ayes and noes were demanded by Messrs. Brooks, Mahler, and McDonnell.

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

AYES—Messrs. Alexander, Bailey, Barry, Barton, Brierly, Britt, Brown W A., Brusie, Burnett, Butler, Callaghan, Campbell, Carr, Carroll, Cohen, Colbert, Coombs, Cope, Currey of Solano, Davis, Ellsworth, Ewing, Gould, Hart, Heath, Henry of Butte, Hotchkiss, Hyde, Knox, LaBlanc, Lewis, Martin, Mann, Mathews of Tehama, McClenahan, Mitchell, Morris, Price, Regan, Rucker, Searey, Shanahan, Sims, Spurgeon, Sykes, Taylor, Toner, Variel, Venable, Windrow, Williams, Wright, and Mr Speaker—53

NOES—Messrs Adams, Atherton, Bost, Brooks, Brown J B, Cooley, Curry of San Francisco, Granger, Gruwell, Handy, Henry of San Joaquin, Lawrence, Mahler, Matthews of San Benito, McDonnell, McGowan, Morgan, O'Grady, Ohleyer, Remson, Sherburne, Smyth, Vincent, Weber, Wilcox, Young of San Diego, and Young of San Joaquin—27.

Mr. Brooks changed his vote from no to aye, for the purpose of giving notice to reconsider.

NOTICE OF RECONSIDERATION.

Mr. Brierly gave notice that, on to-morrow, he would move to reconsider the vote whereby the resolution was adopted.

RECESS.

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

REASSEMBLED.

At two o clock P. M. the House reassembled.

Speaker Jordan in the chair.

Quorum present.

LEAVE OF ABSENCE.

Leave of absence, until Monday, was granted to Mr. Hyde.

RESOLUTIONS.

By Mr. Lawrence:

Resolved, That the State Printer be instructed to print one hundred and fifty extra copies of the Journal of the House for each day of the session

Adopted.
By Mr. McClenahan:

Resolved, That John Finigan be appointed Watchman in the upper gallery of the Assembly Chamber, at a per diem of five dollars, payable out of the Contingent Fund of the Assembly

Referred to Committee on Attachés and Employés, when appointed.
By Mr. Ewing:

Resolved, That Eugene Jackson be and he is hereby appointed Messenger to the Sergeant-at-Arms of the Assembly, at a per diem of five dollars, payable out of the Contingent Fund of the Assembly

Referred to Committee on Attachés and Employés, when appointed.
By Mr. Handy:

Resolved, That no further names for positions in this House be received until after the appointment of the Committee on Attachés and Employés.

Adopted.

ADJOURNMENT.

At two o'clock and eighteen minutes P. M. Mr. Mathews of Tehama moved to suspend Rule No. 1, and that the House do now adjourn until to-morrow, at nine o'clock and thirty minutes A. M.
So ordered.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Saturday, January 8, 1887.

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

Messrs. Adams, Alexander, Atherton, Bailey, Barry, Barton, Bost, Brierly, Britt, Brooks, Brown J. B., Brusie, Burnett, Butler, Callaghan, Campbell, Carr, Carroll, Cohen, Colbert, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Grunwell, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, Knox, LaBlanc, Lewis, Mahler, Martin, Mann, Mathews of Tehama, Matthews of San Benito, McDonnell, McGowan, Mitchell, Morgan, O'Grady, Ohleyer, Price, Regan, Remson, Rucker, Searey, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Toner, Varnel, Venable, Vincent, Windrow, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr. Speaker

Quorum present.
Prayer by the Chaplain, Rev. E. R. Dille.
Pending the reading of the Journal, Mr. Colbert moved to dispense with further reading.
So ordered.
Journal corrected and approved.

MOTION.

Mr. Ewing moved that when the House adjourns it adjourn until Tuesday, at two o'clock P. M.

The ayes and noes were demanded by Messrs. Heath, Brooks, and Ewing.

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

AYES—Messrs Alexander, Atherton, Bailey, Barry, Bucrly, Britt, Brooks, Brown J. B., Burnett, Butler, Campbell, Cohen, Colbert, Ellsworth, Ewing, Gruwell, Knox, LaBlanc, Mann, McGowan, Mitchell, Price, Regan, Searey, Spurgeon, Toner, Windrow, Young of San Diego, and Mr Speaker—29

NOES—Messrs Adams, Barton, Bost, Carr, Carroll, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Gould, Granger, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Lewis, Mahler, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, Morgan, O'Grady, Ohleyer, Remson, Shanahan, Sherburne, Sims, Smyth, Sykes, Taylor, Variel, Venable, Vincent, Wilcox, Williams, Wright, and Young of San Joaquin—40.

Mr. Carroll moved that when the House adjourns it adjourn to meet Monday, January 10, 1887, at two o'clock P. M.

Carried.

APPOINTMENT OF COMMITTEE.

The Speaker appointed Messrs. Coombs, Alexander, and Young of San Joaquin as a committee to act in conjunction with a like committee from the Senate, to make preparations for the inauguration of his Excellency Governor-elect Washington Bartlett.

RESOLUTION—(OUT OF ORDER).

By Mr. Brooks:

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 A. F. Chapman, Assistant Sergeant-at-Arms at the temporary organization of the Assembly, for sixteen dollars and eighty cents, being the amount due him for mileage of one hundred and sixty-eight miles, at ten cents per mile.

Adopted.

RECESS.

At nine o'clock and fifty-three minutes Mr. Carroll moved to take a recess of five minutes.

So ordered.

IN JOINT CONVENTION.

Saturday, January eighth, at ten o'clock A. M., pursuant to a recess the Joint Convention met in the Assembly Chamber, and was called to order by President Daggett, in conjunction with Speaker Jordan.

The roll of Senators was called by the Secretary of the Senate, and the following Senators answered to their names.

Senators Abbott, Boggs, Bowers, Briceland, Byrnes, Caminetti, Chandler, Clunie, Conklin, Crandall, Crimmins, Dixon, Dray, Gesford, Goucher, Hall, Haynes, Hinshaw, Jones, Lenahan, McCarthy, McCulden, McDonald, Meany, Moffitt, Patterson, Pinder, Rose, Roth, Sargent, Spellacy, Steele, Sullivan, Walrath, White, Wilson, and Yell.

The roll of the Assembly was called by the Chief Clerk, and the following members responded to their names:

Messrs. Adams, Alexander, Atherton, Bailey, Barry, Barton, Bost, Brierly, Britt, Brooks, Brown J. B., Brusie, Burnett, Butler, Callaghan, Campbell, Carr, Carroll, Cohen, Colbert, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Gruwell, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Knox, LaBlanc, Lewis, Mahler, Martin, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Mitchell, Morgan, Morris, O'Grady, Ohleyer, Price, Regan, Renison, Rucker, Searey, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Toner, Variel, Venable, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr. Speaker.

Quorum present.

Proceedings of Joint Convention of January sixth read and approved.

The Speaker announced that he had received the missing returns of the three counties, and proceeded to finish the canvass of the vote for Governor and Lieutenant-Governor.

The tellers announced that the vote cast at the last general election, held on the second day of November, 1886, for Governor and Lieutenant-Governor, was as follows:

FOR GOVERNOR.

Washington Bartlett	84,970
John F Swift	84,311
Joel Russell	6,432
P D Wigginton	7,347
C C. O'Donnell	12,227
Scattering	336
Whole number of votes cast for Governor	195,623

The Speaker thereupon declared the result, as certified by the Secretary of State and the tellers of the Convention, to be: Total number of votes cast for Governor, 195,623; and that Washington Bartlett, having received the highest number of votes cast, was duly elected Governor of the State of California for the ensuing term, according to the Constitution and laws of the State.

FOR LIEUTENANT-GOVERNOR.

Michael F. Tarpey	92,476
R W Waterman	94,973
A. D. Boren	5,836
Horace Bell	1,658
Scattering	121
Whole number of votes cast for Lieutenant-Governer	195,064

The Speaker thereupon declared the result to be: Total number of votes cast for Lieutenant-Governor, 195,064; and that R. W. Waterman, having received the highest number of votes cast at said general election for Lieutenant-Governor, was duly elected Lieutenant-Governor of the State of California for the ensuing term, according to the Constitution and laws of the State.

The committee appointed to confer with the Governor in regard to the inaugural ceremonies made report verbally, through Senator Jones, that his Excellency, the Governor-elect, desired the ceremony to take place in the Assembly Chamber, at three o'clock P. M. to-day.

RECESS.

At ten o'clock and thirty-five minutes A. M. the Speaker declared a recess of the Joint Convention until three o'clock P. M. to-day.

IN ASSEMBLY.

At ten o'clock and thirty-five minutes A. M. the House reassembled. Quorum present.

MOTION.

Mr. Carroll moved that the House reconsider the vote whereby the House agreed that when they adjourn they adjourn until Monday, at two o'clock P. M.

Ayes and noes demanded by Messrs. Smyth, Granger, and Shanahan.

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

AYES—Messrs. Alexander, Atherton, Barry, Barton, Brierly, Britt, Brooks, Brown J. B., Burnett, Butler, Callaghan, Campbell, Carr, Carroll, Cohen, Colbert, Cooley, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Gruwell, Hart, Knox, LaBlanc, Lawrence, Lewis, Martin, Mann, McDonnell, McGowan, Mitchell, Morris, O'Grady, Ohleyer, Price, Regan, Renison, Searey, Sims, Spurgeon, Sykes, Taylor, Toner, Variel, Vincent, Windrow, Wilhams, Wright, Young of San Diego, Young of San Joaquin, and Mr. Speaker—54.

NOES—Messrs. Adams, Bailey, Bost, Brusie, Coombs, Cope, Granger, Handy, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Mahler, Mathews of Tehama, Mathews of San Benito, Morgan, Rucker, Shanahan, Sherburne, Smyth, Venable, Weber, and Wilcox—23.

MOTION.

The question recurring on the motion to adjourn until Monday, at two o'clock P. M., Mr. Carroll moved to amend, by inserting Tuesday, January 11, 1887, at two o'clock P. M.

Amendment accepted, and motion carried.

RECONSIDERATION.

Mr. Brierly moved to reconsider the vote whereby the House passed a resolution regarding the purchase of eighty copies of the Codes.

Ayes and noes were demanded by Messrs. Brooks, Brierly, and McGowan.

Mr. Sims in the chair.

Mr. Shanahan moved to indefinitely postpone the motion to reconsider.

Carried.

Speaker Jordan in the chair.

At eleven o'clock and thirty minutes A. M. Mr. Coombs moved to adjourn.

Lost.

LEAVE OF ABSENCE.

Leave of absence for three days from and after Tuesday was granted to Mr. Hart.

RECESS.

At eleven o'clock and thirty-two minutes P. M. Mr. Carr moved to take a recess until two o'clock P. M. to-day.

Mr. Taylor moved to amend, by making the hour three o'clock P. M. to-day.

Mr. Young of San Joaquin moved to amend, by making the hour two o'clock and forty-five minutes P. M.

Amendment accepted by Mr. Taylor.

The question being on the shortest time, the motion was lost.

The question recurring on the motion to take a recess until two o'clock and forty-five minutes P. M., the same was carried.

REASSEMBLED.

At three o'clock P. M. the Joint Convention met in the Assembly Chamber, and was called to order by President Daggett, in conjunction with Speaker Jordan.

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

Senators Abbott, Boggs, Bowers, Briceland, Byrnes, Caminetti, Chandler, Clunie, Conklin, Crandall, Crimmins, Dixon, Dray, Gesford, Goucher, Hall, Haynes, Hinshaw, Jones, McCarthy, McCudden, McDonald, Meany, Moffitt, Patterson, Roth, Sargent, Spellacy, Steele, Sullivan, Walrath, White, Wilson, and Yell.

Messrs. Adams, Alexander, Atherton, Bost, Brierly, Britt, Brooks, Brusie, Butler, Callaghan, Campbell, Carr, Carroll, Cohen, Colbert, Cooley, Coombs, Cope, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Gruwell, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Knox, LaBlanc, Lawrence, Lewis, Mahler, Martin, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Mitchell, Morgan, Morris, Ohlever, Regan, Remson, Rucker, Searey, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Toner, Variel, Venable, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr. Speaker.

Quorum present.

Prayer by the Chaplain of the Assembly, Rev. Dr. Dille.

Speaker W. H. Jordan introduced Governor George Stoneman, who made a brief address.

Speaker W. H. Jordan introduced Washington Bartlett, Governor-elect.

The oath of office was administered by Judge J. W. Armstrong, Judge of the Superior Court of Sacramento County, to the Governor-elect, as follows:

OATH OF OFFICE OF GOVERNOR.

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

Governor Bartlett then read his inaugural address.

OATH OF OFFICE OF LIEUTENANT-GOVERNOR.

Lieutenant-Governor-elect R. W. Waterman 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, the Constitution of the State of California, and that I will faithfully discharge the duties of my office of Lieutenant-Governor of the State of California, according to the best of my ability. So help me God

Which was administered by Judge J. W. Armstrong, Judge of the Superior Court of Sacramento County.

Lieutenant-Governor R. W. Waterman was now introduced by Speaker W. H. Jordan, and made a brief address.

Speaker Jordan introduced the retiring Lieutenant-Governor, John Daggett, who made a short address.

Proceedings of Joint Convention of to-day were read and approved.

ADJOURNMENT.

At four o'clock and twenty minutes P. M. the Speaker declared the Joint Convention adjourned sine die.

IN ASSEMBLY.

The Assembly reassembled at four o'clock and twenty-five minutes P. M.

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

Messrs Adams, Atherton, Bailey, Barton, Bost, Brierly, Britt, Brooks, Brown J B, Brusie, Butler, Callaghan, Campbell, Carr, Carroll, Cohen, Colbert, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Gruwell, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Knox, LaBlanc, Lawrence, Lewis, Mahler, Martin, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Mitchell, Morgan, Morris, Ohleyer, Regan, Renison, Rucker, Searey, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Toner, Variel, Venable, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr Speaker

Quorum present.

RESOLUTION—(OUT OF ORDER).

By Mr. Coombs:

WHEREAS, This Assembly in its appointments desires to be guided by the rules of necessity and economy, therefore, be it

Resolved, That it is the sense of this House that the Committee on Attachés and Employés report adversely all resolutions pertaining to the appointment of attachés of this Assembly, excepting from the meaning herein the resolutions pertaining to the appointment of a Third Assistant Clerk at the desk, which office is deemed a public necessity.

Mr. Brierly moved to make this resolution the special order for Wednesday, January 12, 1887, at three o'clock P. M.

So ordered.

ADJOURNMENT.

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

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Tuesday, January 11, 1887.

The House met at two o'clock P. M., pursuant to adjournment.

Speaker Jordan in the chair.

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

Messrs Adams, Alexander, Atherton, Bailey, Barry, Barton, Bost, Brierly, Britt, Brooks, Brown W. A, Brown J. B, Brusie, Burnett, Butler, Callaghan, Campbell, Carr, Carroll, Cohen, Colbert, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Gruwell, Handy Heath, Henry of Butte, Henry of

San Joaquin, Hotchkiss, Hyde, Knox, LaBlanc, Lawrence, Lewis, Mahler, Martin, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Mitchell, Morgan, Morris, O'Grady, Ohleyer, Price, Regan, Renison, Rucker, Searey, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Toner, Variel, Venable, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr. Speaker.

Quorum present.

Prayer by the Chaplain, Rev. E. R. Dille.

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

So ordered.

APPOINTMENT OF COMMITTEES.

The Speaker announced the following standing committees:

On Constitutional Amendments—Messrs. John Ellsworth, Chairman, R H. F Variel, L. S. Taylor, F. L Coombs, McD. R. Venable, Russel Heath, and J. W Bost

On Commerce and Navigation—Messrs. L. L Ewing, Chairman; C. O. Alexander, N. A. Young, H. R. Mann, and A. M Lawrence.

On Corporations—Messrs. C O. Alexander, Chairman; R. H. F. Variel, A. J. Gould, F. M. Cooley, G. W. Knox, L L. Ewing, H. R Mann, McD. R Venable, and N A Young

On Education—Messrs J. R Brierly, Chairman, Josiah Sims, J C. Brusie, H. W. Carroll, W. P Mathews, G W Morgan, and C F Curry.

On Agriculture—Messrs Hiram Bailey, Chairman, Seymour Carr, P. Handy, I. A Wilcox, George Ohleyer, Allen Henry, and J. H Matthews.

On Agriculture, Mining, and Mechanic Arts College—Messrs. Josiah Sims, Chairman, W. A. Brown, H. Bailey, M. H Barry, Henry Mahler, T J Hart, and H Toner

On Claims—Messrs N A. Young, Chairman; A. J. Gould, Jas. McDonnell, Jr, John LaBlanc, L C Granger, E Smyth, and E Lewis.

On Viticulture and Vinticulture—Messrs. F L Coombs, Chairman, C M. Weber, D. M. Sherburne, J. McDonnell, Jr, W H Spurgeon, Thos Mitchell, and Allen Henry

On Federal Relations—Messrs J. C Brusie, Chairman, M. H Barry, F L Coombs, John Davis, Frank O'Grady, J E Britt, and Richard Cohen

On Counties and County Boundaries—Messrs R. J. Currey, Chairman, J W. Atherton, J. P. Vincent, H Bailey, A. B Butler, T. J. Hart, L B. Adams, T. W. H. Shanahan, and H M Barton

On Irrigation—Messrs J P. Vincent, Chairman· A B Butler, W A. Brown, Jno. LaBlanc, Jno. Davis, R. H Campbell, Jno. Ellsworth, C. C. Wright, W. H Spurgeon, T W. H. Shanahan, J D. Young, E. Smyth, and Thos Renison.

On Judiciary—Messrs R H F Variel, Chairman, G. W. Knox, Jno Ellsworth, L. S. Taylor, J F McGowan, F. L Coombs, J C Brusie, N. A Young, C C. Wright, T. J. Hart, McD. R Venable, J. M Brooks, Russel Heath, L C. Granger, and Thos. Renison.

On Labor and Capital—Messrs J LaBlanc, Chairman, W Z Price, J R Brierly, R. H. Campbell, Seymour Carr, Richard Cohen, D S. Regan, Thos Mitchell, and Allen Henry

On Mines and Mining Interests—Messrs Jno I. Sykes, Chairman, A J. Gould, R. H. Campbell, Jno Davis, E Smyth, Henry Mahler, and F. W McClenahan.

On Municipal Corporations—Messrs G W. Knox, Chairman; C. O Alexander, C M. Weber, N A Young, Jno Ellsworth, H. W Carroll, Jos Burnett, J. H Colbert, Geo. Ohleyer, Thos M Searey, and Samuel Rucker.

On Public Buildings and Grounds—Messrs H. W. Carroll, Chairman; C F Curry, Jno. Davis, Jno Ellsworth, R H Campbell, A J. Martin, Samuel Rucker, Allen Henry, and W J. Hotchkiss.

On Public Lands—Messrs M D Hyde, Chairman, D N. Sherburne, R J Currey, P. Handy, Jos Windrow, J. W Bost, T. W H Shanahan, Thos. Renison, and J J. Callaghan.

On Yosemite Valley, Mariposa Grove of Big Trees, and Forestry—Messrs Russel Heath, Chairman, F M Cooley, M. H. Barry, J R Brierly, and J. W Bost

On State Hospitals—Messrs A. B Butler, Chairman, J R. Brierly, C M. Weber, J. McDonnell, Jr, J. D Young, Jesse Cope, and W P Mathews

On State Prisons—Messrs J W Atherton, Chairman, Joseph Burnett, L L Ewing, F. M Cooley, J. C Brusie, J McDonnell, Jr, J M Brooks, L H. Gruwell, and J H Matthews.

On Ways and Means—Messrs. L S Taylor, Chairman, F M Cooley, Josiah Sims, A B. Butler, John LaBlanc, H R Mann, W J Hotchkiss, Richard Cohen, and McD R Venable.

On Water Rights and Drainage—Messrs R. H Campbell, Chairman, Joseph Burnett, Josiah Sims, J I Sykes, M H Barry, C. C Wright, F. W. McClenahan, H. M. Barton, and George Ohleyer

On Attachés and Employés—Messrs. C. F. Curry, Chairman; W. Z Price, George Williams, J D Young, and H Toner

On Public Printing—Messrs A J Martin, Chairman, J. A. Vincent, D. N. Sherburne, W. Z. Price, J. J Callaghan, D. S. Regan, and Geo. Ohleyer

On Enrollment—Messrs J. B Brown, Chairman, H Bailey, J. W. Atherton, J. E Britt, and G W. Morgan

On Engrossment—Messrs Jos. Windrow, Chairman, W. A. Brown, R J. Currey, F W. McClenahan, and A. M Lawrence.

On Indian Affairs—Messrs. P Handy, Chairman, M D. Hyde, J. I Sykes, H M Barton, and J. H Colbert

On State Library—Messrs I. A Wilcox, Chairman, C O. Alexander, G W Knox, W D. Morris, and A M. Lawrence

On Military Affairs—Messrs F M Cooley, Chairman; H W. Carroll, J LaBlanc, Frank O'Grady, and T. M Searey.

On Roads and Highways—Messrs. D N Sherburne, Chairman, J. W. Atherton, A J. Gould, H Bailey, L. D Adams, J R Henry, and G W. Morgan

On Fish and Game—Messrs George Williams, Chairman, J. F. McGowan, J. I Sykes, Seymour Carr, Frank O'Grady, E Lewis, and J W. Bost

On Silk Culture—Messrs. W Z. Price, Chairman, J B. Brown, Jos. Burnett, Jesse Cope, and W J Hotchkiss

On Chinese Immigration—Messrs Jos Windrow, Chairman, M D. Hyde, F L Coombs, J B Brown, Philo Handy, J. E Britt, J H Colbert, T M Searey, and T W H. Shanahan

On Public Morals—Messrs. R. J. Currey, Chairman; L S Taylor, M D Hyde, J M Brooks, and Samuel Rucker.

On Retrenchment—Messrs. A J. Gould, Chairman, I A Wilcox, J F. McGowan, J. H. Matthews, and Hugh Toner.

On Homesteads and Land Monopoly—Messrs James McDonnell, Jr., Chairman, I A. Wilcox, George Williams, J. B Brown, Thomas Remson, J R Henry, and J J. Callaghan.

On Internal Improvements—Messrs W A Brown, Chairman, George Williams, Joseph Windrow J R. Henry, and F W McClenahan

On Swamp and Overflowed Lands—Messrs. Joseph Burnett, Chairman, R J Currey, J Sims, A J Gould, J I Sykes, L B. Adams, L H. Gruwell, W. D Morris, and J R Henry

On Mileage—Messrs C M Weber, Chairman; A B Butler, and J H. Matthews

On Public Expenditures and Accounts—Messrs W. A Brown, Chairman, A J. Martin, J. F McGowan, W. D Morris, and L C Granger.

On Crimes and Penalties—Messrs. C F Curry, Chairman, J B. Brown, Joseph Windrow, C C Wright, and J. M Brooks

On County and Township Governments—Messrs J F McGowan, Chairman, George Williams, D. N Sherburne, P. Handy, W. Z. Price, W. H Spurgeon, J M. Brooks, Thomas Mitchell, and W D Morris.

On Apportionment—Messrs M H Barry, Chairman, A J Martin, J. P. Vincent, C F Curry, I. A Wilcox, L. H. Gruwell, E. Lewis, H. Mahler, and D S. Regan

MOTION.

Mr. Mathews of Tehama moved that two hundred and fifty cards be printed of the committees.

Mr. Brierly moved to amend, by printing four hundred.

Amendment accepted.

So ordered.

MESSAGE FROM THE GOVERNOR.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
SACRAMENTO, CAL., January 10, 1887

To the Assembly of the State of California:

I have the honor to inform you that I have appointed Columbus Bartlett, of the City of Alameda, State of California, my Private Secretary, through whom all communications from this office will be transmitted to your honorable body

WASHINGTON BARTLETT, Governor

INTRODUCTION OF BILLS.

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

By Mr. Brooks: Assembly Bill No. 1—An Act to amend sections two thousand four hundred and thirty-three, two thousand four hundred and thirty-six, two thousand four hundred and forty, and two thousand four hundred and forty-three, of Article V, of the Political Code, relating to pilots and Pilot Commissioners, and two

thousand four hundred and fifty-seven, two thousand four hundred and sixty, two thousand four hundred and sixty-two, two thousand four hundred and sixty-five, two thousand four hundred and sixty-six, and two thousand four hundred and sixty-seven, of Article VI, of the Political Code, relating to the pilot regulations for San Francisco, Mare Island, and Benicia.

Referred to Committee on Commerce and Navigation.

By Mr. Weber: Assembly Bill No. 2—An Act to amend an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, and to add sections thereto and repeal certain sections thereof.

Referred to Committee on Municipal Corporations.

Also, Assembly Bill No. 3—An Act to amend section one hundred and three of Article II, Chapter V, Title I, of Part I, of the Code of Civil Procedure, relating to Justices' Courts in townships and in cities having ten thousand and not more than twenty thousand inhabitants, and in cities having twenty thousand and not more than one hundred thousand inhabitants.

Referred to Committee on Judiciary.

Also, Assembly Bill No. 4—An Act to repeal an Act entitled "An Act fixing jurisdiction and providing compensation for Justices of the Peace in cities and towns," approved March 9, 1883.

Referred to Committee on Judiciary.

By Mr. Shanahan: Assembly Constitutional Amendment No. 2—Proposed amendment to Article XIV of the Constitution, relative to irrigation.

Referred to Committee on Irrigation.

Also, Assembly Constitutional Amendment No. 3—Proposed amendment to Article XIII of the Constitution, relative to railroad taxation.

Referred to Committee on Constitutional Amendments.

Also, Assembly Bill No. 5—An Act to amend sections one thousand four hundred and sixty-nine, one thousand four hundred and ninety, and one thousand five hundred and eleven of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to settlement of the estates of deceased persons.

Referred to Committee on Judiciary.

Also, Assembly Bill No. 6—An Act to establish a Branch Normal School in Shasta County, to maintain the same, and appropriate money therefor.

Referred to Committee on Education.

By Mr. Butler: Assembly Bill No. 7—An Act to add a new section to the Civil Code, defining riparian rights.

Referred to Committee on Irrigation.

By Mr. Lawrence: Assembly Bill No. 8—An Act relating to insurance, to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, as amended by an Act entitled "An Act to amend the Political Code in relation to insurance," approved April 1, 1878.

Referred to Committee on Judiciary.

Also, Assembly Bill No. 9—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," adopted March 11, 1872, by adding thereto a new section, to be known as section one thousand three hundred and forty-eight, authorizing certain corporations to act as executor and in other capacities.

Referred to Committee on Judiciary.

Also, Assembly Bill No. 10—An Act relating to insurance, to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, as amended by an Act entitled "An Act to amend the Civil Code, relative to insurance," approved April 1, 1878, and to add a new section thereto, to be known as section four hundred and thirty-two.

Referred to Committee on Judiciary.

By Mr. McDonnell, Jr.: Assembly Bill No. 11—An Act to amend section two thousand six hundred and forty-two and two thousand six hundred and forty-four of the Political Code, relating to roads and highways.

Referred to Committee on Roads and Highways.

By Mr. Wright: Assembly Bill No. 12—An Act to provide for the organization and government of irrigation districts, and to provide for the organization and distribution of waters thereby for irrigation purposes.

Referred to Committee on Irrigation.

By Mr. Davis: Assembly Bill No. 13—An Act to Amend Chapter LXXI of the Statutes of California, passed at the twenty-third session of the Legislature, A. D. 1880, entitled "An Act to define, regulate, and govern State Prisons of California."

Referred to Committee on State Prisons.

By Mr. Henry of Butte: Assembly Bill No. 14—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 on Agriculture.

Also, Assembly Bill No. 15—An Act to establish a Branch State Normal School.

Referred to Committee on Education.

Also, Assembly Bill No. 16—An Act to prohibit the sale of prepared opium, opium pipes, or parts thereof.

Referred to Committee on Public Morals.

Also, Assembly Bill No. 17—An Act to amend section four hundred and nineteen of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872.

Referred to Committee on Corporations.

By Mr. Hotchkiss: Assembly Bill No. 18—An Act to amend an Act entitled "An Act creating a Board of Bank Commissioners, and prescribing their duties and powers," approved March 30, 1878.

Referred to Committee on Ways and Means.

By Mr. Matthews of San Benito: Assembly Bill No. 19—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 indebtedness of said counties equitably chargeable to San Benito County.

Referred to Committee on Counties and County Boundaries.

By Mr. Young of San Diego: Assembly Bill No. 20—An Act to amend section one hundred and ninety-three of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883, relating to the compensation of

county and township officers, and to the appointment and salaries of deputies and extra deputies in counties of the thirty-first class.

Referred to Committee on County and Township Governments.

Also, Assembly Bill No. 21—An Act to provide for the funding of certain indebtedness of the several counties of this State, and the issuance of bonds therefor.

Referred to Committee on County and Township Governments.

By Mr. Gould: Assembly Bill No. 22—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. J. B. Brown: Assembly Bill No. 23—An Act relating to interest.

Referred to Committee on Crimes and Penalties.

Also, Assembly Bill No. 24—An Act compelling pawnbrokers to furnish a description of personal property upon which money has been loaned.

Referred to Committee on Public Morals.

Also, Assembly Bill No. 25—An Act to add a new chapter to the Civil Code of the State of California, to be known as Chapter VIII, of Title XIV, of Part IV, of Division III, 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.

Referred to Committee on Judiciary.

Also, Assembly Bill No. 26—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 Crimes and Penalties.

By Mr. Sims. Assembly Bill No. 27—An Act to amend section one hundred and seventy of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883.

Referred to Committee on County and Township Governments.

By Mr. Carroll: Assembly Bill No. 28—An Act to provide for the payment of the claim of Col. 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 order number twenty-six, series eight hundred and eighty, issued from general headquarters.

Referred to Committee on Claims.

By Mr. McGowan: Assembly Bill No. 29—An Act to amend sections two thousand six hundred and forty-one, two thousand six hundred and forty-two, and two thousand six hundred and forty-four of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the powers and duties of highway officers, to the appointment of and oath and bond of Roadmasters or Road Overseers.

Referred to Committee on Roads and Highways.

By Mr. Brusie: Assembly Bill No. 30—An Act to amend section twenty-eight of the Penal Code, in relation to jury fees.

Referred to Committee on Judiciary.

Also, Assembly Bill No. 31—An Act to add a clause to section one

thousand three hundred of the Code of Civil Procedure, relative to wills executed by married women.

Referred to Committee on Judiciary.

Also, Assembly Bill No. 32—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," adopted March 11, 1872, by adding thereto a new section, to be known as section one thousand three hundred and forty-eight, authorizing corporations to act as executors and in other capacities.

Referred to Committee on Corporations.

By Mr. Sherburne: Assembly Bill No. 33—An Act to amend sections two thousand six hundred and forty-one, two thousand six hundred and forty-two, two thousand six hundred and forty-four, two thousand six hundred and forty-five, two thousand six hundred and fifty-one, and two thousand six hundred and fifty-two, of Chapter II, of Title VI, Part III, of the Political Code, approved February 28, 1883, relating to roads and highways.

Referred to Committee on Roads and Highways.

By Mr. Alexander: Assembly Bill No. 34—An Act to provide for certain improvements at the Deaf, Dumb, and Blind Asylum.

Referred to Committee on Public Buildings and Grounds.

By Mr. Renison: Assembly Bill No. 35—An Act for the better protection of settlers on public lands of the United States within the State of California, and for the protection and encouragement of persons desirous of settling thereon.

Referred to Committee on Public Lands.

Also, Assembly Bill No. 36—An Act to amend section eight hundred and ninety-two of an Act entitled "An Act to establish a Code of Civil Procedure," adopted March 11, 1872, relative to the time for entering judgment in Justices' Courts.

Referred to Committee on Judiciary.

Also, Assembly Bill No. 37—An Act to amend section one hundred and sixty of an Act entitled "An Act to establish a Code of Civil Procedure," adopted March 11, 1872, relating to the holding of Superior Courts by Superior Judges of other counties, and providing for their actual expenses.

Referred to Committee on Judiciary.

By Mr. Coombs: Assembly Bill No. 38—An Act to amend sections one thousand and thirty-three, one thousand and thirty-four, and one thousand and thirty-five of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to the removal of criminal actions before trial.

Referred to Committee on Crimes and Penalties.

Also, Assembly Bill No. 39—An Act to repeal section two thousand six hundred and twenty and subdivision five of section two thousand six hundred and forty-three, and to amend sections two thousand six hundred and forty-two, two thousand six hundred and forty-three, two thousand six hundred and fifty-one, two thousand six hundred and eighty-two, two thousand six hundred and eighty-five, two thousand six hundred and eighty-eight, two thousand six hundred and eighty-nine, two thousand six hundred and ninety, two thousand six hundred and ninety-one, and two thousand six hundred and ninety-two of an Act entitled "An Act to repeal Chapter II, of Title VI, Part III, 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 II, and to enact a

new Chapter II, of Title VI, of Part III, of said Code, and establish the same in place of said repealed Chapter II, in said Code, relating to roads and highways, approved February 28, 1883.

Referred to Committee on Roads and Highways.

By Mr. Ellsworth: Assembly Bill No. 40—An Act to amend section thirty-two of an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885.

Referred to Committee on Municipal Corporations.

By Mr Granger: Assembly Constitutional Amendment No. 4—Proposing a constitutional amendment in relation to the organization of the Supreme Court, providing for an additional department thereto, and otherwise enlarging its efficiency.

Referred to Committee on Judiciary.

By Mr. Morgan: Assembly Bill No. 41—An Act to amend an Act entitled "An Act to repeal Chapter II. of Title VI, Part III, 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 II, and to enact a new Chapter II, of Title VI, of Part III, of said Code, and substitute the same in place of said repealed Chapter II, in said Code, relating to roads and highways, approved February 28, 1883, by adding a new section thereto, to be numbered section two thousand six hundred and forty-six.

Referred to Committee on Roads and Highways.

By Mr. Ohleyer: Assembly Bill No. 42—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 one hundred and eighty, for the punishment of contempt of Court.

Referred to Committee on Crimes and Penalties.

Also, Assembly Bill No 43—An Act to amend section four hundred and eleven of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the manner of commencing civil actions, and the service of summons thereon.

Referred to Committee on Judiciary.

By Mr. Carroll: Assembly Bill No. 44—An Act to amend section forty-seven of the Code of Civil Procedure, relating to the time and place of holding sessions of the Supreme Court.

Referred to Committee on Judiciary.

By Mr. Variel: Assembly Bill No. 45—An Act to amend an Act entitled "An Act to appropriate money for the support of aged persons in indigent circumstances."

Referred to Committee on County and Township Governments.

Also, Assembly Bill No. 46—An Act amending sections one thousand one hundred and eighty-three and one thousand one hundred and eighty-seven of the Code of Civil Procedure of the State of California, relating to liens of mechanics and others.

Referred to Committee on Judiciary.

Also, Assembly Bill No. 47—An Act to amend section one thousand two hundred and forty-one of the Civil Code of the State of California, as amended April 6, 1880, relating to the subjection of homesteads to execution.

Referred to Committee on Judiciary.

By Mr. Taylor: Assembly Bill No. 48—An Act creating and adding two new sections to the Code of Civil Procedure of the State of California, to be known as sections numbers three hundred and ninety-

one and one thousand and forty, and amend sections three hundred and ninety-four and four hundred and eleven of the same Code, authorizing and regulating actions against the State of California.

Referred to Committee on Claims.

By Mr. Coombs: Assembly Bill No. 49—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, relating to chattel mortgages.

Referred to Committee on Judiciary.

Also, Assembly Bill No. 50—An Act to amend section five hundred and thirty-two of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to the crime of obtaining money and property under false pretenses.

Referred to Committee on Crimes and Penalties.

Also, Assembly Bill No. 51—An Act to amend section one thousand one hundred and eighty-one of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to the taking of acknowledgments.

Referred to Committee on Judiciary.

By Mr. Mathews of Tehama: Assembly Bill No. 52—An Act to amend section one thousand two hundred and ninety-six of the Political Code, concerning returns for Governor and Lieutenant-Governor.

Referred to Committee on Judiciary.

Also, Assembly Bill No. 53—An Act to establish a Branch State Normal School.

Referred to Committee on Education.

By Mr. Cooley: Assembly Bill No. 54—An Act entitled "An Act to prevent persons from unlawfully using or wearing the badge of the Grand Army of the Republic of this State."

Referred to Committee on Military Affairs.

By Mr. Cohen: Assembly Bill No. 55—An Act to protect the manufacturing industries of this State.

Referred to Committee on Labor and Capital.

By Mr. Barton: Assembly Bill No. 56—An Act to amend section two hundred and eleven of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883, approved March 14, 1885, approved March 18, 1885.

Referred to Committee on County and Township Governments.

By Mr. Lewis: Assembly Bill No. 57—An Act to pay the claim of J. F. Gawthorne.

Referred to Committee on Claims.

Also, Assembly Bill No. 58—An Act to pay the claim of Jessie A. Galland.

Referred to Committee on Claims.

Also, Assembly Bill No. 59—An Act to pay the claim of Edward J. Smith.

Referred to Committee on Claims.

Also, Assembly Bill No. 60—An Act to appropriate money for the relief of J. C. Doherty.

Referred to Committee on Claims.

By Mr. Vincent: Assembly Bill No. 61—An Act to appropriate money to meet the deficiency in the appropriation for the costs and expenses of suits where the State is a party in interest, for the thirty-fifth fiscal year, to pay the claim of Wm. Applegarth.

Referred to Committee on Claims.

Also, Assembly Bill No. 62—An Act to amend sections three and seven hundred and sixty-eight 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. Spurgeon: Assembly Bill No. 63—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 the appointment of Notaries Public.

Referred to Committee on Judiciary.

By Mr. Bost: Assembly Bill No. 64—An Act to promote irrigation, and regulating the distribution of water used therefor.

Referred to Committee on Irrigation.

By Mr. Cope: Assembly Bill No. 65—An Act to amend section eight hundred and eighty-three of an Act entitled "An Act to establish a Political Code," approved February 14, 1872, relative to the return of depositions by a magistrate to the Superior Court when a defendant has been held to answer.

Referred to Committee on Judiciary.

Also, Assembly Bill No. 66—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 authenticating of testimony on examinations in criminal cases, and to provide for the fees to be paid therefor.

Referred to Committee on Judiciary.

By Mr. Regan: Assembly Bill No. 67—An Act to provide for the better protection and security of life and property in the use of steam boilers.

Referred to Committee on Labor and Capital.

By Mr. R. J. Currey: Assembly Bill No. 68—An Act to amend section six hundred and ninety of the Code of Civil Procedure, relative to property exempt from execution.

Referred to Committee on Judiciary.

By Mr. Atherton: Assembly Bill No. 69—An Act concerning the payment of the expenses and cost of the trial of persons charged with the violation of the laws for the preservation of fish in the navigable waters of this State.

Referred to Committee on Fish and Game.

Also, Assembly Bill No. 70—An Act to amend section six hundred and thirty-six of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to the preservation of fish.

Referred to Committee on Fish and Game.

By Mr. Morris: Assembly Bill No. 71—An Act to amend section two thousand six hundred and forty-two of the Political Code, and to add two new sections thereto, to be numbered two thousand six hundred and forty-six and two thousand six hundred and forty-seven, in relation to the classification of the counties of this State for highway purposes, and the election and the appointment of Roadmasters.

Referred to Committee on County and Township Governments.

Also, Assembly Bill No. 72—An Act to appropriate the sum of six hundred and fifty dollars for payment of the claim of C. C. Rachford, ex-Sheriff of Modoc County.

Referred to Committee on Claims.

By Mr. Handy: Assembly Bill No. 73—An Act to amend section one thousand three hundred and sixty-five, Chapter III, Article III, of the Code of Civil Procedure, relative to letters of administration, to whom, and the order in which they are granted.

Referred to Committee on Judiciary.

By Mr. Ellsworth: Assembly Bill No. 74—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 the order of persons entitled to administer the estates of deceased persons.

Referred to Committee on Judiciary.

By Mr. Brooks: Assembly Bill No. 75—An Act entitled "An Act to regulate the practice of law in Police Courts, and Police Justices' Courts, in incorporated cities, and cities and counties, and to prescribe who may practice therein."

Referred to Committee on Judiciary.

Also, Assembly Bill No. 76—An Act entitled "An Act to prevent running, capping, and soliciting for attorneys at law in or around Police Courts, Police Justices' Courts, or City Prisons, in incorporated cities, or cities and counties."

Referred to Committee on Judiciary.

Also, Assembly Bill No. 77—An Act to amend the Political Code, by adding thereto a section, to be known and numbered as section three thousand three hundred and eighty-two, relating to the powers of Boards of Supervisors to impose license tax, and provide for the collection thereof.

Referred to Committee on County and Township Governments.

By Mr. Barton: Assembly Bill No. 78—An Act to provide an additional Judge of the Superior Court of the County of San Bernardino.

Referred to Committee on Judiciary.

By Mr. Matthews of San Benito: Assembly Bill No. 79—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.

Referred to Committee on Claims.

RESOLUTIONS.

By Mr. Butler:

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

Adopted.

By Mr. Shanahan:

Resolved, That the Judiciary Committee is hereby requested to ascertain and report to this House, at the earliest possible moment, what action may be taken under the Constitution of this State and United States, to prevent Chinese coming into this State to discourage the presence of Chinese in the State, and to bring about the deportation of Chinese now here

Adopted.

By Mr. Lawrence:

Resolved, That the San Francisco delegation be constituted a Committee of the House, and allowed one clerk, at a per diem of five dollars, to be paid out of the Contingent Fund of the Assembly.

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

Resolved, That T J McGinness be and is hereby appointed as File Clerk of the Assembly, to file and keep orderly all bills and journals on desks of officers and members.

Referred to Committee on Attachés and Employés.

JOINT RESOLUTIONS.

By Mr. Matthews of San Benito: Assembly Joint Resolution No. 1—Relative to forfeiture of railroad lands in San Benito and Fresno Counties.
Referred to Committee on Federal Relations.
By Mr. Renison: Assembly Joint Resolution No. 2—Relative to the election of United States Senators
Referred to Committee on Federal Relations.

PETITIONS.

Mr. Matthews of San Benito presented petitions from citizens of Merced and Fresno Counties, relating to the change in the boundaries of said counties.
Referred to Committee on Counties and County Boundaries.

CONSTITUTIONAL AMENDMENT.

By Mr. Spurgeon: Assembly Constitutional Amendment No. 5—Proposed amendment to section twenty-five, of Article IV, of the Constitution of the State of California, relative to Judicial Department.
Referred to Committee on Constitutional Amendments.

ADJOURNMENT.

At three o'clock and nineteen minutes P. M., on motion of Mr. Brooks, the House adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Wednesday, January 12, 1887.

The House met at eleven o'clock A. M., pursuant to adjournment.
Speaker Jordan in the chair.
The roll was called, and the following members answered to their names:

Messrs. Adams, Alexander, Atherton, Bailey, Barry, Barton, Bost, Brierly, Butt, Brooks, Brown W. A., Brown J. B., Brusie, Burnett, Butler, Callaghan, Campbell, Cain, Carroll, Cohen, Colbert, Cooley, Coombs, Cope, Curtis of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Grunwell, Handy, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, Knox, LaBlanc, Lawrence, Lewis, Mahler, Martin, Mann,

Mathews of Tehama, Matthews of San Benito, McClendahan, McDonnell, McGowan, Mitchell, Morgan, Morris, O'Grady, Ohlever Price, Regan, Renison, Rucker, Searey, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Toner, Vanel, Venable, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr. Speaker.

Quorum present.

Prayer by the Chaplain, Rev. E. R. Dille.

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

So ordered.

Journal corrected and approved.

RESOLUTIONS—(OUT OF ORDER).

By Mr. Brierly:

Resolved, That James A. Orr 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 Committee on Attachés and Employés.

By Mr. Henry of Butte:

Resolved, That the use of the Assembly Chamber be tendered to the Committee of Arrangements for the Inaugural Ball, on the evening of January seventeenth

Adopted.

By Mr. Wright:

Resolved, That one hundred extra copies of Assembly Bill No. 12 be printed for distribution.

Adopted.

INTRODUCTION OF BILLS.

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

By Mr. Young of San Joaquin: Assembly Bill No. 80—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 six hundred and three, providing for the formation of certain religious corporations.

Referred to Committee on Corporations.

By Mr. Heath: Assembly Bill No. 81—An Act in relation to the compensation of the Mayor and members of the Common Council of cities containing a population not exceeding ten thousand.

Referred to Committee on Municipal Corporations.

By Mr. Rucker: Assembly Bill No. 82—An Act to enfranchise and restore Wm. T. Wheeler to all the privileges of an elector, and to all the political rights of citizenship.

Referred to Committee on Public Morals.

By Mr. Butler: Assembly Bill No. 83—An Act to provide for the organization and control of water and irrigation districts.

Referred to Committee on Irrigation.

By Mr. Searey: Assembly Bill No. 84—An Act to regulate the employment of gripmen, conductors, and drivers on street railways, to provide for granting licenses to competent persons, and to provide further safeguards to life and property in the matter of operating such railways.

Referred to Committee on Labor and Capital.

By Mr. Martin: Assembly Bill No. 85—An Act to amend sections four hundred and ninety-seven, four hundred and ninety-nine, and five hundred and two of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to street railroads and the sale of franchises therefor.

Referred to Committee on Judiciary.

By Mr. Carroll: Assembly Bill No. 86—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.

Referred to Committee on Education.

By Mr. Britt: Assembly Bill No. 87—An Act making an appropriation for the relief of certain employés and other creditors of the State.

Referred to Committee on Claims.

By Mr. Brierly: Assembly Bill No. 88—An Act to amend section one thousand one hundred and twenty-seven of the Political Code, relating to the establishing of election precincts.

Referred to the Committee on Elections.

Also, Assembly Bill No. 89—An Act to establish a Boys' Reform School, for the correction and reformation of juvenile offenders.

Referred to Committee on Education.

By Mr. Wright: Assembly Bill No. 90—An Act providing for compensation of services rendered in compiling State school text-books.

Referred to Committee on Education.

By Mr. Coombs: Assembly Bill No. 91—An Act to amend section six hundred and thirty-two of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, and to repeal section six hundred and thirty-three and section six hundred and thirty-four of said Act, relating to trials by the Court and findings.

Referred to Committee on Judiciary.

Also, Assembly Bill No. 92—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.

Also, Assembly Bill No. 93—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, relating to public schools.

Referred to Committee on Education.

Also, Assembly Bill No. 94—An Act to provide for the payment of the traveling expenses of County Superintendents of Schools of the State of California.

Referred to Committee on Education.

By Mr. Wilcox: Assembly Bill No. 95—An Act to amend section twenty-two of an Act entitled "An Act to establish the 'California Home for the Care and Training of Feeble-Minded Children,' and provide for the maintenance of the same," approved March 18, 1885.

Referred to Committee on Ways and Means.

By Mr. Spurgeon: Assembly Bill No. 96—An Act to provide two additional Judges of the Superior Court of the County of Los Angeles.

Referred to Committee on Judiciary.

By Mr. Sherburne: Assembly Bill No. 97—An Act to amend subdivision seven, of class seventeen, of section one hundred and sixty-three, relating to salaries of county officers, 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.

By Mr. Alexander: Assembly Bill No. 98—An Act to provide for the permanent support of the University of California by the levy of a rate of taxation, and the creation of a fund therefor.

Referred to Committee on Ways and Means.

By Mr. Brooks: Assembly Bill No. 99—An Act entitled "An Act to amend section six hundred and forty-seven of the Penal Code of the State of California, and to define the crime of vagrancy."

Referred to Committee on Public Morals.

By Mr. Ohleyer: Assembly Bill No. 100—An Act to amend section five hundred and twenty-seven of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to injunctions and service thereof.

Referred to Committee on Judiciary.

By Mr. Lewis: Assembly Bill No. 101—An Act in relation to canned or preserved food.

Referred to Committee on Fish and Game.

By Mr. Wright: Assembly Bill No. 102—An Act to amend section one thousand and seventy of the Penal Code of the State of California, providing for the exercise of peremptory challenges in criminal cases.

Referred to Committee on Judiciary.

Also, Assembly Bill No. 103—An Act providing for the payment of witnesses' expenses in criminal cases.

Referred to Committee on Judiciary.

Also, Assembly Bill No. 104—An Act to establish jury fees in Courts of record of the State of California.

Referred to Committee on Judiciary.

Also, Assembly Bill No. 105—An Act to encourage tree planting within the State of California.

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

By Mr. Carroll: Assembly Bill No. 106—An Act to amend sections one thousand nine hundred and twelve, one thousand nine hundred and twenty-six, one thousand nine hundred and ninety, two thousand and twenty-two, two thousand and twenty-six, two thousand and ninety-four, and to add a new section, to be known as section two thousand and twenty-seven, of the Political Code, relating to State militia.

Referred to Committee on Military Affairs.

By Mr. Martin: Assembly Bill No. 107—An Act providing for the payment to D. Jordan for work and labor performed upon and material furnished in the construction of the State Prison at Folsom.

Referred to Committee on Claims.

By Mr. Atherton: Assembly Bill No. 108—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 seventy-eight, relating to the giving of testimony in cases of bribery, and providing that testimony given by any person in such cases shall not afterwards be used against such person in any judicial proceeding, except for perjury in giving such testimony.

Referred to Committee on Judiciary.

LEAVE OF ABSENCE.

Two days' leave of absence was granted to Mr. Knox, on account of sickness.

RESOLUTIONS.

By Mr. LaBlanc:

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

Adopted.

APPOINTMENT OF COMMITTEE.

The Speaker appointed, as such special committee, Messrs. LaBlanc, Butler, Martin, Cooley, and Spurgeon.

RESOLUTION.

By Mr. W. A. Brown:

Resolved, That the Chairman of each of the standing committees of this House be and he is hereby allowed and authorized to appoint one clerk of their respective committees, at a per diem of five dollars, *provided*, that the Judiciary Committee, the Committee on Irrigation, and the Committee on Ways and Means be allowed two committee clerks for each of said committees, the first clerk to be appointed by the Chairman thereof, the second clerk to be elected by the committee, with the same per diem, *provided further*, that the first Clerk of Judiciary Committee be allowed eight dollars per diem.

Mr. Mathews of Tehama raised the point of order that the resolution should be referred to Committee on Attachés and Employés.

The Speaker ruled the point of order not well taken.

Mr. Henry of Butte offered the following amendment: "Except the Committees on Indian Affairs, Silk Culture, Public Morals, and Apportionment, which committees shall together have one clerk."

Lost.

Mr. Lawrence moved to amend as follows: Amend by adding "including the San Francisco delegation."

Lost.

Mr. Venable moved to refer the resolution to Committee on Attachés and Employés.

Ayes and noes demanded by Messrs. Lawrence, Matthews of San Benito, and Venable.

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

AYES—Messrs. Adams, Barton, Bost, Britt, Brooks, Colbert, Cope, Granger, Gruwell, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Lawrence, Lewis, Mahler, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, Mitchell, Morgan, Morris, O'Grady, Ohleyer, Regan, Remson, Rucker, Searey, Shanahan, Smyth, Spurgeon, Toner, Venable, Wright, and Young of San Joaquin—36

NOES—Messrs. Alexander, Atherton, Bailey, Barry, Bierly, Brown W. A., Brown J. B., Brusie, Burnett, Butler, Callaghan, Campbell, Carr, Carroll, Cohen, Cooley, Coombs, Currey

of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Handy, Hyde, LaBlanc, Martin, McDonnell, McGowan, Price, Sherburne, Sims, Sykes, Taylor, Variel, Vincent, Weber, Windrow, Wilcox, Williams, Young of San Diego, and Mr Speaker—42.

Speaker pro tem. Brierly in the chair.

Mr. Heath offered the following amendment: "No committee be allowed more than one clerk without a special application of the committee."

Mr. Renison offered the following substitute:

Resolved, That no committee clerks be appointed until application be made to this House by the committee desiring a clerk

Ayes and noes demanded on the adoption of the substitute by Messrs. Matthews of San Benito, Renison, and Heath.

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

AYES—Messrs Adams, Barton, Bost, Britt, Brooks, Cohen, Colbert, Cope, Granger, Gruwell, Heath, Henry of San Joaquin, Hotchkiss, Lawrence, Mathews of Tehama, Matthews of San Benito, McClenahan, Mitchell, Morgan, Morris, O'Grady, Ohleyer, Regan, Renison Rucker, Searey, Shanahan, Smyth, Spurgeon, Toner, Venable, Wright, and Young of San Joaquin—33

NOES—Messrs. Alexander, Atherton, Bailey, Barry, Brierly, Brown W A, Brown J B, Brusie, Burnett, Butler, Callaghan, Campbell, Carr, Carroll, Cooley, Coombs, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Handy, Hyde, LaBlanc, Lewis, Mahler, Martin, McDonnell, McGowan, Price, Sherburne, Sims, Sykes, Taylor, Variel, Vincent, Weber, Windrow, Wilcox, Williams, Young of San Diego, and Mr. Speaker—43

Mr. Matthews of San Benito moved to lay the whole subject-matter on the table.

Lost

Mr. Weber moved the previous question.

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

The question recurring on the amendment offered by Mr. Heath, the ayes and noes were demanded by Messrs. Wright, Granger, and Heath.

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

AYES—Messrs Adams, Barton, Britt, Brooks, Cohen, Colbert, Cope, Granger, Gruwell, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Lawrence, Lewis, Mahler, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, Mitchell, Morgan, O'Grady, Ohleyer, Regan, Renison, Rucker, Searey, Shanahan, Smyth, Spurgeon, Toner, Venable, Wright, and Young of San Joaquin—35

NOES—Messrs Alexander, Atherton, Bailey, Barry, Bost, Brierly, Brown W A, Brown J B, Brusie, Burnett, Butler, Callaghan, Campbell, Carr, Carroll, Cooley, Coombs, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Handy, Hyde, LaBlanc, Martin, McDonnell, McGowan, Price, Sherburne, Sims, Sykes, Taylor, Variel, Vincent, Weber, Windrow, Wilcox, Williams, Young of San Diego, and Mr Speaker—42

The question recurring on the adoption of the original resolution, the ayes and noes were demanded by Messrs. Heath, Renison, and Matthews of San Benito.

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

AYES—Messrs Alexander, Atherton, Bailey, Barry, Brierly, Britt, Brown W A Brown J B, Brusie, Burnett, Butler, Callaghan, Campbell, Carr, Carroll, Cohen, Cooley, Coombs, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Handy, Hyde, LaBlanc, Martin, McDonnell, McGowan, Price, Sherburne, Sims, Sykes, Taylor, Variel, Vincent, Weber, Windrow, Wilcox, Williams, Young of San Diego, and Mr. Speaker—43

NOES—Messrs Adams, Barton, Bost, Brooks, Colbert, Cope, Granger, Gruwell, Heath,

Henry of Butte, Henry of San Joaquin, Hotchkiss, Lawrence, Lewis, Mahler, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, Mitchell, Morgan, Morris, O'Grady, Ohlever, Regan, Remson, Rucker, Searey, Shanahan, Smyth, Spurgeon, Toner, Venable, Wright, and Young of San Joaquin—35

Speaker Jordan in the chair.

Mr. Brooks changed his vote from aye to no, on the vote on the adoption of the resolution offered by Mr. W. A. Brown.

MOTION.

Mr. Hotchkiss moved to amend the rules, by adding a new committee, to be known as a Committee on Banks and Banking.

Referred to Committee on Rules.

RESOLUTION.

By Mr. J. B. Brown:

Resolved, That the name of Thos. Kelly be and it is hereby ordered to be placed upon the payroll of the Assembly at the per diem of a Messenger, viz: four dollars, said Kelly having been transferred to perform the duties of such Messenger by the Sergeant-at-Arms

Referred to Committee on Attachés and Employés.

By Mr. Cooley:

Resolved, That the Clerk have printed two hundred additional copies of the Journal of the Assembly of January 5, 1887.

Adopted.

By Mr. Mathews of Tehama:

Resolved, That requisitions upon the Secretary of State for stationery and other supplies by employés of the Assembly and of Assembly committee clerks be first submitted to the Committee on Retrenchment for approval.

Adopted.

RECESS.

The hour of recess having arrived, 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 Jordan in the chair.

Quorum present.

REPORT OF STANDING COMMITTEE.

ON ATTACHÉS AND EMPLOYÉS

ASSEMBLY CHAMBER, SACRAMENTO, January 11, 1887.

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

Resolved, That Frank J Brandon 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

Resolved, That James A Orr 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 appropriation for the contingent expenses of the Assembly.

Resolved, That Mrs Louise G Cadwalader be and she is hereby appointed Assistant Engrossing Clerk of the Assembly, at the same per diem as the Engrossing Clerk, said per diem being payable out of the appropriation for the contingent expenses of the Assembly

Respectfully report the same back, and recommend that they do pass

C F CURRY, Chairman

Mr. Matthews moved that the question be divided, and that the House vote on each resolution separately.

So ordered.

CALL OF THE HOUSE.

Mr. Brierly moved a call of the House.

So ordered.

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

Messrs Adams, Alexander, Atherton, Bailey, Barton, Bost, Brierly, Britt, Brooks, Brown W A, Brusie, Butler, Campbell, Carr, Colbert, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Handy, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, LaBlanc, Lawrence, Martin, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan McDonnell, McGowan, Mitchell, Morgan, Morris, O'Grady, Ohleyer, Price, Regan, Remson, Rucker, Searey, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Toner, Variel, Venable, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, and Mr. Speaker

Quorum present.

Mr. Lawrence moved that further proceedings under the call of the House be dispensed with.

Ayes and noes demanded by Messrs. Brierly, McDonnell, and Curry of San Francisco.

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

AYES—Messrs Adams, Barton, Bost Britt, Brooks, Colbert, Cope, Granger, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Lawrence, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, Mitchell, Morgan, Morris, O'Grady, Ohleyer, Regan, Remson, Rucker, Searey, Shanahan, Smyth, Spurgeon, Toner, Venable, and Wright—32

NOES—Messrs. Alexander, Atherton, Bailey, Brierly, Brown W A, Brusie, Butler Campbell, Carr, Carroll, Cooley, Coombs, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Hyde LaBlanc, Martin, McDonnell, McGowan, Price, Sherburne, Sims, Sykes, Taylor, Variel, Vincent, Weber, Wilcox, Williams, Young of San Diego, and Mr Speaker—34.

The Speaker instructed the Sergeant-at-Arms to proceed to the lobby and see if any of the absent members were without.

The Sergeant-at-Arms appeared at the bar of the House and stated that none of the absent members were without.

The Speaker then directed the Sergeant-at-Arms to arrest the absentees and bring them before the bar of the House.

MOTION.

Mr. Brierly moved to dispense with further proceedings under the call of the House.

At two o'clock and twenty-five minutes P. M. Mr. Heath moved to adjourn.

Ayes and noes demanded by Messrs. Brierly, Heath, and Price.

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

AYES—Messrs Adams, Barton, Bost, Britt, Brooks, Colbert, Cope, Granger, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Lawrence, Mann, Mathews of Tehama,

Matthews of San Benito, McClenahan, Mitchell, Morgan, Morris, O'Grady, Regan, Renison, Rucker, Searey, Shanahan, Smyth Spurgeon, Toner, Venable, and Wright—31

Noes—Messrs Alexander, Atherton, Bailey, Brierly, Brown W A, Brusie, Butler, Campbell, Carr, Cooley, Coombs, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Handy, Hyde, LaBlanc, Martin, McDonnell, McGowan, Ohleyer, Sherburne, Sims, Sykes, Taylor, Variel, Vincent, Weber, Windrow, Wilcox, Williams, Young of San Diego, and Mr Speaker—36.

The Sergeant-at-Arms presented at the bar of the House Messrs. Carroll and Lewis, who were excused by order of the House.

Mr. Coombs moved to dispense with further proceedings under the call of the House.

So ordered.

The question being on the adoption of the resolution appointing F. J. Brandon Assistant Clerk at the desk, the resolution was adopted.

On the adoption of the resolution appointing Jas. A. Orr Assistant Journal Clerk, Mr. Heath moved to lay the resolution on the table.

Ayes and noes demanded by Messrs. Brierly, McDonnell, and Heath.

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

Ayes—Messrs Adams, Barton, Britt, Cope, Granger, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Lawrence, Lewis, Mathews of Tehama, Matthews of San Benito, Morgan, Morris, O'Grady Ohleyer, Regan, Renison, Rucker, Shanahan, Smyth, Spurgeon, Venable, and Wright—25

Noes—Messrs Alexander, Atherton, Bailey, Barry, Bost, Brierly, Brooks, Brown W A., Brown J B, Brusie, Butler, Campbell, Carr, Carroll, Colbert, Cooley, Coombs, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Handy, Hyde, LaBlanc, Martin, McDonnell, McGowan, Mitchell, Price, Searey, Sherburne, Sims, Sykes, Taylor, Toner, Variel, Vincent, Weber, Windrow, Wilcox, Williams, Young of San Diego, Young of San Joaquin, and Mr Speaker—46.

Mr. Heath moved to make this resolution the special order for January eighteenth, at three o'clock P. M.

Lost.

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

On the question of the adoption of the resolution appointing Mrs. Louise G. Cadwalader Assistant Engrossing Clerk, it was adopted.

INTRODUCTION OF BILLS.

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

By Mr. Brooks: Assembly Bill No. 109—An Act to amend section two thousand nine hundred and fifty-five of the Civil Code, relating to the mortgages of personal property.

Referred to Committee on Public Morals.

Also, Assembly Bill No. 110—An Act to provide for the deficiency in the appropriation for the salary of Deputy Court Reporter during the thirty-seventh and thirty-eighth fiscal years.

Referred to Committee on Ways and Means

By Mr. Young of San Diego: Assembly Bill No. 111—An Act to appropriate money to pay the claim of W. J. Brown or his executors or administrators.

Referred to Committee on Claims.

Also, Assembly Bill No. 112—An Act to appropriate money to pay the claim of R. F. Del Valle.

Referred to Committee on Claims.

Also, Assembly Bill No. 113—An Act to appropriate money to pay the claim of B. F. Langford.

Referred to Committee on Claims.

Also, Assembly Bill No. 114—An Act to appropriate money to pay the claim of Benj. Knight.

Referred to Committee on Claims.

Also, Assembly Bill No. 115—An Act to appropriate money to pay the claim of E. T. Wilkins.

Referred to Committee on Claims.

By Mr. Colbert: Assembly Bill No. 116—An Act to provide for the payment of the claims for the per diem and legal interest upon the same, of the members and attachés of the Constitutional Convention.

Referred to Committee on Ways and Means.

By Mr. Bost: Assembly Bill No. 117—An Act making an appropriation for the support and maintenance of the State Mining Bureau.

Referred to Committee on Mines and Mining Interests.

By Mr. Brierly: Assembly Bill No. 118—An Act to amend section three thousand seven hundred and sixty-eight of the Political Code of the State of California.

Referred to Committee on Judiciary.

Also, Assembly Bill No. 119—An Act to amend section five hundred and fourteen of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the salary of the deputy for the Superintendent of Public Instruction, and equalizing the same with the salaries paid the deputies for other State officers.

Referred to Committee on Education.

By Mr. Henry of Butte: Assembly Bill No. 120—An Act to amend an Act entitled "An Act to amend an Act to incorporate the Town of Chico, Butte County, State of California," approved March 23, 1878.

Referred to Committee on Municipal Corporations.

By Mr. Lewis: Assembly Bill No. 121—An Act to provide for the inspection of illuminating oils manufactured from petroleum or coal oils.

Referred to Committee on Judiciary.

By Mr. Taylor: Assembly Bill No. 122—An Act to amend sections six hundred and one, six hundred and seven, six hundred and ten, six hundred and eleven, six hundred and twelve, six hundred and seventeen, six hundred and twenty-nine, and six hundred and thirty, of the Political Code of this State, all of said sections relating to insurance; also, accompanying memorial.

Referred to Committee on Corporations.

By Mr. Spurgeon: Assembly Bill No. 123—An Act to authorize certified copies of surveys, maps, or plats of subdivided tracts of land, to be recorded in the office of the County Recorder, and to regulate the penalty inflicted upon failure to record such; said Act being substituted for section one thousand one hundred and sixty-three of the Civil Code. Said section was repealed July 1, 1874.

Referred to Committee on Public Lands.

By Mr. Granger: Assembly Constitutional Amendment No. 6—Proposing an amendment to section four, Article V, of the Constitution, relating to determining and declaring the result of the election of Governor.

Referred to Committee on Judiciary.

RESOLUTIONS.

By Mr. Sims:

Resolved, That A L Van Mater be and he is hereby appointed a clerk to compile and revise a Weekly History of Assembly Bills, with per diem of six dollars, payable from the appropriation for the contingent expenses of the Assembly

Referred to Committee on Attachés and Employés.

By Mr. Taylor:

Resolved, That C Peak be and is hereby appointed Porter to the Judiciary Committee, 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. Lewis:

Resolved, That Master John C Driscoll of Sacramento be and hereby is appointed Messenger to the Sergeant-at-Arms of the Assembly, at the customary per diem, payable out of the Contingent Fund of the Assembly

Referred to Committee on Attachés and Employés.

By Mr. Carroll:

Resolved, That Martin Morelli be and is hereby appointed Porter of the Engrossing and Journal Clerks' rooms, at a per diem of four dollars, payable out of the appropriation for the Contingent Fund of the Assembly

Referred to Committee on Attachés and Employés.

ADJOURNMENT.

At three o'clock P. M., on motion of Mr. Brusie, the House adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Thursday, January 13, 1887.

The House met at eleven o'clock A. M., pursuant to adjournment.

Speaker Jordan in the chair.

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

Messrs Adams, Alexander Atherton, Bailey, Barry, Barton, Bost, Brierly, Britt, Brooks, Brown W A, Brown J B, Brusie, Burnett, Butler, Callaghan, Campbell, Carr, Carroll, Cohen, Colbert, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth Ewing, Gould, Granger, Gruwell, Handy, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, LaBlanc, Lawrence, Lewis, Mahler, Martin, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Mitchell, Morgan, Morris, O'Grady, Ohleyer, Price, Regan, Remson, Rucker, Searey, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Tomei, Variel, Venable, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr. Speaker.

Quorum present.

Prayer by the Chaplain, Rev. E. R. Dille.

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

So ordered.

Journal approved.

MOTIONS.

Mr. Coombs moved that Assembly Bill No. 49 be withdrawn from the Judiciary Committee and referred to Committee on Viticulture and Viniculture.

So ordered.

Mr. Brooks moved that Assembly Bill No. 1 be withdrawn from the Committee on Commerce and Navigation and referred to the Judiciary Committee.

So ordered.

Mr. Variel moved that Assembly Bill No. 45 be withdrawn from the Committee on County and Township Governments and referred to Committee on Ways and Means.

So ordered.

REPORT OF STANDING COMMITTEE.

ON MILEAGE.

ASSEMBLY CHAMBER, SACRAMENTO, January 13, 1887

MR SPEAKER: Your Committee on Mileage beg leave to report that the following amounts are due members of the Assembly for mileage to and from their residences to the Capitol at Sacramento, for the twenty-seventh session of the California Legislature.

We have taken the legal distances, as established by Part II, Title III, of the Political Code, as amended, as a basis, and have calculated the mileage and amounts in accordance with the provisions of the statutes

We recommend the adoption of the following resolution, viz.:

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

NAMES.	District	County	Miles	Amount
Adams, L B	Twenty-first	Yolo	60	$6 00
Alexander, C O	Fifty-sixth	Alameda	182	18 20
Atherton, J. W	Twenty-eighth	Marin	216	21 60
Bailey, Hiram	Fifty-first	Alameda	184	18 40
Barry, Michael H.	Thirty-fourth	San Francisco	168	16 80
Barton, Hiram M	Seventy-ninth	San Bernardino	1,190	119 00
Bost, J W	Sixty-seventh	Merced	228	22 80
Brierly, J R.	Seventy-sixth	Los Angeles	1,004	100 40
Britt, Joseph E	Thirty-ninth	San Francisco	168	16 80
Brooks, J Marion	Seventy-fifth	Ventura	784	78 40
Brown, W A.	Forty-fifth	San Francisco	168	16 80
Brown, James B	Twenty-ninth	San Francisco	168	16 80
Brusie, J. C.	Sixtieth	Amador	94	9 40
Burnett, Joseph	Thirtieth	San Francisco	168	16 80
Butler, A B	Seventy-first	Tulare	472	47 20
Callaghan, J. J	Thirty-third	San Francisco	168	16 80
Campbell, R H.	First	Del Norte	630	63 00
Carr, Seymour	Twentieth	Sacramento	60	6 00
Carroll, H W	Eighteenth	Sacramento	1	10
Cohen, Richard	Forty-fourth	San Francisco	168	16 80
Colbert, J H	Thirty-fifth	San Francisco	168	16 80
Cooley, F M	Fifty-fourth	Alameda	182	18 20
Coombs, F L	Twenty-second	Napa	122	12 20
Cope, Jesse	Fiftieth	Santa Cruz	410	41 00
Currey, Robert J	Twenty-seventh	Solano	50	5 00
Curry, C F	Thirty-sixth	San Francisco	168	16 80
Davis, John	Sixteenth	Placer	44	5 40
Ellsworth, John	Fifty second	Alameda	182	18 20
Ewing, L L	Forty-third	San Francisco	168	16 80
Gould, A J	Seventy-second	Inyo	1,054	105 40
Granger, L C	Ninth	Butte	156	15 60
Gruwell, L H	Twelfth	Lake	388	38 80

Names.	District	County	Miles	Amount
Handy, Philo	Eleventh	Mendocino	540	$54 00
Hart, T J	Tenth	Colusa	160	16 00
Heath, Russel	Seventy-fourth	Santa Barbara	762	76 20
Henry, Allen	Eighth	Butte	208	20 80
Henry, J R	Fifty-ninth	San Joaquin	136	13 60
Hotchkiss, W J	Twenty-fourth	Sonoma	306	30 60
Hyde, M D	Fifty-third	Alameda	182	18 20
Knox G W	Seventy-seventh	Los Angeles	956	95 60
LaBlanc, John	Forty-second	San Francisco	168	16 80
Lawrence, A M	Thirty-second	San Francisco	168	16 80
Lewis, Edwin	Thirty-first	San Francisco	168	16 80
Mahler, Henry	Seventeenth	El Dorado	122	12 20
Martin, Andrew J	Fortieth	San Francisco	168	16 80
Mann, Henry R	Forty-first	San Francisco	168	16 80
Mathews, W P	Seventh	Tehama	246	24 60
Matthews, J H	Sixty-eighth	San Benito	400	40 00
McClenahan, F W	Sixty-first	Calaveras	146	14 60
McDonnell, Jr., James	Twenty-fifth	Sonoma	262	26 20
McGowan, J F	Third	Humboldt	624	62 40
Mitchell, Thomas	Forty-seventh	San Francisco	168	16 80
Morgan, G W	Twenty-third	Sonoma	395	39 50
Morris, W D	Fifth	Modoc	758	75 80
O'Grady, Frank	Twenty-sixth	Solano	130	13 00
Ohleyer, George	Thirteenth	Sutter	112	11 20
Price, W Z	Forty-ninth	San Mateo	192	19 20
Regan, Daniel S	Thirty-eighth	San Francisco	168	16 80
Rucker, Samuel	Sixty-fifth	Santa Clara	256	25 60
Remson, Thomas	Sixty-ninth	Monterey	428	42 80
Searey, Thomas S	Thirty-seventh	San Francisco	168	16 80
Shanahan, T W H	Fourth	Shasta	320	32 00
Sherburne, D N	Fifty-seventh	Contra Costa	218	21 80
Sims, Josiah	Fourteenth	Nevada	142	14 20
Smyth, Edward	Sixty-second	Tuolumne	228	22 80
Spurgeon, W. H	Seventy-eighth	Los Angeles	1,022	102 20
Sykes, John I	Fifteenth	Nevada	134	13 40
Taylor, L S	Nineteenth	Sacramento	1	10
Toner, Hugh	Forty-sixth	San Francisco	168	16 80
Variel, R H. F	Sixth	Plumas	272	27 20
Venable, McD. R	Seventy-third	San Luis Obispo	586	58 60
Vincent, J P	Seventieth	Fresno	356	35 60
Weber, C M	Sixty-fourth	Santa Clara	256	25 60
Windrow, Joseph	Forty-eighth	San Francisco	168	16 80
Wilcox, I A	Sixty-third	Santa Clara	272	27 20
Williams, George	Second	Humboldt	660	66 00
Wright, C C	Sixty-sixth	Stanislaus	154	15 40
Young, Nestor A	Eightieth	San Diego	1,232	123 20
Young, J D	Fifty-eighth	San Joaquin	96	9 60
Jordan, W H (Speaker)	Fifty-first	Alameda	182	18 20

WEBER, Chairman.

Report received and resolution adopted.

INTRODUCTION OF BILLS.

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

By Mr. McDonnell: Assembly Bill No. 124—An Act to amend section six hundred and twenty-six of the Penal Code, relative to fish and game.

Referred to Committee on Fish and Game.

By Mr. Brooks: Assembly Bill No. 125—An Act to amend sections fifty-five and sixty-eight of the Civil Code, and to repeal sections fifty-seven, seventy-five, and seventy-seven of said Code, relating to marriage.

Referred to Committee on Public Morals.

By Mr. Wilcox: Assembly Bill No. 126—An Act to appropriate money for the support of the California Home for the Care and Training of Feeble-Minded Children.

Referred to Committee on Ways and Means.

By Mr. Carroll: Assembly Bill No. 127—An Act to authorize and promote the establishment and maintenance of manual training schools.

Referred to Committee on Education.

Also, Assembly Bill No. 128—An Act to provide for the payment of the per diem of the members and attachés of the Constitutional Convention.

Referred to Committee on Claims.

By Mr. Callaghan: Assembly Bill No. 129—An Act for the relief of George Nightingale et al.

Referred to Committee on Claims

By Mr. Coombs: Assembly Bill No. 130—An Act to establish an asylum for insane criminals of the State of California.

Referred to Committee on State Hospitals.

By Mr. Adams: Assembly Bill No. 131—An Act to amend section four hundred and eleven of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the manner of serving summons.

Referred to Committee on Corporations.

By Mr. Brierly: Assembly Bill No. 132—An Act to regulate the rental and charges for the use of telephones in this State, and fixing the penalty for excessive charges.

Referred to Committee on Corporations.

By Mr. Venable. Assembly Joint Resolution No. 3—Relating to the construction of a breakwater at Port Harford, in the Bay of San Luis Obispo.

Referred to Committee on Federal Relations.

RESOLUTIONS.

By Mr. Sims:

Resolved, That Joseph Binckard be and he is hereby appointed Porter of the Judiciary Committee, with salary payable out of the Contingent Fund of the Assembly

Referred to Committee on Attachés and Employés.

By Mr. Ewing:

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

Adopted.

By Mr. Granger:

Resolved, That a special committee of three members be appointed to examine into and report to this Assembly upon that portion of the biennial report of the Superintendent of Public Instruction which refers to county work schools and industrial education, and which received favorable notice in the inaugural address of Governor Bartlett

Adopted.

The Speaker appointed, as such committee, Messrs. Granger, Sims, and Davis.

By Mr. Butler:

Resolved, That the Speaker be requested to appoint two additional members on the Committee on Labor and Capital

Adopted.

The Speaker appointed, as the additional members, Messrs. Davis and Mahler.

By Mr. Brooks:

Resolved, That Amelio Ortego be and he is hereby appointed Porter to the Judiciary Committee, at a per diem of five dollars.

Referred to Committee on Attachés and Employés.

By Mr. Venable:

Resolved, That the Committee on Rules be directed to act as a joint committee with the Committee on Rules of the Senate, for the purpose of preparing a set of joint rules to govern the Senate and Assembly

Adopted.

By Mr. Wilcox:

Resolved, That all requisitions of committees and clerks of committees for stationery and other supplies, shall be countersigned by the Speaker of the House, and that every thing needed by committees excepting stationery actually used, shall be accounted for to the Secretary of State at the close of the session.

On motion of Mr. McDonnell, the resolution was indefinitely postponed.

By Mr. Cooley:

Resolved, That William A Douglass be appointed Porter to the Committee on Ways and Means.

Referred to the Committee on Attachés and Employés.

By Mr. Carroll:

Resolved, That R J. Fletcher be and is hereby appointed Porter to Committee on Corporations, at usual Porter's per diem, four dollars

Referred to Committee on Attachés and Employés.

Also:

Resolved, That Richard Parker be and is hereby appointed Porter to the Judiciary Committee at Porter's per diem, four dollars

Referred to Committee on Attachés and Employés.

By Mr. W. A. Brown:

Resolved, That Mrs. K J Troy be and she is hereby appointed Copying Clerk of the Assembly, at the same per diem as the other clerks at the desk, payable out of the Contingent Fund of the Assembly.

Referred to Committee on Attachés and Employés.

By Mr. Ewing:

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

Adopted.

Mr. Coombs moved to consider special order set for yesterday, at three o'clock P. M., as follows:

WHEREAS, This Assembly in its appointments desires to be guided by the rules of necessity and economy, therefore be it

Resolved, That it is the sense of this House that the Committee on Attachés and Employés report adversely all resolutions pertaining to the appointment of attachés of this Assembly, excepting from the meaning herein the resolutions pertaining to the appointment of a Third Assistant Clerk at the desk, which office is deemed a public necessity

Mr. Coombs moved to amend, by excluding from the meaning of the resolution all appointments made up to the present time.

At eleven o'clock and fifty minutes, Mr. Brooks moved to adjourn.

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

AYES—Messrs Adams, Alexander, Atherton, Bailey, Barry, Barton, Bost, Britt, Brooks, Brown J B, Butler Cohen, Cope, Ellsworth, Henry of Butte, Henry of San Joaquin, LaBlanc, Mahler, Mann, Mathews of Tehama, McClenahan, Mitchell, Morris, Regan, Searey, Shanahan, Sherburne, Taylor, Toner, Venable, Wright, and Young of San Joaquin—32

NOES—Messrs Brierly, Brown W A, Brusie, Burnett, Campbell, Carr, Carroll, Colbert, Cooley, Coombs, Currey of Solano, Curry of San Francisco, Davis, Ewing, Gould, Granger, Gruwell, Handy, Heath, Hotchkiss, Hyde, Lawrence, Martin, Matthews of San Benito, McDonnell, McGowan, Morgan, O'Grady, Ohleyer, Price, Rucker, Renison, Sims, Smyth, Spurgeon, Sykes, Variel, Vincent, Weber, Wilcox, Wilhams, Young of San Diego, and Mr. Speaker—43

RECESS.

At eleven o'clock and fifty-eight minutes A. M. Mr. Hyde moved to take a recess until two o'clock P. M. this day.

So ordered.

REASSEMBLED.

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

Speaker Jordan in the chair.

Quorum present.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON RULES

ASSEMBLY CHAMBER, SACRAMENTO, January 13, 1887

MR SPEAKER Your Committee on Rules, to whom was referred the motion of Mr. Hotchkiss, to amend the rules by adding a new committee, to be known as a Committee on Banks and Banking, have had the same under consideration, and respectfully report the same back, and recommend that the motion be denied.

JOHN DAVIS, Chairman

Report adopted.

ON ATTACHÉS AND EMPLOYÉS.

ASSEMBLY CHAMBER, SACRAMENTO, January 13, 1887

MR SPEAKER Your Committee on Attachés and Employés, to whom was referred the following resolution

Resolved, That the San Francisco delegation be constituted a Committee of the House, and allowed one clerk at a per diem of five dollars to be paid out of the Contingent Fund of the Assembly

Resolved, That Eugene Jackson be and is hereby appointed Messenger to the Sergeant-at-Arms, at a per diem of five dollars, payable out of the Contingent Fund of the Assembly

Respectfully report the same back and recommend that they do not pass

C. F. CURRY, Chairman.

Mr. Lawrence moved that the question be divided, and that the House vote on each resolution separately.

So ordered.

Mr. Brierly moved that the first part of the report of the committee be adopted.

Ayes and noes demanded on the adoption of the report by Messrs. Brierly, Martin, and Price

The roll was called, and the motion to adopt the first part of the report lost by the following vote:

AYES—Messrs Alexander, Atherton, Bailey, Brusie, Butler, Carr, Carroll, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Gould, Handy, Hotchkiss, McDonnell, Morris, Price, Sherburne, Taylor, Vincent, Weber, Wilcox, Williams, and Mr Speaker—27

NOES—Messrs Adams, Barry, Barton, Bost, Brierly, Britt, Brooks, Brown W A, Brown J B, Burnett, Callaghan, Campbell, Cohen, Ewing, Granger, Gruwell, Heath, Henry of Butte, Henry of San Joaquin, Hyde, LaBlanc, Lawrence, Mahler, Martin, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, McGowan, Mitchell, Morgan, O'Grady, Ohleyer, Regan, Rucker, Remson, Searey, Shanahan, Sims, Spurgeon, Sykes, Toner, Variel, Venable, Windrow, Wright, Young of San Diego, and Young of San Joaquin—48

Mr. Brusie offered the following as an amendment:

Resolved, That Amador, Butte, and Alameda Counties be also included

Mr. Gould offered the following as an amendment to the amendment:

Resolved, That the delegation from Mono, Inyo, and Alpine be constituted a committee, and allowed a clerk. Its interests are more diversified and it embraces a territory one thousand times as large as that of San Francisco

Amendment to the amendment lost.

Mr. Brusie offered the following as an amendment to the amendment:

Resolved, That the Clerk to the Committee on State Printing act as Clerk of San Francisco delegation, with no additional compensation

Amendment to the amendment lost.

Amendment offered by Mr. Brusie lost.

The question recurring on the adoption of the resolution authorizing the San Francisco delegation to appoint a clerk, the ayes and noes were demanded by Messrs. Carr, Carroll, and Alexander.

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

AYES—Messrs. Adams, Alexander, Barry, Barton, Bost, Britt, Brooks, Brown W. A, Brown J B, Brusie, Burnett, Butler, Callaghan, Campbell, Cohen, Cope, Davis, Ewing, Gould, Granger, Gruwell, Heath, Henry of Butte, Henry of San Joaquin, Hyde, LaBlanc, Lawrence, Mahler, Martin, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, Mitchell, Morgan, Morris, O'Grady, Ohleyer, Regan, Rucker, Remson, Searey, Shanahan, Sims, Smyth, Spurgeon, Sykes, Taylor, Toner, Variel, Venable, Windrow, Williams, Wright, Young of San Diego, and Young of San Joaquin—57

NOES—Messrs Atherton, Bailey, Brierly, Carr, Carroll, Cooley, Coombs, Currey of Solano, Curry of San Francisco, Ellsworth, Handy, Hotchkiss, McGowan, Price, Sherburne, Vincent, Weber, Wilcox, and Mr Speaker—19

NOTICE OF RECONSIDERATION.

Mr. Alexander gave notice that on to-morrow he would move to reconsider the vote whereby the resolution was adopted.

The report of the committee, so far as it relates to the appointment of Eugene Jackson Messenger to the Sergeant-at-Arms, adopted.

Mr. Wright moved to take up Senate messages, out of order.

So ordered.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, January 13, 1887

MR SPEAKER I am directed to inform your honorable body that the Senate, on this day, adopted the following:

Resolved by the Senate, the Assembly concurring, That when the Senate and Assembly adjourn to-day, such adjournment be taken until Tuesday, January 18, 1887, at eleven o'clock A M

E H. HAMILTON, Secretary
By MCCARTHY, Assistant Secretary

Mr. Taylor moved to adopt the resolution.

Mr. Sims moved to make the resolution the special order for to-morrow, immediately after reading the Journal.

Lost.

The question being on the motion of Mr. Taylor to adopt the resolution, the same was lost.

ADJOURNMENT.

At three o'clock and five minutes P. M., on motion of Mr. Mathews of Tehama, the House adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Friday, January 14, 1887.

The House met pursuant to adjournment.

Speaker Jordan in the chair.

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

Messrs. Adams, Alexander, Atherton, Bailey, Barry, Barton, Bost, Brierly, Britt, Brooks, Brown W A, Brown J. B, Bruse, Burnett, Butler, Callaghan, Campbell, Carr, Carroll, Colbert, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Gruwell, Handy, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, Knox, LaBlanc, Lawrence, Lewis, Mahler, Martin, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Mitchell, Morgan, Morris, O'Grady, Ohleyer, Price, Regan, Rucker, Remson, Searey, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Toner, Variel, Venable, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr Speaker

Quorum present.

Prayer by the Chaplain, Rev. E. R. Dille.

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

So ordered.

Journal approved.

REPORTS OF STANDING COMMITTEES.

ON MILEAGE.

MR SPEAKER Your Committee on Mileage beg leave to make the following supplementary report, and recommend the adoption of the following resolution:

Resolved, That the Controller be and is hereby authorized to draw his warrant in favor of Mrs. L. C. Stratton for mileage due her as Postmistress, for the distance traveled by

her, one hundred and sixty-eight miles, sixteen dollars and eighty cents, in returning to and from the organization of the House, the same being paid out of the Contingent Fund of the Assembly.

C. M WEBER, Chairman.

Report received and resolution adopted.

ON ATTACHÉS AND EMPLOYÉS.

ASSEMBLY CHAMBER, January 14, 1887

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

Resolved, That Martin Morelli be and is hereby appointed Porter of the Engrossing and Journal Clerks' rooms, at a per diem of four dollars, payable out of the appropriation for the Contingent Fund of the Assembly.

Resolved, That James J. Maloney be and he is hereby appointed Messenger, whose duty it shall be to transfer all papers and documents to the office of the Superintendent of State Printing, and to retransfer them and all printed matter for the Assembly from said office to the Clerk's desk of the Assembly, that for such service he shall be paid a per diem of four dollars, payable out of the appropriation for the contingent expenses of the Assembly

Resolved, That C. Peak be and is hereby appointed Porter to the Judiciary Committee, at a per diem of four dollars, payable out of the Contingent Fund of the Assembly

Resolved, That Eddie Grogan be and he is hereby appointed Post Office Page, at the same per diem as the other Pages, payable out of the Contingent Fund of the Assembly.

Resolved, That John R Lewis of San Francisco be and hereby is appointed Second Assistant Clerk to the Sergeant-at-Arms, at the same per diem as the other clerks, payable out of the appropriation for the contingent expenses of the Assembly

Resolved, That Alexander B. Nixon be and he is hereby appointed Watchman of the Assembly, at the same per diem as other Watchmen, payable out of the Contingent Fund of the Assembly.

Resolved, That Master John C Driscoll of Sacramento be and hereby is appointed Messenger to the Sergeant-at-Arms of the Assembly, at the customary per diem, payable out of the Contingent Fund of the Assembly.

Resolved, That John S Wilkins be and he is hereby appointed Porter of the Judiciary Committee, at a per diem of five dollars, payable out of the Contingent Fund of the Assembly.

Resolved, That R. J. Sweeney be and is hereby appointed Committee-room Porter, at the same per diem as other Porters, payable out of the Contingent Fund of the Assembly

Resolved, That Richard Parker be and is hereby appointed Porter to the Judiciary Committee, at Porter's per diem, four dollars

Resolved, That Joseph Binckard be and he is hereby appointed Porter of the Judiciary Committee, with salary payable out of the Contingent Fund of the Assembly.

Resolved, That R J. Fletcher be and is hereby appointed Porter to Committee on Corporations, at usual Porter's per diem, four dollars

Resolved, That Amelio Ortego be and is hereby appointed Porter to the Judiciary Committee, at a per diem of five dollars

Respectfully report the same back, and recommend that they be not adopted

C F CURRY, Chairman

Mr. Brierly moved that the report be made the special order immediately after reconsideration of the vote giving the San Francisco delegation a clerk.

Lost.

Mr. Heath moved that the report of the committee be adopted.

Adopted.

Mr Lawrence moved that Assembly Bills Nos. 8, 9, and 10 be withdrawn from the Committee on Judiciary and referred to the Committee on Corporations.

So ordered.

REPORT OF STANDING COMMITTEE.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, January 14, 1887.

MR SPEAKER Your Committee on Judiciary, to whom was referred the resolution introduced by Mr Shanahan, to wit

Resolved, That the Judiciary Committee is hereby requested to ascertain and report to this House at the earliest possible moment what action may be taken under the Consti-

tution of this State and United States to prevent Chinese coming into this State, to discourage the presence of Chinese in the State, and to bring about the deportation of Chinese now here

Have had the same under consideration, and respectfully report the same back, with the request that the Committee on Chinese Immigration be substituted in said resolution in lieu of the Judiciary Committee, and that said resolution be thereupon referred to said Committee on Chinese Immigration

VARIEL, Chairman

Report adopted.

MESSAGE FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 13, 1887.

MR SPEAKER I am directed to inform your honorable body that the Senate, on this day, adopted the Assembly resolution requesting the Senate and Assembly Committees on Rules to meet for the purpose of preparing a set of joint rules to govern the Senate and Assembly

E H HAMILTON, Secretary

INTRODUCTION OF BILLS.

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

By Mr. Alexander: Assembly Bill No. 133—An Act to add new sections to an Act entitled "An Act to provide for analyzing the minerals, mineral waters, and other liquids, and the medicinal plants of the State of California, and of food and drugs, to prevent the adulteration of the same," approved March 9, 1885

Referred to Committee on State Hospitals.

Also, Assembly Bill No. 134—An Act to provide for the removal of the mineral cabinet from the State Library.

Referred to the Committee on State Library.

By Mr. Ellsworth: Assembly Bill No. 135 (with memorial)—An Act for the remuneration of Elisha O. Crosby for money advanced to and for the State of California.

Referred to Committee on Claims.

By Mr. Heath. Assembly Bill No. 136—An Act to repeal an Act entitled "An Act to amend an Act to incorporate the City of Santa Barbara," approved March 30, 1878.

Referred to Committee on Judiciary.

By Mr. Brooks. Assembly Bill No. 137—An Act to amend an Act entitled "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.

Referred to Committee on County and Township Governments.

By Mr Gould: Assembly Bill No. 138—An Act to amend sections six and eight 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. Taylor. Assembly Bill No. 139—An Act making appropriation for a deficiency in the appropriation for salary of the Secretary of the State Engineer, for the thirty-fifth, thirty-sixth, thirty-seventh, and thirty-eighth fiscal years.

Referred to Committee on Ways and Means.

Also, Assembly Bill No. 140—An Act to amend sections four hundred and nineteen and four hundred and twenty of the Civil Code of the State of California, all of said sections relating to insurance.

Referred to Committee on Corporations.

By Mr. N. A. Young: Assembly Bill No. 141—An Act to enlarge the State Library, by purchasing and adding thereto a library of the Pacific Coast, and to make an appropriation for said purchase.

Referred to Committee on State Library.

Also, Assembly Bill No. 142—An Act to amend section four hundred and nineteen of the Civil Code, and to add a new section to said Code, to be known as section four hundred and twenty-one, relating to fire insurance.

Referred to Committee on Corporations.

By Mr. Cooley: Assembly Bill No. 143—An Act making appropriations to pay deficiencies in the appropriations for the costs and expenses of suits in which the State is a party in interest, for the thirty-fifth, thirty-sixth, thirty-seventh, and thirty-eighth fiscal years.

Referred to Committee on Ways and Means.

By Mr. Mann: Assembly Bill No. 144 (with memorial)—An Act to amend section one thousand two hundred and fifty-seven of the Political Code of the State of California, relating to counting of ballots at elections.

Referred to Committee on Elections.

By Mr. Wright: Assembly Bill No. 145—An Act to regulate fees of Clerks of Superior Courts in this State.

Referred to Committee on Judiciary.

By Mr. Ohleyer: Assembly Bill No. 146—An Act to prevent injuries to navigable streams.

Referred to Committee on Agriculture.

By Mr. Bost: Assembly Bill No. 147—An Act relating to State school land.

Referred to Committee on Public Lands.

By Mr. Carroll: Assembly Bill No. 148—An Act to amend sections one, five, six, seven, eight, ten, and eleven of an Act entitled "An Act to provide for the redemption of the funded indebtedness of the City of Sacramento," approved March 25, 1872.

Referred to Committee on Municipal Corporations.

By Mr. Wilcox: Assembly Bill No. 149—An Act to authorize and empower the Board of Trustees of the California Home for the Care and Training of Feeble-Minded Children to build an addition to the Home, and to provide funds for the payment thereof; also, to provide funds for the maintenance of the said institution.

Referred to Committee on Ways and Means.

By Mr. Brierly: Assembly Bill No. 150—An Act to amend sections one thousand six hundred and sixty-five and one thousand six hundred and sixty-seven of the Political Code of California, relating to branches of studies to be taught in the public schools.

Referred to Committee on Education.

By Mr. Lewis. Assembly Bill No. 151—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. Taylor: Assembly Bill No. 152—An Act to add another section to the Penal Code, to be numbered two hundred and sixty-eight, relating to crimes and punishments.

Referred to Committee on Crimes and Penalties.

Mr Alexander moved to reconsider the vote whereby the San Francisco delegation were, on yesterday, allowed a clerk.

Ayes and noes demanded by Messrs. Alexander, Renison, and Young of San Joaquin.

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

AYES—Messrs. Alexander, Atherton, Bailey, Barry, Bost Brierly, Brown W. A., Brown J. B., Brusie, Burnett, Butler, Campbell, Carr, Carroll, Cooley, Coombs, Currey of Solano, Curry of San Francisco, Ellsworth, Ewing, Gould, Handy, Hotchkiss, Hyde, Mann, McDonnell, McGowan, Morris, Ohleyer, Price, Rucker, Sherburne, Sims, Spurgeon, Taylor, Variel, Vincent, Weber, Wilcox, Williams, Wright, Young of San Diego, and Mr. Speaker—42

NOES—Messrs. Adams, Barton, Britt, Colbert, Cope, Granger, Gruwell, Heath, Henry of Butte, Henry of San Joaquin, LaBlanc, Lawrence, Lewis, Mahler, Mathews of Tehama, Matthews of San Benito, McClenahan, Mitchell, Morgan, O'Grady, Regan, Renison, Searey, Shanahan, Smyth, Sykes, Toner, Venable, and Young of San Joaquin—29.

The question being on the adoption of the report of the Committee on Attachés and Employés, as presented yesterday, the same was adopted.

RESOLUTIONS.

By Mr. Hyde:

Resolved, That B. S. Marston be and he is hereby appointed Copying Clerk of the Assembly, at the same per diem as the other clerks at the desk, payable out of the Contingent Fund of the Assembly.

Referred to the Committee on Attachés and Employés.

By Mr. Cooley:

Resolved, That the per diem of Mrs. Weaver, as Assistant Postmistress, be and the same is hereby fixed at five dollars, payable out of the appropriation for the contingent expenses of the Assembly, said per diem to commence from the date of her appointment.

Referred to Committee on Attachés and Employés.

By Mr. Lawrence:

Resolved, That the Chief Clerk be instructed to make a return to this House of all employés now on the pay roll, and the amount of their per diem.

Adopted.

Mr. Alexander moved that when the House adjourns it adjourns until Tuesday next, at eleven o'clock A. M.

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

Lost.

Mr. Colbert moved to amend by making the hour twelve o'clock, Tuesday.

The question being on the shortest time, "that when the House adjourns it adjourns to meet at eleven o'clock A. M. Tuesday," it was so ordered.

RECESS.

At twelve o'clock M. Mr. Hyde moved to take a recess until two o'clock P. M.

So ordered.

REASSEMBLED.

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

Quorum present.

INTRODUCTION OF BILL.

The following bill was introduced, read by title, and referred to committee, as follows:

By Mr. Gruwell. Assembly Bill No. 153—An Act to amend an Act establishing a uniform system of county and township governments, approved March 14, 1883, and to add a new section thereto, so as to provide for the election of a Roadmaster by the qualified electors in the several districts of each county, at the time of the election of Supervisors, for the term of two years, and that the Board of Supervisors of each county, at the first meeting of their Board, are to state their duties by a resolution of the Board, and to fix, at the same time, the compensation to be paid to them for their services.

Referred to Committee on County and Township Governments.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, January 14, 1887

MR SPEAKER I am directed to inform your honorable body that the Senate, on this day, adopted the following

Resolved by the Senate, the Assembly concurring and consenting, That when the Senate and Assembly adjourns to-day such adjournment be taken until Tuesday, January 18, 1887, at eleven o'clock A M.

E. H HAMILTON, Secretary

Resolution adopted.

ADJOURNMENT.

At two o'clock and five minutes P. M , on motion of Mr. Butler, the House adjourned until Tuesday, January 18, 1887, at eleven o'clock A. M.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Tuesday, January 18, 1887.

The House met pursuant to adjournment.

Speaker Jordan in the chair.

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

Messrs Adams, Alexander, Atherton, Bailey, Barry, Barton, Bost, Brierly, Britt, Brooks, Brown W. A , Brown J B, Brusie, Burnett, Butler, Callaghan, Campbell, Carr, Carroll, Cohen, Colbert, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Gruwell, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, Knox, LaBlanc, Lawrence, Lewis, Mahler, Martin, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Mitchell, Morgan, Morris, O'Grady, Ohleyer, Price, Regan, Rucker, Remson Searey, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Toner, Variel, Venable, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr Speaker.

Quorum present.

Prayer by the Chaplain, Rev. E. R. Dille

Pending the reading of the Journal of Friday, January 14, 1887, Mr Heath moved to dispense with further reading.

So ordered.

Journal corrected and approved.

PETITIONS

Mr. Jordan presented two petitions in relation to a Sunday law. Referred to Committee on Public Morals.

REPORT OF STANDING COMMITTEE.

ON ATTACHÉS AND EMPLOYÉS

ASSEMBLY CHAMBER, January 18, 1887

MR SPEAKER Your Committee on Attachés and Employés, to whom was referred the following resolution, viz

Resolved, That the Speaker be authorized to appoint a Page for the desk of the Speaker and Chief Clerk, at the same per diem as is paid the other Pages, said per diem payable out of the appropriation for the contingent expenses of the Assembly

Respectfully report the same back, and recommend that it be not adopted.

C F. CURRY, Chairman

Report adopted.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, January 14, 1887

MR SPEAKER: I am directed to inform your honorable body that the Senate, on this day, adopted the following Senate Concurrent Resolution No 2—Relative to restoring ex-Governor George Stoneman to the retired list of the United States Army.

E H HAMILTON, Secretary
By J J MCCARTHY, Assistant Secretary

Mr Matthews of San Benito asked that the resolution be read.

So ordered.

Mr. Cooley moved that the rules be suspended, and that the House take action at once on the adoption of the resolution.

Mr. Wright moved to amend, by postponing consideration of the resolution until Tuesday next, at two o'clock P. M.

Lost.

The question recurring on the motion of Mr. Cooley to suspend the rules and adopt the resolution, it was unanimously carried.

ELECTION OF UNITED STATES SENATOR.

The Assembly, at eleven o'clock and fifty-five minutes, proceeded to the election of one United States Senator, in accordance with the following Act of Congress:

Title two, chapter one, Revised Statutes United States—An Act to regulate the time and manner of holding elections for Senators in Congress, approved July 25, 1866

Be it enacted by the Senate and House of Representatives of the United States in Congress assembled

SECTION 14 The Legislature of each State, which is chosen next preceding the expiration of the time for which any Senator was elected to represent such State in Congress, shall, on the second Tuesday after the meeting and organization thereof, proceed to elect a Senator in Congress

SEC 15 Such election shall be conducted in the following manner Each House shall openly, by a viva voce vote of each member present, name one person for Senator in Congress from such State, and the name of the person so voted for, who 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 per-

son 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 a 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. Heath of Santa Barbara nominated Hon. George Hearst.
Mr. Alexander of Alameda nominated Hon. Henry Vrooman.
The roll was called, with the following result:

For Hearst—Messrs Adams, Barton, Bost, Britt, Brooks, Callaghan, Cohen, Colbert, Cope, Granger, Gruwell, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Lawrence, Lewis, Mahler, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, Mitchell, Morgan, Morris, O'Grady, Regan, Rucker, Remson, Searey, Shanahan, Smyth, Spurgeon, Toner, Venable, Wright, and Young of San Joaquin—38

For Vrooman—Messrs Alexander, Atherton, Bailey, Barry, Brierly, Brown W. A., Brown J. B, Brusie, Burnett, Butler, Campbell, Carr, Carroll, Cooley, Coombs, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Handy, Hyde, Knox, LaBlanc, Martin, McDonnell, McGowan, Price, Sherburne, Sims, Sykes, Taylor, Variel, Weber, Windrow, Wilcox, Williams, Young of San Diego, and Mr Speaker—40

Whole number of votes cast	78
Necessary to a choice	40
Hon George Hearst received	38
Hon. Henry Vrooman received	40

The Speaker announced the vote, and declared that the Hon. Henry Vrooman, 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, 1887.

RESOLUTIONS.

By Mr. Brooks.

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 19, 1887, at twelve o'clock M., 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

Adopted.
By Mr. Sims:

WHEREAS, The California "Sunday Law" Association, by a committee consisting of Rev Drs Frost, Merrill, and Dille, has made application, through the Speaker, for the use of the Assembly Chamber for a mass meeting, to be held on Monday evening, January twenty-fourth), therefore,

Resolved, That the use of this Chamber be granted said association on the evening indicated

Adopted.
Speaker pro tem. Brierly in the chair.

RESOLUTION.

By Mr. Jordan:

Resolved, That when this House adjourns to-day, it does so adjourn out of respect to the memory of Father J J Upchurch, the founder of the beneficiary fraternal institutions of America, who died this morning at St. Louis, Missouri.

Adopted.
Speaker Jordan in the chair.

INTRODUCTION OF BILLS.

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

By Mr. Lawrence: Assembly Bill No. 154—An Act relating to wires and cables of telegraph, telephone, and electric light companies, to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872.

Referred to Committee on Municipal Corporations.

By Mr. Henry of San Joaquin: Assembly Bill No. 155—An Act relating to estrays.

Referred to Committee on Agriculture.

By Mr. Hart: Assembly Bill No 156—An Act entitled "An Act to regulate the fees of County Clerks of the various counties of this State upon insolvent proceedings."

Referred to Committee on Judiciary.

Also, Assembly Bill No. 157—An Act to amend section one thousand three hundred and thirty of the Code of Civil Procedure of the State of California, concerning the contest of the probate of wills.

Referred to Committee on Judiciary.

Also, Assembly Bill No. 158—An Act to amend section seven of the Insolvent Act of 1880.

Referred to Committee on Judiciary.

Also, Assembly Bill No. 159—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by amending an Act amendatory of said Act to section six hundred and thirty-four, relating to fish and game.

Referred to Committee on Fish and Game.

By Mr Knox. Assembly Bill No. 160—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.

By Mr. Brierly: Assembly Bill No. 161—An Act to amend section three thousand seven hundred and two of the Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the State Board of Equalization, its traveling expenses, and making an appropriation therefor.

Referred to Committee on Ways and Means.

Also, Assembly Bill No. 162—An Act to amend sections one thousand two hundred and ninety-two, one thousand two hundred and

ninety-three, one thousand two hundred and ninety-four, and one thousand two hundred and ninety-five of the Political Code of the State of California, relating to election returns for Governor and Lieutenant-Governor.

Referred to Committee on Elections.

By Mr. Mahler: Assembly Bill No. 163—An Act to add a new section to the Code of Civil Procedure, to be numbered four hundred and sixty-six, relative to the pleadings, evidence, and costs in actions upon policies of fire insurance in certain cases.

Referred to Committee on Corporations.

By Mr. Brooks: Assembly Bill No. 164—An Act to add a new section to the Penal Code, to be known as section five hundred and thirty-seven, relating to cheats.

Referred to Committee on Public Morals.

By Mr. Cohen: Assembly Bill No. 165—An Act to provide for the payment of the claim of R. C. Ball as architect of the State Prison at Folsom, and to appropriate money for the purpose of such payment.

Referred to Committee on Claims.

Also, Assembly Bill No. 166—An Act to amend section one thousand one hundred and sixty of the Political Code of the State of California, relating to elections.

Referred to Committee on Elections.

By Mr. Taylor: Assembly Bill No. 167—An Act to appropriate money to pay deficiency for State Prison at Folsom.

Referred to Committee on Ways and Means.

Also, Assembly Bill No. 168—An Act to appropriate money to pay deficiency for State Prison at Folsom.

Referred to Committee on Ways and Means.

A memorial relating to Assembly Bills No. 167 and 168 was presented by Mr. Taylor, and referred to Committee on Ways and Means.

By Mr. Wright: Assembly Bill No. 169—An Act to enlarge the powers of the State Board of Forestry, and to provide for the expenses of said Board

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

By Mr. Spurgeon: Assembly Bill No. 170—An Act to amend section eight hundred and forty-one of the Civil Code of this State, relating to boundaries.

Referred to Committee on Counties and County Boundaries.

CONSTITUTIONAL AMENDMENT.

By Mr. Hart. Assembly Constitutional Amendment No. 7—Proposed amendment to the Constitution of the State, relative to the Board of Railroad Commissioners.

Referred to Committee on Constitutional Amendments.

ADJOURNMENT.

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

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Wednesday, January 19, 1887.

The House met pursuant to adjournment.

Speaker Jordan in the chair.

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

Messrs Adams, Alexander, Atherton, Bailey, Barry, Barton, Bost, Brierly, Britt, Brooks, Brown W A, Brown J B, Bruste, Burnett, Butler, Callaghan, Campbell, Carr, Carroll, Cohen, Colbert, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Gruwell, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, Knox, LaBlanc, Lawrence, Lewis, Mahler, Martin, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Mitchell, Morgan, Morris, Ohleyer, Price, Regan, Rucker, Remson, Searey, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Toner, Variel, Venable, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr Speaker.

Quorum present.

Prayer by the Chaplain, Rev. E. R. Dille.

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

So ordered.

Journal approved.

LEAVE OF ABSENCE.

Mr. Rucker was granted three days' leave of absence, commencing from to-morrow.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, January 18, 1887

MR SPEAKER I am directed to inform your honorable body that the Senate, on this day, adopted the following

Resolved, That the Secretary of the Senate be instructed to inform the Assembly, the vote of the Senate, on this day, for United States Senator, viz

George Hearst	25
Henry Vrooman	11

Also, the Senate, on this day, adopted the Assembly resolution requesting the Senate and Assembly to meet in Joint Convention on to-morrow, January 19, 1887, at twelve o'clock meridian, 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

E H. HAMILTON, Secretary
By J. J. MCCARTHY, Assistant Secretary.

INTRODUCTION OF BILLS.

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

By Mr. Rucker. Assembly Bill No. 171—An Act making an appropriation to meet the deficiency in the appropriation for the arrest of criminals without the limits of the State, for the thirty-fifth fiscal year.

Referred to Committee on Ways and Means

By Mr. LaBlanc: Assembly Bill No. 172—An Act to amend an Act to appropriate money for the support of aged persons in indigent circumstances residing in the home of the Veterans' Home Association, approved March 7, 1883.

Referred to Committee on Military Affairs.

By Mr. Brooks: Assembly Bill No. 173—An Act to amend sections two hundred and sixty-nine, two hundred and seventy, two hundred and seventy-one, two hundred and seventy-two, two hundred and seventy-three, and two hundred and seventy-four of the Code of Civil Procedure, relating to the employment and compensation of Court reporters.

Referred to Committee on Judiciary.

Also, Assembly Bill No. 174—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," and to amend section one hundred and seventy of an Act relating to the disqualification of Judges.

Referred to Committee on Judiciary.

By Mr. Weber: Assembly Bill No. 175—An Act to amend section three thousand five hundred and two of the Political Code, relating to school land warrants.

Referred to Committee on Public Lands.

By Mr. Colbert: Assembly Bill No. 176—An Act to amend section three hundred and sixty-eight of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1873, relating to assignments in things in action.

Referred to Committee on Judiciary.

By Mr. Butler: Assembly Bill No. 177—An Act to amend section number nine hundred and seventy-eight of the Code of Civil Procedure, relative to attachments.

Referred to Committee on Judiciary.

Also, Assembly Bill No. 178—An Act to amend section five hundred and fifty-three of the Code of Civil Procedure, relative to attachments.

Referred to Committee on Judiciary.

By Mr. Hart: Assembly Bill No. 179—An Act entitled "An Act to create the County of Glenn, to establish the boundaries thereof, and to provide for its organization."

Referred to Committee on Counties and County Boundaries.

By Mr. Young of San Joaquin: Assembly Bill No. 180—An Act authorizing County Clerks in this State to take and certify affidavits for United States pension claimants without the payment of fees or compensation therefor.

Referred to Committee on Federal Relations.

By Mr. Wright: Assembly Bill No. 181—An Act to amend section four thousand and eight of the Code of Civil Procedure of the State of California, relating to the issuing of alias summons.

Referred to Committee on Judiciary.

Also, Assembly Bill No. 182—An Act to amend section one thousand and seventy of the Penal Code, relating to peremptory challenges to jurors in criminal cases.

Referred to Committee on Judiciary.

Also, Assembly Bill No. 183—An Act to repeal section three thousand seven hundred and forty-eight of the Political Code, relating to collections of taxes.

Referred to Committee on Ways and Means.

By Mr. Carroll: Assembly Bill No. 184—An Act authorizing and providing for the erection and furnishing of armories for the National Guard of the State of California, and to issue bonds for the payment of the same, and providing for the payment of said bonds.

Referred to Committee on Military Affairs.

By Mr. Wilcox: Assembly Bill No. 185—An Act to provide for

the construction, completion, and equipment of the Viticultural Laboratory at the University of California at Berkeley, in Alameda County.

Referred to Committee on Viniculture and Viticulture.

By Mr. Henry of Butte: Assembly Bill No. 186—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. W. A. Brown: Assembly Bill No. 187—An Act to regulate the furnishing and supplying of gas for illuminating and other purposes, and defining the duties of persons engaged in the manufacturing and supplying of the same, and providing a penalty for violations

Referred to Committee on Internal Improvements.

By Mr. Brierly: Assembly Bill No. 188—An Act prescribing certain duties of telegraph and telephone companies, prohibiting discrimination between corporations of such companies.

Referred to Committee on Public Expenditures and Accounts.

REPORTS OF STANDING COMMITTEES.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, January 19, 1887.

MR SPEAKER. Your Committee on Judiciary, to whom was referred Assembly Bill No 5—An Act to amend sections one thousand four hundred and sixty-nine, one thousand four hundred and ninety, and one thousand five hundred and eleven of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to settlement of the estates of deceased persons—have considered the same, and respectfully recommend its passage

Also, Assembly Bill No 36—An Act to amend section eight hundred and ninety-two of an Act entitled "An Act to establish a Code of Civil Procedure," adopted March 11, 1872, relative to the time for entering judgment in the Justices' Courts—report the same back with amendment, and recommend its passage, as amended.

Also, Assembly Bill No 37—An Act to amend section one hundred and sixty of an Act entitled "An Act to establish a Code of Civil Procedure," adopted March 11, 1872, relating to the holding of Superior Courts by Superior Judges of other counties, and providing for their actual expenses—report the same back, with the recommendation that it do pass

Also, Assembly Bill No 118—An Act to amend section three thousand seven hundred and sixty-eight of the Political Code of the State of California, relating to the time and place where sales of property for delinquent taxes shall be held—report the same back, and recommend its passage

VARIEL, Chairman

ON PUBLIC BUILDINGS AND GROUNDS

ASSEMBLY CHAMBER, SACRAMENTO, January 19, 1887.

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 University of California at Berkeley, also, the Institute for the Deaf and Dumb and the Blind at Berkeley, and the Asylum for the Adult Blind at Oakland and are entitled to mileage for the following distances traveled Messrs Carroll, Curry, Davis, John Ellsworth, Campbell, Martin, Rucker, Hotchkiss, and Clerk Jackson, each from Sacramento to Oakland, and from Oakland to Berkeley, one hundred and ninety-two miles.

CARROLL, Chairman.

The report of the committee, so far as it relates to mileage, was referred to the Committee on Mileage.

ON CLAIMS

ASSEMBLY CHAMBER, SACRAMENTO, January —, 1887

MR. SPEAKER Your committee to whom was referred Assembly Bill No 48, beg leave to report that they have examined the same, and do now report that it is not within the

province of your Committee on Claims to decide upon the legality of said bill, and respectfully report the same back to the House, with the request that it be referred to the Judiciary Committee

NESTOR A. YOUNG, Chairman.

Referred to Committee on Judiciary, as requested.

ON VINICULTURE AND VITICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, January —, 1887.

MR SPEAKER Your Committee on Viniculture and Viticulture, to whom was referred Assembly Bill No. 49—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, relating to chattel mortgages—have had the same under consideration, and report the same back, amended, and recommend its passage as amended.

COOMBS, Chairman.

JOINT RESOLUTION.

By Mr. Gould: Assembly Joint Resolution No. 4—Relative to the reservation of certain timber lands.

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

RESOLUTIONS.

By Mr. Ewing:

Resolved, That the Chairman of the Committee on Retrenchment be required to report at each day of the session the result of the committee's deliberations over the stationery requisitions of this House

Mr. Matthews of San Benito moved to amend, by making to report every week instead of each day.

Amendment accepted.

Resolution, as amended, adopted.

By Mr. Henry of Butte:

Resolved, That two hundred copies of Senate Concurrent Resolution No 2—Relative to restoring ex-Governor Stoneman to the retired list of the United States Army—be printed.

Adopted.

RECESS.

At eleven o'clock and thirty minutes A. M. Mr. Hyde moved to take a recess until eleven o'clock and fifty-five minutes A. M.

Mr. Brooks moved to amend, "to take a recess for twenty minutes."

Adopted.

Motion of Mr. Hyde, as amended, adopted.

REASSEMBLED.

At eleven o'clock and fifty minutes A. M. the House reassembled.

Speaker Jordan in the chair.

Quorum present.

IN JOINT ASSEMBLY.

WEDNESDAY, January 19, 1887.

The hour of twelve o'clock meridian having arrived, the 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 for holding elections for Senators in Congress," approved July 25, 1866.

Lieutenant-Governor R. W. Waterman, President of the Senate, and Hon. W. H. Jordan, Speaker of the Assembly, presiding.

The roll of the Senate was called by the Secretary, and the following Senators answered to their names:

Senators Abbott, Boggs, Bowers, Briceland, Byrnes, Caminetti, Chandler, Clunie, Conklin, Crandall, Crimmins, Dixon, Dray, Gesford, Goucher, Hall, Haynes, Hinshaw, Jones, Langford, Lenahan, McCarthy, McCudden, McDonald, Meany, Moffitt, Murphy, Patterson, Pinder, Rose, Roth, Sargent, Spellacy, Steele, Sullivan, Walrath, White, Wilson, and Yell

All present but Senator Vrooman.

The roll of the Assembly was called by the Chief Clerk, and the following members of the Assembly answered to their names:

Messrs. Adams, Alexander, Atherton, Bailey, Barry, Barton, Bost, Brierly, Britt, Brooks, Brown W. A., Brown J. B., Brusie, Burnett, Butler, Callaghan, Campbell, Carr, Carroll, Cohen, Colbert, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Gruwell, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, Knox, LaBlanc, Lawrence, Lewis, Mahler, Martin, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Mitchell, Morgan, Morris, O'Grady, Ohleyer, Price, Regan, Rucker, Renison, Searey, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Tonei, Variel, Venable, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, 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-seventh session, as relates to the election of a United States Senator for the term of six years, beginning March 4, 1887, whereby it appears that thirty-six Senators were present, and voted, each for his choice, and that the Hon. George Hearst had received twenty-five votes and the Hon. Henry Vrooman had received eleven 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. George Hearst receiving thirty-eight votes, and Hon. Henry Voorman receiving forty votes.

The President of the Senate then announced that, as there had been no choice for United States Senator in both Houses yesterday, 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. 1887.

Mr. Clunie placed in nomination the Hon. George Hearst.

Mr. Wilson placed in nomination the Hon. Henry Vrooman.

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—Senators Boggs, Briceland, Caminetti, Clunie, Dixon, Gesford, Goucher, Haynes, Hinshaw, Jones Langford, Lenahan, McCarthy, McCudden, McDonald, Meany, Moffitt, Murphy, Pinder, Rose, Roth, Sargent, Spellacy, Sullivan, White, and Yell.

For Vrooman—Senators Abbott, Bowers, Byrnes, Chandler, Conklin, Crandall, Crimmins, Dray, Hall, Patterson, Walrath, and Wilson.

The 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 Hearst—Messrs Adams, Barton, Bost, Britt, Brooks, Callaghan, Cohen, Colbert, Cope, Granger, Grunwell, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Lawrence, Lewis, Mahler, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, Mitchell, Morgan, Morris, O'Grady, Ohleyer, Regan, Renison, Rucker, Searey, Shanahan, Smyth, Spurgeon, Toner, Venable, Wright, and Young of San Joaquin

For Vrooman—Messrs. Alexander, Atherton, Bailey, Barry, Brierly, Brown W. A, Brown J. B, Brusie, Burnett, Butler, Campbell, Carr, Carroll, Cooley, Coombs, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Handy, Hyde, Knox, LaBlanc, Martin, McDonnell, McGowan, Price, Sherburne, Sims, Sykes, Taylor, Variel, Weber, Windrow, Wilcox, Williams, Young of San Diego, and Mr Speaker

For Hartson—Mr. Vincent.

The President of the Senate announced the result of the ballot, as follows:

Whole number of votes cast	118
Necessary to a choice	60
Hon George Hearst received	65
Hon Henry Vrooman received	52
Hon Chancellor Hartson received	1

Hon. George Hearst, 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. 1887.

The minutes of the Joint Assembly were then read and approved.

R. W. WATERMAN,
President of the Senate.
W. H. JORDAN,
Speaker of the Assembly

The members of the Senate then retired.

IN ASSEMBLY.

Speaker Jordan in the chair.

LEAVE OF ABSENCE.

The Committee on State Hospitals were granted one week's leave of absence.

ADJOURNMENT.

At one o'clock and fifteen minutes P. M., on motion of Mr. Brooks, the House adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Thursday, January 20, 1887.

The House met pursuant to adjournment.

Speaker Jordan in the chair.

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

Messrs. Adams, Alexander, Atherton, Bailey, Barry, Barton, Bost, Brierly, Britt, Brooks, Brown W. A., Brown J. B., Brusie, Burnett, Butler, Callaghan, Campbell, Carr, Carroll, Cohen, Colbert, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Gruwell, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, Knox, LaBlanc, Lawrence, Lewis, Mahler, Martin, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Mitchell, Morgan, Morris, O'Grady, Ohleyer, Price, Regan, Remson, Searey, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Toner, Variel, Venable, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr. Speaker.

Quorum present.

Prayer by the Chaplain, Rev. E. R. Dille.

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

So ordered.

Journal approved.

PETITIONS.

Mr. Atherton presented a petition from citizens of San Rafael, relating to the license system.

Referred to Committee on Apportionment.

REPORTS OF STANDING COMMITTEES.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, January 19, 1887.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No 47—An Act amending section one thousand two hundred and forty-one of the Civil Code of the State of California, relating to the subjection of homesteads to execution—have had the same under consideration, and respectfully report the same back, and recommend that it do pass

Also, Assembly Bill No 31—An Act to add a clause to section one thousand three hundred of the Code of Civil Procedure, relative to wills executed by married women—have had the same under consideration, and respectfully report the same back, with a substitute bill, and recommend that such substitute do pass

Also, Assembly Bill No 51—An Act to amend section one thousand one hundred and eighty-one of an Act entitled "An Act to establish a Civil Code"—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 52—An Act to amend section one thousand two hundred and ninety-six of the Political Code, concerning returns for Governor and Lieutenant-Governor—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also, Assembly Bill No. 65—An Act to amend section eight hundred and eighty-three of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to the return of depositions by a magistrate to the Superior Court when a defendant has been held to answer—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

VARIEL, Chairman.

ON PUBLIC MORALS.

ASSEMBLY CHAMBER, SACRAMENTO, January 20, 1887.

MR. SPEAKER: Your Committee on Public Morals, to whom was referred Assembly Bill No. 82—An Act to enfranchise and restore William T. Wheeler to all the privileges of an elector, and to all the political rights of citizenship—have had the same under consideration, and respectfully report the same back, and recommend that it do pass

Also, Assembly Bill No. 125—An Act to amend sections fifty-five and sixty-eight of the Civil Code, and to repeal sections fifty-seven, seventy-five, and seventy-seven of said Code, relating to marriage—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

R. J CURREY, Chairman.

ON CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 20, 1887.

MR SPEAKER Your Committee on Corporations, to whom was referred Assembly Bill No 131—An Act to amend section four hundred and eleven of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the manner of serving summons—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to the Committee on Judiciary.

ALEXANDER, Chairman.

Referred to Committee on Judiciary, as recommended.

ON CLAIMS.

ASSEMBLY CHAMBER, SACRAMENTO, January 20, 1887

MR SPEAKER Your Committee on Claims, to whom was referred Assembly Bill No 79—Entitled "An Act to appropriate money to pay the claim of William Gutenberger for mechanics' tools, etc., destroyed at the State Prison at Folsom"—have duly considered the same, and beg leave to report the same back, and recommend that it do pass

NESTOR A. YOUNG, Chairman.

ON MILITARY AFFAIRS

ASSEMBLY CHAMBER, SACRAMENTO, January 20, 1887

MR SPEAKER: Your Committee on Military Affairs, to whom was referred Assembly Bill No. 54—An Act entitled "An Act to prevent persons from unlawfully using or wearing the badge of the Grand Army of the Republic of this State"—have had the same under consideration, and respectfully report the same back, and recommend that it do pass

COOLEY, Chairman

ON EDUCATION

ASSEMBLY CHAMBER, SACRAMENTO, January 20, 1887.

MR SPEAKER Your Committee on Education, to whom was referred Assembly Bill No. 15—An Act to establish a Branch State Normal School

Also, Assembly Bill No. 119—An Act to amend section five hundred and fourteen of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the salary for the deputy for the Superintendent of Public Instruction, and equalizing the same with the salaries paid the deputies for other State officers.

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

Also, Assembly Bill No 6—An Act to establish a Branch Normal School in Shasta County, to maintain the same, and appropriate money therefor

Also, Assembly Bill No. 53—An Act to establish a Branch State Normal School

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass

BRIERLY, Chairman.

INTRODUCTION OF BILLS.

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

By Mr. LaBlanc: Assembly Bill No. 189—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. Ellsworth: Assembly Bill No. 190—An Act to amend section three thousand four hundred and seventy-one of an Act to establish a Civil Code, approved March 21, 1872, relating to the compensation of assignees for the benefit of creditors.

Referred to Committee on Judiciary.

Also, Assembly Bill No. 191—An Act to amend section three hundred and seven of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to corporation elections.

Referred to Committee on Corporations.

By Mr. Heath: Assembly Bill No. 192—An Act to amend section four thousand one hundred and eight of the Political Code, relating to county officers.

Referred to Committee on County and Township Governments.

By Mr. Variel: Assembly Bill No. 193—An Act to amend section three thousand four hundred and forty-nine of the Civil Code of the State of California, approved March 21, 1872, relating to assignments for the benefit of creditors.

Referred to Committee on Judiciary.

By Mr. Granger: Assembly Bill No 194—An Act to amend section six hundred and thirty-one of the Code of Civil Procedure, relating to waiver of trial by jury.

Referred to Committee on Judiciary.

By Mr. Knox: Assembly Bill No. 195—An Act to provide two additional Judges of the Superior Court of the County of Los Angeles, State of California.

Referred to Committee on Judiciary.

By Mr. Windrow: Assembly Bill No. 196—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 Crimes and Penalties.

By Mr. Coombs: Assembly Bill No. 197—An Act to authorize and empower the Board of Trustees of the Napa State Asylum for the Insane to sell and convey a portion of real property situate in Napa County, in the State of California, and belonging to said State, to Napa County, for the purpose of a public highway, and to sell and convey certain other portions of said tract to an individual or individuals.

Referred to Committee on State Hospitals.

By Mr. McGowan: Assembly Bill No. 198—An Act to amend section three thousand three hundred and sixty of the Civil Code of the State of California, relating to damages in cases of libel or slander.

Referred to Committee on Public Morals.

By Mr. Bost: Assembly Bill No. 199—An Act to amend an Act entitled "An Act to establish a Penal Code," by amending section one thousand and forty-six, relating to forming juries in criminal cases.

Referred to Committee on Judiciary.

By Mr. Barry: Assembly Bill No. 200—An Act to authorize the Board of Supervisors of the City and County of San Francisco, State of California, to pay the claim of Alice Kenna and James Wildridge Kenna.

Referred to Committee on Claims.

By Mr. Young of San Joaquin: Assembly Bill No. 201—An Act to provide for the construction and maintenance of an open canal from and along North Street, in the City of Stockton, County of San Joaquin, State of California, to the San Joaquin River, for sanitary and drainage purposes.

Referred to Committee on Internal Improvements.

By Mr. Knox: Assembly Bill No. 202—An Act to amend section one hundred and three of an Act entitled "An Act to amend an Act of the Legislature of the State of California, to establish a Code of Civil Procedure," approved March 17, 1872, relating to Justices' Courts and Justices of the Peace

Referred to Committee on Judiciary.

By Mr. Henry of Butte: Assembly Bill No. 203—An Act to amend section six hundred and sixteen of the Political Code, relating to insurance companies.

Referred to Committee on Corporations.

FIRST READING OF BILLS.

Assembly Bill No 5—An Act to amend sections one thousand four hundred and sixty-nine, one thousand four hundred and ninety, and one thousand five hundred and eleven of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to settlement of the estates of deceased persons.

Read first time, and placed on file for second reading.

Assembly Bill No. 36—An Act to amend section eight hundred and ninety-two of an Act entitled "An Act to establish a Code of Civil Procedure," adopted March 11, 1872, relative to the time for entering judgment in Justices' Courts.

Read first time, and placed on file for second reading.

Assembly Bill No. 37—An Act to amend section one hundred and sixty of an Act entitled "An Act to establish a Code of Civil Procedure," adopted March 11, 1872, relating to the holding of Superior Courts by Superior Judges of other counties, and providing for their actual expenses.

Read first time, and placed on file for second reading.

Assembly Bill No. 118—An Act to amend section three thousand seven hundred and sixty-eight of the Political Code of the State of California, relating to the time and place where sales of property for delinquent taxes shall be held.

Read first time, and placed on file for second reading.

Assembly Bill No. 49—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, relating to chattel mortgages.

Read first time, and placed on file for second reading.

RESOLUTIONS.

By Mr. Venable:

Resolved, That no committee of this House shall, at the expense of the State, hereafter visit any of the public institutions of the State without first obtaining leave of the House, and any committee applying for such leave shall state, in writing, to the House, the purpose and necessity of such visit, and the probable cost of the same.

Mr. McDonnell moved that the resolution be indefinitely postponed.

Ayes and noes demanded on the motion of Mr. McDonnell, by Messrs. Matthews of San Benito, Heath, and Brooks.

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

AYES—Messrs. Atherton, Barry, Brierly Burnett, Ewing, LaBlanc, McDonnell, and Sims—8.

NOES—Messrs. Adams, Alexander, Bailey, Barton, Bost, Britt, Brooks, Brown W. A., Brusie, Butler, Callaghan, Campbell, Carr, Carroll, Cohen, Colbert, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Gould, Granger, Grunwell, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, Knox, Lawrence, Lewis, Mahler, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, McGowan, Mitchell, Morgan, Morris, O'Grady, Ohleyer, Regan, Rucker, Renison, Searey, Shanahan, Sherburne, Smyth, Spurgeon, Sykes, Taylor, Toner, Variel, Venable, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr. Speaker—68

Mr. Henry of Butte offered the following as an amendment:

This resolution shall not apply to visits made during an adjournment of the House

RECESS.

Pending debate on the above amendment, 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 Jordan in the chair.

Quorum present.

By permission, Mr. Henry of Butte withdrew his amendment.

The question being on the adoption of the resolution introduced by Mr. Venable, it was adopted.

JOINT RESOLUTION.

By Mr. Williams: Assembly Joint Resolution No. 5—Relative to improving the bar at the mouth of Eel River.

Referred to Committee on Federal Relations.

RESOLUTIONS.

By Mr. Handy:

Resolved, That the Sergeant-at-Arms be and he is hereby allowed the sum of ten dollars for cash advanced to the United States Post Office at Sacramento, for the rent of a box at said Post Office for the reception of the mail for the Assembly during the twenty-seventh session of the California Legislature, said sum of ten dollars being payable out of the appropriation for the contingent expenses of the Assembly

Referred to Committee on Ways and Means.

By Mr. Taylor:

Resolved, That each member of the Assembly 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

Mr. Taylor moved that the rules be suspended, and that the resolution be adopted.

So ordered, and the resolution adopted.

By Mr. Atherton, Chairman of Committee on State Prisons:

Resolved, That the Committee on State Prisons be granted leave of absence from Thursday, January twenty-seventh, at two o'clock P M, to Monday, January thirty-first, at two o'clock P M, for the purpose of visiting the State Prison at San Quentin, and that the committee be allowed mileage, including their clerk, one hundred and ninety-six miles, making in the aggregate the sum of one hundred and ninety-six dollars

Adopted.

By Mr. Variel:

Resolved, That the resolution of the House heretofore adopted, whereby the Chairman of each of the standing committees of this House is required to give notice to each introducer of a bill of the time when such bill is to be considered before his committee, be rescinded so far as it relates to bills before the Judiciary Committee

Laid on the table one day, under the rules.

By Mr. Morgan:

Resolved, That the clerks at the desk be and they are hereby directed to compile and prepare a Weekly History of all Assembly Bills, Constitutional Amendments, and Joint Resolutions, and the Superintendent of State Printing is hereby directed to have said history printed for the use of the Assembly, so that the same can be placed on the desks of each member on every Monday morning during the session of the Legislature, said clerks to do and perform said work without any additional compensation.

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

Ayes and noes demanded by Messrs. Morgan, Colbert, and Brooks.

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

AYES—Messrs Atherton, Barry, Bost, Brusie, Butler, Carr, Carroll, Cooley, Cope, Ellsworth, Ewing, Lewis, Martin, Matthews of San Benito, McDonnell, Price, Sherburne, Sims, Smyth, Sykes, Taylor, Variel, Wright, and Young of San Diego—24

NOES—Messrs Adams, Alexander, Bailey, Barton, Brierly, Britt, Brooks, Brown W A, Brown J B, Burnett, Campbell, Cohen, Colbert, Coombs, Currey of Solano, Curry of San Francisco, Davis, Gould, Granger, Grunwell, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, Knox, LaBlanc, Lawrence, Mahler, Mann, Mathews of

Tehama, McClenahan, McGowan, Mitchell, Morgan, Morris, O'Grady, Ohlever, Regan, Renison, Searey, Shanahan, Spurgeon, Toner, Venable, Vincent, Weber, Windrow, Williams, Young of San Joaquin, and Mr Speaker—53

Mr. Brierly offered the following as a substitute:

Resolved, That A. L. Van Mater be and he is hereby appointed a clerk to compile and revise a Weekly History of Assembly Bills, with per diem of six dollars, payable from the appropriation for the contingent expenses of the Assembly.

Mr. Coombs moved that the above matter be postponed until to-morrow, and be called up under the head of special orders.

Lost.

PREVIOUS QUESTION.

Mr. Lawrence moved the previous question.

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

The question being on the adoption of the substitute offered by Mr. Brierly, the ayes and noes were demanded by Messrs. Brierly, Brusie, and Price.

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

AYES—Messrs. Alexander, Barry, Bost, Brierly, Brown W A, Brown J B, Brusie, Burnett, Butler, Carroll, Cooley, Curry of San Francisco, Davis, Ewing, Gould, Granger, Hart, Henry of Butte, Hyde, Knox, LaBlanc, Martin, Mathews of Tehama, McDonnell, McGowan, Price, Sims, Spurgeon, Sykes, Taylor, Windrow, and Young of San Diego—32

NOES—Messrs Adams, Atherton, Bailey, Barton, Britt, Brooks, Campbell, Carr, Cohen, Colbert, Coombs, Cope, Currey of Solano, Ellsworth, Gruwell, Handy, Heath, Henry of San Joaquin, Hotchkiss, Lawrence, Lewis, Mahler, Mann, Matthews of San Benito, McClenahan, Mitchell, Morgan, Morris, O'Grady, Ohlever, Regan, Renison, Searey, Shanahan, Sherburne, Smyth, Toner, Variel, Venable, Vincent, Weber, Wilcox, Williams, Wright, Young of San Joaquin, and Mr. Speaker—46.

The question recurring on the adoption of the original resolution offered by Mr. Morgan, the same was adopted.

INTRODUCTION OF BILL—(OUT OF ORDER).

By Mr. Hyde: Assembly Bill No. 204—An Act to establish a State School of Industry, and to provide for the organization and government thereof, and the making of appropriation therefor.

Referred to Committee on Education.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, January 20, 1887.

MR SPEAKER Your Committee on Judiciary, to whom was referred Assembly Bill No 66—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—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 68—An Act to amend section six hundred and ninety of the Code of Civil Procedure, relative to property exempt from execution—have had the same under consideration, and respectfully report the same back, with amendment, and recommend that it do pass, as amended

Also, Assembly Bill No 73—An Act to amend section one thousand three hundred and sixty-five, Chapter III, Article III, of the Code of Civil Procedure, relative to letters of administration, to whom, and the order in which they are granted—have had the same under consideration, and respectfully report the same back, and recommend that it do

not pass, for the reason that Assembly Bill No 74, a bill accomplishing the same result, is reported back amended, with the recommendation that it do pass, as amended

VARIEL, Chairman

ADJOURNMENT.

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

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Friday, January 21, 1887.

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

Messrs Adams, Alexander, Atherton, Bailey, Barry, Barton, Bost, Brierly, Britt, Brooks, Brown W A, Brown J B, Brusie, Burnett, Butler, Callaghan, Campbell, Carr, Carroll, Cohen, Colbert, Cooley, Coombs, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Gruwell, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, Knox, LaBlanc, Lawrence, Lewis, Mahler, Martin, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, McGowan, Mitchell, Morgan, Morris, O'Grady, Ohleyer, Price, Regan, Remson, Searey, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Toner, Variel, Venable, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, and Mr Speaker

Quorum present.
Prayer by the Chaplain, Rev. E. R. Dille.
Pending the reading of the Journal of yesterday, Mr. Young of San Diego moved to dispense with further reading.
So ordered.
Journal approved.

REPORTS OF STANDING COMMITTEES.

ON LABOR AND CAPITAL

ASSEMBLY CHAMBER, SACRAMENTO, January 21, 1887

MR. SPEAKER Your Committee on Labor and Capital, to whom was referred Assembly Bill No 55—An Act to protect the manufacturing industries of this State—have had the same under consideration, and respectfully report the same back, with a substitute bill, and recommend that such substitute do pass

LABLANC, Chairman.

ON RETRENCHMENT

ASSEMBLY CHAMBER, SACRAMENTO, January 21, 1887.

MR. SPEAKER Your committee, to whom was referred the requisitions of the clerks of the several committees, for stationery and other supplies, would most respectfully submit the following report. We, as your committee, have, after due and deliberate consideration, acted upon the requisitions furnished us by said clerks of said committees, and, in our judgment, have considered some of them to be unreasonable, we have, therefore reduced the quantities of many of the articles, and have allowed them what, in our opinions, would be sufficient for at least a few days Your committee would state that, in reducing the quantities of stationery, etc., asked for by the several clerks of the committees, have been reduced solely for the best interests of the people—saving them hundreds of dollars We have, therefore, amended and approved the following requisitions

Requisition from Committee on Judiciary
Requisition from Committee on Ways and Means
Requisition from Committee on Corporations
Requisition from Committee on Viticulture.

Requisition from Committee on Hospitals
Requisition from Committee on Commerce and Navigation.
Requisition from Committee on Irrigation
Requisition from Committee on Contingent Expenses
Requisition from Committee on Silk Culture.
Requisition from Committee on Agriculture
Requisition from Committee on Public Buildings
Requisition from Committee on Crimes and Penalties.
Requisition from Committee on Enrollment
Requisition from Committee on Labor and Capital.
Requisition from Committee on Federal Relations.
Requisition from Committee on Elections
Requisition from Committee on Mines and Mining.
Requisition from Committee on Retrenchment
Requisition from Committee on Yosemite, Grove of Big Trees, and Forestry
Requisition from Committee on Claims
Requisition from Committee on Fish and Game
Requisition from Committee on County and County Boundaries
Requisition from Committee on County and Township Governments
Requisition from Committee on Roads and Highways.
Requisition from Committee on Apportionment
Requisition from Committee on Municipal Corporations.
All of which is most respectfully submitted.

GOULD, Chairman.

ON ELECTIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 21, 1887.

MR SPEAKER Your Committee on Elections, to whom was referred Assembly Bill No. 88—An Act to amend section one thousand one hundred and twenty-seven of the Political Code, relating to the establishing of election precincts

Also, Assembly Bill No 102—*An Act to amend sections one thousand two hundred and* ninety-two, one thousand two hundred and ninety-three, one thousand two hundred and ninety-four, and one thousand two hundred and ninety-five of the Political Code, relating to election returns for Governor and Lieutenant-Governor

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

CARR, Chairman.

ON PUBLIC LANDS.

ASSEMBLY CHAMBER, SACRAMENTO, January 21, 1887.

MR SPEAKER: Your Committee on Public Lands, to whom was referred Assembly Bill No. 35—Relating to settlers on the public lands of the United States—have had the same under consideration, and respectfully report the same back, and recommend that it do pass

Also, Assembly Bill No. 147—Relating to Registers' certificates—have had the same under consideration, and respectfully report a substitute therefor, and recommend that the substitute do pass.

HYDE, Chairman.

ON CRIMES AND PENALTIES.

ASSEMBLY CHAMBER, SACRAMENTO, January 20, 1887.

MR SPEAKER Your Committee on Crimes and Penalties, to whom was referred Assembly Bill No 152—Entitled an Act to add another section to the Penal Code, to be numbered two hundred and sixty-eight, relating to crimes and penalties—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

C. F. CURRY, Chairman

ON AGRICULTURE

ASSEMBLY CHAMBER, SACRAMENTO, January 21, 1887.

MR SPEAKER: Your Committee on Agriculture, to whom was referred Assembly Bill No 14—having had the same under consideration, begs leave to report the same back, and recommend that it do pass, as amended

Also, Assembly Bill No. 138—have had the same under consideration, and report the same back, and recommend that it do pass.

Also, Assembly Bill No 146—have had the same under consideration, and report the same back, and recommend that it do pass.

BAILEY, Chairman

ON FISH AND GAME

ASSEMBLY CHAMBER, SACRAMENTO, January 21, 1887

MR SPEAKER: Your Committee on Fish and Game, to whom was referred Assembly Bill No 69—An Act concerning the payment of the expenses and costs of the trial of persons charged with the violation of the laws for the preservation of fish in the navigable

waters of this State—have had the same under consideration, and report back, and recommend its passage

Also, Assembly Bill No 79—An Act to amend section six hundred and thirty-six of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to the preservation of fish—and report the same back, with amendments, and recommend its passage, as amended

WILLIAMS, Chairman

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, January 19, 1887

MR SPEAKER I am directed to inform your honorable body that the Senate, on this day, adopted the following Senate Concurrent Resolution No 1—Relative to the distribution of text-books published by the State.

E H HAMILTON, Secretary

Referred to Committee on Education.

INTRODUCTION OF BILLS.

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

By Mr. Rucker: Assembly Bill No. 205—An Act to repeal an Act entitled "An Act to provide for the appointment of a Deputy Supreme Court Reporter, and to regulate his compensation," approved February 26, 1881.

Referred to Committee on Judiciary.

By Mr. Ellsworth. Assembly Bill No. 206—An Act making an appropriation for deficiency in fund for printing school text-books for thirty-eighth fiscal year.

Referred to Committee on Ways and Means.

Also, Assembly Bill No. 207—An Act making an appropriation for deficiency in the appropriation for the support of the State Printing Office, for the fiscal year ending June thirtieth, eighteen hundred and eighty-seven.

Referred to Committee on Ways and Means.

Also, Assembly Bill No. 208—An Act to validate proceedings for the reorganization of municipal corporations taken since the passage of the Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Referred to Committee on Municipal Corporations.

By Mr. Heath: Assembly Bill No. 209—An Act to amend section one hundred and twelve of the Code of Civil Procedure, Chapter V, Article III, relating to Justices of the Peace and Justices' Courts in general.

Referred to Committee on Municipal Corporations.

Also, Assembly Bill No. 210—An Act relating to agricultural associations.

Referred to Committee on Agriculture.

By Mr. Campbell: Assembly Bill No. 211—An Act to repeal an Act entitled "An Act to declare the Klamath River navigable."

Referred to Committee on Internal Improvements.

By Mr. Variel: Assembly Bill No. 212—An Act to appropriate money for the payment of the claims of Robert T. Devlin and R. M. Clarken, for legal services in suits in which the State was interested.

Referred to Committee on Claims.

By Mr. Alexander: Assembly Bill No. 213—An Act to authorize the Common Councils and Boards of Supervisors of the several cities, counties, and cities and counties, in this State, to levy taxes for the

maintenance of public parks having an area of over ten acres each, within their respective limits.

Referred to Committee on Municipal Corporations.

By Mr. Knox: Assembly Bill No. 214—An Act to establish pilots and pilot regulations for the Port of Wilmington and Bay of San Pedro.

Referred to Committee on Internal Improvements.

By Mr. Sims: Assembly Bill No. 215—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.

Referred to Committee on Judiciary.

By Mr. Curry of San Francisco. Assembly Bill No 216—An Act to amend section two hundred and sixty-eight of the Political Code of the State of California, relating to per diem of officers and attachés of the Senate and Assembly.

Referred to Committee on Attachés and Employés.

Also, Assembly Bill No. 217—An Act to provide for the amicable adjustment of grievances and disputes that may arise between employés and employers, and to authorize the creation of a State Board of Arbitration.

Referred to Committee on Labor and Capital.

By Mr. McGowan: Assembly Bill No. 218—An Act to amend an Act entitled "An Act giving a lien to loggers and laborers employed in logging camps upon the logs cut and hauled by the persons who employ them," approved March 30, 1878.

Referred to Committee on Labor and Capital.

By Mr. Venable: Assembly Bill No. 219—An Act to repeal an Act entitled "An Act to appropriate money for the support of aged persons in indigent circumstances," approved March 15, 1883.

Referred to Committee on Ways and Means.

Also, Assembly Bill No 220—An Act to repeal sections one thousand one hundred and eighty-six and one thousand one hundred and ninety-one, and to amend section one thousand one hundred and eighty-seven of an Act entitled "An Act to establish a Civil Code."

Referred to Committee on Judiciary.

Also, Assembly Bill No. 221—An Act to repeal sections two thousand four hundred and sixty-six, two thousand four hundred and sixty-seven, two thousand four hundred and sixty-eight, two thousand four hundred and sixty-nine, two thousand four hundred and seventy, and two thousand four hundred and seventy-one of an Act to establish a Civil Code, approved March 21, 1872, relative to partnerships.

Referred to Committee on Judiciary.

By Mr. Taylor: Assembly Bill No. 222—An Act to appropriate money to pay for the publication of Amendment Number One to the Constitution, as submitted at the general election, November second, eighteen hundred and eighty-six.

Referred to Committee on State Printing.

Also, Assembly Bill No. 223—An Act to provide for the payment of J. R. McDonald, Francis Williams, and Henry DeVeuve, for per diem and mileage for serving as Commissioners of the West Side Irrigation District, under the Act to create an irrigation district, to be called the West Side Irrigation District, approved April 3, 1876, and Acts supplemental thereto.

Referred to Committee on Ways and Means.

Also, Assembly Bill No. 224—An Act to amend section one thousand six hundred and forty-six of the Code of Civil Procedure of California, relating to funeral expenses, expenses of last sickness, and the purchase and improvement of a grave lot for the deceased.

Referred to Committee on Judiciary.

By Mr. Knox: Assembly Bill No. 225—An Act to provide for the compensation of Secretaries of Boards of Education in cities of over ten thousand inhabitants.

Referred to Committee on Municipal Corporations.

FIRST READING OF BILLS.

Assembly Bill No 31—An Act to add a clause to section one thousand three hundred of the Code of Civil Procedure, relative to wills executed by married women.

Read first time, and placed on file for second reading.

Assembly Bill No. 47—An Act to amend section one thousand two hundred and forty-one of the Civil Code of the State of California, as amended April 6, 1880, relating to the subjection of homesteads to execution.

Read first time, and placed on file for second reading.

Assembly Bill No. 51—An Act to amend section one thousand one hundred and eighty-one of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to the taking of acknowledgments.

Read first time, and placed on file for second reading.

Assembly Bill No. 65—An Act to amend section eight hundred and eighty-three of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relative to the return of depositions by a magistrate to the Superior Court when a defendant has been held to answer.

First reading refused.

Assembly Bill No. 52—An Act to amend section one thousand two hundred and ninety-six of the Political Code, concerning returns for Governor and Lieutenant-Governor.

First reading refused.

Assembly Bill No. 125—An Act to amend sections fifty-five and sixty-eight of the Civil Code, and to repeal sections fifty-seven, seventy-five, and seventy-seven of said Code, relating to marriage.

Read first time, and placed on file for second reading.

CASE OF URGENCY.

Mr. Brooks moved to suspend the provisions of section fifteen, of Article IV, of the Constitution, requiring bills to be read on three separate days, that Assembly Bill No. 125 be declared a case of urgency, and the bill be placed upon its passage.

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

AYES—Messrs. Barton, Bost, Britt, Brooks, Brown W A, Burnett, Campbell, Carr, Colbert, Coombs, Curry of San Francisco, Davis, Ewing, Granger, Gruwell, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, LaBlanc, Mahler, Matthews of San Benito, McGowan, Mitchell, Morris, O'Grady, Ohleyer, Remson, Searey, Spurgeon, Taylor, Toner, Vanel, Venable, Vincent, Windrow, Wright, Young of San Diego, and Mr Speaker—40

NOES—Messrs Adams, Alexander, Atherton, Bailey, Barry, Brown J B, Brusie, Carroll, Ellsworth, Gould, Hotchkiss, Hyde, Knox, Martin, Morgan, Price, Shanahan, Sherburne, Sims, Smyth, Sykes, Wilcox, and Williams—23

Assembly Bill No. 82—An Act to enfranchise and restore William T. Wheeler to all the privileges of an elector, and to all the political rights of citizenship.

Read first time, and placed on file for second reading.

Assembly Bill No 79—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.

Read first time, and placed on file for second reading.

Assembly Bill No. 54—An Act entitled "An Act to prevent persons from unlawfully using or wearing the badge of the Grand Army of the Republic of this State."

Read first time, and placed on file for second reading.

Assembly Bill No. 53—An Act to establish a Branch State Normal School.

First reading refused.

Assembly Bill No. 119—An Act to amend section five hundred and fourteen of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the salary of the deputy for the Superintendent of Public Instruction, and equalizing the same with the salaries paid the deputies for other State officers.

Read first time, and placed on file for second reading.

Assembly Bill No. 6—An Act to establish a Branch Normal School in Shasta County, to maintain the same, and appropriate money therefor.

First reading refused.

Assembly Bill No. 15—An Act to establish a Branch State Normal School.

Read first time, and placed on file for second reading.

Assembly Bill No. 66—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.

Mr. Knox moved that this bill be rereferred to the Committee on Judiciary.

So ordered.

Assembly Bill No. 68—An Act to amend section six hundred and ninety of the Code of Civil Procedure, relative to property exempt from execution.

Read first time, and placed on file for second reading.

Assembly Bill No. 73—An Act to amend section one thousand three hundred and sixty-five, Chapter III, Article III, of the Code of Civil Procedure, relative to letters of administration, to whom, and the order in which they are granted.

First reading refused.

SECOND READING OF BILLS.

Assembly Bill No. 5—An Act to amend sections one thousand four hundred and sixty-nine, one thousand four hundred and ninety, and one thousand five hundred and eleven of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to settlement of the estates of deceased persons.

Read second time, ordered engrossed, and to a third reading

Assembly Bill No. 36—An Act to amend section eight hundred and

ninety-two of an Act entitled "An Act to establish a Code of Civil Procedure," adopted March 11, 1872, relative to the time for entering judgment in Justices' Courts.

Read second time.

The Committee on Judiciary offered to amend, as follows: Amend section one, line four, of the printed bill, by inserting in place of the words "close of the trial," the words "after submission of the case."

So ordered.

Bill ordered engrossed, and to a third reading.

Assembly Bill No. 37—An Act to amend section one hundred and sixty of an Act entitled "An Act to establish a Code of Civil Procedure," adopted March 11, 1872, relating to the holding of Superior Courts by Superior Judges of other counties, and providing for their actual expenses.

Read second time, ordered engrossed, and to a third reading.

Assembly Bill No. 118—An Act to amend section three thousand seven hundred and sixty-eight of the Political Code of the State of California, relating to the time and place where sales of property for delinquent taxes shall be held.

Read second time.

CASE OF URGENCY.

Mr. Knox moved to suspend the provisions of section fifteen, of Article IV, of the Constitution, requiring bills to be read on three separate days, that Assembly Bill No. 118 be declared a case of urgency, and that the bill be considered engrossed, read the third time, and placed upon its passage.

The roll was called, and it was so ordered by the following vote:

AYES—Messrs Adams, Alexander, Atherton, Bailey, Barry, Barton, Bost, Britt, Brooks, Brown J B, Brusie, Burnett, Campbell, Carr, Carroll, Cohen, Colbert, Cooley, Coombs, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Gruwell, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, Knox, LaBlanc, Lawrence, Mahler, Martin, Mann, Matthews of San Benito, McGowan, Mitchell, Morris, O'Grady, Ohleyer, Price, Remson, Searey, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Toner, Variel, Venable, Vincent, Windrow, Wilcox Williams, Wright, Young of San Diego, and Mr. Speaker—66

NOES—Mr Morgan—1.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Atherton, Bailey, Barton, Bost, Britt, Brooks, Brown J B, Brusie, Burnett, Campbell, Carr, Cohen, Colbert, Cooley, Coombs, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Gruwell, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Knox, LaBlanc, Mahler, Martin, Mann, Matthews of San Benito, McClenahan, McGowan, Mitchell, Morgan, Morris, O'Grady, Ohleyer, Price, Regan, Remson, Searey, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Sykes Taylor, Toner, Variel, Venable, Vincent, Weber, Wilcox, Williams, Wright, Young of San Diego, and Mr Speaker—65.

NOES—None.

Title read and approved.

MOTION.

Mr. Knox moved that the Clerk be required to transmit Assembly Bill No. 118 to the Senate immediately.

So ordered.

Assembly Bill No. 49—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, relating to chattel mortgages.

Read second time.

Committee amendments as follows adopted:

Amend subdivision twelve, of section one, line eighteen, page two, of the printed bill, by changing the word "cases" to the word "casks."

Also, amend same subdivision, same line, by changing the word "tubs" to "tubes."

Also, amend same subdivision, line nineteen, by changing the word "syrup" to "syrups."

Also, amend the same subdivision, by inserting after the word "sugar," on line nineteen, the words "also wine, fruit brandy, fruit syrup, or sugar."

Mr. Brooks offered the following amendment: Amend, by adding a new subdivision to said section, to be known as subdivision thirteen—pianos.

Adopted.

Mr. Wilcox offered the following amendment: Amend, by adding, after the word "pianos," in subdivision thirteen, the words "and organs."

Adopted.

Bill ordered engrossed, and to a third reading.

LEAVE OF ABSENCE.

Mr. Mann was granted leave of absence until Monday next, at eleven o'clock A. M.

Mr. Brooks moved to extend the hour of recess until one o'clock P. M.

Lost.

RECESS.

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

REASSEMBLED.

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

Speaker Jordan in the chair.

Quorum present.

RESOLUTION—(OUT OF ORDER).

By Mr. Carroll:

Resolved, That the Committee on Public Buildings and Grounds be granted leave of absence from Friday, January twenty-first, after adjournment, to Monday, January twenty-fourth, at two o'clock P M, for the purpose of visiting the Napa Insane Asylum, and that the committee be allowed mileage, including their clerk, one hundred and twenty-two miles, making in the aggregate one hundred and twenty-two dollars.

Adopted.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, January 21, 1887.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 46—An Act amending section one thousand one hundred and eighty-three of the Code of

Civil Procedure of the State of California, as amended March 18, 1885, and section one thousand one hundred and eighty-seven of the Code of Civil Procedure of the State of California, as amended March 30, 1874, relating to liens of mechanics and others—have considered the same, and report it back, with the recommendation that it do pass.

Also, Assembly Bill No. 63—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 the appointment of Notaries Public—and report it back, with the recommendation that it do not pass, for the reason that Assembly Bill No. 92, covering the same subject-matter, is before the committee.

Also, Assembly Bill No. 74—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 the order of persons entitled to administer the estates of deceased persons—and report it back, with amendments, and recommend that it do pass, as amended.

Also, Assembly Bill No. 75—An Act entitled "An Act to regulate the practice of law in Police Courts, and Police Judge's Courts, in incorporated cities, and cities and counties, and to prescribe who may practice therein"—and report it back, with amendment, and recommend its passage, as amended.

Also, Assembly Bill No. 76—An Act entitled "An Act to prevent running, capping, and soliciting for attorneys at law in or around Police Courts, Police Judges' Courts or City Prisons in incorporated cities, or cities and counties"—and report it back, with amendments, and recommend its passage, as amended.

Also, Assembly Bill No. 78—An Act to provide an additional Judge of the Superior Court of the County of San Bernardino, with amendments, and recommend its passage, as amended.

Also, Assembly Bill No. 3—An Act to amend section one hundred and three of Article II, Chapter V, Title I, of Part I, of the Code of Civil Procedure, relating to Justices' Courts in townships, and in cities having ten thousand and not more than twenty thousand inhabitants, and in cities having twenty thousand and not more than one hundred thousand inhabitants.

Also, Assembly Bill No. 4—An Act to repeal an Act entitled "An Act fixing jurisdiction and providing compensation for Justices of the Peace in cities and towns," approved March 9, 1883—and recommend that they be referred to the Assembly Committee on Municipal Corporations, that committee having requested such reference.

Also, Assembly Bill No. 85—An Act to amend sections four hundred and ninety-seven, four hundred and ninety-nine, and five hundred and two of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to street railroads and the sale of franchises therefor—and report it back, with the recommendation that it be referred to the Committee on Corporations.

Also, Assembly Bill No. 121—An Act to provide for the inspection of illuminating oils manufactured from petroleum or coal oils—and report it back, with the recommendation that it be referred to the Committee on Commerce and Navigation.

VARIEL, Chairman.

Report received, and bills referred to the several committees, as recommended by Committee on Judiciary.

INTRODUCTION OF BILLS—(OUT OF ORDER).

By Mr. Matthews of San Benito: Assembly Bill No. 226—An Act establishing a Commission to examine and report upon water rights, irrigation, and drainage in the State of California.

Referred to Committee on Water Rights and Drainage.

By Mr. Henry of San Joaquin: Assembly Bill No. 227—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 two thousand six hundred and ninety-six, relating to proceedings for procuring land for the purpose of raising the banks of streams in order to more effectually protect public roads and highways.

Referred to Committee on Internal Improvements.

RESOLUTIONS.

By Mr. Brooks:

Resolved, That Assemblymen Atherton, Brusie, Gruwell, Mathews, and McDonnell, Committee on State Prison, and their clerk, Mr. Trowbridge, be allowed the sum of nine-

teen dollars and sixty cents each, as their expenses incurred in visiting the State Prison at San Quentin, on January 15, 1887, and the Controller be and he is hereby instructed to draw his warrants for said amounts, payable out of Contingent Fund of the Assembly

Mr. Venable moved to refer the resolution to Committee on Mileage.
So ordered.
By Mr. O'Grady:

Resolved, That each committee pay their own expenses for their transportation

Lost.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON PUBLIC BUILDINGS AND GROUNDS

MR. SPEAKER: Your Committee on Public Buildings and Grounds, to whom was referred Assembly Bill No 34—To provide for certain improvements at the Deaf, Dumb, and Blind Asylum—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

CARROLL, Chairman.

JOINT RESOLUTION.

By Mr. McGowan: Assembly Joint Resolution No. 7—Relative to the matter of securing an appropriation for the purpose of improving Humboldt Bar.
Referred to Committee on Federal Relations.
Mr. McGowan moved to suspend the rules and adopt the resolution.
Motion lost.

LEAVE OF ABSENCE.

Mr. Ellsworth was granted leave of absence until Monday, at two o'clock P. M.

RESOLUTION—(OUT OF ORDER).

By Mr. Morgan:

Resolved, That the Superintendent of Public Printing be and is hereby requested to print five hundred copies of the names of the attachés and employés, with their per diem, of this House, for the use of the members

Mr. Handy moved to refer the resolution to the Committee on State Printing.
So ordered.

JOINT RESOLUTIONS.

By Mr. Currey of Solano: Assembly Joint Resolution No. 6—Relative to securing an appropriation for coast defenses.
Referred to Committee on Internal Improvements.

JOINT RESOLUTION.

By Mr. Wright: Assembly Joint Resolution No. 8—Relative to land laws applying to timber lands.
Referred to Committee on Yosemite Valley and Mariposa Grove of Big Trees and Forestry.

MOTION.

Mr. Brooks moved that when the House adjourns to-day it adjourns to meet Tuesday, January 25, 1887, at two o'clock P. M.

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

Ayes and noes, on the motion of Mr. Heath, were demanded by Messrs. Brooks, Heath, and Smyth.

Roll called, and the motion lost by the following vote:

AYES—Messrs Adams, Barton, Brusie, Campbell, Carr, Carroll, Cohen, Cooley, Coombs, Currey of Solano, Ellsworth, Ewing, Gould, Granger, Handy, Heath, Hotchkiss, Hyde, Mahler, Matthews of San Benito, McClenahan, McGowan, Morgan, Morris, Ohleyer, Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Variel, Venable, Vincent, Williams, Wright, and Mr Speaker—37.

NOES—Messrs Bailey, Barry, Bost, Britt, Brooks, Brown J. B., Burnett, Colbert, Curry of San Francisco, Davis, Gruwell, Hart, Henry of Butte, Henry of San Joaquin, Knox, LaBlanc, Lawrence, Lewis, Martin, O'Grady, Price, Remson, Searey, Shanahan, Toner, and Young of San Diego—26.

LEAVE OF ABSENCE.

Mr. Lawrence was granted leave of absence until Monday, at two o'clock P. M.

Mr. W. A. Brown was granted leave of absence until Tuesday, at two o'clock P. M.

REMONSTRANCE.

Mr. Bost presented a remonstrance from citizens of Merced County against the passage of Assembly Bill No. 19, with the request that it be referred to Committee on Counties and County Boundaries.

So ordered.

MOTION.

At two o'clock and forty-five minutes P. M., Mr. Heath moved to adjourn.

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

AYES—Messrs Adams, Bailey, Barton, Bost, Campbell, Cooley, Davis, Ellsworth, Granger, Handy, Hart, Heath, Hotchkiss, Hyde, Mahler, Matthews of San Benito, McClenahan, Morgan, Morris, Ohleyer, Price, Sherburne, Sims, Smyth, Sykes, Taylor, Variel, Venable, Wilcox, Wright, and Mr Speaker—31

NOES—Messrs Atherton, Barry, Britt, Brooks, Brown J B, Brusie, Burnett, Carr, Cohen, Colbert, Coombs, Currey of Solano, Curry of San Francisco, Ewing, Gruwell, Henry of Butte, Henry of San Joaquin, Knox, LaBlanc, Lawrence, Lewis, Martin, McGowan, Mitchell, O'Grady, Rucker, Searey, Shanahan, Spurgeon, Toner, Vincent, Windrow, Williams, and Young of San Diego—33

Mr. Curry of San Francisco moved that when the House adjourns to-day it adjourns to meet Monday, at two o'clock P. M.

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

Ayes and noes demanded by Messrs. Matthews of San Benito, Ewing, and LaBlanc.

CALL OF THE HOUSE.

Mr. Granger moved a call of the House.

So ordered.

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

Messrs Adams, Atherton Bailey, Barry, Barton, Bost, Britt, Brooks, Brown J. B., Brusie, Callaghan, Campbell, Carr, Carroll, Cohen, Colbert, Cooley, Coombs, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Gruwell, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, Knox, LaBlanc, Lawrence, Lewis, Mahler, Martin, Matthews of San Benito, McClenahan, McGowan, Morgan, Morris, O'Grady, Ohleyer, Price, Regan, Remson, Searey Shanahan, Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Toner, Variel, Venable, Vincent, Windrow, Wilcox, Williams, Wright, Young of San Diego, and Mr. Speaker.

Mr. Hyde moved that further proceedings under the call of the House be dispensed with.

Motion lost.

LEAVE OF ABSENCE.

Mr. Searey was granted leave of absence until Monday, at two o'clock P. M.

ADJOURNMENT.

At three o'clock P. M., on motion of Mr. Cooley, the House adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Saturday, January 22, 1887.

The House met at eleven o'clock A. M., pursuant to adjournment.

Speaker Jordan in the chair.

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

Messrs Adams, Alexander Atherton, Bailey, Barry, Barton, Bost, Britt Brooks, Brown W A., Brusie, Carr Colbert, Cooley, Coombs, Currey of Solano, Ewing, Gould, Granger, Gruwell, Handy, Hart, Heath, Henry of San Joaquin, Hotchkiss, Hyde, Knox, LaBlanc, Lewis, Mahler, Mathews of Tehama, Matthews of San Benito, McClenahan, McGowan, Mitchell, Morgan, Morris, O'Grady, Ohlever, Price, Remson, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Toner, Varnel, Venable, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, and Mr. Speaker

Quorum present.

Prayer by the Chaplain, Rev. E. R. Dille.

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

So ordered.

Journal approved.

LEAVE OF ABSENCE.

Messrs. Burnett and Regan were granted leave of absence until Monday, at eleven o'clock A. M.

QUESTION OF PRIVILEGE.

Mr. Taylor rose to a question of privilege, claiming that a paper published in this city had unjustly criticised him in regard to bills introduced by him.

REPORTS OF STANDING COMMITTEES.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1887

MR SPEAKER Your Committee on Judiciary, to whom was referred Assembly Bill No 91—An Act to amend section six hundred and thirty-two of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, and to repeal section six hundred and thirty-three and section six hundred and thirty-four of said Act, relating to

trials by the Court and findings—have had the same under consideration, and now report it back, with a substituted bill, and recommend that such substituted bill do pass

Also, Assembly Bill No 103—An Act providing for the payment of witness expenses in criminal cases—report the same back, with a substitute bill, and recommend that such substitute bill do pass

Also, Assembly Bill No 92—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 Notary Publics—with amendments, and recommend that, as amended, it do pass.

Also, Assembly Bill No 136—An Act to repeal an Act entitled "An Act to amend an Act to incorporate the City of Santa Barbara," approved March 13, 1878—with amendments, and recommend its passage, as amended

Also, Assembly Bill No 100—An Act to amend section five hundred and twenty-seven of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to injunctions and service thereof—and recommend that it do not pass.

Also, Assembly Bill No 102—An Act to amend section one thousand and seventy of the Penal Code of the State of California, providing for the exercise of peremptory challenge in criminal cases—and, at the request of its author, recommend that it do not pass

Also, Assembly Bill No 104—An Act to establish jury fees in Courts of record of the State of California—and recommend that it do not pass

Also, Assembly Bill No 108—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 seventy-eight, relating to the giving of testimony in cases of bribery, and providing that testimony given by any person in such cases shall not afterwards be used against such person in any judicial proceeding, except for perjury in giving such testimony—and recommend that it do not pass.

VARIEL, Chairman

ON FEDERAL RELATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 21, 1887.

MR. SPEAKER Your Committee on Federal Relations, to whom was referred Assembly Joint Resolution No 3—have had the same under consideration, and recommend its adoption

BRUSIE, Chairman.

ON MILITARY AFFAIRS.

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1887.

MR SPEAKER Your Committee on Military Affairs, to whom was referred Assembly Bill No 172—Relating to the appropriation of money for the support of aged persons in indigent circumstances residing in the home of the "Veteran Home Association"—have had the same under consideration, and respectfully report the same back, and recommend that it do pass

COOLEY, Chairman.

ON MUNICIPAL CORPORATIONS

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1887

MR SPEAKER Your Committee on Municipal Corporations, to whom was referred the following bills, beg leave to report that they have duly considered Assembly Bill No 40—An Act to amend section thirty-two of an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885—and herewith report it back, with the recommendation that it do pass

That they have duly considered Assembly Bill No 62—An Act to amend sections three and seven hundred and sixty-eight of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, and report the same back, with amendments, and recommend its passage as amended

That they have considered Assembly Bill No 120—An Act to incorporate the Town of Chico, Butte County, California, approved March 23, 1878—and recommend that it be reported back to the House, with the request that the said bill be referred to the Judiciary Committee, to ascertain whether or not such amendment would be constitutional

KNOX, Chairman.

ON ROADS AND HIGHWAYS.

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1887.

MR SPEAKER Your Committee on Roads and Highways, to whom was referred Assembly Bill No 41—An Act to amend an Act entitled "An Act to repeal Chapter II of Title VI, Part III, 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 II, and to enact a new Chapter II, of Title VI, of Part III, of said Code, and substitute the same in place of said repealed Chapter II in said Code, relating to roads and highways, approved February 28, 1883, by adding a new section thereto, to be numbered section two thousand six hundred and forty-six—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

SHERBURNE, Chairman.

FISH AND GAME.

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1887.

MR SPEAKER: Your Committee on Fish and Game, to whom was referred Assembly Bill No 159—Entitled "An Act to amend an Act to establish a Penal Code," approved February 14, 1872, by amending an Act amendatory of said Act to section six hundred and thirty-four, relating to fish and game—have had the same under consideration, and respectfully report the same back and recommend that it do not pass

WILLIAMS, Chairman.

SELECT COMMITTEE—ON INAUGURATION

ASSEMBLY CHAMBER, SACRAMENTO, January 19, 1887

MR SPEAKER Your Committee on Inauguration, to whom was referred the inauguration of Governor Washington Bartlett, respectfully report, that your committee of the Assembly met with the committee of the Senate, and in making the necessary arrangements for the inauguration the following bills were incurred

Chairs and extra help (Sergeant-at-Arms, Assembly)	$86 00
Hussar Band	55 00
Sacramento Publishing Company—notices	20 00
Golden Eagle—carriages, January 6, 7, and 8	110 00
Valley Press Printing House—programmes and cards	16 50
T D Scriver—hack hire, January 8	25 00
Messages and telegrams—A. T Jones	2 00
Total	$314 50

Which expenses the joint committee recommends be borne by each House equally, or so much thereof as may be just—have had the same under consideration, and respectfully report the same, and recommend that the sum of one hundred and fifty-seven dollars and twenty-five cents, being one half thereof, or such amount as may be deemed just, be paid out of the Contingent Fund of the Assembly, and a warrant be drawn therefor in favor of your committee, to pay the same and return vouchers therefor Your committee respectfully ask that this report be referred to the Committee on Retrenchment for their further consideration

COOMBS, Chairman.

Referred to Committee on Retrenchment.

INTRODUCTION OF BILLS.

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

By Mr. Colbert: Assembly Bill No. 228—An Act releasing to Jesse B. Hart and his assigns certain lands in San Francisco, and authorizing the Governor to make conveyance thereof.

Referred to Committee on Municipal Corporations.

By Mr. O'Grady: Assembly Bill No. 229—An Act to amend section three thousand three hundred and thirty-six of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the wrongful conveyance of personal property.

Referred to Committee on Public Morals.

By Mr. Cohen: Assembly Bill No. 230—An Act to create and maintain a Relief and Pension Fund in the Police Department of all cities in this State having a police force of ten or more members, and to provide for the administration of such fund.

Referred to Committee on Indian Affairs.

By Mr. Knox: Assembly Bill No. 231—An Act to amend section nine hundred and fifty-five of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to sureties on undertakings and bonds.

Referred to Committee on Judiciary.

Also, Assembly Bill No. 232—An Act to repeal all such provisions of an Act entitled "An Act to revise an Act entitled an Act to amend the charter of the City of Los Angeles, to define its limits and rights,

to enlarge its powers, and provide for its more efficient government," approved March twenty-sixth, A. D. 1874, approved April 1, 1876, as provided for the creation of a City Court in the City of Los Angeles, for a Judge of said City Court, and so require the Mayor of said city to be ex officio City Judge of said Court.

Referred to Committee on Municipal Corporations.

By Mr. Taylor (by request): Assembly Bill No. 233—An Act providing for the payment to Louisa Koehler of damages for the loss of her husband, Herman Koehler, killed by a prisoner in the State Prison at San Quentin, California.

Referred to Committee on Claims.

Also, Assembly Bill No. 234—An Act making an appropriation to pay a deficiency in the appropriation for stationery, fuel, and lights for the Legislature and State officers, for the thirty-fourth fiscal year.

Referred to Committee on Ways and Means.

By Mr Wilcox: Assembly Bill No. 235—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, relating to salaries and fees of officers.

Referred to Committee on County and Township Government.

By Mr. Brooks: Assembly Bill No. 236—An Act to provide for the payment of jurors in criminal causes in Justices' Courts.

Referred to Committee on County and Township Governments.

FIRST READING OF BILLS.

Assembly Bill No. 55—An Act to protect the manufacturing industries of this State.

Also, Assembly Bill No. 88—An Act to amend section one thousand one hundred and twenty-seven of the Political Code of the State of California, relating to the establishing of election precincts.

Also, Assembly Bill No. 162—An Act to amend sections one thousand two hundred and ninety-two, one thousand two hundred and ninety-three, one thousand two hundred and ninety-four, and one thousand two hundred and ninety-five of the Political Code of the State of California, relating to election returns for Governor and Lieutenant-Governor.

Also, Assembly Bill No. 35—An Act for the better protection of settlers on the public lands of the United States within the State of California, and for the protection and encouragement of persons desirous of settling thereon.

Also, Assembly Bill No. 147—An Act to amend section three thousand five hundred and seventy-one of the Political Code, relating to certificates of repayment by the Register of the State Land Office.

Also, Assembly Bill No. 152—An Act to add a new section to Penal Code, to be numbered two hundred and sixty-eight, relating to crimes and punishments.

Also, Assembly Bill No. 14—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

Hon. Mr. Taylor in the chair.

Also, Assembly Bill No. 138—An Act to amend sections six and eight 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, so as to create one additional district.

All of which bills were read first time and placed on file for second reading.

LEAVE OF ABSENCE.

Speaker Jordan was granted leave of absence for Monday next.

RESOLUTION—(OUT OF ORDER).

By Mr. Granger:

Resolved, That prior to the first reading of any bill before this House, only five minutes be allowed to any member for the discussion of said bill, and that simply to explain the nature of the bill

Referred to Committee on Rules.

Speaker Jordan in the chair.

FIRST READING OF BILLS—(RESUMED).

Assembly Bill No. 146—An Act to prevent injuries to navigable streams.

Also, Assembly Bill No. 69—An Act concerning the payment of the expenses and costs of the trial of persons charged with the violation of the laws for the preservation of fish in the navigable waters of this State.

All of which were read first time, and placed on file for second reading.

LEAVE OF ABSENCE—(BY RESOLUTION).

By Mr. Sims:

Resolved, That the Committee on Agriculture, Mining, and Mechanic Arts College be granted leave of absence for three days from and including January twenty-fourth, for the purpose of visiting the University at Berkeley, with mileage for themselves and clerk, amounting in the aggregate to the sum of one hundred and fifty dollars and forty cents, payable out of the Contingent Fund of the Assembly.

Adopted.

FIRST READING OF BILLS—(RESUMED).

Assembly Bill No. 70—An Act to amend section six hundred and thirty-six of an Act entitled an Act to establish a Penal Code, approved February 14, 1872, relating to the preservation of fish.

At twelve o'clock and fifteen minutes P. M Mr. Brooks moved that the hour of recess be extended until one o'clock P. M.

So ordered.

Also, Assembly Bill No. 46—An Act amending section one thousand one hundred and forty-three of the Code of Civil Procedure of the State of California, as amended March 18, 1885, and section one thousand one hundred and eighty-seven of the Code of Civil Procedure of the State of California, as amended March 30, 1874, relating to liens of mechanics and others.

Which were read first time and placed on file for second reading.

Assembly Bill No. 63—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 the appointment of Notaries Public.

First reading of the bill refused.

Assembly Bill No. 74—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 the order of persons entitled to administer the estates of deceased persons.

Also, Assembly Bill No. 75—An Act 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 therein."

Also, Assembly Bill No 76—An Act entitled "An Act to prevent running, capping, and soliciting for attorneys at law in or around Police Courts, Police Judges' Courts, or city prisons in incorporated cities, or cities and counties."

Also, Assembly Bill No. 78—An Act to provide an additional Judge of the Superior Court of the County of San Bernardino.

Also, Assembly Bill No. 34—An Act to provide for certain improvements at the Deaf, Dumb, and Blind Asylum.

All of which were read first time and placed on file for second reading.

SECOND READING OF BILLS.

Assembly Bill No. 31—An Act to add a clause to section one thousand three hundred of the Code of Civil Procedure, relative to wills executed by married women.

Read second time, ordered engrossed, and to a third reading.

Assembly Bill No. 47—An Act to amend section one thousand two hundred and forty-one of the Civil Code of the State of California, as amended April 6, 1880, relating to the subjection of homesteads to execution.

Read second time.

Mr. Variel moved to amend by adding:

SECTION 2 This Act shall take effect from and after its passage

Adopted.

Bill ordered engrossed and to a third reading.

Assembly Bill No. 51—An Act to amend section one thousand one hundred and eighty-one of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to the taking of acknowledgments.

Read second time.

Committee amendment: Amend, by inserting after the word "city," in line five, the word "city," and by inserting after the word "county," in line five, the word "county."

Adopted.

Ordered engrossed, and to a third reading.

Assembly Bill No. 125—An Act to amend sections fifty-five and fifty-six of the Civil Code, and to repeal sections fifty-seven, seventy-five, and seventy-seven of said Code, relating to marriage.

Read second time, ordered engrossed, and to a third reading.

Assembly Bill No. 82—An Act to enfranchise and restore William

T. Wheeler to all the privileges of an elector, and to all the political rights of citizenship.

On motion of Mr. Shanahan, Assembly Bill No. 82 was passed on file.

Assembly Bill No. 79—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.

IN COMMITTEE OF THE WHOLE.

On motion of Mr. Brusie, the House went into Committee of the Whole for the purpose of further consideration of Assembly Bill No. 79.

Speaker Jordan in the chair.

The bill was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Jordan 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 79—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.

Report received.

Bill read second time, ordered engrossed, and to a third reading.

Assembly Bill No. 54—An Act entitled an Act to prevent persons from unlawfully using or wearing the badge of the Grand Army of the Republic of this State.

Bill read second time.

Mr. Hart moved to amend subdivision two by striking out "one thousand" and inserting "two thousand."

Adopted.

Bill ordered engrossed, and to a third reading.

Assembly Bill No. 119—An Act to amend section five hundred and fourteen of an Act entitled an Act to establish a Political Code, approved March 12, 1872, relating to the salary of the deputy for the Superintendent of Public Instruction, and equalizing the same with the salaries paid the deputies for other State officers.

Read second time, and ordered engrossed and to a third reading.

Assembly Bill No. 15—An Act to establish a Branch State Normal School.

On motion of Mr. Shanahan the same was passed on file.

Assembly Bill No. 68—An Act to amend section six hundred and ninety of the Code of Civil Procedure, relative to property exempt from execution.

Read second time and passed on file.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON JUDICIARY.

ASSEMBLY CHAMBER, January 22, 1887.

MR SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 93—An Act to provide two additional Judges of the Superior Court of the County of Los

Angeles—have considered the same, and report it back, with the recommendation that it do not pass

Also, Assembly Bill No 131—An Act to amend section four hundred and eleven of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the manner of serving summons—report it back, with the recommendation that it do not pass

Also, Assembly Bill No 195—An Act to provide two additional Judges of the Superior Court of the County of Los Angeles, State of California—and report it back, with amendment, and recommend its passage as amended

Also, Assembly Bill No 202—An Act to amend section one hundred and three of an Act entitled "An Act to amend an Act of the Legislature of the State of California to establish a Code of Civil Procedure," approved March 17, 1872, relating to Justices' Courts and Justices of the Peace—and report it back, with the recommendation that it be referred to the Committee on Municipal Corporations, the bill relating to municipal corporations.

VARIEL, Chairman.

Report received, and bill referred to the committee as recommended.

At twelve o'clock and fifty-five minutes P. M., Mr. Cooley moved to adjourn.

Mr. Variel moved to amend, by making the time Tuesday, at two o'clock P. M.

Lost.

Mr. Cooley withdrew his motion temporarily.

LEAVE OF ABSENCE.

Messrs. Renison and Brooks were granted leave of absence until Tuesday, at two o'clock P. M.

RESOLUTIONS—(OUT OF ORDER).

By Mr. Young of San Diego:

Resolved, That the Committee on Claims be granted leave of absence on Tuesday, January twenty-fifth, for the purpose of visiting San Francisco in conjunction with the Claims Committee of the Senate, to investigate the claims of Geo Nightingale et al., and that the committee be allowed mileage (including their clerk), one hundred and sixty-eight miles, making sixteen dollars and eighty cents for each member attending

Mr. O'Grady moved to lay the resolution on the table.

Lost.

Resolution adopted.

By Mr. Carr:

Resolved, That the Committee on Elections be empowered to send for persons and papers in all election contests now or that may hereafter be pending before said committee.

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

The ayes and noes were demanded by Messrs. Brooks, Heath, and Morgan.

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

AYES—Messrs. Adams, Barton, Bost, Brooks, Gruwell, Hart, Heath, Mahler, Matthews of San Benito, Mitchell, Morgan, Ohleyer, Renison, Shanahan, Smyth, Spurgeon, Toner, and Windrow—18

NOES—Messrs. Alexander, Atherton, Bailey, Barry, Britt, Bruste, Carr, Cohen, Colbert, Cooley, Coombs, Currey of Solano, Ewing, Gould Handy, Henry of San Joaquin, Hotchkiss, Hyde, LaBlanc, Lewis, McGowan, Morris, O'Grady, Price, Sherburne, Sims, Sykes, Taylor, Variel, Venable, Vincent, Wilcox, Williams, Wright, Young of San Diego, and Mr Speaker—36

At one o'clock P. M. Mr. Taylor moved that the hour of recess be extended fifteen minutes.

So ordered.

The question recurring on the resolution offered by Mr. Carr, Mr. Hyde moved that it be made the special order for Monday, January 24, 1887, immediately after reading of the Journal.

So ordered.

LEAVE OF ABSENCE.

Mr. Lewis was granted leave of absence until Wednesday.

ADJOURNMENT.

At one o'clock and twenty minutes P. M. Mr. Cooley renewed his motion to adjourn, making the time Monday, January 24, 1887, at two o'clock P. M., whereupon the House adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Monday, January 24, 1887.

The House met at two o'clock P. M., pursuant to adjournment.

Speaker pro tem. J. R. Brierly in the chair.

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

Messrs Adams, Alexander, Atherton, Bailey, Barry, Barton, Bost, Brierly, Britt, Brown J B, Brusie, Burnett, Butler, Callaghan, Campbell, Carr, Carroll, Cohen, Colbert, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Gould, Granger, Gruwell, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, Knox, LaBlanc, Lawrence, Mahler, Martin, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Mitchell, Morgan, Morris, O'Grady, Ohlever, Regan, Rucker, Remson, Shanahan, Sherburne, Sykes, Taylor, Variel, Venable, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, and Young of San Joaquin.

Quorum present.

Prayer by the Chaplain, Rev. E. R. Dille.

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

So ordered.

Journal corrected and approved.

LEAVE OF ABSENCE.

Mr. Spurgeon was granted one week's leave of absence.

Mr. Ewing was granted leave of absence until to-morrow, at eleven o'clock A. M.

SPECIAL ORDER.

The time for consideration of special order having arrived, resolution by Mr. Carr:

Resolved, That the Committee on Elections be empowered to send for persons and papers in all election contests now or that may hereafter be pending before said committee

Was taken up.

Mr. Hotchkiss moved to amend by striking out the word "persons."

PREVIOUS QUESTION.

Mr. Lawrence moved the previous question.

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

The question being on the adoption of the amendment offered by Mr. Hotchkiss, the ayes and noes were demanded by Messrs. Heath, Hotchkiss, and Morgan.

The roll was called, and the amendment adopted by the following vote.

AYES—Messrs Adams, Barton, Bost, Britt, Callaghan, Cohen, Colbert, Davis, Gould, Granger, Gruwell, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Lawrence, Mahler, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, Mitchell, Morgan, Morris, O'Grady, Ohleyer, Regan, Renison, Shanahan, Venable, Vincent, Wright, Young of San Diego, and Young of San Joaquin—35

NOES—Messrs Alexander, Atherton, Bailey, Barry, Brierly, Brown J. B, Brusie, Burnett, Butler, Campbell, Carr, Carroll, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Ellsworth, Handy, Hart, Hyde, Knox, LaBlanc, Martin, Mann, McGowan, Rucker, Sherburne, Sykes, Taylor, Weber, Windrow, Wilcox, and Williams—34

Resolution of Mr. Carr, as amended, adopted.

PETITIONS.

By Mr. Young of San Diego: From citizens of San Diego, requesting that some action be taken to save the raisin from the ravages of the bee.

Referred to Committee on Viniculture and Viticulture.

By Mr. Gould: From citizens and taxpayers of the Counties of Inyo, Mono, and Alpine, petitioning for the formation of a new agricultural district.

Referred to Committee on Agriculture.

By Mr. Heath: From citizens of Santa Barbara County, asking for the formation of a new agricultural district.

Referred to Committee on Agriculture.

REPORTS OF STANDING COMMITTEES.

ON PUBLIC BUILDINGS AND GROUNDS.

ASSEMBLY CHAMBER, SACRAMENTO, January 24, 1887.

MR SPEAKER. Your Committee on Public Buildings and Grounds respectfully report, that on Saturday, January twenty-second, 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 Carroll, Curry, Davis, Campbell, Martin, Rucker, Henry, and Clerk Jackson, in the performance of the duty indicated—are entitled to mileage from Sacramento to Napa and return, one hundred and twenty-two miles each.

CARROLL, Chairman.

Referred to Committee on Mileage.

ON STATE LIBRARY

ASSEMBLY CHAMBER, SACRAMENTO, January 24, 1887.

MR SPEAKER Your Committee on State Library, to whom was referred Assembly Bill No. 134—An Act to provide for the removal of the mineral cabinet from the State

Library—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, as amended

A M LAWRENCE.
CHAS. O ALEXANDER.
W D MORRIS.
I A WILCOX
GEO. W. KNOX

ON MILEAGE.

ASSEMBLY CHAMBER, SACRAMENTO, January 24, 1887.

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 University of California at Berkeley, and the Asylum for the Adult Blind at Oakland—have had the same under consideration, and recommend that the following named members be allowed mileage for one hundred and ninety-two miles Messrs Carroll, Curry, Davis, John Ellsworth, Campbell, Martin, Rucker, Hotchkiss, and Clerk Jackson.

Resolved, That the Controller be and is hereby authorized to draw his warrant for the sum of one hundred and seventy-two dollars and eighty cents in favor of H W Carroll, to pay above mileage, payable out of the appropriation for the Contingent Fund of the Assembly

Resolution adopted.

Also, The report of the Committee on State Prison, on the occasion of their visit to San Quentin—have had the same under consideration, and recommend that the following named members be allowed mileage for one hundred and ninety-two miles Messrs Atherton, Brusie, Gruwell, Mathews, McDonnell, and Clerk Trowbridge

Resolved, That the Controller be and is hereby authorized to draw his warrant for the sum of one hundred and fifteen dollars and twenty cents, in favor of J W Atherton, for above mileage, payable out of the appropriation for the Contingent Fund of the Assembly

WEBER, Chairman.

Resolution adopted.

ON PUBLIC MORALS.

ASSEMBLY CHAMBER, SACRAMENTO, January 24, 1887.

MR. SPEAKER: Your Committee on Public Morals, to whom was referred Assembly Bill No 109—Relating to mortgages of personal property—have had the same under consideration, and respectfully report the same back, and recommend that it be withdrawn at the request of its author.

Request granted.

Also, Assembly Bill No 198—Relating to actions for slander and libel, and No. 164—Relating to cheats—have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

R J CURREY, Chairman.

ON STATE HOSPITALS.

ASSEMBLY CHAMBER, SACRAMENTO, January 24, 1887

MR SPEAKER: Your Committee on State Hospitals and Asylums submit the following: We have visited the following named places, to wit: State Insane Asylum at Stockton, Protestant and Hebrew Orphan Asylums, San Francisco, and the State Insane Asylum at Napa; committee consisting of Messrs Butler, Brierly, Weber, McDonnell, Jr., Young, Cope, and W P Matthews, and Clerk Belden, and traveled two hundred and forty-five miles

BUTLER, Chairman.

Referred to Committee on Mileage.

ON ROADS AND HIGHWAYS

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1887

MR SPEAKER: Your Committee on Roads and Highways, to whom was referred Assembly Bill No 11—An Act to amend section two thousand six hundred and forty-two and two thousand six hundred and forty-four of the Political Code, relating to roads and highways

Also, Assembly Bill No 33—An Act to amend sections two thousand six hundred and forty-one, two thousand six hundred and forty-two, two thousand six hundred and forty-four, two thousand six hundred and forty-five, two thousand six hundred and fifty-one, two thousand six hundred and fifty-two, of Chapter II, Title VI, Part III, of the Political Code, approved February 28 1883, relating to roads and highways.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass

Also, Assembly Bill No 29—An Act to amend sections two thousand six hundred and forty-one, two thousand six hundred and forty-two, and two thousand six hundred and forty-four of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the powers and duties of highway officers, to the appointment of, and oath, and bond, of Roadmasters or Road Overseers—have had the same under consideration, and respectfully report the same back, and recommend that it do pass

SHERBURNE, Chairman.

ON JUDICIARY

ASSEMBLY CHAMBER, SACRAMENTO, January 24, 1887.

MR SPEAKER Your Committee on Judiciary, to whom was referred Assembly Bill No 43—An Act to amend section four hundred and eleven of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the manner of commencing civil action and the service of summons therein—report the same back, and recommend that it do not pass

Also, Assembly Bill No 174—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved ——— ———, and to amend section one hundred and seventy of said Act, relating to the disqualification of Judges—and recommend that it do not pass

Also, Assembly Bill No 176—An Act to amend section three hundred and sixty-eight of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to assignments of things in action—and recommend that it do not pass

Also, Assembly Bill No 178—An Act to amend section five hundred and fifty-three of the Code of Civil Procedure, relative to attachments, and recommend that it do pass

Also, Assembly Bill No 181—An Act to amend section four hundred and eight of the Code of Civil Procedure of the State of California, relating to the issuing of alias summons, and recommend that it do pass

Also, Assembly Bill No 158—An Act to amend section seven of the Insolvent Act of 1880, and report the same back, with amendments, and recommend its passage, as amended

Also, Assembly Bill No. 177—An Act to amend section number nine hundred and seventy-eight of the Code of Civil Procedure, relative to attachments—report the same back, with amendment, and recommend its passage as amended

Also, Assembly Bill No 193—An Act to amend section three thousand four hundred and forty-nine of the Civil Code of the State of California, approved March 21, 1872, relating to assignments for the benefit of creditors—report the same back, with amendments, and recommend its passage, as amended.

VARIEL, Chairman.

ON COUNTY AND TOWNSHIP GOVERNMENTS

ASSEMBLY CHAMBER, SACRAMENTO, January 24, 1887.

MR SPEAKER. Your Committee on County and Township Governments, to whom was referred Assembly Bill No 22—An Act to amend an Act 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 it do pass

Also, Assembly Bill No 192—An Act to amend section four thousand one hundred and eight of the Political Code, relating to county officers

Also, Assembly Bill No 97—An Act to amend subdivision seven, of class seventeen, of section one hundred and sixty-three, relating to salaries of county officers, of an Act to establish a uniform system of county and township governments, approved March 14, 1883

Also, Assembly Bill No 71—An Act to amend section two thousand six hundred and forty-two of the Political Code, and to add two new sections thereto, to be numbered two thousand six hundred and forty-six and two thousand six hundred and forty-seven, in relation to the classification of the counties of the State and the election and the appointment of Roadmasters

Also, Assembly Bill No 56—An Act to amend section two hundred and eleven of an Act entitled 'An Act to establish a uniform system of county and township governments," approved March 14 1883, approved March 14, 1885, approved March 18, 1885

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass The action of the committee regarding Bill No 71 was taken upon the request of the author of said bill, as Assembly Bill No 29 contains the desired legislation

Also, Assembly Bill No 153—An Act to amend an Act establishing a uniform system of county and township governments, approved March 14, 1883, and to add a new section thereto, so as to provide for the election of a Roadmaster by the qualified electors in the several districts of each county, at the time of the election of Supervisors, for the term of two years, and that the Board of Supervisors of each county, at their first meeting of their Board, are to state their duties by a resolution of the Board, and to fix at the same time the compensation to be paid to them for their services—have had the same under con-

sideration, and respectfully report the same back, and recommend that it do not pass. The action of the committee regarding Assembly Bill No 153 was taken upon the request of the author of said bill, as Assembly Bill No 29 contains the desired legislation

McGOWAN, Chairman.

INTRODUCTION OF BILLS.

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

By Mr. Handy: Assembly Bill No. 237—An Act to amend an Act to establish a uniform system of county and township governments, approved March 14, 1883, amended March 18, 1885, by amending and revising and subdividing into new sections 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.

Also, Assembly Bill No. 238—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883, and amended March 18, 1885.

Referred to Committee on County and Township Governments.

By Mr. Lawrence: Assembly Bill No. 239—An Act to amend sections three thousand four hundred and ninety-four and three thousand four hundred and ninety-five of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to public lands of the State.

Referred to Committee on Education.

Also, Assembly Bill No. 240—An Act to amend section two thousand four hundred and sixty-six of Article VI of the Political Code, relating to pilot regulations for San Francisco, Mare Island, and Benicia.

Referred to Committee on Commerce and Navigation.

By Mr. McDonnell: Assembly Bill No. 241—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. Variel: Assembly Bill No. 242—An Act to repeal an Act entitled "An Act to punish seduction," approved March 17, 1872.

Referred to Committee on Judiciary.

Also, Assembly Bill No. 243—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by adding to Chapter I, Title IX, of Part I, thereof, two new sections, numbered respectively two hundred and sixty-eight and two hundred and sixty-nine, relating to the punishment of seduction and sexual intercourse procured and had under promise of marriage, and to the effect of the marriage of the parties concerned after the commission of the offense.

Referred to Committee on Judiciary.

Also, Assembly Bill No. 244—An Act to amend section two hundred and sixty-six of the Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by providing for the punishment of seduction accomplished by means of false representations and pretenses, or other fraudulent means.

Referred to Committee on Judiciary.

Also, Assembly Bill No. 245—An Act to amend section one thousand one hundred and ten of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by adding to said section a clause requiring the evidence of the party seduced to be corroborated in all cases arising or prosecuted under the provisions of section two hundred and sixty-eight of said Code.

Referred to Committee on Judiciary.

By Mr. R. J. Currey: Assembly Bill No. 246—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883, and the Act amendatory thereof, approved March 18, 1885.

Referred to Committee on County and Township Governments.

By Mr. Brierly: Assembly Bill No. 247—An Act to create an Irrigation, Drainage, and Water Rights Legislation Commission, to define its powers and duties, and to provide for payment of its cost and expenses.

Referred to Committee on Irrigation.

By Mr. Gruwell: Assembly Bill No. 248—An Act to amend the Penal Code, by adding a new section thereto, to be known as section sixty-eight *a*, in relation to crimes by and against the executive power of the State.

Referred to Committee on Judiciary.

By Mr Sykes: Assembly Bill No. 249—An Act to amend section six hundred and thirty-four of the Penal Code, relating to the violations of the law for the restoration and preservation of fish.

Referred to Committee on Fish and Game.

Also, Assembly Bill No. 250—An Act to amend section six hundred and thirty-six of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to the preservation of fish.

Referred to Committee on Fish and Game.

By Mr. Curry of San Francisco: Assembly Bill No. 251—An Act to amend section two hundred and sixty-one of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the powers and duties of the officers and employés of the Legislature.

Referred to Committee on Retrenchment.

By Mr. Granger: Assembly Bill No. 252—An Act to add a new section to the Code of Civil Procedure, relating to hearing appeals in the Supreme Court.

Referred to Committee on Judiciary.

By Mr. Carroll: Assembly Bill No. 253—An Act to appropriate the sum of two thousand and five hundred dollars for the relief of George W. Mayberry.

Referred to Committee on Claims.

MOTION.

Mr. Variel moved that Assembly Bill No. 146 be made the special order for Wednesday, January twenty-sixth, at two o'clock P. M.

So ordered.

GENERAL FILE—FIRST READING OF BILLS.

Assembly Bill No. 91—An Act to amend section six hundred and thirty-two of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, and to repeal section six hundred and thirty-three and section six hundred and thirty-four of said Act, relating to trials by the Court and findings.

Read first time, and placed on file for second reading.

Assembly Bill No. 103—An Act providing for the payment of witness expenses in criminal cases.

Read first time, and placed on file for second reading.

Assembly Bill No. 92—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 Notary Publics.

Read first time, and placed on file for second reading.

Assembly Bill No. 136—An Act to repeal an Act entitled "An Act to amend an Act to incorporate the City of Santa Barbara," approved March 30, 1878.

Read first time, and placed on file for second reading.

Assembly Bill No. 100—An Act to amend section five hundred and twenty-seven of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to injunctions and service thereof.

Mr. Lawrence moved to make this bill the special order for to-morrow, immediately after the reading of the Journal.

Ayes and noes demanded by Messrs. Hotchkiss, Lawrence, and Colbert.

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

AYES—Messrs Barry, Bost, Britt, Brown J B, Burnett, Callaghan, Cohen, Colbert, Curry of San Francisco, Davis, Gruwell, Hart, Henry of Butte, Hyde, LaBlanc, Lawrence, Martin, McDonnell, Mitchell, O'Grady, Ohleyer, Searey, Shanahan, Vincent, Windrow, Young of San Diego, and Young of San Joaquin—27

NOES—Messrs Adams, Alexander, Atherton, Bailey, Barton, Brierly, Brusie, Butler, Campbell, Carr, Carroll, Cooley, Coombs, Cope, Currey of Solano, Ellsworth, Gould, Granger, Handy, Heath, Henry of San Joaquin, Hotchkiss, Knox, Mahler, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, McGowan, Morgan, Morris, Rucker, Renison, Sherburne, Taylor, Variel, Venable, Weber, Wilcox, Williams, and Wright—41

Assembly Bill No. 100—Read first time, and placed on file for second reading.

Assembly Bill No. 102—An Act to amend section one thousand and seventy of the Penal Code of the State of California, providing for the exercise of peremptory challenge in criminal cases.

Mr. Wright asked leave to withdraw this bill.

Request granted.

Assembly Bill No. 104—An Act to establish jury fees in Courts of record of the State of California.

Read first time, and placed on file for second reading.

Assembly Bill No. 108—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 seventy-eight, relating to the giving of testimony in cases of bribery, and providing that testimony given by any person in such cases shall not afterwards be used against such person in any judicial proceeding, except for perjury in giving such testimony.

Read first time, and placed on file for second reading.

Assembly Joint Resolution No. 3—Relating to the construction of a breakwater at Port Harford, in the Bay of San Luis Obispo.

Adopted unanimously.

Assembly Bill No. 172—An Act to amend an "Act to appropriate money for the support of aged persons in indigent circumstances residing in the home of the Veterans' Home Association," approved March 7, 1883.

Read first time, and placed on file for second reading.

Assembly Bill No. 40—An Act to amend section thirty-two of an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885.

Read first time, and placed on file for second reading.

Assembly Bill No. 62—An Act to amend sections three and seven hundred and sixty-eight of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Read first time, and placed on file for second reading.

Assembly Bill No. 41—An Act to amend an Act entitled "An Act to repeal Chapter II, of Title VI, Part III, 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 II, and to enact a new Chapter II, of Title VI, of Part III, of said Code, and substitute the same in place of said repealed Chapter II in said Code, relating to roads and highways, approved February 28, 1883, by adding a new section thereto, to be numbered section two thousand six hundred and forty-six.

Read first time, and placed on file for second reading.

Assembly Bill No. 159—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by amending an Act amendatory of said Act to section six hundred and thirty-four, relating to fish and game.

Read first time, and placed on file for second reading.

Assembly Bill No. 131—An Act to amend section four hundred and eleven of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the manner of serving summons.

Read first time, and placed on file for second reading.

Assembly Bill No. 195—An Act to provide two additional Judges of the Superior Court of the County of Los Angeles, State of California.

Read first time, and placed on file for second reading.

Assembly Bill No. 96—An Act to provide two additional Judges of the Superior Court of the County of Los Angeles.

On motion of Mr. Granger, this bill was passed on file.

SECOND READING OF BILLS.

Assembly Bill No. 55—An Act to protect the manufacturing industries of this State.

Read second time.

The following substitute, offered by the Committee on Labor and Capital, was read and adopted:

AN ACT TO PROTECT THE MANUFACTURING INDUSTRIES OF THIS STATE.

The People of the State of California, represented in Senate and Assembly, do enact as follows:

SECTION 1 It shall be the duty of every maker or manufacturer of any article made or manufactured, or partly made or manufactured, in this State, to imprint, label, or stamp the same clearly and conspicuously with the word "manufacturer" or "manufacturers," and immediately thereunder with the name of the person or persons, or corporations, who made or who shall have partly made or manufactured the same, together with the name of the place where the same was made or manufactured, and in all cases when such articles are made or manufactured in any city or town in this State, the number of the house or building, if the same is numbered, and the name of the street or road, if named, on which such house or building is situated where such articles are made or manufactured, or partly made or manufactured, shall likewise be imprinted, labeled, or stamped with the name of such person or persons or corporations making or manufacturing the same, or partly making or manufacturing the same

SEC 2 It shall be the duty of any person or persons, or corporations, selling, offering, or exposing for sale any article made or manufactured, or partly made or manufactured, in this State, to exhibit and expose, with the article offered or exposed for sale, the imprint, label, or stamp of the maker or manufacturer thereof, and the name of the place where the same was made or manufactured, or partly made or manufactured, as mentioned in section one of this Act

SEC. 3 Each and every article made or manufactured, or partly made or manufactured, in this State, shall be conspicuously imprinted, labeled, or stamped, as required by section one of this Act, except that in all cases where the article so made or manufactured, or partly made or manufactured, is of such a nature, character, composition, or structure that it would be impossible or impracticable to imprint, label, or stamp the same, then the imprint, label, or stamp required by section one of this Act, if made upon the package or cover containing such article or articles, or on a tag attached thereto, shall be deemed a sufficient compliance with section one of this Act

SEC. 4 Any person violating sections one, two, or three of this Act shall be deemed guilty of a misdemeanor, and on conviction thereof before any Court having jurisdiction over misdemeanors, shall, for each offense, be punished by fine in a sum not less than fifty ($50) dollars nor more than five hundred ($500) dollars, or by imprisonment in the county jail not less than twenty days nor more than ninety days, or by both, and it shall be the duty of the Court trying said offense to order the payment of one half of the fine imposed to the person giving the information upon which the prosecution was found and the conviction had; and such fine may be collected by execution, as in civil cases

SEC 5 Any person or corporation who shall imprint, label, or stamp, or cause to be imprinted, labeled, or stamped, any article made or manufactured, or partly made or manufactured, in this State, with the name or names of any person or persons as makers or manufacturers, other than the name or names of the person or persons who made or manufactured the same, or who shall imprint, label, or stamp the same, or cause the same to be imprinted, labeled, or stamped with the name of a place, street, or number of house or building other than the place or street or number of house as the place of manufacture, where the same was manufactured, shall be deemed guilty of a misdemeanor

SEC 6 Any person or corporation who shall sell, or expose and offer for sale, or who shall cause to be sold or exposed and offered for sale, any article made or manufactured, or partly made or manufactured in this State, with an imprint, label, or stamp, bearing the name or names of a person or persons, or corporations purporting to be the manufacturers thereof, or the name of a place purporting to be the place where the same was made or manufactured, knowing the same to be false, shall be deemed guilty of a misdemeanor.

SEC 7 Any corporation violating the provisions of sections one, two, or three of this Act, the officers of such corporation violating the same shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished in the manner provided for in section four (4) of this Act.

SEC 8 Any corporation violating the provisions of sections five (5) or six (6) of this Act, the officers of such corporation violating the same shall be deemed guilty of a misdemeanor.

SEC 9 All Acts and parts of Acts in conflict with this Act are hereby repealed.

SEC. 10 This Act shall take effect within ten (10) days from and after its passage.

Bill ordered engrossed, and to a third reading.

ADJOURNMENT.

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

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Tuesday, January 25, 1887.

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

Messrs. Adams, Alexander, Atherton, Barton, Bost, Brierly, Britt, Brooks, Brown J. B., Brusie, Burnett, Butler, Callaghan, Campbell, Carr, Carroll, Cohen, Colbert, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Granger, Gruwell, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, Knox, LaBlanc, Lawrence, Martin, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, McGowan, Mitchell, Morgan, Morris, O'Grady, Ohleyer, Rucker, Remson, Searey, Shanahan, Sherburne, Sykes, Taylor, Variel, Venable, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr. Speaker

Quorum present.
Prayer by the Chaplain, Rev. E. R. Dille.
Pending the reading of the Journal of yesterday, Mr. Hart moved to dispense with further reading.
So ordered.
Journal approved.

MOTION.

Mr. Granger moved that the substitute for Assembly Bill No. 55 be withdrawn from the Committee on Engrossment and returned to the Clerk.
So ordered.

ASSEMBLY JOINT RESOLUTION.

By Mr. Cooley:
Assembly Joint Resolution No. 9—Relative to coast defenses.
Referred to Committee on Federal Relations.

REPORTS OF STANDING COMMITTEES.

ON CORPORATIONS

ASSEMBLY CHAMBER, SACRAMENTO, January 25, 1887.

MR SPEAKER: Your Committee on Corporations, to whom was referred Assembly Bill No 8—An Act relating to insurance, to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, as amended by an Act entitled 'An Act to amend the Political Code, in relation to insurance," approved April 1, 1878—have had the same under consideration, and respectfully report the same back, and recommend that it do pass

Also, Assembly Bill No 9—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," adopted March 11, 1872, by adding thereto a new section, to be known as section one thousand three hundred and forty-eight, authorizing certain corporations to act as executor and in other capacities—report the same back, with amendments, and recommend that it do pass, as amended.

Also, Assembly Bill No 10—An Act relating to insurance, to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, as amended by an Act

entitled "An Act to amend the Civil Code, relative to insurance," approved April 1, 1878, and to add a new section thereto, to be known as section four hundred and thirty-two—report the same back, with amendments, and recommend that it do pass, as amended.

Also, Assembly Bill No 122—An Act to amend sections six hundred and one, six hundred and seven, six hundred and ten, six hundred and eleven, six hundred and twelve, six hundred and seventeen, six hundred and twenty-nine, and six hundred and thirty of the Political Code of this State, all of said sections relating to insurance—and respectfully report the same back, with an amendment, and recommend that it do pass, as amended.

Also, Assembly Bill No 140—An Act to amend sections four hundred and nineteen and four hundred and twenty of the Civil Code of the State of California, all of said sections relating to insurance—and report the same back, and recommend that it do pass.

ALEXANDER, Chairman.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, January 25, 1887

MR SPEAKER Your Committee on Engrossment beg leave to report that the following Assembly Bills have been correctly engrossed

Nos. 5, 36, 37, 49, Substitutes Nos. 31, 47, 51, 125, 79, 54, and 119.

WINDROW, Chairman

ON COUNTIES AND COUNTY BOUNDARIES.

ASSEMBLY CHAMBER, SACRAMENTO, January 25, 1887

MR. SPEAKER: Your Committee on Counties and County Boundaries, to whom was referred Assembly Bill No 19—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 indebtedness of said counties, equitably chargeable to San Benito County, introduced by Mr Matthews of San Benito—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

R. J. CURREY, Chairman

ON PUBLIC MORALS.

ASSEMBLY CHAMBER, SACRAMENTO, January 24, 1887.

MR. SPEAKER Your Committee on Public Morals, to whom was referred Assembly Bill No 99—Relating to and defining the crime of vagrancy—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. 16—Relating to the sale of prepared opium, opium pipes, or parts thereof—and report the same back, with amendments, and recommend that it do pass, as amended.

R. J. CURREY, Chairman.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January —, 1887.

MR SPEAKER: Your Committee on Municipal Corporations, to whom was referred Assembly Bill No. 81—An Act in relation to the compensation of the Mayor and members of the Council of cities containing a population not exceeding ten thousand—beg leave to report that they have considered the same, and report it back, with amendments, and recommend its passage, as amended

Also, Assembly Bill No 148—An Act to amend sections one, five, six, seven, eight, ten, and eleven of an Act entitled "An Act to provide for the redemption of the funded indebtedness of the City of Sacramento"—would ask that said bill be referred to the Judiciary Committee, to ascertain whether it is constitutional.

KNOX, Chairman.

Assembly Bill No. 148—Referred to Committee on Judiciary.

ON FISH AND GAME.

ASSEMBLY CHAMBER, SACRAMENTO, January 25, 1887.

MR SPEAKER: Your Committee on Fish and Game, to whom was referred Assembly Bill No 124—An Act to amend section six hundred and twenty-six of the Penal Code, relative to fish and game—have had the same under consideration, and have substituted a new bill in place of said Bill No 124, and recommend that the substitute bill do pass, report the same back, and recommend the passage of the substitute.

WILLIAMS, Chairman.

ON RETRENCHMENT

ASSEMBLY CHAMBER, SACRAMENTO, January 25, 1887.

MR. SPEAKER: Your Committee on Retrenchment, to whom was referred the report of the committee having in charge the matter of the inauguration of Governor Washington Bartlett, most respectfully report that they have had under consideration the bills thus incurred, and recommend that the report of said committee be adopted, and that the sum of one hundred and fifty-seven dollars and twenty-five cents be paid out of the Contingent Fund of the Assembly for the purposes above stated.

GOULD, Chairman.

Report adopted.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, January 25, 1887

MR SPEAKER. Your Committee on Judiciary, to whom was referred Assembly Bill No 25—An Act to add a new chapter to the Civil Code of the State of California, to be known as Chapter VIII, of Title XIV, of Part IV, of Division III, 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—have had the same under consideration, and report it back, with the recommendation that it do not pass, the author having requested such recommendation

Also, Assembly Bill No 220—An Act to repeal sections one thousand one hundred and eighty-six and one thousand one hundred and ninety-one, and to amend section one thousand one hundred and eighty-seven of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, and recommend that it do pass

Also, Assembly Bill No 194—An Act to amend section six hundred and thirty-one of the Code of Civil Procedure, relating to waiver of trial by jury—and report the same, with amendment, and recommend its passage, as amended.

VARIEL, Chairman

ON CRIMES AND PENALTIES.

ASSEMBLY CHAMBER, SACRAMENTO, January 24, 1887.

MR. SPEAKER: Your Committee on Crimes and Penalties, to whom was referred Assembly Bill No 23—An Act relating to interest

Also, Assembly Bill No 26—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

Also, Assembly Bill No 38—An Act to amend sections one thousand and thirty-three, one thousand and thirty-four, and one thousand and thirty-five of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to the removal of criminal actions before trial

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

C F CURRY, Chairman.

MEMORIAL.

Mr. Taylor presented a memorial, relative to the removal of the mineral cabinet from the State Library, and asked that it be considered with Assembly Bill No. 134.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, January 24, 1887

MR SPEAKER I am directed to inform your honorable body that the Senate, on this day, passed Senate Bill No 46—An Act to amend section six hundred and thirty-three of the Penal Code, relating to violations of the law for the preservation of fish.

E. H. HAMILTON, Secretary.

Referred to Committee on Fish and Game.

INTRODUCTION OF BILLS.

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

By Mr. Coombs: Assembly Bill No. 254—An Act to prevent the sophistication and adulteration of wine.

Referred to Committee on Viniculture and Viticulture.

By Mr. Taylor: Assembly Bill No. 255—An Act making appropriation for the deficiency in the appropriation for rent and contingent expenses of Insurance Commissioner, for the thirty-seventh fiscal year.

Referred to Committee on Ways and Means.

Also, Assembly Bill No. 256—An Act to provide for the deficiency in the appropriation for the costs and expenses of suits wherein the State is a party in interest, for the thirty-sixth fiscal year.

Referred to Committee on Ways and Means.

Also, Assembly Bill No. 257—An Act to provide for the deficiency in the appropriation for the payment of rewards for the arrest and conviction of highway robbers, for the thirty-sixth fiscal year.

Referred to Committee on Ways and Means.

Also, Assembly Bill No. 258—An Act to provide for the deficiency in the appropriation for the costs and expenses of suits wherein the State is a party in interest, for the thirty-seventh fiscal year.

Referred to Committee on Ways and Means.

Also, Assembly Bill No. 259—An Act to provide for the payment of the rent of the chambers occupied by the Supreme Court Commissioners.

Referred to Committee on Ways and Means.

Also, Assembly Bill No. 260—An Act to provide for the deficiency in the appropriation for the payment of rewards for the arrest and conviction of highway robbers, for the thirty-seventh fiscal year.

Referred to the Committee on Ways and Means.

Also, Assembly Bill No. 261—An Act to provide for the payment and expenses incurred in fitting up and furnishing the chambers of the Supreme Court Commissioners.

Referred to Committee on Ways and Means.

Also, Assembly Bill No. 262—An Act to provide for the deficiency in the appropriation for the costs and expenses of suits wherein the State is a party in interest, for the thirty-eighth fiscal year.

Referred to Committee on Ways and Means.

Also, Assembly Bill No. 263—An Act to provide for the deficiency in the appropriation for the payment of costs and expenses of suits wherein the State is a party in interest, for the thirty-seventh fiscal year, to pay the claim of Arthur Rodgers.

Referred to Committee on Ways and Means.

Also, Assembly Bill No. 264—An Act to repeal section four hundred and fifty-one of an Act to establish a Civil Code, approved March 21, 1872, which section was approved March 23, 1885, and relates to mutual, life, health, and accident insurance corporations.

Referred to Committee on Corporations.

Also, Assembly Bill No. 265—An Act making an additional appropriation for rent, furniture, and contingent expenses of Insurance Commissioner, for the thirty-eighth fiscal year.

Referred to Committee on Ways and Means.

Also, Assembly Bill No. 266—An Act to provide for the deficiency in the appropriation for the costs and expenses of suits wherein the State is a party in interest, for the thirty-fifth fiscal year.

Referred to Committee on Ways and Means.

Also, Assembly Bill No. 267—An Act relating to life and casualty insurance on the assessment plan, and the conduct of the business of such insurance.

Referred to Committee on Corporations.

By Mr. Lawrence: Assembly Bill No. 268—An Act to amend section six hundred and sixteen of the Political Code, relating to insurance companies.

Referred to Committee on Corporations.

By Mr. Britt: Assembly Bill No. 269—An Act to amend an Act entitled "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," approved March 3, 1885, by amending sections one and two thereof.

Referred to Committee on State Hospitals.

By Mr. Butler: Assembly Bill No. 270—An Act to provide an additional Judge of the Superior Court of Tulare County.

Referred to Committee on Judiciary.

By Mr. Davis: Assembly Bill No. 271—An Act to amend section two thousand four hundred and sixty-six of the Political Code, relating to pilots and pilot regulations.

Referred to Committee on Commerce and Navigation.

By Mr. Atherton: Assembly Bill No. 272—An Act making an appropriation for the deficiencies in the appropriations for the support of the State Prison at San Quentin, for the thirty-fifth, thirty-sixth, thirty-seventh, and thirty-eighth fiscal years.

Referred to Committee on State Prisons.

By Mr. Variel: Assembly Bill No. 273—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 two thousand two hundred and ninety, relating to legal proceedings in cases of trusts.

Referred to Committee on Judiciary.

By Mr. J. D. Young: Assembly Bill No. 274—An Act to amend section two thousand two hundred and seventeen of the Political Code, relating to committal of insane persons, approved February 18, 1881.

Referred to Committee on State Hospitals.

By Mr. Wilcox: Assembly Bill No. 275—An Act to prevent the spreading of fruit, fruit tree, and vine insect pests, and to provide for their extirpation.

Referred to Committee on Viniculture and Viticulture.

By Mr. Renison: Assembly Bill No. 276—An Act to amend an Act entitled "An Act to prevent the sale of intoxicating drinks to minors," approved March 4, 1872.

Referred to Committee on Public Morals.

Also, Assembly Bill No. 277—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by adding a new section thereto, to be numbered section two hundred and sixty-eight, relative to the seduction of unmarried females under the age of twenty years.

Referred to Committee on Public Morals.

By Mr. Taylor: Assembly Bill No. 278—An Act making an appropriation for the payment of claims of certain employés and other creditors of the State.

Referred to Committee on Ways and Means.

GENERAL FILE—FIRST READING OF BILLS.

Assembly Bill No. 96—An Act to provide two additional Judges of the Superior Court of the County of Los Angeles.

First reading refused.

SECOND READING OF BILLS.

Assembly Bill No. 88—An Act to amend section one thousand one hundred and twenty-seven of the Political Code of the State of California, relating to the establishing of election precincts.

Read second time, ordered engrossed, and to a third reading.

Assembly Bill No. 162—An Act to amend sections one thousand two hundred and ninety-two, one thousand two hundred and ninety-three, one thousand two hundred and ninety-four, and one thousand two hundred and ninety-five of the Political Code of the State of California, relating to election returns for Governor and Lieutenant-Governor.

Read second time, ordered engrossed, and to a third reading.

Assembly Bill No. 35—An Act for the better protection of settlers on the public lands of the United States within the State of California, and for the protection and encouragement of persons desirous of settling thereon.

Read second time, ordered engrossed, and to a third reading.

Assembly Bill No. 147—An Act to amend section three thousand five hundred and seventy-one of the Political Code, relating to certificates of repayment by the Register of the State Land Office.

On motion of Mr. Bost, this bill was passed on file.

MOTICN.

Mr. Knox moved that the rules be suspended, and that Assembly Bill No. 195 be taken up out of order.

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

AYES—Messrs. Adams, Atherton, Barton, Bost, Brooks, Brown J. B., Brusie, Burnett, Butler, Callaghan, Carr, Carroll, Cohen, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Granger, Heath, Hyde, Knox, Martin, Mann, McClenahan, McGowan, O'Grady, Rucker, Shanahan, Taylor, Variel, Vincent, Weber, Windrow, Wilcox, Williams, Young of San Joaquin, and Mr. Speaker—43.

NOES—Messrs Alexander, Britt, Campbell, Colbert, Gruwell, Handy, Hart, Henry of San Joaquin, Hotchkiss, Lawrence, Mathews of Tehama, Matthews of San Benito, Mitchell, Ohleyer, Regan, Remson, Searey, Sherburne, Sykes, Venable, and Wright—21.

SECOND READING OF BILLS—(CONTINUED).

Assembly Bill No. 195—An Act to provide two additional Judges of the Superior Court of the County of Los Angeles, State of California.

Read second time.

Committee amendment, as follows, adopted: Amend, by striking from line three, of section two, the word "now."

Mr. Knox offered the following substitute for the bill:

SUBSTITUTE FOR ASSEMBLY BILL NUMBER ONE HUNDRED AND NINETY-FIVE.

An Act to increase the number of Judges of the Superior Court of the County of Los Angeles, State of California, and for the appointment of such additional Judges

The People of the State of California, represented in Senate and Assembly, do enact as follows

SECTION 1 The number of the Judges of the Superior Court of the County of Los Angeles, State of California, is hereby increased from two to four

SEC 2 Within ten days after the passage of this Act the Governor shall appoint two additional Judges of the Superior Court of the County of Los Angeles, State of California, who shall hold office until the first Monday after the first day of January, A D 1889. At the next general election two Judges of the Superior Court of said county shall be elected in said county, who shall be successors of the Judges appointed hereunder, to hold office for the term prescribed by the Constitution and by law

SEC 3 The salaries of said additional Judges shall be the same in amount and be paid at the same time and in the same manner as the salaries of the other Judges of the Superior Court of said county now authorized by law.

SEC 4 This Act shall take effect and be in force from and after its passage.

Substitute adopted.

Bill ordered engrossed, and to a third reading.

Assembly Bill No. 152—An Act to add another section to Penal Code, to be numbered two hundred and sixty-eight, relating to crimes and punishments.

Read second time.

Mr. Venable offered the following amendment: On line seven, page one, of printed bill, amend by striking out words "be punishable" and insert "on conviction be punished."

Amendment adopted.

Bill ordered engrossed, and to a third reading.

Assembly Bill No. 14—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 amendment: That the clause reading "when any twenty-five or more residents and taxpayers" shall be amended and read "when any ten or more residents and taxpayers."

Lost on a division—ayes, 11; noes, 24.

Mr. Carr offered the following amendment: Amend section one, by adding, after the word "diseased," in line seven, the words, "he shall condemn the same." Then strike out all down to and including the word "and," in line eleven, and strike out the word "also," in line twelve.

RECESS.

Pending discussion, 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 Jordan in the chair.

Quorum present.

CONSIDERATION OF ASSEMBLY BILL NO 14—(CONTINUED)

The question being on the adoption of the amendment offered by Mr. Carr, it was lost.

Mr. Ellsworth offered the following amendment: Strike out the words "seventy-five," on line nine, section one, and insert the words "twenty-five."

Amendment adopted.

Mr. Taylor offered the following amendment: Amend section one, line four, of printed bill, after the word "board" insert the words "in their discretion."

Lost.

Mr. Lawrence offered the following amendment: Amend by adding, after the word "State," in line one, "excepting in counties of the first class."

Lost.

Mr. Taylor moved that this bill be referred to the Judiciary Committee.

Lost.

Mr. Knox offered the following amendment:

SEC 4 Any animal killed under the provisions of this Act shall be buried by the veterinary surgeon at the expense of the county, *provided*, the expense does not exceed five dollars.

Amendment adopted.

The question being, "Shall this bill be ordered engrossed and to a third reading?" the ayes and noes were demanded by Messrs. Carr, Morgan, and Mann.

The roll was called, and the bill ordered engrossed and to a third reading by the following vote:

AYES—Messrs Adams, Alexander, Atherton, Barton, Bost, Brierly, Britt, Brooks, Brown J B, Brusie, Burnett, Butler, Callaghan, Campbell, Cohen, Colbert, Cooley, Coombs, Cope, Currey of Solano, Davis, Ellsworth, Ewing, Granger, Gruwell, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, Knox, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, McGowan, Mitchell, Morris, O'Grady, Ohleyer, Price, Regan, Rucker, Remson, Searey, Shanahan, Sherburne, Sykes, Variel, Venable, Vincent, Weber, Wilcox, Williams, Wright, and Mr Speaker—57.

NOES—Messrs. Carr, Curry of San Francisco, Morgan, and Taylor—4.

RESOLUTION—(OUT OF ORDER).

By Mr. Mann:

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 his warrant in favor of each member of this Assembly for the sum of twenty-five dollars as his allowance for contingent expenses, less the amount of stationery, stamps, etc, drawn by him, said warrant to be made payable out of the appropriation for contingent expenses of the Assembly

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

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

So ordered.

SECOND READING OF BILLS—(CONTINUED).

Assembly Bill No. 138—An Act to amend sections six and eight 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, so as to create one additional district.

Read second time.

Mr. Gould moved to amend as follows: Amend, by striking out of section six, line five, the words "Santa Barbara," and inserting after "number six," in line six, the words, "and the County of Santa Barbara shall constitute Agricultural District No. 19."

Adopted.

Mr. Gould moved to amend, by striking out all of section eight and inserting instead the following:

The Counties of Nevada and Placer shall constitute Agricultural District No. 17, and the Counties of El Dorado and Amador shall constitute Agricultural District No. 8, the Counties of Alpine, Inyo, and Mono shall constitute Agricultural District No. 18.

Adopted.

Mr. Brooks moved to amend, on line six, by striking out "Ventura" and adding:

SEC. 3 Ventura County shall constitute Agricultural District No 20.

Lost.

Bill ordered engrossed, and to a third reading.

Assembly Bill No. 69—An Act concerning the payment of the expenses and costs of the trial of persons charged with the violation of the laws for the preservation of fish in the navigable waters of this State.

Read second time, ordered engrossed, and to a third reading.

Assembly Bill No. 70—An Act to amend section six hundred and thirty-six of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to the preservation of fish.

Read second time.

Committee amendment as follows adopted: Amend, by striking out of printed bill, on line sixteen, page two, all after the word "imprisonment," down to and including the word "place," on line twenty-four of same page, and inserting in the place thereof, "one third of all moneys collected for fines for violation of the provisions of this chapter above to be paid to informers, and one third to the District Attorney of the county in which the action is prosecuted, and one third shall be paid into the Fish Commissioner Fund."

Mr. Venable moved to amend as follows: Strike out, in amendment, all after the words "place thereof," and insert "the whole amount shall be paid to the Treasurer of the State of California."

Adopted.

Bill ordered engrossed, and to a third reading.

Assembly Bill No. 46—An Act amending section one thousand one hundred and forty-three of the Code of Civil Procedure of the State of California, as amended March 18, 1885, and section one thousand one hundred and eighty-seven of the Code of Civil Procedure of the State of California, as amended March 30, 1874, relating to liens of mechanics and others.

Read second time.

Mr. Variel offered the following amendment. Add:

SEC 2 This Act shall take effect immediately.

Adopted.

Bill ordered engrossed, and to a third reading.

Assembly Bill No. 74—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 the order of persons entitled to administer the estates of deceased persons.

Read second time.

Committee amendments as follows adopted: Amend, by striking out of line fourteen, on page two, the words "Public Administrator," and inserting in lieu thereof the word "creditors."

Also, amend by striking out of line fifteen, page two, the word "creditors," and inserting in lieu thereof the words "Public Administrator."

Also, amend by striking out of line seventeen, page two, the word "seven," and inserting in lieu thereof the word "eight."

Bill ordered engrossed, and to a third reading.

Assembly Bill No. 75—An Act 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 therein."

Read second time.

Committee amendment as follows adopted: Amend by striking out of line four, on page one, the words "the Supreme," and inserting in lieu thereof the words "a Superior."

Bill ordered engrossed, and to a third reading.

Assembly Bill No. 76—An Act entitled an Act to prevent running, capping, and soliciting for attorneys at law in or around Police Courts, Police Judges' Courts, or city prisons in incorporated cities or cities and counties.

Read second time.

Committee amendments as follows adopted: Amend by striking out of the title of the bill all words following the words "attorneys at law in," and substituting in lieu thereof the words "this State."

Also, amend by striking out of lines two and three, in section one, the words "or around any Police Court, or Police Judges' Court, or city prison in any incorporated city or city and county," and substitute in lieu thereof the words "in this State."

Bill ordered engrossed, and to a third reading.

Assembly Bill No. 78—An Act to provide an additional Judge of the Superior Court of the County of San Bernardino.

Read second time.

Committee amendment as follows adopted Amend by striking out of lines one and two, of section three, the words "five thousand dollars per annum," and substituting in lieu thereof the words "the same in amount."

Bill ordered engrossed, and to a third reading.

Assembly Bill No. 34—An Act to provide for certain improvements at the Deaf, Dumb, and Blind Asylum.

On motion of Mr. Venable, this bill was referred to Committee on Ways and Means.

Assembly Bill No. 82—An Act to enfranchise and restore William T. Wheeler to all the privileges of an elector, and to all the political rights of citizenship.

On motion of Mr. Rucker, this bill was passed on file.

Assembly Bill No. 15—An Act to establish a Branch State Normal School.

Read second time.

Mr. Shanahan offered the following amendment: Amend by strik-

ing out "City of Marysville," in section two, line four, and insert "southern line of Tehama County."

Mr. Heath moved to refer this bill to the Committee on Ways and Means.

So ordered.

NOTICE OF RECONSIDERATION.

Mr. Brierly gave notice that on to-morrow he would move to reconsider the vote whereby Assembly Bill No. 138 was ordered to engrossment and a third reading.

Assembly Bill No. 68—An Act to amend section six hundred and ninety of the Code of Civil Procedure, relative to property exempt from execution.

Read second time.

Committee amendment as follows adopted: Amend by adding, after the word "State," in line seventy-two, subdivision fourteen, the words "not exceeding in value the sum of five hundred dollars."

Mr. Hart offered the following amendment: Strike out word "necessary" in line fourteen, page one, and also the words "not to exceed in value one thousand dollars," line fifteen, page one.

Ayes and noes demanded on the adoption of the amendment by Messrs. Hart, Henry of San Joaquin, and Coombs.

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

AYES—Messrs Adams, Bost, Brooks, Brusie, Callaghan, Cohen, Cooley, Coombs, Curry of Solano, Davis, Ewing, Granger, Gruwell, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Mathews of Tehama, McGowan, Morris, Ohleyer, Shanahan, Varnel, and Venable—26

NOES—Messrs. Alexander, Atherton, Brierly, Britt, Brown J B, Burnett, Butler, Carr, Carroll, Colbert, Cope, Curry of San Francisco, Ellsworth, Hyde, Knox, Lawrence, Martin, Mann, Matthews of San Benito, Mitchell, Morgan, O'Grady, Price, Regan, Rucker, Remson, Searey, Sherburne, Sykes, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Joaquin, and Mr Speaker—39

Mr. Heath offered the following amendment, which was adopted: strike out of line fifteen the word "two," where it occurs, and insert the word "four."

Bill ordered engrossed, and to a third reading.

FIRST READING OF BILLS.

Assembly Bill No. 134—An Act to provide for the removal of the mineral cabinet from the State Library.

Read first time, and placed on file for second reading.

Assembly Bill No. 198—An Act to amend section three thousand three hundred and sixty of the Civil Code of the State of California, relating to damages in cases of libel or slander.

Read first time, and placed on file for second reading.

Assembly Bill No. 164—An Act to add a new section to the Penal Code, to be known as section five hundred and thirty-seven, relative to cheats.

Read first time, and placed on file for second reading.

INTRODUCTION OF BILLS—(OUT OF ORDER).

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

By Mr. Davis: Assembly Bill No. 279—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. Cooley: Assembly Bill No. 280—An Act fixing the maximum daily charges for hotel expenses to be paid by the State.

Referred to Committee on Retrenchment.

ASSEMBLY CONSTITUTIONAL AMENDMENT—(OUT OF ORDER).

By Mr. Brooks: Assembly Constitutional Amendment No. 8—Proposed amendment to Article VI of the Constitution, relative to the Judicial Department of the State.

Referred to Committee on Constitutional Amendments.

CONCURRENT RESOLUTION.

Introduced by Mr. Renison, relative to bills enacted into laws by the present Legislature, which affect, or in any way relate to Courts of justice, or judicial officers, or which are amendatory of the Penal Code, or Code of Civil Procedure:

Resolved by the Assembly, the Senate concurring, That one copy of every bill in any way referring to Courts of justice, or judicial officers, or which amend the Penal Code, or Code of Civil Procedure of this State, shall be furnished by the Secretary of State to each Judge of a Superior Court, to each District or Prosecuting Attorney, and to each County Clerk, in this State, immediately upon its becoming a law. The State Printer is hereby directed to deliver to the Secretary of State two hundred and fifty copies of each of said laws for distribution, pursuant to the provisions of this resolution.

Resolution adopted.

ADJOURNMENT.

At four o'clock and forty minutes P. M., on motion of Mr. Young of San Joaquin, the House adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Wednesday, January 26, 1887.

The House met pursuant to adjournment.

Speaker Jordan in the chair.

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

Messrs. Adams, Alexander, Atherton, Bailey, Barry, Barton, Bost, Brierly, Britt, Brooks, Brown W. A., Brown J. B., Brusie, Burnett, Butler, Callaghan, Campbell, Carr, Carroll, Cohen, Colbert, Cooley, Coombs, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Granger, Gruwell, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, Knox, LaBlanc, Lawrence, Mahler, Martin, Mann, Mathews of Tehama, Matthews of San Benito, McClellahan, McDonnell, McGowan, Mitchell, Morgan, Morris, O'Grady, Ohleyer, Price, Regan, Rucker, Renison, Searey, Shanahan, Sherburne, Sims, Smyth, Sykes, Taylor, Variel, Venable, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr. Speaker.

Quorum present.

Prayer by the Rev. Mr. Blake, of the United States Army.

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

So ordered.

Journal approved.

REPORTS OF STANDING COMMITTEES.

ON PUBLIC LANDS.

ASSEMBLY CHAMBER, SACRAMENTO, January 25, 1887

MR SPEAKER Your Committee on Public Lands, to whom was referred Assembly Bill No 175—Entitled an Act to amend section three thousand five hundred and two of the Political Code, relating to school land warrants—have had the same under consideration, and respectfully report the same back with an amendment, and recommend that it do pass, as amended

HYDE, Chairman.

ON ROADS AND HIGHWAYS

ASSEMBLY CHAMBER, SACRAMENTO, January 26, 1887

MR SPEAKER Your Committee on Roads and Highways, to whom was referred Assembly Bill No 39—have had the same under consideration, and respectfully report the same back, with a substitute, and recommend that the substitute do pass

SHERBURNE, Chairman

MEMORIAL.

Mr. Sykes presented a memorial from electors of Nevada County, relating to the county government Act.

Referred to Committee on County and Township Governments.

REPORTS OF STANDING COMMITTEES—(CONTINUED).

ON CLAIMS.

ASSEMBLY CHAMBER, SACRAMENTO, January 26, 1887

MR SPEAKER Your Committee on Claims, to whom was referred Assembly Bill No 28—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—have had the same under consideration, and respectfully report the same back, and recommend that it do pass

Also, Assembly Bill No 111—An Act to appropriate money to pay the claim of W T. Brown or his executors or administrators—and recommend that it do pass

Also, Assembly Bill No 112—An Act to appropriate money to pay the claim of R F. Del Valle—and recommend that it do pass

Also, Assembly Bill No 113—An Act to appropriate money to pay the claim of B F. Langford—and recommend that it do pass

Also, Assembly Bill No 114—An Act to appropriate money to pay the claim of Benj. Knight—and recommend that it do pass

Also, Assembly Bill No 115—An Act to appropriate money to pay the claim of E T Wilkins—and recommend that it do pass

Also, Assembly Bill No. 135—An Act for the remuneration of Elisha O Crosby, for money advanced to and for the State of California—and recommend that it do pass, as amended.

NESTOR A YOUNG, Chairman

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 26, 1887

MR SPEAKER Your Committee on Municipal Corporations, to whom was referred Assembly Bills Nos 208 and 228, would respectfully report That Assembly Bill No 208—An Act to validate proceedings for the reorganization of municipal corporations taken since the passage of the Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883—has been examined, and is reported back, with the recommendation that it pass

Assembly Bill No 228—"An Act releasing to Jesse B Hart and his heirs and assigns certain lands in San Francisco, and authorizing the Governor to make conveyance thereof"—is reported back to the House, with the recommendation that it be referred to the Committee on Claims

KNOX, Chairman.

Assembly Bill No. 228 referred to Committee on Claims.

ON CRIMES AND PENALTIES.

ASSEMBLY CHAMBER, SACRAMENTO, January 25, 1887

MR SPEAKER: Your Committee on Crimes and Penalties, to whom was referred Assembly Bill No 50—An Act to amend section five hundred and thirty-two of an Act entitled an Act to establish a Penal Code, approved February 14, 1872, relating to the crime of obtaining money and property under false pretenses—have had the same under consideration, and respectfully report the same back, and recommend that it do pass

C. F. CURRY, Chairman

ON COUNTY AND TOWNSHIP GOVERNMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, January 26, 1887.

MR SPEAKER: Your Committee on County and Township Governments, to whom was referred Assembly Bill No 77—An Act to amend the Political Code, by adding thereto a section, to be known and numbered as section three thousand three hundred and eighty-two, relating to the powers of Boards of Supervisors to impose license tax, and provide for the collection thereof

Also, Assembly Bill No. 137—An Act to amend an Act entitled "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

Also, Assembly Bill No. 236—An Act to provide for the payment of jurors in criminal causes in Justices' Courts.

Also, Assembly Bill No 237—An Act to amend an Act to establish a uniform system of county and township governments, approved March 14, 1883, amended March 18, 1885, by amending and revising and subdividing into new sections 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.

Also, Assembly Bill No 238—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883, and amended March 18, 1885.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass, except as to Bill 238, concerning which no recommendation is made.

McGOWAN, Chairman

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, January 25, 1887.

MR SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Assembly Joint Resolution No 3—Relative to the construction of a breakwater at Port Harford, in the Bay of San Luis Obispo.

E H HAMILTON, Secretary.
By R B OULLAHAN, Assistant Secretary.

Ordered to enrollment.

INTRODUCTION OF BILLS.

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

By Mr. Mahler: Assembly Bill No. 281—An Act to amend section three hundred and forty-three of the Political Code, relating to the

number and designation of the civil executive officers of the State.

Referred to Committee on Judiciary.

By Mr. Alexander: Assembly Bill No. 282—An Act creating and adding two new sections to the Code of Civil Procedure of the State of California, to be known as sections number three hundred and ninety-one and one thousand and forty, and amending sections three hundred and ninety-four and four hundred and eleven of the same Code, authorizing and regulating actions against the State of California.

Referred to Committee on Judiciary.

By Mr. Price: Assembly Bill No. 283—An Act to appropriate money to pay the fees of John C. Edgar, ex-Sheriff of the County of San Mateo, for delivering certain insane persons at the Insane Asylum at Stockton.

Referred to Committee on Ways and Means.

By Mr. Knox: Assembly Bill No. 284—An Act to amend Chapter III 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. Carroll: Assembly Bill No. 285—An Act to provide for the painting of State buildings located at Sacramento, and to appropriate money therefor.

Referred to Committee on Public Buildings and Grounds.

Also, Assembly Bill No. 286—An Act to provide a remedy in cases where damages have been sustained by the illegal and irregular proceedings of municipal officers, and for the payment of the same.

Referred to Committee on Municipal Corporations.

By Mr. Vincent: Assembly Bill No. 287—An Act to provide for the organization and government of water districts, and to provide for the acquisition, control, and distribution of water for irrigation.

Referred to Committee on Irrigation.

By Mr. Cope: Assembly Bill No. 288—An Act entitled "An Act to amend 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.

Referred to Committee on Agriculture.

By Mr Brooks: Assembly Bill No. 289—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," approved April 16, 1880.

Referred to Committee on Judiciary.

By Mr. C. F. Curry: Assembly Bill No. 290—An Act to amend sections two hundred and forty-five, two hundred and forty-six, two hundred and forty-eight, and two hundred and forty-nine of the Political Code, relating to attachés and employés of the Legislature.

Referred to Committee on Attachés and Employés.

GENERAL FILE—THIRD READING OF BILLS.

Assembly Bill No. 5—An Act to amend sections one thousand four hundred and sixty-nine, one thousand four hundred and ninety, and one thousand five hundred and eleven of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to settlement of the estates of deceased persons.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Alexander, Atherton, Bailey, Barton, Bost, Brierly, Britt, Brooks, Brown J B, Burnett, Butler, Campbell, Carr, Carroll, Cohen, Colbert, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Gruwell, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, Knox, LaBlanc, Lawrence, Mahler, Martin, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Mitchell, Morgan, O'Grady, Ohleyer, Regan, Rucker, Remson, Shanahan, Sherburne, Sims, Sykes, Taylor, Variel, Venable, Vincent, Weber, Wilcox, Williams, Wright, Young of San Diego, and Young of San Joaquin—66.
NOES—None.

Title read and approved.

Assembly Bill No. 36—An Act to amend section eight hundred and ninety-two of an Act entitled "An Act to establish a Code of Civil Procedure," adopted March 11, 1872, relative to the time for entering judgment in Justices' Courts.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Alexander, Atherton, Bailey, Barton, Bost, Brierly, Brooks, Brown W A., Burnett, Butler, Callaghan, Campbell, Carr, Carroll, Cohen, Colbert, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Ellsworth, Ewing, Gruwell, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, Knox, LaBlanc, Lawrence, Mahler, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Mitchell, Morgan, Morris, O'Grady, Ohleyer, Price, Rucker, Remson, Shanahan, Sherburne, Sims, Sykes, Taylor, Variel, Venable, Vincent, Weber, Winrow, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr Speaker—65
NOES—None

Title read and approved.

Assembly Bill No. 37—An Act to amend section one hundred and sixty of an Act entitled "An Act to establish a Code of Civil Procedure," adopted March 11, 1872, relating to the holding of Superior Courts by Superior Judges of other counties, and providing for their actual expenses.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Alexander, Atherton, Bailey, Barton, Bost, Brierly, Brooks, Brown J B., Burnett, Butler, Callaghan, Campbell, Carr, Carroll, Cohen, Colbert, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Gruwell, Handy, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, Knox, LaBlanc, Lawrence, Mahler, Martin, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Mitchell, Morgan, Morris, O'Grady, Ohleyer, Price, Rucker, Remson, Searey, Shanahan, Sherburne, Sims, Sykes, Taylor, Toner, Variel, Venable, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr Speaker—69.
NOES—None.

Title read and approved.

Assembly Bill No. 49—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, relating to chattel mortgages.

Read third time, and passed by the following vote:

AYES—Messrs Adams, Alexander, Atherton, Bailey, Barton, Bost, Brierly, Britt, Brooks Brown W A., Brown J. B, Burnett, Butler, Callaghan, Campbell, Carr, Carroll, Cohen Colbert, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Granger, Gruwell, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, Knox, LaBlanc, Lawrence, Mahler, Martin, Matthews of San Benito, McClenahan, McDonnell, McGowan, Mitchell, Morgan, Morris, O'Grady, Ohleyer, Price, Regan, Rucker, Remson, Searey, Shanahan, Sherburne, Sims, Sykes, Taylor, Variel, Venable, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr Speaker—70
NOES—None

Title read and approved.

Assembly Bill No. 31—An Act to add a clause to section one thousand three hundred of the Code of Civil Procedure, relative to wills executed by married women.

Read third time, and passed by the following vote:

AYES—Messrs Adams, Alexander, Atherton, Bailey, Barton, Bost, Brierly, Britt, Brooks, Brown W A., Brown J B, Burnett, Butler, Callaghan, Campbell, Carr, Carroll, Cohen, Colbert, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Granger, Gruwell, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, Knox, LaBlanc, Mahler, Martin, Matthews of San Benito, McClenahan, McDonnell, McGowan, Mitchell, Morgan, Morris, O'Grady, Ohleyer, Price, Regan, Rucker, Remson, Searey, Shanahan, Sherburne, Sims, Sykes, Taylor, Variel, Venable, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr. Speaker—70.

NOES—None

Title read and approved.

Assembly Bill No. 47—An Act to amend section one thousand two hundred and forty-one of the Civil Code of the State of California, as amended April 6, 1880, relating to the subjection of homesteads to execution.

Read third time, and passed by the following vote:

AYES—Messrs Alexander, Atherton, Bailey, Barton, Bost, Brierly, Britt, Brooks, Brown W. A, Brown J B, Burnett, Butler, Callaghan, Campbell, Carr, Carroll, Cohen, Colbert, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Granger, Gruwell, Handy, Hart, Heath, Henry of San Joaquin, Hotchkiss, Hyde, Knox, LaBlanc, Mahler, Martin, Matthews of San Benito, McClenahan, McDonnell, McGowan, Mitchell, Morgan, Morris, O'Grady, Ohlever, Price, Regan, Rucker, Remson, Searey, Shanahan, Sherburne, Sims, Sykes, Taylor, Variel, Venable, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr. Speaker—68

NOES—None

Title read and approved.

Assembly Bill No. 51—An Act to amend section one thousand one hundred and eighty-one of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to the taking of acknowledgments.

Read third time, and passed by the following vote:

AYES—Messrs Alexander, Atherton, Bailey, Bost, Brierly, Britt, Brooks, Brown W A, Brown J. B, Burnett, Butler, Callaghan, Campbell, Carr, Carroll, Cohen, Colbert, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Granger, Gruwell, Handy, Hart, Heath, Henry of San Joaquin, Hotchkiss, Hyde, Knox, LaBlanc, Lawrence, Mahler, Martin, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Mitchell, Morgan, Morris, O'Grady, Ohleyer, Price, Regan, Rucker, Remson, Searey, Shanahan, Sherburne, Sims, Sykes, Taylor, Toner, Variel, Venable, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr Speaker—70

NOES—None

Title read and approved.

Assembly Bill No. 125—An Act to amend sections fifty-five and sixty-eight of the Civil Code, and to repeal sections fifty-seven, seventy-five, and seventy-seven of said Code, relating to marriage.

Read third time, and passed by the following vote:

AYES—Messrs Adams, Alexander, Atherton, Bailey, Barton, Bost, Brierly, Britt, Brooks, Brown W A, Brown J B, Burnett, Butler, Callaghan, Campbell, Carr, Carroll, Cohen, Colbert, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Gruwell, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, Knox, LaBlanc, Lawrence, Mahler, Martin, Mann, Mathews of Tehama,

Matthews of San Benito, McClenahan, McDonnell, McGowan, Mitchell, Morgan, Morris, O'Grady, Ohleyer, Price, Regan, Rucker, Renison, Searey, Shanahan, Sherburne, Sims, Sykes, Taylor, Toner, Variel, Venable, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr Speaker—72

NOES—None.

Title read and approved.

Assembly Bill No. 79—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.

Read third time, and passed by the following vote:

AYES—Messrs Adams, Atherton, Bailey, Barton, Bost, Brierly, Britt, Brooks, Brown W A, Brown J B, Burnett, Butler, Callaghan, Campbell, Carr, Carroll, Cohen, Colbert, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Granger, Gruwell, Handy, Hart, Henry of Butte, Henry of San Joaquin, Hyde, Knox, LaBlanc, Lawrence, Mahler, Martin, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Mitchell, Morgan, Morris, O'Grady, Ohleyer, Price, Regan, Rucker, Renison, Searey, Shanahan, Sherburne, Sims, Sykes, Taylor, Toner, Variel, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr. Speaker—68.

NOES—Mr Venable—1

Title read and approved.

Assembly Bill No. 54—An Act entitled an Act to prevent persons from unlawfully using or wearing the badge of the Grand Army of the Republic of this State.

Read third time, and passed by the following vote:

AYES—Messrs Adams, Atherton, Barton, Bost, Brierly, Britt, Brooks, Brown J B, Burnett, Butler, Callaghan, Campbell, Carr, Carroll, Cohen, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gruwell, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hyde, Knox, La Blanc, Lawrence, Mahler, Martin, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Mitchell, Morgan, Morris, O'Grady, Ohleyer, Price, Regan, Rucker, Renison, Searey, Shanahan, Sherburne, Sims, Sykes, Taylor, Toner, Variel, Venable, Vincent, Weber, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr. Speaker—68.

NOES—None.

Title read and approved.

Assembly Bill No. 119—An Act to amend section five hundred and fourteen of an Act entitled an Act to establish a Political Code, approved March 12, 1872, relating to the salary of the deputy for the Superintendent of Public Instruction, and equalizing the same with the salaries paid the deputies for other State officers.

Read third time.

Mr. Lawrence moved to strike out the enacting clause.

Lost.

Mr. Knox moved that the bill be referred to the Committee on Judiciary, with special instructions to inquire into the constitutionality of the bill.

Lost.

RECESS.

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

REASSEMBLED.

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

Speaker Jordan in the chair.

Quorum present.

MOTION.

Mr. Carroll moved that the consideration of the special order for two o'clock P. M. be postponed for one half hour.

So ordered.

The question then being on the passage of Assembly Bill No. 119, the roll was called, and the bill lost by the following vote:

AYES—Messrs Atherton, Bost, Britt, Brown W. A, Brusie, Butler, Callaghan, Cohen, Cooley, Coombs, Cope, Curry of San Francisco, Ewing, Hart, Hyde, Knox, LaBlanc, Mahler, Mann, Mathews of Tehama, McDonnell, McGowan, Morgan, Morris, Sims, Sykes, Taylor, Toner, Windrow, Wright, Young of San Diego, and Mr Speaker—32

NOES—Messrs Adams, Bailey, Barry, Barton, Brierly, Brooks, Brown J B, Campbell, Carr, Carroll, Colbert, Currey of Solano, Davis, Ellsworth, Gruwell, Heath, Henry of San Joaquin, Hotchkiss, Lawrence, Martin, Matthews of San Benito, McClenahan, Mitchell, O'Grady, Ohleyer, Price, Rucker, Renison, Shanahan, Sherburne, Variel, Venable, Vincent, Wilcox, Williams, and Young of San Joaquin—36.

NOTICE OF RECONSIDERATION.

Mr. Brierly gave notice that on to-morrow he would move to reconsider the vote whereby Assembly Bill No. 119 was lost.

RESOLUTION—(OUT OF ORDER).

By Mr. Carroll, Chairman of the Committee on Public Buildings and Grounds:

Resolved, That the Committee on Public Buildings and Grounds be granted leave of absence from Saturday, January twenty-ninth, to Wednesday, February second, at eleven o'clock A M, for the purpose of visiting the Branch State Normal School at Los Angeles, and that the committee be allowed mileage, including their clerk, nine hundred and fifty-six miles.

Adopted.

By Mr. Brierly, Chairman of the Committee on Education:

Resolved, That the Committee on Education be granted leave of absence from Saturday, January twenty-ninth, to Wednesday, February second, at eleven o'clock A M, for the purpose of visiting the Branch State Normal School at Los Angeles, and that the committee be allowed mileage, including their clerk, nine hundred and fifty-six miles.

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

Lost.

Ayes and noes demanded on the adoption of the resolution, by Messrs. Lawrence, Colbert, and Matthews of San Benito.

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

AYES—Messrs Atherton, Barry, Brierly, Britt, Brooks, Brown W A, Brown J. B, Brusie, Burnett, Butler, Callaghan, Campbell, Carroll, Cohen, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Handy, Hart, Henry of San Joaquin, Hotchkiss, Hyde, Knox, LaBlanc, Martin, Mathews of Tehama, McDonnell, McGowan, Morgan, Morris, O'Grady, Price, Rucker, Searey, Sims, Taylor, Toner, Variel, Vincent, Weber, Wilcox, Williams, Young of San Diego, and Mr Speaker—49.

NOES—Messrs Adams, Barton, Bost, Carr, Colbert, Granger, Gruwell, Heath, Lawrence, Mahler, Mann, Matthews of San Benito, McClenahan, Mitchell, Ohleyer, Renison, Shanahan, Sherburne, Sykes, Venable, Windrow, Wright, and Young of San Joaquin—23.

LEAVE OF ABSENCE.

Mr. Alexander was granted leave of absence until three o'clock and thirty minutes P. M. to-day.

REPORTS OF STANDING COMMITTEES.

ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, January 26, 1887

MR. SPEAKER Your Committee on Enrollment beg leave to report that the following Assembly Joint Resolution has been correctly enrolled

Assembly Joint Resolution No 3—Joint Resolution, relative to the construction of a breakwater at Port Harford, in the Bay of San Luis Obispo

And was this day, at two o'clock and five minutes P. M., presented to the Governor.

JAS B BROWN, Chairman

GENERAL FILE RESUMED—SECOND READING OF BILL.

Assembly Bill No. 147—An Act to amend section three thousand five hundred and seventy-one of the Political Code, relating to certificates of repayment by the Register of the State Land Office.

On motion of Mr. Bost, this bill was referred to Committee on Judiciary.

CONSIDERATION OF SPECIAL ORDER.

The time for consideration of special order having arrived, Assembly Bill No. 146—An Act to prevent injuries to navigable streams—was taken up.

Mr. Shanahan moved to strike out the enacting clause.

ADJOURNMENT.

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

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Thursday, January 27, 1887.

The House met pursuant to adjournment.

Speaker Jordan in the chair.

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

Messrs Adams, Alexander, Atherton, Bailey, Barry, Barton, Bost, Brierly, Britt, Brooks, Brown W A, Brown J B, Brusie, Burnett, Butler, Callaghan, Campbell, Carr, Carroll, Cohen, Colbert, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Gruwell, Handy, Hart, Heath, Henry of San Joaquin, Hotchkiss, Hyde, Knox, LaBlanc, Lewis, Mahler, Martin, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Mitchell, Morgan, Morris, O'Grady, Ohleyer, Price, Regan, Rucker, Rennson, Searey, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Toner, Variel, Venable, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr Speaker.

Quorum present.

Prayer by the Chaplain, Rev. E. R. Dille.

Pending the reading of the Journal of yesterday, Mr. Young of San Diego moved to dispense with further reading.

So ordered.
Journal approved.

LEAVE OF ABSENCE.

Mr. Henry of Butte was granted one day's leave of absence.

PETITIONS.

Mr. Mathews of Tehama presented a petition from citizens of Tehama County, being land owners in Colusa County, requesting that the division of the latter county be opposed.
Referred to Committee on Counties and County Boundaries.

REPORTS OF STANDING COMMITTEES.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, January 26, 1887.

MR. SPEAKER Your Committee on Ways and Means, to whom was referred Assembly Bill No 18—Entitled "An Act to amend 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, with amendments, and recommend that it do pass, as amended

Also, Assembly Bill No 15—Entitled "An Act to establish a Branch State Normal School"—have had the same under consideration, and respectfully report the same back, with amendment, and recommend that it do pass, as amended.

TAYLOR, Chairman.

ON FEDERAL RELATIONS.

MR SPEAKER Your Committee on Federal Relations, to whom was referred Assembly Joint Resolution No. 5—Relative to the improvement of the bar at the mouth of Eel River—have had the same under consideration, and recommend that it be adopted

Also, Resolution No 1—Relative to the forfeiture of railroad grants in certain counties—and recommend its adoption

Also, Resolution No. 7—Relative to the matter of securing an appropriation for the purpose of improving Humboldt Bar—have had the same under consideration, and recommend its adoption.

BRUSIE, Chairman

ON YOSEMITE VALLEY AND MARIPOSA GROVE OF BIG TREES AND FORESTRY.

ASSEMBLY CHAMBER, SACRAMENTO, January 27, 1887.

MR SPEAKER Your Committee on Yosemite Valley and Mariposa Grove of Big Trees and Forestry, to whom was referred Assembly Joint Resolution No 8—Relative to land laws applying to timber lands—have had the same under consideration, report the same back to the House, and recommend its passage

Also, Assembly Joint Resolution No 4—Relative to land laws applying to timber lands—report the same back to the House, and recommend that it do not pass, being covered by the former resolution

Also, Assembly Bill No 169—An Act to enlarge the powers of the State Board of Forestry, and to provide for the expenses of said Board—and amended the same, and, as amended, recommend its reference to the Committee on Ways and Means

HEATH, Chairman.

Report adopted as to reference of Assembly Bill No. 169 to Committee on Ways and Means.

ON INTERNAL IMPROVEMENTS

ASSEMBLY CHAMBER, SACRAMENTO, January 27, 1887

MR SPEAKER Your Committee on Internal Improvements, to whom was referred Assembly Bill No. 211—An Act to repeal an Act entitled "An Act to declare the Klamath River navigable"—have had the same under consideration, and respectfully report the same back, and recommend that it do pass

Also, Assembly Bill No 227—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 two thousand six hundred and ninety-six, relating to proceedings for procuring

land for the purpose of raising the banks of streams in order to more effectually protect public roads and highways

Also, Assembly Joint Resolution No. 6—Relative to securing an appropriation for coast defenses

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

W. A. BROWN, Chairman

ON VINICULTURE AND VITICULTURE

MR SPEAKER Your Committee on Viniculture and Viticulture, to whom was referred Assembly Bill No 254—An Act to prevent the sophistication and adulteration of wine—have had the same under consideration, and report it back, with recommendation that it do pass.

COOMBS, Chairman

ON ATTACHÉS AND EMPLOYÉS.

ASSEMBLY CHAMBER, SACRAMENTO, January 26, 1887

MR SPEAKER Your Committee on Attachés and Employés, to whom was referred Assembly Bill No 216—Relating to the pay of the attachés of the Senate and Assembly—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 26, 1887.

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

Resolved, That the per diem of Mrs Weaver, as Assistant Postmistress, be and the same is hereby fixed at seven dollars per diem, payable out of the appropriation for the contingent expenses of the Assembly, said per diem to commence from the date of her appointment; and,

Resolved, That the name of Thomas Kelly be and it is hereby ordered to be placed upon the pay roll of the Assembly, at the per diem of a Messenger, viz four dollars, said Kelly having been transferred to perform the duties of such Messenger by the Sergeant-at-Arms

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

C. F. CURRY, Chairman

Mr. Matthews of San Benito moved to amend, by fixing the amount to be paid the Assistant Postmistress at five dollars, instead of seven dollars.

Mr. Wright moved, as an amendment to the amendment, that the amount be fixed at three dollars, instead of five dollars.

Mr. Matthews of San Benito withdrew his amendment.

Amendment of Mr. Wright lost.

The question being on the adoption of the report of the Committee on Attachés and Employés, the ayes and noes were demanded by Messrs. Matthews of San Benito, Morgan, and Brooks.

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

AYES—Messrs Alexander, Bailey, Barry, Barton, Bost, Brierly, Britt, Brown W A, Brown J. B, Brusie, Burnett, Butler, Campbell, Carr, Carroll, Colbert, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ewing, Gould, Hart, Heath, Henry of San Joaquin, Hotchkiss, Hyde, Knox LaBlanc, Martin, Mann, Mathews of Tehama, McDonnell, McGowan, Mitchell, Morris, Price, Regan, Rucker, Remson, Searey, Shanahan, Sims, Spurgeon, Sykes, Taylor, Variel, Vincent, Weber, Windrow, Wilcox, Williams, Young of San Diego, and Mr Speaker—57

NOES—Messrs Adams, Atherton, Brooks, Ellsworth, Granger, Gruwell, Handy, Mahler, Matthews of San Benito, McClenahan, Morgan, O'Grady, Ohleyer, Sherburne, Smyth, Venable, Wright, and Young of San Joaquin—18

ON CONSTITUTIONAL AMENDMENTS—(MAJORITY REPORT).

SENATE CHAMBER, SACRAMENTO, January 27, 1887.

MR. SPEAKER: Your Committee on Constitutional Amendments, to whom was referred Assembly Constitutional Amendment No 1—To propose an amendment to section one, of Article XIII, of the Constitution, relating to revenue and taxation—have had the same

under consideration, and respectfully report the same back, and recommend that it do not pass

Also, Assembly Constitutional Amendment No 5—Proposing an amendment to Article IV of the Constitution, relative to the passage of special laws—have had the same under consideration, amended it, and respectfully report the same back, and recommend that it do pass, as amended.

ELLSWORTH, Chairman.

MINORITY REPORT.

ASSEMBLY CHAMBER, SACRAMENTO, January —, 1887.

MR SPEAKER. The undersigned, being a minority of the Committee on Constitutional Amendments, to whom was referred an Act proposing an amendment to section one, of Article XIII, of the Constitution of the State of California, relating to exempting from taxation, under the laws of this State, growing vines and fruit trees, most respectfully beg leave to dissent from the majority report of said committee The resources of our land is drained to its fullest capacity in support of State, county, and city governments Nearly every enterprise in this State depends ultimately upon the productiveness of our land for its support and prosperity The profits of the farmer goes out to enrich and sustain people engaged in all the other industries of life. A failure in the crops of the farmer produces stagnation in the business of the country, and its prosperity or inertion depends upon the productiveness of the earth With proper encouragement every fertile spot of land in this State will be set to vines or trees that is not already utilized with that particular improvement appropriate to its locality If the farmer is obliged to plant his vines and trees, and pass through years of experiment, labor, and expenditure, without profit, but with an increased taxation upon their experiments, labors, and expenditure, nothing would be more calculated to stifle in its infancy those industries upon which the wealth of this State is destined to be based The laws and rules of taxation are founded upon policy, and not upon logic Upon the principle of logic there is no reason why any property should escape taxation The oak tree which furnishes acorns is a valuable assistance in some parts of this State, at least it represents value in firewood The natural grasses that spring from the ground, the alfalfa, and other grasses that are planted, are not taxed and should not be. but if we argued from such principles of logic, the rules and system of taxation would necessarily include these articles The fruits of the soil while growing should be considered in taxation only in so far as they illustrate the value and capacity of the land There is as much policy in exempting a certain class of articles from taxation as there is in appropriating from State funds money to encourage and protect these articles The question then is not "do trees and vines represent value," but whether it is the policy of the State to protect and encourage the man who seeks the hills and mountains to perform his labor, expend his capital, and spends his life in enriching the coffers of the State in building up its wealth, and in beautifying its domains. Whether the men who exhaust all their wealth in experiments, and until its success is assured, profitless, and which is attended with more than ordinary hardships, should need encouragement, is a question we candidly submit to the consideration of this House, and most earnestly recommend the submission of the policy contained in said proposed amendment to the people of the State of California.

F L COOMBS
RUSSEL HEATH.
JOHN W. BOST

ON MILEAGE

ASSEMBLY CHAMBER, SACRAMENTO, January 27, 1887

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 Napa—have had the same under consideration, and recommend that the following named members be allowed mileage for one hundred and twenty-two miles: Messrs Carroll, Curry, Davis, Campbell, Martin, Rucker, Henry, and Clerk Jackson

Resolved, That the Controller be and is hereby authorized to draw his warrant for the sum of one hundred and ninety-seven dollars and sixty cents, in favor of H W. Carroll, to pay above mileage, payable out of the appropriation for the contingent expenses of the Assembly

Also, the report of the Committee on State Hospitals and Asylums, on the occasion of their visit to State Insane Asylum at Stockton, Protestant and Hebrew Orphan Asylums, San Francisco, and State Insane Asylum at Napa—have had the same under consideration, and recommend that the following named members be allowed mileage for two hundred and forty-five miles Messrs Butler, Brierly, Weber, McDonnell, Jr, Young, Cope, W P. Matthews, and Clerk Belden

Resolved, That the Controller be and is hereby authorized to draw his warrant for the sum of one hundred and ninety-six dollars, in favor of A B Butler, for above mileage, payable out of the appropriation for the contingent expenses of the Assembly

WEBER, Chairman.

Report received, and resolution adopted.

ON STATE HOSPITALS.

ASSEMBLY CHAMBER, SACRAMENTO, January 27, 1887

MR SPEAKER Your Committee on State Hospitals and Asylums, to whom was referred Assembly Bill No 197—An Act to authorize and empower the Board of Trustees of the Napa State Asylum for the Insane to sell and convey a portion of real property, situate in Napa County, in the State of California, and belonging to said State, to Napa County, for the purpose of a public highway, and to sell and convey a certain other portion of said tract to an individual or individuals—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

BUTLER, Chairman

ON MUNICIPAL CORPORATIONS

ASSEMBLY CHAMBER, SACRAMENTO, January 27, 1887

MR SPEAKER: Your Committee on Municipal Corporations, to whom was referred Assembly Bills No 2 and No. 213, would report that Assembly Bill No. 213—"An Act to authorize the Common Councils and Boards of Supervisors of the several cities, counties, and cities and counties in this State, to levy taxes for the maintenance of public parks having an area of over ten acres each within their respective limits"—was duly considered and amended, and respectfully report the same back, with the recommendation that it do pass, as amended

Assembly Bill No 2, now in the hands of the committee for consideration, the time having elapsed, would ask that an extension of time for further consideration be granted

KNOX, Chairman.

Request for further time for the consideration of Assembly Bill No. 2 granted.

ON IRRIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, January 27, 1887

MR SPEAKER Your Committee on Irrigation, to whom was referred Assembly Constitutional Amendment No 2—To propose to the people of the State of California an amendment to the Constitution of the State, relative to irrigation—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, as amended, but that inasmuch as it is a proposition to amend the Constitution, we recommend that it be referred to the Committee on Constitutional Amendments.

VINCENT, Chairman

Assembly Constitutional Amendment No. 2 rereferred to Committee on Constitutional Amendments, as recommended.

MOTION.

Mr. McGowan moved to suspend the rules and take up, from the report of the Committee on Federal Relations, that part of the report relating to Assembly Joint Resolution No. 7, relative to the matter of securing an appropriation for the purpose of improving Humboldt Bar.

Rules suspended, and resolution adopted.

INTRODUCTION OF BILLS.

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

By Mr. Young of San Joaquin: Assembly Bill No 291—An Act to amend section one thousand and thirty-two of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to different classes of officers.

Referred to Committee on County and Township Government.

Also, Assembly Bill No. 292—An Act to amend section nine hundred and seventy-five of an Act entitled "An Act to establish a Code

of Civil Procedure," approved March 11, 1872, relating to appeals in civil actions.

Referred to Committee on Judiciary.

Also, Assembly Bill No. 293—An Act to amend section one thousand two hundred and sixty-five of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to homesteads.

Referred to Committee on Homesteads and Land Monopoly.

By Mr. Atherton: Assembly Bill No. 294—An Act to amend section three thousand seven hundred and sixty-six of the Political Code of the State of California, relating to the publication of the delinquent tax list.

Referred to Committee on Judiciary.

By Mr. LaBlanc: Assembly Bill No. 295—An Act to provide for the payment to Miss Aurelia Pfeiffer for water taken and appropriated from her land by the State University at Berkeley.

Referred to Committee on Claims.

By Mr. Britt. Assembly Bill No. 296—An Act to create and maintain a relief and pension fund in the Police Department of all cities in this State having a police force of ten or more members, and to provide for the administration of such fund.

Referred to Committee on Municipal Corporations.

By Mr. Rucker: Assembly Bill No. 297—An Act to amend section three thousand and forty-nine of an Act entitled "An Act to establish a Civil Code," approved March 29, 1878, relating to liens on personal property.

Referred to Committee on Judiciary.

Also, Assembly Bill No. 298—An Act to amend section two hundred and sixty-eight of the Political Code, approved March 31, 1876, relating to compensation of members, officers, and employés of the Legislature.

Referred to Committee on Attachés and Employés.

By Mr. Windrow: Assembly Bill No. 299—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, relating to poll taxes.

Referred to Committee on Public Expenditures and Accounts.

By Mr. Cooley: Assembly Bill No. 300—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.

Also, Assembly Bill No. 301—An Act to add a new chapter to the Civil Code of the State of California, to be known as Chapter VIII, of Title XIV, of Part IV, of Division III, 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.

Referred to Committee on Judiciary.

By Mr. Mathews of Tehama: Assembly Bill No. 302—An Act to amend sections three thousand and seventy-seven, three thousand and seventy-eight, three thousand and eighty, and three thousand and eighty-two of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relative to the register of births, deaths, and marriages.

Referred to Committee on State Hospitals.

Also, Assembly Bill No. 303—An Act to amend section three hundred and seventy-eight of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to the preservation of the public health and safety, and registration of births, deaths, and marriages.

Referred to Committee on State Hospitals.

Also, Assembly Bill No. 304—An Act to amend section three thousand and sixty-two of, and to add a new section to, an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to Boards of Health.

Referred to Committee on State Hospitals.

Also, Assembly Bill No. 305—An Act to amend section three thousand and eighty-four of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relative to the interment or cremation of human bodies.

Referred to Committee on State Hospitals.

Also, Assembly Bill No. 306—An Act to amend section three hundred and seventy-seven of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to the disposal of human bodies and preservation of the public health.

Referred to Committee on State Hospitals.

By Mr. Spurgeon: Assembly Bill No. 307—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 the appointment of Notaries Public.

Referred to Committee on Judiciary.

By Mr. Hart: Assembly Bill No. 308—An Act entitled an Act to amend an Act entitled an Act to establish a Code of Civil Procedure, by amending section one thousand two hundred and eighteen thereof, relating to and concerning contempt of Court and the punishment thereof.

Referred to Committee on Judiciary.

By Mr. Brooks: Assembly Bill No. 309—An Act to amend section three thousand three hundred and thirty-nine of the Civil Code of the State of California, in reference to damages for seduction.

Referred to Committee on Public Morals.

Also, Assembly Bill No. 310—An Act to confine the power to impose license taxes in incorporated cities and towns, other than consolidated cities and counties, to the corporate authorities of such cities and towns.

Referred to Committee on Municipal Corporations.

By Mr. Atherton: Assembly Bill No. 311—An Act to amend sections five, six, eight, nine, eleven, seventeen, eighteen, twenty-three, and twenty-six of an Act entitled "An Act to define, regulate, and govern the State Prisons of California," approved April 15, 1880.

Referred to Committee on State Prisons.

By Mr. Brusie: Assembly Bill No. 312—An Act authorizing cities, counties, cities and counties, or incorporated towns in the State of

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

Referred to Committee on Education.

By Mr. Venable: Assembly Bill No. 313—An Act to authorize the Controller to draw his warrant in favor of the Treasurer for the sum of fifty-three thousand seven hundred and fifty-two dollars and seventy-five cents, and requiring the Treasurer, in the presence of the State Board of Examiners, to destroy receipts for that amount, in his possession, given to various County Treasurers by W. A. January, late State Treasurer, for moneys left with him by them.

Referred to Committee on Judiciary.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, January 25, 1887.

MR SPEAKER: I am directed to inform your honorable body that the Senate, on this day, adopted the following.

Resolved by the Assembly, the Senate concurring, That one copy of every bill in any way referring to Courts of justice, or judicial officers, or which amend the Penal Code, or Code of Civil Procedure of this State, shall be furnished by the Secretary of State to each Judge of a Superior Court, to each District or Prosecuting Attorney, and to each County Clerk, in this State, immediately upon its becoming a law The State Printer is hereby directed to deliver to the Secretary of State two hundred and fifty copies of each of said laws for distribution, pursuant to the provisions of this resolution.

Also, adopted Senate Concurrent Resolution

Resolved by the Assembly, the Senate concurring, That the Secretary of State be and he is hereby required to distribute to each Senator and member of the Assembly one copy of the first volume of the final report of the State Engineer on Irrigation, and entitled "Irrigation Development"

Referred to Committee on Retrenchment.

Also, January 26, passed Senate Bill No 10—An Act to amend section six hundred and ninety of the Code of Civil Procedure, exempting fishing boats and nets from execution

Referred to Committee on Fish and Game.

Also, adopted Senate Joint Resolution No. 1—Relative to the protection of the Atlantic and Pacific sea coast from foreign invasion.

Referred to Committee on Federal Relations.

Also, Senate Concurrent Resolution No 4—Relative to the reduction of duty on raisins.

E. H. HAMILTON, Secretary.

Referred to Committee on Federal Relations.

GENERAL FILE—FIRST READING OF BILLS.

Assembly Bill No. 29—An Act to amend sections two thousand six hundred and forty-one, two thousand six hundred and forty-two, and two thousand six hundred and forty-four of an Act entitled an Act to establish a Political Code, approved March 12, 1872, relating to the powers and duties of highway officers, to the appointment of, and oath, and bond of Roadmasters or Road Overseers.

Read first time, and placed on file for second reading.

Assembly Bill No. 11—An Act to amend sections two thousand six hundred and forty-two and two thousand six hundred and forty-four of the Political Code, relating to roads and highways.

On motion of Mr. McDonnell, Assembly Bill No. 11 was withdrawn, by consent of the House.

Assembly Bill No. 33—An Act to amend sections two thousand six hundred and forty-one, two thousand six hundred and forty-two, two thousand six hundred and forty-four, two thousand six hundred and forty-five, two thousand six hundred and fifty-one, two thousand six hundred and fifty-two, of Chapter II, Title VI, Part III, of the Political Code, approved February 28, 1883, relating to roads and highways.

Withdrawn, at request of Mr. Sherburne, by consent of the House.

Assembly Bill No. 43—An Act to amend section four hundred and eleven of an Act entitled an Act to establish a Code of Civil Procedure, approved March 11, 1872, relating to the manner of commencing civil actions, and the service of summons therein.

Read first time, and placed on file for second reading.

Assembly Bill No. 174—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved —— ——, and to amend section one hundred and seventy of said Act, relating to the disqualification of Judges

Withdrawn, at request of Mr. Brooks, by consent of the House.

Assembly Bill No. 176—An Act to amend section three hundred and sixty-eight of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to assignments of things in action.

First reading refused.

Assembly Bill No. 178—An Act to amend section five hundred and fifty-three of the Code of Civil Procedure, relative to attachments.

Read first time, and placed on file for second reading.

Assembly Bill No. 181—An Act to amend section four hundred and eight of the Code of Civil Procedure of the State of California, relating to the issuing of alias summons.

Read first time, and placed on file for second reading.

Assembly Bill No. 158—An Act to amend section seven of the insolvent Act of 1880.

Read first time, and placed on file for second reading.

Assembly Bill No. 177—An Act to amend section number nine hundred and seventy-eight of the Code of Civil Procedure, relative to attachments.

Read first time, and placed on file for second reading.

Assembly Bill No. 193—An Act to amend section three thousand four hundred and forty-nine of the Civil Code of the State of California, approved March 21, 1872, relating to assignments for the benefit of creditors.

Ordered read.

RECESS.

Pending the reading of this bill, at twelve o'clock and thirty minutes P. M. the Speaker declared the usual recess until two o'clock P. M.

REASSEMBLED.

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

Speaker Jordan in the chair.

Quorum present.

MOTION.

Mr. Brierly moved that the notice given by him, yesterday, to reconsider the vote whereby Assembly Bill No. 119 was lost, be made the special order for Thursday next, immediately after the reading of the Journal.

So ordered.

Mr. Mathews of Tehama moved that the rules be suspended, and that Assembly Bill No. 146—An Act to prevent injuries to navigable streams—on the General File, under the head of unfinished business, be taken up out of order.

Ayes and noes demanded by Messrs. Sykes, Sims, and Coombs.

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

AYES—Messrs. Adams, Alexander, Atherton, Bailey, Barry, Barton, Bost, Brierly, Britt, Brooks, Brown W. A., Brown J. B., Brusie, Carl, Carroll, Colbert, Cooley, Coombs, Cope, Curtis of Solano, Ellsworth, Gould, Granger, Handy, Hart, Heath, Henry of San Joaquin, Hotchkiss, Hyde, Knox, LaBlanc, Mahler, Martin, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Mitchell, Morgan, Morris, O'Grady, Ohleyer, Regan, Rucker, Rennson, Shanahan, Sherburne, Spurgeon, Taylor, Toner, Venable, Vincent, Weber, Windrow, Wilcox, Wilhams, Young of San Diego, Young of San Joaquin, and Mr Speaker—60

NOES—Messrs. Campbell, Curry of San Francisco, Davis, Lewis, Price, Sims, Smyth, Sykes, and Variel—9

UNFINISHED BUSINESS.

The question being on the motion of Mr. Shanahan to strike out the enacting clause of Assembly Bill No. 146—An Act to prevent injury to navigable streams—Mr. Sims moved to make this bill the special order for Thursday next, at two o'clock P. M.

So ordered.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT

ASSEMBLY CHAMBER, SACRAMENTO, January 27, 1887.

MR SPEAKER Your Committee on Engrossment beg leave to report that the following Assembly Bills have been correctly engrossed.

Assembly Bill No. 74—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 the order of persons entitled to administer the estates of deceased persons

Assembly Bill No. 88—An Act to amend section one thousand one hundred and twenty-seven of the Political Code of the State of California, relating to the establishing of election precincts

Assembly Bill No 162—An Act to amend sections one thousand two hundred and ninety-two, one thousand two hundred and ninety-three, one thousand two hundred and ninety-four, and one thousand two hundred and ninety-five of the Political Code of the State of California, relating to election returns for Governor and Lieutenant-Governor

Assembly Bill No. 35—An Act for the better protection of settlers on the public lands of the United States within the State of California, and for the protection and encouragement of persons desirous of settling thereon

Substitute for Assembly Bill No 195—An Act to increase the number of Judges of the Superior Court of the County of Los Angeles, State of California, and for the appointment of such additional Judges

Assembly Bill No 152—An Act to add another section to Penal Code, to be numbered two hundred and sixty-eight, relating to crimes and punishment

Assembly Bill No 14—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

Assembly Bill No 138—An Act to amend sections six and eight 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, so as to create one additional district

Assembly Bill No 69—An Act concerning the payment of the expenses and costs of the

trial of persons charged with the violation of the laws for the preservation of fish in the navigable waters of this State.

Assembly Bill No 70—An Act to amend section six hundred and thirty-six of an Act entitled an Act to establish a Penal Code, approved February 14, 1872, relating to the preservation of fish.

Assembly Bill No 46—An Act amending section one thousand one hundred and forty-three of the Code of Civil Procedure of the State of California, as amended March 18, 1885, and section one thousand one hundred and eighty-seven of the Code of Civil Procedure of the State of California, as amended March 30, 1874, relating to liens of mechanics and others.

Assembly Bill No. 75—An Act 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 therein

Assembly Bill No 76—An Act entitled an Act to prevent running, capping, and soliciting for attorneys at law in or around Police Courts, Police Judges' Courts, or city prisons in incorporated cities or cities and counties.

Assembly Bill No 78—An Act to provide an additional Judge of the Superior Court of the County of San Bernardino.

Assembly Bill No 68—An Act to amend section six hundred and ninety of the Code of Civil Procedure, relative to property exempt from execution.

WINDROW, Chairman.

RESOLUTIONS—(OUT OF ORDER).

By Mr. N. A. Young:

Resolved, That the Controller be and is hereby authorized to draw his warrant upon the Treasurer for the sum of ten dollars in favor of P. R. Klein, to pay for box rent at the Sacramento Post Office.

Referred to Committee on Retrenchment.

By Mr. Shanahan:

Resolved, That one hundred copies of the Assembly Journal of January sixth be ordered printed.

Adopted.

By Mr. W. A. Brown:

Resolved, That the Committee on Internal Improvements, to whom was referred Assembly Bill No 201—Relating to the construction and maintenance of an open canal in the City of Stockton, from the State Insane Asylum to the San Joaquin River, for sanitary and drainage purposes—be and the same are hereby granted permission to visit the said city for the purpose of properly investigating the same, and that they, with their clerk, be allowed mileage for the distance of ninety-six miles each.

Adopted.

By Mr. Young of San Joaquin:

Resolved, That a sub-committee of five members of the Committee on State Hospitals and Asylums, be granted leave of absence from Saturday, January twenty-ninth, to Wednesday, February second, for the purpose of visiting the Orphan Asylums of Santa Barbara and Los Angeles, and that the sub-committee be allowed mileage, including their clerk, nine hundred and fifty-six miles.

Adopted.

By Mr. Sims:

Resolved, That each member and the clerk of the Committee on Agriculture, Mining, and Mechanic Arts College be and they are hereby allowed the sum of eighteen dollars and twenty cents, as mileage traveled by them from the Assembly Chamber to Berkeley and return, one hundred and eighty-two miles; said sum being payable out of the appropriation for the contingent expenses of the Assembly.

Referred to the Committee on Mileage.

By Mr. Brusie:

Resolved, That the State Printer be hereby instructed to print two hundred and fifty copies of the argument of Judge A P Catlin, relative to the system of hydraulic mining, and the same be distributed on the desks of the members.

Mr. Ohleyer offered the following as a substitute:

That the same number of copies of the finding of Judge Temple in the same case be printed.

Mr. Matthews of San Benito moved to lay the resolution and substitute on the table.

So ordered.

ASSEMBLY JOINT RESOLUTION.

By Mr. Campbell: Assembly Joint Resolution No. 10—Relating to mining interests in the State of California, petitioning Congress to rescind the action taken by that body at last session, wherein forty thousand dollars was appropriated to prosecute the miners; that the unused portion of said amount, together with such other sums as can be procured from Congress, be used to construct reservoirs, etc., to impound mining debris, the same to be expended by the United States Government Engineer.

Referred to Committee on Federal Relations.

GENERAL FILE—(RESUMED)—FIRST READING OF BILLS.

Assembly Bill No. 193—An Act to amend section three thousand four hundred and forty-nine of the Civil Code of the State of California, approved March 21, 1872, relating to assignments for the benefit of creditors.

Read first time, and placed on file for second reading.

Hon. H. R. Mann in the chair.

Assembly Bill No. 22—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, 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 first time, and placed on file for second reading.

MOTION.

At three o'clock and five minutes P. M. Mr. Alexander moved to adjourn.

Lost.

Assembly Bill No. 153—An Act to amend an Act establishing a uniform system of county and township governments, approved March 14, 1883, and to add a new section thereto, so as to provide for the election of a Roadmaster by the qualified electors in the several districts of each county at the time of the election of Supervisors, for the term of two years, and that the Board of Supervisors of each county, at their first meeting of their Board, are to state their duties by resolution of the Board, and to fix at the same time the compensation to be paid to them for their services.

Passed on file.

Assembly Bill No. 97—An Act to amend subdivision seven (7), of class seventeen (17), of section one hundred and sixty-three (163), relating to salaries of county officers, of an Act to establish a uniform system of county and township governments, approved March 14, 1885.

First reading refused.

Assembly Bill No. 71—An Act to amend section two thousand six hundred and forty-two of the Political Code, and to add two new sections thereto, to be numbered two thousand six hundred and forty-six and two thousand six hundred and forty-seven, in relation to the classification of the counties of this State for highway purposes, and the election and the appointment of Roadmasters.

On motion of Mr. Morris, this bill was withdrawn with consent of the House.

Assembly Bill No. 56—An Act to amend section two hundred and eleven of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883, approved March 14, 1885, approved March 18, 1885.

Read first time, and placed on file for second reading.

Assembly Bill No. 192—An Act to amend section four thousand one hundred and eight of the Political Code, relating to county officers.

Read first time, and placed on file for second reading.

Speaker Jordan in the chair.

SECOND READING OF BILLS.

Assembly Bill No. 91—An Act to amend section six hundred and thirty-two of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, and to repeal section six hundred and thirty-three and section six hundred and thirty-four of said Act, relating to trials by the Court and findings.

Read second time.

The Committee on Judiciary offered the following substitute, which was adopted:

SUBSTITUTE FOR ASSEMBLY BILL NUMBER NINETY-ONE

An Act to repeal sections six hundred and thirty-three and six hundred and thirty-four of the Code of Civil Procedure of the State of California, and to add a new section to the Code of Civil Procedure of the State of California, to be known as section six hundred and thirty-three, relating to the finding and decision on trial by the Court.

The People of the State of California, represented in Senate and Assembly, do enact as follows

SECTION 1. Sections six hundred and thirty-three and six hundred and thirty-four of the Code of Civil Procedure are hereby repealed.

SEC. 2 A new section, to be known as section six hundred and thirty-three, is hereby added to the Code of Civil Procedure, as follows

Section 633 The decision may be general, or the facts may be specially found, but no judgment shall be reversed on the findings unless it appears therefrom that a different judgment should have been entered In cases of conflicting or insufficient findings, the presumptions shall be in favor of the judgment.

SEC 3 This Act shall take effect immediately

Bill ordered engrossed, and to a third reading.

Assembly Bill No. 103—An Act providing for the payment of witness expenses in criminal cases.

Read second time.

The Committee on Judiciary offered the following substitute for the bill:

SUBSTITUTE FOR ASSEMBLY BILL NUMBER ONE HUNDRED AND THREE.

An Act to amend section one thousand three hundred and twenty-nine of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872

The People of the State of California, represented in Senate and Assembly, do enact as follows

SECTION 1. Section one thousand three hundred and twenty-nine of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, is hereby amended so as to read as follows

1329 When a person attends before a magistrate, upon an examination, Grand Jury, or Court of record, as a witness in a criminal case, upon a subpœna, or in pursuance of an undertaking, and it appears that he has come from a place outside the county, or that his financial condition is such that it would be a hardship for him to pay the expenses of such attendance, or that he is poor and unable to pay the expenses of such attendance, the Court, in its discretion, if the attendance of the witness be upon a trial or examination by an order upon its minutes, or in any other case, the Judge, or magistrate, at his discretion, by a written order, may direct the County Auditor to draw his warrant upon the County Treasurer, in favor of such witness, for a reasonable sum, to be specified in the order, for the necessary expenses of the witness

SEC. 2 This Act shall take effect and be in force from and after its passage.

Mr. Taylor moved to amend as follows: amend section one, on line five of printed bill, by striking out the word "magistrate."

On motion of Mr. Venable the substitute offered by the committee was adopted.

Ordered printed, and passed on file.

MOTION.

Mr. Taylor moved that Assembly Bill No. 18, reported on favorably by the Committee on Ways and Means this morning, be rereferred to the Committee on Ways and Means.

So ordered.

SECOND READING OF BILLS—(RESUMED).

Assembly Bill No. 92—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 Notary Publics.

Read second time.

The Committee on Judiciary offered the following amendments, which were adopted: Amend, by striking from line six, of section one, the word "forty," and inserting in lieu thereof the word "fifty."

Also, by inserting after the word "Humboldt," in line eight, of section one, the word "Kern."

Also, by striking from line ten, of section one, the words "twenty-five," and inserting in lieu thereof the word "forty."

Also, by striking from line eleven, of section one, the word "Kern."

Also, by striking from line fourteen, of section one, the word "twenty," and inserting in lieu thereof the word "thirty."

Mr. Knox offered the following substitute for the bill:

SUBSTITUTE FOR ASSEMBLY BILL NUMBER NINETY-TWO.

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 Notary Publics

The People of the State of California, represented in Senate and Assembly, do enact as follows:

SECTION 1 Section seven hundred and ninety-one of the Political Code is amended to read as follows

Section 791 That the Governor may appoint and commission, as Notary Publics, as many persons resident in the county, in this State, for which they are to be appointed, as he may deem necessary, but no person shall be appointed a Notary Public who is under twenty-one years of age, is not a citizen of the United States, and has not resided in the State one year preceding the appointment Said appointment shall be made upon the petition of fifty (50) legal voters, and upon the recommendation of the City Council, or other governing body of cities, cities and towns, and towns, or of the county wherein said appointee shall reside

SEC. 2 This Act shall take effect from and after the date of its passage.

Ayes and noes demanded upon the adoption of the substitute by Messrs. Knox, Brierly, and Venable.

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

AYES—Messrs Bailey, Brown W A, Brusie, Callaghan, Carr, Cohen, Coombs, Cope, Currey of Solano, Handy, Hart, Hotchkiss, Knox, Mathews of Tehama, McDonnell, Morgan, Price, Regan, Shanahan, Weber, Windrow, Wilcox, and Mr Speaker—23

NOES—Messrs. Adams, Barton, Brierly, Britt, Brooks, Campbell, Colbert, Cooley, Ellsworth, Gould, Granger, Heath, Henry of San Joaquin, Hyde, LaBlanc, Lewis, Mahler, Mann, Matthews of San Benito, McClenahan, McGowan, Mitchell, Morris, O'Grady, Ohlever, Rucker, Renison, Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Variel, Venable, Vincent, Williams, Wright, Young of San Diego, and Young of San Joaquin—40

Assembly Bill No. 92 ordered engrossed, and to a third reading.

MOTION.

At four o'clock and seven minutes P. M. Mr. Campbell moved to adjourn.

Lost.

Assembly Bill No. 136—An Act to repeal an Act entitled "An Act to amend an Act to incorporate the City of Santa Barbara," approved March 30, 1878.

Read second time.

The Committee on Judiciary offered the following amendment, which was adopted: Amend, by striking from line one, of section one, the words "section one of."

Also, by striking out figure "3," in line two, and insert in lieu thereof figure "2," so as to conform printed bill to original.

Bill ordered engrossed, and to a third reading.

Assembly Bill No. 100—An Act to amend section five hundred and twenty-seven of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to injunctions and service thereof.

Second reading refused.

Assembly Bill No. 104—An Act to establish jury fees in Courts of record of the State of California.

Second reading refused.

Assembly Bill No. 108—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 seventy-eight, relating to the giving of testimony in cases of bribery, and providing that testimony given by any person in such cases shall not afterwards be used against such person in judicial proceeding, except for perjury in giving such testimony.

Second reading refused.

IN COMMITTEE OF THE WHOLE.

On motion of Mr. Ellsworth, the House went into Committee of the Whole, for the purpose of considering Assembly Bill No. 172—An Act to amend an "Act to appropriate money for the support of aged persons in indigent circumstances residing in the home of the Veterans' Home Association," approved March 7, 1883.

Speaker Jordan in the chair.

The bill was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Jordan 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 172—An Act to amend an "Act to appropriate money for the support of aged persons in indigent circumstances residing in the home of the Veterans' Home Association," approved March 7, 1883—and now report progress, and recommend that the same be amended as follows strike out all beginning with the word "and," in line eleven of printed bill Also, add·

"SEC. 2. This Act shall take effect and be in force from and after its passage."

Report received.

SECOND READING OF BILLS.

Assembly Bill No. 172—An Act to amend an "Act to appropriate money for the support of aged persons in indigent circumstances residing in the home of the Veterans' Home Association," approved March 7, 1883.

Amendments of the Committee of the Whole adopted.

Bill ordered engrossed, and to a third reading.

Assembly Bill No. 40—An Act to amend section thirty-two of an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885.

Read second time, ordered engrossed, and to a third reading.

Assembly Bill No. 62—An Act to amend sections three and seven hundred and sixty-eight of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal incorporations," approved March 13, 1883.

Read second time.

Committee amendments, as follows, adopted: amending line two in section three, by inserting after the words "with the," the words "general election."

Also, amending last two lines from bottom of page two of original

bill, by striking out the words "the newspaper which has the contract to do the city advertising, and others if the Board directs," and first line of page three and word "direct" in second line, and inserting in place thereof the words "some newspaper."

Bill ordered engrossed, and to a third reading.

Assembly Bill No. 41—An Act to amend an Act entitled "An Act to repeal Chapter II, of Title VI, Part III, 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 II, and to enact a new Chapter II, of Title VI, of Part III, of said Code, and substitute the same in place of said repealed Chapter II, in said Code, relating to roads and highways, approved February 28, 1883, by adding a new section thereto, to be numbered section two thousand six hundred and forty-six.

Read second time.

Committee amendments, as follows, adopted: amend, in the ninth line, printed bill, strike out "taxpayers," and insert "freeholders."

In tenth line, printed bill, the words "five to," strike out, and insert the words "not more than."

Amend the fifth subdivision, line twenty-six of the printed bill, by adding thereto the words "and approved by the Board of Supervisors."

Bill ordered engrossed, and to a third reading.

MOTION.

At four o'clock and thirty minutes P. M. Mr. Young of San Joaquin moved to adjourn.

Lost.

Assembly Bill No. 159—An Act to amend an Act entitled an Act to establish a Penal Code, approved February 14, 1872, by amending an Act amendatory of said Act to section six hundred and thirty-four, relating to fish and game.

On motion of Mr. Hart, this bill was referred to the Committee on Judiciary.

Assembly Bill No. 131—An Act to amend section four hundred and eleven of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the manner of serving summons.

Second reading refused.

FIRST READING OF BILLS.

Assembly Bill No. 8—An Act relating to insurance, to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, as amended by an Act entitled "An Act to amend the Political Code in relation to insurance," approved April 1, 1878.

Read first time, and placed on file for second reading.

Assembly Bill No. 9—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," adopted March 11, 1872, by adding thereto a new section, to be known as section one thousand three hundred and forty-eight, authorizing certain corporations to act as executor and in other capacities.

Read first time, and placed on file for second reading

Assembly Bill No. 122—An Act to amend sections six hundred and one, six hundred and seven, six hundred and ten, six hundred and

eleven, six hundred and twelve, six hundred and seventeen, six hundred and twenty-nine, and six hundred and thirty of the Political Code of this State, all of said sections relating to insurance.

Read first time, and placed on file for second reading.

Mr. Mathews of Tehama in the chair.

MOTION.

At four o'clock and forty-five minutes P. M. Mr. Cooley moved to adjourn.

Lost.

FIRST READING OF BILLS—(RESUMED).

Assembly Bill No. 140—An Act to amend sections four hundred and nineteen and four hundred and twenty of the Civil Code of the State of California, all of said sections relating to insurance.

Read first time, and placed on file for second reading.

Assembly Bill No. 10—An Act relating to insurance, to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, as amended by an Act entitled "An Act to amend the Civil Code, relative to insurance," approved April 1, 1878, and to add a new section thereto, to be known as section four hundred and thirty-two.

Read first time, and placed on file for second reading.

Speaker Jordan in the chair.

RESOLUTION.

By Mr. Knox:

Resolved, That the Clerk be directed to have two hundred and forty additional copies of Assembly Bill No 284—An Act to amend Chapter III of an Act to provide for the organization, incorporation, and government of municipal corporations, approved March 13, 1883—printed, as the usual number will be insufficient for the use of the Legislature.

Adopted.

MOTION.

At four o'clock and forty-five minutes P. M. Mr. Granger moved to adjourn.

Lost.

GENERAL FILE—(RESUMED).

Assembly Bill No. 55—An Act to protect the manufacturing industries of this State.

Mr. Granger moved to amend, as follows: amend section one, line one, by inserting, after the word "every," the words "alien the."

Mr. Heath moved that Assembly Bill No. 55 be made the special order for to-morrow, immediately after reading the Journal.

So ordered.

ADJOURNMENT.

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

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Friday, January 28, 1887.

The House met at eleven o'clock A. M., pursuant to adjournment.

Speaker Jordan in the chair.

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

Messrs. Adams, Alexander, Atherton, Bailey, Barry, Barton, Bost, Brierly, Britt, Brooks, Brown W. A., Brown J. B., Brusie, Butler, Campbell, Carr, Carroll, Cohen, Colbert, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, Knox, LaBlanc, Lewis, Mahler, Martin, Mann, McClenahan, McGowan, Mitchell, Morgan, Morris, O'Grady, Obleyer, Price, Regan, Rucker, Remson, Searey, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Toner, Variel, Venable, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr. Speaker.

Quorum present.

Prayer by the Chaplain, Rev. E. R. Dille.

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

So ordered.

Journal corrected and approved.

RESOLUTION—(OUT OF ORDER).

By Mr. Ellsworth:

Resolved, That the Committee on Military Affairs be and they are hereby granted leave of absence from and after Friday, January twenty-ninth, until Monday, February first, at twelve o'clock M., for the purpose of visiting and inspecting the property of the State now in charge of National Guard of California, in the City of San Francisco; that the expenses thereof, not to exceed mileage for such members of the committee who may make such inspections, and the clerk of said committee, be allowed; distance one hundred and eighty-two miles, eighteen dollars and twenty cents each.

Adopted.

LEAVE OF ABSENCE.

Mr. Brusie was granted one day's leave of absence.

Mr. Alexander was granted leave of absence until Monday, at two o'clock P. M.

Mr. W. A. Brown, of Committee on Internal Improvements, asked that the leave of absence granted the Committee on Internal Improvements be specified to be from to-day until Monday, January thirty-first, at two o'clock P. M.

So ordered.

RESOLUTION—(OUT OF ORDER).

By Mr. Brooks:

At a meeting of the Judiciary Committee the following was unanimously adopted:

WHEREAS, The Assembly of the State of California, did, on the twelfth day of January, eighteen hundred and eighty-seven, declare that the pay of the second clerk of the Judiciary Committee should be five dollars per day, and whereas, section two hundred and sixty-eight of the Political Code declares "that the clerks of the Judiciary Committees must be paid eight dollars per day," and said committee have agreed that a resolu-

tion should be reported to the House allowing said eight dollars per day, in accordance with the law, now, therefore,

Resolved, That G W F Cook, a clerk of the Judiciary Committee, be paid the sum of eight dollars per day, pursuant to Article V, section two hundred and sixty-eight, of the Political Code, from the date of his appointment, less the several amounts as mentioned in the warrants that have been drawn by the State Controller to his credit.

The Speaker ruled the resolution out of order.

Mr. Brierly appealed from the decision of the Chair.

The question being, "Shall the decision of the Chair stand as the judgment of the House?" The ayes and noes were demanded by Messrs. McGowan, Rucker, and Adams.

The roll was called, and the decision of the Chair sustained by the following vote:

AYES—Messrs Adams, Alexander, Barry, Barton, Bost, Brown J B, Butler, Campbell, Carr, Colbert, Cope, Curry of Solano, Currey of San Francisco, Davis, Gould, Granger, Handy, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, Knox, LaBlanc, Lawrence, Lewis, Mahler, Martin, McDonnell, McGowan, Mitchell, Morgan, Morris, O'Grady, Ohleyer, Price, Rucker, Searey, Shanahan, Sherburne, Sims, Smyth, Toner, Variel, Vincent, Weber, Windrow, Wilcox, Williams, Wright, and Young of San Diego—50

NOES—Messrs. Brierly, Britt, Brooks, Brown W A, Cohen, Coombs, Ellsworth, Hart, Regan, Renison, Spurgeon, Sykes, Taylor, and Venable—14.

INTRODUCTION OF A BILL—(OUT OF ORDER).

By Mr. Hyde: Assembly Bill No. 314—An Act to amend Chapter III of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, and each and every article and section of said Chapter III, and substituting a new Chapter III, to take the place thereof in the said Act, relating to the organization, incorporation, and government of municipal corporations of the second class.

Referred to Committee on Municipal Corporations.

SPECIAL ORDER.

The hour for the consideration of special order, immediately after reading the Journal, having arrived, Assembly Bill No. 55—An Act to protect the manufacturing industries of this State—was taken up.

Mr. Granger offered the following amendment to the substitute:

SECTION 1. It shall be the duty of every maker or manufacturer of any article made or manufactured, or partly made or manufactured, by alien labor, resident, or non-resident in this State, to imprint, label, or stamp the same clearly and conspicuously with the word "manufacturer" or "manufacturers," and immediately thereunder with the name of the person or persons, or corporations, who so made, or who shall have partly so made the same, together with the name of the place where the same was so made or manufactured, or partly so made or manufactured, and in all cases where such articles are so made or manufactured in any city or town in this State, the number of the house or building, if the same is numbered, and the name of the street or road, if named, on which such house or building is situated where such articles are so made or so manufactured, shall likewise be imprinted, labeled, or stamped with the name of such person or persons, or corporations making or manufacturing the same, or partly making or manufacturing the same by alien labor, resident, or non-resident, in this State.

RECESS.

Pending debate on the substitute offered by Mr. Granger, the hour of recess having arrived, the Speaker declared the usual recess until two o'clock P. M.

REASSEMBLED.

The House reassembled at two o'clock P. M.
Speaker Jordan in the chair.
Quorum present.

INTRODUCTION OF BILLS—(OUT OF ORDER).

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

By Mr. Brooks: Assembly Bill No. 315—An Act to amend section three hundred and seven of the Penal Code, in reference to smoking opium.

Referred to Committee on Public Morals.

Also, Assembly Bill No. 316—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, and add thereto a new section to Part I, Title IX, and Chapter VIII thereof, to be known as section one thousand three hundred and eighty-nine, for the prevention of minors being employed by telephone companies or special delivery companies to deliver notes or messages to houses of prostitution or places of questionable repute.

Referred to Committee on Public Morals.

By Mr. Weber: Assembly Bill No. 317—An Act authorizing the incurring of indebtedness by cities incorporated under laws of this State.

Referred to Committee on Municipal Corporations.

PREVIOUS QUESTION.

Mr. Cohen moved the previous question, seconded by Messrs. Lawrence and Hyde.

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

The question being on the adoption of the substitute offered by Mr. Granger, it was lost.

Substitute for Assembly Bill No. 55 ordered engrossed, and to a third reading.

LEAVE OF ABSENCE.

Mr. Carroll was granted one day's leave of absence.

PETITION.

By Mr. Knox. A petition from a committee appointed by the State Board of Horticulture, requesting the passage of an Act creating the office of two State Inspectors of Fruit Pests.

Referred to Committee on Viniculture and Viticulture.

REPORTS OF STANDING COMMITTEES.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, January 28, 1887

MR SPEAKER. Your Committee on Ways and Means, to whom was referred Assembly Bill No. 18—has considered the same, and report the same, as amended, with the recommendation that it do pass, as amended.

Also, Assembly Bill No. 263—Entitled "An Act to provide for the deficiency in the appropriation for the payment of costs and expenses of suits wherein the State is a party in interest, for the thirty-seventh fiscal year, to pay the claim of Arthur Rodgers"—have had the same under consideration, and respectfully report the same back, with amendment, and recommend that it do pass, as amended

TAYLOR, Chairman

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, January 28, 1887.

MR SPEAKER Your Committee on Judiciary, to whom was referred Assembly Bill No 157—An Act to amend section one thousand three hundred and thirty of the Code of Civil Procedure of the State of California, concerning the contest of the probate of wills—and recommend that it do pass.

Also, Assembly Bill No 182—An Act to amend section one thousand and seventy of the Penal Code, relating to peremptory challenges to jurors in criminal cases—and recommend that it do pass

Also, Assembly Bill No 221—An Act to repeal sections two thousand four hundred and sixty-six, two thousand four hundred and sixty-seven, two thousand four hundred and sixty-eight, two thousand four hundred and sixty-nine, two thousand four hundred and seventy, and two thousand four hundred and seventy-one of an Act to establish a Civil Code, approved March 21, 1872, relating to partnerships—and recommend that it do pass

Also, Assembly Bill No 224—An Act to amend section one thousand six hundred and forty-six of the Code of Civil Procedure of California, relating to funeral expenses, expense of last sickness, and the purchase and improvement of a grave lot for the decedent—and recommend that it do pass

Also, Assembly Bill No 199—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—and report the same back, with a substitute bill, and the recommendation that such substitute bill do pass.

Also, Assembly Bill No 1—An Act to amend sections two thousand four hundred and thirty-three, two thousand four hundred and thirty-six, two thousand four hundred and forty, and two thousand four hundred and forty-three, of Article V of the Political Code, relating to pilots and Pilot Commissioners, and two thousand four hundred and fifty-seven, two thousand four hundred and sixty, two thousand four hundred and sixty-two, two thousand four hundred and sixty-five, two thousand four hundred and sixty-six, and two thousand four hundred and sixty-seven, of Article VI of the Political Code, relating to the pilot regulations for San Francisco, Mare Island, and Benicia—and report the same back, with amendment, and recommend passage, as amended

VARIEL, Chairman

ON RETRENCHMENT.

ASSEMBLY CHAMBER, SACRAMENTO, January 28, 1887.

MR SPEAKER Your Committee on Retrenchment, to whom was referred Senate Resolution, and resolution for the payment of box rent for the use of the Assembly—have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Report adopted.

Also, Assembly Bills Nos 251 and 280—have had the same under consideration, and respectfully report the same back, and recommend that they do pass, as amended

GOULD, Chairman.

ON MILEAGE

ASSEMBLY CHAMBER, SACRAMENTO, January 28, 1887

MR SPEAKER Your Committee on Mileage, to whom was referred the report of the Committee on Agriculture, Mining, and Mechanic Arts College, 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 eighty-two miles Messrs Sims, W A Brown, Bailey, Barry, Mahler, Hart, Toner, and Clerk Keeney

Resolved, That the Controller be and is hereby authorized to draw his warrant for the sum of one hundred and forty-five dollars and sixty cents, in favor of J Sims, for the above mileage, payable out of the appropriation for the contingent expenses of the Assembly

WEBER, Chairman

Report adopted.

ON CLAIMS.

ASSEMBLY CHAMBER, SACRAMENTO, January 28, 1887

MR. SPEAKER Your Committee on Claims, to whom was referred Assembly Bill No. 57—To pay the claim of J. F. Gawthorne, for services rendered the Commissioner of Labor Statistics.

Also, Assembly Bill No. 58—To pay the claim of Jesse A. Galland for services rendered the Commissioner of Labor Statistics.

Also, Assembly Bill No. 59—To pay the claim of Edward J. Smith for services rendered the Commissioner of Labor Statistics.

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

NESTOR A. YOUNG, Chairman

ON RULES

ASSEMBLY CHAMBER, SACRAMENTO, January 28, 1887.

MR SPEAKER: Your Committee on Rules, to whom was referred the following

Resolved, That prior to the first reading of any bill before this House, only five minutes be allowed to any member for the discussion of said bill, and that simply to explain the nature of the bill

Have had the same under consideration, report back, and recommend that the same be adopted, and be added to the rules, and be known and numbered as Rule 85 of the Standing Rules of the Assembly.

DAVIS, Chairman

Report adopted.

ON CRIMES AND PENALTIES

ASSEMBLY CHAMBER, SACRAMENTO, January 27, 1887.

MR SPEAKER: Your Committee on Crimes and Penalties, to whom was referred Assembly Bill No. 42—Relating to punishment of contempt of Court—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

C. F. CURRY, Chairman.

ON AGRICULTURE

ASSEMBLY CHAMBER, SACRAMENTO, January 28, 1887.

MR SPEAKER: Your Committee on Agriculture, to whom was referred Assembly Bill No. 155—have had the same under consideration, and report the same back, with an amendment, and recommend that it do pass, as amended

BAILEY, Chairman.

ON MILITARY AFFAIRS

ASSEMBLY CHAMBER, SACRAMENTO, January 27, 1887.

MR SPEAKER: Your Committee on Military Affairs, to whom was referred Assembly Bill No. 108—An Act to amend sections one thousand nine hundred and twelve, one thousand nine hundred and twenty-nine, one thousand nine hundred and ninety, two thousand and twenty-two, two thousand and twenty-six, and two thousand and ninety-four, and to add a new section, to be known as section two thousand and twenty-seven, of the Political Code, relating to the State militia—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

COOLEY, Chairman.

ON LABOR AND CAPITAL.

ASSEMBLY CHAMBER, SACRAMENTO, January 28, 1887.

MR. SPEAKER: Your Committee on Labor and Capital, to whom was referred Assembly Bill No. 218—An Act to amend an Act entitled "An Act giving a lien to loggers and laborers employed in logging camps upon the logs cut and hauled by the persons who employed them," approved March 30, 1878—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also, Assembly Bill No. 13—An Act to amend Chapter LXXI of the Statutes of California, passed at the twenty-third session of the Legislature of 1880, entitled "An Act to define, regulate, and govern State Prisons of California"—have had the same under consideration, and respectfully report the same back, with an amendment, and recommend that it do pass, as amended.

LABLANC, Chairman.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, January 27, 1887.

MR SPEAKER: I am directed to inform your honorable body that the Senate, on this day, adopted Assembly Joint Resolution No. 7—Relative to the matter of securing an appropriation for the purpose of improving Humboldt Bay.

Also, on this day, passed the following bills.

Senate Bill No. 17—An Act to amend section seven of an Act entitled "An Act giving a lien to loggers and laborers employed in logging camps upon the logs cut and hauled by the persons who employed them," approved March 30, 1878, by making applicable thereto section one thousand one hundred and ninety-five of the Code of Civil Procedure.

Also, Senate Bill No 93—An Act to authorize the Common Councils and Boards of Supervisors of the several cities, counties, and cities and counties in this State, to levy taxes for the maintenance of public parks having an area of over ten acres each within their respective limits

Also, Senate Bill No 29—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.

Also, on January 28, 1887, the Senate passed Senate Bill No 160—An Act to amend section nine of an Act entitled "An Act for the promotion of the viticultural industries of the State," in relation to donations of land suitable for experimental vineyards and stations, the improvement and management thereof

I also transmit to your honorable body accompanying Joint Resolution of the Legislature of the State of Nevada, relative to the depositing of sawdust in the Truckee River by citizens and residents of this State The resolution is transmitted in compliance with request of his Excellency Governor Bartlett, as per communication accompanying said resolution.

E H HAMILTON, Secretary.
By R B OLLEHAN, Assistant Secretary

CONSIDERATION OF SENATE MESSAGE.

Assembly Joint Resolution No. 7 passed to enrollment

Senate Bill No. 17 referred to Committee on Judiciary.

Senate Bill No. 93 referred to Committee on Internal Improvements.

Senate Bill No. 29 referred to Committee on Judiciary.

Senate Bill No. 160 referred to Committee on Viniculture and Viticulture.

Joint Resolution of the Legislature of the State of Nevada referred to Committee on Fish and Game.

RESOLUTION—(OUT OF ORDER).

By Mr. Lewis, of Committee on Claims·

Resolved, That the following named persons, who were subpenaed by the Committee on Claims, in the matter of the claim of Dennis Jordan against the State of California, be allowed the following sums for mileage and per diem, viz

J W Duncan, per diem	$4 00	
J W Duncan, mileage	16 80	
		$20 80
John Calvert, per diem	$4 00	
John Calvert, mileage	16 80	
		20 80
Thomas Walsh, per diem	$4 00	
Thomas Walsh, mileage	16 80	
		20 80
Michael Murphy, per diem	$4 00	
Michael Murphy, mileage	16 80	
		$20 80
W C Davis, per diem	$4 00	
W. C Davis mileage	16 80	
		20 80
Daniel McHenry, per diem	$4 00	
Daniel McHenry, mileage	18 20	
		22 20
J L Cook, per diem	$4 00	
J L. Cook, mileage	18 20	
		22 20

And the Controller is hereby directed to draw his warrant on the Contingent Fund of the Assembly for the above amounts, and the Treasurer shall pay the same

Referred to Committee on Mileage.

INTRODUCTION OF BILLS.

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

By Mr. Taylor: Assembly Bill No. 318—An Act to encourage immigration, and to authorize the appropriation of money therefor.

Referred to Committee on Chinese Immigration and Emigration.

By Mr. Knox: Assembly Bill No. 319—An Act to amend sections six, eight, nine, and twelve of an Act entitled "An Act to create and establish a State Board of Horticulture, and appropriate money for the expenses therefor," approved March 13, 1883, and to add four new sections to said Act, to be known as sections thirteen, fourteen, fifteen, and seven, and to repeal section seven of said Act.

Referred to Committee on Agriculture.

Also, Assembly Bill No. 320—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by amending section seven hundred and thirty-nine, relating to salaries of officers connected with the Supreme Court.

Referred to Committee on Judiciary.

Also, Assembly Bill No. 321—An Act to amend section eight of an Act entitled "An Act to establish a State Board of Silk Culture, and to provide money for the expenses thereof," approved March 18, 1885, relating to the Secretary of the Board of Silk Culture, and empowering a member of the Board to act as Secretary, and to be paid a salary for services as such Secretary

Referred to Committee on Silk Culture.

By Mr. Brierly: Assembly Bill No. 322—An Act to provide for industrial, mechanical, and technical instruction and training in classes in grammar schools in the State of California, and to provide for the organization and maintenance of the same.

Referred to Committee on Education.

Also, Assembly Bill No. 323—An Act to amend section seventeen 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.

By Mr. Granger: Assembly Bill No. 324—An Act to provide for an improvement of the State Capitol, and for an appropriation to pay for the same.

Referred to Committee on Public Buildings and Grounds.

By Mr. Butler: Assembly Bill No. 325—An Act to amend section two of an Act entitled an Act to form agricultural districts, to provide for the organization of agricultural districts, and for the management and control of the same by the State, and to create an additional district, to be numbered District No. ——.

Referred to Committee on Agriculture.

Also, Assembly Bill No. 326—An Act to establish a State Board of Charities and Reform, to prescribe the duties thereof, and to provide for their compensation and expenses.

Referred to Committee on State Hospitals.

By Mr. Gould: Assembly Bill No 327—An Act regulating the salaries of the Superintendent of State Printing, the Foreman of the State Printing Office, and the Assistant Foremen thereof.

Referred to Committee on Retrenchment.

By Mr. Windrow: Assembly Bill No. 328—An Act to regulate the practice of pharmacy and the sale of medicine and poisons, to pro-

vide for the inspection of drugs and medicines, and to prevent and punish the adulteration of the same.

Referred to Committee on State Hospital.

By Mr. Mathews of Tehama: Assembly Bill No. 329—An Act to add a new section, to be numbered section four hundred and thirteen, to an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to increasing police force of the Capitol grounds.

Referred to Committee on Public Buildings and Grounds.

By Mr. W. A. Brown: Assembly Bill No. 330—An Act to encourage and provide for the dissemination of a knowledge of the arts, sciences, and general literature, and the founding, maintaining, and perpetuating public libraries, museums, and galleries of art, and the receipt of donations and contributions thereto, when established; for the conveyance, holding, and protection of real property within this State suitable for the purpose herein designated, and the erection thereon of buildings appropriate to such purposes, and for the creation of trusts necessary or proper for the better preservation of such institutions, and the control and management thereof.

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

By Mr. Callaghan: Assembly Bill No. 331—An Act for the relief of Wilson Dellitta, for personal injuries sustained by him while in the employ of the State.

Referred to Committee on Claims.

Also, Assembly Bill No. 332—An Act to designate the quality of goods manufactured and prepared in the State of California, and to require manufacturers to stamp upon their products and manufactures the class of labor employed in their preparation.

Referred to Committee on Labor and Capital.

By Mr. Hart: Assembly Bill No. 333—An Act to enable William B. Todhunter, James Reed, George Cooper, Henry Lienberger, John Hoagland, and Mary W. G. Van Arsdall, to sue the State of California.

Referred to Committee on Claims.

By Mr. Knox: Assembly Bill No. 334—An Act to amend section two hundred and fifty-eight of the Code of Civil Procedure, relating to Court Commissioners.

Referred to Committee on Judiciary.

By Mr. Coombs: Assembly Bill No. 335—An Act to appropriate money to meet the deficiency in the appropriation for the erection, construction, and maintenance of a State salmon hatchery, for the thirty-seventh and thirty-eight fiscal years.

Referred to Committee on Fish and Game.

Also, Assembly Bill No 336—An Act to appropriate money to meet the deficiency in the appropriation for the construction of a steam launch, for the thirty-seventh fiscal year.

Referred to Committee on Ways and Means.

Also, Assembly Bill No. 337—An Act to appropriate money to meet the deficiency in the appropriation for the restoration and preservation of fish within the waters of the State, for the thirty-fifth, thirty-sixth, thirty-seventh, and thirty-eighth fiscal years.

Referred to Committee on Fish and Game.

By Mr. Toner: Assembly Bill No. 338—An Act to provide for the better protection of life and limb, and to guard against accidents on

street and cable roads, by the use of safety guards, and to punish negligence.

Referred to Committee on Labor and Capital.

By Mr. LaBlanc: Assembly Bill No. 339—An Act to appropriate the sum of ten thousand dollars for the construction of an additional cottage at the Veterans' Home, under the auspices of the Veterans' Home Association, and for the completion of the principal building already in use, and to improve the water supply of said Home.

Referred to Committee on Military Affairs.

By Mr. Lewis. Assembly Bill No. 340—An Act for the relief of Mrs. Esther H. Dennis, relict of William E. Dennis, of San Francisco.

Referred to Committee on Claims.

By Mr. Variel: Assembly Bill No. 341—An Act to amend and supplement an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, and to add a new article thereto, to be known as Article V, of Chapter VII, of Title XI, of Part III, for the purpose of authorizing executors and administrators to make mortgages and leases of the real estate of decedents.

Referred to Committee on Judiciary.

RESOLUTIONS—(OUT OF ORDER).

By Mr. McGowan:

Resolved, That two hundred and fifty copies of the argument and extracts from the law and records relating to convict labor, presented by Mr. Peter Roberts of San Francisco, be printed for the use of the members of this House

Adopted.

By Mr. Wright:

Resolved, That the Clerk be directed to have two hundred and forty additional copies of Assembly Bill No. 314 printed for the use of the members of this Legislature.

Mr. Lawrence moved to amend by including Assembly Bills Nos. 8, 9, and 10.

Amendment adopted.

Resolution, as amended, adopted.

Also.

Resolved, That the Clerk be directed to have two hundred and forty additional copies of Assembly Bill No. 287—An Act to provide for the organization and government of water districts, and to provide for the acquisition, control, and distribution of water for irrigation—printed, as the usual number will be insufficient for the use of the Legislature

Resolution adopted.

LEAVE OF ABSENCE.

Mr. Mann was granted leave of absence until Monday, at two P. M.

SPECIAL FILE.

Assembly Constitutional Amendment No. 1—An Act to propose an amendment to section one (1), of Article XIII (13), of the Constitution, relating to revenue and taxation.

Mr. Coombs moved to amend, by striking out of the title the following: "An Act to propose an amendment to section one (1), of Article XIII (13), of the Constitution, relating to revenue and taxation."

Carried.

The question being, "Shall the minority report be substituted for the majority report?"

Mr. Variel moved to lay the whole subject-matter on the table.

Lost.

Mr Ellsworth moved to indefinitely postpone the whole subject.

Ayes and noes demanded by Messrs. Heath, Rucker, and Wilcox.

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

AYES—Messrs Brooks, Campbell, Ellsworth, Henry of San Joaquin, Knox, Ohleyer, Regan, Sherburne, Smith, Variel, Windrow, and Williams—12

NOES—Messrs. Adams, Bailey, Barton, Bost, Brierly, Brown W A, Butler, Callaghan, Carr, Cohen, Colbert, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Gould, Granger, Heath, Henry of Butte, Hotchkiss, Lewis, Mahler, Martin, Mathews of Tehama, McClenahan, McGowan, Mitchell, Morgan, Morris, Price, Rucker, Remison, Shanahan, Sims, Spurgeon, Sykes, Taylor, Toner, Venable, Vincent, Weber, Wilcox, Wright, Young of San Diego, Young of San Joaquin, and Mr Speaker—45.

PREVIOUS QUESTION.

Mr. Coombs moved the previous question. Seconded by Messrs. Price and Toner.

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

Upon the question of the substitution of the minority report in place of the majority report, the ayes and noes were demanded by Messrs. Rucker, Variel, and Ellsworth.

The roll was called, and the minority report substituted by the following vote:

AYES—Messrs Bailey, Barry, Barton, Bost, Britt, Brown W. A., Brown J. B., Callaghan, Carr, Cohen, Colbert, Coombs, Currey of Solano, Curry of San Francisco, Gould, Granger, Heath, Henry of Butte, Hotchkiss, Lewis, Mahler, Martin, McGowan, Mitchell, Morris, Rucker, Remison, Shanahan, Spurgeon, Toner, Vincent, Weber, Wilcox, Young of San Diego, and Young of San Joaquin—35

NOES—Messrs. Adams, Brierly, Butler, Campbell, Cope, Davis, Ellsworth, Handy, Henry of San Joaquin, Knox, Mathews of Tehama, McClenahan, Morgan, Ohleyer, Price, Regan, Sherburne, Sims, Smyth, Sykes, Taylor, Variel, Venable, Windrow, Williams, Wright, and Mr. Speaker—27

The question recurring on the adoption of Assembly Constitutional Amendment No. 1, the roll was called, and the constitutional amendment lost by the following vote:

AYES—Messrs Bailey, Barry, Barton, Bost, Britt, Brown W A, Brown J. B, Callaghan, Carr, Cohen, Colbert, Coombs, Currey of Solano, Curry of San Francisco, Davis, Gould, Granger, Heath, Hotchkiss, Lewis, Mahler, Martin, McGowan, Mitchell, Morris, Regan, Rucker, Searey, Shanahan, Spurgeon, Toner, Vincent, Weber, Young of San Diego, and Young of San Joaquin—35

NOES—Messrs Adams, Brierly, Butler, Campbell, Cope, Ellsworth, Handy, Henry of San Joaquin, Knox, Mathews of Tehama, McClenahan, Morgan, Ohleyer, Price, Remison, Sherburne, Sims, Smyth, Sykes, Taylor, Variel, Venable, Windrow, Wilcox, Williams, Wright, and Mr Speaker—27.

NOTICE OF RECONSIDERATION.

Mr. Wilcox gave notice that, on to-morrow, he would move to reconsider the vote whereby Assembly Constitutional Amendment No. 1 was lost.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, January 28, 1887.

MR SPEAKER Your Committee on Engrossment beg leave to report that the following *Assembly Bill has been correctly engrossed*

Substitute for Assembly Bill No 55—An Act to protect the manufacturing industries of this State

WINDROW, Chairman

ADJOURNMENT.

At four o'clock and forty-five minutes P. M., on motion of Mr. Taylor, the House adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Saturday, January 29, 1887.

The House met pursuant to adjournment.

Speaker Jordan in the chair.

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

Messrs Adams, Bailey, Barry, Barton, Bost, Brierly, Britt, Brown W A, Butler, Callaghan, Campbell, Carr, Cohen, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Gould, Granger, Handy, Hart, Heath, Henry of Butte, Hotchkiss, Knox, Lewis, Mahler, Martin, Mathews of Tehama, McClenahan, McDonnell, McGowan, Morgan, Morris, Ohleyer, Price, Rucker, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Toner, Variel, Venable, Weber, Windrow, Wilcox, Wright, Young of San Diego, and Mr Speaker

Quorum present.

Prayer by the Chaplain, Rev. E. R. Dille.

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

So ordered.

Journal approved.

LEAVE OF ABSENCE.

Mr. Vincent was granted leave of absence until Tuesday next.

Mr. Young of San Joaquin was granted leave of absence for one day.

MOTION.

Mr. Wilcox moved that the notice given by him yesterday, to reconsider the vote whereby Assembly Constitutional Amendment No. 1 was lost, be made the special order for one week from Tuesday next, at two o'clock P. M.

So ordered.

PETITION.

By Mr. Gould: Relative to the formation of a new agricultural district, and asked that it be read.

So ordered.

REPORTS OF STANDING COMMITTEES.

ON CONSTITUTIONAL AMENDMENTS

ASSEMBLY CHAMBER, SACRAMENTO, January 28, 1887.

MR SPEAKER Your Committee on Constitutional Amendments, to whom was referred Assembly Constitutional Amendment No 2, together with the amendments proposed and recommended by the Committee on Irrigation—report back the same, with the said amendments, without recommendation

ELLSWORTH, Chairman

ON YOSEMITE VALLEY, MARIPOSA GROVE OF BIG TREES, AND FORESTRY.

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1887

MR. SPEAKER Your Committee on Yosemite Valley, Mariposa Grove of Big Trees, and Forestry beg leave to make the following supplementary report, and recommend that the report made by the committee on January 27, 1887, be changed so as to read as follows, viz: That Assembly Joint Resolution No 4—Relative to land laws applying to timber lands—be adopted, and that Assembly Joint Resolution No 8—Relative to land laws applying to timber lands—be not adopted, being covered by the first resolution.

HEATH, Chairman.

ON STATE HOSPITALS.

ASSEMBLY CHAMBER, SACRAMENTO, January 28, 1887

MR SPEAKER Your Committee on State Hospitals, to whom was referred Assembly Bill No 274—An Act to amend section number two thousand two hundred and seventeen of the Political Code, relating to committal of insane persons, approved February 18, 1881—have had the same under consideration, and respectfully report the same back, and recommend that it do pass

BUTLER, Chairman.

ON JUDICIARY

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1887

MR SPEAKER Your Committee on Judiciary, to whom was referred Assembly Bill No 248—An Act to amend the Penal Code, by adding a new section thereto, to be known as section sixty-eight *a*, in relation to crimes by and against the executive power of the State—have considered the same, and now report it back, with amendments, and recommend its passage, as amended

Also, Assembly Bill No 190—An Act to amend section three thousand four hundred and seventy-one of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to the compensation of assignees for the benefit of creditors—and recommend that it do not pass

Also, Assembly Bill No 66—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—and recommend that it do not pass

Also, Assembly Bill No 173—An Act to amend sections two hundred and sixty-nine, two hundred and seventy, two hundred and seventy-one, two hundred and seventy-two, two hundred and seventy-three, two hundred and seventy-four, of the Code of Civil Procedure, relative to the employment and compensation of Court Reporters—and recommend that it do not pass

Also, Assembly Bill No 215—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—and recommend that it do not pass

VARIEL, Chairman.

ON MILEAGE.

MR SPEAKER Your Committee on Mileage, to whom was referred the following report of the Committee on Claims

Resolved, That the following named persons, who were subpœnaed by the Committee on Claims, in the matter of the claim of Dennis Jordan against the State of California, be allowed the following sums for mileage and per diem, viz

J W Duncan, per diem	$4 00	
J W Duncan, mileage	16 80	
		$20 80
John Calvert, per diem	$4 00	
John Calvert, mileage	16 80	
		20 80

Thomas Walsh, per diem	$4 00	
Thomas Walsh, mileage	16 80	
		20 80
Michael Murphy, per diem	$4 00	
Michael Murphy, mileage	16 80	
		$20 80
W C. Davis, per diem	$4 00	
W C. Davis, mileage	16 80	
		20 80
Daniel McHenry, per diem	$4 00	
Daniel McHenry, mileage	18 20	
		22 20
J L Cook, per diem	$4 00	
J. L. Cook, mileage	18 20	
		22 20

And the Controller is hereby directed to draw his warrant on the Contingent Fund of the Assembly for the above amounts, and the Treasurer shall pay the same

Report back, and recommend that the same be not adopted, for the reasons that witnesses came voluntarily, and were not subpœnaed, furthermore, the Committee on Claims were not authorized by this House to send for witnesses.

WEBER, Chairman.

Report adopted.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1887

MR SPEAKER Your Committee on Engrossment beg leave to report that the following Assembly Bills have been correctly engrossed

Substitute for Assembly Bill No 91—An Act to repeal sections six hundred and thirty-three and six hundred and thirty-four of the Code of Civil Procedure of the State of California, and to add a new section to the Code of Civil Procedure of the State of California, to be known as section six hundred and thirty-three, relating to the finding and decision on trial by the Court

Also, Assembly Bill No 92—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 Notary Publics

Also, Assembly Bill No 136—An Act to repeal an Act entitled "An Act to amend an Act to incorporate the City of Santa Barbara," approved March 30, 1878

Also, Assembly Bill No. 172—An Act to amend "An Act to appropriate money for the support of aged persons in indigent circumstances residing in the home of the Veterans' Home Association," approved March 7, 1883

Also, Assembly Bill No 40—An Act to amend section thirty-two of an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885

Also, Assembly Bill No 62—An Act to amend sections three and seven hundred and sixty-eight of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal incorporations," approved March 13, 1883.

Also, Assembly Bill No 41—An Act to amend an Act entitled "An Act to repeal Chapter II, of Title VI, Part III, 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 II, and to enact a new Chapter II, Title VI, of Part III, of said Code, and substitute the same in place of said repealed Chapter II, in said Code, relating to roads and highways, approved February 28, 1883, by adding a new section thereto, to be numbered section two thousand six hundred and forty-six.

WINDROW, Chairman

ON COUNTY AND TOWNSHIP GOVERNMENTS

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1887.

MR. SPEAKER Your Committee on County and Township Governments to whom was referred Assembly Bill No 20—An Act to amend section one hundred and ninety-three of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883, relating to the compensation of county and township officers, and to the appointment and salaries of deputies and extra deputies in counties of the thirty-first class—have had the same under consideration, and respectfully report the same back, without recommendation, at the request of the author

Also, Assembly Bill No 21—An Act to provide for the funding of certain indebtedness of the several counties of this State, and the issuance of bonds therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

McGOWAN, Chairman.

REPORT OF CHIEF CLERK.

ASSEMBLY CHAMBER, SACRAMENTO, January 28, 1887

MR SPEAKER: In compliance with the following, viz

Resolved, That the Chief Clerk be instructed to make a return to this House of all employés now on the payroll, and the amount of their per diem

I make the following return

NAME	POSITION	Per Diem
Frank D Ryan	Chief Clerk	$8 00
P R Klein	Sergeant-at-Arms	8 00
Ed J Smith	Assistant Clerk	8 00
F. W Marston	Assistant Clerk	8 00
G H Salisbury	Minute Clerk	8 00
Albert Hart	Journal Clerk	8 00
Jacob Shaen	Engrossing Clerk	8 00
W H H Hussey	Assistant Sergeant-at-Arms	6 00
Mrs C E Levy	Postmistress	3 00
M. M Sanderson	Porter	4 00
B A Johnson	Porter	4 00
John T Hayes	Porter	4 00
Oscar Redfield	Porter	4 00
Wiltsie Edwards	Page	3 00
Willie Bailey	Page	3 00
Charles Luce	Page	3 00
Ed. Short	Page	3 00
M J Dunn	Clerk to Sergeant-at-Arms	8 00
H M Meacham	Assistant Clerk to Sergeant-at-Arms	8 00
E R Dille	Chaplain	5 00
A. F Chapman	Assistant Journal Clerk	8 00
James A Orr	Assistant Journal Clerk	8 00
Ray G Falk	Assistant Minute Clerk	8 00
Frank J Brandon	Third Assistant Clerk	8 00
Mrs M E. Weaver	Assistant Postmistress	7 00
H Balch	Doorkeeper	5 00
J R Taylor	Gatekeeper	5 00
J H Putnam	Gatekeeper	5 00
L H Brown	Gatekeeper	5 00
W B Read	Watchman	4 00
J L. Robinson	Watchman	4 00
J W Watson	Watchman	4 00
P H Maloney	Watchman	4 00
J H Williams	Committee Room Porter	4 00
G W Pratt	Committee Room Porter	4 00
Jno McNulty	Committee Room Porter	4 00
C. B Cary	Committee Room Porter	4 00
U L Beightol	Porter to Gallery	4 00
J J. O'Riley	Porter to Sergeant-at-Arms	4 00
Jas Phillips	Rear Porter	4 00
C A Phillips	Page	3 00
Frank George	Page	3 00
Thomas Kelly	Messenger	4 00
F M Cooley	Mail Carrier	4 00
Mrs M A Kennedy	Clerk to Committee on Elections	5 00
A L Stone	Clerk to Committee on Constitutional Amendments	5 00
Mary Bird	Clerk to Committee on Education	5 00
F. P Kelly	Clerk to Committee on Municipal Corporations	5 00
G W Jackson	Clerk to Committee on Public Buildings and Grounds	5 00
F Warschaur	Clerk to Committee on Labor and Capital	5 00
W. J Broderick	Clerk to Committee on Engrossment	5 00
G. H. Dryden	Clerk to Committee on Enrollment	5 00
Frank Stewart	Clerk to Committee on Federal Relations	5 00
Jennie Haley	Clerk to Committee on Yosemite Valley, etc	5 00
M. F Turley	Clerk to Committee on Homestead and Land Monopoly	5 00
J D Canelo	Clerk to Committee on Mileage	5 00
C H Hart	Clerk to Committee on Fish and Game	5 00
C H Eldred	Clerk to Committee on Military Affairs	5 00
W W Wagner	Clerk to Committee on Mines and Mining	5 00
Robert Subres	Clerk to Committee on Public Printing	5 00
R J Van Voorhies	Clerk to Committee on Retrenchment	5 00
Mrs L. Russell	Clerk to Committee on Roads and Highways	5 00

NAME	Position	Per Diem
Miss Sonoma Klees	Clerk to Committee on Rules and Regulations	$5 00
F E Belden	Clerk to Committee on State Hospital	5 00
James Brownlie	Clerk to Committee on Chinese Emigration	5 00
G L. Selfridge	Clerk to Committee on Agriculture	5 00
G P Keeney	Clerk to Committee on A. M and M. Arts College	5 00
Mrs. L C. Stratton	Clerk to Committee on Attachés	5 00
F B Mulgrew	Clerk to Committee on Claims	5 00
F M. Lovell	Clerk to Committee on Commerce and Navigation	5 00
W A Newcum	Clerk to Committee on Counties and County Boundaries	5 00
E C. Loudand	Clerk to Committee on County and Township Govern't.	5 00
E O. Tuttle	Clerk to Committee on Crimes and Penalties	5 00
S. F Taylor	Clerk to Committee on Water Rights and Drainage	5 00
F. A Elliott	Clerk to Committee on Public Ex. and Accounts	5 00
A. L Pounstone	Clerk to Committee on Public Lands	5 00
Flora Smith	Clerk to Committee on Internal Improvements	5 00
Jno T. Magner	Clerk to Committee on Apportionment	5 00
C Phipps	First Clerk to Committee on Irrigation	5 00
M H Fay	Second Clerk to Committee on Irrigation	5 00
P J Kelly	Clerk to Committee on Swamp and Overflowed Lands	5 00
G L Trowbridge	Clerk to Committee on State Prison	5 00
H. R Havens	Clerk to Committee on Corporations	5 00
H M. Barstow	First Clerk to Committee on Judiciary	8 00
G. W F Cook	Second Clerk to Committee on Judiciary	5 00
A E. Bruck	Clerk to Committee on Vinicultvre and Viticulture	5 00
M J. Ashmore	Clerk to Committee on State Library	5 00
E A. Phillips	Clerk to Committee on Public Morals	5 00
Nora Andrews	Clerk to Committee on Silk Culture	5 00
W. A. Custer	First Clerk to Committee on Ways and Means	5 00
J A. Harney	Second Clerk to Committee on Ways and Means	5 00
H E Kerlin	Porter	4 00
D C. Smith	Porter	4 00
J L Evans	Porter	4 00
Mrs. L G Cadwalader	Assistant Engrossing Clerk	8 00

FRANK D. RYAN, Chief Clerk

INTRODUCTION OF BILLS.

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

By Mr. Ellsworth: Assembly Bill No. 342—An Act appropriating the sum of twenty-eight thousand five hundred dollars for the purpose of purchasing suitable property for the location of the Industrial Home of Mechanical Trades for the Adult Blind of California.

Referred to Committee on Education.

Also, Assembly Bill No. 343—An Act appropriating the sum of ten thousand dollars to erect a building for the purpose of furnishing dormitories and dining-rooms for the male adult blind inmates at the "Home for the Adult Blind."

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

Also, Assembly Bill No. 344—An Act appropriating the sum of sixty-five thousand dollars for the support of Industrial Home of Mechanical Trades for the Adult Blind of the State of California.

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

By Mr. Wright: Assembly Bill No. 345—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 ninety-one thereof, for the fees to be collected by County Clerk, Sheriff, and Recorder for the use of the county.

Referred to Committee on Judiciary.

By Mr. Hart: Assembly Bill No. 346—An Act entitled an Act to regulate and enforce fire insurance companies operating or doing business in the State of California to adjust losses by fire in accordance with the policy issued.

Referred to Committee on Corporations

By Mr. Mathews of Tehama: Assembly Bill No. 347—An Act to amend section two thousand one hundred and thirty-seven of the Political Code, relating to the power and duties of the Board of Directors of the State Insane Asylum of Stockton.

Referred to Committee on State Hospitals.

By Mr. Adams: Assembly Bill No. 348—An Act to amend sections three thousand four hundred and fifty-two, three thousand four hundred and fifty-three, and three thousand four hundred and fifty-four of the Political Code, relating to the adoption of by-laws, the election of Trustees, their powers, duties, and compensation in reclamation districts of this State.

Referred to Committee on Swamp and Overflowed Lands.

By Mr. Coombs: Assembly Constitutional Amendment No. 9—To amend section one, of Article XIII, of the Constitution, relating to revenue and taxation.

Referred to Committee on Constitutional Amendments.

By Mr. Brierly. Assembly Bill No. 349—An Act to provide for the compensation of Deputy County Clerks and Deputy Sheriffs, acting in Superior Courts of counties where the number of Judges of Superior Courts has been increased.

Referred to Committee on Judiciary.

By Mr. Wright: Assembly Bill No. 350—An Act authorizing and directing the Clerk of the Supreme Court of the State of California to make a new attorney roll of all attorneys admitted to practice in said Supreme Court from the organization thereof.

Referred to Committee on Judiciary.

By Mr. Taylor: Assembly Bill No. 351—An Act to provide for the deficiency in the appropriation for the expenses of the Supreme Court, under section forty-seven of the Code of Civil Procedure, for the thirty-seventh fiscal year.

Referred to Committee on Ways and Means.

Also, Assembly Bill No. 352—An Act to provide for the deficiency in the appropriation for rent and contingent expenses of the Insurance Commission, for the thirty-seventh fiscal year.

Referred to Committee on Ways and Means.

Also, Assembly Bill No. 353—An Act to provide for the deficiency in the appropriation for stationery, fuel, lights, etc, for the Legislature and State officers, for the thirty-fourth fiscal year.

Referred to Committee on Ways and Means.

Also, Assembly Bill No 354—An Act to provide for the deficiency in the appropriation for costs and expenses of suits wherein the State is a party in interest, for the thirty-fifth fiscal year.

Referred to Committee on Ways and Means.

Also, Assembly Bill No. 355—An Act to provide for the deficiency in the appropriation for contingent expenses in the office of Surveyor-General, for the thirty-sixth fiscal year.

Referred to Committee on Ways and Means.

Also, Assembly Bill No. 356—An Act to provide for the deficiency

in the appropriation for the cleaning and transportation of arms for the National Guard of California, for the thirty-fourth fiscal year.

Referred to Committee on Ways and Means.

Also, Assembly Bill No. 357—An Act to provide for the deficiency in the appropriation for postage, expressage, etc., of the Surveyor-General, for the thirty-fifth fiscal year.

Referred to Committee on Ways and Means.

Also, Assembly Bill No. 358—An Act to provide for the deficiency in the appropriation for postage and expressage in the office of the Adjutant-General, for the thirty-fifth fiscal year.

Referred to Committee on Ways and Means.

Also, Assembly Bill No. 359—An Act to provide 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. 360—An Act to provide for the deficiency in the appropriation for stationery and contingent expenses of the Bureau of Labor Statistics, for the thirty-sixth fiscal year.

Referred to Committee on Ways and Means.

Also, Assembly Bill No. 361—An Act to provide for the deficiency in the appropriation for the contingent expenses in the office of the Secretary of State, for the thirty-sixth fiscal year.

Referred to Committee on Ways and Means.

Also, Assembly Bill No. 362—An Act to provide for the deficiency in the appropriation for the use of the State Board of Silk Culture, for the thirty-sixth fiscal year.

Referred to Committee on Ways and Means.

Also, Assembly Bill No. 363—An Act to provide for the deficiency in the appropriation for the restoration and preservation of fish in the waters of the State, for the thirty-seventh fiscal year.

Referred to Committee on Ways and Means.

Also, Assembly Bill No. 364—An Act to provide for the deficiency in the appropriation for the erection and maintenance of the State Salmon Hatchery, for the thirty-seventh fiscal year.

Referred to Committee on Ways and Means.

Also, Assembly Bill No. 365—An Act to provide for the deficiency in the appropriation for the uses of the State Board of Viticulture, for the thirty-seventh fiscal year.

Referred to Committee on Ways and Means.

Also, Assembly Bill No. 366—An Act to provide for the deficiency in the appropriation for the contingent expenses of the office of the Surveyor-General, for the thirty-seventh fiscal year.

Referred to Committee on Ways and Means.

Also, Assembly Bill No. 367—An Act to provide for the deficiency in the appropriation for the traveling expenses of the Attorney-General and the Surveyor-General, in contests between the State and the United States, for the thirty-fifth fiscal year.

Referred to the Committee on Ways and Means.

Also, Assembly Bill No. 368—An Act to provide for the deficiency in the appropriation for traveling expenses of the Superintendent of Public Instruction, for the thirty-fifth fiscal year.

Referred to Committee on Ways and Means.

Also, Assembly Bill No. 369—An Act to provide 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. 370—An Act to provide for the deficiency in the appropriation for the transportation of prisoners, for the thirty-seventh fiscal year.

Referred to Committee on Ways and Means.

Also, Assembly Bill No. 371—An Act to provide for the deficiency in the appropriation for the transportation of prisoners, for the thirty-sixth fiscal year.

Referred to Committee on Ways and Means.

Also, Assembly Bill No. 372—An Act to provide for the deficiency in the appropriation for the transportation of prisoners, for the thirty-fifth fiscal year.

Referred to Committee on Ways and Means.

Also, Assembly Bill No. 373—An Act to provide for the deficiency in the appropriation for the transportation of insane, for the thirty-first fiscal year.

Referred to Committee on Ways and Means.

Also, Assembly Bill No. 374—An Act to provide for the deficiency in the appropriation for the transportation of the insane, for the thirty-second fiscal year.

Referred to Committee on Ways and Means.

Also, Assembly Bill No. 375—An Act to provide for the deficiency in the appropriation for the transportation of the insane, for the thirty-fifth fiscal year.

Referred to Committee on Ways and Means.

Also, Assembly Bill No. 376—An Act to provide for the deficiency in the appropriation for the transportation of the insane, for the thirty-sixth fiscal year.

Referred to Committee on Ways and Means.

Also, Assembly Bill No. 377—An Act to provide for the deficiency in the appropriation for the transportation of the insane, for the thirty-seventh fiscal year.

Referred to Committee on Ways and Means.

Also, Assembly Bill No. 378—An Act to provide for the deficiency in the appropriation for the payment of rewards for the arrest of criminals without the limits of the State, for the thirty-seventh fiscal year.

Referred to Committee on Ways and Means.

Also, Assembly Bill No. 379—An Act to provide for the deficiency in the appropriation for the payment of rewards for arresting criminals without the limits of the State, for the thirty fifth fiscal year.

Referred to Committee on Ways and Means.

Also, Assembly Bill No. 380—An Act to provide for the deficiency in the appropriation for the payment of rewards for the arrest of criminals without the limits of the State, for the thirty-sixth fiscal year.

Referred to Committee on Ways and Means

By Mr Brierly. Assembly Bill No. 381—An Act to amend sections four hundred and forty-three, one thousand five hundred and thirty-three, one thousand five hundred and forty-three, one thousand five hundred and fifty-one, one thousand five hundred and ninety-seven, one thousand six hundred and thirty-four, one thousand seven hundred and fourteen, one thousand eight hundred and seventeen, and one thousand eight hundred and fifty-eight of the Political Code of

the State of California, relating to public schools, and the methods for providing and apportioning funds for their support.

Referred to Committee on Education.

SPECIAL FILE.

Assembly Constitutional Amendment No. 5—Proposed amendment to Article IV of the Constitution, relative to the passage of special laws.

On motion of Mr. Spurgeon, this constitutional amendment was made the special order for Wednesday next, immediately after reading the Journal.

GENERAL FILE—THIRD READING OF BILLS.

Assembly Bill No. 74—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 the order of persons entitled to administer the estates of deceased persons.

Mr. Ellsworth moved that the bill be referred to a select committee of one, with special instructions to amend, as follows: section one, by striking out the words "the creditors," in subdivision eight, and inserting in lieu thereof the words "the Public Administrator" Also, by striking out the words "the Public Administrator," in subdivision nine, and inserting in lieu thereof the words "the creditors," and by striking out the word "eight," after the word "first," and before the word "classes," and inserting in lieu thereof the word "seven." Also, amend section two, by adding, at the end thereof, the words "*provided*, that nothing in this Act shall affect any estate now in process of settlement."

Lost.

Mr. Taylor moved that the bill be referred to a select committee of one, with special instructions to amend as follows: Amend section one (1) by adding to the end thereof, "This Act shall not affect the Public Administrators now in office."

Lost.

Assembly Bill No. 74.

Read third time

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

AYES—Messrs Adams, Barton, Campbell, Coombs, Cope, Currey of Solano, Ellsworth, Gould, Gruwell, Handy, Hart, Heath, Henry of Butte, Hotchkiss, Knox, Lewis Mahler, Mitchell, Morgan, Ohleyer, Price, Shanahan, Sherburne, Sims, Smyth, Sykes, Varnel, Venable, Weber, Wilcox, Wright, and Mr Speaker—34

NOES—Messrs Bailey, Barry, Bost, Brierly, Britt, Butler, Callaghan, Carr, Cohen, Colbert, Davis, Martin, Mathews of Tehama, McGowan, Morris, Remson, Spurgeon, Taylor, and Young of San Diego—19

NOTICE OF RECONSIDERATION.

Mr. Mathews of Tehama gave notice that, on Tuesday next, he would move to reconsider the vote whereby Assembly Bill No. 74 was lost.

RESOLUTIONS—(OUT OF ORDER).

By Mr. Heath:

Resolved, That two hundred extra copies of the House Journal of this day be published for the use of the House

Ayes and noes demanded on the adoption of the resolution by Messrs. Heath, Renison, and Hotchkiss.

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

AYES—Messrs Barton, Britt, Callaghan, Cohen, Colbert, Cope, Gould, Granger, Gruwell, Hart, Heath, Hotchkiss, Lewis, Mahler, Mitchell, Morgan, Ohleyer, Regan, Renison, Smyth, Spurgeon, Venable, and Wright—22

NOES—Messrs Adams, Bailey, Barry, Bost, Brierly, Butler, Campbell, Carr, Cooley, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Handy, Henry of Butte, Knox, Martin, Mathews of Tehama, McDonnell, McGowan, Morris, Price, Shanahan, Sherburne, Sims, Sykes, Taylor, Toner, Variel, Weber, Wilcox, Young of San Diego, and Mr Speaker—33

GENERAL FILE—(RESUMED)—THIRD READING OF BILLS.

Assembly Bill No. 88—An Act to amend section one thousand one hundred and twenty-seven of the Political Code of the State of California, relating to the establishment of election precincts.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Bailey, Barry, Barton, Bost, Brierly, Britt, Butler, Campbell, Carr, Cohen, Colbert, Coombs, Cope, Curry of San Francisco, Davis, Ellsworth, Gould, Granger, Gruwell, Handy, Hart, Heath, Henry of Butte, Hotchkiss, Knox, Lawrence, Lewis, Mahler, Martin, Mathews of Tehama, McDonnell, McGowan, Mitchell, Morgan, Ohleyer, Regan, Renison, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Toner, Variel, Weber, Wilcox, Wright, Young of San Diego, and Mr Speaker—52.

NOES—Messrs Callaghan, Currey of Solano, and Venable—3

Title read and approved.

Assembly Bill No. 162—An Act to amend sections one thousand two hundred and ninety-two, one thousand two hundred and ninety-three, one thousand two hundred and ninety-four, and one thousand two hundred and ninety-five of the Political Code of the State of California, relating to election returns for Governor and Lieutenant-Governor.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Barry, Barton, Bost, Brierly, Britt, Butler, Callaghan, Campbell, Carr, Cohen, Colbert, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Gould, Granger, Gruwell, Handy, Hart, Heath, Henry of Butte, Hotchkiss, Knox, Lewis, Mahler, Mathews of Tehama, McDonnell, McGowan, Mitchell, Morgan, Morris, Ohleyer, Price, Regan, Renison, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Toner, Variel, Venable, Weber, Wilcox, Wright, Young of San Diego, and Mr Speaker—53

NOES—None

Title read and approved.

Assembly Bill No. 35—An Act for the better protection of settlers on the public lands of the United States within the State of California, and for the protection and encouragement of persons desirous of settling thereon.

Mr. Renison moved that Assembly Bill No. 35 be made the special order for Wednesday next, at two o'clock and fifteen minutes P. M.

So ordered.

MOTION.

Mr. Knox moved that the hour of recess be extended until twelve o'clock and forty-five minutes P. M.

So ordered.

Assembly Bill No. 195—An Act to provide two additional Judges of the Superior Court of the County of Los Angeles, State of California.

Read third time

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Bailey, Barry, Barton, Bost, Brierly, Britt, Butler, Callaghan, Campbell, Carr, Cohen, Colbert, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Gould, Granger, Gruwell, Handy, Hart, Heath, Henry of Butte, Hotchkiss, Knox, Lewis, Mahler, Mathews of Tehama, McDonnell, McGowan, Mitchell, Morgan, Morris, Ohleyer, Price, Regan, Remson, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Toner, Variel, Venable, Weber, Wilcox, Wright, Young of San Diego, and Mr Speaker—55

NOES—None

Title read and approved.

Assembly Bill No. 152—An Act to add another section to Penal Code, to be numbered two hundred and sixty-eight, relating to crimes and punishments.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Bailey, Barry, Barton, Bost, Brierly, Britt, Butler, Campbell, Carr, Cohen, Colbert, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Gould, Granger, Gruwell, Heath, Henry of Butte, Hotchkiss, Knox, Lewis, Mahler, Martin, Mathews of Tehama, McDonnell, McGowan, Mitchell Morgan, Morris, Ohleyer, Price, Regan, Remson, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Toner, Venable, Vincent, Weber, Wilcox, Wright, Young of San Diego, and Mr. Speaker—32

NOES—Mr Hart—1.

Title read and approved.

Assembly Bill No. 14—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.

Mr. Brierly moved that the hour of recess be extended until one o'clock P. M

So ordered.

PREVIOUS QUESTION.

Mr. Wright moved the previous question, seconded by Messrs. Britt and Hotchkiss.

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

CALL OF THE HOUSE.

Mr. Henry of Butte moved a call of the House.

Lost.

The roll was called on the passage of Assembly Bill No. 14, and the bill lost by the following vote.

AYES—Messrs Adams, Bailey, Barton, Bost, Brierly, Britt, Butler, Callaghan, Cohen, Coombs, Cope, Currey of Solano, Ellsworth, Gould, Granger, Gruwell, Handy, Hart, Henry of Butte, Mahler, Mathews of Tehama, McDonnell, Morris, Ohleyer, Price, Regan, Remson, Shanahan, Sherburne, Weber Wilcox, Wright, Young of San Diego, and Mr Speaker—34

NOES—Messrs Carr, Colbert, Curry of San Francisco, Davis, Heath, Hotchkiss, Lewis, McGowan, Mitchell, Morgan, Sims, Smyth, Spurgeon, Sykes, Taylor, Toner, and Venable—17

NOTICE OF RECONSIDERATION.

Mr. Brierly gave notice that, on Tuesday next, he would move to reconsider the vote whereby Assembly Bill No. 14 was lost.

INTRODUCTION OF BILLS—(OUT OF ORDER).

By Mr. Lewis: Assembly Bill No. 382—An Act relating to guide boards and posts at road crossings.

Referred to Committee on County and Township Governments.

By Mr. McGowan: Assembly Bill No. 383—An Act to regulate the vocation of fishing, and to provide therefrom revenue for the restoration and preservation of fish in the waters of the State of California.

Referred to Committee on Fish and Game.

GENERAL FILE—(RESUMED)—THIRD READING OF BILLS.

Assembly Bill No. 138—An Act to amend sections six and eight 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, so as to create one additional district.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Bailey, Barton, Bost, Brierly, Britt, Callaghan, Campbell, Carr, Cohen, Colbert, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Gould, Granger, Gruwell, Handy, Hart, Heath, Henry of Butte, Hotchkiss, Lewis, Mahler, Martin, Mathews of Tehama, McDonnell, McGowan, Mitchell, Morgan, Morris, Ohleyer, Price, Regan, Remson, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Toner, Venable, Weber, Wilcox, Wright, Young of San Diego, and Mr Speaker—51.

NOES—None

Title read and approved.

Mr. Brierly moved that when this House adjourns it adjourns to meet on Tuesday next, at two o'clock P. M.

Ayes and noes demanded by Messrs. Heath, Gruwell, and McGowan.

Mr. Britt moved that the hour of recess be extended to one o'clock and five minutes P. M.

Lost.

Mr. McDonnell moved that the hour of recess be extended until after the question under discussion is disposed of.

So ordered.

The question being on the motion of Mr. Brierly, the roll was called, and the motion carried by the following vote:

AYES—Messrs Adams, Bailey, Barry, Barton, Bost, Brierly, Britt, Butler, Callaghan, Carr, Cohen, Colbert, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Gould, Granger, Hart, Henry of Butte, Knox, Martin, McDonnell, Mitchell, Morgan, Morris, Ohleyer, Price, Regan, Remson, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Toner, Variel, Venable, Weber, Wilcox, Wright, Young of San Diego, and Mr Speaker—45

NOES—Messrs Gruwell, Handy, Heath, Hotchkiss, Lewis, Mahler, McGowan, Sykes, and Taylor—9

ADJOURNMENT.

At one o'clock P. M., on motion of Mr. Brierly, the Speaker declared the House adjourned until Tuesday next, at two o'clock P. M.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Tuesday, February 1, 1887.

The House met pursuant to adjournment.

Speaker Jordan in the chair.

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

Messrs. Adams, Alexander, Atherton, Bailey, Barry, Barton, Britt, Brown W A, Brown J B, Burnett, Callaghan, Cohen, Cooley, Coombs, Currey of Solano, Ewing, Gould, Granger, Gruwell, Handy, Hart, Heath, Henry of San Joaquin, Hyde, Knox, LaBlanc, Lewis, Mahler, Mann, Matthews of San Benito, McClenahan, McGowan, Morris, O'Grady, Ohleyer, Regan, Renison, Searey Shelburne, Smyth, Spurgeon, Sykes, Taylor, Toner, Variel, Vincent, Windrow, Wilcox, Williams, Wright, Young of San Diego, and Mr. Speaker.

Quorum present.

Prayer by the Chaplain, Rev. E. R. Dille.

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

So ordered.

Journal approved.

LEAVE OF ABSENCE.

Mr. Venable was granted two days' leave of absence.

Messrs. Shanahan, Brooks, Gould, and Mitchell were each granted one day's leave of absence.

RECONSIDERATION.

Mr. Variel moved to reconsider the vote whereby Assembly Bill No. 74 was lost on Saturday last.

So ordered.

Mr. Taylor moved that the motion of reconsideration of Assembly Bill No. 74 be made the special order for Friday, February fourth, immediately after reading the Journal.

So ordered.

Mr. Coombs moved to reconsider the vote whereby Assembly Bill No. 14 was lost on Saturday last.

So ordered.

Mr. Granger moved that the motion of reconsideration of Assembly Bill No. 14 be made the special order for Friday, February fourth, at two o'clock P. M.

So ordered.

Mr. Renison moved that the special order for to-day, at two o'clock and fifteen minutes P. M.—consideration of Assembly Bill No. 35—be postponed, and made the special order for Wednesday, February second, at two o'clock and fifteen minutes P. M.

So ordered.

REPORTS OF STANDING COMMITTEES.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1887.

MR SPEAKER: Your Committee on Municipal Corporations, to whom was referred Assembly Bill No. 232—An Act to repeal certain sections or parts of the charter of the

City of Los Angeles—have examined the same, and respectfully report the same back, and recommend that it do pass

KNOX, Chairman

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1887.

MR SPEAKER Your Committee on Judiciary, to whom was referred Assembly Bill No 292—An Act to amend section nine hundred and seventy-five of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to appeals in civil actions—have considered the same, and report it back, and recommend that it do not pass.

Also, Assembly Bill No 298—An Act to amend section three thousand and forty-nine of an Act entitled "An Act to establish a Civil Code," approved March 29, 1878, relating to liens on personal property—and recommend that it do not pass.

Also, Assembly Bill No 307—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 the appointment of Notaries Public—and recommend that it do not pass

Assembly Bill No 92—On the same subject-matter, having been heretofore reported back with a recommendation for its passage

Also, Assembly Bill No 273—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 two thousand two hundred and ninety, relating to legal proceedings in cases of trusts—and recommend that it do pass

Also, Assembly Bill No 289—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," approved April 16, 1880—and recommend that it do pass.

Also, Assembly Bill No 281—An Act to amend section three hundred and forty-three of the Political Code, relating to the number and designation of the civil executive officers of the State—with amendments, and recommend its passage, as amended

Also, Assembly Bill No 301—An Act to add a new chapter to the Civil Code of the State of California, to be known as Chapter VIII, of Title XIV, of Part IV, of Division III, 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—with amendments, and recommend its passage, as amended

VARIEL, Chairman.

MR. SPEAKER Your Committee on Judiciary, to whom was referred Assembly Bills Nos 120 and 148—entitled respectively Assembly Bill No 120—An Act to amend an Act entitled "An Act to amend an Act to incorporate the Town of Chico, Butte County, California," approved March 23, 1878, and Assembly Bill No. 148—An Act to amend sections one, five, six, seven, eight, ten, and eleven of an Act entitled "An Act to provide for the redemption of the funded indebtedness of the City of Sacramento," approved March 25, 1872—beg leave to report that, having had under consideration the questions raised as to the constitutionality of said bills, they find that the same have never been settled by any express adjudication of the Supreme Court upon the points involved, and there being a difference of opinion among members of the committee, and a degree of uncertainty in the minds of several of them as to whether said bills are constitutional or not, they hereby report them back to the House, with the recommendation that they be again referred to the committee having them originally in charge, for the purpose of investigation as to their merits, irrespective of any question of constitutionality, and that if it shall be found that they embody measures of real utility or expediency, and are desired by the people of the localities peculiarly affected, that they be enacted into laws, and the question of their constitutionality submitted to the Courts

We are the more inclined to make this recommendation for the reason that it is highly desirable that these constitutional questions should be finally set at rest by the authoritative decision of the tribunal of last resort, in order that hereafter the objections urged to these bills, if they are untenable, may not hinder useful legislation, or, if they are valid, that the time and attention of the Legislature may not be wasted in deliberation upon measures beyond its power to enact

So far as we can see, there is no question of fact affecting the constitutionality of these bills, the decision of which by the Legislature could by any possibility preclude investigation by the Courts All objections to the constitutionality of the bills appear upon their face, and may be carried to the Judicial Department for decision unaffected by the action of the legislative branch of the government

VARIEL, Chairman.

Assembly Bill No. 120 and Assembly Bill No. 148 referred to Committee on Municipal Corporations, as recommended.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, January 31, 1887

MR SPEAKER Your Committee on Ways and Means, to whom was referred Assembly Bill No 143—An Act making appropriations to pay deficiencies in the appropriations for

the costs and expenses of suits in which the State is a party in interest, for the thirty-fifth, thirty-sixth, thirty-seventh, and thirty-eighth fiscal years—have had the same under consideration, and respectfully report the same back, and recommend that the author be given leave to withdraw

Also, Assembly Bill No 258—An Act to provide for the deficiency in the appropriation for the costs and expenses of suits where the State is a party in interest, for the thirty-seventh fiscal year

Also, Assembly Bill No. 262—An Act to provide for the deficiency in the appropriation for the costs and expenses of suits where the State is a party in interest, for the thirty-eighth fiscal year

Also, Assembly Bill No 266—An Act to provide for the deficiency in the appropriation for the costs and expenses of suits where the State is a party in interest, for the thirty-fifth fiscal year.

And respectfully report the same back, and recommend that they do pass

Also, Assembly Bill No 256—Entitled an Act to provide for the deficiency in the appropriation for the costs and expenses of suits where the State is a party in interest, for the thirty-sixth fiscal year—and respectfully report the same back, with amendment, and recommend that it do pass

Also, Assembly Bill No 98—An Act to provide for the permanent support of the University of California, by the levy of a rate of taxation, and the creation of a fund therefor—and respectfully report the same back, and recommend that it do pass

TAYLOR, Chairman

Assembly Bill No. 143 withdrawn by the author, Mr. Cooley, by consent of the House.

Assembly Bill No. 98, ordered placed on Special File.

ON MINES AND MINING INTERESTS—MAJORITY REPORT.

ASSEMBLY CHAMBER, SACRAMENTO, January 28, 1887.

MR SPEAKER Your Committee on Mines and Mining Interests, to whom was referred Assembly Bill No 117—An Act making an appropriation for the support and maintenance of the State Mining Bureau, for the thirty-ninth and fortieth fiscal years—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, as amended

SYKES, Chairman.

ON MINING AND MINING INTERESTS—MINORITY REPORT.

MR SPEAKER. The undersigned minority of your Committee on Mining and Mining Interests, having carefully considered Assembly Bill No. 117, entitled "An Act making appropriation for the support and maintenance of the State Mining Bureau, for the thirty-ninth and fortieth fiscal years," beg leave to submit a minority report upon the same, as follows In considering the merits of the proposed bill, and to our minds the extravagant amount therein proposed to be appropriated, we are mindful of the fact that our views may meet with opposition from some of our colleagues from the mining counties, but, actuated by the conviction that the purposes of this bill will not prove beneficial to mining interests, and that its results, instead of stimulating mining industries, will only deplete the State Treasury of a large amount of money, we feel constrained to oppose both the original bill and the bill as amended

The original bill, appropriating one hundred and twenty-five thousand dollars, is an increase over the appropriation made by the last Legislature, of one hundred and five thousand dollars, whilst the amended bill increases it forty thousand dollars The last appropriation, made for the thirty-seventh and thirty-eighth fiscal years, was twenty thousand dollars There is now an unexpended balance in this appropriation of two thousand five hundred dollars, whilst there is also an unexpended balance of two thousand four hundred dollars in the Mining Bureau Fund—coming from taxes on the sales of stock certificates—making, in round amounts, five thousand dollars now standing to the credit of the Trustees of the State Mining Bureau And it is likely that the amount of tax from stock sales, if properly collected, will reach several thousand dollars per year—probably ten thousand dollars To the mind of the minority of your committee, it is evident from the expenditures made during the last two fiscal years, together with the amount to-day to the credit of the Bureau, that no such amount as asked for is necessary to sustain the Bureau, and it is equally apparent that the Bureau is in no sense of any material value to the development of mining interests

It is energy in well directed efforts in the mines, and not the blind whims of salary-drawing theorists, that gives impetus and success to the great mining interests of the State Geological surveys in the field might aid in developing mining science and mining success, but it is worse than idle to even hope for like results from the assorting and displaying of rocks in the richly furnished parlors of the Mining Bureau in San Francisco In our judgment, no essential or practical benefit can result to mining interests from this Bureau Already is the State unstintedly supporting the Mining and Mechanic

Arts College of the State University, where assays, roasting, and experimenting are being constantly conducted by that branch of the University, and from which those desiring information as to the character and condition of mines, ought to be able to obtain it, and we fail to see the necessity for instituting a new department whose only aim can be to duplicate investigation and duplicate expense to the State This branch of the University contains a rock crusher, a battery, and a concentrator, in connection with a laboratory in which to demonstrate practical results from ore crushings

We put aside the appeals made to our local pride, in behalf of this measure, as representatives from mining counties It is said that this is all the miners ask, and that it should be granted for that reason To our mind, nothing not absolutely beneficial to the State should be taken from the taxes paid by the people to sustain the Government The appropriations made by Pennsylvania for geological surveys are cited to us as reasons for making appropriations to the State Mining Bureau We reply, the one promises the development and discovery of mines that will enrich the State, the other discovers and develops no mines, and only digs stopes and runs tunnels in the State Treasury. It does not even promise methods for impounding debris, whereby enjoined mines may be made to yield up the millions ready to pour themselves into the arteries of finance Did it do this, or did it hold out even the bow of promise to assist or stimulate quartz mining enterprises, none would be more generous than the minority of your committee

Our people are already groaning under a load of taxation, heavier than that of any other State of the Union According to "Scribner's Statistical Atlas," recognized everywhere as authority upon all subjects of which it treats, the people of this State to-day pay a higher tax, per capita, than those of any other State or Territory, and, with the present outlook for the year, we regard it as our duty as legislators to endeavor to call a halt in expenditures, in the interest of the over-burdened taxpayers From "Scribner's Statistical Atlas," we find that the per capita tax in North Carolina is one dollar and thirty-seven cents, Alabama, one dollar and sixty-three cents; Tennessee, one dollar and eighty-one cents, South Carolina, one dollar and eighty-five cents, Georgia, two dollars and eight cents, Texas, two dollars and eighty-seven cents; Missouri, four dollars and seventy-four cents, Kansas, five dollars, Michigan, five dollars and twenty-seven cents, Minnesota, five dollars and fifty-seven cents, Indiana, six dollars and twenty-four cents: Ohio, eight dollars and five cents, Colorado, eleven dollars and seven cents, New York, eleven dollars and nine cents, and California, fourteen dollars and sixty cents

In the light of this startling statement, we, the minority of your committee, dissent from the report of the majority, and respectfully represent that, in our judgment, the appropriation of the last Legislature, twenty thousand dollars was ample, and we recommend that this bill be amended so as to adopt that amount for the next two fiscal years.

Respectfully submitted

H MAHLER,
E SMYTH,
Minority.

ON FISH AND GAME.

ASSEMBLY CHAMBER SACRAMENTO, January 29, 1887.

MR SPEAKER Your Committee on Fish and Game, to whom was referred Assembly Bill No. 250—An Act to amend section six hundred and thirty-six of the Penal Code, relating to the violation of the law for the restoration and preservation of fish.

Also, Assembly Bill No 249—An Act to amend section six hundred and thirty-four of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relative to the preservation of fish.

Also, Senate Bill No 46—An Act to amend section six hundred and thirty-three of the Penal Code, relating to the violation of the law for the preservation of fish

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

Also, Assembly Bill No. 101—An Act in relation to canned or preserved food—most respectfully report a substitute, and recommend that the substitute do pass.

WILLIAMS, Chairman

ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1887.

MR. SPEAKER: Your Committee on Enrollment beg leave to report that the following Joint Resolution has been correctly enrolled

Joint Resolution No 7—Relative to the matter of securing an appropriation for the purpose of improving Humboldt Bar.

And was presented to the Governor this day, at two o'clock and twenty minutes P M.

JAS. B BROWN, Chairman.

ON WAYS AND MEANS

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1887.

MR SPEAKER Your Committee on Ways and Means, to whom was referred Assembly Bill No 261—An Act to provide for the payment of the expense incurred in fitting up and furnishing the chambers of the Supreme Court Commissioners—have had the same under consideration, and respectfully report the same back, and recommend that it do pass

Also, Assembly Bill No 223—An Act providing for the payment of West Side Irrigation Commissioners—and respectfully report the same back, and recommend that it go to the Committee on Claims

TAYLOR, Chairman

Referred to Committee on Claims, as recommended.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 1, 1887

MR SPEAKER I am directed to inform your honorable body that the Senate, on this day, adopted the following resolution—relative to the inaugural ceremonies of Washington Bartlett

WHEREAS, The Inaugural Committee of the Senate and Assembly are in receipt of several bills appertaining to the inaugural ceremonies of Governor Washington Bartlett, therefore, be it

Resolved by the Senate, the Assembly concurring, That a committee of three, composed of Senators Meany, Goucher, and Walrath, be appointed in the Senate to confer with a like committee from the House, to report upon the advisability of paying said bills

ED H HAMILTON, Secretary.
CORCORAN, Assistant Secretary

Resolution concurred in.

APPOINTMENT OF COMMITTEE.

The Speaker appointed as such committee, to confer with the committee of the Senate, Messrs. LaBlanc, Morris, and Smyth.

INTRODUCTION OF BILLS.

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

By Mr. LaBlanc: Assembly Bill No. 384—An Act to authorize the Board of Trustees of the California Home for the Care and Training of Feeble-Minded Children to sell and dispose of certain property, and to purchase and acquire other property.

Referred to Committee on State Hospitals.

By Mr. O'Grady: Assembly Bill No. 385—An Act to appropriate money to pay the claim of Richard Coleman, formerly First Lieutenant, commanding Company "D," Fifth Infantry Battalion, Second Brigade, National Guard of California, for moneys paid by him as expenses of said company.

Referred to Committee on Military Affairs.

By Mr. Burnett: Assembly Bill No. 386—An Act to authorize the Board of Supervisors of the City and County of San Francisco to examine into, adjust, and pay the claim of Thomas Day, of the City and County of San Francisco, for damages done to, and injuries suffered by, certain real property of said Day, situated on the north side of Harrison Street, between Second and Third Streets, in said city and county, by reason of the moderation of the grade of said Second Street, between Howard and Bryant Streets, had and made pursuant to the Act of the Legislature of the State of California, approved March 30, 1868, and entitled "An Act to authorize the Board of Supervisors of the City and County of San Francisco to modify the grades of certain streets."

Referred to Committee on Claims.

By Mr Ewing: Assembly Bill No. 387—An Act to amend section two thousand three hundred and eighty-five of Article III of the

Civil Code, approved March 30, 1874, relating to obligations of shipowner to owner of cargo.

Referred to Committee on Commerce and Navigation.

By Mr. Currey of Solano: Assembly Bill No. 388—An Act to amend section one hundred and seventy-two 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. Gruwell: Assembly Bill No. 389—An Act to amend the Civil Code, by adding a new title to Division I, Part IV, thereof, to be known as Title XVIII, and as sections six hundred and fifty-two, six hundred and fifty-three, six hundred and fifty-three *a*, six hundred and fifty-three *b*, six hundred and fifty-three *c*, and six hundred and fifty-three *d*, in relation to corporations.

Referred to Committee on Corporations.

By Mr. Mahler: Assembly Bill No. 390—An Act to appropriate money for the erection of a monument at the grave of J. W. Marshall, deceased, the discoverer of gold in California.

Referred to Committee on Ways and Means.

By Mr. W. A. Brown: Assembly Bill No. 391—An Act to restrict gaming, and to repeal all other Acts in relation thereto.

Referred to Committee on Public Morals.

Also, Assembly Bill No. 392—An Act to add section five hundred and thirty-nine to Article II, of the Political Code, relating to the office of Superintendent of State Printing, authorizing the Superintendent of State Printing to appoint a deputy.

Referred to Committee on Internal Improvements.

By Mr. Wright: Assembly Bill No. 393—An Act to amend sections two thousand five hundred and twenty-two, two thousand five hundred and twenty-four, two thousand five hundred and twenty-eight, and two thousand five hundred and thirty of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the San Francisco Harbor and State Harbor Commissioners.

Referred to Committee on Commerce and Navigation.

Also, Assembly Bill No. 394—An Act to amend an Act entitled "An Act to amend section six of an Act concerning the waterfront of the City and County of San Francisco, approved March 15, 1878, and to confer further powers upon the Board of State Harbor Commissioners," approved March 17, 1880.

Referred to Committee on Internal Improvements.

By Mr. Taylor: Assembly Bill No. 395—An Act to provide for the deficiency in the appropriation for salaries of the Commissioners of the Supreme Court, and their Secretary, for the thirty-eighth fiscal year.

Referred to Committee on Ways and Means.

By Mr. Atherton: Assembly Bill No. 396—An Act to amend an Act entitled "An Act making an appropriation for the establishment of a permanent fund for the purchase of jute to be manufactured at the State Prison at San Quentin," approved March 9, 1885, and making an additional appropriation therefor.

Referred to Committee on State Prisons.

Also, Assembly Bill No. 397—An Act making appropriations for the erection of buildings, and for other improvements at the State Prison at San Quentin.

Referred to Committee on State Prisons.

SPECIAL ORDER.

Assembly Constitutional Amendment No. 5—Proposed amendment to Article IV of the Constitution, relative to the passage of special laws.

On motion of Mr. Spurgeon, consideration of Assembly Constitutional Amendment No. 5 was postponed, and made the special order for Wednesday, February second, immediately after reading the Journal.

GENERAL FILE—THIRD READING OF BILLS.

Assembly Bill No. 69—An Act concerning the payment of the expenses and costs of the trial of persons charged with the violation of the laws for the preservation of fish in the navigable waters of this State.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Alexander, Atherton, Bailey, Barry, Barton, Britt, Brown J. B, Burnett, Callaghan, Cohen, Coombs, Currey of Solano, Ewing, Granger, Gruwell, Handy, Hart, Heath, Henry of San Joaquin, Hyde, Knox, LaBlanc, Mahler, Mann, Matthews of San Benito, McClenahan, McGowan, Morris, O'Grady, Ohleyer, Regan, Renison, Searey, Sherburne, Smyth, Spurgeon, Sykes, Taylor, Toner, Variel, Vincent, Windrow, Wilcox, Williams, Wright, Young of San Diego, and Mr. Speaker—48

NOES—None

Title read and approved.

Assembly Bill No. 70—An Act to amend section six hundred and thirty-six of an Act entitled an Act to establish a Penal Code, approved February 14, 1872, relating to the preservation of fish.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Alexander, Atherton, Bailey, Barry, Barton, Britt, Brown W. A, Brown J. B, Burnett, Callaghan, Carr, Cohen, Cooley, Coombs, Cope, Currey of Solano, Ellsworth, Gruwell, Handy, Hart, Heath, Henry of San Joaquin, Hyde, Knox, LaBlanc, Mahler, Mann, Matthews of San Benito, McClenahan, McGowan, Morris, O'Grady, Ohleyer, Regan, Renison, Searey, Sherburne, Smyth, Spurgeon, Sykes, Taylor, Toner, Variel, Vincent, Windrow, Wilcox, Williams, Wright, and Young of San Diego—50.

NOES—None.

Title read and approved.

Assembly Bill No. 46—An Act amending section one thousand one hundred and forty-three of the Code of Civil Procedure of the State of California, as amended March 18, 1885, and section one thousand one hundred and eighty-seven of the Code of Civil Procedure of the State of California, as amended March 30, 1874, relating to liens of mechanics and others.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Alexander, Atherton, Bailey, Barry, Barton, Britt, Brooks, Brown W A, Brown J B, Callaghan, Carr, Cohen, Cooley, Coombs, Currey of Solano, Ewing, Granger, Gruwell, Handy, Hart, Heath, Henry of San Joaquin, Knox, LaBlanc, Mahler, Matthews of San Benito, McClenahan, McGowan, Morris, O'Grady, Ohleyer, Regan, Renison, Searey, Sherburne, Smyth, Spurgeon, Sykes, Taylor, Toner, Variel, Vincent, Windrow, Wilcox, Williams, Wright, Young of San Diego, and Mr. Speaker—48

NOES—None.

Title read and approved.

Assembly Bill No. 75—An Act 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 therein.

Passed on file.

Assembly Bill No. 76—An Act entitled an Act to prevent running, capping, and soliciting for attorneys at law in or around Police Courts, Police Judges' Courts, or city prisons in incorporated cities, or cities and counties.

Passed on file.

MOTION.

At three o'clock P. M. Mr. O'Grady moved to adjourn.

Lost.

GENERAL FILE—(RESUMED).

Assembly Bill No. 78—An Act to provide an additional Judge of the Superior Court of the County of San Bernardino.

Read third time.

At request of Mr. Barton, this bill was passed on file.

Assembly Bill No. 68—An Act to amend section six hundred and ninety of the Code of Civil Procedure, relative to property exempt from execution.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Atherton, Bailey, Barry, Barton, Britt, Brown W A, Callaghan, Carr, Cohen, Cooley, Coombs, Currey of Solano, Ewing, Granger, Gruwell, Handy, Hart, Heath, Henry of San Joaquin, Hyde, Knox, LaBlanc, Lewis, Mahler, Matthews of San Benito, McClenahan, McGowan, Morris, O'Grady, Ohleyer, Regan, Remson, Sherburne, Smyth, Spurgeon, Sykes, Taylor, Toner, Variel, Vincent, Wilcox, Williams, Wright, Young of San Diego, and Mr. Speaker—46.

NOES—None.

Title read and approved.

MOTION.

Mr. Barton moved that the vote whereby Assembly Bill No. 78 was passed on file be reconsidered.

So ordered.

THIRD READING OF BILLS.

Assembly Bill No. 78—An Act to provide an additional Judge of the Superior Court of the County of San Bernardino.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Alexander, Atherton, Bailey, Barton, Britt, Brown W A, Callaghan, Carr, Cohen, Cooley, Coombs, Currey of Solano, Ewing, Granger, Gruwell, Heath, Henry of San Joaquin, Hyde, Knox, LaBlanc, Lewis, Mahler, Mann, Matthews of San Benito, McClenahan, McGowan, Morris, O'Grady, Ohleyer, Regan, Remson, Sherburne, Smyth, Spurgeon, Sykes, Taylor, Toner, Variel, Vincent, Windrow, Wilcox, Williams, Wright, Young of San Diego, and Mr. Speaker—46

NOES—None

Title read and approved.

Assembly Bill No. 55—An Act to protect the manufacturing industries of this State.

At the request of Mr. Cohen, this bill was passed on file.

Assembly Bill No. 91—An Act to amend section six hundred and thirty-two of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, and to repeal section six hundred and thirty-three and section six hundred and thirty-four of said Act, relating to trials by the Court and findings.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Alexander, Atherton, Bailey, Barry, Barton, Britt, Brown W. A., Brown J. B., Callaghan, Carr, Cohen, Cooley, Coombs, Currey of Solano, Ewing, Granger, Gruwell, Handy, Heath, Henry of San Joaquin, Knox, LaBlanc, Mahler, Matthews of San Benito, McClenahan, McGowan, Morris, Ohlever, Regan, Renison, Sherburne, Smyth, Spurgeon, Sykes, Taylor, Toner, Variel, Vincent, Wilcox, Williams, Wright, Young of San Diego, and Mr. Speaker—44

NOES—None

Title read and approved.

Assembly Bill No. 92—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 Notary Publics.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Alexander, Atherton, Bailey, Barry, Barton, Britt, Brown W. A., Callaghan, Carr, Cooley, Coombs, Currey of Solano, Ewing, Granger, Gruwell, Handy, Heath, Henry of San Joaquin, Hyde, Knox, LaBlanc, Mahler, Matthews of San Benito, McGowan, Morris, Ohlever, Regan, Renison, Searey, Sherburne, Smyth, Spurgeon, Sykes, Taylor, Toner, Variel, Vincent, Wilcox, Williams, Wright, Young of San Diego, and Mr. Speaker—43.

NOES—Messrs. Cohen and Lewis—2.

Title read and approved.

Assembly Bill No. 136—An Act to repeal an Act entitled "An Act to amend an Act to incorporate the City of Santa Barbara," approved March 30, 1878.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Alexander, Atherton, Bailey, Barry, Barton, Britt, Brown W. A., Brown J. B., Burnett, Callaghan, Carr, Cohen, Cooley, Coombs, Currey of Solano, Ewing, Granger, Gruwell, Handy, Heath, Henry of San Joaquin, Hyde, Knox, LaBlanc, Lewis, Mahler, Matthews of San Benito, McClenahan, McGowan, Morris, Ohlever, Regan, Renison, Searey, Sherburne, Smyth, Spurgeon, Sykes, Taylor, Toner, Variel, Vincent, Windrow, Wilcox, Williams, Wright, Young of San Diego, and Mr. Speaker—49

NOES—None

Title read and approved.

Assembly Bill No. 172—An Act to amend "An Act to appropriate money for the support of aged persons in indigent circumstances residing in the home of the Veterans' Home Association," approved March 7, 1883.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Alexander, Atherton, Bailey, Barry, Barton, Britt, Brown W. A., Burnett, Callaghan, Carr, Cohen, Cooley, Coombs, Currey of Solano, Ewing, Granger, Gruwell, Handy, Hart, Heath, Henry of San Joaquin, Hyde, Knox, LaBlanc, Lewis, Mahler, Matthews of San Benito, McClenahan, McGowan, Morris, Ohlever, Regan, Renison, Searey, Sherburne, Smyth, Spurgeon, Sykes, Taylor, Toner, Variel, Vincent, Windrow, Wilcox, Williams, Wright, Young of San Diego, and Mr. Speaker—49.

NOES—None

Title read and approved.

Assembly Bill No. 40—An Act to amend section thirty-two of an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Atherton, Bailey, Barry, Barton, Britt, Brown W A, Burnett, Callaghan, Carl, Cooley, Coombs, Currey of Solano, Ewing, Granger, Gruwell, Handy, Hart, Heath, Henry of San Joaquin, Hyde, Knox, LaBlanc, Lewis, Mahler, Mann, Matthews of San Benito, McClenahan, McGowan, Morris, Ohleyer, Regan, Remson, Searey, Sherburne, Smyth, Spurgeon, Sykes, Taylor, Toner, Variel, Vincent, Windrow, Wilcox, Williams, Wright, Young of San Diego, and Mr Speaker—49

NOES—None

Title read and approved.

Assembly Bill No. 62—An Act to amend sections three and seven hundred and sixty-eight of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal incorporations," approved March 13, 1883.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Atherton, Bailey, Barry, Barton, Britt, Burnett, Butler, Callaghan, Carl, Cohen, Cooley, Coombs, Currey of Solano, Ewing, Granger, Gruwell, Handy, Hart, Heath, Henry of San Joaquin, Hyde, Knox, LaBlanc, Mahler, Mann, Matthews of San Benito, McClenahan, McGowan, Morris, Ohleyer, Regan, Remson, Sherburne, Smyth, Spurgeon, Sykes, Taylor, Toner, Variel, Vincent, Windrow, Wilcox, Williams, Wright, and Mr Speaker—46.

NOES—None

Title read and approved.

Assembly Bill No. 41—An Act to amend an Act entitled "An Act to repeal Chapter II, of Title VI, Part III, 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 II, and to enact a new Chapter II, of Title VI, of Part III, of said Code, and substitute the same in place of said repealed Chapter II, in said Code, relating to roads and highways, approved February 28, 1883, by adding a new section thereto, to be numbered section two thousand six hundred and forty-six.

Read third time.

Mr. Hyde moved that the bill be referred to a select committee of one, with special instructions to amend as follows: by placing before the word "this," on last line on printed bill, the words "Sec. 2."

So ordered.

APPOINTMENT OF SELECT COMMITTEE.

The Speaker appointed Mr. Hyde a select committee to amend Assembly Bill No. 41.

REPORT OF SELECT COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1887

MR SPEAKER Your select committee to whom was referred Assembly Bill No 41, 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

M D. HYDE, Select Committee

Adopted.

On motion of Mr. Cooley, this bill was passed on file.

FIRST READING OF BILL.

Assembly Bill No. 153—An Act to amend an Act establishing a uniform system of county and township governments, approved March 14, 1883, and to add a new section thereto, so as to provide for the election of a Roadmaster by the qualified electors in the several districts of each county, at the time of the election of Supervisors, for the term of two years, and that the Board of Supervisors of each county, at their first meeting of their Board, are to state their duties by resolution of their Board, and to fix at the same time the compensation to be paid to them for their services.

First reading refused.

SECOND READING OF BILL.

Assembly Bill No. 103—An Act providing for the payment of witness expenses in criminal cases.

Substitute ordered engrossed, and to a third reading.

FIRST READING OF BILLS.

Assembly Bill No. 16—An Act to prohibit the sale of prepared opium, opium pipes, or parts thereof.

Read first time, and placed on file for second reading.

Assembly Bill No. 99—An Act entitled an Act to amend section six hundred and forty-seven of the Penal Code of the State of California, and to define the crime of vagrancy.

Passed on file.

Assembly Bill No. 19—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 indebtedness of said counties, equitably chargeable to San Benito County.

Read first time, and placed on file for second reading.

Assembly Bill No. 81—An Act in relation to the compensation of the Mayor and members of the Common Council of cities containing a population not exceeding ten thousand.

Read first time, and placed on file for second reading.

Assembly Bill No. 124—An Act to amend section six hundred and twenty-six of the Penal Code, relative to fish and game.

Read first time, and placed on file for second reading.

Assembly Bill No 25—An Act to add a new chapter to the Civil Code of the State of California, to be known as Chapter VIII, of Title XIV, of Part IV, of Division III, 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.

First reading refused.

Assembly Bill No. 220—An Act to repeal sections one thousand one

hundred and eighty-six and one thousand one hundred and ninety-one, and to amend section one thousand one hundred and eighty-seven of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872.

Read first time, and placed on file for second reading.

Assembly Bill No. 194—An Act to amend section six hundred and thirty-one of the Code of Civil Procedure, relating to waiver of trial by jury.

Read first time, and placed on file for second reading.

Assembly Bill No. 23—An Act relating to interest.

The question being, "Shall this bill be read the first time?"

The ayes and noes were demanded by Messrs. J. B. Brown, Lewis, and Toner.

The roll was called, and the bill refused a first reading by the following vote:

AYES—Messrs Britt, Brown W. A., Brown J. B., Burnett, Callaghan, Cohen, Ewing, Granger, Lewis, Matthews of San Benito, McGowan, O'Grady, Ohleyer, Regan, Remson Searey, Shanahan, Sykes, Toner, and Wundrow—20

NOES—Messrs Adams, Alexander, Atherton, Bailey, Barry, Barton, Carr, Cooley, Coombs, Currey of Solano, Gruwell, Heath, Henry of San Joaquin, Hyde, Knox, Mahler, Mann, McClenahan, Morris, Sherburne, Sims, Smyth, Taylor, Variel, Vincent, Wilcox, Williams, Wright, Young of San Diego, and Mr Speaker—30

Assembly Bill No. 26—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.

Read first time, and placed on file for second reading.

Assembly Bill No. 38—An Act to amend sections one thousand and thirty-three, one thousand and thirty-four, and one thousand and thirty-five of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to the removal of criminal actions before trial.

Read first time, and placed on file for second reading.

Assembly Bill No. 82—An Act to enfranchise and restore William T. Wheeler to all the privileges of an elector, and to all the political rights of citizenship.

Mr. Granger moved to pass this bill on the file.

Lost.

Mr. Knox presented a petition from citizens and taxpayers of Santa Clara County, asking that the political disabilities of William T. Wheeler be removed, which was ordered read.

Assembly Bill No. 82 read second time.

Mr. Knox moved to amend the enacting clause so as to read as follows:

The People of the State of California, represented in Senate and Assembly, do enact as follows

So ordered.

Bill ordered engrossed, and to a third reading.

Assembly Bill No. 134—An Act to provide for the removal of the mineral cabinet from the State Library.

Read second time.

Committee amendment, as follows, lost: Amend title by adding after the word "Library," the words "and to appropriate money therefor."

Mr. Taylor moved to strike out section three.

Adopted.

Mr. Taylor moved to amend section two, by striking out, in line two, the words "not in the State Library," and insert the words "in the Crocker Art Gallery buildings."

Adopted.

Bill, as amended, ordered engrossed, and to a third reading.

At four o'clock and fifty-five minutes P. M. Mr. J. B. Brown moved to adjourn.

Lost.

Assembly Bill No. 198—An Act to amend section three thousand three hundred and sixty of the Civil Code of the State of California, relating to damages in cases of libel or slander.

Read second time.

Mr. Hyde moved to amend, by adding a new section, as follows:

SEC. 2. This Act shall take effect and be in force from and after its passage.

Amendment adopted.

Bill ordered engrossed, and to a third reading.

Assembly Bill No. 164—An Act to add a new section to the Penal Code, to be known as section five hundred and thirty-seven, relative to cheats.

Passed on file.

Assembly Bill No. 111—An Act to appropriate money to pay the claim of W. T. Brown or his executors or administrators.

Read first time, and placed on file for second reading.

Assembly Bill No. 112—An Act to appropriate money to pay the claim of R. F. Del Valle.

Read first time, and placed on file for second reading.

Assembly Bill No. 113—An Act to appropriate money to pay the claim of B. F. Langford.

Read first time, and placed on file for second reading.

Assembly Bill No. 114—An Act to appropriate money to pay the claim of Benj. Knight.

Read first time, and placed on file for second reading.

Assembly Bill No. 115—An Act to appropriate money to pay the claim of E. T. Wilkins.

Read first time, and placed on file for second reading.

ADJOURNMENT.

At five o'clock, on motion of Mr. Heath, the House adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Wednesday, February 2, 1887.

The House met pursuant to adjournment.

Speaker Jordan in the chair.

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

Messrs Adams, Alexander, Atherton, Bailey, Barry, Barton, Bost, Brierly, Britt, Brooks, Brown W A, Brown J B, Brusie, Burnett, Callaghan, Campbell, Cain, Carroll, Cohen, Colbert, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Ellsworth, Ewing, Granger, Gruwell, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, Knox, LaBlanc, Lawrence, Lewis, Mahler, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Mitchell, Morgan, Morris, O'Grady, Ohleyer, Price, Regan, Rucker, Remson, Searey, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Tonei, Variel, Venable, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr Speaker.

Quorum present.

Prayer by the Chaplain, Rev. E. R. Dille.

Pending the reading of the Journal of yesterday, Mr. Young of San Diego moved to dispense with further reading.

So ordered.

Journal approved.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 1, 1887

MR SPEAKER I am directed to inform your honorable body that the Senate, on this day, passed the following Senate Bills

Senate Bill No 26—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, relating to mortgages of personal property

Senate Bill No 60—An Act making an additional appropriation for rent, furniture, and contingent expenses of Insurance Commissioner, for the thirty-eighth fiscal year.

Senate Bill No 49—An Act to provide for the permanent support of the University of California, by the levy of a rate of taxation and the creation of a fund therefor

Senate Bill No 41—An Act to encourage tree planting within the State of California

ED. H. HAMILTON, Secretary

Senate Bill No. 26 referred to Committee on Judiciary.

Senate Bill No. 60 referred to Committee on Ways and Means.

On motion of Mr. Alexander, Senate Bill No. 49 was substituted on the Special File for Assembly Bill No. 98.

Senate Bill No. 41 referred to Committee on Yosemite Valley, Mariposa Grove of Big Trees, and Forestry.

REPORTS OF STANDING COMMITTEES.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, February 2, 1887

MR. SPEAKER. Your Committee on Ways and Means, to whom was referred Assembly Bill No. 257—An Act to provide for the deficiency in the appropriation for the payment of rewards for the arrest and conviction of highway robbers, for the thirty-sixth fiscal year

Also, Assembly Bill No 260—An Act to provide for the deficiency in the appropriation for the payment of rewards for the arrest and conviction of highway robbers, for the thirty-seventh fiscal year

Also, Assembly Bill No 219—An Act to repeal an Act entitled "An Act to appropriate money for the support of aged persons in indigent circumstances," approved March 15, 1883.

Also, Assembly Bill No 255—An Act making additional appropriation for rent, furniture, and contingent expenses of Insurance Commissioner, for the thirty-seventh fiscal year.

Also, Assembly Bill No 265—An Act making additional appropriation for rent, furniture, and contingent expenses of Insurance Commissioner, for the thirty-eight fiscal year

Also, Assembly Bill No 234—An Act making an appropriation to pay a deficiency in the appropriation for stationery, fuel, and lights for the Legislature and State officers, for the thirty-fourth fiscal year

Also, Assembly Bills Nos 167 and 168—Acts to appropriate money to pay deficiency for State Prison at Folsom

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

TAYLOR, Chairman

INTRODUCTION OF BILL.

The following bill was introduced, read by title, and referred to committee, as follows:

By Mr. Variel: Assembly Bill No. 398—An Act to amend sections one thousand one hundred and eighty-seven, one thousand one hundred and eighty-eight, and one thousand one hundred and ninety-one of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to uniformity of tickets.

Referred to Committee on Elections.

Mr. Coombs, Chairman of Committee on Viniculture and Viticulture, asked for an extension of time for Committee on Viniculture and Viticulture, for this week, to report back the bills referred to said committee.

Request granted.

SPECIAL ORDERS.

Immediately after reading the Journal:

Assembly Constitutional Amendment No. 5—Proposed amendment to Article IV of the Constitution, relative to the passage of special laws.

The Committee on Constitutional Amendments offered the following amendment, which was adopted: After the word "irrigation," in line fifty of original bill, add the words "or mining."

Adopted.

Mr. Hyde moved to amend: Strike out paragraph twenty-two, viz.: "Restoring to citizenship persons convicted of infamous crimes."

Adopted.

After debate, Mr. Hyde moved to reconsider the vote whereby the amendment to strike out section twenty-two was adopted.

Motion carried.

Mr. Hyde asked permission to withdraw amendment to strike out section twenty-two.

Objected to.

The question recurring on the adoption of the amendment offered by Mr. Hyde to strike out section twenty-two.

Amendment lost.

The question being on the passage of Assembly Constitutional Amendment No. 5, Mr. Sykes moved to amend: Strike out the word "or," in the committee amendment, and in line fifty-one, after the word "irrigation," insert the words "mining or other useful."

Adopted.

Mr. Variel moved to rerefer Assembly Constitutional Amendment No. 5 to Committee on Irrigation.

So referred.

SPECIAL FILE.

Assembly Constitutional Amendment No. 2—To propose to the people of the State of California an amendment to the Constitution of the State, relative to irrigation.

Mr. Henry of Butte moved to rerefer Assembly Constitutional Amendment No. 2 to the Committee on Irrigation, with instructions to report back, with recommendations, and that said report be printed.

Adopted.

FIRST READING OF BILL.

Senate Bill No. 49—An Act to provide for the permanent support of the University of California by the levy of a rate of taxation, and the creation of a fund therefor.

Read first time, and placed on file for second reading.

GENERAL FILE—FIRST READING OF BILLS.

Assembly Bill No. 75—An Act 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 therein.

Read first time, and placed on file for second reading.

Mr Young of San Diego in the chair.

Assembly Bill No. 76—An Act entitled an Act to prevent running, capping, and soliciting for attorneys at law in or around Police Courts, Police Judges' Courts, or city prisons, in incorporated cities, or cities and counties.

Read first time, and placed on file for second reading.

Speaker Jordan in the chair.

Mr. Brooks moved that Assembly Bill No. 1 be taken up out of order and read first time.

Ayes and noes demanded on the motion, by Messrs. Cohen, Brooks, and Lawrence.

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

AYES—Messrs Adams, Barry, Barton, Bost, Britt, Brooks, Brown W. A, Brown J B., Brusie, Cohen, Colbert, Coombs, Cope, Curry of San Francisco, Davis, Ewing, Gruwell, Hart, Hotchkiss, Knox, LaBlanc, Lawrence, Lewis, Mann, Matthews of San Benito, McClenahan, McDonnell, McGowan, Mitchell, Morgan, O'Grady, Ohleyer, Regan, Rucker, Searey, Shanahan, Smyth, Taylor, Toner, Variel, Vincent, Weber, Windrow, Wright, Young of San Diego, and Young of San Joaquin—46

NOES—Messrs Alexander, Atherton, Bailey, Bruerly, Carr, Carroll, Cooley, Currey of Solano, Ellsworth, Gould, Heath, Henry of San Joaquin, Hyde, Mahler, Mathews of Tehama, Morris, Price, Remson, Sherburne, Sims, Spurgeon, Sykes, and Williams—23

Assembly Bill No. 1—An Act to amend sections two thousand four hundred and thirty-three, two thousand four hundred and thirty-six, two thousand four hundred and forty, and two thousand four hundred and forty-three, of Article V of the Political Code, relating to pilots and Pilot Commissioners, and two thousand four hundred and fifty-seven, two thousand four hundred and sixty, two thousand four hundred and sixty-two, two thousand four hundred and sixty-five, two thousand four hundred and sixty-six, and two thousand four hundred and sixty-seven, of Article VI of the Political Code, relating to the pilot regulations for San Francisco, Mare Island, and Benicia.

Read first time, and placed on file for second reading.

RESOLUTION—(OUT OF ORDER).

By Mr. Hyde:

Resolved, That the Clerk be directed to have two hundred copies of Assembly Bill No 1 printed, as amended by the committee, and supplied to the members of this House.

Mr. Brooks moved to amend, by adding, "and that its consideration be made the special order for Friday, immediately after reading the Journal."

Mr. Renison moved to lay the whole subject on the table.

Lost.

Mr. Cooley moved to refer the whole subject to the Committee on Commerce and Navigation.

RECESS.

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

REASSEMBLED.

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

Speaker Jordan in the chair.

Quorum present.

The question being upon the motion to refer, offered by Mr. Cooley.

QUESTION OF PRIVILEGE.

Mr. Atherton rose to a question of privilege.

LEAVE OF ABSENCE.

Mr. Butler was granted leave of absence until Friday, February fourth.

Mr. Cooley asked leave to amend his motion, as follows: Add the words "that said committee report the bill back in six days."

Request granted.

Mr. Renison moved that the special order set for this hour, two o'clock and fifteen minutes P. M., consideration of Assembly Bill No. 35, be postponed until after the bill under consideration is disposed of.

So ordered.

The question being on the reference of Assembly Bill No. 1 to the Committee on Commerce and Navigation, to report back in six days, the ayes and noes were demanded by Messrs. Brooks, Ewing, and Toner.

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

AYES—Messrs. Alexander, Bailey, Barry, Brierly, Britt, Brown W. A., Brown J. B, Burnett, Callaghan, Campbell, Cohen, Colbert, Cooley, Coombs, Currey, of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Henry of Butte, Hyde, Knox, LaBlanc, Lawrence, Lewis, Mahler, Martin, Mann, Mitchell, Morris, O'Grady, Price, Regan, Renison, Searey, Shanahan, Sherburne, Sims, Sykes, Taylor, Toner, Variel, Weber, Windrow, Wilcox, and Mr Speaker—46

NOES—Messrs Adams, Atherton, Barton, Bost, Brooks, Brusie, Carr, Carroll, Cope, Gould, Granger, Gruwell, Handy, Hart, Heath, Henry of San Joaquin, Hotchkiss, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Ohlever, Rucker, Spurgeon, Venable, Vincent, Williams, Wright, Young of San Diego, and Young of San Joaquin—31

LEAVE OF ABSENCE.

Mr. Smyth was granted leave of absence for three days, including to-day.

INTRODUCTION OF BILLS—(OUT OF ORDER).

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

By Mr. McGowan: Assembly Bill No. 399—An Act to prevent fraud

and imposition in the matter of stamping and labeling produce and manufactured goods.

Referred to Committee on Labor and Capital.

By Mr. Rucker: Assembly Bill No. 400—An Act to provide for the erection of additional buildings for the use of the chronic insane.

Referred to Committee on Public Buildings and Grounds.

QUESTION OF PRIVILEGE.

Mr. Hyde arose to a question of privilege, stating that the remarks made by him this morning were not intended to reflect either upon any of the members of the Judiciary Committee nor upon that committee.

SPECIAL ORDER.

The time set for the consideration of the special order having arrived, Assembly Bill No. 35—An Act for the better protection of settlers on the public lands of the United States within the State of California, and for the protection and encouragement of persons desirous of settling thereon—was, on motion of Mr. Renison, taken up.

THIRD READING OF BILL.

Assembly Bill No. 35—An Act for the better protection of settlers on the public lands of the United States within the State of California, and for the protection and encouragement of persons desirous of settling thereon.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Alexander, Atherton, Bailey, Barry, Barton, Bost, Brierly, Britt, Brooks, Brusie, Burnett, Callaghan, Campbell, Carr, Carroll, Cohen, Colbert, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Gould, Granger, Gruwell, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, Knox, LaBlanc, Lawrence, Lewis, Mahler, Martin, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Mitchell, Morris, O'Grady, Ohleyer, Price, Regan, Rucker, Renison, Searey, Shanahan, Sherburne, Sims, Spurgeon, Sykes, Taylor, Toner, Variel, Venable, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr Speaker—74

NOES—None

Title read and approved.

GENERAL FILE—(RESUMED)—THIRD READING OF BILL.

Assembly Bill No. 55—An Act to protect the manufacturing industries of this State.

Read third time.

Mr. Carroll moved that the bill be referred to a select committee of one, with special instructions to amend as follows: Amend, by inserting, after the word "article," on line one, section one, the following: "except drugs and canned goods."

PREVIOUS QUESTION.

Mr. Gruwell moved the previous question, seconded by Messrs Colbert and Toner.

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

The question being upon the motion of Mr. Carroll to appoint a select committee of one, it was lost.

The question recurring upon the passage of Assembly Bill No. 55, the roll was called, and the bill passed by the following vote:

AYES—Messrs Barry, Barton, Bost, Brierly, Britt, Brooks, Brown W J, Brown J. B, Brusie, Burnett, Callaghan, Campbell, Carr, Cohen, Colbert, Cooley, Cope, Currey of Solano, Curry of San Francisco, Davis, Ewing, Gould, Granger, Gruwell, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, Knox, LaBlanc, Lawrence, Lewis, Mahler, Martin, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Mitchell, Morris, O'Grady, Ohleyer, Price, Regan, Rucker, Renison, Shanahan, Sims, Spurgeon, Sykes, Taylor, Toner, Variel, Venable, Weber, Windrow, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr Speaker—66.

NOES—Messrs Alexander, Atherton, Bailey, Carroll, Ellsworth, Sherburne, Vincent, and Wilcox—8.

Title read and approved.

Assembly Bill No. 41—An Act to amend an Act entitled "An Act to repeal Chapter II, of Title VI, Part III, 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 II, and to enact a new Chapter II, of Title VI, of Part III, of said Code, and substitute the same in place of said repealed Chapter II, in said Code, relating to roads and highways, approved February 28, 1883, by adding a new section thereto, to be numbered section two thousand six hundred and forty-six.

Read third time.

Mr. Coombs moved to make Assembly Bill No. 41 special order for next Tuesday, February eighth, immediately after the reading of the Journal.

So ordered.

FIRST READING OF BILL.

Assembly Bill No. 99—An Act entitled an Act to amend section six hundred and forty-seven of the Penal Code of the State of California, and to define the crime of vagrancy.

Read first time, and placed on file for second reading.

Mr. Variel in the chair.

SECOND READING OF BILL.

Assembly Bill No. 164—An Act to add a new section to the Penal Code, to be known as section five hundred and thirty-seven, relative to cheats.

Read second time, ordered engrossed, and to a third reading.

FIRST READING OF BILLS.

Assembly Bill No. 135—An Act for the remuneration of Elisha O. Crosby, for money advanced to and for the State of California.

Mr. Heath moved to refer Assembly Bill No. 135 to Committee on Ways and Means.

Lost.

Read first time.

Assembly Bill No. 28—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 first time.

Speaker Jordan in the chair.

Mr. Knox moved to suspend the rules, and take up, out of order, Assembly Bills Nos. 59, 58, and 57, and that they be read first time.

Motion lost.

Assembly Bill No. 175—An Act to amend section three thousand five hundred and two of the Political Code, relating to school land warrants.

Read first time.

Assembly Bill No. 39—An Act to repeal section two thousand six hundred and twenty and subdivision five of section two thousand six hundred and forty-three, and to amend sections two thousand six hundred and forty-two, two thousand six hundred and forty-three, two thousand six hundred and fifty-one, two thousand six hundred and eighty-two, two thousand six hundred and eighty-five, two thousand six hundred and eighty-eight, two thousand six hundred and eighty-nine, two thousand six hundred and ninety, two thousand six hundred and ninety-one, and two thousand six hundred and ninety-two of an Act entitled "An Act to repeal Chapter II, of Title VI, Part III, 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 II, and to enact a new Chapter II, of Title VI, of Part III, of said Code, and substitute the same in place of said repealed Chapter II, in said Code, relating to roads and highways," approved February 28, 1883.

Read first time, and placed on file for second reading.

Assembly Bill No. 208—An Act to validate proceedings for the reorganization of municipal corporations taken since the passage of the Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Read first time, and placed on file for second reading.

Assembly Bill No. 50—An Act to amend section five hundred and thirty-two of an Act entitled an Act to establish a Penal Code, approved February 14, 1872, relating to the crime of obtaining money and property under false pretenses.

Read first time, and placed on file for second reading.

Assembly Bill No. 77—An Act to amend the Political Code, by adding thereto a section, to be known as section three thousand three hundred and eighty-two, relating to the powers of Boards of Supervisors to impose license taxes and provide for the collection thereof.

First reading refused.

Assembly Bill No. 137—An Act to amend an Act entitled 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," approved March 14, 1885.

Read first time, and placed on file for second reading.

NOTICE OF RECONSIDERATION.

Mr. Hyde gave notice that, on to-morrow, he would move to reconsider the vote whereby Assembly Bill No. 77 was refused a first reading.

Assembly Bill No 236—An Act to provide for the payment of jurors in criminal causes in Justices' Courts.

Read first time, and placed on file for second reading.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON CLAIMS.

ASSEMBLY CHAMBER, SACRAMENTO, February 2, 1887.

MR SPEAKER Your Committee on Claims, to whom was referred Assembly Bill No 129—An Act for the relief of George Nightingale, Michael Ryan, Joseph Rosa, Bridget Davis, Bernard Ward, Ellen Burdett, John Wrixon, Michael O'Neil, Anna Elizabeth Sneider, Eliza Kelleher, William J Nightingale, Margaret Coogan, Bridget L Ryan, Elizabeth Overend, Thomas Dillon, Patrick Garrigan, Bridget F. Houston, Timothy Murphy, James McGeough, Otis Berge, James Hartford, and Ellen McArevey, whose property has been taken and destroyed by blasting and excavating Telegraph Hill, in the City and County of San Francisco, for rock and earth with which to construct the State seawall along the port of San Francisco, in the State of California—have had the same under consideration, and respectfully propose and recommend a substitute for said bill, which substitute is herewith submitted with this report, and recommend that the said substitute do pass

NESTOR A. YOUNG, Chairman.

Assembly Bill No. 237—An Act to amend an Act to establish a uniform system of county and township governments, approved March 14, 1883, amended March 18, 1885, by amending and revising and subdividing into new sections 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 first time, and placed on file for second reading.

Assembly Bill No. 238—An Act to amend an Act entitled an Act to establish a uniform system of county and township governments, approved March 14, 1883, and amended March 18, 1885.

Passed on file, on motion of Mr. Handy.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON MILITARY AFFAIRS.

ASSEMBLY CHAMBER, SACRAMENTO, February 2, 1887

MR SPEAKER. Your Committee on Military Affairs beg leave to report that, in the discharge of their duties, they have visited the armories at San Francisco and inspected the property of the State of California in the hands of the National Guard, and are entitled to mileage, as follows. Messrs. Carroll, LaBlanc, O'Grady, Searey, and Clerk Eldred, each from Sacramento to San Francisco and return, one hundred and sixty-eight miles

COOLEY, Chairman

Referred to Committee on Mileage.

RESOLUTION—(OUT OF ORDER).

By Mr. N. A. Young, Chairman of the Committee on Claims:

Resolved, That the Controller be and he is hereby authorized to draw his warrant upon the Treasurer for the sum of one hundred and seventeen dollars and sixty cents, payable to Nestor A Young, Chairman of the Committee on Claims, said amount being mileage for six members of said committee and their clerk to San Francisco, on the investigation of the Telegraph Hill claims, Tuesday, January 25, 1887.

Referred to Committee on Mileage.

ADJOURNMENT.

At four o'clock and fifty-eight minutes P. M., on motion of Mr. Mathews of Tehama, the House adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Thursday, February 3, 1887.

The House met at ten o'clock A. M., pursuant to adjournment.

Speaker pro tem. Brierly in the chair.

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

Messrs Adams, Alexander, Atherton, Bailey, Barry, Barton, Bost, Brierly, Britt, Brooks, Brown W A, Brown J B, Brusie, Burnett, Butler, Campbell, Carr, Carroll, Cohen, Colbert, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Gruwell, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, Knox, LaBlanc, Lewis, Mahler, Martin, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Morgan, Morris, O'Grady, Ohlever, Price, Regan, Rucker, Remson, Searey, Shanahan, Sherburne, Sims, Spurgeon, Sykes, Taylor, Tonet, Variel, Venable, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, and Young of San Joaquin

Quorum present.

Prayer by the Chaplain, Rev. E. R. Dille.

Speaker Jordan in the chair.

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

So ordered.

Journal approved.

Mr. Brierly moved that the special order—consideration of Assembly Bill No. 119—set for this time, be postponed until ten o'clock and thirty minutes A. M.

So ordered.

PETITIONS.

Mr. Sykes presented a number of petitions from citizens and taxpayers of Nevada County, praying that section one hundred and seventy of the County Government Act be amended.

Referred to Committee on County and Township Governments.

Mr. Renison presented a petition from citizens of this State, asking that the Legislature adopt resolutions approving a permanent International Court of Arbitration.

Referred to Committee on Federal Relations.

REPORTS OF STANDING COMMITTEES.

ON LABOR AND CAPITAL.

ASSEMBLY CHAMBER, SACRAMENTO, February 3, 1887.

MR SPEAKER Your Committee on Labor and Capital, to whom was referred Assembly Bill No. 67—An Act to provide for the better protection and security of life and property in the use of steam boilers—have had the same under consideration, and respectfully report the same back, without recommendation

LABLANC, Chairman

ON COMMERCE AND NAVIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 2, 1887.

MR SPEAKER Your Committee on Commerce and Navigation, to whom was referred Assembly Bill No 121—An Act to provide for the inspection of illuminating oils manufactured from petroleum or coal oils—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass

EWING, Chairman

ON VINICULTURE AND VITICULTURE

ASSEMBLY CHAMBER, SACRAMENTO, February —, 1887

MR SPEAKER Your Committee on Viniculture and Viticulture, to whom was referred Assembly Bill No 185—Report the same back, without recommendation

Also, Senate Bill No. 160—Report the same back, with recommendation that it do pass

COOMBS, Chairman.

ON IRRIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 3, 1887.

MR. SPEAKER: Your Committee on Irrigation, to whom was referred Assembly Constitutional Amendment No 2—To propose to the people of the State of California an amendment to the Constitution of the State, relative to irrigation—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, as amended

VINCENT, Chairman

On motion of Mr. Shanahan, the usual number of Assembly Constitutional Amendment No. 2 was ordered printed, with the amendments recommended by the Committee on Irrigation.

ON MILEAGE

ASSEMBLY CHAMBER, SACRAMENTO, February 2, 1887.

MR. SPEAKER. Your Committee on Mileage, to whom was referred the report of the Committee on Internal Improvements, 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. W. A Brown, Williams, Windrow, Henry, McClenahan, and Clerk Smith

Resolved, That the Controller be and is hereby authorized to draw his warrant for the

sum of fifty-seven dollars and sixty cents, in favor of W. A. Brown, for above mileage, payable out of the appropriation for the contingent expenses of the Assembly

WEBER, Chairman

Adopted.

ON MILITARY AFFAIRS

ASSEMBLY CHAMBER, SACRAMENTO, February 2, 1887

MR SPEAKER Your Committee on Military Affairs, to whom was referred Assembly Bill No. 184—An Act authorizing and providing for the erection and furnishing of armories for the National Guard of the State of California, and issue bonds for the payment of the same, and providing for the payment of said bonds

Also, Assembly Bill No 339—An Act to appropriate the sum of ten thousand dollars for the construction of an additional cottage at the Veterans' Home, under the auspices of the Veterans' Home Association, and for the completion of the principal building already in use, and to improve the water supply of said Home

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

COOLEY, Chairman

ON STATE PRISON

ASSEMBLY CHAMBER, SACRAMENTO, February 3, 1887

MR SPEAKER: Your Committee on State Prison, to whom was referred Assembly Bill No. 272—have had the same under consideration, and respectfully propose a substitute in place of original bill, and recommend that it do pass

Also:

SACRAMENTO, February 3, 1887

MR SPEAKER Your Committee on State Prison beg leave to report that in the discharge of their duties they have visited the State Prison at San Quentin, and are entitled to mileage, as follows Messrs Atherton, Ewing, Cooley, Brooks, Burnett, McDonnell, Jr., Mathews, Gruwell, and Clerk Trowbridge, each from Sacramento to San Quentin and return, distance one hundred and ninety-six miles, making, in the aggregate, one hundred and seventy-six dollars and forty cents

ATHERTON, Chairman

Referred to Committee on Mileage.

ON RETRENCHMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 3, 1887

MR SPEAKER Your Committee on Retrenchment, to whom was referred Assembly Bill No 327—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass

GOULD, Chairman.

ON INTERNAL IMPROVEMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, February 3, 1887

MR SPEAKER Your Committee on Internal Improvements, to whom was referred Senate Bill No 93—An Act to authorize the Common Councils and Boards of Supervisors of the several cities, counties, and cities and counties, in this State, to levy taxes for the maintenance of public parks having an area of over ten acres each, within their respective limits—have had the same under consideration, and respectfully report the same back, and recommend that it do pass

W A. BROWN, Chairman

ON COUNTY AND TOWNSHIP GOVERNMENTS

ASSEMBLY CHAMBER, SACRAMENTO, February 3, 1887

MR SPEAKER Your Committee on County and Township Governments, to whom was referred Assembly Bill No 279—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 323—An Act to amend section seventeen 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 they do pass.

Also, Assembly Bill No 291—An Act to amend section one thousand and thirty-two of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to different classes of officers

Also, Assembly Bill No 235—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, relating to salaries and fees of officers

Also, Assembly Bill No 382—An Act relating to guide boards and posts at road crossings

Respectfully report the same back, and recommend that they do not pass

Also, Assembly Bill No 27—An Act to amend section one hundred and seventy of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883—respectfully report the same back, with a substitute, and recommend that the substitute do pass.

The accompanying petitions are herewith returned.

Also, Assembly Bill No. 246—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883, and the Act amendatory thereof, approved March 18, 1885—and respectfully report the same back, without recommendation.

McGOWAN, Chairman

ON PUBLIC BUILDINGS AND GROUNDS.

ASSEMBLY CHAMBER, SACRAMENTO, February 2, 1887.

MR SPEAKER Your Committee on Public Buildings and Grounds beg leave to report that, in discharge of their duties, they have visited the buildings and grounds of the Branch State Normal School, at Los Angeles, and are entitled to mileage as follows Messrs Carroll, Curry of San Francisco, Davis, Ellsworth, Campbell, Martin, Rucker, Henry of Butte, Hotchkiss, and Clerk Jackson, each from Sacramento to Los Angeles and return, nine hundred and fifty-six miles.

CARROLL, Chairman.

Referred to Committee on Mileage.

PETITION—(OUT OF ORDER).

Mr. Wright presented several petitions from freeholders in the County of Stanislaus, asking for the passage of Assembly Bill No. 12, relating to irrigation.

Referred to Committee on Irrigation.

MOTION.

On motion of Mr. Wright, three hundred and twenty copies of the petition were ordered printed.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 2, 1887.

MR SPEAKER. I am directed to inform your honorable body that the Senate, on this day, passed Senate Concurrent Resolution No 3—Relative to the withdrawal of government timber lands from sale

Also, on this day, passed Senate Bill No. 23—An Act entitled an Act to provide for claim of Colonel W. B. Burtis.

E. H HAMILTON, Secretary.
By R. B. OULLAHAN, Assistant Secretary.

Senate Concurrent Resolution No. 3 referred to Committee on Forestry.

Senate Bill No. 23 referred to Committee on Claims.

MOTION.

On motion of Mr. Brierly, the special order set for this hour—ten o'clock and thirty minutes A. M.—consideration of Assembly Bill No. 119, was postponed until eleven o'clock A. M.

INTRODUCTION OF BILLS.

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

By Mr. Young of San Joaquin: Assembly Bill No. 401—An Act to encourage and provide for a general vaccination in the State of California.

Referred to Committee on State Hospitals.

By Mr. LaBlanc: Assembly Bill No. 402—An Act for the government of savings banks, and for the protection of depositors in the same.

Referred to the Special Committee on Money Deposits in Savings Banks.

Also, Assembly Bill No 403—An Act for the relief of the heirs of the estate of George Horton, deceased, Maria Horton, administratrix, whose property has been taken and destroyed by blasting and excavating Telegraph Hill, in the City and County of San Francisco, State of California.

Referred to Committee on Claims.

By Mr. Ellsworth: Assembly Bill No. 404—An Act to amend sections seven hundred and fifty-two, seven hundred and fifty-five, seven hundred and fifty-eight, seven hundred and sixty-three, seven hundred and sixty-four, seven hundred and sixty-five, seven hundred and sixty-six, seven hundred and sixty-seven, seven hundred and sixty-nine, seven hundred and seventy-one, seven hundred and seventy-two, seven hundred and seventy-three, seven hundred and seventy-seven, seven hundred and seventy-eight, seven hundred and eighty-six, seven hundred and eighty-eight, seven hundred and eighty-nine, and seven hundred and ninety of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Referred to Committee on Municipal Corporations.

By Mr. Butler: Assembly Bill No. 405—An Act for the appropriation of money for the erection of residences, dining-rooms, workshops, and a deadhouse, for the Stockton State Asylum for the Insane.

Referred to Committee on State Hospitals.

By Mr. Rucker: Assembly Bill No. 406—An Act to amend an Act entitled "An Act concerning actions for libel and slander," passed March 23, 1872.

Referred to Committee on Judiciary.

By Mr. Spurgeon: Assembly Constitutional Amendment No. 10—Proposed amendment to Article IV, section two, of the Constitution, relative to Legislative Department.

Referred to Committee on Constitutional Amendments.

Ay Mr. Taylor: Assembly Bill No. 407—An Act to provide for the grading and graveling of that portion of Fifteenth Street, between L and N Streets, in the City of Sacramento, adjoining the State Capitol grounds, and to provide for the payment of the same.

Referred to Committee on Public Buildings and Grounds.

Also, Assembly Bill No. 408—An Act to appropriate money to pay the rent of Hastings College of Law, from December 1, 1885, until June 13, 1887.

Referred to Committee on Ways and Means.

Also, Assembly Bill No. 409—An Act to pay the claim of Ben. Cohen for expenses incurred in the decoration of the State Capitol

building on the occasion of the funeral obsequies in respect of the late President, U. S. Grant.

Referred to Committee on Ways and Means.

Also, Assembly Bill No. 410—An Act to provide for the deficiency in the appropriation for repairs to the State Capitol building, for the thirty-seventh fiscal year.

Referred to Committee on Public Buildings and Grounds.

Also, Assembly Bill No. 411—An Act to provide for the deficiency in the appropriation for repairs to the State Capitol building and furniture, and the purchase of carpets, for the thirty-eighth fiscal year.

Referred to Committee on Public Buildings and Grounds.

Also, Assembly Bill No. 412—An Act to pay the claim of Blake, Moffitt & Towne, being a deficiency in the appropriation for the purchase of ballot paper, for the thirty-eighth fiscal year.

Referred to Committee on Ways and Means.

Also, Assembly Bill No. 413—An Act to amend section three hundred and seventy-four of the Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the place where taxes may be paid.

Referred to Committee on Judiciary.

By Mr. Toner: Assembly Bill No. 414—An Act to amend the Political Code of the State of California, and to protect the health and regulate the hours of labor of street car conductors and drivers and gripmen, and to amend section three thousand two hundred and forty-four of said Code.

Referred to Committee on Labor and Capital.

By Mr. W. A. Brown: Assembly Bill No. 415—An Act to amend section three hundred and thirty of the Penal Code of California, relating to gaming.

Referred to Committee on Public Morals.

By Mr. Searey: Assembly Bill No. 416—An Act to pay the claim of Richard O'Connor for the permanent injury to his horse.

Referred to Committee on Claims.

By Mr. McDonnell, Jr.: Assembly Bill No. 417—An Act providing for the payment to John L. Cooke and William Gutenberger for work and labor performed upon and materials furnished in the construction of the Branch State Prison at Folsom.

Referred to Committee on State Prison.

By Mr. Butler. Assembly Bill No. 418—An Act to create a county of Lorraine, to define its boundaries, and to provide for its organization.

Referred to Committee on Counties and County Boundaries.

By Mr. Mathews of Tehama: Assembly Constitutional Amendment No. 11—Concurrent resolution amending sections two (2) and twenty-three (23), article four (IV), of the Constitution.

Referred to Committee on Constitutional Amendments.

By Mr Weber: Assembly Bill No. 419—An Act to amend sections nine and ten of the Political Code, relating to legal holidays in the State of California.

Referred to Committee on Public Morals.

By Mr. Granger Assembly Bill No. 420—An Act to provide for the restoration to citizenship of a certain class of persons resting under civil disabilities.

Referred to Committee on Judiciary.

By Mr. Barry: Assembly Bill No. 421—An Act to amend section five hundred and two (502) of the Penal Code, relating to junk dealers.

Referred to Committee on Indian Affairs.

By Mr. Wilcox: Assembly Bill No. 422—An Act to amend section three thousand six hundred and twenty-seven of the Political Code, relating to taxation.

Referred to Committee on Judiciary.

By Mr. Henry of Butte: Assembly Bill No. 423—An Act to amend section twelve of "An Act to protect agriculture in the County of Butte," passed March 10, 1874, relating to trespassing animals.

Referred to Committee on Apportionment.

By Mr. Brooks: Assembly Bill No. 424—An Act to regulate and license gaming in cities and counties, cities and towns.

Referred to Committee on Public Morals.

By Mr. Ellsworth: Assembly Bill No. 425—An Act to amend an Act entitled "An Act to establish free public libraries and reading-rooms," approved April 26, 1880.

Referred to Committee on Public Libraries.

By Mr. Brusie: Assembly Bill No 426—An Act to amend section one hundred and seventy of an Act entitled "An Act to establish a Code of Civil Procedure," approved February 14, 1872, relating to disqualifications of Judges.

Referred to Committee on Judiciary

By Mr. Wright: Assembly Bill No. 427—An Act providing for the extermination of coyotes in the State of California and to pay rewards for the killing of the same.

Referred to Committee on Agriculture.

By Mr. Variel: Assembly Bill No. 428—An Act to amend section seven hundred and ninety-three of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to terms of office of Notaries Public.

Referred to Committee on Internal Improvements.

By Mr. Lewis: Assembly Bill No. 429—An Act to prevent frauds in registration of horses, cows, and other domestic animals.

Referred to Committee on Agriculture.

MOTION.

Mr. Brooks moved that the rules be suspended, and that the Committee on Judiciary be allowed to report.

Mr. Young of San Diego moved to amend, so as to include the Committee on Claims.

Mr. Taylor moved to amend the amendment, so as also to include the Committee on Ways and Means.

The question being on the motion of Mr. Taylor, the same was lost.

The question then being on the motion of Mr. Young of San Diego, the same was lost.

The question then recurring on the motion of Mr. Brooks, the same was lost.

MOTION TO RECONSIDER.

Mr. Hyde moved to reconsider the vote whereby Assembly Bill No. 77 was, on yesterday, refused a first reading.

Ayes and noes were demanded by Messrs. Brooks, Renison, and Young of San Joaquin.

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

AYES—Messrs Bailey, Barry, Bost, Britt, Brooks, Brown W A, Brown J B, Brusie, Campbell, Carr, Carroll, Cohen, Cope, Curry of San Francisco, Davis, Ewing, Gould, Gruwell, Handy, Henry of Butte, Hotchkiss, LaBlanc, Mahler, Mathews of Tehama, Matthews of San Benito, McClenahan, McGowan, Mitchell, Morgan, Morris, O'Grady, Ohleyer, Regan, Renison, Searey, and Young of San Joaquin—36

NOES—Messrs Adams, Atherton, Brierly, Burnett, Butler, Cooley, Coombs, Curry of Solano, Ellsworth, Granger, Heath, Henry of San Joaquin, Hyde, Knox, McDonnell, Price, Rucker, Shanahan, Sherburne, Sims, Spurgeon, Sykes, Taylor Toner, Venable, Vincent, Weber, Wilcox, Williams, Wright, and Young of San Diego—31

MOTION.

Mr. Brierly moved that the special order set for this hour, eleven o'clock A. M., consideration of Assembly Bill No. 119, be postponed for fifteen minutes.

So ordered.

The question then being, "Shall Assembly Bill No. 77 be read the first time?"

Pending debate, at eleven o'clock and fifteen minutes A. M. Mr. Brierly moved to postpone the special order for ten minutes.

So ordered.

Mr. Brooks moved that Assembly Bill No. 77 be made the special order for Monday next, immediately after the reading of the Journal.

Ayes and noes demanded by Messrs. Brooks, Rucker, and Bost.

CALL OF THE HOUSE.

Pending roll call, Mr. Henry of Butte moved a call of the House.

So ordered.

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

Messrs Adams, Alexander, Atherton, Bailey, Barry, Barton, Bost, Brierly, Britt, Brooks, Brown W. A, Brown J. B, Brusie, Burnett, Butler, Campbell, Carr, Cohen, Cooley, Coombs, Cope, Currey of Solano, Davis, Ellsworth, Ewing, Gould, Granger, Gruwell, Handy, Hart, Heath, Henry of Butte Henry of San Joaquin, Hotchkiss, Hyde, Knox, LaBlanc, Lewis, Mahler, Martin, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Mitchell, Morgan, Morris, O'Grady, Ohleyer, Price, Regan, Rucker, Renison, Shanahan, Sherburne, Sims, Spurgeon, Sykes, Taylor, Toner, Variel, Venable, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr Speaker

Mr. Alexander moved that further proceedings under the call of the House be dispensed with.

Lost.

The Speaker directed the Sergeant-at-Arms to close the doors and to arrest the absentees and bring them before the bar of the House.

RECESS.

At eleven o'clock and thirty minutes A. M. the Speaker declared a recess.

REASSEMBLED.

At twelve o'clock and forty minutes P. M. the House reassembled. Speaker Jordan in the chair.

The Sergeant-at-Arms presented at the bar of the House Messrs. Mann, Searey, Colbert, and Curry of San Francisco.

Mr. Brierly moved that further proceedings under the call be dispensed with.

So ordered.

Mr. Brierly moved that the special order, consideration of Assembly Bill No. 119, be postponed until three o'clock P. M.

So ordered.

Mr. Brooks asked leave to withdraw his motion to make Assembly Bill No. 77 the special order for Monday next.

Refused.

The question being on the motion of Mr. Brooks, to make Assembly Bill No. 77 the special order for Monday next, the same was lost.

RECESS.

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

REASSEMBLED.

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

Speaker Jordan in the chair.

Quorum present.

SPECIAL ORDER.

The hour for consideration of Assembly Bill No. 146—An Act to prevent injuries to navigable streams—having arrived, it was taken up.

The question being on the motion of Mr. Shanahan to strike out the enacting clause.

Mr. Venable in the chair.

At three o'clock P. M Mr. Brierly called up the special order set for this hour, and moved that it be postponed for fifteen minutes.

Mr. Young of San Joaquin moved to amend, by making the time "one half hour."

Adopted.

Motion, as amended, adopted.

Speaker Jordan in the chair.

SPECIAL ORDER.

At three o'clock and thirty minutes P. M. Mr. Brierly moved that we now take up the special order set for this hour—reconsideration of the vote whereby Assembly Bill No. 119 was refused passage.

So ordered.

Upon the question, "Shall the vote whereby Assembly Bill No. 119 was refused passage, be reconsidered ?"

The ayes and noes were demanded by Messrs. Brierly, McDonnell, and Cooley.

The roll was called, and the vote reconsidered by the following vote:

AYES—Messrs Alexander, Atherton, Bailey, Barry, Barton, Bost, Brierly, Britt, Brooks, Brown W A, Brusie, Burnett, Butler, Campbell, Carroll, Cohen, Colbert, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ewing, Gould, Hart, Henry of Butte, Hotchkiss, Hyde, Knox, LaBlanc, Lawrence, Lewis, Martin, Mann, Mathews of Tehama, McDonnell, McGowan, Mitchell, Morgan, Morris, Price, Regan, Rucker, Searey,

Shanahan, Sims, Spurgeon, Sykes, Taylor, Toner, Variel, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, and Mr Speaker—58

NOES—Messrs Adams, Carr, Ellsworth, Granger, Gruwell, Handy, Heath, Henry of San Joaquin, Mahler, Matthews of San Benito, McClenahan, O'Grady, Ohleyer, Remson, Sherburne, Venable, Vincent, and Young of San Joaquin—18.

The question being on the passage of Assembly Bill No. 119—An Act to amend section five hundred and fourteen of an Act entitled an Act to establish a Political Code, approved March 12, 1872, relating to the salary of the deputy for the Superintendent of Public Instruction, and equalizing the same with the salaries paid the deputies for other State officers.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Alexander, Atherton, Bailey, Barry, Barton, Bost, Brierly, Britt, Brooks, Brown W A, Brusie, Burnett, Butler, Carroll, Cohen, Colbert, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ewing, Gould, Hart, Henry of Butte, Hotchkiss, Hyde, Knox, LaBlanc, Lawrence, Lewis, Martin, Mann, Mathews of Tehama, McDonnell, McGowan, Mitchell, Morgan, Morris, O'Grady, Ohleyer, Price, Regan, Rucker, Searey, Shanahan, Sims, Spurgeon, Sykes, Taylor, Toner, Variel, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, and Mr. Speaker—60

NOES—Messrs Adams, Carr, Ellsworth, Granger, Gruwell, Handy, Heath, Henry of San Joaquin, Mahler, Matthews of San Benito, McClenahan, Remson, Sherburne, Venable, Vincent, and Young of San Joaquin—16.

Title read and approved.

Consideration of Assembly Bill No. 146 resumed.

Mr. Taylor moved that Assembly Bill No. 146 be made the special order for to-morrow, at eleven o'clock A M.

After debate, the motion was withdrawn with consent of the House.

SECOND READING OF BILL.

Assembly Bill No. 146—An Act to prevent injuries to navigable streams.

After debate, Mr. Curry of San Francisco moved the previous question, seconded by Messrs. Variel and Brusie.

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

The ayes and noes were demanded by Messrs. Brierly, W. A. Brown, and Price.

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

AYES—Messrs Alexander, Atherton, Barry, Barton, Bost, Brierly, Britt, Brown W A, Brusie, Burnett, Butler, Campbell, Cohen, Cooley, Coombs, Cope, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Gruwell, Handy, Henry of Butte, Henry of San Joaquin, Hyde Knox, LaBlanc, Mahler, Martin, McClenahan, McGowan, Mitchell, Morgan, Morris, O'Grady, Price, Regan, Rucker, Searey, Shanahan, Sims, Spurgeon, Sykes, Toner, Variel, Venable, Weber, and Williams—51

NOES—Messrs Adams, Bailey, Brooks, Carr, Carroll, Colbert, Currey of Solano, Hart, Heath, Lawrence, Lewis, Matthews of San Benito, McDonnell, Ohleyer, Remson, Sherburne, Taylor, Vincent, Windrow, Wilcox, Wright, Young of San Joaquin, and Mr Speaker—23

The question recurring on the motion of Mr. Shanahan "to strike out the enacting clause of Assembly Bill No. 146."

The ayes and noes were demanded by Messrs. Variel, Rucker, and Shanahan.

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

AYES—Messrs Alexander, Bailey, Barry, Barton, Bost, Brierly, Britt, Brown J B, Brusie, Burnett, Butler, Campbell Cohen, Cooley, Coombs, Cope, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould Granger, Gruwell, Handy, Hotchkiss, Hyde, Knox, LaBlanc, Lawrence, Lewis, Mahler, Martin, Mann, McClenahan, McGowan, Mitchell,

Morgan, Morris, O'Grady, Price, Regan, Rucker, Searey, Shanahan, Sims, Sykes, Taylor, Toner, Varnel, Venable, Weber, Windrow, Williams, and Mr Speaker—54

NOES—Messrs Adams, Atherton, Brooks, Carr, Carroll, Colbert, Hart, Heath, Henry of San Joaquin, Mathews of Tehama, Matthews of San Benito, McDonnell, Ohleyer, Renison, Sherburne, Spurgeon, Vincent, Wilcox, Wright, and Young of San Joaquin—20.

NOTICE OF RECONSIDERATION.

Mr. Taylor gave notice that, on to-morrow, he would move to reconsider the vote whereby the enacting clause of Assembly Bill No. 146 was stricken out.

Consideration of Assembly Bill No. 77 resumed.

The question being, "Shall this bill be read the first time?"

The ayes and noes were demanded by Messrs. Brooks, Ellsworth, and Mathews of Tehama.

The bill was refused a first reading by the following vote:

AYES—Messrs Bost, Britt, Brooks, Brown W. A., Burnett, Cohen, Cooley, Cope, Ewing, Gould, Gruwell, Handy, Hart, Henry of Butte, Hyde, LaBlanc, Mathews of Tehama, Mitchell, Morgan, Morris, Ohleyer, Regan, Rucker, Renison, Searey, Toner, Wright, and Young of San Joaquin—28

NOES—Messrs Adams, Alexander, Atherton, Bailey, Barry, Barton, Brierly, Brusie, Butler, Carr, Carroll, Colbert, Coombs, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Granger, Heath, Henry of San Joaquin, Hotchkiss, Knox, Lawrence, Lewis, Mahler, Mann, Matthews of San Benito, McClenahan, McDonnell, O'Grady, Price, Shanahan, Sherburne, Spurgeon, Sykes, Taylor, Varnel, Venable, Vincent, Weber, Wilcox, Williams, Young of San Diego, and Mr. Speaker—42

Mr. Mathews of Tehama moved that the fine imposed this day on Messrs. Mann, Curry of San Francisco, Searey, and Colbert, be remitted, and that the proceedings, so far as they relate to the fine, etc., be stricken from the Journal.

So ordered.

Mr. Taylor moved that the rules be suspended, and that he be allowed to introduce a bill out of order.

So ordered.

INTRODUCTION OF BILL—(OUT OF ORDER).

By Mr. Taylor: Assembly Bill No. 430—An Act to provide for a Contingent Fund for the Assembly for the twenty-seventh session of the Legislature.

Mr. Taylor moved that Assembly Bill No. 430 be read the first time.

The ayes and noes were demanded by Messrs. Taylor, Mathews of Tehama, and Carroll.

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

AYES—Messrs. Adams, Alexander, Barton, Bost, Brierly, Britt, Brown W. A., Brusie, Burnett, Butler, Campbell, Carr, Carroll, Cohen, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Ellsworth, Ewing, Gould, Granger, Gruwell, Hart, Heath, Henry of Butte, Henry of San Joaquin, LaBlanc, Lewis, Mahler, Martin, Mann, Matthews of San Benito, McClenahan, McGowan, Mitchell, Morgan, Morris, O'Grady, Ohleyer, Price, Regan, Rucker, Renison, Searey, Shanahan, Sherburne, Sims, Spurgeon, Sykes, Taylor, Toner, Varnel, Venable, Weber, Wilcox, Williams, Young of San Diego, Young of San Joaquin, and Mr Speaker—61

NOES—Messrs Atherton, Bailey, Davis, Handy, Hotchkiss, Hyde, Knox, Lawrence, McDonnell, and Vincent—10.

FIRST READING OF BILL.

Assembly Bill No. 430—An Act to provide for a Contingent Fund for the Assembly for the twenty-seventh session of the Legislature.

Read first time, and placed on file for second reading.

CASE OF URGENCY.

Mr. Taylor moved to suspend the provisions of section fifteen, of Article IV, of the Constitution, requiring bills to be read on three separate days, that Assembly Bill No. 430 be declared a case of urgency, and the bill be read the second time, considered engrossed, and placed upon its passage.

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

AYES—Messrs Adams, Alexander, Barry, Barton, Bost, Britt, Brown J. B., Burnett, Butler, Campbell, Carr, Carroll, Cooley, Cope, Curry of San Francisco, Ellsworth, Ewing, Gould, Granger, Gruwell, Hart, Henry of Butte, LaBlanc, Lewis, Mahler, Martin, Mann, McClenahan, McGowan, Mitchell, Morris, O'Grady, Ohleyer, Price, Regan, Renison, Searey, Shanahan, Sims, Sykes, Taylor, Toner, Variel, Weber, Windrow, Wilcox, Williams, Young of San Diego, Young of San Joaquin, and Mr Speaker—49

NOES—Messrs Atherton, Bailey, Brierly, Brooks, Cohen, Colbert, Coombs, Currey of Solano, Davis, Handy, Heath, Henry of San Joaquin, Hotchkiss, Hyde, Knox, Lawrence, Mathews of Tehama, Matthews of San Benito, McDonnell, Morgan, Rucker, Sherburne, Spurgeon, Venable, Vincent, and Wright—27

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON PUBLIC BUILDINGS AND GROUNDS.

ASSEMBLY CHAMBER, SACRAMENTO, February 3, 1887.

MR. SPEAKER: Your Committee on Public Buildings and Grounds, to whom was referred Assembly Bill No 324—An Act to provide for an improvement of the State Capitol, and for an appropriation to pay for the same—have had the same under consideration, and respectfully report the same back, and recommend that it do pass

CARROLL, Chairman.

ADJOURNMENT.

At five o'clock and fifteen minutes P. M. the House adjourned, on motion of Mr. Alexander.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Friday, February 4, 1887.

The House met at ten o'clock A. M., pursuant to adjournment.

Speaker Jordan in the chair.

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

Messrs. Adams, Alexander, Atherton, Bailey, Barry, Barton, Bost, Brierly, Brooks, Brown W A, Brusie, Butler, Campbell, Carr, Carroll, Cohen, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Gruwell, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, Knox, LaBlanc, Lewis, Mahler, Martin, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Morgan, Morris, O'Grady, Ohleyer, Price, Regan, Rucker, Renison, Searey, Shanahan, Sherburne, Sims, Spurgeon, Sykes, Taylor, Toner, Variel, Venable, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr Speaker.

Quorum present.

Prayer by the Chaplain, Rev. E. R. Dille.

Mr. Brusie moved to dispense with reading the Journal of yesterday.
So ordered.
Journal approved.

PETITION.

Mr. Gruwell presented a petition in favor of a Sunday law.

SPECIAL ORDER.

The time for the consideration of special order immediately after reading the Journal, having arrived, Assembly Bill No. 74—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 the order of persons entitled to administer the estates of deceased persons—was taken up.

Mr. Ellsworth moved that the bill be referred to a select committee of one, with special instructions to amend, as follows: Amend, by adding:

Provided, that nothing herein shall affect the rights of Public Administrators now in office to have a preference over creditors during their present terms of office.

So ordered.
The Speaker appointed Mr. Ellsworth as said committee.

REPORT OF SELECT COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, February 4, 1887

MR SPEAKER Your select committee, to whom was referred Assembly Bill No 74—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 the order of persons entitled to administer the estates of deceased persons—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.

ELLSWORTH, Committee.

Report adopted.

MOTION.

Mr. Ellsworth moved that Assembly Bill No. 74 be made the special order for Wednesday next, immediately after reading the Journal.

Ayes and noes were demanded by Messrs. Brierly, Butler, and Wright.

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

AYES—Messrs. Adams, Alexander, Atherton, Barton, Brooks, Carroll, Cooley, Coombs, Cope, Currey of Solano, Davis, Ellsworth, Granger, Gruwell, Handy, Hart, Heath, Henry of Butte, Knox, LaBlanc, Martin, Matthews of San Benito, McDonnell, Morgan, Morris, O'Grady, Price, Rucker, Remson, Shanahan, Sherburne, Sims, Spurgeon, Sykes, Taylor, Variel, Venable, Vincent, Weber, Wilcox, and Williams—41

NOES—Messrs Bailey, Barry, Bost, Brierly, Britt, Brown W A., Brusie, Burnett, Butler, Callaghan, Carr, Cohen, Colbert, Ewing, Henry of San Joaquin, Lawrence, Lewis, Mahler, Mathews of Tehama, McClenahan, McGowan, Mitchell, Ohleyer, Regan, Searey, Toner, Wright, Young of San Diego, Young of San Joaquin, and Mr Speaker—29

Mr. Taylor moved to take up Senate messages.
So ordered.

SENATE MESSAGE.

SENATE CHAMBER, SACRAMENTO, February 3, 1887

MR SPEAKER I am directed to inform your honorable body that the Senate, on this day, passed Assembly Bill No 195—An Act to provide two additional Judges for the County of Los Angeles, California.

Also, Senate Bill No 267—An Act to appropriate money to pay the contingent expenses of the Senate for the twenty-seventh session of the Legislature of the State of California

ED. H HAMILTON, Secretary

CASE OF URGENCY.

Mr. Taylor moved to suspend the provisions of section fifteen, of Article IV, of the Constitution, requiring bills to be read on three separate days, that Senate Bill No. 267 be declared a case of urgency, and the bill be read the first, second, and third time, and placed on its passage.

The roll was called, and the bill ordered read first, second, and third time, by the following vote:

AYES—Messrs. Adams, Alexander, Bailey, Barton, Bost, Britt, Brooks, Brown W. A., Brusie, Burnett, Campbell, Carr, Carroll, Colbert, Cooley, Cope, Currey of Solano, Ellsworth, Ewing, Gould, Granger, Gruwell, Handy, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Knox, LaBlanc, Lewis, Mahler, Martin, Mann, Matthews of San Benito, McClenahan, McGowan, Mitchell, Morris, O'Grady, Ohleyer, Price, Regan, Rucker, Renison, Searey, Shanahan, Sherburne, Sims, Spurgeon, Sykes, Taylor, Toner, Variel, Venable, Weber, Wilcox, Williams, Young of San Diego, and Mr Speaker—59.

NOES—Messrs Atherton, Brierly, Coombs, Curry of San Francisco, Davis, Hyde, McDonnell, Morgan, Vincent, and Wright—10

Bill read first time, and ordered to second reading.

Bill read second time.

COMMITTEE OF THE WHOLE.

Mr. Taylor moved that this House go into Committee of the Whole, for the purpose of considering Senate Bill No. 267.

Speaker Jordan in the chair.

The bill was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Jordan in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

GENTLEMEN The Committee of the Whole have had under consideration Senate Bill No. 267—An Act to appropriate money to pay the contingent expenses of the Senate for the twenty-seventh session of the Legislature—and recommend that the same do pass

Report received.

Senate Bill No. 267 read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Atherton, Bailey, Barton, Bost, Brooks, Brown W A, Brusie, Burnett, Campbell, Carr, Carroll, Cohen, Colbert, Cooley, Coombs, Cope, Currey of Solano, Ellsworth, Ewing, Gould, Granger, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, Knox, LaBlanc, Lewis, Mahler, Martin, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, McGowan, Mitchell, Morgan, Morris, O'Grady, Ohlever, Price, Regan, Rucker, Renison, Searey, Shanahan, Sherburne, Sims, Spurgeon, Sykes, Taylor, Toner, Venable, Vincent, Weber, Windrow, Wilcox, Williams, Young of San Diego, Young of San Joaquin, and Mr Speaker—65.

NOES—Messrs Brierly, Curry of San Francisco, and McDonnell—3

Title read and approved.

REPORTS OF STANDING COMMITTEES.

ON LABOR AND CAPITAL.

ASSEMBLY CHAMBER, SACRAMENTO, February 3, 1887.

MR SPEAKER Your Committee on Labor and Capital, to whom was referred Assembly Bill No 217—An Act to provide for the amicable adjustment of grievances or disputes that may arise between employers and employés, and to authorize the creation of a State Board of Arbitration—have had the same under consideration, and respectfully report the same back with amendment, and recommend that it do pass, as amended.

LABLANC, Chairman

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, February 3, 1887.

MR SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 242—An Act to repeal an Act entitled "An Act to punish seduction," approved March 17, 1872—have considered the same, and now report it back, with the recommendation that it do pass

Also, Assembly Bill No 243—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by adding to Chapter I, Title IX, of Part I, thereof, two new sections, numbered, respectively, two hundred and sixty-eight and two hundred and sixty-nine, relating to the punishment of seduction and sexual intercourse procured and had under promise of marriage, and to the effect of the marriage of the parties concerned after the commission of the offense—and recommend that it do pass.

Also, Assembly Bill No 244—An Act to amend section two hundred and sixty-six of the Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by providing for the punishment of seduction accomplished by means of false representations and pretenses, or other fraudulent means—and recommend that it do pass

Also, Assembly Bill No 245—An Act to amend section one thousand one hundred and ten of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by adding to said section a clause requiring the evidence of the party seduced to be corroborated in all cases arising or prosecuted under the provisions of section two hundred and sixty-eight of said Code—and recommend that it do pass

Also, Assembly Bill No 252—An Act to add a new section to the Code of Civil Procedure, relating to hearing of appeals in the Supreme Court—and recommend that it do pass.

Also, Assembly Bill No 313—An Act to authorize the Controller to draw his warrant in favor of the Treasurer for the sum of fifty-three thousand seven hundred and fifty-two dollars and seventy-seven cents, and requiring the Treasurer, in the presence of the State Board of Examiners, to destroy receipts for that amount, in his possession, given to various County Treasurers by W A January, late State Treasurer, for moneys left with him by them—and recommend that it do pass

Also, Assembly Bill No 48—An Act creating and adding two new sections to the Code of Civil Procedure of the State of California, to be known as sections number three hundred and ninety-one and one thousand and forty, and amending sections three hundred and ninety-four and four hundred and eleven of the same Code, authorizing and regulating actions against the State of California, with amendments—and recommend that it pass, as amended

Also, Assembly Bill No 145—An Act to regulate fees of Clerks of Superior Courts in this State.

Also, Assembly Bill No 205—An Act to repeal an Act entitled "An Act to provide for the appointment of a Deputy Supreme Court Reporter, and to regulate his compensation," approved February 26, 1881

Also, Assembly Bill No 282—An act creating and adding two new sections to the Code of Civil Procedure of the State of California, to be known as sections number three hundred and ninety-one and one thousand and forty, and amending sections three hundred and ninety-four and four hundred and eleven of the same Code, authorizing and regulating actions against the State of California

Also, Assembly Bill No 294—An Act to amend section three thousand seven hundred and sixty-six of the Political Code of the State of California, relating to the publication of the delinquent tax list

Also, recommend that they do not pass We so recommend Assembly Bill No. 282 for the reason that it is a duplicate of Assembly Bill No 48, which is reported herewith, and we recommend that Assembly Bill No 294 do not pass, for the reason that the object sought to be obtained by the bill is fully covered by subdivision twenty-three of section twenty-five of the County Government Bill of 1883.

VARIEL, Chairman.

ON AGRICULTURE, MINING, AND MECHANIC ARTS COLLEGE.

ASSEMBLY CHAMBER, SACRAMENTO, February 4, 1887

MR SPEAKER Your Committee on Agriculture, Mining, and Mechanic Arts College, to whom was referred Assembly Bill No. 330—An Act to encourage and provide for the dis-

semmation of a knowledge of the arts, sciences, and general literature, and the founding, maintaining, and perpetuating public libraries, museums, and galleries of art, and the receipt of donations and contributions thereto when established, for the conveyance, holding, and protection of real property within this State suitable for the purposes herein designated, and the erection thereon of buildings appropriate to such purposes, and for the creation of trusts necessary or proper for the better preservation of such institutions and the control and management thereof—have had the same under consideration, and respectfully report the same back, and recommend that it do pass

SIMS, Chairman

ON PUBLIC MORALS

ASSEMBLY CHAMBER, SACRAMENTO, February 4, 1887

MR SPEAKER Your Committee on Public Morals, to whom was referred Assembly Bill No 277—An Act to amend an Act entitled an Act to establish a Penal Code, approved February 14, 1872, by adding a new section thereto, to be numbered section two hundred and sixty-eight, relative to the seduction of unmarried females under the age of twenty years

Also, Assembly Bill No 315—An Act to amend section three hundred and seven of the Penal Code, in reference to smoking opium

Also, Assembly Bill No 309—An Act to amend section three thousand three hundred and thirty-nine of the Civil Code of the State of California, in reference to damages for seduction

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

Also, Assembly Bill No 276—An Act to amend an Act entitled "An Act to prevent the sale of intoxicating drinks to minors," approved March 4, 1872—respectfully report the same back, and recommend that it do pass

Also, Assembly Bill No 24—An Act compelling pawnbrokers to furnish a description of property upon which money has been loaned

Also, Assembly Bill No 229—An Act to amend section three thousand three hundred and thirty-six of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the wrongful conversion of personal property

Respectfully report the same back, and recommend that they do not pass

Also, a petition relative to the passage of a Sunday law—and respectfully report the same back, and recommend that the Speaker appoint a committee of one to prepare and introduce a bill in accordance with the provisions set forth in said petition

R. J. CURREY, Chairman

Upon the question, "Shall the Speaker appoint a committee, as above recommended?" it was lost.

ON WAYS AND MEANS

ASSEMBLY CHAMBER, SACRAMENTO, February 3, 1887

MR SPEAKER. Your Committee on Ways and Means, to whom was referred Assembly Bill No 183—An Act to repeal section three thousand seven hundred and forty-eight of the Political Code, relating to collection of taxes

Also, Assembly Bill No 206—An Act making appropriation for deficiency in the fund for printing the school text-books, for the thirty-eighth fiscal year

Also, Assembly Bill No 351—An Act to provide for the deficiency in the appropriation for the expenses of the Supreme Court, under section forty-seven of the Code of Civil Procedure, for the thirty-seventh fiscal year.

Also, Assembly Bill No 207—An Act making an appropriation for the deficiency in the appropriation for the support of the Printing Office, for the fiscal year ending June 30, 1887

Also, Assembly Bill No 259—An Act to provide for the payment of the chambers occupied by the Supreme Court Commissioners.

Also, Assembly Bill No 278—An Act making an appropriation for the payment of claims of certain employés and other creditors of the State

And recommend that they do pass

Also, Assembly Bill No 95—An Act to amend section twenty-two of an Act entitled "An Act to establish the California Home for the Care and Training of Feeble-Minded Children, and provide for the maintenance of the same," approved March 18, 1885—and recommend that it does not pass

Also, Assembly Bill No 354—An Act to provide for the deficiency in the appropriation for costs and expenses of suits wherein the State is a party in interest, for the thirty-fifth fiscal year

Also, Assembly Bill No 355—An Act to provide for the deficiency in the appropriation for contingent expenses in the office of Surveyor-General, for the thirty-sixth fiscal year

Also, Assembly Bill No 356—An Act to provide for the deficiency in the appropriation for the cleaning and transportation of arms for the National Guard of California, for the thirty-fourth fiscal year

Also, Assembly Bill No 357—An Act to provide for the deficiency in the appropriation for postage, expressage, etc , of the Surveyor-General, for the thirty-fifth fiscal year

Also, Assembly Bill No. 358—An Act to provide for the deficiency in the appropriation for postage and expressage in the office of Adjutant-General, for the thirty-fifth fiscal year

Also, Assembly Bill No 359—An Act to provide 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 368—An Act to provide for the deficiency in the appropriation for traveling expenses of the Superintendent of Public Instruction, for the thirty-fifth fiscal year

Also, Assembly Bill No 369—An Act to provide for the deficiency in the appropriation for traveling expenses of the Attorney-General, for the thirty-fifth fiscal year

Also, Assembly Bill No 360—An Act to provide for the deficiency in the appropriation for stationery and contingent expenses of the Bureau of Labor Statistics, for the thirty-seventh fiscal year.

Also, Assembly Bill No. 361—An Act to provide for the deficiency in the appropriation in the office of Secretary of State, for the thirty-sixth fiscal year.

Also, Assembly Bill No 380—An Act to provide for the deficiency in the appropriation for the payment of rewards for arresting criminals without the limits of the State, for the thirty-sixth fiscal year

Also, Assembly Bill No 378—An Act to provide for the deficiency in the appropriation for the payment of rewards for the arrest of criminals without the limits of the State, for the thirty-seventh fiscal year

Also, Assembly Bill No 379—An Act to provide for the deficiency in the appropriation for the payment of rewards for arresting criminals without the limits of the State, for the thirty-fifth fiscal year

Also, Assembly Bill No 374—An Act to provide for the deficiency in the appropriation for the transportation of the insane, for the thirty-second fiscal year

Also, Assembly Bill No 375—An Act to provide for the deficiency in the appropriation for the transportation of the insane, for the thirty-fifth fiscal year.

Also, Assembly Bill No 376—An Act to provide for the deficiency in the appropriation for the transportation of the insane, for the thirty-sixth fiscal year

Also, Assembly Bill No 371—An Act to provide for the deficiency in the appropriation for the transportation of prisoners, for the thirty-sixth fiscal year

Also, Assembly Bill No 372—An Act to provide for the deficiency in the appropriation for the transportation of prisoners, for the thirty-fifth fiscal year

Also, Assembly Bill No 373—An Act to provide for the deficiency in the appropriation for the transportation of the insane, for the thirty-first fiscal year.

Also, Assembly Bill No 365—An Act to provide for the deficiency in the appropriation for the uses of the State Board of Viticulture, for the thirty-seventh fiscal year

Also, Assembly Bill No 366—An Act to provide for the deficiency in the appropriation for the contingent expenses of the office of the Surveyor-General, for the thirty-seventh fiscal year

Also, Senate Bill No 60—An Act making an additional appropriation for rent, furniture, and contingent expenses of Insurance Commissioner, for the thirty-eighth fiscal year.

Also, Assembly Bill No 362—An Act to provide for the deficiency in the appropriation for the uses of the State Board of Silk Culture, for the thirty-sixth fiscal year

Also, Assembly Bill No 363—An Act to provide for the deficiency in the appropriation for the restoration and preservation of fish in the waters of the State, for the thirty-seventh fiscal year

Also, Assembly Bill No 395—An Act to provide for the deficiency in the appropriation for salaries of the Commissioners of the Supreme Court, and their Secretary, for the thirty-eighth fiscal year

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

Also, Assembly Bill No. 370—An Act to provide for the deficiency in the appropriation for the transportation of prisoners for the thirty-seventh fiscal year.

Also, Assembly Bill No 110—An Act to provide for the deficiency in the appropriation for the salary of Deputy Supreme Court Reporter, during the thirty-seventh and thirty-eighth fiscal years

Also, Assembly Bill No 377—An Act to provide for the deficiency in the appropriation for the transportation of the insane for the thirty-seventh fiscal year

Also, Assembly Bill No 364—An Act to provide for the deficiency in the appropriation for the erection and maintenance of the State Salmon Hatchery, for the thirty-seventh fiscal year

Respectfully report the same back, with amendments, and recommend that they do pass, as amended

Also, Assembly Bill No 116—An Act to provide for the payment of the claims for the per diem and legal interest upon the same of the members and attachés of the Constitutional Convention—respectfully report the same back, and recommend that it do not pass

Also, Assembly Bill No 171—An Act making an appropriation to meet the deficiency in the appropriation for the arrest of criminals without the limits of the State, for the thirty-fifth fiscal year—respectfully report the same back, and recommend that it be withdrawn, as Assembly Bill No 379 covers this, and has been recommended that it do pass

Also, Assembly Bill No 352—An Act to provide for the deficiency in the appropriation

for rent and contingent expenses of the Insurance Commissioner, for the thirty-seventh fiscal year—respectfully report the same back, and recommend that it do not pass, and that it be withdrawn, being duplicate of Assembly Bill No 258

Also, Assembly Bill No 353—An Act to provide for the deficiency in the appropriation for stationery, fuel, lights, etc , for the Legislature and State officers, for the thirty-fourth fiscal year—respectfully report the same back, and recommend that it do not pass, and that the author withdraw it, being duplicate of Assembly Bill No 234

TAYLOR, Chairman

Assembly Bill No. 171 withdrawn, at request of Mr. Rucker.
Assembly Bill No. 352 withdrawn, at request of Mr. Taylor.
Assembly Bill No. 353 withdrawn, at request of Mr. Taylor.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 3, 1887

MR SPEAKER: Your Committee on Engrossment beg leave to report that the following Assembly Bills have been correctly engrossed

Assembly Bill No 103—An Act providing for the payment of witness expenses in criminal cases.

Also, Assembly Bill No 82—An Act to enfranchise and restore William T Wheeler to all the privileges of an elector, and to all the political rights of citizenship

Also, Assembly Bill No 134—An Act to provide for the removal of the mineral cabinet from the State Library.

Also, Assembly Bill No. 198—An Act to amend section three thousand three hundred and sixty of the Civil Code of the State of California, relating to damages in cases of libel or slander

Also, Assembly Bill No 164—An Act to add a new section to the Penal Code, to be known as section five hundred and thirty-seven, relative to cheats.

WINDROW, Chairman

ON CLAIMS.

ASSEMBLY CHAMBER, SACRAMENTO, February 3, 1887.

MR SPEAKER: Your Committee on Claims, to whom was referred Assembly Bill No 61—An Act to appropriate money to meet the deficiency in the appropriation for the costs and expenses of suits where the State is a party in interest, for the thirty-fifth fiscal year, to pay the claim of William Applegarth.

Also, Assembly Bill No. 72—An Act to appropriate the sum of six hundred and fifty dollars for payment of the claim of C C Rachford, ex-Sheriff of Modoc County

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

NESTOR A. YOUNG, Chairman

ON FEDERAL RELATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 4, 1887.

MR SPEAKER Your Committee on Federal Relations, to whom was referred Concurrent Resolution No —, and Senate Concurrent Resolution No. 4—have had the same under consideration, and recommend that they both be adopted.

Also, Assembly Joint Resolution No. 2—and report the same back to the House, without recommendation.

BRUSIE, Chairman

ON CORPORATIONS

ASSEMBLY CHAMBER, SACRAMENTO, February 4, 1887.

MR SPEAKER Your Committee on Corporations, to whom was referred Assembly Bill No 80—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 six hundred and three, providing for the formation of certain religious corporations—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass, as amended.

ALEXANDER, Chairman.

ON STATE HOSPITALS.

ASSEMBLY CHAMBER, SACRAMENTO, February 4, 1887

MR SPEAKER. Your Committee on State Hospitals, to whom was referred Assembly Bill No. 304—An Act to amend section three thousand and sixty-two of, and to add a new section to, an Act entitled an Act to establish a Political Code, approved March 12, 1872, relating to Boards of Health

Also, Assembly Bill No 303—An Act to amend section three hundred and seventy-eight of an Act entitled an Act to establish a Penal Code, approved February 14, 1872, relating to

the preservation of the public health and safety, and registration of births, deaths, and marriages

Also, Assembly Bill No 302—An Act to amend sections three thousand and seventy-seven, three thousand and seventy-eight, three thousand and eighty, and three thousand and eighty-two of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relative to the registry of births, deaths, and marriages

Also, Assembly Bill No 305—An Act to amend section three thousand and eighty-four of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relative to the interment or cremation of human bodies.

Also, Assembly Bill No 306—An Act to amend section three hundred and seventy-seven of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to the disposal of human dead bodies, and preservation of the public health

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

BUTLER, Chairman

Also:

Your Committee on State Hospitals and Asylums, to whom leave of absence was granted for four days, visited the Protestant and Catholic Orphan Asylums at Los Angeles, and the following named members are entitled to mileage for nine hundred and fifty-six miles: Messrs Butler, Weber, McDonnell, Cope, Young, and Clerk Belden.

BUTLER, Chairman.

Referred to Committee on Mileage.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 4, 1887.

MR SPEAKER Your Committee on Education have visited the State Normal School at Los Angeles, the Spring Street Grammar School in Los Angeles, and the Wilson Public School at Pasadena The members of the committee who visited Los Angeles, and are entitled to mileage for nine hundred and fifty-six miles each, are John R. Brierly, J Sims, W. P. Mathews, G W Morgan, J Brusie, and Miss May Bird, Clerk

BRIERLY, Chairman.

Referred to Committee on Mileage.

ON ELECTIONS

ASSEMBLY CHAMBER, SACRAMENTO, February 4, 1887.

MR SPEAKER: Your Committee on Elections, to whom was referred Assembly Bill No. 144—An Act to amend section one thousand two hundred and fifty-seven of the Political Code of the State of California, relating to counting of ballots at elections—report the same back, without recommendation

Also, Assembly Bill No 166—An Act to amend section one thousand one hundred and sixty of the Political Code of the State of California, relating to elections—have had the same under consideration, and report it back, with an amendment, and recommend its passage, as amended.

CARR, Chairman.

ON PUBLIC LANDS

ASSEMBLY CHAMBER, SACRAMENTO, February 3, 1887.

MR SPEAKER: Your Committee on Public Lands, to whom was referred Assembly Bill No. 123—An Act to authorize certified copies of surveys, maps, or plats of subdivided tracts of land to be recorded—have had the same under consideration, and respectfully report back a substitute, and recommend that the substitute do pass

HYDE, Chairman.

ON LABOR AND CAPITAL

ASSEMBLY CHAMBER, SACRAMENTO, February 3, 1887

MR SPEAKER Your Committee on Labor and Capital, to whom was referred Assembly Bill No 338—An Act to provide for the better protection of life and limb, and to guard against accidents on street and cable roads, by the use of safety guards, and to punish negligence—have had the same under consideration, and respectfully report the same back, with amendment, and recommend that it do pass, as amended

LABLANC, Chairman.

ON INDIAN AFFAIRS

ASSEMBLY CHAMBER, SACRAMENTO, February —, 1887.

MR SPEAKER: Your committee to whom was referred Assembly Bill No 230—An Act to create and maintain a relief and pension fund in the Police Department of all cities in

this State having a police force of ten or more members, and to provide for the administration of such fund—have had the same under consideration and report the same back, with the recommendation that it do not pass

HANDY, Chairman.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 4, 1887

MR SPEAKER Your Committee on Municipal Corporations, to whom was referred Assembly Bills Nos 3, 4, 154, 209, 2, and 102, would report as follows:

That they have examined Assembly Bill No 3—"An Act to amend section one hundred and three of Article II, Chapter V, Title I, of the Code of Civil Procedure, relating to Justices' Courts in townships and in cities having ten thousand and not more than twenty thousand inhabitants, and in cities having twenty thousand and not more than one hundred thousand inhabitants"—and report it back, with the recommendation that it do not pass

Also, Assembly Bill No. 4—An Act to repeal an Act entitled "An Act fixing jurisdiction and providing compensation for Justices of the Peace in cities and towns," approved March 9, 1883—and report it back, with the recommendation that it pass

Also, Assembly Bill No 154—An Act relating to wires and cables of telegraph, telephone, and electric light companies, to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872—and report the same back, and recommend that it do pass, as amended

Also, Assembly Bill No 209—"An Act to amend section one hundred and twelve of the Code of Civil Procedure, Chapter V, Article III, relative to Justices of the Peace and Justices' Courts in general"—and report it back, with the recommendation that it pass, as amended.

Also, Assembly Bill No 2—An Act to amend an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, and to add certain new sections thereto, and repeal certain sections thereof—report it back, with the recommendation that it pass, as amended

Also, Assembly Bill No 202—An Act to amend section one hundred and three of an Act entitled "An Act to amend an Act of the Legislature of the State of California, to establish a Code of Civil Procedure," approved March 17, 1872, relating to Justices' Courts and Justices of the Peace—report back a substitute for said bill, and recommend that such substitute do pass.

KNOX, Chairman.

ON YOSEMITE VALLEY AND MARIPOSA GROVE OF BIG TREES AND FORESTRY.

ASSEMBLY CHAMBER, SACRAMENTO, February 3, 1887.

MR SPEAKER Your Committee on Yosemite Valley and Mariposa Grove of Big Trees and Forestry, to whom was referred Senate Concurrent Resolution No 3—relative to the withdrawal of Government timber land from sale—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

HEATH, Chairman.

ON INTERNAL IMPROVEMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, February 4, 1887

MR SPEAKER Your Committee on Internal Improvements, to whom was referred Assembly Bill No 392—An Act to add section five hundred and thirty-nine to Article II of the Political Code, relating to the office of Superintendent of State Printing, authorizing the Superintendent of State Printing to appoint a deputy—have had the same under consideration, and respectfully report the same back, and recommend that it do pass

W. A BROWN, Chairman.

ON AGRICULTURE

ASSEMBLY CHAMBER, SACRAMENTO, February 4, 1887

MR. SPEAKER Your Committee on Agriculture, to whom was referred Assembly Bill No 319, would respectfully report that said bill relates to a matter now pending before the Committee on Viniculture and Viticulture, and that it properly belongs to said committee Your committee would recommend that Assembly Bill No 319 be, therefore, referred to said Committee on Viniculture and Viticulture

BAILEY, Chairman

Assembly Bill No. 319 referred to Committee on Viniculture and Viticulture, as recommended.

ON COUNTY AND TOWNSHIP GOVERNMENTS—MAJORITY REPORT.

ASSEMBLY CHAMBER, SACRAMENTO, February 4, 1887.

MR SPEAKER. Your Committee on County and Township Governments, to whom was referred Assembly Bill No 186—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, and recommend that it do pass.

Herewith you will also find a minority report concerning the same bill

McGOWAN, Chairman

MINORITY REPORT

ASSEMBLY CHAMBER, SACRAMENTO, February 3, 1887

MR SPEAKER We, a minority of the Committee on County and Township Governments, to whom was referred Assembly Bill No 186—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883—beg leave to submit the following minority report

We recommend that the said bill do not pass, for the reasons that the avowed object of the bill is to take the lawful power from Boards of Supervisors to tax the retail whisky dealers, that the Supervisors are the best judges of the desirability and extent of all taxes and licenses on that business, and that the power should rest with the Board of Supervisors, as they are more competent to carry out the wishes of the people in their counties in this respect

W Z PRICE
W. H SPURGEON.
D N SHERBURNE

ON STATE PRISON

ASSEMBLY CHAMBER, SACRAMENTO, February 3, 1887

MR SPEAKER: Your Committee on State Prison, to whom was referred Assembly Bill No 396—An Act to amend an Act entitled 'An Act making an appropriation for the establishment of a permanent fund for the purchase of jute, to be manufactured at the State Prison at San Quentin," approved March 9, 1885, and making an additional appropriation therefor—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 397—An Act to provide for the deficiency in the appropriation for the payment of rewards for arresting criminals without the limits of the State, for the thirty-fifth fiscal year—and recommend that it do pass

ATHERTON, Chairman

ON ATTACHÉS AND EMPLOYÉS.

ASSEMBLY CHAMBER, SACRAMENTO, February 2, 1887

MR SPEAKER Your Committee on Attachés and Employés, to whom was referred Assembly Bill No 290, relating to attachés and employés of the Legislature—have had the same under consideration, and respectfully report the same back, and recommend that it do pass

C F. CURRY, Chairman

Mr. Taylor asked, on behalf of the Committee on Ways and Means, that Assembly Bill No. 219 be returned to said committee.

So ordered.

Mr. Brusie, of the Committee on Federal Relations, asked that Assembly Joint Resolution No. 1 be returned to said committee.

So ordered.

RESOLUTIONS—(OUT OF ORDER).

By Mr. Carroll:

Resolved, That the Committee on Public Buildings and Grounds be and is hereby authorized to visit and examine into the condition of affairs of the State's buildings and grounds in Santa Clara County—including State Normal School at San José, Home for Feeble-Minded Children at Santa Clara, and Asylum for Chronic Insane at Agnew's Station, and that proper mileage be allowed therefor and leave of absence be granted the committee from Saturday until Tuesday, at two o'clock P M

Adopted.

By Mr. Price:

Resolved, That the Committee on Silk Culture be granted leave of absence Saturday, the fifth, to visit the works on silk culture in San Francisco, that committee and clerk be allowed mileage, one hundred and sixty-eight miles each.

Adopted.

By Mr. Cope:

Resolved, That the State Printer be requested to deliver the Journal and File of the House each day to the Sergeant-at-Arms at or before nine o'clock and thirty minutes A. M. of each day of the session

Adopted.

By Mr. Renison:

Resolved, That the following positions, now filled by attachés of this House, be declared vacant, to wit.

Clerk to Committee on Homestead and Land Monopoly.
Clerk to Committee on Federal Relations
Clerk to Committee on Mileage
Clerk to Committee on Public Lands.
Clerk to Committee on Silk Culture

Referred to Committee on Attachés and Employés.

By Mr. Martin:

Resolved, That the State Printer be and is hereby requested to print two hundred extra copies of the Assembly Bills herein numbered, to wit Nos. 19, 35, 375, 357, 374, 356, 370, 340, 372, 303, 225, 332, 351, 356, 342, 203, and 55.

Adopted.

Mr. Young of San Joaquin moved that Assembly Bills Nos. 291 and 293 be recalled from the Committee on Homesteads and Land Monopolies, and referred to Committee on Judiciary.

So ordered.

By Mr. Variel:

Resolved, That the State Librarian is hereby authorized to employ a Janitor to care for the Library room occupied by the Assembly Judiciary Committee, at a per diem of two dollars, payable out of the Contingent Fund of the Assembly, such employment to last only while the room is so occupied by said committee.

Referred to Committee an Attachés and Employés.

MOTION.

Mr. Coombs moved that Senate Concurrent Resolution No. 4 be taken up.

So ordered.

Senate Concurrent Resolution No. 4—Relative to the reduction of the duty on raisins—was read and adopted.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 2, 1887.

MR SPEAKER I am directed to inform your honorable body that the Senate, on this day, passed Senate Bill No 20—An Act to amend section two thousand seven hundred and twelve of an Act entitled "An Act to establish a Political Code," approved March 12, 1872.

E H HAMILTON, Secretary.
By R. B OLLAHAN, Assistant Secretary.

Senate Bill No. 20 referred to Committee on County and Township Governments.

INTRODUCTION OF BILLS.

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

By Mr. Hart: Assembly Bill No. 431—An Act to amend section two

thousand two hundred and eighty-one of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, in relation to the office of Treasurer of the Deaf and Dumb and the Blind Asylum.

Referred to Committee on State Hospitals.

By Mr. Weber: Assembly Bill No. 432—An Act for the relief of Barloto Sepulveda.

Referred to Committee on Claims.

By Mr. Cooley: Assembly Bill No. 433—An Act for the abatement of nuisances by public officers, the giving of a lien for, and mode of payment of, the expenses of such proceedings on abatement.

Referred to Committee on Judiciary.

By Mr. Hyde: Assembly Bill No 434—An Act to appropriate the sum of one thousand dollars to reimburse the Attorney-General and Surveyor-General for expenditures made as provided by sections three thousand four hundred and eleven, three thousand four hundred and twelve, and three thousand four hundred and thirteen of the Political Code.

Referred to Committee on Indian Affairs.

Also, Assembly Bill No. 435—An Act to amend section six hundred and fifty-four of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relative to the State Board of Examiners, its Secretary, and making an appropriation for his salary.

Referred to Committee on Apportionment.

By Mr. Atherton Assembly Bill No. 436—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 two thousand five hundred and fifty-four, relating to the powers and duties of the Board of State Harbor Commissioners.

Referred to Committee on Commerce and Navigation.

By Mr. Young of San Diego: Assembly Bill No. 437—An Act to provide for the relief of Robert Anderson.

Referred to Committee on Claims.

By Mr. W. A. Brown: Assembly Bill No. 438—An Act authorizing the appointment of an Inspector of Oils for the State of California, and defining the duties thereof.

Referred to Committee on Silk Culture.

By Mr. Cooley: Assembly Bill No. 439—An Act to pay the claim of J. W. Rock, for the construction of a steam launch.

Referred to Committee on Ways and Means.

By Mr. Taylor: Assembly Bill No. 440—An Act to provide for the deficiency in the appropriation for the restoration and preservation of fish in the waters of the State, for the thirty-eighth fiscal year.

Referred to Committee on Ways and Means.

Also, Assembly Bill No. 441—An Act to provide for the deficiency in the appropriation for the restoration and preservation of fish in the waters of the State, for the thirty-seventh fiscal year.

Referred to Committee on Ways and Means.

By Mr. Adams: Assembly Bill No. 442—An Act to amend section three thousand eight hundred and sixty-two of the Political Code, relative to the collection of poll tax.

Referred to Committee on Roads and Highways.

By Mr. O'Grady: Assembly Bill No. 443—An Act to prevent discriminations and abuses by railroad corporations.

Referred to Committee on Corporations.

By Mr. Wright: Assembly Constitutional Amendment No. 12—An

Act proposing an amendment to section one, of Article XIII, of the Constitution of California, with reference to the exemption of certain property from taxation.

Referred to Committee on Constitutional Amendments.

By Mr. Brooks: Assembly Bill No. 444—An Act to provide for the deficiency in the appropriation for the salary of Deputy Supreme Court Reporter, during the thirty-eighth fiscal year.

Referred to Committee on Ways and Means.

By Mr. Wright: Assembly Bill No. 445—An Act to provide a water supply for the hotel constructed in Yosemite Valley, under Act of March 9, 1885, and to appropriate money therefor.

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

Also, Assembly Bill No. 446—An Act to appropriate money for the preservation and improvement of Yosemite Valley and the Mariposa Big Tree Grove.

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

Also, Assembly Bill No. 447—An Act to aid the Board of Commissioners to manage the Yosemite Valley and the Mariposa Big Tree Grove, and to appropriate money therefor.

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

Also, Assembly Bill No. 448—An Act to provide for the deficiency in the appropriation for salary of the Guardian of Yosemite Valley, for the thirty-sixth fiscal year.

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

RESOLUTION—(OUT OF ORDER).

By Mr. Lewis:

Resolved, That in view of the long neglected commercial necessity of California, that her young business people should be familiar with the Spanish language—the Assembly Committee on Education, whereof Hon J R Brierly is Chairman, be and hereby is requested to propose and submit to the House a bill to introduce instruction in that language in the public schools of our State.

Referred to Committee on Education.

MOTION.

Mr. Hart moved that when the House adjourns it adjourns to meet on Monday next, at two o'clock P. M.

Ayes and noes demanded by Messrs. Brierly, Cohen, and Spurgeon.

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

AYES—Messrs Alexander, Bost, Britt, Colbert, Cope, Currey of Solano, Hart, Henry of Butte, Hyde, Knox, Lewis, Martin, Mann, Mathews of Tehama, Mitchell, Regan, Searey, Sims, and Mr Speaker—19

NOES—Messrs Adams, Atherton, Bailey, Barry, Barton, Brierly, Brooks, Brown W A, Brusie, Butler, Campbell, Carr, Carroll, Cohen, Cooley, Coombs, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Gruwell, Handy, Heath, Henry of San Joaquin, Hotchkiss, LaBlanc, Mahler, Matthews of San Benito, McClenahan, McDonnell, Morgan, Morris, O'Grady, Ohleyer, Price, Rucker, Remson, Sherburne, Spurgeon, Sykes, Taylor, Toner, Variel, Venable, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, and Young of San Joaquin—53

LEAVE OF ABSENCE.

Messrs. Mann, Bost, and Martin were granted leave of absence until Monday, at eleven o'clock A. M.

Mr. Hyde was granted leave of absence until Monday, at two o'clock P. M.

SPECIAL FILE—SECOND READING OF BILLS.

Senate Bill No. 49—An Act to provide for the permanent support of the University of California by the levy of a rate of taxation, and the creation of a fund therefor.

Read second time.

Mr. Venable offered the following amendment: In line two, page one, insert the words "one half of" before the words "one cent."

RECESS.

Pending debate on amendment offered by Mr. Venable, at twelve o'clock and thirty minutes P. M. the Speaker declared the usual recess until two o'clock P. M.

REASSEMBLED.

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

Speaker Jordan in the chair.

Quorum present.

LEAVE OF ABSENCE.

Mr. Hotchkiss was granted leave of absence for two days.

RESOLUTIONS—(OUT OF ORDER).

By Mr. W. A. Brown:

Resolved, That the Committee on Corporations be and they are hereby instructed and directed to forthwith return to this House, without recommendation, Assembly Bill No 268

Ayes and noes demanded on the adoption of the resolution by Messrs. Lawrence, Toner, and Searey.

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

AYES—Messrs Adams, Barry, Barton, Britt, Brooks, Brown W. A, Brown J B, Burnett, Callaghan, Cohen, Colbert, Coombs, Curry of San Francisco, Davis, Granger, Grunwell, Henry of Butte, Henry of San Joaquin, LaBlanc, Lawrence, Lewis, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, Mitchell, O'Grady, Ohleyer, Regan, Renison, Searey, Shanahan, Sims, Sykes, Toner, Windrow, and Young of San Joaquin—37.

NOES—Messrs Alexander, Atherton, Bailey, Bost, Brierly, Brusie, Butler, Carroll, Cooley, Cope, Currey of Solano, Ellsworth, Ewing, Handy, Hart, Heath, Knox, Mahler, McGowan, Morgan, Morris, Price, Rucker, Sherburne, Spurgeon, Varnel, Venable, Vincent, Weber, Wilcox, Williams, Wright, and Mr. Speaker—33

SPECIAL ORDER.

The time for consideration of Assembly Bill No. 14—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—having arrived, it was taken up.

Mr. Brierly moved to reconsider the vote whereby Assembly Bill No. 14 was, on January twenty-ninth, refused passage.

So ordered.

PASSAGE OF ASSEMBLY BILL NO. 14.

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.

PREVIOUS QUESTION.

After debate, Mr. Heath moved the previous question, seconded by Messrs. Renison and Davis.

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

The question being on the passage of Assembly Bill No. 14.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Bailey, Barton, Bost, Brierly, Britt, Brusie, Burnett, Butler, Campbell, Cohen, Cooley, Coombs, Cope, Currey of Solano, Ellsworth, Granger, Gruwell, Hart, Henry of Butte, Henry of San Joaquin, Knox, Mahler, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, Mitchell, Morris, O'Grady, Ohleyer, Price, Regan, Rucker, Renison, Shanahan, Sherburne, Spurgeon, Variel, Weber, Wilcox, Wright, and Young of San Joaquin—43

NOES—Messrs Atherton, Brooks, Brown W. A., Brown J. B, Carr, Carroll, Curry of San Francisco, Davis, Ewing, Heath, LaBlanc, Lewis, McGowan, Morgan, Searey, Sims Sykes, Taylor, Toner, Venable, Vincent, Windrow, Williams, and Mr. Speaker—24.

Consideration of Senate Bill No. 49—An Act to provide for the permanent support of the University of California by the levy of a rate of taxation, and the creation of a fund therefor—resumed.

The question being on the amendment offered by Mr. Venable.

PREVIOUS QUESTION.

Mr. Henry of Butte moved the previous question, seconded by Messrs. Butler and Rucker.

So ordered.

The question recurring on the amendment of Mr. Venable.

The ayes and noes were demanded by Messrs. Venable, Mahler, and Granger.

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

AYES—Messrs Adams, Brusie, Colbert, Cooley, Coombs, Granger, Gruwell, Handy, Heath, Henry of San Joaquin, Mahler, Matthews of San Benito, Morgan, Ohleyer, Shanahan, Sherburne, Spurgeon, and Venable—18.

NOES—Messrs Alexander, Atherton, Bailey, Barry, Barton, Bost, Brierly, Britt, Brooks, Brown W A, Brown J B, Butler, Carr, Carroll, Cohen, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Hart, Henry of Butte, Knox, LaBlanc, Lawrence, Lewis, Mathews of Tehama, McClenahan, McDonnell, McGowan, Mitchell, Morris, O'Grady, Price, Regan, Rucker, Renison, Searey, Sims, Sykes, Taylor, Toner, Variel, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Joaquin, and Mr Speaker—53

The question being, "Shall Senate Bill No. 49 be placed on file for third reading?" it was so ordered.

Assembly Constitutional Amendment No. 2—To propose to the

people of the State of California an amendment to the Constitution of the State, relative to irrigation.

Passed on file.

MOTION TO RECONSIDER.

Mr. Taylor moved to reconsider the vote whereby the enacting clause of Assembly Bill No. 146 was, on February third, stricken out.

Mr. Granger moved to lay the motion of Mr. Taylor to reconsider on the table.

Carried.

LEAVE OF ABSENCE.

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

Mr. Young of San Joaquin was granted leave of absence until Monday, at eleven o'clock A.-M.

SPECIAL FILE—(RESUMED).

Assembly Bill No. 430—An Act to provide for a contingent fund for the Assembly, for the twenty-seventh session of the Legislature.

Passed on file.

GENERAL FILE—FIRST READING OF BILL.

Assembly Bill No. 218—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883, and amended March 18, 1885.

Passed on file.

SECOND READING OF BILL.

Assembly Bill No. 15—An Act to establish a Branch State Normal School.

Mr. Granger moved that the record, as shown by the indorsement on Assembly Bill No. 15, be amended so as to conform with the Journal of January twenty-fifth, so far as relates to the second reading of said bill.

Lost on a division—ayes, 23; noes, 24.

Mr. Renison moved that the Journal of January twenty-fifth be amended so as to conform to the record and indorsement on Assembly Bill No. 15, so far as relates to said bill.

Carried.

The question being, "Shall this bill be read a second time?" it was so ordered.

Assembly Bill No. 15 read second time.

IN COMMITTEE OF THE WHOLE.

On motion of Mr. Mathews of Tehama, the House went into Committee of the Whole, for the purpose of considering Assembly Bill No. 15—An Act to establish a Branch State Normal School.

Speaker Jordan in the chair.

The bill was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Jordan 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 15—An Act to establish a Branch State Normal School—and recommend that the same be ordered engrossed and read a third time.

Report received.

Essembly Bill No. 15 ordered engrossed, and placed on file for third reading.

NOTICE OF MOTION TO AMÉND THE RULES.

By Mr. Lawrence:

I give notice that, on to-morrow, I will move to amend Rule 1, providing for the holding of evening sessions, commencing Monday, February seventh, on Mondays, Wednesdays, and Fridays

LEAVE OF ABSENCE.

Mr. Cooley was granted leave of absence for to-morrow.

ADJOURNMENT.

At five o'clock and eight minutes P. M., on motion of Mr. Ellsworth, the House adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Saturday, February 5, 1887.

The House met pursuant to adjournment.

Speaker Jordan in the chair.

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

Messrs Adams, Alexander, Atherton, Bailey, Barry, Barton, Bost, Brierly, Britt, Brooks, Brown W. A, Brown J B., Brusie, Butler, Callaghan, Campbell, Carr, Carroll, Cohen, Colbert, Coombs, Cope, Curtey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Gruwell, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Knox, LaBlanc, Lawrence, Lewis, Mahler, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Mitchell, Morgan, Morris, Ohleyer, Rucker, Renison, Searey, Shanahan, Sherburne, Sims, Spurgeon, Sykes, Taylor, Toner, Variel, Venable, Vincent, Weber, Windrow, Wilcox, Williams, Young of San Diego, Young of San Joaquin, and Mr Speaker

Quorum present.

Prayer by the Chaplain, Rev. E. R. Dille.

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

So ordered.

Journal approved.

LEAVE OF ABSENCE.

Messrs. Wright and Taylor were granted one day's leave of absence.

Mr. Brierly asked leave of absence for Committee on Education for this morning.

Granted.

Mr. Hart asked leave of absence for one day from to-day.

Granted.

RESOLUTION—(OUT OF ORDER).

By Mr. Ewing:

Resolved, That this House adjourn at twelve o'clock and thirty minutes P. M., and that such adjournment be until two o'clock P. M. on Monday next.

Adopted.

REPORTS OF STANDING COMMITTEES.

ON COUNTIES AND COUNTY BOUNDARIES.

ASSEMBLY CHAMBER, SACRAMENTO, February 5, 1887.

MR SPEAKER: Your Committee on Counties and County Boundaries, to whom was referred Assembly Bill No. 179—An Act entitled an Act to create the County of Glenn, to establish the boundaries thereof, and to provide for its organizaton—have had the same under consideration, and report the same back, with recommendation that it do not pass.

R. J. CURREY, Chairman.

ON LABOR AND CAPITAL

ASSEMBLY CHAMBER, SACRAMENTO, February 4, 1887.

MR SPEAKER: Your Committee on Labor and Capital, to whom was referred Assembly Bill No 399—An Act to prevent fraud and imposition in the matter of stamping and labeling produce and manufactured goods—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

LABLANC, Chairman

ON CONSTITUTIONAL AMENDMENTS

ASSEMBLY CHAMBER, SACRAMENTO, February 5, 1887.

MR SPEAKER: Your Committee on Constitutional Amendments, to whom was referred Assembly Constitutional Amendment No. 6—have had the same under consideration, and respectfully report the same back, and recommend that it be not adopted

ELLSWORTH, Chairman.

ON SWAMP AND OVERFLOWED LANDS

ASSEMBLY CHAMBER, SACRAMENTO, February 5, 1887

MR SPEAKER: Your Committee on Swamp and Overflowed Lands, to whom was referred Assembly Bill No 348—An Act to amend sections three thousand four hundred and fifty-two, three thousand four hundred and fifty-three, and three thousand four hundred and fifty-four of the Political Code, relative to the adoption of by-laws, the election of Trustees, their powers, duties, and compensation, in reclamation districts of this State—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

BURNETT, Chairman.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 4, 1887.

MR SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Senate Concurrent Resolution No 5—Relative to the services of Captain John Mullan to represent the State of California in the collection of certain moneys due from the United States to this State

Also, passed Senate Bill No. 102—An Act to amend sections one thousand five hundred

and ninety-three, one thousand six hundred and twelve, and one thousand six hundred and thirteen of an Act to establish a Political Code, approved March 12, 1872, relating to School Trustees.

E. H HAMILTON, Secretary
By R. B. OULLAHAN, Assistant Secretary

Senate Concurrent Resolution No. 5 referred to Committee on Education.

Senate Bill No. 102 referred to Committee on Education.

INTRODUCTION OF BILLS.

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

By Mr. Ellsworth: Assembly Constitutional Amendment No. 13—A resolution to propose an amendment to section fifteen, of Article IV, of the Constitution, relating to the Legislative Department.

Referred to Committee on Constitutional Amendments.

By Mr. Knox: Assembly Bill No. 449—An Act to amend section seventy-three of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the time when and the place where sessions of the Superior Court shall be held.

Referred to Committee on Judiciary.

By Mr. Brierly: Assembly Bill No. 450—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, all of said sections being of the Political Code of the State of California.

Referred to Committee on Education.

By Mr. Variel: Assembly Bill No. 451—An Act to provide for the impounding of mining debris.

Referred to Committee on Water Rights and Drainage.

By Mr. Butler: Assembly Bill No. 452—An Act to amend section eight of an Act entitled an Act to provide for the future management of the Napa Asylum for the Insane, approved March 6, 1876, relating to the Resident and Assistant Physicians.

Referred to Committee on State Hospitals.

By Mr. Barry: Assembly Bill No. 453—An Act to regulate the manufacture of canned goods, and compel the stamping thereon of the date of canning.

Referred to Committee on Commerce and Navigation.

By Mr. Curry of San Francisco: Assembly Bill No. 454—An Act to amend Article XV of the Political Code of the State of California, relating to the inspection of gas and water meters in cities, or cities and counties, of the State of California, having a population of twenty thousand and upwards.

Referred to Committee on Municipal Corporations.

By Mr. Cohen: Assembly Bill No. 455—An Act to amend section

three hundred and seven of an Act entitled "An Act to establish a Civil Code," relating to the formation of corporations.

Referred to Committee on Corporations.

SPECIAL FILE—THIRD READING OF BILL.

Senate Bill No. 49—An Act to provide for the permanent support of the University of California by the levy of a rate of taxation, and the creation of a fund therefor.

Read third time.

Mr. Granger moved that this bill be referred to a select committee of one, with special instructions to amend, and report forthwith, as follows: On line two, page one, of the bill, strike out "one cent," and insert "three fifths of one cent."

Lost.

Mr. Brierly moved that this bill be referred to a select committee of one, with special instructions to prepare an amendment to the bill, as follows: Amend section five by inserting after the word "applied," in line one, the words "not less than fifty per cent for permanent improvements and the remainder for," and by striking out the words "only to," from line one, section five, printed bill.

Ayes and noes demanded by Messrs. Granger, Shanahan, and Adams.

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

AYES—Messrs Adams, Alexander, Atherton, Barton, Brierly, Brusie, Butler, Campbell, Carr, Colbert, Coombs, Curtis of Solano, Granger, Gruwell, Handy, Heath, Henry of San Joaquin, Lewis, Mahler, Matthews of San Benito, McClenahan, McDonnell, Morgan, Morris, Ohlever, Rucker, Shanahan, Sherburne, Spurgeon, Venable, Vincent, Williams, and Young of San Diego—33

NOES—Messrs Bailey, Barry, Bost, Britt, Brooks, Brown W A, Callaghan, Cohen, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Hart, Knox, LaBlanc, Lawrence, Mathews of Tehama, Mitchell, Remson, Searey, Sims, Sykes, Taylor, Toner, Variel, Weber, Windrow, Wilcox, and Mr Speaker—30

APPOINTMENT OF SELECT COMMITTEE.

The Speaker appointed Mr. Brierly the select committee of one to amend Senate Bill No. 49.

REPORT OF SELECT COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, February 5, 1887.

MR SPEAKER Your select committee, to whom was referred Senate Bill No 49—An Act to provide for the permanent support of the University of California, by the levy of a rate of taxation and the creation of a fund therefor—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.

BRIERLY, Select Committee.

MOTION.

Mr. Brooks moved that the vote whereby the resolution offered by Mr. Ewing, to adjourn at twelve o'clock and thirty minutes P. M. today, be reconsidered.

Carried.

Mr. Brooks moved that the hour of recess be extended to one o'clock, and that at that hour the House adjourn until Monday, at two o'clock P. M.

Carried

The question being, "Shall the report of the select committee of one be adopted?"

The ayes and noes were demanded by Messrs. Brierly, Granger, and Venable.

The roll was called, and the report refused and amendments not concurred in by the following vote:

AYES—Messrs. Adams, Barton, Brierly, Brusie, Butler, Colbert, Coombs, Granger, Gruwell, Handy, Heath, Henry of Butte, Henry of San Joaquin, Mahler, Matthews of San Benito, McClenahan, Morgan, Morris, Rucker, Searey, Shanahan, Spurgeon, Venable, Vincent, and Williams—25.

NOES—Messrs. Alexander, Atherton, Bailey, Barry, Bost, Britt, Brooks, Brown W. A., Callaghan, Campbell, Carr, Carroll, Cohen, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Hart, Knox, LaBlanc, Lawrence, Lewis, Mathews of Tehama, McDonnell, McGowan, Mitchell, Ohleyer, Renison, Sherburne, Sims, Sykes, Taylor, Toner, Variel, Weber, Windrow, Wilcox, Young of San Diego, and Mr. Speaker—41

Mr. Variel moved that this bill be referred to a select committee of one, with special instructions to prepare an amendment to the bill, as follows: Insert, after word "support," line one, of section five, page two, the words "and permanent improvement."

So ordered.

APPOINTMENT OF SELECT COMMITTEE.

The Speaker appointed Mr. Variel the select committee of one to amend Senate Bill No. 49.

REPORT OF SELECT COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, February 5, 1887

MR. SPEAKER: Your select committee, to whom was referred Senate Bill No. 49—An Act to provide for the permanent support of the University of California by the levy of a rate of taxation, and the creation of a fund therefor—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

VARIEL, Select Committee

Report adopted.

MOTION.

Mr. Henry of Butte moved that the Committee on Corporations be instructed to report back Assembly Bills Nos. 17, 132, 163, 188, and Constitutional Amendment No. 7, to this House immediately, without recommendation, and same be placed on file.

So ordered.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON COUNTIES AND COUNTY BOUNDARIES—(MINORITY REPORT).

MR. SPEAKER: Your Committee on Counties and County Boundaries, having under consideration Assembly Bill No. 179, hereby report a substitute for said bill, and a minority of said committee recommend the passage of said substitute

T. J. HART
T. W. H. SHANAHAN.
L. B. ADAMS.

MOTION.

Mr. Heath moved that the rules be suspended, and the House proceed under the order of "Introduction and Reference of Bills."

So ordered.

INTRODUCTION OF BILLS.

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

By Mr. Campbell: Assembly Bill No. 456—An Act to amend sections three thousand nine hundred and nine and three thousand nine hundred and thirteen of the Political Code, relating to the boundaries of Del Norte and Siskiyou Counties.

Referred to Committee on Counties and County Boundaries.

By Mr. Venable: Assembly Bill No. 457—An Act to amend the Political Code, by adding a new section thereto, in relation to reassessments of property in cases where a former assessment is invalid.

Referred to Committee on Judiciary.

By Mr. Carroll: Assembly Bill No. 458—An Act to provide for the care and security of the State series of school text-books by the erection of a fire-proof warehouse, to be used for the storage of the same, authorizing the appointment of a storekeeper to have the care and custody of said text-books, and appropriating money to pay the expense of erecting said warehouse, and the salary of such storekeeper.

Referred to Committee on Education.

By Mr. Brooks: Assembly Constitutional Amendment No. 14—Proposed amendment to Article V of the Constitution, relative to the compensation of the office of Attorney-General.

Referred to Committee on Constitutional Amendments.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON PUBLIC MORALS

ASSEMBLY CHAMBER, SACRAMENTO, February 5, 1887.

MR SPEAKER Your Committee on Public Morals, to whom was referred Assembly Bill No. 419—An Act to amend sections nine and ten of the Political Code, relative to legal holidays in the State of California—have had the same under consideration, and respectfully report the same back, and recommend that it do pass

R J. CURREY, Chairman

ON CORPORATIONS

ASSEMBLY CHAMBER, SACRAMENTO, February 5, 1887

MR SPEAKER Your Committee on Corporations, to whom was referred Assembly Bill No 268—An Act to amend section six hundred and sixteen of the Political Code, relating to insurance companies, in accordance with a resolution adopted by the Assembly on Friday, February 4, 1887—hereby respectfully report the same back, without recommendation.

ALEXANDER, Chairman.

ON CLAIMS.

ASSEMBLY CHAMBER, SACRAMENTO, February 5, 1887.

MR SPEAKER. Your Committee on Claims, to whom was referred Assembly Bill No 128—An Act to provide for the payment of the per diem of the members and attachés of the Constitutional Convention—have had the same under consideration, and respectfully report the same back, without recommendation

Also, Assembly Bill No. 107—An Act provididg for the payment to D. Jordan, for work and labor performed upon and material furnished in the construction of the State Prison at Folsom—and respectfully report the same back, and recommend that it do pass, as amended

N. A. YOUNG, Chairman.

RESOLUTIONS—(OUT OF ORDER).

By Mr. Butler:

Resolved, That the Controller be and he is hereby directed to draw his warrant upon the Contingent Fund of the Assembly for the sum of sixty-six dollars and eighty-five cents in favor of P. R Klein, Sergeant-at-Arms, for the payment of the following bills·

Locksmith, repairs, locks, and keys	$15 25
Ice bill for month of January	17 40
Incidental expenses of office	25 00
Carriage hire, mileage, assistant, and making one arrest	9 20
Total	$66 85

And the Treasurer is hereby directed to pay the same

Referred to Committee on Retrenchment.

By Mr. W. A. Brown:

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 the 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 expenses allowance, less the amount of stamps, etc., drawn by him, said warrant to be made payable out of the appropriation for contingent expenses of the Assembly

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.

Adopted.

MOTION.

Mr. Lawrence moved that the rules be suspended, and the House proceed under the order of "Motions and Resolutions."

So ordered.

Mr. Lawrence called up his motion, given on yesterday, to amend the rules, and moved to amend as follows: After the letters "A. M.," in line three, of rule one, add the following: "Evening sessions shall be held on Monday, Wednesday, and Friday nights, commencing Monday, February seventh, and opening at seven o'clock P. M."

Mr. Taylor moved to make the above motion the special order for Monday, immediately after reading the Journal.

Lost

The question recurring on the motion of Mr. Lawrence to amend the rules, the same was lost on a division—ayes, 43; noes, 12.

LEAVE OF ABSENCE.

Mr. Brooks was granted indefinite leave of absence.

Mr. Ellsworth was granted leave of absence until Wednesday next.

Messrs. Windrow and Sims were granted leave of absence until Tuesday P. M.

ADJOURNMENT.

The hour for adjournment having arrived, at one o'clock P. M. the Speaker declared the House adjourned until Monday, February seventh, at two o'clock P. M.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Monday, February 7, 1887.

The House met pursuant to adjournment.

Speaker Jordan in the chair.

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

Messrs Adams, Alexander, Atherton, Bailey, Barry, Barton, Bost, Brierly, Britt, Brown W A, Brown J B, Burnett, Butler, Callaghan, Carr, Cohen, Cooley, Coombs, Currey of Solano, Ewing, Gould, Granger, Gruwell, Handy, Henry of Butte, Henry of San Joaquin, Hyde, Knox, LaBlanc, Lawrence, Lewis, Mahler, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Mitchell, Morgan, Morris, Ohleyer, Price, Regan, Renison, Searey, Shanahan, Sherburne, Smyth, Spurgeon, Sykes, Taylor, Toner, Variel, Venable, Vincent, Weber, Wilcox, Wilhams, Wright, Young of San Diego, and Mr. Speaker

Quorum present.

Prayer by the Chaplain, Rev. E. R. Dille.

Pending the reading of the Journal of Saturday, Mr. J. B. Brown moved to dispense with further reading.

So ordered.

Journal approved.

LEAVE OF ABSENCE.

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

Mr. Heath was granted leave of absence for two days.

Messrs. Cope and Colbert were granted leave of absence for one day.

PETITION.

Mr. Mathews of Tehama presented fifteen petitions, from citizens of Tehama County, petitioning for a law to compel instruction in all the grades in the common schools of this State upon the injurious effects of the use of narcotics and intoxicating liquors.

Referred to Committee on Education.

REPORTS OF STANDING COMMITTEES.

ON STATE LIBRARY

ASSEMBLY CHAMBER, SACRAMENTO, February 7, 1887.

MR SPEAKER Your Committee on State Library, to whom was referred Assembly Bill No. 425—An Act to amend an Act entitled an Act to establish free public libraries and reading rooms, approved April 26, 1880—have had the same under consideration, and respectfully report the same back, and recommend that it do pass

WILCOX, Chairman.

ON MILEAGE.

ASSEMBLY CHAMBER, SACRAMENTO, February 7, 1887.

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 Los Angeles—have had the same under consideration, and recommend that the following named members be allowed mileage for nine hundred and fifty-six miles Messrs Carroll, Curry of San Francisco, Davis, Ellsworth, Campbell, Martin, Rucker, Henry of Butte, Hotchkiss, and Clerk Jackson

Resolved, That the Controller be and is hereby authorized to draw his warrant for the sum of nine hundred and fifty-six dollars in favor of H W Carroll, to pay above mileage, payable out of the appropriation for the contingent expenses of the Assembly.

Also, the report of the Committee on State Prisons, on the occasion of their visit to San Quentin—have had the same under consideration, and recommend that the following named members be allowed mileage for one hundred and ninety-two miles Messrs Atherton, Ewing, Cooley, Brooks, Burnett, McDonnell, Mathews, Gruwell, and Clerk Trowbridge

Resolved, That the Controller be and is hereby authorized to draw his warrant for the sum of one hundred and seventy-two dollars and eighty cents in favor of J W. Atherton, for above mileage, payable out of the appropriation for the contingent expenses of the Assembly.

WEBER, Chairman

Adopted.

ON ENGROSSMENT

ASSEMBLY CHAMBER, SACRAMENTO, February 7, 1887.

MR SPEAKER: Your Committee on Engrossment beg leave to report that the following Assembly Bills have been correctly engrossed:

Assembly Bill No 74—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 the order of persons entitled to administer the estates of deceased persons

Also, Assembly Bill No. 15—An Act to establish a Branch State Normal School

WINDROW, Chairman.

ON VINICULTURE AND VITICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, February —, 1887.

MR SPEAKER Your Committee on Vinieulture and Viticulture, to whom was referred Assembly Bill No 275—An Act to prevent the spreading of fruit, fruit tree, and vine insect pests, and to provide for their extirpation—have had the same under consideration, and report the same back, with recommendation that it do not pass

COOMBS, Chairman.

By consent of the House, Mr. Wilcox was granted leave to withdraw Assembly Bill No. 275.

ON INTERNAL IMPROVEMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, February 5, 1887.

MR SPEAKER Your Committee on Internal Improvements, to whom was referred Assembly Bill No. 428—An Act to amend section seven hundred and ninety-three of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to term of office of Notaries Public

Also, Assembly Bill No 214—An Act to establish pilots and pilot regulations for the Port of Wilmington and Bay of San Pedro.

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

W. A. BROWN, Chairman.

INTRODUCTION OF BILLS.

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

By Mr. Taylor: Assembly Bill No. 459—An Act making appropriations for the support of the government of the State of California, for the thirty-ninth and fortieth fiscal years.

Referred to Committee on Ways and Means.

By Mr. Bost. Assembly Bill No. 460—An Act relating to public highways.

Referred to Committee on Roads and Highways.

By Mr. Venable: Assembly Bill No. 461—An Act to appropriate money to pay the claim of A. L. Rhodes and D. M. Delmas, for services rendered to the State in prosecuting, on behalf of the people of the State of California, certain causes, commonly known as the California railroad tax cases.

Referred to Committee on Claims.

MOTION.

Mr. Mathews of Tehama moved that the rules be suspended, and that all bills upon the Special File, relating to deficiencies and

claims, be taken from such Special File and be returned to the General File.

So ordered.

INTRODUCTION OF BILLS—(OUT OF ORDER).

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

By Mr. Cooley. Assembly Bill No. 462—An Act to ascertain the loss and damage suffered and sustained by the Coulterville and Yosemite Turnpike Company, a corporation, for the construction of a road by the Yosemite Turnpike Road Company, under and by virtue of an Act of the Legislature of the State of California entitled "An Act granting the right of way to the Yosemite Turnpike Road Company over the Yosemite Grant," approved February 17, 1874, and for the relief of said Coulterville and Yosemite Turnpike Company.

Referred to Committee on Claims.

By Mr. Coombs: Assembly Bill No. 463—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 opium smoking.

Referred to Committee on Public Morals.

LEAVE OF ABSENCE.

Mr. Young of San Joaquin was granted leave of absence for two days.

SPECIAL FILE.

Senate Bill No. 49—An Act to provide for the permanent support of the University of California by the levy of a rate of taxation, and the creation of a fund therefor.

Temporarily passed on file.

Assembly Constitutional Amendment No. 2—To propose to the people of the State of California an amendment to the Constitution of the State, relative to irrigation.

On motion of Mr. Shanahan, this bill was passed on file.

PASSAGE OF BILL.

Senate Bill No. 49—An Act to provide for the permanent support of the University of California by the levy of a rate of taxation, and the creation of a fund therefor.

Pending debate, Mr. Alexander moved a call of the House.

Lost.

Mr. Brierly moved that this bill be referred to a select committee of one, with special instructions to prepare an amendment to the bill, as follows: Add, at end of section three, the words "*provided*, that not more than fifty per cent of said fund shall be applied to the support of the University."

Ayes and noes demanded by Messrs. Brierly, Smyth, and Adams.

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

AYES—Messrs. Adams, Brierly, Bruste, Carr, Cooley, Coombs, Cope, Currey of Solano, Granger, Gruwell, Handy, Henry of San Joaquin, Lawrence, Mahler, Matthews of San Benito, McClenahan, Mitchell, Morgan, Ohlever, Searey, Shanahan, Sherburne, Smyth, Spurgeon, Toner, Venable, Weber, and Williams—28.

NOES—Messrs Alexander, Atherton, Bailey, Barry, Barton, Bost, Britt, Brown W. A., Brown J B, Butler, Callaghan, Cohen, Ewing, Gould, Henry of Butte, Hyde, Knox, La Blanc, Lewis, Mann, Mathews of Tehama, McDonnell, McGowan, Morris, Price, Regan, Renison, Sykes, Taylor, Variel, Vincent, Wilcox, Wright, Young of San Diego, and Mr Speaker—35.

The question being on the passage of Senate Bill No. 49.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Alexander, Atherton, Bailey, Barry, Barton, Bost, Britt, Brown W. A, Brown J B, Brusie, Butler, Callahan, Carr, Cohen, Cooley, Coombs, Cope, Currey of Solano, Ewing, Gould, Handy, Henry of Butte, Hyde, Knox, LaBlanc, Lawrence, Lewis, Mann, Mathews of Tehama, McDonnell, McGowan, Mitchell, Morris, Price, Regan, Renison, Searey, Shanahan, Sykes, Taylor, Tomer, Variel, Vincent, Weber, Wilcox, Wilhams, Wright, Young of San Diego, and Mr. Speaker—49

NOES—Messrs Adams, Brierly, Granger, Gruwell, Henry of San Joaquin, Mahler, Matthews of San Benito, McClenahan, Morgan, Ohleyer, Sherburne, Smyth, Spurgeon, and Venable—14.

Mr. Variel offered the following amendment to the title: Add the words "and improvement" after word "support," in title of bill.

Amendment adopted.

Title read and approved.

NOTICE OF MOTION TO RECONSIDER.

Mr. W. A. Brown gave notice that, on to-morrow, he will move to reconsider the vote by which the House adopted the motion of Mr. Mathews of Tehama, ordering all deficiency bills and claims for the support of the Government to be taken from the Special File under suspension of the rules.

SECOND READING OF BILL.

Assembly Bill No. 430—An Act to provide for a contingent fund for the Assembly, for the twenty-seventh session of the Legislature.

Read second time.

IN COMMITTEE OF THE WHOLE.

On motion of Mr. Taylor, the House went into Committee of the Whole, for the purpose of considering Assembly Bill No. 430—An Act to provide for a contingent fund for the Assembly, for the twenty-seventh session of the Legislature.

Speaker Jordan in the chair.

The bill was considered in the Committee of the Whole.

IN ASSEMBLY.

Speaker Jordan 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 430—An Act to provide for a contingent fund for the Assembly, for the twenty-seventh session of the Legislature—and now report progress, and recommend that the same be ordered engrossed, and to a third reading

Report adopted

REPORT OF STANDING COMMITTEE.

ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 7, 1887.

MR SPEAKER Your Committee on Enrollment beg leave to report that the following Assembly Bill has been correctly enrolled

Substitute for Assembly Bill No 195—An Act to provide two additional Judges of the Superior Court of the County of Los Angeles, State of California

And were presented to the Governor this day, at two o'clock and twenty-five minutes P M.

JAMES B. BROWN, Chairman.

Assembly Constitutional Amendment No. 6—Proposing an amendment to section four, Article V, of the Constitution, relating to determining and declaring the result of the election of Governor.

Withdrawn by Mr. Granger, with consent of the House.

GENERAL FILE—THIRD READING OF BILLS.

Assembly Bill No. 103—An Act providing for the payment of witness expenses in criminal cases.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Alexander, Atherton, Bailey, Barry, Barton, Bost, Brierly, Britt, Brown W A., Brown J. B, Brusie, Butler, Callaghan, Carr, Cohen, Cooley, Coombs, Cope, Currey of Solano, Ewing, Gould, Granger, Gruwell, Handy, Henry of Butte, Henry of San Joaquin, Hyde, Knox, LaBlanc, Lawrence, Lewis, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Mitchell, Morris, Ohleyer, Price, Regan, Renison, Searey, Shanahan, Sherburne, Smyth, Spurgeon, Sykes, Toner, Variel, Vincent, Weber, Wilcox, Williams, Wright, Young of San Diego, and Mr. Speaker—59.

NOES—Messrs Taylor and Venable—2.

Title read and adopted.

Assembly Bill No. 82—An Act to enfranchise and restore William T. Wheeler to all the privileges of an elector, and to all the political rights of citizenship.

Read third time.

The roll was called, and the bill refused passage, by the following vote:

AYES—Messrs Barton, Bost, Britt, Brown W A, Brown J. B, Brusie, Callaghan, Gruwell, Henry of Butte, Henry of San Joaquin, Knox, LaBlanc, Lewis, McDonnell, Mitchell, Morris, Ohleyer, Regan, Searey, Spurgeon, Sykes, Toner, Vincent, Wright, and Young of San Diego—25

NOES—Messrs Adams, Alexander, Atherton, Bailey, Barry, Brierly, Butler, Carr, Cohen, Coombs, Cope, Currey of Solano, Ewing, Gould, Granger, Hyde, Lawrence, Mahler, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, McGowan, Price, Renison, Shanahan, Sherburne, Smyth, Variel, Venable, Weber, Wilcox, Williams, and Mr Speaker—34

Assembly Bill No. 134—An Act to provide for the removal of the mineral cabinet from the State Library.

Read third time

Mr. Lawrence moved that this bill be referred to a select committee of one, with special instructions to prepare an amendment to the bill, as follows: Strike out words "Crocker Art Gallery," and substitute "State Mining Bureau at San Francisco."

Lost on a division—ayes, 24; noes, 28.

Mr. Brusie moved that this bill be referred to a select committee of one, with special instructions to prepare an amendment to the bill, as follows: Strike out the words "in the Crocker Art Gallery Building," and insert in the place thereof the words "The Home for Feeble-Minded Children at San José."

Lost.

The question recurring on the passage of the bill, the roll was called, and the bill lost by the following vote.

AYES—Messrs. Alexander, Atherton, Bailey, Brierly, Brusie, Carr, Cooley, Coombs, Cope, Currey of Solano, Gould, Granger, Henry of San Joaquin, Hyde, Knox, Mahler, Mathews of Tehama, Matthews of San Benito, McClenahan, McGowan, Morgan, Morris, Ohleyer, Price, Shanahan, Sherburne, Venable, Vincent, Weber, Wilcox, Williams, Wright, and Young of San Diego—34.

NOES—Messrs Adams, Barry, Barton, Bost, Britt, Brown W A, Brown J. B, Butler, Callaghan, Cohen, Ewing, Gruwell, LaBlanc, Lawrence, McDonnell, Mitchell, Regan, Searey, Smyth, Spurgeon, Sykes Taylor, Toner, Variel, and Mr. Speaker—25.

NOTICE OF MOTION TO RECONSIDER.

Mr. Taylor gave notice that, on to-morrow, he would move to reconsider the vote whereby Assembly Bill No. 134 was lost.

Assembly Bill No. 198—An Act to amend section three thousand three hundred and sixty of the Civil Code of the State of California, relating to damages in cases of libel or slander.

Read third time.

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

AYES—Messrs Barry, Britt, Brown W A, Brusie, Hyde, Knox, Mathews of Tehama, McGowan, Mitchell, Ohleyer, Regan, Williams, and Mr Speaker—13

NOES—Messrs. Alexander, Atherton, Bailey, Barton, Bost, Brierly, Brown J. B, Butler, Callaghan, Carr, Cohen, Cooley, Coombs, Cope, Currey of Solano, Ewing, Granger, Gruwell, Handy, Henry of San Joaquin, LaBlanc, Lawrence, Mahler, Matthews of San Benito, McClenahan, McDonnell, Morgan, Morris, Price, Searey, Shanahan, Sherburne, Smyth, Spurgeon, Sykes, Toner, Variel, Venable, Vincent, Weber, Wilcox, Wright, and Young of San Diego—43

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON FEDERAL RELATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February —, 1887

MR SPEAKER: Your committee to whom was referred Assembly Joint Resolution No 1—have had the same under consideration, and recommend that it do pass

BRUSIE, Chairman.

Mr. Matthews of San Benito moved that Assembly Joint Resolution No. 1 be placed at the head of the General File.

So ordered.

NOTICE OF RECONSIDERATION.

Mr. Alexander gave notice that, on to-morrow, he would move to reconsider the vote whereby Assembly Bill No. 198 was lost.

MOTIONS.

At five o'clock and ten minutes P. M. Mr. Hyde moved that the House take a recess until seven o'clock and thirty minutes P. M.

Mr. Knox moved to amend, so that at the meeting to-night only bills on the first reading, General File, be considered.

Amendment accepted.
Motion of Mr. Hyde, as amended, carried.

RECESS.

The Speaker thereupon declared a recess until seven o'clock and thirty minutes P. M.

REASSEMBLED.

At seven o'clock and thirty minutes P. M. the House reassembled.
Speaker Jordan in the chair.
Quorum present.

LEAVE OF ABSENCE.

Mr. Granger was granted leave of absence for this evening.

INTRODUCTION OF BILL—(OUT OF ORDER).

The following bill was introduced, read by title, and referred to committee:
By Mr. Brierly: Assembly Bill No. 464—An Act to provide for the support of the public schools of the State of California by a permanent levy and rate of taxation.
Referred to Committee on Education.

NOTICE OF AMENDMENT TO RULES.

Mr. Weber gave notice that, on to-morrow, he would move to amend Rule 78, by adding the words "city charters" after the word "amendments," in line four thereof, so that all bills relating to city charters shall be hereafter placed on special file.

MOTION.

Mr. Hyde moved that the bills on the first reading file be read in the order in which they appear on the General File.
So ordered.

GENERAL FILE—FIRST READING OF BILLS—(RESUMED).

Assembly Bill No. 238—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883, and amended March 18, 1885.
Passed on file.
Assembly Joint Resolution No. 5—Relative to improving the bar at the mouth of Eel River.
Passed on file.
Assembly Joint Resolution No. 4—Relative to land laws applying to timber lands.
Passed on file.
Assembly Joint Resolution No. 8—Relative to land laws applying to timber lands.
Passed on file.
Assembly Bill No. 227—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 two thousand six hundred and ninety-six, relating to proceedings for procuring land for the purpose of raising the banks of streams, in order to more effectually protect public roads and highways.

Read first time, and placed on file for second reading.

Assembly Joint Resolution No. 6—Relative to securing an appropriation for coast defenses.

Passed on file.

Assembly Bill No 211—An Act to repeal an Act entitled "An Act to declare the Klamath River navigable."

Read first time, and placed on file for second reading.

Assembly Bill No 254—An Act to prevent the sophistication and adulteration of wine.

Read first time, and placed on file for second reading.

Assembly Bill No. 216—An Act to amend section two hundred and sixty-eight of the Political Code of the State of California, relating to per diem of officers and attachés of Senate and Assembly.

Read first time, and placed on file for second reading.

Assembly Bill No. 197—An Act to authorize and empower the Board of Trustees of the Napa State Asylum for the Insane to sell and convey a portion of real property situate in Napa County, in the State of California, and belonging to said State, to Napa County, for the purpose of a public highway, and to sell and convey a certain other portion of said tract to an individual or individuals.

Read first time, and placed on file for second reading

Assembly Bill No. 213—An Act to authorize the Common Councils and Boards of Supervisors of the several cities, counties, and cities and counties, in this State, to levy taxes for the maintenance of public parks having an area of over ten acres each within their respective limits.

Read first time, and placed on file for second reading.

Assembly Bill No. 59—An Act to pay the claim of Edward J. Smith.

Read first time, and placed on file for second reading.

Assembly Bill No. 58—An Act to pay the claim of Jesse A. Galland.

Read first time, and placed on file for second reading.

Assembly Bill No. 57—An Act to pay the claim of J. F. Gawthorne.

Read first time, and placed on file for second reading.

Assembly Bill No. 263—An Act to provide for the deficiency in the appropriation for the payment of costs and expenses of suits wherein the State is a party in interest, for the thirty-seventh fiscal year, to pay the claim of Arthur Rogers.

Read first time, and placed on file for second reading.

Assembly Bill No. 157—An Act to amend section one thousand three hundred and thirty of the Code of Civil Procedure of the State of California, concerning the contest of the probate of wills.

Read first time, and placed on file for second reading.

Assembly Bill No. 182—An Act to amend section one thousand and seventy of the Penal Code, relating to peremptory challenges to jurors in criminal cases.

Read first time, and placed on file for second reading.

Assembly Bill No. 221—An Act to repeal sections two thousand four hundred and sixty-six, two thousand four hundred and sixty-seven, two thousand four hundred and sixty-eight, two thousand four

hundred and sixty-nine, two thousand four hundred and seventy, and two thousand four hundred and seventy-one of an Act to establish a Civil Code, approved March 21, 1872, relating to partnerships.

Read first time, and placed on file for second reading

Assembly Bill No. 224—An Act to amend section one thousand six hundred and forty-six of the Code of Civil Procedure of California, relating to funeral expenses, expense of last sickness, and the purchase and improvement of a grave lot for the decedent.

Read first time, and placed on file for second reading.

Assembly Bill No. 199—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 placed on file for second reading.

Assembly Bill No. 251—An Act to amend section two hundred and sixty-one of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the powers and duties of the officers and employés of the Legislature.

Read first time, and placed on file for second reading.

Assembly Bill No. 280—An Act fixing the maximum daily charges for hotel expenses to be paid by the State.

Read first time, and placed on file for second reading

Assembly Bill No. 42—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 one hundred and eighty, for the punishment of contempt of Court.

Read first time, and placed on file for second reading

Assembly Bill No. 18—An Act to amend "An Act creating a Board of Bank Commissioners, and prescribing their duties and powers," approved March 30, 1878.

Read first time, and placed on file for second reading.

Assembly Bill No. 155—An Act relating to estrays.

Read first time, and placed on file for second reading.

Assembly Bill No. 106—An Act to amend sections one thousand nine hundred and twelve, one thousand nine hundred and twenty-nine, one thousand nine hundred and ninety, two thousand and twenty-two, two thousand and twenty-six, and two thousand and ninety-four, and to add a new section, to be known as section two thousand and twenty-seven, of the Political Code, relating to the State militia.

Read first time, and placed on file for second reading

Mr. Adams in the chair.

Assembly Bill No. 218—An Act to amend an Act entitled "An Act giving a lien to loggers and laborers employed in logging camps upon the logs cut and hauled by the persons who employed them," approved March 30, 1878.

Read first time, and placed on file for second reading.

Assembly Bill No. 13—An Act to amend Chapter LXXI of the Statutes of California, passed at the twenty-third session of the Legislature, A. D. 1880, entitled an Act to define, regulate, and govern State Prisons of California.

Read first time, and placed on file for second reading.

Assembly Bill No. 274—An Act to amend section two thousand two hundred and seventeen of the Political Code, relating to committal of insane persons, approved February 18, 1881.

Read first time, and placed on file for second reading.

Assembly Bill No. 248—An Act to amend the Penal Code by adding a new section thereto, to be known as section sixty-eight *a*, in relation to crimes by and against the executive power of the State.

Read first time, and placed on file for second reading.

Assembly Bill No. 190—An Act to amend section three thousand four hundred and seventy-one of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to the compensation of assignees for the benefit of creditors.

Read first time, and placed on file for second reading.

Speaker Jordan in the chair.

Assembly Bill No 66—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.

The question being, "Shall this bill be read a first time?"

A division was called, no quorum voting.

ADJOURNMENT.

At eight o'clock and forty-five minutes P. M., the Speaker declared the House adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Tuesday, February 8, 1887.

The House met pursuant to adjournment.

Speaker Jordan in the chair.

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

Messrs Adams, Alexander, Atherton, Bailey, Barry, Barton, Bost, Brierly, Britt, Brooks, Brown W A, Brown J B, Brusie, Burnett, Butler, Callaghan, Carr, Cohen, Colbert, Cooley, Coombs, Cope, Currey of Solano, Ellsworth, Ewing, Gould, Granger, Gruwell, Handy, Hart, Henry of Butte, Henry of San Joaquin, Hyde, Knox, LaBlanc, Lawrence Mahler, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Mitchell, Morgan, Morris, O Grady, Ohleyer, Price, Regan, Remson, Searey, Shanahan, Sherburne, Smyth, Spurgeon, Sykes, Taylor, Toner, Variel, Venable, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, and Mr Speaker.

Quorum present.

Prayer by the Chaplain, Rev. E. R. Dille.

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

So ordered.

Journal approved.

QUESTION OF PRIVILEGE.

Mr. Hart arose to a question of privilege, and read from the Colusa Sun an article relating to the division of Colusa County. He pronounced the same untrue.

MOTION.

Mr. Taylor moved to reconsider the vote whereby Assembly Bill No. 134 was lost.

So ordered.

PASSAGE OF ASSEMBLY BILL NO. 134.

Assembly Bill No. 134—An Act to provide for the removal of the mineral cabinet from the State Library.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Alexander, Atherton, Bailey, Barry, Barton, Bost, Britt, Brooks, Brown W. A., Brusie, Burnett, Butler, Carr, Cooley, Coombs, Cope, Currey of Solano, Ellsworth, Ewing, Gould, Granger, Gruwell, Handy, Hart, Henry of Butte, Henry of San Joaquin, Hyde, Knox, LaBlanc, Lawrence, Mahler, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Mitchell, Morgan, Morris, O'Grady, Ohleyer, Price, Regan, Renison, Searey, Shanahan, Sherburne, Spurgeon, Taylor, Variel, Venable, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, and Mr. Speaker—61

NOES—Messrs. Brierly, Callaghan, Cohen, Colbert, Smyth, and Sykes—6

Title read and approved.

MOTION.

Mr. Brusie moved that Assembly Bill No. 268 be rereferred to the Committee on Corporations.

Mr. Venable moved to amend, as follows: Add, "with instructions to report the same back to this House to-morrow, February ninth, and that the bill shall not lose its place on the file."

Mr. Brooks offered the following substitute: "That said bill be referred to the Committee of the Whole House."

PREVIOUS QUESTION.

Mr. Ellsworth moved the previous question, seconded by Messrs. Weber and Henry of Butte.

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

The question being on an amendment offered by Mr. Brooks, it was lost.

The question then being on the amendment offered by Mr. Venable, it was carried.

The question then being on the motion of Mr. Brusie, as amended, the ayes and noes were demanded by Messrs. Lawrence, Colbert, and McDonnell.

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

AYES—Messrs. Alexander, Atherton, Bailey, Brierly, Brusie, Butler, Carr, Cooley, Cope, Ellsworth, Hart, Hyde, Knox, Mahler, Mann, Morgan, Sherburne, Smyth, Spurgeon, Venable, Vincent, Weber, Wilcox, Wright, Young of San Diego, and Mr. Speaker—26

NOES—Messrs. Adams, Barry, Barton, Bost, Britt, Brooks, Brown W. A., Burnett, Callaghan, Cohen, Colbert, Coombs, Currey of Solano, Ewing, Gould, Granger, Gruwell, Henry of Butte, Henry of San Joaquin, LaBlanc, Lawrence, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Mitchell, Morris, O'Grady, Ohleyer, Price, Regan, Renison, Searey, Shanahan, Sykes, Toner, Windrow, and Williams—39

Mr. Lawrence moved that Assembly Bill No. 268 be made a special order for to-morrow, immediately after reading the Journal.

Ayes and noes demanded by Messrs. Mann, Mahler, and Lawrence.

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

AYES—Messrs Adams, Barry, Barton, Bost, Brierly, Britt, Brooks, Brown W A, Brusie, Burnett, Butler, Callaghan, Carr, Cohen, Colbert, Coombs, Cope, Currey of Solano, Ewing, Gould, Granger, Gruwell, Handy, Hart, Henry of Butte, Henry of San Joaquin, Hyde, LaBlanc, Lawrence, Mahler, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Mitchell, Morgan, O'Grady, Ohleyer, Price, Regan, Remson, Searey, Shanahan, Sherburne, Smyth, Spurgeon, Sykes, Taylor, Toner, Venable, Weber, Windrow, Wilcox, and Wright—55

NOES—Messrs Alexander, Atherton, Bailey, Cooley, Ellsworth, Mann, Morris, Variel, Vincent, Williams, Young of San Diego, and Mr. Speaker—12

MOTION.

Mr. W. A. Brown moved to reconsider the vote by which the House adopted the motion of Mr. Mathews of Tehama, ordering all deficiency bills and claims for the support of the Government to be taken from the Special File under suspension of the rules.

Lost.

SPECIAL ORDER.

Assembly Bill No. 41—An Act to amend an Act entitled "An Act to repeal Chapter II, of Title VI, Part III, 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 II, and to enact a new Chapter II, of Title VI, of Part III, of said Code, and substitute the same in place of said repealed Chapter II, in said Code, relating to roads and highways, approved February 28, 1883, by adding a new section thereto, to be numbered section two thousand six hundred and forty-six.

Read third time.

Mr. Coombs moved that this bill be referred to a select committee of one, with special instructions to prepare amendments to the bill, as follows:

Amend the title 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 thereto, to be known and numbered as section two thousand six hundred and forty-six, relating to roads and highways

Strike out, in line twenty-five, the word "Supervisors," and insert in the place thereof the words "Road Overseer"

Also, strike out, in line twenty-eight, the words "Commissioner Supervisor," and insert in the place thereof the word "Overseer"

Also, strike out, in line thirty-two, the word "Commissioner," and insert in the place thereof the word "Overseer"

Also, strike out the whole of subdivision seven of said section two thousand six hundred and forty-six, that is, lines thirty-eight, thirty-nine, and forty

Also, strike out, in line twenty-five, the words "or his authorized agent."

Also, insert, after the word "counties," and before the word "divide," in line twelve, the words "said number to be ascertained by the last assessment roll of the county"

So ordered.

APPOINTMENT OF SELECT COMMITTEE.

The Speaker appointed Mr. Coombs the select committee of one to amend Assembly Bill No. 41.

REPORT OF SELECT COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, February 8, 1887

MR SPEAKER: Your select committee, to whom was referred Assembly Bill No 41—An Act to amend an Act entitled "An Act to repeal Chapter II, of Title VI, Part III, 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 II, and to

enact a new Chapter II, of Title VI, of Part III, of said Code, and substitute the same in place of said repealed Chapter II, in said Code, relating to roads and highways, approved February 28, 1883, by adding a new section thereto, to be numbered section two thousand six hundred and forty-six—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

COOMBS, Select Committee.

Report adopted.

PETITION.

Mr. Williams presented a petition from five hundred citizens of Humboldt County, relative to improving the bar at the mouth of Eel River.

Referred to Committee on Federal Relations.

LEAVE OF ABSENCE.

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

REPORTS OF STANDING COMMITTEES.

ON LABOR AND CAPITAL

ASSEMBLY CHAMBER, SACRAMENTO, February 7, 1887

MR SPEAKER Your Committee on Labor and Capital, to whom was referred Assembly Bill No 414—An Act to amend the Political Code of the State of California, and to protect the health and regulate the hours of labor of street car conductors, and drivers, and grip-men, and to amend section three thousand two hundred and forty-four of said Code—have had the same under consideration, and respectfully report the same back, and recommend that it do pass

Also, Assembly Petition—Relative to the removal of the State cabinet of minerals—and respectfully report the same back, without recommendation

Also, Assembly Petition—Relative to Sunday law—and report the same back, and recommend that it be referred to the Committee on Public Morals

LABLANC, Chairman.

Reference made to Committee on Public Morals, as recommended.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, February 8, 1887

MR. SPEAKER Your Committee on Judiciary, to whom was referred Assembly Bill No 159—An Act to amend an Act entitled an Act to establish a Penal Code, approved February 14, 1872, by amending an Act amendatory of said Act to section six hundred and thirty-four, relating to fish and game—have had the same under consideration, and now report it back, with the recommendation that it do pass

Also, Assembly Bill No 160—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 (1056), and to amend section one thousand and fifty-seven (1057) of said Act, relating to sureties on undertakings and bonds—and report the same back, with a substitute bill, and recommend that such substitute bill do pass

Also, Senate Bill No 17—An Act to amend "An Act giving a lien to loggers and laborers employed in logging camps upon the logs cut and hauled by the persons who employed them," approved March 13, 1878, by making applicable thereto section one thousand one hundred and ninety-five (1195) of the Code of Civil Procedure

Also, Senate Bill No. 26—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, relating to mortgages of personal property.

Also, Senate Bill No 29—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

And recommend that they do pass.

Also, Assembly Bill No 426—An Act to amend section one hundred and seventy of an Act entitled "An Act to establish a Code of Civil Procedure, approved February 14, 1872, relating to disqualifications of Judges"—and report the same back, with an amendment, and recommend that it do pass, as amended.

VARIEL, Chairman.

ON MILEAGE.

ASSEMBLY CHAMBER, SACRAMENTO, February 8, 1887

MR SPEAKER Your Committee on Mileage, to whom was referred the report of the Committee on Claims, on the occasion of their visit to San Francisco, have had the same under consideration, and recommend that the following named members be allowed mileage for one hundred and sixty-eight miles Messrs. N A Young, Gould, McDonnell, LaBlanc, Smyth, Lewis, and Clerk Mulgrew

Resolved, That the Controller be and he is hereby authorized to draw his warrant for the sum of one hundred and seventeen dollars and sixty cents in favor of Nestor A. Young, to pay above mileage, payable out of the appropriation for the contingent expenses of the Assembly.

WEBER, Chairman.

Resolution adopted.

ON INTERNAL IMPROVEMENTS

ASSEMBLY CHAMBER, SACRAMENTO, February 7, 1887.

MR SPEAKER Your Committee on Internal Improvements, to whom was referred Assembly Bill No 201—An Act to provide for the construction and maintenance of an open canal, from and along North Street, in the City of Stockton, County of San Joaquin, State of California, and to the San Joaquin River, for sanitary and drainage purposes—have had the same under consideration, have amended the same, and respectfully report the same back, and recommend that it pass, as amended.

W. A BROWN, Chairman

ON COMMERCE AND NAVIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 8, 1887.

MR SPEAKER Your Committee on Commerce and Navigation, to whom was referred Assembly Bill No 1—Relating to the pilot regulations for San Francisco, etc —have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

EWING, Chairman

Mr. Ewing, Chairman of Committee on Commerce and Navigation, reported progress on Assembly Bills Nos. 240 and 271, and asked further time for said committee to report said bills.

So ordered.

MOTION.

Mr. Brooks moved to suspend the rules, and take up Assembly Bill No. 1 out of order.

Ayes and noes demanded by Messrs. Brooks, LaBlanc, and Ewing.

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

AYES—Messrs Adams, Bailey, Barry, Barton, Bost, Britt, Brooks, Brown W. A., Brusie, Callaghan, Cohen, Colbert, Coombs, Currey of Solano Gruwell, Henry of Butte, Henry of San Joaquin, Knox, LaBlanc, Lewis, Mahler, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, Ohleyer, Price, Regan, Remson, Searey, Shanahan, Sherburne, Smyth, Spurgeon, Toner, Venable, Weber, Windrow, Williams, and Wright—40,

NOES—Messrs Alexander, Atherton, Brierly, Carr, Cooley, Cope, Ellsworth, Ewing, Gould, Granger, Hyde, Lawrence, McGowan, Mitchell, Morris, Sykes, Taylor, Variel, Vincent, Young of San Diego, and Mr Speaker—20

SECOND READING OF BILL.

Assembly Bill No. 1—An Act to amend sections two thousand four hundred and thirty-three, two thousand four hundred and thirty-six, two thousand four hundred and forty, and two thousand four hundred and forty-three, of Article V, of the Political Code, relating to pilots and Pilot Commissioners, and two thousand four hundred and fifty-seven, two thousand four hundred and sixty, two thousand four hundred and sixty-two, two thousand four hundred and sixty-five, two thousand four hundred and sixty-six, and two thousand four

hundred and sixty-seven, of Article VI, of the Political Code, relating to the pilot regulations for San Francisco, Mare Island, and Benicia.

The question being, "Shall this bill be read a second time?"

RECESS.

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

REASSEMBLED.

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

Speaker Jordan in the chair.

Quorum present.

SPECIAL ORDER, TWO O'CLOCK P. M.

Consideration of Assembly Constitutional Amendment.

Mr. Wilcox moved to reconsider the vote whereby Assembly Constitutional Amendment No. 1 was, on January twenty-eighth, refused adoption.

So ordered.

Assembly Constitutional Amendment No. 1—An Act to propose an amendment to section one (1), of Article XIII (13), of the Constitution, relating to revenue and taxation.

Mr. McDonnell moved to amend, by striking out of section one, lines five and six, the words "*provided*, that growing vines and fruit trees," and inserting instead the following: After the word "taxation," in the eighth line, "*provided*, that fruit vines shall be exempt for three years, and fruit trees for five years, after being planted."

Mr. Shanahan offered an amendment to the amendment, as follows: Add, "in orchards or vineyards."

Amendment accepted.

Mr. Brierly offered an amendment to the amendment, as follows: Amend by adding, "and all domestic stock under three years of age."

PREVIOUS QUESTION.

Mr. Gruwell moved the previous question, seconded by Messrs. W. A. Brown and Toner.

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

The question being on the amendment offered by Mr. Brierly, it was lost.

The question then being on the amendment offered by Mr. McDonnell, as amended, it was adopted on a division—ayes, 33; noes, 18.

The question then recurring on the adoption of Assembly Constitutional Amendment No. 1.

The roll was called, and Assembly Constitutional Amendment No. 1 lost by the following vote:

AYES—Messrs. Alexander, Barry, Barton, Bost, Britt, Brooks, Brown W. A., Burnett, Callaghan, Carr, Cohen, Colbert, Cooley, Coombs, Cope, Currey of Solano, Henry of Butte, Hyde, Knox, LaBlanc, Lewis, Mahler, Mann, McDonnell, McGowan, Mitchell, Morris, O'Grady, Price, Shanahan, Sims, Spurgeon, Sykes, Toner, Vincent, Weber, and Wilcox—37.

NOES—Messrs. Adams, Atherton, Bailey, Brierly, Brusie, Butler, Ellsworth, Ewing, Gould, Gruwell, Handy, Hart, Henry of San Joaquin, Mathews of Tehama, Matthews of

San Benito, McClenahan, Morgan, Ohlever, Renison, Searey, Sherburne, Smyth, Taylor, Variel, Venable, Windrow, Williams, Wright, Young of San Diego, and Mr. Speaker—30.

Consideration of Assembly Bill No. 1 resumed.

The question being, "Shall this bill be read a second time?"

Mr. Ellsworth in the chair.

Mr. Young of San Diego moved to make the consideration of Assembly Bill No. 1 the special order for Friday morning next, immediately after the reading of the Journal.

Motion lost.

PREVIOUS QUESTION.

Mr. W. A. Brown moved the previous question, seconded by Messrs. Lewis and McDonnell.

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

The question being, "Shall the bill be read the second time?" it was so ordered.

SECOND READING OF BILL.

Assembly Bill No. 1—An Act to amend sections two thousand four hundred and thirty-three, two thousand four hundred and thirty-six, two thousand four hundred and forty, and two thousand four hundred and forty-three, of Article V, of the Political Code, relating to pilots and Pilot Commissioners, and two thousand four hundred and fifty-seven, two thousand four hundred and sixty, two thousand four hundred and sixty-two, two thousand four hundred and sixty-five, two thousand four hundred and sixty-six, and two thousand four hundred and sixty-seven, of Article VI, of the Political Code, relating to the pilot regulations for San Francisco, Mare Island, and Benicia.

Section one read second time

Mr. Brooks moved to amend section one as follows: "Strike out section one of said bill."

Adopted.

Section two read second time.

Mr. Ellsworth moved to strike out the word "full," in line fourteen, and insert the words "one half."

Adopted.

Mr. Ellsworth moved to amend section two, in line fifteen: Strike out the word "Governor," and insert the word "Commissioner."

Adopted.

Sections three and four read second time.

Mr. Hyde moved to amend as follows: Strike out all after the word "pilotage," in line nine.

Lost

Mr. Brooks moved to amend as follows: On line ten, of page two, strike out the word "to," after the word "particular," and insert the word "shall."

Adopted.

Mr. Brooks moved to amend as follows: On line seven, page two, strike out the word "to," and insert in lieu thereof "shall."

Adopted.

Mr. Hyde moved to amend section four as follows: Strike out all after the word "State," in line eleven.

Lost

Mr. Venable in the chair.

MOTION TO RECONSIDER.

Mr. Alexander moved to reconsider the vote whereby Assembly Bill No. 198 was, on yesterday, lost.

Speaker Jordan in the chair.

PREVIOUS QUESTION.

Mr. Hyde moved the previous question, seconded by Messrs. Cohen and Rucker.

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

The question being on the motion of Mr. Alexander, to reconsider the vote whereby Assembly Bill No. 198 was lost.

The ayes and noes were demanded by Messrs. Colbert, Hyde, and Britt.

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

AYES—Messrs Alexander, Bailey, Barry, Bost, Britt, Brooks, Brown W. A., Brown J. B., Callaghan, Carr, Carroll, Cohen, Colbert, Cooley, Cope, Davis, Ewing, Gould, Hyde, Knox, LaBlanc, Lewis, Martin, Mathews of Tehama, McDonnell, McGowan, Mitchell, Morris, O'Grady, Ohleyer, Regan, Rucker, Seavey, Sherburne, Sims, Taylor, Toner, Variel, Windrow, Wilhams, Young of San Diego, and Mr Speaker—42

NOES—Messrs Adams, Atherton, Barton, Brierly, Butler, Coombs, Curtey of Solano, Curry of San Francisco, Ellsworth, Gruwell, Handy, Henry of San Joaquin, Lawrence, Mahler, Matthews of San Benito, McClenahan, Morgan, Price, Remson, Shanahan, Smyth, Spurgeon, Sykes, Venable, Vincent, Weber, Wilcox, Wright, and Young of San Joaquin—29.

At six o'clock P. M. Mr. Hyde moved to adjourn.

Lost.

Mr. Mathews of Tehama moved that Assembly Bill No. 1 be made a special order for to-morrow, at two o'clock P. M.

Mr. Hyde moved to amend, by making the time ten o'clock and thirty minutes A. M. on Friday.

The question being on the shortest time, Assembly Bill No. 1 was made the special order for to-morrow, at two o'clock P. M.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 8, 1887

MR SPEAKER Your Committee on Engrossment beg leave to report that the following Assembly bill has been correctly engrossed

Assembly Bill No 430—An Act to provide for a contingent fund for the Assembly for the twenty-seventh session of the Legislature

WINDROW, Chairman

Mr. Brierly moved to suspend the rules, and that the House take up the order of business, "Reports of Standing Committees."

Lost on a division—ayes, 36; noes, 26.

Mr. Shanahan moved to suspend the rules, so as to allow him to introduce a bill out of order.

Mr. Brierly moved to amend, by proceeding under the order "Introduction and Reference of Bills."

Amendment lost.

ADJOURNMENT.

At six o'clock and twelve minutes P. M., on motion of Mr. Taylor, the House adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Wednesday, February 9, 1887.

The House met pursuant to adjournment.

Speaker Jordan in the chair.

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

Messrs. Adams, Alexander, Atherton, Bailey, Barry, Barton, Bost, Brierly, Brown W A, Brown J. B, Brusie, Burnett, Butler, Callaghan, Campbell, Carr, Carroll, Cohen, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Gruwell, Handy, Hart, Henry of Butte, Henry of San Joaquin, Hyde, Knox, LaBlanc, Lawrence, Lewis, Mahler, Martin, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Morgan, Morris, O'Grady, Ohleyer, Price, Regan, Rucker, Rennson, Searey, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Variel, Venable, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr. Speaker.

Quorum present.

Prayer by the Chaplain, Rev. E. R. Dille.

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

So ordered.

Journal approved.

LEAVE OF ABSENCE.

Messrs. Heath and Hotchkiss were granted leave of absence for the day.

SPECIAL ORDERS.

Mr. Lawrence called up the special order set for this hour.

Mr. Venable moved that the special order set for this hour—consideration of Assembly Bill No. 74—be postponed for one half hour.

So ordered.

REPORTS OF STANDING COMMITTEES.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 8, 1887.

MR SPEAKER: Your Committee on Education, to whom was referred Assembly Bill No. 86—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

Also, Assembly Bill No 94—An Act to provide for the payment of the traveling expenses of County Superintendents of Schools of the State of California

Also, Assembly Bill No 150—An Act to amend sections one thousand six hundred and sixty-five and one thousand six hundred and sixty-seven of the Political Code of California

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

Also, Senate Concurrent Resolution No 1—Relative to distribution of text-books published by the State—that Assembly concur

Also, Senate Bill No 102—An Act to amend sections one thousand five hundred and ninety-three, one thousand six hundred and twelve, and one thousand six hundred and thirteen of an Act entitled 'An Act to establish a Political Code," approved March 12, 1872, relating to School Trustees—do pass

Also, Assembly Bill No 90—An Act providing for compensation of services rendered in compiling State school text-books

Also, Assembly Bill No 93—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, relating to public schools

Respectfully report the same back, without recommendation

Your committee will hereafter endeavor to report what compensation should be granted for the services rendered, but report at this time that Assembly Bill No 90 may secure a place on the file

BRIERLY, Chairman

ON ELECTIONS

ASSEMBLY CHAMBER, SACRAMENTO, February 8, 1887

MR SPEAKER Your Committee on Elections, to whom was referred Assembly Bill No. 398—Relating to uniformity of tickets—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

CARR, Chairman.

ON IRRIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 8, 1887

MR SPEAKER Your Committee on Irrigation, to whom was referred Assembly Bill No 12—An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition and distribution of waters thereby for irrigation purposes—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, as amended.

VINCENT, Chairman.

ON PUBLIC MORALS

ASSEMBLY CHAMBER, SACRAMENTO, February 8, 1887

MR SPEAKER Your Committee on Public Morals, to whom was referred Assembly Bill No 415—An Act to amend section three hundred and thirty of the Penal Code of California, relating to gaming

Also, Assembly Bill No 424—An Act to regulate and license gaming in cities and counties, cities and towns

Also, Assembly Bill No 463—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 opium smoking

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

Also, Assembly Bill No 316—An Act to amend an Act entitled "An Act to establish a Political Code," approved February 14, 1872, and add thereto a new section to Part I, Title IX, and Chapter VIII, thereof, to be known as section one thousand three hundred and eighty-nine, for the prevention of minors being employed by telephone companies or special delivery companies in delivering notes or messages to houses of prostitution or places of questionable repute

Also, Assembly Bill No 300—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

And report the same back, and recommend that they do not pass.

Also, Assembly Bill No 391—An Act to restrict gaming, and to repeal all other Acts in relation thereto—and report the same back, without recommendation

R J. CURREY, Chairman.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 9, 1887.

MR SPEAKER: Your Committee on Municipal Corporations, to whom were referred Assembly Bills Nos 120, 225, 317, and 404, would report that they have examined Assembly Bill No 120—An Act to amend an Act entitled "An Act to incorporate the Town of Chico, Butte County, California," approved March 23, 1878—and would recommend that it do not pass

Assembly Bill No 225—An Act to provide for the compensation of Secretaries of the Board of Education in cities of over ten thousand inhabitants—and recommend that it pass, as amended

Assembly Bill No 317—An Act authorizing the incurring of indebtedness by cities incorporated under laws of this State—and would recommend that it pass, as amended

Assembly Bill No 404—An Act to amend sections seven hundred and fifty-two, seven hundred and fifty-five, seven hundred and fifty-eight, seven hundred and sixty-three, seven hundred and sixty-four, seven hundred and sixty-five, seven hundred and sixty-

six, seven hundred and sixty-seven, seven hundred and sixty-nine, seven hundred and seventy-one, seven hundred and seventy-two, seven hundred and seventy-three, seven hundred and seventy-seven, seven hundred and seventy-eight, seven hundred and eighty-six, seven hundred and eighty-eight, seven hundred and eighty-nine, and seven hundred and ninety of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations"—and would recommend that it pass, as amended.

KNOX, Chairman

ON MILITARY AFFAIRS.

ASSEMBLY CHAMBER, SACRAMENTO, February 3, 1887

MR SPEAKER: Your Committee on Military Affairs, to whom was referred Assembly Bill No 385—An Act to appropriate money to pay the claim of Richard Coleman, formerly First Lieutenant, commanding Company "D," Fifth Infantry Battalion, Second Brigade, National Guard of California, for moneys paid by him as expenses of said company—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

COOLEY, Chairman

ON CLAIMS.

ASSEMBLY CHAMBER, SACRAMENTO, February 8, 1887

MR SPEAKER: Your Committee on Claims, to whom was referred Assembly Bill No 386—An Act to authorize the Board of Supervisors of the City and County of San Francisco to examine into, adjust, and pay the claim of Thomas Day, of the City and County of San Francisco, for damages done to, and injuries suffered by, certain real property of the said Day, situated on the north side of Harrison Street, between Second and Third Streets, in said city and county, by reason of the modification of the grade of said Second Street, between Howard and Bryant Streets, had and made pursuant to the Act of the Legislature of the State of California, approved March 30, 1868, and entitled "An Act to authorize the Board of Supervisors of the City and County of San Francisco to modify the grades of certain streets."

Also, Assembly Bill No 200—An Act to authorize the Board of Supervisors of the City and County of San Francisco, State of California, to pay the claim of Alice Kenna and James Wildridge Kenna

Also, Assembly Bill No. 212—An Act to appropriate money for the payment of the claims of Robert T Devlin and R M Clarken, for legal services in suits in which the State was interested

Also, Assembly Bill No 87—An Act making an appropriation for the relief of certain employés and other creditors of the State

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

Also, Assembly Bill No 295—An Act to provide for the payment to Miss Aurelia Pfeiffer for water taken and appropriated from her land by the State University at Berkeley—have had the same under consideration, and respectfully report the same back, and unanimously recommend that it do pass, as amended

Also, Assembly Bill No 340—An Act for the relief of Esther H Dennis—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

NESTOR A. YOUNG, Chairman

ON CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 7, 1887

MR SPEAKER. Your Committee on Corporations, to whom was referred Assembly Bill No 17—An Act to amend section four hundred and nineteen (419) of an Act entitled an Act to establish a Civil Code, approved March 21, 1872, relating to insurance corporations.

Also, Assembly Bill No 132—An Act to regulate the rental and charges for the use of telephones in this State, and fixing the penalty for excessive charges

Also, Assembly Bill No 163—An Act to add a new section to the Code of Civil Procedure, to be numbered four hundred and sixty-six, relative to the pleadings, evidence, and costs in action upon policies of fire insurance, in certain cases

Hereby respectfully report the same back, without recommendation, in accordance with a motion passed by the Assembly on Saturday, February 5, 1887.

ALEXANDER, Chairman

ON ROADS AND HIGHWAYS

ASSEMBLY CHAMBER, SACRAMENTO, February 9, 1887

MR SPEAKER: Your Committee on Roads and Highways, to whom was referred Assembly Bill No 460—An Act relating to highways—have had the same under consideration, and recommend that it do not pass.

SHERBURNE, Chairman

ON PUBLIC BUILDINGS AND GROUNDS.

ASSEMBLY CHAMBER, SACRAMENTO, February 8, 1887

MR SPEAKER Your Committee on Public Buildings and Grounds, to whom was referred Assembly Bill No 407—An Act to provide for the grading and graveling of that portion of Fifteenth Street, between L and N Streets, 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

CARROLL, Chairman

ON STATE PRISONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 8, 1887

MR SPEAKER Your Committee on State Prisons, to whom was referred Assembly Bill No 311—An Act to amend sections five, six, eight, nine, eleven, seventeen, eighteen, twenty-three, and twenty-six of an Act entitled "An Act to define, regulate, and govern the State Prisons of California," approved April 15, 1880—have had the same under consideration, and amended the same, and respectfully report the same back, and recommend that it do pass as amended

Also, Assembly Bill No 417—Ask to have referred to Committee on Claims

ATHERTON, Chairman

Assembly Bill No. 417 referred to Committee on Claims, as recommended.

ON WAYS AND MEANS

ASSEMBLY CHAMBER, SACRAMENTO, February 8, 1887

MR SPEAKER Your Committee on Ways and Means, to whom was referred Assembly Bill No 409—An Act to pay the claim of Ben Cohen for expenses incurred in the decoration of the State Capitol building on the occasion of the funeral obsequies in respect of the late President U S Grant

Also, Assembly Bill No 397—An Act to provide for the deficiency in the appropriation for the traveling expenses of the Attorney-General and the Surveyor-General in contests between the State and the United States, for the thirty-fifth fiscal year

Also, Assembly Bill No 412—An Act to pay the claim of Blake, Moffitt & Towne, being a deficiency in the appropriation for the purchase of ballot paper, for the thirty-eighth fiscal year

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

Also, Assembly Bill No 139—An act making appropriation for a deficiency in the appropriation for the salary of the Secretary of the State Engineer, for the thirty-fifth, thirty-sixth, 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, and that the four inclosed substitutes take its place.

TAYLOR, Chairman

MOTION.

Mr. Wright moved that four hundred and eighty copies of Assembly Bill No. 12 be printed, with the amendments.

So ordered.

Mr. Weber moved to take up his motion to amend Rule 78, as follows: Add the words "city charters" after the word "amendments," in line four thereof, so that all bills relating to city charters shall be hereafter placed on special file.

So ordered.

The question being, "Shall Rule 78 be amended as above?"

The ayes and noes were demanded by Messrs. Weber, Alexander, and Ellsworth.

The roll was called, and the rule amended by the following vote:

AYES—Messrs. Alexander, Barry, Barton, Bost, Bierly, Brown J. B., Brusie, Butler, Callaghan, Campbell, Carr, Carroll, Cooley, Coombs, Cope, Currey of Solano, Ellsworth, Ewing, Granger, Gruwell, Handy, Hart, Henry of Butte, Henry of San Joaquin, Hyde, Knox, LaBlanc, Lewis, Mahler, Mann, Mathews of Tehama, McClenahan, McDonnell, McGowan, Ohleyer, Price, Rucker, Searey, Sherburne, Sims, Spurgeon, Taylor, Variel, Venable, Vincent, Weber, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr Speaker—52

NOES—Messrs. Atherton, Davis, Matthews of San Benito, O'Grady, Remson, Smyth, and Sykes—7

NOTICE OF RECONSIDERATION.

Mr. Wright gave notice that, on to-morrow, he would move to reconsider the vote whereby Rule 78 was amended.

MOTION.

Mr. Taylor moved to suspend the rules and allow the Committee on Ways and Means to report.

So ordered.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, February 9, 1887

MR SPEAKER Your Committee on Ways and Means, to whom was referred Assembly Bill No. 439—An Act to pay the claim of J W. Rock, for the construction of a steam launch

Also, Assembly Bill No. 34—An Act to provide for certain improvements at the Deaf, Dumb, and Blind Asylum

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

Also, Assembly Bill No 390—An Act to appropriate money for the erection of a monument to James W Marshall, deceased, discoverer of gold in California—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 336—An Act to appropriate money to meet the deficiency in the appropriation for the construction of a steam launch, for the thirty-seventh fiscal year—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass

TAYLOR, Chairman

Mr. Venable moved that Assembly Bill No. 268 be made a special order, to be called up immediately after the special order set for this hour—consideration of Assembly Bill No. 74.

So ordered.

SPECIAL ORDER.

Assembly Bill No. 74—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 the order of persons entitled to administer the estates of deceased persons.

Mr. Coombs moved that this bill be referred to a select committee of one, with special instructions to prepare amendments to the bill, as follows: Amend section two so as to read as follows: "This Act shall take effect on and after the first Monday after the first day of January, 1889."

So ordered on a division—ayes, 32; noes, 11.

APPOINTMENT OF SELECT COMMITTEE.

The Speaker appointed Mr. Coombs the select committee of one to amend Assembly Bill No. 74.

REPORT OF SELECT COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, February 9, 1887

MR SPEAKER Your select committee, to whom was referred Assembly Bill No 74—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 the order of persons entitled to administer estates of deceased persons—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

COOMBS, Select Committee

Report adopted.

SPECIAL ORDER—FIRST READING OF BILL.

Assembly Bill No. 268—An Act to amend section six hundred and sixteen of the Political Code, relating to insurance companies.

Read first time, and placed on file for second reading.

QUESTION OF PRIVILEGE.

Mr. Lawrence arose to a question of privilege, and read from the Sacramento Record-Union of this day. He took exceptions to the remarks made by Mr. Brusie regarding his course on Assembly Bill No. 268.

MESSAGE FROM THE GOVERNOR.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, SACRAMENTO, February 7, 1887.

To the Assembly of the State of California

I have to inform your honorable body that I have approved Assembly Bill No. 195—An Act to increase the number of Judges of the Superior Court of the County of Los Angeles, State of California, and for the appointment of such additional Judges

WASHINGTON BARTLETT, Governor

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 7, 1887.

MR SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Senate Bill No. 48—An Act to provide for certain improvements at the Deaf Dumb, and Blind Asylum

E. H HAMILTON, Secretary
By R B OULLAHAN, Assistant Secretary

Senate Bill No. 48 referred to Committee on State Hospitals.

INTRODUCTION OF BILLS.

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

By Mr. Ellsworth: Assembly Bill No. 465—An Act to appropriate money to pay the claim of N. P. Perine, for furnishing granite and statuary for the Napa State Asylum for the Insane, and for labor performed on said asylum.

Referred to Committee on Claims.

Also, Assembly Constitutional Amendment No. 15—Resolution to propose to the people of the State an amendment to the Constitution of the State, relative to the Judicial Department.

Referred to Committee on Constitutional Amendments.

By Mr. Shanahan: Assembly Bill No. 466—An Act to add two new sections to the Political Code, to be known and numbered as sections three thousand two hundred, and three thousand two hundred and one, relating to trademarks, the use and adoption of the same, and

the person who and the manner by which said trademark and the rights thereunder may be protected.

Referred to Committee on Labor and Capital.

By Mr. Matthews of San Benito: Assembly Bill No. 467—An Act making appropriation for the purchase of additional jute machinery, and the erection of additional buildings for the manufacture of jute goods for the State Prison at San Quentin, and other expenses incidental and relating thereto.

Referred to Committee on State Prison.

By Mr. Variel: Assembly Bill No. 468—An Act to amend section nine hundred and sixty-three of the Code of Civil Procedure of the State of California, relating to appeals to the Supreme Court.

Referred to Committee on Judiciary.

Also, Assembly Bill No. 469—An Act to amend an Act entitled "An Act to authorize corporations to own and improve the lots and houses in which their business is carried on," approved April 1, 1876.

Referred to Committee on Corporations.

By Mr. McDonnell: Assembly Bill No. 470—An Act for the relief of James Toohey, whose property has been taken and destroyed by blasting and excavating Telegraph Hill, in the City and County of San Francisco, for rock and earth with which to construct the State seawall along the Port of San Francisco, in the State of California.

Referred to Committee on Claims.

By Mr. Taylor: Assembly Bill No. 471—An Act to provide for the payment of the claims of S. W. Raveley, for printing done in the cases of the people against the ex-Harbor Commissioners.

Referred to Committee on Claims

Also, Assembly Bill No. 472—An Act to provide for walks and driveways in the State Capitol grounds, and to appropriate money therefor.

Referred to Committee on Public Buildings and Grounds.

Also, Assembly Bill No. 473—An Act for the erection of monuments over the graves of deceased State officers buried in the State Cemetery Plat, in the City Cemetery of Sacramento City, State of California, and to appropriate money to pay for the same.

Referred to Committee on Retrenchment

Also, Assembly Bill No. 474—An Act to provide for the grading of that portion of the State Capitol Park lying east of Twelfth Street, and to appropriate money to pay for the same.

Referred to Committee on Ways and Means

By Mr. Adams: Assembly Bill No. 475—An Act to appropriate money to pay the claim of William Saunders for advertising certain swamp and overflowed lands, under the direction of the Surveyor-General, in 1875.

Referred to Committee on Swamp and Overflowed Lands.

By Mr. Carr: Assembly Bill No. 476—An Act to amend section three hundred and twenty-two of the Penal Code, to define and prohibit advertising, aiding, or drawing any lottery, or disposing or selling of lottery tickets, or any share in lotteries.

Referred to Committee on Public Morals

By Mr. Wright: Assembly Bill No. 477—An Act to appropriate money for the purchase of certain roads within the limits of the Yosemite Grant.

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

By Mr. Brusie: Assembly Bill No. 478—An Act to amend sections nine hundred and thirty-nine, nine hundred and forty-three, and nine hundred and sixty-three of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to appeals in general, and to the Supreme Court.

Referred to Committee on Judiciary.

By Mr. Lewis: Assembly Bill No. 479—An Act to create and maintain a relief and pension fund in the Fire Department, and to provide for the administration of such fund.

Referred to Committee on Internal Improvements.

By Mr. Brierly: Assembly Bill No. 480—An Act to amend an Act entitled an Act to provide for compiling, illustrating, electrotyping, printing, binding, copyrighting, and distributing a State series of school text-books, and to appropriate money therefor, approved February 26, 1885.

Referred to Committee on Education.

Also, Assembly Bill No. 481—An Act to amend section seven of an Act entitled "An Act to provide for compiling, illustrating, electrotyping, binding, copyrighting, and distributing a State series of text-books, and appropriating money therefor," approved February 26, 1885.

Referred to Committee on Education.

RESOLUTION—(OUT OF ORDER).

By Mr. Atherton:

Resolved, That the Committee on State Prisons be granted leave of absence for Thursday, February tenth, to visit the Branch State Prison at Folsom, and that they be allowed mileage, including then Clerk, Trowbridge, forty-four miles, making, in the aggregate, forty-four dollars

Adopted.

MOTIONS.

Mr. Taylor moved that Assembly Bill No. 363 be rereferred to Committee on Ways and Means.

So ordered.

Mr. W. A. Brown asked leave to withdraw Assembly Bill No. 391.

So ordered.

On motion of Mr. Lewis, Assembly Bill No. 121 was rereferred to Committee on Commerce and Navigation.

SPECIAL FILE.

Assembly Constitutional Amendment No. 2—To propose to the people of the State of California an amendment to the Constitution of the State, relative to irrigation.

On motion of Mr. Shanahan, Assembly Constitutional Amendment No. 2 was temporarily passed on file.

GENERAL FILE.

Assembly Bill No. 41—An Act to amend an Act entitled "An Act to repeal Chapter II, of Title VI, Part III, 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 II, and to enact a new Chapter II, of Title VI, of Part III, of said Code, and substitute the same in place of said repealed Chapter II, in said Code, relating to roads and highways, approved February 28, 1883, by adding a new section thereto, to be numbered section two thousand six hundred and forty-six.

On motion of Mr. Morgan, Assembly Bill No. 41 was temporarily passed on file.

THIRD READING OF BILL.

Assembly Bill No. 198—An Act to amend section three thousand three hundred and sixty of the Civil Code of the State of California, relating to damages in cases of libel or slander.

Mr. Variel moved that this bill be referred to a select committee of one, with special instructions to propose amendments to the bill as follows: Amend Assembly Bill No 198, as amended, by adding, on page two, after line eleven, of section one, the words:

And, provided further, that said retraction shall be full, unequivocal, and complete, and shall be published in the paper making the retraction in type of the same size as that in which the alleged libel was printed, and also in a column thereof equally as conspicuous as that in which the libel complained of was published, *and provided further*, that the question as to whether a sufficient or proper retraction has been made, shall be, in case of suit, one of law, for the Court, *and provided further*, that when the person claiming to have been libeled was absent from the State at the time the article complained of was published, he may demand such retraction at any time within thirty days after his return thereto

Lost on a division—ayes, 21; noes, 25.

Mr. Variel moved that this bill be referred to a select committee of one, with special instructions to prepare amendments to the bill, as follows. Amend Assembly Bill No. 198, as amended, as follows: Amend, by striking out the words "or slander," in line six, page one, and the words "or utterance of the slander," in line seven, page one; and also, by adding, at end of section one, on page two, the words:

"*And provided further*, that said retraction shall be full, unequivocal, and complete, and shall be published in the paper making the retraction in type of the same size as that in which the alleged libel was printed, and also in a column thereof equally as conspicuous as that in which the libel complained of was published, *and provided further*, that the question as to whether a sufficient or proper retraction has been made, shall be, in case of suit, one of law, for the Court, *and provided further*, that when the person claiming to have been libeled was absent from the State at the time the article complained of was published, he may demand such retraction at any time within thirty days after his return thereto"

QUESTION OF PRIVILEGE.

Mr. Sims arose to a question of privilege.

Mr. Renison also arose to a question of privilege.

The question being on the motion of Mr. Variel to appoint a select committee of one, it was lost.

PREVIOUS QUESTION.

Mr. Young of San Joaquin moved the previous question, seconded by Messrs. Lawrence and McDonnell.

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

The question then being on the passage of the bill.

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

AYES—Messrs Alexander, Bailey, Britt, Butler, Callaghan, Cohen, Henry of Butte, Hyde, Knox, Mann, Mathews of Tehama, McDonnell, McGowan, Morris, O'Grady, Ohleyer, Regan, Sims, and Mr. Speaker—19.

NOES—Messrs. Adams, Atherton, Barton, Bost, Brierly, Brooks, Brown J B, Brusie, Burnett, Campbell, Carr, Carroll, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Gruwell, Handy, Henry of San Joaquin, LaBlanc, Lawrence, Lewis, Mahler, Martin, Matthews of San Benito, McClenahan, Mitchell, Morgan, Price, Rucker, Renison, Searey, Shanahan, Sherburne, Smyth, Spurgeon, Sykes, Taylor, Varnel, Venable, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, and Young of San Joaquin—52.

MOTION.

Mr. Hart moved that Assembly Bill No. 179 be made a special order for Friday morning, February eleventh, immediately after reading the Journal.

So ordered.

GENERAL FILE—(RESUMED).

Assembly Joint Resolution No. 1—Relative to forfeiture of railroad land grants in certain counties.

RECESS.

Pending debate, the hour of recess having arrived, 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. Brierly in the chair.

Quorum present.

Mr. Hyde moved that the special order set for two o'clock P. M., Assembly Bill No. 1, be postponed until the resolution under discussion be disposed of.

So ordered.

Consideration of Assembly Joint Resolution No. 1 resumed.

Mr. Alexander moved to make the further consideration of Assembly Joint Resolution No. 1 the special order for to-morrow morning, immediately after reading the Journal.

Ayes and noes demanded by Messrs. Alexander, Ewing, and McDonnell.

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

AYES—Messrs Alexander, Bailey, Barry, Barton, Cohen, Cooley, Ellsworth, Ewing, Hyde, Knox, McDonnell, Rucker, and Varnel—13

NOES—Messrs Adams, Atherton, Bost, Brierly, Britt, Brooks, Brown W A., Brown J B, Brusie, Burnett, Butler, Callaghan, Campbell, Carr, Carroll, Coombs, Cope, Currey of Solano, Curry of San Francisco Davis, Gould, Gruwell, Handy, Henry of San Joaquin, LaBlanc, Lawrence, Mahler, Martin, Mathews of Tehama, Matthews of San Benito, McClenahan, McGowan, Mitchell, Morgan, Morris, O'Grady, Ohleyer, Price, Regan, Renison, Shanahan, Sherburne, Sims, Smyth, Taylor, Toner, Venable, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, and Young of San Joaquin—55

The question being on the adoption of Assembly Joint Resolution No. 1.

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

AYES—Messrs Adams, Atherton, Bailey, Barry, Barton, Bost, Brierly, Britt, Brooks, Brown W A, Brown J B, Brusie, Burnett, Butler, Callaghan, Campbell, Carr, Carroll, Cohen, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Gould, Gruwell, Handy, Hart, Henry of Butte, Henry of San Joaquin, Hyde, Lawrence,

Mahler, Martin, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, McGowan, Mitchell, Morgan, Morris, O'Grady, Ohlever, Price, Regan, Rucker, Renison, Shanahan, Sherburne, Smyth, Spurgeon, Toner, Venable, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, and Young of San Joaquin—65

NOES—Messrs Alexander, Ewing Knox, LaBlanc, Lewis, McDonnell, Sims, Sykes, Taylor, and Varel—10

SPECIAL ORDER.

The time for the consideration of special order for two o'clock and ten minutes P. M. this day having arrived, Assembly Bill No. 1—An Act to amend sections two thousand four hundred and thirty-three, two thousand four hundred and thirty-six, two thousand four hundred and forty, and two thousand four hundred and forty-three, of Article V, of the Political Code, relating to pilots and Pilot Commissioners, and two thousand four hundred and fifty-seven, two thousand four hundred and sixty, two thousand four hundred and sixty-two, two thousand four hundred and sixty-five, two thousand four hundred and sixty-six, and two thousand four hundred and sixty-seven, of Article VI, of the Political Code, relating to the pilot regulations for San Francisco, Mare Island, and Benicia—was taken up, and second reading resumed.

Sections five, six, and seven read second time.

Mr. Brooks moved to amend section seven, line sixteen, by striking out the word "and," and insert the word "or" at end of line.

Adopted.

Section eight read second time.

Mr. Hyde moved to amend section eight, as follows: Amend, by inserting, after the word "harbor," on line four, "or between the harbor."

Adopted.

Mr. Hyde moved to amend section eight as follows: Amend, by inserting, in line six, the word "five," in lieu of the word "four."

Speaker Jordan in the chair.

QUESTION OF PRIVILEGE.

Mr. Hyde rose to a question of privilege, and read from the San Francisco Chronicle of February ninth, an article relating to his advocacy of Assembly Bill No. 1. He stated that the article, so far as it related to himself, was untrue.

The question being on the adoption of the amendment offered by Mr. Hyde.

The ayes and noes were demanded by Messrs. Brooks, Hyde, and LaBlanc.

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

AYES—Messrs Brierly, Brusie, Campbell, Cooley, Ewing, Gould, Hart, Hyde, Lawrence, Williams, Young of San Diego, and Mr Speaker—12

NOES—Messrs Adams, Alexander, Atherton, Bailey, Barry, Barton, Bost, Britt, Brooks, Brown W A, Brown J B, Burnett, Butler, Callaghan, Carr, Carroll, Cohen, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Gruwell, Handy, Henry of San Joaquin, Knox, LaBlanc, Lewis, Mahler, Martin, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Mitchell, Morgan, Morris, O'Grady, Ohlever, Price, Regan, Rucker, Renison, Searey, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Toner, Varel, Venable, Vincent, Weber, Windrow, Wilcox, Wright, and Young of San Joaquin—62

Mr. Lawrence moved to amend section eight as follows: Add, in line six, after the word "dollars," "and fifty cents."

Lost.

Mr Hyde moved to amend section eight as follows: Amend, by inserting the words "be less than," in lieu of words "to exceed," in line five.

Lost

Section nine read second time.

Mr. Hyde moved to amend, by inserting the word "five," in lieu of the word "four," in line four.

Lost.

Mr. Morgan moved to amend as follows: Insert in line ten, after the word "whaling," "coasting."

Lost.

Mr. Hyde moved to amend, by inserting the word "five," in lieu of the word "four," in line five.

Lost.

Mr. Hyde moved to amend, by inserting the word "four," in lieu of the word "three," in line five.

Lost.

Mr. Hyde moved to amend, by inserting the word "full," in lieu of the words "one half of the above," in line seven.

Lost.

Mr. Hyde moved to amend, by inserting the word "unless," in lieu of the words "except when," in line ten.

Lost.

Sections ten, eleven, and twelve read second time.

Mr. Hyde moved to amend section twelve as follows: "This Act shall take effect from and after the expiration of the term of contract now existing between the pilots and the Pacific Tugboat Company, as alleged by the gentleman from Ventura."

Lost.

Mr. Brierly moved to amend as follows: Amend, by adding to subdivision three, section two, lines eleven and twelve, printed bill, "when the draught is within four feet of the depth of water in the channel, at mean low water, and in all other cases eight cents per net ton, as shown by the ship's register."

Lost.

The question being on the adoption of the following amendment, offered by Mr. Brierly: Amend, in lines four and five, section nine, page four, printed bill, by striking out the words "under five hundred tons, four dollars per foot draught, all vessels over five hundred tons, four dollars per foot draught, and three cents per ton," and substitute the words "ten cents per net."

The ayes and noes were demanded by Messrs. Brierly, Young of San Diego, and Williams.

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

AYES—Messrs. Alexander, Bailey, Bost, Brierly, Butler, Cooley, Cope, Currey of Solano, Curry of San Francisco, Davis, Ewing, Gould, Henry of Butte, Hyde, Knox, Lawrence, Martin, Mathews of Tehama, McGowan, Price, Spurgeon, Sykes, Taylor, Vincent, Weber, Wilcox, Williams, Wright, and Young of San Diego—30

NOES—Messrs Adams, Batty, Barton, Britt, Brooks, Brown W A, Brown J B, Callaghan, Campbell, Carr, Cohen, Ellsworth, Granger, Gruwell, Heath, Henry of San Joaquin, LaBlanc, Lewis, Mahler, Matthews of San Benito, McClenahan, McDonnell, Mitchell, Morgan, Morris, O'Grady, Ohlever, Regan, Rentson, Searey, Shanahan, Sherburne, Sims, Smyth, Toner, Variel, Young of San Joaquin, and Mr Speaker—38

Mr. Hyde moved to amend as follows: Amend section one to read as follows:

SECTION 1. Section two thousand four hundred and thirty-one of the Political Code is hereby amended so as to read as follows

2431 Every pilot must execute an official bond in the sum of five hundred dollars, to be approved by the officer or Board appointing him The bonds of pilots appointed by Commissioners must be filed with such Commissioners.

Lost

Mr. Davis moved to amend the title as follows. Amend title by striking out "2433."

Adopted

Also, amend by renumbering the sections.

Adopted.

Upon the question, "Shall this bill be engrossed?" it was so ordered.

SPECIAL FILE.

Consideration of Assembly Constitutional Amendment No 2—To propose to the people of the State of California an amendment to the Constitution of the State, relative to irrigation.

The Committee on Constitutional Amendments offered the following, which were adopted:

Amend section one, lines two and three: Strike out all after the word "is," printed bill, and insert in lieu thereof the following: "hereby declared to be a public use, subject to State regulation and control."

Amend section two, by inserting, in line two, printed bill, after the word "District," the following: "to the extent allowed by law"

Amend section three, by inserting in line twelve, printed bill, after the word "the," the word "reasonable."

Amend section five, by striking out all of section five, after the word "division," on line five, printed bill.

Amend section six, line one, printed bill, by striking out the words "except for mining," and insert in lieu thereof the words "for irrigation," and in line two, by striking out all after the word "person," and insert the words "under the operation of any given system of irrigation, so long as the same shall be used beneficially and economically."

Mr. Shanahan offered the following amendments, which were adopted:

Amend section one, by inserting, in line three, after the word "appropriated," the words "for sale, rental, or distribution."

Amend section two, by inserting, in line two, after the word "corporation," the word "water."

Amend section three, line one, by inserting, after the word "corporation," the word "water."

By inserting, in line eight, of section three, after the word "corporation," the word "water."

By inserting, after the word "town," in line nine, of section three, the word "water."

By striking from line ten, of section three, the word "two," and by striking from the word "years," the final "s"

By inserting, in line twelve, of section three, after the word "town," the word "water."

By striking out that portion of section three, in lines sixteen, seventeen, eighteen, and nineteen, beginning with the word "and," in line sixteen, and extending down to and including the word "works," in line nineteen.

Amend section four, page three, by inserting, after the word "domain," in line one, the words "water or."

By striking from line two, of section four, the words "persons."

By inserting, in line eight, of section four, after the word "shown," the word "and," and in the same line, after the word "*provided*," the words "that when such advantage is shown"

By inserting, in line ten, of section four, after the word "into," the words "water or."

By inserting, in line twelve, of section four, before the word "irrigate," the words "water or."

Amend section four, on page three, by adding thereto, after the word "State," in line twelve, the words "*provided further*, that nothing in this article shall authorize the taking of any vested interests in any mining water rights or property."

Amend, by striking from line two, section six, page three, the words "to any person," and insert in lieu thereof the words "per acre."

Amend the proposing clause by adding thereto the words "to repeal said article and reenact a new article, consisting of seven sections, in lieu thereof."

Amend the title, by inserting, after the word "State," in line three of the title, the words "repealing article fourteen thereof, and to enact a new article in lieu thereof, containing seven sections, relating to irrigation and water rights."

LEAVE OF ABSENCE.

Mr. Brooks was granted indefinite leave of absence.

Mr. Shanahan moved that further consideration of Assembly Constitutional Amendment No. 2 be postponed until the resolution and amendments thereto are printed, and that two hundred and forty copies thereof be printed.

So ordered.

GENERAL FILE.

Passage of Assembly Bill No. 41—An Act to amend an Act entitled "An Act to repeal Chapter II, of Title VI, Part III, 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 II, and to enact a new Chapter II, of Title VI, of Part III, of said Code, and substitute the same in place of said repealed Chapter II, in said Code, relating to roads and highways, approved February 18, 1883, by adding a new section thereto, to be numbered section two thousand six hundred and forty-six.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Alexander, Atherton, Bailey, Barton, Bost, Brierly, Britt, Brown W A, Butler, Campbell, Carr, Cohen, Cooley, Coombs, Cope Currey of Solano, Curry of San Francisco, Ellsworth, Gould, Hart, Henry of Butte, Henry of San Joaquin, Knox, LaBlanc, Lawrence, Lewis, Mahler, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Morgan, Morris, O'Grady, Ohleyer, Price, Regan, Rucker, Remson, Searey, Shanahan, Sherburne, Smyth, Spurgeon, Sykes, Variel, Vincent, Williams, Wright, Young of San Diego, and Mr Speaker—52

NOES—Messrs Granger, Gruwell, Haudy, Heath, Venable, Weber, Windrow, and Young of San Joaquin—8.

Title read and approved.

Mr. Taylor asked leave to introduce a resolution (out of order).

Lost on a division—ayes. 30; noes, 16.

GENERAL FILE—THIRD READING OF BILLS—(RESUMED).

Assembly Bill No. 164—An Act to add a new section to the Penal Code, to be known as section five hundred and thirty-seven, relative to cheats.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Alexander, Atherton, Bailey, Barry, Barton, Bost, Brierly, Britt, Brown W A, Brown J B, Burnett, Butler, Callaghan, Campbell, Carr, Cohen, Cooley, Currey of Solano, Curry of San Francisco, Ellsworth, Ewing, Gould, Gruwell, Handy, Hart, Henry of Butte, Henry of San Joaquin, Knox, LaBlanc, Lawrence, Lewis, Mahler, Mann, Mathews of Tehama, McClenahan, McDonnell, McGowan, Morgan, Morris, O'Grady, Ohleyer, Price, Regan, Rucker, Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Toner, Variel, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr Speaker—62

NOES—Messrs. Coombs, Cope, Granger, Hyde, Matthews of San Benito, Remson, and Venable—7.

Mr. Hyde moved to amend the title, by striking out the word "cheats," and inserting in lieu thereof the words "personal property mortgaged."

Amendment adopted.

Title read and approved.

PETITIONS—(OUT OF ORDER).

Mr. Wright presented petitions from citizens of Stanislaus County, petitioning for the enactment of laws requiring instruction in physiology and hygiene.

Referred to Committee on Education.

Mr. Brierly also presented a petition from the President and Professors of the University of California, relating to the same subject.

Referred to Committee on Education.

Mr. Brierly moved that the rules be suspended, and that the House proceed under the order of "Presentation of Petitions."

Lost.

Mr. Britt moved to suspend the rules, and that the House proceed under the order of "Motions and Resolutions."

Lost.

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

Lost.

GENERAL FILE—(RESUMED).

Assembly Bill No. 75—An Act 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 therein.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Alexander, Atherton, Bailey, Barton, Bost, Britt, Brown W. A., Burnett Butler, Campbell, Carroll, Coombs, Cope Currey of Solano, Curry of San Francisco, Ewing, Gould, Gruwell, Handy, Hart, Heath, Henry of San Joaquin, Knox, LaBlanc, Lawrence, Mahler, Martin, Mann, Mathews of Tehama, McClenahan, McDonnell, McGowan, Mitchell, Morgan, Morris, O'Grady, Ohleyer, Price, Regan, Rucker, Remson,

Shanahan, Sherburne, Sims, Spurgeon, Sykes, Taylor, Toner, Variel, Venable, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr Speaker—60

NOES—Messrs Brierly, Carr, Cooley, Hyde, and Matthews of San Benito—5

Title read and approved.

Assembly Bill No. 76—An Act entitled an Act to prevent running, capping, and soliciting for attorneys at law in this State.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Atherton, Bailey, Barry, Barton, Bost, Brierly, Britt, Brown W A, Brown J. B, Burnett, Butler, Callaghan, Campbell, Carr, Carroll, Cohen, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Gruwell, Handy, Heath, Knox, LaBlanc, Lawrence, Mahler, Martin, Mann, Matthews of San Benito, McDonnell, McGowan, Mitchell, Morris, O'Grady, Ohleyer, Price, Regan, Rucker, Remson, Shanahan, Sherburne, Sims, Spurgeon, Sykes, Taylor, Variel, Venable, Vincent, Weber, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr Speaker—64

NOES—Messrs Alexander, Hart, Henry of Butte, Henry of San Joaquin, Mathews of Tehama, McClenahan, Morgan, Toner, and Windrow—9

Title read and approved.

Assembly Bill No. 15—An Act to establish a Branch State Normal School.

Read third time.

Mr. Shanahan moved that this bill be referred to a select committee of one, with special instructions to prepare an amendment to the bill as follows: Amend, by striking out, in line four, section two, the words "City of Marysville," and insert the words "fortieth parallel, north latitude."

PREVIOUS QUESTION.

Mr. Lawrence moved the previous question, seconded by Messrs. Brierly and W. A. Brown.

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

The question being upon the motion of Mr. Shanahan for the appointment of a select committee, it was so ordered.

APPOINTMENT OF SELECT COMMITTEE.

The Speaker appointed Mr. Shanahan the select committee of one to amend Assembly Bill No. 15.

REPORT OF SELECT COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, February 9, 1887

MR SPEAKER Your select committee, to whom was referred Assembly Bill No 15—An Act to establish a Branch State Normal School, with instructions to prepare an amendment, in accordance with the action of the House, would respectfully report that the instructions of the House have been carried out

T. W H SHANAHAN, Select Committee

PREVIOUS QUESTION.

Mr. Young of San Joaquin moved the previous question, seconded by Messrs. Henry of Butte and Lawrence.

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

The question then being upon the adoption of the report of the select committee

The ayes and noes were demanded by Messrs. Brierly, Currey of Solano, and Henry of Butte.

The roll was called, and the report of the select committee was adopted by the following vote.

AYES—Messrs. Adams, Atherton, Bailey, Barry, Barton, Britt, Brown W A, Brown J. B, Burnett, Butler, Callaghan, Campbell, Carr, Cohen, Coombs, Cope, Currey of Solano, Davis, Ewing, Gruwell, Heath, Henry of Butte, Knox, LaBlanc, Lawrence, Mahler, Martin, McClenahan, McDonnell, Mitchell, Morris, O'Grady Price, Regan, Searey, Shanahan, Sherburne, Sims, Smyth, Sykes, Toner, Vincent, Weber, Windrow, Wilcox, Wilhams, and Young of San Diego—47

NOES—Messrs Alexander, Bost, Brierly, Carroll, Cooley, Curry of San Francisco, Ellsworth, Gould, Granger, Handy, Hart, Henry of San Joaquin, Hyde, Lewis, Mathews of Tehama, Matthews of San Benito, McGowan, Ohlever, Rucker, Renison, Spurgeon, Taylor, Variel, Venable, Wright, and Young of San Joaquin—26

NOTICE OF RECONSIDERATION.

Mr. Henry of Butte gave notice that, on to-morrow, he would move to reconsider the vote whereby the report of select committee of one, amending Assembly Bill No. 15, was adopted.

Assembly Bill No. 430—An Act to provide for a contingent fund for the Assembly, for the twenty-seventh session of the Legislature.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Alexander, Atherton, Bailey, Barry, Barton, Bost, Brierly, Britt, Brown W A, Brown J B, Burnett, Callaghan, Campbell, Carr, Carroll, Cohen, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Ellsworth, Ewing, Gould, Granger, Gruwell, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hyde, Knox, LaBlanc, Lewis, Mahler, Martin, Mathews of Tehama, Matthews of San Benito, McClenahan, McGowan, Mitchell, Morris, O'Grady, Ohlever, Price, Regan, Rucker, Renison, Searey, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Variel, Venable, Vincent, Weber, Windrow, Wilcox, Wilhams, Wright, Young of San Joaquin, and Mr. Speaker—67.

NOES—Messrs. Davis, Lawrence, McDonnell, and Toner—4

Title read and approved.

Assembly Bill No. 238—An Act to amend an Act entitled an Act to establish a uniform system of county and township governments, approved March 14, 1883, and amended March 18, 1885.

Passed on file.

Assembly Joint Resolution No. 5—Relative to improving the bar at the mouth of Eel River.

Resolution adopted.

Assembly Joint Resolution No. 4—Relative to land laws applying to timber lands.

Resolution adopted.

Assembly Joint Resolution No. 8—Relative to land laws applying to timber lands.

Passed on file

Assembly Joint Resolution No. 6—Relative to securing an appropriation for coast defenses.

Resolution adopted.

By consent of the House, Mr. Wright was granted permission to withdraw Assembly Joint Resolution No. 8.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON PUBLIC BUILDINGS AND GROUNDS.

ASSEMBLY CHAMBER, SACRAMENTO, February 9, 1887

MR SPEAKER: Your Committee on Public Buildings and Grounds, to whom was referred Assembly Bill No 329—An Act to add a new section, to be numbered section four hundred and thirteen of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to increasing police force of the Capitol grounds

Also, Assembly Bill No 400—An Act to provide for the erection of additional buildings for the use of the chronic insane

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass—the former, as introduced, the latter, as amended.

CARROLL, Chairman

SECOND READING OF BILLS.

Assembly Bill No. 29—An Act to amend sections two thousand six hundred and forty-one, two thousand six hundred and forty-two, and two thousand six hundred and forty-four of an Act entitled an Act to establish a Political Code, approved March 12, 1872, relating to the powers and duties of highway officers, to the appointment of, and oath, and bond of Roadmasters or Road Overseers.

Read second time.

Mr. Variel moved to amend as follows: Amend, by adding, after word "made," in line twenty-six, of section two thousand six hundred and forty-two, on page two, the words "upon a petition of not less than twenty taxpayers of the road district, and in case there be more than one petition, then upon the petition of the largest number of taxpayers of the road district."

So ordered.

Mr. McGowan moved to amend as follows: Amend, by altering title of Assembly Bill No. 29, to read as follows:

An Act to amend sections two thousand six hundred and forty-one, two thousand six hundred and forty-two, and two thousand six hundred and forty-four of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the powers and duties of highway officers, to the election, appointment of, and oath, and bond of Roadmasters or Road Overseers

Adopted.

The question being, "Shall this bill be ordered engrossed and to a third reading?" it was so ordered.

Assembly Bill No. 43—An Act to amend section four hundred and eleven of an Act entitled an Act to establish a Code of Civil Procedure, approved March 11, 1872, relating to the manner of commencing civil actions and the service of summons therein.

Passed on file.

Assembly Bill No. 178—An Act to amend section five hundred and fifty-three of the Code of Civil Procedure, relative to attachments.

Read second time, ordered engrossed, and placed on file for third reading.

Assembly Bill No. 181—An Act to amend section four hundred and eight of the Code of Civil Procedure of the State of California, relating to the issuing of alias summons.

Read second time, ordered engrossed, and placed on file for third reading.

MOTION TO ADJOURN.

At five o'clock and twenty minutes P. M. Mr. Alexander moved to adjourn.

Lost.

Assembly Bill No. 158—An Act to amend section seven of the Insolvent Act of 1880.

Read second time.

The Committee on Judiciary offered the following amendment, which was adopted: Amend, by striking from lines four and five the words "as often as the newspaper is printed," and inserting in lieu thereof the words "once a week for four weeks."

Bill ordered engrossed, and placed on file for third reading.

Assembly Bill No. 177—An Act to amend section number nine hundred and seventy-eight of the Code of Civil Procedure, relative to attachments.

Read second time.

The Committee on Judiciary offered the following amendments, which were adopted: Amend the title of said Act by substituting a new title therefor, to read as follows:

An Act to amend section nine hundred and seventy-eight of the Code of Civil Procedure, relative to undertakings given on appeal in certain cases, by adding a clause thereto providing for giving an undertaking when the lien of an attachment is sought to be extended

Also, amend by striking from line sixteen the word "ten," and substituting therefor the word "five."

Bill ordered engrossed, and placed on file for third reading.

MOTION TO ADJOURN.

At five o'clock and thirty minutes P. M. Mr. Mann moved to adjourn.

Lost.

SECOND READING OF BILLS—(RESUMED).

Assembly Bill No. 193—An Act to amend section three thousand four hundred and forty-nine of the Civil Code of the State of California, approved March 21, 1872, relating to assignments for the benefit of creditors.

Read second time.

The Committee on Judiciary offered the following amendments, which were adopted. Amend, by striking from line eight the word "thirty," and inserting in lieu thereof the word "twenty."

Also, amend by adding to the section, after the word "made," in line ten, the following:

And, until the expiration of said period of twenty days, the said assignee for benefit of creditors shall not sell or dispose of any of the assigned property, unless by authority of the Superior Court

Bill read second time, ordered engrossed, and placed on file for third reading.

Assembly Bill No. 22—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, 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 second time.

Mr. Gould offered a substitute for the bill, which was ordered printed, and to retain its place on the file.

Substitute pending.

MOTION TO ADJOURN.

At five o'clock and forty-five minutes Mr. Mathews of Tehama moved to adjourn.

Lost.

Assembly Bill No. 56—An Act to amend section two hundred and eleven of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883, approved March 14, 1885, approved March 18, 1885.

Read second time, ordered engrossed, and placed on file for third reading.

Assembly Bill No. 192—An Act to amend section four thousand one hundred and eight of the Political Code, relating to county officers.

Read second time, ordered engrossed, and placed on file for third reading.

LEAVE OF ABSENCE.

Mr. Lewis was granted leave of absence until ten o'clock A. M. to-morrow.

At five o'clock and fifty-five minutes P. M. Mr. Ewing moved to adjourn.

Lost.

Assembly Bill No. 8—An Act relating to insurance, to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, as amended by an Act entitled "An Act to amend the Political Code, in relation to insurance," approved April 1, 1878.

Read second time, ordered engrossed, and placed on file for third reading.

ADJOURNMENT.

At six o'clock P. M., on motion of Mr. Hyde, the House adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Thursday, February 10, 1887.

The House met pursuant to adjournment.

Speaker Jordan in the chair.

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

Messrs Adams, Alexander, Bailey, Barry, Barton, Bost, Brierly, Britt, Brown W A, Brown J B, Bruste, Burnett, Butler, Campbell, Carr, Carroll, Cohen, Colbert, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Gould, Granger, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hyde, Knox, LaBlanc, Mahler, Martin, Mann, Mathews of Tehama, McClenahan, McDonnell, McGowan, Mitchell, Morgan, Morris, O'Grady, Ohleyer, Price, Regan, Rucker, Renison, Searey, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Toner, Variel, Venable, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr Speaker

Quorum present.

Prayer by the Rev. Mr. Filben.

Pending the reading of the Journal of yesterday, Mr. J. B. Brown moved to dispense with further reading.

So ordered.

Journal approved.

PETITIONS.

Mr. Ohleyer presented a petition from citizens of Marysville, petitioning for the enactment of laws requiring instruction in physiology and hygiene.

Referred to Committee on Education.

Mr. Brierly also presented a petition from the Board of Education, Council, and citizens of Los Angeles, relating to the same subject.

Mr. Spurgeon also presented a petition from citizens of Santa Ana.

Mr. Heath also presented a petition from citizens of Santa Barbara.

Mr. Currey of Solano also presented petition from citizens of Solano.

Mr. Williams also presented petition from citizens of Humboldt County.

All of above petitions petition for the enactment of laws requiring instruction in physiology and hygiene in the public schools.

All referred to Committee on Education.

QUESTION OF PRIVILEGE.

Mr. Barton arose to a question of privilege, and read from the San Francisco Post an article regarding his action as a member of the Committee on Counties and County Boundaries. He stated that the article was utterly false.

REPORTS OF STANDING COMMITTEES.

ON RETRENCHMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 9, 1887.

MR SPEAKER Your Committee on Retrenchment, to whom was referred a resolution by Mr Butler

Resolved, That the Controller be and he hereby is directed to draw his warrant upon the

Contingent Fund of the Assembly for the sum of sixty-six dollars and eighty-five cents, in favor of P. R Klein, Sergeant-at-Arms, for the payment of the following bills.

Locksmith, repairs, locks, and keys	$15 25
Ice bill for month of January	17 40
Incidental expenses of office	25 00
Carriage hire, mileage, assistant, and making one arrest	9 20
Total	$66 85

And the Treasurer is hereby directed to pay the same

Have had the same under consideration, and respectfully report the same back, and recommend that it do pass, and the bills to be paid

GOULD, Chairman

Resolution adopted.

ON SILK CULTURE

ASSEMBLY CHAMBER, SACRAMENTO, February 8, 1887

MR SPEAKER Your Committee on Silk Culture, to whom was referred Assembly Bill No 321—An Act to amend section eight of an Act entitled "An Act to establish a State Board of Silk Culture, and to provide moneys for the expenses thereof," approved March 18, 1885, relating to the Secretary of the Board of Silk Culture, and empowering a member of the Board to act as Secretary, and to be paid a salary for services as such Secretary—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, as amended

PRICE, Chairman

Also·

ASSEMBLY CHAMBER, SACRAMENTO, February 10, 1887

MR SPEAKER Your Committee on Silk Culture beg leave to report that they have visited the Filature of the State Board of Silk Culture, at San Francisco, and have examined carefully the working of the silk industry in all its branches The new silk-reeling machines, your committee, in their judgment, consider superior by far to any machines that have been in use by the Filature Committee The cocoons now on hand are in a condition that shows the management to have exerted great care and pains in having them as well preserved as they are The silk, as found, is of the very finest quality, which fact is substantiated by the statements made by Eastern dealers who have complimented the Board, in stating that the samples forwarded to them were of a much finer quality than any received by them from different parts of Europe and Asia

From the Secretary's books we ascertain that five thousand one hundred mulberry trees have been sent to various parts of the State, and to those who appreciate and are interested in silk culture. In addition to the trees, twelve thousand cuttings have been distributed amongst the people of the State, and have been apportioned so as to reach nearly every county in California

The Treasurer's report shows, that of the appropriation of five thousand dollars, made by the Legislature in 1885, three thousand nine hundred and seventy-one dollars and sixty-nine cents has been expended judiciously, leaving a balance on hand at the end of the thirty-seventh fiscal year of one thousand and twenty-eight dollars and thirty-one cents.

Your committee would recommend a liberal appropriation for the workings, interests, and advancement of silk culture on this coast

Your committee would further state that they are entitled to mileage for five members of the committee and clerk for one hundred and sixty-eight miles, and would ask that the Controller be directed to draw his warrant for the amount

PRICE, Chairman.

Referred to Committee on Mileage.

ON PUBLIC PRINTING

ASSEMBLY CHAMBER, SACRAMENTO, February 4, 1887

MR SPEAKER Your Committee on Public Printing, to whom was referred Assembly Bill No 222—An Act to appropriate money to pay for publication of Constitutional Amendment No 1, submitted at the election, November 2, 1886—have had the same under consideration, and respectfully report the same back, with a substitute, and recommend that the substitute do pass

MARTIN, Chairman

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, February 9, 1887.

MR SPEAKER. Your Committee on Judiciary, to whom was referred Assembly Bill No. 270—An Act to provide an additional Judge of the Superior Court of Tulare County—have had the same under consideration, and now report it back, with amendment, and recommend its passage, as amended.

Also, Assembly Bill No 349—An Act to provide for the compensation of Deputy County

Clerks and Deputy Sheriffs, acting in Superior Courts of counties where the number of Judges of Superior Courts has been increased, relating to Superior Courts' officers—and report it back, with amendments, and recommend its passage, as amended

VARIEL, Chairman.

ON CLAIMS

ASSEMBLY CHAMBER, SACRAMENTO, February 9, 1887

MR. SPEAKER: Your Committee on Claims, to whom was referred Assembly Bill No 151—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 402—An Act to ascertain the loss and damage suffered and sustained by the Coulterville and Yosemite Turnpike Company, a corporation, by the construction of a road by the Yosemite Turnpike Road Company, under and by virtue of an Act of the Legislature of the State of California entitled "An Act granting the right of way to the Yosemite Turnpike Road Company over the Yosemite Grant," approved February 17, 1874, and for the relief of said Coulterville and Yosemite Turnpike Road Company

Have had the same under consideration, and respectfully report the same back, without recommendation

Also, Assembly Bill No 60—An Act to appropriate money for the relief of J C Doherty

Also, Assembly Bill No 293—An Act providing for the payment to Louisa Koehler of damages for the loss of her husband, Herman Koehler, killed by a prisoner in the State Prison at San Quentin, California

Also, Assembly Bill No 223—An Act to provide for the payment of J R McDonald, Francis Williams, and Henry De Veuve, for per diem and mileage for serving as Commissioners of the West Side Irrigation District, under the Act to create an irrigation district, to be called the West Side Irrigation District, approved April 3, 1876, and Acts supplemental thereto

Have had the same under consideration, and respectfully report the same back, without recommendation

Also, Assembly Bill No 437—An Act to provide for the relief of Robert Anderson—report the same back, and recommend that it do pass

Also, Assembly Bill No 432—An Act for the relief of Bartolo Sepulveda—report the same back, and recommend that it do pass, as amended.

Also, Assembly Bill No 165—To provide for the payment of the claim of R C Ball as architect of the State Prison at Folsom, and to appropriate money for the purpose of such payment—have had the same under consideration, and respectfully report the same back, without recommendation.

Also, Assembly Bill No 403—For the relief of the heirs of the estate of George Horton, deceased, Maria Horton, administratrix, whose property has been taken or destroyed by blasting and excavating Telegraph Hill, in the City and County of San Francisco, State of California—have had the same under consideration, and respectfully report a substitute for the same, and recommend that it do pass

Also, Assembly Bill No 401—An Act to appropriate money to pay the claim of A. L Rhodes and D M. Delmas, for services rendered to the State in prosecuting, on behalf of the people of the State of California, certain causes, commonly known as the California railroad tax cases—report the same back, and recommend that it do pass

NESTOR A YOUNG, Chairman

ON EDUCATION

ASSEMBLY CHAMBER, SACRAMENTO, February 10, 1887

MR SPEAKER Your Committee on Education, to whom was referred Assembly Bill No 239—An Act to amend sections three thousand four hundred and ninety-four and three thousand four hundred and ninety-five of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to public lands of the State—without recommendation

Also, Assembly Bill No 312—An Act authorizing cities, counties, cities and counties, or incorporated towns, in the State of California, to furnish the children of their respective public schools with the free use of school text-books—with amendments

Also, Assembly Bill No 322—An Act to provide for industrial, mechanical, and technical instruction and training in classes in grammar schools in the State of California, and to provide for the organization and maintenance of the same—with amendments

Also, Assembly Bill No 381—An Act to amend sections four hundred and forty-three, one thousand five hundred and thirty-three, one thousand five hundred and forty-three, one thousand five hundred and fifty-one, one thousand five hundred and ninety-seven, one thousand six hundred and thirty-four, one thousand seven hundred and fourteen, one thousand eight hundred and seventeen, and one thousand eight hundred and fifty-eight of the Political Code of the State of California—with amendments

Respectfully report the same back, and recommend that they do pass, as amended

BRIERLY, Chairman

ON AGRICULTURE, MINING, AND MECHANIC ARTS COLLEGE

ASSEMBLY CHAMBER, SACRAMENTO, February 10, 1887

MR SPEAKER Your Committee on Agriculture, Mining, and Mechanic Arts College, to whom was referred Assembly Bill No 343—An Act appropriating the sum of ten thousand dollars to erect a building for the purpose of furnishing dormitories and dining rooms for the male adult blind inmates at the Home for the Adult Blind

Also, Assembly Bill No 344—An Act appropriating the sum of sixty-five thousand dollars for the support of 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 bill for each, and recommend that said substitutes do pass

SIMS, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 10, 1887

MR. SPEAKER Your Committee on Agriculture, Mining, and Mechanic Arts College, having visited Berkeley and inspected said college, do report as follows:

Mechanic Arts College

We found this department in excellent condition. In our judgment the legislative appropriations already made have been wisely expended The workshops are well equipped with tools for working wood and metals, and the students receive practical instruction in their use The work turned out by them is creditable to the department Many of the graduates of this college have distinguished themselves in the several mechanical industries of the State, thus giving to the young men of California places formerly held by experts imported from Europe An important addition to the facilities of this department is needed in the experimental laboratory which contains machines for testing the strength of materials, etc These facilities should be extended to include hydraulic engineering, steam engineering, and electric engineering, and in our opinion the estimated cost named, twelve thousand dollars, is reasonable The expressed aim of the course of instruction in this college is to educate mechanical engineers, and not to train artisans or mechanics to the special use of tools Further enlargement will be needed in the future to enable the department to keep the lead in the practical development of the mechanical industries of the State

College of Mines.

In our opinion the money expended in this department has been judiciously used The laboratories are well equipped for assaying ores of all kinds, and the mining students receive practical instruction in this important subject

The graduates are in demand and are now occupying important positions in the mines of the Pacific Slope We think that the laboratory should be supplied with all the improved appliances for treating, on a working scale, all the different gold and silver ores of this State. The efforts of this department to bridge over the gap, which so often exists between theory and practice, are highly commendable. The estimate of five thousand dollars, for improvements urgently needed at the present time, seems reasonable.

College of Agriculture.

This department discharges two distinct functions—that of the instruction of students attending for the purpose, and that of a State agricultural experiment station, acting at the same time as a general bureau of information upon agricultural subjects through the issuance of bulletins and reports While it is a matter of regret that so few young men avail themselves of facilities here offered, we think that those who do so now will derive great practical benefit therefrom The example of the older States shows, that whenever our soils shall cease to yield high returns we may expect a steady increase of students in the Agricultural College This is already foreshadowed by the constant and rapidly increasing demand of farmers for information relating to agriculture, horticulture, and viticulture

SIMS, Chairman

ON CORPORATIONS

ASSEMBLY CHAMBER, SACRAMENTO, February 9, 1887

MR SPEAKER Your Committee on Corporations, to whom was referred Assembly Bill No 32—An Act to amend an Act entitled an Act to establish a Code of Civil Procedure, adopted March 11, 1872, by adding thereto a new section, to be known as section one thousand three hundred and forty-eight, authorizing corporations to act as executors and in other capacities

Also, Assembly Bill No 264—An Act to repeal section number four hundred and fifty-one of an Act to establish a Civil Code, approved March 21, 1872, which section was approved March 23, 1885, and relates to mutual life, health, and accident insurance corporations

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass

Also, Assembly Bill No 267—An Act relating to life and casualty insurance on the assessment plan, and the conduct of the business of such insurance—report the same back, with amendments, and recommend that it do pass, as amended

Also, Assembly Bill No 203—An Act to amend section six hundred and sixteen of the Political Code, relating to insurance companies—report the same back, without recommendation

Also, Assembly Bill No. 191—An Act to amend section three hundred and seven of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to corporation elections—report the same back, and recommend that it do pass.

ALEXANDER, Chairman

ON COUNTY AND TOWNSHIP GOVERNMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, February 9, 1887.

MR SPEAKER Your Committee on County and Township Governments, to whom was referred Assembly Bill No 388—An Act to amend section one hundred and seventy-two of an Act entitled an Act to establish a uniform system of county and township governments, approved March 14, 1883, relating to compensation of Justices of the Peace in counties of the tenth class—have had the same under consideration, and respectfully report the same back, and recommend that it do pass

McGOWAN, Chairman

ON INDIAN AFFAIRS

ASSEMBLY CHAMBER, SACRAMENTO, February 9, 1887.

MR SPEAKER: Your Committee on Indian Affairs, to whom was referred Assembly Bill No 421—An Act to amend section five hundred and two of the Penal Code, relating to junk dealers—have had the same under consideration, and respectfully report the same back, without recommendation.

Also, Assembly Bill No 434—An Act to appropriate the sum of one thousand dollars to reimburse the Attorney-General and Surveyor-General for expenditures made as provided by sections three thousand four hundred and eleven, three thousand four hundred and twelve, and three thousand four hundred and thirteen, Political Code—report the same back, and recommend that it do pass

HANDY, Chairman

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, February 9, 1887

MR SPEAKER Your Committee on Ways and Means, to whom was referred Assembly Bill No 45—An Act to amend an Act entitled "An Act to appropriate money for the support of aged persons in indigent circumstances"—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, as amended

TAYLOR, Chairman

Mr. Variel moved that Assembly Bill No. 48 be rereferred to the Judiciary Committee.

So ordered.

QUESTION OF PRIVILEGE.

Mr. Taylor arose to a question of privilege, and read from the Sacramento Record-Union, of this date, an article regarding the action of the Committee on Public Morals. He stated that he did not act with the committee on the report of the committee on Assembly Bill No. 424.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 9, 1887

MR. SPEAKER I am directed to inform your honorable body that the Senate, on this day, passed Senate Bill No 22—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

Also, Senate Bill No 42—An Act to enlarge the powers of the State Board of Forestry, and to provide for the expenses of said Board.

Also, Senate Bill No 116—An Act to add section five hundred and thirty-nine to Article II of the Political Code, relating to the office of Superintendent of State Printing, to appoint a deputy, and to provide for the salary of such deputy.

Also, Senate Bill No 105—An Act to amend section three thousand seven hundred and two of the Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the State Board of Equalization, its traveling expenses, and making an appropriation therefor

Also, Senate Bill No 140—A bill for an Act making an appropriation to pay the deficiency in the appropriation for the support of the State Prison at Folsom, for the thirty-eighth fiscal year

Also, Senate Bill No 163—An Act making an appropriation to pay the deficiency in the appropriation for the support of the State Prison at Folsom, for the thirty-seventh fiscal year

Also, Senate Bill No 207—An Act to provide for the deficiency in the appropriation for traveling expenses of the Board of Railroad Commissioners, for the thirty-third fiscal year

Also, Senate Bill No 243—An Act to provide for an improvement of the State Capitol, and for an appropriation therefor

Also, Senate Bill No 270—An Act to amend an Act entitled "An Act making an appropriation for the establishment of a permanent fund for the purchase of jute, to be manufactured at the State Prison at San Quentin," approved March 9, 1885, and making an additional appropriation therefor

Also, on February 8, 1887, the Senate concurred in Assembly amendments to Senate Bill No 49—An Act to provide for the permanent support of the University of California by the levy of a tax of taxation and the creation of a fund therefor.

E H HAMILTON, Secretary
By R B. OULAHAN, Assistant Secretary

CONSIDERATION OF SENATE MESSAGE.

Senate Bill No. 22 referred to Committee on Education.

Senate Bill No. 42 referred to Committee on Yosemite Valley and Mariposa Grove of Big Trees and Forestry.

Senate Bill No 116 referred to Committee on Public Printing.

Senate Bill No. 105 referred to Committee on Public Expenditures and Accounts.

Senate Bills Nos. 140, 163, 207, 243, and 270 referred to Committee on Ways and Means.

INTRODUCTION OF BILLS.

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

By Mr W. A. Brown: Assembly Bill No. 482—An Act to amend section six hundred and fifty-four of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relative to the State Board of Examiners, its Secretary, and making an appropriation for his salary.

Referred to Committee on Public Expenditures and Accounts.

By Mr. Renison: Assembly Bill No 483—An Act to add a new section to the Political Code of this State, to be known as section four thousand one hundred and twenty-five, relating to elections and the registration of voters

Referred to Committee on Elections.

By Mr. McClenahan: Assembly Bill No. 484—An Act to amend sections one hundred and eighty-one and one hundred and ninety of an Act to establish a uniform system of county and township governments, approved March 14, 1883, amended March 18, 1885, in relation to Assessors and Deputy Assessors, and providing compensation for such Deputy Assessors in counties of the nineteenth and twenty-eighth classes.

Referred to Committee on County and Township Governments.

By Mr. Sims: Assembly Bill No. 485—An Act to regulate private detectives.

Referred to Committee on Public Morals.

Also, Assembly Bill No. 486—An Act relating to the compensation of Court Reporters in counties of the eighth class.

Referred to Committee on Judiciary.

By Mr. Colbert: Assembly Bill No. 487—An Act to prohibit bookmaking.

Referred to Committee on Public Morals.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON MILEAGE.

ASSEMBLY CHAMBER, SACRAMENTO, February 9, 1887

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 allowed mileage for one hundred and sixty-eight miles Messrs Carroll, LaBlanc, O'Grady, Searey, and Clerk Eldred

Resolved, That the Controller be and is hereby authorized to draw his warrant for the sum of eighty-four dollars, in favor of F M. Cooley, to pay above mileage, payable out of the appropriation for the contingent expenses of the Assembly.

Also, 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 be allowed mileage for nine hundred and fifty-six miles· Messrs. Brierly, Sims, W. P Mathews, Morgan, Brusie, and Clerk Bird

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 J. R Brierly, for above mileage, payable out of the appropriation for the contingent expenses of the Assembly.

Also, the report of the Committee on State Hospitals and Asylums, on the occasion of their visit to Los Angeles—have had the same under consideration, and recommend that the following named members be allowed mileage for nine hundred and fifty-six miles Messrs Butler, Weber, McDonnell, Cope, Young, and Clerk Belden

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 A. B Butler, for above mileage, payable out of the appropriation for the contingent expenses of the Assembly

WEBER, Chairman

Resolution adopted.

MOTION.

Mr. Mathews of Tehama moved to suspend the rules, and take up, out of order, Assembly Bill No. 324.

So ordered.

FIRST READING OF BILL.

Assembly Bill No. 324—An Act to provide for the improvement of the State Capitol, and for an appropriation to pay for the same.

Read first time, and placed on file for second reading.

Mr. Mathews moved that this bill be placed on the Special File.

So ordered.

SPECIAL FILE.

Assembly Constitutional Amendment No 2—To propose to the people of the State of California an amendment to the Constitution of the State, relative to irrigation.

Temporarily passed on file.

GENERAL FILE.

Assembly Bill No. 74—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 the order of persons entitled to administer the estates of deceased persons.

Temporarily passed on file.

Assembly Bill No. 15—An Act to establish a Branch State Normal School.

Temporarily passed on file.

Assembly Bill No. 238—An Act to amend an Act entitled an Act to establish a uniform system of county and township governments, approved March 14, 1883, and amended March 18, 1885.

Temporarily passed on file.

Assembly Bill No. 43—An Act to amend section four hundred and eleven of an Act entitled an Act to establish a Code of Civil Procedure, approved March 11, 1872, relating to the manner of commencing civil actions and the service of summons therein.

Temporarily passed on file.

Assembly Bill No. 22—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, 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, two hundred and thirty-one.

Temporarily passed on file.

SECOND READING OF BILLS.

Assembly Bill No. 9—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," adopted March 11, 1872, by adding thereto a new section, to be known as section one thousand three hundred and forty-eight, authorizing certain corporations to act as executor and in other capacities.

Read second time.

The Committee on Corporations offered the following amendments, which were adopted:

Amend section one, line five, by inserting, after the words "capital of," the words "not less than."

Also, amend section one, by striking out all of section one after and including the word "no," in line eleven thereof.

Also, amend section one, by inserting, at the end thereof, the words "and such officers shall be liable for the failure of such corporation to perform any of the duties required by law to be performed by individuals acting in like capacity, and subject to like penalties, and such corporation shall be liable for such failure to the full amount of its capital stock, and upon the bond required upon its assuming the trusts provided for herein."

Mr. Alexander moved to amend section one, by adding, after the word "guardian," in line four, the words "of estates."

Adopted.

Bill ordered engrossed, and placed on file for third reading.

Assembly Bill No. 122—An Act to amend sections six hundred and one, six hundred and seven, six hundred and ten, six hundred and eleven, six hundred and twelve, six hundred and seventeen, six hundred and twenty-nine, and six hundred and thirty, of the Political Code of this State, all of said sections relating to insurance.

Read second time.

The Committee on Corporations offered the following amendments, which were adopted:

Amend, section five, subhead second, subdivision eleven, by striking out the word "noted," in line one of said subdivision, and inserting in lieu thereof the word "notes."

Mr. Alexander offered the following amendments, which were adopted:

Amend section one, by inserting, after the word "must," on line six, the following. "within twenty days after receiving such communication."

Also, amend section one by striking out all after the word "thereof," in line nineteen of said section.

Also, amend section three, line twenty-five, by striking out the words, "principal members," and inserting, in lieu thereof, "largest shareholders."

Also, amend section five, subdivision eleven, line twenty-four, by striking out the word "noted," and inserting the word "notes."

Bill ordered engrossed, and to a third reading.

Assembly Bill No. 140—An Act to amend sections four hundred and nineteen and four hundred and twenty of the Civil Code of the State of California, all of said sections relating to insurance.

Withdrawn by Mr. Taylor, by permission of the House.

Assembly Bill No. 10—An Act relating to insurance, to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, as amended by an Act entitled "An Act to amend the Civil Code, relative to insurance," approved April 1, 1878, and to add a new section thereto, to be known as section four hundred and thirty-two.

Read second time.

The Committee on Corporations offered the following amendments, which were adopted.

Amend the title hereof, by striking out the words, in the first line thereof, "relating to insurance."

Also, amend the title hereof, by adding, at the end thereof, after the words, "four hundred and thirty-two," the words "relating to insurance, and to the investment of the capital stock and accumulations of insurance companies."

Also, amend section one, by striking out the word "hereafter," in

line three, and inserting, after the word "organized," in line three, the words "subsequent to April 1, 1878."

Also, amend section one, by striking out all of subdivision five thereof, after and including the words "but no investment," in line twenty-three.

Also, amend section one, by inserting, after subdivision five thereof, a new subdivision, to be known as subdivision six, to read as follows:

6 Corporations organized for and engaged in the business of fire and marine insurance, may, after the investment of two hundred thousand dollars ($200,000) in the manner provided in subdivisions one, two, three, and four, of this section, invest the balance of their capital, and any accumulations in interest-bearing first mortgage bonds of any corporation (except mining companies), not in default of interest, organized and carrying on business under the laws of any State of the United States, *provided*, that a two-thirds vote of all the Directors of such corporation shall approve such investment It shall be the duty of the officers of such corporation to report quarterly on the first day of January, April, July, and October, of each year, to the Insurance Commissioner, a list of such investments, so made by them, and the Insurance Commissioner may, if such investments, or any of them, seem injudicious to him, require the sale of the same But no investment in the securities mentioned in subdivisions one, two, three, and six of this section, must be made in an amount exceeding the market value of such securities at the date of such investment

Also, amend section two, by striking out the word "hereafter," in line three, and inserting in lieu thereof the words "subsequent to April 1, 1878."

Also, amend section two, by inserting in line thirteen, subdivision four, thereof, the word "or," after the word "reported," in said line.

Mr. Alexander moved to amend section one, subdivision four, of said bill, by inserting, in such subdivision, in line fourteen, page two, of the printed bill, after the word "loaned," the words, "or upon merchandise, or cereals in warehouse, but in no instance shall such loan be made in excess of seventy-five per cent of the security taken."

Adopted.

Bill ordered engrossed, and to a third reading.

FIRST READING OF BILLS.

Assembly Bill No. 66—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.

Refused first reading.

Assembly Bill No. 74—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 the order of persons entitled to administer the estates of deceased persons.

Mr. Ellsworth moved that this bill be made the special order for to-day, at two o'clock and thirty minutes P. M.

On a division—ayes, 18, noes, 4—it was so ordered.

Assembly Bill No. 173—An Act to amend sections two hundred and sixty-nine, two hundred and seventy, two hundred and seventy-one, two hundred and seventy-two, two hundred and seventy-three, two hundred and seventy-four, of the Code of Civil Procedure, relative to the employment and compensation of Court Reporters.

Refused first reading.

Assembly Bill No. 215—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.

Refused first reading.

Assembly Bill No. 21—An Act to provide for the funding of certain indebtedness of the several counties of this State, and the issuance of bonds therefor.

Read first time, and placed on file for second reading.

Assembly Bill No. 20—An Act to amend section one hundred and ninety-three of an Act entitled an Act to establish a uniform system of county and township governments, approved March 14, 1883, relating to the compensation of county and township officers, and to the appointment and salaries of deputies and extra deputies in counties of the thirty-first class.

Read first time, and placed on file for second reading.

Assembly Bill No. 232—An Act to repeal all such provisions of an Act entitled "An Act to revise an Act entitled 'An Act to amend the charter of the City of Los Angeles, to define its limits and rights to enlarge its powers, and provide for its more efficient government,' approved March 26, A. D. 1874," approved April 1, 1876, as provide for the creation of a City Court in the City of Los Angeles, for a Judge of said City Court, and as required the Mayor of said city to be ex officio City Judge of said Court.

Read first time, and placed on file for second reading.

Mr. Knox asked leave to present a substitute for the above bill, and asked that the usual number of copies be printed.

So ordered.

Assembly Bill No. 292—An Act to amend section nine hundred and seventy-five of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to appeals in civil actions.

Refused first reading.

Assembly Bill No. 298—An Act to amend section three thousand and forty-nine of an Act entitled "An Act to establish a Civil Code," approved March 29, 1878, relating to liens on personal property.

Refused first reading.

Assembly Bill No. 307—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 the appointment of Notaries Public.

Refused first reading.

Assembly Bill No. 273—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 two thousand two hundred and ninety, relating to legal proceedings in cases of trusts.

Read first time, and placed on file for second reading.

MOTION.

Mr. Granger moved to reconsider the vote whereby Assembly Bill No. 307 was refused a first reading.

So ordered.

Assembly Bill No. 307—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 the appointment of Notaries Public.

Read first time, and placed on file for second reading.

Assembly Bill No. 289—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," approved April 16, 1880.

Read first time, and placed on file for second reading

Assembly Bill No. 281—An Act to amend section three hundred and forty-three of the Political Code, relating to the number and designation of the civil executive officers of the State.

Read first time, and placed on file for second reading.

CASE OF URGENCY.

Mr. Variel moved to suspend the provisions of section fifteen, of Article IV, of the Constitution, requiring bills to be read on three separate days, that Assembly Bill No. 281 be declared a case of urgency, and the bill be read the second time, considered engrossed, and placed upon its passage.

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

AYES—Messrs. Adams, Barton, Brusie, Butler, Colbert, Coombs, Cope, Currey of Solano, Davis, Granger, Heath, Henry of San Joaquin, Hotchkiss, Knox, Lewis, Mahler, Martin, Mathews of Tehama, Mitchell, Morgan, Morris, O'Grady, Ohleyer, Regan, Rucker, Remson, Searey, Shanahan, Sims, Smyth, Spurgeon, Sykes, Taylor, Toner, Variel, Venable, Vincent, Weber, Wilcox, and Young of San Joaquin—40

NOES—Messrs. Bailey, Barry, Bost, Brierly, Brown W. A., Brown J. B., Campbell, Carr, Curry of San Francisco, Ellsworth, Gould, Handy, Hart, Henry of Butte, Lawrence, Mann, McGowan, Price, Sherburne, Windrow, Williams, Young of San Diego, and Mr. Speaker—21.

FIRST READING OF BILLS—(RESUMED).

Assembly Bill No. 301—An Act to add a new chapter to the Civil Code of the State of California, to be known as Chapter VIII, of Title XIV, of Part IV, of Division III, 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.

Read first time, and placed on file for second reading.

Assembly Bill No. 258—An Act to provide for the deficiency in the appropriation for the costs and expenses of suits wherein the State is a party in interest, for the thirty-seventh fiscal year.

Read first time, and placed on file for second reading.

Assembly Bill No. 262—An Act to provide for the deficiency in the appropriation for the costs and expenses of suits wherein the State is a party in interest, for the thirty-eighth fiscal year.

Read first time, and placed on file for second reading.

Assembly Bill No. 266—An Act to provide for the deficiency in the appropriation for the costs and expenses of suits wherein the State is a party in interest, for the thirty-fifth fiscal year.

Read first time, and placed on file for second reading.

QUESTION OF PRIVILEGE.

Mr. Brierly arose to a question of privilege, and reading from an article in the Oakland Tribune of February seventh, criticising himself and others upon the University Tax Bill, and from the same paper of February eighth, conceding that many of the objections to the bill were justifiable.

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 Jordan in the chair.

Quorum present.

Mr. Brierly moved to suspend the rules, and take up, out of order, Senate Concurrent Resolution No. 1, and consider same.

So ordered.

Senate Concurrent Resolution No. 1—Relative to the distribution of text-books published by the State.

Resolution adopted.

Mr. Lawrence moved to suspend the rules and take up, out of order, Assembly Bill No. 154, and read same first time.

So ordered on a division—ayes, 27; noes, 10.

The question being raised by Mr. Hyde that no quorum voted, the Speaker instructed the Clerk to call the roll.

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

Messrs. Adams, Alexander, Bailey, Barton, Bost, Brierly, Brusie, Burnett, Butler, Callaghan, Campbell, Carr, Carroll, Cohen, Colbert, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Gould, Granger, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, Knox, LaBlanc, Lawrence, Lewis, Martin, Mann, Mathews of Tehama, McClenahan, McGowan, Mitchell, Morgan, Morris, O'Grady, Ohleyer, Price, Regan, Rucker, Remson, Searey, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Toner, Venable, Vincent, Windrow, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr. Speaker.

Quorum present.

FIRST READING OF BILLS.

Assembly Bill No. 154—An Act relating to wires and cables of telegraph, telephone, and electric light companies, to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872.

Read first time.

Assembly Bill No. 256—An Act to provide for the deficiency in the appropriation for the costs and expenses of suits wherein the State is a party in interest, for the thirty-sixth fiscal year.

Read first time.

Mr. Mathews of Tehama moved that the rules be suspended, and that Assembly Bills Nos. 262, 266, 256, and 117 be placed on the Special File.

Mr. Venable moved to amend, by adding Assembly Bills Nos. 259 and 395.

Amendment accepted.

Motion carried on a division—ayes, 32; noes, 15.

Assembly Bill No. 117—An Act making an appropriation for the support and maintenance of the State Mining Bureau for the thirty-ninth and fortieth fiscal years.

SPECIAL ORDER.

Pending debate, Mr. Ellsworth called up the special order set for this hour, two o'clock and thirty minutes P. M., the consideration of Assembly Bill No. 74—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 the order of persons entitled to administer the estates of deceased persons.

Mr. Ellsworth moved that this bill be referred to a select committee of one, with special instructions to prepare amendments to the bill, as follows: Amend section one, by striking out the word "creditors," in subdivision eight, and inserting, in lieu thereof, the words "Public Administrator;" and by striking out the words "Public Administrator," in subdivision nine, and inserting, in lieu thereof, the word "creditors."

So ordered.

APPOINTMENT OF SELECT COMMITTEE.

The Speaker appointed Mr. Ellsworth the select committee of one to amend Assembly Bill No. 74.

REPORT OF SELECT COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, February 10, 1887

MR SPEAKER Your select committee, to whom was referred Assembly Bill No 74—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 the order of persons entitled to administer the estates of deceased persons—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.

JOHN ELLSWORTH, Select Committee.

Report adopted on a division—ayes, 29; noes, 18.

CONSIDERATION OF ASSEMBLY BILL No 117—(RESUMED).

The question being on the first reading of the bill.

Read first time, and placed on file for second reading.

Assembly Bill No. 250—An Act to amend section six hundred and thirty-six of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to the preservation of fish.

Read first time, and placed on file for second reading.

Assembly Bill No. 249—An Act to amend section six hundred and thirty-four of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to the preservation of fish.

Read first time, and placed on file for second reading.

Senate Bill No. 46—An Act to amend section six hundred and thirty-three of the Penal Code, relating to violations of the law for the preservation of fish.

Read first time, and placed on file for second reading.

Assembly Bill No. 101—An Act in relation to canned or preserved food.

Read first time, and placed on file for second reading.

Assembly Bill No. 261—An Act to provide for the payment and expenses incurred in fitting up and furnishing the chambers of the Supreme Court Commissioners.

Read first time, and placed on file for second reading.

SECOND READING OF BILLS.

Assembly Bill No. 16—An Act to prohibit the sale of prepared opium, opium pipes, or parts thereof.

Read second time.

Committee amendments, as follows, were adopted: Amend, on printed bill, by striking out the final "s" from the word "agents," in line two. Also, insert the words "importers, wholesale dealers," after the word "except," in line four.

Bill ordered engrossed, and to a third reading.

Assembly Bill No. 19—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 indebtedness of said counties, equitably chargeable to San Benito County.

Mr. Matthews of San Benito asked that the bill be passed on file, and that it retain its place on the file.

So ordered.

Assembly Bill No. 81—An Act in relation to the compensation of the Mayor and members of the Common Council of cities containing a population not exceeding ten thousand.

Read second time.

Committee amendments, as follows, adopted:

Amend, after the word "Council," in line one, section one, insert the words "or other legislative body."

Also, amend, at end of line six, section one, after the word "whatever," insert "*provided*, that this shall not be held to apply to fees or compensation allowed by law to any magistrate."

Also, amend, in section two, after first word, "all," insert the word "special."

Read second time, ordered engrossed, and to a third reading.

MOTION.

Mr. Henry of Butte moved that his notice to reconsider the vote whereby Assembly Bill No. 15 was amended, on yesterday, and that further consideration of the bill be made the special order for Wednesday next, immediately after reading the Journal.

So ordered.

SECOND READING OF BILLS.

Assembly Bill No. 124—An Act to amend section six hundred and twenty-six of the Penal Code, relative to fish and game.

Read second time.

Mr. Hart in the chair.

Substitute offered by committee.

Substitute as amended adopted and ordered printed.

Bill ordered engrossed, and to a third reading.

MOTION.

Mr. Granger moved that Assembly Bill No. 462 be rereferred to Committee on Claims.

So ordered.

Assembly Bill No. 220—An Act to repeal sections one thousand one hundred and eighty-six and one thousand one hundred and ninety-one, and to amend section one thousand one hundred and eighty-seven of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872.

Read second time, ordered engrossed, and to a third reading.

Assembly Bill No. 194—An Act to amend section six hundred and thirty-one of the Code of Civil Procedure, relating to waiver of trial by jury.

Read second time.

Mr. W. P. Mathews in the chair.

Committee amendment, as follows, adopted: Amend, by striking from the bill all of section two thereof.

Bill ordered engrossed, and to a third reading.

Assembly Bill No. 26—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.

Read second time, ordered engrossed, and to a third reading.

Assembly Bill No. 38—An Act to amend section one thousand and thirty-three, one thousand and thirty-four, and one thousand and thirty-five of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to the removal of criminal actions before trial.

Ordered read a second time.

Speaker Jordan in the chair.

Mr. Matthews of San Benito moved that Assembly Bill No. 38 be passed on file.

Mr. Coombs raised a point of order, that the motion required a two thirds vote, as it raised other bills on the file and gave them the advantage.

The Speaker ruled the point of order not well taken, inasmuch as this bill has been reached in regular order, and the motion to pass on file was a disposition of the bill.

The question recurring on the motion of Mr Matthews of San Benito.

The ayes and noes were demanded by Messrs. Coombs, Currey of Solano, and Shanahan,

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

AYES—Messrs Brierly, Brown W A, Brusie Carr, Cope, Matthews of San Benito, McClenahan, Remson, Spurgeon, Venable, and Williams—11

NOES—Messrs Adams, Barry, Barton, Bost Butler, Callaghan, Campbell, Cohen, Colbert, Coombs, Currey of Solano, Davis, Ellsworth, Gould, Granger, Gruwell, Handy, Hart, Heath, Henry of San Joaquin, Hotchkiss, Knox, LaBlanc, Lawrence, Mahler, McDonnell, McGowan, Mitchell, Morgan, Morris, O'Grady, Ohleyer, Price, Regan, Searey, Shanahan, Sherburne, Sykes, Toner, Variel, Vincent, Weber, Young of San Diego, and Young of San Joaquin—44

Assembly Bill No. 38 read second time.

Mr. Brierly offered the following amendment: Strike out all after the enacting clause, and insert as follows:

SECTION 1 Section one thousand and forty-six of the Penal Code is hereby amended so as to read as follows

Section 1046 Trial juries for criminal actions are formed in the same manner as trial juries in civil actions, *provided*, that when the entire number of trial jurors in the county have been exhausted, without obtaining a complete jury to try the cause then pending, then the Superior Judge of the county in which the cause is pending may issue a special venire to a Sheriff of an adjoining county to summon jurors to act in the said cause, which writ shall be served by the Sheriff of the county to which said writ issues, and the expense of such service and jurors summoned shall be paid by the county in which the cause is pending

SEC 2 This Act shall take effect immediately.

Lost.

Mr. Coombs offered the following amendment: Amend by striking out section four of said Act, and numbering section five so as to make it section four.

The amendment adopted on a division—ayes, 40; noes, 5

Mr. Brierly moved that the rules be suspended, and that Assembly Bill No. 199 be taken up and considered now.

So ordered.

SECOND READING OF BILL.

Assembly Bill No. 199—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 second time.

Committee substitute adopted, as follows:

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

The People of the State of California, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section one thousand and forty-six of the Penal Code is hereby amended so as to read as follows

Section 1046 Trial juries for criminal actions are formed in the same manner as trial juries in civil causes, *provided*, that when it appears to the satisfaction, by proof on affidavit, that a jury cannot probably be obtained to try the cause then pending, then the Superior Judge of the county in which the cause is pending may, in his discretion, issue a special venire to a Sheriff of an adjoining county to summon jurors to act in the said cause, which writ shall be served by the Sheriff of the county to which said writ issues, and the expense of such service and jurors summoned shall be paid by the county in which the cause is pending, *and provided, also*, that a person who is qualified to serve as a juror in the county from which he is summoned, shall be a qualified juror under the provisions of this section

SEC 2. This Act shall take effect immediately.

Bill ordered engrossed, and to a third reading.

Mr. Brierly moved to suspend the rules, so as to allow him to send in a report from the Committee on Education.

So ordered.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 10, 1887.

MR. SPEAKER Your Committee on Education, to whom was referred Assembly Bill No 127—An Act to authorize and promote the establishment and maintenance of manual training schools

Also, Assembly Bill No 464—An Act to provide for the support of the public schools of the State of California by a permanent levy and rate of taxation

Have had the same under consideration, and respectfully report the same back, and recommend that No 464 do pass, with amendments, and report No 127 without recommendation, as we have already reported a bill with similar objects proposed.

BRIERLY, Chairman

GENERAL FILE—SECOND READING OF BILLS—(RESUMED).

Assembly Bill No. 111—An Act to appropriate money to pay the claim of W. T. Brown or his executors or administrators.

Read second time.

Assembly Bill No 112—An Act to appropriate money to pay the claim of R. F. Del Valle.

Read second time.

Assembly Bill No 113—An Act to appropriate money to pay the claim of B F. Langford.

Read second time

Assembly Bill No. 114—An Act to appropriate money to pay the claim of Benj. Knight.

Read second time.

Assembly Bill No. 115—An Act to appropriate money to pay the claim of E T. Wilkins.

Read second time.

Mr. Cooley moved to suspend the rules and take up, out of order, Assembly Bill No. 339, and read same first time.

So ordered.

FIRST READING OF BILL.

Assembly Bill No. 339—An Act to appropriate the sum of ten thousand dollars for the construction of an additional cottage at the Veterans' Home, under the auspices of the Veterans' Home Association, and for the completion of the principal building already in use, and to improve the water supply of said Home.

Read first time, and placed on file for second reading.

Mr. Cooley moved to place Assembly Bill No. 339 on the Special File.

So ordered.

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. 111—An Act to appropriate money to pay the claim of W. T. Brown, or his executors or administrators.

Assembly Bill No. 112—An Act to appropriate money to pay the claim of R. F. Del Valle.

Assembly Bill No. 113—An Act to appropriate money to pay the claim of B. F. Langford.

Assembly Bill No. 114—An Act to appropriate money to pay the claim of Benj. Knight.

Assembly Bill No. 115—An Act to appropriate money to pay the claim of E T. Wilkins.

Speaker Jordan in the chair.

The bills were considered in the Committee of the Whole.

IN ASSEMBLY.

Speaker Jordan 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 111—An Act to appropriate money to pay the claim of W. T Brown, or his executors or administrators.
Also, Assembly Bill No. 112—An Act to appropriate money to pay the claim of R. F Del Valle.
Also, Assembly Bill No 113—An Act to appropriate money to pay the claim of B. F. Langford
Also, Assembly Bill No 114—An Act to appropriate money to pay the claim of Benj Knight
Also, Assembly Bill No 115—An Act to appropriate money to pay the claim of E. T Wilkins
And now report progress, and recommend that the same be amended by striking out, *in each bill, the word "create," and inserting the word "select," in lieu thereof, and that* the said bills be engrossed, and read a third time.

Report received, amendments adopted, and Assembly Bills Nos. 111, 112, 113, 114, and 115 ordered engrossed, and placed on file for third reading.

FIRST READING OF BILLS.

Assembly Bill No. 234—An Act making an appropriation to pay a deficiency in the appropriation for stationery, fuel, and lights, for the Legislature and State officers, for the thirty-fourth fiscal year.

Read first time, and placed on file for second reading.

Mr. Taylor moved to place Assembly Bill No. 234 on Special File.

Lost.

Assembly Bill No. 255—An Act making an appropriation for the deficiency in the appropriation for rent and contingent expenses of Insurance Commissioner, for the thirty-seventh fiscal year.

Read first time, and placed on file for second reading.

Assembly Bill No. 265—An Act making an additional appropriation for rent, furniture, and contingent expenses of Insurance Commissioner, for the thirty-eighth fiscal year.

Read first time, and placed on file for second reading.

Assembly Bill No. 257—An Act to provide for the deficiency in the appropriation for the payment of rewards for the arrest and conviction of highway robbers, for the thirty-sixth fiscal year.

Read first time, and placed on file for second reading.

Assembly Bill No. 260—An Act to provide for the deficiency in the appropriation for the payment of rewards for the arrest and conviction of highway robbers, for the thirty-seventh fiscal year.

Read first time, and placed on file for second reading.

Assembly Bill No 167—An Act to appropriate money to pay deficiency for State Prison at Folsom.

Read first time, and placed on file for second reading.

Assembly Bill No. 168—An Act to appropriate money to pay deficiency for State Prison at Folsom.

Read first time, and placed on file for second reading.

SECOND READING OF BILLS.

Assembly Bill No. 99—An Act entitled an Act to amend section six hundred and forty-seven of the Penal Code of the State of California, and to define the crime of vagrancy.

Read second time.

Committee amendments, as follows, adopted:

Amend, by inserting the word "male," after the word "dissolute," in line thirteen, page two, of printed bill.

Also, amend, by inserting the word "jail," after the word "county," in line sixteen, page two, of printed bill.

Ordered engrossed and to a third reading.

Assembly Bill No. 135—An Act for the remuneration of Elisha O. Crosby, for money advanced to and for the State of California.

Read second time.

Assembly Bill No. 28—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 second time.

IN COMMITTEE OF THE WHOLE.

On motion of Mr Ellsworth, the House went into Committee of the Whole for the purpose of considering:

Assembly Bill No. 135—An Act for the remuneration of Elisha O. Crosby, for money advanced to and for the State of California.

Also, Assembly Bill No. 28—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.

Speaker Jordan in the chair.

The bills were considered in the Committee of the Whole.

IN ASSEMBLY.

Speaker Jordan 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. 135—An Act for the remuneration of Elisha O Crosby, for money advanced to and for the State of California

Also, Assembly Bill No 28—An Act to provide for 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

And now report that Assembly Bill No 135 be amended as folows Amend section one, by striking out the words "six thousand," in lines three and four, section one, after the words "sum of," and inserting, in lieu thereof, the words "thirty-eight hundred and forty-two," also, by adding at the end of the section the words, "and the Treasurer is hereby directed to pay the same, and section four hundred and fifty-three of the Political Code of this State is hereby repealed, so far as it conflicts with this Act," and that the bill be engrossed, and ordered read a third time

Also, that Assembly Bill No 28 be withdrawn, and Senate Bill No 23 be substituted in place of Assembly Bill No. 28, it being identically the same as Assembly Bill No 28

Report received, and amendments of Committee of the Whole to Assembly Bill No. 135 concurred in.

Assembly Bill No. 135 ordered engrossed, and to a third reading.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT

ASSEMBLY CHAMBER, SACRAMENTO, February 10, 1887.

MR SPEAKER Your Committee on Engrossment beg leave to report that the following Assembly Bills have been correctly engrossed

Assembly Bill No. 164—An Act to add a new section to the Penal Code, to be known as section five hundred and thirty-seven, relative to personal property mortgaged

Also, Assembly Bill No 29—An Act to amend sections two thousand six hundred and forty-one, two thousand six hundred and forty-two, and two thousand six hundred and forty-four of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the powers and duties of highway officers, to the election, appointment of, and oath, and bond of Roadmasters or Road Overseers

Also, Assembly Bill No 122—An Act to amend sections six hundred and one, six hundred and seven, six hundred and ten, six hundred and eleven, six hundred and twelve, six hundred and seventeen, six hundred and twenty-nine, and six hundred and thirty of the Political Code of this State, all of said sections relating to insurance.

Also, Assembly Bill No 8—An Act relating to insurance, to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, as amended by an Act entitled "An Act to amend the Political Code in relation to insurance," approved April 1, 1878

Also, Assembly Bill No 9—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," adopted March 11, 1872, by adding thereto a new section, to be known as section one thousand three hundred and forty-eight, authorizing certain corporations to act as executor and in other capacities.

Also, Assembly Bill No 10—An Act relating to insurance, to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, as amended by an Act entitled "An Act to amend the Civil Code, relative to insurance," approved April 1, 1878, and to add a new section thereto, to be known as section four hundred and thirty-two, relating to insurance and to the investment of the capital stock and accumulations of insurance companies

Also, Assembly Bill No 56—An Act to amend section two hundred and eleven of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883, approved March 14, 1885, approved March 18, 1885

Also, Assembly Bill No 181—An Act to amend section four hundred and eight of the Code of Civil Procedure of the State of California, relating to the issuing of alias summons

Also, Assembly Bill No 178—An Act to amend section five hundred and fifty-three of the Code of Civil Procedure, relative to attachments

Also, Assembly Bill No 192—An Act to amend section four thousand one hundred and eight of the Political Code, relating to county officers.

Also, Assembly Bill No 158—An Act to amend section seven of the Insolvent Act of 1880

WINDROW, Chairman.

At six o'clock and thirty minutes P. M. Mr. Lawrence moved to suspend the rules and take a recess until seven o'clock and thirty minutes P. M.

Lost.

ADJOURNMENT.

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

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Friday, February 11, 1887.

The House met pursuant to adjournment.

Speaker Jordan in the chair.

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

Messrs Adams, Alexander, Atherton, Bailey, Barry, Barton, Brierly, Britt, Brown W A, Brown J B, Brusie, Burnett, Butler, Callaghan, Campbell, Carr, Carroll, Cohen, Colbert, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Gruwell, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, Knox, LaBlanc, Lewis, Mahler, Martin, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Mitchell, Morgan, Morris, O'Grady, Ohleyer, Price, Regan, Rucker, Renison, Searey, Shanahan, Sherburne, Suns, Smyth, Spurgeon, Sykes, Taylor, Toner, Variel, Venable, Vincent, Webei, Windrow, Wilcox, Wilhams, Wright, Young of San Diego, Young of San Joaquin, and Mr. Speaker

Quorum present.

Prayer by the Chaplain, Rev. E. R. Dille.

Pending the reading of the Journal of yesterday, Mr. Young of San Joaquin moved to dispense with further reading.

So ordered.

Journal corrected and approved.

LEAVE OF ABSENCE.

Mr Bost was granted indefinite leave of absence.

Mr. Venable was granted leave of absence until Tuesday next, at two o'clock P. M.

QUESTION OF PRIVILEGE.

Mr. Renison arose to a question of privilege, and stated that the criticism upon himself in yesterday's Chronicle was unjust and untrue.

SPECIAL ORDER.

The time for the consideration of special order for this hour, immediately after reading the Journal, having arrived, Assembly Bill No. 179—An Act entitled "An Act to create the County of Glenn, to establish the boundaries thereof, and to provide for its organization"—was taken up.

The question being, "Shall the minority report be substituted for the majority report?" it was so ordered on a division—ayes, 32: noes, 14.

FIRST READING OF BILL.

Assembly Bill No. 179—An Act entitled "An Act to create the County of Glenn, to establish the boundaries thereof, and to provide for its organization."

Read first time, and placed on file for second reading.

Mr. Hart moved that this bill be made the special order for Monday, February fourteenth, at two o'clock P. M.

So ordered.

PETITIONS.

Mr. Cope presented a petition from citizens of Santa Cruz, petitioning for the enactment of laws requiring instruction in physiology and hygiene.

Mr. Young of San Diego presented a petition from citizens of San Diego, on same subject.

Mr. Wilcox presented a like petition from citizens of Santa Clara County.

Mr. Ellsworth presented a like petition from citizens of Alameda County.

Mr. Matthews of San Benito presented a like petition from citizens of San Benito County.

Mr. McDonnell presented a like petition from citizens of Sonoma County.

Mr. Hotchkiss presented a like petition from citizens of Sonoma County.

Mr. Curry of San Francisco presented a like petition from citizens of San Francisco County.

Mr. Knox presented a like petition from citizens of Los Angeles County.

The above petitions were all referred to Committee on Education.

Mr. Knox presented a petition from two thousand six hundred legal voters of the State, petitioning for the passage of a Sunday law.

Mr. Handy presented a petition from citizens of Mendocino and Lake Counties, relative to the boundary line between said counties.

Referred to Committee on Counties and County Boundaries.

ASSEMBLY JOINT RESOLUTION.

By Mr. Variel: Assembly Joint Rosolution No. 11—Relating to proposed removal of United States Surveyor-General's office from California to Washington.

Referred to Committee on Federal Relations.

ASSEMBLY CONSTITUTIONAL AMENDMENT.

By Mr. Knox: Assembly Constitutional Amendment No. 16—To propose to the people of the State of California an amendment to the Constitution of the State, relative to the adoption of charters by cities of over fifty thousand inhabitants.

Referred to Committee on Constitutional Amendments.

ASSEMBLY CONCURRENT RESOLUTION.

By Mr. Wright: Assembly Concurrent Resolution No. 1—Relative to printing astronomical reports of the Lick Observatory.

Referred to Committee on State Printing.

LEAVE OF ABSENCE.

To the Assembly of the State of California:

Your Committee on Education respectfully present this our petition for leave of absence from Saturday, February twelfth, to Tuesday, February fifteenth (including both dates), to enable the committee to visit the State Normal School at San José, the Home for Feeble-Minded Children at Santa Clara, the University of California at Berkeley, the Deaf, Dumb, and Blind Asylum at Berkeley, and Home of the Adult Blind at Oakland.

We also petition that the seven members of the committee and the clerk, be allowed mileage, estimated at one hundred and forty miles each way. And your petitioners will ever pray.

BRIERLY, Chairman.

Referred to Committee on Rules and Regulations.

RESOLUTIONS—(OUT OF ORDER).

By Mr. Williams:

WHEREAS, The Nevada Legislature has called upon the Legislature of California to take some action regarding the dumping of sawdust in the Truckee River, thereby causing the death of fish; therefore be it

Resolved, That the Assembly Committee on Fish and Game be granted leave of absence from Saturday, February 12, 1887, until Tuesday morning, February 15, 1887, for the purpose of inquiring into the same, and that they be allowed proper mileage, including their clerks.

Resolution adopted.
By Mr. Cooley:

Resolved, That the Committee on Military Affairs be and they are hereby granted leave of absence from February eleventh, Friday afternoon, until Monday, February 14, 1887, for the purpose of visiting and inspecting the property of the State in charge of the National Guard of California at the Cities of Stockton and San José. That the expense thereof, not to exceed mileage for such members of the committee and the clerk of the said committee, distance one hundred and twenty-eight miles

Adopted.
By Mr. Martin:

Resolved, That the State Printer be and is hereby requested to print two hundred copies each of the following bills, for use of members Nos. 1, 257, 89, 12, 341, 338, 337, 163, 363, 166, 380, 159, 17, and 304

Adopted.
By Mr. Taylor:

Resolved, That all deficiency bills be placed upon the Special File.

Lost.
By Mr. Martin:

Resolved, That your Committee on Public Printing be granted leave of absence to visit and inspect the State Printing building at Sacramento, from twelve o'clock and thirty minutes to two o'clock P M Friday, and committee be allowed mileage, a sufficient amount that they may be able to visit the well also.

Adopted.
By Mr. W. A. Brown:

Resolved, That your Committee on Public Expenditures and Accounts be allowed to visit the Deaf, Dumb, and Blind Asylum, and they be allowed one hundred and eighty miles each, with their clerks

Adopted.
By Mr. Carroll:

Resolved, That your Committee on Public Buildings and Grounds be and is hereby allowed to visit and examine into the condition of affairs of the State's Insane Asylum at Stockton, and that mileage be allowed therefor

Adopted.
By Mr. Windrow:

Resolved, That the Committee on Chinese Immigration be granted permission to visit San Francisco, to act in conjunction with the same committee from the Senate, and that they be allowed mileage for the distance of one hundred and eighty-six miles.

Adopted.
By Mr. Knox:

Resolved, That the sum of twenty-four dollars be and is hereby allowed H. McCausland, payable out of the Contingent Fund of the Assembly, for services rendered by him as Sergeant-at-Arms and Messenger to the Committee on Claims during its investigation in San Francisco

Referred to Committee on Attachés and Employés.

MOTION.

Mr. Davis moved that Assembly Bill No. 13 be made a special order for Wednesday next, at eleven o'clock A. M.

So ordered.

Mr. Wilcox moved that Assembly Bills Nos. 95, 126, and 149 be returned to this House, from the several committees to which they were referred.

So ordered.

REPORTS OF STANDING COMMITTEES.

ON LABOR AND CAPITAL.

ASSEMBLY CHAMBER, SACRAMENTO, February 10, 1887.

MR SPEAKER: Your Committee on Labor and Capital, to whom was referred Assembly Bill No 84—An Act to regulate the employment of gripmen, conductors, and drivers on street railways, to provide for granting licenses to competent persons, and to provide further safeguards to life and property in the matter of operating such railways—have had the same under consideration, and respectfully report the same back, with amendment, and recommend that it do pass, as amended.

LABLANC, Chairman

Also:

Resolved, That five hundred copies of a report of accidents upon cable roads in the City of San Francisco that has been presented to the Committee on Labor and Capital, be printed for the use of the Legislature

Recommended by the Committee on Labor and Capital.

LABLANC, Chairman

Resolution adopted.

ON COUNTIES AND COUNTY BOUNDARIES.

ASSEMBLY CHAMBER, SACRAMENTO, February 10, 1887.

MR. SPEAKER: Your Committee on Counties and County Boundaries, to whom was referred Assembly Bill No 456—An Act to amend sections three thousand nine hundred and nine and three thousand nine hundred and thirteen of the Political Code, relating to the boundaries of Del Norte and Siskiyou Counties—have had the same under consideration, and respectfully report the same back, with the following amendments: Insert, in section one, page two, line ten, the words "of a spur," after the word "summit." Also, insert, in section one, page two, line eleven, the words "of said spur," after the word "summit," and recommend that it do pass, as amended

R. J. CURREY, Chairman.

ON APPORTIONMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 9, 1887

MR SPEAKER: Your Committee on Apportionment, to whom was referred Assembly Bill No 423—Relating to trespassing animals—have had the same under consideration, and respectfully report the same back, and recommend that it do pass

Also, a petition signed by seventy-five citizens of Marin County, petitioning for the repeal of subdivision twenty-seven, of section twenty-five, of the new county government bill, and for the submission of an amendment to the Constitution, confining taxation to real and personal property only—report the same back, and recommend that the petition be not complied with.

BARRY, Chairman

Report adopted.

ON EDUCATION

ASSEMBLY CHAMBER, SACRAMENTO, February 11, 1887.

MR SPEAKER: Your Committee on Education, to whom was referred Senate Bill No 22—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

Also, Assembly Bill No 450—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, all of said sections being of the Political Code of the State of California

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

We have also considered Senate Concurrent Resolution No 5—and report the same back, and recommend that the Assembly do not concur.

Also, Assembly Bill No 89—An Act to establish a Boys' Reform School, for the correction and reformation of juvenile offenders

Also, Assembly Bill No 204—An Act to establish a State School of Industry, and to provide for the organization and government thereof, and the making of appropriation therefor

Report the two bills without recommendation.

BRIERLY, Chairman.

ON CLAIMS

ASSEMBLY CHAMBER, SACRAMENTO, February 11, 1887.

MR SPEAKER Your Committee on Claims, to whom was referred Assembly Bill No. 405—An Act to appropriate money to pay the claim of N. P Perrine, for furnishing granite and statuary for the Napa State Asylum for the Insane, and for labor performed on said asylum—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

NESTOR A YOUNG, Chairman.

ON CONSTITUTIONAL AMENDMENTS

ASSEMBLY CHAMBER, SACRAMENTO, February 11, 1887

MR SPEAKER. Your Committee on Constitutional Amendments, to whom was referred Assembly Constitutional Amendments Nos 3, 5, 7, 10, 11, 13, and 14—have had the same under consideration, and report the same back, with the recommendation that Nos 7, 10 and 11 be not adopted; that Nos 5, 13 and 14 be adopted, as amended, also, return No 3, at the request of the author, with the recommendation that he have the privilege of withdrawing the same

ELLSWORTH, Chairman.

Assembly Constitutional Amendment No. 3 withdrawn.

ON CHINESE IMMIGRATION AND EMIGRATION

ASSEMBLY CHAMBER, SACRAMENTO, February 11, 1887.

MR SPEAKER: Your Committee on Chinese Immigration and Emigration, to whom was referred Assembly Bill No 318—An Act to encourage immigration, and to authorize the appropriation of money therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

WINDROW, Chairman.

ON RULES AND REGULATIONS

ASSEMBLY CHAMBER, SACRAMENTO, February 11, 1887.

MR SPEAKER Your Committee on Rules and Regulations, to whom was referred petition of Committee on Education for leave of absence from February 12, 1887, to February 15, 1887, with mileage for the committee and clerk—have had the same under consideration, and respectfully report the same back, and recommend that the petition be granted

DAVIS, Chairman

Report adopted.

ON FISH AND GAME

ASSEMBLY CHAMBER, SACRAMENTO, February 11, 1887

MR SPEAKER: Your Committee on Fish and Game, to whom was referred Assembly Bill No 383—have had the same under consideration, and report the same back, and recommend that it do pass

Also, Assembly Bills Nos 335 and 337—and recommend that they do pass, as amended.

Also, Senate Bill No. 10—and recommend that it do pass, as amended

WILLIAMS, Chairman.

ON PUBLIC BUILDINGS.

ASSEMBLY CHAMBER, SACRAMENTO, February 10, 1887.

MR SPEAKER: Your Committee on Public Buildings and Grounds beg leave to report that they have visited the State Normal School at San José, the Asylum for Chronic Insane

at Agnews, and Home for Feeble-Minded Children at Santa Clara, and are entitled to mileage as follows Messrs. Carroll, Curry, Hotchkiss, Campbell, Martin, Davis, Rucker, and Clerk Jackson, each from Sacramento to San José and return, two hundred and fifty-six miles.

CARROLL, Chairman

Referred to Committee on Mileage.

ON ROADS AND HIGHWAYS.

ASSEMBLY CHAMBER, SACRAMENTO, February 11, 1887.

MR SPEAKER: Your Committee on Roads and Highways, to whom was referred Assembly Bill No. 442—An Act to amend section three thousand eight hundred and sixty-two of the Political Code, relative to the collection of poll tax—have had the same under consideration, and report the same back, with a substitute, and recommend that the substitute do pass

SHERBURNE, Chairman

ON AGRICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, February 11, 1887.

MR SPEAKER Your Committee on Agriculture, to whom was referred Assembly Bill No 210, and its accompanying petition—have had the same under consideration, and respectfully report the same back, and recommend that they be withdrawn, as requested by the author

Also, Assembly Bill No. 288—have had the same under consideration, and respectfully report the same back, with a substitute, and recommend that the substitute do pass

BAILEY, Chairman.

Assembly Bill No. 210, and accompanying petition, withdrawn, at request of the author.

ON YOSEMITE VALLEY AND MARIPOSA GROVE OF BIG TREES AND FORESTRY.

ASSEMBLY CHAMBER, SACRAMENTO, February 11, 1887

MR SPEAKER Your Committee on Yosemite Valley and Mariposa Grove of Big Trees and Forestry, to whom was referred Assembly Bills Nos. 445, 446, 447, and 448, and Senate Bill No. 41, would report that they have examined.

Assembly Bill No 445—An Act to provide a water supply for the hotel constructed in Yosemite Valley, under Act of March 9, 1885, and to appropriate money therefor

Also, Assembly Bill No. 446—An Act to appropriate money for the preservation and improvement of Yosemite Valley and the Mariposa Big Tree Grove.

And would recommend that they do pass

Also, Assembly Bill No. 447—An Act to aid the Board of Commissioners to manage the Yosemite Valley and the Mariposa Big Tree Grove, and to appropriate money therefor—that they have examined the same, and would report back a substitute in place thereof, and recommend that the substitute do pass

Also, Assembly Bill No 448—An Act to provide for the deficiency in the appropriation for salary of the Guardian of Yosemite Valley, for the thirty-sixth fiscal year—and would recommend that it do pass

Also, Assembly Bill No 105—An Act to encourage tree planting within the State of California—they have examined the same, and would report back, as a substitute for same, Senate Bill No 41, and recommend that said substitute do pass.

HEATH, Chairman

Senate Bill No. 41 substituted for Assembly Bill No. 105, as recommended by committee.

ON INTERNAL IMPROVEMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, February 11, 1887.

MR SPEAKER: Your Committee on Internal Improvements, to whom was referred Senate Bill No. 207—An Act to provide for the deficiency in the appropriation for traveling expenses of the Board of Railroad Commissioners, for the thirty-third fiscal year.

Also, Senate Bill No. 105—An Act to amend section three thousand seven hundred and two of the Act entitled the Act to establish a Political Code, approved March 12, 1872, relative to the State Board of Equalization, its traveling expenses, and making an appropriation therefor

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

W. A BROWN, Chairman.

ON VINICULTURE AND VITICULTURE

ASSEMBLY CHAMBER, SACRAMENTO, February —, 1887.

MR SPEAKER: Your Committee on Vinieulture and Viticulture, to whom was referred Assembly Bill No. 319—An Act to amend sections six, eight, nine, 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 to add four new sections to said Act, to be known as sections thirteen, fourteen, fifteen, and seven, and to repeal section seven of said Act—have had the same under consideration, and have amended the same, and report it back, and recommend its passage, as amended.

COOMBS, Chairman.

ON ELECTIONS—(MAJORITY REPORT).

ASSEMBLY CHAMBER, SACRAMENTO, February 10, 1887.

MR SPEAKER: Your Committee on Elections, to whom was referred the contested election case of Eaton vs J. B Brown, respectfully report that they have duly considered said matter They have examined the papers in the case and heard from the counsel of the respective parties to said contest, and find that said contestant is not entitled to a seat in this body, because of the fact that under the provisions of law, the notice of contest was not filed in due time

S CARR.
R. H CAMPBELL
JUDSON C BRUSIE.
L. L EWING
GEORGE W. KNOX

MINORITY REPORT.

ASSEMBLY CHAMBER, SACRAMENTO, February 10, 1887.

MR. SPEAKER. The undersigned hereby submit the following minority report in the case of Eaton vs Brown From the facts in this case, that are not disputed, we find that the certificate of election was issued on the third day of December, 1886, that the notice of contest was filed on the twenty-third day of December, 1886, within the time allowed by law As a conclusion, we find that the contestant has complied with the law and is entitled to a standing before the committee, to prosecute his said contest.

JAMES E BRITT,
JESSE COPE,
Minority of Committee on Elections.

On motion of Mr. Mathews of Tehama, the consideration of the majority and minority reports of the Committee on Elections was made the special order for Thursday next, at two o'clock P. M.

ON FEDERAL RELATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February —, 1887

MR SPEAKER Your Committee on Federal Relations, to whom was referred Joint Resolution No. 10—have had the same under consideration, and recommend its adoption

Also, Assembly Joint Resolution No. 11—have had the same under consideration, and recommend its adoption

BRUSIE, Chairman.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, February 10, 1887.

MR SPEAKER: Your Committee on Ways and Means, to whom was rereferred Assembly Bill No 363—An Act to provide for the deficiency in the appropriation for the restoration and preservation of fish in the waters of the State, for the thirty-seventh fiscal year—have had the same under consideration, and respectfully report the same back, with amendment, and recommend that it do pass, as amended

TAYLOR, Chairman

SELECT COMMITTEE.

Consideration of report of Committee of the Whole on Assembly Bill No. 28—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.

Committee of the Whole report that Assembly Bill No. 28 be withdrawn, and Senate Bill No. 23 be substituted in place of Assembly Bill No. 28, it being identically the same as Assembly Bill No. 28.

Report adopted, and Senate Bill No 23 substituted for Assembly Bill No. 28.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 9, 1887

MR. SPEAKER I am directed to inform your honorable body that the Senate, on this day, passed substitute for Senate Bill No 190—An Act appropriating the sum of ten thousand dollars to erect a brick building to be used as a dormitory for the Adult Blind inmates at the Home for the Adult Blind

Also, on February tenth, passed Senate Bill No 66—An Act to appropriate money to pay for the publication of Amendment Number One to the Constitution, as submitted at the general election, November 2, 1886.

Also, Senate Bill No. 191—An Act appropriating the sum of twenty-eight thousand five hundred dollars for the purpose of purchasing suitable property for the location of the Industrial Home of Mechanical Trades for the Adult Blind of California

Also, Senate Bill No 30—An Act making an appropriation for the support and maintenance of the State Mining Bureau, for the thirty-ninth and fortieth fiscal years.

ED H HAMILTON, Secretary.

CONSIDERATION OF SENATE MESSAGES.

Substitute for Senate Bills Nos. 190 and 191 referred to Committee on State Hospitals.

Senate Bill No. 66 referred to Committee on Ways and Means.

Senate Bill No. 30 referred to Committee on Mines and Mining.

INTRODUCTION OF BILLS—(OUT OF ORDER).

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

By Mr. Hyde. Assembly Bill No. 488—An Act to appropriate the sum of ten thousand dollars to the National Bi-metallic Coinage Association, for the advancement of the mining interests of the State of California.

Referred to Committee on Claims.

By Mr. Britt: Assembly Bill No. 489—An Act to amend an Act entitled 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, approved March 3, 1885, by adding a new section thereto.

Referred to Committee on Corporations.

By Mr. Sims: Assembly Bill No. 490—An Act to establish a Home of Industry and Refuge for ex-criminals, and provide for the maintenance of the same.

Referred to Committee on State Hospitals.

By Mr. Mathews of Tehama: Assembly Bill No. 491—An Act to amend section two thousand one hundred and sixty-nine of the Political Code, relating to salary of the physicians at the Stockton Insane Asylum.

Referred to Committee on State Hospitals.

By Mr. Alexander: Assembly Bill No. 492—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, in relation to corporations.

Referred to Committee on Corporations.

By Mr. Rucker: Assembly Bill No. 493—An Act to provide for permanent improvements at the California Home for the Care and Training of Feeble-Minded Children, and to appropriate money therefor.

Referred to Committee on Public Buildings and Grounds.

By Mr. McDonnell: Assembly Bill No. 494—An Act to amend section eight hundred and fifty-one of the Municipal Corporation Act.

Referred to Committee on Municipal Corporations.

By Mr. Variel: Assembly Bill No. 495—An Act to provide for the appointment of a Code Commissioner.

Referred to Committee on Judiciary.

Also, Assembly Bill No. 496—An Act to protect life and property against the careless and malicious use or handling of dynamite and other high explosives.

Referred to Committee on Judiciary.

By Mr. Lewis: Assembly Bill No. 497—An Act to amend sections six hundred and twenty-eight, six hundred and thirty, and six hundred and thirty-one of the Civil Code, relating to the incorporation of gas companies.

Referred to Committee on Corporations.

By Mr. Davis. Assembly Bill No 498—An Act prescribing the powers, duties, and rights of corporations, companies, associations, or persons furnishing water to any city or county, city or town, or the inhabitants thereof, and to regulate water rates.

Referred to Committee on Water Rights and Drainage.

By Mr. Gould: Assembly Bill No. 499—An Act to provide for the correction and establishment of a portion of the eastern boundary line of the State of California.

Referred to Committee on Federal Relations.

By Mr. Brierly: Assembly Constitutional Amendment No. 17—Amending sections fifteen and nineteen, of Article V, of the Constitution.

Referred to the Committee on Constitutional Amendments.

By Mr. Morris: Assembly Bill No. 500—An Act to amend section nine hundred and seventy-four of the Code of Civil Procedure, relating to appeals from Justice and Police Judges' Courts.

Referred to the Committee on Judiciary.

By Mr. Price. Assembly Bill No. 501—An Act to repeal Chapter IX, of Title IX, of Part III, 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 IX, and to enact a new Chapter IX, of Title IX, of Part III, of said Code, and substitute the same in place of said Chapter IX of said Code, relating to poll tax.

Referred to Committee on Judiciary.

By Mr. Callaghan: Assembly Bill No. 502—An Act entitled an Act providing for the prevention of conflagrations and the protection of property saved from fire, in all cities, or cities and counties, whose population exceeds one hundred thousand inhabitants.

Referred to Committee on Indian Affairs.

MOTION.

Mr. Variel moved that the rules be suspended, and that Assembly Joint Resolution No. 11 be taken up, out of order, and read.

So ordered.

Assembly Joint Resolution No. 11—Relating to proposed removal of United States Surveyor-General's office from California to Washington.

Adopted.

SPECIAL FILE.

Assembly Constitutional Amendment No. 2—To propose to the people of the State of California an amendment to the Constitution of the State, relative to irrigation.

Temporarily passed on file.

SECOND READING OF BILLS.

Assembly Bill No. 324 read second time.

IN COMMITTEE OF THE WHOLE.

On motion of Mr. Taylor, the House went into Committee of the Whole for the purpose of considering:

Assembly Bill No. 324—An Act to provide for an improvement of the State Capitol, and for an appropriation to pay for the same.

Mr. Taylor in the chair.

The bill was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Jordan in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The Chairman stated the report as follows:

GENTLEMEN The Committee of the Whole have had under consideration Assembly Bill No 324—An Act to provide for an improvement of the State Capitol, and for an appropriation to pay for the same—and now report progress, and report the same back, and recommend its passage

Report adopted.

Assembly Bill No. 324 ordered engrossed, and placed on file for third reading.

SECOND READING OF BILLS—(RESUMED).

Assembly Bill No. 258—An Act to provide for the deficiency in the appropriation for the costs and expenses of suits wherein the State is a party in interest, for the thirty-seventh fiscal year.

Read second time.

Assembly Bill No. 262—An Act to provide for the deficiency in the appropriation for the costs and expenses of suits wherein the State is a party in interest, for the thirty-eighth fiscal year.

Read second time.

Assembly Bill No. 266—An Act to provide for the deficiency in the appropriation for the costs and expenses of suits wherein the State is a party in interest, for the thirty-fifth fiscal year.

Read second time.

Assembly Bill No. 256—An Act to provide for the deficiency in the appropriation for the costs and expenses of suits wherein the State is a party in interest, for the thirty-sixth fiscal year.

Read second time.

Assembly Bill No. 339—An Act to appropriate the sum of ten thousand dollars for the construction of an additional cottage at the Veterans' Home, under the auspices of the Veterans' Home Association, and for the completion of the principal building already in use, and to improve the water supply of said Home.

Read second time.

IN COMMITTEE OF THE WHOLE.

On motion of Mr. Hyde, the House went into Committee of the Whole, for the purpose of considering Assembly Bills Nos. 258, 262, 266, 256, and 339.

Speaker Jordan in the chair.

The bills were considered in the Committee of the Whole.

IN ASSEMBLY.

Speaker Jordan 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 258—An Act to provide for the deficiency in the appropriation for the costs and expenses of suits wherein the State is a party in interest, for the thirty-seventh fiscal year

Assembly Bill No 262—An Act to provide for the deficiency in the appropriation for the costs and expenses of suits wherein the State is a party in interest, for the thirty-eighth fiscal year

Assembly Bill No 266—An Act to provide for the deficiency in the appropriation for the costs and expenses of suits wherein the State is a party in interest, for the thirty-fifth fiscal year.

Assembly Bill No 256—An Act to provide for the deficiency in the appropriation for the costs and expenses of suits wherein the State is a party in interest, for the thirty-sixth fiscal year.

Assembly Bill No 339—An Act to appropriate the sum of ten thousand dollars for the construction of an additional cottage at the Veterans' Home, under the auspices of the Veterans' Home Association, and for the completion of the principal building already in use, and to improve the water supply of said Home

And now report progress, and recommend that Assembly Bills Nos 258, 262, 266, and 339 be passed

Also, that Assembly Bill No 256 be passed, with the following amendment. Section one, line five, of printed bill, strike out "thirty-fifth," and insert "thirty-sixth."

Report adopted.

Assembly Bills Nos. 258, 262, 266, 256, and 339, ordered engrossed and placed on file for third reading.

FIRST READING OF BILLS.

Assembly Bill No. 259—An Act to provide for the payment of the rent of the chambers occupied by the Supreme Court Commissioners.

Read first time, and placed on file for second reading.

Assembly Bill No. 395—An Act to provide for the deficiency in the

appropriation for salaries of the Commissioners of the Supreme Court and their Secretary, for the thirty-eighth fiscal year.

Read first time, and placed on file for second reading.

GENERAL FILE.

Assembly Bill No. 74—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 the order of persons entitled to administer the estates of deceased persons.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Alexander, Atherton, Bailey, Barry, Barton, Brierly, Brusie, Butler, Campbell, Carr, Carroll, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis Ellsworth, Ewing, Gould, Granger, Gruwell, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, Knox, LaBlanc, Mahler, Martin, Matthews of San Benito, McGowan, Morgan, O'Grady, Ohleyer, Price, Rucker, Renison, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Vincent, Weber, Wilcox, Williams, and Wright—54

NOES—Messrs Britt, Callaghan, Cohen, Colbert, Lawrence, McClenahan, Mitchell, Toner, Young of San Joaquin, and Mr. Speaker—10

Title read and approved.

THIRD READING OF BILLS.

Assembly Bill No. 29—An Act to amend sections two thousand six hundred and forty-one, two thousand six hundred and forty-two, and two thousand six hundred and forty-four of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the powers and duties of highway officers, to the appointment of, and oath, and bond of Roadmasters or Road Overseers.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Alexander, Atherton, Bailey, Barry, Barton, Brierly, Britt, Brown W A, Brown J B, Brusie, Butler, Callaghan, Campbell, Carr, Carroll, Cohen, Colbert, Cope, Currey of Solano, Curry of San Francisco, Ellsworth Ewing, Gould, Granger, Gruwell, Handy, Hart, Heath, Henry of San Joaquin, Hotchkiss, Knox, LaBlanc, Lewis, Martin, Mann, Matthews of San Benito, McClenahan, McDonnell, McGowan, Mitchell, Morgan, Morris, O'Grady, Ohleyer, Regan, Renison, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Sykes, Toner, Variel, Vincent, Williams, Wright, Young of San Joaquin, and Mr Speaker—60

NOES—Messrs Coombs, Hyde, Mahler, Price, Rucker, Taylor, Weber, and Wilcox—8

Title read and approved.

Assembly Bill No. 122—An Act to amend sections six hundred and one, six hundred and seven, six hundred and ten, six hundred and eleven, six hundred and twelve, six hundred and seventeen, six hundred and twenty-nine, and six hundred and thirty of the Political Code of this State, all of said sections relating to insurance.

Read third time, as far as section four.

RECESS.

Pending the reading of this bill, 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 Jordan in the chair.
Quorum present.

THIRD READING OF BILLS—(RESUMED).

Assembly Bill No. 122—An Act to amend sections six hundred and one, six hundred and seven, six hundred and ten, six hundred and eleven, six hundred and twelve, six hundred and seventeen, six hundred and twenty-nine, and six hundred and thirty of the Political Code of this State, all of said sections relating to insurance.

Reading of bill commenced at section five, and finished.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Atherton, Bailey, Barry, Barton, Brierly, Britt, Brown W A., Brown J B, Brusie, Burnett, Butler, Callaghan, Campbell, Carr, Carroll, Cohen, Colbert, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Gruwell, Handy, Henry of San Joaquin, Hotchkiss, Hyde, Knox, Lawrence, Mahler, Mann, McClenahan, McDonnell, McGowan, Mitchell, Morris, O'Grady, Ohlever, Regan, Rucker, Remson, Searey, Shanahan, Sherburne, Sims, Smyth, Sykes, Taylor, Tonet, Variel, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr Speaker—63

NOES—None

Title read and approved

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT

ASSEMBLY CHAMBER, SACRAMENTO, February 11, 1887

MR SPEAKER Your Committee on Engrossment beg leave to report that the following Assembly Bills have been correctly engrossed

Assembly Bills Nos. 16 1, 220, 194, 26, 38, 111, 112, 113, 114, 115, 99, 135, 177, 199, 124, 193, and 41

WINDROW, Chairman

GENERAL FILE—THIRD READING OF BILLS—(RESUMED).

Assembly Bill No 8—An Act relating to insurance, to amend an Act entitled "An Act to establish a Political Code." approved March 12, 1872, as amended by an Act entitled "An Act to amend the Political Code in relation to insurance." approved April 1, 1878.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Alexander, Atherton, Bailey, Barry, Barton, Brierly, Britt, Brown W A, Brown J B, Brusie, Burnett, Butler, Callaghan, Campbell Carr, Carroll, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould Granger, Gruwell, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, Knox, Lewis, Mahler, Mann, McClenahan, McDonnell, McGowan, Mitchell, Morris, O'Grady, Ohlever, Price, Regan, Rucker, Remson, Searey, Shanahan Sherburne, Smyth, Spurgeon, Sykes, Taylor, Tonet, Variel, Vincent, Weber, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr Speaker—67

NOES—Mr Colbert—1

Title read and approved.

Assembly Bill No. 9—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," adopted March 11, 1872, by adding thereto a new section, to be known as section one thousand

three hundred and forty-eight, authorizing certain corporations to act as executor and in other capacities.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Alexander, Atherton, Bailey, Barry, Barton, Brierly, Britt, Brown W A, Brown J B, Brusie, Burnett, Butler, Campbell, Carroll, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Gruwell, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hyde, Knox, Lawrence, Mahler, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, Mitchell, Morris, O'Grady, Ohleyer, Price, Regan, Rucker, Renson, Searey, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Taylor, Toner, Variel, Vincent, Weber, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr. Speaker—64.

NOES—Messrs Callaghan, Colbert, and McGowan—3

Title read and approved.

Assembly Bill No. 10—An Act relating to insurance, to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, as amended by an Act entitled "An Act to amend the Civil Code, relative to insurance," approved April 1, 1878, and to add a new section thereto, to be known as section four hundred and thirty-two.

Read third time.

Mr. Alexander moved that this bill be referred to a select committee of one, with special instructions to prepare an amendment to the bill, as follows: Section one, subdivision one, by striking out the words, in lines thirteen and fourteen, "or upon merchandise in warehouse."

So ordered.

APPOINTMENT OF SELECT COMMITTEE.

The Speaker appointed Mr. Alexander the select committee of one to amend Assembly Bill No. 10.

REPORT OF SELECT COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, February 11, 1887.

MR SPEAKER: Your select committee, to whom was referred Assembly Bill No 10—An Act relating to insurance, to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, as amended by an Act entitled "An Act to amend the Civil Code, relative to insurance," approved April 1, 1878, and to add a new section thereto, to be known as section four hundred and thirty-two—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

ALEXANDER, Select Committee

Report adopted.

Assembly Bill No. 56—An Act to amend section two hundred and eleven of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883, approved March 14, 1885, approved March 18, 1885.

Read third time.

Mr. Renison moved that this bill be referred to a select committee of one, with special instructions to prepare an amendment to the bill, as follows: Amend, by inserting, after the word "13th," in line twenty-three of section one, of printed copy, the words "15th, 20th."

Mr. Davis moved to amend the amendment, as follows: In section twenty-one, line thirteen, after the word "that," insert the following. "*Provided further*, that in all counties of this State, where county business licenses are issued by order of the Board of Supervisors of such county, the officers whose duty it shall be to issue and collect such license, shall be allowed a reasonable compensation for such

service, such compensation to be fixed by the Board of Supervisors of such counties."

Accepted by Mr. Renison.

Mr. Weber moved to amend the amendment, as follows: Add, in line twenty-two, after the words "office in the," insert the word "third."

Adopted.

The question being on the amendment, as amended, offered by Mr. Renison, it was adopted.

APPOINTMENT OF SELECT COMMITTEE.

The Speaker appointed Mr. Renison the select committee of one to amend Assembly Bill No. 56.

REPORT OF SELECT COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, February 11, 1887.

MR SPEAKER: Your select committee, to whom was referred Assembly Bill No. 56—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

THOMAS RENISON, Select Committee

Report adopted.

Assembly Bill No. 178—An Act to amend section five hundred and fifty-three of the Code of Civil Procedure, relative to attachments.

Read third time

The roll was called, and the bill passed by the following vote:

AYES—Messrs Atherton, Bailey, Barry, Barton, Brierly, Britt, Brown J B, Burnett, Butler, Callaghan, Campbell, Carr, Carroll, Colbert, Coombs, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Gruwell, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, Knox, Mahler, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Ohleyer, Price, Regan, Rucker, Remson, Searey, Shanahan, Sherburne, Sims, Spurgeon, Sykes, Taylor, Toner, Variel, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr Speaker—62

NOES—None.

Title read and approved.

Assembly Bill No. 181—An Act to amend section four hundred and eight of the Code of Civil Procedure of the State of California, relating to the issuing of alias summons.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Alexander, Atherton, Bailey, Barton, Brierly, Britt, Brown J. B, Burnett, Campbell, Carr, Carroll, Colbert, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Gruwell, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, Knox, Mahler, Matthews of San Benito, McClenahan, McDonnell, Ohlever, Price, Regan, Rucker, Remson, Searey, Shanahan, Sherburne, Sims, Spurgeon, Sykes, Taylor, Toner, Variel, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr Speaker—58

NOES—None

Title read and approved.

Mr. Curry of San Francisco in the chair.

Assembly Bill No. 192—An Act to amend section four thousand one hundred and eight of the Political Code, relating to county officers.

Read third time.

Mr. Handy moved that the Chairman of the Committee on Judiciary be appointed a committee of one, with special instructions to prepare an amendment to the bill.

APPOINTMENT OF SELECT COMMITTEE.

The Speaker appointed Mr. Variel the select committee of one to amend Assembly Bill No. 192.

MOTION.

Mr. Henry moved to postpone this bill for thirty minutes.

So ordered.

On motion of Mr. Taylor, the House took up, out of order, Senate messages.

Speaker Jordan in the chair.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 11, 1887.

MR SPEAKER I am directed to inform your honorable body that the Senate, on this day, passed Assembly Bill No 430—An Act to provide for a contingent fund for the Assembly for the twenty-seventh session of the Legislature.

Also, Senate Bill No 106—An Act to amend section six hundred and fifty-four of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relative to the State Board of Examiners, its Secretary, and making an appropriation for his salary.

E. H HAMILTON, Secretary

Assembly Bill No. 430 referred to Committee on Enrollment.

Assembly Bill No. 106 referred to Committee on Retrenchment.

MOTION.

Mr. Cooley moved to suspend the rules and take up, out of order, Assembly Bill No. 106, and consider same.

So ordered.

SECOND READING OF BILL.

Assembly Bill No. 106—An Act to amend sections one thousand nine hundred and twelve, one thousand nine hundred and twenty-nine, one thousand nine hundred and ninety, two thousand and twenty-two, two thousand and twenty-six, two thousand and ninety-four, and to add a new section, to be known as section two thousand and twenty-seven of the Political Code, relating to the State militia.

Read second time.

Sections one and two read second time.

Mr. Cooley offered the following amendments: In section two, on page two of printed bill, strike out all of lines ten to seventeen, inclusive, and insert, in lieu thereof, the following:

Whenever such commanding officer shall approve the application of two thirds of the members of a company requesting the discharge of an enlisted man thereof, and giving the reason therefor, if at a regular meeting of a company, or of a meeting called for that purpose, two thirds of the members of a company desire, by vote, the discharge of one of their members, an application for the discharge of such soldier, setting forth the facts, and giving the reasons therefor, shall be made by the commander, or he may be dishonorably discharged for either of the following reasons upon conviction of a felony in a Civil Court, or by sentence of a Court-martial.

Adopted.

Sections three and four read second time.

Mr. Cooley offered the following amendments: Amend section four, by striking out all of lines twelve and thirteen, and all of line fourteen to the word "each," and insert, in lieu thereof, the following:

When the companies of a regiment or battalion are not all located at the same place, those companies not located at the headquarters of the regiment or battalion shall receive, in addition to the above allowance, the excess in actual cost of transportation of such companies, over those at headquarters, to and from the place of encampment

Adopted.

Sections five and six read second time.

Mr. Cooley offered the following amendments: Strike out section six, in the printed bill, and insert, in lieu thereof, the following:

SEC 6 A new section is hereby added to this Code, to be known as section two thousand and twenty-seven

Section 2027 The Commander-in-Chief of the National Guard shall forthwith appoint a Board, to consist of five commissioned officers of the National Guard, who shall determine and prescribe a uniform and equipments for the National Guard, and when so determined and prescribed, it shall be announced in general orders by the Commander-in-Chief, and when it is so announced, such uniform and equipments shall be known as the "service" uniform and equipments of the National Guard of this State Companies already organized may wear the uniforms and equipments now in use, until supplied by the State with the "service" uniforms and equipments, after which no uniforms and equipments other than those so supplied shall be worn except at company parades or drills. No money of the State must be used or applied to the purchase of uniforms and equipments other than those in this section mentioned. All non-commissioned officers, musicians, and privates of a company, or of a general, brigade, regimental, or battalion staff, the members of the signal corps, and of regularly organized and enlisted bands (which bands shall not exceed in number twenty-five each), shall be furnished with "service" uniforms and equipments at the expense of the State Such uniforms and equipments shall be issued to commanders of the general staffs of brigades, regiments, battalions, and companies upon requisitions in such forms as may be prescribed The "service" uniforms and equipments, when selected by the Board as hereinafter prescribed, shall be issued to the several organizations of the National Guard upon requisition from the officer Each organization of the National Guard may wear, at parades and reviews, such full dress uniforms and equipments as have been heretofore adopted and used by them, until it shall be furnished with the "service" uniform and equipments The commanding officer of each organization shall be responsible for the keeping and return of all uniforms and other military property committed to his charge Each commanding officer who shall receive, according to the provisions of this section, uniforms and equipments, or portions of uniforms and equipments, for the use of his command, shall distribute the same to his command, as he shall deem proper The "service" uniforms and equipments shall be furnished as aforesaid by a Board, which is hereby provided, to consist of the Quartermaster-General and of the commissioned officers to be appointed by the Commander-in-Chief Said two officers shall at all times be residents of the City and County of San Francisco This Board is authorized and directed to purchase the cloth, arrange for its cutting, and also for its making, when required by the commander of any organization, and also equipments, and the bills of said Board shall be audited, allowed, and paid as are other military demands

Adopted.

Sections seven and eight read the second time.

Mr. Cooley offered the following amendment: Amend the bill by adding thereto the following:

SEC 8 Section one thousand nine hundred and twenty-three of the Political Code is hereby repealed

Adopted.

Section nine read the second time.

Mr. Cooley offered the following amendment: Amend, by adding to the bill the following:

SEC. 9. Section two thousand and seven of this Code is hereby amended to read as follows

2007. The staff of each General of Brigade consists of one Surgeon, with the rank of Lieutenant-Colonel, one Assistant Adjutant-General, who shall be Chief of Staff, one Signal Officer, one Engineer Officer, one Ordnance Officer, one Quartermaster, one Commissary, one Paymaster, one Brigade Inspector, one Judge Advocate, and one Inspector of Rifle Practice, each with rank of Major, two Aids-de-Camp, with the rank of Captain, and two Staff Orderlies, with the rank of Sergeant-Major, who are appointed by the Brigadier-General, and hold office at his pleasure, or until their successors are appointed and qualified.

Adopted.

Section ten read second time.

Mr. Cooley offered the following amendment:

SEC. 10 This Act shall take effect from and after its passage

Adopted.

Bill ordered engrossed, and placed on file for third reading.

MOTION TO RECONSIDER.

Mr. Alexander moved to reconsider the vote whereby the amendment of the select committee of one to Assembly Bill No. 10 was adopted.

So ordered.

The question being, "Will the House adopt the amendments of the select committee of one to Assembly Bill No. 10?" the same was rejected.

PASSAGE OF ASSEMBLY BILL NO. 10

Assembly Bill No. 10—An Act relating to insurance, to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, as amended by an Act entitled "An Act to amend the Civil Code, relative to insurance," approved April 1, 1878, and to add a new section thereto, to be known as section four hundred and thirty-two, relating to insurance, and to the investment of the capital stock and accumulation of insurance companies.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Alexander, Atherton, Bailey, Butler, Campbell, Carr, Carroll, Cope, Curry of San Francisco, Ellsworth, Ewing, Gould, Handy, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, Mahler, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Mitchell, Ohleyer, Price, Rucker, Rennson, Shanahan, Sherburne, Sims, Spurgeon, Sykes, Taylor, Variel, Vincent, Weber, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr Speaker—43

NOES—Messrs Barry, Britt, Callaghan, Cohen, Colbert, Coombs, Currey of Solano, Gruwell, Regan, and Toner—10

Title read and approved.

LEAVE OF ABSENCE.

Mr. Morgan was granted one day's leave of absence.

Mr. Alexander was granted leave of absence for this afternoon.

The special committee of one, appointed to prepare amendments to Assembly Bill No. 192, asked for further time to prepare amendments.

Granted.

THIRD READING OF BILLS—(RESUMED).

Assembly Bill No. 158—An Act to amend section seven of the insolvent Act of 1880.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Atherton, Bailey, Barry, Barton, Britt, Callaghan, Campbell, Carr, Carroll, Cohen, Colbert, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ewing, Granger, Gruwell, Handy, Hart, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, Mahler, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Mitchell, Ohleyer, Price, Regan, Rucker, Renison, Shanahan, Sherburne, Sims, Spurgeon, Sykes, Taylor, Toner, Variel, Vincent, Weber, Wilcox, Williams, Wright, Young of San Diego, and Mr. Speaker—55

NOES—Mr. Ellsworth—1.

Title read and approved.

Assembly Bill No. 238—An Act to amend an Act entitled an Act to establish a uniform system of county and township governments, approved March 14, 1883, and amended March 18, 1885.

This bill was withdrawn by the author, Mr. Handy, by consent of the House.

MOTION.

Mr. Curry of San Francisco, asked that the rules be suspended, and that Assembly Bill No. 217 be taken up and considered, out of order.

Mr. Wilcox in the chair.

CALL OF THE HOUSE.

Mr. Cooley moved a call of the House.

Lost.

Speaker Jordan in the chair.

The question being on the motion of Mr. Curry to take up, out of order, Assembly Bill No. 217, it was so ordered.

FIRST READING OF BILL.

Assembly Bill No. 217—An Act to provide for the amicable adjustment of grievances and disputes that may arise between employers and employés, and to authorize the creation of a State Board of Arbitration.

Read first time, and placed on file for second reading.

Mr. Curry of San Francisco moved that this bill be made the special order for Tuesday next, at two o'clock and thirty minutes P. M.

Carried on a division—ayes, 35; noes, 13.

GENERAL FILE—(RESUMED).

Assembly Bill No. 43—An Act to amend section four hundred and eleven of an Act entitled an Act to establish a Code of Civil Procedure, approved March 11, 1872, relating to the manner of commencing civil actions and the service of summons therein.

Withdrawn by Mr. Ohleyer, by consent of the House.

Assembly Bill No. 22—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.

Mr. Variel moved that this bill be referred to a select committee of one, with special instructions to prepare amendments to the bill, as follows:

ASSEMBLY BILL No 22

An Act to amend sections three and four of an Act entitled "An Act to amend an Ac 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," approved March 18, 1885

The People of the State of California, represented in Senate and Assembly, do enact as follows

SECTION 1 Section three of said Act is hereby amended to read as follows

Section 3 This Act shall take effect and be in force from and after its passage

SEC 2 Section four of said Act is hereby repealed

SEC 3 This Act shall take effect immediately

APPOINTMENT OF SELECT COMMITTEE.

The Speaker appointed Mr. Variel the select committee of one to amend Assembly Bill No. 22.

Mr. Variel was granted further time to prepare such amendments.

Assembly Bill No. 19—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 indebtedness of said counties, equitably chargeable to San Benito County.

Read second time, ordered engrossed, and placed on file for third reading.

Assembly Bill No. 175—An Act to amend section three thousand five hundred and two of the Political Code, relating to school land warrants.

Read second time

Committee amendment as follows adopted: Add, after the word "receivable," the words "at the same price as was paid the State therefor."

Bill ordered engrossed, and placed on file for third reading.

Assembly Bill No. 39—An Act to repeal section two thousand six hundred and twenty, and subdivision five of section two thousand six hundred and forty-three, and to amend sections two thousand six hundred and forty-two, two thousand six hundred and forty-three, two thousand six hundred and fifty-one, two thousand six hundred and eighty-two, two thousand six hundred and eighty-five, two thousand six hundred and eighty-eight, two thousand six hundred and eighty-nine, two thousand six hundred and ninety, two thousand six hundred and ninety-one, and two thousand six hundred and ninety-two of an Act entitled "An Act to repeal Chapter II, of Title VI, Part III, 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 II, and to enact a new Chapter II, of Title VI, of Part III, of said Code, and substitute the same in place of said repealed Chapter II, in said Code, relating to roads and highways," approved February 28, 1883.

Read second time.

The following substitute, offered by the committee, was adopted:

SUBSTITUTE FOR ASSEMBLY BILL NO. 39.

An Act to amend sections two thousand six hundred and eighty-two, two thousand six hundred and eighty-five, two thousand six hundred and eighty-nine, two thousand six hundred and ninety, and two thousand six hundred and ninety-one of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, and each and every section of said Chapter II, and to enact a new Chapter II, of Title VI, of Part III, of said Code, and substitute the same in place of said repealed Chapter II, in said Code, "relating to roads and highways," approved February 28, 1883

The People of the State of California, represented in Senate and Assembly, do enact as follows:

SECTION 1 Section two thousand six hundred and eighty-two of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, and each and every section of said Chapter II, and to enact a new Chapter II, of Title VI, of Part III, of said Code, and substitute the same in place of said repealed Chapter II, in said Code, "relating to roads and highways," approved February 28, 1883, is hereby amended so as to read as follows.

2682 The petition must set forth the general route of the road to be abandoned, discontinued, altered, laid out, or constructed, and over whose land the same will run

SEC 4 Section two thousand six hundred and eighty-five of the same Act is hereby amended so as to read as follows

2685 The Road Viewers must be disinterested citizens of the county but not petitioners They must be sworn to discharge their duty faithfully Must view and lay out the proposed alterations or new road over the most practicable route And in the performance of this duty they shall be required to make the proposed alterations or new road over the same lands mentioned in the petition, but shall not be confined to any particular route indicated therein The Viewers must notify the resident owner or agent of the owner of the land over which it passes, of the proposed route A majority number of the Viewers provided one shall be a surveyor, shall be competent to act in all matters pertaining to their duties mentioned in this chapter

SEC 5 Section two thousand six hundred and eighty-nine of the same Act is hereby amended so as to read as follows

2689. If the Board approve the report, and there are no non-consenting land owners, the road must by order be declared a public highway, and the same opened to the public The Board, upon making each and every order establishing the location or alteration of any road or highway, shall order the amount of damages sustained by each and every person owning or claiming lands, or any improvements thereon or affected thereby, as finally fixed and assessed by them, to be set apart in the Treasury out of the proper fund, to be paid to the proper owner or claimant if known, and to be kept for proper claimant or owner if unknown, and to be paid to him or her upon showing or establishing their right or title to such lands or improvements, *provided*, that any person interested in said road may place in the Treasury the whole or any part of the amount necessary to meet the demands made upon such fund by said orders of the Board Any moneys so set apart as herein provided for shall be returned to the person from whom or the fund from which it was taken or set apart, if not paid to or accepted by the proper owner or claimant If the awards are all accepted, the road must be declared a public highway, and be opened as before provided

SEC. 6 Section two thousand six hundred and ninety of the same Act is hereby amended so as to read as follows

2690 If any award of damages is not accepted within ten days of the date of the award, it shall be deemed as rejected by the land owners The Board must by order direct proceedings to procure the right of way to be instituted by the District Attorney of the county, under and as provided in title seven, part three, of the Code of Civil Procedure, against all non-accepting land owners, and when thereunder the right of way is procured the road must be declared a public highway, and opened as herein provided In such suit no informality in the proceedings of the Board shall vitiate said suit, but the said order of the Board directing the District Attorney to bring suit shall be conclusive proof of the regularity thereof, and the said suit shall be determined by the Court or jury in accordance with the rights of the respective parties, as shown in Court, independent of said proceedings before said Board

SEC 7 Section two thousand six hundred and ninety-one of the same Act is hereby amended so as to read as follows.

2691. All awards by agreement, ascertainment by the Board or the proper Court, and all expenses of viewing, laying out, or altering any road must be paid out of the road fund of the district, except that which may be paid by interested parties, on the order of the Board of Supervisors If the road lies in more than one district the Supervisors must proportionately divide the awards and other costs between said districts, *provided, however*, that where money is paid out by any interested person, that the same may be given to the credit of either fund, at the discretion of the Board

SEC. 8. This Act shall have effect and be in force from and after its passage

Mr. Coombs offered the following amendment to the title: Amend title to bill as follows:

An Act to amend sections two thousand six hundred and eighty-two, two thousand six hundred and eighty-five, two thousand six hundred and eighty-nine, two thousand six hundred and ninety, and two thousand six hundred and ninety-one of an Act entitled an Act to establish a Political Code, approved March 12, 1872, relating to roads and highways

Adopted.

Bill ordered engrossed, and placed on file for third reading.

Assembly Bill No. 208—An Act to validate proceedings for the reorganization of municipal corporations taken since the passage of the Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Read second time, ordered engrossed, and placed on file for third reading.

Assembly Bill No. 50—An Act to amend section five hundred and thirty-two of an Act entitled an Act to establish a Penal Code, approved February 14, 1872, relating to the crime of obtaining money and property under false pretenses.

Read second time, ordered engrossed, and placed on file for third reading.

Assembly Bill No. 137—An Act to amend an Act entitled 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," approved March 14, 1885.

Read second time.

Mr. Coombs moved to amend the bill, as follows: Amend by inserting, after the word "to," on line two, of section two, the words "allow or pay."

Adopted.

Bill ordered engrossed, and placed on file for third reading.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON COMMERCE AND NAVIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 11, 1887

MR SPEAKER Your Committee on Commerce and Navigation, to whom was referred Assembly Bill No 387—An Act relating to obligations of ship owners to owner of cargo—have had the same under consideration, and respectfully report the same back, and recommend that it do pass

EWING, Chairman

INTRODUCTION OF BILLS—(OUT OF ORDER).

By Mr. Brierly: Assembly Bill No. 503—An Act to provide for compiling, illustrating, electrotyping, printing, binding, copyrighting, and distributing certain books of a State series of school text-books, and appropriating money therefor.

Referred to Committee on Education.

Also, Assembly Bill No. 504—An Act to add nine new sections to the Political Code of the State of California, to be known and numbered sections one thousand eight hundred and forty, one thousand eight hundred and forty-one, one thousand eight hundred and forty-two, one thousand eight hundred and forty-three, one thousand eight hundred and forty-four, one thousand eight hundred and forty-five, one thousand eight hundred and forty-six, one thousand eight hundred and forty-seven, and one thousand eight hundred and forty-eight.

Referred to Committee on Education.

Also, Assembly Bill No. 505—An Act to amend sections one thousand four hundred and thirty, one thousand four hundred and thirty-three, one thousand four hundred and thirty-four, and one thousand four hundred and ninety-nine of the Political Code of the State of California, relating to the powers and duties of the Board of Regents of the University of California.

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

By Mr. Atherton: Assembly Bill No. 506—An Act to amend section one hundred and seventy-one of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883.

Referred to Committee on Judiciary.

By Mr Cohen, Assembly Bill No. 507—An Act to amend section three hundred and eighty-five of the Political Code of the State of California, relative to salary of Private Secretary of the Governor.

Referred to Committee on Judiciary.

REPORT OF SELECT COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, February 11, 1887.

MR SPEAKER Your select committee, to whom was referred Assembly Bill No 22—Substitute for 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 also original Act, with instructions to prepare an amendment in accordance with the action of the House—would respectfully report that the instructions of the House have been carried out Said instructions amend same by reporting back a substitute therefor

VARIEL, Committee.

Report adopted.

GENERAL FILE—(RESUMED).

Assembly Bill No. 236—An Act to provide for the payment of jurors in criminal causes in Justices' Courts.

Read second time, ordered engrossed, and placed on file for third reading.

FIRST READING OF BILLS.

Assembly Bill No. 129—An Act for the relief of George Nightingale, Michael Ryan, Joseph Rosa, Bridget Davis, Bernard Ward, Ellen Burdett, John Wrixon, Michael O'Neil, Anna Elizabeth Sneider, Eliza Kelleher, William J. Nightingale, Margaret Coogan, Bridget L. Ryan, Elizabeth Overend, Thomas Dillon, Patrick Garrigan, Bridget F. Houston, Timothy Murphy, James McGeough, Otis Berge, James Hartford, and Ellen McArevey, whose property has been taken and destroyed by blasting and excavating Telegraph Hill, in the City and County of San Francisco, for rock and earth with which to construct the State seawall, along the Port of San Francisco, in the State of California.

Read first time, and placed on file for second reading.

SECOND READING OF BILL.

Assembly Bill No. 237—An Act to amend an Act to establish a uniform system of county and township governments, approved March 14, 1883, amended March 18, 1885, by amending and revising and subdividing into new sections 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 sec-

tions 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 second time.

Mr. Knox moved that Assembly Bill No. 237 be referred back to the Committee on County and Township Governments, together with all amendments that are now offered, and that the committee be instructed to consider said amendments and report the bill back amended, and that the bill retain its place on the General File.

Mr. Variel moved to amend: That Assembly Bills Nos. 237, 235, 246, 217, 404, 20, 27, 323, 279, 186, and 388 be referred to the Committee on County and Township Governments, with instructions to report back Assembly Bill No. 237, so amended as to embrace the amendments proposed by all of said bills.

Mr. Brierly moved to amend, so as to include amendments proposed by all other bills amendatory to the County Government Act, or that the committee may suggest.

Mr. Variel accepted the amendment of Mr. Brierly.

So ordered.

LEAVE OF ABSENCE.

Mr. Granger was granted leave of absence for this afternoon.

MOTION.

Mr. Wright moved that the rules be suspended, and that Assembly Bill No. 12 be taken up, out of order, and considered.

So ordered.

FIRST READING OF BILL.

Assembly Bill No. 12—An Act to provide for the organization and government of irrigation districts, and to provide for the organization and distribution of waters thereby for irrigation purposes.

Read first time, and placed on file for second reading.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON LABOR AND CAPITAL

ASSEMBLY CHAMBER, SACRAMENTO, February 11, 1887.

MR SPEAKER Your Committee on Labor and Capital, to whom was referred Assembly Bill No 466—An Act to add two new sections to the Political Code, to be known and numbered as sections three thousand two hundred and three thousand two hundred and one, relating to trademarks, the use and adoption of the same, and the person who and the manner by which said trademark and the rights thereunder may be protected—have had the same under consideration, and respectfully report the same back, and recommend that it do pass

LABLANC, Chairman.

ADJOURNMENT.

At five o'clock and fifty-five minutes the House adjourned, on motion of Mr. Heath.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Saturday, February 12, 1887.

The House met pursuant to adjournment.

Speaker Jordan in the chair.

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

Messrs Adams, Alexander, Atherton, Bailey, Barry, Barton, Britt, Brusie, Burnett, Butler, Campbell, Carr, Colbert, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Gruwell, Handy, Hart, Heath, Henry of Butte, Hotchkiss, Hyde, Knox, Lawrence, Lewis, Mahler, Mathews of Tehama, McClenahan, McDonnell, McGowan, Mitchell, Morgan, Morris, Ohleyer, Price, Regan, Rucker, Remson, Searey, Shanahan, Sherburne, Smyth, Spurgeon, Sykes, Taylor, Toner, Variel, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr Speaker.

Quorum present.

Prayer by the Chaplain, Rev. E R. Dille.

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

So ordered.

Journal corrected and approved.

LEAVE OF ABSENCE.

Messrs. Weber, Adams, and Shanahan were granted leave of absence for to-day.

Mr. Henry of San Joaquin was granted leave of absence until Monday, at three o'clock P. M.

Mr. Wilcox was granted leave of absence until Wednesday, at two o'clock and thirty minutes P. M.

REPORTS OF STANDING COMMITTEES.

ON STATE PRISONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 12, 1887.

MR SPEAKER Your Committee on State Prisons, to whom was referred Assembly Bill No 467—An Act making appropriations for the purchase of additional jute machinery, and the erection of additional buildings for the manufacture of jute goods, for the State Prison at San Quentin, and other expenses incidental and relating thereto—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

ATHERTON, Chairman.

ON RETRENCHMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 12, 1887

MR SPEAKER: Your Committee on Retrenchment, to whom was referred Assembly Bill No 473—An Act for the erection of monuments over the graves of deceased State officers buried in the State Cemetery Plot, in the City Cemetery of Sacramento City, State of California, and to appropriate money to pay for the same—have had the same under consideration, and respectfully report the same back, and recommend that it do pass

GOULD, Chairman

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, February 12, 1887.

MR SPEAKER Your Committee on Ways and Means, to whom was referred Assembly Bill No 126—An Act to appropriate money for the support of the California Home for the

Care and Training of Feeble-Minded Children, from the first day of January, 1887, to the first day of July, 1887.

Also, Assembly Bill No 149—An Act to authorize and empower the Board of Trustees of the California Home for the Care and Training of Feeble-Minded Children to build an addition to the Home, and to provide funds for the payment thereof, also, to provide funds for the maintenance of said institution

Have had the same under consideration, and respectfully report the same back, and recommend that they be withdrawn, by request of the authors

Also, Senate Bill No 140—An Act to make an appropriation to pay deficiency for the support of the State Prison at Folsom, for the thirty-eighth fiscal year.

Also, Senate Bill No 163—An Act making an appropriation to pay the deficiency in the appropriation for the support of the State Prison at Folsom, for the thirty-seventh fiscal year

Have had the same under consideration, and respectfully report the same back, and recommend that they be substituted for Assembly Bills Nos 167 and 168, and that they do pass

Also, Senate Bill No 243—An Act to provide for an improvement of the State Capitol, and for an appropriation to pay for same—have had the same under consideration, and respectfully report the same back, and recommend that it do pass

TAYLOR, Chairman.

Assembly Bills Nos. 126 and 140 withdrawn by the authors, with the consent of the House.

Senate Bills Nos. 140 and 163 substituted for Assembly Bills Nos. 167 and 168, as recommended by committee.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 11, 1887.

MR SPEAKER I am directed to inform your honorable body that the Senate, on this day, adopted the following

Assembly Joint Resolution No 5—Relative to improving the bar at the mouth of Eel River

Also, Assembly Joint Resolution No 11—Proposed removal of United States Surveyor-General's office from California to Washington.

ED H. HAMILTON, Secretary

Assembly Joint Resolutions Nos. 5 and 11 ordered enrolled.

INTRODUCTION OF BILLS.

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

By Mr. Lewis: Assembly Bill No. 508—An Act to create the office of Inspector of Elevators in all cities of the first class, for the better protection of life and limb.

Referred to Committee on Internal Improvements.

Also, Assembly Bill No. 509—An Act to establish a standard of weights and measures

Referred to Committee on Apportionment.

CONSTITUTIONAL AMENDMENT.

By Mr. Barton: Assembly Constitutional Amendment No. 18—Proposed amendment to Constitution, relating to assessments by State Board of Equalization of telegraph and telephone lines.

Referred to Committee on Constitutional Amendments.

MOTION.

Mr. Wright moved that Assembly Bill No. 12 be made the special order for Tuesday next, at eleven o'clock and thirty minutes A. M.

So ordered.

SPECIAL FILE.

Assembly Constitutional Amendment No. 2—To propose to the people of the State of California an amendment to the Constitution of the State, relative to irrigation.

Passed on file.

SECOND READING OF BILLS.

Assembly Bill No. 259—An Act to provide for the payment of the rent of the chambers occupied by the Supreme Court Commissioners.

Read second time.

Assembly Bill No. 395—An Act to provide for the deficiency in the appropriation for salaries of the Commissioners of the Supreme Court and their Secretary, for the thirty-eighth fiscal year.

Read second time.

IN COMMITTEE OF THE WHOLE.

On motion of Mr. Taylor, the House went into Committee of the Whole, for the purpose of considering Assembly Bills Nos. 259 and 395.

Speaker Jordan in the chair.

The bills were considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Jordan in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The Chairman stated the report as follows:

GENTLEMEN: The Committee of the Whole have had under consideration:

Assembly Bill No. 259—An Act to provide for the payment of the rent of the chambers occupied by the Supreme Court Commissioners.

Also, Assembly Bill No. 395—An Act to provide for the deficiency in the appropriation for salaries of the Commissioners of the Supreme Court and their Secretary, for the thirty-eighth fiscal year.

And now report progress, and recommend their passage.

Report adopted.

Assembly Bills Nos. 259 and 395 ordered engrossed, and placed on file for third reading.

Assembly Bill No. 2—An Act to amend an Act entitled an Act to provide for the organization, incorporation, and government of municipal corporations, approved March 13, 1883, and to add certain sections thereto and repeal certain sections thereof.

Passed on file.

Assembly Bill No. 120—An Act to amend an Act entitled an Act to amend an Act to incorporate the Town of Chico, Butte County, California, approved March 23, 1878.

Passed on file.

Assembly Bill No. 404—An Act to amend sections seven hundred and fifty-two, seven hundred and fifty-five, seven hundred and fifty-eight, seven hundred and sixty-three, seven hundred and sixty-four, seven hundred and sixty-five, seven hundred and sixty-six, seven hundred and sixty-seven, seven hundred and sixty-nine, seven hundred and seventy-one, seven hundred and seventy-two, seven hundred

and seventy-three, seven hundred and seventy-seven, seven hundred and seventy-eight, seven hundred and eighty-six, seven hundred and eighty-eight, seven hundred and eighty-nine, and seven hundred and ninety of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Passed on file.

Mr. Knox moved that the amendments, as recommended by the committee, to Assembly Bills Nos. 2, 120, and 404, be printed.

Assembly Constitutional Amendment No. 5—To propose an amendment to the Constitution of the State, relative to the passage of special laws.

On motion of Mr. Hyde, passed on file.

Mr. Taylor moved that the amendments of the committee to Assembly Constitutional Amendment No. 5 be printed.

So ordered.

Assembly Constitutional Amendment No. 7—To propose to the people of the State an amendment to the Constitution of the State, relative to the Board of Railroad Commissioners.

Passed on file.

Assembly Constitutional Amendment No. 10—To Article IV, section two, of the Constitution, relative to the Legislative Department.

Passed on file.

Assembly Constitutional Amendment No. 11—Amending sections two and twenty-three, Article IV, of the Constitution.

Passed on file.

Assembly Constitutional Amendment No. 13—A resolution to propose an amendment to section fifteen, of Article IV, of the Constitution, relating to the Legislative Department.

Passed on file.

Assembly Constitutional Amendment No. 14—Proposed amendment to Article V of the Constitution, relative to the compensation of the office of Attorney-General.

Passed on file.

Mr. Henry of Butte moved that all Assembly Constitutional Amendments, and all Assembly Bills on third reading, be passed on file.

So ordered.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON STATE HOSPITALS.

ASSEMBLY CHAMBER, SACRAMENTO, February 12, 1887

MR SPEAKER: Your Committee on State Hospitals, to whom was referred Assembly Bill No 269—An Act to amend an Act entitled "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," approved March 3, 1885, by amending sections one and two thereof

Also, Assembly Bill No. 405—An Act for the appropriation of money for the erection of residences, dining-rooms, workshops, and a deadhouse, for the Stockton State Asylum for the Insane

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass Assembly Bill No 405, as amended

Also, Assembly Bill No 347—An Act to amend section two thousand one hundred and thirty-seven of the Political Code, relating to the powers and duties of the Board of Directors of the State Insane Asylum at Stockton—report the same back, and recommend that it do pass

Also, Assembly Bill No. 133—An Act to add new sections to an Act entitled "An Act to provide for analyzing the minerals, mineral waters, and other liquids, and the medicinal

plants, of the State of California, and of food and drugs, to prevent the adulteration of the same," approved March 9, 1885—report the same back, and recommend that the author of the bill have leave to withdraw the same

BUTLER, Chairman.

Assembly Bill No. 133 withdrawn by the author, with consent of the House.

ON IRRIGATION

ASSEMBLY CHAMBER, SACRAMENTO, February 11, 1887

MR SPEAKER. Your Committee on Irrigation, to whom was referred Assembly Bill No 287—An Act to provide for the organization and government of water districts, and to provide for the acquisition, control, and distribution of water for irrigation—report the same back, and recommend that it do pass, as amended

Also, Assembly Bill No 7—An Act to add a new section to the Civil Code, defining riparian rights—report a substitute for the same, and recommend that the substitute do pass.

VINCENT, Chairman

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 12, 1887.

MR SPEAKER Your Committee on Municipal Corporations, to whom was referred Assembly Bills Nos 148, 286, 296, and 310, would report that they have examined

Assembly Bill No 148—An Act to amend sections one, five, six, seven, eight, ten, and eleven, of an Act entitled an Act to provide for the redemption of the funded indebtedness of the City of Sacramento, approved March 25, 1872—and would report back a substitute for the same, and recommend that the substitute do pass

Assembly Bill No 286—An Act to provide a remedy in cases where damages have been sustained by the illegal and irregular proceedings of municipal officers, and for the payment of the same—would recommend that it do not pass

Assembly Bill No 296—An Act to create and maintain a relief and pension fund in the Police Department of all cities in this State having a police force of ten or more members, and to provide for the administration of such fund—and recommend that it do not pass

Assembly Bill No 310—An Act to confine the power to impose license taxes in incorporated cities and towns, other than consolidated cities and counties, to the corporate authorities of such cities and towns—report the same back, and would recommend that it do not pass.

KNOX, Chairman

WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, February 12, 1887

MR SPEAKER Your Committee on Ways and Means, to whom was referred Assembly Bill No 169—An Act to enlarge the powers of the State Board of Forestry, and to provide for the expenses of said Board—have had the same under consideration, and respectfully report the same back, without recommendation

TAYLOR, Chairman

MOTION.

Mr. Butler moved that the rules be suspended, and Assembly Bill No. 270 be taken up, out of order, and considered.

So ordered.

FIRST READING OF BILLS.

Assembly Bill No 270—An Act to provide an additional Judge of the Superior Court of Tulare County.

Read first time, and placed on file for second reading.

Mr. Butler moved that this bill be made the special order for Monday next, at two o'clock P. M.

So ordered.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON PUBLIC BUILDINGS AND GROUNDS

ASSEMBLY CHAMBER, SACRAMENTO, February 11, 1887

MR SPEAKER Your Committee on Public Buildings and Grounds, to whom was referred Assembly Bill No 285—An Act providing for the painting of State buildings located at Sacramento, and to appropriate money therefor

Also, Assembly Bill No. 472—An Act to provide for walks and driveways in the State Capitol grounds, and to appropriate money therefor.

Respectfully report the same back, and recommend that they do pass.

CARROLL, Chairman

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, February 12, 1887.

MR SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No 449—An Act to amend sections sixty-six and seventy-three of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the number of Judges of the Superior Courts to be elected in certain counties and the number of sessions of the Superior Court to be held by the Judges of said Court, and to the time when and the place where the sessions of such Courts shall be held—would respectfully report that they have considered the same, and, at request of author, report back a substitute therefor, without recommendation

VARIEL, Chairman

ON COMMERCE AND NAVIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 12, 1887

MR SPEAKER: Your Committee on Commerce and Navigation, to whom was referred Assembly Bill No 436—relating to the powers and duties of the Board of State Harbor Commissioners—have had the same under consideration, and respectfully report the same back, and recommend that it do pass

EWING, Chairman.

MOTION.

Mr. Mahler moved that the rules be suspended, and that Assembly Bill No. 390 be taken up, out of order, and considered.

So ordered.

FIRST READING OF BILL.

Assembly Bill No. 390—An Act to appropriate money for the erection of a monument at the grave of J. W. Marshall, deceased, the discoverer of gold in California.

Read first time, and placed on file for second reading.

MOTION.

Mr. Williams moved that Senate Bill No. 10 be rereferred to the Committee on Fish and Game.

So ordered.

RESOLUTION—(OUT OF ORDER).

By Mr. McDonnell:

Resolved, That when the House adjourns it adjourns to meet on Monday, February fourteenth, at two o'clock P M

Adopted.

LEAVE OF ABSENCE.

Mr. Carroll, of Committee on Public Buildings and Grounds, asked leave of absence for the committee for the remainder of the day.

Granted.

Mr. McDonnell raised the question of a quorum being present.

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

Messrs Atherton, Bailey, Britt, Burnett, Butler, Callaghan, Carr, Cohen, Colbert, Coombs Cope, Ewing, Gould, Granger, Gruwell, Handy, Heath, Hyde, Knox, Lawrence, Lewis

Mahler, Matthews of San Benito, McClenahan, McDonnell, McGowan, Mitchell, Ohleyer, Price, Regan, Remson, Sherburne, Smyth, Spurgeon, Sykes, Taylor, Toner, Variel, Vincent, Windrow, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr. Speaker.

Quorum present.

SPECIAL FILE.

Assembly Bill No. 464—An Act to provide for the support of the public schools of the State of California by a permanent levy and rate of taxation.

Read first time, and placed on file for second reading.

GENERAL FILE.

Assembly Bill No. 67—An Act to provide for the better protection and security of life and property in the use of steam boilers.

Read first time, and placed on file for second reading.

ADJOURNMENT.

At eleven o'clock and fifteen minutes A. M., on motion of Mr. Variel, the House adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Monday, February 14, 1887.

The House met pursuant to adjournment.

Speaker Jordan in the chair.

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

Messrs Adams, Alexander, Atherton, Bailey, Barry, Barton, Britt, Brown W A, Burnett, Butler, Campbell, Carroll, Cohen, Colbert, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Gruwell, Handy, Hart, Heath, Henry of Butte, Hotchkiss, Hyde, Knox, LaBlanc, Lawrence, Mahler, Martin, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, Mitchell, Morris, Ohlever, Regan, Rucker, Remson, Shanahan, Sherburne, Smyth, Spurgeon, Sykes, Toner, Variel, Vincent, Weber, Windrow, Wright, Young of San Diego, and Mr Speaker

Quorum present.

Prayer by the Chaplain, Rev. E. R. Dille.

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

So ordered

Journal approved.

LEAVE OF ABSENCE.

Mr. Callaghan was granted one day's leave of absence.

RESOLUTION—(OUT OF ORDER).

By Mr. Heath:

WHEREAS, Charges have been made that attempts have been made to change the place of bills upon the files of the Assembly, therefore,

Resolved, That a committee of five be appointed by the Speaker to investigate the said charges, and report their investigations to the House at their earliest convenience

Adopted.

Mr. Hotchkiss gave notice that, on to-morrow, he would move to amend the rules in accordance with the following resolution:

Resolved, That the roll of the Assembly be called each legislative day, at the hour of eleven o'clock, and as the name of each member is called, he shall designate, by title, the number and position on the General File such Assembly Bill as he may desire to be considered. Thereupon, if the Assembly consents to a consideration of such a bill, it shall be considered, and such action taken thereon as shall be consistent with the history of the same. If the legislative day should close before each member's name is called, then the roll shall be commenced on the next day at the name which was called the last on the preceding day; *provided*, that each member shall have the right to call up but one Assembly Bill during this session

MOTION.

At two o'clock and seventeen minutes P M. Mr. Hart moved that the special order set for two o'clock P. M.—the consideration of Assembly Bill No 179—An Act entitled an Act to create the County of Glenn, to establish the boundaries thereof, and to provide for its organization—be now taken up and considered.

So ordered.

The question being, "Shall this bill be read a second time?"

The ayes and noes were demanded by Messrs. Mathews of Tehama, Martin, and Currey of Solano.

The roll was called, and the bill ordered read a second time by the following vote:

AYES—Messrs Adams, Bailey, Barry, Britt, Brown W A, Brown J B, Burnett, Campbell, Carroll, Cohen, Coombs, Cope, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Handy, Hart, Henry of Butte, Henry of San Joaquin, Hotchkiss, LaBlanc, Lawrence, Mahler, Mann, Matthews of San Benito, McClenahan, McDonnell, Mitchell, Morris, Regan, Rucker, Remson, Shanahan, Sherburne, Smyth, Toner, Variel, Weber, Windrow, Wright, and Young of San Diego—43

NOES—Messrs Atherton, Burton, Butler, Currey of Solano, Granger, Gruwell, Heath, Knox, Martin, Mathews of Tehama, Ohleyer, Spurgeon, Taylor, Vincent, Young of San Joaquin, and Mr. Speaker—16

SECOND READING OF BILL.

Substitute for Assembly Bill No 179—An Act entitled an Act to create the County of Glenn, to establish the boundaries thereof, and to provide for its organization.

Read second time.

Mr. Knox moved that the substitute be referred to a select committee of one, to prepare amendments to the bill, so as to eliminate from the bill all reference to the election of officers, and to make the day for holding the election the first Tuesday in April.

Lost

Mr. Hart moved to amend section one, as follows: Amend section one, in line two (2), by inserting, after the word "Colusa," and before the letter "A," the word "County"

Adopted.

Mr. Granger moved to amend section two, as follows. Add to the end of section two the following words: "*Provided*, That all of said new county lying east of the Sacramento River shall not be included in the said new county."

Lost.

LEAVE OF ABSENCE.

The Committee on Fish and Game was granted leave of absence for the day.

Frank D. Ryan was granted leave of absence for the day.

APPOINTMENT OF COMMITTEE.

The Speaker appointed, as a committee on investigation, as per resolution offered by Mr. Heath, the following members: Messrs. Heath, Ewing, Ellsworth, Morris, and Davis.

CONSIDERATION OF SUBSTITUTE TO ASSEMBLY BILL No. 179—(RESUMED)

Mr. Granger moved to amend as follows. Strike out, in lines eight and nine, section two, all after the word "Creek," and insert, in lieu thereof, the following: "Where the south line of Llano Seco Grant intersects said Butte Creek; thence westerly on the Llano Seco Grant to the center of the Sacramento River."

Mr. Mathews of Tehama moved that this bill be referred to a committee of one, with instructions to prepare an amendment to the bill, as above.

Lost.

The question recurring on the amendment offered by Mr. Granger, the amendment was adopted.

Mr. Hyde moved to amend as follows: Amend section four (4), in line two (2), by inserting, after the word "in," and before the word "eighteen," the words "the year."

Adopted.

Mr. Hart moved to amend section five as follows: Amend section five, by adding, after the word "officers," at the end of line five, the following: "And to declare and certify the result and returns of the said election upon the question as to a separate county government."

Adopted.

Mr. Hyde moved to amend as follows: Amend, by adding a new section after section fifteen, to be known as section sixteen, which shall read as follows:

This Act shall take effect and be in force from and after its passage

Adopted.

Mr. Mathews moved to amend section three, by striking out the "Town of Willows," and inserting in lieu thereof the "Town of Germantown."

Lost.

Substitute adopted.

Bill ordered engrossed, and placed on file for third reading.

On motion of Mr. Butler, Assembly Bill No. 270 was taken up and considered.

SECOND READING OF BILL.

Assembly Bill No. 270—An Act to provide an additional Judge of the Superior Court of Tulare County.

Read second time.

The Committee on Judiciary offered the following amendment, which was adopted: Amend, by striking from lines one and two, of

section three, the words "three thousand dollars per annum," and inserting in lieu thereof the words "the same in amount."

Bill ordered engrossed, and placed on file for third reading.

At five o'clock and fifteen minutes P. M. Mr. W. A. Brown moved to adjourn.

Lost.

RESOLUTION—(OUT OF ORDER).

By Mr. Heath:

WHEREAS, It appears from publication in several newspapers of late date, that Jacob Shaen, Engrossing Clerk of the Assembly, is charged with having charged and received for engrossing more money than was due under the laws for the same, thereby defrauding the State, and whereas, it is due to the dignity of this House that these charges shall be investigated, in order that the truth or falsity of said charges may be made known, also, in order that, if untrue the character of the accused may be vindicated, and, if true, that this House may take such action as may seem proper in the premises, therefore,

Resolved, That the Committee on Retrenchment be instructed to investigate said charges, by ascertaining from the office of the Secretary of State the amount of engrossing done by said Jacob Shaen, the amount properly due him therefor, and then ascertain from the office of the State Controller the amount of warrants drawn in favor of said Jacob Shaen for said engrossing, and said committee is directed to report to this House the result of their investigation at their earliest possible convenience

Adopted.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON MILITARY AFFAIRS

ASSEMBLY CHAMBER, SACRAMENTO, February 14, 1887

MR SPEAKER: Your Committee on Military Affairs beg leave to report that we have visited Stockton and San José, and inspected the property of the State of California in the hands of the National Guard at each place, and that the following members and clerk of the committee are entitled to mileage therefor, for two hundred and fifty-six miles: Messrs. Cooley, Searey, O'Grady, LaBlanc, and Clerk Eldred, and your committee recommend the adoption of the following

Resolved, That the Controller be and he is hereby directed to draw his warrant upon the funds for the appropriation for the contingent expenses of the Assembly, for the sum of one hundred and twenty-eight dollars, in favor of F. M. Cooley, for mileage of the Committee on Military Affairs, as set forth in the foregoing report, and the Treasurer is hereby directed to pay the same

COOLEY, Chairman.

Resolution referred to Committee on Mileage.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February —, 1887

MR SPEAKER: Your Committee on Engrossment beg leave to report that the following Assembly Bills have been correctly engrossed

Nos. 19, 208, 256, 258, 262, 50, 137, 175, 236, 324, 339, 266, 22, 39, 56, 259, and 395.

WINDROW, Chairman

ON PUBLIC BUILDINGS AND GROUNDS.

ASSEMBLY CHAMBER, SACRAMENTO, February 14, 1887.

MR SPEAKER: Your Committee on Public Buildings and Grounds, to whom was referred Assembly Bill No. 403—An Act to provide for the permanent improvements at the California Home for the Care and Training of Feeble-Minded Children, and to appropriate money therefor—respectfully report the same back, and recommend that it do pass, as substituted for Assembly Bill No. 149 (No. 269 on the Journal File of this date), the author concurring

CARROLL, Chairman.

ON MUNICIPAL CORPORATIONS

ASSEMBLY CHAMBER, SACRAMENTO, February 14, 1887

MR SPEAKER: Your Committee on Municipal Corporations, to whom was referred Assembly Bill No. 284—An Act to amend Chapter III of an Act to provide for the organization, incorporation, and government of municipal corporations, approved March 18, 1883—respectfully report the same back, and recommend that it do pass.

KNOX, Chairman.

RESOLUTION.

By Mr. Taylor:

Resolved, That Senate Bill No. 140 (No 270 on the General File) be substituted for Assembly Bill No 167 (No 236 on the General File), and that Senate Bill No 163 (No 271 on the General File) be substituted for Assembly Bill No 168 (No 237 on the General File), in pursuance to the recommendation of the Committee on Ways and Means, and that said Senate Bills Nos 140 and 163 be placed upon the Special File

Adopted.

INTRODUCTION OF A BILL—(OUT OF ORDER).

The following bill was introduced, read by title, and referred to committee, as follows:

By Mr. W. A. Brown: Assembly Bill No. 510—An Act to regulate and fix the charges and fees of Sheriffs throughout the State of California for keeping property.

Referred to Committee on Judiciary.

PETITIONS.

By Mr. Davis: Relating to the injury of the fish in Lake Tahoe.

Referred to Committee on Fish and Game.

REPORTS OF STANDING COMMITTEES.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, February 14, 1887

MR SPEAKER Your Committee on Judiciary, to whom was referred Assembly Bill No 291—An Act to amend section one thousand and thirty-two of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to different classes of officers

Also, Assembly Bill No 293—An Act to amend section one thousand two hundred and sixty-five of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to homesteads

Also, Assembly Bill No 406—An Act to amend an Act entitled an Act concerning actions for libel and slander, passed March 23, 1872

Have considered the same, and now report them back, and recommend that they do not pass

Also, Assembly Bill No 320—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by amending section seven hundred and thirty-nine, relating to salaries of officers connected with the Supreme Court

Also, Assembly Bill No 341—An Act to amend and supplement an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, and to add a new article thereto, to be known as Article V, of Chapter VII, of Title XI, of Part III, for the purpose of authorizing executors and administrators to make mortgages and leases of the real estate of decedents

And report the same back, with amendments, and recommend that they do pass, as amended

Also, Assembly Bill No 334—An Act to amend section two hundred and fifty-eight of the Code of Civil Procedure, relating to Court Commissioners—and recommend that it do pass

Also, Assembly Bill No 422—An Act to amend section three thousand six hundred and twenty-seven of the Political Code, relating to taxation—and report the same back, without recommendation.

Also, Assembly Bill No 413—An Act to amend section three thousand seven hundred and forty-eight of the Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to place where taxes may be paid—and recommend, in pursuance of his request herein, that the author have leave to withdraw the same

VARIEL, Chairman

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, February 14, 1887.

MR SPEAKER Your Committee on Ways and Means, to whom was referred Assembly Bill No 410—"An Act to provide for the deficiency in the appropriation for repairs to the State Capitol building, for the thirty-seventh fiscal year."

Also, Assembly Bill No 474—An Act to provide for the grading of that portion of the State Capitol park lying east of Twelfth Street, and to appropriate money to pay for the same

Also, Senate Bill No 66—An Act to provide for the deficiency in the appropriation for official advertising, for the thirty-eighth fiscal year

Also, Senate Bill No 270—An Act to amend an Act entitled "An Act making an appropriation for the establishment of a permanent fund for the purchase of jute, to be manufactured at the State Prison at San Quentin," approved March 9, 1885, and making an additional appropriation therefor

Also, Assembly Bill No 408—An Act to appropriate money to pay the rent of the Hastings College of Law from December 1, 1885, until January 30, 1887

Also, Assembly Bill No 441—An Act to provide for the deficiency in the appropriation for the restoration and preservation of fish in the waters of the State, for the thirty-sixth fiscal year

Also, Assembly Bill No 444—An Act to provide for the deficiency in the appropriation for the salary of Deputy Supreme Court Reporter, during the thirty-eighth fiscal year

Also, Assembly Bill No 440—An Act to provide for the deficiency in the appropriation for the restoration and preservation of fish in the waters of the State, for the thirty-eighth fiscal year

Report the same back, and recommend that they do pass

TAYLOR, Chairman.

ON PUBLIC BUILDINGS AND GROUNDS.

ASSEMBLY CHAMBER, SACRAMENTO, February 14, 1887.

MR SPEAKER: Your Committee on Public Buildings and Grounds beg leave to report that they have visited the Insane Asylum at Stockton, and are entitled to mileage as follows Messrs. Carroll, Campbell, Rucker, Hotchkiss, Martin, Ellsworth, Davis, Currey, Henry, and Clerk Jackson, each from Sacramento to Stockton and return, ninety-six miles.

CARROLL, Chairman.

Referred to Committee on Mileage.

ON FISH AND GAME

ASSEMBLY CHAMBER, SACRAMENTO, February 14, 1887.

MR SPEAKER Your Committee on Fish and Game, to whom was referred Senate Bill No 10—An Act to amend section six hundred and ninety of an Act entitled an Act to establish a Code of Civil Procedure, adopted March 11, 1872, by adding a new article, exempting fishing boats and nets from execution—report back, and recommend its passage.

ATHERTON, Acting Chairman

ON COUNTY AND TOWNSHIP GOVERNMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, February 14, 1887

MR SPEAKER Your Committee on County and Township Governments, to whom was referred the duty of consolidating bills introduced and proposed, affecting the County Government Act, report at this time a compliance with the order of the House, and that the following bills introduced and proposed, and affecting the sections specified, have been so consolidated

BILLS INTRODUCED			BILLS PROPOSED.		
Author	Assembly Bill	Section of Act Affected	Author	Assembly Bill	Section of Act Affected
Brierly	323	17	Remson		25
Davis	279	25	Bailey		164
Henry of Butte	186	25	Taylor		166
Handy	238	162	Knox		167
Brooks	137	164	Adams		180
Wilcox	235	164	Heath		186
Currey of Solano	388	172	Shanahan		187
Handy	237	178, 179	Young	20	193
Wright	345	191	Variel		198
Barton	56	211			
Atherton	506	218			

HANDY, Acting Chairman.

On motion of Mr. Handy, the usual number of bills of substitute for the above bills was ordered printed.

MOTION.

At five o'clock and twenty minutes P. M. Mr. Lawrence moved to adjourn.

Lost.

ON ACCOUNTS AND EXPENDITURES.

ASSEMBLY CHAMBER, SACRAMENTO, February —, 1887

MR SPEAKER Your Committee on Accounts and Expenditures visited the Institution for the Deaf and Dumb and the Blind, at Berkeley, on the thirteenth instant

We made a careful examination of the books and accounts of the institution, and found everything in a very satisfactory condition Your committee considers the system of accounts used at this institution an admirable one, and as perfect as can be devised for a public institution, it shows in its application a perfect check upon the Treasurer and other officers handling the finances and accounts, at the same time showing, in detail, all the receipts and disbursements, making an audit of the accounts easy and satisfactory

All claims against the institution are made up and presented in triplicate These bills are carefully compared with the receipt book at the institution, the various multiplications, etc, gone through with, and, at the end of the month, they are systematically arranged and sent to the Auditor One set of bills is kept at the Treasurer's office in Oakland, the duplicate bills are filed at the institution, and the triplicates are sent to the Board of Examiners at Sacramento, who pass upon all the claims before they are paid The duplicate bills, covering every item of expense, and running back for more than ten years, we found carefully filed in the Principal's office, neatly and systematically arranged for easy reference These bills are not filed till they are paid and receipted—the same system is used by the Treasurer—so mistakes are nearly impossible

The books at the institution show that the expense of running the institution for the two years ending June 30, 1886, was ninety-one thousand three hundred and seventy-three dollars and twenty cents, an amount a little less than the appropriation made by the last Legislature We compared the figures in the printed biennial report with the books from which these accounts were made, and found they agreed in every case

It has been charged that this institution is extravagant in its management In this connection we desire to present the following statement, which we made from the printed official reports of eight similar institutions in the East, showing that the per capita cost here is far below the average

INSTITUTIONS	Per Capita Cost per Year
Massachusetts, deaf and dumb	$307 00
Massachusetts, blind	300 00
Hartford, deaf and dumb	289 00
New York, deaf and dumb	271 00
New York, blind	274 00
Pennsylvania, deaf and dumb	271 00
Pennsylvania, blind	296 00
Washington, D. C, deaf and dumb	549 00
	$2,554 00
Average of eight institutions	319 00
California institution, per capita	276 00
California institution, on average attendance	287 00

The amount in each case is based upon the number of pupils enrolled. We find that the standard of servants' wages in California is almost double that paid in the east The average monthly wages paid at this institution is twenty-six dollars, the average paid in the institutions named, thirteen dollars and fifty cents

Your committee inspected the various buildings, dormitories, kitchen, storerooms, etc, and found everywhere cleanliness and order

No increase of appropriation is asked for

W. A. BROWN, Chairman

INTRODUCTION OF BILLS—(OUT OF ORDER).

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

By Mr. Carroll: Assembly Bill No. 511—An Act to provide for compiling, illustrating, electrotyping, printing, binding, copyrighting, and distributing certain books of a State series of school text-books, and appropriating money therefor.

Referred to Committee on Education.

Also, Assembly Bill No 512—An Act to amend section one thousand seven hundred and seventy-one of "An Act to establish a Political Code," approved March 12, 1872, in relation to the powers of County Boards of Education.

Referred to Committee on Education.

Also, Assembly Bill No. 513—An Act to add three new sections to an Act entitled "An Act to establish a Political Code," approved March 12, 1872, to be numbered four hundred and forty-four, one thousand six hundred and twenty-five, and one thousand six hundred and eighty-two, respectively, in relation to the duties of Controller and Trustees of school districts as to apportionment of moneys, the enrollment of pupils in the Grammar School course, and to provide for the same, and to amend sections one thousand five hundred and thirty-two, one thousand five hundred and thirty-three, one thousand five hundred and forty-three, and one thousand six hundred and ninety-six of said Act, in relation to pupils enrolled in the Grammar School course, the duties of the Superintendent of Public Instruction, County Superintendents, and teachers, in relation thereto, and the apportionment of moneys appropriated therefor.

Referred to Committee on Education.

Also, Assembly Bill No. 514—An Act to amend section one thousand seven hundred and seventy-three of "An Act to establish a Political Code," approved March 12, 1872, in relation to the examination of applicants to teach in the public schools.

Referred to Committee on Education.

Also, Assembly Bill No. 515—An Act to add a new section to an Act to establish a Political Code, approved March 12, 1872, to be numbered section one thousand six hundred and sixty-nine, in relation to the manner in which studies shall be taught in the grammar course and grammar grade, and prescribing the duties of teachers, principals, and County Superintendents in relation thereto.

Referred to Committee on Education

By Mr. Rucker: Assembly Bill No. 516—An Act to provide for the compensation of attorneys appointed by Superior Courts to defend persons accused of crime, to be tried in such Courts.

Referred to Committee on Judiciary.

By Mr. Alexander: Assembly Bill No. 517—An Act to create the County of San Leandro, to define its boundaries, and to provide for its organization.

Referred to Committee on Counties and County Boundaries.

By Mr. Taylor: Assembly Bill No. 518—An Act to amend sections one thousand one hundred and twenty-nine, one thousand one hundred and sixty, one thousand one hundred and ninety-two, one thousand two hundred and three, one thousand two hundred and four, one thousand two hundred and twelve, one thousand two hundred and twenty-five, one thousand two hundred and twenty-six, one thousand two hundred and twenty-seven, one thousand two hundred and forty-two, and one thousand three hundred and fifty-eight 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 elections.

Referred to Committee on Elections.

At five o'clock and forty minutes P. M., Mr. Windrow moved to adjourn.

Lost.

RECESS.

At five o'clock and forty-five minutes P. M., on motion of Mr. Knox, the House took a recess until eight o'clock P. M.

REASSEMBLED.

At eight o'clock P. M. the House reassembled.

Speaker Jordan in the chair.

Quorum present.

SPECIAL FILE—FIRST READING OF BILLS.

Assembly Bill No. 2—An Act to amend an Act entitled an Act to provide for the organization, incorporation, and government of municipal corporations, approved March 13, 1883, and to add certain sections thereto and repeal certain sections thereof.

Read first time, and placed on file for second reading.

Assembly Bill No. 120—An Act to amend an Act entitled an Act to amend an Act to incorporate the Town of Chico, Butte County, California, approved March 23, 1878.

Read first time, and placed on file for second reading.

Assembly Bill No. 404—An Act to amend sections seven hundred and fifty-two, seven hundred and fifty-five, seven hundred and fifty-eight, seven hundred and sixty-three, seven hundred and sixty-four, seven hundred and sixty-five, seven hundred and sixty-six, seven hundred and sixty-seven, seven hundred and sixty-nine, seven hundred and seventy-one, seven hundred and seventy-two, seven hundred and seventy-three, seven hundred and seventy-seven, seven hundred and seventy-eight, seven hundred and eighty-six, seven hundred and eighty-eight, seven hundred and eighty-nine, and seven hundred and ninety of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Read first time, and placed on file for second reading.

Mr. J. H. Matthews in the chair.

Assembly Bill No. 284—An Act to amend Chapter III of an Act to provide for the organization, incorporation, and government of municipal corporations, approved March 13, 1883.

By unanimous consent, read first time, and placed on file for second reading.

ADJOURNMENT.

At eight o'clock and forty-eight minutes P. M., on motion of Mr. Hyde, the House adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Tuesday, February 15, 1887.

The House met pursuant to adjournment.

Speaker Jordan in the chair.

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

Messrs. Adams, Alexander, Atherton, Bailey, Barry, Britt, Brown W. A., Burnett, Butler, Callaghan, Campbell, Cohen, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Gruwell, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hyde, Knox, LaBlanc, Lawrence, Mahler, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, Mitchell, Morris, Ohlever, Price, Regan, Rucker, Remson, Searey, Shanahan, Sherburne, Smyth, Spurgeon, Taylor, Toner, Variel, Venable, Vincent, Weber, Williams, Windrow, Wright, Young of San Diego, Young of San Joaquin, and Mr Speaker

Quorum present.

Prayer by the Chaplain, Rev. E. R. Dille.

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

So ordered.

Journal corrected and approved.

PETITIONS.

Mr. LaBlanc presented a petition from citizens of San Francisco, petitioning for the enactment of laws requiring instruction in physiology and hygiene.

Referred to Committee on Education.

Mr. Heath presented a petition of like nature.

Mr. Britt presented a petition of like nature.

Mr. Barton presented a petition of like nature.

The petitions were referred to Committee on Education.

LEAVE OF ABSENCE.

Mr. Hotchkiss was granted one day's leave of absence, on account of sickness.

MOTION.

Mr. Rucker moved that the rules be suspended, and that Assembly Bills Nos. 400 and 493 be taken up, out of order, and considered.

So ordered.

FIRST READING OF BILLS.

Assembly Bill No. 400—An Act to provide for the erection of additional buildings for the use of the chronic insane.

Read first time, and placed on file for second reading.

Assembly Bill No. 493—An Act to provide for permanent improvements at the "California Home for the Care and Training of Feeble-Minded Children," and to appropriate money therefor.

Read first time, and placed on file for second reading.

MOTION.

Mr. Adams moved that the rules be suspended, and that Assembly Bills Nos. 348 and 442 be taken up, out of order, and considered.

So ordered.

FIRST READING OF BILLS.

Assembly Bill No. 348—An Act to amend sections three thousand four hundred and fifty-two, three thousand four hundred and fifty-three, and three thousand four hundred and fifty-four of the Political Code, relative to the adoption of by-laws, the election of Trustees, their powers, duties, and compensation, in reclamation districts of this State.

Read first time, and placed on file for second reading.

Assembly Bill No. 442—An Act to amend section three thousand eight hundred and sixty-two of the Political Code, relative to the collection of poll taxes.

Read first time, and placed on file for second reading.

MOTION.

Mr. Young of San Joaquin moved that the rules be suspended, and that Assembly Bills Nos. 180 and 80 be taken up, out of order, and considered.

So ordered.

FIRST READING OF BILLS.

Assembly Bill No. 180—An Act authorizing County Clerks in this State to take and certify affidavits for United States pension claimants without the payment of fees or compensation therefor.

Read first time, and placed on file for second reading.

Assembly Bill No. 80—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 six hundred and three, providing for the formation of certain religious corporations.

Read first time, and placed on file for second reading.

MOTION.

Mr. Campbell moved that the rules be suspended, and that Assembly Bill No. 456 be taken up, out of order, and considered.

So ordered.

FIRST READING OF BILL.

Assembly Bill No 456—An Act to amend sections three thousand nine hundred and nine and three thousand nine hundred and thirteen of the Political Code, relating to the boundaries of Del Norte and Siskiyou Counties.

Read first time, and placed on file for second reading.

On motion of Mr Campbell, Assembly Bill No. 456 was ordered placed on Special File.

On motion of Mr. Knox, Assembly Bill No. 232 was ordered placed on Special File.

MOTION.

Mr. Hyde moved to suspend the rules, and take up Assembly Bill No. 363, out of order, and consider the same.

So ordered.

Assembly Bill No. 363—An Act to provide for the deficiency in the appropriation for the restoration and preservation of fish in the waters of the State, for the thirty-seventh fiscal year.

Mr. Hyde moved that this bill be placed upon the Special File.

So ordered, on a division—ayes, 22, noes, 6.

MOTION.

Mr. Martin moved that the rules be suspended, and that Assembly Bill No. 147 be taken up, out of order, and considered.

Lost on division—ayes, 18; noes, 11.

REPORTS OF STANDING COMMITTEES.

ON YOSEMITE VALLEY AND MARIPOSA GROVE OF BIG TREES AND FORESTRY.

ASSEMBLY CHAMBER, SACRAMENTO, February 15, 1887

MR SPEAKER: Your Committee on Yosemite Valley and Mariposa Grove of Big Trees and Forestry, to whom was referred Senate Bill No 42—"An Act to enlarge the powers of the State Board of Forestry, and to provide for the expenses of said Board"—have examined the same, and would report back the amended Senate Bill No 42 as a substitute, and recommend that the substitute do pass.

HEATH, Chairman

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, February 15, 1887

MR SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No 495—An Act to provide for the appointment of a Code Commissioner

Also, Assembly Bill No 496—An Act to protect life and property against the careless and malicious use or handling of dynamite and other high explosives.

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

VARIEL, Chairman

ON CLAIMS

ASSEMBLY CHAMBER, SACRAMENTO, February 14, 1887

MR SPEAKER: Your Committee on Claims, to whom was referred Assembly Bill No 416—An Act to pay the claim of Richard O'Connor for the permanent injury to his horse—report the same back, and recommend that it do pass, as amended

Also, Assembly Bill No 253—An Act to appropriate the sum of two thousand five hundred dollars for the relief of George W. Mayberry

Also, Assembly Bill No 488—An Act to appropriate the sum of ten thousand dollars to the National Bi-Metallic Coinage Association, for the advancement of the mining interests of the State of California

And recommend that they do pass

Also, Assembly Bill No 333—An Act to enable William B Todhunter, James Reid, George Cooper, Henry Lienberger, John Hoagland, and Mary W G Van Arsdall to sue the State of California—report the same back, without recommendation

Also, Assembly Bill No 462—An Act to ascertain the loss and damage suffered and sustained by the Coulterville and Yosemite Turnpike Company, a corporation, by the construction of a road by the Yosemite Turnpike Road Company, under and by virtue of an Act of the Legislature of the State of California entitled "An Act granting the right of way to the Yosemite Turnpike Road Company over the Yosemite Grant," approved February 17, 1874, and for the relief of the said Coulterville and Yosemite Turnpike Company—report the same back, and recommend that it do pass

NESTOR A. YOUNG, Chairman.

ON PUBLIC MORALS.

ASSEMBLY CHAMBER, SACRAMENTO, February 15, 1887.

MR SPEAKER: Your Committee on Public Morals, to whom was referred Assembly Bill No. 487—An Act to prohibit bookmaking—report the same back, and recommend that it do not pass.

Also, Assembly Bill No 476—An Act to amend section three hundred and twenty-two of the Penal Code, to define and prohibit advertising, aiding, or drawing any lottery, or disposing or selling of lottery tickets, or any share in lotteries

Also, Assembly Bill No 485—An Act to regulate private detectives

Report the same back, and recommend that they do pass

R J. CURREY, Chairman

ON COUNTIES AND COUNTY BOUNDARIES.

ASSEMBLY CHAMBER, SACRAMENTO, February 15, 1887

MR SPEAKER Your Committee on Counties and County Boundaries, to whom was referred Assembly Bill No 418—An Act to create a County of Lorraine, to define its boundaries, and to provide for its organization—report the same back, with request that the author be permitted to withdraw it

Your committee also respectfully request that the bill now pending providing for an additional Judge of the Superior Court of Tulare County be amended so as to provide that said Judge, when elected or appointed, shall hold the sessions of his Court in Hanford, in said county

Also, Assembly Bill No 170—An Act to amend section eight hundred and forty-one of the Civil Code of this State, relating to boundaries—report the same back, and recommend that the author be allowed to withdraw it.

R J CURREY, Chairman

Assembly Bills Nos. 418 and 170 withdrawn by their authors, with consent of the House.

ON MUNICIPAL CORPORATIONS

ASSEMBLY CHAMBER, SACRAMENTO, February 15, 1887

MR SPEAKER Your Committee on Municipal Corporations, to whom was referred Assembly Bill No 494—An Act to amend section eight hundred and fifty-one of the Municipal Corporation Act—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

KNOX, Chairman

The Committee on Corporations asked further time to consider Assembly Bills Nos. 346, 389, 455, and 443.

Granted.

REPORT OF SPECIAL COMMITTEE.

ON SAVINGS BANKS

MR SPEAKER Your Committee on Saving Banks, to whom was referred Assembly Bill No 402—"An Act for the government of savings banks, and for the protection of depositors in the same"—has given the subject careful consideration, and begs leave herewith to present a substitute for said Assembly Bill No 402, and to recommend that the substitute do pass

The committee desires to call your attention to facts set forth in the last report of the Bank Commissioners of date August 10, 1886, covering the subject of savings banks in this State, and showing, by the statements of the banks themselves, that in the interest of depositors, and to restrain the greed of those who bid for the care of the sweat savings of the frugal poor, the State cannot take action too soon

Without drawing invidious distinctions, it may be said that in one case, and that one the second largest savings bank in the State the Board of Directors confessed, in its report, that while it pays only three and three-quarters per cent dividend to its depositors, it pays its stockholders thirteen and one third per cent, that is to say, the toiler's hard earned one thousand dollars receives thirty-seven and fifty one hundredths dollars, and the one thousand dollars of the banker is allotted one hundred and thirty-three and thirty-three one hundredths dollars

Another large savings bank pays depositors four per cent, and its stockholders twelve per cent, and so on down a scale towards honesty until the demands of the banker are met by an advance of only about one hundred per cent over payments to depositors With one solitary exception, so far as this committee has been able to determine, the banks systematically take large sums from the earnings of deposits, and place them in funds called "Reserve and Profit and Loss," and "Contingent," and "Other Liabilities," in this way alienating such moneys from the real owners, and placing them where, "if they will not do the most good," at least where they can be most easily manipulated In one flagrant case this fund, wrongfully taken from the poor, has reached the enormous sum of one million and a half ($1,500,000) of dollars

Such unjust financiering should be prohibited by law The natural outgrowth of a first step in "tithing" the earnings of deposits—in robbing depositors of ten per cent of their

earnings—may be seen in a practice of extravagant, conscienceless fees to officers, its President, Secretary, and Board of Directors, and its attorney made a millionaire in a decade, its "uncles, and cousins, and aunts" pensioned for life, and sinecure "expertships" created and made "gilt-edged" for the benefit of decayed friends. Why not, when all these things can be done with the money of the poor?

The committee is in the possession of much reliable and specific data, which it will bring forward for your consideration whenever it shall be your pleasure to grant it a hearing.

Your committee is of the opinion that the Bank Commissioners should make a searching investigation, bring these practices to the light of day, and under the provisions of the bill herewith recommended for passage, to apply a remedy.

LABLANC, Chairman.

RESOLUTION.

By Mr. LaBlanc:

Resolved, That five hundred copies of the report of the Special Committee on Savings Banks be printed immediately for the use of the members.

Adopted.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 14, 1887.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, adopted the following:

Senate Bill No. 65—An Act creating and adding two new sections to the Code of Civil Procedure of the State of California, to be known as sections number three hundred and ninety-one and one thousand and forty, and amending sections three hundred and ninety-four and four hundred and eleven of the same Code, authorizing and regulating actions against the State of California.

ED. H. HAMILTON, Secretary.

Senate Bill No. 65 referred to Committee on Judiciary.

INTRODUCTION OF BILLS.

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

By Mr. Hyde: Assembly Bill No. 519—An Act to establish the California State Weather Service, and making an appropriation therefor.

Referred to Committee on Ways and Means.

By Mr. Knox: Assembly Bill No. 520—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by adding three new sections thereto, to be known as sections two hundred and ninety-nine, three hundred, and three hundred and one, relating to the observance of Sunday.

Referred to Committee on Public Morals.

By Mr. Davis: Assembly Bill No. 521—An Act relating to the dissolution and modification of injunctions, and amending sections five hundred and thirty and five hundred and thirty-two of the Code of Civil Procedure.

Referred to Committee on Judiciary.

By Mr. Knox: Assembly Bill No. 522—An Act to provide for the establishment of Police Courts in all cities of this State containing over ten thousand and less than one hundred thousand inhabitants, to prescribe the duties of the Judge of such Court, to provide for the compensation of the Judge thereof, and the disposition of fines and forfeitures by him collected, and to provide for the election and appointment of such Judge.

Referred to Committee on Judiciary.

CONSTITUTIONAL AMENDMENT.

By Mr. Granger: Assembly Constitutional Amendment No. 19—Proposing to the people of the State of California an amendment to the Constitution of the State, relating to the regulation and control by this State of the waters thereof for beneficial use and ends.

Referred to Committee on Constitutional Amendments.

MOTIONS.

Mr. W. A. Brown moved that Assembly Bill No. 129 be made a special order for to-morrow, at two o'clock P. M.

So ordered, on a division—ayes, 30; noes, 15.

Mr. Hyde moved that the rules be suspended, and that Assembly Bill No. 10 be placed at the head of the Special File.

Mr. Cohen moved to amend, by including Assembly Bill No. 117.

Amendment lost.

The question recurring on motion of Mr. Hyde to place Assembly Bill No 10 at the head of the Special File, the same was lost.

Mr. Taylor moved that Assembly Bill No. 148 be placed on the Special File.

Lost.

Mr. Variel moved that the rules be suspended, and that Assembly Bills Nos 444 and 110 be taken up, out of order, and considered.

Lost.

SPECIAL FILE.

Assembly Constitutional Amendment No. 2—To propose to the people of the State of California an amendment to the Constitution of the State, relative to irrigation.

Temporarily passed on file.

Mr. Mathews of Tehama moved that all constitutional amendments be passed on file.

So ordered.

Assembly Constitutional Amendments Nos. 5, 7, 10, 11, 13, and 14, so passed on file

SECOND READING OF BILLS.

Assembly Bill No. 464—An Act to provide for the support of the public schools of the State of California, by a permanent levy and rate of taxation.

Read second time, ordered engrossed, and placed on file for third reading.

CONSIDERATION OF SPECIAL ORDER.

The special order set for this hour, eleven o'clock and thirty minutes A. M., consideration of Assembly Bill No. 12—An Act to provide for the organization and government of irrigation districts, and to provide for the organization and distribution of waters thereby for irrigation purposes—was taken up.

Second reading of Assembly Bill No. 12.

RECESS.

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

REASSEMBLED.

At two o'clock P. M. the House reassembled.
Speaker Jordan in the chair.
Quorum present.

CONSIDERATION OF ASSEMBLY BILL No 12—(RESUMED)

Bill read second time.

Committee amendments, as follows, were adopted:

Amend section one, line one, printed copy: after the word "fifty," insert the words "or a majority of," also, strike out the word "of," after the word "freeholders," and insert, in lieu thereof, the word "owning."

Amend section two as follows: in line two, by striking out the words "at least fifty," after the word "by," and insert, in lieu thereof, the words "the required number of;" also, on line five, of printed copy, after the word "Act," insert the words "The petitioners must accompany the petition with a good and sufficient bond, to be approved by the said Board of Supervisors, in double the amount of the probable cost of organizing such district, conditioned that the bondsmen will pay all said cost, in case said organization shall not be effected;" also, on line sixteen, in printed copy, strike out the words "not susceptible of," after the word "lands," and insert the words "which will not, in the judgment of the said Board, be benefited by," in lieu thereof; also, on line seventeen, after the word "district," "Said Board shall also make an order dividing said district into five divisions, as nearly equal in size as may be practicable, which shall be numbered First, Second, Third, Fourth, and Fifth, and one Director shall be elected from each district;" also, on line nineteen, strike out the word "particularly," after the word "shall;" also, on line twenty, strike out the word "the," after the word "and," also, on line twenty-one, strike out the word "same," and insert the words "said notice," in lieu thereof, also, on line twenty-three, strike out the words "the same," after the word "then," and insert, in lieu thereof, the words "said notice;" also, on line twenty-five, strike out the word "For," after the word "woods," and insert the words "District, Yes," after the word "Irrigation," also, on line twenty-five, strike out the word "Against," after the word "or," and insert the words "District, No," after the word "Irrigation:" also, on line twenty-six, insert the words "to be," after the word "persons:" also, on line twenty-six, after the word "prescribed," insert the words "No person shall be entitled to vote at any election held under the provisions of this Act unless he shall be a land owner, and shall, in addition thereto, possess all the qualifications required of electors under the general election laws of this State."

Amend section three, line three, printed copy, insert the word "second," after the word "the," also, on line five, strike out the word "For," and insert, after the word "Irrigation," the words "District, Yes;" also, on line nineteen, strike out the words "only until the next general election to be held in said district," and after the word "respectively."

Amend section four, as follows, on line three, in printed copy, strike out the word "tax," after the word "a," also, on line five, strike out the words, "if at any election two or more persons received

an equal," after the word "thereto," also, strike out all of line six; also, in line seven, strike out the words "by the Board of Directors," also, in line ten, strike out the word "tax," after the word "the;" also, on line fifteen, insert, "and shall be recorded in the office of the County Recorder thereof, and filed with the Secretary of said Board," after the word "effected."

Amend section five, as follows: on line four, of printed copy, insert the words "in the office of said Board," after the word "same;" also, on line five, strike out the words "in the office of the Board," after the word "precinct."

Amend section eight, as follows: on line eight, of printed copy, strike out the words "of the ballots," and insert, in lieu thereof, the word "thereof," after the word "counting."

Amend section ten, as follows: on line fourteen, of printed copy, by striking out the words "Judge of Superior Court," after the word "the," and insert, in lieu thereof, the words "Board of Supervisors."

Amend section twelve, as follows: on line twenty-four, in printed copy, by striking out the words "*provided*, that navigation shall never in anywise be impaired by operation of this Act," after the word "purposes."

Amend section eighteen, as follows: on line one, in printed copy, by striking out the figures "18," and inserting the figures "16" in lieu thereof; also, the word "necessary," and insert the word "and" in lieu thereof; also, on line two, strike out the word "canal," after the word "said," and insert the word "canals;" also, on line eight, by striking out the words "San José, Stockton;" also, on line thirteen insert the words "But said Board shall in no event sell any of said bonds for less than ninety per cent of the face value thereof," after the word "bids."

Amend section nineteen, as follows: on line one, of printed copy, by striking out the figures "19," and inserting the figures "17" in lieu thereof; also, on line one, by striking out the word "a," after the word "by;" also, on line two, by striking out the word "tax," after the word "amend," and inserting the word "assessment" in lieu thereof; also, on line two, by inserting the word "real," after the words "upon the;" also, on line two, by inserting the word "real," after the words "all the," also, on line three, by striking out the word "taxed," after the words "to be," and inserting the word "assessed" in lieu thereof.

Amend section twenty, as follows: on line one, of printed copy, by striking out the figures "20," and inserting the figures "18" in lieu thereof; also, on line two, by striking out the words "ascertain the names of all taxable inhabitants." after the word "year," and insert the word "assess" in lieu thereof; also, on line two, insert the word "real," after the word "all," also, in line three, by striking out the words "subject to taxation and must assess such property," after the word "district;" also, on line five, by inserting the word "such" after the word "all," also, by striking out all of lines fifteen, sixteen, and seventeen; also, on line eighteen, by striking out the word "Fifth" and inserting the word "Fourth" in lieu thereof; also, on line nineteen, by striking out the word "Sixth" and inserting the word "Fifth" in lieu thereof; also, on line twenty, by striking out the word "Seventh" and inserting the word "Sixth" in lieu thereof; also, on line twenty-one, by striking out the word "Eighth" and inserting the word "Seventh" in lieu thereof, also, on line twenty-two,

by striking out the word "Ninth" and inserting the word "Eighth" in lieu thereof; also, by striking out all of lines twenty-four and twenty-five; also, on line twenty-six, by striking out the word "Twelfth" and inserting the word "Ninth" in lieu thereof; also, on line twenty-seven, by striking out the word "Thirteenth" and inserting the word "Tenth" in lieu thereof: also, on line twenty-eight, by striking out the word "Fourteenth" and inserting the word "Eleventh" in lieu thereof.

Amend section twenty-one, as follows: on line one, printed copy, by striking out the figures "21," and inserting the figures "19" in lieu thereof.

Amend section twenty-two, as follows: on line one, printed copy, by striking out the figures "22," and inserting the figures "20" in lieu thereof.

Amend section twenty-three, as follows: on line one, printed copy, by striking out the figures "23," and inserting the figures "21" in lieu thereof.

Amend section twenty-four, as follows: on line one, printed copy, by striking out the figures "24," and inserting the figures "22" in lieu thereof: also, on line one, by striking out the words "a tax," and inserting the words "an assessment," in lieu thereof, after the word "levy;" also, on line three, by striking out the word "tax," and inserting the word "assessment," in lieu thereof, after the word "said," also, on line eleven, by striking out the words "a tax," and inserting the words "an assessment," in lieu thereof, after the word "as," also, on line eleven, by striking out the word "tax," and inserting the word "assessment," in lieu thereof, after the words "collected the."

Amend section twenty-five, as follows: on line one, printed copy, by striking out the figures "25," and inserting the figures "23" in lieu thereof; also, on line one, by striking out the word "tax," after the word "the," and insert the word "assessment" in lieu thereof, also, on line one, by striking out the words "and the," after the word "assessed," also, on line two, by striking out the words "tax due upon personal property in a lien upon the real property of the owner thereof;" also, on line four, by striking out the word "taxes," and inserting the word "assessment" in lieu thereof

Amend section twenty-six, as follows: on line one, printed copy, by striking out the figures "26," and inserting the figures "24" in lieu thereof; also, on line two, by striking out the word "tax," after the word "the;" also, on line four, by striking out the word "taxes," after the word "said," and inserting the word "assessments," in lieu thereof; also, on line seven, by striking out the word "taxes," after the word "of," and inserting the word "assessments," in lieu thereof; also, on line nine, by striking out the word "taxes," after the word "of," and inserting the word "assessments," in lieu thereof; also, on line eleven, by striking out the word "tax," after the word "the;" also, on line twelve, by striking out the word "taxes," after the word "receive," and inserting the word "assessments," in lieu thereof: also, on line thirteen, by striking out the word "tax," after the word "any," and inserting the word "assessment," in lieu thereof; also, on line fifteen, by striking out the words "tax paid," after the words "and the," and inserting the words "amount paid;" also, on line sixteen, by striking out the word "taxes," after the word "unpaid," and inserting the word "assessments," in lieu thereof;

also, on line sixteen, by striking out the word "tax," after the word "the."

Amend section twenty-seven, as follows: on line one, printed copy, by striking out the figures "27," and inserting the figures "25" in lieu thereof; also, on line one, by striking out the word "tax," after the word "the," also, on line three, by striking out the word "taxes," after the words "of the," and inserting the word "assessments" in lieu thereof; also, by striking out all of line four; also, on line five, by striking out the words "estate is liable therefor or the several taxes are due from the same person;" also, on line five, insert the word "to," after the word "append;" also, on line six, by striking out the word "taxes," after the words "unless the," and inserting the word "assessments" in lieu thereof. also, on line seven, by striking out the word "taxes," after the word "such," and inserting the word "assessments" in lieu thereof; also, on line twelve, by striking out the word "tax," after the word "the."

Amend section twenty-eight, as follows: on line one, printed copy, by striking out the figures "28," and inserting the figures "26" in lieu thereof; also, on line one, by striking out the word "taxes," after the word "the," and inserting the word "assessments" in lieu thereof; also, on line three, by striking out the words "and on each assessment of personal property."

Amend section twenty-nine, as follows. on line one, printed copy, by striking out the figures "29," and inserting the figures "27" in lieu thereof; also, on line one, by striking out the word "taxes," after the word "for," and inserting the word "assessments" in lieu thereof, also, on line two, by striking out the word "tax," after the word "the;" also, on line six, by striking out the word "taxes," after the word "the," and inserting the word "assessments" in lieu thereof; also, on line seven, by striking out the word "taxes," after the word "the," and inserting the word "assessments" in lieu thereof, also, on line nine, by striking out the word "taxes," after the words "for the," and inserting the word "assessments" in lieu thereof; also, on line nine, by striking out the word "taxes," after the words "amount of," and inserting the word "assessments" in lieu thereof; also, on line twelve, by striking out the word "taxes" after the word "for," and inserting the word "assessments" in lieu thereof; also, on line fifteen, by inserting the words "of the county in which the land sold is situated," after the word "Recorder."

Amend section thirty, as follows: on line one, printed copy, by striking out the figures "30," and inserting the figures "28" in lieu thereof; also, on line six, by striking out the word "the," after the word "with," and inserting the word "such" in lieu thereof; also, on line six, by striking out the word "tax," after the words "of the," and inserting the word "assessments" in lieu thereof; also, on line seven, by striking out the word "tax," after the word "the."

Amend section thirty-one, as follows: on line one of printed bill, by striking out the figures "31," and inserting the figures "29" in lieu thereof.

Amend section thirty-two, as follows: on line one, of printed bill, by striking out the figures "32" and inserting the figures "30," in lieu thereof; also, on line five, by striking out the word "taxes," after the word "the," and inserting the word "assessments" in lieu thereof; also, on line six, by striking out the word "taxes,"

after the word "the," and inserting the word "assessments" in lieu thereof; also, by striking out all of lines eleven and twelve

Amend section thirty-three, as follows on line one, of printed bill, by striking out the figures "33," and inserting the figures "31" in lieu thereof; also, on line one, by striking out the word "tax;" also, on line two, by striking out the word "taxes," after the word "unpaid," and inserting the word "assessments" in lieu thereof; also, on line three, by striking out the word "taxes," after the word "of," and inserting the word "assessment" in lieu thereof; also, on line four, by striking out the word "taxes," after the word "such," and inserting the word "assessments" in lieu thereof.

Amend section thirty-four by striking out the whole of the section.

Amend section thirty-five, as follows: on line one, printed bill, by striking out the figures "35," and inserting the figures "32" in lieu thereof, also, on line one, by striking out the word "taxes," after the word "for," and insert the word "assessments" in lieu thereof.

Amend section thirty-six, as follows: on line one, of printed bill, by striking out the figures "36," and inserting the figures "33" in lieu thereof; also, on line one, by striking out the word "tax," after the word "the," also, on line two, by striking out the word "taxes," after the word "for," and inserting the word "assessments" in lieu thereof; also, on line six, by striking out the word "tax," after the word "as," also, on line seven, by striking out the word "tax," after the word "the;" also, on line seven, by inserting the word "the," after the word "of."

Amend section thirty-seven, as follows: on line one, of printed bill, by striking out the figures "37," and inserting the figures "34" in lieu thereof.

Amend section thirty-eight, as follows: on line one, of printed bill, by striking out the figures "38," and inserting the figures "35" in lieu thereof, also, on line three, by inserting the words "provided a newspaper is published therein," after the word "district:" also, on line eleven, by striking out the word "portion," after the word "in," and inserting the word "portions" in lieu thereof.

Amend section thirty-nine, as follows: on line one, of printed bill, by striking out the figures "39," and inserting the figures "36" in lieu thereof.

Amend section forty, as follows: on line one, of printed bill, by striking out the figures "40," and inserting the figures "37" in lieu thereof: also, on line seventeen, by striking out the word "taxes," after the word "of," and inserting the word "assessments," in lieu thereof, also, on line seventeen, by inserting the words "or by both said tolls and assessments:" also, on line twenty, by striking out the word "taxes," after the word "of," and inserting the word "assessments," in lieu thereof.

Amend section forty-one, as follows: on line one, of printed bill, by striking out the figures "41," and inserting the figures "38," in lieu thereof.

Amend section forty-two, as follows: on line one, of printed bill, by striking out the figures "42," and inserting the figures "39," in lieu thereof; also, on line one, by striking out the word "five," after the word "receive," and inserting the word "four," in lieu thereof; also, on line five, by inserting the words "or a majority of the freeholders," after the word "fifty:" also, on line six, by striking out the word "taxpayers," before the word "within."

Amend section forty-three, as follows: on line one, of printed bill, by striking out the figures "43," and inserting the figures "40" in lieu thereof; also, on line four, by striking out the word "felony," after the word "a," and inserting the word "misdemeanor" in lieu thereof; also, on lines five and six, by striking out the words "imprisonment in State Prison for a period not less than one year nor more than five years," and inserting the words "a fine not exceeding five hundred dollars, or by imprisonment in the county jail not exceeding six months, or by both such fine and imprisonment" in lieu thereof.

Amend section forty-four, as follows: on line one, of printed bill, by striking out the figures "44," and inserting the figures "41" in lieu thereof; also, on line three, by striking out the word "tax," after the word "special," and inserting the word "assessment" in lieu thereof; also, on line nine, by striking out the word "tax," before the word "Yes," and inserting the word "assessment" in lieu thereof; also, on line nine, by striking out the word "tax," after the word "or," and inserting the word "assessment" in lieu thereof; also, on line nine, by striking out the word "tax," after the word "are," and inserting the word "assessment" in lieu thereof, also, on line ten, by striking out the words "a tax," after the word "levy," and inserting the words "an assessment" in lieu thereof; also, on line eleven, by striking out the word "taxation," after the word "of," and inserting the word "assessment" in lieu thereof; also, on line fourteen, by striking out the word "taxes," after the word "the," and inserting the word "assessment" in lieu thereof, also, on line sixteen, by striking out the word "taxes," after the word "other," and inserting the word "assessments" in lieu thereof.

Amend section forty-five, as follows: on line one, of printed bill, by striking out the figures "45," and inserting the figures "42" in lieu thereof.

Amend section forty-six, as follows: on line one, of printed bill, by striking out the figures "46," and inserting the figures "43" in lieu thereof; also, on line eight, by striking out the words "and in case they are unable;" also, by striking out the whole of lines nine and ten.

Strike out all of section forty-seven and insert:

SEC. 44. It shall be the duty of the Board of Directors to keep the water flowing through the ditches under their control to the full capacity of such ditches in times of high water.

Insert the following section, as follows:

SEC. 45. Navigation shall never in anywise be impaired by the operation of this Act, nor shall any vested interest in or to any mining water rights or ditches, or in or to any water or water rights, or reservoirs or dams, now used by the owners or possessors thereof, or by persons purchasing or renting the use thereof, or in or to any other property now used directly or indirectly in carrying on or promoting the mining industry, ever be affected by or taken under its provisions, save and except that rights of way may be acquired over the same.

Amend section forty-eight, as follows: on line one, of printed bill, by striking out the figures "48," and inserting the figures "46" in lieu thereof.

Mr. Curry of San Francisco moved that the special order set for this hour, two o'clock and thirty minutes P. M., consideration of Assembly Bill No. 217, be postponed until the bill under consideration is disposed of.

So ordered.

Mr. Mathews of Tehama in the chair.

The question being, "Shall Assembly Bill No. 12 be ordered engrossed, and read a third time?" it was so ordered.

SPECIAL ORDER—SECOND READING OF BILL.

Assembly Bill No. 217—An Act to provide for the amicable adjustment of grievances and disputes that may arise between employers and employés, and to authorize the creation of a State Board of Arbitration.

Read second time.

Committee amendment, as follows, adopted:

Line twenty-four, of section six, add after "of," "five hundred dollars to furnish said office and."

Line twenty-five, of section six, add, after "said office," and "six hundred dollars per annum, payable in like manner, for incidental expenses."

Line eight, of section seven, add, after "within the State," and "shall be allowed eight cents per mile, and to travel by the nearest route in getting to or returning from the place where said Board may be required to meet."

Bill ordered engrossed, and placed on file for third reading.

Mr. Curry moved that Assembly Bill No. 217 be placed on the Special File.

So ordered on a division—ayes, 30; noes, 9.

LEAVE OF ABSENCE.

The Committee on Fish and Game were granted indefinite leave of absence.

The Chief Clerk, Frank D. Ryan, was also granted indefinite leave of absence.

SPECIAL FILE—SECOND READING OF BILLS—(RESUMED).

Senate Bill No. 140—A bill for an Act making an appropriation to pay the deficiency in the appropriation for the support of the State Prison at Folsom, for the thirty-eighth fiscal year.

Read second time, and placed on file for third reading.

Senate Bill No. 163—An Act making an appropriation to pay the deficiency in the appropriation for the support of the State Prison at Folsom, for the thirty-seventh fiscal year.

Read second time, and placed on file for third reading.

FIRST READING OF BILL.

Assembly Bill No. 34—An Act to provide for certain improvements at the Deaf, Dumb, and Blind Asylum.

Read first time, and placed on file for second reading.

THIRD READING OF BILLS.

Assembly Bill No. 256—An Act to provide for the deficiency in the appropriation for the costs and expenses of suits wherein the State is a party in interest, for the thirty-sixth fiscal year.

Passed on file.

Assembly Bill No. 258—An Act to provide for the deficiency in the appropriation for the costs and expenses of suits wherein the State is a party in interest, for the thirty-seventh fiscal year.

Passed on file.

Assembly Bill No. 262—An Act to provide for the deficiency in the appropriation for the costs and expenses of suits wherein the State is a party in interest, for the thirty-eighth fiscal year.

Passed on file.

Assembly Bill No. 324—An Act to provide for an improvement of the State Capitol, and for an appropriation to pay for the same.

Mr. Mathews of Tehama moved that this bill be referred to a select committee of one, with special instructions to prepare amendments to the bill, so as to conform to Senate Bill No. 243.

So ordered.

APPOINTMENT OF SELECT COMMITTEE.

The Speaker appointed Mr. Mathews of Tehama the select committee of one to amend Assembly Bill No. 324.

Mr. Mathews of Tehama was given time to prepare amendments.

Assembly Bill No. 339—An Act to appropriate the sum of ten thousand dollars for the construction of an additional cottage at the Veterans' Home, under the auspices of the Veterans' Home Association, and for the completion of the principal building already in use, and to improve the water supply of said Home.

Read third time.

The roll was called, and the bill passed by the following vote.

AYES—Messrs. Adams, Atherton, Bailey, Barry, Barton, Britt, Brown W. A., Brown J. B., Burnett, Butler, Callaghan, Campbell, Cohen, Cooley, Cope, Currey of Solano, Davis, Ellsworth, Ewing, Gould, Granger, Gruwell, Handy, Hait, Heath, Henry of Butte, Henry of San Joaquin, Hyde, Knox, LaBlanc, Lawrence, Mahler, Mathews of Tehama, Mathews of San Benito, McClenahan, McDonnell, Mitchell, Morris, Ohlever, Regan, Rucker, Remson, Searey, Shanahan, Sherburne, Smyth, Spurgeon, Taylor, Toner, Variel, Venable, Vincent, Weber, Windrow, Young of San Diego, Young of San Joaquin, and Mr. Speaker—57

NOES—None

Title read and approved.

RESOLUTION—(OUT OF ORDER).

By Mr. Cooley:

Resolved, That the Committee on Military Affairs be and they are hereby granted leave of absence from and after February twentieth until February twenty-fifth, inclusive, for the purpose of visiting Los Angeles, to inspect the property of the State in the hands of the National Guard in that city, that the expense thereof shall not exceed the mileage for such members of the committee and the clerk, who may make such inspection, distance, nine hundred and fifty-six miles.

Adopted on a division—ayes, 32; noes, 14.

SPECIAL FILE—THIRD READING OF BILLS—(RESUMED).

Assembly Bill No. 266—An Act to provide for the deficiency in the appropriation for the costs and expenses of suits wherein the State is a party in interest, for the thirty-fifth fiscal year.

Passed on file.

Assembly Bill No. 259—An Act to provide for the payment of the rent of the chambers occupied by the Supreme Court Commissioners.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Alexander, Atherton, Bailey, Barry, Barton, Britt, Brown W A, Brown J B, Campbell, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Gruwell, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hyde, Knox, Mahler, Martin, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, Mitchell, Morris, Ohlever, Price, Regan, Rucker, Renison, Searey, Sherburne, Smyth, Spurgeon, Taylor, Toner, Variel, Venable, Vincent, Weber, Windrow, Young of San Diego, and Mr. Speaker—49

NOES—Messrs Handy and Lawrence—2.

Title read and approved.

Assembly Bill No. 395—An Act to provide for the deficiency in the appropriation for salaries of the Commissioners of the Supreme Court and their Secretary, for the thirty-eighth fiscal year.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Alexander, Atherton, Bailey, Barry, Barton, Britt, Brown W A, Butler, Campbell, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Gruwell, Handy, Heath, Henry of Butte, Henry of San Joaquin, Hyde, Knox, LaBlanc, Mahler, Mathews of Tehama, Matthews of San Benito, McClenahan, Mitchell, Morris Ohlever, Price, Regan, Rucker, Renison Shanahan, Sherburne, Smyth, Spurgeon, Taylor, Toner, Variel, Venable, Vincent, Weber, Windrow, Young of San Diego, and Mr Speaker—50

NOES—Messrs Lawrence and McDonnell—2

Title read and approved.

REPORT OF SELECT COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, February 15, 1887

MR SPEAKER Your select committee, to whom was referred Assembly Bill No 324—An Act to provide for an improvement of the State Capitol, and for an appropriation to pay for the same, with instructions to amend so as to correspond with Senate Bill No. 243—reports as follows

In section one, line two, strike out the word "devoted," and insert the word "used" in the same line, strike out the words "to the use of," and insert the word "by," also, add a new section, to be known as

SEC 2 This Act shall take effect immediately.

W P. MATHEWS, Special Committee

Report adopted.

Mr. Mathews of Tehama moved to substitute Senate Bill No. 243 for Assembly Bill No. 324.

So ordered.

THIRD READING OF BILL.

Senate Bill No. 324—An Act to provide for an improvement of the State Capitol, and for an appropriation to pay the same.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Alexander, Atherton, Bailey, Barry, Barton, Britt, Brown W A, Campbell, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Gruwell, Handy, Heath, Henry of Butte, Henry of San Joaquin, Hyde, Knox, LaBlanc, Mahler Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, Mitchell, Morris, Ohlever, Price, Renison, Shanahan, Sherburne, Smyth, Spurgeon, Taylor, Toner, Variel, Venable, Vincent, Weber, Windrow, Wright, Young of San Diego, and Mr Speaker—50.

NOES—Mr. Lawrence—1.

Title read and approved.

Mr. Heath moved to amend the rules in accordance with the following resolution:

Resolved, That the roll of the Assembly be called each legislative day, at the hour of eleven o'clock, and as the name of each member is called, he shall designate, by title, the number and position on the General File such Assembly Bill as he may desire to be considered. Thereupon, if the Assembly consents to a consideration of such a bill, it shall be considered, and such action taken thereon as shall be consistent with the history of the same. If the legislative day should close before each member's name is called, then the roll shall be commenced on the next day at the name which was called the last on the preceding day; *provided*, that each member shall have the right to call up but one Assembly Bill during this session.

Mr. Taylor moved to indefinitely postpone the resolution.

So ordered.

MOTION.

Mr. Young of San Diego moved to suspend the rules, and to take up, out of order, Assembly Bill No. 21, and consider same.

So ordered.

SECOND READING OF BILL.

Assembly Bill No. 21—An Act to provide for the funding of certain indebtedness of the several counties of this State, and the issuance of bonds therefor.

Read second time, ordered engrossed, and placed on file for third reading.

MOTION.

Mr. Shanahan moved that the rules be suspended, and that Assembly Bill No. 466 be taken up, out of order, and considered.

So ordered.

FIRST READING OF BILL.

Assembly Bill No. 466—An Act to add two new sections to the Political Code, to be known and numbered as sections three thousand two hundred and three thousand two hundred and one, relating to trademarks, the use and adoption of the same, and the person who and the manner by which said trademark and the rights thereunder may be protected.

Read first time, and placed on file for second reading.

Mr. Shanahan moved that this bill be made a special order for next Friday, at two o'clock and fifteen minutes P. M.

So ordered.

The following bills were passed on file: Assembly Bills Nos. 2, 120, 404, 284, 323, 279, 186, 238, 137, 235, 388, 237, 345, 56, 506, and 16.

GENERAL FILE—THIRD READING OF BILLS.

Assembly Bill No. 111—An Act to appropriate money to pay the claim of W. T. Brown or his executors or administrators.

Read third time.

The roll was called, and the bill passed by the following vote.

AYES—Messrs. Adams, Alexander, Atherton, Bailey, Barton, Britt, Brown W. A., Campbell, Cohen, Cooley, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Gruwell, Hart, Heath, Henry of Butte, Henry of San Joaquin,

Hyde, Knox, LaBlanc, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, Mitchell, Ohlever, Price, Regan, Rucker Remison, Searey, Shanahan, Sherburne, Smyth, Spurgeon, Taylor, Variel, Vincent, Weber, Wilcox, Wright, and Mr Speaker—48.
NOES—Messrs Coombs and Lawrence—2.

Title read and approved.

Assembly Bill No 112—An Act to appropriate money to pay the claim of R. F Del Valle.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Alexander, Atherton, Bailey, Barton, Britt, Brown W A, Butler, Callaghan, Campbell, Cohen, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Gruwell, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hyde Knox, LaBlanc, Mahler, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, Mitchell, Morris, Ohlever, Regan, Rucker, Remison, Searey, Sherburne, Spurgeon, Taylor, Variel, Venable, Vincent, Weber, Windrow, Wilcox, and Mr Speaker—49
NOES—Messrs Coombs and Lawrence—2.

Title read and approved.

Assembly Bill No. 113—An Act to appropriate money to pay the claim of B. F. Langford.

Read third time.

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

AYES—Messrs Atherton, Bailey, Britt, Brown W. A, Brown J B, Butler, Campbell, Cohen, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Handy, Hart, Henry of Butte, Henry of San Joaquin, Hyde, Knox, LaBlanc, Mahler, Mathews of Tehama, Matthews of San Benito, McClenahan, Mitchell, Morris, Ohleyer, Rucker, Remison, Searey, Shanahan, Sherburne, Smyth, Spurgeon, Taylor, Venable, Vincent, and Wright—40
NOES—Messrs Coombs, Lawrence, and McDonnell—3

MOTION.

Mr. Mahler moved a call of the House.

Lost.

NOTICE OF RECONSIDERATION.

Mr. Coombs gave notice that, on to-morrow, he would move to reconsider the vote whereby Assembly Bill No. 113 was lost.

Assembly Bill No. 114 temporarily passed on file.

Assembly Bill No. 115—An Act to appropriate money to pay the claim of E. T. Wilkins.

Read third time.

Mr. Mathews of Tehama moved that all engrossed bills on the file be passed on file.

Lost.

MOTION TO RECONSIDER.

Mr. Shanahan moved to reconsider the vote whereby the resolution granting the Military Committee leave of absence was adopted.

Carried on a division—ayes, 27; noes, 25.

The question then recurring on the adoption of the resolution offered by Mr. Cooley, Mr. Coombs moved to amend the resolution so that the Chairman of the Committee on Military Affairs should be allowed to go to Los Angeles instead of the whole committee.

Mr. W. A. Brown moved, as an amendment to the amendment, that a majority of the committee be allowed to go to Los Angeles.

Amendment to the amendment lost.

The question being on the amendment offered by Mr. Coombs, it was lost on a division—ayes, 21; noes, 35.

Mr. Heath moved to amend "so that the committee visit all towns in the State"

Lost

The question recurring on the adoption of the original resolution as offered by Mr. Cooley, the ayes and noes were demanded by Messrs. Matthews of San Benito, Granger, and Lawrence.

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

AYES—Messrs Alexander, Atherton, Bailey, Barry, Britt, Brown W A, Brown J. B Butler, Callaghan, Campbell, Cohen, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Handy, Hart, Henry of Butte, Hyde, Knox, LaBlanc, Martin, Mathews of Tehama, McDonnell, Mitchell, Morris, Price, Regan, Rucker, Taylor, Toner, Weber, Wilcox, Young of San Diego, and Young of San Joaquin—40

NOES—Messrs Adams, Granger, Gruwell, Heath, Henry of San Joaquin, Lawrence, Mahler, Matthews of San Benito, McClenahan, Ohleyer, Shanahan, Sherburne, Smyth, Spurgeon, Variel, Venable, Vincent, Windrow, Wright, and Mr Speaker—18

CONSIDERATION OF ASSEMBLY BILL No. 115—(RESUMED)

The question being on the passage of Assembly Bill No. 115, the roll was called, and the bill passed by the following vote:

AYES—Messrs Alexander, Atherton, Bailey, Barry, Britt, Brown W A, Brown J B, Burnett, Butler, Callaghan, Campbell, Cohen, Cooley, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth Ewing, Gould, Granger, Gruwell, Handy Hart, Heath, Henry of Butte, Henry of San Joaquin, Hyde, Knox, LaBlanc, Mahler, Mathews of Tehama, Matthews of San Benito, McDonnell, Mitchell, Morris, Ohleyer, Price, Regan, Rucker, Renison, Shanahan, Sherburne, Smyth, Spurgeon, Taylor, Toner, Venable, Vincent, Weber, Windrow, Wilcox, Wright, Young of San Diego, and Young of San Joaquin—56

NOES—Messrs Coombs and Lawrence—2

Title read and approved.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 15, 1887

MR SPEAKER: Your Committee on Engrossment beg leave to report that the following Assembly Bills have been correctly engrossed

Nos. 106, 81, 179, and 270.

WINDROW, Chairman.

RESOLUTION—(OUT OF ORDER).

By Mr. W. A. Brown:

Resolved, That the Committee on Public Accounts and Expenditures be permitted to visit the prison at San Quentin, and that they be allowed one hundred and ninety-two miles mileage, with their clerk.

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

Lost.

Resolution lost on a division—ayes, 15; noes, 21.

On motion of Mr. Mathews of Tehama, Assembly Bill No. 114—An Act to appropriate money to pay the claim of Benj Knight, was taken up and read third time.

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

AYES—Messrs Atherton, Bailey, Barry, Butler Campbell, Cohen, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Gould, Granger, Gruwell, Handy, Hart, Henry of Butte, Henry of San Joaquin, Hyde, Knox, LaBlanc, Mahler, Martin, McClenahan Morris, Price, Regan, Shanahan, Sherburne, Spurgeon, Taylor, Variel, Weber, Wilcox, Young of San Diego, Young of San Joaquin, and Mr Speaker—37

NOES—Messrs Adams, Coombs, Heath, Mathews of Tehama, Matthews of San Benito, McDonnell, Ohleyer, Remson, Smyth, Toner, Venable, and Vincent—12

NOTICE OF RECONSIDERATION.

Mr. Mathews of Tehama gave notice that, on to-morrow, he would move to reconsider the vote whereby Assembly Bill No 114 was lost.

Assembly Bill No. 99—An Act entitled an Act to amend section six hundred and forty-seven of the Penal Code of the State of California, and to define the crime of vagrancy.

Read third time.

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

AYES—Messrs Adams, Coombs, Cope, Currey of Solano, Curry of San Francisco, Granger, Heath, Henry of Butte, Hyde, Knox, LaBlanc, Rucker, Spurgeon, Variel, Venable, Vincent Young of San Diego, and Mr Speaker—18

NOES—Messrs Alexander, Atherton, Bailey, Barry, Brown J B, Butler, Davis, Ellsworth, Gould, Gruwell, Handy, Hart, Henry of San Joaquin, Mahler, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, Morris, Ohleyer, Price, Remson, Shanahan, Sherburne, Smyth, Weber, Wilcox, and Young of San Joaquin—28.

NOTICE OF AMENDMENT TO THE RULES.

Mr. Henry of Butte gave notice that, on to-morrow, he would move an amendment to the rules, as follows:

Resolved, That Standing Rule of the House No 69 be amended to read as follows

Every member, when speaking, shall, standing in his place, address "Mr Speaker," and when he has finished, 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's speaking shall be limited to ten 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 yet spoken

NOTICE OF RECONSIDERATION.

Mr. Hyde gave notice that, on to-morrow, he would move to reconsider the vote whereby Assembly Bill No. 112 was passed.

THIRD READING OF BILLS—(RESUMED).

Assembly Bill No. 135—An Act for the remuneration of Elisha O. Crosby, for money advanced to and for the State of California.

Read third time

The roll was called, and the bill passed by the following vote:

AYES—Messrs Alexander, Atherton, Bailey, Barry, Britt, Brown W A, Burnett, Butler, Campbell, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Handy, Hart, Henry of Butte, Hyde, Knox, LaBlanc, Lawrence, Martin, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, Mitchell, Price, Regan, Rucker, Remson, Shanahan, Sherburne, Spurgeon, Taylor, Toner, Variel, Vincent, Weber, Windrow, Wilcox, Young of San Diego, and Young of San Joaquin—47

NOES—Messrs Adams, Granger, Gruwell, Heath, Henry of San Joaquin, Mahler, Morris, Ohleyer, Smyth, Venable, and Wright—11

Title read and approved.

Mr. Lawrence gave notice that, on to-morrow, he would move to reconsider the vote whereby Assembly Bill No. 135 was passed.

Mr. Knox moved to take a recess until seven o'clock P. M.

Mr. Weber moved to amend, by making the time seven o'clock and thirty minutes P. M.

The question being on the shortest time, the same was lost.

The question recurring on the amendment offered by Mr. Weber, the same was carried.

RECESS.

The motion, as amended, was carried, and the Speaker declared a recess until seven o'clock and thirty minutes P. M.

At seven o'clock and thirty minutes P. M. the House reassembled.

Speaker Jordan in the chair.

Quorum present.

SPECIAL FILE—SECOND READING OF BILLS.

Assembly Bill No. 2—An Act to amend an Act entitled an Act to provide for the organization, incorporation, and government of municipal corporations, approved March 13, 1883, and to add certain sections thereto and repeal certain sections thereof.

Read second time.

Assembly Bill No 120—An Act to amend an Act entitled an Act to amend an Act to incorporate the Town of Chico, Butte County, California, approved March 23, 1878.

Read second time

Assembly Bill No. 284—An Act to amend Chapter III of "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Mr. Hyde, on behalf of the Committee on Municipal Corporations, offered a substitute for Assembly Bill No. 284, and for Assembly Bill No 314, which was read a second time.

Mr. Hyde in the chair.

Assembly Bill No. 404—An Act to amend sections seven hundred and fifty-two, seven hundred and fifty-five, seven hundred and fifty-eight, seven hundred and sixty-three, seven hundred and sixty-four, seven hundred and sixty-five, seven hundred and sixty-six, seven hundred and sixty-seven, seven hundred and sixty-nine, seven hundred and seventy-one, seven hundred and seventy-two, seven hundred and seventy-three, seven hundred and seventy-seven, seven hundred and seventy-eight, seven hundred and eighty-six, seven hundred and eighty-eight, seven hundred and eighty-nine, and seven hundred and ninety of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Read second time.

On motion of Mr. McDonnell, the usual number of copies of Substitute for Assembly Bills Nos 284 and 314 were ordered printed.

ADJOURNMENT.

At eight o'clock and ten minutes P. M., on motion of Mr. McDonnell, the House adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Wednesday, February 16, 1887.

The House met pursuant to adjournment.

Speaker Jordan in the chair.

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

Messrs Adams, Alexander, Atherton, Bailey, Barry, Barton, Brierly, Britt, Brown W. A., Brown J. B., Brusie, Butler, Callaghan, Campbell, Cohen, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Gruwell, Handy, Hart, Heath Henry of Butte, Henry of San Joaquin, Hyde, Knox, LaBlanc, Lawrence, Lewis, Mahler, Martin, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, Mitchell, Morgan, Morris, Ohlevet, Price, Regan, Rucker, Rennson, Searey, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Taylor, Toner Variel, Venable, Vincent, Weber, Windrow, Wilcox, Wright, Young of San Diego, Young of San Joaquin, and Mr. Speaker

Quorum present.

Prayer by the Chaplain, Rev. E. R. Dille.

Pending the reading of the Journal of yesterday, Mr. Young of San Joaquin moved to dispense with further reading.

So ordered.

Journal corrected and approved.

LEAVE OF ABSENCE.

Mr. Hotchkiss was granted indefinite leave of absence, on account of sickness.

MOTION.

Mr. Henry of Butte moved that the special order set for this hour, consideration of motion to reconsider the vote whereby the Assembly passed Assembly Bill No. 15, be made the special order for to-morrow, at two o'clock and thirty minutes P. M.

So ordered.

PETITIONS.

Mr. Rucker presented a petition from citizens of Santa Clara County, regarding the teaching of temperance in public schools.

Mr. Spurgeon presented a like petition from citizens of Los Angeles County.

Petitions referred to Committee on Education.

REPORTS OF STANDING COMMITTEES.

ON CONSTITUTIONAL AMENDMENTS

ASSEMBLY CHAMBER, SACRAMENTO, February 16, 1887

MR SPEAKER Your Committee on Constitutional Amendments, to whom was referred Constitutional Amendments Nos 12 and 16—have had the same under consideration, and respectfully report the same back, with the recommendation that No 12 be not adopted, and that No 16 be adopted, as amended

ELLSWORTH, Chairman

ON MUNICIPAL CORPORATIONS

ASSEMBLY CHAMBER, SACRAMENTO, February 15, 1887

MR SPEAKER Your Committee on Municipal Corporations, to whom was referred Assembly Bills Nos 284 and 314, both relating to charters of cities—would report that

they have heretofore reported on Bill No 284, with recommendation that it do pass. Your committee would now ask leave to reconsider said recommendation, and to now recommend that the Assembly do not pass said bill They would also report back Assembly Bill No 314, with the recommendation that it do not pass Your committee respectfully ask that the substitute bill for Assembly Bills Nos 284 and 314, offered by Mr. Hyde of Alameda on the fourteenth instant, do pass Your committee have had said substitute bill under their consideration, and report the same as containing the substance of both bills (Nos 284 and 314), and that said substitute meets with the approval of the authors of both of said charter bills.

KNOX, Chairman

ON CLAIMS

ASSEMBLY CHAMBER, SACRAMENTO, February 14, 1887

MR SPEAKER Your Committee on Claims, to whom was referred Assembly Bill No 470—An Act for the relief of James Toohey, whose property has been taken and destroyed by blasting and excavating Telegraph Hill, in the City and County of San Francisco, for rock and earth with which to construct the State seawall along the port of San Francisco, 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

Also, Assembly Bill No 471—An Act to provide for the payment of the claim of S W Raveley for printing done in the cases of the people against the ex-Harbor Commissioners, and recommend that it do pass

Also, Assembly Bill No 228—An Act releasing to Jesse B Hart and his assigns certain lands in San Francisco, and authorizing the Governor to make conveyances thereof—have had the same under consideration, and report the same back, and recommend that it be referred to the Judiciary Committee

Also, Senate Bill No 23—An Act to provide for the claim of Col W B. Burtis—have had the same under consideration, and report the same back, without recommendation

NESTOR A. YOUNG, Chairman

ON CONSTITUTIONAL AMENDMENTS—MINORITY REPORT.

ASSEMBLY CHAMBER, SACRAMENTO, February 16, 1887

MR SPEAKER The undersigned, a minority of your Committee on Constitutional Amendments, to whom was referred Assembly Resolution No 12—hereby makes a minority report on said resolution, and recommends the adoption of the proposed amendment, for the following reasons

This amendment proceeds upon the theory that property held for private use, where the gain is to inure to the benefit of the holder, should be taxed, that property devoted to the public good from which no private gain is expected, should not be taxed It guards against the perversion of its spirit and intent by requiring that the property exempt from taxation shall be actually and exclusively used and occupied for church, school, and charitable purposes Hence, vacant lots held for a rise, or outside farms, or business property, even where the revenues inure to the benefit of the institutions specified, cannot creep in and claim exemption It is in harmony with the spirit of our National Government, for from the beginning, the older States have had similar provisions, and to-day every other State, save California, provides either in its constitution or statutes for the exemptions contemplated by this amendment. In her policy of taxing benevolence, California stands absolutely alone

Whatever other reasons may exist in favor of this amendment, the minority of your committee urge only economical considerations. They may be summed up as follows

Our civilization requires that the unfortunate and dependent classes shall be supported by somebody In other States, religious and benevolent associations and individuals are encouraged to assume this charge and relieve the State by the exemption of property devoted to these objects from taxation In this State we discourage private benevolence by taxing its donations A public-spirited citizen bequeathes one hundred thousand dollars for a public charity It is no longer a private property, but devoted to a general good We tax the property, say one thousand dollars per annum This taxation of benevolence discourages and disgusts another who would give a similar sum for a benevolent object, and the State must now appropriate the amount from her own treasury She has gained one thousand dollars and lost one hundred thousand dollars by her policy Hence the streams of private charity in California run dry, we are besieged for manifold and burdensome appropriations, and our constituents are already clamoring against our extravagance

The same line of argument applies to our private institutions of learning These are generally held by Boards of Trustees, who receive nothing for their services, but pay out thousands of dollars every year for the equipment of their institutions In spirit, and in fact, these are for the general good According to the latest available statistics, six thousand eight hundred and eighty-three students attend the private seminaries and preparatory schools of California As the average expense per capita in our common schools is twenty-six dollars and ninety-six cents, I place the expense of this advanced instruction at fifty dollars per capita The saving to the State in this single item amounts to three hundred and forty-four thousand one hundred and fifty dollars We all know that the expensiveness of this grade of instruction prevents all, except our larger towns and

cities, from maintaining High Schools Hence, in addition to this saving of three hundred and forty-four thousand one hundred and fifty dollars per annum to the State, these private seminaries constitute the main connecting link between the common schools and the institutions of college grade

The last report of the Bureau of Education gives the number of students in the colleges of California at nine hundred and thirty-three. Of these, two hundred and fourteen are in the University of California, and seven hundred and nineteen in private institutions We have just provided nearly eighty thousand dollars per annum for the education of the two hundred and fourteen undergraduates in the State University, and the private institutions which are educating the seven hundred and nineteen students in the same studies, ask for exemption from taxation only At the rate of expense per capita in the State University, these institutions are saving the State more than five hundred thousand dollars per annum, and their outlays must amount to one hundred and fifty thousand dollars per annum for this work By ceasing to tax private schools we encourage purely benevolent enterprises, which actually save the educational system of the State more than five hundred thousand dollars per annum

The reasons for exempting the church from taxation are equally urgent The schools promote intelligence. The church promotes morality and virtue Both qualities are essential to the good citizen, and the welfare of the State. Washington, in his farewell address, and Webster, in his Plymouth Rock oration, and elsewhere, warn us against the fancy that the State can exist without morality, and that morality and virtue can be maintained in society without Christianity Everybody must feel that the withdrawal of the church from the State would be an unspeakable calamity, and the signal for the withdrawal of the most thrifty and law-abiding element of our people But these churches are supported by, say one third of our population, and at an annual expense of from two and a half to three millions of dollars In all the other States of the Union, and from the beginning of our government, the services rendered by the religious organizations in promoting virtue and maintaining good order without any financial return have been recognized by the exemption of the property actually used and occupied from taxation. And we are not so overstocked with morality in this State that we cannot afford to remit a small percentage of taxation on institutions established in the interest of the virtue which one third of our people give two and a half millions of dollars a year to maintain The question before us is, whether we will encourage the moral forces, or pay five times as much as we should lose in this way in adding to our police force or in punishing our criminals.

L. S. TAYLOR.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, February 16, 1887.

MR SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No 161—An Act to amend section three thousand seven hundred and two of the Act entitled an Act to establish a Political Code, approved March 12, 1872, relating to the State Board of Equalization, its traveling expenses, and making an appropriation therefor—report the same back, and recommend that it do pass

TAYLOR, Chairman

ON MILEAGE.

ASSEMBLY CHAMBER, SACRAMENTO, February 16, 1887.

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 allowed mileage for one hundred and sixty-eight miles Messrs Price, J. B Brown, Burnett, Cope, Hotchkiss, and Clerk Andrews

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. Z Price, to pay above mileage, payable out of the appropriation for the contingent expenses of the Assembly

Adopted.

Also, the report of the Committee on Public Buildings, on the occasion of their visit to San José—have had the same under consideration, and recommend that the following named members be allowed mileage for two hundred and fifty-six miles: Messrs Carroll, Curry, Hotchkiss, Campbell, Martin, Davis, Rucker, and Clerk Jackson

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 H W Carroll, for above mileage, payable out of the appropriation for the contingent expenses of the Assembly.

Adopted.

Also, the report of the Military Committee, on the occasion of their visit to Stockton and San José—have had the same under consideration, and recommend that the follow-

ing named members be allowed mileage for two hundred and fifty-six miles Messrs. Cooley, Searey, O'Grady, LaBlanc, and Clerk Eldred.

Resolved, That the Controller be and is hereby authorized to draw his warrant for the sum of one hundred and twenty-eight dollars, in favor of F. M Cooley, for above mileage, payable out of the appropriation for the contingent expenses of the Assembly.

WEBER, *Chairman*.

Adopted.

ON INTERNAL IMPROVEMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, February 16, 1887

MR SPEAKER: Your Committee on Internal Improvements, to whom was referred Assembly Bill No. 508—An Act to create the office of Inspector of Elevators in all cities of the first class, for the better protection of life and limb—report the same back, and recommend that it do not pass

Also, Assembly Bill No 482—An Act to amend section six hundred and fifty-four of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relative to the State Board of Examiners, its Secretary, and making an appropriation for his salary—report the same back, and recommend that it do pass

W. A. BROWN, Chairman.

MESSAGE FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, February 15, 1887

MR SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Senate Constitutional Amendment No 5—A resolution to propose an amendment to section seven, of Article IX, of the Constitution of the State of California.

E H HAMILTON, Secretary.
By R B. OULLAHAN, Assistant Secretary.

Senate Constitutional Amendment No. 5 referred to Committee on Constitutional Amendments.

INTRODUCTION OF BILLS.

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

By Mr. Rucker: Assembly Bill No. 523—An Act to provide for the government and management of the California Home for the Care and Training of Feeble-Minded Children.

Referred to Committee on State Hospitals.

By Mr. LaBlanc: Assembly Bill No. 524—An Act to exempt firemen from military service and jury duty.

Referred to Committee on Judiciary.

By Mr. Butler: Assembly Bill No. 525—An Act making an appropriation for the deficiency in the appropriation for the salary of the Phonographic Reporter of the Supreme Court, for the thirty-eighth fiscal year.

Referred to Committee on Ways and Means.

By Mr. Brierly: Assembly Bill No. 526—An Act to repeal an Act entitled "An Act to incorporate the Town of Wilmington, in the County of Los Angeles, in the State of California," approved February 20, 1872.

Referred to Committee on Municipal Corporations.

Also, Assembly Bill No. 527—An Act to repeal an Act entitled "An Act to amend an Act entitled an Act to incorporate the Town of Wilmington, in the County of Los Angeles, in the State of California," approved February 20, 1872, approved March 21, 1872.

Referred to Committee on Municipal Corporations.

By Mr. Mann: Assembly Bill No. 528—An Act to authorize the Board of State Harbor Commissioners to construct railroads over State lands and lands within their jurisdiction, along the waterfront

line of the City and County of San Francisco, and to regulate the use of the same.

Referred to Committee on Corporations.

Also, Assembly Bill No. 529—An Act to provide for and regulate the collection of wharfage, and to abolish the collections of tolls by the Board of State Harbor Commissioners on the waterfront of the City and County of San Francisco.

Referred to Committee on Municipal Corporations.

Also, Assembly Bill No. 530—An Act to authorize the Board of State Harbor Commissioners to execute leases of lands belonging to the State within their jurisdiction and control.

Referred to Committee on Judiciary.

By Mr. Mathews of Tehama: Assembly Bill No. 531—An Act relating to misdemeanors committed in the State Capitol and State Capitol grounds, and punishment for same.

Referred to Committee on Public Buildings and Grounds.

MOTION.

Mr. Henry of San Joaquin moved that the rules be suspended, and that Assembly Bill No. 227 be taken up, out of order, and considered.

So ordered.

SECOND READING OF BILL.

Assembly Bill No. 227—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 two thousand six hundred and ninety-six, relating to proceedings for procuring land for the purpose of raising the banks of streams, in order to more effectually protect public roads and highways.

Read second time, ordered engrossed, and placed on file for third reading.

MOTION.

Mr. Young of San Diego moved that the rules be suspended, and that Assembly Bill No. 465 be taken up, out of order, and considered.

So ordered.

FIRST READING OF BILL.

Assembly Bill No. 465—An Act to appropriate money to pay the claim of N. P. Perine, for furnishing granite and statuary for the Napa State Asylum for the Insane, and for labor performed on said asylum.

Read first time, and placed on file for second reading.

MOTION.

Mr. Weber moved that the rules be suspended, and that Assembly Bill No. 317 be taken up, out of order, and considered.

So ordered.

FIRST READING OF BILL.

Assembly Bill No. 317—An Act to authorize the incurring of indebtedness by cities incorporated under laws of this State.

Read first time, and placed on file for second reading.

MOTION.

Mr. Martin moved that the rules be suspended, and that Assembly Bill No. 311 be taken up, out of order, and considered.

So ordered.

FIRST READING OF BILL.

Assembly Bill No. 311—An Act to amend sections five, six, eight, nine, eleven, seventeen, eighteen, twenty-three, and twenty-six of an Act entitled "An Act to define, regulate, and govern the State Prisons of California," approved April 15, 1880.

Read first time, and placed on file for second reading.

MOTION.

Mr. Vincent moved that the rules be suspended, and that Assembly Bill No. 287 be taken up, out of order, and considered.

So ordered.

FIRST READING OF BILL.

Assembly Bill No. 287—An Act to provide for the organization and government of water districts, and to provide for the acquisition, control, and distribution of water for irrigation.

Read first time, and placed on file for second reading.

MOTIONS.

Mr. Davis moved that the special order set for this hour, eleven o'clock A. M., consideration of Assembly Bill No. 13, be postponed until twelve o'clock M.

So ordered.

Mr. Matthews of San Benito moved that the rules be suspended, and that Assembly Bill No. 399 be taken up, out of order, and considered.

So ordered.

FIRST READING OF BILL.

Assembly Bill No. 399—An Act to prevent fraud and imposition in the matter of stamping and labeling produce and manufactured goods.

Read first time, and placed on file for second reading.

Mr. Matthews of San Benito moved that Assembly Bill No. 399 be placed on the Special File.

So ordered.

MOTION.

Mr. LaBlanc moved to suspend the rules, and take up Assembly Bill No. 402, out of order, and consider the same.

So ordered.

FIRST READING OF BILL.

Assembly Bill No. 402—An Act for the government of savings banks, and for the protection of depositors in the same.

Read first time, and placed on file for second reading.

MOTION.

Mr. Martin moved that the rules be suspended, and that Assembly Bill No. 107 be taken up, out of order, and considered.

So ordered.

FIRST READING OF BILL.

Assembly Bill No. 107—An Act providing for the payment to D. Jordan, for work and labor performed upon and material furnished in the construction of the State Prison at Folsom.

Read first time, and placed on file for second reading.

MOTION.

Mr. Ewing moved to suspend the rules, and take up Assembly Bill No. 387, out of order, and consider the same.

So ordered.

FIRST READING OF BILL.

Assembly Bill No. 387—An Act to amend section two thousand three hundred and eighty-five, of Article CXI, of the Civil Code, approved March 30, 1874, relating to obligations of ship owner to owner of cargo.

Read first time, and placed on file for second reading.

MOTION.

Mr. Cope moved that the rules be suspended, and that Assembly Bill No. 288 be taken up, out of order, and considered.

So ordered.

FIRST READING OF BILL.

Assembly Bill No. 288—An Act entitled "An Act to amend 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.

Read first time, and placed on file for second reading.

Mr. Brierly asked permission to withdraw Assembly Bill No. 86, and substitute Senate Bill No. 22 for said bill.

So ordered.

MOTION.

Mr. Heath moved that the rules be suspended, and that Assembly Bill No. 222 be taken up, out of order, and considered.

So ordered.

FIRST READING OF BILL.

Assembly Bill No. 222—An Act to appropriate money to pay for the publication of Amendment Number One to the Constitution, as submitted at the general election, November 2, 1886.

Read first time, and placed on file for second reading.

MOTION.

Mr. McDonnell moved to suspend the rules, and to take up, out of order, Assembly Bill No. 295, and consider the same.

So ordered.

FIRST READING OF BILL.

Assembly Bill No. 295—An Act to provide for the payment of Miss Aurelia Pfeiffer, for water taken and appropriated from her land by the State University at Berkeley.

Read first time, and placed on file for second reading.

MOTION.

Mr. Venable moved that the rules be suspended, and that Assembly Bills Nos. 110 and 444 be taken up, out of order, and considered.

So ordered.

FIRST READING OF BILLS.

Assembly Bill No. 110—An Act to provide for the deficiency in the appropriation for the salary of Deputy Supreme Court Reporter, for the thirty-seventh and thirty-eighth fiscal years.

Read first time, and placed on file for second reading.

Assembly Bill No. 444—An Act to provide for the deficiency in the appropriation for the salary of Deputy Supreme Court Reporter, for the thirty-eighth fiscal year.

Read first time, and placed on file for second reading.

MOTION.

Mr. Variel moved that the rules be suspended, and that Assembly Bill No. 496 be taken up, out of order, and considered.

So ordered.

FIRST READING OF BILL.

Assembly Bill No. 496—An Act to protect life and property against the careless and malicious use or handling of dynamite, and other high explosives.

Read first time, and placed on file for second reading.

The Speaker announced the removal of Mrs. Weaver as Assistant Postmistress and her appointment as Janitoress to the Post Office, the same to date from the beginning of this session, with pay from that time.

The House, by a unanimous vote, ordered that the pay allowed her as Assistant Postmistress, of seven dollars per day, be allowed her as Janitoress to the Post Office, the same to date from the beginning of this session.

MOTION TO RECONSIDER.

Mr. Mathews of Tehama moved to reconsider the vote whereby Assembly Bill No. 113 was, on yesterday, lost.

So ordered.

PASSAGE OF ASSEMBLY BILL No. 113.

Assembly Bill No. 113—An Act to appropriate money to pay the claim of B. F. Langford.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Atherton, Bailey, Barry, Brierly, Brown W A, Brown J. B, Brusie, Burnett, Campbell, Cohen, Colbert, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Gruwell, Hart, Heath, Henry

of Butte, Henry of San Joaquin, Hyde, Knox, LaBlanc, Mahler, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, Mitchell, Morgan, Ohleyer, Price, Remson, Shanahan, Sherburne, Sims, Spurgeon, Taylor, Variel, Venable, Vincent, Weber, Wilcox, Wright, Young of San Diego, Young of San Joaquin, and Mr. Speaker—53

NOES—Mr. McDonnell—1.

Title read and approved.

MOTION TO RECONSIDER.

Mr. Mathews of Tehama moved to reconsider the vote whereby Assembly Bill No. 114 was, on yesterday, refused passage.

So ordered.

PASSAGE OF ASSEMBLY BILL No 114.

Assembly Bill No. 114—An Act to appropriate money to pay the claim of Benj. Knight.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Alexander, Atherton, Barry, Brierly, Britt, Brown W. A, Brown J B, Brusie, Burnett, Campbell, Cohen, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Ellsworth, Ewing, Gould, Granger, Gruwell, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hyde, Knox, LaBlanc, Mahler, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, Morgan, Morris, Ohleyer, Price, Rucker, Remson, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Taylor, Toner, Variel, Venable, Vincent, Weber, Wilcox, Wright, Young of San Diego, Young of San Joaquin, and Mr Speaker—53

NOES—None.

Title read and approved.

Mr. Hyde asked leave to withdraw his notice to reconsider the vote whereby Assembly Bill No. 112 was passed.

So ordered.

SPECIAL ORDER.

The time for consideration of special order, set for twelve o'clock M., having arrived, Assembly Bill No. 13—An Act to amend Chapter LXXI of the Statutes of California, passed at the twenty-third session of the Legislature, A. D. 1880, entitled an Act to define, regulate, and govern State Prisons of California—was taken up.

SECOND READING OF BILL.

Assembly Bill No. 13 read second time.

Committee amendments, as follows, adopted:

Amend section two, line five, to add to this section, "and for prison improvements;" line fifteen, to add to this section, "no such order shall be filled unless accompanied by an affidavit, setting forth that the applicant is the same person who has signed the accompanying order, and that he needs the number of sacks named in the order for the purpose of harvesting his own crop;" line sixteen, to insert "June," instead of "May;" line seventeen, to insert "thousand," instead of "hundred;" line eighteen, to insert "June," instead of "May;" line twenty, to insert "August," instead of "July," line twenty-one, to insert "June and May," instead of "May and June."

Section twenty-five, line five, to add to this section, "and for prison improvements."

Bill ordered engrossed, and placed on file for third reading.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON YOSEMITE VALLEY AND MARIPOSA GROVE OF BIG TREES AND FORESTRY.

ASSEMBLY CHAMBER, SACRAMENTO, February 16, 1887.

MR SPEAKER Your Committee on Yosemite Valley and Mariposa Grove of Big Trees and Forestry, to whom was referred Assembly Bill No 447—An Act to appropriate money for the purchase of certain roads within the limits of the Yosemite Grant—recommend that it do not pass.

HEATH, Chairman.

ON FEDERAL RELATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 16, 1887

MR SPEAKER: Your Committee on Federal Relations, to whom was referred Assembly Bill No. 499—report the same back, and recommend that it do pass.

BRUSIE, Chairman

Mr. Davis moved that Assembly Bill No. 13 be placed on the Special File.

So ordered.

SPECIAL FILE.

Assembly Constitutional Amendments Nos. 2, 5, 7, 10, 11, 13, and 14, passed on file.

THIRD READING OF BILLS.

Senate Bill No. 140—A bill for an Act making an appropriation to pay the deficiency in the appropriation for the support of the State Prison at Folsom, for the thirty-eighth fiscal year.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Alexander, Atherton, Bailey, Barry, Brierly, Britt, Brown W. A, Brusie, Campbell, Cohen, Colbert, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Gruwell, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hyde, Knox, LaBlanc, Lawrence, Mahler, Martin, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, Mitchell, Morgan, Morris, Ohleyer, Price, Rucker, Searey, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Taylor, Toner, Variel, Vincent, Weber, Windrow, Wilcox, Wright, Young of San Diego, Young of San Joaquin, and Mr. Speaker—61.

NOES—Mr Venable—1

Title read and approved.

Senate Bill No. 163—An Act making an appropriation to pay the deficiency in the appropriation for the support of the State Prison at Folsom, for the thirty-seventh fiscal year.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Alexander, Atherton, Bailey, Barry, Brierly, Brown J. B, Brusie, Colbert, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Gruwell, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hyde, Knox, LaBlanc, Mahler, Martin, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, Mitchell, Morgan, Morris, Ohleyer, Price, Rucker, Searey, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Taylor, Toner, Variel, Vincent, Weber, Windrow, Wilcox, Wright, Young of San Diego, Young of San Joaquin, and Mr. Speaker—56

NOES—None.

Title read and approved.

MOTION.

Mr. Knox moved that Assembly Bill No. 310 be referred to the Committee on Municipal Corporations.

So ordered.

THIRD READING OF BILLS—(RESUMED).

Assembly Bill No. 256—An Act to provide for the deficiency in the appropriation for the costs and expenses of suits wherein the State is a party in interest, for the thirty-sixth fiscal year.

Read third time

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Alexander, Atherton, Bailey, Barry, Britt, Butler, Campbell, Cohen, Colbert, Cope, Davis, Ellsworth, Ewing, Gould, Granger, Gruwell, Heath, Henry of Butte, Henry of San Joaquin, Knox, LaBlanc, Lawrence, Mahler, Martin, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, Mitchell, Morgan, Morris, Ohleyer, Remson, Searey, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Taylor, Toner, Variel, Venable, Wilcox, Wright, Young of San Diego, and Young of San Joaquin—47.

NOES—Messrs Brierly, Brown W A, Brusie, Coombs, Currey of Solano, Curry of San Francisco, Handy, Hart, Price, Weber, and Mr Speaker—11.

Title read and approved.

Assembly Bill No. 258—An Act to provide for the deficiency in the appropriation for the costs and expenses of suits wherein the State is a party in interest, for the thirty-seventh fiscal year.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Alexander, Atherton, Britt, Butler, Colbert, Cooley, Cope, Davis, Ellsworth, Ewing, Gould, Granger, Gruwell, Heath, Henry of Butte, Henry of San Joaquin, Knox, LaBlanc, Mahler, Martin, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, Mitchell, Morgan, Morris, Ohleyer, Price, Remson, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Taylor, Toner, Venable, Weber, Wilcox, Wright, Young of San Diego, and Young of San Joaquin—41.

NOES—Messrs Brierly, Coombs, Currey of Solano, Curry of San Francisco, Handy, Hart, McDonnell, Vincent, Windrow, and Mr. Speaker—10.

Title read and approved.

RECESS.

The hour of recess having arrived, 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 Jordan in the chair.

Quorum present.

Mr. W. A. Brown called up the special order set for this hour, the consideration of Assembly Bill No. 129.

Mr. Hyde moved that the consideration of the special order be continued for ten minutes.

So ordered.

INTRODUCTION OF BILL—(OUT OF ORDER).

The following bill was introduced and read by title:

By Mr. Hyde. Assembly Bill No. 532—An Act to prevent the introduction of any obnoxious or pest animal into the State of California.

CASE OF URGENCY.

Mr. Hyde moved to suspend the provisions of section fifteen, of Article IV, of the Constitution, requiring bills to be read on three

separate days, that Assembly Bill No. 532 be declared a case of urgency, and that the bill be read the first and second time, considered engrossed, read the third time, and placed upon its passage.

The roll was called, and it was so ordered by the following vote:

AYES—Messrs Adams, Atherton, Bailey, Barry, Barton, Brierly, Brown W A, Brown J. B, Brusie, Butler, Callaghan, Cohen, Colbert, Cooley, Coombs, Cope, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Gruwell, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hyde, Knox, LaBlanc, Lawrence, Mahler, Martin, Mann, Matthews of San Benito, McClenahan, McDonnell, Mitchell, Morris, Ohleyer, Price, Regan, Rucker, Renison, Searey, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Taylor, Toner, Variel, Vincent, Weber, Windrow, Wilcox, Wright, Young of San Diego, Young of San Joaquin, and Mr Speaker—62

NOES—Mr. Mathews of Tehama—1.

On motion of Mr. W. A. Brown, the special order set for this hour, consideration of Assembly Bill No. 129, was postponed until the bill under consideration is disposed of.

Assembly Bill No. 532 read first time.

Assembly Bill No. 532 read second time.

Mr. Knox offered the following amendment:

SEC 2 Any health or peace officer of any city, town, or county, shall seize and retain the possession of any such animal until after the judgment of the Court above provided for shall be rendered, whereupon he shall kill and destroy said animal

Adopted.

Mr. Ellsworth offered the following amendment: amend, by inserting after word "animal," on line four of original bill, "or any Australian or New Zealand rabbit, and any person keeping or harboring or setting at large any such animal in this State."

Adopted.

Mr. Knox moved to amend, as follows: strike out the word "misdemeanor," and insert in lieu thereof, "felony."

Lost.

Bill considered engrossed.

Assembly Bill No. 532 read third time.

Mr. Granger moved that this bill be referred to a select committee of one, with special instructions to prepare an amendment to the bill, as follows: by adding to end of section two, "in accordance with the judgment."

So ordered.

APPOINTMENT OF SELECT COMMITTEE.

The Speaker appointed Mr. Granger the select committee of one to amend Assembly Bill No. 532.

REPORT OF SELECT COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, February 16, 1887.

MR. SPEAKER Your select committee, to whom was referred Assembly Bill No 532—An Act to prevent the introduction of any obnoxious or pest animals into the State of California, 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.

GRANGER, Select Committee.

Report adopted.

SPECIAL ORDER FOR TWO O'CLOCK P. M.—SECOND READING OF BILL.

Assembly Bill No. 129—An Act to provide for the relief of George Nightingale, Michael Ryan, Joseph Rosa, Bridget Davis, Bernard Ward, Allen Burdett, John Wrixon, Michael O'Neil, Anna Elizabeth Sneider, Eliza Kelleher, William J. Nightingale, Margaret Coogan, Bridget L. Ryan, Elizabeth Overend, Thomas Dillon, Patrick Garrigan, Bridget F. Houston, Timothy Murphy, James McGeough, Otis Berge, James Hartford, and Ellen McArevey, whose property has been taken and destroyed by blasting and excavating Telegraph Hill, in the City and County of San Francisco, for rock and earth, with which to construct the State seawall, along the Port of San Francisco, in the State of California.

Mr. Renison moved that the further consideration of this bill be postponed for one week, and that the testimony taken before the Committee on Claims, regarding this bill, be printed and laid before the members of the House.

Mr. Brierly moved to amend, by postponing until Friday next, at two o'clock and thirty minutes P. M., and that the testimony be printed.

Lost.

Mr. Heath moved to amend, by postponing until Monday next.

Lost.

The question then recurring on the motion of Mr. Renison.

The ayes and noes were demanded by Messrs. Renison, Heath, and Morgan.

The roll was called, and the motion to postpone for one week lost by the following vote:

AYES—Messrs. Adams, Bailey, Barton, Coombs, Cope, Currey of Solano, Gruwell, Heath, Henry of San Joaquin, Knox, Mathews of Tehama, McClenahan, Morgan, Renison, Sherburne, Venable, and Vincent—17

NOES—Messrs. Atherton, Barry, Brierly, Britt, Brown W. A., Brown J. B., Brusie, Butler, Callaghan, Cohen, Colbert, Cooley, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Handy, Hart, Henry of Butte, Hyde, LaBlanc, Lawrence, Mahler, Martin, Mann, Matthews of San Benito, McDonnell, Mitchell, Ohleyer, Price, Regan, Rucker, Searey, Shanahan, Sims, Smyth, Spurgeon, Toner, Varnel, Weber, Windrow, Wilcox, Young of San Diego, and Mr Speaker—45

Mr. Ellsworth moved that the testimony taken before the Committee on Claims, regarding this bill, be printed.

Mr. Brierly moved that the further consideration of this bill be made the special order for Thursday next, at eleven o'clock A. M.

Lost.

Mr. Heath moved that the further consideration of this bill be postponed until the printed evidence shall be properly before the House.

Lost, on a division—ayes, 29; noes, 30.

Mr. Heath moved a call of the House.

Lost.

The question being on the motion of Mr. Ellsworth to print the testimony, it was so ordered.

The question being, "Shall this bill be read a second time?"

The roll was called, and the bill ordered read a second time by the following vote:

AYES—Messrs Bailey, Barry, Barton, Britt, Brown W A, Brown J B, Brusie, Butler, Callaghan, Campbell, Cohen, Colbert, Cooley, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Hart, Henry of Butte, Hyde, LaBlanc, Lawrence, Martin, Mann,

Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, Mitchell, Morris, Ohleyer, Price, Regan, Rucker, Renison, Searey, Shanahan, Sims, Smyth, Toner, Variel, Weber, Windrow, Wilcox, Wright, Young of San Diego, and Young of San Joaquin—48

NOES—Messrs. Adams, Atherton, Bost, Brierly, Coombs, Cope, Currey of Solano, Gruwell, Heath, Henry of San Joaquin, Knox, Mahler, Morgan, Sherburne, Spurgeon, Taylor, Venable, and Vincent—18.

NOTICE OF RECONSIDERATION.

Mr. Renison gave notice that, on to-morrow, he would move to reconsider the vote whereby Assembly Bill No. 129 was ordered read a second time.

SECOND READING OF BILL.

Substitute for Assembly Bill No. 129—An Act for the relief of Geo. Nightingale et al.

Read second time.

Mr. Brierly moved to amend, as follows: amend, in section one, page two, line six, printed bill, after word "destroyed," insert the words, "by English & Co., private contractors."

Lost.

Mr. Heath moved to amend, as follows: strike out of line four, page two, the words "sixty-four thousand eight hundred and thirty-five dollars."

Lost.

Mr. Hyde moved to amend, as follows: amend, by erasing the words "his or her deed to," in line thirty-three, and insert the words "a good and sufficient conveyance of."

Adopted.

Mr. Brierly moved to amend section one, line thirty-eight, by inserting the following after the word "State:" "and by an assignment of all claims for damages caused by the contractors for building the part of the seawall in which the earth and rock was used."

Lost.

The question being on the adoption of the substitute.

The ayes and noes were demanded by Messrs. Heath, Renison, and Morgan.

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

AYES—Messrs. Adams, Alexander, Atherton, Bailey, Barry, Barton, Brierly, Britt, Brown W. A., Brown J. B., Brusie, Butler, Callaghan, Campbell, Colbert, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Gruwell, Handy, Hart, Hyde, Knox, LaBlanc, Martin, Mann, Mathews of Tehama, McDonnell, Mitchell, Morris, Ohleyer, Price, Regan, Rucker, Searey, Shanahan, Sims, Smyth, Toner, Variel, Vincent, Weber, Wilcox, and Young of San Diego—51.

NOES—Messrs. Heath, Mahler, McClenahan, Morgan, Renison, Sherburne, and Spurgeon—7

Substitute for Assembly Bill No. 129 ordered engrossed, and placed on file for third reading.

NOTICE OF RECONSIDERATION.

Mr. Brierly gave notice that, on to-morrow, he would move to reconsider the vote whereby the substitute for Assembly Bill No. 129 was ordered engrossed.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, February 15, 1887.

MR SPEAKER Your Committee on Ways and Means, to whom was referred Assembly Bill No 283—An Act to appropriate money to pay the fees of John C Edgar, ex-Sheriff of the County of San Mateo, for delivering certain insane persons at the Insane Asylum at Stockton—report the same back, and recommend the substitute do pass.

TAYLOR, Chairman.

SPECIAL FILE—THIRD READING OF BILLS.

Assembly Bill No. 262—An Act to provide for the deficiency in the appropriation for the costs and expenses of suits wherein the State is a party in interest, for the thirty-eighth fiscal year.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Alexander, Atherton, Bailey, Barton, Britt, Brown W A, Butler, Campbell, Colbert, Cope, Currey of Solano, Davis, Ellsworth, Ewing, Gould, Granger, Gruwell, Henry of Butte, Henry of San Joaquin, Hyde, Knox, LaBlanc, Mahler, Martin, McClenahan, Mitchell, Morgan, Morris, Ohleyer, Price, Rucker, Searey, Sherburne, Sims, Smyth, Spurgeon, Taylor, Toner, Variel, Venable, Vincent, Weber, Wilcox, Young of San Diego, and Mr Speaker—46.

NOES—Messrs Brierly, Brusie, Coombs, and Handy—4.

Title read and approved.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 15, 1887.

MR SPEAKER Your Committee on Corporations, to whom was referred Assembly Bill No 489—An Act to amend an Act entitled "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," approved March 3, 1885, by adding a new section thereto

Also, Assembly Bill No 492—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, in relation to corporations

Report the same back, and recommend that they do pass

Also, Assembly Bill No 455—An Act to amend section three hundred and seven of an Act entitled "An Act to establish a Civil Code," relating to the formation of corporations—report the same back, and recommend that it do not pass, as the committee has already recommended a bill for passage covering the same subject

Also, Assembly Bill No 85—An Act to amend sections four hundred and ninety-seven, four hundred and ninety-nine, and five hundred and two of an Act entitled an Act to establish a Civil Code, approved March 21, 1872, relating to street railroads and the sale of franchises therefor—report the same back, with a substitute, and recommend the passage of the substitute

Also, Assembly Bill No 241—An Act to regulate the rate of charges upon telegraph lines, and to prevent extortion by owners of telegraph lines—report the same back, and recommend that it do not pass.

ALEXANDER, Chairman.

MOTION.

Mr. Knox moved to suspend the rules, and take up, out of order, Assembly Bill No. 232, and read same second time.

So ordered.

SECOND READING OF BILL.

Assembly Bill No. 232—An Act to repeal all such provisions of an Act entitled an Act to revise an Act entitled an Act to amend the

charter of the City of Los Angeles, to define its limits and rights, to enlarge its powers, and provide for its more efficient government, approved March 26, A. D. 1874, approved April 1, 1876, as provide for the creation of a City Court in the City of Los Angeles, for a Judge of said City Court, and as require the Mayor of said city to be ex officio City Judge of said Court.

Substitute read second time.

Mr. LaBlanc moved that the usual number of copies of substitute for Assembly Bill No. 402 be printed.

So ordered.

Mr. Rucker moved that Assembly Bills Nos. 400 and 493 be placed on the Special File.

So ordered, on a division—ayes, 29; noes, 4.

THIRD READING OF BILLS.

Assembly Bill No. 266—An Act to provide for the deficiency in the appropriation for the costs and expenses of suits wherein the State is a party in interest, for the thirty-fifth fiscal year.

Read third time.

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

AYES—Messrs Britt, Brown W A , Cope, Davis, Ellsworth, Gould, Gruwell, Hart, Heath, Henry of San Joaquin, Hyde, Knox, LaBlanc, Matthews of San Benito, McClenahan, Mitchell, Morgan, Ohlever, Price, Searey, Sherburne, Sims, Smyth, Spurgeon, Taylor, Variel, Venable, Weber, Wilcox, Wright, Young of San Diego, and Young of San Joaquin—32

NOES—Messrs Adams, Alexander Atherton, Bailey, Barry, Barton, Brierly, Brusie, Butler, Campbell, Coombs, Currey of Solano, Ewing, Henry of Butte, Vincent, and Mr Speaker—16

Assembly Bill No. 208—An Act to validate proceedings for the reorganization of municipal corporations taken since the passage of the Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Alexander, Atherton, Bailey, Barry, Barton, Brierly, Britt, Brusie, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Gruwell, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hyde, Knox, LaBlanc, Matthews of San Benito, McClenahan, McDonnell, Morgan, Ohlever, Price, Regan, Rucker, Searey, Sims, Smyth, Spurgeon, Taylor, Toner, Variel, Venable, Vincent, Weber, Windrow, Wilcox, Wright, Young of San Diego, and Young of San Joaquin—49.

NOES—None.

Title read and approved.

REPORTS OF STANDING COMMITTEES.

ON ENGROSSMENT

ASSEMBLY CHAMBER, SACRAMENTO, February 16, 1887

MR SPEAKER: Your Committee on Engrossment beg leave to report that the following Assembly Bills have been correctly engrossed:

Nos 12, 217, 21, and 464.

WINDROW, Chairman

ON INTERNAL IMPROVEMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, February 16, 1887

MR SPEAKER: Your Committee on Internal Improvements, to whom was referred Assembly Bill No 479—An Act to create and maintain a relief and pension fund in the fire departments, and to provide for the administration of such fund—report the same back, without recommendation.

W. A. BROWN, Chairman.

Mr. Wright moved that Assembly Bill No. 12 be made the special order for to-morrow morning, immediately after reading the Journal, and to take preference over other special orders.

So ordered.

Assembly Bills Nos. 2, 120, 404, 284, 314, 323, 279, 186, 238, 137, 56, 388, and 237, passed on file.

Assembly Bill No 235—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, relating to salaries and fees of officers.

Withdrawn by the author, with consent of the House.

Assembly Bill No. 345—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 ninety-one thereof, providing for the fees to be collected by the County Clerk, Sheriff, and Recorder, for the use of the county.

Withdrawn by the author, with consent of the House.

Assembly Bill No. 506—An Act to amend section one hundred and seventy-one of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883.

Withdrawn by the author, with consent of the House.

Assembly Bill No. 180—An Act authorizing County Clerks in this State to take and certify affidavits for United States pension claimants, without the payment of fees or compensation therefor.

Read second time, ordered engrossed, and placed on file for third reading.

Assembly Bill No. 80—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 six hundred and three, providing for the formation of certain religious corporations.

Read second time.

Committee amendments, as follows, adopted:

Amend the title hereof by striking out therefrom the words "section six hundred and three," and inserting, in lieu thereof, the words "section six hundred and four."

Also, amend section one hereof, by striking out the words "section six hundred and three," in line two thereof, and inserting, in lieu thereof, the words "section six hundred and four."

Also, amend section one hereof, by striking out the figures "603," in the fourth line thereof, and inserting, in lieu thereof, the figures "604."

MOTION.

Mr. Lawrence moved to suspend the rules, and take up Assembly Bill No. 17, out of order, and consider the same.

So ordered, on a division—ayes, 24; noes, 9.

FIRST READING OF BILL.

Assembly Bill No. 17—An Act to amend section four hundred and nineteen of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to insurance corporations.

Read first time, and placed on file for second reading.

MOTION.

Mr. Lawrence moved that Assembly Bill No. 17 be made a special order for Friday morning next, immediately after the reading of the Journal.

So ordered.

SPECIAL FILE—(RESUMED).

Assembly Bill No. 456—An Act to amend sections three thousand nine hundred and nine and three thousand nine hundred and thirteen of the Political Code, relating to the boundaries of Del Norte and Siskiyou Counties.

Passed on file.

At five o'clock and four minutes P. M. Mr. Brusie moved to take a recess until seven o'clock and thirty minutes P. M.

Lost.

ADJOURNMENT.

At five o'clock and five minutes P. M. Mr. W. A. Brown moved that the House do now adjourn.

Carried, on a division—ayes, 33; noes, 31.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Thursday, February 17, 1887.

The House met pursuant to adjournment.

Speaker Jordan in the chair.

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

Messrs Adams, Alexander, Atherton, Bailey, Barry, Barton, Brierly, Britt, Brown W A, Brown J B, Brusie, Burnett, Butler, Callaghan, Campbell, Cohen, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Grunwell, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hyde, Knox, LaBlanc, Lawrence, Mahler, Martin, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, Mitchell, Morgan, Morris, Ohleyer, Price, Regan, Rucker, Renison, Searey, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Taylor, Toner, Variel, Venable, Vincent, Weber, Windrow, Wilcox, Wright, Young of San Diego, Young of San Joaquin, and Mr Speaker.

Quorum present.

Prayer by the Chaplain, Rev. E. R. Dille.

Pending the reading of the Journal of yesterday, Mr. Young of San Diego moved to dispense with further reading.

So ordered.

Journal approved.

Mr. Wright called up the special order, set for this hour, and giving way to a

QUESTION OF PRIVILEGE.

Mr. Sims arose to a question of privilege, and read from the Sacramento Bee an article regarding Assembly Bill No. 485, introduced

by him, declaring that he had introduced the bill as a measure of common policy, and for the abatement of a growing evil throughout the State.

The time for consideration of special order, set for this hour, immediately after the reading of the Journal, having arrived, Assembly Bill No. 12—An Act to provide for the organization and government of irrigation districts, and to provide for the organization and distribution of waters thereby for irrigation purposes—was taken up.

MOTION.

On motion of Mr. Taylor, Mr. Carroll was marked present on Monday, Tuesday, and Wednesday of this week.

INTRODUCTION OF BILL—(OUT OF ORDER).

The following bill was introduced, read by title, and referred to committee, as follows:

By Mr. McDonnell: Assembly Bill No. 533—An Act for the relief of I. G. Wickersham, for money expended in the matter of the extradition of Ang Tai Duck.

Referred to Committee on Federal Relations.

PETITIONS.

Mr. Venable presented a petition from citizens of San Luis Obispo County, regarding the teaching of temperance in public schools.

Mr. Brusie presented a like petition from citizens of Amador County.

Petitions referred to Committee on Education.

THIRD READING OF BILL.

Assembly Bill No. 12—An Act to provide for the organization and government of irrigation districts, and to provide for the organization and distribution of waters thereby for irrigation purposes.

Read third time.

Mr. Wright moved that this bill be referred to a select committee of one, with special instructions to prepare amendments to the bill, as follows:

Amend section two, amended printed copy, by striking out, after the word "shall," line thirty-five, the words "be a land," and also striking out the words "owner and shall in addition thereto," at the beginning of line thirty-six, same section.

Amend section five, by inserting, after the word "Board," at the end of line four, amended printed copy, the following: "which shall be established and kept at some fixed place, to be determined by said Board."

Amend section eleven, amended printed copy, by striking out the following, after the word "upon," in line eleven: "the basis of the ratio which the area of the land of each owner bears to all the lands in such district," and insert, in lieu thereof, the following: "the basis of the ratio which the last assessment of such owner for district purposes within said district bears to the whole sum assessed upon

the district; *provided*, that any land owner may assign the right to the whole or any portion of the water so apportioned to him."

Amend section fifteen, amended printed copy, by striking out the words "twenty years," after the word "in," line twenty; also, by inserting, after the word "States," in line twenty-one, the following: "in installments, as follows, to wit: at the expiration of eleven years, five per cent of said bonds; at the expiration of twelve years, six per cent; at the expiration of thirteen years, seven per cent; at the expiration of fourteen years, eight per cent; at the expiration of fifteen years, nine per cent; at the expiration of sixteen years, ten per cent; at the expiration of seventeen years, eleven per cent; at the expiration of eighteen years, thirteen per cent; at the expiration of nineteen years, fifteen per cent; and for the twentieth year, a percentage sufficient to pay off such bonds."

Amend section twenty-three, amended printed copy, by striking out, after the word "assessment," in line one, the word "due;" also, amend section twenty-three, amended printed copy, by striking out, after the words "after the," in line two, the words "time the same becomes delinquent," and insert, in lieu thereof, the words, "first Monday in March for any year."

Amend section thirty-four, amended printed copy, by inserting, after the word "bonds," in line four, the words "not due."

Amend section thirty-seven, by striking out all after the word "fund," in line three, amended printed copy, to and including the word "irrigated," in line twelve; also, insert, after the word "expenses," line thirteen, the following: "of the organization of the district and."

Amend section forty-eight, by adding the words "or Water Commissioners," after the word "irrigation," in line two.

So ordered.

APPOINTMENT OF SELECT COMMITTEE.

The Speaker appointed Mr. Wright the select committee of one to amend Assembly Bill No. 12.

The Speaker called the attention of the House to the fact that the Janitor of the Capitol building had refused to open certain rooms in the building.

REPORT OF SELECT COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, February 16, 1887

MR SPEAKER Your select committee, to whom was referred Assembly Bill No 12—An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition and distribution of waters thereby for irrigation purposes, 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

C C WRIGHT, Special Committee

Report adopted.

The Speaker announced that certain rooms in this building, to which he had before referred, had been opened by the Janitor.

MOTION.

Mr. Sims moved to suspend the rules, and take up Assembly Bill No. 148, out of order, and consider the same.

So ordered.

FIRST READING OF BILL.

Assembly Bill No. 148—An Act to amend sections one, five, six, seven, eight, ten, and eleven of an Act entitled "An Act to provide for the redemption of the funded indebtedness of the City of Sacramento," approved March 25, 1872.

Read first time, and placed on file for second reading.

Mr. Ellsworth moved that Assembly Bill No. 148 be placed on the Special File.

So ordered, on a division—ayes, 37; noes, 1.

Mr. Sims moved that the substitutes reported by the committees for Assembly Bills Nos. 148, 343, and 344, be printed.

So ordered.

MOTION.

Mr. Smyth moved to suspend the rules, and take up Assembly Bill No. 398, out of order, and consider the same.

So ordered.

FIRST READING OF BILL.

Assembly Bill No 398—An Act to amend sections one thousand one hundred and eighty-seven, one thousand one hundred and eighty-eight, and one thousand one hundred and ninety-one of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to uniformity of tickets.

Read first time, and placed on file for second reading.

PETITION.

By Mr. Hyde: A petition from citizens of Alameda, to accompany Senate Bill No. 22, in relation to branches of studies to be taught in the public schools.

MOTION.

Mr. Price moved that the rules be suspended, and that Assembly Bill No 321 be taken up, out of order, and considered.

So ordered.

FIRST READING OF BILL.

Assembly Bill No. 321—An Act to amend section eight of an Act entitled "An Act to establish a State Board of Silk Culture, and to provide moneys for the expenses thereof," approved March 18, 1885, relating to the Secretary of the Board of Silk Culture, and empowering a member of the Board to act as Secretary, and to be paid a salary for services as such Secretary.

Read first time, and placed on file for second reading.

MOTION.

Mr. Venable moved that the rules be suspended, and that Assembly Bill No. 482 be taken up, out of order, and considered.

So ordered.

FIRST READING OF BILL.

Assembly Bill No. 482—An Act to amend section six hundred and fifty-four of an Act entitled "An Act to establish a Political Code,"

approved March 12, 1872, relating to the State Board of Examiners, its Secretary, and making an appropriation for his salary.

Read first time, and placed on file for second reading.

MOTION.

Mr. Hart moved that the rules be suspended, and that Assembly Bill No. 179 be taken up, out of order, and considered.

So ordered.

THIRD READING OF BILL.

Assembly Bill No. 179—An Act entitled an Act to create the County of Glenn, 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 Adams, Alexander, Bailey, Barry, Brierly, Britt, Brown W A, Brown J B, Brusie, Burnett, Carroll, Cohen, Cooley, Coombs, Cope, Curry of San Francisco, Davis, Ewing, Gould, Handy, Hart, Henry of Butte, Hyde, LaBlanc, Lawrence, Mahler, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, Mitchell, Morris, Price, Regan, Rucker, Searey, Shanahan, Sherburne, Smyth, Spurgeon, Toner, Weber, Windrow, Wilcox, and Young of San Diego—46

NOES—Messrs. Atherton, Butler, Currey of Solano, Ellsworth, Granger, Gruwell, Heath, Henry of San Joaquin, Knox, Ohleyer, Venable, Vincent, Wright, Young of San Joaquin, and Mr. Speaker—15.

Title read and approved.

NOTICE TO RECONSIDER.

Mr. Mathews of Tehama gave notice that, on to-morrow, he would move to reconsider the vote whereby Assembly Bill No. 179 was passed.

MOTION.

Mr. Atherton moved that the rules be suspended, and that Assembly Bill No 436 be taken up, out of order, and considered.

So ordered.

FIRST READING OF BILL.

Assembly Bill No. 436—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 two thousand five hundred and fifty-four, relating to the powers and duties of the Board of State Harbor Commissioners.

Read first time, and placed on file for second reading.

MOTION.

Mr. Matthews of San Benito moved that the rules be suspended, and that Assembly Bill No. 397 be taken up, out of order, and considered.

So ordered.

FIRST READING OF BILL.

Assembly Bill No. 397—An Act making appropriations for the erection of buildings, and for other improvements, at the State Prison at San Quentin.

Read first time, and placed on file for second reading.

MOTION.

Mr. Britt moved that the rules be suspended, and that Assembly Bill No. 489 be taken up, out of order, and considered.

So ordered.

FIRST READING OF BILL.

Assembly Bill No. 489—An Act to amend an Act entitled "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," approved March 3, 1885, by adding a new section thereto.

Read first time, and placed on file for second reading.

MOTION.

Mr. Gould moved that the rules be suspended, and that Assembly Bill No. 22 be taken up, out of order, and considered.

So ordered.

THIRD READING OF BILL.

Assembly Bill No. 22—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.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Alexander, Atherton, Bailey, Barry, Brierly, Britt, Brown J. B., Brusie, Campbell, Carroll, Cohen, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Ewing, Gould, Granger, Gruwell, Handy, Hart, Henry of Butte, Hyde, Knox, LaBlanc, Lawrence, Mahler, Martin, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, Mitchell, Morgan, Morris, Ohlever, Price, Regan, Rucker, Renison, Searey, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Variel, Venable, Vincent, Weber, Wilcox, Wright, Young of San Diego, Young of San Joaquin, and Mr. Speaker—58

NOES—None

Mr. Gould offered the following amendment to the title, which was adopted: amend title of substitute for Bill No. 22, by striking out, in said title, the word "and," in the last line of said title.

Title read and approved, as amended.

MOTION.

Mr. Price moved that the rules be suspended, and that Assembly Bill No. 283 be taken up, out of order, and considered.

So ordered.

FIRST READING OF BILL.

Assembly Bill No. 283—An Act to appropriate money to pay the fees of John C. Edgar, ex-Sheriff of the County of San Mateo, for delivering certain insane persons at the Insane Asylum at Stockton.

Read first time, and placed on file for second reading.

MOTION.

Mr. Sherburn moved that the rules be suspended, and that Senate Bill No. 10 be taken up, out of order, and considered.

So ordered.

FIRST READING OF BILL.

Senate Bill No. 10—An Act to amend section six hundred and ninety of an Act entitled an Act to establish a Code of Civil Procedure, adopted March 11, 1872, by adding a new article, exempting fishing boats and nets from execution.

Read first time, and placed on file for second reading.

MOTION.

Mr. Mahler moved to suspend the rules, and take up, out of order, Assembly Bill No. 390, and read same second time.

So ordered.

SECOND READING OF BILL.

Assembly Bill No. 390—An Act to appropriate money for the erection of a monument at the grave of J. W. Marshall, deceased, the discoverer of gold in California.

Read second time.

MOTION.

Mr. Hyde moved that the House go into Committee of the Whole, for the purpose of considering Assembly Bill No. 390, with the Speaker in the chair.

Mr. Brierly moved to amend as follows: "with Mr. Brusie in the chair."

Amendment adopted.

Motion, as amended, adopted.

IN COMMITTEE OF THE WHOLE.

Mr. Brusie in the chair.

The bill was considered in the Committee of the Whole.

IN ASSEMBLY.

Speaker Jordan in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Chair stated the report as follows:

GENTLEMEN The Committee of the Whole have had under consideration Assembly Bill No 390—An Act to appropriate money for the erection of a monument at the grave of J W. Marshall, deceased, the discoverer of gold in California—and now report progress, and recommend the adoption, as a substitute for Assembly Bill No. 390, as follows

SUBSTITUTE FOR ASSEMBLY BILL No. 390.

An Act to appropriate money for the erection of a monument at the grave of J W. Marshall, deceased, the discoverer of gold in California.

The People of the State of California, represented in Senate and Assembly, do enact as follows:

SECTION 1. There is appropriated, out of moneys in the General Fund of the State, the sum of five thousand dollars, to erect a monument to the memory of James W Marshall, over his grave at Coloma, El Dorado County, State of California

SEC 2 The Controller is hereby authorized to draw his warrant for said amount, at the request of a Board of Commissioners, to consist of three citizens of the State of California, who shall be named by the Governor of the State of California within thirty days after this Act shall take effect

SEC 3 The said Board is hereby authorized to erect a suitable monument to carry out the purposes of this Act, at an expense not to exceed five thousand dollars.

SEC. 4 This Act shall take effect immediately.

RECESS.

The hour of recess having arrived, 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 Jordan in the chair.

Quorum present.

The question being on the report of the Committee of the Whole, recommending the adoption of the substitute for Assembly Bill No. 390, the same was adopted.

Mr. Brierly offered the following amendment: amend title, by striking out the word "the," before "discoverer," and substituting the word "a."

Lost.

Assembly Bill No. 390 ordered engrossed, and placed on file for third reading.

INTRODUCTION OF BILL—(OUT OF ORDER).

The following bill was introduced, read by title, and referred to committee, as follows:

By Mr. McDonnell: Assembly Bill No. 534—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 seven hundred and sixty-four thereof, relative to the powers of the Board of Trustees of cities of the fifth class.

Referred to Committee on Municipal Corporations.

PETITIONS.

Mr. Renison presented a petition from citizens of Monterey County, regarding the teaching of temperance in public schools.

Mr. Henry of Butte presented a like petition from citizens of Butte County.

Petitions referred to Committee on Education.

MOTION.

Mr. Variel moved that the rules be suspended, and that Assembly Bill No. 496 be taken up, out of order, and considered.

So ordered.

SECOND READING OF BILL.

Assembly Bill No. 496—An Act to protect life and property against the careless and malicious use or handling of dynamite and other high explosives.

Read second time.

Mr. Henry called up the special order set forth this hour, two o'clock and thirty minutes P. M., consideration of Assembly Bill No. 15, and moved that its consideration be postponed until after the bill now under consideration is disposed of.

So ordered.

Mr. Variel offered the following amendments to Assembly Bill No. 496, which were adopted: strike out "high" from title.

Also, amend section five, on page three, by striking out, from lines twelve and thirteen, the words, "by imprisonment in the State Prison for a period not less than one year," and substituting, in lieu thereof, the word "accordingly."

Also, amend section eight, page four, by striking out the word "high" in line six.

Also, line six, section eight, by inserting, after the word "powder" the words, "or gunpowder or other chemical compound."

Mr. Young of San Diego offered the following amendment: amend section eight, line eleven, by striking out the words "one year," and inserting the words "five years."

Lost

Assembly Bill No. 496 ordered engrossed, and placed on file for third reading.

Mr. Variel moved that Assembly Bill No. 496 be placed upon the Special File.

So ordered.

SPECIAL ORDER.

The special order set for this hour, consideration of Assembly Bill No. 15—An Act to establish a Branch State Normal School—was taken up.

Mr. Henry of Butte moved to reconsider the vote whereby the Journal of February tenth was approved.

So ordered.

Mr. Henry of Butte moved to amend the Journal of February tenth so as to read as follows:

"Mr Henry of Butte moved to reconsider the vote whereby Assembly Bill No. 15 was amended, on yesterday, and that further consideration of the bill be made the special order for Wednesday next, immediately after reading the Journal."

So ordered.

Journal ordered corrected.

Mr. Henry of Butte moved to reconsider the vote whereby Assembly Bill No. 15 was amended under special instructions.

Lost, on a division—ayes, 22; noes, 29.

INTRODUCTION OF BILL.

The following bill was introduced, read by title, and referred to committee, as follows:

By Mr Renison: Assembly Bill No. 535—An Act to prevent the adulteration of cigars, cigarettes, and manufactured tobacco.

Referred to Committee on Labor and Capital.

MOTION.

Mr. Carroll moved that the rules be suspended, and that Assembly Bill No. 128 be taken up, out of order, and considered.

So ordered, on a division—ayes, 28; noes, 9.

FIRST READING OF BILL.

Assembly Bill No. 128—An Act to provide for the payment of the per diem of the members and attachés of the Constitutional Convention.

Read first time, and placed on file for second reading.

MOTIONS.

Mr. Taylor moved to take up Senate messages.

Lost.

Mr. Butler moved to suspend the rules, and to take up, out of order, Assembly Bill No. 107, and consider same.

Lost, on a division—ayes, 29; noes, 15.

Mr. Renison moved to suspend the rules, and take up Assembly Joint Resolution No. 2, out of order, and consider the same.

So ordered, on a division—ayes, 26; noes, 3.

Assembly Joint Resolution No. 2—Relative to the election of Senators of the United States.

Mr. Renison offered the following amendment: insert after the

word "the," and before the word "people," the words "direct vote of the people."

Resolution, as amended, adopted, on a division—ayes, 19; noes, 16.

NOTICE OF MOTION TO AMEND THE RULES.

Mr. Brierly gave notice that, on to-morrow, he would move to amend the rules as follows:

I propose to offer a resolution to change the rules of the Assembly in line twelve, Rule 2, to read as follows

12 Business on the General File in the following order: at the morning session, bills on second reading; at the afternoon session, bills on first reading, at evening sessions, bills on third reading

Also, I propose to offer a motion to change Rule 1, in second sentence, to read as follows

Recesses shall be taken from twelve o'clock and thirty minutes P M to two o'clock P. M and from six o'clock P M to seven o'clock and thirty minutes P M

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON WATER RIGHTS AND DRAINAGE

ASSEMBLY CHAMBER, SACRAMENTO, February 17, 1887

MR SPEAKER: Your Committee on Water Rights and Drainage, to whom was referred Assembly Bill No. 498—An Act prescribing the powers, duties, and rights of corporations, companies associations or persons furnishing water to any city and county, city, or town, or the inhabitants thereof, and to regulate water rates—have had the same under consideration, and report the same back, and recommend that it do pass

CAMPBELL, Chairman

ON RETRENCHMENT

ASSEMBLY CHAMBER, SACRAMENTO, February 15, 1887.

MR SPEAKER: Your Committee on Retrenchment, to whom was referred Senate Bill No 106—have had the same under consideration, and report the same back, and recommend that it do pass The committee would also recommend that Senate Bill No 106 (this bill) be substituted for Assembly Bill No 435, and also recommend that Assembly Bill No. 482 be withdrawn, as both bills are identical with this bill

GOULD, Chairman.

Senate Bill No. 106 substituted for Assembly Bill No. 435, and Assembly Bill No. 482 withdrawn, as recommended by the committee.

ON STATE HOSPITALS.

ASSEMBLY CHAMBER, SACRAMENTO, February 17, 1887.

MR SPEAKER: Your Committee on State Hospitals, to whom was referred Assembly Bill No. 130—An Act to establish an Asylum for Insane Criminals of the State of California.

Also, Assembly Bill No 326—An Act to establish a State Board of Charities and Reform, to prescribe the duties thereof, and to provide for their compensation and expenses.

Also, Assembly Bill No 431—An Act to amend section two thousand two hundred and eighty-one of an Act entitled "An Act to establish a Political Code," approved March 21, 1872, in relation to the office of Treasurer of the Deaf and Dumb and the Blind Asylum

Also, Assembly Bill No 328—An Act to regulate the practice of pharmacy, and the sale of medicines and poisons, to provide for the inspection of drugs and medicines, and to prevent and punish the adulteration of the same

Report the same back, and recommend that they do pass, as amended

Also, Assembly Bill No 452—An Act to amend section eight of an Act entitled "An Act to provide for the future management of the Napa State Asylum for the Insane," approved March 6, 1876, relating to the resident and assistant physicians

Also, Assembly Bill No 401—An Act to amend section two thousand one hundred and sixty-nine of the Political Code, relating to salary of physicians at the Stockton Insane Asylum

Report the same back, and recommend that they do pass

BUTLER, Chairman.

ON MILEAGE.

ASSEMBLY CHAMBER, SACRAMENTO, February 17, 1887

MR SPEAKER: Your Committee on Mileage, to whom was referred the report of the Committee on Accounts and Expenditures 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 Brown, Martin, Morris, and Clerk Elliott

Resolved, That the Controller be and is hereby authorized to draw his warrant for the sum of seventy-six dollars and eighty cents in favor of W A Brown, for above mileage, payable out of the appropriation for the contingent expenses of the Assembly

WEBER, Chairman

Resolution adopted.

ON SWAMP AND OVERFLOWED LANDS

ASSEMBLY CHAMBER, SACRAMENTO, February 16, 1887.

MR SPEAKER Your Committee on Swamp and Overflowed Lands, to whom was referred Assembly Bill No 475—report the same back, and recommend that it do pass.

BURNETT, Chairman.

ON CLAIMS.

ASSEMBLY CHAMBER, SACRAMENTO, February 16, 1887

MR SPEAKER Your Committee on Claims, to whom was referred Assembly Bill No 331—An Act for the relief of Wilson Deletta—report the same back, and recommend a substitute therefor, and recommend that it do pass.

NESTOR A YOUNG, Chairman

ON CONSTITUTIONAL AMENDMENTS

ASSEMBLY CHAMBER, SACRAMENTO, February 17, 1887

MR SPEAKER Your Committee on Constitutional Amendments, to whom was referred Constitutional Amendment No 19—report the same back, and recommend that it be not adopted

ELLSWORTH, Chairman

ON FEDERAL RELATIONS

ASSEMBLY CHAMBER, SACRAMENTO, February 16, 1887.

MR SPEAKER Your Committee on Federal Relations, to whom was referred Assembly Petition—Relative to the improvements of Eel River

Also, Joint Resolution No 9

Report the same back, and recommend that they do pass

Also, Assembly Petition—Relative to the establishment of an International Court of Arbitration—report the same back, without recommendation

Also, Senate Joint Resolution No 1—report the same back, and recommend that it be concurred in

BRUSIE, Chairman

ON AGRICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, February 16, 1887.

MR SPEAKER Your Committee on Agriculture, to whom was referred Assembly Bills Nos 325, 429, and 427—have had the same under consideration, and respectfully report the same back, with the recommendation that Nos 325 and 429 do pass, and that No 427 do pass, as amended

BAILEY, Chairman

ON ENGROSSMENT

ASSEMBLY CHAMBER, SACRAMENTO, February 17, 1887.

MR SPEAKER: Your Committee on Engrossment beg leave to report that the following Assembly Bills have been correctly engrossed

Nos 129, 227, 13, 180, 80, and 532

WINDROW, Chairman

ON EDUCATION

ASSEMBLY CHAMBER, SACRAMENTO, February 16, 1887.

MR SPEAKER: Your Committee on Education, to whom was referred Assembly Bills Nos 342, 458, 480, 481, 503, 504, 511, 512, 513, 514, and 515—have had the same under consideration, and respectfully report the same back, with recommendations as follows

Assembly Bill No 342—An Act appropriating the sum of twenty-eight thousand five

hundred dollars, for the purpose of purchasing suitable property for the location of the Industrial Home of Mechanical Trades for the Adult Blind of California—do pass

Assembly Bill No 458—An Act to provide for the care and security of the State series of school text-books by the erection of a fireproof warehouse, to be used for the storage of the same, authorizing the appointment of a storekeeper to have the care and custody of said text-books, and appropriating money to pay the expenses of erecting said warehouse, and the salary of such storekeeper—with amendments, passage as amended

Assembly Bill No 480—An Act to amend an Act entitled "An Act to provide for the compiling, illustrating, electrotyping, printing, binding, copyrighting, and distributing a State series of school text-books, and to appropriate money therefor," approved February 26, 1885—with amendments, pass as amended

Assembly Bill No 481—An Act to amend section seven of an Act entitled "An Act to provide for compiling, illustrating, electrotyping, binding, copyrighting, and distributing a State series of text-books, and appropriating money therefor," approved February 26, 1885—do not pass

Assembly Bill No 503—An Act to provide for compiling, illustrating, electrotyping, printing, binding, copyrighting, and distributing certain books of a State series of school text-books, and appropriating money therefor—with amendments, pass as amended

Assembly Bill No 504—An Act to add nine new sections to the Political Code of the State of California, to be known and numbered sections one thousand eight hundred and forty, one thousand eight hundred and forty-one, one thousand eight hundred and forty-two, one thousand eight hundred and forty-three, one thousand eight hundred and forty-four, one thousand eight hundred and forty-five one thousand eight hundred and forty-six, one thousand eight hundred and forty-seven, and one thousand eight hundred and forty-eight—with amendment, pass as amended

Assembly Bill No 511—An Act to provide for compiling, illustrating, electrotyping, printing, binding, copyrighting, and distributing certain books of a State series of school text-books, and appropriating money therefor—being identical with Assembly Bill No. 503, the author should withdraw the bill

Assembly Bill No 512—An Act to amend section one thousand seven hundred and seventy-one of "An Act to establish a Political Code," approved March 12, 1872, in relation to the powers of County Boards of Education—with amendments, pass as amended.

Assembly Bill No. 513—An Act to add three new sections to an Act entitled "An Act to establish a Political Code," approved March 12, 1872, to be numbered four hundred and forty-four, one thousand six hundred and twenty-five, and one thousand six hundred and eighty-two, respectively, in relation to the duties of Controller and Trustees of school districts as to apportionment of moneys, the enrollment of pupils in the Grammar School course, and to provide for the same, and to amend sections one thousand five hundred and thirty-two, one thousand five hundred and thirty-three, one thousand five hundred and forty-three, and one thousand six hundred and ninety-six of said Act, in relation to pupils enrolled in the Grammar School course, the duties of the Superintendent of Public Instruction, County Superintendents, and teachers, in relation thereto, and the apportionment of moneys appropriated therefor—with amendments, pass as amended

Assembly Bill No 514—An Act to amend section one thousand seven hundred and seventy-three of "An Act to establish a Political Code," approved March 12, 1872, in relation to the examination of applicants to teach in the public schools—do pass

Assembly Bill No 515—An Act to add a new section to an Act to establish a Political Code, approved March 12, 1872, to be numbered section one thousand six hundred and sixty-nine, in relation to the manner in which studies shall be taught in the grammar course and grammar grade, and prescribing the duties of teachers, principals, and County Superintendents in relation thereto—without recommendation

BRIERLY, Chairman

Speaker pro tem. Brierly in the chair.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 16, 1887

MR. SPEAKER I am directed to inform your honorable body that the Senate, on this day, passed Senate Bill No 340—An Act to amend an Act entitled "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," approved March 3, 1885, by adding a new section thereto

Also, Senate Bill No 12—An Act to amend section one hundred and twenty-five of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883

Also, Senate Bill No 107—An Act to provide an additional Judge of the Superior Court of Tulare County

Also, Senate Bill No 164—An Act to provide for the painting of State buildings located at Sacramento, and to appropriate money therefor

Also, Senate Bill No 237—An Act to add three new sections to an Act entitled "An Act to establish a Political Code," approved March 12, 1872, to be numbered four hundred

and forty-four, one thousand six hundred and twenty-five, and one thousand six hundred and eighty-two, respectively, in relation to the duties of the Controller and Trustees of school districts as to apportionment of moneys, the enrollment of pupils in the Grammar School course, and to provide for the same, and to amend sections one thousand five hundred and thirty-two, one thousand five hundred and thirty-three, one thousand five hundred and forty-three, and one thousand six hundred and ninety-six of said Act, in relation to pupils enrolled in the Grammar School course, the duties of the Superintendent of Public Instruction, County Superintendents, and teachers, in relation thereto, and the apportionment of moneys appropriated therefor

Also, Senate Bill No 192, as amended—An Act establishing an Industrial Home of Mechanical Trades for the Adult Blind of the State of California, creating a Board of Directors for the government thereof, and appropriating the sum of sixty-five thousand dollars for the support of said Home

Also, Senate Bill No. 137—An Act to amend sections one thousand two hundred and ninety-two, one thousand two hundred and ninety-three, one thousand two hundred and ninety-four, and one thousand two hundred and ninety-five of the Political Code of the State of California, relating to election returns for Governor and Lieutenant-Governor, and the duties of County Clerks in relation therewith

Also, Senate Bill No 130—An Act to amend section one thousand two hundred and seventy-eight of the Political Code, relating to canvassing election returns, and to repeal section one thousand two hundred and seventy-nine of said Code

Also, Senate Bill No 136—An Act to add a new section to the Political Code of the State of California, to be numbered section four thousand two hundred and twenty-five, in relation to the duties of County Auditors

Also, on February seventeenth, passed Senate Bill No 231—An Act to amend section one thousand eight hundred and fifty-eight of an Act entitled "An Act to establish a Political Code," approved March 11, 1872, relating to apportionment of school moneys

ED H HAMILTON, Secretary
By J. H CORCORAN, Assistant Secretary.

CONSIDERATION OF MESSAGES FROM THE SENATE.

The rules were suspended, and Senate Bill No. 340 substituted for Assembly Bill No. 489, on motion of Mr. Lawrence

Senate Bill No. 12 referred to Committee on County and Township Governmen ts.

Senate Bill No. 107 referred to Committee on Judiciary.

Senate Bill No. 237 referred to Committee on Education.

Senate Bill No. 192 referred to Committee on Education.

Senate Bill No. 137 referred to Committee on Elections

Senate Bill No. 130 referred to Committee on Elections.

Senate Bill No. 136 referred to Committee on County and Township Governments.

Senate Bill No. 231 referred to Committee on Education.

On motion of Mr. Taylor, the rules were suspended, and Senate Bill No. 164 substituted for Assembly Bill No 285.

MOTION.

Mr. Handy moved to suspend the rules, and take up for consideration the substitute for Assembly Bills Nos. 323, 279, 186, 238, 137, 235, 388, 237, 345, 56, and 506, as reported by the Committee on County and Township Governments.

So ordered.

SECOND READING OF BILL.

Substitute for Assembly Bills Nos. 323, 279, 186, 238, 137, 235, 388, 237, 345, 56, and 506—An Act to amend sections seventeen, twenty-five, one hundred and sixty-two, one hundred and sixty-four, one hundred and sixty-six, one hundred and sixty-seven, one hundred and seventy-two, one hundred and seventy-eight, one hundred and seventy-nine, one hundred and eighty, one hundred and eighty-six,

one hundred and eighty-seven, one hundred and ninety-one, one hundred and ninety-three, one hundred and ninety-eight, two hundred and eleven, and two hundred and eighteen of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883, as amended March 14, 1885, and March 18, 1885, relating to the government of counties.

Read second time.

Mr. Coombs offered the following amendment: amend as follows: insert, on page fifteen, after line thirty-one, the following:

Section 175. In counties of the thirteenth class, the county officers shall receive as compensation for the services required of them by law, or by virtue of their office, the following salaries, to wit

1 The County Clerk, two thousand five hundred dollars per annum.
2 The Sheriff, five thousand dollars per annum
3 The Recorder, fifteen hundred dollars per annum
4. The Auditor, five hundred dollars per annum
5 The Treasurer, two thousand dollars per annum
6 The Tax Collector, one thousand dollars per annum
7 The Assessor, three thousand two hundred dollars per annum
8 The District Attorney, two thousand dollars per annum
9 The Coroner, such fees that are now or hereafter may be allowed by law.
10 The Public Administrator, such fees that are now or hereafter may be allowed by law
11 The Superintendent of Schools, nine 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, five dollars per day for each day employed in the discharge of the duties of their office, together with mileage at the rate of thirty cents per mile in going only, from their residence to the county seat at each session of the Board, *provided*, that when the duties of the office of Treasurer and Tax Collector are consolidated, as provided in section fifty-seven of this Act, that the full compensation of said office of Treasurer and Tax Collector for such consolidated duties shall be two thousand five hundred dollars per annum, *provided further*, that the Superintendent of Schools, in addition to his regular salary, shall be allowed his necessary traveling expenses in visiting public schools, not exceeding the sum of three hundred dollars per annum, said amount to be allowed by the Board of Supervisors and paid as other county charges.

Adopted.

Mr. Handy moved to amend, by striking out of section one hundred and seventy-eight, line four, the words "twenty hundred," and inserting, instead, the following, "two thousand."

Adopted.

Mr. Sherburne moved to amend section one hundred and seventy-nine, subdivision seven, so as to read as follows: "the Assessor, two thousand five hundred dollars per annum, to include costs of all necessary maps."

Adopted.

Mr. Brusie moved to amend, as follows: insert, after line twenty-one, page seventeen, the following:

Section 181 In counties of the nineteenth class, the county officers shall receive as compensation for the services required of them by law, or by virtue of their office, the following salaries, to wit

1. The County Clerk, fifteen hundred dollars per annum
2 The Sheriff, four thousand two hundred and fifty dollars per annum
3 The Recorder, fifteen hundred dollars per annum
4 The Auditor, one thousand dollars per annum.
5 The Treasurer, eighteen hundred dollars per annum.
6 The Tax Collector, five hundred dollars per annum
7 The Assessor, eighteen hundred dollars per annum, *provided*, said Assessor shall be allowed one deputy, whose compensation shall not exceed five dollars per day, to be paid out of the County Treasury upon an order of the Board of Supervisors, *provided*, that pay for such deputy shall not be allowed for more than one hundred and twenty days in any one year
8. The District Attorney, fourteen hundred dollars per annum; *provided*, he may charge

and receive for his use necessary expenses for traveling on county or public business, to be allowed as other county charges are allowed by law.

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, six 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, and such sum as the Supervisors may deem just for services rendered in taking testimony in cases of felony where testimony therein is written in accordance with law, *provided*, that no greater sum than six dollars be allowed therefor in any one case

14 Constables, such fees as are now or may hereafter be allowed by law

15 Supervisors, four hundred dollars each per annum, *provided*, that when a member is absent, unless in case of sickness, during the whole of a regular or special meeting of the Board of Supervisors, or Board of Equalization, or Canvassers, no salary shall be paid him for the month during which said regular or special meeting may be held, *and, provided further*, that when a member is absent, unless in case of sickness, during a portion of a regular or special meeting of either of said Boards, the sum of twelve and fifty one hundredths dollars shall be deducted from his salary for the month during which said regular or special meeting may be held, for each day's absence The Auditor, before drawing his warrant for the salary of Supervisors, shall ascertain from the minutes of the Board if any have absented themselves from the sessions thereof, and if any have, make the reduction as hereinbefore provided.

Adopted.

Mr. Variel moved to amend, as follows: amend on page eighteen, section one hundred and eighty-seven, by adding before word "salary," in line six, the word "aggregate."

Adopted.

Also, add, after words "per annum," line seven, same section, the words "payable monthly."

Adopted.

Also, amend, by striking out of section one hundred and ninety-one, line one hundred and fifteen, the word "time," and inserting, instead, the word "session."

Adopted.

Mr. Renison moved to amend, by inserting, immediately after the word "thirteenth," in line seventeen, of section two hundred and eleven, on page twenty-four of printed copy of bill, the following: "fifteenth."

Adopted.

Also, amend, by inserting, immediately after the word "thirteenth," in line seventeen, of section two hundred and eleven, on page twenty-four, of printed copy of bill, the following: "twentieth."

Adopted.

Speaker Jordan in the chair.

Mr. Variel moved to amend section two hundred and eleven, by inserting, after the words "thirty-seventh," in line eighteen, the words, "thirty-eighth."

Adopted.

Also, amend section two hundred and eleven further, by inserting, after the words "thirty-fourth," the words "thirty-sixth," in line eighteen, page twenty-four.

Adopted.

Mr. Knox moved to amend, by striking out of section two hundred and eleven, line twenty-four, the word "is," after the word "affidavit," and inserting, instead thereof, the words "shall be."

Adopted.

Also, amend, by striking out of section two hundred and eleven, line twenty-five, the word "'to," and inserting instead thereof the word "in."

Adopted.

Mr. Davis moved to amend section two hundred and eleven, line seventeen, after the word "fifth," insert the word "twelfth."

Adopted.

Mr. Variel moved to amend, by striking out all of section two, consisting of four lines, on middle last page (24), and preceding "Sec. 218."

Adopted.

Mr. Handy moved to amend, by striking out section one hundred and sixty-two, page nine.

Adopted.

Mr. Brusie moved to amend, by adding one additional class, to be known as class twenty-eight, after the words "per annum," in line seven, section one hundred and eighty-seven, as follows.

Section 190 In counties of the twenty-eighth class, the county officers shall receive as compensation for the services required of them by law, or by virtue of their office, the following salaries, to wit

1 The County Clerk, fifteen hundred dollars per annum.
2 The Sheriff, three thousand five hundred dollars per annum.
3 The Recorder, twelve hundred dollars per annum
4 The Auditor, six hundred dollars per annum
5. The Treasurer, twelve hundred dollars per annum.
6 The Tax Collector, five hundred dollars per annum.
7. The Assessor, nineteen hundred dollars per annum, *provided*, said Assessor shall be allowed one deputy, whose compensation shall not exceed five dollars per day, to be paid out of the County Treasury, upon order of Board of Supervisors, *provided*, such deputy shall not be allowed for more than one hundred and twenty days in any one year
8 The District Attorney, one thousand dollars per annum, and for every conviction, twenty-five dollars, to the amount of five hundred dollars, and no more, if any more, it goes to the county
9 The Coroner, such fees as now or hereafter may be allowed by law
10 The Public Administrator, such fees as now or hereafter may be allowed by law
11 The Superintendent of Schools, five hundred dollars per annum, and one hundred dollars for traveling expenses.
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 may hereafter be allowed by law
14 Constables, such fees as are now or hereafter may be allowed by law
15 Supervisors shall receive five dollars per day, and ten 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.

Adopted.

Mr. Adams moved to amend, by striking out of section one hundred and eighty, line nineteen, the word "four," and inserting, instead, the following. "five."

Adopted.

Mr. Henry of Butte moved to amend, as follows: to add, on line two hundred and twenty-five, page eight, "*provided*, that the license for conducting business at a fixed place shall not exceed one hundred dollars per year."

Lost.

Mr. Hart moved to amend, on page fifteen, strike out line thirty-one, and insert therefor the following. "Supervisors, five dollars per diem and mileage."

Adopted.

Mr. Brierly moved to amend, by adding, at end of section two hundred and eleven, page twenty-four, the following:

In any county in this State where the number of Judges of Superior Courts shall be increased after the first day of January, eighteen hundred and eighty-seven, the Board of Supervisors of said county shall cause the Deputy County Clerks and Deputy Sheriffs that may be required to act in such Courts to be paid monthly, in the same manner that other county officers are paid their compensation as hereinafter specified. In counties

where one additional Judge of a Superior Court shall be appointed, the officers to be paid by the county shall be one Deputy County Clerk and one Deputy Sheriff. In counties where two or more additional Judges of the Superior Court shall be appointed, the officers to be paid by the county shall be one Deputy County Clerk and one Deputy Sheriff for each additional Court, and one Deputy County Clerk to act as Register Clerk. The compensation to be paid to Deputy County Clerks shall be one hundred and twenty-five dollars per month for Court-room Clerks, and one hundred and fifty dollars per month to Deputy County Clerks acting as Register Clerks. The compensation to be paid to Deputy Sheriffs shall be five dollars for each day actually in attendance in the additional Superior Courts.

Adopted.

Mr. Alexander moved to amend, by striking out of section one hundred and sixty-four, line seven, the word "two," and inserting, instead, the word "three."

Adopted.

Mr. Knox moved to amend, by striking out of section one hundred and sixty-seven, the thirteenth and fourteenth sub-sections thereof, and insert new sub-sections, thirteen and fourteen, as follows:

13 Justices of the Peace, such fees as are now or may hereafter be allowed by law; *provided*, that no Justice of the Peace shall receive more than one thousand dollars per annum for all services rendered by him in criminal cases, or in actions or proceedings in which the people of the State of California are or may be parties, and no claim of any such Justice of the Peace in excess of the sum last named shall be allowed or paid, but all fees collected by such Justice on the account aforesaid in excess of one thousand dollars shall belong to and be the property of the county in which such Justice exercises his jurisdiction.

14 Constables, such fees as are now or may hereafter be allowed by law, *provided*, that no Justice of the Peace shall receive more than one thousand dollars per annum for all services rendered by him in criminal cases, or in actions or proceedings to which the people of the State of California are or may be parties, and no claim of any such Constable in excess of the sum last named shall be allowed or paid, but all fees collected by such Constable on the account aforesaid in excess of one thousand dollars shall belong to and be the property of the county in which such Constable acts.

Adopted.

Mr. Variel moved to amend, by inserting, in line two, of section two hundred and eleven, page twenty-three, the words: "either as officers or ex-officers."

Adopted.

Also, amend, by striking out of title, line one, the figures "162."

Adopted.

Also, amend, by striking out of first section, line one, page one, the words "one hundred and sixty-two."

Adopted.

Mr. Henry of Butte moved to amend page eight, line one hundred and twenty-five: "*provided*, that the license for conducting business at a fixed place shall not exceed one hundred and twenty dollars per year."

Ayes and noes demanded on the adoption of the amendment by Messrs. Henry of Butte, Ellsworth, and Alexander.

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

AYES—Messrs. Barry, Britt, Brown W. A., Brown J. B., Callaghan, Cohen, Colbert, Ewing, Gruwell, Hart, Henry of Butte, LaBlanc, Mitchell, Regan, Searey, Toner, Weber, Windrow, and Young of San Joaquin—19.

NOES—Messrs. Adams, Alexander, Atherton, Bailey, Barton, Brierly, Butler, Campbell, Carroll, Coombs, Cope, Currey of Solano, Davis, Ellsworth, Gould, Granger, Handy, Heath, Henry of San Joaquin, Hyde, Knox, Lawrence, Mahler, Mann, Matthews of San Benito, McClenahan, McDonnell, Morgan, Morris, Ohleyer, Price, Remson, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Taylor, Variel, Venable, Vincent, Wilcox, Wright, Young of San Diego, and Mr. Speaker—45.

NOTICE OF RECONSIDERATION.

Mr. Lawrence gave notice that, on to-morrow, he would move to reconsider the vote whereby this amendment was lost.

Substitute for Assembly Bills Nos. 323, 279, 186, 238, 137, 235, 388, 237, 345, 56, and 506.

Ordered engrossed, and placed on file for third reading.

REQUEST.

MR SPEAKER At the request of the member from Colusa, I ask permission to be allowed to withdraw my notice, that I would, on to-morrow, move to reconsider the vote by which Assembly Bill No 179 was passed

W P MATHEWS

Request granted.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON STATE HOSPITALS.

ASSEMBLY CHAMBER, SACRAMENTO, February 17, 1887.

MR SPEAKER Your Committee on State Hospitals, to whom was referred Assembly Bill No 523—*An Act to provide for the government and management of 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

BUTLER, Chairman

MOTIONS.

Mr Cohen moved that the rules be suspended, and that Assembly Bill No. 165 be taken up, out of order, and considered.

Lost.

At five o'clock and thirty minutes P. M. Mr. W. A. Brown moved to adjourn.

Lost.

Mr. Henry of Butte withdrew Assembly Bills Nos. 17 and 203, by consent of the House.

Mr. Young of San Joaquin moved that when the House adjourns it adjourns to take a recess until seven o'clock and thirty minutes P. M.

Lost

At five o'clock and thirty-five minutes P. M. Mr. Hyde moved to adjourn.

Lost.

SPECIAL FILE.

Assembly Constitutional Amendments Nos. 2, 5, 7, 10, 11, 13, and 14, and Assembly Bills Nos. 2 and 120, passed on file.

SECOND READING OF BILL.

Assembly Bill No. 404—An Act to amend sections seven hundred and fifty-two, seven hundred and fifty-five, seven hundred and fifty-eight, seven hundred and sixty-three, seven hundred and sixty-four, seven hundred and sixty-five, seven hundred and sixty-six, seven hundred and sixty-seven, seven hundred and sixty-nine, seven hundred and seventy-one, seven hundred and seventy-two, seven hundred and seventy-three, seven hundred and seventy-seven, seven hundred and seventy-eight, seven hundred and eighty-six, seven hundred

and eighty-eight, seven hundred and eighty-nine, and seven hundred and ninety of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Committee amendments, as follows, adopted:

Amend section nine, the printed bill, by inserting, on page six, in line twelve, after the word "crossings," the following words: "except that where a main street terminates in another main street, the expense of the work done on one half of the width of the street opposite the termination shall be assessed upon the lots in each of the two quarter blocks adjoining and cornering on the same, according to the frontage of such lots on said main street, and the expense of the other half of the width of said street upon the lot or lots fronting on the latter half of the street opposite such termination."

Also, section eleven, by striking out the word "Board," between the word "Clerk" and the word "such," in line thirteen, page seven, of printed bill.

Also, section eleven, by striking out the word "paid," in line sixty-six, on page nine, of the printed bill, and inserting, in lieu thereof, the word "made."

Also, section eleven, by inserting, after the word "improvement," on line sixty-eight, page nine, of the printed bill, the words "and to persons whose property may be damaged."

Also, section eleven, by inserting, in line eighty-two, page nine, of the printed bill, after the word "taken," and before the word "may," the words "or damaged."

Also, section eleven, by inserting, after the word "Commissioners," in line one hundred and ten, page ten, of the printed bill, the words "and also all damages caused by such improvements."

Also, section eleven, by inserting, in line one hundred and eighteen, page ten, of the printed bill, after the word "for," and before the word "such," the words "or which may be damaged by."

Also, section eleven, by inserting, immediately after the word "condemned," in line one hundred and twenty-two, page ten, of the printed bill, the words "or damaged."

Also, section eleven, by inserting, after the word "taken," in line one hundred and forty-four, page eleven, of the printed bill, the words "or damaged."

Also, section eleven, by inserting, at the end of line one hundred and forty-five, page eleven, of the printed bill, the words "or damaging."

Also, section seventeen, by adding, at the end of section seventeen, line six, page sixteen, of the printed bill, the words "and to prosecute actions for violations of city ordinances."

Also, section eighteen, by inserting, immediately after the word "month," in line fifteen, on page sixteen, of the printed bill, the words "He shall receive from the Clerk all city licenses and collect the same."

Mr. Ellsworth offered the following amendments, which were adopted:

Amend section eleven, by striking out the words "three hundred and thirty-nine," in line thirty, page eight, of the printed bill, and by inserting the word "this" between the words "in" and "section," in the same line.

Also, by striking out the words "a new Commissioner," on lines one hundred and thirty-eight and one hundred and thirty-nine, page

eleven, of the printed bill, and inserting, in lieu thereof, the words "new Commissioners."

Also, amend section five, by adding, at the end thereof, the following words: "and to appoint a Health Officer, and also, in its discretion, a Board of Health, and to prescribe the duties and powers of such officer and Board. The Board of Health, if appointed, may consist of such number, not exceeding five, as the Board of Trustees shall determine. Such Board of Health shall have only such powers and perform only such duties as the Board of Trustees may prescribe, and the Board of Trustees, in making appointments to such Board of Health, shall not be controlled by any provisions of the Political Code now in force, and may, in its discretion, appoint city officers thereto."

Also, amend section nineteen, by adding, at the end thereof, the words "*provided*, that nothing in this Act shall affect any work or improvement commenced under existing laws, but the same shall be completed under such laws."

Bill ordered engrossed, and placed on file for third reading.

MOTION.

At five o'clock and forty-five minutes P. M. Mr. Shanahan moved to adjourn.

Lost.

INTRODUCTION OF BILLS.

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

By Mr. Smyth: Assembly Bill No. 536—An Act to amend section twenty-eight of an Act entitled "An Act to regulate fees of office and salaries of certain officers, and to repeal certain other Acts in relation thereto," approved March 5, 1870, as amended March 1, 1872.

Referred to Committee on Judiciary.

By Mr. Windrow: Assembly Bill No. 537—An Act to add two new sections to an Act to establish a Penal Code, approved February 14, 1872, to be known as sections number one hundred and eighty and one hundred and eighty-one, relating to offenses against public justice.

Referred to Committee on Judiciary.

By Mr. W. A. Brown: Assembly Bill No. 538—An Act to amend sections one thousand three hundred and fifty-two, one thousand three hundred and seventy, and one thousand seven hundred and fifty-one of an Act entitled an Act to establish a Code of Civil Procedure, approved March 11, 1872, relating to the disabilities of married women to act as executors, administrators, or guardians.

Referred to Committee on Judiciary.

By Mr. Handy: Assembly Bill No. 539—An Act to establish a school at Ukiah City, Mendocino County, and a school at Lower Lake, Lake County, for the purpose of educating the children of Indian parents, and appropriating money for the same.

Referred to Committee on Indian Affairs.

By Mr. Vincent: Assembly Bill No. 540—An Act to provide one additional Judge of the Superior Court of the County of Fresno, State of California.

Referred to Committee on Judiciary.

By Mr. Knox: Assembly Bill No. 541—An Act to appropriate the sum of one thousand eight hundred and thirty-seven dollars for the support of the State Board of Forestry, for the thirty-eighth fiscal year.

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

ASSEMBLY JOINT RESOLUTION.

By Mr. Hyde: Assembly Joint Resolution No. 12—In behalf of Charles M. Blake, late Chaplain in the United States Army.

Referred to Committee on Federal Relations.

THIRD READING OF BILL.

Assembly Bill No. 217—An Act to provide for the amicable adjustment of grievances and disputes that may arise between employers and employés, and to authorize the creation of a State Board of Arbitration.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Alexander, Bailey, Brierly, Britt, Brown W A, Brown J B, Callaghan, Campbell, Cohen, Colbert, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Granger, Handy, Hart, Heath, Henry of San Joaquin, Hyde, Knox LaBlanc, Lawrence, Mahler, Mann, Matthews of San Benito, McClenahan, McDonnell, Mitchell, Morgan, Morris, Ohleyer, Regan, Rucker, Remson, Searey, Sims, Smyth, Spurgeon, Taylor, Toner, Variel, Vincent, Weber, Windrow, Wilcox, Wright, Young of San Diego, Young of San Joaquin, and Mr Speaker—53

NOES—Messrs Atherton, Sherburne and Venable—3

Title read and approved.

The following Assembly Bills were passed on file: Nos. 284, 314, 323, 279, 186, 238, 137, 388, 237, and 56.

MOTION.

At five o'clock and fifty-five minutes P. M. Mr. Hyde moved to adjourn.

Lost.

SECOND READING OF BILL.

Assembly Bill No. 456—An Act to amend sections three thousand nine hundred and nine and three thousand nine hundred and thirteen of the Political Code, relating to the boundaries of Del Norte and Siskiyou Counties.

Read second time.

Committee amendment, as follows, adopted: after the word "summit," in section one, page two, line ten, of printed bill, insert the words "of a spur;" also, the words "of said spur," after the word "summit," in section one, page two, line eleven, of printed bill.

Mr. Campbell offered the following amendments, which were adopted:

Amend title, by adding, after the word "counties," the words "and to provide for the payment of a portion of the debt of Del Norte County, and for transcribing certain records."

Also, by striking out all after line fifteen, on page two, of printed bill, and adding the following:

SEC. 3 As soon as practicable after the passage of this Act, the Board of Supervisors of Del Norte County and the Board of Supervisors of Siskiyou County shall each appoint a Commissioner, whose duty it shall be to meet at the county seat of Del Norte County, on the first Monday of July, eighteen hundred and eighty-seven, or as soon as practicable thereafter, and proceed to ascertain the indebtedness of Del Norte County, at the date of the passage of this Act When the amount of such indebtedness is ascertained, they shall determine what portion thereof shall be paid by Siskiyou County, upon the following basis, viz taking, first, the assessed value of all the property in Del Norte County, as appears from the assessment roll of eighteen hundred and eighty-six; second, taking the assessed value of all the property estimated or being in that portion of Del Norte County by this Act annexed to Siskiyou County The amount agreed upon as a just proportion to be paid to Del Norte County, by Siskiyou County, shall be forthwith forwarded by said Commissioners to the Board of Supervisors of Siskiyou County, who, upon the receipt of the same, shall order the Auditor of said county to draw a warrant upon the Treasurer of Siskiyou County, payable out of the General Fund, in favor of the Treasurer of Del Norte County, for the amount specified

SEC 4 Should the Commissioners herein provided for be unable to agree in respect to any of the matters they are required to determine, they are authorized to select a third Commissioner, who shall have the same power to act as the two first named, and the decision of two of said Commissioners shall be conclusive upon all questions submitted. The compensation of said Commissioners shall be five dollars per day for each day actually devoted to the performance of the duties imposed upon them, together with all necessary traveling expenses, and the same shall be paid by Siskiyou County.

SEC 5 On the demand of the Board of Supervisors of Siskiyou County, the Recorder of Del Norte County shall, within four months after said demand, prepare and deliver to the Recorder of Siskiyou County suitable books of records containing certified copies of all conveyances, and all other writings or instruments concerning or affecting land and real estate situated within the territory by this Act annexed to Siskiyou County For the services performed under this section, the County of Siskiyou shall pay to the Recorder of Del Norte County such fees as are now allowed him by law for similar services, and the Board of Supervisors of Siskiyou County are hereby required to order the Auditor of said county to draw a warrant in favor of the Recorder of Del Norte County, upon the Treasurer of Siskiyou County, for the amount due, payable out of the General Fund of the county, and upon the demand of the Board of Supervisors of Del Norte County, the Board of Supervisors of Siskiyou County shall cause to be forwarded a certified transcript of conveyance, and all other writings or instruments concerning or affecting land and real estate situated within the territory by this Act annexed to Del Norte County, and the expenses incurring for such services shall be paid by Siskiyou County

SEC 6 This Act shall take effect and be enforced from and after its passage

Bill ordered engrossed, and placed on file for third reading.

Assembly Bill No. 363—An Act to provide for the deficiency in the appropriation for the restoration and preservation of fish in the waters of the State, for the thirty-seventh fiscal year.

Read second time.

IN COMMITTEE OF THE WHOLE.

On motion of Mr. Taylor, the House went into Committee of the Whole for the purpose of considering Assembly Bill No. 363—An Act to provide for the deficiency in the appropriation for the restoration and preservation of fish in the waters of the State, for the thirty-seventh fiscal year.

Speaker Jordan in the chair.

The bill was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Jordan 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. 363—An Act to provide for the deficiency in the appropriation for the restoration and

preservation of fish in the waters of the State, for the thirty-seventh fiscal year—and now report progress, and ask leave to sit again.

LEAVE OF ABSENCE.

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

ADJOURNMENT.

At six o'clock and fifteen minutes P. M., no quorum voting, the Speaker declared the House adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Friday, February 18, 1887.

The House met pursuant to adjournment.

Speaker Jordan in the chair.

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

Messrs Adams, Alexander, Atherton, Bailey, Barry, Barton, Brierly, Britt, Brown W. A., Brown J. B., Brusie, Burnett, Butler, Callaghan, Campbell, Carr, Carroll, Cohen, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Gruwell, Handy, Heath, Henry of Butte, Henry of San Joaquin, Hyde, Knox, LaBlanc, Lawrence, Lewis, Mahler, Martin, Mann, Matthews of San Benito, McClenahan, McDonnell, McGowan, Mitchell, Morgan, Morris, O'Grady, Ohlever, Price, Regan, Rucker, Remson, Searey, Shanahan, Shelburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Toner, Variel, Venable, Vincent, Weber, Wimdrow, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr Speaker.

Quorum present.

Prayer by the Chaplain, Rev. E. R. Dille.

Pending the reading of the Journal of yesterday, Mr. W. A. Brown moved to dispense with further reading.

So ordered.

Journal approved.

LEAVE OF ABSENCE.

Mr. Hart was granted leave of absence until Wednesday next.

REPORT OF STANDING COMMITTEE.

ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 18, 1887

MR SPEAKER Your Committee on Enrollment beg leave to report that the following Assembly Joint Resolution has been correctly enrolled

Assembly Joint Resolution No 11—Relative to proposed removal of United States Surveyor-General's Office from California to Washington

And was presented to the Governor Monday, February 14, 1887, at three o'clock and thirty minutes P M

Also, Assembly Bill No 430—An Act to provide for a contingent fund for the Assembly for the twenty-seventh session of the Legislature

Also, Assembly Joint Resolution No. 5—Relative to improving the bar at the mouth of Eel River

And were presented to the Governor this day, at ten o'clock A. M.

JAS. B. BROWN, Chairman.

MOTIONS.

Mr. W. A. Brown moved that the rules be suspended, and that Assembly Bill No. 408 be taken up, out of order, and considered.

Lost, on a division—ayes, 14; noes, 18.

Mr. Windrow moved that the rules be suspended, and that Assembly Bill No. 328 be taken up, out of order, and considered.

So ordered, on a division—ayes, 31; noes, 15.

FIRST READING OF BILL.

Assembly Bill No. 328—An Act to regulate the practice of pharmacy, and the sale of medicines and poisons, to provide for the inspection of drugs and medicines, and to prevent and punish the adulteration of the same.

Read first time, and placed on file for second reading.

MOTIONS.

Mr. Gruwell moved that the rules be suspended, and that Assembly Bill No. 248 be taken up, out of order, and considered.

Lost.

Mr. Martin moved to suspend the rules, and take up, out of order, Assembly Bill No. 107, and read same second time.

So ordered, on a division—ayes, 37; noes, 8.

SECOND READING OF BILL.

Assembly Bill No. 107—An Act providing for the payment to D. Jordan, for work and labor performed upon and material furnished in the construction of the State Prison at Folsom.

The question being, "Shall this bill be read a second time?"

The ayes and noes were demanded by Messrs. Brierly, Spurgeon, and Venable.

The roll was called, and the bill ordered read a second time by the following vote:

AYES—Messrs Adams, Alexander Atherton, Bailey, Barry, Barton, Britt, Brown W A, Brown J B., Brusie, Burnett, Butler, Campbell, Carroll, Cohen, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Gruwell, Henry of Butte, Henry of San Joaquin, Hyde, LaBlanc, Lawrence, Mahler, Martin, McClenahan, McDonnell, Mitchell, Morgan, Morris, O'Grady, Ohleyer, Regan, Remson, Shanahan, Shelburne, Sims, Spurgeon, Sykes, Variel, Vincent, Weber, Windrow, and Wilhams—49

NOES—Messrs Brierly, Carr, Cooley, Heath, Matthews of San Benito, Taylor, Venable, Wright, and Mr Speaker—9.

Mr. Brierly moved that Assembly Bill No. 107 be made a special order for to-morrow, at three o'clock P. M.

Lost.

Assembly Bill No. 107—An Act providing for the payment of D. Jordan, for work and labor performed upon and material furnished in the construction of the State Prison at Folsom.

Read second time.

Committee amendment, as follows, adopted: amend, by striking out the words, "seventy-nine thousand dollars," in line one, section one, and inserting therein the words, "fifty thousand three hundred and forty-five dollars and forty-four cents."

Mr. Venable moved to strike out section two.

Lost.

Bill ordered engrossed, and placed on file for third reading.

MOTION TO AMEND THE RULES.

Mr. Brierly moved to amend the rules, as follows: amend Rule 1, in second sentence, to read as follows.

Recesses shall be taken from twelve o'clock and thirty minutes P. M. to two o'clock P. M., and from six o'clock P. M. to seven o'clock and thirty minutes P. M.

The roll was called, and the rule amended by the following vote:

AYES—Messrs. Adams, Alexander, Atherton, Bailey, Barton, Brierly, Britt, Brown W. A., Brown J. B., Brusie, Burnett, Butler, Campbell, Carr, Carroll, Cohen, Coombs, Cope, Currey of Solano, Curry of San Francisco, Ellsworth, Ewing, Gould, Granger, Gruwell, Heath, Henry of Butte, Henry of San Joaquin, Knox, LaBlanc, Lawrence, Lewis, Mahler, Martin, Mann, Matthews of San Benito, McDonnell, McGowan, Mitchell, Morgan, Morris, O'Grady, Regan, Rucker, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Variel, Venable, Vincent, Weber, Wilcox, Williams, Wright, Young of San Diego, and Mr. Speaker—60

NOES—Messrs. Barry, Callaghan, Davis, Hyde, McClenahan, Ohleyer and Remson—7

Also, amend Rule 2, line twelve, to read as follows:

12 Business on the General File in the following order at the morning session, bills on second reading, at the afternoon session, bills on first reading, at the evening session, bills on third reading

The roll was called, and the rule amended by the following vote:

AYES—Messrs. Adams, Atherton, Bailey, Barry, Barton, Brierly, Britt, Brown J. B., Brusie, Burnett, Butler, Campbell, Carr, Carroll, Cohen, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Gruwell, Heath, Henry of Butte, Henry of San Joaquin, Hyde, LaBlanc, Lawrence, Mahler, Martin, Mann, Matthews of San Benito, McClenahan, McDonnell, McGowan, Mitchell, Morgan, Morris, O'Grady, Ohleyer, Regan, Rucker, Remson, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Variel, Venable, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, and Mr. Speaker—64

NOES—None.

MOTIONS.

Mr. Cooley moved that the rules be suspended, and that Assembly Bill No. 311 be taken up, out of order, and considered.

Lost.

Mr. LaBlanc moved that the rules be suspended, and that Assembly Bill No. 402 be taken up, out of order, and made a special order for Monday, at two o'clock and fifteen minutes P. M.

Lost.

Mr. Martin moved to suspend the rules, and place Assembly Bill No. 107 on the Special File.

Mr. Coombs moved to amend, so that all bills be placed on the Special File in the order in which they appear on the file.

Mr. Young of San Diego moved to lay the whole subject-matter on the table.

So ordered.

Mr. Lawrence moved to reconsider the vote whereby the motion of Mr. Young of San Diego was carried.

So ordered.

The question then being on the amendment offered by Mr. Coombs.

The ayes and noes were demanded by Messrs. Brierly, Martin, and Rucker.

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

AYES—Messrs Campbell, Coombs, Davis, Hyde, LaBlanc, Matthews of San Benito, Morgan, Morris, O'Grady, and Remson—10

NOES—Messrs Alexander, Atherton, Bailey, Barry, Barton, Brierly, Britt, Brown W A, Brown J B, Brusie, Burnett, Butler, Callaghan, Carr, Carroll, Cohen, Cooley, Cope, Currey of Solano, Curry of San Francisco, Ellsworth, Ewing, Gould, Granger, Gruwell, Heath, Henry of Butte, Henry of San Joaquin, Knox Lawrence, Lewis, Mahler, Martin, McClenahan, McDonnell, McGowan, Ohleyer, Price, Regan, Rucker, Shanahan, Sherburne, Sims, Spurgeon, Sykes, Taylor, Variel, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr Speaker—56.

NOTICE OF MOTION TO AMEND RULES.

Mr. Brierly gave notice that, on to-morrow, he would move to amend the rules, as follows:

I hereby give notice that I shall, to-morrow, offer a motion to change Rule 69 of the Standing Rules, in line four, by striking out the word "present" and substitute the word "elected"

The question recurring on the motion of Mr. Martin.

The ayes and noes were demanded by Messrs. Martin, Barry, and Price

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

AYES—Messrs. Alexander, Barry, Britt, Brown W A, Brown J B, Brusie, Burnett, Butler, Campbell, Cohen, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, LaBlanc, Lawrence, Lewis, Mahler, Martin, McDonnell, McGowan, Mitchell, Morgan, O'Grady, Price, Regan, Rucker, Shanahan, Sims, Spurgeon, Variel, Vincent, Weber, Windrow, Wilcox, Wright, Young of San Diego, and Young of San Joaquin—42

NOES—Messrs Adams, Atherton, Bailey, Brierly, Carr, Carroll, Granger, Gruwell, Heath, Henry of San Joaquin, Knox, Matthews of San Benito, McClenahan, Morris, Ohleyer, Remson, Sherburne, Sykes, Venable, and Williams—20

PETITIONS.

Mr. Mahler presented a petition from citizens of El Dorado County, petitioning for the enactment of laws requiring instruction in physiology and hygiene.

Messrs. Lawrence, McGowan, Knox, and Alexander, presented petitions of like nature.

The petitions were referred to Committee on Education.

LEAVE OF ABSENCE.

Mr. Gruwell was granted leave of absence until Wednesday next, at ten o'clock A. M.

REPORTS OF STANDING COMMITTEES.

ON PUBLIC PRINTING.

ASSEMBLY CHAMBER, SACRAMENTO, February 17, 1887

MR SPEAKER Your Committee on Public Printing, to whom was referred Senate Bill No 116—An Act to add section five hundred and thirty-nine to Article II, of the Political Code, relating to the office of Superintendent of State Printing, authorizing the Superintendent of State Printing to appoint a deputy, and to provide for the salary of such deputy—report the same back, with an amendment, and recommend that it do pass, as amended

MARTIN, Chairman

ON CONSTITUTIONAL AMENDMENTS

ASSEMBLY CHAMBER, SACRAMENTO, February 18, 1887

MR SPEAKER: Your Committee on Constitutional Amendments, to whom was referred Constitutional Amendment No 17—report the same back, and recommend that it be adopted, as amended.

ELLSWORTH, Chairman

SELECT COMMITTEE.

Report of Committee of the Whole on Assembly Bill No. 363 adopted, and the committee granted permission to sit again.

MESSAGE FROM THE GOVERNOR.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
SACRAMENTO, February 18, 1887

To the Assembly of the State of California:

I have to inform your honorable body that I have approved Assembly Bill No 430—Entitled "An Act to provide for a contingent fund for the Assembly, for the twenty-seventh session of the Legislature"

WASHINGTON BARTLETT, Governor.

INTRODUCTION OF BILL—(OUT OF ORDER).

The following bill was introduced and read by title:

By Mr. Lawrence: Assembly Bill No. 542—An Act to amend section four hundred and nineteen of an Act entitled an Act to establish a Civil Code, approved March 21, 1872, relating to insurance corporations.

The Speaker ruled that this bill, being similar to the one withdrawn by Mr. Henry of Butte, yesterday, he would ask time to ascertain the constitutionality of the introduction before reference be made.

Speaker pro tem. Brierly in the chair.

Mr. Ellsworth moved to reconsider the vote whereby the Journal of yesterday was approved.

So ordered.

Journal corrected and approved.

INTRODUCTION OF BILLS.

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

By Mr. Lewis: Assembly Bill No. 543—An Act to amend an Act to establish a Penal Code, relating to trapping quail.

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

Also, Assembly Bill No. 544—An Act to amend an Act to establish a Penal Code, relating to fish and game.

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

By Mr. Hyde: Assembly Bill No. 545—An Act to appropriate the sum of ten thousand ($10,000) dollars to assist in erecting a monument to the memory of the late Admiral John Drake Sloat.

Referred to Committee on Retrenchment.

By Mr. Barton: Assembly Bill No. 546—An Act relative to Justices' fees, and amendatory of an Act regulating Justices' fees for San Bernardino County, approved February 14, 1878.

Referred to Committee on County and Township Governments.

SPECIAL FILE.

Assembly Constitutional Amendment No. 2—To propose to the people of the State of California an amendment to the Constitution of the State, relative to irrigation.

The question being on its adoption.

The roll was called, and Assembly Constitutional Amendment No. 2 was lost by the following vote:

AYES—Messrs. Adams, Barry, Barton, Bost, Brierly, Britt, Brown W. A., Brusie, Butler, Callaghan, Campbell, Carroll, Cohen, Cope, Davis, Gould, Granger, Henry of San Joaquin, Knox, LaBlanc, Lawrence, Lewis, Mahler, Martin, Mathews of Tehama, Matthews of San Benito, McClenahan, McGowan, Mitchell, Morris, O'Grady, Ohleyer, Regan, Rucker, Rennson, Shanahan, Sims, Smyth, Spurgeon, Sykes, Vincent, Windrow, Williams, Wright, and Young of San Joaquin—44

NOES—Messrs. Alexander, Atherton, Bailey, Carr, Coombs, Ewing, Heath, Henry of Butte, Hyde, Morgan, Sherburne, Venable, Weber, and Wilcox—15

NOTICE OF RECONSIDERATION.

Mr. Coombs gave notice that, on to-morrow, he would move to reconsider the vote whereby Assembly Constitutional Amendment No. 2 was lost.

Mr. Lawrence moved to reconsider the vote whereby the amendment of Mr. Henry of Butte to substitute for Assembly Bills Nos. 323, 279, 186, 238, 137, 235, 388, 237, 345, 56, and 506, was, yesterday, lost.

The Speaker pro tem. ruled that the bill having gone to an officer of the House, the motion could not be entertained unless the bill was returned to the House to-day.

PASSED ON FILE.

Assembly Constitutional Amendments Nos. 5, 7, 11, and 13, passed on file.

Assembly Constitutional Amendment No. 10 to Article IV, section two, of the Constitution—relative to the Legislative Department—withdrawn by Mr. Spurgeon

Speaker Jordan in the chair.

At this hour the Speaker gave his ruling as regards Assembly Bill No. 542, introduced by Mr. Lawrence, this day, ruling that the introduction was constitutional and in order.

MOTION.

Mr. Lawrence moved that the rules be suspended, and that Assembly Bill No. 542 be taken up, out of order, and considered.

RECESS.

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

REASSEMBLED.

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

Speaker Jordan in the chair.

The question being on the motion of Mr. Lawrence to suspend the rules, and take up, out of order, Assembly Bill No. 542, and consider same.

Mr. Hyde moved to lay the whole subject-matter on the table.

The ayes and noes were demanded by Messrs. Lawrence, W. A. Brown, and Taylor, on the motion to lay on the table.

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

AYES—Messrs. Alexander, Atherton, Brusie, Cooley, Curry of San Francisco, Ellsworth, Henry of Butte, Henry of San Joaquin, Hyde, Mann, Mathews of Tehama, Morgan, Morris, Venable, and Mr Speaker—15

NOES—Messrs Bailey, Barry, Barton, Brierly, Britt, Brown W. A., Brown J B. Burnett, Butler, Callaghan, Campbell, Carr, Carroll, Cohen, Coombs, Cope, Curry of Solano, Ewing, Granger, Handy, Heath, Knox, Lawrence, Lewis, Mahler, Matthews of San Benito, McClenahan, McDonnell, McGowan, Mitchell, O'Grady, Ohleyer, Regan, Remson, Searey, Shanahan, Sims, Smyth, Spurgeon, Sykes, Taylor, Toner, Variel, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, and Young of San Joaquin—51

The question then recurring on the motion of Mr. Lawrence to suspend Rule 8, and take up, out of order, Assembly Bill No. 542, and place same on the file without referring to a committee.

The ayes and noes were demanded by Messrs. Mann, McDonnell, and Lewis.

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

AYES—Messrs Atherton, Bailey, Barry, Barton, Brierly, Britt, Brown W A, Brown J B, Burnett, Butler, Callaghan, Campbell, Carr, Carroll, Cohen, Coombs, Cope, Currey of Solano, Davis, Ellsworth, Ewing, Gould, Knox, LaBlanc, Lawrence, Lewis, Mahler, Matthews of San Benito, McClenahan, McDonnell, McGowan, Mitchell, Morris, O'Grady, Ohleyer, Price, Remson, Searey, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Sykes, Toner, Vincent, Weber, Windrow, Wilcox, Williams, and Young of San Joaquin—51

NOES—Messrs Alexander, Brusie, Cooley, Curry of San Francisco, Henry of Butte, Henry of San Joaquin, Hyde, Mann, Mathews of Tehama, Morgan, Regan, Taylor, Venable, Wright, Young of San Diego, and Mr Speaker—16.

Mr. Shanahan called up the special order set for this hour, two o'clock and fifteen minutes P. M., consideration of Assembly Bill No. 466, and moved that the special order be postponed until the bill now under consideration is disposed of.

So ordered.

The question then being, "Shall the rules be suspended and this bill be taken up, out of order, and considered?"

The roll was called, and the rules suspended by the following vote:

AYES—Messrs Atherton, Bailey, Barry, Barton, Brierly, Britt, Brown W A, Brown J B, Brusie, Burnett, Butler, Callaghan, Campbell, Carr, Carroll, Cohen, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ewing, Gould, Granger, Knox, Lawrence, Lewis, Mahler, Matthews of San Benito, McClenahan, McDonnell, McGowan, Mitchell, Morris, O'Grady, Ohleyer, Price, Regan, Rucker, Remson, Searey, Shanahan, Sims, Smyth, Spurgeon, Sykes, Toner, Vincent, Weber, Windrow, Wilcox, Williams, Wright, and Young of San Joaquin—54

NOES—Messrs Alexander, Cooley, Ellsworth, Henry of Butte, Henry of San Joaquin, Hyde, Mann, Mathews of Tehama, Morgan, Sherburne, Taylor, Venable, Young of San Diego, and Mr Speaker—14.

Bill ordered read the first time.

FIRST READING OF BILL.

Assembly Bill No. 542—An Act to amend section four hundred and nineteen of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to insurance corporations.

Read first time, and placed on file for second reading.

QUESTION OF PRIVILEGE.

Mr. Coombs arose to a question of privilege, and stated that the gentleman from Butte, Mr. Granger, had taken umbrage at remarks made during debate yesterday, upon the bill appropriating money for the erection of a monument to Marshall; he said he had the highest regard for the ability of the gentleman, and the highest respect for his honor, and he never intended that anything he said should be construed to reflect upon his sincerity or honor in his course upon that question.

MOTION.

Mr. Sims moved that the rules be suspended, and that Assembly Bill No. 117 be now taken up, out of order, and considered.

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

AYES—Messrs Alexander, Atherton, Barry, Barton, Britt, Brown J B., Butler, Carroll, Cohen, Coombs, Cope, Currey of Solano, Curry of San Francisco, Ewing, Gould, Handy, Hyde, Knox, LaBlanc, Lewis, Mahler, McClenahan, McDonnell, McGowan, Mitchell, O'Grady, Price, Regan, Searey, Shanahan, Sims, Sykes, Taylor, Toner, Variel, Vincent, Weber, Wilcox, and Wright—39

NOES—Messrs Adams, Bailey, Brown W A., Brusie, Carr, Cooley, Ellsworth, Granger, Heath, Henry of San Joaquin, Mathews of Tehama, Matthews of San Benito, Morgan, Morris, Ohleyer, Remson, Sherburne, Smyth, Spurgeon, Venable, Williams, and Young of San Joaquin—23

INTRODUCTION OF BILL—(OUT OF ORDER).

The following bill was introduced, read by title, and referred to committee, as follows:

By Mr. Ewing: Assembly Bill No. 547—An Act to add a new section to the Penal Code, to be known as section four hundred and sixty-eight, relating to and prohibiting the carrying of concealed weapons.

Referred to Committee on Judiciary.

SPECIAL ORDER—(SECOND READING OF BILL).

Assembly Bill No. 466—An Act to add two new sections to the Political Code, to be known and numbered as sections three thousand two hundred and three thousand two hundred and one, relating to trademarks, the use and adoption of the same, and the person who and the manner by which said trademark and the rights thereunder may be protected.

Read second time, ordered engrossed, and to a third reading.

MOTION.

Mr. Regan moved that the rules be suspended, and that Assembly Bill No. 67 be taken up, out of order, and considered.

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

AYES—Messrs Alexander, Atherton, Bailey, Barry, Brierly, Britt, Brown W A., Brown J B., Brusie, Butler, Callaghan, Campbell, Cohen, Coombs, Cope, Curry of San Francisco, Davis, Ellsworth, Ewing, Handy, Knox, LaBlanc, Lawrence, Lewis, Mahler, Matthews of San Benito, McClenahan, McDonnell, McGowan, Mitchell, O'Grady, Regan, Rucker, Renison, Searey, Shanahan, Sims, Smyth, Spurgeon, Toner, Variel, Weber, Windrow, Wilcox, Williams, Wright, and Young of San Diego—48

NOES—Messrs. Carr, Carroll, Cooley, Currey of Solano, Granger, Henry of San Joaquin

Mathews of Tehama, Morgan, Morris, Ohleyer, Price, Sherburne, Taylor, Venable, Vincent, Young of San Joaquin, and Mr Speaker—17

Upon the question, "Shall this bill be read a second time?" it was so ordered, on a division—ayes, 41; noes, 15.

SECOND READING OF BILL.

Assembly Bill No. 67—An Act to provide for the better protection and security of life and property in the use of steam boilers.

Section one read first time.

Mr. Heath moved to amend section one, line two, after the word "person," add the words "in each county of this State."

Ayes and noes demanded by Messrs. Regan, Britt, and Heath.

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

AYES—Messrs Adams, Atherton, Bailey, Barton, Brierly, Brown W A, Brusie, Carr, Currey of Solano, Ewing, Granger Handy, Heath, Henry of Butte, Henry of San Joaquin, Knox, LaBlanc, Matthews of San Benito, McClenahan, Morgan, Morris, Ohleyer, Renison, Sherburne, Sims, Spurgeon, Sykes, Taylor, Varnel, Venable, Vincent, Weber, Wilcox, Williams, Wright, Young of San Joaquin, and Mr Speaker—37

NOES—Messrs Alexander Barry, Britt, Brown J B, Butler, Callaghan, Carroll, Cohen, Cooley, Coombs, Curry of San Francisco, Davis, Ellsworth, Gould, Hyde, Lawrence, Lewis, McGowan, Mitchell, O'Grady, Price, Regan, Rucker, Searey, Shanahan Toner, Windrow, and Young of San Diego—28

Mr. Carr moved to amend: line four, after the word "boilers," strike out all down to and including the word "pressure," in line five.

Adopted, on a division—ayes, 39; noes, 11.

Mr. Young of San Joaquin moved to amend, by striking out of section one, line six, the words "City and County of San Francisco," and inserting, instead, the following: "county seat of the county to which he was appointed Inspector."

Adopted.

Mr. W. A. Brown moved to amend, by striking out of section one, line four, the words "steam boilers"

Mr. Lewis in the chair

The question being on the adoption of the amendment offered by Mr W A. Brown.

Speaker Jordan in the chair.

The ayes and noes were demanded by Messrs. Britt, Regan, and Lawrence.

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

AYES—Messrs Adams, Alexander, Atherton, Barton, Brown W A, Brusie, Carr, Carroll, Cooley, Currey of Solano, Ellsworth, Ewing, Gould, Granger, Heath, Henry of Butte, Henry of San Joaquin, Mathews of Tehama, Morgan, Morris, Ohleyer, Price, Sherburne, Spurgeon, Sykes, Taylor, Varnel, Venable, Weber, Wilcox, and Mr Speaker—31

NOES—Messrs Barry, Brierly, Britt, Brown J B, Butler, Callaghan, Campbell, Cohen, Coombs, Cope, Curry of San Francisco, Davis, Handy, Hyde, Knox, LaBlanc, Lawrence, Lewis, Mahler, Matthews of San Benito, McGowan, Mitchell, O'Grady, Regan, Rucker, Renison, Searey, Shanahan, Sims, Smyth, Toner, Vincent, Windrow, Williams, Wright, Young of San Diego, and Young of San Joaquin—37

QUESTION OF PRIVILEGE.

Mr. Regan arose to a question of privilege.

Mr. Lewis moved to amend, by striking out of section one, line two, the words "suitable person," and inserting, instead, the following: "who shall be a first class journeyman boiler maker."

Lost.

Section two read second time.

Mr. Young of San Joaquin moved to amend, by striking out section two.

Adopted.

Mr. Cooley moved to amend, by inserting, in section two, as follows: "The Board of Supervisors of each county shall appoint one Deputy Boiler Inspector for each Assembly District in their county, who shall be a resident of the Assembly District for which he is appointed."

Lost.

Mr. Matthews of San Benito moved to amend the amendment, by striking out of section two the words "Assembly District," and inserting, instead, the word "county."

Lost.

Section three read second time.

Mr. Heath moved to amend, by striking out of section three, line four, the words "San Francisco," and insert the words "county in which the appointment is made."

Adopted, on a division—ayes, 36; noes, 15.

MOTION.

Mr. Regan moved to refer this bill back to the Committee on Capital and Labor for further consideration.

So ordered.

REPORTS OF STANDING COMMITTEES.

ON ENGROSSMENT

ASSEMBLY CHAMBER, SACRAMENTO, February 18, 1887

MR SPEAKER Your Committee on Engrossment beg leave to report that the following Assembly Bills have been correctly engrossed

Assembly Bills Nos 12, 390, 15, 496, and 107

Also, Assembly Joint Resolution No 2

WINDROW, Chairman

ON WATER RIGHTS AND DRAINAGE.

ASSEMBLY CHAMBER, SACRAMENTO, February 17, 1887

MR SPEAKER Your Committee on Water Rights and Drainage, to whom was referred Assembly Bill No 451—An Act to provide for the impounding of mining debris—have had the same under consideration, and now report it back, with a substitute offered by its author, and recommend that the substitute do pass

We are constrained to do this from a sense that this bill proposes a feasible plan for the satisfactory settlement of a great sectional contest that has been going on for the past eight years between the valley residents along the banks of the Sacramento, Feather, Yuba, and Bear Rivers, and the miners who dump above them in the hills and mountain cañons of the Sierras, and which contest, without any appreciable benefit to the dwellers in the valley, has resulted only in disaster and destruction to the mining industry An immense amount of property, aggregating in value many millions of dollars, has practically been confiscated through the application by the Courts to this sectional controversy of legal principles that had their origin in another land and under physical conditions that have no parallel in this country

Without compensation having been made, the valuable property of the miner has in fact been taken for private ends The lawful industry of a lifetime has been impossible of pursuit, and the oppressed miner is at our doors, asking not that he may be permitted to destroy his neighbor's property, but that some means may be devised whereby, without injury to that neighbor, he may be permitted, at his own cost and expense, to resume that occupation which stimulated the founding of this State, which has nourished its growth, and whose continuance is so essential to her future prosperity

The bill under discussion answers, in our opinion, all these requirements, and if it can be enacted into a law, we believe that the miner may not only resume his labors, without injury to his brother of the plains, but that the result of the construction of proper

impounding dams will be to hold in the river channels of the mountain gorges the immense deposits of debris which have been there accumulating for over thirty years

That the scheme of this bill is feasible, and that the mining debris may be impounded, was clearly shown to us in committee by the written testimony of such eminent engineers as Wm Ham Hall, L J LeCount, Prof George Davidson, A W Von Schmidt, A J Bowie, Jr, Geo F. Allardt, Thomas Price, F Von Leicht, A Boschke, G S Specht, A J Molera, Herman Jennings, Melville Attwood, Geo E Gray, Milo Hoadley, J R Manson, Constantine Huesset, Calvin Brown, Marsdon Manson, L L Robinson, and the publicly printed opinion of Col Mendell, Hamilton Smith Jr, William Ashburner, Gen B S Alexander, and Capt J B Eads, and, therefore, believing, upon the faith of such eminent authority, especially in view of the immense interests involved, that its plan is worthy of trial, we report this bill back, with the recommendation that the substitute be enacted into a law.

CAMPBELL, Chairman

MOTION.

Mr. Wright moved that the rules be suspended, and that Assembly Bill No. 12 be taken up, out of order, and considered.

So ordered.

PASSAGE OF BILL.

Assembly Bill No. 12—An Act to provide for the organization and government of irrigation districts, and to provide for the organization and distribution of waters thereby for irrigation purposes.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Alexander, Atherton, Bailey, Barry, Barton, Brierly, Britt, Brown W A, Brusie, Butler, Campbell, Carr, Carroll, Cohen, Colbert, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Handy, Heath, Henry of Butte, Henry of San Joaquin, Hyde, Knox, LaBlanc, Lewis, Mahler, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Mitchell, Morgan, Morris, O'Grady, Ohleyer, Price, Regan, Renison, Searey, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Toner, Variel, Venable, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr. Speaker—65

NOES—None

Title read and approved.

MOTION.

Mr. Butler moved to suspend the rules, and take up Assembly Bill No. 270, out of order, and consider the same.

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

AYES—Messrs Atherton, Bailey, Barry, Barton, Brierly, Britt, Brown W A, Brown J B, Brusie, Butler, Callaghan, Campbell, Carroll, Cohen, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Handy, Heath, Henry of Butte, Hyde, Knox, LaBlanc, Lawrence, Lewis, Mahler, McClenahan, McGowan, Mitchell, Morris, O'Grady, Price, Regan, Rucker, Searey, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Sykes, Toner, Variel, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, and Young of San Joaquin—57

NOES—Messrs Adams, Alexander, Carr, Colbert, Mathews of Tehama, Matthews of San Benito, Morgan, Ohleyer, and Venable—9.

THIRD READING OF BILL.

Assembly Bill No. 270—An Act to provide an additional Judge of the Superior Court of Tulare County.

Read third time.

MOTION.

Mr Butler moved that the bill be referred to a select committee of one, with special instructions to prepare amendments to the bill, as follows:

Amend title, as follows: strike out the words "provided an additional Judge," on line two, and insert, in lieu thereof, the following: "increase the number of Judges;" also, on line three, strike out the word "Tulare," and insert, in lieu thereof, the word "the;" also, add to end of third line, after the word "County," the following: "of Tulare, State of California, and for the appointment of an additional Judge."

Amend section one, line two, by inserting, after the word "Tulare," the words "State of California."

Amend section two, line two, by inserting, after the word "Tulare," the words "State of California."

Amend section two, line two, by striking out the word "an," and insert the word "one," in lieu thereof; also, on line two, strike out the word "said," and insert the word "the," in lieu thereof; also, on line three, after the word "Tulare," insert the words "State of California," in lieu thereof; also, on line four, by striking out, after the words "eighty-nine," the word "and;" also, on line five, by striking out the word "a," and insert the word "one," in lieu thereof; also, on line five, by striking out the word "said," where it appears before the word "Court," and insert the words "the Superior," in lieu thereof; also, by inserting, in line five, after the word "elected," the following: "in said county, who shall be the successor of the Judge appointed hereunder."

Amend section three, line one, by striking out the words "three thousand," and inserting the words "the same," in lieu thereof; also in line two, by striking out the words "dollars per annum," and inserting the words "in amount," in lieu thereof; also, by adding at the end of line three, the following: "now authorized by law."

So ordered.

APPOINTMENT OF SELECT COMMITTEE.

The Speaker appointed Mr. Butler the select committee of one to amend Assembly Bill No. 270.

REPORT OF SELECT COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, February 18, 1887

MR SPEAKER Your select committee, to whom was referred Assembly Bill No 270—An Act to provide an additional Judge of the Superior Court of Tulare County, with instructions to prepare amendments in accordance with the action of the House, would respectfully report that the instructions of the House have been carried out

A. B BUTLER, Select Committee

Report adopted, and bill passed on file.

LEAVE OF ABSENCE.

Mr. Cope was granted leave of absence for this evening.

RESOLUTION.

By Mr. Carroll:

Resolved That the Committee on Public Buildings and Grounds be granted leave of absence from Saturday, February nineteenth, until Tuesday, February twenty-second, to visit the State Prison at San Quentin, and that they be allowed mileage therefor.

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

So ordered.

Mr. Variel moved to suspend the rules, so as to allow him to make a motion.

Lost.

ADJOURNMENT.

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

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Saturday, February 19, 1887.

The House met pursuant to adjournment.

Speaker Jordan in the chair.

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

Messrs. Adams, Alexander, Atherton, Bailey, Barry, Barton, Brierly, Britt, Brown W. A., Brusie, Burnett, Butler, Campbell, Carr, Carroll, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Handy, Heath, Henry of Butte, Henry of San Joaquin, Hyde, Knox, LaBlanc, Lawrence, Lewis, Mahler, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Mitchell, Morgan, Morris, O'Grady, Ohleyer, Price, Regan, Rucker, Remson, Searey, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Toner, Variel, Venable, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr. Speaker.

Quorum present.

Prayer by the Chaplain, Rev. E. R. Dille.

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

So ordered.

Journal approved.

LEAVE OF ABSENCE.

Mr. Burnett was granted one day's leave of absence.

Messrs. McClenahan, Martin, and W. A. Brown were granted leave of absence until Wednesday.

Mr. Mann was granted leave of absence until Monday, at two o'clock P. M.

Mr. Bailey was granted leave of absence until Tuesday.

PETITIONS.

Mr. Weber presented a petition from citizens of San José, petitioning for the enactment of laws requiring instruction in physiology and hygiene.

Messrs. Carroll, Henry of San Joaquin, Sims, and Vincent presented petitions of like nature.

The petitions were referred to Committee on Education.

Mr Shanahan moved to reconsider the vote whereby Assembly Constitutional Amendment No. 2 was, on yesterday, lost.

Mr. Young of San Joaquin moved to make the motion to recon-

sider the special order for Wednesday next, at two o'clock and fifteen minutes P. M.

Mr. Variel moved to lay the whole subject-matter on the table.

Ayes and noes demanded by Messrs. Shanahan, Spurgeon, and Brierly.

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

AYES—Messrs. Carr, Variel, and Venable—3

NOES—Messrs. Adams, Alexander, Atherton, Barry, Barton, Brierly, Britt, Brown W A, Brusie, Butler, Campbell, Carroll, Colbert, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Handy, Heath, Henry of San Joaquin, Hyde, Knox, LaBlanc, Lawrence, Mahler, Matthews of San Benito, McDonnell, McGowan, Mitchell, Morgan, Morris, O'Grady, Ohleyer, Price, Regan, Rucker, Remson, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Sykes, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr Speaker—59.

The question then being on the motion of Mr. Young of San Joaquin, to postpone consideration of the motion until next Wednesday, it was so ordered.

PETITION.

By Mr. Variel: From citizens of Trinity and Humboldt Counties, asking for the passage of Assembly Bill No. 38, introduced by Mr. Coombs.

Referred to Committee on Judiciary.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 19, 1887

MR SPEAKER Your Committee on Corporations, to whom was referred Assembly Bill No 528—An Act to authorize the Board of State Harbor Commissioners to construct railroads over the lands within their jurisdiction, along the watertront of the City and County of San Francisco, and to regulate the use of the same—have had the same under consideration, and report the same back, with a substitute, and recommend the passage of the substitute

ALEXANDER, Chairman.

ON LABOR AND CAPITAL

ASSEMBLY CHAMBER, SACRAMENTO, February 19, 1887.

MR SPEAKER Your Committee on Labor and Capital, to whom was referred Assembly Bill No 67—An Act to provide for the better protection and security of life and property in the use of steam boilers—have had the same under consideration, and report the same back, and recommend that it be replaced on the file in the place that it had, that the author and friends of the bill may have time to prepare amendments or a substitute for the bill, to be presented hereafter.

LABLANC, Chairman.

Report adopted.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, February 19, 1887

MR SPEAKER Your Committee on Judiciary, to whom was referred Assembly Bill No. 530—An Act to authorize the Board of State Harbor Commissioners to execute leases of lands belonging to the State within their jurisdiction and control—have had the same under consideration, and report it back, with an amendment, and recommend its passage, as amended

Also, Assembly Bill No 457—An Act to amend the Political Code, by adding a new section thereto, in relation to reassessments of property in cases where a former assessment is invalid

Also, Assembly Bill No 510—An Act to regulate and fix the charges and fees of Sheriffs throughout the State of California, for keeping property

Also, Assembly Bill No 468—An Act to amend section nine hundred and sixty-three of the Code of Civil Procedure of the State of California, relating to appeals to the Supreme Court

Also, Senate Bill No 107—An act to increase the number of Judges of the Superior Court

of the County of Tulare, State of California, and for the appointment of an additional Judge, and recommend that they do pass.

VARIEL, Chairman.

ON CONSTITUTIONAL AMENDMENTS

ASSEMBLY CHAMBER, SACRAMENTO, February 18, 1887.

MR SPEAKER. Your Committee on Constitutional Amendments, to whom was referred Assembly Constitutional Amendments Nos 4, 8, 9, 15, 18, and Senate Constitutional Amendment No 5—have had the same under consideration, and respectfully report Nos 4, 8, 18, and Senate Amendment No 5 back, with the recommendation that they be not adopted, they report No 9 back, at the request of the author, with recommendation that he have leave to withdraw the same, also, report No 15 back, with recommendation that it be adopted, as amended

ELLSWORTH, Chairman

Assembly Constitutional Amendment No. 9 withdrawn by the author, with consent of the House.

ON PUBLIC BUILDINGS AND GROUNDS.

ASSEMBLY CHAMBER, SACRAMENTO, February 17, 1887

MR SPEAKER Your Committee on Public Buildings and Grounds, to whom was referred Assembly Bill No. 411—report the same back, and recommend that it do pass

CARROLL, Chairman

ON MUNICIPAL CORPORATIONS

ASSEMBLY CHAMBER, SACRAMENTO, February 18, 1887.

MR SPEAKER Your Committee on Municipal Corporations, to whom was referred Assembly Bills Nos 454, 526, and 527, would report as follows

Assembly Bill No 526—An Act to repeal an Act entitled an Act to incorporate the Town of Wilmington, in the County of Los Angeles, in the State of California, approved February 20, 1872

Also, Assembly Bill No. 527—An Act to repeal an Act entitled an Act to amend an Act entitled an Act to incorporate the Town of Wilmington, in the County of Los Angeles, in the State of California, approved February 20, 1872, approved March 21, 1872

Have been considered, and report the same back, with the recommendation that they pass

Also, Assembly Bill No 454—An Act to amend Article XV of the Political Code of the State of California, relating to the inspection of gas and water meters in cities, or cities and counties, of the State of California, having a population of twenty thousand and upwards—and respectfully report the same back, and recommend that it do pass, as amended

Also, Assembly Bill No 529—An Act to provide for and regulate the collection of wharfage, and to abolish the collection of tolls by the Board of State Harbor Commissioners of the waterfront of the City and County of San Francisco—has been considered, and report it back, with the recommendation that it pass.

KNOX, Chairman.

CASE OF URGENCY.

Mr. Butler moved to suspend the rules and the provisions of section fifteen, of Article IV, of the Constitution, requiring bills to be read on three separate days, that Senate Bill No. 107 be declared a case of urgency, and that the bill be read the first and second time.

The roll was called, and it was so ordered by the following vote:

AYES—Messrs Adams, Atherton, Barry, Barton, Brierly, Britt, Brusie, Burnett, Butler, Campbell, Carroll, Cohen, Colbert, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ewing, Gould, Granger, Handy, Heath, Henry of Butte, Henry of San Joaquin, Hyde, Knox, LaBlanc, Lawrence, Lewis, Mahler, McDonnell, Mitchell, O'Grady, Ohleyer, Price, Remson, Searey, Shanahan, Sims, Smyth, Spurgeon, Taylor, Toner, Variel, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr Speaker—54

NOES—Messrs Carr, Ellsworth, Matthews of San Benito, Morgan, Morris, Sherburne, Sykes, and Venable—8.

FIRST READING OF BILL.

Senate Bill No. 107—An Act to provide an additional Judge of the Superior Court of Tulare County.

Read first time.

Senate Bill No. 107 read second time.

Mr. Butler moved to amend as follows:

Amend title, by striking out, after the word "California," the words "and for;" also, by adding, after the word "Judge," where it last appears in title, the following: "fix his place of residence and of holding Court."

Adopted.

Amend section two, by inserting, in line five, after the word "shall," the following: "reside and hold Court at the town of Hanford, in said county; *provided*, that either Judge of said Court may hold Court at Hanford or Visalia, as directed by the presiding Judge, and who shall."

Adopted.

Bill ordered to a third reading.

Mr. Butler asked leave to withdraw Assembly Bill No. 270.

Request granted.

CASE OF URGENCY.

Mr. Brierly moved to suspend the rules and the provisions of section fifteen, of Article IV, of the Constitution, requiring bills to be read on three separate days, that Assembly Bill No. 449 be declared a case of urgency, and that the bill be read the first and second time.

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

AYES—Messrs Barton, Brierly, Brusie, Burnett, Butler, Carroll, Colbert, Gould, Handy, Hyde Knox, Lewis, Mathews of Tehama, Mitchell, O'Grady, Rucker, Shanahan, Sims, Spurgeon, Vincent, Wright, and Young of San Diego—22

NOES—Messrs Adams, Alexander, Atherton, Britt, Carr, Cohen, Cooley, Coombs, Currey of Solano, Ellsworth, Ewing, Granger, Henry of San Joaquin, LaBlanc, Mahler, Matthews of San Benito, McGowan, Morgan, Morris, Ohleyer, Price, Remson, Sherburne, Sykes, Taylor, Venable, Weber, Wilcox, Williams, and Mr Speaker—30

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON MINES AND MINING INTERESTS.

ASSEMBLY CHAMBER, SACRAMENTO, February 18, 1887

MR. SPEAKER: Your Committee on Mines and Mining Interests, to whom was referred Senate Bill No 30—An Act making an appropriation for the support and maintenance of the State Mining Bureau for the thirty-ninth and fortieth fiscal years, and directing the payment of certain claim against said Bureau, report the same back, and recommend that it do pass, as amended

SYKES, Chairman

ON AGRICULTURE, MINING, AND MECHANIC ARTS COLLEGE.

ASSEMBLY CHAMBER, SACRAMENTO, February 18, 1887.

MR. SPEAKER: Your Committee on Agriculture, Mining, and Mechanic Arts College, to whom was referred Assembly Bill No 505—An Act to amend sections one thousand four hundred and thirty, one thousand four hundred and thirty-three, one thousand four hundred and thirty-four, and one thousand four hundred and forty-nine of the Political Code of the State of California—report the same back, with amendment, and recommend that it do pass, as amended.

SIMS, Chairman

ON INDIAN AFFAIRS

ASSEMBLY CHAMBER, SACRAMENTO, February 19, 1887.

MR SPEAKER: Your Committee on Indian Affairs, to whom was referred Assembly Bill No. 502—report the same back, and recommend that it do pass.

HANDY, Chairman

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 18, 1887

MR SPEAKER I am directed to inform your honorable body that the Senate on this day, passed Senate Bill No 14—An Act to amend section one hundred and ninety-three of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883, relating to the compensation of county and township officers, and to the appointment and salaries of deputies and extra deputies in counties of the thirty-first class

Also, passed Senate Bill No 333—An Act to protect life and property against the careless and malicious use or handling of dynamite and other explosives

Also, passed Senate Bill No 389—An Act to add two new sections to an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, to be known as sections number one hundred and eighty and one hundred and eighty-one, relating to offenses against public justice.

Also, Senate Bill No 32—An Act to amend section one hundred and twenty-six of "An Act to establish a uniform system of county and township governments," approved March 14, 1883

Also, passed Senate Bill No 240—An Act to authorize the State Treasurer to transfer the sum of three thousand three hundred and six dollars ($3,306 72) and seventy-two cents from the State Drainage Construction Fund to reimburse the General Fund in that amount, for moneys paid from it upon outstanding warrants, State Drainage Construction Fund, under an Act of the Legislature, approved March 10, 1885, entitled an Act to appropriate money to pay indebtedness incurred under an Act entitled "An Act to promote drainage," approved April 23, 1880

Also, passed Senate Bill No 284—An Act appropriating the sum of two hundred and fifty thousand dollars for the erection of additional buildings for the use of the chronic insane

Also, passed Senate Bill No 3—An Act to repeal section one thousand four hundred and twenty-two, of Title VIII, of the Civil Code of California

Also, passed Substitute for Assembly Bill No 55—An Act to protect the manufacturing industries of this State—and have amended the same, and the Assembly is respectfully asked to concur in said amendment

E H HAMILTON, Secretary
By R B OULLAHAN, Assistant Secretary

CONSIDERATION OF SENATE MESSAGE.

Senate Bill No. 14 referred to Committee on County and Township Governments.

Senate Bill No. 333 referred to Committee on Labor and Capital.

Senate Bill No. 389 referred to Committee on Judiciary.

Senate Bill No. 32 referred to Committee on County and Township Governments.

Senate Bill No. 240 referred to Committee on Water Rights and Drainage.

Senate Bill No. 284 referred to Committee on State Hospitals.

Senate Bill No. 3 referred to Committee on Irrigation.

Substitute for Assembly Bill No. 55 was taken up.

AMENDMENT NUMBER ONE.

Amend section three, by inserting, immediately after the word "impracticable," the words "or necessary for the purpose of carrying out the true interests of this Act."

The roll was called, and the amendment of the Senate concurred in by the following vote:

AYES—Messrs Adams, Alexander, Atherton, Barry, Barton, Brierly, Britt, Brown W A, Brusie, Butler, Campbell, Carr, Carroll, Cooley, Coombs, Cope, Currey of Solano, Davis, Ellsworth, Ewing, Gould, Handy, Henry of San Joaquin, Knox, LaBlanc, Lawrence, Lewis, Mahler, Matthews of San Benito, McDonnell, McGowan, Mitchell, Morris, O'Grady, Ohleyer, Regan, Renison, Searey, Shanahan, Sims, Smyth, Spurgeon, Sykes, Tonei, Varrel, Venable, Vincent, Weber, Windrow, Williams, Young of San Diego, Young of San Joaquin, and Mr Speaker—53

NOES—Messrs Granger, Sherburne, and Wilcox—3.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT

ASSEMBLY CHAMBER, SACRAMENTO, February 19, 1887.

MR SPEAKER Your Committee on Engrossment beg leave to report that the following Assembly Bill has been correctly engrossed

No 456. WINDROW, Chairman.

INTRODUCTION OF BILLS.

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

By Mr. Lewis: Assembly Bill No 548—An Act to repeal section sixty of the Civil Code of California, relating to certain invalid marriages.

Referred to Committee on Public Morals.

Also, Assembly Bill No. 549—An Act to authorize placing an electric light upon the apex of the dome of the Capitol.

Referred to Committee on Public Buildings and Grounds.

Mr. Gould asked leave to withdraw Assembly Bill No. 327.

Request granted.

MOTION TO AMEND RULES.

Mr. Brierly moved to amend the rules, as follows: Change Rule 69 of the Standing Rules, in line four, by striking out the word "present," and substitute the word "elected."

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

AYES—Messrs Adams, Alexander, Barry, Barton, Brierly, Butler, Carr, Carroll, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Ellsworth, Gould, Granger, Handy, Heath, Henry of San Joaquin, Hyde, Knox, Mahler, Mathews of Tehama, Matthews of San Benito, Morgan, Morris, Ohleyer, Price, Rucker, Remson, Sherburne, Smyth, Spurgeon, Taylor, Venable, Vincent, Weber, Wilcox, Williams, Young of San Diego, and Mr Speaker—41

NOES—Messrs Atherton, Britt, Brown W A, Campbell, Cohen, Colbert, Davis, Ewing, LaBlanc, Lawrence, Lewis, Mitchell, O'Grady, Regan, Searey, Shanahan, Sims, Sykes, Toner, Variel, Windrow, and Young of San Joaquin—22

MOTIONS.

Mr. Rucker moved that the rules be suspended, and that the action of the House referring to Committee on State Hospitals be reconsidered, and that Senate Bill No. 284 be substituted for Assembly Bill No. 400.

So ordered.

Mr. Brierly moved to reconsider the vote whereby the House concurred in the amendment of the Senate to Assembly Bill No. 55.

Lost.

SPECIAL FILE.

Assembly Constitutional Amendments Nos. 5, 7, 11, 13, and 14 passed on file

Assembly Bills Nos. 2 and 120 passed on file.

Assembly Bill No. 204 temporarily passed on file.

SECOND READING OF BILL.

Assembly Bill No 396—An Act to amend an Act entitled "An Act making an appropriation for the establishment of a permanent fund

for the purchase of jute, to be manufactured at the State Prison at San Quentin," approved March 9, 1885, and making an additional appropriation therefor.

Read second time.

IN COMMITTEE OF THE WHOLE.

On motion of Mr. Matthews of San Benito, the House went into Committee of the Whole, for the purpose of considering Assembly Bill No. 396.

Speaker Jordan in the chair.

The bill was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Jordan 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 396—and now report the same back, and recommend that the same do pass, with the following amendments

In the sixth line, after the word "of," strike out "one hundred," and insert the word "eighty"

Also, in the twentieth line, after the word "to," strike out "one hundred," and insert the word "eighty"

Section one is hereby amended to read as follows

SECTION 1 The sum of seventy thousand dollars is hereby appropriated out of any money in the State Treasury not otherwise appropriated, to provide and maintain a permanent Revolving Fund for the purchase and manufacture of jute for the State Prison at San Quentin. All moneys taken from this fund shall be used in payment for jute and the expenses of manufacturing the same at San Quentin The State Board of Prison Directors are authorized to use so much money as may be necessary from appropriations, for the use or support of the Prison at San Quentin, to pay the expenses of manufacturing jute goods but such money shall be paid back to the Prison Fund from the first sale of jute goods, *provided*, such removal, transfers, or detention of money from such fund or funds for the purpose named in this section, shall not be made when such transfer will hinder or in anywise delay the purpose for which the fund depleted was created After the payment of the expenses to the Support Fund or other source, when money is drawn therefrom to pay the expenses of manufacturing jute, and after applying the profits to the support of the prison, the balance shall be returned to the said Revolving Fund, *provided*, that the State Board of Prison Directors may also use the profits derived from the use of said fund in the purchase of jute, or may pay the same into the Revolving Fund After the deductions herein provided, the balance belonging to the said Revolving Fund shall be paid promptly into the State Treasury, to be drawn out again, from time to time, as occasion may require for the purchase and manufacture of jute.

Report adopted.

Assembly Bill No. 396 ordered engrossed, and placed on file for third reading.

MOTIONS.

Mr. Hyde moved that when the House adjourns it adjourns to meet on Wednesday next, at twelve o'clock M.

Mr. Young of San Joaquin moved to amend, by making the time two o'clock Wednesday.

Mr. Variel moved, as an amendment to the amendment, that when the House adjourns it adjourns to meet on Monday, at ten o'clock and thirty minutes A. M.

The shortest time being put first, it was carried, on a division—ayes, 35; noes, 16.

Mr. Matthews of San Benito moved to amend, by making the time ten o'clock A. M. on Monday next.

Amendment of Mr. Matthews of San Benito carried, on a division—ayes, 40; noes, 14.

The Speaker then declared the whole matter out of order, for the reason that the motion, as amended, was already the rule of the House.

Assembly Bill No. 232 passed on file.

SECOND READING OF BILL.

Assembly Bill No. 34—An Act to provide for certain improvements at the Deaf, Dumb, and Blind Asylum.

Upon the question, "Shall this bill be read a second time?" it was so ordered, on a division—ayes, 30; noes, 7.

Assembly Bill No. 34 read second time.

IN COMMITTEE OF THE WHOLE.

On motion of Mr. Alexander, the House went into Committee of the Whole, for the purpose of considering Assembly Bill No. 34—An Act to provide for certain improvements at the Deaf, Dumb, and Blind Asylum.

Speaker Jordan in the chair.

The bill was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Jordan 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 34, and now report progress, and recommend the same do pass.

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

Lost

Mr. McDonnell moved the adoption of the report.

So ordered.

NOTICE OF MOTION TO AMEND RULES.

Mr. Brierly gave notice that he would move to amend the rules, as follows:

I hereby give notice that, at the next daily session of the Assembly, I shall offer a motion to amend the Standing Rules of the Assembly, as follows

Amend Rule 77, by inserting, after the word "reading," in line nine, the words "and shall retain such place until they have been read," insert, after the word "of," at the end of line, the words "the elected members of"

LEAVE OF ABSENCE.

Mr. Regan was granted leave of absence until Wednesday next.

RECESS.

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

REASSEMBLED.

At two o'clock P. M. the House reassembled.
Speaker Jordan in the chair.

MOTION.

Mr. Hyde moved that when the House adjourns to-day, it adjourns until Wednesday, at ten o'clock and fifteen minutes A M.
Mr. Heath moved to amend, by making the time ten o'clock and fifteen minutes A. M. Monday next.

LEAVE OF ABSENCE.

Mr. Alexander was granted leave of absence until Wednesday next.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 19, 1887

MR SPEAKER Your Committee on Engrossment beg leave to report that the following Assembly Bills have been correctly engrossed
Nos 404, 466, and 323

WINDROW, Chairman.

The question then being on the motion of Mr. Heath, to amend the motion of Mr. Hyde, so that when the House adjourns it adjourns to meet at ten o'clock and fifteen minutes A. M. Monday.
So ordered.

LEAVE OF ABSENCE.

Mr. Hyde moved that the Committee on Chinese Immigration and Emigration be granted leave of absence until Wednesday afternoon next.
Mr. Brierly moved to amend, by making the hour ten o'clock A. M. Wednesday.
Carried, on a division—ayes, 26; noes, 11.
The question being on the motion, as amended, it was adopted on a division—ayes, 26; noes, 9.

SPECIAL FILE—(RESUMED).

Assembly Bill No. 408—An Act to appropriate money to pay the rent of the Hastings College of Law from December 1, 1885, until June 13, 1887.
Read first time, and placed on file for second reading.

LEAVE OF ABSENCE.

Mr. Venable was granted leave of absence until Tuesday evening next.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON RETRENCHMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 19, 1887.

MR SPEAKER: Your committee to whom was referred the matter of certain charges made against Jacob Shaen, Esq., the present Engrossing Clerk of the Assembly, beg leave to report that your committee have heard considerable evidence in this matter, and have examined all persons whom we know to be in possession of any fact that would aid us in our determination, and, from all the evidence, we report the following facts

First—That during the twenty-sixth session (extra) Mr Shaen received the sum of five hundred and sixty-three dollars and twenty-five cents for engrossing and copying, and was paid upon vouchers duly certified as correct by the proper officer

Second—That part of said sum was justly due him for engrossing, but that all charges for copying were not in accordance with law, that the exact amount of copying done we have been unable to determine

Third—We find that the copying was done by Mr Shaen under the belief that he had the right to copy and charge therefor, because such copying was sent to him by the clerks at the desk

Fourth—We exonerate Mr Shaen from any criminal or evil intent in the matter, but in our opinion the money paid him for copying was not legally paid

Fifth—We discountenance the practice, heretofore in vogue, of the clerks at the desk sending matter to be copied to the Engrossing Clerk, and we respectfully ask that the clerks be instructed to discontinue the practice with reference to the Engrossing Clerk and all other persons

GOULD, Chairman.

Mr. Brierly moved to make the further consideration of this report a special order for Wednesday next, immediately after the reading of the Journal.

So ordered.

SPECIAL FILE—(RESUMED).

Assembly Constitutional Amendments Nos. 12 and 16 passed on file.

Assembly Bill No. 399—An Act to prevent fraud and imposition in the matter of stamping and labeling produce and manufactured goods.

Read second time, ordered engrossed, and placed on file for third reading.

FIRST READING OF BILL.

Senate Bill No. 284—An Act to provide for the erection of additional buildings for the use of the chronic insane.

Read first time, and placed on file for second reading.

Mr. Rucker withdrew Assembly Bill No. 400, by consent of the House.

SECOND READING OF BILL.

Assembly Bill No. 493—An Act to provide for permanent improvements at the "California Home for the Care and Training of Feeble-Minded Children," and to appropriate money therefor.

Read second time.

IN COMMITTEE OF THE WHOLE.

On motion of Mr. Rucker, the House went into Committee of the Whole, for the purpose of considering Assembly Bill No. 493—An Act to provide for permanent improvements at the "California Home for the Care and Training of Feeble-Minded Children," and to appropriate money therefor.

Speaker Jordan in the chair.

The bill was considered in the Committee of the Whole.

IN ASSEMBLY.

Speaker Jordan 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 493, and now report progress, and recommend that the same do pass

Report adopted.

The question being, "Shall this bill be ordered engrossed, and placed on file for third reading?" it was so ordered.

Assembly Constitutional Amendment No. 19 passed on file.

Assembly Bills Nos. 180 and 80 passed on file.

THIRD READING OF BILLS.

Assembly Bill No. 464—An Act to provide for the support of the public schools of the State of California, by a permanent levy and rate of taxation.

Read third time, and passed on file.

LEAVE OF ABSENCE.

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

Messrs. Price and Regan were granted leave of absence until Wednesday next, at ten o'clock A. M.

SECOND READING OF BILL.

Assembly Bill No. 148—An Act to amend sections one, five, six, seven, eight, ten, and eleven of an Act entitled "An Act to provide for the redemption of the funded indebtedness of the City of Sacramento," approved March 25, 1872.

Read second time.

The Committee on Municipal Corporations offered the following substitute, which was read and adopted:

An Act to amend section six of an Act entitled "An Act to provide for the redemption of the funded indebtedness of the City of Sacramento," approved March 25, 1872.

The People of the State of California, represented in Senate and Assembly, do enact as follows

SECTION 1 Section six of the above entitled Act is so amended as to read as follows

Section 6 The advertisements shall sufficiently designate the time, place, and mode of putting in bids, and when the time for bidding shall have expired, the bids shall be opened by the Commissioners of the Funded Debt Sinking Fund in the presence of the Trustees of the City, and the said Commissioners shall, in the presence of the Board of Trustees, proceed to examine the bids made and ascertain those which are in their opinion the most favorable to the interests of the city, and accept the same, or if any or all the bids should be at too high a price, the Commissioners may reject all or any portion of such bids, *provided*, that no bids for the Sacramento City bonds shall be accepted at a higher price than par

Bill ordered engrossed, and to a third reading.

Assembly Bill No. 13 passed on file.

Assembly Constitutional Amendment No. 17 passed on file.

INTRODUCTION OF BILLS—(OUT OF ORDER).

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

By Mr. Shanahan: Assembly Bill No. 550—An Act to add a new section to the Political Code, to be numbered section three thousand two hundred and thirty-five, relating to the furnishing of supplies under contract to all public institutions under the control of the State, or of any county, city and county, city, or town thereof.

Referred to Committee on Labor and Capital.

By Mr. Brusie: Assembly Bill No. 551—An Act to provide for the filing of claims against the State of California, taking of testimony thereon, and to define the duties of the Governor, Attorney-General, Controller, and committees of the Legislature, in relation thereto.

Referred to Committee on Judiciary.

FIRST READING OF BILL.

Assembly Bill No. 344—An Act appropriating the sum of sixty-five thousand dollars for the support of Industrial Home of Mechanical Trades for the Adult Blind of the State of California.

Ordered read the first time, and passed temporarily on the file.

THIRD READING OF BILL.

Assembly Bill No. 404—An Act to amend sections seven hundred and fifty-two, seven hundred and fifty-five, seven hundred and fifty-eight, seven hundred and sixty-three, seven hundred and sixty-four, seven hundred and sixty-five, seven hundred and sixty-six, seven hundred and sixty-seven, seven hundred and sixty-nine, seven hundred and seventy-one, seven hundred and seventy-two, seven hundred and seventy-three, seven hundred and seventy-seven, seven hundred and seventy-eight, seven hundred and eighty-six, seven hundred and eighty-eight, seven hundred and eighty-nine, and seven hundred and ninety of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Read third time.

Mr. Brierly moved that the usual number of copies of Assembly Bill No. 480, as amended by the committee, be printed.

So ordered.

Assembly Bill No. 107 passed on file.

SECOND READING OF BILL.

Assembly Bill No. 117—An Act making an appropriation for the support and maintenance of the State Mining Bureau, for the thirty-ninth and fortieth fiscal years.

Ordered read a second time.

MOTION.

Mr. Variel moved that the usual number of copies of the Substitute for Assembly Bill No. 451 be printed.

So ordered.

RESOLUTION—(OUT OF ORDER).

By Mr. Wilcox:

Resolved, That the State Library Committee be allowed a leave of absence for one day to visit San Francisco to inspect the Bancroft Historical Library, a bill for the purchase of which is pending before the Senate and Assembly, at an expense in mileage, one hundred dollars and eighty cents

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

So ordered on a division—ayes, 31, noes, 7.

Assembly Bill No. 117 read second time.

IN COMMITTEE OF THE WHOLE.

On motion of Mr. Variel, the House went into Committee of the Whole, for the purpose of considering Assembly Bill No. 117—An Act making an appropriation for the support and maintenance of the State Mining Bureau, for the thirty-ninth and fortieth fiscal years.

Speaker Jordan in the chair.

The bill was considered in the Committee of the Whole.

IN ASSEMBLY.

Speaker Jordan in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The Speaker stated the report of committee as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 117, and now report progress, and report back to the House, and ask permission to sit at some future time

Report adopted.

FIRST READING OF BILL.

Assembly Bill No. 494—An Act to amend section eight hundred and fifty-one of the Municipal Corporations Act

Read first time, and placed on file for second reading.

Mr. Heath moved that all proceedings under the late call of the House be expunged from the Journal, and that the fine imposed upon Mr. Lawrence be remitted.

RECESS.

The hour of recess having arrived, 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 Jordan in the chair.

The question being on the motion of Mr. Heath, to expunge from the Journal all proceedings under the late call.

So ordered.

Mr. Heath moved that the rules be suspended, and that all bills on

the third reading file be passed on the file, and that only bills on first reading file be read.

So ordered by a unanimous vote.

Mr. Wilcox withdrew Assembly Bill No. 185, by consent of the House.

FIRST READING OF BILLS.

Senate Bill No. 160—An Act to amend section nine of an Act entitled "An Act for the promotion of the viticultural industries of the State," approved April 15, 1880, in relation to donations of land suitable for experimental vineyards and stations, the improvement and management thereof.

Read first time, and placed on file for second reading.

Assembly Bill No. 184—An Act authorizing and providing for the erection and furnishing of armories for the National Guard of the State of California, and to issue bonds for the payment of the same, and providing for the payment of said bonds

Read first time, and placed on file for second reading.

Assembly Bill No. 272—An Act making an appropriation for the deficiencies in the appropriations for the support of the State Prison at San Quentin, for the thirty-fifth, thirty-sixth, thirty-seventh, and thirty-eighth fiscal years.

Read first time, and placed on file for second reading.

Senate Bill No 93—An Act to authorize the Common Councils and Board of Supervisors of the several cities, counties, and cities and counties in this State to levy taxes for the maintenance of public parks having an area of over ten acres each within their respective limits.

Read first time, and placed on file for second reading.

Assembly Bill No. 382—An Act relating to guide boards or posts at road crossings.

Refused first reading.

Assembly Bill No. 242—An Act to repeal an Act entitled "An Act to punish seduction," approved March 17, 1872.

Read first time, and placed on file for second reading.

Assembly Bill No. 243—An Act to amend an Act entitled an Act to establish a Penal Code, approved February 14, 1872, by adding to Chapter I, Title IX, of Part I, thereof, two new sections, numbered, respectively, two hundred and sixty-eight and two hundred and sixty-nine, relating to the punishment of seduction and sexual intercourse procured and had under promise of marriage, and to the effect of the marriage of the parties concerned after the commission of the offense.

Read first time, and placed on file for second reading.

Assembly Bill No. 244—An Act to amend section two hundred and sixty-six of the Act entitled an Act to establish a Penal Code, approved February 14, 1872, by providing for the punishment of seduction accomplished by means of false representations and pretenses, or other fraudulent means

Read first time, and placed on file for second reading.

Assembly Bill No. 245—An Act to amend section one thousand one hundred and ten of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by adding to said section a clause requiring the evidence of the party seduced to be corroborated in all

cases arising or prosecuted under the provisions of section two hundred and sixty-eight of said Code.

Read first time, and placed on file for second reading.

Assembly Bill No. 252—An Act to add a new section to the Code of Civil Procedure, relating to hearing of appeals in the Supreme Court.

Read first time, and placed on file for second reading.

Assembly Bill No. 313—An Act to authorize the Controller to draw his warrant in favor of the Treasurer for the sum of fifty-three thousand seven hundred and fifty-two dollars and seventy-seven cents, and requiring the Treasurer, in the presence of the State Board of Examiners, to destroy receipts for that amount, in his possession, given to various County Treasurers by W. A. January, late State Treasurer, for moneys left with him by them.

Read first time, and placed on file for second reading.

Mr. Rucker asked leave to withdraw Assembly Bill No. 205, by consent of the House.

So ordered.

MOTION.

Mr. Rucker moved that the rules be suspended, and that Assembly Bill No 523 be taken up, out of order, and considered.

So ordered.

FIRST READING OF BILLS.

Assembly Bill No. 523—An Act to provide for the government and management of the "California Home for the Care and Training of Feeble-Minded Children."

Read first time and placed on file for second reading.

Assembly Bill No. 282 passed on file.

Assembly Bill No. 294 withdrawn by the author, by consent of the House.

Assembly Bill No. 330—An Act to encourage and provide for the dissemination of a knowledge of the arts, sciences, and general literature, and the founding, maintaining, and perpetuating public libraries, museums, and galleries of art, and the receipt of donations and contributions thereto when established: for the conveyance, holding, and protection of real property within this State suitable for the purposes herein designated, and the erection thereon of buildings appropriate to such purposes, and for the creation of trusts necessary or proper for the better preservation of such institutions, and the control and management thereof.

Read first time, and placed on file for second reading.

Assembly Bill No 277—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by adding a new section thereto, to be numbered section two hundred and sixty-eight, relative to the seduction of unmarried females under the age of twenty years.

Read first time, and placed on file for second reading.

Assembly Bill No. 315—An Act to amend section three hundred and seven of the Penal Code, in reference to smoking opium.

Read first time, and placed on file for second reading

Assembly Bill No. 276—An Act to amend an Act entitled "An Act to prevent the sale of intoxicating drinks to minors," approved March 4, 1872.

Read first time, and placed on file for second reading.

Assembly Bill No. 24—An Act compelling pawnbrokers to furnish a description of personal property upon which money has been loaned.

Refused first reading.

Assembly Bill No 229—An Act to amend section three thousand three hundred and thirty-six of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the wrongful conversion of property.

Refused first reading.

Assembly Bill No. 309—An Act to amend section three thousand three hundred and thirty-nine of the Civil Code of the State of California, in reference to damages for seduction.

Refused first reading.

Assembly Bill No. 351—An Act to provide for the deficiency in the appropriation for the expenses of the Supreme Court, under section forty-seven of the Code of Civil Procedure, for the thirty-seventh fiscal year.

Read first time, and placed on file for second reading.

Assembly Bill No. 370—An Act to provide for the deficiency in the appropriation for the transportation of prisoners, for the thirty-seventh fiscal year.

Read first time, and placed on file for second reading.

MOTION.

Mr. Wright moved to suspend the rules, and take up, out of order, Assembly Bill No. 477, and read same second time.

Lost.

Assembly Bill No. 183—An Act to repeal section three thousand seven hundred and forty-eight of the Political Code, relating to collection of taxes

Read first time, and placed on file for second reading.

Assembly Bill No. 206—An Act making an appropriation for deficiency in fund for printing the school text-books, for thirty-eighth fiscal year.

Read first time, and placed on file for second reading.

Assembly Bill No. 207—An Act making an appropriation for the deficiency in the appropriation for the support of the State Printing Office, for the fiscal year ending June 30, 1887.

Read first time, and placed on file for second reading.

Assembly Bill No. 278—An Act making an appropriation for the payment of claims of certain employés, and other creditors of the State.

Read first time, and placed on file for second reading.

Assembly Bill No. 95 withdrawn by the author, by consent of the House.

Assembly Bill No 116—An Act to provide for the payment of claims for the per diem, and legal interest upon the same, of the members and attachés of the Constitutional Convention.

First reading refused.

Assembly Bill No. 354—An Act to provide for the deficiency in the appropriation for costs and expenses of suits wherein the State is a party in interest, for the thirty-fifth fiscal year.

Read first time, and placed on file for second reading.

Assembly Bill No. 355—An Act to provide for the deficiency in the appropriation for contingent expenses in the office of Surveyor-General, for the thirty-sixth fiscal year.

Read first time, and placed on file for second reading.

Assembly Bill No. 356—An Act to provide for the deficiency in the appropriation for the cleaning and transportation of arms for the National Guard of California, for the thirty-fourth fiscal year.

Read first time, and placed on file for second reading.

Assembly Bill No. 357—An Act to provide for the deficiency in the appropriation for postage, expressage, etc., of the Surveyor-General, for the thirty-fifth fiscal year.

Read first time, and placed on file for second reading.

Assembly Bill No 358—An Act to provide 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 placed on file for second reading

Assembly Bill No 359—An Act to provide 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 placed on file for second reading.

Assembly Bill No. 368—An Act to provide for the deficiency in the appropriation for traveling expenses of the Superintendent of Public Instruction, for the thirty-fifth fiscal year.

Read first time, and placed on file for second reading.

Assembly Bill No. 369—An Act to provide for the deficiency in the appropriation for traveling expenses of the Attorney-General, for the thirty-fifth fiscal year.

Read first time, and placed on file for second reading

Assembly Bill No. 360—An Act to provide for the deficiency in the appropriation for stationery and contingent expenses of the Bureau of Labor Statistics, for the thirty-sixth fiscal year.

Read first time, and placed on file for second reading.

Assembly Bill No 361—An Act to provide for the deficiency in the appropriation for the contingent expenses in the office of the Secretary of State, for the thirty-sixth fiscal year.

Read first time, and placed on file for second reading.

NOTICE OF RECONSIDERATION.

Mr. Cohen gave notice that, on Monday, he would move to reconsider the vote whereby Assembly Bill No. 116 was refused first reading.

Assembly Bill No. 377—An Act to provide for the deficiency in the appropriation for the transportation of the insane, for the thirty-seventh fiscal year.

Read first time, and placed on file for second reading.

Assembly Bill No. 380—An Act to provide for the deficiency in the appropriation for the payment of rewards for the arrest of criminals without the limits of the State, for the thirty-sixth fiscal year.

Read first time, and placed on file for second reading.

Assembly Bill No. 378—An Act to provide for the deficiency in the appropriation for the payment of rewards for the arrest of criminals without the limits of the State, for the thirty-seventh fiscal year.

Read first time, and placed on file for second reading.

Assembly Bill No. 379—An Act to provide for the deficiency in the

appropriation for the payment of rewards for arresting criminals without the limits of the State, for the thirty-fifth fiscal year.

Read first time, and placed on file for second reading.

Assembly Bill No. 374—An Act to provide for the deficiency in the appropriation for the transportation of the insane, for the thirty-second fiscal year.

Read first time, and placed on file for second reading.

Assembly Bill No. 375—An Act to provide for the deficiency in the appropriation for the transportation of the insane, for the thirty-fifth fiscal year.

Read first time, and placed on file for second reading

Assembly Bill No. 376—An Act to provide for the deficiency in the appropriation for the transportation of the insane, for the thirty-sixth fiscal year.

Read first time, and placed on file for second reading.

Assembly Bill No 371—An Act to provide for the deficiency in the appropriation for the transportation of prisoners, for the thirty-sixth fiscal year.

Read first time, and placed on file for second reading.

Assembly Bill No. 372—An Act to provide for the deficiency in the appropriation for the transportation of prisoners, for the thirty-fifth fiscal year.

Read first time, and placed on file for second reading.

Assembly Bill No 373—An Act to provide for the deficiency in the appropriation for the transportation of insane, for the thirty-first fiscal year.

Read first time, and placed on file for second reading.

Assembly Bill No. 365—An Act to provide for the deficiency in the appropriation for the uses of the State Board of Viticulture, for the thirty-seventh fiscal year.

Read first time, and placed on file for second reading.

Assembly Bill No. 366—An Act to provide for the deficiency in the appropriation for the contingent expenses of the office of the Surveyor-General, for the thirty-seventh fiscal year.

Read first time, and placed on file for second reading

Senate Bill No. 60—An Act making an additional appropriation for rent, furniture, and contingent expenses of Insurance Commissioner, for the thirty-eight fiscal year.

Read first time, and placed on file for second reading.

Assembly Bill No. 364—An Act to provide for the deficiency in the appropriation for the erection and maintenance of the State Salmon Hatchery, for the thirty-seventh fiscal year.

Read first time, and placed on file for second reading.

Assembly Bill No. 362—An Act to provide for the deficiency in the appropriation for the uses of the State Board of Silk Culture, for the thirty-sixth fiscal year.

Read first time, and placed on file for second reading.

Assembly Bill No. 61—An Act to appropriate money to meet the deficiency in the appropriation for the costs and expenses of suits where the State is a party in interest, for the thirty-fifth fiscal year, to pay the claim of William Applegarth.

Read first time, and placed on file for second reading.

Assembly Bill No. 72—An Act to appropriate the sum of six hundred and fifty dollars for payment of the claim of C. C. Rachford, ex-Sheriff of Modoc County.

Read first time, and placed on file for second reading.

Assembly Bill No. 123—An Act to authorize certified copies of surveys, maps, or plats of subdivided tracts of land to be recorded in the office of the County Recorder, and to regulate the penalty inflicted upon failure to record such, said Act being substituted for section one thousand one hundred and sixty-three of the Civil Code; said section was repealed July 1, 1874.

Read first time, and placed on file for second reading

Assembly Bill No. 302—An Act to amend sections three thousand and seventy-seven, three thousand and seventy-eight, three thousand and eighty, and three thousand and eighty-two of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relative to the registry of births, deaths, and marriages

Read first time, and placed on file for second reading.

Assembly Bill No. 303—An Act to amend section three hundred and seventy-eight of an Act entitled an Act to establish a Penal Code, approved February 14, 1872, relating to the preservation of the public health and safety, and registration of births, deaths, and marriages.

Read first time, and placed on file for second reading.

Assembly Bill No. 305—An Act to amend section three thousand and eighty-four of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relative to the interment or cremation of human bodies.

Read first time, and placed on file for second reading.

Assembly Bill No. 304—An Act to amend section three thousand and sixty-two of, and to add a new section to, an Act entitled an Act to establish a Political Code, approved March 12, 1872, relating to Boards of Health.

Read first time, and placed on file for second reading.

Assembly Bill No. 306—An Act to amend section three hundred and seventy-seven of an Act entitled an Act to establish a Penal Code, approved February 14, 1872, relating to the disposal of human dead bodies, and preservation of the public health.

Read first time, and placed on file for second reading.

Assembly Bill No 144—An Act to amend section one thousand two hundred and fifty-seven of the Political Code of the State of California, relating to counting of ballots at elections.

Read first time, and placed on file for second reading.

Assembly Bill No. 166—An Act to amend section one thousand one hundred and sixty of the Political Code of the State of California, relating to elections.

Read first time, and placed on file for second reading.

Assembly Bill No. 338—An Act to provide for the better protection of life and limb, and to guard against accidents on street and cable roads, by the use of safety guards, and to punish negligence.

Read first time, and placed on file for second reading.

Assembly Bill No. 230—An Act to create and maintain a relief and pension fund in the Police Department of all cities in this State having a police force of ten or more members, and to provide for the administration of such fund.

First reading refused.

Assembly Bill No. 3—An Act to amend section one hundred and three of Article II, Chapter V, Title I, of Part I, of the Code of Civil Procedure, relating to Justices' Courts in townships and cities having

ten thousand and not more than twenty thousand inhabitants, and in cities having twenty thousand and not more than one hundred thousand inhabitants

First reading refused.

NOTICES OF RECONSIDERATION.

Mr. Cohen gave notice that, on Monday, he would move to reconsider the vote whereby Assembly Bill No 230 was refused first reading.

Mr. Weber gave notice that, on Monday, he would move to reconsider the vote whereby Assembly Bill No. 3 was refused first reading.

Assembly Bill No. 4—An Act to repeal an Act entitled an Act fixing jurisdiction and providing compensation for Justices of the Peace in cities and towns, approved March 9, 1883.

Read first time, and placed on file for second reading.

Assembly Bill No. 209—An Act to amend section one hundred and twelve of the Code of Civil Procedure, Chapter V, Article III, relating to Justices of the Peace and Justices' Courts in general.

Read first time, and placed on file for second reading.

Assembly Bill No. 202—An Act to amend section one hundred and three of an Act entitled "An Act to amend an Act of the Legislature of the State of California, to establish a Code of Civil Procedure," approved March 17, 1872, relating to Justices' Courts and Justices of the Peace.

Read first time, and placed on file for second reading.

Senate Concurrent Resolution No. 3 passed on file.

MOTION.

Mr. Brierly moved to substitute Senate Bill No. 116 for Assembly Bill No 392, on file.

So ordered.

Senate Bill No 116—An Act to add section five hundred and thirty-nine to Article II of the Political Code, relating to the office of Superintendent of State Printing, authorizing the Superintendent of State Printing to appoint a deputy.

Read first time, and placed on file for second reading

Assembly Bill No. 392 withdrawn by author, by consent of the House.

Assembly Bill No. 290—An Act to amend sections two hundred and forty-five, two hundred and forty-six, two hundred and forty-eight, and two hundred and forty-nine of the Political Code, by striking out the words "Enrolling Clerk."

Read first time, and placed on file for second reading.

Assembly Bill No. 419—An Act to amend sections nine and ten of the Political Code, relative to legal holidays in the State of California.

Read first time, and placed on file for second reading.

Assembly Bill No. 425—An Act to amend an Act entitled "An Act to establish free public libraries and reading-rooms," approved April 26, 1880.

Read first time, and placed on file for second reading.

Assembly Bill No. 428—An Act to amend section seven hundred and ninety-three of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to term of office of Notaries Public.

Read first time, and placed on file for second reading.

Assembly Bill No. 214—An Act to establish pilot and pilot regulations for the Port of Wilmington and Bay of San Pedro.

Read first time, and placed on file for second reading.

The following Assembly Bills were passed on file: Nos. 59, 58, 57, 263, 251, 280, 42, 211, 254, 216, 197, 213, 157, 182, 221, 224, 18, 155, 218, 274, 248, and 190.

Assembly Bill No. 414—An Act to amend the Political Code of the State of California, and to protect the health and regulate the hours of labor of street-car conductors and drivers and gripmen, and to amend section three thousand two hundred and forty-four of said Code.

Read first time, and placed on file for second reading.

Assembly Bill No. 159—An Act to amend an Act entitled an Act to establish a Penal Code, approved February 14, 1872, by amending an Act amendatory of said Act to section six hundred and thirty-four, relating to fish and game.

Read first time, and placed on file for second reading

Assembly Bill No. 160—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 ten hundred and fifty-six, and to amend section ten hundred and fifty-seven of said Act, relating to sureties on undertakings and bonds.

Read first time, and placed on file for second reading.

Senate Bill No. 17—An Act to amend "An Act giving a lien to loggers and laborers employed in logging camps upon the logs cut and hauled by the persons who employed them," approved March 13, 1878, by making applicable thereto section one thousand one hundred and ninety-five of the Code of Civil Procedure, concerning consolidation of separate actions.

Read first time, and placed on file for second reading.

Senate Bill No. 26—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, relating to mortgages of personal property

Read first time, and placed on file for second reading.

Senate Bill No. 29—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 placed on file for second reading

Assembly Bill No. 426—An Act to amend section one hundred and seventy of an Act entitled "An Act to establish a Code of Civil Procedure," approved February 14, 1872, relating to disqualification of Judges.

Read first time, and placed on file for second reading.

Assembly Bill No. 201—An Act to provide for the construction and maintenance of an open canal from and along North Street, in the City of Stockton, County of San Joaquin, State of California, to the San Joaquin River, for sanitary and drainage purposes.

Read first time, and placed on file for second reading.

Assembly Bills Nos. 268 and 295 passed on file.

Assembly Bill No. 340—An Act for the relief of Esther H. Dennis.

First reading refused.

NOTICE OF RECONSIDERATION.

Mr Lawrence gave notice that, on Monday, he would move to reconsider the vote whereby Assembly Bill No. 340 was refused first reading.

Assembly Bill No. 87 passed on file.

Assembly Bill No. 200—An Act to authorize the Board of Supervisors of the City and County of San Francisco, State of California, to pay the claim of Alice Kenna and James Wildridge Kenna.

Read first time, and placed on file for second reading.

Assembly Bill No. 212—An Act to appropriate money for the payment of the claims of Robert T. Devlin and R. M. Clarken, for legal services in suits in which the State was interested.

Read first time, and placed on file for second reading.

Speaker pro tem. Brierly in the chair.

Assembly Bill No 386—An Act to authorize the Board of Supervisors of the City and County of San Francisco to examine into, adjust, and pay the claim of Thomas Day, of the City and County of San Francisco, for damages done to, and injuries suffered by, certain real property of the said Day, situated on the north side of Harrison Street, between Second and Third Streets, in said city and county, by reason of the modification of the grade of said Second Street, between Howard and Bryant Streets, had and made pursuant to the Act of the Legislature of the State of California approved March 30, 1868, and entitled "An Act to authorize the Board of Supervisors of the City and County of San Francisco to modify the grades of certain streets."

Read first time, and placed on file for second reading.

Assembly Bill No. 407—An Act to provide for the grading and graveling of that portion of Fifteenth Street, between L and N Streets, in the City of Sacramento, adjoining the State Capitol grounds, and to provide for the payment of the same

Read first time, and placed on file for second reading.

Assembly Bill No. 329—An Act to add a new section, to be numbered four hundred and twenty-five, to, and to amend section four hundred and thirteen of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to increasing police force of State Capitol grounds.

Read first time, and placed on file for second reading

Assembly Bill No. 90—An Act providing for compensation of services rendered in compiling State school text-books

Read first time, and placed on file for second reading.

Assembly Bill No. 93—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, relating to public schools.

Read first time, and placed on file for second reading.

Senate Bill No. 22—An Act to amend sections one thousand six hundred and sixty-five, and one thousand six hundred and sixty-seven of the Political Code of California, relating to branches of studies to be taught in the public schools.

Read first time, and placed on file for second reading.

Assembly Bill No. 94—An Act to provide for the payment of the traveling expenses of County Superintendents of Schools of the State of California.

Read first time, and placed on file for second reading.

Assembly Bill No. 150—An Act to amend sections one thousand six

hundred and sixty-five and one thousand six hundred and sixty-seven of the Political Code of California, relating to branches of studies to be taught in the public schools

Read first time, and placed on file for second reading.

Senate Bill No. 102—An Act to amend sections number one thousand five hundred and ninety-three, one thousand six hundred and twelve, and one thousand six hundred and thirteen of an Act entitled an Act to establish a Political Code, approved March 12, 1872, relating to School Trustees.

Read first time, and placed on file for second reading.

Assembly Bill No. 415—An Act to amend section three hundred and thirty of the Penal Code of California, relating to gaming.

Read first time, and placed on file for second reading.

Assembly Bill No 424—An Act to regulate and license gaming in cities and counties, cities, and towns.

Refused first reading.

Assembly Bill No. 463—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 opium smoking.

Read first time, and placed on file for second reading.

Assembly Bill No 316—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, and add thereto a new section to Part I, Title IX, and Chapter VIII thereof, to be known as section one thousand three hundred and eighty-nine, for the prevention of minors being employed by telephone companies, special delivery companies, to deliver notes or messages to houses of prostitution or places of questionable repute.

Read first time, and placed on file for second reading.

Assembly Bill No. 300 and Assembly Bill No. 225 refused first reading

Assembly Bill No. 385—An Act to appropriate moneys to pay the claim of Richard Coleman, formerly First Lieutenant, commanding Company "D," Fifth Infantry Battalion, Second Brigade, National Guard of California, for moneys paid by him as expenses of said company.

Read first time, and placed on file for second reading

Assembly Bill No. 132—An Act to regulate the rental and charges for the use of telephones in this State, and fixing the penalty for excessive charges.

Read first time, and placed on file for second reading.

Assembly Bill No. 163—An Act to add a new section to the Code of Civil Procedure, to be numbered four hundred and sixty-six, relative to the pleadings, evidence, and costs in action upon policies of fire insurance, in certain cases.

Read first time, and placed on file for second reading

MOTION.

Mr. Lawrence moved to give Assembly Bill No. 163 the place on file occupied by Assembly Bill No. 268, and the latter bill to take the place of Assembly Bill No. 163.

So ordered.

FIRST READING OF BILLS—(RESUMED).

Assembly Bill No. 460—An Act relating to highways.

Refused first reading.

Assembly Bill No. 409—An Act to pay the claim of Ben. Cohen for expenses incurred in the decoration of the State Capitol building, on the occasion of the funeral obsequies in respect of the late President U. S. Grant.

Read first time, and placed on file for second reading.

Assembly Bill No. 139—An Act making appropriation for a deficiency in the appropriation for salary of the Secretary of the State Engineer, for the thirty-fifth, thirty-sixth, thirty-seventh, and thirty-eighth fiscal years.

Read first time, and placed on file for second reading.

Assembly Bill No. 367—An Act to provide for the deficiency in the appropriation for the traveling expenses of the Attorney-General and the Surveyor-General, in contests between the State and the United States, for the thirty-fifth fiscal year.

Read first time, and placed on file for second reading

Assembly Bill No. 412—An Act to pay the claim of Blake, Moffitt & Towne, being a deficiency in the appropriation for the purchase of ballot paper, for the thirty-eighth fiscal year.

Read first time, and placed on file for second reading.

Assembly Bill No. 439—An Act to pay the claim of J. W. Rock, for the construction of a steam launch.

Read first time, and placed on file for second reading.

Assembly Bill No. 336—An Act to appropriate money to meet the deficiency in the appropriation for the construction of a steam launch, for the thirty-seventh fiscal year.

Refused first reading.

Assembly Bill No. 349—An Act to provide for the compensation of Deputy County Clerks and Deputy Sheriffs, acting in Superior Courts of counties where the number of Judges of Superior Courts has been increased, relating to Superior Courts' officers.

Read first time, and placed on file for second reading.

Assembly Bill No. 151—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 placed on file for second reading.

Assembly Bill No. 437—An Act to provide for the relief of Robert Anderson.

Read first time, and placed on file for second reading.

Assembly Bill No. 60—An Act to appropriate money for the relief of J. C Doherty.

Read first time, and placed on file for second reading.

Assembly Bill No 233—An Act providing for the payment to Louisa Koehler of damages for the loss of her husband, Herman Koehler, killed by a prisoner in the State Prison at San Quentin, California.

Read first time, and placed on file for second reading.

Assembly Bill No. 223—An Act to provide for the payment of J. R. McDonald, Francis Williams, and Henry De Veuve, for per diem and mileage for serving as Commissioners of the West Side Irrigation District, under the Act to create an irrigation district, to be called the West Side Irrigation District, approved April 3, 1876, and Acts supplemental thereto.

Read first time, and placed on file for second reading.

Assembly Bill No. 461—An Act to appropriate money to pay the claim of A. L. Rhodes and D. M. Delmas, for services rendered to the

State in prosecuting, on behalf of the people of the State of California, certain causes, commonly known as the California railroad tax cases.

Read first time, and placed on file for second reading.

Assembly Bill No. 432—An Act for the relief of Bartolo Sepulveda.

Read first time, and placed on file for second reading.

Assembly Bill No 165—An Act to provide for the payment of the claim of R C. Ball as architect of the State Prison at Folsom, and to appropriate money for the purpose of such payment.

Read first time, and placed on file for second reading.

Assembly Bill No. 403—An Act for the relief of the heirs of the estate of George Horton, deceased, Maria Horton, administratrix, whose property has been taken and destroyed by blasting and excavating Telegraph Hill, in the City and County of San Francisco, State of California.

Read first time, and placed on file for second reading.

Assembly Bill No. 239—An Act to amend sections three thousand four hundred and ninety-four and three thousand four hundred and ninety-five of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the public lands of this State.

Read first time, and placed on file for second reading.

Assembly Bill No. 312—An Act authorizing cities, counties, cities and counties, or incorporated towns, in the State of California, to furnish the children of their respective public schools with the free use of school text-books.

Read first time, and placed on file for second reading.

Assembly Bill No. 322—An Act to provide for industrial, mechanical, and technical training in classes in grammar schools in the State of California, and to provide for the organization and maintenance of the same

Read first time, and placed on file for second reading.

Assembly Bill No. 381—An Act to amend sections four hundred and forty-three, one thousand five hundred and thirty-three, one thousand five hundred and forty-three, one thousand five hundred and fifty-one, one thousand five hundred and ninety-seven, one thousand six hundred and thirty-four, one thousand seven hundred and fourteen, one thousand eight hundred and seventeen, and one thousand eight hundred and fifty-eight of the Political Code of the State of California, relating to public schools and the methods for providing and apportioning funds for their support.

Read first time, and placed on file for second reading.

Assembly Bill No. 343—An Act appropriating the sum of ten thousand dollars to erect a building for the purpose of furnishing dormitories and dining-rooms for the male adult blind inmates at the "Home for the Adult Blind"

Read first time, and placed on file for second reading.

Assembly Bill No. 267—An Act relating to life and casualty insurance on the assessment plan, and the conduct of the business of such insurance.

Read first time, and placed on file for second reading.

Assembly Bill No. 191—An Act to amend section three hundred and seven of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to corporation elections.

Read first time, and placed on file for second reading.

PETITION.

Mr. Jordan presented a petition from citizens of San Francisco, respectfully protesting against any measure calculated to relax the law regulating the license tax on intoxicating liquors.

Referred to Committee on Education.

FIRST READING OF BILLS—(RESUMED).

Assembly Bill No. 32—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," adopted March 11, 1872, by adding thereto a new section, to be known as section one thousand three hundred and forty-eight, authorizing corporations to act as executors and in other capacities.

Read first time, and placed on file for second reading.

Assembly Bill No. 264—An Act to repeal section four hundred and fifty-one of an Act to establish a Civil Code, approved March 21, 1872, which section was approved March 23, 1885, and relates to mutual life, health, and accident insurance corporations.

Read first time, and placed on file for second reading.

Assembly Bill No. 434—An Act to appropriate the sum of one thousand dollars to reimburse the Attorney-General and Surveyor-General for expenditures made as provided by sections three thousand four hundred and eleven, three thousand four hundred and twelve, and three thousand four hundred and thirteen, Political Code.

Read first time, and placed on file for second reading.

Assembly Bill No. 421—An Act to amend section five hundred and two of the Penal Code, relating to junk dealers.

Read first time, and placed on file for second reading.

Assembly Bill No. 45—An Act to amend an Act entitled an Act to appropriate money for the support of aged persons in indigent circumstances.

Read first time, and placed on file for second reading.

MOTION TO ADJOURN.

At ten o'clock and thirty-five minutes P. M. Mr. Ohleyer moved to adjourn.

Lost.

LEAVE OF ABSENCE.

Mr. Atherton was granted leave of absence until Wednesday next, at twelve o'clock M.

FIRST READING OF BILLS—(RESUMED).

Assembly Bill No. 84—An Act to regulate the employment of gripmen, conductors, and drivers on street railways, to provide for granting licenses to competent persons, and to provide further safeguards to life and property in the matter of operating such railways.

Read first time, and placed on file for second reading.

Assembly Bill No. 423—An Act to amend section twelve of an Act entitled "An Act to protect agriculture in the County of Butte," passed March 10, 1874, relating to trespassing animals.

Read first time, and placed on file for second reading.

Assembly Bill No. 450—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, all of said sections being of the Political Code of the State of California, relating to the organization, powers, and duties of the Board of Trustees of State Normal Schools.

Read first time, and placed on file for second reading.

Senate Concurrent Resolution No 5—Relating to the employment of Captain John Mullan to represent the State of California in the collection of certain moneys due from the United States to this State.

Lost

NOTICE OF RECONSIDERATION.

Mr. Callaghan gave notice that, on Monday, he would move to reconsider the vote whereby Senate Concurrent Resolution No. 5 was refused a first reading

Mr Hyde protested against any further proceedings being had, for the reason that no quorum was present.

FIRST READING OF BILLS—(RESUMED).

Assembly Bill No 89—An Act to establish a Boys' Reform School, for the correction and reformation of juvenile offenders.

Read first time, and placed on file for second reading.

Assembly Bill No. 204—An Act to establish a State School of Industry, and to provide for the organization and government thereof, and the making of appropriation therefor.

Read first time, and placed on file for second reading

Assembly Bill No. 127—An Act to authorize and promote the establishment and maintenance of manual training schools.

Read first time, and placed on file for second reading.

Assembly Bill No. 318—An Act to encourage immigration, and to authorize the appropriation of money therefor.

Read first time, and placed on file for second reading

Assembly Bill No 383—An Act to regulate the vocation of fishing, and to provide therefrom revenue for the "restoration and preservation of fish," in the waters of the State of California.

Read first time, and placed on file for second reading.

Assembly Bill No. 445—An Act to provide a water supply for the hotel constructed in Yosemite Valley, under Act of March 9, 1885, and to appropriate money therefor.

Read first time, and placed on file for second reading.

Assembly Bill No. 446—An Act to appropriate money for the preservation and improvement of Yosemite Valley and the Mariposa Big Tree Grove.

Read first time, and placed on file for second reading.

Assembly Bill No. 447—An Act to aid the Board of Commissioners

to manage the Yosemite Valley and the Mariposa Big Tree Grove, and to appropriate money therefor.

Read first time, and placed on file for second reading.

Assembly Bill No. 448—An Act to provide for the deficiency in the appropriation for salary of the Guardian of Yosemite Valley, for the thirty-sixth fiscal year.

Read first time, and placed on file for second reading.

Senate Bill No. 41—An Act to encourage tree planting within the State of California.

Read first time, and placed on file for second reading.

Assembly Bill No 105—An Act to encourage tree planting within the State of California.

Read first time, and placed on file for second reading.

Senate Bill No. 105—An Act to amend section three thousand seven hundred and two of the Act entitled "An Act to establish a Political Code," approved March 12, 1872, relative to the State Board of Equalization, its traveling expenses, and making an appropriation therefor.

Read first time, and placed on file for second reading.

Senate Bill No. 207—An Act to provide for the deficiency in the appropriation for traveling expenses of the Board of Railroad Commissioners, for the thirty-third fiscal year.

Read first time, and placed on file for second reading.

MOTION TO ADJOURN.

At eleven o'clock and five minutes P. M. Mr. Hyde moved to adjourn.

Lost.

FIRST READING OF BILLS—(RESUMED).

Assembly Bill No. 319—An Act to amend sections six, eight, nine, 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 to add four new sections to said Act, to be known as sections thirteen, fourteen, fifteen, and seven, and to repeal section seven of said Act.

Read first time, and placed on file for second reading.

Assembly Joint Resolution No. 10—Relative to mining debris.

Read and passed on file.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON JUDICIARY

ASSEMBLY CHAMBER, SACRAMENTO, February 19, 1887

MR SPEAKER Your Committee on the Judiciary, to whom was referred Assembly Bill No 540—An Act to provide one additional Judge of the Superior Court of the County of Fresno, State of California, would respectfully report that they have considered the same, and now recommend that it do pass

VARIEL, Chairman

MOTION TO ADJOURN.

At eleven o'clock and eight minutes P. M. Mr. Hyde moved to adjourn.

Lost.

NOTICE OF RECONSIDERATION WITHDRAWN.

Mr. Callaghan gave notice that he withdrew his notice to reconsider the vote whereby Senate Concurrent Resolution No. 5 was refused first reading.

There being no objections, he was allowed to withdraw such notice.
Mr. Carr demanded a roll call.

CALL OF THE HOUSE.

Mr. Coombs moved a call of the House.
Mr. Hyde raised a point of order, that there being no quorum present, the motion of Mr. Coombs was out of order, that the motion of Mr Carr for a roll call was the motion to be first put
The Chair ruled that the point of order was not well taken
Mr. Hyde appealed from the decision of the Chair on the motion for a call of the House, on the ground that there was no quorum present.
The question being, "Shall the decision of the Chair stand as the judgment of the House?" it was so ordered
The roll was called, on the call of the House, and the following members answered to their names:

Messrs Atherton, Brierly, Butler, Callaghan, Campbell, Carr, Carroll, Cohen, Colbert, Coombs, Currey of Solano, Curry of San Francisco Gould, Handy, Hyde, Knox, Mahler, McDonnell, McGowan, Mitchell, Ohlever, Rucker, Shanahan, Smyth, Spurgeon, Taylor, Variel, Venable, Vincent, Weber, and Wilcox

Mr Carroll moved that further proceedings under the call of the House be dispensed with.

ADJOURNMENT.

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

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Monday, February 21, 1887.

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

Messrs Adams, Alexander, Barton, Brierly, Brown J B, Bruste, Butler, Callaghan, Campbell, Carroll, Cohen, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Gould, Granger, Heath, Henry of Butte, Henry of San Joaquin, Hyde, Knox, Lewis, Mahler, Martin, Mann, Matthews of San Benito, McDonnell, McGowan, Mitchell, Morgan, Morris, Ohlever, Rucker, Renison, Shanahan, Sherburne, Sims, Spurgeon, Sykes, Taylor, Variel, Vincent, Weber, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr Speaker.

Quorum present.
Prayer by the Rev. Bishop Fowler.
Pending the reading of the Journal of Saturday, Mr. Hyde moved to dispense with further reading.
So ordered.
Journal corrected and approved.

Mr. Variel moved to restore to the file Senate Concurrent Resolution No. 5, for the reason that the House did not suspend the rule adopted for Saturday evening, that only bills on the first reading file should be considered.

The Chair decided that the motion was in order, as under the order of first reading of bills, reading of resolutions was not in order, the Journal showing that the rules were not suspended, and that the House should not have taken final action on the resolution Saturday evening

Mr. Brierly appealed from the decision of the Chair.

The question being, "Shall the decision of the Chair stand as the judgment of the House?"

The Chair was sustained, on a division – ayes, 37; noes, 5.

The question then being on the motion of Mr. Variel, to restore to the file Senate Concurrent Resolution No. 5.

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

Ayes and noes demanded by Messrs. Heath, Brierly, and Hyde.

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

AYES—Messrs Adams, Brierly, Brusie, Butler, Callaghan, Carroll, Cohen, Coombs, Cope Curtis of Solano, Curtis of San Francisco, Davis, Granger, Henry of Butte, Hyde, Martin, Mann, Matthews of San Benito, McDonnell, McGowan, Mitchell, Morgan, Ohlevet, Regan, Rucker, Shanahan, Sims, Spurgeon, Taylor, Williams, Wright, and Young of San Diego—31

NOES—Messrs Alexander, Barton, Brown J B, Ellsworth, Gould, Heath, Henry of San Joaquin, Knox, Mahler, Morris, Sherburne, Sykes, Variel, Vincent, Weber, Wilcox, and Young of San Joaquin—17.

LEAVE OF ABSENCE.

Messrs. Lawrence, Smyth, and Colbert were granted leave of absence until Wednesday.

REPORTS OF STANDING COMMITTEES.

ON WATER RIGHTS AND DRAINAGE

ASSEMBLY CHAMBER, SACRAMENTO, February 21, 1887

MR SPEAKER Your Committee on Water Rights and Drainage, to whom was referred Senate Bill No 240—have had the same under consideration, and respectfully report the same back, and recommend that it do pass

CAMPBELL, Chairman

ON WAYS AND MEANS

ASSEMBLY CHAMBER, SACRAMENTO, February 21, 1887.

MR SPEAKER Your Committee on Ways and Means, to whom was referred Assembly Bill No 459—An Act making appropriations for the support of the government of the State of California, for the thirty-ninth and fortieth fiscal years—and report a substitute, and recommend that the substitute do pass

TAYLOR, Chairman.

On motion of Mr. Taylor, the usual number of copies of Substitute for Assembly Bill No. 459 was ordered printed.

ON LABOR AND CAPITAL.

ASSEMBLY CHAMBER, SACRAMENTO, February 21, 1887

MR SPEAKER Your Committee on Labor and Capital, to whom was referred Senate Bill No 333—An Act to protect life and property against the careless and malicious use or handling of dynamite and other explosives—report the same back, and recommend that it do pass

LABLANC, Chairman.

ON COUNTY AND TOWNSHIP GOVERNMENTS

ASSEMBLY CHAMBER, SACRAMENTO, February 21, 1887.

MR SPEAKER Your Committee on County and Township Governments, to whom was referred Assembly Bill No 546—have had the same under consideration, and report the same back, without recommendation

Also, Senate Bills Nos. 20, 12, 136, 14, and 32—report the same back, and recommend that they do pass

Also, Assembly Petition—Relative to salaries of officers in counties of the eighth class—is herewith returned

McGOWAN, Chairman.

ON WATER RIGHTS AND DRAINAGE—MINORITY REPORT

ASSEMBLY CHAMBER, SACRAMENTO, February —, 1887

MR SPEAKER: The undersigned, a minority of the Committee upon Water Rights and Drainage, do recommend that Assembly Bill No 451—"An Act to provide for the impounding of mining debris"—do not pass, and we assign the following reasons for our recommendation

First—There is no necessity for any of the provisions of said bill, except those which contravene the established law of the State as determined by the highest judicial tribunals, which interfere with the vested rights of property, and which, therefore, contravene the Constitution

Second—The provisions contained in said bill with reference to the formation of corporations are entirely unnecessary, because at the present time, under section two hundred and eighty-six of the Civil Code, private corporations may be formed for any legitimate purpose to exercise any legitimate power connected with the industry of mining, or the restraining of mining debris, and the laws on the subject of corporations, to be found in the Civil Code of this State, are ample and sufficient to enable such a corporation to exercise all the powers essential to the successful conduct of the business of mining, or any business connected with that industry

Third—The provisions in said bill with reference to the right of such a corporation to exercise the power of eminent domain, for the purpose of condemning sites upon which to locate restraining dams, is already substantially contained in subdivision five of section one thousand two hundred and thirty-eight of the Code of Civil Procedure As, however, the purpose of private mining is a private use for which the right of eminent domain may not be exercised, even by the direction of the Legislature, that subdivision of section one thousand two hundred and thirty-eight has been declared to be unconstitutional by the Supreme Court of this State, in the case of the Consolidated Channel Company vs the Central Pacific Railroad Company et al, to be found on page 269 of the 51st California Reports The attempt, therefore, is now being made, by the friends of this bill, to reenact this provision into the statutes of the State in defiance of the Constitution, as interpreted by the Court of last resort, and we are of the opinion that our duties as legislators, as fixed by our constitutional oaths, should admonish us to obey the Constitution, and to refuse to give our official sanction to a provision in any law which that instrument prohibits this body from enacting

Fourth—The only purpose, if any, that can be accomplished by this bill, is an indirect sanction by the Legislature of the process of hydraulic mining, with a continuation of the injuries which it has hitherto entailed upon the people of the valley counties, thus giving to that industry a new impetus, which will again necessitate an expensive and lengthy litigation and an increase of the injuries, not only to the navigable streams, but to the lands of private individuals residing upon and near their banks This sanction, or recognition, will be as unconstitutional as the legislation would be if it undertook to directly authorize the injuries which would necessarily follow a continuation of this process of mining, and it is unquestionably beyond the power of the Legislature to authorize such injuries, or to sanction the impairment of the vested rights of any of the people (People vs Gold Run Ditch and Mining Company, 66 Cal, 151–2) The people of the Sacramento Valley, who constitute not an inconsiderable portion of the body politic, certainly have some rights which it is the duty of this Legislature to respect, and we think that after thirty years of serious injury to their property and ten years of expensive litigation, in which, by united and continuous effort, they have succeeded in establishing the law in their favor, they have a right to protest against an effort, made by their representatives, to throw back upon them the threatened destruction which their time and fortunes have been expended for the purpose of partially averting We challenge the right of a legislative body, in disregard of the commands of the Constitution, to authorize, directly or indirectly, an invasion of the property rights of the citizen, and we insist that it is no longer a debatable question, that, if hydraulic mining under the plans of this bill will result in injury, it can neither be authorized nor sanctioned by this Legislature, without an absolute violation of the sacred rights of the citizen as guaranteed by the fundamental law

Fifth—If, by the plans proposed to be adopted in this bill, hydraulic mining may be conducted without injury, those plans may be adopted and carried into effect without any legislation, or any sanction of this Legislature, direct or indirect Common sense will teach any reasonable man that any person may conduct hydraulic or any other

mining without any provision of positive law, passed by this or any other Legislature, if he can do so without injury to others The element of illegality in mining by the hydraulic process is the injury which results from it This was so expressly held by the Supreme Court of this State in the Gold Run case, to be found on pages 156 and 157 of the 66th California Reports There is, therefore, no necessity for this legislation, if the object is to authorize the conduct of this species of mining in a lawful manner and without injury to the just rights of others If, however, its object is to authorize, or indirectly sanction, that species of mining in disregard of the rights of others, then the people whose property is imperiled may justly appeal to the Constitution as their shield, and demand that the members of this body, with a proper regard for their constitutional oaths, shall refuse to give their sanction, thus indirectly, to a violation of their rights of property, which will destroy the security of their homes, and bring ruin and bankruptcy, when prosperity would otherwise prevail

GEORGE OHLEYER.

Mr. Taylor moved, on behalf of the Committee of the Whole, that Assembly Bill No. 363 and Assembly Bill No. 117 be passed on file.

So ordered.

INTRODUCTION OF BILLS.

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

By Mr. Young of San Joaquin Assembly Bill No. 552—An Act to amend section one hundred and sixty-nine of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883, as amended March 14, 1885, and March 18, 1885, relative to the government of counties.

Referred to Committee on County and Township Governments.

By Mr. Mitchell: Assembly Bill No. 553—An Act to amend section two thousand three hundred and forty-nine of the Political Code, relating to navigable streams.

Referred to Committee on Water Rights and Drainage.

MOTION.

Mr. Brierly moved that all constitutional amendments and bills on the third reading special file be passed on the file.

Mr. Granger asked that the question be divided.

So ordered.

All constitutional amendments ordered passed on file.

All bills on third reading special file ordered passed on file, on a division—ayes, 30; noes, 13.

SPECIAL FILE.

Assembly Constitutional Amendments Nos. 5, 7, 11, 13, 14, and Assembly Bills Nos. 2, 120, 404 and 284 passed on file.

SECOND READING OF BILL.

Substitute for Assembly Bill No. 314—An Act to amend Chapter III of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, and each and every article and section of said Chapter III, and substituting a new Chapter III to take the place thereof in the said Act, relating, to the organization, incorporation, and government of municipal incorporations of the second class.

Ordered read a second time.

Passed on file.

MOTIONS.

Mr. Heath asked leave to make a motion out of order.

So ordered.

Mr. Heath asked that the special committee appointed under resolution to investigate the reported changes on the file have power to employ a shorthand reporter.

Mr. Coombs moved to amend, by making the per diem of the reporter at not more than ten dollars per day.

Amendment accepted by Mr. Heath.

Mr. Remson moved to amend, by adding "and fifteen cents per folio for what transcribing the committee may desire."

Amendment adopted.

The question being on the motion of Mr. Heath, as amended, the same was adopted.

Mr. Hyde moved that when this House adjourns to-day, it adjourn until Wednesday, at twelve o'clock M.

Mr. Young of San Joaquin moved to amend, so as to fix the hour of meeting at ten o'clock and fifteen minutes A. M. Wednesday.

Mr. Variel moved to amend the amendment, so as to fix the hour of meeting at ten o'clock and fifteen minutes A. M. Tuesday.

Mr. Brierly moved that the further consideration of these motions be made a special order for this evening, at eleven o'clock and thirty minutes P. M.

So ordered, on a division—ayes, 32; noes, 7.

SPECIAL FILE—(RESUMED).

Assembly Bill No. 232 passed on file.

SECOND READING OF BILL.

Assembly Bill No 408—An Act to appropriate money to pay the rent of the Hastings College of Law, from December 1, 1885, until June 13, 1887.

Read second time.

IN COMMITTEE OF THE WHOLE.

On motion of Mr. Hyde, the House went into Committee of the Whole, for the purpose of considering Assembly Bill No. 408—An Act to appropriate money to pay the rent of the Hastings College of Law, from December 1, 1885, until June 13, 1887.

Also, Assembly Bill No. 363—An Act to provide for the deficiency in the appropriation for the restoration and preservation of fish in the waters of the State, for the thirty-seventh fiscal year.

And, on motion of Mr. Rucker, also, Senate Bill No. 284—An Act appropriating the sum of two hundred and fifty thousand dollars for the erection of additional buildings for the use of the chronic insane, to appropriate funds therefor, and to provide for the expenditure of the same.

Speaker Jordan in the chair.

The bills were considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Jordan 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 Bills Nos 408 and 363, and Senate Bill No 284, and now report Assembly Bill No. 408, with the following amendment, and without recommendation

Amend, in line three, section two, printed bill, by striking out the words "General Fund," and substituting therefor the words "State University Fund."

Also, Senate Bill No 284—that it do pass

Also, Assembly Bill No. 363—that it do pass, without the committee amendments.

Report adopted.

Senate Bill No. 284 read second time, and ordered to a third reading.

MOTION.

At one o'clock P. M. Mr. Alexander moved to adjourn until Wednesday, at one o'clock P. M.

Ayes and noes demanded by Messrs. Spurgeon, Brierly, and Ellsworth.

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

AYES—Messrs Alexander and Hyde—2

NOES—Messrs Adams, Barton, Brierly, Brown J B, Brusie, Butler, Callaghan, Campbell, Carroll, Cohen, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Gould, Granger, Gruwell, Heath, Henry of Butte, Henry of San Joaquin, Knox, Lewis, Mahler, Martin, Matthews of San Benito, McDonnell, McGowan, Mitchell, Morgan, Morris, Ohleyer, Rucker, Remson, Shanahan, Sherburne, Sims, Spurgeon, Sykes, Taylor, Variel, Vincent, Weber, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr. Speaker—50.

RECESS.

At one o'clock and five minutes P. M. Mr. Coombs moved to take a recess until two o'clock and thirty minutes P. M.

So ordered.

REASSEMBLED.

At two o'clock and thirty minutes P. M. the House reassembled.

Speaker Jordan in the chair.

REPORTS OF STANDING COMMITTEES.

ON IRRIGATION

ASSEMBLY CHAMBER, SACRAMENTO, February 21, 1887.

MR SPEAKER: Your Committee on Irrigation, to whom was referred Senate Bill No 3—An Act to repeal section one thousand four hundred and twenty-two, of Title VIII, of the Civil Code of California—respectfully report the same back, and recommend that it do pass.

VINCENT, Chairman.

ON FEDERAL RELATIONS

ASSEMBLY CHAMBER, SACRAMENTO, February 21, 1887.

MR SPEAKER. Your Committee on Federal Relations, to whom was referred Assembly Bill No. 533—respectfully report the same back, and recommend that it do pass

BRUSIE, Chairman.

LEAVE OF ABSENCE.

Mr. Currey of Solano was granted leave of absence until Wednesday next, at two o'clock P. M.

INTRODUCTION OF ASSEMBLY JOINT RESOLUTION—(OUT OF ORDER).

The following resolution was introduced, read by title, and referred to committee, as follows:

By Mr. Lewis: Assembly Joint Resolution No. 13—Relating to revocation of consular authority of F. A. Bee.

Referred to Committee on Chinese Immigration.

SPECIAL FILE—(RESUMED).

Assembly Constitutional Amendments Nos. 12, 16, and 19 passed on file.

Mr. McDonnell moved that all bills on third reading special file be passed on file.

Lost.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON RETRENCHMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 21, 1887.

MR SPEAKER: Your Committee on Retrenchment, to whom was referred Assembly Bill No 545—respectfully report the same back, without recommendation

GOULD, Chairman.

Assembly Bills Nos. 180, 80, 464, and 13 passed on file.

Assembly Constitutional Amendment No. 17 passed on file.

FIRST READING OF BILLS.

Assembly Bill No. 344—An Act appropriating the sum of sixty-five thousand dollars for the support of Industrial Home of Mechanical Trades for the Adult Blind of the State of California.

Read first time, and placed on file for second reading.

Assembly Bill No 107—An Act providing for the payment to D. Jordan, for work and labor performed upon and material furnished in the construction of the State Prison at Folsom.

Passed on file.

QUESTION OF PRIVILEGE.

Mr. Hyde arose to a question of privilege, regarding the report in this morning's San Francisco Chronicle reflecting upon a member of this House, and asked that the matter so published be placed before the committee appointed to inquire into charges relating to changes made on the file.

RESOLUTION—(OUT OF ORDER).

By Mr. Coombs:

Resolved, That the committee appointed to inquire into the charges of changing bills on the file be and they are further directed and empowered to inquire into all charges

made, directly or indirectly, against members of this House, and to all facts pertaining to the changing of bills on the file, and that they are further directed to report thereon

Adopted.

MOTION.

Mr. Hyde moved that the special committee appointed to investigate certain charges be empowered to send for persons and papers.

So ordered.

Mr. Ellsworth moved that Senate Constitutional Amendment No. 5 be referred to the Committee on Constitutional Amendments.

So ordered.

Senate Constitutional Amendment No. 5 passed on file.

Assembly Constitutional Amendments Nos. 4, 8, 9, 15, and 18 passed on file.

Substitute for Assembly Bill No. 323 et al., and Assembly Bill No. 456, passed on file.

SECOND READING OF BILLS.

Assembly Bill No. 494—An Act to amend section eight hundred and fifty-one of the Municipal Corporation Act.

Read second time, ordered engrossed, and placed on file for third reading.

Assembly Bill No. 523—An Act to provide for the government and management of the "California Home for the Care and Training of Feeble-Minded Children."

Read second time, ordered engrossed, and placed on file for third reading

Assembly Bill No. 169 passed on file.

MOTION.

Mr. Brierly moved that we pass all Senate Bills on file this afternoon.

Lost.

FIRST READING OF BILL—(RESUMED).

Senate Bill No. 42—An Act to enlarge the powers of the State Board of Forestry, and to provide for the expenses of said Board.

Read first time, and placed on file for second reading.

GENERAL FILE—FIRST READING OF BILL.

Assembly Bill No. 282—An Act creating and adding two new sections to the Code of Civil Procedure of the State of California, to be known as sections three hundred and ninety-one and one thousand and forty, and amending sections three hundred and ninety-four and four hundred and eleven of the same Code, authorizing and regulating actions against the State of California.

Refused a first reading.

NOTICE OF RECONSIDERATION.

Mr. Cohen gave notice that, on to-morrow, he would move to reconsider the vote whereby Assembly Bill No. 282 was refused a first reading.

MOTION TO AMEND RULES.

Mr. Brierly moved to amend the rules, as follows: amend Rule 77, by inserting, after the word, "reading," in line nine, the words "and shall retain such place until they have been read;" insert after the word "of," at the end of line, the words "the elected members of."

Mr. Brierly moved that further consideration of the motion be made the special order for Wednesday next, at two o'clock and thirty minutes P. M.

So ordered.

Assembly Bill No 149—An Act to authorize and empower the Board of Trustees of the California Home for the Care and Training of Feeble-Minded Children, to build an addition to the Home, and to provide funds for the payment thereof; also, to provide funds for the maintenance of said institution.

Withdrawn by the author, by consent of the House.

FIRST READING OF BILLS—(RESUMED).

Assembly Bill No. 467—An Act making appropriations for the purchase of additional jute machinery, and the erection of additional buildings for the manufacture of jute goods, for the State Prison at San Quentin, and other expenses incidental and relating thereto.

Read first time, and placed on file for second reading.

Assembly Bill No. 269—An Act to amend an Act entitled "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," approved March 3, 1885, by amending sections one and two thereof.

Read first time, and placed on file for second reading.

Assembly Bill No. 405—An Act for the appropriation of money for the erection of residences, dining-rooms, workshops, and a dead-house, for the Stockton State Asylum for the Insane.

Read first time, and placed on file for second reading.

Assembly Bill No. 347—An Act to amend section two thousand one hundred and thirty-seven of the Political Code, relating to the powers and duties of Board of Directors of the State Insane Asylum at Stockton.

Read first time, and placed on file for second reading.

MOTION OF RECONSIDERATION.

Mr. Cohen moved to reconsider the vote whereby Assembly Bill No. 230 was refused first reading on Saturday last.

Mr. Brierly moved that the further consideration of this motion be made the special order for Wednesday next, at two o'clock and thirty minutes P. M.

So ordered.

FIRST READING OF BILLS—(RESUMED).

Assembly Bill No. 7—An Act to add a new section to the Civil Code, defining riparian rights.

Read first time, and placed on file for second reading.

Assembly Bill No. 286—An Act to provide a remedy in cases where

damages have been sustained by the illegal and irregular proceedings of municipal officers, and for the payment of the same.

Refused a first reading.

Assembly Bill No. 296—An Act to create and maintain a relief and pension fund in the police departments of all cities in this State having a police force of ten or more members, and to provide for the administration of such fund.

Read first time, and placed on file for second reading.

Senate Bill No. 164—An Act to provide for the painting of State buildings located at Sacramento, and to appropriate money therefor.

Mr. Brierly moved to pass this bill on the file.

So ordered, on a division—ayes, 16, noes, 11.

Assembly Bill No. 472—An Act to provide for walk and driveway in the State Capitol Grounds, and to appropriate money therefor.

Read first time, and placed on file for second reading.

Assembly Bill No. 449—An Act to amend section seventy-three of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the time when and place where sessions of the Superior Court shall be held.

Mr. Carr moved to pass this bill on the file.

Lost, on a division—ayes, 5; noes, 20.

Upon the question, "Shall this bill be read the first time?" it was so ordered, on a division—ayes, 20; noes, 3.

Assembly Bill No. 449 read first time, and placed on file for second reading.

CALL OF THE HOUSE.

Mr. Brierly moved a call of the House.

Lost.

MOTION.

Mr. Hyde moved to adjourn until Wednesday, at twelve M.

Lost, on a division—ayes, 9; noes, 27.

FIRST READING OF BILLS—(RESUMED).

Assembly Bill No. 337—An Act to appropriate money to meet the deficiency in the appropriation for the restoration and preservation of fish within the waters of the State, for the thirty-fifth, thirty-sixth, thirty-seventh, and thirty-eighth fiscal years.

Read first time, and placed on file for second reading.

Assembly Bill No. 335—An Act to appropriate money to meet the deficiency in the appropriation for the erection, construction, and maintenance of a State Salmon Hatchery, for the thirty-seventh and thirty-eighth fiscal years.

Read first time, and placed on file for second reading.

Assembly Bill No. 462—An Act to ascertain the loss and damage suffered and sustained by the Coulterville and Yosemite Turnpike Company, a corporation, by the construction of a road by the Yosemite Turnpike Road Company, under and by virtue of an Act of the Legislature of the State of California entitled "An Act granting the right of way to the Yosemite Turnpike Road Company over the Yosemite Grant," approved February 17, 1874, and for the relief of said Coulterville and Yosemite Turnpike Company.

Read first time, and placed on file for second reading.

Assembly Bill No. 291—An Act to amend section one thousand and thirty-two of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to different classes of officers.

Read first time, and placed on file for second reading.

Assembly Bill No. 293—An Act to amend section one thousand two hundred and sixty-five of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to homesteads.

First reading refused.

Assembly Bill No. 406—An Act to amend an Act entitled "An Act concerning actions for libel and slander," passed March 23, 1872.

First reading refused.

Assembly Bill No. 320—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by amending section seven hundred and thirty-nine, relating to the salaries of officers connected with the Supreme Court.

Read first time, and placed on file for second reading.

Assembly Bill No. 341—An Act to amend and supplement an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, and to add a new article thereto, to be known as Article V, of Chapter VII, of Title XI, of Part III, for the purpose of authorizing executors and administrators to make mortgages and leases of the real estate of decedents.

Read first time, and placed on file for second reading.

Assembly Bill No. 334—An Act to amend section two hundred and fifty-eight of the Code of Civil Procedure, relating to Court Commissioners.

Read first time, and placed on file for second reading.

INTRODUCTION OF BILL—(OUT OF ORDER).

The following bill was introduced, read by title, and referred to committee, as follows:

By Mr. Brierly: Assembly Bill No. 554—An Act to amend sections one thousand five hundred and seventeen, one thousand five hundred and forty-nine, one thousand five hundred and sixty-five, one thousand five hundred and seventy-seven, one thousand five hundred and seventy-eight, one thousand five hundred and eighty-two, one thousand six hundred and twenty-one, one thousand seven hundred and seventy, one thousand eight hundred and thirty-one, one thousand eight hundred and sixty-one, and one thousand eight hundred and seventy-two of the Political Code of the State of California, relating to the public schools of the State of California.

Referred to Committee on Education.

FIRST READING OF BILLS—(RESUMED).

Assembly Bill No. 474—An Act to provide for the grading of that portion of the State Capitol Park lying east of Twelfth Street, and to appropriate money to pay for the same.

Read first time, and placed on file for second reading.

Assembly Bill No. 441—An Act to provide for the deficiency in the appropriation for the restoration and preservation of fish in the waters of the State, for the thirty-sixth fiscal year.

Read first time, and placed on file for second reading.

Assembly Bill No. 440—An Act to provide for the deficiency in the appropriation for the restoration and preservation of fish in the waters of the State, for the thirty-eighth fiscal year.

Read first time, and placed on file for second reading.

Assembly Bill No. 422—An Act to amend section three thousand six hundred and twenty-seven of the Political Code, relating to taxation.

First reading refused.

Assembly Bill No. 413—An Act to amend section three thousand seven hundred and forty-eight of the Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to place where taxes may be paid.

Withdrawn by the author, with consent of the House.

Assembly Bill No. 410—An Act to provide for the deficiency in the appropriation for repairs to the State Capitol building, for the thirty-seventh fiscal year.

Read first time, and placed on file for second reading.

Senate Bills Nos. 66 and 270 passed on file.

Assembly Bill No. 495—An Act to provide for the appointment of a Code Commissioner.

Read first time, and placed on file for second reading.

Assembly Bill No. 253—An Act to appropriate the sum of two thousand five hundred dollars for the relief of George W. Mayberry.

Read first time, and placed on file for second reading.

Assembly Bill No. 488—An Act to appropriate the sum of ten thousand dollars to the National Bi-Metallic Coinage Association, for the advancement of the mining interests of the State of California.

Read first time, and placed on file for second reading.

Assembly Bill No. 333—An Act to enable William B. Todhunter, James Reid, George Cooper, Henry Lienberger, John Hoagland, and Mary W. G. Van Arsdall to sue the State of California.

First reading refused.

Assembly Bill No. 416—An Act to pay the claim of Richard O'Connor for the permanent injury to his horse.

Read first time, and placed on file for second reading.

Assembly Bill No. 487—An Act to prohibit bookmaking.

Read first time, and placed on file for second reading.

Assembly Bill No. 476—An Act to amend section three hundred and twenty-two of the Penal Code, to define and prohibit advertising, aiding, or drawing any lottery, or disposing or selling of lottery tickets, or any share in lotteries.

Read first time, and placed on file for second reading.

Assembly Bill No. 485—An Act to regulate private detectives.

Read first time, and placed on file for second reading.

Assembly Bill No. 23—An Act relating to interest.

First reading refused, on a division—ayes, 13; noes, 23.

Assembly Bill No. 471—An Act to provide for the payment of the claim of S. W. Raveley, for printing done in the cases of the people against the ex-Harbor Commissioners.

Read first time, and placed on file for second reading.

Assembly Bill No. 470—An Act for the relief of James Toohey, whose property has been taken and destroyed by blasting and excavating Telegraph Hill, in the City and County of San Francisco, for rock and earth with which to construct the State seawall along the Port of San Francisco, in the State of California.

Read first time, and placed on file for second reading.

Assembly Bill No 161—An Act to amend section three thousand seven hundred and two of the Act entitled an Act to establish a Political Code, approved March 12, 1872, relating to the State Board of Equalization, its traveling expenses, and making an appropriation therefor.

Read first time, and placed on file for second reading.

Assembly Bill No. 508—An Act to create the office of Inspector of Elevators, in all cities of the first class, for the better protection of life and limb.

Bill ordered read, on a division—ayes, 32; noes, 1.

Assembly Bill No. 508 read first time, and placed on file for second reading.

Assembly Bill No. 477 passed on file.

Assembly Bill No. 499—An Act to provide for the correction and establishment of a portion of the eastern boundary line of the State of California.

Read first time, and placed on file for second reading.

Assembly Bill No 455—An Act to amend section three hundred and seven of an Act entitled "An Act to establish a Civil Code," relating to the formation of corporations.

Read first time, and placed on file for second reading.

Assembly Bill No 241—An Act to regulate the rate of charges upon telegraph lines, and to prevent extortion by owners of telegraph lines.

Read first time, and placed on file for second reading.

Assembly Bill No. 85—An Act to amend sections four hundred and ninety-seven, four hundred and ninety-nine, and five hundred and two of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to street railroads and the sale of franchises therefor.

Read first time, and placed on file for second reading.

Assembly Bill No. 492—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, in relation to corporations.

Read first time, and placed on file for second reading

Mr. Heath in the chair

Assembly Bill No. 479—An Act to create and maintain a relief and pension fund in the fire departments, and to provide for the administration of such fund.

Read first time, and placed on file for second reading.

Assembly Bill No. 498—An Act prescribing the powers, duties, and rights of corporations, companies, associations, or persons furnishing water to any city and county, city or town, or the inhabitants thereof, and to regulate water rates.

Read first time, and placed on file for second reading.

Senate Bill No. 106—An Act to amend section six hundred and fifty-four of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relative to the State Board of Examiners, its Secretary, and making an appropriation for his salary.

Read first time, and placed on file for second reading.

Assembly Bill No. 491—An Act to amend section two thousand one hundred and sixty-nine of the Political Code, relating to salary of the physicians at the Stockton Insane Asylum.

Read first time, and placed on file for second reading.

Assembly Bill No. 452—An Act to amend section eight of an Act entitled "An Act to provide for the future management of the Napa State Asylum for the Insane," approved March 6, 1876, relating to the Resident and Assistant Physicians.

Read first time, and placed on file for second reading.

Speaker Jordan in the chair.

Assembly Bill No. 326—An Act to establish a State Board of Charities and Reform, to prescribe the duties thereof, and to provide for their compensation and expenses.

Read first time, and placed on file for second reading.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON STATE HOSPITALS.

ASSEMBLY CHAMBER, SACRAMENTO, February 21, 1887.

MR. SPEAKER: Your Committee on State Hospitals, to whom was referred Assembly Bill No 401—An Act to encourage and provide for a general vaccination in the State of California—respectfully report the same back, and recommend that it do pass

BUTLER, Chairman.

MOTION.

Mr. Hyde moved that when we do adjourn we adjourn to meet Wednesday next, at eleven o'clock and fifty-five minutes A. M.

RECESS.

Pending debate, at six o'clock P. M. the Speaker declared the usual recess until seven o'clock and thirty minutes P. M.

REASSEMBLED.

The House reassembled at seven o'clock and thirty minutes P. M.

Speaker Jordan in the chair.

Quorum present.

FIRST READING OF BILLS.

Assembly Bill No. 431—An Act to amend section two thousand two hundred and eighty-one of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, in relation to the office of Treasurer of the Deaf and Dumb and the Blind Asylum.

Read first time, and placed on file for second reading.

MOTION.

Mr. Hyde moved that when the House adjourns to-night, it adjourn to meet Wednesday, at one o'clock P. M.

So ordered.

FIRST READING OF BILLS—(RESUMED).

Assembly Bill No. 130—An Act to establish an asylum for insane criminals of the State of California.

Read first time, and placed on file for second reading.

Assembly Bill No. 475—An Act to appropriate money to pay the claim of William Saunders, for advertising certain swamp and overflowed lands, under direction of the Surveyor-General, in 1875.

Read first time, and placed on file for second reading.

Assembly Bill No. 331—An Act for the relief of Wilson Delletta, for personal injuries sustained by him while in the employ and service of the State.

Read first time, and placed on file for second reading.

Assembly Bill No. 325—An Act to amend section two of an Act entitled an Act to form agricultural districts, to provide for the organization of agricultural districts, and for the management and control of the same by the State, and to create an additional district, to be numbered District No. —.

Read first time, and placed on file for second reading.

Assembly Bill No. 429—An Act to prevent frauds in registration of horses, cows, and other domestic animals.

Read first time, and placed on file for second reading.

Assembly Bill No 427—An Act providing for the extermination of coyotes in the State of California, and to pay rewards for the killing of the same.

Read first time, and placed on file for second reading.

Assembly Bill No. 342—An Act appropriating the sum of twenty-eight thousand five hundred dollars for the purpose of purchasing suitable property for the location of the Industrial Home of Mechanical Trades for the Adult Blind of California.

Read first time, and placed on file for second reading.

The Special Committee on Investigation was granted leave to withdraw, so as to hold a meeting.

LEAVE OF ABSENCE.

Mr. Granger was granted leave of absence for the evening.

FIRST READING OF BILLS—(RESUMED).

Assembly Bill No. 458—An Act to provide for the care and security of the State series of school text-books, by the erection of a fireproof warehouse, to be used for the storage of the same, authorizing the appointment of a storekeeper to have the care and custody of said text-books, and appropriating money to pay the expenses of erecting said warehouse, and the salary of such storekeeper.

Read first time, and placed on file for second reading.

Assembly Bill No. 480—An Act to amend an Act entitled "An Act to provide for compiling, illustrating, electrotyping, printing, binding, copyrighting, and distributing a State series of school text-books, and appropriating money therefor," approved February 26, 1885.

Read first time, and placed on file for second reading.

MOTION.

Mr. Hyde moved to suspend the rules, and read only bills on first reading for this evening, this to include the bills already read.

So ordered.

FIRST READING OF BILLS—(RESUMED).

Assembly Bill No. 481—An Act to amend section seven of an Act entitled "An Act to provide for compiling, illustrating, electrotyping,

printing, binding, copyrighting, and distributing a State series of text-books, and appropriating money therefor," approved February 26, 1885.

Read first time, and placed on file for second reading.

Assembly Bill No. 503—An Act to provide for compiling, illustrating, electrotyping, printing, binding, copyrighting, and distributing certain books of a State series of school text-books, and appropriating money therefor.

Read first time, and placed on file for second reading.

Assembly Bill No 504—An Act to add nine new sections to the Political Code of the State of California, to be known and numbered sections one thousand eight hundred and forty, one thousand eight hundred and forty-one, one thousand eight hundred and forty-two, one thousand eight hundred and forty-three, one thousand eight hundred and forty-four, one thousand eight hundred and forty-five, one thousand eight hundred and forty-six, one thousand eight hundred and forty-seven, and one thousand eight hundred and forty-eight, relating to the issuing and payment of bonds for school buildings in cities.

Read first time, and placed on file for second reading.

Assembly Bill No. 511—An Act to provide for compiling, illustrating, electrotyping, printing, binding, copyrighting, and distributing certain books of a State series of school text-books, and appropriating money therefor.

Refused first reading.

Assembly Bill No. 512—An Act to amend section one thousand seven hundred and seventy-one of "An Act to establish a Political Code," approved March 12, 1872, in relation to the powers of County Boards of Education.

Read first time, and placed on file for second reading.

Assembly Bill No. 513—An Act to add three new sections to an Act entitled "An Act to establish a Political Code," approved March 12, 1872, to be numbered four hundred and forty-four, one thousand six hundred and twenty-five, and one thousand six hundred and eighty-two, respectively, in relation to the duties of the Controller and Trustees of School Districts, as to apportionment of moneys, the enrollment of pupils in the grammar school course, and to provide for the same, and to amend sections one thousand five hundred and thirty-two, one thousand five hundred and thirty-three, one thousand five hundred and forty-three, and one thousand six hundred and ninety-six of said Act, in relation to pupils enrolled in the grammar school course, the duties of the Superintendent of Public Instruction, County Superintendents, and teachers, in relation thereto, and the apportionment of moneys appropriated therefor.

Read first time, and placed on file for second reading.

FIRST READING OF BILLS—(RESUMED).

Assembly Bill No. 515—An Act to add a new section to an Act to establish a Political Code, approved March 12, 1872, to be numbered section one thousand six hundred and sixty-nine, in relation to the manner in which studies shall be taught in grammar school course and grammar grade, and prescribing the duties of teachers, principals, and County Superintendents in relation thereto.

Read first time, and placed on file for second reading.

Assembly Bill No. 451—An Act to provide for the impounding of mining debris.

Upon the question, "Shall this bill be read a first time?"

The ayes and noes were demanded by Messrs. Hyde, Taylor, and Carr.

CALL OF THE HOUSE.

Mr. Brierly moved a call of the House.

So ordered, on a division—ayes, 26, noes, 7.

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

Messrs. Adams, Brierly, Butler, Callaghan, Campbell, Carr, Coombs, Cope, Curry of San Francisco, Davis, Gould, Hart, Henry of San Joaquin, Hyde, Knox, Mahler, Mann, Matthews of San Benito, McDonnell, McGowan, Mitchell, Morgan, Ohleyer, Shanahan, Sherburne, Sims, Spurgeon, Sykes, Taylor, Variel, Vincent, Weber, Wilcox, Williams, Wright, Young of San Diego, and Mr. Speaker.

Mr. Hyde moved to dispense with further proceedings under the call of the House.

Lost.

At eight o'clock and forty minutes P. M. Mr. Hyde moved to adjourn.

Lost.

The Speaker directed the Sergeant-at-Arms to close the doors.

The Sergeant-at-Arms was directed to arrest the absentees and bring them before the bar of the House.

MOTION TO ADJOURN.

At nine o'clock and forty minutes P. M. Mr. Ohleyer moved to adjourn.

Lost.

The Sergeant-at-Arms presented at the bar of the House Messrs. Lewis and Rucker.

On motion of Mr. Hyde, the further proceedings under the call of the House were dispensed with, and Messrs. Rucker and Lewis were excused.

The question then being, "Shall Assembly Bill No. 451 be read the first time?"

The roll was called, and the bill ordered read by the following vote:

AYES—Messrs. Brierly, Butler, Callaghan, Campbell, Coombs, Cope, Curry of San Francisco, Davis, Ellsworth, Gould, Hart, Heath, Knox, Lewis, Mahler, Mann, McDonnell, McGowan, Mitchell, Morgan, Morris, Rucker, Shanahan, Sherburne, Sims, Spurgeon, Sykes, Variel, Vincent, Weber, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr. Speaker—36.

NOES—Messrs. Adams, Carr, Hyde, Ohleyer, and Taylor—5.

FIRST READING OF BILL.

Assembly Bill No. 451—An Act to provide for the impounding of mining debris.

Read first time, and placed on file for second reading.

INTRODUCTION OF CONCURRENT RESOLUTION—(OUT OF ORDER).

The following Concurrent Resolution was introduced and read by title:

By Mr. Knox: Assembly Concurrent Resolution No. 2—Relating to a conference of State Librarians.

MOTION.

Mr. Hyde moved that a special committee of three be appointed to investigate the charge made by the Sergeant-at-Arms of the House, that Messrs. Young of San Joaquin and Burnett refused to accompany him when under arrest.

So ordered.

APPOINTMENT OF SPECIAL COMMITTEE.

The Chair appointed, as such committee, Messrs. Hyde, Hart, and Coombs.

FIRST READING OF BILLS—(RESUMED).

Assembly Bill No. 528—An Act to authorize the Board of State Harbor Commissioners to construct railroads over State lands, and lands within their jurisdiction, along the waterfront line of the City and County of San Francisco, and to regulate the use of the same.

Read first time, and placed on file for second reading.

Assembly Bill No. 530—An Act to authorize the Board of State Harbor Commissioners to execute leases of lands belonging to the State within their jurisdiction and control.

Read first time, and placed on file for second reading.

Assembly Bill No. 457—An Act to amend the Political Code, by adding a new section thereto, in relation to reassessments of property in cases where a former assessment is invalid.

Read first time, and placed on file for second reading.

Assembly Bill No. 510—An Act to regulate and fix the charges and fees of Sheriffs throughout the State of California for keeping property.

Read first time, and placed on file for second reading.

Assembly Bill No. 468—An Act to amend section nine hundred and sixty-three of the Code of Civil Procedure of the State of California, relating to appeals to the Supreme Court.

Read first time, and placed on file for second reading.

Assembly Bill No. 411—An Act to provide for the deficiency in the appropriation for repairs to the State Capitol building and furniture, and the purchase of carpets, for the thirty-eighth fiscal year.

Read first time, and placed on file for second reading.

Assembly Bill No. 526—An Act to repeal an Act entitled "An Act to incorporate the Town of Wilmington, in the County of Los Angeles, in the State of California," approved February 20, 1872.

Read first time, and placed on file for second reading.

Assembly Bill No. 527—An Act to repeal an Act entitled an Act to amend an Act entitled "An Act to incorporate the Town of Wilmington, in the County of Los Angeles, in the State of California, approved February 20, 1872," approved March 21, 1872.

Read first time, and placed on file for second reading.

Assembly Bill No. 454—An Act to amend Article XV of the Political Code of the State of California, relating to the inspection of gas and water meters in cities, or cities and counties, of the State of California having a population of twenty thousand and upwards.

Read first time, and placed on file for second reading.

Assembly Bill No. 529—An Act to provide for and regulate the collection of wharfage, and to abolish the collection of tolls by the Board of State Harbor Commissioners on the waterfront of the City and County of San Francisco.

Read first time, and placed on file for second reading.

Assembly Bill No 30—An Act to amend section twenty-eight of the Penal Code, in relation to jury fees.

Read first time, and placed on file for second reading.

Assembly Bill No. 505—An Act to amend sections one thousand four hundred and thirty, one thousand four hundred and thirty-three, one thousand four hundred and thirty-four, and one thousand four hundred and ninety-nine of the Political Code of the State of California, relating to the powers and duties of the Board of Regents of the University of California.

Read first time, and placed on file for second reading.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON LABOR AND CAPITAL.

ASSEMBLY CHAMBER, SACRAMENTO, February 21, 1887

MR SPEAKER Your Committee on Labor and Capital, to whom was referred Assembly Bill No 350—An Act to add a new section to the Political Code, to be numbered section three thousand two hundred and thirty-five, relating to the furnishing of supplies under contract to all public institutions under the control of the State, or of any county, city and county, city, or town thereof—have had the same under consideration, and respectfully report the same back, and recommend that it do pass

JOHN R BRIERLY.
JOHN DAVIS
S CARR.
THOMAS F MITCHELL.
R H CAMPBELL.
H MAHLER.

MOTION.

Mr. Knox moved that the usual number of copies of Assembly Concurrent Resolution No. 2 be printed, and that the consideration of the resolution be made the special order for Wednesday next, immediately after the reading of the Journal.

So ordered.

FIRST READING OF BILL—(RESUMED).

Assembly Bill No. 502—An Act entitled an Act providing for the prevention of conflagrations and the protection of property saved from fire, in all cities, or cities and counties, whose population exceeds one hundred thousand inhabitants

Read first time, and placed on file for second reading.

Assembly Bill No. 540—An Act to provide one additional Judge of the Superior Court of the County of Fresno, State of California.

Read first time, and placed on file for second reading.

INTRODUCTION OF BILL.

The following bill was introduced, read by title, and referred to committee, as follows:

By Mr. Mahler. Assembly Bill No. 555—An Act to amend an Act entitled an Act to regulate fees and salaries of officers, and defining

their duties, in the County of El Dorado, and other matters relating thereto.

Referred to Committee on County and Township Governments.

MOTION.

Mr. Shanahan moved that the rules be suspended, and Assembly Bill No. 550 be taken up, out of order, and considered.

So ordered.

FIRST READING OF BILL.

Assembly Bill No. 550—An Act to add a new section to the Political Code, to be numbered section three thousand two hundred and thirty-five, relating to the furnishing of supplies under contract to all public institutions under the control of the State, or of any county, city and county, city, or town thereof.

Read first time, and placed on file for second reading.

ADJOURNMENT.

At eleven o'clock and fifteen minutes P. M., on motion of Mr. Wright, the House adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Wednesday, February 23, 1887.

The House met pursuant to adjournment.

Speaker Jordan in the chair.

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

Messrs Alexander, Atherton, Bailey, Barry, Barton, Bost, Brierly, Britt, Brown W A, Brown J. B, Brusie, Burnett, Butler, Campbell, Carr, Carroll, Cohen, Colbert, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Gruwell, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, Knox, LaBlanc, Lawrence, Lewis, Mahler, Martin, Mann, Mathews of Tehama, Matthews of San Benito, McDonnell, McGowan Mitchell, Morgan, Morris, O'Grady, Ohleyer, Price, Regan, Rucker, Rennson, Searey, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Sykes, Toner, Variel, Venable, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr Speaker.

Quorum present.

Prayer by the Chaplain, Rev. E. R. Dille.

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

So ordered.

Journal corrected and approved.

LEAVE OF ABSENCE.

Mr. Taylor was granted indefinite leave of absence.

Messrs. Adams and Callaghan were granted leave of absence until to-morrow morning.

SPECIAL ORDERS—IMMEDIATELY AFTER READING THE JOURNAL.

Consideration of the report of the Committee on Retrenchment upon the charges against the Engrossing Clerk, Jacob Shaen.

Report adopted.

Assembly Concurrent Resolution No. 2—Relative to conference of State Librarians.

On motion of Mr. Knox, the resolution was adopted.

PETITIONS.

Mr. Brusie presented a petition from citizens of Amador County, regarding the teaching of temperance in public schools.

Mr. Spurgeon presented a like petition from citizens of Los Angeles County.

Messrs. Wilcox and Cooley presented like petitions.

Petitions referred to Committee on Education.

REPORTS OF STANDING COMMITTEES.

ON JUDICIARY

ASSEMBLY CHAMBER, SACRAMENTO, February 23, 1887

MR SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No 48—An Act creating and adding two new sections to the Code of Civil Procedure of the State of California, to be known as sections numbers three hundred and ninety-one and one thousand and forty, and amending sections three hundred and ninety-four and four hundred and eleven of the same Code, authorizing and regulating actions against the State of California

Also, Senate Bill No 65—An Act creating and adding two new sections to the Code of Civil Procedure of the State of California, to be known as sections numbers three hundred and ninety-one and one thousand and forty, and amending sections three hundred and ninety-four and four hundred and eleven of the same Code, authorizing and regulating actions against the State of California

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass

VARIEL, Chairman

ON FISH AND GAME

ASSEMBLY CHAMBER, SACRAMENTO, February —, 1887

MR SPEAKER: Your Committee on Fish and Game, to whom was referred the memorial from the Legislature of the State of Nevada, relative to the depositing of sawdust in the Truckee River by residents of the State of California, respectfully submit the within report (For report, see appendix)

Also, your committee herewith present a bill amending section six hundred and thirty-five of the Penal Code, making it a misdemeanor to deposit sawdust in any of the waters of the State, and recommend its passage

We also recommend that the State Board of Health make investigation into the effect caused by the deposit of sawdust in the Truckee River upon the health of the people of the State of Nevada

WILLIAMS, Chairman

Mr. Williams moved that the usual number of copies of the report be printed.

So ordered.

The committee asked leave to introduce a bill, out of order, 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. Adams, Alexander, Atherton, Barry, Barton, Bost, Brierly, Britt, Brown W. A., Brown J. B., Brusie, Campbell, Carr, Carroll, Cohen, Colbert, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Gould, Granger,

Gruwell, Handy, Hart, Henry of Butte, Henry of San Joaquin, Hyde, Knox, LaBlanc, Lawrence, Lewis, Mahler, Martin, Mann, Mathews of Tehama, Matthews of San Benito, McDonnell, McGowan, Mitchell, Morgan, O'Grady, Oblever, Price, Regan, Rucker, Rennson, Searey, Shanahan, Smyth, Toner, Variel, Venable, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr Speaker—65

NOES—Messrs Bailey, Ewing, Morris, Sherburne, Sims, and Spurgeon—6

By Committee on Fish and Game: Assembly Bill No. 556—An Act to amend section six hundred and thirty-five of the Penal Code, relating to violations of the law for the preservation of fish.

Referred to Committee on Fish and Game.

REPORTS OF STANDING COMMITTEES.

ON FISH AND GAME.

ASSEMBLY CHAMBER, SACRAMENTO, February —, 1887.

MR SPEAKER Your Committee on Fish and Game respectfully report that in the discharge of their duty they visited Truckee and Reno, and are entitled to mileage for two hundred and eighty-six miles for seven members of the committee, and Clerk Hart, being mileage to State line and return.

WILLIAMS, Chairman.

Resolved, That the Controller be and he is hereby directed to draw his warrant in favor of George Williams, Chairman of the Committee on Fish and Game, for the amount of said mileage

Referred to Committee on Mileage.

ON ENGROSSMENT

ASSEMBLY CHAMBER, SACRAMENTO, February 23, 1887.

MR SPEAKER Your Committee on Engrossment beg leave to report that the following Assembly Bills have been correctly engrossed

Substitute for No 148, Assembly Bills Nos 399, 34, and 396, Substitute for No 55, Assembly Bills Nos 493, 523, and 494

WINDROW, Chairman.

ON CHINESE AND CHINESE IMMIGRATION

ASSEMBLY CHAMBER, SACRAMENTO, February 23, 1887.

MR SPEAKER Your Committee on Chinese and Chinese Immigration beg leave to report as follows

Your committee, on Saturday, the nineteenth instant, proceeded to the City of San Francisco, there to see for themselves the nature of the Chinese evil in all its deformity, and to take the testimony of persons best informed as to the condition and status of the Chinese race in our midst, with a view to propose measures looking to the removal of this disturbing element from our State

The committee further recommends the speedy passage of Senate Bill No 389, relating to that evil.

WINDROW, Chairman.

RESOLUTION—(OUT OF ORDER).

By Mr. Brusie:

Resolved, That the Controller be and he is hereby directed to draw his warrant upon the Contingent Fund of the Assembly for the sum of fifty dollars and sixty cents, in favor of P R Klein, Sergeant-at-Arms, for the payment of the following bills

One turning block for Speaker	$1 00
Carriage hire, February 19	5 00
Two assistants	8 00
Custody, releasements, and arrests	4 00
Twelve miles travel	1 20
Carriage hire, February 21	5 00
Three assistants	12 00
Arrests and releasements	13 00
Fourteen miles travel	1 40
Total	$50 60

And the Treasurer is hereby directed to pay the same.

Referred to Committee on Mileage.

NOTICE OF MOTION TO AMEND RULES.

Mr. Coombs gave notice that, on to-morrow, he would move to amend the rules, as follows:

Notice is hereby given that on Thursday, February twenty-fourth, I will move that Rule No 42 of the Assembly Standing Rules be amended, so as 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 for more than five minutes nor more than once during the consideration of any one question, of whatever nature, on the same day and at the same stage of proceedings, without leave being granted, except the author of a bill or resolution, or mover of a question, who shall be allowed to speak twice upon all questions for not more than ten minutes in all, except, by vote, he may be granted a longer time"

F. L COOMBS

Mr. Mathews of Tehama moved that the special orders set for this afternoon shall be continued, so as to follow the report of the Committee of the Whole, and follow that report in the order in which they appear on the file.

So ordered.

Mr. Coombs moved that the House go into Committee of the Whole, to consider Assembly Bill No. 117—An Act making an appropriation for the support and maintenance of the State Mining Bureau, for the thirty-ninth and fortieth fiscal years.

So ordered, on a division—ayes, 34, noes, 19.

IN COMMITTEE OF THE WHOLE.

Speaker Jordan in the chair.

The bill was considered in the Committee of the Whole.

IN ASSEMBLY.

Speaker Jordan in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The Speaker stated the report of committee as follows:

GENTLEMEN The Committee of the Whole have had under consideration Assembly Bill No 117—An Act making an appropriation for the support and maintenance of the State Mining Bureau for the thirty-ninth and fortieth fiscal years, and now report progress, and recommend that the same do pass, as amended, as follows amend, by adding, at end of section one, "and at least fifty per cent of the appropriation shall be used for geological work in the field."

Mr. Brusie moved that the report of the Committee of the Whole be adopted.

Ayes and noes demanded by Messrs. Renison, Mathews of San Benito, and Brusie.

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

AYES—Messrs Alexander, Atherton, Barry, Barton, Bost, Brierly, Britt, Brown W A, Brown J B, Brusie, Burnett, Butler, Campbell, Carroll, Cohen, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ewing, Gould, Heath, Hyde, Knox, LaBlanc, Lewis, Martin, Mann, Mathews of Tehama, McGowan, Mitchell, Price, Regan, Rucker, Searey, Shanahan, Sims, Sykes, Toner, Varnel, Vincent, Windrow, Williams, Young of San Diego, and Young of San Joaquin—47.

NOES—Messrs Bailey, Carr, Colbert, Ellsworth, Granger, Gruwell, Handy, Henry of Butte, Henry of San Joaquin, Mahler, Matthews of San Benito, McDonnell, Morgan, Morris, O'Grady, Ohleyer, Remson, Sherburne, Smyth, Spurgeon, Venable, Weber, Wilcox, and Mr Speaker—25.

Bill ordered engrossed, and placed on file for third reading.

Mr. Shanahan called up the special order for this hour:

ASSEMBLY CONSTITUTIONAL AMENDMENT No 2

To propose to the people of the State of California an amendment to the Constitution of the State repealing Article XIV thereof, and to enact a new article in lieu thereof, containing seven sections, relative to irrigation and water rights

The Legislature of the State of California, at its session commencing January 3, A D 1887, two thirds of all members elected to each of the two Houses of the said Legislature voting in favor thereof, hereby propose the following amendment to Article XIV of the Constitution of the State of California, to repeal said article, and reenact a new article, consisting of seven sections, in lieu thereof

SECTION 1 The water of every natural unnavigable stream, and navigable stream by consent of Congress, whether heretofore or hereafter appropriated, for sale, rental, or distribution, is hereby declared to be a public use, subject to State regulation and control

SEC 2 Prior appropriation of water by an individual, company, corporation, water or irrigation district, to the extent allowed by law, whether heretofore or hereafter made, shall give the better right, and the right of appropriation shall ever be exercised under such regulations as the Legislature has heretofore or may hereafter prescribe

SEC 3 Persons, companies, corporations, water or irrigation districts, shall have the right to divert the waters of any unnavigable natural stream, and navigable stream where and when it will not interfere with navigation, and when it will interfere with navigation by consent of Congress, for irrigation, mining, and other useful purposes, but the State shall regulate and control the use, sale, rental, and distribution of the waters when so appropriated, in a manner to be prescribed by law, *provided*, that the rates of compensation to be collected by any person, company, corporation, water or irrigation district for the use of water supplied to any city and county, or city, town, water or irrigation district, or the inhabitants thereof, shall be fixed every year by the Supervisors, or city and county, or city, or Town Council, or other governing body of such city and county, or city, or town, water or irrigation district, and shall continue in force for two years, and until the new rates are established, but in establishing such rates they shall take into consideration the reasonable cost of construction and maintenance of the works by which the water is supplied; such rates shall be fixed in the month of January, and take effect on the first day of March following Any Board or body failing to fix the water rates 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 process and penalties as the Legislature may prescribe Any person, company, or corporation collecting water rates, 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

SEC 4 Under the law of eminent domain, water or irrigation districts when formed, companies, or corporations shall have the right to condemn and pay for rights of way, lands, ditches, and water claims, and rights of whatever water held by any person or corporation, or any other private rights of property, however existing or acquired, or of whatever name designated, which may be necessary for the appropriation or use of water But in condemning water used at the commencement of an action, a manifestly greater public advantage must be shown, *and, provided*, that when such advantage is shown, it shall always be deemed a manifestly greater public advantage, other things being equal, for the people to form themselves into water or irrigation districts, by a majority vote of a district, for the purpose of diverting and distributing the water in the different natural water or irrigation districts of the State, *provided further*, that nothing in this article shall authorize the taking of any vested interests in mining water rights or property

SEC 5 No claim for damages shall be allowed any riparian owner for the diversion of water from a natural stream, who shall still have an opportunity to use the water at like cost for such purposes as such riparian owner had formerly used it In all cases of such riparian claims for damages, the amount awarded shall be estimated by the cash value of the benefit derived from the use of the water prior to diversion

SEC 6 Water for irrigation purposes shall always be distributed pro rata per acre, under the operation of any given system of irrigation, so long as the same shall be used beneficially and economically

SEC 7. The English common law, so far as it is in conflict with this amendment, or so far as it relates to the appropriation, diversion, sale, rental, or distribution of the waters of the State, shall never be the rule of decision in any Court of this State.

CALL OF THE HOUSE.

Mr. Shanahan moved a call of the House.

So ordered.

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

Messrs Alexander, Atherton, Bailey, Barry, Barton, Bost, Brierly, Britt, Brown W A., Brown J B, Brusie, Burnett, Butler, Campbell, Carr, Carroll, Cohen, Colbert, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Gruwell, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hyde, Knox, LaBlanc, Lewis, Mahler, Martin, Mann, Mathews of Tehama, Matthews of San Benito, Mc Donnell, McGowan, Mitchell, Morgan, Morris, O'Grady, Ohleyer, Price, Regan, Rucker, Remson, Searey Shanahan, Sherburne, Sims, Smyth, Spurgeon, Sykes, Toner, Varel Venable Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr Speaker

Mr. Shanahan moved that further proceedings under the call of the House be dispensed with.

So ordered.

The question then being upon the adoption of Assembly Constitutional Amendment No. 2.

The roll was called, and the amendment adopted by the following vote.

Ayes—Messrs Alexander, Bailey, Barry Barton, Bost, Brierly, Britt, Brown W. A, Brown J B, Brusie, Burnett, Butler, Campbell, Carroll, Cohen, Cooley, Cope, Curry of San Francisco, Davis, Ewing, Gould, Granger, Gruwell, Handy, Hart, Heath, Hyde, Knox, LaBlanc, Lewis, Mahler, Martin, Mann, Mathews of Tehama, Matthews of San Benito, McDonnell, McGowan, Mitchell, Morgan, Morris, O'Grady, Ohleyer, Price, Regan, Rucker, Remson, Searey Shanahan, Sherburne, Sims, Smyth, Spurgeon Sykes, Toner, Variel, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, and Young of San Joaquin—63

Noes—Messrs Atherton, Carr, Coombs, Currey of Solano, Ellsworth, Henry of Butte, Henry of San Joaquin, and Venable—8

SPECIAL ORDER—MOTION TO AMEND RULES.

Mr. Brierly moved to amend the rules, as follows: amend Rule 77, by inserting, after the word "reading," in line nine, the words "and shall retain such place until they have been read:" insert, after the word "of," at the end of line, the words "the elected members of."

The roll was called, and the rules amended by the following vote:

Ayes—Messrs Alexander, Atherton, Bailey, Barton, Bost, Brierly, Britt, Brown W A, Brown J B, Brusie, Butler, Cullaghan, Campbell, Carr, Carroll, Cohen, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Gruwell, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hyde, Knox, LaBlanc, Martin, Mathews of Tehama, Matthews of San Benito, McDonnell, McGowan, Morgan, Morris, O'Grady, Ohleyer, Price, Regan, Rucker, Remson, Searey, Sherburne, Sims, Smyth, Spurgeon, Sykes, Toner, Variel, Venable, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr Speaker—66

Noes—Mr Mahler—1

SPECIAL ORDER—MOTION OF RECONSIDERATION.

Mr. Cohen withdrew his motion to reconsider the vote whereby Assembly Bill No. 230 was refused a first reading.

SELECT COMMITTEE.

Assembly Bill No. 408—An Act to appropriate money to pay the rent of the Hastings College of Law, from December 1, 1885, until June 13, 1887.

Mr. Renison moved that the amendment offered by the Committee of the Whole, as follows: amend, in line three, section two, printed bill, by striking out the words "General Fund," and substituting therefor the words "State University Fund," be adopted.

So ordered.

Mr. Young of San Joaquin moved to amend, as follows: amend, by making section two section three; also, amend, by adding after the words, "The Society of California Pioneers," the words "and the Trustees of the Medical Department of the University of California;" also, amend, after the words "section one," add "section two."

SEC. 2. The sum of two thousand dollars is hereby appropriated out of any moneys not otherwise appropriated, to pay taxes, etc., of the medical department of the University of California.

Lost.

The question being, "Shall the bill be ordered engrossed and to a third reading?"

The ayes and noes were demanded by Messrs. Alexander, Hyde, and Carroll.

The roll was called, and the bill ordered engrossed and to a third reading by the following vote:

AYES—Messrs. Brierly, Britt, Brusie, Cohen, Coombs, Cope, Currey of Solano, Ellsworth, Ewing, Handy, Hart, Knox, LaBlanc, Lawrence, Martin, Mathews of Tehama, Matthews of San Benito, McClenahan, McGowan, Mitchell, Morgan, Price, Renison, Sims, Smyth, Spurgeon, Sykes, Toner, Vincent, Weber, Wilcox, Williams, and Young of San Diego—33.

NOES—Messrs. Alexander, Atherton, Bailey, Barry, Barton, Brown W. A., Brown J. B., Burnett, Butler, Campbell, Carr, Carroll, Colbert, Cooley, Davis, Gruwell, Hyde, McDonnell, Ohleyer, Rucker, Sherburne, Variel, Venable, Wright, and Mr. Speaker—25.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 23, 1887.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Senate Bill No. 387—An Act to provide for permanent improvements at the California Home for the Care and Training of Feeble-Minded Children, and to appropriate money therefor.

E. H. HAMILTON, Secretary,
By R. B. OULLAHAN, Assistant Secretary.

Mr. Rucker moved that the rules be suspended, and that Senate Bill No. 387 be placed on the special file, without reference to a committee.

Ayes and noes demanded by Messrs. Rucker, Martin, and Wilcox.

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

AYES—Messrs. Alexander, Atherton, Bailey, Barry, Barton, Brierly, Britt, Brown W. A., Brown J. B., Brusie, Burnett, Butler, Carr, Carroll, Cohen, Cooley, Cope, Currey of Solano, Ewing, Gould, Gruwell, Hart, Hyde, Knox, LaBlanc, Martin, Mathews of Tehama, Matthews of San Benito, McClenahan, McGowan, Mitchell, Morgan, Morris, Price, Rucker, Renison, Sherburne, Sims, Spurgeon, Sykes, Toner, Variel, Vincent, Weber, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr. Speaker—50.

NOES—Messrs. Colbert, Coombs, Heath, Henry of San Joaquin, Lawrence, McDonnell, Ohleyer, and Venable—8.

SPECIAL FILE.

Assembly Bill No. 459—An Act making appropriations for the support of the government of the State of California, for the thirty-ninth and fortieth fiscal years.

Read first time, and placed on file for second reading.

Assembly Constitutional Amendments Nos. 5 and 11 passed on file.

Assembly Constitutional Amendment No. 7 withdrawn by author, with consent of the House

Assembly Constitutional Amendment No. 13—A resolution to propose an amendment to section fifteen, of Article IV, of the Constitution, relating to the Legislative Department.

CALL OF THE HOUSE.

Mr. Ellsworth moved a call of the House.

So ordered.

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

Messrs Alexander, Atherton, Bailey, Barry, Barton, Bost, Brierly, Britt, Brown W A, Brown J B, Brusie, Burnett, Butler, Campbell, Carr, Carroll, Cohen Colbert, Cooley, Coombs, Cope Curtis of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Grunwell, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hyde, Knox, LaBlanc, Lawrence, Lewis, Mahler, Martin, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Mitchell, Morgan, Morris, O'Grady, Ohleyer, Price, Regan, Rucker, Remson, Searey, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Sykes, Toner, Vattel, Venable, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr Speaker

Mr. Ellsworth moved to dispense with further proceedings under the call of the House.

Lost.

The Speaker directed the Sergeant-at-Arms to arrest the absentees and bring them before the bar of the House.

Mr. Hyde moved that further proceedings under the call of the House be dispensed with.

So ordered.

LEAVE OF ABSENCE.

Mr. Wright was granted leave of absence for this afternoon.

The question then recurring on the adoption of Assembly Constitutional Amendment No. 13:

A Resolution to propose an amendment to section fifteen, of Article IV, of the Constitution, relating to the Legislative Department

Resolved by the Assembly, the Senate concurring, that the Legislature of the State of California, at its twenty-seventh session, commencing on the third day of January, A D 1887, two thirds of all the members selected to each of the two Houses of said Legislature voting in favor thereof, hereby proposes that section fifteen, of Article IV, of the Constitution of the State of California, be amended to read as follows

ARTICLE IV.

Section 15 No law shall be passed except by bill, nor shall any bill be put upon its final passage until the same, with the amendments thereto, shall have been printed for the use of the members, nor shall any bill become a law unless the same be read on three several days in each House, unless two thirds of the House where such bill may be pending, shall, by a vote of yeas and nays, dispense with this provision, *provided*, that the first and second readings may be by title only Any bill may originate in either House, but may be amended or rejected by the other, and on the final passage of all bills they shall be read at length, and the vote shall be by yeas and nays upon each bill separately, and shall be entered on the Journal, and no bill shall become a law without the concurrence of a majority of the members elected to each House

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

AYES—Messrs. Alexander, Atherton, Bailey, Barry, Barton, Bost, Brierly, Britt, Brown W. A, Brown J. B., Brusie, Burnett, Butler, Campbell, Carr, Carroll, Cohen, Colbert, Cooley,

Coombs, Cope, Curtis of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Gruwell, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hyde, Knox, LaBlanc, Lawrence, Lewis, Mahler, Martin, Mathews of Tehama, McClenahan, McDonnell, McGowan, Mitchell, Morgan, Morris, O'Grady, Price, Regan, Rucker, Searey, Shanahan, Sherburne, Sims, Spurgeon, Sykes, Toner, Variel, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr Speaker—68

NOES—Messrs Matthews of San Benito, Ohleyer, Renison, Smyth, and Venable—5.

LEAVE OF ABSENCE.

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

Assembly Constitutional Amendment No. 14—Proposed amendment to Article V of the Constitution, relative to the compensation of the office of Attorney-General.

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

AYES—Messrs Alexander, Atherton, Bailey, Barton, Bost, Brierly, Britt, Brown J B, Brusie, Campbell, Carroll, Cohen, Cooley, Coombs, Cope, Curtis of Solano, Davis, Ellsworth, Ewing, Gould, Granger, Gruwell, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hyde, Knox, LaBlanc, Lewis, Martin, Mathews of Tehama, McClenahan, McGowan, Mitchell, Morris, O'Grady, Price, Regan, Searey, Shanahan, Sims, Spurgeon, Sykes, Toner, Venable, Windrow, Young of San Diego, and Young of San Joaquin—50

NOES—Messrs Brown W A, Butler, Carr, Colbert, Curry of San Francisco, Lawrence, Mahler, Matthews of San Benito, McDonnell, Morgan, Ohleyer, Rucker, Renison, Sherburne, Smyth, Variel, Vincent, Weber, and Wilcox—19

ASSEMBLY CONSTITUTIONAL AMENDMENT No. 5.

Resolved by the Assembly, the Senate concurring, two thirds of all the members elected to each House voting in the affirmative, that the following amendments to section twenty-five, of Article IV, of the Constitution of the State of California, be and the same is hereby proposed to the qualified electors of the State for approval and ratification:

Section twenty-five, of said Article IV, to be amended to read as follows

Section 25 The Legislature shall not pass local or special laws in any of the following enumerated cases, that is to say

First—Regulating the jurisdiction and duties of Justices of the Peace, Police Judges, and of Constables

Second—For the punishment of crimes and misdemeanors.

Third—Regulating the practice of Courts of justice

Fourth—Providing for changing the venue in civil or criminal actions

Fifth—Granting divorces

Sixth—Changing the names of persons or places.

Seventh—Authorizing the laying out, opening, altering, maintaining, or vacating roads, highways, streets, alleys, town plats, parks, cemeteries, graveyards, or public grounds, not owned by the State

Eighth—Summoning and impaneling grand and petit juries, and providing for their compensation

Ninth—Regulating county and township business, or the election of county and township officers

Tenth—For the assessment or collection of taxes

Eleventh—Providing for conducting elections, or designating the places of voting, except on the organization of new counties

Twelfth—Affecting the estates of deceased persons, minors, or other persons under legal disabilities

Thirteenth—Extending the time for the collection of taxes

Fourteenth—Giving effect to invalid deeds, wills, or other instruments

Fifteenth—Refunding money paid into the State Treasury

Sixteenth—Releasing or extinguishing in whole or in part the indebtedness, liability, or obligation of any corporation or person to this State, or to any municipal corporation therein.

Seventeenth—Declaring any person of age, or authorizing any minor to sell, lease, or incumber his or her property

Eighteenth—Legalizing, except as against the State, the unauthorized or invalid act of any officer

Nineteenth—Granting to any corporation, association, or individual, any special or exclusive right, privilege, or immunity.

Twentieth—Exempting property from taxation.

Twenty-first—Changing county seats

Twenty-second—Restoring to citizenship persons convicted of infamous crimes

Twenty-third—Regulating the rate of interest on money.

Twenty-fourth—Authorizing the creation, extension, or impairing of liens.

Twenty-fifth—Chartering or licensing ferries, bridges, or roads.
Twenty-sixth—Remitting fines, penalties, or forfeitures
Twenty-seventh—Providing for the management of common schools
Twenty-eighth—Creating offices, or prescribing the powers and duties of officers, in counties, cities, cities and counties, townships, election, or school districts.
Twenty-ninth—Affecting the fees or salary of any officer
Thirtieth—Changing the law of descent or succession
Thirty-first—Authorizing the adoption or legitimation of children.
Thirty-second—For limitation of civil or criminal actions
Thirty-third—In all other cases where a general law can be made applicable
But nothing in this section shall prevent the Legislature from passing local or special laws regulating the diversion, distribution, and use of water for irrigation or mining purposes, and for the construction and regulation of canals, ditches, and other works therefor, as the same may be required, in any county or counties, or in any district created by law for that purpose, nor from passing local or special laws for the creation of irrigation districts, or for the condemnation of property or rights of way for water for irrigation or mining purposes, and the use of water for such purpose is hereby declared a public use. *provided, however*, that such laws having a local application shall not grant to any private corporation, or individual, any special or exclusive right, privilege, or immunity

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

AYES—Messrs Alexander, Barry, Barton, Bost, Brierly, Brown J B, Brusie, Burnett, Butler, Campbell, Carroll, Cooley, Coombs, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Gruwell, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hyde, Knox, LaBlanc, Lawrence, Lewis, Mahler, Martin, Mann, Mathews of Tehama, McClendon, McGowan, Mitchell, Morgan, Morris, O'Grady, Rucker, Rennon, Shanahan, Sims, Smyth, Spurgeon, Sykes, Toner, Varnel Venable, Vincent, Weber, Windrow, Wilcox, Young of San Diego, Young of San Joaquin, and Mr Speaker—57
NOES—Messrs Atherton, Britt, Brown W A, Carr, Cohen, Colbert, Cope, Matthews of San Benito, Ohleyer, Price, Regan, and Sherburne—12

NOTICE OF RECONSIDERATION.

Mr. Shanahan gave notice that, on to-morrow, he would move to reconsider the vote whereby Assembly Constitutional Amendment No 5 was adopted.

Assembly Bill No. 2 passed on file temporarily.

Assembly Bill No. 120—An Act to amend an Act entitled an Act to amend an Act to incorporate the Town of Chico, Butte County, California, approved March 23, 1878.

Mr. Henry of Butte move to amend, as follows: amend, by adding to section three, line six, after the word "collector," the words "and shall receive two hundred dollars for the same."

Adopted.

Also, strike out the words "one fourth," in lines eight and nine, section five, printed bill, and insert, instead, the following: "three eighths."

Adopted.

Bill ordered engrossed and placed on file for third reading.

PASSAGE OF BILLS.

Assembly Bill No. 404—An Act to amend sections seven hundred and fifty-two, seven hundred and fifty-five, seven hundred and fifty-eight, seven hundred and sixty-three, seven hundred and sixty-four, seven hundred and sixty-five, seven hundred and sixty-six, seven hundred and sixty-seven, seven hundred and sixty-nine, seven hundred and seventy-one, seven hundred and seventy-two, seven hundred and seventy-three, seven hundred and seventy-seven, seven hundred and seventy-eight, seven hundred and eighty-six, seven hundred and eighty-eight, seven hundred and eighty-nine, and seven hundred and

ninety of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Atherton, Bailey, Barry, Barton, Bost, Brierly, Britt, Brown W A, Brown J B, Brusie, Burnett, Butler, Campbell, Carr, Carroll, Cohen, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Gruwell, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Knox, Lawrence, Lewis, Mahler, Martin, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Mitchell, Morgan, Morris, O'Grady, Ohleyer, Price, Regan, Rucker, Renison, Shanahan, Sherburne, Sims, Spurgeon, Sykes, Toner, Variel, Vincent, Weber, Windrow, Wilcox, Young of San Diego, Young of San Joaquin, and Mr Speaker—66.

NOES—None.

Title read and approved.

RECESS.

At four o'clock and thirty-five minutes P. M. Mr. Mathews of Tehama moved to take a recess until seven o'clock and thirty minutes P. M.

So ordered, on a division—ayes, 34; noes, 28.

REASSEMBLED.

The House reassembled at seven o'clock and thirty minutes P. M.

Speaker Jordan in the chair.

Quorum present.

Mr. Carr asked leave of absence for the Committee on Elections to go to the committee room, subject to the order of the House.

Lost

Mr. Hyde moved that the Committee on Public Morals be granted leave of absence to go to the committee room, subject to the order of the House.

Lost.

Assembly Bills Nos. 284 and 314 passed on file.

Assembly Bill No. 232—An Act to repeal all such provisions of an Act entitled "An Act to revise an Act entitled 'An Act to amend the charter of the City of Los Angeles, to define its limits and rights, to enlarge its powers, and provide for its more efficient government,' approved March 26, A. D. 1874," approved April 1, 1876, as provide for the creation of a City Court in the City of Los Angeles, for a Judge of said City Court, and as require the Mayor of said city to be ex officio City Judge of said Court.

Mr. Knox moved to amend as follows: amend section two, in line three, by inserting, after the word "law," the following: "to hold the Police Court of such city, or if there be no such Justice of the Peace therein, as may be designated for such purpose by the Mayor thereof."

Adopted.

Amend section three, line one, by inserting, after the word "all," "the acts."

Adopted.

Assembly Constitutional Amendment No. 12 temporarily passed on file.

RESOLUTION—(OUT OF ORDER).

By Mr. Hyde:

Resolved, That E O. Tuttle be and he is hereby appointed Assistant Journal Clerk of the Assembly, at the same per diem as the other clerks of that office, payable out of the appropriation for the Contingent Fund of the Assembly.

Referred to Committee on Attachés and Employés.

Assembly Constitutional Amendment No. 16 temporarily passed on file.

THIRD READING OF BILL.

Senate Bill No. 284—An Act appropriating the sum of two hundred and fifty thousand dollars for the erection of additional buildings for the use of the chronic insane, to appropriate funds therefor, and to provide for the expenditure of the same.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Alexander, Atherton, Bailey, Barry, Bost, Brierly, Britt, Brown J B, Brusie, Burnett, Butler, Campbell, Cohen, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Handy, Hart, Henry of Butte, Hyde, Knox, LaBlanc, Martin, Mann, Mathews of Tehama, Matthews of San Benito, McDonnell, Mitchell, O'Grady, Regan, Rucker, Remson, Sims, Spurgeon, Sykes, Toner, Variel, Weber, Wilcox, Young of San Diego, and Young of San Joaquin—46

NOES—Messrs Barton, Brown W A, Carr, Colbert, Cooley, Gruwell, Heath, Henry of San Joaquin, Lawrence, Lewis, McGowan, Morgan, Morris, Ohlever, Shanahan, Sherburne, Smyth, Venable, Vincent, Windrow, Williams, and Wright—22

Title read and approved.

Assembly Constitutional Amendment No. 19 passed on file.

THIRD READING OF BILLS.

Assembly Bill No. 180—An Act authorizing County Clerks in this State to take and certify affidavits for United States pension claimants, without the payment of fees or compensation therefor.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Atherton, Bailey, Barry, Barton, Bost, Brierly, Britt Brown W A, Brown J B, Brusie, Burnett, Butler, Campbell, Carr, Cohen, Colbert, Cooley, Coombs Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Gruwell, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hyde, Knox, LaBlanc, Lawrence, Lewis, Martin, Mann, Mathews of Tehama, Matthews of San Benito, McGowan, Mitchell, Morgan, Morris, O'Grady, Ohleyer, Price, Regan, Rucker, Remson, Shanahan, Sherburne, Smyth, Spurgeon, Sykes, Toner, Variel, Venable, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr Speaker—67

NOES—None

Title read and approved.

Assembly Bill No. 80—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 six hundred and three, providing for the formation of certain religious corporations.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Alexander, Atherton, Bailey, Barton, Bost, Brierly, Britt, Brown W A, Brown J B, Brusie, Burnett, Butler, Campbell, Carr, Carroll, Cohen, Colbert, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Gruwell, Handy, Hart, Heath, Henry of San Joaquin, Hyde, Knox, LaBlanc, Lewis, Martin, Mann, Mathews of Tehama, Matthews of San Benito, McDonnell,

McGowan, Morgan, Morris, O'Grady, Ohleyer, Price, Regan, Rucker, Remson, Searey, Shanahan, Sherburne, Smyth, Spurgeon, Toner, Varnel, Venable, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr Speaker—68

NOES—None.

Title read and approved.

Assembly Bill No. 464—An Act to provide for the support of the public schools of the State of California by a permanent levy and rate of taxation.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Bailey, Barry, Barton, Bost, Brierly, Britt, Brown W A Brown J B, Brusie, Burnett, Butler, Callaghan, Campbell, Carr, Cohen, Colbert, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ewing, Gould, Gruwell, Handy, Hart, Henry of Butte, Henry of San Joaquin, Hyde, Knox, LaBlanc, Lawrence, Lewis, Martin, Mann, Mathews of Tehama, Matthews of San Benito, McDonnell, McGowan, Mitchell, Morgan, Morris, O'Grady, Ohleyer, Price, Regan, Rucker, Remson, Searey, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Sykes, Varnel, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, and Young of San Joaquin—64

NOES—Messrs Alexander, Ellsworth, Venable, and Mr. Speaker—4

Title read and approved.

THIRD READING OF BILL.

Assembly Bill No. 13—An Act to amend Chapter LXXI of the Statutes of California, passed at the twenty-third session of the Legislature, A D. 1880, entitled an Act to define, regulate, and govern State Prisons of California.

Read third time.

Mr. Brierly moved that this bill be referred to a select committee of one, with special instruction to prepare an amendment to the bill, as follows: amend, by striking out of section one, lines twenty-four and twenty-five, the words "and only during the months of June or July of each year," and inserting, instead, the following: "and only from the first day of June to the first day of December of each year."

So ordered.

APPOINTMENT OF SELECT COMMITTEE.

The Speaker appointed Mr. Brierly the select committee of one to amend Assembly Bill No. 13.

REPORT OF SELECT COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, February 23, 1887

MR SPEAKER Your select committee, to whom was referred Assembly Bill No 13, 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.

JOHN R BRIERLY, Select Committee

Report adopted.

ASSEMBLY CONSTITUTIONAL AMENDMENT No 17

A Resolution to propose an amendment to sections fifteen (15) and nineteen (19), Article V (5), of the Constitution.

Resolved by the Assembly, the Senate concurring, that the Legislature of the State of California, at its twenty-seventh session, commencing January 3, 1887, two thirds of all the members elected to each of the two Houses of said Legislature voting in favor thereof, hereby propose that sections fifteen (15) and nineteen (19), Article V (5), of the Constitution of the State of California, be amended so as to read as follows:

SEC 15. A Lieutenant-Governor shall be elected at the same time and places, and in the same manner as the Governor, and his term of office and his qualifications of eligi-

bility shall also be the same He shall be President of the Senate, but shall have only a casting vote therein He shall also, when the Senate is not in session, visit the State institutions and asylums, and other institutions receiving aid from the State, and make careful examinations of the manner in which the appropriations for the support of such institutions and for permanent improvements, have been expended, and report the results of his examinations to the Governor, to the Legislature, and to any other officer, or Board of officers, that the Legislature may direct, "*provided*, that in case of the office of the Lieutenant-Governor becoming vacant, or in the case of the functions of Governor devolving upon him, the President pro tem of the Senate or his successor shall perform the duties and receive the emoluments of said Lieutenant-Governor during the term of such vacancy, or the time he is performing such functions of Governor The Legislature may by law prescribe the time and manner that such examinations shall be made If, during a vacancy of the office of Governor, the Lieutenant-Governor shall be impeached, displaced, resign, die, or become incapable of performing the duties of his office, or be absent from the State, the President pro tempore of the Senate shall act as Governor until the vacancy be filled, or the disability shall cease The Lieutenant-Governor shall be disqualified from holding any other office, except as specially provided in this Constitution, during the term for which he shall have been elected

SEC 19 The Governor, Lieutenant-Governor, Secretary of State Controller, Treasurer, Attorney-General, Surveyor-General, shall, at stated times during their continuance in office, receive for their services a compensation which shall not be increased or diminished during the term for which they shall have been elected, which compensation is hereby fixed for the following officers for the two terms next ensuing the adoption of this Constitution, as follows Governor, six thousand dollars per annum, Lieutenant-Governor, four thousand dollars per annum, and traveling expenses, when he may be employed in visiting and examining State institutions and asylums, and other institutions receiving State aid, the Secretary of State, Controller, Treasurer, Attorney-General, and Surveyor-General, three thousand dollars each per annum, such compensation to be in full for all services by them respectively rendered in any official capacity or employment whatsoever during their respective terms of office, *provided, however*, that the Legislature, after the expiration of the terms hereinbefore mentioned, may by law diminish the compensation of any or all such officers, but in no case shall have the power to increase the same above the sums hereby fixed by this Constitution No salary shall be authorized by law for clerical service, in any office provided for in this article, exceeding sixteen hundred dollars per annum for each clerk employed The Legislature may, in its discretion, abolish the office of Surveyor-General; and none of the officers hereinbefore named shall receive for their own use any fees or perquisites for the performance of any official duty

The roll was called, and the amendment, as amended, adopted by the following vote:

AYES—Messrs Alexander, Atherton, Bailey, Barry, Bost, Brierly, Brown W A, Brown J B, Brusie, Campbell, Carr, Cohen, Colbert, Cooley, Coombs, Cope, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Gruwell, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hyde, Knox, LaBlanc, Lawrence, Lewis, Martin, Mann, Mathews of Tehama, Matthews of San Benito, McDonnell, Mitchell, Morgan, Morris, Oldever, Price, Regan, Rucker, Searey, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Sykes, Toner, Variel, Venable, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, and Mr Speaker—63

NOES—Messrs O'Grady and Remson—2.

SECOND READING OF BILL.

Assembly Bill No. 344 passed on file.

QUESTION OF PRIVILEGE.

Mr. Brierly arose to a question of privilege.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON WATER RIGHTS AND DRAINAGE.

ASSEMBLY CHAMBER, SACRAMENTO, February 24, 1887.

MR SPEAKER Your Committee on Water Rights and Drainage, to whom was referred Assembly Bill No. 553—An Act to amend section two thousand three hundred and forty-nine of the Political Code, relating to navigable streams—respectfully report the same back, and recommend that it do pass

CAMPBELL, Chairman.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 23, 1887

MR SPEAKER Your Committee on Municipal Corporations, to whom was referred Assembly Bill No 534—respectfully report the same back, and recommend that it do not pass

KNOX, Chairman

Mr. Weber moved to take up Senate messages.

So ordered.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 23, 1887.

MR SPEAKER I am directed to inform your honorable body that the Senate, on this day, passed Senate Bill No 162—An Act to regulate the vocation of fishing, and to provide therefrom revenue for the restoration and preservation of fish in the waters of the State of California.

Also, Senate Bill No 274—An Act making appropriations for the erection of buildings, and for other improvements at the State Prison at San Quentin

Also, Assembly Bill No 122—An Act to amend sections six hundred and one, six hundred and seven, six hundred and ten, six hundred and eleven, six hundred and twelve, six hundred and seventeen, six hundred and twenty-nine, and six hundred and thirty of the Political Code of this State, all of said sections relating to insurance

Also, Senate Bill No 219—An Act to prevent the sophistication and adulteration of wine, and to prevent fraud in the manufacture and sale thereof.

E H HAMILTON, Secretary.
By ROBERT B OULLAHAN, Assistant Secretary

CONSIDERATION OF SENATE MESSAGES.

Senate Bill No. 162 referred to Committee on Fish and Game.

Senate Bill No. 274 referred to Committee on State Prisons.

Assembly Bill No. 122 ordered to enrollment.

MOTION.

On motion of Mr. Coombs, the rules were suspended, and Senate Bill No. 219 taken up, out of order, and considered.

FIRST READING OF BILL.

Speaker pro tem. Brierly in the chair.

Senate Bill No. 219—An Act to prevent the sophistication and adulteration of wine, and to prevent fraud in the manufacture and sale thereof.

Read first time, and placed on file for second reading.

At ten o'clock P. M. Mr. Heath moved to adjourn.

Lost.

Assembly Bill No. 344 passed on file.

At ten o'clock and three minutes P. M. Mr. Hyde moved to take a recess for ten minutes.

At ten o'clock and six minutes P. M. Mr. Heath moved to adjourn.

Ayes and noes demanded by Messrs. Brusie, Cohen, and McDonnell.

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

AYES—Messrs Bailey, Bost, Butler, Callaghan, Campbell, Carr, Granger, Handy, Hart, Heath, Henry of San Joaquin, Hyde, Mann, Matthews of San Benito, Ohleyer, Sherburne, Sims, Sykes, and Venable—19

NOES—Messrs Barton, Brierly, Britt, Brown W A, Brown J B, Brusie, Cohen, Colbert, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ewing, Gould, Henry of Butte, LaBlanc, Lawrence, Lewis, Martin, McDonnell, McGowan, Mitchell, Morgan, Morris, O'Grady, Price, Regan, Rucker, Shanahan, Spurgeon, Tonei, Variel, Vincent, Weber, Windrow, Wilcox, Williams, and Young of San Diego—40.

The question recurring on the motion of Mr Hyde, to take a recess for ten minutes, Mr. McDonnell moved to lay the motion on the table.

So ordered.

IN COMMITTEE OF THE WHOLE.

On motion of Mr. Brusie, the House went into Committee of the Whole, for the purpose of considering Assembly Bill No. 107—An Act providing for the payment to D. Jordan, for work and labor performed upon and material furnished in the construction of the State Prison at Folsom.

Speaker pro tem. Brierly in the chair.

The bill was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Jordan 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 107, and recommend that the same be passed, as amended.

MOTION.

Mr. Heath moved that further consideration of this bill be postponed.

Mr. Sims moved to amend, by postponing further consideration of this bill until to-morrow, at two o'clock P. M.

Lost, on a division—ayes, 25; noes, 32

The question then being on the motion of Mr. Heath, to postpone further consideration of this bill.

Mr. Brierly moved to amend, by postponing consideration of this bill until to-morrow, at three o'clock P. M.

Mr. Heath accepted the amendment.

So ordered, on a division—ayes, 31; noes, 21.

ADJOURNMENT.

At ten o'clock and thirty-six minutes P. M. Mr. Hyde moved to adjourn.

Ayes and noes demanded by Messrs. Brierly, W. A. Brown, and Weber.

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

AYES—Messrs Alexander, Bost, Brown J B, Butler, Campbell, Carr, Cooley, Currey of Solano, Curry of San Francisco, Davis, Ewing, Gould, Granger, Gruwell, Hart, Heath, Henry of San Joaquin, Hyde, LaBlanc, Lewis, Martin, Mann, Matthews of San Benito, Mitchell, Morgan, Morris, O'Grady, Ohleyer, Price, Searey, Shanahan, Sherburne, Sims, Smyth, Sykes, Variel, Venable, Wilcox, Williams, Young of San Diego, and Mr Speaker —41

NOES—Messrs Brierly, Britt, Brown W A, Brusie, Callaghan, Cohen, Colbert, Coombs, Cope, Handy, Henry of Butte, Knox, Lawrence, Mathews of Tehama, McDonnell, McGowan, Regan, Spurgeon, Toner, Vincent, Weber, and Windrow—22

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Thursday, February 24, 1887.

The House met pursuant to adjournment.

Speaker Jordan in the chair.

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

Messrs Adams, Alexander, Atherton, Bailey, Barry, Barton, Bost, Brierly, Britt, Brown W A, Brown J B, Brusie, Butler, Campbell, Carr, Carroll Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Gruwell, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hyde, Knox, LaBlanc, Lawrence, Lewis, Mahler, Martin, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Mitchell, Morgan, Morris, O'Grady, Ohleyer, Price, Regan, Rucker, Renison, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Sykes, Toner, Variel, Venable, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr Speaker

Quorum present.

Prayer by the Chaplain, Rev. E. R. Dille.

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

So ordered.

Journal corrected and approved.

Mr. Variel asked that the House direct the entry of all constitutional amendments at length upon the Journal.

So ordered.

INTRODUCTION OF BILL.

Mr. Hart asked permission to introduce a bill under the constitutional provision requiring the consent of two thirds of the members of the Assembly, and that the bill be taken up and read the first time.

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

AYES—Messrs Adams, Alexander, Atherton, Bailey, Barton, Bost, Brierly, Britt, Brusie, Campbell, Carr, Carroll, Cope, Currey of Solano, Curry of San Francisco, Ellsworth, Ewing, Gould, Granger, Gruwell, Handy, Hart, Henry of Butte, Henry of San Joaquin, Hyde, Knox, LaBlanc, Lawrence, Mahler, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Morgan, Morris, O'Grady, Ohlever, Renison, Searey, Sherburne, Sims, Smyth, Spurgeon, Sykes, Toner, Variel, Venable, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr. Speaker—57

NOES—None

By Mr. Hart: Assembly Bill No. 557—An Act to amend section two thousand nine hundred and sixty-nine of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, to prevent bringing into the State of California persons afflicted with leprosy, insanity, or such others as by reason of their condition are liable to become a charge on the State, and to provide for the disposition of the same.

Read first time.

Mr. Hart moved to place this bill on Special File.

Lost.

Bill placed on file for second reading.

MOTION.

Mr Ellsworth moved that the rules be suspended, and Assembly Bill No 207 be taken up, out of order, and considered.

So ordered, by unanimous vote.

IN COMMITTEE OF THE WHOLE.

On motion of Mr. Matthews of San Benito, the House went into Committee of the Whole for the purpose of considering Assembly Bill No. 207.

Mr. Matthews of San Benito in the chair.

The bill was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Jordan in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The Chairman stated the report as follows:

GENTLEMEN The Committee of the Whole have had under consideration Assembly Bill No 207, and recommend that the same do pass, as amended.

Report adopted.

SECOND READING OF BILL.

Assembly Bill No. 207—An Act making an appropriation for deficiency in the appropriation for the support of the State Printing Office, for the fiscal year ending June 30, 1887.

Read second time, ordered engrossed, and to a third reading.

MOTION.

Mr. Brusie moved that the rules be suspended, and that Assembly Bill No. 267 be taken up, out of order, and considered.

Lost.

PETITIONS.

Mr. Renison presented a petition from citizens of Monterey County, regarding the teaching of temperance in public schools.

Messrs. Ohleyer, Bost, Adams, Knox, Bailey, and Sherburne presented petitions of like nature.

Referred to Committee on Education.

REPORTS OF STANDING COMMITTEES.

ON ATTACHÉS AND EMPLOYÉS

ASSEMBLY CHAMBER, SACRAMENTO, February 23 1887

MR SPEAKER Your Committee on Attachés and Employés, to whom was referred the following resolution

Resolved, That E O Tuttle be and he is hereby appointed Assistant Journal Clerk, at the same per diem as the other clerks of the office, payable out of the appropriation for the Contingent Fund of the Assembly

Report the same back, and recommend that it be adopted.

C. F. CURRY, Chairman

MOTION.

Mr. Brierly moved that the consideration of the report be made the special order for to-morrow, immediately after reading the Journal.

So ordered, on division—ayes, 29; noes, 6.

ON COMMERCE AND NAVIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 24, 1887

MR SPEAKER: Your Committee on Commerce and Navigation, to whom was referred Assembly Bill No 453, relative to the stamping of canned goods—respectfully report the same back, and recommend that it do not pass

EWING, Chairman

ON STATE HOSPITALS

ASSEMBLY CHAMBER, SACRAMENTO, February 24, 1887.

MR SPEAKER Your Committee on State Hospitals, to whom was referred Substitutes for Senate Bills Nos 190 and 191

Senate Bill No 190—An Act appropriating the sum of ten thousand dollars to erect a building for the purpose of furnishing dormitories and dining-rooms for the male adult blind inmates at the "Home for the Adult Blind"

Senate Bill No 191—An Act appropriating the sum of twenty-eight thousand five hundred dollars for the purpose of purchasing suitable property for the location of the Industrial Home of Mechanical Trades for the Adult Blind of California.

Respectfully report the same back, and recommend that they do pass

Also, Senate Bill No 48—An Act to provide for certain improvements at the Deaf, Dumb, and Blind Asylum—respectfully report the same back, and recommend that it do pass.

BUTLER, Chairman.

MOTION.

Mr. Alexander moved to substitute Senate Bill No 48 for Assembly Bill No. 34, and that the latter retain its position on file.

So ordered.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 24, 1887.

MR SPEAKER Your Committee on Education, to whom was referred Senate Bill No 231—An Act to amend section one thousand eight hundred and fifty-eight of an Act entitled "An Act to establish a Political Code," approved March 11, 1872, relating to apportionment of school moneys

Also, Senate Bill No 237—An Act to add three new sections to an Act entitled "An Act to establish a *Political Code*," approved *March 12, 1872, to be numbered four hundred and* forty-four, one thousand six hundred and twenty-five, and one thousand six hundred and eighty-two, respectively, in relation to the duties of the Controller and Trustees of school districts as to apportionment of moneys, the enrollment of pupils in the grammar school course, and to provide for the same, and to amend sections one thousand five hundred and thirty-two, one thousand five hundred and thirty-three, one thousand five hundred and forty-three, and one thousand six hundred and ninety-six of said Act, in relation to pupils enrolled in the grammar school course, the duties of the Superintendent of Public Instruction, County Superintendents, and teachers, in relation thereto, and the apportionment of moneys appropriated therefor

Also, Assembly Bill No 554—An Act to amend sections one thousand five hundred and seventeen, one thousand five hundred and forty-nine, one thousand five hundred and sixty-five, one thousand five hundred and seventy-seven, one thousand five hundred and seventy-eight, one thousand five hundred and eighty-two, one thousand six hundred and twenty-one, one thousand seven hundred and seventy, one thousand eight hundred and thirty-one, one thousand eight hundred and sixty-one, and one thousand eight hundred and seventy-two of the Political Code of the State of California, relating to the public schools of the State of California

Respectfully report the same back, and recommend that they do pass

Also, Senate Bill No 192—An Act establishing an Industrial Home of Mechanical Trades for the Adult Blind of the State of California, creating a Board of Directors for the government thereof, and appropriating the sum of sixty-five thousand dollars for the support of said Home—respectfully report the same back, without recommendation This bill being identical with Assembly Bill No 344 (*No 10 on Special File to-day*), we recommend that it be substituted for that bill on Assembly File.

BRIERLY, Chairman.

The recommendation of the committee adopted, and Senate Bill No. 192 was substituted for Assembly Bill No. 344, and to retain the position of last named bill on file.

RESOLUTION—(OUT OF ORDER).

By Mr. Windrow:

Resolved, That the Controller be and he is hereby authorized to draw his warrant in favor of Joseph Windrow, for mileage account of Assembly Committee on Chinese and Chinese Immigration, for the sum of one hundred and seventeen dollars and sixty cents.

Referred to Committee on Mileage.

NOTICE TO AMEND RULES.

Mr. Coombs moved to amend the Standing Rules, in accordance with notice given yesterday, as follows. Rule No. 42 of the Assembly Standing Rules be amended, so as 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 for more than five minutes nor more than once during the consideration of any one question, of whatever nature, on the same day and at the same stage of proceedings, without leave being granted, except the author of a bill or resolution, or mover of a question, who shall be allowed to speak twice upon all questions for not more than ten minutes in all, except, by vote, he may be granted a longer time

Lost, on a division—ayes, 42; noes, 5.

NOTICE OF RECONSIDERATION.

Mr. Variel gave notice that, on to-morrow, he would move to reconsider the vote whereby the motion to amend the rules, offered by Mr. Coombs, was lost.

Mr. Knox asked permission to introduce two bills under the constitutional provision requiring the consent of two thirds of the members of the Assembly.

The roll was called, and the House refused to grant the permission, by the following vote:

AYES—Messrs Alexander, Bailey, Barton, Bost, Brierly, Brown W. A, Brusie, Burnett, Butler, Campbell, Carr, Cooley, Coombs, Cope, Currey of Solano, Granger, Handy, Hart, Henry of Butte, Knox, LaBlanc, Lawrence, Mahler, Mathews of Tehama, McClenahan, McDonnell, O'Grady, Price, Regan, Shanahan, Sherburne, Sims, Spurgeon, Sykes, Toner, Variel, Vincent, Weber, Windrow, Wilcox, Williams, Young of San Diego, Young of San Joaquin, and Mr Speaker—44

NOES—Messrs Adams, Atherton, Barry, Gruwell, Henry of San Joaquin, Matthews of San Benito, Mitchell, Remson, Searey, and Smyth—10

MOTION TO RECONSIDER.

Mr. Atherton moved to reconsider the vote whereby the request of Mr. Knox was denied.

Mr. Knox moved to make the consideration of the motion the special order for to-morrow, immediately after the reading of the Journal.

So ordered, on a division—ayes, 29; noes, 10.

Mr. Alexander asked permission to introduce a resolution out of order.

Permission denied.

SPECIAL FILE—SECOND READING OF BILLS.

Assembly Bill No. 459—An Act making appropriations for the support of the government of the State of California, for the thirty-ninth and fortieth fiscal years.

Read second time.

Mr. Brierly moved that the further consideration of this bill be made the special order for to-day, at three o'clock P. M.

So ordered, on a division—ayes, 29; noes, 10.

Assembly Constitutional Amendment No. 11 passed on file.

Assembly Bills Nos. 2, 314, and 12 passed on file.

CALL OF THE HOUSE.

Pending consideration of Assembly Constitutional Amendment No. 12.

Mr. Wright moved a call of the House.

So ordered.

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

Messrs. Adams, Alexander, Atherton, Bailey, Barry, Barton, Bost, Brierly, Britt, Brooks, Brown W. A., Brusie, Burnett, Butler, Campbell, Carr, Carroll, Cohen, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Gruwell, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, Knox, LaBlanc, Lawrence, Lewis, Mahler, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Mitchell, Morgan, Morris, O'Grady, Ohleyer, Price, Regan, Remson, Searey, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Sykes, Toner, Variel, Venable, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr. Speaker.

Mr. Carroll moved that the House take a recess for ten minutes.

Lost.

Mr. Carroll moved that further proceedings under the call be dispensed with.

Lost.

A short recess declared by the Speaker.

Mr. Variel moved that further proceedings under the call be dispensed with.

So ordered.

Assembly Constitutional Amendment No. 12—Proposing an amendment to section one, of Article XIII, of the Constitution of the State of California, with reference to the exemption of certain property from taxation.

The question being on the substitution of the minority for the majority report of the Committee on Constitutional Amendments, viz.: "that the amendment be adopted."

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 24, 1887.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following Assembly Bills have been correctly engrossed:

Assembly Constitutional Amendments Nos. 2, 17, and 13, and Assembly Bills Nos. 120, 232, 408, 13, and 117.

WINDROW, Chairman.

RECESS.

At twelve o'clock and twenty minutes P. M. Mr. Brierly moved to take a recess until two o'clock and thirty minutes P. M.

Mr. Wright moved to amend, to make the hour two o'clock P. M.

Amendment adopted.

The motion of Mr. Brierly, as amended, adopted, and the House took a recess until two o'clock P. M.

REASSEMBLED.

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

Speaker Jordan in the chair.

Quorum present.

The question recurring on the substitution of the minority for the majority report of the committee, "that Assembly Constitutional Amendment No. 12 be adopted."

The ayes and noes were demanded by Messrs. Wright, Rucker, and Martin.

The roll was called, and the House refused to substitute the minority report by the following vote:

AYES—Messrs Britt, Brusie, Butler, Callaghan, Campbell, Cohen, Colbert, Cope, Curry of San Francisco, Granger, Henry of Butte, Henry of San Joaquin, Hyde, Knox, Martin, Mathews of Tehama, Mitchell, O'Grady, Price, Regan, Rucker, Searey, Sims, Toner, Vincent, Weber, Wright, and Young of San Diego—28

NOES—Messrs Alexander, Barton, Bost, Brierly, Brown W A, Brown J B, Carr, Carroll, Cooley, Coombs, Currey of Solano, Gould, Gruwell, Handy, Hart, LaBlanc, Lawrence, Lewis, Mahler, Mann, Matthews of San Benito, McClenahan, McGowan, Morgan, Ohleyer, Remson, Shanahan, Sherburne, Smyth, Spurgeon, Sykes, Variel, Venable, Wilcox, Williams, and Mr Speaker—36

The question being on the adoption of the majority report, that Assembly Constitutional Amendment No. 12 be not adopted.

Mr. Granger moved to amend the resolution as follows: amend, by striking out of section one, line six, the words, "for church, school, and charitable purposes," and inserting, instead, the following: "as houses of religious worship and for public schools."

The ayes and noes were demanded by Messrs. Brusie, Hart, and Granger, on the adoption of the amendment offered by Mr. Granger.

The roll was called, and the amendment of Mr. Granger lost by the following vote:

AYES—Messrs Bost, Britt, Brown J B, Brusie, Callaghan, Cohen, Colbert, Coombs, Cope, Curry of San Francisco, Granger, Henry of Butte, Henry of San Joaquin, Mahler, Mathews of Tehama, McClenahan, Mitchell, Morris, O'Grady, Regan, Rucker, Searey, Shanahan, Sims, Spurgeon, Toner, Venable, Vincent, Weber, Wright, and Young of San Diego—31

NOES—Messrs Adams, Alexander, Bailey, Barton, Brown W A, Burnett, Butler, Campbell, Carr, Carroll, Cooley, Currey of Solano, Davis, Ellsworth, Ewing, Gould, Gruwell, Handy, Hart, Knox, LaBlanc, Lawrence, Lewis, Mann, Matthews of San Benito, McDonnell, McGowan Morgan, Ohleyer, Price, Remson, Sherburne, Smyth, Sykes, Variel, Windrow, Wilcox, Williams, and Mr Speaker—39.

The question then being on the adoption of Assembly Constitutional Amendment No. 12.

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

AYES—Messrs Britt, Brown J B, Brusie, Burnett, Butler, Callaghan, Cohen, Colbert, Curry of San Francisco, Granger, Henry of Butte, Henry of San Joaquin, Hyde, Knox,

Martin, Mathews of Tehama, Mitchell, O'Grady, Regan, Rucker, Sims, Toner, Vincent Weber, Wright, and Young of San Diego—26

Noes—Messrs Adams, Alexander, Atherton, Bailey, Barton, Bost, Brierly, Brown W A, Carroll, Cooley, Coombs, Cope, Currey of Solano, Davis, Ellsworth, Ewing, Gould, Gruwell, Handy, Hart, Heath, LaBlanc, Lawrence, Lewis, Mahler, Matthews of San Benito, McClenahan, McDonnell, McGowan, Morgan, Morris, Ohleyer, Price, Renison, Searey Shanahan, Sherburne, Smyth, Spurgeon, Sykes, Variel, Venable, Windrow, Wilcox, Williams, and Mr. Speaker—46

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON FISH AND GAME.

ASSEMBLY CHAMBER, SACRAMENTO, February 24, 1887.

MR SPEAKER Your Committee on Fish and Game, to whom was referred Senate Bill No. 162—report the same back, and recommend that it do pass, as amended

WILLIAMS, Chairman.

ON COMMERCE AND NAVIGATION—MINORITY REPORT

ASSEMBLY CHAMBER, SACRAMENTO, February 24, 1887.

MR SPEAKER: The undersigned, a minority of your committee to whom was referred Assembly Bill No 453—respectfully recommend that it do pass.

LAWRENCE.

Assembly Constitutional Amendment No. 16—To propose to the people of the State of California an amendment to the Constitution of the State, relative to the adoption of charters by cities of over fifty thousand inhabitants.

Mr. Knox offered a substitute for the amendment, as follows:

SUBSTITUTE FOR ASSEMBLY CONSTITUTIONAL AMENDMENT No. 16

A Resolution to propose an amendment to section eight, of Article XI, of the Constitution of the State of California, relating to the framing of a charter for cities of more than one hundred thousand inhabitants, and for cities of over ten thousand and less than one hundred thousand inhabitants

Resolved, That the Legislature of the State of California, at its regular session, commencing on the third day of January, 1887, two thirds of all the members elected to each of the two Houses of said Legislature voting in favor thereof, hereby propose that section eight, of Article XI, of the Constitution of said State, be amended so as to read as follows

SEC 8 Any city containing a population of more than one hundred thousand inhabitants may frame a charter for its own government, consistent with and subject to the Constitution and laws of this State, by causing a Board of fifteen freeholders, who shall have been for at least five years qualified electors thereof, to be elected by the qualified voters of such city, at any general or special election, whose duty it shall be, within ninety days after such election, to prepare and propose a charter for such city, which shall be signed in duplicate by the members of such Board, or a majority of them, and returned, one copy thereof to the Mayor, or other chief executive officer of such city, and the other to the Recorder of Deeds of the county Such proposed charter shall then be published in two daily papers of general circulation in such city, for at least twenty days, and within not less than thirty days after such publication it shall be submitted to the qualified electors of such city, at a general or special election, and if a majority of such qualified electors voting thereat shall ratify the same, it shall thereafter be submitted to the Legislature for its approval or rejection as a whole, without power of alteration or amendment, and if approved by a majority vote of the members elected to each House, it shall become the charter of such city, or if such city be consolidated with a county, then of such city and county, and shall become the organic law thereof, and supersede any existing charter, and all amendments thereof, and all special laws inconsistent with such charter A copy of such charter, certified by the Mayor, or chief executive officer, and authenticated by the seal of such city, setting forth the submission of such charter to the electors, and its ratification by them, shall be made in duplicate, and deposited, one in the office of the Secretary of State, the other, after being recorded in the office of the Recorder of Deeds of the county, among the archives of the city All Courts shall take judicial notice thereof The charter so ratified may be amended at intervals of not less than two years, by proposals therefor, submitted by legislative authority of the city to the qualified voters thereof, at a general or special election held at least sixty days after the publication of such proposals, and ratified by at least three fifths of the qualified electors voting thereat, and approved by the Legislature as herein provided for the approval of the charter. In submitting any such charter,

or amendment thereto, any alternative article or proposition may be presented for the choice of the voters, and may be voted on separately without prejudice to others. Any city containing a population of more than ten thousand and not more than one hundred thousand inhabitants may frame a charter for its own government consistent with and subject to the Constitution and laws of this State, by causing a Board of fifteen freeholders, who shall have been for at least five years qualified electors thereof, to be elected by the qualified voters of said city, at any general or special election, whose duty it shall be, within ninety days after such election, to prepare and propose a charter for such city, which shall be signed in duplicate by the members of such Board, or a majority of them, and returned, one copy thereof to the Mayor, or other chief executive of said city, and the other to the Recorder of the county. Such proposed charter shall then be published in two daily papers of general circulation in such city, for at least twenty days, and the first publication shall be made within twenty days after the completion of the charter, and within not less than thirty days after such publication it shall be submitted to the qualified electors of said city, at a general or special election, and if a majority of such qualified electors voting thereat shall ratify the same, it shall thereafter be submitted to the Legislature for its approval or rejection as a whole, without power of alteration or amendment, and if approved by a majority vote of the members elected to each House it shall become the charter of such city and the organic law thereof, and shall supersede any existing charter, and any amendments thereof, and all special laws inconsistent with such charter. A copy of such charter, certified by the Mayor, or chief executive officer, and authenticated by the seal of such city, setting forth the submission of such charter to the electors, and its ratification by them, shall be made in duplicate, and deposited, one in the office of the Secretary of State, and the other, after being recorded in said Recorder's office, shall be deposited in the archives of the city, and thereafter all Courts shall take judicial notice of said charter. The charter so ratified may be amended, at intervals of not less than two years, by proposals therefor, submitted by the legislative authority of the city to the qualified electors thereof, at a general or special election held at least sixty days after the publication of such proposals, and ratified by at least three fifths of the qualified electors voting thereat, and approved by the Legislature as herein provided for the approval of the charter. In submitting any such charter, or amendment thereto, any alternative article or proposition may be presented for the choice of the voters, and may be voted on separately without prejudice to others.

The roll was called, and the Substitute for Assembly Constitutional Amendment No. 16 adopted by the following vote.

AYES—Messrs. Adams, Alexander, Atherton, Bailey, Barton, Bost, Brierly, Britt, Brown W. A., Brusie, Burnett, Butler, Carr, Carroll, Cohen, Colbert, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Ellsworth, Ewing, Gould, Granger, Gruwell, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hyde, Knox, LaBlanc, Lawrence, Lewis, Mahler, Martin, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Morgan, O'Grady, Ohlever, Price, Regan, Rucker, Sherburne, Sims, Smyth, Spurgeon, Sykes, Toner, Varnel, Venable, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr. Speaker.—66.

NOES—None.

Assembly Constitutional Amendment No. 19—Proposing to the people of the State of California an amendment to the Constitution of the State, relating to the regulation and control by this State of the waters thereof for beneficial uses and ends.

Mr. Granger moved the adoption of the amendment.

At three o'clock P. M. Mr. Brusie called up the special order set for this hour, consideration of Assembly Bill No. 107, and moved to postpone consideration of the same until after the question under consideration is disposed of.

Mr. Brierly moved to amend, so as to include all special orders.

Amendment accepted by Mr. Brusie.

Motion, as amended, carried.

The question then being on the adoption of Assembly Constitutional Amendment No. 19, the roll was called, and the amendment lost by the following vote:

AYES—Messrs. Brusie, Butler, Campbell, Colbert, Cope, Davis, Gruwell, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hyde, Lawrence, Lewis, Mahler, Martin, Mathews of Tehama, Matthews of San Benito, McClenahan, McGowan, Mitchell, Morris, O'Grady,

Shanahan, Sims, Spurgeon, Toner, Vincent, Windrow, Williams, Wright, Young of San Diego, and Young of San Joaquin—33

NOES—Messrs Alexander, Atherton, Bailey, Barton, Bost, Brierly, Brown W. A., Carr, Carroll, Cohen, Cooley, Coombs, Currey of Solano, Curry of San Francisco, Ellsworth, Ewing, Gould, Granger, Handy, Knox, LaBlanc, Mann, McDonnell, Morgan, Ohleyer, Price Regan, Rucker, Remson, Sherburne, Smyth, Sykes, Variel, Venable, Weber, and Mr Speaker—36.

NOTICE OF RECONSIDERATION.

Mr. Granger gave notice that, on to-morrow, he would move to reconsider the vote whereby Assembly Constitutional Amendment No. 19 was lost.

SPECIAL ORDER.

Mr. Hyde called up the special order set for this time, consideration of Assembly Bill No. 107—An Act providing for the payment to D. Jordan, for work and labor performed upon and material furnished in the construction of the State Prison at Folsom.

The question being on the adoption of the report of the Committee of the Whole, recommending that the bill be passed, as amended, the report was adopted.

THIRD READING OF BILL.

Assembly Bill No. 107 read third time.

Mr. Hyde moved that this bill be referred to a select committee of one, with special instructions to prepare an amendment to the bill, as follows. amend, by adding a new section, to read.

SEC 3 This Act shall be deemed exempt from the operation of section six hundred and seventy-two of the Political Code

Ayes and noes demanded by Messrs. Heath, Carr, and Ohleyer.

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

AYES—Messrs Alexander, Barry, Brierly, Britt, Brown W A, Brown J B, Brusie, Burnett, Butler Callaghan, Campbell, Carr, Carroll, Cohen, Colbert, Cooley, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Handy, Henry of Butte, Hyde, Knox, LaBlanc, Lawrence, Lewis, Martin, Mann, McDonnell, Mitchell, Morgan, O'Grady, Price, Regan, Rucker, Searey, Shanahan, Spurgeon, Sykes, Toner, Variel, Weber, Windrow, Wilcox, and Young of San Diego—47.

NOES—Messrs Adams, Bailey, Barton, Bost, Coombs, Cope, Currey of Solano, Heath, Henry of San Joaquin, Mahler, Mathews of Tehama, Matthews of San Benito, McClenahan, McGowan, Morris, Ohleyer, Remson, Sherburne, Smyth, Venable, Vincent, Williams, Wright, and Mr Speaker—24.

APPOINTMENT OF SELECT COMMITTEE.

The Speaker appointed Mr. Hyde the select committee of one to amend Assembly Bill No. 107.

REPORT OF SELECT COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, February 24, 1887.

MR SPEAKER Your select committee, to whom was referred Assembly Bill No 107, 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

HYDE, Select Committee.

Report adopted.

SPECIAL ORDER.

Assembly Bill No. 459 passed temporarily on file.

REPORT OF STANDING COMMITTEE.

ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 24, 1887

MR SPEAKER Your Committee on Enrollment beg leave to report that the following Assembly Bill has been correctly enrolled

Substitute for Assembly Bill No 55—An Act to protect the manufacturing industries of this State

And was presented to the Governor this day, at four o'clock and five minutes P M

JAS B. BROWN, Chairman.

MOTION.

Mr. Britt moved to suspend the rules, and to take up, out of order, Senate Bill No. 340, and consider same.

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

AYES—Messrs Alexander, Atherton, Bailey, Barry, Barton, Bost, Britt, Brown W A, Brown J B, Brusie, Burnett, Butler, Callaghan, Campbell, Carr, Carroll, Cohen, Colbert, Cooley, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Gruwell, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hyde, LaBlanc, Lawrence, Lewis, Mahler, Martin, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Mitchell, O'Grady, Ohleyer, Price, Regan, Rucker, Rennson, Searey, Shanahan, Sims, Smyth, Sykes, Toner, Varnel, Windrow, Wright, and Young of San Diego—61

NOES—Messrs Adams, Brierly, Coombs, Knox, Morris, Sherburne, Spurgeon, Venable, Vincent, Weber, Williams, and Mr Speaker—12

SECOND READING OF BILL.

Senate Bill No. 340—An Act to amend an Act entitled "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," approved March 3, 1885, by adding a new section thereto.

Read second time, and placed on file for third reading.

Mr. Shanahan moved that Senate Bill No. 340 be made the special order for to-morrow, at three o'clock P. M.

So ordered.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON MILITARY AFFAIRS

ASSEMBLY CHAMBER, SACRAMENTO, February 24, 1887

MR SPEAKER Your Committee on Military Affairs respectfully report that, in the discharge of their duty, they visited Los Angeles, and are entitled to mileage for nine hundred and fifty-six miles, for four members of the committee, and Clerk Eldred

COOLEY, Chairman

Referred to Committee on Mileage.

ON EDUCATION

ASSEMBLY CHAMBER, SACRAMENTO, February 24, 1887.

MR SPEAKER Your Committee on Education, having been authorized by order of the Assembly to visit educational institutions in Oakland, San José, and Santa Clara, and having been granted leave of absence from Saturday, February 12, 1887, to Tuesday, February 15, inclusive, respectfully report that the committee visited the Industrial Home of Mechanical Trades for the Adult Blind of the State of California, at Oakland, the California Home for the Care and Training of Feeble-Minded Children at Santa Clara, the State Normal School at San José, and the Asylum for the Deaf and Dumb and Blind at Berkeley, and are entitled to mileage as follows W P Mathews, to San Francisco and return,

one hundred and ninety-six miles, J Sims, to San José, one hundred and twenty-eight miles, and from San José to Santa Clara and return, to Sacramento via San Francisco, total, two hundred and seventy-eight miles, John R Brierly, J C Brusie, and G W Morgan, and Miss Mary Bird, Clerk, to Santa Clara via San Francisco and San José, and return, each three hundred miles

BRIERLY, Chairman.

Referred to Committee on Mileage.

ON MILEAGE

ASSEMBLY CHAMBER, SACRAMENTO, February 24, 1887

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 Stockton—have had the same under consideration, and recommend that the following named members be allowed mileage for ninety-six miles Messrs Carroll, Campbell, Rucker, Hotchkiss, Martin, Ellsworth, Davis, Currey, Henry, and Clerk Jackson

Resolved, That the Controller be and is hereby authorized to draw his warrant for the sum of ninety-six dollars in favor of H W. Carroll, to pay above mileage, payable out of the appropriation for the contingent expenses of the Assembly

WEBER, Chairman

Resolution adopted.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, February 24, 1887.

MR SPEAKER Your Committee on Ways and Means, to whom was referred Assembly Bill No 525—Entitled "An Act making an appropriation for a deficiency in the appropriation for the salary of the Phonographic Reporter of the Supreme Court, for the thirty-eighth fiscal year"—respectfully report the same back, and recommend that it do pass

BUTLER, Chairman.

ON PUBLIC MORALS

ASSEMBLY CHAMBER, SACRAMENTO, February 24, 1887.

MR SPEAKER: Your Committee on Public Morals, to whom was referred Assembly Bills Nos 520 and 548, would report as follows

Assembly Bill No 520—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by adding three new sections thereto, to be known as sections two hundred and ninety-nine, three hundred, and three hundred and one, relating to the observance of Sunday—has been considered, and respectfully report the same back, without recommendation

Assembly Bill No 548—An Act to repeal section sixty of the Civil Code of California, relating to certain invalid marriages—has also been considered, and respectfully report the same back, and recommend that it do not pass

R J. CURREY, Chairman

Mr. Knox moved that the Substitute for Assembly Bills Nos. 314 and 284 be referred to Committee on Municipal Corporations.

So ordered.

MOTION.

Mr. Carroll moved that the rules be suspended, and that Assembly Bill No. 128 be taken up, out of order, and considered.

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

AYES—Messrs Alexander, Barry, Britt, Burnett, Callaghan, Carroll, Cohen, Colbert, Curry of San Francisco, Hart, Henry of Butte, Lawrence, Lewis, Martin, Mann, Mitchell, Ohleyer, Price, Regan, Rucker, Searey, Shanahan, and Toner—23

NOES—Messrs Atherton, Bailey, Barton, Bost, Brierly, Brusie, Butler, Campbell, Carr, Coombs, Cope, Currey of Solano, Davis, Ellsworth, Ewing, Gould, Gruwell, Handy, Heath, Henry of San Joaquin, Knox, LaBlanc, Mahler, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, O'Grady, Sherburne, Sims, Spurgeon, Sykes, Variel, Venable, Vincent, Weber, Windrow, Wilcox, Williams, and Young of San Diego—41.

Mr. Brierly called up Assembly Bill No. 459—An Act making appropriations for the support of the government of the State of California, for the thirty-ninth and fortieth fiscal years.

Mr. Cohen moved that the further consideration of this bill be postponed until to-morrow morning, at eleven o'clock and thirty minutes.

Lost.

IN COMMITTEE OF THE WHOLE.

On motion of Mr. Carroll, the House went into Committee of the Whole, for the purpose of considering Assembly Bill No. 459.

Speaker Jordan in the chair.

The bill was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Jordan in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The Chairman stated the report as follows:

GENTLEMEN The Committee of the Whole have had under consideration Assembly Bill No 459—An Act making appropriations for the support of the government of the State of California, for the thirty-ninth and fortieth fiscal years, and now report progress, and ask leave to sit again

Report adopted.

RECESS.

At five o'clock and thirty minutes P. M., on motion of Mr. Mathews of Tehama, 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 Jordan in the chair.

Quorum present.

LEAVE OF ABSENCE.

Mr. Ellsworth was granted leave of absence for the evening.

IN COMMITTEE OF THE WHOLE.

On motion of Mr. Mathews of Tehama, the House went into Committee of the Whole, for the purpose of considering Assembly Bill No. 459.

Speaker Jordan in the chair.

The bill was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Jordan in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The Chairman stated the report as follows:

GENTLEMEN The Committee of the Whole have had under consideration Assembly Bill No 459, and now report progress, and ask leave to sit again

Report adopted.

ADJOURNMENT.

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

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Friday, February 25, 1887.

The House met pursuant to adjournment.

Speaker Jordan in the chair.

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

Messrs Adams, Alexander, Atherton, Bailey, Barry, Barton, Bost, Brierly, Britt, Brown W A, Brown J B, Bruse, Butler, Callaghan, Campbell Carr, Carroll, Cohen, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould Gruwell, Handy, Heath, Henry of Butte, Henry of San Joaquin, Hyde, Knox, LaBlanc, Lawrence, Lewis, Mahler, Martin, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Mitchell, Morgan, Morris, O'Grady, Ohleyer, Price, Renison, Searey, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Toner, Variel, Venable, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr Speaker

Quorum present.

Prayer by the Chaplain, Rev. E. R Dille.

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

So ordered.

Journal corrected and approved.

RESOLUTION—(OUT OF ORDER).

By Mr. Campbell:

Resolved, That the Pages of this House be and are hereby prohibited from distributing any posters, circulars, or cards not proper to come before this House, or not pertaining to any of the business of this House

Adopted.

SPECIAL ORDERS—IMMEDIATELY AFTER READING OF THE JOURNAL.

RESOLUTION

Resolved, That E O Tuttle be and he is hereby appointed Assistant Journal Clerk, at the same per diem as the other clerks of the office, payable out of the appropriation for the Contingent Fund of the Assembly.

Resolution adopted.

Motion of Mr. Knox, to reconsider the vote whereby the House refused to grant permission to introduce two bills out of order, under the constitutional provision requiring the consent of two thirds of the members of the Assembly, was called up.

The roll was called, and permission granted by the following vote:

AYES—Messrs Adams, Atherton, Bailey, Barry, Barton, Bost, Brierly, Brown W A, Butler, Callaghan, Campbell, Carr, Cohen, Colbert, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Ellsworth, Gould, Handy, Heath, Hyde, Knox, LaBlanc Lewis, Mahler, Martin, Mann, Matthews of San Benito, McClenahan, McDonnell, McGowan, Morgan, Morris, O'Grady, Price, Remson, Shanahan, Sherburne, Sims, Spurgeon, Sykes, Taylor, Toner, Variel, Venable, Vincent, Weber, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr Speaker—55

NOES—Messrs Henry of San Joaquin and Ohleyer—2.

INTRODUCTION OF BILLS.

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

By Mr. Knox. Assembly Bill No. 558—An Act to amend section seven hundred and four of the Penal Code of the State of California, relating to examination of persons charged with having made threats.

Referred to Committee on Judiciary.

Also, Assembly Bill No. 559—An Act to amend section one thousand two hundred and fifteen of the Penal Code of the State of California, relating to the commitment of persons found guilty of crime.

Referred to Committee on Judiciary.

MOTION.

Mr. Vincent moved that the rules be suspended, and that Assembly Bill No. 287 be taken up, out of order, and considered.

Speaker pro tem. Brierly in the chair.

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

AYES—Messrs Adams, Atherton, Bailey, Barton, Bost, Brierly, Brown J B, Butler, Callaghan, Campbell, Carr, Cohen, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Handy, Heath, Henry of Butte, Henry of San Joaquin, Hyde, Knox, LaBlanc, Mahler, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, McGowan, Morris, O'Grady, Ohleyer, Price, Remson, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Toner Variel, Venable, Vincent, Weber, Wilcox, Williams, Wright, Young of San Diego, and Young of San Joaquin—56

NOES—Messrs Barry, Brusie, Cooley, McDonnell, Morgan, and Windrow—6

SECOND READING OF BILL.

Assembly Bill No 287—An Act to provide for the organization and government of water districts, and to provide for the acquisition, control, and distribution of water for irrigation.

Read second time

The Committee on Irrigation offered the following amendments, which were adopted·

Amend section two, on line one, of printed bill, by striking out the word "the," after the word "show;" also, on line two, insert the word "The" between the letter "1st," and the word "name;" also, on line eight, insert the words "The petitioners must accompany the petition with a good and sufficient bond, to be approved by the said Board of Supervisors, in double the amount of the probable cost of organizing such district, conditioned that the bondsmen will pay all said cost in case said organization shall not be effected," after the word "Act"

Amend section three, on line one, by striking out the word "petitions," after the word "the," and insert the word "petition" in lieu thereof; also, on lines five and six, strike out the words "and shall ask the advice of the State Engineer in relation to exterior boundaries of the proposed district, so that may" after the word "interested,"

and insert the words "most likely to, and shall fix the boundary of the proposed district so that it may" in lieu thereof; also, on line seven, insert the words "and none other," after the word "lands;" also, on line eight, by striking out the words "The State Engineer shall immediately suggest boundaries;" also, by striking out the whole of lines nine, ten, and eleven, and by inserting the words "together with canals and ditches supplying the same in the whole or in part; nor shall any lands which will not, in the judgment of the said Board, be benefited by irrigation by said system be included within such district," after the word "named."

Amend section five, on line ten, by striking out the words "qualified voter," after the word "every," and by inserting the words "land owner" in lieu thereof.

Amend section six, on line one, by inserting the word "said," after the word "the;" also, by striking out the word "Boards," and inserting the word "Board" in lieu thereof; also, on line three, by inserting the words "by said Board" in lieu thereof; also, on line three, by inserting the words "by said Board," after the syllables "vassed;" also, by inserting the words "by them," after the word "certified;" also, on line six, by striking out the word "a," after the word "that," and by inserting the words "two-third" in lieu thereof; also, on line seven, by striking out the word "majority," before the word "of;" also, on line twenty-one, by striking out the words "next general," after the word "the;" also, inserting the words "as provided for in section seven of this Act," after the word "district."

Amend section seven, on line two, by striking out the words "a special," after the word "at," and insert the word "an" in lieu thereof; also, on line four, by striking out the word "four," after the word "section," and by inserting the word "five" in lieu thereof.

Amend section nine, by striking out the whole of the section.

Amend section ten, by striking out the figures "10," in line one, and by inserting the figure "9" in lieu thereof; also, on line one, by striking out the words "with the general," after the word "corporate," also, on line two, by striking out the words "power of a corporation and the powers specified in this Act," before the word "and;" also, by striking out the whole of lines sixteen, seventeen, eighteen, nineteen, twenty, twenty-one, twenty-two, twenty-three, twenty-four, and twenty-five; also, on line twenty-six, by striking out the figure "9," and inserting "6:" also, on line twenty-seven, by striking out the word "see," after the word "to," and by inserting the word "enforce" in lieu thereof, also, on line twenty-nine, by striking out the word "useless," after the word "prevent," also, on line thirty, by striking out the figures "10," and inserting the figure "7" in lieu thereof," also, on line thirty-five, by striking out the figures "11," and by inserting the figure "8" in lieu thereof; also, on line thirty-eight, by striking out the figures "12," and inserting the figure "9" in lieu thereof, also, on line forty-one, by striking out the figures "13," and insert the figures "10" in lieu thereof; also, on line forty-four, by inserting the words "at which two thirds of all votes cast," after the word "election;" on line forty-five, by inserting the words "shall be in favor of the issuance of said bonds," after the word "purpose;" on line forty-six, strike out the figures "14," and insert the figures "11" in lieu thereof; also, by striking out the whole of lines fifty-one and fifty-two; also, on line fifty-three, by striking out the figures "16," and by inserting the figures "12" in lieu thereof; also, on line fifty-

four, by striking out the word "and," after the word "district;" also, on line fifty-five, by inserting the words "when acquired," after the word "rights," also, on line sixty-two, by striking out the figures "17," and by inserting "13" in lieu thereof; also, in line sixty-two, by inserting the word "to," after the word "necessary;" also, strike out the word "to," after the word "property;" also, on line sixty-four, strike out the figures "18," and insert the figures "14" in lieu thereof; also, by striking out the words, "The Board of Commissioners shall," before the word "ascertain," and by inserting the words "To fix rates of tolls and charges, and collect the same from all persons using water for irrigation purposes, for the purpose of defraying the current expenses of such district, or they may," in lieu thereof; also, on line sixty-six, by striking out the word "shall," after the word "and;" also, on line sixty-eight, by striking out the word "shall," after the word "and."

Amend section eleven, on line one, of printed bill, by striking out the figures "11," and inserting the figures "10" in lieu thereof; also, on line two, by striking out the word "irrigation," before the word "district," and by inserting the words "the water" in lieu thereof; also, by striking out the word "districts," and by inserting the word "district" in lieu thereof.

Amend section twelve, on line one, of printed bill, by striking out the figures "12," and inserting the figures "11" in lieu thereof; also, on line seventeen, by striking out the words "a majority," after the word "if," and inserting the words "two thirds" in lieu thereof.

Amend section thirteen, by striking out the whole of the section.

Amend section fourteen, on line one, of printed bill, by striking out the figures "14," and inserting the figures "12" in lieu thereof; also, on line three, by striking out the words "County of," after the word "the," and inserting the words "water district" in lieu thereof, and in line four, by striking out the word "said," after the word "of," also, on line four, by inserting the words "of the year A. D. ——-," after the words "of ——;" also, in line five, by striking out the word "County," after the word "the," and inserting the word "District" in lieu thereof; also, in line eight, by striking out the word "Board," after the word "the," and inserting the word "said" in lieu thereof; also, on line nine, by striking out the words "of Supervisors, in the name of the said county, for and on behalf of ——," before the word "water;" also, on line ten, by striking out the word "said," after the word "of," and inserting the word "the" in lieu thereof; also, on line ten, insert the words "of Commissioners," after the word "Board," also, in line twelve, by striking out the words "An Act to provide for the organization and control of water and irrigation districts," and insert the words "An Act to provide for the organization and government of water districts, and to provide for the acquisition, control, and distribution of waters for irrigation, approve" in lieu thereof; also, in line fourteen, by striking out the words "Supervisors," after the word "of," and inserting the word "Commissioners" in lieu thereof; also, on line fifteen, by striking out the word "Auditor," after the word "the," and inserting the word "Secretary" in lieu thereof, also, in line sixteen, striking out the word "county," before the word "seal," and inserting the word "district" in lieu thereof; also, on line seventeen, by striking out the word "Supervisors," after the word "of," and inserting the word "Commissioners" in lieu thereof; also, in line eighteen, by

striking out the word "Auditor," after the words "Attest: —— ——," and inserting the word "Secretary" in lieu thereof; also, in line twenty-three, by inserting the words "Attest: —— ——, Secretary," at the beginning of the line, and on line twenty-three, by striking out the words "County Auditor," after "—— ——," and inserting the words "Chairman of Board of Commissioners" in lieu thereof; also, on line twenty-five, by striking out the word "irrigation," after the word "the," and inserting the word "water" in lieu thereof.

Amend section fifteen, as follows, of printed copy: on line one, by striking out the figures "15," after the word "Sec.," and inserting the figures "13" in lieu thereof; also, on line eight, by inserting the words "duly certified," after the word "Commissioners."

Amend section sixteen, as follows: on line one, of printed copy, by striking out the figures "16," after the word "Sec.," and inserting the figures "14" in lieu thereof; also, on line two, by inserting the words "or more," after the word "one;" also, on line three, by striking out the word "newspaper," before the word "published," and inserting the word "newspapers" in lieu thereof; also, on line three, by inserting the words "for at least fifteen days," after the words "San Francisco."

Amend section seventeen, as follows: on line one of printed bill, by striking out the figures "17," after the word "Sec.," and inserting the figures "15" in lieu thereof, also, on line one, by striking out the word "and," after the word "Commissioner;" also, on line two, by striking out the word "Trustee," before the word "shall."

Amend section eighteen, as follows: on line one, printed bill, by striking out the figures "18," after the word "Sec.," and inserting the figures "16" in lieu thereof.

Amend section nineteen, as follows: on line one, of printed copy, by striking out the figures "19," after the word "Sec.," and insert the figures "17" in lieu thereof.

Amend section twenty, as follows: on line one, of printed copy, by striking out the figures "20," after the word "Sec.," and insert the figures "18" in lieu thereof; also, in line four, by striking out the word "irrigation," after the word "the," and inserting the word "water" in lieu thereof.

Amend section twenty-one, as follows: on line one, of printed copy, by striking out the figures "21," after the word "Sec.," and inserting the figures "19" in lieu thereof.

Amend section twenty-two, as follows: on line one, of printed copy, by striking out the figures "22," after the word "Sec.," and inserting the figures "20" in lieu thereof; also, on line one, by striking out the syllables "irri," after the word "any," and insert the word "water" in lieu thereof; also, on line two, by striking out the syllables "gation," before the word "district," also, on line three, by striking out the word "annual," after the word "next," and inserting the word "general" in lieu thereof.

Amend section twenty-three, as follows: in line one, of printed copy, by striking out the figures "23," after the word "Sec.," and inserting the figures "21" in lieu thereof, also, on line one, by inserting the words "for the purpose of this Act."

Amend section twenty-four, as follows: in line one, of printed copy, by striking out the figures "24," after the word "Sec.," and inserting the figures "22" in lieu thereof; also, on line one, by striking out the word "of," after the word "or."

Add the following sections:

SEC. 23. It shall be the duty of the Board of Commissioners to keep the water flowing through the ditches under their control to the full capacity of such ditches in times of high water.

SEC. 24. Navigation shall never in anywise be impaired by the operation of this Act, nor shall any vested interest in or to any mining water rights or ditches, or in or to any water or water rights, or reservoirs or dams, now used by the owners or possessors thereof, or by persons purchasing or renting the use thereof, or in or to any other property now used directly or indirectly in carrying or promoting the mining industry, ever be affected by or taken under its provisions, save and except that rights of way may be acquired over the same.

SEC. 25. None of the provisions of this Act shall be construed as repealing or in anywise modifying the provisions of any other Act relating to the subject of irrigation.

SEC. 26. This Act shall take effect immediately.

Mr. Vincent offered the following amendments, which were adopted:

Amendment of printed bill: Amend section three, as follows: on line one, by striking out the word "petitions," after the words "of the," and insert the word "petition" in lieu thereof; also, on line six, by striking out the words "and none," after the word "lands," also, on line seven, by striking out the word "other," before the word "that;" also, on line eight, by striking out the word "the," after the words "same in;" also, on line nine, by inserting the word "such," before the word "irrigation."

Amend section five, as follows: on line ten, by striking out the words "land owner," after the word "every," and insert the word "person" in lieu thereof.

Amend section six, as follows: on line one, by striking out the word "Boards," after the word "said," and insert the word "Board," in lieu thereof, also, on line five, insert the word "second," after the words "on the;" also, on line seven, by striking out the word "appears," after the word "it," and insert the word "appear," in lieu thereof; also, on line twenty-two, of section six, insert the words "and there is given, dedicated, and set apart, for the uses and purposes aforesaid, all waters and water rights belonging to this State, within the district, or which may be capable of being conducted to advantage by any means to and into said district, for said purposes," after the word "qualified."

Amend section eight, on line one, by striking out the words "and Trustees," after the word "Commissioners."

Amend section nine, on line eight, by inserting the words "and to fix the salaries of all officers other than said Commissioners," after the word "laborers;" also, on line sixteen, by striking out the word "see," after the word "to," and insert the word "enforce" in lieu thereof, also, on line eighteen, by striking out the word "useless," after the word "prevent," also, on line thirty-one, by striking out the word "or," after the word "rights;" also, on line thirty-two, insert the words "and all other property necessary to carry out the objects of this Act," after the word "nature;" also, on line thirty-six, of section nine, by striking out the words "exercise in behalf of the district the power," after the word "to," and insert the words "acquire by purchase or by the law" in lieu thereof; also, on line thirty-six, by striking out the words "as the agent," after the word "domain," also, on line thirty-seven, by striking out the words "of the State in the condemnation," before the word "in," also, on line forty, by inserting the words "and all other property necessary to carry out the objects of this Act," after the word "district," also, on line forty-seven, by striking out the words "transferable only with the land,"

after the word "thereof;" also, on line forty-nine, insert the words "the use of all waters required for the irrigation of the lands of any district formed under the provisions of this Act, together with the rights of way for canals and ditches, sites for reservoirs, and all other property required to fully carry out the provisions of this Act is hereby declared to be a public use, subject to the regulation and control of the State, in the manner provided by law," after the word "applied;" also, on line fifty-four, of section nine, by striking out the word "shall," after the word "may;" also, on line fifty-four, by striking out the words "assessed value," after the words "ascertain the," and insert the words "number of acres" in lieu thereof; also, on line fifty-five, by striking out the words "assessed value," after the words "and the," and insert the words "number of acres" in lieu thereof; also, on line fifty-seven, by striking out the word "value" and insert the words "number of acres" in lieu thereof.

Amend section ten, as follows: on line three, by striking out the word "just," after the word "there;" also, on line three, by inserting, the words "at a uniform and fixed pro rata per acre," after the word "raised;" also, on line four, by striking out the words "assessed value," after the word "the," and insert "number of acres" in lieu thereof.

Amend section twelve, as follows: on line three, by inserting "——," before the word "water;" also, on line four, by striking out the word "said," after the words "Treasurer of," and insert "——" in lieu thereof; also, on line five, insert "——," after the letters "A. D;" also, on line five, by inserting the words "said ——," before the word "District;" also, on line ten, by inserting the letters "—— A. D," before the words "and in;" also, on line thirteen, by striking out the word "approve," and insert the word "approved" in lieu thereof; also, on line thirteen, insert the letters "—— A. D," after "——;" also, on line sixteen, insert the letters "—— A. D.," after the words "of ——;" also, on line seventeen, by striking out the word "Supervisors," after the words "Board of," and insert the word "Commissioners" in lieu thereof; also, on line twenty-six, insert the word "said" before the word "water."

Bill ordered engrossed and to a third reading.

Speaker Jordan in the chair.

NOTICE.

Mr. Brusie gave notice that, after the noon recess, he would make a motion that the roll be called, and that each member of the House, as his name is called, withdraw such bills as he consistently can.

MOTION.

Mr. W. A. Brown moved to suspend the rules, and take up Assembly Bill No. 330, out of order, and consider the same.

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

AYES—Messrs. Alexander, Barry, Barton, Bost, Butt, Brown W. A., Brown J. B., Burnett, Butler, Callaghan, Campbell, Carr, Cooley, Cope, Currey of Solano, Curry of San Francisco, Ewing, Gould, Handy, Hart, Heath, Henry of Butte, Hyde, Knox, LaBlanc, Lawrence, Lewis, Mahler, Martin, Mann, Matthews of San Benito, McClenahan, Mitchell, Price, Regan, Rucker, Searey, Shanahan, Sims, Spurgeon, Sykes, Taylor, Vincent, Weber, Windrow, Wilcox, Wright, and Young of San Diego—48.

NOES—Messrs. Adams, Atherton, Bailey, Brierly, Brusie, Cohen, Gruwell, Henry of San Joaquin, McGowan, Morgan, Morris, Ohleyer, Sherburne, Venable, Williams, and Mr. Speaker—16.

Mr. Lewis asked permission to withdraw Assembly Bill No. 101.

Request granted.

Mr. Lewis moved that Assembly Bill No. 480 be placed in the position formerly occupied by Assembly Bill No. 101 on the file.

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

AYES—Messrs Adams, Alexander Atherton, Bailey, Barry, Barton, Bost, Brierly, Britt, Brown W A, Brown J B, Brusie, Butler, Campbell, Carr, Cohen, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Gruwell, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hyde, Knox, LaBlanc, Lawrence, Lewis, Mahler, Martin, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Mitchell, Morgan, Morris, O'Grady, Ohleyer, Price, Rucker, Searey, Shanahan, Sherburne, Sims, Spurgeon, Sykes, Taylor, Variel, Venable, Vincent, Weber, Wilcox, Williams, Wright, Young of San Diego, and Young of San Joaquin—68

NOES—Mr. Callaghan and Mr Speaker—2

Mr. W. A. Brown asked permission to withdraw Assembly Bill No. 482.

Request granted.

Mr. W. A. Brown moved that Senate Bill No. 106 be placed in the position formerly occupied by Assembly Bill No. 482 on the file.

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

AYES—Messrs Adams, Alexander, Atherton, Bailey, Barry, Barton, Bost, Brierly, Britt, Brown W A, Brown J B, Brusie, Butler, Callaghan, Campbell, Carr, Cohen, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ewing, Gould, Granger, Gruwell, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hyde, Knox, LaBlanc, Lawrence, Lewis, Mahler, Martin, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Mitchell, Morgan, Morris, O'Grady, Ohleyer, Regan, Rucker, Searey, Shanahan, Sherburne, Sims, Spurgeon, Sykes, Toner, Variel, Venable, Vincent, Weber, Windrow, Wilcox, Williams, Wright, and Young of San Diego—67

NOES—Mr. Speaker—1

MOTION.

Mr. Brierly moved that we now proceed to consider bills on the Special File.

So ordered.

IN COMMITTEE OF THE WHOLE.

On motion of Mr. Brierly, the House went into Committee of the Whole, for the purpose of considering Assembly Bill No. 459—An Act making appropriations for the support of the government of the State of California, for the thirty-ninth and fortieth fiscal years.

Speaker Jordan in the chair.

The bill was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Jordan 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. 459—An Act making appropriations for the support of the government of the

State of California, for the thirty-ninth and fortieth fiscal years—and now report progress, and ask leave to sit again.

Report adopted.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 25, 1887

MR SPEAKER Your Committee on Engrossment beg leave to report that the following Assembly Bills have been correctly engrossed
Nos 107 and 207.

WINDROW, Chairman.

RECESS.

At twelve o'clock and forty minutes P. M. Mr. Hyde moved to take a recess until two o'clock and thirty minutes P M.

Mr. Brierly moved to amend, by taking a recess until two o'clock P. M.

The shortest time being first put, the House took a recess until two o'clock P. M.

REASSEMBLED.

At two o'clock P. M. the House reassembled.
Speaker Jordan in the chair.
Quorum present.

REPORT OF SPECIAL COMMITTEE ON INAUGURATION OF GOVERNOR BARTLETT.

ASSEMBLY CHAMBER, SACRAMENTO, February 24, 1887.

MR SPEAKER Your Committee on Inaugural of Governor Bartlett, acting in conjunction with the committee of the Senate, hereby report that the following bills for expenses at the inauguration have been presented to your committee:

M T Dooling and Robert Shaw, traveling from San Benito County to Sacramento with official vote	$50 00
J F. Johnson, traveling from San Mateo County, as above	20 00
Telegrams for returns sent by the committee	6 50
Company "B," First Artillery Regiment, N G. C, ammunition and team in firing salute	41 00
First Artillery Band, January 6	130 00
Third Infantry Band, San Francisco, January 6	220 00

And having duly considered the same, respectfully report that the bills of M T Dooling and Robert Shaw for fifty dollars, J F Johnson for twenty dollars; Committee, telegrams, six dollars and fifty cents, Company "B," First Artillery Regiment, forty-one dollars, are correct, and should be paid, and that the bill of First Artillery Band, which the committee had engaged, but used only in parade, be cut down to the sum of fifty-five dollars, and the bill of the Third Infantry Band of San Francisco be allowed expense of transportation, amounting to the sum of one hundred and five dollars, that your committee have agreed that one half of the above amounts be borne by each House of the Legislature, therefore,

Resolved, That a warrant be drawn on the Contingent Fund of the Assembly in favor of the Chairman of the Assembly Committee for the sum of one hundred and thirty-eight dollars and fifty cents, to pay the above bills, and return vouchers therefor

Respectfully submitted.

COOMBS,
Chairman Assembly Committee on Inauguration

———— ————,
Chairman Special Committee on Investigation of above Accounts.

Mr. Coombs moved that this report, etc., be made the special order for to-morrow morning, immediately after reading the Journal.

So ordered.

MOTION.

Mr Brusie moved that the roll of the House be called, and that each member, as his name is called, be allowed to withdraw such bills as he may desire.

So ordered.

Mr. Barry withdrew Assembly Bill No. 453, by consent of the House.

Mr. Britt withdrew Assembly Bill No. 87, by consent of the House.

Mr. Brusie withdrew Assembly Bills Nos. 426 and 30, by consent of the House.

Mr. Ellsworth withdrew Assembly Bill No. 190, by consent of the House.

Mr. Lawrence withdrew Assembly Bill No. 268, by consent of the House—ayes, 43; noes, 18.

Mr. McDonnell withdrew Assembly Bill No. 534, by consent of the House.

Mr. Variel withdrew Assembly Bill No. 428, by consent of the House—ayes, 36; noes, 26.

MOTION.

Mr. Matthews of San Benito moved that the rules be suspended, and that Assembly Bill No. 19 be taken up, out of order, and considered.

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

AYES—Messrs Atherton, Bost, Brierly, Britt, Brusie, Burnett, Butler, Campbell, Carr, Carroll, Cooley, Coombs, Cope, Currey of Solano, Davis, Ewing, Gould, Granger, Gruwell, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hyde, Knox, Lewis, Mahler, Martin, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, Morgan, O'Grady, Ohlever, Price, Remson, Shanahan, Sims, Smyth, Spurgeon, Taylor, Variel, Venable, Vincent, Wilhams, Wright, Young of San Diego, Young of San Joaquin, and Mr Speaker—51

NOES—Messrs Bailey, Barry, Barton, Brown W A, Callaghan, Cohen, Ellsworth, LaBlanc, Lawrence, McGowan, Mitchell, Morris, Rucker, Searey, Sherburne, Sykes, Toner, Weber, Windrow, and Wilcox—20

MOTION.

Mr. Ellsworth moved that the rules be suspended, and that Assembly Bill No. 207 be taken up, out of order, and considered.

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

AYES—Messrs Adams, Alexander, Atherton, Bailey, Barry, Barton, Bost, Brierly, Britt, Butler, Callaghan, Campbell, Carr, Carroll, Cohen, Cooley, Coombs, Cope, Currey of Solano, Davis, Ellsworth, Ewing, Gould, Granger, Gruwell, Handy, Heath, Henry of Butte, Henry of San Joaquin, Hyde, Mahler, Martin, Matthews of San Benito, McClenahan, McDonnell, Mitchell, Morris, O'Grady, Ohlever, Price, Remson, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Taylor, Toner, Variel, Venable, Vincent, Weber, Windrow, Wilcox, Wilhams, Young of San Diego, and Young of San Joaquin—57

NOES—Messrs Lawrence, Searey, and Mr Speaker—3

THIRD READING OF BILL.

Assembly Bill No. 207—An Act making an appropriation for deficiency in the appropriation for the support of the State Printing Office, for the fiscal year ending June 30, 1887.

Read third time

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Atherton, Bailey, Barry, Barton, Bost, Brierly, Britt, Brown W A, Brown J B, Burnett, Butler, Callaghan, Campbell, Carr, Carroll, Cohen, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould,

Granger, Gruwell, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hyde, Knox, Lawrence, Lewis, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, Mitchell, Morris, O'Grady, Ohleyer, Price, Rucker, Remson, Searey, Shanahan, Sherburne, Sims, Spurgeon, Sykes, Taylor, Toner, Variel, Venable, Vincent, Weber, Windrow, Wilcox, Williams, Young of San Joaquin, and Mr. Speaker—65

NOES—None.

Title read and approved.

NOTICE.

Mr. Brierly gave notice that, at four o'clock P. M., he would move to go into Committee of the Whole, for the purpose of considering the General Appropriation Bill.

MOTION.

Mr. Lawrence moved that the House now proceed to consider bills on the General File.

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

AYES—Messrs. Barry, Britt, Brown W. A., Brown J. B., Burnett, Butler, Callaghan, Campbell, Carr, Carroll, Colbert, Cooley, Coombs, Currey of Solano, Ewing, Gruwell, Hart, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, Lawrence, Mahler, Martin, Mathews of Tehama, McClenahan, Mitchell, Morris, O'Grady, Price, Regan, Searey, Shanahan, Sykes, Venable, Vincent, Weber, Windrow, Wilcox, and Young of San Diego—40

NOES—Messrs. Adams, Alexander, Atherton, Bailey, Barton, Bost, Brierly, Cohen, Cope, Curry of San Francisco, Davis, Ellsworth, Gould, Granger, Handy, Heath, Knox, Lewis, McDonnell, McGowan, Morgan, Ohleyer, Rucker, Remson, Sherburne, Sims, Spurgeon, Taylor, Toner, Variel, Williams, Young of San Joaquin, and Mr. Speaker—33

PETITION.

Mr. Cooley presented a petition from citizens of Alameda County, regarding the teaching of temperance in public schools.

Referred to Committee on Education.

SPECIAL ORDER.

The hour for the consideration of special order for three o'clock P. M. this day, having arrived, Senate Bill No. 340—An Act to amend an Act entitled "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," approved March 3, 1885, by adding a new section thereto, was taken up.

THIRD READING OF BILL.

Senate Bill No. 340 read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Alexander, Atherton, Bailey, Barry, Barton, Bost, Brierly, Britt, Brown W. A., Brown J. B., Burnett, Butler, Callaghan, Campbell, Carr, Carroll, Cohen, Colbert, Cooley, Coombs, Cope, Currey of Solano, Davis, Ellsworth, Ewing, Gould, Granger, Gruwell, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hyde, Knox, LaBlanc, Lawrence, Lewis, Mahler, Martin, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Mitchell, Morgan, Morris, O'Grady, Ohleyer, Price, Regan, Rucker, Remson, Searey, Shanahan, Sherburne, Sims, Spurgeon, Sykes, Taylor, Toner, Variel, Venable, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr. Speaker—73

NOES—None.

Title read and approved.

Mr. Variel moved to proceed to consider bills on the Special File.

So ordered, on a division—ayes, 58; noes, 2.

SPECIAL FILE.

Assembly Bill No. 459 passed on file.

Assembly Constitutional Amendment No. 11 withdrawn by Mr. Mathews of Tehama, by consent of the House.

REPORT OF STANDING COMMITTEE.

ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 25, 1887.

MR. SPEAKER Your Committee on Enrollment beg leave to report that the following Assembly Bill has been correctly enrolled

Assembly Bill No 122—An Act to amend sections six hundred and one, six hundred and seven, six hundred and ten, six hundred and eleven, six hundred and twelve, six hundred and seventeen, six hundred and twenty-nine, and six hundred and thirty of the Political Code of this State, all of said sections relating to insurance

And was presented to the Governor this day, at three o'clock P M

J B BROWN, Chairman.

SPECIAL FILE—(RESUMED).

Assembly Bill No. 2 passed on file.

Assembly Bill No. 13—An Act to amend Chapter LXXI of the Statutes of California, passed at the twenty-third session of the Legislature, A. D. 1880, entitled an Act to define, regulate, and govern State Prisons of California.

Mr. Carr moved that this bill be referred to a select committee of one, with special instructions to prepare amendments to the bill as follows: amend section twenty-one, line seven, after the word "goods," by adding the words "and granite for building and other purposes;" also, in section twenty-five, line seven, after the word "goods," add the words "and granite for building and other purposes."

Lost.

Mr. Taylor moved that this bill be referred to a select committee of one, with special instructions to prepare an amendment to the bill, as follows: amend section one, line seven, page two, by inserting, after the word "goods," in said line, the words "granite for the United States, this State, and for crosswalks for streets and alleys."

Lost, on division—ayes, 8; noes, 48.

Mr. Lawrence moved that this bill be referred to a select committee of one, with special instructions to prepare an amendment to the bill, as follows: amend, by inserting, in section two, line thirty-one, after the words "of the prison," the words "except so much as has been expended for the manufacturing of the same."

Lost.

The question then being on the passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Alexander, Bailey, Barry, Barton, Bost, Brierly, Britt, Brown W A, Brown J B, Burnett, Butler, Callaghan, Campbell, Carroll, Cohen, Colbert, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco Davis, Ellsworth, Ewing, Gould, Granger, Gruwell, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hyde, LaBlanc, Lawrence, Lewis, Mahler, Martin, Mathews of Tehama, Matthews of San Benito,

McClenahan, McDonnell, McGowan, Mitchell, Morris, O'Grady, Ohleyer, Price, Regan, Rucker, Renison, Searey, Shanahan, Sims, Smyth, Spurgeon, Sykes, Toner, Varnel, Venable, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, and Young of San Joaquin—68

Noes—Messrs. Carr, Morgan, Sherburne, Taylor, and Mr Speaker—5

Mr. Davis offered an amendment to the title, so as to read as follows:

An Act to repeal section twelve, and to amend sections twenty-one and twenty-five of an Act entitled an Act to define, regulate, and govern the State Prisons of California, approved April 15, 1880, relating to the employment of convicts, and the sale of prison products.

Amendment adopted.

Title read and approved.

MOTION TO RECONSIDER.

Mr. Granger moved to reconsider the vote whereby Assembly Constitutional Amendment No. 19 was lost, and that the further consideration of this matter be postponed until to-morrow morning, immediately after the reading of the Journal.

Mr. Ellsworth moved to indefinitely postpone the motion.

Lost.

The question then recurring on the motion of Mr. Granger, it was carried, on a division—ayes, 37; noes, 25.

Mr. Coombs moved to reconsider the vote whereby the motion to amend Rule No. 42, 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 for more than five minutes, nor more than once during the consideration of any one question, of whatever nature, on the same day and at the same stage of proceedings, without leave being granted; except the author of a bill or resolution, or mover of a question, who shall be allowed to speak twice upon all questions, for not more than ten minutes in all, except, by vote, he may be granted a longer time," was, on yesterday, lost.

So ordered, on a division—ayes, 53; noes, 10.

Mr. Carroll offered the following amendment to the amendment: substitute for word "five," "ten," and for "ten," "twenty."

Lost.

The question recurring on the motion of Mr. Coombs, to amend the rules.

The roll was called, and the rules amended by the following vote:

Ayes—Messrs Adams, Alexander, Atherton, Bailey, Barry, Barton, Brierly, Britt, Brown W A, Brown J B, Burnett, Callaghan, Campbell, Cohen, Colbert, Cooley, Coombs, Cope, Currey of Solano, Ellsworth, Ewing, Gould, Granger, Handy, Heath, Henry of Butte, Henry of San Joaquin, Knox, LaBlanc, Lawrence, Lewis, Mahler, Martin, Matthews of San Benito, McClenahan, McDonnell, Mitchell, Morgan, Morris, O'Grady, Price, Regan, Rucker, Renison, Searey, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Sykes, Toner, Varnel, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, and Mr. Speaker—60

Noes—Messrs Bost, Butler, Carr, Carroll, Curry of San Francisco, Gruwell, Hart, Hyde, Mathews of Tehama, McGowan, Ohleyer, Taylor, Venable, Vincent, and Young of San Joaquin—15

PETITION.

Mr. Hart presented a petition from citizens of Colusa County, petitioning for the enactment of laws requiring instruction in physiology and hygiene.

Referred to Committee on Education.

IN COMMITTEE OF THE WHOLE.

On motion of Mr. Renison, the House went into Committee of the Whole, for the purpose of considering Assembly Bill No. 459—An Act making appropriations for the support of the government of the State of California, for the thirty-ninth and fortieth fiscal years.

Speaker Jordan in the chair.

The bill was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Jordan 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. 459—An Act making appropriations for the support of the government of the State of California, for the thirty-ninth and fortieth fiscal years—and now report progress, and ask leave to sit again.

Report adopted.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 25, 1887

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following Assembly Bills have been correctly engrossed:

Assembly Constitutional Amendment No. 16, and Assembly Bill No. 287.

WINDROW, Chairman.

RECESS.

At six o'clock and five minutes P. M., on motion of Mr. Brierly, 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 Jordan in the chair.

Quorum present.

LEAVE OF ABSENCE.

On motion of Mr. Young of San Joaquin, Mr. Carroll was granted leave of absence for the evening.

MOTION.

Mr. LaBlanc moved to take up Senate messages.

Lost.

IN COMMITTEE OF THE WHOLE.

On motion of Mr. Brierly, the House went into Committee of the Whole, for the purpose of considering Assembly Bill No. 459—An Act making appropriations for the support of the government of the State of California, for the thirty-ninth and fortieth fiscal years.

Speaker Jordan in the chair.
The bill was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Jordan in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The Chairman stated the report as follows:

GENTLEMEN The Committee of the Whole have had under consideration Assembly Bill No 459—An Act making appropriations for the support of the government of the State of California for the thirty-ninth and fortieth fiscal years—and now report it back, and recommend its passage, as amended, as follows

Amend, by adding to line twenty-two, the letter "s" to "bailiff," making it read in the plural, and by striking out the words "two thousand four," and inserting instead the following "four thousand eight hundred and one"

Also, amend, by striking out of section one, lines three hundred and eight and three hundred and nine, the words "two thousand four hundred," and insert in lieu thereof the words "three thousand"

Also, strike out, on line three hundred and six, section one, the word "two," and insert "three"

Also, amend, by striking out of section one, line three hundred and two, page ten, the words "three" and insert "four."

Also, amend, by striking out of section one, line three hundred and ten, page ten, the word "two," and insert "three"

Also, strike out "three thousand," in line three hundred and twenty, printed bill, and insert in lieu thereof the words "thirty-five hundred"

Also, amend, by striking out of section one, line three hundred and four, the words "two thousand four hundred," and insert in lieu thereof "three thousand six hundred"

Also, amend, by inserting, in section one, line three hundred and twenty-seven, the following between the words "three thousand" and "dollars" insert "five hundred," making the same read "three thousand five hundred dollars"

Also, amend, by striking out the word "three," on line three hundred and three, page ten, and insert, in lieu thereof, "five"

Also, amend, by adding, in section one, after line three hundred and twenty-seven, page ten, of printed bill "for aid of District Agricultural Society, No (18) eighteen, four thousand dollars, and for aid of District Agricultural Society No (19) nineteen, three thousand dollars"

Also, insert on line three hundred and thirty-one the words "the Exhibition Building of the State Agricultural Society"

Also, amend, by striking out of section one, line three hundred and eighteen, the words "one thousand six hundred dollars," and insert, in lieu thereof, the words "three thousand dollars"

Also, strike out lines three hundred and thirty-six and three hundred and thirty-seven of printed substitute

Also, amend, by striking out of section one, line three hundred and sixteen, page ten, the word "two," after the word "eleven," and inserting, in lieu thereof, the word "three," also, by striking out, in line three hundred and sixteen, page ten, after the word "thousand," the words "four hundred"

Also, amend, by adding, after the word "dollars," in section one, line two hundred and ninety-eight, the words "of which not less than fifty per cent shall be expended in the support and maintenance of the State hatcheries"

Also, amend section one, line one hundred and fifty-three, after the word "text-books" insert the words "under the provisions of section seven, Article IX, of the Constitution"

Also, amend, by striking out of section one, line one hundred and thirty-two, the words "twelve thousand dollars," and inserting, instead, the following "six thousand dollars"

Also, amend, by striking out of section one, lines one hundred and thirty-seven, one hundred and thirty-eight, and one hundred and thirty-nine.

Also, amend, by striking out of section one, line one hundred and thirty-three, the words "four thousand eight hundred dollars," and inserting, instead, the following: "two thousand four hundred"

Also, amend section one, line one hundred and ninety-five, strike out "four thousand eight hundred," and insert in lieu thereof "two thousand"

Also, amend, page six, line one hundred and sixty-one strike out words "Clerk of," and insert the word "Deputy," also, strike out the word "two," and insert the word "six"

Also, amend, by striking out of section one, from and including line one hundred and eighty-two, page six, to and including line one hundred and eighty-four

Also, strike out lines one hundred and ninety-eight to two hundred and one inclusive.

Also, strike out of section one, line two hundred and twenty-five, on page eight, in substitute bill, "thirty-two," and insert therein "forty-eight."

Also, amend, by inserting between lines two hundred and fifteen and two hundred and sixteen, "for extension of boiler house, new boilers, extension of heating, plumbing, painting, laundry machinery, and general repairs in the female department of the Insane Asylum at Stockton, twelve thousand five hundred dollars." also, insert immediately after the foregoing, "extension of boiler house, new boilers, extension of heating, and general repairs in the male department of the Insane Asylum at Stockton, seven thousand five hundred dollars"

Also, amend, by striking out "thirty," in line two hundred and ninety-nine, and insert "thirty-five," also, strike out lines two hundred and eighty to two hundred and eighty-five inclusive

Also, amend, by striking out, in line one hundred and ninety-two, the word "five," and insert the word "two"

Also, amend, by striking out the word "eighteen," and insert the word "six," in lieu thereof, in line one hundred and ninety

Also, amend, by striking out of section one, line three hundred and one, the words "three thousand," and insert the words "five thousand"

Also, amend, by inserting between lines two hundred and six and two hundred and seven, printed bill, the words "for traveling expenses of Trustees of State Normal School, one thousand dollars"

Also, amend, by striking out of section one, line one hundred and twenty-seven, the words "thirty-nine thousand and thirty," and inserting, instead, the following. "seventy-four thousand"

Also, amend, by striking out of section one, line two hundred and ninety-eight, the words "ten thousand," and inserting the words "twenty thousand"

Report adopted.

Bill, as amended, ordered engrossed, and to a third reading.

RESOLUTION.

By Mr. Heath:

Resolved, That the Chairman of the Committee on Ways and Means be requested to submit for the consideration of this House all amendments to the General Appropriation Bill adopted by said committee, and not now in the possession of this House

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

Ayes and noes demanded by Messrs. Cohen, Rucker, and Mahler.

The roll was called, and the motion to lay on the table carried by by the following vote:

AYES—Messrs Adams, Atherton, Bailey, Barry, Brierly, Brown W A., Brown J. B, Brusie, Burnett, Butler, Campbell, Carr, Cooley, Coombs, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Handy, Hart, Hyde, Knox, LaBlanc, Lewis, Martin, McDonnell, McGowan, Price, Rucker, Sherburne, Sims, Sykes, Variel, Vincent, Webei, Windrow, Wilcox, Williams, Young of San Diego, and Mr Speaker—42

NOES—Messrs Barton, Bost, Britt, Callaghan, Cohen, Colbert, Cope, Granger, Gruwell, Heath, Henry of Butte, Henry of San Joaquin, Lawrence, Mahler, Mathews of Tehama, McClenahan, Mitchell, Morgan, Morris, O'Grady, Ohleyer, Regan, Remson, Searcy, Shanahan, Smyth, Spurgeon, Toner, Venable, Wright, and Young of San Joaquin—31

Mr. Wright moved to take up Senate messages, out of order.

So ordered.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 24, 1887.

MR SPEAKER I am directed to inform your honorable body that the Senate, on this day, passed Senate Bill No 4—An Act to establish a Branch State Normal School in Northern California

Also, adopted Assembly Concurrent Resolution No 4—Relative to conference of State Librarians

Also, passed amended Senate Bill No 70—An Act to establish an asylum for insane criminals of the State of California

Also, passed Senate Bill No 354—An Act to provide for the deficiency in the appropriation for the restoration and preservation of fish in the waters of the State, for the thirty-seventh fiscal year

Also, Assembly Bill No 339—An Act to appropriate the sum of ten thousand dollars for the construction of an additional cottage at the Veterans' Home, under the auspices

of the Veterans' Home Association, and for the completion of the principal building already in use, and to improve the water supply of said Home

Also, Assembly Bill No. 172—An Act to amend an Act to appropriate money for the support of aged persons in indigent circumstances residing in the Home of the Veterans' Home Association, approved March 7, 1883

Also, Senate Bill No 291—An Act to prevent fraud and imposition in the matter of stamping and labeling produce and manufactured goods

Also, Senate Bill No 294—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, in relation to corporations

Also, Senate Bill No 328—An Act to provide for the care and security of the State series of school text-books, by the erection of a fireproof warehouse, to be used for the storage of the same, and appropriating money to pay the expense of erecting said warehouse

Also, Senate Bill No 343—An Act to add two new sections to the Political Code, to be known and numbered as sections three thousand two hundred and three thousand two hundred and one, relating to trademarks, the use and adoption of the same, and the person who, and the manner by which said trademark and the rights thereunder may be protected

Also, Senate Bill No 188—An Act to amend an Act entitled "An Act to grant 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," approved March 3, 1885, by amending sections one and two thereof

Also, Assembly Bill No 62—An Act to amend sections three and seven hundred and sixty-eight of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 18, 1883—and have amended the title of said Assembly Bill No 62, and respectfully ask your honorable body to concur in said amendment

E H HAMILTON, Secretary
By R B OGLLAHAN, Assistant Secretary

Also, on February twenty-fifth, passed Senate Bill No 408—An Act to appropriate money to pay the rent of the Hastings College of Law, from December 1, 1885, until June 30, 1887

Also, on February twenty-fourth, passed Senate Bill No 216—An Act to encourage and provide for the dissemination of a knowledge of the arts, sciences, and general literature, and the founding, maintaining, and perpetuating public libraries, museums, and galleries of art, and the receipt of donations and contributions thereto when established, for the conveyance, holding, and protection of real property within this State suitable for the purposes herein designated, and the erection thereon of buildings appropriate to such purposes, and for the creation of trusts necessary or proper for the better preservation of such institutions, and the control and management thereof

Also, passed Senate Bill No 173—An Act to add a new section to the Code of Civil Procedure, to be known as section one thousand one hundred and twenty-nine, relating to the sale of mortgaged premises by a Commissioner

Also, Senate Bill No 121—An Act to amend section six hundred and thirty-one of the Code of Civil Procedure, relating to waiver of trial by jury.

Also, Assembly Bill No 49—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, relating to chattel mortgages

Also, Senate Bill No. 25—An Act to amend sections one thousand and thirty-three, one thousand and thirty-four, and one thousand and thirty-five of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to the removal of criminal actions before trial

Also, Assembly Bill No 69—An Act concerning the payment of the expenses and costs of the trial of persons charged with the violation of the laws for the preservation of fish in the navigable waters of this State

Also, Senate Bill No 113—An Act to amend sections three thousand and seventy-seven, three thousand and seventy-eight, three thousand and eighty, and three thousand and eighty-two of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relative to the registry of births, deaths, and marriages

Also, Senate Bill No 304—An Act to appropriate money for the purchase of certain roads within the limits of the Yosemite Grant

Also, Senate Bill No 239—An Act to amend section one thousand seven hundred and seventy-one of "An Act to establish a Political Code," approved March 12, 1872, in relation to the powers of County Boards of Education

Also, Senate Bill No 341—An Act to amend section four hundred and eighty-seven of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, defining grand larceny

Also, Senate Bill No 78—An Act to amend section one hundred and seventy of the Code of Civil Procedure, relating to disqualifications of Judges

Also, Assembly Bill No 12—An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition and distribution of waters thereby for irrigation purposes

Also, Senate Joint Resolution No 2—Relative to inviting the National Education Association to hold its annual meeting for 1888 in California

Also, Senate Bill No 34—An Act to provide for the better protection and security of life and property in the use of steam boilers

Also, Senate Bill No. 222—An Act to confine the power to impose license taxes in incorporated cities and towns, other than consolidated cities and counties, to the corporate authorities of such cities and towns.

And have amended Assembly Bill No. 12, and respectfully ask your honorable body to concur in said amendments

ED HAMILTON, Secretary.
By CORCORAN, Assistant Secretary.

CONSIDERATION OF SENATE MESSAGES.

Senate Bill No. 4 referred to Committee on Education.

Assembly Concurrent Resolution No. 4 ordered to enrollment.

Senate Bill No. 408 referred to Committee on Agriculture, Mining, and Mechanic Arts College.

Senate Bill No. 70 referred to Committee on State Hospitals.

Mr. Shanahan withdrew Assembly Bill No 466, and moved to substitute Senate Bill No 343 in its place on the file.

So ordered

Senate Bill No. 354 referred to Committee on Fish and Game.

Assembly Bill No. 339 ordered to enrollment.

Assembly Bill No. 172 ordered to enrollment.

Senate Bill No. 291 referred to Committee on Labor and Capital.

Senate Bill No. 294 referred to Committee on Corporations.

Senate Bill No. 328 referred to Committee on Education.

Senate Bill No. 188 referred to Committee on State Hospitals.

Assembly Bill No. 62—An Act to amend sections three and seven hundred and sixty-eight of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

SENATE AMENDMENTS—AMENDMENT NUMBER ONE.

Add to title after the words "eighty-three," the following: "Relating to the formation of such corporations, and the pleading and proof of the organization thereof required in any civil or criminal action, and the number of votes required at elections held to determine the question of incurring municipal indebtedness."

The roll was called, and the amendment concurred in by the following vote:

AYES—Messrs Adams, Atherton, Bailey, Barry, Barton, Bost, Brierly, Brown W A, Brown J B, Brusie, Butler, Campbell, Carr, Carroll, Cohen, Colbert, Cooley, Coombs, Cope, Currey of Solano, Davis, Ewing, Gould, Granger, Gruwell, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hyde, Knox, LaBlanc, Lawrence, Lewis, Mahler, Martin, Mathews of Tehama, McClenahan, McDonnell, McGowan, Morgan, O'Grady, Price, Regan, Renison, Searey, Shanahan, Sims, Spurgeon, Sykes, Taylor Toner, Varnel, Venable, Vincent, Weber, Wilcox, Williams, Wright, Young of San Diego, and Young of San Joaquin—64.

NOES—None

Senate Bills Nos. 173 and 121 referred to Committee on Judiciary.

Assembly Bill No. 49 ordered to enrollment.

Senate Bill No. 25 referred to Committee on Judiciary.

Assembly Bill No. 69 ordered to enrollment.

Senate Bill No 113 referred to Committee on State Hospitals.

Mr. Wright withdrew Assembly Bill No. 477, by permission of the House, and moved to substitute Senate Bill No. 304 in the place formerly occupied by Assembly Bill No. 477 on the file.

So ordered.

Senate Bill No. 239 referred to Committee on Education.
Senate Bill No. 341 referred to Committee on Judiciary.
Senate Bill No. 78 referred to Committee on Judiciary.
Senate Joint Resolution No. 2 referred to Committee on Education.
Senate Bill No. 34 referred to Committee on Labor and Capital.
Senate Bill No. 222 referred to Committee on Municipal Corporations.

Assembly Bill No. 12—An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition and distribution of waters thereby for irrigation purposes.

SENATE AMENDMENTS—AMENDMENT NUMBER ONE.

Amend title, by striking out the word "and," after the word "acquisition," and inserting, in lieu thereof, the words "of water and other property and for the."

The roll was called, and the amendment concurred in by the following vote:

AYES—Messrs Adams, Atherton, Barry, Barton, Brierly, Britt, Brown W. A., Brown J. B., Brusie, Butler, Carr Carroll, Colbert, Cooley, Coombs, Cope, Currey of Solano, Davis, Ellsworth, Ewing, Gould, Granger, Handy, Hart, Henry of San Joaquin, Hyde, Knox, LaBlanc, Lawrence, Lewis, Mahler, Mathews of Tehama, McClenahan, McGowan, O'Grady, Price, Regan, Rucker, Searey, Shanahan, Sherburne, Sims, Spurgeon, Sykes, Taylor, Toner, Venable, Vincent, Weber, Wilcox, Williams, Wright, and Young of San Joaquin—53.

NOES—None.

Mr. Wright moved that all Senate amendments be concurred in separately.

Lost.

Mr. Wright moved to make the further consideration of Assembly Bill No. 12 the special order for to-morrow morning, immediately after reading the Journal.

So ordered.

BILL WITHDRAWN.

Mr. W. A. Brown withdrew Assembly Bill No. 330, by permission of the House, and moved to substitute Senate Bill No. 216 in the place formerly occupied by Assembly Bill No. 330 on the file.

So ordered.

MOTION.

Mr. Handy moved to suspend the rules, and take up Substitute for Assembly Bill No. 323 et al., out of order, and that it be made the special order for to-morrow, at ten o'clock and thirty minutes A. M.

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

AYES—Messrs Adams, Atherton, Bailey, Barton, Bost, Brierly, Brown W. A., Butler, Carr, Carroll, Colbert, Coombs, Cope Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Gruwell, Handy, Knox, LaBlanc, Lawrence, Lewis, Mahler, Martin, McClenahan, McDonnell, McGowan, O'Grady, Price, Regan, Rucker, Searey, Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Variel, Venable, Vincent, Weber, Williams, and Wright—45

NOES—Mr Cohen—1.

CALL OF THE HOUSE.

Mr. McGowan moved a call of the House.

Lost.

ADJOURNMENT.

At nine o'clock and fifty minutes P. M., on motion of Mr. Venable, the House adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Saturday, February 26, 1887.

The House met pursuant to adjournment.

Speaker Jordan in the chair.

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

Messrs Adams, Alexander, Atherton, Bailey, Barry, Barton, Bost, Brierly, Britt, Brown W A., Brown J B, Brusie, Burnett, Butler, Callaghan, Campbell, Carl, Cohen, Colbert, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Gruwell, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hyde, Knox, LaBlanc, Lawrence, Lewis, Mahler, Martin, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Mitchell, Morgan, Morris, O'Grady, Ohleyer, Price, Regan, Rucker, Remson, Searey, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Toner, Variel, Venable, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr Speaker

Quorum present.

Prayer by the Chaplain, Rev. E. R. Dille.

Pending the reading of the Journal of yesterday, Mr. Young of San Joaquin moved to dispense with further reading.

So ordered.

Journal approved.

LEAVE OF ABSENCE.

Mr. Matthews of San Benito was granted leave of absence for the day.

Mr. Granger moved that the motion to reconsider the vote whereby Assembly Constitutional Amendment No. 19 was lost be postponed until Monday next, immediately after the reading of the Journal.

So ordered.

Mr. Coombs called up the following special order:

Resolution of Mr. Coombs relative to the expenses incurred by the Joint Committee of the Senate and Assembly on Inaugural Ceremonies.

Mr. Wright moved that the special order set for this hour, consideration of Assembly Bill No. 12, be postponed until after the special order now under consideration is disposed of.

So ordered.

SPECIAL ORDER No. 1.

REPORT OF SPECIAL COMMITTEE ON INAUGURATION OF GOVERNOR BARTLETT.

ASSEMBLY CHAMBER, SACRAMENTO, February 24, 1887.

MR SPEAKER Your Committee on Inaugural of Governor Bartlett, acting in conjunction with the committee of the Senate, hereby report that the following bills for expenses at the inauguration have been presented to your committee.

M. T Dooling and Robert Shaw, traveling from San Benito County to Sacramento with official vote	$50 00
J F Johnson, traveling from San Mateo County, as above	20 00
Telegrams for returns sent by the committee	6 50
Company "B," First Artillery Regiment, N G. C., ammunition and team in firing salute	41 00
First Artillery Band, January 6	130 00
Third Infantry Band, San Francisco, January 6	220 00

And having duly considered the same, respectfully report that the bills of M T Dooling and Robert Shaw for fifty dollars, J F Johnson for twenty dollars, Committee, telegrams, six dollars and fifty cents, Company "B," First Artillery Regiment, forty-one dollars, are correct, and should be paid, and that the bill of First Artillery Band, which the committee had engaged, but used only in parade, be cut down to the sum of fifty-five dollars, and the bill of the Third Infantry Band of San Francisco be allowed expenses of transportation, amounting to the sum of one hundred and five dollars, that your committee have agreed that one half of the above amounts be borne by each House of the Legislature, therefore,

Resolved, That a warrant be drawn on the Contingent Fund of the Assembly in favor of the Chairman of the Assembly Committee for the sum of one hundred and thirty-eight dollars and fifty cents, to pay the above bills, and return vouchers therefor

Respectfully submitted

COOMBS,
Chairman Assembly Committee on Inauguration.

_____,
Chairman Special Committee on Investigation of above Accounts.

On motion of Mr. Coombs, the report and resolution were adopted.

SPECIAL ORDER No 2

Assembly Bill No. 12—An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition and distribution of waters thereby for irrigation purposes.

SENATE AMENDMENTS.

Amendment No. 2: Amend section two, by inserting, after the word "district," in line twenty-one, the words "*provided*, that any person whose lands are susceptible of irrigation from the same source shall, upon application of the owner, to said Board, be entitled to have such land included in said district."

Amendment concurred in by a unanimous vote of the House.

Amendment No. 3: Amend section twelve, by adding, at the close of said section, the following: "The use of all water required for the irrigation of the lands of any district formed under the provisions of this Act, together with the right of way for canals and ditches, sites for reservoirs, and all other property required in fully carrying out the provisions of this Act, is hereby declared to be a public use, subject to the regulation and control of the State, in the manner prescribed by law."

Amendment concurred in by a unanimous vote of the House.

Amendment No. 4. Amend section fifteen, by inserting, after the word "years," whenever said word occurs, in lines twenty-one, twenty-two, twenty-three, twenty-four, twenty-five, and twenty-six, the words "not less than;" also, amend said section, by inserting, after the word "denomination," in line thirty, the words "not less than one hundred dollars nor more than."

Amendments concurred in by unanimous vote of the House.

Amendment No. 5: Insert, after the word "bonds," on line four, the words "not due."

Amendment concurred in by unanimous vote of the House.

Amendment No. 6: Amend section thirty-seven, engrossed copy,

by inserting, after the word "expenses," on line seven, the words "of the organization of the district and."

Amendment concurred in by unanimous vote of the House.

Amendment No. 7: Amend, by striking out of section thirty-eight, on lines sixteen and seventeen, inclusive, after the word "district," "or which may be capable of being conducted to advantage by any means to and into said district for said purposes."

Amendment concurred in by unanimous vote of the House.

Amendment No. 8: Amendment to section forty-five: after the first word in line four, by inserting "in connection with any mining industry."

Amendment concurred in by unanimous vote of the House.

Amendment No. 9: Amend, by adding, at the end of section forty-six, the following, to wit: "Nothing herein contained shall be deemed to authorize any person or persons to divert the waters of any river, creek, stream, canal, or ditch, from its channel, to the detriment of any person or persons having any interest in such river, creek, stream, canal, or ditch, or the water therein, unless previous compensation be ascertained and paid therefor, under the laws of this State authorizing the taking of private property for public uses."

Mr. Granger moved to strike out the following words: "unless previous compensation be ascertained and paid therefor, under the laws of this State authorizing the taking of private property for public uses."

Lost.

Amendment concurred in by a unanimous vote of the House.

Messrs. Wright, Young of San Diego, and Henry of Butte demanded the roll call upon the adoption of all the amendments of the Senate, as a whole, to Assembly Bill No 12.

The roll was called, and the Senate amendments all concurred in by the following vote.

AYES—Messrs Adams, Alexander, Atherton, Bailey, Barry, Barton, Bost, Brierly, Britt, Brown W A, Brusie, Burnett, Butler, Campbell, Carr, Cohen, Colbert, Coombs, Cope, Curtis of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Gruwell, Handy, Hart, Henry of Butte, Henry of San Joaquin, Hyde, Knox, LaBlanc, Mahler, Martin, Mathews of Tehama, McClendon, McGowan, Mitchell, Morgan, Morris, O'Grady, Ohleyer, Price, Regan, Rucker, Rennson, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Venable, Weber, Windrow, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr Speaker—63.

NOES—Mr Lawrence—1

Assembly Bill No. 12 ordered to enrollment.

PETITIONS.

Mr. LaBlanc presented a petition from citizens of San Francisco County, regarding the teaching of temperance in public schools.

Messrs. McDonnell, Taylor, Wilcox, Sykes, Barton, Cope, Atherton, Davis, and Carr presented like petitions, all of which were referred to Committee on Education.

Mr. Hart presented a petition from citizens of that portion of Colusa County which lies east of the Sacramento River, and within the proposed new county of Glenn, asking that that portion of the territory described be omitted from the bill.

Referred to Committee on Counties and County Boundaries.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON STATE HOSPITALS.

ASSEMBLY CHAMBER, SACRAMENTO, February 25, 1887.

MR. SPEAKER: Your Committee on State Hospitals, to whom was referred Assembly Bill No. 384—An Act to authorize the Board of Trustees of the California Home for the Care and Training of Feeble-Minded Children, to sell and dispose of certain property, and to purchase and acquire other property—report the same back, and recommend that the author have the privilege of withdrawing the bill.

BUTLER, Chairman.

Assembly Bill No. 384 withdrawn by the author, by permission of the House.

Mr. Taylor moved that the Committee on Agriculture, Mining, and Mechanic Arts College, be instructed to immediately return to the House Senate Bill No. 408.

So ordered.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON AGRICULTURE, MINING, AND MECHANIC ARTS COLLEGE.

ASSEMBLY CHAMBER, SACRAMENTO, February 26, 1887.

MR. SPEAKER: Your Committee on Agriculture, Mining, and Mechanic Arts College, to whom was referred Senate Bill No. 408—report the same back, without recommendation.

SIMS, Chairman.

Mr. Taylor withdrew Assembly Bill No. 408, by permission of the House.

Mr. Taylor moved to substitute Senate Bill No. 408 in the place formerly occupied by Assembly Bill No. 408 on the file.

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

AYES—Messrs. Adams, Alexander, Atherton, Bailey, Barry, Barton, Bost, Brierly, Britt, Brown W. A., Brown J. B., Brusie, Burnett, Butler, Callaghan, Campbell, Carr, Cohen, Colbert, Cooley, Coombs, Cope, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Gruwell, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hyde, Knox, LaBlanc, Lawrence, Lewis, Mahler, Martin, Mathews of Tehama, McClenahan, McDonnell, McGowan, Morgan, Morris, O'Grady, Ohleyer, Price, Regan, Remson, Shanahan, Sherburne, Sims, Spurgeon, Sykes, Taylor, Venable, Vincent, Weber, Wilcox, Williams, Wright, Young of San Diego, and Mr. Speaker—63.

NOES—None.

MOTION.

Mr. Britt moved that he be allowed to introduce a resolution, out of order.

So ordered, on a division—ayes, 47; noes, 7.

RESOLUTION—(OUT OF ORDER).

By Mr. Britt:

Resolved, That in the election contests of A. C. Berthier vs. W. A. Brown, and Richard O'Connor vs. John LaBlanc, transferred to this House by the stipulation of parties, and now pending before the Committee on Elections of this House, the said committee be and they hereby are authorized to send for persons and papers, for the purpose of obtaining such evidence as will enable said committee and this House to properly determine said contests upon their merits.

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

Ayes and noes demanded by Messrs. Britt, Regan, and Mahler.

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

AYES—Messrs. Alexander, Atherton, Bailey, Brown J. B., Brusie, Butler, Campbell, Carr, Cooley, Curry of San Francisco, Ewing, Gould, Hyde, Knox, LaBlanc, Martin, Matthews of Tehama, McDonnell, Price, Renison, Sherburne, Sims, Sykes, Taylor, Variel, Weber, Windrow, Wilcox, and Mr Speaker—30

NOES—Messrs Adams, Barton, Bost, Brierly, Britt, Brown W A, Cohen, Colbert, Cope, Currey of Solano, Davis, Ellsworth, Granger, Gruwell, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Lawrence, Mahler, McGowan, Mitchell, Morgan, O'Grady, Ohlever, Regan, Rucker, Shanahan, Smyth, Spurgeon, Venable, Vincent, Williams, Wright, Young of San Diego, and Young of San Joaquin—37

Mr. Cooley moved to refer the resolution to the Committee on Public Morals.

Mr. Alexander moved to amend, by referring to Committee on Elections.

Mr. Lewis moved an amendment to the amendment, that the resolution be referred to the Committee on Apportionment.

Mr. Renison moved to lay the motions and the whole subject-matter on the table.

So ordered, on a division—ayes, 40; noes, 23.

MOTION.

Mr. Shanahan moved that he be allowed to introduce a resolution, out of order.

So ordered, on a division—ayes, 37; noes, 9.

RESOLUTION—(OUT OF ORDER).

By Mr. Shanahan:

WHEREAS, Neither the provisions of the new Constitution nor the statutes enacted since 1880 have produced any change in the practical management of prison labor, and that the same companies and persons have been continuously since that time, and are at present, the purchasers of the great bulk of prison productions, all the sales of sash, doors, and blinds are made to the California Door Company, of furniture, to the California Furniture Company, and of the curbing and crosswalk and dimension stone from Folsom to one man, a resident of San Francisco, and the pernicious effects of prison competition are felt in as full force as ever, and whereas, the Assembly Committee on Prisons, in their report of February 24, 1883, condemn the similar condition of things in the following language "In regard to the present system of hiring out prison labor by the piece or piecework, your committee desire to say that in its workings it is not in conformity with the intent of the Constitution and the laws in force doing away with the contract system. All the manufacturing industries that were in operation before the constitutional provisions went into full effect are in operation now The manufactured articles are not in fact placed in the open market for sale The Directors have in all instances but one, used, without hire, the old plant and machinery of the contractors under the old labor system, and the old contractors take all the articles manufactured at cost to them, which is gauged by the cost under the old system The old foremen formerly employed by them are now employed by the Prison Directors This, at least, gives ground for the suspicion that their employment is at the instance of the former contractors, who now buy the articles at a schedule price, or pay a stated price per piece, for the manufacture of them, which price it would seem is fixed largely by these same employés, who are thus placed as arbiters between the State and the purchaser Considering all the circumstances it is somewhat doubtful where their allegiance must seem to them to belong Your committee advise * * * that no one dealer may enjoy a monopoly of the goods"—(Report of Assembly Committee on Prisons, February 24, 1883, Assembly Journal, twenty-fifth session, page 436) "The California Door Company owns the machinery * * * All orders received have been from the company owning the machinery The California Furniture Company is the only dealer who has been supplied"—(Ibid, 433), and whereas, the report of the Prison Directors for the year 1886 shows that the California Door Company virtually runs the San Quentin Prison, and so controlled the production for the last fiscal year as to cause a loss to the State of seven thousand nine hundred and eighty-one dollars and eighty-six cents (Report of Prison Directors 1886, pages 17 and 18), and whereas, no report is attainable showing the price received by the State for each piece of manufactured product, as doors, sash, and blinds, or furniture, or per foot for stone, which gives every opportunity for fraudulent collusion between State officers and contractors, to the loss of the State, and whereas, there are no attainable itemized expenditures of the Board of Directors, though they receive an aver-

age of one hundred dollars or upwards per month for personal expenses, and draw the same from the Warden of a prison, and whereas, one of the Prison Directors has procured his election to the Senate, and is very actively interested in legislation relating to the prisons, and another of the Prison Directors is the Secretary of State, and member of the State Board of Examiners, and serves as such Secretary and as Prison Director and member of the State Board of Examiners at the same time, and another of the Prison Directors is Secretary of a Penological Commission, receiving a salary therefor, and whereas, Prison Directors have been engaged with prison contractors actively lobbying during the present session of the Legislature in reference to proposed legislation affecting the prisons, and whereas, at a meeting at San Quentin of the Prison Directors during the year 1886, one of the Directors protested against the continued practice of approving without examination accounts aggregating from sixty to seventy thousand dollars per quarter, therefore, be it

Resolved by this Assembly, That a special committee of five be at once appointed by the Speaker to investigate the present State Prison management, and report to this Assembly in regard to the same before its final adjournment, that said committee be empowered to administer oaths, subpœna all necessary witnesses, and to compel the submission of all necessary papers to said committee.

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

Ayes and noes demanded by Messrs. McDonnell, Shanahan, and Currey of Solano.

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

AYES—Messrs Atherton, Bailey, Brusie, Campbell, Carr, Colbert, Ewing, Gruwell, Henry of Butte, Henry of San Joaquin, Lawrence, Morgan, and Taylor—12

NOES—Messrs Adams, Barry, Barton, Bost, Brierly, Cohen, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Gould, Granger, Handy, Hart, Heath, Hyde, Knox, LaBlanc, Lewis, Mahler, Martin, Mathews of Tehama, McClenahan, McDonnell, McGowan, Mitchell, Morris, O'Grady, Ohleyer, Price, Regan, Remson, Searey, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Sykes, Variel, Venable, Vincent, Weber, Windrow, Wilcox, Williams, Young of San Diego, and Young of San Joaquin—50

Mr. Mathews of Tehama moved that the resolution be made a special order for Monday, at three o'clock P. M., and that the usual number of copies of the resolution be printed.

Mr. Shanahan moved to amend, by making the resolution the special order for Monday, immediately after the reading of the Journal.

Amendment adopted.

INTRODUCTION OF CONSTITUTIONAL AMENDMENT.

By Mr. Ellsworth: Assembly Constitutional Amendment No. 20—Concerning poll taxes.

Referred to Committee on Constitutional Amendments.

REPORTS OF STANDING COMMITTEES.

ON ENGROSSMENT

ASSEMBLY CHAMBER, SACRAMENTO, February 26, 1887.

MR SPEAKER: Your Committee on Engrossment beg leave to report that the following Assembly Bill has been correctly engrossed:

Substitute for Assembly Bill No 459

WINDROW, Chairman.

ON STATE HOSPITALS.

ASSEMBLY CHAMBER, SACRAMENTO, February 26, 1887.

MR SPEAKER: Your Committee on State Hospitals, to whom was referred Senate Bill No 188—An Act to amend an Act entitled "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," approved March 3, 1885, by amending sections one and two thereof—report the same back, and recommend that it do pass

Also, Senate Bill No 113—An Act to amend sections three thousand and seventy-seven, three thousand and seventy-eight, three thousand and eighty, and three thousand and

eighty-two of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relative to the registry of births, deaths, and marriages

Also, Senate Bill No 70—An Act to establish an asylum for insane criminals of the State of California

Report the same back, and recommend that they do pass.

BUTLER, Chairman.

ON LABOR AND CAPITAL

ASSEMBLY CHAMBER, SACRAMENTO, February 26, 1887

MR SPEAKER Your Committee on Labor and Capital, to whom was referred Senate Bill No 291—report the same back, and recommend that it do pass.

LABLANC, Chairman

ON COUNTIES AND COUNTY BOUNDARIES

ASSEMBLY CHAMBER, SACRAMENTO, February 25, 1887.

MR SPEAKER Your Committee on Counties and County Boundaries, to whom was referred Assembly Bill No 517—An Act to create the County of San Leandro, to define its boundaries, and to provide for its organization—report the same back, without recommendation

R. J CURREY, Chairman

ON MILEAGE.

ASSEMBLY CHAMBER, SACRAMENTO, February 25, 1887

MR SPEAKER: Your Committee on Mileage, to whom was referred the following resolution

Resolved, That the Controller be and he is hereby directed to draw his warrant upon the Contingent Fund of the Assembly for the sum of fifty dollars and sixty cents, in favor of P R Klein, Sergeant-at-Arms, for the payment of the following bills

One turning block for Speaker	$1 00
Carriage hire, February 19	5 00
Two assistants	8 00
Custody, releasements, and arrests	4 00
Twelve miles travel	1 20
Carriage hire, February 21	5 00
Three assistants	12 00
Arrests and releasements	13 00
Fourteen miles travel	1 40
Total	$50 60

And the Treasurer is hereby directed to pay the same

Have had the same under consideration, and report same back, amended, and recommend adoption of the resolution, as amended

Resolved, That the Controller be and he is hereby authorized to draw his warrant upon the Contingent Fund of the Assembly for the sum of eleven dollars, in favor of P. R Klein, Sergeant-at-Arms, for the payment of the following bills

One turning block for Speaker	$1 00
Carriage hire, February 19	5 00
Carriage hire, February 21	5 00
Total	$11 00

WEBER, Chairman.

Resolution adopted.

ON YOSEMITE VALLEY AND MARIPOSA GROVE OF BIG TREES AND FORESTRY.

ASSEMBLY CHAMBER, SACRAMENTO, February 25, 1887.

MR SPEAKER Your Committee on Yosemite Valley and Mariposa Grove of Big Trees and Forestry, to whom was referred Assembly Bill No. 541—report the same back, and recommend that it do pass.

HEATH, Chairman.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, February 26, 1887

MR SPEAKER Your Committee on Judiciary, to whom was referred Assembly Bill No. 500—An Act to amend section nine hundred and seventy-four of the Code of Civil Procedure, relating to appeals from Justice and Police Judge's Court.

Also, Assembly Bill No 522—An Act to provide for the establishment of Police Courts in all cities of this State containing over ten thousand and less than one hundred thousand inhabitants, to prescribe the duties of the Judge of such Court, to provide for the compen-

sation of the Judge thereof, and the disposition of fines and forfeitures by him collected, and to provide for the election and appointment of such Judge

Also, Assembly Bill No 547—An Act to add a new section to the Penal Code, to be known as section four hundred and sixty-eight, relative to and prohibiting the carrying of concealed weapons

Also, Assembly Bill No 551—An Act to provide for the filing of claims against the State of California, taking of testimony thereon, and to define the duties of the Governor, Attorney-General, Controller, and committees of the Legislature in relation thereto

Also, Senate Bill No 389—An Act to add two new sections to an Act entitled an Act to establish a Penal Code, approved February 14, 1872, to be known as sections number one hundred and eighty and one hundred and eighty-one, relating to offenses against public justice

Have had the same under consideration, and now report them back, with the recommendation that they do pass

Also, Assembly Bill No 521—An Act relating to the dissolution and modification of injunctions, and amending sections five hundred and thirty and five hundred and thirty-two of the Code of Civil Procedure

Also, Assembly Bill No 433—An Act for the abatement of nuisances by public officers, the giving of a lien for and mode of payment of the expenses of such proceedings on abatement

And report the same back without recommendation

Also, Assembly Bill No 536—An Act to amend section twenty-eight of an Act entitled an Act to regulate fees of office and salaries of certain officers, and to repeal certain other Acts in relation thereto, approved March 5, 1870, as amended March 1, 1872—and recommend that it do not pass, for the reason that it is unconstitutional, in our judgment, being in conflict with subdivision twenty-nine, of section twenty-five, of Article IV, of the Constitution of California

Also, Amended Senate Bill No 25—An Act to amend sections one thousand and thirty-three, one thousand and thirty-four, and one thousand and thirty-five of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to the removal of criminal actions before trial—have had same under consideration, and report same back, and recommend that it do pass.

Also, Assembly Petitions from citizens of Trinity County, asking that Assembly Bill No 38, being Mr Coombs' bill, relating to change of venue in criminal cases—report the same back, and recommend that the wishes of petitioners expressed therein are in harmony with the views of your committee, and we recommend that said bill be promptly enacted into law.

VARIEL, Chairman.

ON INDIAN AFFAIRS—MAJORITY REPORT

ASSEMBLY CHAMBER, SACRAMENTO, February 24, 1887.

MR SPEAKER We, the majority of your committee on Indian Affairs, to whom was referred Assembly Bill No 539—report the same back, and recommend that it do pass

HANDY, Chairman.

MINORITY REPORT.

ASSEMBLY CHAMBER, SACRAMENTO, February 24, 1887.

MR SPEAKER We, the minority of your Committee on Indian Affairs, to whom was referred Assembly Bill No. 539—report the same back, and recommend that it do not pass.

J H. COLBERT.

ON CONSTITUTIONAL AMENDMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, February 26, 1887.

MR SPEAKER Your Committee on Constitutional Amendments, to whom was rereferred Senate Constitutional Amendment No. 5—report the same back, and recommend that it be not adopted.

ELLSWORTH, Chairman.

ON FISH AND GAME

ASSEMBLY CHAMBER, SACRAMENTO, February 25, 1887.

MR SPEAKER: Your Committee on Fish and Game, to whom was referred Assembly Bills Nos 543, 544, and 556, also, Senate Bill No 354—report the same back, and recommend that they do pass

Assembly Petition, relative to sawdust in the Truckee River, is herewith returned

Also, Assembly Petition, relative to fish in Lake Tahoe, is herewith returned

WILLIAMS, Chairman

Speaker pro tem. Brierly in the chair.

ON STATE PRISON.

ASSEMBLY CHAMBER, SACRAMENTO, February 24, 1887

MR SPEAKER Your Committee on State Prison, to whom was referred Senate Bill No. 274—An Act making appropriation for the erection of buildings and for other improvements at the State Prison at San Quentin—report the same back, and recommend that it do pass

Also, your Committee on State Prison, to whom was granted leave of absence on February eleventh, for the purpose of visiting the Branch State Prison at Folsom, visited the same, and the following named gentlemen are entitled to mileage (forty-four miles), as follows Messrs Burnett, Ewing, Cooley, McDonnell, Gruwell, Matthews, Atherton, and Clerk Trowbridge, making in the aggregate thirty-five dollars and twenty cents

ATHERTON, Chairman

Report as to mileage, referred to Committee on Mileage.

The Committee on State Prison also presented a report on State Prisons (see Appendix), and, on motion of Mr. Atherton, the usual number of copies were ordered printed.

ON FEDERAL RELATIONS

ASSEMBLY CHAMBER, SACRAMENTO, February 26, 1887

MR SPEAKER Your Committee on Federal Relations, to whom was referred Assembly Concurrent Resolution No 12, report the same back, and recommend that it be adopted.

BRUSIE, Chairman.

JOINT COMMITTEE ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, February 26, 1887.

MR SPEAKER Your committee, appointed to act with a committee from the Senate for the purpose of preparing Joint Rules to govern the Senate and Assembly, beg leave to report, and recommend the adoption of the annexed rules, the same having been agreed upon by the joint committee of the Assembly and Senate

DAVIS, Chairman Assembly Committee

Mr. Davis moved that two hundred and fifty copies of the rules, as recommended by the joint committee, be printed, and that further consideration be postponed until the printed copies are placed on the desks of the members.

So ordered.

RESOLUTIONS—(OUT OF ORDER).

By Mr. Martin:

Resolved, That the State Printer be requested to print the following numbered bills Two hundred each of these Assembly Bills—Nos 7, 304, 83, 163, 380, 338, 159, 146, 359, 398, Substitute for Nos 459 and 89, Assembly Constitutional Amendment No 9—two hundred each, Assembly Joint Resolution No. 11—two hundred each, Journals of January twenty-sixth and fourth—one hundred each

Adopted.

By Mr. Ewing:

Resolved, That the sum of one thousand and thirty-eight dollars and eighty cents be and the same is hereby allowed and ordered paid out of the Contingent Fund of the Assembly to James B Brown, for the expenses incurred by him in the contest for a seat from the Twenty-ninth Assembly District, and the Controller is hereby directed and instructed to draw his warrant on the Treasurer in favor of James B. Brown for said sum, as follows

To William H H Hart—attorney's fees	$750 00
To witnesses' fees	24 00
To filing and printing answer to complaint	15 00
To witnesses to Sacramento during meeting of Election Committee, two evenings	105 00
To expenses incurred for time and labor	48 00
To expenses incurred during contest at Sacramento, independent of witnesses' fees	26 80
To expenses for watching proceedings before the Notary	20 00
To contingent expenses—procuring witnesses	50 00
Total	$1,038 80

I hereby certify that the foregoing is a true and correct statement of the expenses incurred by me during the contest.
(Signed) JAS B BROWN.

Subscribed and sworn to before me, this twenty-sixth day of February, 1887.

FRANK D. RYAN, Notary Public.

Referred to Committee on Elections.

By Mr. J. B. Brown:

WHEREAS, The Assembly adopted the following resolution on January 26, 1887 "*Resolved*, That the name of Thomas Kelly be and it is hereby ordered to be placed upon the payroll of the Assembly, at the per diem of a Messenger, viz four dollars, said Kelly having been transferred to perform the duties of such Messenger by the Sergeant-at-Arms," and whereas, the Controller has refused to draw his warrant in favor of the said Thomas Kelly for the sum named in the resolution, from January third to January twenty-sixth, and whereas, the said Thomas Kelly was transferred from the position of Page to the position of Messenger to the Sergeant-at-Arms, on January 3, 1887, therefore, be it

Resolved, That the Controller is hereby directed to draw his warrant in favor of Thomas Kelly in the sum of twenty-three dollars, that amount being the difference between the pay of a Page and Messenger for the above stated time

Adopted.

By Mr. Alexander:

Resolved, That the State Printer be and he is hereby directed to print two hundred copies of the Standing Rules of the Assembly, and deliver the same to the State Librarian, for the use of the members of the twenty-eight session of the Legislature.

Adopted.

BILLS WITHDRAWN.

Mr. Atherton withdrew Assembly Bill No. 397, by permission of the House, and moved to substitute Senate Bill No. 274 in the place formerly occupied by Assembly Bill No. 397 on the file.

So ordered.

Mr. McGowan withdrew Assembly Bill No. 399, by permission of the House, and moved to substitute Senate Bill No. 291 in the place formerly occupied by Assembly Bill No. 399 on the file.

So ordered.

Mr. Coombs withdrew Assembly Bill No. 254, by permission of the House, and moved to substitute Senate Bill No. 219 in the place formerly occupied by Assembly Bill No. 254 on the file.

So ordered.

Mr. Variel withdrew Assembly Bill No. 496, by permission of the House, and moved to substitute Senate Bill No. 333, in the place formerly occupied by Assembly Bill No. 496 on the file.

So ordered.

MOTION TO ADJOURN.

At twelve o'clock and twenty-eight minutes P. M. Mr. Regan moved to adjourn until Monday, at one o'clock P. M.

Ayes and noes demanded by Messrs. Rucker, Windrow, and Young of San Joaquin.

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

AYES—Messrs. Alexander, Colbert, Curry of San Francisco, Hyde, LaBlanc, Lewis, Regan, Searey, and Windrow—9

NOES—Messrs Adams, Atherton, Bailey, Barton, Bost, Brierly, Brown J B, Brusie, Burnett, Butler, Campbell, Carr, Cooley, Coombs, Cope, Cuttey of Solano, Davis, Ewing, Gould, Granger, Gruwell, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin,

Knox, Lawrence, Mahler, Mathews of Tehama, McClenahan, McDonnell, McGowan, Mitchell, Morgan, Morris, O'Grady, Oblever, Price, Rucker, Remson, Shelburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Toner, Variel, Venable, Vincent, Weber, Wilcox, Williams, Wright, Young of San Diego, and Young of San Joaquin—57

RECESS.

The hour of recess having arrived, at twelve o'clock and thirty minutes P. M. the Speaker pro tem. declared a recess until two o'clock P. M.

REASSEMBLED.

The House reassembled at two o'clock P. M.
Speaker Jordan in the chair.
Quorum present.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 26, 1887.

MR. SPEAKER I am directed to inform your honorable body that the Senate, on this day, passed Senate Bill No 430—An Act to provide for the completion of all unfinished county buildings in the several counties, cities and counties, cities, and towns, throughout the State of California

Also, Assembly Bill No 207—An Act making an appropriation for deficiency in the appropriation for the support of the State Printing Office, for the fiscal year ending June thirtieth, eighteen hundred and eighty-seven.

ED. HAMILTON, Secretary

CONSIDERATION OF SENATE MESSAGE.

Senate Bill No. 430 referred to Committee on Public Buildings and Grounds.
Assembly Bill No. 207 ordered to enrollment.

LEAVE OF ABSENCE.

Mr. Britt was granted leave of absence for the remainder of the day.
On motion of Mr. Hyde, Mr. Ellsworth was granted leave of absence until Tuesday next.

SPECIAL FILE—THIRD READING OF BILL.

Substitute for Assembly Bill No. 459—An Act making appropriations for the support of the government of the State of California, for the thirty-ninth and fortieth fiscal years.
Read third time.
The Chair stated that the two following errors occurred in the printed bill and also in the engrossed copy:
Amend section one, line one hundred and ninety-five, strike out "four thousand eight hundred," and insert in lieu thereof "two thousand;" also, insert, on line three hundred and thirty-one, the words "the Exhibition Building of the State Agricultural Society," and ordered the bill to be printed as corrected, and that the engrossed copy be corrected.
On motion of Mr. Brierly, the Engrossing Clerk was directed to engross only the two pages on which errors occur.
The order whereby the Journal of this day was approved was reconsidered, and the Journal corrected so as to agree to the actions of the House and the facts.

Journal approved.

MOTION.

Mr. Gould moved that the rules be suspended, and that Assembly Bill No. 499 be taken up, out of order, and considered.

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

AYES—Messrs. Alexander, Atherton, Bailey, Barry, Bost, Brown W. A., Carl, Cohen, Cooley, Cope, Curry of San Francisco, Gould, Granger, Hart, Heath, Henry of Butte, Hyde, Lawrence, Martin, Mathews of Tehama, McClenahan, McDonnell, Price, Renison, Sims, Smyth, Sykes, Taylor, Vincent, Wilcox, Williams, Wright, and Young of San Diego—33

NOES—Messrs. Adams, Barton, Brierly, Campbell, Coombs, Currey of Solano, Davis, Ewing, Gruwell, Handy, Henry of San Joaquin, Knox, LaBlanc, Morgan, Morris, O'Grady, Ohleyer, Sherburne, Spurgeon, Variel, Venable, and Weber—22

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

Mr. Brierly moved that the rules be suspended, and he be allowed to make a report, out of order.

So ordered.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 26, 1887.

MR SPEAKER: Your Committee on Education, to whom was referred Senate Bill No 4—An Act to establish a Branch State Normal School in Northern California—report the same back, with amendments, and recommend that it do pass, as amended

Also, Senate Bill No 239—An Act to amend section one thousand seven hundred and seventy-one of "An Act to establish a Political Code"

Also, Senate Bill No 328—An Act to provide for the care and security of the State series of school text-books, by the erection of a fireproof warehouse, to be used for the storage of the same, authorizing the appointment of a storekeeper to have care and custody of said text-books, and appropriating money to pay the expense of erecting said warehouse, and the salary of such storekeeper

Report the same back, with amendments, and recommend that they do pass, as amended

Also, Senate Joint Resolution No 2—Relative to inviting the National Educational Association to hold its annual meeting for eighteen hundred and eighty-eight in California—and recommend that the Assembly adopt.

BRIERLY, Chairman

SPECIAL FILE—FIRST READING OF BILL.

Senate Bill No. 192—An Act establishing an Industrial Home of Mechanical Trades for the Adult Blind of the State of California, creating a Board of Directors for the government thereof, and appropriating the sum of sixty-five thousand dollars for the support of said Home.

Read first time, and placed on file for second reading.

Assembly Bill No. 2 passed on file.

Assembly Constitutional Amendment No. 4 withdrawn by Mr. Granger, by permission of the House.

MOTION.

Mr. Granger moved to suspend the rules, and that Assembly Bill No. 252 be taken from the General File and placed on the Special File, in the place formerly occupied by Assembly Bill No. 252.

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

AYES—Messrs. Adams, Atherton, Bailey, Barry, Barton, Bost, Brierly, Brown W. A., Butler, Callaghan, Carl, Cohen, Colbert, Cooley, Cope, Currey of Solano, Curry of San Francisco, Davis, Ewing, Gould, Granger, Gruwell, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hyde, Knox, LaBlanc, Lawrence, Lewis, Mahler, Martin, Mathews of Tehama, McClenahan, McDonnell, McGowan, Morgan, O'Grady, Ohleyer, Price, Rucker,

Searey, Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Toner, Variel, Vincent, Weber, Wilcox, Williams, Wright, Young of San Diego, and Young of San Joaquin—59.
Noes—Messrs Brusie, Campbell, Coombs, and Mr. Speaker—4.

MOTION.

Mr. Granger moved that the rules be suspended, and Assembly Bill No. 252 be taken up, out of order, and considered.
So ordered.

SECOND READING OF BILL.

Assembly Bill No. 252—An Act to add a new section to the Code of Civil Procedure, relating to hearing of appeals in the Supreme Court.
Read second time, ordered engrossed, and placed on file for third reading.
Assembly Constitutional Amendment No. 8 withdrawn by Mr. W. A. Brown, by permission of the House.
Assembly Constitutional Amendment No. 9 withdrawn by Mr. Coombs, with permission of the House.

MOTION.

Mr. W. A. Brown moved that the rules be suspended, and that Assembly Bill No. 278 be taken from the General File and placed on the Special File, in the place formerly occupied by Assembly Constitutional Amendment No 8.
The roll was called, and the motion lost by the following vote:

Ayes—Messrs Atherton, Bailey, Brown W A, Brusie, Butler, Cohen, Colbert, Cooley, Curry of San Francisco, Ewing, Gould, Hart, Hyde, LaBlanc, Lawrence, Lewis, Martin, Mathews of Tehama, McClenahan, McDonnell McGowan, Morris, O'Grady, Price, Rucker, Sims, Spurgeon, Sykes, Taylor, Toner, Vincent, Windrow, Wilcox, Wright, Young of San Diego, and Young of San Joaquin—36
Noes—Messrs Adams, Barton, Bost, Brierly Campbell, Carr, Coombs, Cope, Currey of Solano, Davis, Gruwell, Heath, Henry of San Joaquin, Knox, Ohleyer, Remson, Sherburne, Variel, Venable, Weber, Williams, and Mr Speaker—22

Assembly Constitutional Amendment No 15 passed on file.
Assembly Constitutional Amendment No. 18 withdrawn by Mr. Barton, by permission of the House.

MOTION.

Mr Brierly moved that a special committee of three be appointed to investigate the causes of errors in Assembly Bill No. 459.
So ordered.

SPECIAL FILE—THIRD READING OF BILL—(RESUMED).

Substitute for Assembly Bill No. 323 et al: To amend sections seventeen, twenty-five, one hundred and sixty-two, one hundred and sixty-four, one hundred and sixty-six, one hundred and sixty-seven, one hundred and seventy-two, one hundred and seventy-eight, one hundred and seventy-nine, one hundred and eighty, one hundred and eighty-six, one hundred and eighty-seven, one hundred and ninety-one, one hundred and ninety-three, one hundred and ninety-

eight, two hundred and eleven, and two hundred and eighteen of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883, as amended March 14, 1885, and March 18, 1885, relating to the government of counties.

Read third time.

Mr. Wright moved that this bill be referred to a select committee of one, with special instructions to prepare amendments to the bill, as follows: amend, by striking out subdivision twenty-three of section twenty-five, and inserting, instead, the following:

SEC. 23. The Board of Supervisors shall annually fix the price at which the county shall be supplied with job printing, stationery, and blank books, and also the price of all county advertising, and each county officer shall procure such supplies and advertising at a price no greater than is so fixed, and certify the bills therefor to the Board of Supervisors, *provided*, that said supplies and advertisements shall be procured within the county, and provided that a square of advertising shall be two hundred and forty ems nonpareil.

Also, amend, by striking out of subdivision three, section one hundred and ninety-one, line ninety-five, the words "for recording marriage license and certificate, to be paid by the clerk, one dollar;" also, amend, by striking out of section one hundred and ninety-one, line eighteen, the word "ten," and inserting the word "twenty."

Ayes and noes demanded by Messrs. Wright, Price, and Brusie.

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

AYES—Messrs. Alexander, Atherton, Barry, Brierly, Brusie, Callaghan, Cohen, Cope, Curry of San Francisco, Knox, Lewis, Mathews of Tehama, McClenahan, Morris, O'Grady, Price, Spurgeon, Vincent, and Wright—19.

NOES—Messrs. Adams, Bailey, Barton, Bost, Brown W. A., Butler, Campbell, Carr, Carroll, Cooley, Coombs, Currey of Solano, Davis, Ewing, Gould, Granger, Gruwell, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, LaBlanc, Lawrence, Mahler, McDonnell, McGowan, Morgan, Ohlever, Rucker, Remson, Shanahan, Sherburne, Sims, Smyth, Sykes, Taylor, Toner, Variel, Venable, Weber, Windrow, Wilcox, Williams, Young of San Diego, and Mr. Speaker—48.

Mr. Price moved that this bill be referred to a select committee of one, with special instructions to prepare amendments to the bill.

Motion lost.

The question then being on the passage of the bill, the roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Alexander, Atherton, Bailey, Barry, Barton, Bost, Brierly, Brusie, Butler, Callaghan, Campbell, Carr, Carroll, Colbert, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ewing, Gould, Granger, Gruwell, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, Knox, LaBlanc, Lawrence, Mahler, Mathews of Tehama, McClenahan, McDonnell, McGowan, Morgan, Morris, O'Grady, Ohlever, Price, Rucker, Remson, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Toner, Variel, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, and Mr. Speaker—64.

NOES—None.

Mr. Venable moved to amend the title as follows: amend title, by inserting, in line one of title, the figures "175" after "172," "181" after figures "180," and "190" before the figures "191."

Amendment adopted.

Title read and approved.

Mr. Heath moved that the House proceed to the consideration of Assembly Bill No. 459.

So ordered.

PASSAGE OF BILL.

Substitute for Assembly Bill No. 459—An Act making appropriations for the support of the government of the State of California, for the thirty-ninth and fortieth fiscal years.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Alexander, Atherton, Bailey, Barry, Barton, Bost, Brierly, Butt, Brown W A, Brusie, Butler, Callaghan, Campbell, Carr, Carroll, Colbert, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ewing, Gould, Granger, Gruwell, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hyde, Knox, LaBlanc, Lawrence, Mahler, Martin, Mathews of Tehama, McClenahan, McDonnell, McGowan, Mitchell, Morgan, Morris, O'Grady, Ohleyer, Price, Rucker, Remson, Shanahan, Sheburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Variel, Venable, Vincent, Weber, Windrow, Wilcox, Wilhams, Wright, Young of San Diego, and Mr Speaker—67

NOES—None

Title read and approved.

APPOINTMENT OF SPECIAL COMMITTEE.

The Speaker appointed, as special committee to investigate the cause of errors in engrossing Assembly Bill No. 459, Messrs. Brierly, Mathews of Tehama, and Sykes.

SPECIAL FILE—THIRD READING OF BILL—(RESUMED).

Assembly Bill No. 456—An Act to amend sections three thousand nine hundred and nine and three thousand nine hundred and thirteen of the Political Code, relating to the boundaries of Del Norte and Siskiyou Counties.

Read third time.

Mr. Campbell moved that this bill be referred to a select committee of one, with special instructions to prepare an amendment to the bill as follows. amend section three, line thirteen, by inserting, after the word "county," the following: "and the amount to be paid to Del Norte County by Siskiyou County shall be that proportion of the whole debt of Del Norte County that the assessed value of the property in the annexed territory bears to the assessed value of all the property of Del Norte County."

So ordered.

APPOINTMENT OF SELECT COMMITTEE.

The Speaker appointed Mr. Campbell the select committee of one to amend Assembly Bill No. 456.

CALL OF THE HOUSE.

Pending consideration of Assembly Bill No. 456, Mr. Colbert moved a call of the House.

So ordered.

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

Messrs Adams, Alexander, Atherton, Bailey, Barry, Barton, Bost, Brierly, Brown W A, Brusie, Burnett, Butler, Callaghan, Campbell, Carr, Carroll, Cohen Colbert, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Gruwell, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, Knox, LaBlanc, Lawrence, Mahler, Martin, Mathews of Tehama, McClenahan,

McDonnell, McGowan, Mitchell, Morgan, Morris, O'Grady, Ohlever, Price, Rucker, Renison, Searey, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Toner, Variel, Venable, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr. Speaker

The Speaker ordered the Sergeant-at-Arms to close the doors.

The Sergeant-at-Arms appeared and was directed to arrest the absentees and bring them before the bar of the House.

Mr. Rucker moved that further proceedings under the call be dispensed with.

Lost.

Mr. Hyde moved that the Sergeant-at-Arms send a deputy to San Francisco and bring back the absentees, and that the members remain here until they arrive.

Lost.

Mr. Curry of San Francisco moved that further proceedings under call of the House be dispensed with.

So ordered.

REPORT OF SELECT COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, February 26, 1887

MR SPEAKER Your select committee, to whom was referred Assembly Bill No. 456, 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.

R. H. CAMPBELL.

Report adopted.

SPECIAL FILE—(RESUMED.)

Assembly Bill No. 169 passed on file.

Senate Bill No. 42—An Act to enlarge the powers of the State Board of Forestry, and to provide for the expenses of said Board.

Read second time.

IN COMMITTEE OF THE WHOLE.

On motion of Mr. Hyde, the House went into Committee of the Whole, for the purpose of considering Senate Bill No. 42.

Mr. Hyde in the chair.

The bill was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Jordan in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The Chairman stated the report as follows:

GENTLEMEN The Committee of the Whole have had under consideration Senate Bill No. 42, and now report a substitute back, and recommend the passage of the same

Report adopted, on a division—ayes, 38; noes, 13.

Mr Hyde moved to reconsider the vote whereby the report of the Committee of the Whole was adopted.

Vote reconsidered, on a division—ayes, 30; noes, 26.

The question then being on the adoption of the report of the Committee of the Whole on Senate Bill No. 42, the report was rejected.

MOTION.

Mr. Hyde moved that the House go into Committee of the Whole, for the purpose of considering Senate Bill No. 42, with Mr. Hyde in the chair.

Mr. Variel moved to amend, "with the Speaker in the chair."

Amendment adopted.

Motion, as amended, adopted.

IN COMMITTEE OF THE WHOLE.

Speaker Jordan in the chair.

The bill was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Jordan in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The Chairman stated the report, as follows.

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 42—and now report the same back, with a substitute, and recommend the adoption of the substitute.

Report adopted.

MOTION TO ADJOURN.

At five o'clock and fifty-four minutes P. M. Mr. Lawrence moved to adjourn.

Lost.

RECESS.

At five o'clock and fifty-five minutes P. M., on motion of Mr. Coombs, the House took a recess until seven o'clock and thirty minutes P. M.

REASSEMBLED.

At seven o'clock and thirty minutes P. M. the House reassembled.

Speaker Jordan in the chair.

Quorum present.

SPECIAL FILE—(RESUMED).

Assembly Bill No. 363 temporarily passed on file.

On motion of Mr. Mathews of Tehama, all bills on third reading file were temporarily passed on file.

FIRST READING OF BILLS.

Senate Bill No. 387—An Act to provide for permanent improvements at the California Home for the Care and Training of Feeble-Minded Children, and to appropriate money therefor.

Read first time, and placed on file for second reading.

Senate Bill No. 291—An Act to prevent fraud and imposition in the matter of stamping and labeling produce and manufactured goods.

Read first time, and placed on file for second reading.

Senate Bill No. 48—An Act to provide for certain improvements at the Deaf, Dumb, and Blind Asylum.

Read first time, and placed on file for second reading.

Senate Bill No. 408—An Act to appropriate money to pay the rent of the "Hastings College of Law," from December 1, 1885, until June 30, 1887.

Read first time, and placed on file for second reading.

SECOND READING OF BILLS.

Assembly Bill No. 110—An Act to provide for the deficiency in the appropriation for the salary of Deputy Supreme Court Reporter, during the thirty-seventh and thirty-eighth fiscal years.

Read second time.

Assembly Bill No. 444—An Act to provide for the deficiency in the appropriation for the salary of the Deputy Supreme Court Reporter, during the thirty-eighth fiscal year.

Read second time.

IN COMMITTEE OF THE WHOLE.

On motion of Mr. Hyde, the House went into Committee of the Whole, for the purpose of considering Assembly Bills Nos. 110 and 444.

Speaker Jordan in the chair.

The bills were considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Jordan in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The Chairman stated the report, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bills Nos. 110 and 444—and now report the same back, and recommend that Assembly Bill No. 110 do pass, as amended, as follows:

In section one, line one, strike out "forty-eight hundred dollars," and insert "twenty-four hundred dollars," printed bill; line four, strike out "thirty-eighth fiscal year."

And recommend that Assembly Bill No. 444 do pass.

Report adopted.

Assembly Bill No. 110 ordered engrossed, and placed on file for third reading.

Assembly Bill No. 444 ordered engrossed, and placed on file for third reading.

THIRD READING OF BILL.

Assembly Bill No. 523—An Act to provide for the government and management of 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 Adams, Alexander, Atherton, Bailey Barton, Bost, Brierly, Brusie, Butler, Callaghan, Cohen, Colbert, Cooley, Coombs, Currey of Solano, Curry of San Francisco, Davis, Gould, Granger, Gruwell, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hyde, Mahler, Martin, Mathews of Tehama, McClenahan, McDonnell, McGowan, Mitchell, Morgan, Morris, O'Grady, Ohleyer, Rucker, Remson, Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Variel, Venable, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, and Mr Speaker—55.

NOES—None

Title read and approved.

Mr. McGowan moved that Senate Bill No. 291 be made a special order for Monday next, at three o'clock P. M.

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

AYES—Messrs Alexander, Atherton, Bailey, Bost, Brierly, Butler, Callaghan, Cohen, Cooley, Coombs, Currey of Solano, Curry of San Francisco, Davis, Gould, Granger, Handy, Hart, Henry of Butte, Hyde, Mahler, Martin, Mathews of Tehama, McClenahan, McGowan, Mitchell, O'Grady, Ohleyer, Rucker, Remson, Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Variel, Vincent, Weber, Windrow, Wilcox, Williams, Wright, and Young of San Diego—43

NOES—Messrs Adams, Gruwell, Henry of San Joaquin, Morgan, and Venable—5.

LEAVE OF ABSENCE.

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

MOTION.

Mr. Alexander moved to rerefer Assembly Bill No. 295 to the Committee on Claims.

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

AYES—Messrs Adams, Alexander, Atherton, Bailey, Barton, Bost, Cohen, Cooley, Coombs, Currey of Solano, Curry of San Francisco, Davis, Gould, Granger, Gruwell, Handy, Heath, Henry of San Joaquin, Mahler, Martin, Mathews of Tehama, McClenahan, McGowan, O'Grady, Ohleyer, Remson, Sherburne, Sims, Smyth, Sykes, Taylor, Variel, Venable, Vincent, Weber, Wilcox, Williams, and Wright—38

NOES—Messrs Brierly, Burnett, Butler, Callaghan, Henry of Butte, Hyde, Mitchell, Spurgeon, and Windrow—9.

SPECIAL FILE—THIRD READING OF BILLS—(RESUMED).

Assembly Bill No. 363 passed on file.

Assembly Bill No. 148—An Act to amend sections one, five, six, seven, eight, ten, and eleven of an Act entitled "An Act to provide for the redemption of the funded indebtedness of the City of Sacramento," approved March 25, 1872.

Read third time.

Mr. Brierly moved that the further consideration of this bill be made a special order for Monday, at four o'clock P. M.

So ordered.

Assembly Bill No. 396 passed on file.

Assembly Bill No. 493 passed on file.

MOTION TO ADJOURN.

At eight o'clock and thirty minutes P. M. Mr. Cohen moved to adjourn.

Lost.

THIRD READING OF BILL.

Assembly Bill No. 494—An Act to amend section eight hundred and fifty-one of the Municipal Corporation Act.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Alexander, Bailey, Barton, Bost, Brierly, Brown W. A, Butler, Callaghan, Cohen, Coombs, Currey of Solano, Curry of San Francisco, Davis, Gould, Granger, Gruwell, Handy, Heath, Henry of Butte, Henry of San Joaquin, Hyde, LaBlanc, Lawrence, Mahler, Martin, Mathews of Tehama, McClenahan, McDonnell, Mitchell, Morgan, Morris, O'Grady, Ohleyer, Rucker, Remson, Sherburne, Sims, Spurgeon, Sykes, Taylor, Variel, Venable, Vincent, Weber, Wilcox, Williams, and Mr Speaker—48.

NOES—Messrs. Atherton and Wright—2.

Title read and approved.

Assembly Bill No. 120—An Act to amend an Act entitled an Act to amend an Act to incorporate the Town of Chico, Butte County, California, approved March 23, 1878.

Read third time, and temporarily passed on file.

LEAVE OF ABSENCE.

Messrs. Wright and Lawrence were granted leave of absence for the evening.

Assembly Bill No. 232—An Act to repeal all such provisions of an Act entitled "An Act to revise an Act entitled 'An Act to amend the charter of the City of Los Angeles, to define its limits and rights, to enlarge its powers, and provide for its more efficient government,' approved March 26, A. D. 1874," approved April 1, 1876, as provide for the creation of a City Court in the City of Los Angeles, for a Judge of said City Court, and as require the Mayor of said city to be ex officio City Judge of said Court.

Read third time.

The roll was called, and the bill passed by the following vote.

AYES—Messrs Adams, Atherton, Bailey, Barton, Bost, Brierly, Brown W A, Butler, Callaghan, Campbell, Cohen, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco Davis, Ewing, Gould, Granger, Gruwell, Handy, Heath, Henry of Butte, Henry of San Joaquin, Hyde, Knox, LaBlanc, Lawrence, Lewis, Mahler, Mathews of Tehama, McClenahan, McDonnell, McGowan, Morgan, Morris, O'Grady, Ohleyer, Remson, Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Toner, Variel, Venable, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, and Mr. Speaker—56.

NOES—None

Title read and approved.

RESOLUTION—(OUT OF ORDER).

By Mr. LaBlanc:

Resolved, That the sum of ten hundred and thirty-two dollars and fifty cents be and the same is hereby allowed, and ordered paid out of the Contingent Fund of the Assembly, to John LaBlanc, for the expenses incurred by him in the contest for his seat from the Forty-Second Assembly District, and the Controller is hereby directed and instructed to draw his warrant on the Treasurer in favor of John LaBlanc for said sum, as follows

To Harry J Stafford and E. Burke, Esq (to services rendered in the election contest of Richard O'Connor vs John LaBlanc), as Commissioners	$150 00
Serving papers	15 00
Clerk fees in Superior Court, on writ of prohibition	7 50
Witnesses' fees	50 00
Contingent expenses, procuring witnesses	50 00
Franklin P Bull, attorney's fees	750 00
Total	$1,032 50

Referred to Committee on Elections.

PASSAGE OF BILL.

Assembly Bill No. 120—An Act to amend an Act entitled an Act to amend an Act to incorporate the Town of Chico, Butte County, California, approved March 23, 1878.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Bailey, Barton, Bost, Brierly, Brown W A, Burnett, Butler, Callaghan, Campbell, Cohen, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Ellsworth, Ewing, Gould, Granger, Gruwell, Handy, Heath Henry of Butte, Henry of San Joaquin, Hyde, Knox, LaBlanc, Lewis, Mahler, Mathews of Tehama, McClenahan, McDonnell, McGowan, Morgan, O'Grady, Ohlever, Remson, Sherburne, Sims, Smyth, Spurgeon, Taylor, Toner, Variel, Venable, Vincent, Weber, Wilcox, Wilhams, and Young of San Diego—52

NOES—Messrs Atherton, Colbert, Lawrence, and Mr Speaker—4

Title read and approved.

Assembly Bills Nos. 117 and 107 passed on file.

MOTION TO ADJOURN.

At nine o'clock and ten minutes P. M. Mr. Ohleyer moved to adjourn. Lost.

GENERAL FILE.

Assembly Bill No. 16—An Act to prohibit the sale of prepared opium, opium pipes, or parts thereof.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Atherton, Bailey, Barton, Bost, Brierly, Burnett, Butler, Callaghan, Campbell, Carl, Cohen, Colbert, Coombs, Cope, Currey of Solano, Curry of San Francisco, Ewing, Gould, Granger, Gruwell, Handy, Heath, Henry of Butte, Hyde, Knox, LaBlanc, Lewis, Mahler, Martin, Mathews of Tehama, McClenahan, McDonnell, McGowan, Mitchell, Morris, O'Grady, Ohlever, Remson, Sherburne, Sims, Spurgeon, Sykes, Taylor, Variel, Venable, Vincent, Weber, Windrow, Wilcox, Wilhams, and Young of San Diego—53

NOES—Mr Speaker—1

Title read and approved.

RESOLUTION—(OUT OF ORDER).

By Mr. W. A. Brown:

Resolved, That the sum of twelve hundred and sixty-two dollars and fifty cents be and the same is hereby allowed and ordered paid out of the Contingent Fund of the Assembly, to W A Brown, for the expenses incurred by him in the contest for his seat from the Forty-Fifth Assembly District, and the Controller is hereby directed and instructed to draw his warrant on the Treasurer in favor of W A Brown for said sum, as follows

To Henry J Stafford and E Burke, Esqs, to services rendered in the election contest of A C Berthier vs W. A Brown, as Commissioners	$240 00
Clerk of Superior Court, for issuance for writ of prohibition	7 50
Serving writ and papers on writ of prohibition	15 00
Witness fees	100 00
Contingent expenses, procuring witnesses, etc	150 00
George A Knight and Franklin P. Buel, attorneys' fees	750 00
Total	$1,262 50

Referred to Committee on Elections.

Assembly Bill No. 177—An Act to amend section number nine

hundred and seventy-eight of the Code of Civil Procedure, relative to attachments.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Atherton, Bailey, Barton, Bost, Brierly, Brown W A, Burnett, Campbell, Carr, Cohen, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Ewing, Gould, Granger, Handy, Heath, Henry of San Joaquin, Hyde, Knox, LaBlanc, Lewis, Mahler, McClenahan, McDonnell, McGowan, Morris, O'Grady, Ohleyer, Sherburne, Sims, Smyth, Spurgeon, Sykes, Toner, Variel, Venable, Vincent, Wilcox, Williams, Young of San Diego, and Mr Speaker—47

NOES—None.

Title read and approved.

MOTION TO ADJOURN.

At nine o'clock and twenty-seven minutes P. M. Mr. Ewing moved to adjourn.

Lost.

Assembly Bill No. 199—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 cases.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Bailey, Bost, Brierly, Brown W A, Burnett, Butler, Callaghan, Carr, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Ewing, Gould, Granger, Gruwell, Heath, Henry of Butte, Henry of San Joaquin, Hyde, Knox, LaBlanc, Lewis, Mahler, Martin, Mathews of Tehama, McClenahan, McDonnell, McGowan, Morgan, Morris, O'Grady, Ohleyer, Renison, Sherburne, Sims, Smyth, Spurgeon, Sykes, Toner, Variel, Venable, Vincent, Weber, Windrow, Wilcox, Williams, Young of San Diego, and Young of San Joaquin—51.

NOES—Mr Colbert—1.

Title read and approved.

Assembly Bill No. 124—An Act to amend section six hundred and twenty-six of the Penal Code, relative to fish and game.

Read third time.

Mr. Coombs moved that this bill be referred to a select committee of one, with special instructions to prepare amendments to the bill, as follows:

Amend Substitute for Assembly Bill No. 124, as follows: strike out, in line fourteen, page two, all after the word "misdemeanor," down to and including the word "misdemeanor," on line sixteen, of said page two.

Also, strike out the words "thirteenth day of February," on lines four and five, page one, and insert, in lieu thereof, the words "the first day of March."

Also, insert, after the word "misdemeanor," in line ten, section six hundred and thirty-six, page three, the following: "every person who shall cast, extend, set, use, or continue, or who shall assist in casting, extending, using, or continuing Chinese sturgeon lines, or Chinese spring, or bag nets, or lines, or nets of similar character, for the catching of fish in the waters of this State, is guilty of a misdemeanor."

Also, amend section three, page four, as follows: insert, after the word "season," in line twenty-nine, the words named in section six hundred and twenty-six of this Code.

Also, amend title, by adding thereto, "relating to fish and game."
So ordered.

APPOINTMENT OF SELECT COMMITTEE.

The Speaker appointed Mr. Coombs the select committee of one to amend Substitute for Assembly Bill No. 124.

REPORT OF SELECT COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, February 26, 1887

MR. SPEAKER: Your select committee, to whom was referred Substitute for Assembly Bill No 124, 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.

COOMBS, Select Committee.

Report adopted.

ADJOURNMENT.

At nine o'clock and forty-five minutes P. M., on motion of Mr. LaBlanc, the House adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Monday, February 28, 1887.

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

Messrs Adams, Alexander, Atherton, Bailey, Barry, Barton, Bost, Brierly, Brown W A, Brown J B, Brusie, Burnett, Butler, Callaghan, Campbell, Carr, Carroll, Cohen, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ewing, Gould, Granger, Gruwell, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, Knox, LaBlanc, Lawrence, Lewis, Mahler, Martin, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Mitchell, Morgan, Morris, O'Grady, Ohleyer, Regan, Rucker, Remson, Searey, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Toner, Variel, Venable, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr Speaker.

Quorum present.
Prayer by the Chaplain, Rev. E. R. Dille.
Pending the reading of the Journal of Saturday, Mr. Cooley moved to dispense with further reading.
So ordered.
Journal approved.
The Speaker stated that the amendment to Assembly Bill No. 110, adopted by the House on Saturday last, should be corrected by striking out the word "and," and inserting "year," so as to read, "thirty-seventh fiscal year."
So ordered, by unanimous consent.

SPECIAL ORDERS—IMMEDIATELY AFTER READING THE JOURNAL.

Assembly Constitutional Amendment No. 19.

MOTION.

Mr. Granger moved that the motion to reconsider the vote whereby Assembly Constitutional Amendment No. 19 was lost be postponed until to-morrow (Tuesday) morning, immediately after the reading of the Journal.

So ordered.

SPECIAL ORDER No. 2.

Resolution of Mr. Shanahan, relative to the investigation of the Board of State Prison Directors.

Mr. Granger moved to amend, as follows:

That this Assembly do, through its Speaker, appoint a committee of three members of this House to investigate, after adjournment of this session, the charges made by Mr Shanahan against the management of the Board of State Prison Directors, and report their action and conclusion thereon to the Governor of the State That the committee do sit at this Capitol, do have power to send for and examine witnesses and all other legal evidence, that the committee be allowed each eight dollars per day, and one clerk and one shorthand reporter, at a reasonable price, and that the sitting of said committee shall not continue longer than ten days in all

Mr. J. B. Brown moved to lay the resolution on the table.

Ayes and noes demanded by Messrs. Smyth, Renison, and Hart.

The roll was called, and the motion to lay on the table carried by the following vote:

AYES—Messrs Alexander, Atherton, Bailey, Barry, Barton, Brown W A, Brown J B, Brusie, Butler, Callaghan, Campbell, Carr, Carroll, Cooley, Cope, Ewing, Gould, Gruwell, Handy, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, Knox, LaBlanc, Lawrence, Martin, Mathews of Tehama, McClenahan, Mc Donnell, Mitchell, Rucker, Sherburne, Sims, Taylor, Weber, Windrow, Wilcox, Wright, Young of San Joaquin, and Mr Speaker —41

NOES—Messrs Adams, Bost, Brierly, Coombs, Currey of Solano, Curry of San Francisco, Davis, Granger, Hart, Heath, Mahler, Ohleyer, Renison, Shanahan, Smyth, Spurgeon, Sykes, Venable, Vincent, and Williams—20

MOTION.

Mr. Coombs moved that the House now proceed to consider bills on the Special File.

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

AYES—Messrs Adams, Atherton, Bailey, Barton, Bost, Brierly, Brown W A, Brown J B, Brusie, Callaghan, Campbell, Cohen, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Gould, Granger, Gruwell, Handy, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Knox, Mahler, Martin, Mathews of Tehama, McClenahan, Mc Donnell, Mitchell, Morris, Ohleyer, Rucker Renison, Shanahan, Sherburne, Sims, Smyth Spurgeon, Sykes, Taylor, Venable, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr Speaker—54

NOES—Messrs Alexander, Carr, Carroll, Ewing, Hyde, LaBlanc, and Lawrence—7

SPECIAL FILE.

Assembly Bills Nos. 2, 192, and Assembly Constitutional Amendment No. 15, passed on file.

Assembly Bill No. 456 temporarily passed on file.

Assembly Bill No. 169 passed on file.

THIRD READING OF BILL.

Senate Bill No. 42—An Act to enlarge the powers of the State Board of Forestry, and to provide for the expenses of said Board.

Passed on file temporarily.

Mr. Mathews of Tehama withdrew Assembly Bill No. 363, by permission of the House

MOTION.

Mr. Mathews of Tehama moved that the rules be suspended, and that Senate Bill No. 354 be placed on the Special File, in the place formerly occupied by Assembly Bill No. 363.

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

AYES—Messrs Adams, Alexander, Atherton, Bailey, Barry, Barton, Bost, Brierly, Brusie, Butler, Callaghan, Campbell, Carr, Carroll, Cohen, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Ewing, Gould, Granger Gruwell, Handy, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, Knox, LeBlanc, Mahler, Martin, Mann, Mathews of Tehama, McDonnell, McGowan, Morris, Ohlever, Price, Renison, Shanahan, Sherburne, Sims, Spurgeon, Sykes, Variel, Venable, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr Speaker—58

NOES—Mr. Heath—1

FIRST READING OF BILL.

Senate Bill No. 354—An Act to provide for the deficiency in the appropriation for the restoration and preservation of fish in the waters of the State, for the thirty-seventh fiscal year.

Read first time, and placed on file for second reading.

SECOND READING OF BILLS.

Senate Bill No. 387—An Act to provide for permanent improvements at the California Home for the Care and Training of Feeble-Minded Children, and to appropriate money therefor.

Read second time.

Senate Bill No. 291—An Act to prevent fraud and imposition in the matter of stamping and labeling produce and manufactured goods.

Read second time.

Senate Bill No. 48—An Act to provide for certain improvements at the Deaf, Dumb, and Blind Asylum.

Read second time.

IN COMMITTEE OF THE WHOLE.

On motion of Mr. Coombs, the House went into Committee of the Whole, for the purpose of considering Senate Bill No. 48.

Mr. Coombs in the chair.

The bill was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Jordan in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The Chairman stated the report, as follows:

GENTLEMEN. The Committee of the Whole have had under consideration Senate Bill No 48—and now report the bill back, and recommend that it do pass.

Report adopted.

IN COMMITTEE OF THE WHOLE.

On motion of Mr. Hyde, the House went into Committee of the Whole, for the purpose of considering Senate Bill No. 387.

Speaker Jordan in the chair.

The bill was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Jordan in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The Chairman stated the report as follows:

GENTLEMEN The Committee of the Whole have had under consideration Senate Bill No 387—and now report the bill back, and recommend that it do pass.

Report adopted.

Senate Bill No. 48 ordered placed on file for third reading.

Senate Bill No. 387 ordered placed on file for third reading.

Mr. Atherton withdrew Assembly Bill No. 396, by permission of the House.

MOTION.

Mr. Atherton moved that the rules be suspended, and that Senate Bill No. 270 be placed on the Special File, in the place formerly occupied by Assembly Bill No. 396.

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

AYES—Messrs Alexander, Atherton, Bailey, Barry, Barton, Bost, Brierly, Brown W A., Brusie, Butler, Campbell, Carr, Carroll, Cohen, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Ewing, Gould, Granger, Gruwell, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, Knox, LaBlanc, Mahler, Martin, Mann, McClenahan, McDonnell, Mitchell, Morris, Ohleyer, Price, Regan, Rucker, Remson, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Variel, Venable, Vincent, Weber, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr. Speaker—61.

NOES—None.

FIRST READING OF BILL.

Senate Bill No. 270—An Act to amend an Act entitled "An Act making an appropriation for the establishment of a permanent fund for the purchase of jute, to be manufactured at the State Prison at San Quentin," approved March 9, 1885, and making an additional appropriation therefor.

Read first time, and placed on file for second reading.

Assembly Bill No. 493 passed on file.

Senate Bill No. 408—An Act to appropriate money to pay the rent of the Hastings College of Law, from December 1, 1885, until June 30, 1887.

Read first time, and placed on file for second reading.

THIRD READING OF BILL.

Assembly Bill No. 117—An Act making an appropriation for the support and maintenance of the State Mining Bureau, for the thirty-ninth and fortieth fiscal years.

Read third time.

The roll was called, and the bill passed by the following vote.

AYES—Messrs Alexander, Atherton, Bailey, Barry, Barton, Bost, Brierly, Brown W A, Brown J B, Brusie, Butler, Campbell, Carroll, Cohen, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ewing, Gould, Granger, Gruwell, Handy, Hart, Heath, Henry of San Joaquin, Hyde, Knox, LaBlanc, Lawrence, Lewis, Martin, Mann, Mathews of Tehama, McClenahan, McGowan, Mitchell, Morris, Ohlever, Price, Regan, Remson, Shanahan, Sims, Spurgeon, Sykes, Taylor, Variel, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, and Mr Speaker—59

NOES—Messrs Adams, Carr, Hotchkiss, Mahler, Sherburne, Smyth, and Venable—7

Title read and approved.

Assembly Bill No. 107 temporarily passed on file.

Senate Constitutional Amendment No. 5 passed on file.

MOTION.

Mr. Knox moved that the rules be suspended, and that Assembly Bill No. 225 be taken from the General File and placed on the Special File.

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

AYES—Messrs Alexander, Atherton, Barton, Bost, Brierly, Burnett, Butler, Campbell, Cope, Currey of Solano, Curry of San Francisco, Ewing, Gould, Gruwell, Hart, Knox, LaBlanc, Martin, Price, Shanahan, Spurgeon, Vincent, Weber, Wilcox, and Young of San Diego—25

NOES—Messrs Adams, Bailey, Barry, Brusie, Callaghan, Carr, Carroll, Cohen, Cooley, Coombs, Granger, Handy, Heath, Henry of San Joaquin, Hotchkiss, Hyde, Lewis, Mahler, Mann, Matthews of San Benito, McClenahan, McDonnell, Mitchell, Ohleyer, Regan, Sherburne, Sims, Smyth, Sykes, Variel, Venable, and Wright—32.

PETITIONS.

Mr Granger presented a petition from citizens of Butte County, regarding the teaching of temperance in public schools.

Messrs Adams and Curry of San Francisco presented like petitions, all of which were referred to Committee on Education.

REPORTS OF STANDING COMMITTEES.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, February 25, 1887

MR SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No 558—An Act to amend section seven hundred and four of the Penal Code of the State of California, relating to examinations of persons charged with having made threats

Also, Assembly Bill No 559—An Act to amend section one thousand two hundred and fifteen of the Penal Code of the State of California, relating to the commitment of persons found guilty of crime

Also, Senate Bill No 173—An Act to add a new section to the Code of Civil Procedure, to be known as section seven hundred and twenty-nine, relating to the sale of mortgaged premises by a Commissioner

Also, Amended Senate Bill No 121—An Act to amend section six hundred and thirty-one of the Code of Civil Procedure, relating to waiver of trial by jury

Also Substitute Senate Bill No 341—An Act to amend section four hundred and ninety-one of the Penal Code of the State of California, relating to dogs, and the larceny thereof

Have considered the same, and now report them back, and recommend that they do pass

Also, Amended Senate Bill No 78—An Act to amend section one hundred and seventy of the Code of Civil Procedure, relating to disqualifications of Judges—and report the same back, with amendment, and recommend its passage, as amended

VARIEL, Chairman.

RESOLUTION—(OUT OF ORDER).

By Mr. McDonnell:

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 gaslights of the 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.

MOTION.

Mr. Heath moved to suspend the rules, and that the House proceed to the consideration of bills on the General File.

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

AYES—Messrs Adams, Bailey, Barton, Bost, Brierly, Brusie, Burnett, Callaghan, Campbell, Cohen, Coombs, Cope, Curtis of Solano, Curry of San Francisco, Davis, Gould, Granger, Gruwell, Handy, Hart, Heath, Henry of San Joaquin, Hotchkiss, Knox, Lawrence, Mahler, Martin, McClenahan, McDonnell, McGowan, Mitchell, Ohleyer, Regan, Remson, Searey, Shanahan, Sherburne, Sims, Smyth, Sykes, Toner, Variel, Venable, Vincent, Weber, Wilcox, Williams, Wright, and Young of San Diego—49

NOES—Messrs Alexander, Atherton, Carr, Carroll, Cooley, Hyde, Mann, and Mr. Speaker—8

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON CORPORATIONS

ASSEMBLY CHAMBER, SACRAMENTO, February 26, 1887

MR SPEAKER Your Committee on Corporations, to whom was referred Senate Bill No 294—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, in relation to corporations—report the same back, and recommend that it do pass, and that it be substituted in the place of Assembly Bill No 492 on the file

ALEXANDER, Chairman.

Report of committee adopted, and Senate Bill No. 294 substituted in the place of Assembly Bill No. 492 on the file.

ON IRRIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 26, 1887

MR. SPEAKER. Your Committee on Irrigation, to whom was referred Assembly Bill No 247—An Act to create an Irrigation, Drainage, and Water Rights Legislation Commission, to define its powers and duties, and to provide for payment of its costs and expenses—report the same back, and recommend that it do pass, as amended

VINCENT, Chairman.

ON MILEAGE

ASSEMBLY CHAMBER, SACRAMENTO, February 28, 1887

MR SPEAKER Your Committee on Mileage, to whom was referred the report of the Committee on Fish and Game, on the occasion of their visit to Truckee and Reno—have had the same under consideration, and recommend that the following named members be allowed mileage for two hundred and eighty-six miles Messrs. Williams, McGowan, Sykes, O'Grady, Lewis, Carr, and Clerk Hart

Resolved, That the Controller be and he is hereby authorized to draw his warrant for the sum of two hundred dollars and twenty cents in favor of George Williams, to pay above mileage, payable out of the appropriation for the contingent expenses of the Assembly

WEBER, Chairman.

Resolution adopted.

ASSEMBLY CHAMBER, SACRAMENTO, February 28, 1887

MR SPEAKER Your Committee on Elections, to whom was referred Senate Bill No 137, relating to election returns for Governor and Lieutenant-Governor.

Also, Senate Bill No. 130, relating to canvassing election returns, and to repeal section twelve hundred and seventy-nine of said Code

Report the same back and recommend that they do pass.

CARR, Chairman

MOTION.

Mr. Hyde moved that the rules be suspended, and that he be allowed to introduce a resolution, out of order.

So ordered.

RESOLUTIONS—(OUT OF ORDER).

By Mr. Hyde:

Resolved, That the sum of eight hundred and fifty-three dollars be and the same is hereby allowed and ordered paid out of the Contingent Fund of the Assembly to A. O Colton, for the expenses incurred by him in contesting the seat of H. R Mann, member of the Assembly from the Forty-first Assembly District, State of California, and the Controller of said State is hereby directed and instructed to draw his warrant on the Treasurer of said State in favor of said A. O Colton for said sum of eight hundred and fifty-three dollars.

Said expenses being as follows, to wit

To copying statement of the grounds of contest and other papers necessary in the matter of said contest	$10 00
To Notary fee, verification of statement	50
To fee of County Clerk, for filing statement	6 50
To fees of County Clerk, for certifying to copies of statement and notice	1 50
To Sheriff's fees, serving statement and notice	1 25
To fees of eleven witnesses, whose depositions were taken before J F Kingwell, Notary Public	38 00
To fees of J F Kingwell, Notary Public, in taking and certifying depositions of thirteen witnesses, etc., three days' attendance	48 00
To fees of J F Gawthorne and H W Walter, shorthand reporters, taking depositions before J F Kingwell, Notary Public	180 00
To serving eleven subpœnas	5 50
To Notary fees, eight affidavits	4 00
To telegrams to and from Sacramento	2 25
To fee of County Clerk, delivering papers to Justices of Peace	2 00
To fees of H J Stafford and E Burke, Justices of Peace, in taking depositions, three days' attendance, at five dollars per day each	30 00
To expressage and postage, transmitting papers to Sacramento	1 00
To expenses of A O Colton, in attending meetings of Committee on Elections, three trips	22 50
To fee of W H H Hart, as attorney for A O Colton in said contest	500 00
Total	$853 00

Referred to Committee on Elections.

By Mr. Carroll:

Resolved, That the Controller be and he is hereby authorized to draw his warrant in favor of H R Mann, for the sum of one thousand and thirty-one dollars and ten cents, payable out of the Contingent Fund of the Assembly, for expenses and disbursements incurred by the said H R Mann in defense of his seat in the Assembly, in the election contest entitled A O Colton vs. H R Mann—Forty-first Assembly District.

DISBURSEMENTS MADE BY H R MANN, RESPONDENT, IN CONTEST WITH A. O. COLTON

H. R Mann to C H Warner, Dr

Hess—To service of subpœna	$0 50	
To mileage, three miles	90	
To service order of Court	50	
To mileage, three miles	90	
To witness' fees, three days	6 00	
To witness' mileage, three miles	90	
		$9 70

Mahony—To service of subpœna	$0 50	
To mileage, three miles	90	
To service order of Court	50	
To mileage, three miles	90	
To witness' fees, three days	6 00	
To witness' mileage, three miles	90	
		$9 70
Barton—To service of subpœna	$0 50	
To mileage, three miles	90	
To witness' fees, one day	2 00	
To witness' mileage, three miles	90	
		4 30
Himmelmann—To service of subpœna	$0 50	
To mileage, four miles	1 20	
To service order of Court	50	
To mileage, four miles	1 20	
To witness' fees, three days	6 00	
To witness' mileage, four miles	1 20	
		10 60
Allen—To service of subpœna	$0 50	
To mileage, three miles	90	
To service order of Court	50	
To mileage, three miles	90	
To witness' fees, three days	6 00	
To witness' mileage	90	
		9 70
Sanderson—To service of subpœna	$0 50	
To mileage, four miles	1 20	
To service order of Court	50	
To mileage, four miles	1 20	
To witness' fees, two days	4 00	
To witness' mileage, four miles	1 20	
		8 60
Fraser—To service of subpœna	$0 50	
To mileage, three miles	90	
To witness' fees, two days	4 00	
To witness' mileage, three miles	90	
		6 30
Caseboit—To service of subpœna	$0 50	
To mileage, four miles	1 20	
To service order of Court	50	
To mileage, four miles	1 20	
To witness' fees, three days	6 00	
To witness' mileage, four miles	1 20	
		10 60
Murphy—To service of subpœna	$0 50	
To mileage, three miles	90	
To service order of Court	50	
To mileage, three miles	90	
To witness' fees, three days	6 00	
To witness' mileage, three miles	90	
		9 70
Morton—To service of subpœna	$0 50	
To mileage, three miles	90	
To service order of Court	50	
To mileage, three miles	90	
To witness' fees, three days	6 00	
To witness' mileage, three miles	90	
		9 70
Horn—To service of subpœna	$0 50	
To mileage, three miles	90	
To service order of Court	50	
To mileage, three miles	90	
To witness' fees, three days	6 00	
To witness' mileage, three miles	90	
		9 70
Connolly—To service of subpœna	$0 50	
To mileage, five miles	1 50	
To service order of Court	50	
To mileage, five miles	1 50	
To witness' fees, three days	6 00	
To witness' mileage, five miles	1 50	
		11 50
Total		$110 10

Reporter's fee for taking and reporting the testimony of the twelve witnesses above named	$171 00
Attorney fees for attorneys H C Firebaugh and Wilson & Wilson, attorneys for Mann, respondent	750 00
Total	$1,031 00

Referred to Committee on Elections.

By Mr. Lewis:

Resolved, That the sum of seventeen hundred and fifty-seven dollars be and hereby is allowed and ordered paid out of the Contingent Fund of the Assembly, to Edwin Lewis, for the expenses outlayed and incurred in the matter of the contest of the seat as member for the Thirty-first Assembly District, and now occupied by said Edwin Lewis, but hitherto contested by John Hayes, and the Controller is hereby authorized, directed, and instructed to draw his warrant on the Treasurer in favor of Edwin Lewis, for said sum of seventeen hundred and fifty-seven dollars, and the State Treasurer be and hereby is authorized to pay the said sum out of said fund

The items of expenditure are as follows

To services of Commissioners Burke and Stafford		$140 00
To witness' fees, costs, and expenses of witnesses, and going and coming to attend meetings of committee		
A H McCausland	$50 00	
J R Lewis	175 00	
J Kirwan	53 00	
M. Redding	65 00	
J D Gaffey	35 00	
M Golden	40 00	
H Curran	25 00	
Mary Love	15 00	
James Love	10 00	
Wm J Love	10 00	
		478 00
To Notarial fees, telegrams		24 00
To mileage of two counsel and their expenses		165 00
To counsel fees, Taylor & Craig		500 00
To counsel fees, R B Mitchell		200 00
To counsel fees, R P Lewis		200 00
To copying phonographic transcription and printing		50 00
		$1,757 00

The foregoing statement of the expenses incurred by me in and about the case of John Hayes, contestant, against Edwin Lewis, respondent, in this, the twenty-seventh session of the Legislature of California, contesting the seat now occupied by me, is correct

EDWIN LEWIS

Subscribed and sworn to before me, this twenty-eighth day of February, 1887.

FRANK D. RYAN, Notary Public

Referred to Committee on Elections.

MOTION.

Mr. Martin moved to suspend the rules, and that the House go back and consider bills on the Special File.

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

AYES—Messrs Alexander, Bailey, Barry, Brown W A, Brown J B, Brusie, Burnett, Butler, Callaghan, Campbell, Carroll, Cohen, Coombs, Currey of Solano, Ewing, Gould, Hart, Henry of Butte, Hyde, Knox, LaBlanc Lawrence, Lewis, Martin, McClenahan, McDonnell, McGowan, Mitchell, Morgan, Rucker, Searey, Shanahan, Sims, Spurgeon Sykes, Taylor, Toner, Variel, Vincent, Weber, Windrow, Williams, and Young of San Diego—43

NOES—Messrs Adams, Atherton, Barton, Bost, Carr, Cope, Curry of San Francisco, Davis, Granger, Gruwell, Handy, Heath, Henry of San Joaquin, Ohleyer, Renison, Sherburne, Smyth, and Venable—19

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 26, 1887.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Senate Constitutional Amendment No. 1—An Act to amend section one, of Article XIII, of the Constitution of the State of California.

Also, passed Senate Bill No. 431—An Act to appropriate money to prevent the introduction of contagious and infectious diseases.

E. H. HAMILTON, Secretary.
By R. B. OULLAHAN, Assistant Secretary.

CONSIDERATION OF SENATE MESSAGES.

Senate Constitutional Amendment No. 1 referred to Committee on Constitutional Amendments.

Senate Bill No. 431 referred to Committee on State Hospitals.

INTRODUCTION OF BILL.

Mr. Brierly 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 motion carried by the following vote:

AYES—Messrs. Atherton, Bailey, Barry, Barton, Bost, Brierly, Brown J. B., Brusie, Burnett, Butler, Campbell, Carroll, Cohen, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Gould, Granger, Gruwell, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hyde, Knox, Lawrence, Lewis, Martin, Mathews of Tehama, McClenahan, McGowan, Mitchell, Morgan, Ohleyer, Regan, Rucker, Renison, Searey, Sherburne, Sims, Spurgeon, Sykes, Taylor, Toner, Variel, Venable, Vincent, Weber, Windrow, Wilcox, Williams, and Young of San Diego—56.

NOES—Messrs. Callaghan, Carr, and Hotchkiss—3.

By Mr. Brierly: Assembly Bill No. 560—An Act to appropriate money to meet the deficiency in the appropriation for the State's portion of the salaries of the Superior Judges, for the thirty-eighth fiscal year.

CASE OF URGENCY.

Mr. Brierly moved to suspend the rules and the provisions of section fifteen, of Article IV, of the Constitution, requiring bills to be read on three separate days, that Assembly Bill No. 560 be declared a case of urgency, and that the bill be read the first and second time.

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

AYES—Messrs. Adams, Alexander, Atherton, Barry, Barton, Bost, Brierly, Brown J. B., Brusie, Butler, Campbell, Carr, Carroll, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ewing, Gould, Granger, Gruwell, Handy, Hart, Henry of Butte, Hyde, Knox, LaBlanc, Lewis, Mahler, Martin, Mathews of Tehama, McClenahan, McGowan, Mitchell, Price, Renison, Searey, Sherburne, Sims, Spurgeon, Sykes, Taylor, Variel, Venable, Vincent, Weber, Windrow, Wilcox, Williams, and Young of San Diego—53.

NOES—Messrs. Callaghan, Heath, Henry of San Joaquin, Hotchkiss, Lawrence, Morgan, and Ohleyer—7.

Assembly Bill No. 560 referred to Committee on Ways and Means.

MOTION.

Mr. Campbell moved to suspend the rules, and that the House now proceed to the consideration of bills on Special File.

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

AYES—Messrs Barry, Bost, Brierly, Brown W A, Brown J. B, Brusie, Burnett, Butler, Callaghan, Campbell, Cohen, Curry of San Francisco, Ewing, Gould, Hart, Henry of Butte, Knox, LaBlanc, Lawrence, Lewis, Mahler, Martin, Mann, Mathews of Tehama, McClenahan McDonnell, McGowan, Mitchell, Morgan, Morris, Regan, Rucker, Searey, Shanahan, Spurgeon, Toner, Variel, Weber, Windrow, Wilcox, Williams, and Young of San Diego—42.

NOES—Messrs Adams, Alexander, Atherton, Barton, Carr, Carroll, Cooley, Coombs, Cope, Currey of Solano, Davis, Granger, Gruwell, Heath, Henry of San Joaquin, Hotchkiss, Ohlever, Price, Remson, Smyth, Taylor, Venable, Vincent, and Mr Speaker—24

GENERAL FILE—SECOND READING OF BILL.

Assembly Bill No. 59—An Act to pay the claim of Edward J. Smith.

Read second time.

MOTION.

At twelve o'clock and twenty-nine minutes P M. Mr. Coombs moved that the hour of recess be extended until one o'clock P. M.

Lost.

RECESS.

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

REASSEMBLED.

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

Speaker Jordan in the chair.

Quorum present.

GENERAL FILE—FIRST READING OF BILLS.

Senate Bill No. 333—An Act to protect life and property against the careless and malicious use or handling of dynamite and other explosives.

Read first time, and placed on file for second reading.

CASE OF URGENCY.

Mr. Variel moved to suspend the rules and provisions of section fifteen, of Article IV, of the Constitution, requiring bills to be read on three separate days, that Senate Bill No. 333 be declared a case of urgency, and the bill be read the second and third time, and placed upon its passage.

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

AYES—Messrs Adams, Alexander, Atherton, Barton, Bost, Brierly, Brusie, Butler, Carr, Carroll, Cooley, Coombs, Cope, Currey of Solano, Davis, Gould, Granger, Gruwell, Handy, Hart, Hyde, Knox, Mahler, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, McGowan, O'Grady, Ohlever, Rucker, Remson, Sims, Smyth, Spurgeon, Sykes, Taylor, Variel, Venable, Vincent, Williams, Wright, Young of San Diego, and Mr Speaker—44

NOES—Messrs Barry, Britt, Brown W A, Burnett, Callaghan, Cohen, Curry of San Francisco, Heath, Henry of San Joaquin, LaBlanc, Lawrence, Lewis, Martin, McDonnell, Mitchell, Price, Regan, Searey, Shanahan, Sherburne, Weber, Windrow, and Young of San Joaquin—23

NOTICE TO AMEND RULES.

Mr W. A. Brown gave notice that, on to-morrow, he would move to amend the rules as follows:

MR SPEAKER I desire to give notice that I will, on to-morrow, move to change Rule 77 so as to make it read: "That any bill may be taken up and considered at any time by a constitutional majority, which is forty-one"

GENERAL FILE—FIRST READING OF BILLS—(RESUMED).

Senate Bill No. 343—An Act to add two new sections to the Political Code, to be known and numbered as sections three thousand two hundred and three thousand two hundred and one, relating to trademarks, the use and adoption of the same, and the person who and the manner by which said trademark and the rights thereunder may be protected.

Read first time, and placed on file for second reading.

Senate Bill No. 164—An Act to provide for the painting of State buildings located at Sacramento, and to appropriate money therefor.

Read first time, and placed on file for second reading.

Senate Bill No. 66—An Act to appropriate money to pay for the publication of Amendment Number One to the Constitution, as submitted at the general election, November 2, 1886.

Read first time, and placed on file for second reading.

REPORTS OF STANDING COMMITTEES.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 28, 1887

MR SPEAKER Your Committee on Engrossment beg leave to report that the following Assembly Bills have been correctly engrossed.

Assembly Bills Nos 12, 62, 124, 252, and 456

WINDROW, Chairman

ON ENROLLMENT

ASSEMBLY CHAMBER, SACRAMENTO, February 28, 1887.

MR SPEAKER Your Committee on Enrollment beg leave to report that the following Assembly Bills have been correctly enrolled

Assembly Bill No 49—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, relating to chattel mortgages

Also, Assembly Bill No 172—An Act to amend "An Act to appropriate money for the support of aged persons in indigent circumstances residing in the Home of the Veterans' Home Association," approved March 7, 1883

Also, Assembly Bill No. 207—An Act making an appropriation for the deficiency in the appropriation for the support of the State Printing Office, for the fiscal year ending June 30, 1887.

Also, Assembly Bill No. 69—An Act concerning the payment of the expenses and costs of the trial of persons charged with the violation of the laws for the preservation of fish in the navigable waters of this State

Also, Assembly Bill No 339—An Act to appropriate the sum of ten thousand dollars for the construction of an additional cottage at the Veterans' Home, under the auspices of the Veterans' Home Association and for the completion of the principal building already in use, and to improve the water supply of said Home

Also, Assembly Concurrent Resolution No 4—Relating to a conference of State Librarians

And were presented to the Governor, this day, at two o'clock and twenty minutes P M.

JAS. B BROWN, Chairman.

FIRST READING OF BILLS—(RESUMED).

Senate Bill No. 304—An Act to appropriate money for the purchase of certain roads within the limits of the Yosemite Grant.

Read first time, and placed on file for second reading.

Assembly Bill No. 514 temporarily passed on file.

Senate Bill No. 274—An Act making appropriations for the erec-

tion of buildings and for other improvements at the State Prison at San Quentin.

Read first time, and placed on file for second reading.

Senate Bill No. 30—An Act making an appropriation for the support and maintenance of the State Mining Bureau, for the thirty-ninth and fortieth fiscal years, and directing the payment of certain claim against said Bureau.

Read first time, and placed on file for second reading.

Senate Bill No. 216—An Act to encourage and provide for the dissemination of a knowledge of the arts, sciences, and general literature, and the founding, maintaining, and perpetuating public libraries, museums, and galleries of art, and the receipt of donations and contributions thereto when established; for the conveyance, holding, and protection of real property within this State suitable for the purposes herein designated, and the erection thereon of buildings appropriate to such purposes, and for the creation of trusts necessary or proper for the better preservation of such institutions and the control and management thereof.

Read first time, and placed on file for second reading.

Senate Bill No. 240—An Act to authorize the State Treasurer to transfer the sum of three thousand three hundred and six dollars and seventy-two cents from the State Drainage Construction Fund to the General Fund, to reimburse the General Fund in that amount for moneys paid from it upon outstanding warrants against the State Drainage Construction Fund, under an Act of the Legislature, approved March 10, 1885, entitled "An Act to appropriate money to pay indebtedness incurred under an Act entitled 'An Act to promote drainage,'" approved April 23, 1880.

Read first time, and placed on file for second reading.

Assembly Bill No. 546—An Act relative to Justices' fees and amendatory of an Act regulating Justices' fees for San Bernardino County, approved February 14, 1878.

First reading refused.

Senate Bill No 20—An Act to amend section two thousand seven hundred and twelve of an Act entitled "An Act to establish a Political Code," approved March 12, 1872.

Read first time, and placed on file for second reading.

Senate Bill No. 12—An Act to amend section one hundred and twenty-five of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883, relating to books of record and indices to be kept by County Recorders.

Read first time, and placed on file for second reading.

Senate Bill No. 136—An Act to add a new section to the Political Code of the State of California, to be numbered section four thousand two hundred and twenty-five, in relation to the duties of County Auditor

Read first time, and placed on file for second reading.

Senate Bill No. 14—An Act to amend section one hundred and ninety-three of an Act entitled an Act to establish a uniform system of county and township governments, approved March 14, 1883, relating to the compensation of county and township officers, and to the appointment and salaries of deputies and extra deputies in counties of the thirty-first class.

Read first time, and placed on file for second reading.

Senate Bill No. 32—An Act to amend section one hundred and

twenty-six of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883.

Read first time, and placed on file for second reading.

Assembly Bill No 533—An Act for the relief of I. G. Wickersham, for money expended in the matter of the extradition of Ang Tai Duck.

Read first time, and placed on file for second reading.

Assembly Bill No. 545—An Act to appropriate the sum of ten thousand dollars to assist in erecting a monument to the memory of the late Admiral John Drake Sloat.

First reading refused.

Senate Bill No 3—An Act to repeal section one thousand four hundred and twenty-two, of Title VIII, of Part IV, of Division II, of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, and to reserve from the operation of said repeal rights already vested.

Read first time, and placed on file for second reading.

Assembly Bill No. 401—An Act to encourage and provide for a general vaccination in the State of California.

Read first time, and placed on file for second reading.

Assembly Bill No. 48—An Act creating and adding two new sections to the Code of Civil Procedure of the State of California, to be known as sections numbers three hundred and ninety-one and one thousand and forty, and amending sections three hundred and ninety-four and four hundred and eleven of the same Code, authorizing and regulating actions against the State of California.

First reading refused.

Senate Bill No. 65—An Act creating and adding two new sections to the Code of Civil Procedure of the State of California, to be known as sections numbers three hundred and ninety-one and one thousand and forty, and amending sections three hundred and ninety-four and four hundred and eleven of the same Code, authorizing and regulating actions against the State of California.

First reading refused.

Assembly Bill No. 553—An Act to amend section two thousand three hundred and forty-nine of the Political Code, relating to navigable streams.

Read first time, and placed on file for second reading.

Senate Bill No. 190—An Act appropriating the sum of ten thousand dollars to erect a building for the purpose of furnishing dormitories and dining-rooms for the male adult blind inmates at the "Home for the Adult Blind."

Read first time, and placed on file for second reading.

BILL WITHDRAWN.

Mr. Sims withdrew Assembly Bill No. 343, by permission of the House.

MOTION.

Mr. Sims moved that Senate Bill No. 190 be placed on the file in the place formerly occupied by Assembly Bill No. 343

The ayes and noes demanded by Messrs. Lawrence, W. A. Brown, and Hotchkiss.

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

AYES—Messrs. Alexander, Atherton, Bailey, Barry, Brierly, Britt, Brown J B, Brusie, Callaghan, Carr, Carroll, Cohen, Coombs, Cope, Currey of Solano, Curry of San Francisco, Ewing, Gould, Granger, Handy, Hart, Knox, LaBlanc, Martin, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, Mitchell, Morris, Price, Rucker, Remson, Shanahan, Sherburne, Sims, Spurgeon, Sykes, Taylor, Toner, Variel, Vincent, Weber, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr Speaker—49

NOES—Messrs Adams, Barton, Brown W A, Burnett, Cooley, Gruwell, Heath, Henry of San Joaquin, Hotchkiss, Hyde, Lawrence, O'Grady, Ohlever, Smyth, and Venable—15

FIRST READING OF BILLS—(RESUMED).

Senate Bill No. 191—An Act appropriating the sum of twenty-eight thousand five hundred dollars for the purpose of purchasing suitable property for the location of the Industrial Home of Mechanical Trades for the Adult Blind of California.

Read first time, and placed on file for second reading.

Senate Bill No. 231—An Act to amend section one thousand eight hundred and fifty-eight of an Act entitled an Act to establish a Political Code, approved March 12, 1872, relating to apportionment of school moneys.

Read first time, and placed on file for second reading.

Senate Bill No. 237—An Act to add three new sections to an Act entitled "An Act to establish a Political Code," approved March 12, 1872, to be numbered four hundred and forty-four, one thousand six hundred and twenty-five, and one thousand six hundred and eighty-two, respectively, in relation to the duties of the Controller and Trustees of school districts, as to apportionment of moneys, the enrollment of pupils in the grammar school course, and to provide for the same, and to amend sections one thousand five hundred and thirty-two, one thousand five hundred and thirty-three, one thousand five hundred and forty-three, and one thousand six hundred and ninety-six of said Act, in relation to pupils enrolled in the grammar school course, the duties of the Superintendent of Public Instruction, County Superintendents, and teachers, in relation thereto, and the apportionment of moneys appropriated therefor.

Read first time, and placed on file for second reading.

Assembly Bill No. 554—An Act to amend sections one thousand five hundred and seventeen, one thousand five hundred and forty-nine, one thousand five hundred and sixty-five, one thousand five hundred and seventy-seven, one thousand five hundred and seventy-eight, one thousand five hundred and eighty-two, one thousand six hundred and twenty-one, one thousand seven hundred and seventy, one thousand eight hundred and thirty-one, one thousand eight hundred and sixty-one, and one thousand eight hundred and seventy-seven of the Political Code of the State of California, relating to the public schools of the State of California.

Read first time, and placed on file for second reading.

Senate Bill No. 162—An Act to regulate the vocation of fishing, and to provide therefrom revenue for the "restoration and preservation of fish" in the waters of the State of California.

Read first time, and placed on file for second reading.

Assembly Bill No. 525—An Act making an appropriation for a deficiency in the appropriation for the salary of the Phonographic Reporter of the Supreme Court, for the thirty-eighth fiscal year.

Read first time, and placed on file for second reading.

Assembly Bills Nos. 520 and 548 refused first reading.

Senate Bill No. 113—An Act to amend sections three thousand and

seventy-seven, three thousand and seventy-eight, three thousand and eighty, and three thousand and eighty-two of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relative to the registry of births, deaths, and marriages.

Read first time, and placed on file for second reading.

NOTICE OF RECONSIDERATION.

Mr. Barton gave notice that, on to-morrow, he would move to reconsider the vote whereby Assembly Bill No. 545 was refused a first reading.

BILL WITHDRAWN.

Mr. Mathews of Tehama withdrew Assembly Bill No. 302, by permission of the House.

Mr. Mathews of Tehama moved to substitute Senate Bill No. 545 in the place formerly occupied by Assembly Bill No. 302 on the file.

So ordered, by a unanimous vote.

FIRST READING OF BILL.

Senate Bill No. 70—An Act to establish an asylum for insane criminals of the State of California.

Read first time, and placed on file for second reading.

SPECIAL ORDER.

Assembly Bill No. 148—An Act to amend sections one, five, six, seven, eight, ten, and eleven of an Act entitled "An Act to provide for the redemption of the funded indebtedness of the City of Sacramento," approved March 25, 1872.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Atherton, Barry, Barton, Bost, Brierly, Britt, Burnett, Butler, Campbell, Carroll, Cohen, Cope, Curry of San Francisco, Ewing, Gould, Granger, Gruwell, Handy, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, Knox, LaBlanc, Lawrence, Mann, Mathews of Tehama, McClendahan, McDonnell, McGowan, Mitchell, Morris, O'Grady, Price, Regan, Rucker, Rennson, Searey, Sherburne, Sims, Spurgeon, Taylor, Toner, Variel, Venable, Vincent, Wilcox, Williams, Young of San Diego, and Mr. Speaker—52

NOES—Mr. Carr—1

FIRST READING OF BILL.

Speaker pro tem. Brierly in the chair.

Senate Bill No. 188—An Act to amend an Act entitled "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," approved March 3, 1885, by amending sections one and two thereof.

Read first time, and placed on file for second reading.

BILL WITHDRAWN.

Mr. Britt asked permission to withdraw Assembly Bill No. 269.

Request granted.

Mr. Britt moved that Senate Bill No. 188 be placed in the position formerly occupied by Assembly Bill No. 269 on the file.

So ordered, by a unanimous vote.

FIRST READING OF BILLS—(RESUMED).

Assembly Bill No. 517 refused first reading.

Senate Bill No. 25—An Act to amend sections one thousand and thirty-three, one thousand and thirty-four, and one thousand and thirty-five of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to the removal of criminal actions before trial.

Read first time, and placed on file for second reading.

BILL WITHDRAWN.

Mr. Coombs asked permission to withdraw Assembly Bill No. 38.

Request granted.

Mr. Coombs moved that Senate Bill No. 25 be placed in the position formerly occupied by Assembly Bill No. 38 on the file.

CALL OF THE HOUSE.

Pending roll call, on motion of Mr. Coombs to substitute Senate Bill No. 25 for Assembly Bill No. 38.

Mr. Coombs moved a call of the House.

So ordered.

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

Messrs. Alexander, Atherton, Bailey, Barry, Barton, Bost, Brierly, Britt, Brown W. A., Brown J. B., Bruste, Burnett, Butler, Callaghan, Campbell, Carr, Carroll, Cohen, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ewing, Gould, Granger, Gruwell, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, Knox, LaBlanc, Lawrence, Mahler, Martin, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Mitchell, Morris, O'Grady, Ohlever, Price, Regan, Rucker, Renison, Searey, Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Toner, Variel, Venable, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr. Speaker.

MOTION.

Mr. Coombs moved that further proceedings under the call of the House be dispensed with.

So ordered.

The question recurring on the roll call, on the motion of Mr. Coombs to substitute Senate Bill No. 25 for Assembly Bill No. 38, the same was continued, and the motion carried by the following vote:

Ayes—Messrs. Alexander, Atherton, Bailey, Barry, Barton, Bost, Brierly, Britt, Burnett, Butler, Campbell, Carroll, Cohen, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Gould, Granger, Gruwell, Handy, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, Knox, LaBlanc, Mahler, Mathews of Tehama, Matthews of San Benito, McClenahan, McGowan, Mitchell, O'Grady, Ohlever, Regan, Rucker, Renison, Shanahan, Sherburne, Sims, Spurgeon, Sykes, Taylor, Variel, Venable, Vincent, Weber, Wilcox, Williams, Wright, Young of San Diego, and Young of San Joaquin—54.

Noes—Messrs. Brown W. A., Brown J. B., Lawrence, Martin, and Searey—5.

FIRST READING OF BILLS—(RESUMED).

Assembly Bill No. 500—An Act to amend section nine hundred and seventy-four of the Code of Civil Procedure, relating to the appeals from Justice and Police Judge's Court.

Read first time, and placed on file for second reading.

Assembly Bill No 522—An Act to provide for the establishment of Police Courts in all cities of this State containing over ten thousand and less than one hundred thousand inhabitants, to prescribe the duties of the Judge of such Court, to provide for the compensation of the Judges thereof, and the disposition of fines and forfeitures by him collected, and to provide for the election and appointment of such Judge.

Read first time, and placed on file for second reading.

Assembly Bill No. 547—An Act to add a new section to the Penal Code, to be known as section four hundred and sixty-eight, relative to and prohibiting the carrying of concealed weapons.

Read first time, and placed on file for second reading

Assembly Bill No. 551—An Act to provide for the filing of claims against the State of California, taking of testimony thereon, and to define the duties of the Governor, Attorney-General, Controller, and committees of the Legislature in relation thereto.

Read first time, and placed on file for second reading.

Senate Bill No. 389—An Act to add two new sections to an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, to be known as sections numbers one hundred and eighty and one hundred and eighty-one, relating to offenses against public justice.

Read first time, and placed on file for second reading.

Assembly Bill No. 521 refused first reading.

NOTICE OF RECONSIDERATION.

Mr. Granger gave notice that, on to-morrow, he would move to reconsider the vote whereby Assembly Bill No. 521 was refused first reading.

Assembly Bill No. 433—An Act for the abatement of nuisances by public officers, and giving of a lien for and mode of payment of the expenses of such proceedings on abatement.

Read first time, and placed on file for second reading.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 28, 1887

MR SPEAKER: Your Committee on Engrossment beg leave to report that the following Assembly Bills have been correctly engrossed:

Assembly Bills Nos 444 and 110.

WINDROW, Chairman

FIRST READING OF BILLS—(RESUMED).

Assembly Bill No. 536 refused first reading.

Assembly Bill No. 539—An Act to establish a school in Ukiah City, Mendocino County, and a school at Lower Lake, Lake County, for the purpose of educating the children of Indian parents, and appropriating money for the same.

Ordered read first time, on a division—ayes, 31; noes, 5.

Assembly Bill No. 539 read first time, and placed on file for second reading.

Assembly Bill No. 543—An Act to amend an Act to establish a Penal Code, relating to trapping quail.

Read first time, and placed on file for second reading.

Assembly Bill No. 544—An Act to amend an Act to establish a Penal Code, relating to fish and game.

Read first time, and placed on file for second reading.

Assembly Bill No. 556—An Act to amend section six hundred and thirty-five of the Penal Code, relating to the violation of the law for the preservation of fish.

Read first time, and placed on file for second reading.

Assembly Joint Resolution No. 12 passed on file.

Assembly Bill No. 541—An Act to appropriate the sum of one thousand eight hundred and thirty-seven dollars and seventy-six cents for deficiencies for the support of the State Board of Forestry, for the thirty-eighth fiscal year.

Read first time, and placed on file for second reading.

Senate Bill No. 4 refused first reading.

Senate Bill No. 239—An Act to amend section one thousand seven hundred and seventy-one of "An Act to establish a Political Code," approved March 12, 1872, in relation to the powers of County Boards of Education.

Read first time, and placed on file for second reading.

Speaker Jordan in the chair.

NOTICE OF RECONSIDERATION.

Mr. Venable gave notice that, on to-morrow, he would move to reconsider the vote whereby Senate Bill No. 4 was refused first reading.

FIRST READING OF BILL.

Senate Bill No. 328—An Act to provide for the care and security of the State series of school text-books, by the erection of a fireproof warehouse, to be used for the storage of the same, authorizing the appointment of a storekeeper to have the care and custody of said text-books, and appropriating money to pay the expenses of erecting said warehouse, and the salary of such storekeeper.

Read first time.

CASE OF URGENCY.

Mr. Brierly moved to suspend the provisions of section fifteen, of Article IV, of the Constitution, requiring bills to be read on three separate days, that Senate Bill No. 328 be declared a case of urgency, and that the bill be read the second and third times, and placed upon its passage.

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

AYES—Messrs. Atherton, Barton, Bost, Brierly, Britt, Butler, Carr, Carroll, Cooley, Coombs, Cope, Currey of Solano, Gould, Granger, Handy, Hart, Henry of Butte, Hyde, Knox, Mahler, Mann, Mathews of Tehama, Matthews of San Benito, McGowan, Ohleyer, Regan, Rucker, Rennson, Shanahan, Spurgeon, Sykes, Taylor, Venable, Vincent, Williams, Wright, Young of San Joaquin, and Mr. Speaker—38.

NOES—Messrs. Adams, Bailey, Barry, Brown J. B., Burnett, Callaghan, Campbell, Cohen,

Ewing, Gruwell, Heath, Henry of San Joaquin, Hotchkiss, LaBlanc, Lawrence, McDonnell, Mitchell, Morris, O'Grady, Sherburne, Sims, Smyth, Weber, and Windrow—24

MOTIONS.

Mr. Weber moved to suspend the rules, and take up and consider bills on second reading.

So ordered, by a unanimous vote.

Mr. Bost asked consent to withdraw Senate Bill No. 30.

So ordered.

Mr. Brierly moved that Assembly Bills Nos. 58, 57, and 263 be read a second time before going into Committee of the Whole.

Mr. Hart moved to amend, so as to include Assembly Bill No. 527.

Amendment lost.

The question then being on the motion of Mr. Brierly, it was so ordered.

SECOND READING OF BILLS.

Assembly Bill No. 58—An Act to pay the claim of Jessie A. Galland.

Read second time.

Assembly Bill No. 57—An Act to pay the claim of J. F. Gawthorne.

Read second time.

Assembly Bill No. 263—An Act to provide for the deficiency in the appropriation for the payment of costs and expenses of suits wherein the State is a party in interest, for the thirty-seventh fiscal year, to pay the claim of Arthur Rodgers.

Read second time.

IN COMMITTEE OF THE WHOLE.

On motion of Mr. Hyde, the House went into Committee of the Whole, for the purpose of considering Assembly Bills Nos. 59, 58, 57, and 263.

Speaker Jordan in the chair.

The bills were considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Jordan in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The Chairman stated the report as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bills Nos. 29, 58, 57, and 563, and now report the same back, and recommend that Assembly Bill No. 59 do pass as amended, as follows: adding a new section to the bill, to be known as section two, to read as follows:

SEC. 2. The Controller of State is hereby directed to draw his warrant for said sum, and the Treasurer of State is hereby directed to pay the same.

Also, recommend that Assembly Bill No. 58 do pass, as amended, as follows: adding a new section to the bill, to be known as section two, to read as follows:

SEC. 2. The Controller of State is hereby directed to draw his warrant for said sum, and the Treasurer of State is hereby directed to pay the same.

And to renumber section two, to be known as section three.

Also, recommend that Assembly Bill No. 57 do pass as amended, as follows: adding a new section to the bill, to be known as section two, to read as follows:

SEC. 2. The Controller of State is hereby directed to draw his warrant for said sum, and the Treasurer of State is hereby directed to pay the same.

Renumber section two to read section three

Also, recommend that Assembly Bill No 263 do pass, as amended, as follows amend section one, line one, printed bill, strike out the words "five hundred dollars," and insert the words "two hundred and fifty dollars"

Add to section one "and the Controller is hereby authorized to draw his warrant for said sum in favor of Arthur Rodgers"

Report adopted.

Assembly Bills Nos. 59, 58, 57, and 263 ordered engrossed, and to a third reading.

SECOND READING OF BILLS—(RESUMED).

Assembly Bill No. 251—An Act to amend section two hundred and sixty-one of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the powers and duties of the officers and employés of the Legislature.

Read second time.

Committee amendment, as follows, adopted: amend bill, after title, so as to read:

The People of the State of California, represented in Senate and Assembly, do enact as follows:

Bill ordered engrossed, and to a third reading.

Assembly Bill No 280—An Act fixing the maximum daily charges for hotel expenses to be paid by the State.

Read second time, ordered engrossed, and to a third reading.

Assembly Bill No. 42 refused second reading

Assembly Bill No. 211—An Act to repeal an Act entitled "An Act to declare the Klamath River navigable."

Read second time, ordered engrossed, and to a third reading.

Senate Bill No. 219—An Act to prevent the sophistication and adulteration of wine.

Read second time, and placed on file for third reading.

Assembly Bill No 216—An Act to amend section two hundred and sixty-eight of the Political Code of the State of California, relating to per diem of officers and attachés of Senate and Assembly.

Read the second time, ordered engrossed, and placed on file for third reading.

Assembly Bill No. 197—An Act to authorize and empower the Board of Trustees of the Napa State Asylum for the Insane to sell and convey a portion of real property situate in Napa County, in the State of California, and belonging to said State, to Napa County, for the purpose of a public highway, and to sell and convey a certain other portion of said tract to an individual or individuals.

Read second time.

Mr. Coombs offered the following amendments, which were adopted: section one, page two, line fourteen, right-hand side of said line, strike out "N. 6½°," and insert "N. 3½°;" also, section two, page two, line sixteen, right-hand side of said line, strike out the "N. 70°," and insert "N. 70½°," also, section two, page two, line seventeen, left-hand side of said line, strike out "2.4 chains," and insert "2.14 chains."

Bill ordered engrossed, and to a third reading.

Assembly Bill No. 213—An Act to authorize the Common Councils and Boards of Supervisors of the several cities, counties, and cities and counties in this State, to levy taxes for the maintenance of public

parks having an area of over ten acres each within their respective limits.

Mr Brierly moved that this bill be made a special order for to-morrow morning, immediately after reading the Journal.

Ayes and noes demanded by Messrs. Lawrence, Hotchkiss, and McDonnell.

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

AYES—Messrs Atherton, Barton, Bost, Brierly, Britt, Butler, Carroll, Coombs, Cope, Currey of Solano, Curry of San Francisco, Gould, Hart, Knox, McClenahan, McGowan, Rucker, Shanahan, Sherburne, Sims, Spurgeon, Sykes, Taylor, Variel, Vincent, Wilcox, Williams, Wright, Young of San Diego, and Young of San Joaquin—30

NOES—Messrs Adams, Bailey, Barry, Brown W A, Brown J B, Callaghan, Campbell, Carr, Cohen, Ewing, Granger, Gruwell, Heath, Henry of San Joaquin, Hotchkiss, Hyde, LaBlanc, Lawrence, Mahler, McDonnell, O'Grady, Ohleyer, Price Regan, Remson, Venable, Weber, and Windrow—28

Assembly Bill No 157—An Act to amend section one thousand three hundred and thirty of the Code of Civil Procedure of the State of California, concerning the contest of the probate of wills.

Read second time, ordered engrossed, and to a third reading.

Assembly Bill No. 182—An Act to amend section one thousand and seventy of the Penal Code, relating to peremptory challenges to jurors in criminal cases.

Read second time, ordered engrossed, and to a third reading.

Assembly Bill No. 221—An Act to repeal sections two thousand four hundred and sixty-six, two thousand four hundred and sixty-seven, two thousand four hundred and sixty-eight, two thousand four hundred and sixty-nine, two thousand four hundred and seventy, and two thousand four hundred and seventy-one of an Act to establish a Civil Code, approved March 21, 1872, relating to partnerships.

Read second time, ordered engrossed, and to a third reading.

Assembly Bill No 224—An Act to amend section one thousand six hundred and forty-six of the Code of Civil Procedure of California, relating to funeral expenses, expense of last sickness, and the purchase and improvement of a grave lot for the decedent.

Read second time, ordered engrossed, and to a third reading.

Assembly Bill No 18—An Act to amend "An Act creating a Board of Bank Commissioners, and prescribing their duties and powers," approved March 30, 1878

Temporarily passed on file.

Assembly Bill No. 155—An Act relating to estrays.

Read second time.

Committee amendment, as follows, adopted: That the clause reading "which shall open" shall be amended by the insertion of the word "be," and read: "which shall be open," line six of printed copy.

Bill ordered engrossed, and to a third reading.

Assembly Bill No 218—An Act to amend an Act entitled "An Act giving a lien to loggers and laborers employed in logging camps upon the logs cut and hauled by the persons who employ them," approved March 30, 1878.

Read second time.

RECESS.

The hour of recess having arrived, 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 Jordan in the chair.
Quorum present.

LEAVE OF ABSENCE.

Mr Mathews of Tehama moved that Messrs. Shanahan and Davis be granted a leave of absence for one hour.
Lost.

GENERAL FILE.

Assembly Bill No. 124—An Act to amend section six hundred and twenty-six of the Penal Code, relative to fish and game.
Temporarily passed on file.

THIRD READING OF BILLS.

Assembly Bill No. 193—An Act to amend section three thousand four hundred and forty-nine of the Civil Code of the State of California, approved March 21, 1872, relating to assignments for the benefit of creditors.
Read third time.
The roll was called, and the bill passed by the following vote.

AYES—Messrs Adams, Alexander, Atherton, Bailey, Barry, Bost, Brierly, Britt, Brown J B, Brusie, Burnett, Butler, Callaghan, Campbell, Carr, Carroll, Cohen, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Ellsworth, Ewing, Gould, Granger, Gruwell, Handy, Hart, Heath, Henry of San Joaquin, Hotchkiss, Hyde, Lawrence, Mahler, Martin, Mann, Matthews of San Benito, McClenahan, McDonnell, McGowan, Mitchell, Morgan, Morris, Ohleyer, Price, Remson, Searey, Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Toner, Variel, Venable, Vincent, Weber, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr Speaker—65
NOES—None

Title read and approved.
Assembly Bill No 1—An Act to amend sections two thousand four hundred and thirty-three, two thousand four hundred and thirty-six, two thousand four hundred and forty, and two thousand four hundred and forty-three, of Article V, of the Political Code, relating to pilots and Pilot Commissioners, and two thousand four hundred and fifty-seven, two thousand four hundred and sixty, two thousand four hundred and sixty-two, two thousand four hundred and sixty-five, two thousand four hundred and sixty-six, two thousand four hundred and sixty-seven, of Article VI, of the Political Code, relating to the pilot regulations of San Francisco, Mare Island, and Benicia.
Read third time.
Mr. Hyde moved to strike out the enacting clause.

PREVIOUS QUESTION.

Mr Heath moved the previous question, seconded by Messrs. Campbell and Henry of Butte.
The question being, "Shall the main question be now put?" it was so ordered.
The ayes and noes were demanded by Messrs. Heath, Mathews of Tehama, and Granger.

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

AYES—Messrs Alexander, Barry, Brown W A, Carroll, Cooley, Ewing, Hyde, Lawrence, Martin, Mann, Ohleyer, Weber, and Mr Speaker—13

NOES—Messrs Adams, Atherton, Bailey, Bost, Brierly, Britt, Brown J B, Burnett, Butler, Callaghan, Campbell, Carr, Cohen, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Gould, Granger, Gruwell, Handy, Hart, Heath, Henry of Butte Henry of San Joaquin, Hotchkiss, Knox, LaBlanc, Mahler, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Mitchell, Morgan, Morris, Price, Regan, Rucker, Remson, Searey, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Toner, Variel, Venable, Vincent, Windrow, Wilcox, Williams, Wright, and Young of San Joaquin—60

Mr. Lawrence moved that this bill be referred to a select committee of one, with special instructions to prepare an amendment to the bill, as follows:

SEC 8 Section two thousand four hundred and sixty-six of the Political Code is hereby amended so as to read as follows

Section 2466 The following are the rates of pilotage into or out of the harbor of San Francisco Vessels under five hundred tons, five dollars per foot draft, vessels over five hundred tons, five dollars per foot draft, and four cents per ton for each and every ton of registered measurement If the vessel is inward bound, and not spoken until inside the nine-fathom buoy, only one half the above rates shall be charged. No vessel inward or outward bound shall be charged pilotage, unless a pilot be actually employed

Mr. Brierly moved to amend the amendment, as follows: amend section eight, by striking out from the word "all," in line four, to the word "registered," in line six, and inserting in lieu thereof the words "for all vessels, ten cents per net ton."

PREVIOUS QUESTION.

Mr. Young of San Joaquin moved the previous question, seconded by Messrs. Henry of San Joaquin and Gruwell.

The question being, "Shall the main question be now put?" it was so ordered, on a division—ayes, 44; noes, 22

The question being on the amendment offered by Mr. Brierly.

The ayes and noes were demanded by Messrs. Heath, Lawrence, and Searey.

The roll was called, and the amendment of Mr. Brierly lost by the following vote:

AYES—Messrs Alexander, Brierly, Brown W A, Brusie Carr Carroll, Cooley, Currey of Solano, Curry of San Francisco, Ewing, Gould, Handy, Henry of Butte, Hyde, Knox, Lawrence, Martin, Mann, Mathews of Tehama, Ohleyer, Rucker, Sherburne, Sims, Spurgeon, Sykes, Taylor, Vincent, Weber, Wilcox, Williams, Young of San Diego, and Mr. Speaker—32

NOES—Messrs Adams, Atherton, Bailey, Barry, Bost, Britt, Brown J B, Burnett, Butler, Callaghan, Campbell, Cohen, Coombs, Cope, Davis, Ellsworth, Granger, Gruwell, Hart, Heath, Henry of San Joaquin, Hotchkiss, LaBlanc, Mahler, Matthews of San Benito, McClenahan, McDonnell, McGowan, Mitchell, Morgan, Morris, Price, Regan, Remson, Searey, Shanahan, Smyth, Toner, Venable, Windrow, Wright, and Young of San Joaquin —42.

The question then being on the amendment offered by Mr. Lawrence.

The ayes and noes were demanded by Messrs. Heath, Lawrence, and Searey.

The roll was called, and the amendment by Mr. Lawrence lost by the following vote:

AYES—Messrs Brown W A., Carr, Carroll, Cooley, Curry of San Francisco, Ewing, Hyde, Martin, Mann, Ohleyer, Sims, Young of San Diego, and Mr Speaker—13

NOES—Messrs Adams, Alexander, Atherton, Bailey, Barry, Barton, Bost, Brierly, Britt, Brown J B, Brusie, Burnett, Butler, Callaghan, Campbell, Cohen, Coombs, Cope, Currey of Solano, Davis, Ellsworth, Gould, Granger, Gruwell, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Knox, LaBlanc, Lawrence, Mahler, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Mitchell, Morgan, Morris, Price, Regan, Rucker, Renison, Searey, Shanahan, Sherburne, Smyth, Spurgeon, Sykes, Taylor, Toner, Venable, Vincent, Weber, Windrow, Wilcox, Williams, Wright, and Young of San Joaquin—61.

NOTICE OF RECONSIDERATION.

Mr. Lawrence gave notice that, on to-morrow, he would move to reconsider the vote whereby the motion to appoint a select committee of one to prepare amendments to Assembly Bill No. 1 was lost

PREVIOUS QUESTION.

Mr. Heath moved the previous question, on the passage of the bill, seconded by Messrs Renison and Matthews of San Benito.

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

The question then being on the passage of Assembly Bill No 1.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Atherton, Bost, Britt, Brown J B, Brusie, Burnett, Butler, Callaghan, Carr, Cohen, Coombs, Cope, Currey of Solano, Davis, Ellsworth, Gould, Granger, Gruwell, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Knox, LaBlanc, Lawrence, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Mitchell, Morgan, Morris, Ohleyer, Price, Regan, Rucker, Renison, Searey, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Toner, Venable, Vincent, Windrow, Wilcox, Williams, Wright, and Young of San Joaquin—58

NOES—Messrs, Alexander, Barry, Brierly, Brown W A, Campbell, Carroll, Cooley, Curry of San Francisco, Ewing, Hyde, Martin, Mann, Weber, Young of San Diego, and Mr Speaker—15.

NOTICE OF RECONSIDERATION.

Mr. Lawrence gave notice that, on to-morrow, he would move to reconsider the vote whereby Assembly Bill No. 1 was passed.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT

ASSEMBLY CHAMBER, SACRAMENTO, February 28, 1887.

MR SPEAKER Your Committee on Engrossment beg leave to report, and state that they have examined Assembly Bills Nos 59, 57, and 58, and find them correctly engrossed

WINDROW, Chairman.

Assembly Bill No. 220—An Act to repeal sections one thousand one hundred and eighty-six and one thousand one hundred and ninety-one, and to amend section one thousand one hundred and eighty-seven of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Alexander, Atherton, Bailey, Bost, Brierly, Britt, Brown W A, Brown J. B, Burnett, Callaghan, Campbell, Carr, Carroll, Cohen, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Gould, Granger, Gruwell, Handy, Heath, Henry of San Joaquin, Hotchkiss, Knox, LaBlanc, Lawrence, Mahler, Martin, Mathews of

Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Morris, Ohleyer, Rucker, Renison, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Toner, Variel, Venable, Vincent, Weber, Wilcox, Williams, Wright, Young of San Diego, and Young of San Joaquin—58.

NOES—None

Title read and approved.

Mr. Young of San Diego in the chair.

Assembly Bill No. 194—An Act to amend section six hundred and thirty-one of the Code of Civil Procedure, relating to waiver of trial by jury.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Alexander, Atherton, Bailey, Bost, Brierly, Britt, Brusie, Butler, Callaghan, Campbell, Carr, Carroll, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Gould, Granger, Gruwell, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, LaBlanc, Lawrence, Mahler, Martin, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, Morris, Ohleyer, Regan, Renison, Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Toner, Venable, Vincent, Wilcox, Williams, Wright, and Young of San Diego—54.

NOES—None

Title read and approved.

Assembly Bill No. 26—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.

Read third time.

CALL OF THE HOUSE.

Pending consideration of Assembly Bill No. 26.

Mr Granger moved a call of the House.

So ordered.

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

Messrs Adams, Alexander, Bailey, Barry, Bost Brierly, Britt, Brown W. A., Brown J B., Brusie, Burnett, Butler, Callaghan Campbell, Carr, Carroll, Cohen, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Gruwell, Handy Hart, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Knox, LaBlanc, Lawrence, Mahler, Martin, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Mitchell, Morgan, Morris, Ohleyer, Price, Regan, Renison, Searey, Shanahan, Sherburne, Sims Smyth, Spurgeon, Sykes, Taylor, Toner, Variel, Venable, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr Speaker

Mr. Heath moved that further proceedings under the call be dispensed with.

So ordered.

At ten o'clock P. M. Mr. Henry of Butte moved to adjourn.

Lost.

LEAVE OF ABSENCE.

Mr. Wright was granted leave of absence for the evening.

PASSAGE OF BILLS.

The question being on the passage of Assembly Bill No. 26.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Atherton, Bailey, Bost, Brierly, Britt, Brown W A, Brusie, Butler, Carr, Carroll, Cohen, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing Gould, Granger, Gruwell, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Knox, LaBlanc, Lawrence, Mahler, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Mitchell, Ohleyer, Price, Shanahan, Sims, Smyth, Spurgeon, Taylor, Toner, Venable, Vincent, Weber, Wilcox, Williams, Young of San Diego, and Young of San Joaquin—52

NOES—Messrs Barry, Burnett, Callaghan, Campbell, Martin, Mann, Morgan, Remson, Searey, and Sherburne—10

Title read and approved.

Assembly Bill No. 124—An Act to amend section six hundred and twenty-six of the Penal Code, relative to fish and game.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Atherton, Bailey, Bost, Brierly, Britt, Brown W A, Brusie, Burnett, Butler, Callaghan, Campbell, Carr, Carroll, Cohen, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Ellsworth, Ewing, Gould, Granger, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, Knox, LaBlanc, Mahler, Martin, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Mitchell, Morris, Ohleyer, Price, Searey, Shanahan, Sherburne, Sims, Spurgeon, Sykes, Toner, Variel, Venable, Vincent, Weber, Wilcox, Williams, and Young of San Diego—57

NOES—None

Title read and approved.

Assembly Bill No. 192—An Act to amend section four thousand one hundred and eight of the Political Code, relating to county officers.

Withdrawn by Mr. Heath, by permission of the House.

Speaker Jordan in the chair.

Senate Bill No. 23—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 Adams, Atherton, Bailey, Barry, Bost, Brierly, Britt, Brusie, Burnett, Butler, Callaghan, Carr, Carroll, Cohen, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Gould, Granger, Gruwell, Hart, Heath, Henry of San Joaquin, Hotchkiss, Hyde, Knox, LaBlanc, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Mitchell, Ohleyer, Price, Regan, Remson, Shanahan, Sherburne, Sims, Spurgeon, Sykes, Taylor, Toner, Variel, Venable, Vincent, Wilcox, Williams and Young of San Diego—55

NOES—Messrs Mahler, Morgan, and Weber—3.

Title read and approved.

Assembly Bill No. 19—An Act to amend an Act entitled an Act to create the County of San Benito, 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 indebtedness of said counties, equitably chargeable to San Benito County.

Read third time.

Speaker pro tem Brierly in the chair.

Mr. Bost moved that this bill be referred to a select committee of one, with special instructions to prepare an amendment to the bill, as follows: amend section one, by striking out all after the word "The," in line nineteen of printed bill, and down to the word

"thence," in line twenty-four, of printed bill, and insert the following: "southeast corner of Township 16 S., R. 12 E., Mt. Diablo base and meridian; thence N. E. in a straight line to the N. E. corner of Township 14 S., R. 9 E.; thence in a straight line northwesterly (running toward the N. E. corner of Township 13 S., R. 7 E.), to a point where said line intersects the present boundary line between the Counties of San Benito and Merced; thence along the present boundary line between the Counties of San Benito and Merced, to the N. E. corner of San Benito County and southeast corner of Santa Clara County."

So ordered.

APPOINTMENT OF SELECT COMMITTEE.

The Speaker appointed Mr. Bost the select committee of one to amend Assembly Bill No. 19.

REPORT OF SELECT COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, February 28, 1887.

MR SPEAKER: Your select committee, to whom was referred Assembly Bill No. 19, 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

BOST, Select Committee

Report adopted.

Assembly Bill No. 19 ordered reëngrossed, and placed on file for third reading.

LEAVE OF ABSENCE.

Speaker Jordan was granted leave of absence for the evening.

Assembly Bill No. 50—An Act to amend section five hundred and thirty-two of an Act entitled an Act to establish a Penal Code, approved February 14, 1872, relating to the crime of obtaining money and property under false pretenses.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Atherton, Bailey, Barry, Bost, Brierly, Britt, Brown W. A., Burnett, Butler, Callaghan, Carr, Carroll, Cohen, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ewing, Gould, Granger, Gruwell, Hart, Heath, Henry of San Joaquin, Hotchkiss, Knox, LaBlanc, Mahler, Matthews of San Benito, McClenahan, McDonnell, McGowan, Mitchell, Morgan, Morris, Ohleyer, Price, Regan, Renison, Shanahan, Sherburne, Sims, Spurgeon, Sykes, Taylor, Toner, Variel, Venable, Vincent, Weber, Windrow, Wilcox, Williams, and Young of San Joaquin—58.

NOES—None.

Title read and approved.

MOTION TO ADJOURN.

At ten o'clock and thirty minutes P. M. Mr. Renison moved to adjourn.

Lost.

Assembly Bill No. 137—An Act to amend an Act entitled 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," approved March 14, 1885.

Read third time.

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

AYES—Messrs Knox and Mahler—2

NOES—Messrs Adams, Atherton, Barry, Bost, Brierly, Britt, Brown W A, Butler, Carr, Carroll, Cooley, Coombs, Cope, Curry of San Francisco, Ellsworth, Gould, Granger, Grunwell, Handy, Hart, Heath, Henry of San Joaquin, Hotchkiss, LaBlanc, Mathews of Tehama, McClenahan, McDonnell, McGowan, Morgan, Morris, Ohleyer, Sherburne, Sims, Spurgeon, Sykes, Variel, Venable, Weber, Wilcox, Wilhams, Young of San Diego, and Young of San Joaquin—42

RESOLUTION—(OUT OF ORDER).

Mr. Hyde moved to allow Mr. W. A. Brown to introduce a resolution out of order.

So ordered, on division—ayes, 33; noes, 5.

By Mr. W. A. Brown:

Resolved, That the sum of one thousand and forty dollars and seventy-five cents be and the same is hereby allowed and ordered paid out of the Contingent Fund of the Assembly to John Hayes, for the expenses incurred by him in the contested election case of John Hayes vs Edwin Lewis, for a seat in this Assembly from the Thirty-first Assembly District, and the Controller is hereby directed and instructed to draw his warrant on the State Treasurer in favor of said John Hayes for said sum of one thousand and forty dollars and seventy-five cents, comprising the following items, viz Cash paid by contestant, costs filing statement of grounds of contest, the issuance of commission and notice thereon, copies and certificates to copies of papers in said contest and service thereof, and Notary fees, thirty-one dollars and fifty cents, expenses E H Tharp, Notary Public, taking depositions of witnesses in said contest under affidavit and notice made and served according to law, eighty-three dollars and fifty cents; cash paid by contestant, costs affidavit for taking of testimony before a Notary Public, and service of notice thereof, one dollar and seventy-five cents, expenses and cash paid, witness fees of contestant's witnesses before E H Tharp, Notary Public, whose depositions were taken in said contest, thirty-two dollars, expenses E Burke and H J Stafford, Justices of the Peace, taking testimony as Commissioners in said contest, each fifty dollars, amounting to one hundred dollars, expenses and cash paid, witness fees of contestant's witnesses before said Justices of the Peace, whose depositions were taken in said contest, twelve dollars, expenses W H H Hart, fee of the contestant's attorney in the conduct and preparation of the contest and the taking of testimony therein, five hundred dollars, expenses shorthand reporters, J. F Gawthorne and H W Walter, before the Notary Public and before the Justices of the Peace, taking testimony and transcribing notes of testimony in said contest, two hundred and eighty dollars, as per bill of costs duly verified, and it is further

Resolved, That the Treasurer of the State be and he is hereby ordered and instructed to pay said warrant

BEFORE THE ASSEMBLY OF THE STATE OF CALIFORNIA.

In the matter of the contested election of Edwin Lewis, for the office of member of the Assembly from the Thirty-first Assembly District of the State of California, by John Hayes, contestant, vs Edwin Lewis, respondent.

Bill of expenses and disbursements necessarily incurred and made in said matter by John Hayes, contestant

December 20, 1886—Cash paid fees of County Clerk City and County of San Francisco, filing statement of grounds of contest and issuance of commission and notice	$6 50
December 20, 1886—Notary fee verifying statement	50
December 20, 1886—Fee of County Clerk certifying copy statement	50
December 20, 1886—Cash paid copying papers in said matter, and fee certifying extra copy statement for Notary, fifty cents, two hundred and twenty folios at ten cents a folio, twenty-two dollars	22 50
December 23, 1886—Cash paid Sheriff, service of notice on respondent	1 50
January 3, 1887—For services of E H Tharp, Notary Public, taking depositions of witnesses pursuant to affidavit and notice prepared and served in said matter pursuant to law as per his bill of charges hereto annexed and made a part hereof	83 50
January 3, 1887—Affidavit, cash paid	50
January 3, 1887—Service of notice, cash paid	1 25
January 3, 1887—Witness' fees of the following named witnesses before said Notary, each two days' attendance at $2 per day, viz Wm E Ingram, Thomas J Ryan, Richard Belan, Charles Reed, Wm C Johnson, Hugh Curran, Carrie F Clark, and James Love, eight witnesses, at four dollars each	32 00
January 3, 1887—For services and charges of E Burke and H J Stafford, to whom the commission was issued in this cause, five days each taking testimony, each ten dollars per day	100 00

January 3, 1887—Witness' fees of the following named witnesses before said Justices whose testimony appears in the depositions taken before said Justices: Nowitsky, Mrs Love, DuPree—three witnesses, each two days, at two dollars per day	$12 00
January 3, 1887—Attorney fee, W H H Hart, attorney for contestant in the preparation of his case and the taking of testimony therein	500 00
January 3, 1887—For services of shorthand reporters J F Gawthorne and H W Walter, taking the testimony of witnesses in said matter before the Notary Public and before said Justices of the Peace, as per bill rendered and hereto annexed	280 00
Total	$1,040 75

JOHN HAYES VS EDWIN LEWIS, CONTEST FOR SEAT IN THE ASSEMBLY.

Mr. John Hayes, contestant, to J F Gawthorne and H W Walter, shorthand reporters.

January, 1887—To reporting, ten days	$100 00
January, 1887—To transcription, nine hundred folios, at twenty cents	180 00
Total	$280 00

JOHN HAYES VS. EDWIN LEWIS, CONTESTED ELECTION FOR SEAT IN ASSEMBLY.

SAN FRANCISCO, February 14, 1887

The above case to E H Tharp, Notary Public, Dr.

January 3, 1887—To services in taking depositions of John Hayes, William E. Ingram, Thos J Ryan, Richard Belan, Chas Reed, William C Johnson, Hugh Curran, Carrie F. Clark, and James Love, witnesses on behalf of contestant Hayes, testimony, two hundred and sixty folios, at thirty cents	$78 00
January 3, 1887—Administering oath	4 50
January 3, 1887—Final certificate	1 00
Total	$83 50

STATE OF CALIFORNIA, City and County of San Francisco. } ss.

John Hayes being duly sworn, deposes and says that he is the contestant in the above entitled matter, who presents the foregoing bill of items of expenses and costs incurred and laid out by him in said contest, and that said items, amounting to one thousand and forty and seventy-five one hundredths dollars, have been necessarily incurred and laid out by affiant in said matter.

JOHN HAYES.

Subscribed and sworn to before me, this sixteenth day of February, A D 1887

[SEAL] E. H. THARP, Notary Public.

Referred to Committee on Elections.

REPORT—(OUT OF ORDER).

Mr. Regan moved that the Chairman of the Committee on Labor and Capital be allowed to present a report out of order.

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

AYES—Messrs. Bost, Britt, Brusie, Burnett, Butler, Callaghan, Cohen, Coombs, Curry of San Francisco, Ellsworth, Hart, Hyde, Mahler, Martin, Mathews of Tehama, McDonnell, McGowan, Mitchell, Regan, Sims, and Young of San Joaquin—21

NOES—Messrs Adams, Atherton, Bailey, Bierly, Brown W A, Campbell, Carr, Carroll, Cope, Currey of Solano, Ewing, Gould, Granger, Gruwell, Handy, Heath, Henry of San Joaquin, Hotchkiss, Knox, LaBlanc, Lewis, Mann, McClenahan, Morgan, Ohleyer, Sherburne, Spurgeon, Sykes, Venable, Vincent, Weber, and Williams—32.

QUESTION OF PRIVILEGE.

Mr. Regan arose to a question of privilege.

Mr. Britt also arose to a question of privilege.

RESOLUTION—(OUT OF ORDER).

By Mr. Hart:

Resolved, That the sum of four hundred and fifty-three dollars and fifty cents be and the same is hereby allowed and ordered paid out of the Contingent Fund of the Assembly to David Beal, for the expenses incurred and disbursements made by him in the contested election case of David Beal vs John H Colbert, for a seat in this Assembly from the Thirty-fifth Assembly District, and the Controller is hereby directed and instructed to draw his warrant on the State Treasurer in favor of said David Beal for said sum of four hundred and fifty-three dollars and fifty cents, comprising the following items, viz Cash paid by contestant, costs filing statement of grounds of contest, the issuance of commission and notice thereon, copies and certificates to copies of papers in said contest, and service thereof, and Notary fees, twenty-three dollars and fifty cents; expenses shorthand reporter, J F Gawthorne, before the Justices of the Peace taking testimony in said contest, four days' time, at ten dollars per day, forty dollars, expenses E. Burke and H J Stafford, Justices of the Peace taking testimony as Commissioners in said contest, forty dollars; expenses W H H Hart, attorney fee of the contestant's attorney, in the conduct and preparation of the contest and the taking of testimony therein, three hundred and fifty dollars, as per bill of costs duly verified And it is further

Resolved, That the Treasurer of the State be and he is hereby ordered and instructed to pay said warrant

BEFORE THE ASSEMBLY OF THE STATE OF CALIFORNIA.

In the matter of the contested election of John H Colbert, for the office of member of the Assembly from the Thirty-fifth Assembly District of the State of California, by David Beal, contestant, vs. John H Colbert, respondent

Bill of expenses and disbursements necessarily incurred and made in said matter by David Beal, contestant

December 20, 1886—Fees cash paid to County Clerk City and County of San Francisco, filing statement of the grounds of contest in said matter, and the issuance of the commission and notice therein	$6 50
December 20, 1886—Notary fee, verifying statement	50
December 20, 1886—Fee of County Clerk, certifying copy of statement	50
December 20, 1886—Cash paid, copying papers in said matter—one hundred and forty-five folios, at ten cents a folio	14 50
December 23, 1886—Cash paid Sheriff, service of notice on respondent	1 50
December —, 1886—For services of shorthand reporter before Justice of the Peace, taking depositions and attendance, as per his bill hereto annexed	40 00
December —, 1886—For services and charges of E Burke and H J Stafford, to whom the commission was issued in this cause, two days each, taking testimony, each $10 per day	40 00
December —, 1886—Attorney fee W. H H Hart, attorney for contestant in the preparation of his case, and the taking of testimony therein	350 00
Total	$453 50

BEAL VS COLBERT, CONTEST FOR SEAT IN THE ASSEMBLY.

Mr Beal, contestant, to J. F. Gawthorne, shorthand reporter

January 7, 1887—To reporting four days	$40 00

STATE OF CALIFORNIA, City and County of San Francisco } ss.

David Beal, being duly sworn, says that he is the contestant in the above entitled matter who presents the foregoing bill of items of expenses and costs incurred and laid out by him in said contest, and that said items, amounting to four hundred and fifty-three dollars and fifty cents, have been necessarily incurred and disbursed by affiant in the said matter.

[SEAL] DAVID BEAL

Subscribed and sworn to before me, this sixteenth day of February, 1887.

LEWIS B HARRIS, Notary Public.

MOTION TO ADJOURN.

At ten o'clock and twenty-five minutes P. M. Mr. Mann moved to adjourn.

Lost.

CALL OF THE HOUSE.

Mr. Martin moved a call of the House.

So ordered.

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

Messrs Adams, Alexander, Atherton, Bailey, Barry, Bost, Brierly, Britt, Brown W A., Brusie, Burnett, Butler, Callaghan, Campbell, Carr, Carroll, Cohen, Colbert, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Ewing, Gould, Granger, Gruwell, Handy, Hart, Heath, Henry of San Joaquin, Hotchkiss, Hyde, Knox, LaBlanc, Mahler, Martin, Mann, Mathews of Tehama, McClenahan, McDonnell, McGowan, Mitchell, Morgan, Morris, O'Grady, Ohlever, Price, Regan, Rucker, Renison, Searey, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Toner, Variel, Venable, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr Speaker.

LEAVE OF ABSENCE.

Mr. Matthews of San Benito was granted leave of absence for the evening.

Mr. Hyde moved that further proceedings under the call be dispensed with.

So ordered, on a division—ayes, 33; noes, 27.

MOTION TO ADJOURN.

At ten o'clock and twenty-seven minutes P. M. Mr. Mann moved to adjourn.

Ayes and noes demanded by Messrs. Renison, Hotchkiss, and Adams.

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

AYES—Messrs Carr, Cooley, Granger, Hart, Henry of Butte, Hotchkiss, LaBlanc, Mahler, Martin, Mann, Morgan, Ohleyer, Renison, Searey, Sims, Smyth, Sykes, Taylor, Venable, and Williams—20

NOES—Messrs Adams, Alexander, Atherton, Bailey, Barry, Bost, Brierly, Brown W A, Burnett, Butler, Callaghan, Carroll, Cohen, Coombs, Cope, Currey of Solano, Curry of San Francisco, Ellsworth, Ewing, Gould, Gruwell, Handy, Heath, Henry of San Joaquin, Hyde, Knox, McClenahan, McDonnell, McGowan, Mitchell, Morris, Price, Regan, Rucker, Shanahan, Sherburne, Spurgeon, Toner, Variel, Vincent, Weber, Young of San Diego, and Young of San Joaquin—42.

THIRD READING OF BILLS.

Assembly Bill No. 175—An Act to amend section three thousand five hundred and two of the Political Code, relating to school land warrants.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Alexander, Bailey, Barry, Bost, Brierly, Britt, Brown W A, Brusie, Butler, Carroll, Cohen, Cooley, Cope, Currey of Solano, Ellsworth, Ewing, Gould, Gruwell, Handy, Hart, Henry of Butte, Hyde, Knox, LaBlanc, Mahler, Martin, Mann, McClenahan, McDonnell, Mitchell, Price, Rucker, Searey, Shanahan, Sherburne, Spurgeon, Taylor, Toner, Variel, Weber, Windrow, Wilcox, Young of San Diego, and Young of San Joaquin—44

NOES—Messrs Adams, Atherton, Carr, Coombs, Curry of San Francisco, Granger, Heath, Hotchkiss, McGowan, Ohleyer, Regan, Smyth, Sykes, Venable, Vincent, and Williams—16

Title read and approved.

Assembly Bill No. 236—An Act to provide for the payment of jurors in criminal causes in Justices' Courts.

Third reading refused.

Assembly Bill No. 39—An Act to repeal section two thousand six hundred and twenty, and subdivision five of section two thousand six hundred and forty-three, and to amend sections two thousand six hundred and forty-two, two thousand six hundred and forty-three, two thousand six hundred and fifty-one, two thousand six hundred and eighty-two, two thousand six hundred and eighty-five, two thousand six hundred and eighty-eight, two thousand six hundred and eighty-nine, two thousand six hundred and ninety, two thousand six hundred and ninety-one, and two thousand six hundred and ninety-two of an Act entitled "An Act to repeal Chapter II, of Title VI, Part III, 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 II, and to enact a new Chapter II, of Title VI, of Part III, of said Code, and substitute the same in place of said repealed Chapter II, in said Code, relating to roads and highways," approved February 28, 1883.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Alexander, Atherton, Bailey, Bost, Brierly, Britt, Brown W A, Brusie, Butler, Callaghan, Carr, Carroll, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Gruwell, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, Knox, LaBlanc, Lawrence, Mahler, Martin, Mann, McDonnell, McGowan, Morris, Ohleyer, Regan, Rucker, Searey, Shanahan, Sherburne, Sims, Spurgeon, Sykes, Taylor, Toner, Variel, Venable, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, and Young of San Joaquin—57.

NOES—Messrs. McClenahan and Smyth—2.

Title read and approved.

MOTION TO ADJOURN.

At eleven o'clock and fifteen minutes P. M. Mr. Renison moved to adjourn.

Lost.

LEAVE OF ABSENCE.

Mr. Granger was granted leave of absence for the evening.

THIRD READING OF BILLS—(RESUMED).

Assembly Bill No. 129—An Act for the relief of George Nightingale, Michael Ryan, Joseph Rosa, Bridget Davis, Bernard Ward, Ellen Burdett, John Wrixon, Michael O'Neil, Anna Elizabeth Sneider, Eliza Kelleher, William J. Nightingale, Margaret Coogan, Bridget L. Ryan, Elizabeth Overend, Thomas Dillon, Patrick Garrigan, Bridget F. Houston, Timothy Murphy, James McGeough, Otis Berge, James Hartford, and Ellen McArevey, whose property has been taken and destroyed by blasting and excavating Telegraph Hill, in the City and County of San Francisco, for rock and earth with which to construct the State seawall, along the Port of San Francisco, in the State of California.

Mr. Brierly moved that this bill be made the special order for to-morrow, at eleven o'clock A. M.

So ordered

Assembly Bill No. 227—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 two thousand six hundred and ninety-six, relating to proceedings for procuring land for the purpose of raising the banks of streams, in order to more effectually protect public roads and highways.

Read third time.

Mr. Wilcox moved that this bill be referred to a select committee of one, to prepare an amendment to the bill.

Lost.

The question being on the passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Alexander, Atherton, Bailey, Barry, Brierly, Britt, Brown W A, Brusie, Callaghan, Carroll, Cohen, Coombs, Cope, Currey of Solano, Curry of San Francisco, Ellsworth, Ewing, Gruwell, Handy, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, Knox, LaBlanc, Lawrence, Martin, Mann, McClenahan, McDonnell, McGowan, Mitchell, Morgan, Morris, Regan, Rucker, Remson, Searey, Shanahan, Sherburne, Sims, Spurgeon, Taylor, Toner, Venable, Vincent, Weber, Windrow, Young of San Diego, Young of San Joaquin, and Mr. Speaker—52.

NOES—None.

Title read and approved.

Speaker Jordan in the chair.

Assembly Bill No. 106—An Act to amend sections one thousand nine hundred and twelve, one thousand nine hundred and twenty-nine, one thousand nine hundred and ninety, two thousand and twenty-two, two thousand and twenty-six, two thousand and ninety-four, and to add a new section, to be known as section two thousand and twenty-seven, of the Political Code, relating to the State militia.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Alexander, Atherton, Bailey, Barry, Bost, Brierly, Britt, Brown W A, Brusie, Butler, Callaghan, Carr, Carroll, Cohen, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Ellsworth, Ewing, Gould, Granger, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, Knox, LaBlanc, Lawrence, Mahler, Martin, Mann, McClenahan, McDonnell, McGowan, Mitchell, Morgan, Ohlever, Regan, Rucker, Remson, Searey, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Taylor, Toner, Variel, Venable, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr Speaker—64

NOES—Messrs. Adams and Gruwell—2

Assembly Bill No. 390—An Act to appropriate money for the erection of a monument at the grave of J. W. Marshall, deceased, the discoverer of gold in California.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Alexander, Atherton, Bailey, Barry, Bost, Britt, Brusie, Butler, Carroll, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Ewing, Gould, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hyde, Knox, LaBlanc, Lawrence, Mahler, Martin, Mann, McClenahan, McDonnell, McGowan, Mitchell, Morgan, Regan, Rucker, Remson, Searey, Sherburne, Sims, Spurgeon, Taylor, Toner, Variel, Weber, Young of San Joaquin and Mr Speaker—47

NOES—Messrs Brierly, Carr, Ellsworth, Gruwell, Morris, Ohlever, Venable, Vincent, and Young of San Diego—9

Title read and approved.

Assembly Bill No. 81—An Act in relation to the compensation of the Mayor and members of the Common Council of cities containing a population not exceeding ten thousand.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Alexander, Atherton, Barry, Brierly, Britt, Brown W A, Brusie, Butler, Campbell, Carr, Carroll, Cohen, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Gruwell, Handy, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Knox, LaBlanc, Mahler, Martin, Mann, McClenahan, McDonnell, McGowan, Morris, Regan, Rucker, Renison, Searey, Shanahan, Sherburne, Spurgeon, Taylor, Toner, Variel, Vincent, Weber, Wilcox, Young of San Diego, Young of San Joaquin, and Mr. Speaker—53.

NOES—None.

Title read and approved.

Assembly Bill No. 15—An Act to establish a Branch State Normal School.

MOTIONS.

Mr. Henry of Butte moved that he be allowed to withdraw Assembly Bill No. 15.

At eleven o'clock and thirty minutes P. M. Mr. Martin moved to adjourn.

Lost.

PREVIOUS QUESTION.

Mr. Brusie moved the previous question, seconded by Messrs. Weber and Cooley.

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

The question being upon the motion of Mr. Henry of Butte, to withdraw Assembly Bill No. 15.

The ayes and noes were demanded by Messrs. Henry of Butte, Cooley, and Carroll.

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

AYES—Messrs Adams, Alexander, Barry, Brierly, Brusie, Butler, Carroll, Cooley, Handy, Hart, Henry of Butte, Henry of San Joaquin, Hyde, McGowan, Morris, Ohleyer, Sims, Spurgeon, Sykes, Taylor, Venable, Young of San Diego, and Mr Speaker—23

NOES—Messrs. Atherton, Bailey, Bost, Britt, Brown W A, Carr, Cohen, Coombs, Cope, Currey of Solano, Curry of San Francisco, Ellsworth, Ewing, Gruwell, Heath, Knox, LaBlanc, Lawrence, Mahler, McClenahan, McDonnell, Mitchell, Morgan, Regan, Searey, Shanahan, Sherburne, Toner, Variel, Vincent, and Weber—31

Mr. Shanahan moved to pass the bill on the file.

So ordered, on a division—ayes, 35; noes, 16.

Senate Bill No. 107—An Act to increase the number of Judges of the Superior Court of the County of Tulare, State of California, and for the appointment of an additional Judge.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Alexander, Atherton, Bailey, Barry, Bost, Brierly, Britt, Brusie, Butler, Callaghan, Carr, Cohen, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Ellsworth, Ewing, Gould, Granger, Gruwell, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, Knox, LaBlanc, Lawrence, Mahler, Martin, Mann, McDonnell, McGowan, Morris, Ohleyer, Regan, Rucker, Renison, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Taylor, Toner, Variel, Vincent, Weber, Windrow, Wilcox, Young of San Diego, and Young of San Joaquin—56.

NOES—None

Title read and approved.

Assembly Bill No 21—An Act to provide for the funding of certain indebtedness of the several counties of this State, and the issuance of bonds therefor

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Alexander, Atherton, Bailey, Barry, Bost, Brierly, Brown W A, Brusie, Butler, Carr, Carroll, Cohen, Cooley, Coombs, Cope, Curtey of Solano, Curry of San Francisco, Ellsworth, Ewing, Gould, Granger, Gruwell, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, Knox, LaBlanc, Mahler, Martin, Mann, McClenahan, McDonnell, McGowan, Mitchell, Morris, Ohlever, Regan, Rucker, Searey, Sherburne, Sims, Spurgeon, Variel, Venable, Vincent, Weber, Wilcox, Young of San Diego, Young of San Joaquin, and Mr. Speaker—56

NOES—None

Title read and approved.

PASSAGE OF BILL.

Assembly Bill No. 532—An Act to prevent the introduction of any obnoxious or pest animal into the State of California.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Atherton, Bailey, Bost, Britt, Brusie, Butler, Carr, Carroll, Cohen, Cooley, Coombs, Cope, Curtey of Solano, Curry of San Francisco, Ellsworth, Ewing, Gould, Gruwell, Handy, Hart, Heath, Hyde, Knox, LaBlanc, Lawrence, Mahler, Mann, McClenahan, McDonnell, McGowan, Mitchell, Morgan, Morris, Ohlever, Rucker, Shanahan, Sherburne, Sims, Spurgeon, Taylor, Toner, Vincent, Weber, Young of San Diego, Young of San Joaquin, and Mr. Speaker—47.

NOES—Messrs Alexander, Brierly, and Venable—3.

Title read and approved.

MOTION TO ADJOURN.

At eleven o'clock and forty-three minutes P. M. Mr. Young of San Joaquin moved to adjourn.

Lost.

THIRD READING OF BILL.

Assembly Bill No. 287—An Act to provide for the organization and government of water districts, and to provide for the acquisition, control, and distribution of water for irrigation.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Alexander, Atherton, Bailey, Bost, Brierly, Britt, Brusie, Butler, Callaghan, Carr, Carroll, Cohen, Cooley, Coombs, Cope, Curtey of Solano, Curry of San Francisco, Ellsworth, Ewing, Gould, Gruwell, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hyde, Knox, LaBlanc, Lawrence, Mahler, Martin, Mann, McClenahan, McGowan, Mitchell, Morris, Ohleyer, Regan, Rucker, Searey, Shanahan, Sherburne, Sims, Spurgeon, Sykes, Taylor, Toner, Variel, Venable, Vincent, Weber, Young of San Diego, Young of San Joaquin, and Mr. Speaker—56

NOES—None

Title read and approved.

ADJOURNMENT.

At eleven o'clock and fifty-three minutes P. M., on motion of Mr. Rucker, the House adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Tuesday, March 1, 1887.

The House met pursuant to adjournment.

Speaker Jordan in the chair.

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

Messrs. Adams, Alexander, Atherton, Bailey, Barry, Barton, Bost, Brierly, Britt, Brown W. A., Brown J. B., Brusie, Burnett, Butler, Callaghan, Carr, Carroll, Cohen, Colbert, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Gruwell, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, Knox, LaBlanc, Lawrence, Lewis, Mahler, Martin, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Mitchell, Morgan, Morris, Ohleyer, Price, Regan, Rucker, Remson, Searey, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Toner, Varnel, Venable, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr. Speaker.

Quorum present.

Prayer by the Chaplain, Rev. E. R. Dille.

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

So ordered.

Journal corrected and approved.

SPECIAL ORDER No. 1—IMMEDIATELY AFTER READING OF THE JOURNAL.

Assembly Constitutional Amendment No. 19—Proposing to the people of the State of California an amendment to the Constitution of the State, relating to the regulation and control by this State of the waters thereof for beneficial uses and ends.

MOTION.

Mr. Granger moved that the motion to reconsider the vote whereby Assembly Constitutional Amendment No. 19 was lost be postponed until to-morrow (Wednesday) morning, immediately after the reading of the Journal.

So ordered.

SPECIAL ORDER No. 2.

Assembly Bill No. 213—An Act to authorize the Common Councils and Boards of Supervisors of the several cities, counties, and cities and counties in this State to levy taxes for the maintenance of public parks having an area of over ten acres each within their respective limits.

MOTION.

Mr. Lawrence moved that this bill be made a special order for Friday, at two o'clock P. M.

Ayes and noes demanded by Messrs. Lawrence, Brierly, and McDonnell.

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

AYES—Messrs Brown W. A., Brusie, Carr, Gould, Granger, Gruwell, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Lawrence, Matthews of San Benito, McDonnell, Morgan, and Sykes—15

NOES—Messrs Adams, Alexander, Atherton, Bailey, Barry, Barton, Bost, Brierly, Britt, Burnett, Butler, Callaghan, Carroll, Cohen, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Handy, Hart, Hyde, Knox, LaBlanc, Lewis, Martin, Mann, McClenahan, McGowan, Ohleyer, Price, Rucker, Remson, Searey, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Taylor, Toner, Vartel, Venable, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr. Speaker—55

MOTION.

Mr. Lawrence moved that this bill be made a special order for to-morrow, at two o'clock P. M.

Lost.

The question then being, "Shall this bill be read the second time?" it was so ordered.

SECOND READING OF BILL.

Assembly Bill No. 213 read second time.

Committee amendments, as follows, adopted: insert, after title, the enacting clause:

The People of the State of California, represented in Senate and Assembly, do enact as follows:

Also, insert, after end of section two, the following:

SEC 3 The terms "Common Council" and "Board of Supervisors" are hereby declared to include any body or Board which, under the law, is the legislative department of the government of any city, county, or city and county

Also, that section three be amended, so as to read "Sec. 4."

BILL WITHDRAWN.

Mr. Alexander withdrew Assembly Bill No. 213, by permission of the House.

MOTION.

Mr Knox moved that Senate Bill No. 93 be placed on the file in the place formerly occupied by Assembly Bill No. 213.

CALL OF THE HOUSE.

Mr. Mann moved a call of the House.

So ordered, on a division—ayes, 35; noes, 32.

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

Messrs Adams, Alexander, Atherton, Barry, Barton, Bost, Brierly, Britt, Brown W A, Brown J. B, Brusie, Burnett, Butler, Callaghan, Campbell, Carr, Carroll, Cohen, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Gruwell, Handy, Hart, Heath, Henry of Butte, Hotchkiss, Knox, LaBlanc, Lawrence, Lewis, Mahler, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Mitchell, Morgan, Morris, Ohleyer, Price, Regan, Rucker, Remson, Searey, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Toner, Venable, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr Speaker

Mr. Mann moved that further proceedings under the call of the House be dispensed with.

So ordered.

The question then being on the motion of Mr. Knox, to substitute Senate Bill No. 93 for the position on file formerly occupied by Assembly Bill No. 213

The ayes and noes demanded by Messrs. Lawrence, Smyth, and Campbell.

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

AYES—Messrs Alexander, Atherton, Bailey, Barry, Barton, Bost, Brierly, Britt, Brown W A, Brown J B, Brusie, Burnett, Butler, Callaghan, Carroll, Cohen, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Grunwell, Hart, Henry of Butte, Hyde, Knox, Mahler, Mann, Mathews of Tehama, McClenahan, McGowan, Mitchell, Price, Regan, Rucker, Searey, Shanahan, Sherburne, Sims, Spurgeon, Taylor, Toner, Vanel, Venable, Vincent, Weber, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr Speaker—57.

NOES—Messrs Adams, Campbell, Carr, Handy, Heath, Hotchkiss, LaBlanc, Lawrence Matthews of San Benito, McDonnell, Morgan, Morris, Ohleyer, Remson, Smyth, and Sykes—16

Mr. Callaghan moved that the special order set for eleven o'clock A. M.—consideration of Assembly Bill No. 129—be postponed until the bill under consideration be disposed of.

So ordered.

SECOND READING OF BILL.

Senate Bill No. 93—An Act to authorize the Common Councils and Boards of Supervisors of the several cities, counties, and cities and counties in this State, to levy taxes for the maintenance of public parks having an area of over ten acres each within their respective limits.

Read second time.

Mr. Lawrence moved to amend the bill, as follows: amend, by striking out of section one, line three, the words "three cents," and insert "one cent."

Lost.

Also, amend, by striking out of section one, line three, the words "three cents," and insert "one cent and a half."

Lost.

Also, amend, by striking out of section one, line three, the words "three cents," and insert "two cents."

PREVIOUS QUESTION.

Mr. Brierly moved the previous question, seconded by Messrs. Weber and Cooley.

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

The question being upon the amendment offered by Mr. Lawrence, the same was lost.

The question being, "Shall this bill be ordered read a third time?" it was so ordered.

RESOLUTION—(OUT OF ORDER).

By Mr. Mathews of Tehama:

Resolved by the Assembly, the Senate concurring, That this Legislature adjourn sine die on Saturday, March 5, 1887, at twelve o'clock M

Mr. Mathews of Tehama moved to make the consideration of the above resolution the special order for three o'clock P. M. to-day.

So ordered.

MOTION TO AMEND RULES.

Mr. W. A. Brown moved to amend the rules as follows: change Rule 77, so as to make it read: "That any bill may be taken up and considered at any time by a constitutional majority, which is forty-one."

Mr. Heath moved to make the consideration of the above resolution the special order for Saturday next, at three o'clock P. M.

So ordered, on division—ayes, 36; noes, 26.

SPECIAL ORDER No. 3, AT ELEVEN O'CLOCK A. M.—THIRD READING OF BILL.

Assembly Bill No. 129—An Act for the relief of George Nightingale, Michael Ryan, Joseph Rosa, Bridget Davis, Bernard Ward, Ellen Burdett, John Wrixon, Michael O'Niel, Anna Elizabeth Sneider, Eliza Kelleher, William J. Nightingale, Margaret Coogan, Bridget L. Ryan, Elizabeth Overend, Thomas Dillon, Patrick Garrigan, Bridget F. Houston, Timothy Murphy, James McGeough, Otis Berge, James Hartford, and Ellen McArevey, whose property has been taken and destroyed by blasting and excavating Telegraph Hill, in the City and County of San Francisco, for rock and earth with which to construct the State seawall, along the Port of San Francisco, in the State of California.

Read third time.

Mr. Renison moved to strike out the enacting clause.

Ayes and noes demanded by Messrs. Brusie, Callaghan, and Searey.

PREVIOUS QUESTION.

Mr. Weber moved the previous question, seconded by Messrs. Coombs and Brierly.

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

The question being on the motion offered by Mr. Renison, to "strike out the enacting clause."

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

AYES—Messrs. Adams, Atherton, Bailey, Barton, Bost, Carr, Carroll, Coombs, Cope, Currey of Solano, Ellsworth, Granger, Handy, Heath, Henry of San Joaquin, Hotchkiss, Knox, Mahler, McGowan, Morgan, Morris, Ohlever, Renison, Shanahan, Sherburne, Sykes, Variel, Venable, Vincent, Wilcox, and Williams—31

NOES—Messrs. Alexander, Barry, Barton, Brierly, Britt, Brown W. A., Brown J. B., Brusie, Burnett, Butler, Callaghan, Cohen, Cooley, Curry of San Francisco, Davis, Ewing, Gould, Gruwell, Hart, Hyde, LaBlanc, Lawrence, Lewis, Martin, Mann, Mathews of Tehama, McDonnell, Mitchell, Price, Regan, Searey, Suns, Spurgeon, Taylor, Toner, Weber, Wright, and Young of San Diego—37

Mr. Heath moved that this bill be referred to a select committee of one, with special instructions to prepare an amendment to the bill, as follows: amend, by striking out of section one, line two, the words "Harbor Improvement Fund," and the remainder of line two, and all of line three to and including the word "dollars," and inserting, instead, the following: "moneys raised by the City of San Francisco."

CALL OF THE HOUSE.

Pending consideration of above amendment, Mr. Brusie moved a call of the House.

Lost.

Pending discussion, "time" having been called on Mr. Knox, he asked the consent of the House to continue his remarks.

Consent granted, on a division—ayes, 35; noes, 26.

QUESTION OF PRIVILEGE.

Mr. Knox arose to a question of privilege, disclaiming having declared that the bill was a "consummate steal," as had been alleged in debate.

The question recurring on the motion of Mr. Heath, to appoint a select committee of one to amend Assembly Bill No. 129, the same was lost.

RECESS.

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

REASSEMBLED.

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

Speaker Jordan in the chair.

The question being on the passage of Assembly Bill No. 129.

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

AYES—Messrs. Barry, Brierly, Britt, Brown W A, Brown J. B, Brusie, Burnett, Butler, Callaghan, Campbell, Carroll, Cohen, Colbert, Cooley, Curry of San Francisco, Ewing, Gould, Hart, Henry of Butte, Hyde, LaBlanc, Lawrence, Lewis, Martin, Mathews of Tehama, McDonnell, Mitchell, Price, Searey, Sims, Toner, Windrow, and Young of San Diego—33.

NOES—Messrs Adams, Atherton, Bailey, Barton, Bost, Carr, Coombs, Cope, Currey of Solano, Davis, Ellsworth, Gruwell, Handy, Heath, Henry of San Joaquin, Hotchkiss, Knox, Mahler, Matthews of San Benito, McClenahan, McGowan, Morgan, Morris, Ohleyer, Regan, Remson, Shanahan, Sherburne, Smyth, Spurgeon, Sykes, Taylor, Variel, Venable, Vincent, Weber, Wilcox, Williams, and Mr Speaker—39.

NOTICE OF RECONSIDERATION.

Mr. Regan gave notice that, on to-morrow, he would move to reconsider the vote whereby Assembly Bill No. 129 was refused passage.

RESOLUTIONS—(OUT OF ORDER).

By Mr. Colbert:

Resolved, That the sum of thirteen hundred and fifty-nine dollars and fifteen cents be and the same is hereby appropriated out of the Contingent Fund of the Assembly, the same being the expenses incurred by J. H. Colbert in the contested election case of David Beale vs. J H Colbert, as follows

Printing and verifying answer	$16 50
Services of Justices of the Peace E Burke and H. J. Stafford, acting as Commissioners	40 00
Services of shorthand reporter	30 00
Contingent expenses, preparing respondent's case for trial	165 00
Expenses of self and counsel attending meetings before Justices of the Peace	135 00
Serving subpœnas, mileage, and per diem of seven witnesses before Justices of the Peace	45 00

To copying papers, telegrams, postage, and expressage	$37 65
To mileage and expenses of two witnesses, San Francisco to Sacramento	140 00
To fees of R B Mitchell, counsel for respondent	750 00
Total	$1,359 15

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant in favor of J H Colbert, for said sum of thirteen hundred and fifty-nine dollars and fifteen cents, and the State Treasurer is hereby directed to pay the same.

Referred to Committee on Elections.

By Mr. Searey:

Resolved, That the sum of two thousand one hundred and thirty-eight dollars and forty cents be and the same is hereby allowed and ordered paid out of the Contingent Fund of the Assembly to J M Eaton, for the expenses incurred and disbursements made by him in the contested election case of J. M Eaton vs James B Brown, for a seat in this Assembly from the Twenty-ninth Assembly District, and the Controller is hereby directed and instructed to draw his warrant on the State Treasurer, in favor of said J M Eaton, for said sum of two thousand one hundred and thirty-eight dollars and forty cents, comprising the following items, viz Cash paid by contestant, filing statement, certified copies of same, serving notice of contest, notary fees, and expressage, twenty-six dollars, cash paid subpœnaing and per diem of thirty-three witnesses before Notary Public, and three before Justices of the Peace, acting as Commissioners, one hundred and eight dollars, fees of Notary Public and shorthand reporter, taking depositions of witnesses and transcribing same, three hundred and seventeen dollars and ten cents, fees of two Justices of the Peace, acting as Commissioners, and shorthand reporter, taking depositions of witnesses and transcribing same, one hundred and forty-seven dollars and sixty cents, cash paid traveling expenses of attorney, twenty dollars, subpœnaing one witness before committee of the Assembly, mileage and witness fees, nineteen dollars and seventy cents, fees of R B Mitchell, attorney for contestant, fifteen hundred dollars. Be it further

Resolved, That the State Treasurer is hereby instructed to pay said warrant.

BEFORE THE ASSEMBLY OF THE LEGISLATURE OF THE STATE OF CALIFORNIA.

In the matter of the contested election of James B Brown, for the office of member of Assembly in and for the Twenty-ninth Assembly District of the State of California, by J M Eaton

Contestant's Bill of Costs.

December 23, 1886—To cash paid verifying statement	$0 50
December 23, 1886—To cash paid County Clerk's fees	7 50
December 23, 1886—To cash paid certified copy statement	2 50
December 23, 1886—To cash paid Sheriff's fees, serving notice of contest and statement	2 50
December 23, 1886—To typewriting original statement and three copies, notice of contest and two copies, commission to Justices of the Peace and two copies	7 50
December 31, 1886—To certified copy of statement	2 50
December 31, 1886—To cash paid Notary, affidavit to take depositions	50
December 31, 1886—To cash paid serving notice and copy of affidavit	1 50
January 5, 1887—To cash paid subpœnaing thirty-three witnesses before Notary, at one dollar	33 00
January 5, 1887—To cash paid fees of thirty-three witnesses, at two dollars	66 00
January 5, 1887—To per diem of Notary and shorthand reporter, at ten dollars	20 00
January 6, 1887—To per diem of Notary and shorthand reporter	20 00
January 8, 1887—To per diem of Notary and shorthand reporter	20 00
January 13, 1887—To per diem of Notary and shorthand reporter	20 00
January 13, 1887—To Notary fees, swearing twenty-one witnesses	10 50
January 13, 1887—To twenty-five certificates to depositions of witnesses, at one dollar	25 00
January 13, 1887—To transcript of testimony of the following witnesses Jane Cairns, G. W Pratt, Mrs G W Pratt, J H Long, Cornelius Flood, Mrs. Ellen Calnan, C R Hagquist, Mrs C R Hagquist, Mrs G W Holmes, G W Holmes, D H Schriefer, G. H Long, Henry D. Rice, John Coffey, Mrs C Flood, J E Mugan, John J Phelan, Mrs J B Brown, Stephen Neall, Joseph Currington, two copies, six hundred and seventy-two folios, at thirty cents	201 60
January 13, 1887—To per diem of two Justices of the Peace and shorthand reporter	30 00
January 13, 1887—To subpœnaing three witnesses, at one dollar	3 00
January 13, 1887—To per diem of three witnesses before Justices of the Peace	6 00
January 14, 1887—To per diem of two Justices of the Peace and shorthand reporter, at ten dollars	30 00

January 17, 1887—To per diem of two Justices of the Peace and shorthand reporter, at ten dollars	$30 00
January 17, 1887—To transcript of testimony of Clinton Palmer, William McNally, and Nelson H Burnham, two copies, one hundred and ninety-two folios, at thirty cents	57 60
January 20, 1887—To cash paid Wells, Fargo & Company's Express, charges to Sacramento	50
January 21, 1887—To cash paid Wells, Fargo & Company's Express, charges to Sacramento	50
February 3, 1887—To cash paid expenses of attorney to Sacramento	10 00
February 8, 1887—To serving subpœna on P F Walsh	1 00
February 8, 1887—To affidavit of service	50
February 10, 1887—To mileage of witness P F Walsh	16 20
February 10, 1887—To attendance of witness P F Walsh	2 00
February 10, 1887—To expenses of attorney, San Francisco to Sacramento	10 00
February 10, 1887—To fees of attorney for contestant	1,500 00
Total	$2,138 40

Referred to Committee on Elections.

By Mr. Burnett:

Resolved, That the sum of eight hundred and fifty-three dollars be and the same is hereby allowed and ordered paid out of the Contingent Fund of the Assembly to A. O Colton, for expenses incurred by him in the matter of the contest of A O Colton vs H R Mann to a seat in the Assembly from the Forty-first Assembly District, as per statement and affidavit hereto annexed

Resolved, That the Controller be and he is hereby directed to draw his warrant for said sum of eight hundred and fifty-three dollars, and the Treasurer be and he is directed to pay said warrant in favor of said A O Colton.

STATE OF CALIFORNIA, }
City and County of San Francisco } ss.

In the matter of the contest of the right of H R Mann to a seat in the Assembly of the State of California, from the Forty-first Assembly District of said State, by A. O. Colton, contestant, vs H R Mann, respondent

Statement of expenses incurred by A O Colton in contesting the election of H R. Mann, member of the Assembly from the Forty-first District.

To copying statement of grounds of contest, and other papers necessary in the matter of said contest	$10 00
To Notary fee, verification of statement	50
To fee of County Clerk for filing statement	6 50
To fee of County Clerk for certifying to copies of statement and notice	1 50
To Sheriff's fee, serving statement and notice	1 25
To fees of eleven witnesses whose depositions were taken before J F Kingwell, Notary Public	38 00
To fees of J F Kingwell, Notary Public, for taking and certifying depositions of thirteen witnesses (three days)	48 00
To fees of J F. Gawthorne and H W Walter, shorthand reporters, in taking depositions before J F Kingwell, Notary Public	180 00
To serving eleven subpœnas, fifty cents each	5 50
To Notary fees, eight affidavits	4 00
To telegrams, to and from Sacramento	2 25
To fee of County Clerk, delivering papers to Justices of the Peace	2 00
To fees of H J Stafford and E Burke, Justices of the Peace, as Commissioners in taking depositions (three days' time) at five dollars per day each	30 00
To expressage and postage in transmitting papers to Sacramento	1 00
To expenses of A O Colton in attending meeting of Committee on Elections (three trips)	22 50
To fee of W H H. Hart as attorney for A O Colton in said contest	500 00
Total	$853 00

STATE OF CALIFORNIA, }
City and County of San Francisco } ss

A O Colton being duly sworn, deposes and says, that he is the contestant in the above entitled contest, that he has read the foregoing statement of expenses, incurred by him in said contest and knows the contents thereof, that the same is a true and correct statement of the expenses incurred by him in contesting the seat of H R Mann, member of the Assembly from the Forty-first Assembly District, State of California

A. O. COLTON

Subscribed and sworn to before me, this twenty-eighth day of February, A D. 1887

[SEAL] J F KINGWELL,
Notary Public in and for the City and County of San Francisco, State of California.

Referred to Committee on Elections.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON LABOR AND CAPITAL—MAJORITY REPORT

ASSEMBLY CHAMBER, SACRAMENTO, February 28, 1887.

MR SPEAKER Your Committee on Labor and Capital, to whom was referred Senate Bill No 34—An Act to provide for the better protection and security of life and property in the use of steam boilers—report the same back, and recommend that it do pass.

LABLANC, Chairman.

MINORITY REPORT.

The undersigned present this as a minority report upon Senate Bill No. 34—and recommend that it do not pass, for the following reasons

First—That the position of Boiler Inspector thereby created is unnecessary and only increases expenses without any equivalent benefit

Second—That it would be improper to intrust such unlimited power to one or more persons without any proper check to extortion and unreasonably arbitrary action

Third—That the method of licensing proposed in the bill is unjust and is calculated to operate most injuriously upon owners of boilers generally, but especially those located in remote districts.

(Signed:)
JOHN LABLANC.
S CARR
W Z PRICE

ON ENGROSSMENT

ASSEMBLY CHAMBER, SACRAMENTO, March 1, 1887

MR SPEAKER: Your Committee on Engrossment beg leave to report that the following Assembly Bills have been correctly engrossed:

Assembly Bills Nos. 19, 263, 251, 280, 211, 216, 197, 157, 182, 221, 224, and 155.

WINDROW, Chairman.

INTRODUCTION OF BILL.

Mr. Taylor asked permission to introduce a bill under the constitutional provision requiring the consent of two thirds of the members of the Assembly.

Permission granted by unanimous vote.

By Mr. Taylor: Assembly Bill No. 561—An Act to amend section three thousand seven hundred and thirteen of the Political Code, relating to levy of taxes.

Ordered placed on Special File.

MOTIONS TO RECONSIDER.

Mr. Lawrence moved to reconsider the vote whereby Assembly Bill No. 1 was, on yesterday, passed.

Lost, on a division—ayes, 18; noes, 37.

Mr. Henry of Butte moved to reconsider the vote whereby Senate Bill No. 4 was, on yesterday, refused first reading.

PREVIOUS QUESTION.

Mr. J. B. Brown moved the previous question, seconded by Messrs. Campbell and Toner.

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

The question being on the motion of Mr. Henry of Butte, to reconsider the vote whereby Senate Bill No. 4 was refused a first reading.

The vote was reconsidered, on a division—ayes, 47; noes, 20.

The question then being, "Shall Senate Bill No. 4 be read the first time?" it was so ordered, on a division—ayes, 40; noes, 17.

FIRST READING OF BILL.

Senate Bill No. 4—An Act to establish a Branch State Normal School in Northern California.

Read first time, and placed on file for second reading.

MOTION.

On motion of Mr. Campbell, the House proceeded to consider bills on the Special File.

Mr. Mathews of Tehama asked that the special order set for this hour, three o'clock P. M., the consideration of resolution offered by him this morning, relating to an adjournment sine die, be taken up.

So ordered.

MOTION—(OUT OF ORDER).

Mr. Wright asked that he be permitted to make a motion, out of order.

Permission granted.

Mr. Wright moved that the rules be suspended, and that five thousand copies of Assembly Bill No. 12 be printed in pamphlet form.

So ordered, on a division—ayes, 33; noes, 3.

MOTION TO RECONSIDER.

Mr. Granger moved to reconsider the vote whereby Assembly Bill No. 521 was refused first reading.

So ordered.

FIRST READING OF BILL.

Assembly Bill No. 521—An Act relating to the dissolution and modification of injunctions, and amending sections five hundred and thirty and five hundred and thirty-two of the Code of Civil Procedure.

Read first time, and placed on file for second reading.

SPECIAL ORDER.

Consideration of resolution relating to setting time for adjournment sine die.

MOTIONS.

Mr. Rucker moved to make the consideration of the above resolution the special order for Wednesday.

Mr. Brierly moved to amend, by making the time for consideration Saturday.

The question being on the shortest time, the motion of Mr. Rucker was lost.

Mr. Rucker moved to amend, by making the time Thursday.

Lost.

The question being on the motion of Mr. Brierly, the same was adopted.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON STATE HOSPITALS

ASSEMBLY CHAMBER, SACRAMENTO, March 1, 1887

MR SPEAKER Your Committee on State Hospitals, to whom was referred Senate Bill No. 431—An Act to appropriate money to prevent the introduction of contagious and infectious diseases—report the same back, and recommend that it do pass.

BUTLER, Chairman.

CASE OF URGENCY.

Mr. Mathews of Tehama moved to suspend the rules and provisions of section fifteen, of Article IV, of the Constitution, requiring bills to be read on three separate days, that Senate Bill No. 431 be declared a case of urgency, and the bill be read the first, second, and third time, and placed upon its passage.

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

AYES—Messrs Alexander, Atherton, Bailey, Barry, Barton, Bost, Brierly, Britt, Brusie, Butler, Carr, Carroll, Colbert, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Ellsworth, Ewing, Gould, Granger, Gruwell, Handy, Hart, Heath, Hyde, Knox, LaBlanc, Lewis, Mahler, Mann, Mathews of Tehama, McDonnell, McGowan, Mitchell, Ohleyer, Regan, Rucker, Remson, Searey, Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Toner, Variel, Venable, Vincent, Windrow, Wilcox, Williams, Wright, Young of San Diego, and Mr Speaker—57

NOES—Messrs Brown W. A, Callaghan, Campbell, Henry of San Joaquin, Hotchkiss, Martin, McClenahan, Morris, Price, and Weber—10

FIRST READING OF BILL.

Senate Bill No. 431—An Act to appropriate money to prevent the introduction of contagious and infectious diseases.

Read first time.

Senate Bill No. 431 read second time.

IN COMMITTEE OF THE WHOLE.

On motion of Mr. Brierly, the House went into Committee of the Whole, for the purpose of considering Senate Bill No. 431.

Speaker Jordan in the chair.

The bill was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Jordan in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The Chairman stated the report, as follows:

GENTLEMEN The Committee of the Whole have had under consideration Senate Bill No 431, and now report the same back, and recommend that it do pass.

Report adopted.

Senate Bill No. 431 read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Alexander, Atherton, Bailey, Barry, Barton, Bost, Brierly, Britt, Brown W. A., Butler, Callaghan, Carr, Carroll, Colbert, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Gruwell, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Knox, LaBlanc, Lawrence, Lewis, Martin, Mann, Mathews of Tehama, McClenahan, McDonnell, McGowan, Mitchell, Morris, Ohleyer, Price, Regan, Rucker, Remson, Searey, Sherburne, Smyth, Spurgeon, Taylor, Variel, Venable, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, and Mr Speaker—63

NOES—None

Title read and approved.

LEAVE OF ABSENCE.

Mr. Heath was granted leave of absence for this evening.

RESOLUTION—(OUT OF ORDER).

Mr. Carroll asked leave to introduce a resolution, out of order.

So ordered, on a division—ayes, 36; noes, 9.

By Mr. Carroll.

Resolved, That this House do adjourn at six o'clock P. M. to-day

Mr. Weber moved to amend, by making it nine o'clock P. M.

The shortest time being first put, it was lost, on a division—ayes, 30; noes, 35.

Mr. Rucker moved to amend, by making it six o'clock and thirty minutes P. M.

Mr. Coombs moved to amend, by making the time nine o'clock and thirty minutes P. M.

Ayes and noes demanded on Mr. Rucker's motion, to adjourn at six o'clock and thirty minutes P. M., by Messrs. Rucker, Cohen, and Cooley.

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

AYES—Messrs Alexander, Carr, Carroll, Cohen, Cooley, Cope, Granger, Gruwell, Hart, Henry of San Joaquin, Hotchkiss, Hyde, Lewis, Ohleyer, Rucker, Remson, Searey, Sims, Spurgeon, Taylor, Venable, Vincent, Wright, and Young of San Diego—25

NOES—Messrs Atherton, Bailey, Barry, Barton, Bost, Brierly, Britt, Brown W A, Burnett, Callaghan, Campbell, Colbert, Coombs, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Handy, Heath, Henry of Butte, Knox, LaBlanc, Lawrence, Mahler, Martin, Mathews of Tehama, Matthews of San Benito, McDonnell, McGowan, Mitchell, Morris, Price, Sherburne, Smyth, Sykes, Toner, Variel, Weber, Wilcox, Williams, and Mr Speaker—46

The question then being on the motion of Mr. Weber, to adjourn at nine o'clock P. M., it was so ordered, on a division—ayes, 30; noes, 28.

MOTION.

Mr. Variel moved to reconsider the vote whereby Mr. Heath was granted a leave of absence for the evening.

So ordered.

The question being, "Shall Mr. Heath be granted a leave of absence for this evening?" the same was lost.

SPECIAL FILE.

Assembly Bill No. 2—An Act to amend an Act entitled an Act to provide for the organization, incorporation, and government of muni-

cipal corporations, approved March 13, 1883, and to add certain sections thereto, and repeal certain sections thereof.

Committee amendments, as follows, adopted: section six hundred and two, line five, strike out the word "to," after the words "and each"

Also, section six hundred and three, line ten, after the word "attending," insert a comma; after the word "assembled," on same line, insert a comma.

Also, section six hundred and twenty, line seven, after the word "*provided*," strike out the word "for."

Also, section six hundred and twenty-two, line thirty-nine, after the word "shows," strike out the word "without," and insert "within;" also, in page eight, on same line, after the word "such," strike out the word "cities," and insert the word "city;" also, in line fifty-five, of same section, after the word "therein," insert a comma; also, in line ninety-six, of same section, after the words "such city," strike out the words "is hereby declared a misdemeanor and all prosecution for the same;" also, in line ninety-seven, of same section, after the word "the," strike out the words "people of the State of California," and insert "City of" (naming it); also, in line one hundred and six, of same section, after the word "macadamizing," insert the word "of;" also, in line one hundred and fourteen of same section, after the word "the," strike out the word "loss," and insert the word "costs;" also, in line one hundred and sixteen, of same section, after the word "attorneys," strike out the word "fees," and insert the word "fee," also, on line one hundred and nineteen, of same section, after the word "attorneys," strike out the word "fees," and insert the word "fee;" also, on line one hundred and twenty-five, of same section, after the word "draw," strike out the word "light," and insert the word "legal;" also, in same line, strike out the word "in," and insert the word "into;" also, in line one hundred and thirty-two, of same section, after the word "the," strike out the word "same," and insert the word "said," also, in line one hundred and sixty-seven, of same section, strike out the word "may," and insert the word "to."

Also, section six hundred and twenty-three, page thirteen, line eight, after the word "same," strike out a comma, and insert a semicolon.

Also, section twenty-one, page fifteen, same line, after the word "of," strike out the word "this," and insert the word "said."

Also, section six hundred and seventy, page twenty-two, line four, after the word "present," strike out a comma, and insert a semicolon.

Also, section six hundred and seventy-six, page twenty-four, line thirty-four, after the word "number," insert the word "and;" also, on line forty-one, same section, after the word "his," insert the word "assigns."

Also, section six hundred and seventy-seven, page twenty-five, line fifty-three, strike out the word "shall," and insert the word "to."

Also, section six hundred and seventy-nine, page twenty-seven, line eight, strike out the word "such," and insert the word "same."

Also, section six hundred and ninety-two, page thirty, line fifty-four, after the words "of a," strike out the word "criminal," also, page thirty, in line fifty-seven, same section, after the word "all," strike out the word "criminal;" also, page thirty, in line fifty-nine, same section, after the words "before such Court," strike out the rest of same line, sixty, and sixty-one.

Also, section seven hundred and eleven, page thirty-one, line five, after the words "schools of," insert the word "the."

Also, section six hundred and forty-one, page sixteen, line thirty-five, change "March" to "June," and "June" to "September;" also, in line thirty-eight, change "March" to "June."

Also, section six hundred and forty-two, page seventeen, line fifty-five, change "June" to "September."

Also, section six hundred and forty-three, page seventeen, line seventy-five, change "July" to "October."

Also, page eighteen, line seventy-six, change "July" to "October."

Also, section six hundred and forty-four, page eighteen, line ninety-seven, change "August" to "November."

Also, section six hundred and forty-five, page eighteen, line one hundred and five, change "September" to "December."

Also, section six hundred and forty-six, page nineteen, change "September" to "December."

Also, section six hundred and forty-seven, page nineteen, line one hundred and fourteen, change "September" to "December."

Also, section six hundred and forty-nine, page nineteen, line one hundred and twenty-eight, change "September" to "December."

Also, section six hundred and fifty, page nineteen, line one hundred and thirty, change "October" to "January."

Also, amend title, to read as follows:

An Act to amend section four, of Chapter I, of an Act entitled an Act to provide for the organization, incorporation, and government of municipal corporations, approved March 13, 1883, and also to amend Chapter V of said Act.

Also, amend section one, line forty-four, by striking out the word "on," and inserting the word "in."

Also, amend, by striking out, on page sixteen, line thirteen, original bill, the words, "the formation of a chain-gang for," and inserting in place thereof, the words, "——, ——;" also, by striking out the word "or," and inserting a comma after the word "crimes;" also, same page, on line fourteen, by inserting after the word "misdemeanors," the words, "or violations of ordinances of the city;" also, on line eighteen, insert, after the word "gaming," the words, "or gambling" also, on line twenty-one, insert after the word "shows," the words, "within such city."

Also, page eighteen, original bill, on line twenty-two, after the word "irrigating," insert the words "sewerage, drainage, or sprinkling," also, on line twenty-four, after the word "for," insert the words "and compel."

Also, page nineteen, on line eleven, strike out the first "and," after "wharfage," after the word "wharf," and insert the words "or water front privileges;" also, on line sixteen, strike out the last word "and;" on line seventeen, strike out the words "other steam water craft."

Also, page twenty, original bill, strike out all of line three; also, on line twelve, before the word "in," place the word "prosecuted;" also, strike out all of lines twenty-four, twenty-five, twenty-six, twenty-seven, and twenty-eight.

Also, page twenty-one, original bill, amend line nineteen, by striking out the words "a uniform," add the letter "s," to the word "grade," also, on line twenty, add, after the word "avenues," the words "alleys and other public ways," and after the word "squares," same line, add the words "and to alter the same at pleasure;" also,

on line twenty-three, strike out the word "or," between the words "drains or sewer;" strike out the word "any," on same line, after the word "or;" also, amend line twenty-five, by inserting, after the word "maintain," the words "sewers or drains or;" also, strike out all of line twenty-seven, after the word "thereof," and all of line twenty-eight; also, strike out all of lines from one to eighteen, inclusive, and the word "city," on line nineteen, and insert in place thereof the following: "to provide for the opening, laying out, altering, extending, or widening of public streets, avenues, alleys, or other public ways or any portion thereof; to provide for constructing, repairing, grading or regrading, paving or repaving, macadamizing or remacadamizing, planking or replanking, piling or repiling, capping or recapping public streets, avenues, alleys, or other public ways or any portion of either thereof, all at the expense of the property in front of which any such work is done or improvements made, and for all such work or improvements in and upon intersections and street crossings at the expense of the property in the quarter blocks adjacent to such intersections and crossings; *provided*, that the City Council may in its discretion provide for the payment by the city of such portion or portions of such work or improvements as it may deem just; to provide for and compel the payment of the loss and expenses of all such work or improvements, by the levy and collection of special assessments upon the property hereinbefore specified. All such assessments, together with the costs and expenses of collecting, including a reasonable attorney's fees, shall be and remain a lien upon the property affected thereby until the assessment thereon is paid or the title to the property vests in the purchaser thereof upon a sale of such property for the payment of such assessment and costs and expenses and attorney's fees, and the Council shall have power to provide for the collection of such assessments by a civil action or by the sale of such property and the redemption thereof, in the same manner, within the same time, and upon the same condition as are or may be provided by law for the collection of State and county taxes. It shall likewise have power to provide that if any assessment shall remain unpaid for more than sixty days after it becomes due, the said assessment shall draw legal interest, and all such assessments and interest shall be paid into the Street Improvement Fund of the city; to provide for sprinkling streets, avenues, alleys, and other public ways or places; to provide for, order, and compel the building, constructing, changing, altering, raising, lowering, or repairing of sidewalks, curbing, and culverts upon and in any street, avenue, alley, or other public way by the owners of property in front of which such work is ordered, and to prescribe the materials therefor; and such Council shall have power to impose fines and penalties upon the owners neglecting or refusing to do and perform such work or use the prescribed materials therefor, and in their discretion to order such work to be done by the Street Commissioner of such city, in which case the costs and expenses of such work shall be a lien in favor of such city, upon the property in front of which it is done, and may be collected by a civil action in the name of the city, and such remedies shall be deemed and construed to be additional to and cumulative of each other; to cause or permit trees to be planted and cultivated along the line thereof or therein, and in all ways to manage and control all streets, avenues, alleys, or other public ways or places."

Also, strike out all of lines one and two, and insert, in place thereof, the following. "To provide for the payment of the costs and expenses of such sewers, or system of sewerage, drains, or system of drainage, or of all or either, by general taxation upon the property within the city, or by the issuance and sale of bonds by the city, or by the levy and collection of special assessments upon the property to be benefited, or by a combination of either or of all such methods as such Council may deem proper. If special assessments are levied for such work, such assessments, together with the costs and expenses of collection, including a reasonable attorney's fee, shall be a lien upon the property upon which levied until the same are paid or the title to the property vests in the purchaser upon a sale of such property for the payment of such assessments, costs, expenses, and attorneys' fees, and shall be collected as hereinbefore provided for the collection of assessments for street work;" also, on line five, strike out the word "established," and insert, in place of it, the word "establish;" strike out also the words "with funds derived from;" on line six, strike out the words "general tax;" also, on line seven, after the word "such," insert the word "sewers;" also, on line eight, before the word "drainage," place the words "drains or systems of;" also, same line, strike out the word "both," and insert, in place thereof, the words "either or all;" also, strike out all of line twelve, and all of line thirteen to the words "to provide," and insert, in place thereof, the words "therewith or thereto."

Also, page twenty-two, original bill, strike out, on line twenty, the word "or," between the words "trains" and "engines," and insert, after the word "engines," the words "or cars"

Also, page twenty-four, original bill, on line two, strike out the word "or," after the word "in," and after the word "on" insert the words "or maintains;" also, on line three, strike out the word "or," after the word "calling," and after the word "profession," insert the words "place or thing;" also, on line sixteen, after the word "of," insert the words "fines or;" also, on line twenty-two, strike out the first word, "and;" also, strike out the word "hereinafter," and insert, instead thereof, the word "herein."

Also, page twenty-eight, original bill, line twenty-two, strike out the word "to," and insert the word "be."

Also, page thirty, original bill, on line sixteen, add the letter "s" to the second word, "section," and after the word "sections," insert the words "six hundred and twenty-nine and;" after the word "Act," in line seventeen, strike out the words "shall read as follows," and insert, in place thereof, the words "are hereby repealed."

Also, on line eighteen, strike out all of section six hundred and thirty, from line eighteen, on page thirty, to line twelve, inclusive, on page thirty-two.

Also, page forty-one, original bill, on line five, strike out the word "thereof," and insert, in the place, the word "therefor."

Also, page forty-five, original bill, on line eleven, strike out the word "is," and insert the words "shall be;" also, on line twelve, strike out the word "is," and insert, in place of it, the words "shall be;" also, on line sixteen, strike out the word "is," and insert, in its place, the words "shall be," also, on line twenty-two, strike out the word "is," and insert, in its place, the words "shall be"

Also, page forty-eight, original bill, on line sixteen, strike out the words "is not," and insert, in place thereof, the words "shall not be."

Also, page forty-nine, original bill, on line nineteen, strike out the word "is," and, in its place, insert the words "shall be;" also, on line twenty-three, strike out the word "conveys," and, in its place, insert the words "shall convey."

Also, page fifty, line four, strike out the word "is," and insert, in its place, the words "shall be."

Also, page fifty-seven, on line five, after the word "streets," insert the words "the construction of sewers, or drains;" also, on line six, after the word "and," insert the word "collect;" on same line, strike out the word "other," after the word "all;" also, on line eight, strike out, after the word "rates," the words "unless he be also made;" also, on line nine, strike out the first words "License Collector, or Harbormaster, or both, and the;" also, on line ten, strike out the words "same shall pay," and insert, in place thereof, the words "and shall pay the same;" also, on line twenty-four, after the first word "as," insert the words "are in this chapter prescribed, or."

Also, page fifty-nine, on line five, after the word "as," insert the words "are in this chapter prescribed, or."

Also, page sixty, on line eighteen, after the word "improvements," add the following: "or for sewerage, or drainage; when any officer of said city, other than himself, is tried before the City Council he shall sit with such Council to advise them on matters of law, but shall have no vote;" also, on line twenty-five, after the word "Council," insert the words "and such special policemen as may be appointed."

Also, page sixty-one, on line five, after the word "Chapter," insert the words, "or by any ordinance;" also, on line fifteen, strike out the word "or," and insert, after the word "accused," in same line, the words "and whom he has reasonable grounds to believe."

Also, page sixty-two, strike out, on line nine, the last two words, "such policemen," and all of lines ten, eleven, twelve, and thirteen, and on line fourteen, the first words, "the election of such policemen."

Also, page sixty-five, change the word "loud," in line twenty-one, to "lewd."

Also, page sixty-six, strike out, on line twenty-eight, the words "in such city."

Also, page sixty-seven, on line three, strike out first words, "of such city;" also, on line ten, after the word "degree," insert the words "or in which he is disqualified from any cause," also, on line thirteen, before the word "and," insert the words, "and in all cases in which a change of venue might otherwise be legally obtained."

Also, page seventy, on line twenty-eight, after the word "report," insert the words "under oath."

Page seventy-one, strike out all of section six hundred and ninety-eight, from line six to line seventeen, inclusive.

Mr. Wright moved to amend as follows: amend title, by adding before the word "four," the words "three and;" also, make "section," read "sections."

Adopted.

Mr. Wright moved to amend section three, as follows: section three of said Act shall read as follows:

SEC. 3. Such election shall be conducted in accordance with the general election laws of the State, and no person shall be entitled to vote thereat unless he shall be a qualified elector of the county, enrolled upon the Great Register thereof, and shall have resided within the limits of such proposed corporation for at least sixty days next preceding such election. The Board of Supervisors shall meet on the Monday next succeeding

such election and proceed to canvass the votes cast thereat, and if, upon such canvass, it appear that a majority of the votes cast are for incorporation, the Board shall, by an order entered upon their minutes, declare such territory duly incorporated as a municipal corporation of the class of which the same shall belong, under the name and style of the city (or town, as the case may be) of ——— (naming it), and shall declare the persons receiving, respectively, the highest number of votes for such several offices to be duly elected to such offices. Said Board shall cause a copy of such order, duly certified, to be filed in the office of the Secretary of State, and from and after the date of such filing such incorporation shall be deemed complete, and such officers shall be entitled to enter immediately upon the duties of their respective offices, upon qualifying in accordance with law, and shall hold such offices, respectively, only until the next general municipal election to be held in such city or town, and until their successors are elected and qualified, *provided*, that an incorporation formed under the provisions of this Act may be dissolved at any time by a majority of all the votes cast at an election called for that purpose, such election shall be called and the result thereof shall be determined and declared in all respects in compliance with the foregoing provisions of this Act.

Adopted.

Bill ordered engrossed, and to a third reading.

Senate Bill No 192—An Act establishing an Industrial Home of Mechanical Trades for the Adult Blind of the State of California, creating a Board of Directors for the government thereof, and appropriating the sum of sixty-five thousand dollars for the support of said Home.

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. 192.

Speaker Jordan in the chair.

The bill was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Jordan in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The Chairman stated the report, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No 192, and now report the same back, and recommend that it do pass, as amended, as follows: amend, by striking out of line three, section two, the words "the erection of suitable buildings, other than dormitories."

Also, amend, by striking out of section twenty-one, Article III, lines two and three, the words "Superintendent, subject to the approval of the"

Also, amend, by striking out of section two, Article III, line five, the word "twelve," and inserting, in lieu thereof, the word "six"

Also, amend, by striking out of subdivision three, Article III, the words "twelve," and inserting "six"

Also, amend Article IV, line twenty-seven, by inserting the word "daily," before the word "record," therein

Also, amend, by striking out of Article IV, line fifty-five, the words "being twenty-four hundred," and inserting, in lieu thereof, the words "shall not exceed twenty-one hundred"

Also, amend, by striking out of Article V, line six, the word "may," and inserting, in lieu thereof, the word "must"

Also, amend, by striking out Article VII (seven)

Report adopted.

Mr. Ellsworth offered the following amendment to the bill, which was adopted: amend section three, Article II, of the printed bill, by striking out from line four, at the end thereof, the word "or," and by

striking from line five, the words "from the industries of the Home," and by striking from line six, the words "or accumulations," and by inserting the word "or," at the end of line six.

Senate Bill No. 192 ordered placed on file for third reading.

Assembly Constitutional Amendment No 15 passed on file.

NOTICE OF MOTION TO AMEND RULES.

Mr. LaBlanc gave notice that, on to-morrow, he will move to amend Rule 77 by striking therefrom the words "the elected members of," inserted after the end of line nine of the rules, as printed.

RECESS.

At five o'clock and thirty-five minutes P. M., on motion of Mr. Venable, the House took a recess until seven o'clock and thirty minutes P. M.

REASSEMBLED.

At seven o'clock and thirty minutes P. M. the House reassembled.

Speaker Jordan in the chair.

Quorum present.

PASSAGE OF BILL.

Assembly Bill No. 456—An Act to amend sections three thousand nine hundred and nine and three thousand nine hundred and thirteen of the Political Code, relating to the boundaries of Del Norte and Siskiyou Counties.

The question being on the passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Atherton, Barton, Bost, Brierly, Britt, Burnett, Butler, Campbell, Carr, Colbert, Cooley, Coombs, Cope, Curry of San Francisco, Davis, Ewing, Granger, Gruwell, Handy, Hart, Heath, Henry of Butte, Hotchkiss, Hyde, LaBlanc, Lawrence, Mahler, Martin, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Mitchell, Morgan, Morris, Ohleyer, Regan, Rennson, Sherburne, Sims, Smyth, Spurgeon, Sykes, Venable, Vincent, Weber, Windrow, Wilcox, Wright, Young of San Diego, and Mr Speaker—54

NOES—None

Title read and approved.

BILL WITHDRAWN.

Assembly Bill No. 169 withdrawn by Mr. Wright, by permission of the House.

Mr. Wright moved that Assembly Bill No. 278 be placed in the position formerly occupied by Assembly Bill No. 169 on the file.

CALL OF THE HOUSE.

Mr. Mann moved a call of the House.

Lost.

The question being on the motion of Mr. Wright.

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

AYES—Messrs Adams, Alexander, Atherton, Bailey, Barry, Barton, Bost, Britt, Brown W. A., Burnett, Butler, Carr, Colbert, Cooley, Coombs, Currey of Solano, Curry of San

Francisco, Davis, Ewing, Gould, Granger, Gruwell, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, Knox, LaBlanc, Lawrence, Mahler, Martin, Mann, Matthews of San Benito, McClenahan, McDonnell, McGowan, Mitchell, Morgan, Morris, Ohleyer, Renison, Sherburne, Sims, Smyth, Spurgeon, Venable, Vincent, Weber, Wilcox, Wright, Young of San Diego, and Mr Speaker—55

NOES—Mr Sykes—1

REPORT OF STANDING COMMITTEE—OUT OF ORDER.

ON MILEAGE

ASSEMBLY CHAMBER, SACRAMENTO, March 1, 1887

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 named members be allowed mileage for nine hundred and fifty-six miles. Messrs Cooley, Searey, O'Grady, LaBlanc, and Clerk Eldred

Resolved, That the Controller be and is hereby authorized to draw his warrant for the sum of four hundred and seventy-eight dollars, in favor of F M Cooley, to pay above mileage, payable out of the appropriation for the contingent expenses of the Assembly.

WEBER, Chairman

Resolution adopted.

SPECIAL FILE—SECOND READING OF BILL—(RESUMED).

Assembly Bill No. 278—An Act making an appropriation for the payment of claims of certain employés, and other creditors of the State.

Read second time.

IN COMMITTEE OF THE WHOLE.

On motion of Mr. Wright, the House went into Committee of the Whole, for the purpose of considering Assembly Bill No. 278.

Speaker Jordan in the chair.

The bill was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Jordan in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The Chairman stated the report, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No 278, and report the bill back, and recommend that it do pass.

Report adopted.

Bill ordered engrossed, and to a third reading.

THIRD READING OF BILL.

Senate Bill No. 42—An Act to enlarge the powers of the State Board of Forestry, and to provide for the expenses of said Board.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Alexander, Atherton, Bailey, Barry, Barton, Bost, Brierly, Britt, Brown J. B, Burnett, Callaghan, Campbell, Cohen, Colbert, Cooley, Coombs, Cope, Currey

of Solano, Curry of San Francisco, Ewing, Gould, Granger, Gruwell, Hart, Henry of San Joaquin, Knox, LaBlanc, Lawrence, Martin, Mann, Mathews of Tehama, McClenahan, Mitchell, Ohleyer, Regan, Renison, Searey, Sherburne, Sims, Spurgeon, Sykes, Toner, Vincent, Weber, Wilcox, Williams, Wright, Young of San Diego, and Mr. Speaker—50

NOES—Messrs Carr, Davis, Handy, Hotchkiss, Hyde, Mahler, Matthews of San Benito, McDonnell, McGowan, Morgan, Venable, and Windrow—12

Title read and approved.

Assembly Bill No. 498 withdrawn by Mr. Davis, by permission of the House.

SECOND READING OF BILL.

Senate Bill No. 354—An Act to provide for the deficiency in the appropriation for the restoration and preservation of fish in the waters of the State, for the thirty-seventh fiscal year.

Read second time.

IN COMMITTEE OF THE WHOLE.

On motion of Mr. Renison, the House went into Committee of the Whole, for the purpose of considering Senate Bill No. 354.

Speaker Jordan in the chair.

The bill was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Jordan in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The Chairman stated the report, as follows:

GENTLEMEN The Committee of the Whole have had under consideration Senate Bill No. 354, report the bill back, and recommend that it do pass.

Report adopted.

Bill ordered placed on file for third reading.

THIRD READING OF BILL.

Senate Bill No. 387—An Act to provide for permanent improvements at the California Home for the Care and Training of Feeble-Minded Children, and to appropriate money therefor.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Atherton, Bailey, Barry, Barton, Bost, Brierly, Britt, Burnett, Butler, Callaghan, Campbell, Carr, Colbert, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Gruwell, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, LaBlanc, Lawrence, Lewis, Martin, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Mitchell, Morgan, Morris, Ohleyer, Regan, Renison, Sherburne, Sims, Spurgeon, Sykes, Toner, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, and Mr Speaker—61

NOES—None

Title read and approved.

CALL OF THE HOUSE.

Mr. Lawrence moved a call of the House.

Ayes and noes demanded by Messrs. Lawrence, Toner, and Searey.

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

AYES—Messrs. Alexander, Barry, Britt, Brown J. B., Burnett, Callaghan, Cohen, Colbert, Cooley, Curtis of Solano, Ellsworth, Granger, Henry of Butte, Hyde, LaBlanc, Lawrence, Lewis, Martin, Mann, Mathews of Tehama, McDonnell, Mitchell, Regan, Searey, Sherburne, Spurgeon, Toner, Windrow, and Wilcox—29

NOES—Messrs. Adams, Atherton, Bailey, Barton, Bost, Brierly, Butler, Campbell, Carr, Coombs, Cope, Curry of San Francisco, Davis, Ewing, Gould, Gruwell, Handy, Hart, Heath, Henry of San Joaquin, Hotchkiss, Knox, Mahler, Matthews of San Benito, McClenahan, McGowan, Morgan, Ohleyer, Sims, Sykes, Vincent, Weber, Williams, Wright, Young of San Diego, and Mr. Speaker—37

MOTION.

Mr. Cooley moved that the rules be suspended, and that Assembly Bill No. 311 be taken up, out of order, and considered.

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

AYES—Messrs. Alexander, Atherton, Barry, Brierly, Britt, Brown J. B., Brusie, Burnett, Butler, Callaghan, Campbell, Carr, Cohen, Colbert, Cooley, Curry of San Francisco, Ellsworth, Ewing, Gould, Gruwell, Hart, Heath, Henry of Butte, Hyde, LaBlanc, Lawrence, Lewis, Martin, Mann, Mathews of Tehama, Matthews of San Benito, McDonnell, Mitchell, Morgan, Remson, Searey, Sykes, Toner, Vincent, Weber, Wilcox, Wright, and Young of San Diego—43

NOES—Messrs. Adams, Bailey, Barton, Coombs, Cope, Curtis of Solano, Davis, Henry of San Joaquin, Hotchkiss, Knox, Mahler, McClenahan, McGowan, Morris, Ohleyer, Regan, Sherburne, Spurgeon, Windrow, Williams, and Mr. Speaker—21

THIRD READING OF BILL.

Senate Bill No. 291—An Act to prevent fraud and imposition in the matter of stamping and labeling produce and manufactured goods.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Alexander, Atherton, Bailey, Barry, Barton, Bost, Brierly, Britt, Brown W. A., Brown J. B., Brusie, Burnett, Butler, Callaghan, Campbell, Carr, Cohen, Colbert, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Gruwell, Handy, Hart, Hotchkiss, Hyde, Knox, LaBlanc, Lawrence, Lewis, Mahler, Martin, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Mitchell, Morris, Ohleyer, Regan, Remson, Searey, Sherburne, Smyth, Spurgeon, Sykes, Toner, Vincent, Weber, Windrow, Wilcox, Williams, Young of San Diego, and Mr. Speaker—63.

NOES—None

Title read and approved.

Senate Bill No. 48—An Act to provide for certain improvements at the Deaf, Dumb, and Blind Asylum.

Read third time.

The roll was called, and the bill passed by the following vote.

AYES—Messrs. Adams, Alexander, Atherton, Bailey, Barton, Bost, Brierly, Britt, Brown W. A., Brown J. B., Brusie, Burnett, Butler, Callaghan, Campbell, Carr, Cohen, Colbert, Cooley, Coombs, Cope, Curtis of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Gruwell, Handy, Hart, Henry of San Joaquin, Hotchkiss, Hyde, Knox, LaBlanc, Lewis, Mahler, Mathews of Tehama, McClenahan, McDonnell, Morgan, Morris, Ohleyer, Regan, Remson, Searey, Sherburne, Sims, Smyth, Spurgeon, Sykes, Toner, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr. Speaker—62

NOES—Mr. Lawrence—1

Title read and approved.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON MUNICIPAL CORPORATIONS

ASSEMBLY CHAMBER, SACRAMENTO, March 1, 1887

MR SPEAKER: Your Committee on Municipal Corporations, to whom was referred Substitute Bill for Assembly Bills Nos. 284 and 314—An Act to amend Chapter III of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations, approved March 15, 1883, and each and every article of said Chapter III to take the place thereof in said Act, relating to the organization, incorporation, and government of municipal corporations of the second class"—would respectfully report that they have examined and amended the same, and report the same back, and recommend that it do pass, as amended.

They have also considered Senate Bill No 222—An Act to confine the power to impose license taxes in incorporated cities and towns, other than consolidated cities and counties, to the corporate authorities of such cities and towns—and would report the same back, without recommendation.

KNOX, Chairman

On motion of Mr. Knox, the usual number of copies of Substitute for Assembly Bills Nos. 284 and 314, as amended, were ordered printed.

ON ENROLLMENT

ASSEMBLY CHAMBER, SACRAMENTO, March 1, 1887.

MR SPEAKER: Your Committee on Enrollment beg leave to report that the following Assembly Bill has been correctly enrolled:

Assembly Bill No 12—Entitled an Act to provide for the organization and government of irrigation districts, and to provide for the acquisition and distribution of water thereby for irrigation purposes

And was presented to the Governor this day, at three o'clock P M

JAMES. B BROWN, Chairman

Mr. Hyde moved that the rules be suspended, and that Senate Bill No 222 be placed on the Special File.

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

AYES—Messrs Barry, Barton, Brierly, Britt, Brown W A, Brown J B, Burnett, Butler, Callaghan, Cohen, Colbert, Cooley, Curry of San Francisco, Ewing, Gould, Hart, Henry of Butte, Hotchkiss, Hyde, Knox, LaBlanc, Lawrence, Lewis, Martin, Mathews of Tehama, McClenahan, McDonnell, McGowan, Mitchell, Regan, Renison, Searey, Sherburne, Sykes, Toner, Windrow, and Wright—37

NOES—Messrs Adams, Alexander, Atherton, Bailey, Bost, Carr, Coombs, Cope, Currey of Solano, Davis, Ellsworth, Granger, Gruwell, Handy, Heath, Henry of San Joaquin, Mahler, Morgan, Morris, Ohleyer, Sims, Smyth, Spurgeon, Venable, Vincent, Wilcox, Williams, Young of San Diego, and Young of San Joaquin—29

SECOND READING OF BILLS.

Senate Bill No. 270—An Act to amend an Act entitled "An Act making an appropriation for the establishment of a permanent fund for the purchase of jute, to be manufactured at the State Prison at San Quentin," approved March 9, 1885, and making an additional appropriation therefor.

Read second time.

Assembly Bill No. 493—An Act to provide for permanent improvements at the California Home for the Care and Training of Feeble-Minded Children, and to appropriate money therefor.

Passed on file.

Senate Bill No. 408—An Act to appropriate money to pay the rent of the Hastings College of Law, from December 1, 1885, until June 13, 1887.

Read second time.

At eight o'clock and fifty-five minutes P. M. Mr. Mathews of Tehama moved to adjourn.

CALL OF THE HOUSE.

Mr. Cohen moved a call of the House.
Lost.
Ayes and noes demanded on the motion to adjourn, by Messrs. Brierly, Lawrence, and Butler.

ADJOURNMENT.

Pending roll-call, the hour of adjournment having arrived, at nine o'clock P. M. the Speaker declared the House adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Wednesday, March 2, 1887.

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

Messrs. Adams, Alexander, Atherton, Bailey, Barry, Barton, Bost, Brierly, Britt, Brown W. A., Brown J. B., Brusie, Burnett, Butler, Campbell, Carr, Carroll, Cohen, Colbert, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Gruwell, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, Knox, LaBlanc, Lewis, Mahler, Martin, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Mitchell, Morgan, Morris, O'Grady, Ohleyer, Price, Regan, Rucker, Renison, Searey, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Toner, Variel, Venable, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr. Speaker.

Quorum present.
Prayer by the Chaplain, Rev. E. R. Dille.
Pending the reading of the Journal of yesterday, Mr. Butler moved to dispense with further reading.
So ordered.
Journal corrected and approved.

SPECIAL ORDER.

Assembly Constitutional Amendment No. 19.

MOTION.

Mr. Granger moved that the motion to reconsider the vote whereby Assembly Constitutional Amendment No. 19 was lost be postponed until to-morrow (Thursday) morning, immediately after the reading of the Journal.
So ordered.

PETITIONS.

Mr. Butler presented a petition from citizens of Tulare County, regarding the teaching of temperance in public schools.

Messrs. Coombs, Rucker, and Venable presented like petitions, all of which were referred to Committee on Education.

REPORT OF STANDING COMMITTEE.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, March 1, 1887.

MR SPEAKER Your Committee on Ways and Means, to whom was referred Assembly Bill No. 560—An Act to appropriate money to meet a deficiency in the appropriation for the State's portion of the salaries of the Superior Judges, for the thirty-eighth fiscal year—report the same back, and recommend that it do pass

TAYLOR, Chairman.

MOTION.

Mr. Taylor moved that the rules be suspended, and that Assembly Bill No. 560 be taken up, out of order, and considered.

Lost.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON MILEAGE.

ASSEMBLY CHAMBER, SACRAMENTO, March 1, 1887.

MR SPEAKER: Your Committee on Mileage, to whom was referred the report of the Committee on Chinese and Chinese Immigration, on the occasion of their visit to San Francisco—have had the same under consideration, and recommend that the following named members be allowed mileage for one hundred and sixty-eight miles. Messrs. Windrow, J. B. Brown, Butt, Colbert, Handy, and Clerk Brownlie.

Resolved, That the Controller be and he is hereby authorized to draw his warrant for the sum of one hundred dollars and eighty cents in favor of Joseph Windrow, to pay above mileage, payable out of the appropriation for the contingent expenses of the Assembly

WEBER, Chairman.

Resolution adopted.

ON STATE HOSPITALS.

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1887.

MR SPEAKER Your Committee on State Hospitals, to whom was referred Assembly Bill No 490—An Act to establish a Home of Industry and Refuge for Ex-Convicts, and provide for the maintenance of the same—report the same back, and recommend that it do pass.

BUTLER, Chairman.

MESSAGE FROM THE GOVERNOR.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
SACRAMENTO, February 28, 1887

To the Assembly of the State of California:

I have to inform your honorable body that I have approved Assembly Bill No 49—Entitled "An Act to amend section two thousand nine hundred and fifty-five of an Act to establish a Civil Code," relating to chattel mortgages.

Also, Assembly Bill No 69—Entitled an Act concerning the payment of the expense and costs of the trial of persons charged with the violation of the laws for the preservation of fish in the navigable waters of this State

Also, Assembly Bill No 172—Entitled *an Act to amend an Act to appropriate money for* the support of aged persons in indigent circumstances residing in the Home of the Veterans' Home Association.

Also, Assembly Bill No 207—Entitled an Act making an appropriation for the deficiency in the appropriation for the support of the State Printing Office, for the thirty-eighth fiscal year.

Also, Assembly Bill No 339—Entitled an Act to appropriate the sum of ten thousand dollars for the construction of an additional cottage at the Veterans' Home, and for other purposes connected therewith.

WASHINGTON BARTLETT, Governor.

MOTION.

Mr. Coombs moved that the rules be suspended, and that Senate Bills received in Senate messages to-day be placed on file without reference to committee.

Speaker Jordan in the chair.

The question being on the motion made by Mr. Coombs.

So ordered, by unanimous vote.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 28, 1887.

MR SPEAKER I am directed to inform your honorable body that the Senate, on this day, passed Senate Bill No 67—An Act to amend the Political Code of the State of California, and to protect the health and regulate the hours of labor of street car conductors and drivers and gripmen, and to amend section three thousand two hundred and forty-four of said Code

Also, adopted the following

Constitutional Amendment No 2—An Act to propose an amendment to sections two, three, and seventeen, of Article VI, of the Constitution of the State of California, relating to the Judicial Department

Also, passed Senate Bill No 319—An Act to provide a water supply for the hotel constructed in Yosemite Valley, under Act of March 9, 1885, and to appropriate money therefor

Also, Senate Bill No 39—An Act to amend "An Act creating a Board of Bank Commissioners, and prescribing their duties and powers," approved March 30, 1878

Also, Senate Bill No 310—An Act to provide for the deficiency in the appropriation for salary of the Guardian of Yosemite Valley, for the thirty-sixth fiscal year

Also, Assembly Bill No 119—An Act to amend section five hundred and fourteen of an Act entitled an Act to establish a Political Code, approved March 12, 1872, relating to the salary of the Deputy for the Superintendent of Public Instruction, and equalizing the same with the salaries paid the deputies for other State officers.

Also, on March 1, 1887, passed Assembly Bill No 157—An Act to amend sections two thousand five hundred and twenty-two, two thousand five hundred and twenty-four, two thousand five hundred and twenty-eight, and two thousand five hundred and thirty of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the San Francisco Harbor and State Harbor Commissioners.

Also, passed Senate Bill No 145—An Act to amend sections five, six, eight, nine, eleven, seventeen, eighteen, twenty-three, and twenty-six of an Act entitled "An Act to define, regulate, and govern the State Prison of California," approved April 15, 1880

Also, refused to concur in Assembly amendments to Senate Bill No. 107, and asks your honorable body to recede from said amendments.

ED HAMILTON, Secretary.

CONSIDERATION OF SENATE MESSAGES.

Senate Constitutional Amendment No. 2 ordered placed on the Special File.

Assembly Bill No. 119 ordered to enrollment.

CONSIDERATION OF SENATE BILL No. 107

Mr. Butler moved that the House adhere to its amendments to Senate Bill No. 107.

So ordered.

SENATE MESSAGES—(RESUMED).

SENATE CHAMBER, SACRAMENTO, March 1, 1887.

MR SPEAKER I am directed to inform your honorable body that the Senate, on this day, passed Senate Bill No 311—An Act to aid the Board of Commissioners to manage the Yosemite Valley and the Mariposa Big Tree Grove, and to appropriate money therefor

Also, Senate Bill No 56—An Act to amend and supplement an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, and to add a new article thereto, to be known as Article V, of Chapter VII, of Title XI, of Part III, for the purpose

of authorizing executors and administrators to make mortgages and leases of the real estate of decedents

Also, Senate Bill No 342—An Act authorizing the incurring of indebtedness by cities incorporated under the laws of this State

Also, Senate Bill No. 442—An Act to provide for the submission of such proposed amendments to the Constitution of the State as have been heretofore or shall hereafter be proposed and adopted by the Legislature of the State of California at the session beginning January 3, 1887, to the qualified voters of said State, at a special election to be called by the Governor for the twelfth day of April, 1887

Also, Senate Bill No 312—An Act to appropriate money for the preservation and improvement of Yosemite Valley and the Mariposa Big Tree Grove

ED. HAMILTON, Secretary

Mr. Lewis asked leave to introduce a bill, out of order, 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 Atherton, Bailey, Barry, Barton, Bost, Brierly, Brusie, Burnett, Campbell, Carr, Cohen, Cooley, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Gruwell, Hart, Heath, Hotchkiss, Hyde, Knox, LaBlanc, Lewis, Mahler, Martin, Matthews of San Benito, McClenahan, McDonnell, McGowan, O'Grady, Ohleyer, Price, Rucker, Searey, Shanahan, Sherburne, Sims, Spurgeon, Sykes, Taylor, Toner, Variel, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, and Young of San Joaquin—54

NOES—Messrs. Remson and Venable—2.

INTRODUCTION OF BILL.

By Mr. Lewis: Assembly Bill No. 562—An Act to appropriate fifty thousand dollars for the erection of a monument commemorative of the services of Rodman M. Price, and to provide for the investment of said sum, and the payment of the interest thereon.

Referred to Committee on Ways and Means.

SPECIAL FILE.

Assembly Bill No. 561 and Senate Bill No. 192 passed on file.

Assembly Constitutional Amendment No. 15—Proposed amendment to the Constitution, relative to Judicial Department.

Mr. Ellsworth withdrew this Constitutional Amendment, by permission of the House.

PASSAGE OF BILL.

Senate Bill No. 354—An Act to provide for the deficiency in the appropriation for the restoration and preservation of fish in the waters of the State, for the thirty-seventh fiscal year.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Atherton, Bailey, Barry, Barton, Bost, Brierly, Brown W A, Brusie, Butler, Callaghan, Campbell, Carr, Cohen, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ewing, Gould, Granger, Gruwell, Hart, Heath, Henry of San Joaquin, Hyde, Knox, Lewis, Mahler, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Mitchell, O'Grady, Ohleyer, Price, Regan, Remson, Searey, Shanahan, Sherburne, Sims, Spurgeon, Sykes, Taylor, Toner, Variel, Venable, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr. Speaker—61.

NOES—None

Title read and approved.

Consideration of Senate Bill No. 270—An Act to amend an Act entitled "An Act making an appropriation for the establishment of a permanent fund for the purchase of jute, to be manufactured at the State Prison at San Quentin," approved March 9, 1885, and making an additional appropriation therefor.

MOTION.

Mr. Weber moved that the House go into Committee of the Whole, and consider Senate Bills Nos. 270 and 488, with the Speaker in the chair.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Jordan in the chair.

The bills were considered in the Committee of the Whole.

IN ASSEMBLY.

Speaker Jordan in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The Chairman stated the report of committee, as follows:

GENTLEMEN The Committee of the Whole have had under consideration Senate Bills Nos. 270 and 408, and report the same back, and recommend that they do pass.

Report adopted.

Senate Bill No. 270 ordered to a third reading.

Senate Bill No. 493 passed on file.

Senate Bill No. 408—An Act to appropriate money to pay the rent of the Hastings College of Law, from December 1, 1885, until June 30, 1887.

Ordered to a third reading.

PASSAGE OF BILL.

Assembly Bill No. 107—An Act providing for the payment to D. Jordan, for work and labor performed upon and material furnished in the construction of the State Prison at Folsom.

PREVIOUS QUESTION.

Mr. Weber moved the previous question, seconded by Messrs. Martin and Cohen.

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

The question being upon the passage of Assembly Bill No. 107.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Barry, Brierly, Britt, Brown W. A., Brown J. B., Brusie, Burnett, Butler, Campbell, Carroll, Cohen, Colbert, Cooley, Curry of San Francisco, Ellsworth, Ewing, Henry of Butte, Hotchkiss, Hyde, LaBlanc, Lewis, Martin, Mann, McClenahan, McDonnell, Mitchell, Morgan, O'Grady, Price, Regan, Rucker, Searey, Sims, Spurgeon, Sykes, Toner, Varnel, Weber, Windrow, and Young of San Diego—41.

NOES—Messrs. Adams, Atherton, Bailey, Barton, Bost, Carr, Coombs, Cope, Currey of

Solano, Granger, Gruwell, Handy, Hart, Heath, Henry of San Joaquin, Knox, Mathews of Tehama, Matthews of San Benito, McGowan, Ohlever, Renison, Sherburne, Smyth, Taylor, Venable, Vincent, Wilcox, Williams, and Mr Speaker—29

Title read and approved.

THIRD READING OF BILL.

Senate Bill No. 270—An Act to amend an Act entitled "An Act making an appropriation for the establishment of a permanent fund for the purchase of jute, to be manufactured at the State Prison at San Quentin," approved March 9, 1885, and making an additional appropriation therefor.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Alexander, Atherton, Barry, Barton, Bost, Brierly, Britt, Brown W A, Brown J B, Brusie, Burnett, Butler, Campbell, Carr, Carroll, Cohen, Colbert, Cooley, Cope, Currey of Solano, Curry of San Francisco, Ellsworth, Ewing, Gould, Granger, Gruwell, Handy, Hart, Henry of San Joaquin, Hotchkiss, Hyde, Knox, LaBlanc, Lewis, Mathews of Tehama, Matthews of San Benito, McDonnell, McGowan, Ohlever, Regan, Renison, Sherburne, Sims, Sykes, Taylor, Variel, Weber, Windrow, Wilcox, Williams, and Mr Speaker—51.

NOES—Messrs Adams, Coombs, Davis, Mahler, Smyth, and Venable—6

Title read and approved.

THIRD READING OF BILL.

Senate Bill No. 408—An Act to appropriate money to pay the rent of the Hastings College of Law, from December 1, 1885, until June 30, 1887.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Atherton, Bailey, Barry, Barton, Bost, Brierly, Britt, Brown W A, Brown J B., Brusie, Burnett, Butler, Callaghan, Campbell, Carr, Carroll, Cohen, Colbert, Cooley, Coombs, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Gruwell, Handy, Hart, Henry of San Joaquin, Hotchkiss, Knox, LaBlanc, Lewis, Mahler, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Ohlever, Regan, Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Variel, Venable, Weber, Wilcox, Williams, Young of San Diego, and Mr Speaker—58

NOES—None.

Title read and approved.

RESOLUTION—(OUT OF ORDER).

By Mr. Young of San Diego:

Resolved, That the several clerks of the several standing committees of this House be and are hereby dismissed and their services ended from and after twelve o'clock M Thursday, March 3, 1887, and that their per diem cease at that time.

Mr. Brierly moved to refer the resolution to the Committee on Attachés and Employés.

Lost, on a division—ayes, 24; noes, 31.

Mr. Brierly moved to make the further consideration of the above resolution the special order for to-morrow, immediately after the reading of the Journal.

So ordered.

SPECIAL FILE—(RESUMED).

Senate Constitutional Amendment No. 5—A resolution to propose an amendment to section seven, of Article IX, of the Constitution of the State of California.

Read.

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

AYES—Messrs Mahler, McClenahan, Rucker, Searey, Shanahan, Taylor, and Young of San Joaquin—7

NOES—Messrs Adams, Atherton, Bailey, Barry, Barton, Bost, Brierly, Britt, Brown J B, Burnett, Campbell, Carr, Carroll, Cohen, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Gould, Granger, Gruwell, Handy, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, Knox, Lewis, Martin, Mathews of Tehama, Matthews of San Benito, McDonnell, Mitchell, Morgan, Ohlever, Price, Regan, Renison, Sherburne, Sims, Smyth, Spurgeon, Sykes, Venable, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, and Mr. Speaker—53.

REPORTS OF STANDING COMMITTEES.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1887.

MR SPEAKER Your Committee on Engrossment beg leave to report that the following Assembly Bill has been correctly engrossed

Assembly Bill No 278.

WINDROW, Chairman

ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1887.

MR. SPEAKER Your Committee on Enrollment beg leave to report that the following Assembly Bill has been correctly enrolled

Assembly Bill No 62—An Act to amend sections three and seven hundred and sixty-eight of "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883

And was presented to the Governor, this day, at eleven o'clock and forty minutes A M

JAS. B BROWN, Chairman

THIRD READING OF BILLS.

Assembly Bill No. 252—An Act to add a new section to the Code of Civil Procedure, relating to hearing of appeals in the Supreme Court.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Atherton, Bailey, Barry, Barton, Bost, Brierly, Britt, Brown W. A., Brown J B, Burnett, Butler, Campbell, Carr, Carroll, Cohen, Colbert, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Gould, Granger, Gruwell, Handy, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, Knox, LaBlanc, Mahler, Martin, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Mitchell, Morgan, Ohlever, Regan, Rucker Renison, Searey, Sherburne, Sims, Smyth, Spurgeon, Sykes, Venable, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr Speaker—61

NOES—None.

Title read and approved.

Assembly Bill No. 110—An Act to provide for the deficiency in the appropriation for the salary of Deputy Supreme Court Reporter, during the thirty-seventh fiscal year.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Alexander, Bailey, Barry, Barton, Bost, Brierly, Britt, Brown J. B, Butler, Campbell, Carroll, Cohen, Cooley, Coombs, Cope, Currey of Solano, Curry of San Fran-

cisco, Gould, Granger, Gruwell, Handy, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, Knox, LaBlanc, Mahler, Martin, Mathews of Tehama, Matthews of San Benito, McClenahan, McGowan, Mitchell, Ohlever, Regan, Rucker, Remson, Searey, Sherburne, Sims, Smyth, Sykes, Taylor, Variel, Venable, Vincent, Windrow, Wilcox, Wright, Young of San Joaquin, and Mr Speaker—53.
NOES—Mr. McDonnell—1.

Title read and approved.

Assembly Bill No. 444—An Act to provide for the deficiency in the appropriation for the salary of the Deputy Supreme Court Reporter, during the thirty-eighth fiscal year.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Alexander, Atherton, Bailey, Barry, Barton, Bost, Brierly, Britt, Brown W. A, Brown J B, Campbell, Carr, Cohen, Cooley, Coombs, Currey of Solano, Curry of San Francisco, Gould, Granger, Gruwell, Handy, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, LaBlanc, Lewis, Mahler, Martin, Matthews of San Benito, McClenahan, McGowan, Mitchell, Morgan, Ohlever, Remson, Searey, Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Toner, Variel, Venable, Vincent, Weber, Wilcox, Williams, Wright, Young of San Joaquin, and Mr. Speaker—54,
NOES—Messrs Lawrence and McDonnell—2

Title read and approved.

SECOND READING OF BILL.

Senate Bill No. 237—An Act to add three new sections to an Act entitled "An Act to establish a Political Code," approved March 12, 1872, to be numbered four hundred and forty-four, one thousand six hundred and twenty-five, and one thousand six hundred and eighty-two, respectively, in relation to the duties of the Controller and Trustees of school districts, as to apportionment of moneys, the enrollment of pupils in the grammar school course, and to provide for the same, and to amend sections one thousand five hundred and thirty-two, one thousand five hundred and thirty-three, one thousand five hundred and forty-three, and one thousand six hundred and ninety-six of said Act, in relation to pupils enrolled in the grammar school course, the duties of the Superintendent of Public Instruction, County Superintendents, and teachers, in relation thereto, and the apportionment of moneys appropriated therefor.

Read second time.

Speaker pro tem. Brierly in the chair.

Mr. Variel moved that the further consideration of Senate Bill No. 237 be made the special order for to-morrow, at two o'clock and fifteen minutes P. M.

So ordered.

Substitute for Assembly Bills Nos. 314 and 284 passed on file.

Senate Constitutional Amendment No. 2 passed on file.

GENERAL FILE.

Senate Bill No. 25—An Act to amend sections one thousand and thirty-three, one thousand and thirty-four, and one thousand and thirty-five of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to the removal of criminal actions before trial.

Read second time, and placed on file for third reading.

RECESS.

At twelve o'clock and twenty-two minutes P. M. Mr. Hyde moved that the House take a recess until two o'clock P. M.

So ordered.

REASSEMBLED.

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

Speaker Jordan in the chair.

Quorum present.

RESOLUTION—(OUT OF ORDER).

By Mr. Variel:

WHEREAS, This House has learned, with profound regret, of the death of Hon. R. F. Morrison, Chief Justice of the Supreme Court of the State of California: and whereas we recognize the distinguished services he has rendered and the high esteem in which he was held, as a public officer and a private citizen, therefore, be it

Resolved, That when the House adjourns this day it adjourn out of respect to his memory.

Adopted.

FIRST READING OF BILLS.

Assembly Bill No. 514—An Act to amend section one thousand seven hundred and seventy-three of "An Act to establish a Political Code," approved March 12, 1872, relating to the examination of applicants to teach in the public schools.

Read first time, and placed on file for second reading.

MOTIONS.

Mr. Hyde moved that the Judiciary Committee be appointed as a special committee to draft memorial resolutions in commemoration of the services of the late Chief Justice Morrison, and to report the same back to this House to-morrow.

So ordered.

FIRST READING OF BILLS—(RESUMED).

Assembly Bill No. 247—An Act to create an irrigation, drainage, and water rights Legislation Commission, to define its powers and duties, and to provide for payment of its cost and expenses.

Read first time, and placed on file for second reading.

Assembly Bill No. 137—An Act to amend sections one thousand two hundred and ninety-two, one thousand two hundred and ninety-three, one thousand two hundred and ninety-four, and one thousand two hundred and ninety-five of the Political Code of the State of California, relating to election returns for Governor and Lieutenant-Governor, and the duties of County Clerks in relation therewith.

Read first time, and placed on file for second reading.

Assembly Bill No. 130—An Act to amend section one thousand two hundred and seventy-eight of the Political Code, relating to canvassing election returns, and to repeal section one thousand two hundred and seventy-nine of said Code.

Read first time, and placed on file for second reading.

Assembly Bill No. 558—An Act to amend section seven hundred

and four of the Penal Code of the State of California, relating to examinations of persons charged with having made threats.

Read first time, and placed on file for second reading.

Assembly Bill No. 559—An Act to amend section one thousand two hundred and fifteen of the Penal Code of the State of California, relative to the commitments of persons found guilty of crime.

Read first time, and placed on file for second reading.

Senate Bill No. 173—An Act to add a new section to the Code of Civil Procedure, to be known as section seven hundred and twenty-nine, relating to the sale of mortgaged premises by a Commissioner.

Read first time, and placed on file for second reading.

Senate Bill No. 121—An Act to amend section six hundred and thirty-one of the Code of Civil Procedure, relating to waiver of trial by jury.

Read first time, and placed on file for second reading.

Senate Bill No. 341—An Act to amend section four hundred and eighty-seven of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, defining grand larceny.

Read first time, and placed on file for second reading.

Senate Bill No. 78—An Act to amend section one hundred and seventy of the Code of Civil Procedure, relating to disqualifications of Judges.

Read first time, and placed on file for second reading.

Senate Bill No. 34—An Act to provide for the better protection and security of life and property in the use of steam boilers.

The question being, "Shall the minority report be substituted for majority report?"

The ayes and noes were demanded by Messrs. Britt, Lawrence, and Toner.

The roll was called, and the minority report substituted for the majority by the following vote:

AYES—Messrs Adams, Alexander, Atherton, Bailey, Barton, Bost, Brown W A, Burnett, Campbell, Carr, Carroll, Currey of Solano, Ellsworth, Ewing, Gould, Granger, Gruwell, Handy, Heath, Henry of San Joaquin, Hotchkiss, Knox, LaBlanc, Lewis, Mann, McClenahan, Morgan, O'Grady, Ohleyer, Price, Rucker, Shelburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Variel, Venable, Vincent, Weber, Wilcox, Williams, and Mr Speaker—44.

NOES—Messrs Barry, Brierly, Britt, Brown J B, Butler, Callaghan, Cohen, Colbert, Cope, Curry of San Francisco, Lawrence, Lewis, Mahler, McDonnell, McGowan, Mitchell, Searey, Toner, and Wright—18.

The question being, "Shall Senate Bill No. 34 be read the first time?"

The ayes and noes demanded by Messrs. Toner, Regan, and Lawrence.

The roll was called, and the bill refused a first reading by the following vote:

AYES—Messrs. Barry, Brierly, Britt, Brown J B, Brusie, Burnett, Callaghan, Carroll, Cohen, Colbert, Cooley, Cope, Curry of San Francisco, Davis, Gould, Granger, Hart, Henry of Butte, Hyde, Lawrence, Lewis, Mahler, Matthews of San Benito, McDonnell, McGowan, Mitchell, O'Grady, Regan, Remson, Searey, Shanahan, Sims, Toner, Wright, and Young of San Diego—35

NOES—Messrs Adams, Alexander, Atherton Bailey, Barton, Bost, Brown W. A, Campbell, Carr, Coombs, Currey of Solano, Ellsworth, Ewing Gruwell, Handy, Heath, Henry of San Joaquin, Knox, LaBlanc, Martin, Mann, Morgan, Morris, Ohleyer, Price, Sherburne, Spurgeon, Sykes, Variel, Venable, Vincent, Weber, Wilcox, Williams, and Mr. Speaker—35

REPORT OF SELECT COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1887.

MR SPEAKER Your special committee appointed to investigate charges respecting changes, or attempted changes, of positions of bills on the File of the Assembly, and also charges against members of the Assembly, as directed in resolutions passed by the House, copies of which resolutions are as follows

WHEREAS, Charges have been made that attempts have been made to change the place of bills upon the Files of the Assembly therefore,

Resolved, That a committee of five be appointed by the Speaker to investigate the said charges, and report their investigations to the House at their earliest convenience

Resolved, That the committee appointed to inquire into the charges of changing bills on the File be and they are further directed and empowered to inquire into all charges made, directly or indirectly, against members of this House, and to all facts pertaining to the changing of bills on the File, and they are further directed to report thereon

Have made a careful investigation of the matters referred to in the resolutions, examining all witnesses fully whom we had reason to believe could throw any light on the matters referred to us.

First—There is no evidence before the committee to show that any member of the Assembly has been guilty of attempting improperly to have the position of any bill changed on the File, nor to show that the position of any bill has been so changed, and all members of the Assembly should be exonerated from any such charge

Second—We are satisfied, from the evidence before the committee, that attempts have been made to tamper with the Files while they were in course of preparation.

Third—It appears from the evidence, that on one occasion, while the File for the succeeding day was in course of preparation, some person misplaced several leaves in such a manner, that had it not been discovered before the File was printed, a great number of bills would have been thrown out of their proper places on the File, but we were not able to obtain any evidence to show who the guilty party is

Fourth—We are satisfied, from the evidence, that Ray Falk, one of the Assistant Clerks, willfully and wrongfully attempted to change the position of Assembly Bill No 179 on the File, while the File was in process of preparation, on the eighth day of February, for the following day. This, we think, is fully established by the testimony of Assistant Clerks Smith and Brandon, of Chief Clerk Ryan, and of Mr Falk Indeed, we think that the conclusion is irresistible from the testimony of Mr Falk himself

Fifth—We think from the evidence that all the clerks, except Mr Falk, should be exonerated from any charge or suspicion of improperly changing or attempting to change, or to have changed the position of any bill on the File

Sixth—There is no evidence before the committee inculpating any attaché of the Assembly or any committee clerk except Ray Falk

Seventh—We think that Mr Allen Henry should be exonerated from any charge of improper conduct with regard to Assembly Bill No. 16

Eighth—We believe from the evidence that L. E Bulkeley attempted to influence Assistant Clerk Smith to advance improperly Bill No 295 on the File, but there is no evidence that the bill was so advanced

Ninth—The committee believe, from the evidence, that Senator Moffitt attempted to influence Assistant Clerk Smith to displace Assembly Bill No 16 from its proper place on the Assembly File, and to put it down to a lower place than it was entitled to, but that such change was not made

Tenth—The committee think, from the evidence, that all persons who have been in any manner implicated by any testimony taken before them, except as hereinbefore stated, should be fully exonerated

The committee submit herewith duplicate copies of the testimony taken before them.

The committee also recommend the adoption by the Assembly of the following resolution

Resolved, That Ray Falk be and he is hereby dismissed from his position as Assistant Clerk

RUSSEL HEATH
L L EWING
J M ELLSWORTH.
W D MORRIS
JOHN DAVIS

Mr. Lawrence moved the adoption of the resolution presented by the committee.

The ayes and noes were demanded by Messrs. Rucker, Carroll, and Lawrence.

MOTIONS.

Mr. Hart moved to make the further consideration of the resolution the special order for to-morrow, immediately after reading of the Journal.

So ordered.

Mr. Lawrence moved the adoption of the committee report, and that two hundred and fifty copies be printed for the use of the House.

Mr. Brierly moved to make the consideration of the report the special order for to-morrow, immediately after the reading of the Journal.

Mr. Brusie moved to amend, by making the time for consideration of the report at two o'clock P. M. to-morrow, and that five hundred copies of the evidence and report be printed, for the use of the House.

The question being on the shorter time first, the motion offered by Mr. Brierly, the same was carried, on a division—ayes, 29; noes, 21.

The question being on that part of the motion of Mr. Brusie relating to printing five hundred copies of the evidence and report, it was so ordered.

Mr. Cooley moved to reconsider the vote whereby the resolution was made the special order for to-morrow, immediately after the reading of the Journal.

So ordered.

Mr. Cooley moved to make the consideration of the resolution the special order for to-morrow, at two o'clock and thirty minutes P. M.

The question being on the shortest time first, immediately after reading the Journal, it was lost.

The question recurring on the motion of Mr. Cooley, the same was adopted.

The question being, "Shall the motion, as amended, consideration of the testimony and report of the committee, be made a special order for two o'clock and thirty minutes P. M. to-morrow, and that five hundred copies be printed?" it was carried.

RESOLUTION—(OUT OF ORDER).

By Mr. Ewing:

Resolved, That the Controller of State be and he is hereby authorized and directed to draw his warrant in favor of W. E Doan, for services as shorthand reporter of the special committee appointed to investigate the alleged changes in the Files of the Assembly, for the sum of sixty dollars, being at the rate of ten dollars per day, for his services in taking notes, and for the sum of two hundred dollars, being at the rate of fifteen cents per folio for transcript furnished of the testimony, and that the said warrant be made payable out of the Contingent Fund of the Assembly

Adopted.

FIRST READING OF BILL.

Senate Bill No. 222—An Act to confine the power to impose license taxes in incorporated cities and towns, other than consolidated cities and counties, to the corporate authorities of cities and towns.

Read first time.

Mr. Lawrence moved that the bill be made a special order for to-morrow, at eleven o'clock A. M.

CALL OF THE HOUSE.

Mr. Cohen moved a call of the House.

Lost.

The question recurring on making Senate Bill No. 222 the special order for to-morrow.

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

AYES—Messrs. Barry, Bost, Brierly, Britt, Brown W A., Brown J. B, Burnett, Butler, Callaghan, Campbell, Carroll, Cohen, Colbert, Curry of San Francisco, Davis, Ewing, Hart, Henry of Butte, Hyde, LaBlanc, Lawrence, Lewis, Mahler, Martin, Mathews of Tehama, McDonnell, McGowan, Mitchell, O'Grady, Ohleyer, Regan, Searey, Shanahan, Toner, and Windrow—35

NOES—Messrs Adams, Alexander, Atherton, Bailey, Barton, Carr, Cooley, Coombs, Cope, Currey of Solano, Ellsworth, Gould, Granger, Gruwell, Handy, Heath, Henry of San Joaquin, Hotchkiss, Knox, Matthews of San Benito, McClenahan, Morgan, Morris, Price, Rennson, Smyth, Spurgeon, Sykes, Taylor, Venable, Weber, Wilcox, Williams, Young of San Diego, and Mr Speaker—35.

MOTION.

Mr. Weber moved to take up Senate Bills that were ordered on the file this morning.

So ordered by a unanimous vote.

FIRST READING OF BILLS.

Senate Bill No. 67—An Act to amend section three thousand two hundred and forty-four of an Act entitled an Act to establish a Political Code, approved March 12, 1872, and to add five new sections to said Political Code, to be numbered sections three thousand two hundred and forty-six, three thousand two hundred and forty-seven, three thousand two hundred and forty-eight, and three thousand two hundred and fifty, regulating the hours of labor.

Read first time, and placed on file for second reading.

Mr. Heath in the chair.

Senate Bill No. 319—An Act to provide a water supply for the hotel constructed in Yosemite Valley under Act of March 9, 1885, and to appropriate money therefor.

Read first time, and placed on file for second reading.

Substitute for Senate Bill No. 39—An Act to amend "An Act creating a Board of Bank Commissioners, and prescribing their duties and powers," approved March 13, 1878.

Read first time, and placed on file for second reading.

Senate Bill No. 310—An Act to provide for the deficiency in the appropriation for salary of the Guardian of Yosemite Valley, for the thirty-sixth fiscal year.

Read first time, and placed on file for second reading.

Senate Bill No. 157—An Act to amend sections two thousand five hundred and twenty-two, two thousand five hundred and twenty-four, two thousand five hundred and twenty-eight, two thousand five hundred and thirty, two thousand five hundred and forty-five, and two thousand five hundred and fifty-two of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the San Francisco harbor and State Harbor Commissioners.

Read first time and placed on file for second reading.

Senate Bill No. 145—An Act to amend sections five, six, eight, nine, eleven, seventeen, eighteen, twenty-three, and twenty-six of an Act entitled "An Act to define, regulate, and govern the State Prisons of California," approved April 15, 1880.

Read first time, and placed on file for second reading.

MOTION.

Mr. Cooley moved to make Senate Bill No. 145 the special order for to-morrow, immediately after the reading of the Journal.

So ordered.

FIRST READING OF BILLS—(RESUMED).

Substitute Senate Bill No. 311—An Act to aid the Board of Commissioners to manage the Yosemite Valley and the Mariposa Big Tree Grove, and to appropriate money therefor.

Read first time, and placed on file for second reading.

Senate Bill No. 56—An Act to amend and supplement an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, and to add a new article thereto, to be known as Article V, of Chapter VII, of Title XI, of Part III, for the purpose of authorizing executors and administrators to make mortgages and leases of the real estate of decedents.

Read first time, and placed on file for second reading.

Senate Bill No. 342—An Act authorizing the incurring of indebtedness by cities incorporated under the laws of this State.

Read first time, and placed on file for second reading.

Senate Bill No. 442—An Act to provide for the submission of such proposed amendments to the Constitution of the State as have been heretofore or shall hereafter be proposed and adopted by the Legislature of the State of California, at the session beginning on January 3, 1887, to the qualified voters of said State, at a special election to be called by the Governor for the twelfth day of April, 1887.

Read first time, and placed on file for second reading.

CASE OF URGENCY.

Mr. Ellsworth moved to suspend the rules and the provisions of section fifteen, of Article IV, of the Constitution, requiring bills to be read on three separate days, that Senate Bill No. 442 be declared a case of urgency, and that the bill be read a second and third time, and put on its final passage.

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

AYES—Messrs Barton, Bost, Carr, Carroll, Curry of San Francisco, Ellsworth, Gould, Handy, Hart, Hyde, Lewis, Mathews of Tehama, O'Grady, Sims, Sykes, and Taylor—16

NOES—Messrs Adams, Atherton, Bailey, Brierly, Britt, Brown J. B, Brusie, Butler, Callaghan, Campbell, Cohen, Colbert, Coombs, Cope, Currey of Solano, Davis, Granger, Gruwell, Heath, Henry of San Joaquin, Hotchkiss, Knox, Lawrence, Mahler, Matthews of San Benito, McClenahan, McDonnell, McGowan, Mitchell, Morgan, Morris, Ohleyer, Price, Rucker, Searey, Shanahan, Sherburne, Smyth, Spurgeon, Toner, Venable, Vincent, Weber, Windrow, Wilcox, Williams, Wright, and Young of San Joaquin—48.

Senate Bill No. 312—An Act to appropriate money for the preservation and improvement of Yosemite Valley and the Mariposa Big Tree Grove.

Read first time, and placed on file for second reading.

MOTION.

Mr. Young of San Joaquin moved to take up and consider bills on second reading.

So ordered.

SECOND READING OF BILLS—RECESS.

At five o'clock and forty minutes P. M. Mr. Venable moved to 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. Speaker Jordan in the chair.

MOTION.

Mr. Hyde moved to suspend the rules, and take up Senate messages. Lost.

REPORT OF SPECIAL COMMITTEE—(OUT OF ORDER).

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1887.

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: John LaBlanc, mileage, sixteen dollars and eighty cents; W. B. Hunt, expert and services, one hundred and fifty-six dollars and eighty cents. They recommend the adoption of the following resolution:

Resolved, That the Controller of State be and he is hereby authorized and directed to draw his warrant upon the appropriation for the contingent expenses of the Assembly, for the sum of sixteen dollars and eighty cents in favor of John LaBlanc, 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; also,

Resolved, That the Controller of State be and he is hereby authorized and directed to draw his warrant upon the appropriation for the contingent expenses of the Assembly, for the sum of one hundred and fifty-six dollars and eighty cents in favor of W. B. Hunt, for services as expert for the committee appointed to investigate the moneys on deposit in the savings and loan banks of this State.

Your committee also refers to our report heretofore made on February 15, 1887, of which the following is a copy, viz:

MR SPEAKER: Your Committee on Saving Banks, to which was referred Assembly Bill No. 402—"An Act for the government of savings banks, and for the protection of depositors in the same"—has given the subject careful consideration, and begs leave herewith to present a substitute for said Assembly Bill No. 402, and to recommend that the substitute do pass.

The committee desires to call your attention to facts set forth in the last report of the Bank Commissioners, of date August 10, 1886, covering the subject of savings banks in this State, and showing, by the statement of the banks themselves, that in the interest of depositors, and to restrain the greed of those who bid for the care of the sweat savings of the frugal poor, the State cannot take action too soon.

Without drawing invidious distinctions, it may be said that in one case, and that one the second largest savings bank in the State, the Board of Directors confessed, in its report, that while it pays only three and three quarters per cent dividend to its depositors, it pays its stockholders thirteen and one third per cent, that is to say, the toiler's hard-earned one thousand dollars receives thirty-seven and fifty one hundredths dollars, and the one thousand dollars of the banker is allotted one hundred and thirty-three and thirty-three one hundredths dollars.

Another large savings bank pays depositors four per cent, and its stockholders twelve per cent, and so on down a scale towards honesty until the demands of the banker are met by an advance of only about one hundred per cent over payments to depositors. With one solitary exception, so far as this committee has been able to determine, the banks systematically take large sums from the earnings of deposits, and place them in funds called "Reserve and Profit and Loss," and "Contingent," and "Other Liabilities," in this way alienating such moneys from the real owners, and placing them where, "if they will not do the most good," at least where they can be most easily manipulated. In one flagrant case this fund, wrongfully taken from the poor, has reached the enormous sum of one million and a half ($1,500,000) of dollars.

Such unjust financiering should be prohibited by law. The natural outgrowth of a first step in "tithing" the earnings of deposits—in robbing depositors of ten per cent of their earnings—may be seen in a practice of extravagant, conscienceless fees to officers, its President, Secretary, and Board of Directors, and its attorney made a millionaire in a decade, its "uncles, and cousins, and aunts" pensioned for life, and sinecure "expertships"

created and made "gilt-edged" for the benefit of decayed friends. Why not, when all these things can be done with the money of the poor?

The committee is in the possession of much reliable and special data, which it will bring forward for your consideration whenever it shall be your pleasure to grant it a hearing.

Your committee is of the opinion that the Bank Commissioners should make a searching investigation, bring these practices to the light of day, and under the provisions of the bill herewith recommended for passage, to apply a remedy.

LABLANC, Chairman

The report was adopted, with the exception of that portion of the report relating to mileage and expense, which was referred to the Committee on Mileage.

PETITION OF REMONSTRANCE.

By Mr. Morgan: Against the bill to reimburse I. G. Wickersham for expenses incurred in his efforts to capture Ang Tai Duck, the Chinaman who murdered Captain Wickersham and wife about one year ago.

Protest referred to Committee on Federal Relations.

GENERAL FILE.

Assembly Bill No. 15—An Act to establish a Branch State Normal School.

Mr. Henry of Butte asked permission to withdraw Assembly Bill No. 15.

Time being called on Mr. Shanahan, in speaking to the question, he was granted further time, on a division—ayes, 50; noes, 1.

PREVIOUS QUESTION.

Mr. Weber moved the previous question, seconded by Messrs. Taylor and Cooley.

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

The question then being, "Shall the request of Mr. Henry of Butte be granted?" it was so ordered, on a division—ayes, 49; noes, 17.

QUESTION OF PRIVILEGE.

Messrs. Lawrence and Curry of San Francisco rose to a question of privilege.

MOTION.

Mr. Henry of Butte moved to substitute Senate Bill No. 324 in the place formerly occupied by Assembly Bill No. 15.

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

AYES—Messrs. Bailey, Barry, Barton, Bost, Brierly, Britt, Brown W. A., Brown J. B., Brusie, Burnett, Butler, Callaghan, Campbell, Carroll, Cohen, Colbert, Cooley, Coombs, Currey of Solano, Curry of San Francisco, Ellsworth, Ewing, Gould, Granger, Handy, Heath, Henry of Butte, Henry of San Joaquin, LaBlanc, Lawrence, Lewis, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Mitchell, Ohleyer, Price, Regan, Renison, Searey, Sherburne, Sims, Spurgeon, Taylor, Toner, Variel, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr. Speaker—57.

NOES—Messrs. Carr, Cope, Davis, Gruwell, Hart, Hyde, Mahler, Morgan, Morris, Shanahan, Smyth, Sykes, and Venable—13

QUESTION OF PRIVILEGE.

Mr. Shanahan arose to a question of privilege.

MOTION TO RECONSIDER.

Mr. Regan moved to reconsider the vote whereby Senate Bill No. 129 was lost.

CALL OF THE HOUSE.

Mr. Lawrence moved a call of the House.

So ordered, on a division—ayes, 26, noes, 25.

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

Messrs Adams, Atherton, Bailey, Barry, Barton, Bost, Brierly, Britt, Brown W. A., Brown J. B., Bruse, Burnett, Butler, Callaghan, Campbell, Carr Carroll, Cohen, Colbert, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Ellsworth, Ewing, Gould, Granger, Gruwell, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, Knox, LaBlanc, Lawrence, Lewis, Mahler, Martin, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Mitchell, Morgan, Morris, Ohleyer, Price, Regan, Renison, Searey, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Toner, Variel, Venable, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr Speaker.

MOTION.

Mr. Renison moved that further proceedings under the call of the House be dispensed with.

Lost.

RECESS.

The Speaker declared a recess for ten minutes.

The Sergeant-at-Arms appeared before the bar of the House, and stated that he had arrested one member, and he had escaped, and the others he could not find.

Mr. Lawrence moved to dispense with further proceedings under the call of the House.

So ordered

The question recurring upon the motion of Mr. Regan to reconsider the vote whereby Assembly Bill No. 129 was refused passage

Ayes and noes demanded by Messrs Lawrence, Renison, and Britt.

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

AYES—Messrs Barry, Bost, Brierly, Britt, Brown W. A., Brown J. B., Burnett, Butler, Callaghan, Campbell, Carroll, Cohen, Colbert, Cooley, Curry of San Francisco, Ewing, Granger, Hart, Henry of Butte, Hyde, LaBlanc Lawrence, Lewis, Martin, Mathews of Tehama, McClenahan, McDonnell, Mitchell, Ohleyer, Price, Regan, Searey, Sims, Sykes, Taylor, Toner, Variel, Weber, Windrow, and Young of San Diego—40

NOES—Messrs Adams, Atherton, Bailey, Barton, Carr, Coombs, Cope, Currey of Solano, Ellsworth, Gruwell, Handy, Heath, Henry of San Joaquin, Knox, Mahler, Matthews of San Benito, McGowan, Morgan, Morris, Renison, Shanahan, Sherburne, Smyth, Venable, Vincent, Wilcox, Williams, and Mr Speaker—28.

MOTION.

Mr. Brierly moved that the further consideration of this bill be made a special order for to-morrow, at eleven o'clock A. M.

Mr. Taylor moved to amend, by making it seven o'clock and forty-five minutes P. M. to-morrow.

The shortest time being first put, the motion was carried.

The question being upon the motion to make it a special order at eleven o'clock A. M., the same was carried.

Mr. Cohen moved to take up Senate messages.

Ayes and noes demanded by Messrs. Cohen, LaBlanc, and Smyth.

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

AYES—Messrs Bost, Brierly, Britt, Brown W. A., Brown J. B., Brusie, Burnett, Butler, Callaghan, Campbell, Carr, Carroll, Cohen, Colbert, Cooley, Coombs, Currey of Solano, Curry of San Francisco, Ewing, Hart, Henry of Butte, Hyde, Knox, LaBlanc, Lawrence, Lewis, Mahler, Mann, Mathews of Tehama, McClenahan, McGowan, Mitchell, Ohleyer, Price, Regan, Searey, Sims, Sykes, Toner, Variel, Windrow, Wilcox, and Young of San Diego—43

NOES—Messrs Adams, Atherton, Bailey, Barton, Cope, Ellsworth, Gould, Gruwell, Handy, Heath, Henry of San Joaquin, Hotchkiss, Matthews of San Benito, Morgan, Morris, Sherburne, Smyth, Taylor, Venable, Vincent, Weber, Williams, and Mr. Speaker—23

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1887.

MR SPEAKER: Your Committee on Engrossment beg leave to report that the following Assembly Bill has been correctly engrossed

Assembly Bill No 2.

WINDROW, Chairman

GENERAL FILE—(RESUMED).

Senate Concurrent Resolution No. 3—Relative to the withdrawal of Government timber lands from sale.

Read and adopted.

THIRD READING OF BILLS.

Assembly Bill No. 59—An Act to pay the claim of Edward J. Smith.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Atherton, Bailey, Barry, Barton, Bost, Brierly, Britt Brown W A, Brown J B, Campbell, Carr, Carroll, Colbert, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Ellsworth, Gould, Granger, Gruwell, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hyde, Knox, LaBlanc, Lewis, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Mitchell, Morgan, Morris, Price, Regan, Remson, Searey, Sherburne, Sims, Smyth, Spurgeon, Sykes, Toner, Variel, Vincent, Weber, Windrow, Williams, Young of San Diego, and Mr Speaker—60

NOES—None

Title read and approved.

Assembly Bill No. 58—An Act to pay the claim of Jessie A. Galland.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Atherton, Bailey, Barry, Barton, Bost, Brierly, Britt, Brown J. B, Butler, Campbell, Carr, Carroll, Cohen, Colbert, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Ellsworth, Ewing, Gould, Granger, Gruwell, Hart, Heath, Henry of Butte, Hotchkiss, Hyde, Knox, Lewis, Mann, Matthews of San Benito, McClenahan, McDonnell, Mitchell, Morgan, Morris, Ohleyer, Price, Regan, Remson, Searey, Sherburne, Sims, Smyth, Spurgeon, Sykes, Toner, Variel, Vincent, Weber, Windrow, Williams, Young of San Diego, Young of San Joaquin, and Mr. Speaker—58.

NOES—None.

Title read and approved.

Assembly Bill No. 57—An Act to pay the claim of J. F. Gawthorne.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Atherton, Bailey, Barry, Barton, Bost, Brierly, Britt, Brown J. B., Bruste, Carr, Carroll, Cohen, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Ellsworth, Ewing, Gould, Granger, Gruwell, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, Knox, LaBlanc, Lewis, Mahler, Matthews of San Benito, McClenahan, McDonnell, McGowan, Mitchell, Morris, Ohleyer, Price, Regan, Renison, Searey, Sherburne, Sims, Smyth, Spurgeon, Sykes, Toner, Variel, Venable, Weber, Williams, Young of San Diego, Young of San Joaquin, and Mr. Speaker—57.

NOES—None

Title read and approved.

Senate Bill No. 219—An Act to prevent the sophistication and adulteration of wine.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Atherton, Bailey, Barton, Bost, Brierly, Britt, Brown W. A., Brown J. B., Butler, Callaghan, Campbell, Carr, Carroll, Cohen, Colbert, Cooley, Coombs, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Granger, Gruwell, Handy, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, Knox, LaBlanc, Mahler, Mann, Mathews of Tehama, Matthews of San Benito McClenahan, McDonnell, McGowan, Morgan, Morris, Ohleyer, Price, Regan, Sherburne, Sims, Spurgeon, Sykes, Taylor, Variel, Venable, Vincent, Weber, Windrow, Wilcox, Williams, Young of San Diego, Young of San Joaquin, and Mr. Speaker—60.

NOES—None

Title read and approved.

PASSAGE OF BILL.

Assembly Bill No. 19—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 indebtedness of said counties, equitably chargeable to San Benito County.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Atherton, Bailey, Barton, Bost, Brierly, Britt, Brown W. A., Brown J. B., Callaghan, Campbell, Carr, Carroll, Cohen, Colbert, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ewing, Gould, Granger, Gruwell, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, Knox, Lawrence, Mahler, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Mitchell, Morgan, Morris, Ohleyer, Price, Regan, Renison, Searey, Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Toner, Variel, Venable, Vincent, Weber, Windrow, Wilcox, Young of San Diego, Young of San Joaquin, and Mr Speaker—66

NOES—None

Title read and approved.

Assembly Bill No. 263—An Act to provide for the deficiency in the appropriation for the payment of costs and expenses of suits wherein the State is a party in interest, for the thirty-seventh fiscal year, to pay the claim of Arthur Rodgers.

Read the third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Atherton, Bailey, Bost, Brierly, Britt, Brown J. B., Butler, Callaghan, Campbell, Carr, Carroll, Cohen, Colbert, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ewing, Granger, Hart, Heath, Henry of Butte, Henry of San

Joaquin, Hotchkiss, Hyde, Knox, Lewis, Mahler, Matthews of San Benito, McClenahan, McDonnell, Morgan, Morris, Ohleyer, Price, Regan, Searey, Sherburne, Sims, Spurgeon, Sykes, Taylor, Toner, Variel, Venable, Vincent, Weber, Windrow, Wilcox, Young of San Diego, Young of San Joaquin, and Mr. Speaker—55.

NOES—None.

Title read and approved.

Assembly Bill No. 251—An Act to amend section two hundred and sixty-one of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the powers and duties of the officers and employés of the Legislature.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Atherton, Bailey, Bost, Brierly, Britt, Brown W A, Brown J B, Butler, Callaghan, Campbell, Carl, Carroll, Cohen, Colbert, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Gruwell, Hart, Heath, Henry of San Joaquin, Hotchkiss, Hyde, Knox, Lawrence, Lewis, Mahler, Mann, Matthews of San Benito, McClenahan, McDonnell, Morgan, Morris, Ohleyer, Price, Regan, Searey, Sherburne, Sims, Spurgeon, Sykes, Taylor, Toner, Variel, Vincent, Weber, Windrow, Wilcox, Williams, Young of San Diego, Young of San Joaquin, and Mr. Speaker—59.

NOES—Mr Granger—1.

Title read and approved.

Assembly Bill No. 280—An Act fixing the maximum daily charges for hotel expenses to be paid by the State.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Bailey, Bost, Brierly, Brown J. B, Callaghan, Campbell, Carroll, Cohen, Colbert, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Gould, Granger, Gruwell, Hart, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, Knox, Lawrence, Lewis, Mahler, Matthews of San Benito, McClenahan, McDonnell, Morgan, Morris, Ohleyer, Price, Regan, Remson, Searey, Sherburne, Sims, Spurgeon, Sykes, Taylor, Toner, Variel, Venable, Vincent, Weber, Wilcox, Williams, Young of San Diego, Young of San Joaquin, and Mr Speaker—52

NOES—None

Title read and approved.

Assembly Bill No. 211—An Act to repeal an Act entitled "An Act to declare the Klamath River navigable."

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Atherton, Bailey, Bost, Brierly, Brown J B, Callaghan, Campbell, Carr, Cohen, Colbert, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Gould, Gruwell, Hart, Heath, Henry of San Joaquin, Hotchkiss, Hyde Knox, Lewis, Mahler, Mann, Matthews of San Benito, McDonnell, Mitchell, Morris Ohleyer, Price, Regan, Searey, Sherburne, Sims, Spurgeon, Sykes, Taylor, Toner, Variel, Venable, Vincent, Weber, Windrow, Wilcox, Williams, Young of San Diego, Young of San Joaquin, and Mr Speaker—53

NOES—None.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Adams gave notice that, on to-morrow, he would move to reconsider the vote whereby Assembly Bill No. 251 was passed.

Assembly Bill No. 216—An Act to amend section two hundred and sixty-eight of the Political Code of the State of California, relating to per diem of officers and attachés of Senate and Assembly.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Atherton, Barry, Britt, Brown W. A., Butler, Carr, Carroll, Cohen, Colbert, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Gruwell, Hart, Henry of Butte, Henry of San Joaquin, Hotchkiss, Knox, Lawrence, Lewis, Mahler, Mann, Matthews of San Benito, McClenahan, McDonnell, Mitchell, Morgan, Morris, Ohleyer, Price, Sherburne, Sims, Spurgeon, Sykes, Toner, Variel, Weber, Wilcox, Williams, Young of San Diego, and Mr Speaker—49
NOES—None

Title read and approved.

Assembly Bill No. 197—An Act to authorize and empower the Board of Trustees of the Napa State Asylum for the Insane to sell and convey a portion of real property situate in Napa County, in the State of California, and belonging to said State, to Napa County, for the purpose of a public highway, and to sell and convey a certain other portion of said tract to an individual or individuals.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Atherton, Bailey, Brierly, Britt, Brown W A, Brown J B, Callaghan, Carr, Carroll, Cohen, Colbert, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Gruwell, Hart, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, Knox, Lawrence, Lewis, Mahler, Mann, Mathews of Tehama, McClenahan, McDonnell, Mitchell, Morgan, Morris, Ohleyer, Price, Regan, Searey, Sherburne, Sims Spurgeon, Sykes, Toner, Variel, Vincent, Weber, Wilcox, Williams, Young of San Diego, Young of San Joaquin, and Mr. Speaker—56.
NOES—None

Title read and approved.

Assembly Bill No. 157—An Act to amend section one thousand three hundred and thirty of the Code of Civil Procedure of the State of California, concerning the contest of the probate of wills.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Atherton, Bailey, Brierly, Britt, Brown W A, Brown J. B, Butler, Callaghan, Campbell, Carr, Carroll, Cohen, Colbert, Cooley, Cope, Currey of Solano, Curry of San Francisco, Davis, Ewing, Gould, Granger, Gruwell, Hart, Henry of San Joaquin, Hotchkiss, Hyde, Knox, Lawrence, Lewis, Mahler, Mann, Mathews of Tehama, McClenahan, McDonnell, Mitchell, Morgan, Morris, Ohleyer, Regan, Searey, Sherburne, Sims, Smyth, Spurgeon, Sykes, Toner, Variel, Vincent, Windrow, Wilcox, Williams, Young of San Diego, Young of San Joaquin, and Mr Speaker—55.
NOES—None.

Title read and approved.

Assembly Bill No. 182—An Act to amend section one thousand and seventy of the Penal Code, relating to peremptory challenges to jurors in criminal cases.

Passed on file.

Assembly Bill No. 221—An Act to repeal sections two thousand four hundred and sixty-six, two thousand four hundred and sixty-seven, two thousand four hundred and sixty-eight, two thousand four hundred and sixty-nine, two thousand four hundred and seventy, and two thousand four hundred and seventy-one of an Act to establish a Civil Code, approved March 21, 1872, relating to partnerships.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Atherton, Bailey, Bost, Brierly, Brown W A, Brown J B, Butler, Callaghan, Carr, Carroll, Colbert, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Gruwell, Handy, Hart, Heath,

Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, Knox, LaBlanc, Lewis, Mahler, Mann, Mathews of Tehama, McClenahan, McDonnell, Mitchell, Morris, Ohleyer, Regan, Searey, Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Toner, Venable, Vincent, Weber, Windrow, Wilcox, Williams, Young of San Diego, Young of San Joaquin, and Mr. Speaker—59.

NOES—None.

Title read and approved.

Assembly Bill No. 224—An Act to amend section one thousand six hundred and forty-six of the Code of Civil Procedure of California, relating to funeral expenses, expense of last sickness, and the purchase and improvement of a grave lot for the decedent.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Atherton, Bailey, Bost, Brierly, Britt, Brown J B, Butler, Callaghan, Carr, Carroll, Cohen, Colbert, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Gruwell, Handy, Hart, Heath, Henry of San Joaquin, Hotchkiss, Hyde, Knox, Lewis, Mahler, Mann, Mathews of Tehama, McClenahan, McDonnell, McGowan, Mitchell, Morgan, Morris, Ohleyer, Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Toner, Venable, Vincent, Weber, Windrow, Wilcox, Williams, Young of San Diego, Young of San Joaquin, and Mr. Speaker—58.

NOES—None.

Title read and approved.

Assembly Bill No. 155—An Act relating to estrays.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Atherton, Bailey, Bost, Brierly, Britt, Brown J. B., Butler, Callaghan, Carr, Carroll, Cohen, Colbert, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Gruwell, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, Knox, Mahler, Mann, Mathews of Tehama, McClenahan, McDonnell, McGowan, Mitchell, Morgan, Morris, Regan, Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Venable, Vincent, Weber, Windrow, Wilcox, Williams, Young of San Diego, Young of San Joaquin, and Mr. Speaker—57.

NOES—None

Title read and approved.

ADJOURNMENT.

At eleven o'clock and twenty minutes P. M. Mr. Carroll moved to adjourn.

Ayes and noes demanded by Messrs. Brierly, Cope, and McGowan.

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

AYES—Messrs. Adams, Bailey, Bost, Brown J B, Butler, Carr, Carroll, Colbert, Cooley, Currey of Solano, Ellsworth, Ewing, Hart, Hotchkiss, Hyde, Lawrence, McClenahan, McDonnell, Morgan, Morris, Ohleyer, Shanahan, Sherburne, Sims, Smyth, Sykes, Taylor, Venable, Windrow, Williams, and Mr Speaker—31.

NOES—Messrs Atherton, Brierly, Britt, Callaghan, Campbell, Cohen, Coombs, Cope, Davis, Gould, Granger, Gruwell, Handy, Heath, Henry of Butte, Henry of San Joaquin, Knox, Lewis, Mahler, Mann, Mathews of Tehama, McGowan, Mitchell, Regan, Spurgeon, Toner, Vincent, Weber, Young of San Diego, and Young of San Joaquin—30.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Thursday, March 3, 1887.

The House met pursuant to adjournment.

Speaker Jordan in the chair.

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

Messrs Adams, Alexander, Atherton, Bailey, Barry, Barton, Bost, Brierly, Britt, Brown W A, Brown J B, Brusie, Burnett, Butler, Campbell, Carr, Cohen, Colbert, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Gruwell, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, LaBlanc, Lawrence, Lewis, Mahler, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, McConnell, McGowan, Mitchell, Morgan, Morris, O'Grady, Ohleyer, Price, Regan, Rucker, Renison, Searey, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Toner, Variel, Venable, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr. Speaker.

Quorum present.

Prayer by the Chaplain, Rev. E. R. Dille.

Pending the reading of the Journal of yesterday, Mr. Young of San Joaquin moved to dispense with further reading.

So ordered.

Journal approved.

SPECIAL ORDER.

Mr. Granger called up the special order set for this hour, immediately after reading of the Journal, Assembly Constitutional Amendment No. 19.

MOTION.

Mr. Granger moved that the further consideration of the resolution be continued until two o'clock and thirty minutes P. M. to-day.

So ordered.

SPECIAL ORDER.

Mr. Cooley called up special order set for this hour, the consideration of Senate Bill No. 145.

SECOND READING OF BILL.

Senate Bill No. 145—An Act to amend sections five, six, eight, nine, eleven, seventeen, eighteen, twenty-three, and twenty-six of an Act entitled "An Act to define, regulate, and govern the State Prisons of California," approved April 15, 1880.

Read second time, and ordered placed on file for third reading.

PETITION.

Mr. C. F. Curry presented a petition from citizens of San Francisco County, regarding the teaching of temperance in public schools.

Referred to Committee on Education.

REPORTS OF STANDING COMMITTEES.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, March 1, 1887.

MR SPEAKER Your Committee on Judiciary, to whom was referred the following bills:

Assembly Bill No 44—An Act to amend section forty-seven of the Code of Civil Procedure, relating to the time and place of holding sessions of the Supreme Court

Assembly Bill No 147—An Act to amend section three thousand five hundred and seventy-one of the Political Code, relating to certificates of repayment by the Register of the State Land Office

Assembly Bill No 156—An Act entitled an Act to regulate the fees of County Clerks of the various counties of this State, upon insolvent proceedings

Assembly Bill No 506—An Act to amend section one hundred and seventy-one of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883

Assembly Bill No 516—An Act to provide for the compensation of attorneys appointed by Superior Courts to defend persons accused of crime to be tried in such Courts

Assembly Bill No 538—An Act to amend sections one thousand three hundred and fifty-two, one thousand three hundred and seventy, and one thousand seven hundred and fifty one of an Act entitled an Act to establish a Code of Civil Procedure, adopted March 11, 1872, relating to the disabilities of married women to act as executors, administrators, or guardians

Assembly Bill No 231—An Act to amend section nine hundred and fifty-five of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to sureties on undertakings and bonds

Assembly Bill No 308—An Act entitled an Act to amend an Act entitled an Act to establish a Code of Civil Procedure, by amending section one thousand two hundred and eighteen thereof, relating to and concerning contempts of Court and the punishment thereof.

Assembly Bill No 345—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 ninety-one thereof, providing for the fees to be collected by the County Clerk, Sheriff, and Recorder, for the use of the county.

Assembly Bill No 350—An Act authorizing and directing the Clerk of the Supreme Court of the State of California to make a new attorney roll of all attorneys admitted to practice in said Supreme Court from the organization thereof

Assembly Bill No 420—An Act to provide for the restoration to citizenship of a certain class of persons resting under civil disabilities.

Assembly Bill No 501—An Act to repeal Chapter IX, of Title IX, of Part III, of an Act of the Legislature of the State of California, entitled an Act to establish a Political Code, approved March 12, 1871, and each and every section of said Chapter IX, and to enact a new Chapter IX, of Title IX, of Part III, of said Code, and substitute the same in place of said repealed Chapter IX of said Code, relating to poll tax

Assembly Bill No 537—An Act to add two new sections to an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, to be known as sections number one hundred and eighty and one hundred and eighty-one, relating to offenses against public justice

Have considered the same, and now report them back, with the recommendation that they do not pass This recommendation is made in regard to Assembly Bill No 537, for the special reason that Senate Bill No 389, a twin bill, has been heretofore reported upon favorably by your committee, and is made in regard to Assembly Bill No 345, for the reason that said bill has been incorporated in the Omnibus Substitute Bill, amendatory of the County Government Bill

We have also considered

Assembly Bill No 228—An Act releasing to Jesse B Hart and his assigns certain lands in San Francisco, and authorizing the Governor to make conveyances thereof

Assembly Bill No 278—An Act to amend sections nine hundred and thirty-nine, nine hundred and forty-three, and nine hundred and sixty-three of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to appeals in general, and to the Supreme Court

Assembly Bill No 486—An Act relating to the compensation of Court reporters in counties of the eighth class

Assembly Bill No 507—An Act to amend section three hundred and eighty-five of the Political Code of the State of California, relative to salary of Private Secretary of Governor.

Assembly Bill No — —An Act to exempt firemen from military service and jury duty

And report same back, without recommendation.

VARIEL, Chairman

ON CONSTITUTIONAL AMENDMENTS

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1887.

MR SPEAKER Your Committee on Constitutional Amendments, to whom was referred Constitutional Amendment No 20—report the same back, and recommend that it be not adopted

By order of committee McD. R. VENABLE

ON APPORTIONMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1887.

MR SPEAKER Your Committee on Apportionment, to whom was referred Assembly Bill No. 509—report the same back, and recommend that it do pass, as amended

BARRY, Chairman

ON ATTACHÉS AND EMPLOYÉS.

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1887.

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

Resolved, That the sum of twenty-four dollars be and is hereby allowed H McCausland, payable out of the Contingent Fund of the Assembly, for services rendered by him as Sergeant-at-Arms and Messenger to the Committee on Claims during its investigation in San Francisco

Report the same back, and recommend that it be adopted

C. F. CURRY, Chairman

Adopted.

SENATE MESSAGES.

SENATE CHAMBER, SACRAMENTO, March 2, 1887

MR SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed the following

Assembly Bill No 8—An Act relating to insurance, to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, as amended by an Act entitled "An Act to amend the Political Code, in relation to insurance," approved April 1, 1878

Also, Assembly Bill No 9—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," adopted March 11, 1882, by adding thereto a new section, to be known as section one thousand three hundred and forty-eight, authorizing certain corporations to act as executor and in other capacities

Also, Assembly Bill No 10—An Act relating to insurance, to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, as amended by an Act entitled "An Act to amend the Civil Code, relative to insurance," approved April 1, 1878, and to add a new section thereto, to be known as section four hundred and thirty-two

Also, Assembly Bill No 135—An Act for the remuneration of Elisha O Crosby, for money advanced to and for the State of California

Also, Senate Bill No 50—An Act to appropriate money to pay the claim of N P. Perine, for furnishing granite and statuary for the Napa State Asylum for the Insane, and for labor performed on said asylum

Also, have amended Assembly Bills Nos 10 and 135 Also, title to Assembly Bill No 8—and respectfully ask your honorable body to concur in said amendments

Also, Senate Bill No. 265—An Act to amend an Act entitled an Act to establish a State Board of Silk Culture, and to provide moneys for the expenses thereof, approved March 18, 1885 in relation to the salary of officers

Also, Senate Bill No 327—An Act to grant to the United States certain tide lands belonging to the State of California, for the purpose of improving the harbor of Humboldt Bay

Also, Assembly Bill No 117—An Act making an appropriation for the support and maintenance of the State Mining Bureau

Also, on this day, concurred in Assembly Substitute for Senate Bill No 42—An Act to enlarge the powers of the State Board of Forestry, and to provide for the expenses of said Board

Also, Senate Bill No 107—An Act to provide an additional Judge of the Superior Court of Tulare County—the Senate still refusing to concur in the Assembly amendment thereto, a committee of three (Senators White, Haynes, and Roth), have been appointed to confer with a like committee of the Assembly concerning said amendment

Also, on this day, passed Senate Bill No 273—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, and add thereto a new section to Part I, Title IX, and Chapter VII, thereof, to be known as section one thousand three hundred and eighty-nine, for the prevention of minors being employed by telephone companies or special delivery companies to deliver notes or messages to houses of prostitution or places of questionable repute

Also, Senate Bill No 69—An Act to create and maintain a relief and pension fund in the police department of all cities in this State having a police force of ten or more members, and to provide for the administration of such fund

Also, Senate Bill No 232—An Act to provide one additional Judge of the Superior Court of the County of Fresno

Also, Assembly Bill No 78—An Act to provide an additional Judge of the Superior Court of the County of San Bernardino

Also, Assembly Bill No 111—An Act to appropriate money to pay the claim of W. T Brown or his executors or administrators

Also, Assembly Bill No 112—An Act to appropriate money to pay the claim of R F Del Valle

Also, Assembly Bill No. 113—An Act to appropriate money to pay the claim of B. F. Langford.

Also, Assembly Bill No. 114—An Act to appropriate money to pay the claim of Benjamin Knight

Also, Assembly Bill No. 115—An Act to appropriate money to pay the claim of E T. Wilkins

Also, Senate Bill No. 234—An Act to provide for the correction and establishment of a portion of the eastern boundary line of the State of California.

Also, Senate Bill No 374—An Act relating to the compensation of Court Reporters in counties of the eighth and ninth classes

Also, amended Assembly Bill No 111, and asks your honorable body to concur in said amendment

Also, adopted the following Assembly Constitutional Amendment No. 16—Relative to amending Article XI of the Constitution, relative to the adoption of charters of cities of over fifty thousand inhabitants.

Also, passed Senate Bill No. 127—An Act to amend section three hundred and seven of an Act entitled "An Act to establish a Civil Code," relating to the formation of corporations

Also, Senate Bill No 214—An Act to amend section three hundred and forty-three of the Political Code, relating to the number and designation of the civil executive officers of the State

Also, Senate Bill No. 193—An Act to amend section two hundred and sixty-one of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to the crime of rape.

ED HAMILTON, Secretary.

MOTION.

Mr. Ellsworth moved to suspend the rules, and place all bills in Senate messages on file, without reference to committee.

So ordered, on a division—ayes, 52; noes, 4.

Amendments of Senate to Assembly Bill No. 8 concurred in by a unanimous vote.

Amendment of Senate to Assembly Bill No. 135 concurred in by a unanimous vote.

COMMITTEE OF CONFERENCE.

Mr. Butler moved that a committee of conference be appointed by the Chair, to confer with a like committee from the Senate, in relation to Assembly amendment to Senate Bill No. 107.

The Speaker appointed, as such committee, Messrs. Butler, Wright, and Brierly.

MOTIONS.

Mr. Cohen moved that the rules be suspended, and that Senate Bill No. 69 be taken up, out of order, and considered.

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

AYES—Messrs. Alexander, Atherton, Barry, Barton, Bost, Brierly, Britt, Brown W. A., Brown J. B, Burnett, Butler, Callaghan, Campbell, Carr, Cohen, Colbert, Cooley, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Gruwell, Handy, Hart, Heath, Henry of Butte Henry of San Joaquin, Hotchkiss, Hyde, LaBlanc, Lawrence, Mahler, Martin, Mann, Matthews of San Benito, McClenahan, McDonnell, McGowan, Mitchell, Ohleyer, Price, Rucker, Renison, Searey, Shanahan, Sims, Smyth, Spurgeon, Variel, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr. Speaker—62

NOES—Messrs. Adams, Bailey, Morgan, and Sherburne—4.

FIRST READING OF BILL.

Senate Bill No. 69—An Act to create and maintain a relief and pension fund in the police department of all cities in this State having a police force of ten or more members, and to provide for the administration of such fund.

Read first time.

MOTION.

Mr. Cohen moved that further consideration of this bill be made a special order for eleven o'clock A. M. to-morrow.

So ordered.

SPECIAL ORDER—PASSAGE OF BILL.

Assembly Bill No. 129—An Act for the relief of George Nightingale, Michael Ryan, Joseph Rosa, Bridget Davis, Bernard Ward, Ellen Burdett, John Wrixon, Michael O'Neil, Anna Elizabeth Sneider, Eliza Kelleher, William J. Nightingale, Margaret Coogan, Bridget L. Ryan, Elizabeth Overend, Thomas Dillon, Patrick Garrigan, Bridget F. Houston, Timothy Murphy, James McGeough, Otis Berge, James Hartford, and Ellen McArevey, whose property has been taken and destroyed by blasting and excavating Telegraph Hill, in the City and County of San Francisco, for rock and earth with which to construct the State seawall along the Port of San Francisco, in the State of California.

Mr. Granger moved that the bill be referred to a select committee of one, with special instructions to amend as follows: section one, by adding at the end of said section, on page three of printed bill, "*and lastly provided*, that the money herein paid, or to be paid, by the State, to the persons respectively named in this Act, shall be payable to each of them, their administrators, or executors, and not to any assignee, and the said allowance by the State to each of them shall be exempt from execution for any debt, claim, or demand, against either or any of the beneficiaries named herein as applicants for relief."

Lost, on a division.

CALL OF THE HOUSE.

Mr. Brierly moved a call of the House.

So ordered.

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

Messrs. Adams, Alexander, Atherton, Bailey, Barry, Barton, Bost, Brierly, Britt, Brown W. A., Brown J. B., Bruske, Burnett, Butler, Callaghan, Campbell, Carr, Cohen, Colbert, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Grüwell, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, Knox, LaBlanc, Lawrence, Lewis, Mahler, Martin, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Mitchell, Morgan, Morris, Ohleyer, Price, Regan, Rucker, Remson, Searey, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Sykes, Toner, Variel, Venable, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr. Speaker.

Mr. Ewing moved to dispense with further proceedings under the call of the House.

Lost.

The Speaker directed the Sergeant-at-Arms to arrest the absentees and bring them before the bar of the House.

The Speaker declared a short recess, pending the absence of the Sergeant-at-Arms after absentees.

Mr. Lawrence 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. Taylor, Carroll, and O'Grady.

MOTIONS.

Mr. Hyde moved that Mr. Taylor be excused.

So ordered.

Mr. Heath moved that Messrs. O'Grady and Carroll be excused.

So ordered, on a division—ayes, 46, noes, 16.

Mr. Alexander moved that further proceedings under the call of the House be dispensed with.

So ordered.

At twelve o'clock and thirty minutes P. M. Mr. Lawrence moved that the hour of recess be extended for fifteen minutes.

So ordered.

PREVIOUS QUESTION.

Mr. Brierly moved the previous question, seconded by Messrs Cohen and Young of San Diego.

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

The question being on the passage of Assembly Bill No. 129.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Bailey, Barry, Brierly, Butt, Brown W A, Brown J B, Brusie, Burnett, Butler, Callaghan, Campbell, Carroll, Cohen, Colbert, Cooley, Curry of San Francisco, Davis, Ewing, Granger, Henry of Butte, Hyde, LaBlanc, Lawrence, Lewis, Martin, Mann, Mathews of Tehama, McClenahan, McDonnell, Mitchell, O'Grady, Price, Regan, Rucker, Searey, Sims, Sykes, Toner, Weber, Windrow, and Young of San Diego—41

NOES—Messrs Adams, Alexander, Atherton, Barton, Bost, Carr, Coombs, Cope, Currey of Solano, Ellsworth, Gould, Gruwell, Handy, Hart, Heath, Henry of San Joaquin, Hotchkiss, Knox, Mahler, Matthews of San Benito, McGowan, Morgan, Morris, Ohleyer, Remson, Shanahan, Sherburne, Smyth, Spurgeon, Taylor, Variel, Venable, Vincent, Wilcox, Williams, Wright, and Mr. Speaker—37

Title read and approved.

RESOLUTION—(OUT OF ORDER).

By Mr. Ellsworth:

Resolved, That this Assembly has learned with profound regret of the death of the Hon S B McKee, who for many years adorned the Bench of the Supreme Court of this State

Resolved, That a committee of three be appointed by the Speaker to prepare and report suitable memorial resolutions, expressive of the sentiments of this Assembly.

Adopted.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 3, 1887

MR SPEAKER: Your Committee on Engrossment beg leave to report that the following Assembly Bills have been correctly reengrossed:

Nos. 8, 10, 135, and 111

WINDROW, Chairman

MOTIONS.

Mr. Hyde moved that a committee of three be appointed to draft suitable resolutions in commemoration of the services of the late Judge S. B. McKee.

So ordered.

Mr. Carroll moved that when this House adjourns to-day it do so out of respect to the late Judge S. B. McKee.

So ordered.

APPOINTMENT OF COMMITTEE.

The Speaker appointed, as a committee to draft resolutions, Messrs. Ellsworth, Heath, and Rucker.

Mr. Brierly moved to make Assembly Bill No. 2 a special order for twelve o'clock and forty-five minutes P. M. to-day.

So ordered, on a division—ayes, 44; noes, 5.

LEAVE OF ABSENCE.

Mr. Taylor was granted leave of absence for to-day.

Mr. Brusie moved to extend the hour of recess until the completion of the reading of Assembly Bill No. 2.

Mr. Coombs moved to reconsider the vote whereby the hour of recess was extended to twelve o'clock and forty-five minutes P. M.

So ordered.

The question being on the motion to extend the hour of recess, and the consideration of Assembly Bill No. 2, the same was lost.

RECESS.

At twelve o'clock and forty-five minutes P. M. the Speaker declared the usual recess until two o'clock P. M.

REASSEMBLED.

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

Speaker Jordan in the chair.

Quorum present.

LEAVE OF ABSENCE.

Mr. Gruwell was granted leave of absence until four o'clock P. M. this day.

CASE OF URGENCY.

Mr. W. A. Brown moved to suspend the rules and the provisions of section fifteen, of Article IV, of the Constitution, requiring bills to be read on three separate days, that Senate Bill No. 216 be declared a case of urgency, and that the bill be read a second and third time, and put on its final passage.

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

AYES—Messrs. Adams, Alexander, Atherton, Bailey, Barry, Barton, Bost, Brierly, Britt, Brown W. A., Burnett, Butler, Callaghan, Carr, Carroll, Cohen, Colbert, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Ellsworth, Ewing, Granger, Gruwell, Handy, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, Knox, LaBlanc, Lawrence, Mahler, Martin, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Mitchell, Morris, O'Grady, Ohleyer, Regan, Rucker, Searey, Sherburne, Sims, Smyth, Sykes, Taylor, Toner, Variel, Venable, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr. Speaker—67.

NOES—None.

SECOND READING OF BILL.

Senate Bill No. 216—An Act to encourage and provide for the dissemination of a knowledge of the arts, sciences, and general literature, and the founding, maintaining, and perpetuating public libraries, museums, and galleries of art, and the receipt of donations and contributions thereto when established, for the conveyance, holding, and protection of real property within this State suitable for the purposes herein designated, and the erection thereon of buildings appropriate to such purposes, and for the creation of trusts necessary or proper for the better preservation of such institutions and the control and management thereof.

Read second time.

MOTION.

Mr. Granger moved that the further consideration of special order, Assembly Constitutional Amendment No. 19, set for this hour, be continued until after the consideration of Senate Bill No. 216.

So ordered.

Speaker pro tem. Brierly in the chair.

Senate Bill No. 216 read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Atherton, Bailey, Barry, Barton, Bost, Brierly, Britt, Brusie, Burnett, Callaghan, Campbell, Carr, Carroll, Colbert, Cooley, Coombs, Cope, Curry of Solano, Curry of San Francisco, Davis, Ellsworth, Gould, Granger, Handy, Hart, Heath, Henry of San Joaquin, Hotchkiss, Hyde, Knox, LaBlanc, Lawrence, Lewis, Mahler, Martin, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Mitchell, Morgan, Morris, Ohleyer, Price, Regan, Rucker, Searey, Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Toner, Variel, Venable, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, and Young of San Joaquin—67.

NOES—None.

Title read and approved.

SPECIAL ORDER.

Mr. Granger called up Special Order No. 1—Assembly Constitutional Amendment No. 19—and moved to make the same a special order for to-morrow, immediately after the reading of the Journal.

So ordered.

Mr. Brierly called up the special order, relating to the report of Investigation Committee, recommending the discharge of the Assistant Minute Clerk.

Mr. Hyde moved to make it a special order for to-morrow, at two o'clock and thirty minutes P. M.

So ordered.

Mr. Ellsworth moved that Special Order No. 7 be continued until to-morrow, at two o'clock and thirty-minutes P. M.

So ordered.

SPECIAL FILE—FIRST READING OF BILL.

Assembly Bill No. 561—An Act to amend section three thousand seven hundred and thirteen of the Political Code, relating to levy of taxes.

Read first time, and placed on file for second reading.

MOTION.

Mr. Wright moved to suspend the rules, and take up, out of order, Senate Bill No. 304, and read a second time.

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

AYES—Messrs. Atherton, Bailey, Bost, Brierly, Britt, Brown W. A., Brusie, Burnett, Butler, Callaghan Campbell, Carr, Carroll, Cohen, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ewing, Gould, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, Knox, LaBlanc, Lewis, Martin, Mann, McClenahan, McDonnell, McGowan, Mitchell, Morgan, O'Grady, Price, Regan, Rucker, Searey, Shanahan, Sims, Smyth, Spurgeon, Sykes, Taylor, Toner, Variel, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr Speaker—55

NOES—Messrs Adams, Ellsworth, Granger, Handy, Hart, Lawrence, Mahler, Matthews of San Benito, Morris, Ohleyer, Remson, Sherburne, Venable, Vincent, Weber, and Wilcox—15

SECOND READING OF BILL.

Senate Bill No. 304—An Act to appropriate money for the purchase of certain roads within the limits of the Yosemite Grant.

Read second time, and placed on file for third reading.

MOTION TO RECONSIDER.

Mr Granger moved to reconsider the vote whereby Assembly Bill No. 251 was passed on yesterday.

So ordered, on a division—ayes, 25; noes, 16.

Mr. Granger moved that a select committee of one be appointed to prepare an amendment to Assembly Bill No. 251, as follows: strike out from section one, of line eleven, "the Journal Clerks and Assistant Journal Clerks of each House."

Lost.

PASSAGE OF BILL.

Assembly Bill No. 251—An Act to amend section two hundred and sixty-one of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the powers and duties of the officers and employés of the Legislature.

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

AYES—Messrs. Barry, Bost, Brierly, Britt, Brown W. A., Brown J. B., Brusie, Burnett, Butler, Campbell, Carroll, Cohen, Colbert, Cooley, Coombs, Curry of San Francisco, Davis, Ewing, Hyde, Knox, LaBlanc, Lewis, Mann, Mathews of Tehama, McDonnell, Mitchell, O'Grady Rucker, Searey, Shanahan, Sims, Sykes, Taylor, Toner, Variel, Weber, Windrow, Wilcox, and Young of San Joaquin—39.

NOES—Messrs Adams, Atherton, Bailey, Carr, Cope, Currey of Solano, Ellsworth, Granger, Handy, Heath, Hotchkiss, Lawrence, Mahler, Matthews of San Benito, McGowan, Morgan, Ohleyer, Sherburne, Venable, Vincent, and Williams—21

Mr. Hyde in the chair.

SPECIAL FILE—(RESUMED).

Senate Bill No. 192 passed on file.

MOTION.

Mr. Curry of San Francisco moved that the rules be suspended, and Senate Bill No. 343 be taken up, out of order, and considered.

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

AYES—Messrs Atherton Bailey, Barry, Bost, Britt, Brown J B, Brusie, Burnett, Butler, Callaghan, Campbell, Cohen, Colbert, Cooley, Curry of San Francisco, Davis, Handy, Henry of Butte, Hyde, LaBlanc, Lawrence, Lewis, Martin, Mathews of Tehama, McDonnell, McGowan, Mitchell, O'Grady, Regan, Rucker, Searey, Sims, Smyth, Sykes, Toner, Vanel, Windrow, Williams, and Young of San Joaquin—38

NOES—Messrs Adams, Barton, Brierly, Carroll, Cope, Currey of Solano, Ellsworth, Ewing, Granger, Heath, Henry of San Joaquin, Hotchkiss, Mahler, Morgan, Ohleyer, Sherburne, Spurgeon, Venable, Weber, and Wilcox—20.

Assembly Bill No. 493 passed on file.

Substitute for Assembly Bills Nos. 314 and 284 temporarily passed on the file.

Assembly Bill No. 2—An Act to amend an Act entitled an Act to provide for the organization, incorporation, and government of municipal corporations, approved March 13, 1883, and to add certain sections thereto, and repeal certain sections thereof.

Read third time.

Speaker Jordan in the chair.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Alexander, Atherton, Bailey, Barton, Bost, Brierly, Britt, Brown W A., Brusie, Butler, Callaghan, Carr, Carroll, Cohen, Colbert, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Handy, Heath, Hotchkiss, Hyde, Knox, Lewis, Mahler, Martin, Mann, Matthews of San Benito, McClenahan, McDonnell, McGowan, Mitchell, Morgan, Morris, O'Grady, Ohleyer, Price, Rucker, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Taylor, Vanel, Vincent, Weber, Windrow, Wilcox, Williams, Young of San Diego, and Young of San Joaquin—59

NOES—None.

Title read and approved.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The Committee on Public Buildings and Grounds made their final report, which was ordered printed in the Appendix of the Journal.

RESOLUTION—(OUT OF ORDER).

By Mr. Carroll:

Resolved, That the sum of one thousand one hundred and thirty-seven dollars be and the same is hereby appropriated out of the Contingent Fund of the Assembly, the same being the expenses incurred by Richard O'Connor, in the contested election case of Richard O'Connor vs John LaBlanc, for the office of Assemblyman for the Forty-second Assembly District, State of California

Resolved, That the Controller be and he is hereby authorized and instructed to draw his warrant in favor of said Richard O'Connor for said sum of one thousand one hundred and thirty-seven dollars, and the Treasurer of State is hereby directed to pay the same.

BEFORE THE HOUSE OF ASSEMBLY OF THE STATE OF CALIFORNIA.

In the matter of the election contest of Richard O'Connor against John LaBlanc, for the office of Assemblyman in and for the Forty-second Assembly District, in and for the State of California

To the honorable Committee on Elections of the Assembly House of the Legislature of the State of California

Richard O'Connor, the contestant in the above entitled matter, hereby presents and respectfully asks that you recommend the payment of the following bill of items of his costs and disbursements in said contest

Memorandum of costs and disbursements, to wit

To cash paid County Clerk of City and County of San Francisco, on filing contest, on statement of grounds of contest	$8 50
To clerk fees, verification of contest	50

To fifteen days' time of contestant in hunting up witnesses, marshaling evidence, examining records, and attending Court, at five dollars per day	$75 00
To attorney fee, paid preparing answer and attending Superior Court, San Francisco, and defending injunction suit of John LaBlanc vs H. J Stafford and E Burke, the Commissioners in said contest	150 00
To J N Young, attorney fee for filing and preparing complaint and statement of grounds of contest, for preparing case for hearing contest, for attending contest before J H Stafford and E Burke, Esq., Commissioners in contest, and for attending to contest before Legislature	750 00
To R T Condon, hunting up evidence and aiding in preparing for contest, twenty-one days, at three dollars	63 00
To E Moran, hunting up evidence and acting in preparing for contest, fifteen days, at three dollars	45 00
To John F Murphy, for same work, fifteen days, at three dollars	45 00
Total	$1,137 00

RICHARD O'CONNOR, Contestant

STATE OF CALIFORNIA,
City and County of San Francisco } ss.

Richard O'Connor, being duly sworn, deposes and says that he is the contestant in the above entitled matter That the foregoing bill of items of his costs and disbursements have been necessarily incurred in his said contest, and he hereby presents the same for allowance and payment

RICHARD O'CONNOR

Subscribed and sworn to before me, this second day of March, A D. 1887.

JAS D PAGE, Justice of the Peace,
City and County of San Francisco, State of California

Also:

Resolved That the sum of one thousand one hundred and sixty-one dollars and sixty cents be and the same is hereby appropriated out of the Contingent Fund of the Assembly, the same being the expenses incurred by A. C Berthier in the contested election case of A C Berthier vs William A Brown, for the office of Assemblyman for the Forty-fifth Assembly District, State of California

Resolved, That the Controller be and he is hereby authorized and instructed to draw his warrant in favor of said A C. Berthier for said sum of one thousand one hundred and sixty-one dollars and sixty cents, and the Treasurer of State is hereby instructed to pay the same

In the matter of the contest of A C Berthier vs William A. Brown, for the office of Assemblyman of and for the Forty-fifth Assembly District, in and for the State of California

To the honorable Committee on Elections of the House of Assembly of the State of California, and to said House

The undersigned, A C Berthier, the contestant in the above entitled matter, hereby presents this his bill of costs and disbursements in said contest, and respectfully asks that the same be allowed and paid

Memorandum of costs and disbursements

To cash paid County Clerk of City and County of San Francisco, on filing statement of contest	$8 50
To fee, verification of same	50
To twenty days' time of contestant in examining records, hunting up witnesses, attending Court in prohibition suit and before the Commissioners, J H. Stafford and E Burke, Justices, in contest, at five dollars	100 00
To attorney fee, to attorney for preparing answer to prohibition suit and attending the same in Superior Court of San Francisco, and arguing the same before Judge Reardon, in the prohibition proceedings of W A Brown vs J H Stafford and E Burke, the Commissioners in said contest	150 00
To witnesses' fees, as follows, before the Commissioners, J H Stafford and E Burke, to wit	
James Kenny, two days' attendance, one mile	4 20
James Smith, one day's attendance, one mile	2 20
J Greany, two days' attendance, one mile	4 20
William Dowling, two days' attendance, one mile	4 20
Frank Riley, two days' attendance, one mile	4 20
Peter Hanson, one day's attendance, one mile	2 20
Mose Levy, two days' attendance, one mile	4 20
J Slattery, one day's attendance, one mile	2 20
James Cook, one day's attendance, one mile	2 20

Thomas Tobin, three days' attendance, one mile	$6 20
J. Farrell, one day's attendance, one mile	2 20
E. McConville, one day's attendance, one mile	2 20
Thomas Riley, one day's attendance, one mile	2 20
A P Hodgdon, one day's attendance, one mile	2 20
William Orr, two days' attendance, one mile	4 20
George White, two days' attendance, one mile	4 20
P F Walsh, Registrar, three days' attendance, one mile	6 20
John McCarthy, three days' attendance, one mile	6 20
To James Eagan, five days' hunting and interviewing witnesses, and aiding preparing for contest, at three dollars per day	15 00
To John McCarthy for same as last four days, at three dollars	12 00
To Thomas P Ash, shorthand reporter, taking testimony before Commissioners, five days, at ten dollars per day	50 00
To attorney fee, traveling expenses, and all other charges and expenses of J N. Young, attorney for contestant, in preparing and filing contest, conducting the same before the Commissioners, J. H Stafford and E Burke, Esqs, and before Committee on Elections and House of Assembly	750 00
Total	$1,161 60

A C. BERTHIER

STATE OF CALIFORNIA, City and County of San Francisco. } ss.

A. C Berthier, being duly sworn, deposes and says that he is the contestant in the above entitled matter, that the foregoing memorandum of his costs and disbursements is correct, and were necessarily incurred, and he hereby presents the same for allowance and payment

A C BERTHIER

Subscribed and sworn to before me, this second day of March, 1887.

[Seal] BERT McNULTY, Deputy County Clerk.

By Mr. Martin:

Resolved, That the State Printer be and is hereby authorized to print one hundred copies of the following numbered bills: 170, 310, 322, 339, 247, 270, 438, and 513.

Laid over under the rules.

JUDICIARY REPORT AS A SPECIAL COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, March 3, 1887

MR SPEAKER Your Committee on Judiciary, to whom was referred the matter of preparing a memorial in honor of the late Chief Justice of the Supreme Court of this State, beg leave to submit the following, and recommend its adoption

Hon Robert F. Morrison came to this State in its early history and materially contributed towards laying broad and deep its enduring foundations In all the relations which touched the lives of others he displayed a character richly endowed with all those manly virtues which universally command the respect and admiration of mankind. It could be as truthfully said of him, as of one in earlier time, "When the spotless ermine descended upon his shoulders, it touched nothing that was not whiter than itself" He ever held the scales of Justice with an even hand, and it is our profound conviction that the memory of his long and honorable judicial career and of his integrity of character will not be forgotten by those who cherish and admire virtue in either public or private station.

VARIEL, Chairman

Resolution adopted.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON COMMERCE AND NAVIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, March 3, 1887

MR. SPEAKER Your Committee on Commerce and Navigation, to whom was referred Assembly Bill No. 240—relating to the pilot regulations of San Francisco, Mare Island, and Benicia

Also, Senate Bill No 393—relating to the State harbors and State Harbor Commissioners. Report the same back, and recommend that they do pass

EWING, Chairman

Mr. Variel asked leave to introduce a bill, out of order, under the constitutional provision requiring the consent of two thirds of the members of the Assembly.

Granted, by unanimous consent.

INTRODUCTION OF BILL—(OUT OF ORDER).

By Mr. Variel: Assembly Bill No. 563—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-seventh session of the Legislature.

CASE OF URGENCY.

Mr. Variel moved to suspend the rules and the provisions of section fifteen, of Article IV, of the Constitution, requiring bills to be read on three separate days, that Assembly Bill No. 563 be declared a case of urgency, and that the bill be read a first and second time, and considered engrossed, and to a third reading, and put on its final passage.

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

AYES—Messrs. Adams, Alexander, Atherton, Bailey, Barton, Brierly, Britt, Brown W. A., Brusie, Butler, Callaghan, Campbell, Carr, Carroll, Cohen, Colbert, Cooley, Coombs, Cope, Curtis of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Handy, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, Knox, LaBlanc, Lawrence, Lewis, Mahler, Martin, Matthews of San Benito, McClenahan, McDonnell, McGowan, Mitchell, Morris, O'Grady, Ohleyer, Price, Regan, Rucker, Remson, Searey, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Variel, Venable, Vincent, Wilcox, Williams, Young of San Diego, Young of San Joaquin, and Mr. Speaker—67.

NOES—None.

Bill read first time.

Bill read second time.

MOTION.

Mr. Venable moved that the House go into Committee of the Whole and consider Assembly Bill No. 563, with the Speaker in the chair.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Jordan in the chair.

The bill was considered in the Committee of the Whole.

IN ASSEMBLY.

Speaker Jordan in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The Chairman stated the report of committee as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 563—and report the same back, and recommend that it do pass.

Report adopted.

Bill considered engrossed, and ordered to a third reading.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Alexander, Atherton, Bailey, Barry, Barton, Bost, Brierly, Britt, Brusie, Burnett, Butler, Callaghan, Campbell, Carr, Carroll, Cohen, Colbert, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Gruwell, Handy, Hart, Henry of Butte, Henry of San Joaquin, Hyde, Knox, LaBlanc, Lawrence, Lewis, Mahler, Matthews of San Benito, McClenahan, McDonnell, McGowan, Mitchell, Morris, O'Grady, Ohleyer, Price, Regan, Rucker, Remson, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Variel, Venable, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, and Mr Speaker—69
NOES—None

Title read and approved.

LEAVE OF ABSENCE.

Mr. Wilcox asked leave of absence for the Library Committee for the day.

Granted.

CONSTITUTIONAL AMENDMENT.

Senate Constitutional Amendment No 2—To propose to the people of the State an amendment to the Constitution of the State, relative to the Judicial Department.

Read.

Mr. Young of San Joaquin offered the following amendment: amend section seventeen, line twelve, by inserting after the word "Sacramento," the words "San Joaquin," and amend lines fourteen and fifteen so that they will read "and the Judge of the County of Sonoma shall receive four thousand dollars."

Adopted, on a division—ayes, 23; noes, 2.

The bill passed temporarily on file.

THIRD READING OF BILLS.

Assembly Bill No. 278—An Act making an appropriation for the payment of claims of certain employés, and other creditors of the State.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Alexander, Atherton, Bailey, Barry, Barton, Bost, Brierly, Britt, Brusie, Callaghan, Carr, Carroll, Cohen, Colbert, Cooley, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Gould, Granger, Gruwell, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hyde, Knox, LaBlanc, Lawrence, Lewis, Mahler, Martin, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Mitchell, Morgan, O'Grady, Ohleyer, Price, Regan, Rucker, Remson, Searey, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Taylor, Toner, Variel, Venable, Vincent, Weber, Windrow, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr. Speaker—69
NOES—None.

Title read and approved.

RESOLUTION—(OUT OF ORDER).

By Mr. Atherton:

Resolved, That the several clerks of the several standing committees of this House be and are hereby dismissed, and their services ended March 3, 1887, and that their per diem cease on that date.

On motion of Mr. Cooley, the resolution was made a special order for Saturday, at two o'clock P. M.

The question being on the further consideration of Senate Constitutional Amendment No. 2.

Mr. Brierly moved to make the consideration of this amendment a special order for to-morrow morning, immediately after the reading of the Journal.

So ordered.

Mr. Renison moved to amend, that a committee of three be appointed to consider amendments prepared to Senate Constitutional Amendment No. 2.

So ordered.

LEAVE OF ABSENCE.

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

FIRST READING OF BILL.

Assembly Bill No. 560—An Act to appropriate money to meet a deficiency in the appropriation for the State's portions of the salaries of the Superior Judges, for the thirty-eighth fiscal year.

Read first time, and placed on Special File for second reading.

Assembly Bill No. 490—An Act to establish a Home of Industry and Refuge for ex-Convicts, and provide for the maintenance of the same.

Read first time, and placed on file for second reading.

MOTIONS.

Mr. Weber moved to take up Senate messages.

Lost, on a division—ayes, 16; noes, 31.

Mr. Sims moved to make Assembly Bill No. 490 a special order for two o'clock P. M. to-morrow.

So ordered.

RECESS.

At five o'clock and forty-five minutes P. M. Mr. Renison moved to take a recess until seven o'clock and thirty minutes P. M.

Carried, on a division—ayes, 30; noes, 27.

REASSEMBLED.

At seven o'clock and thirty minutes P. M. the House reassembled Speaker Jordan in the chair.

Quorum present.

MOTION.

Mr. Knox moved that the rules be suspended, and that we now take up out of order and consider the Special File.

Lost, on a division—ayes, 12; noes, 27.

LEAVE OF ABSENCE.

Messrs. Price and Morgan were granted leave of absence for the evening.

NOTICE OF RECONSIDERATION.

Mr. Young of San Joaquin gave notice that, on to-morrow, he would move to reconsider the vote whereby the amendment to Senate Constitutional Amendment No. 2 was adopted.

MOTION.

Mr. Ellsworth moved to suspend the rules, and take up second reading of bills on General File.

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

AYES—Messrs Adams, Alexander, Atherton, Bailey, Barry, Barton, Bost, Brierly, Britt, Brown W A, Brusie, Burnett, Butler, Callaghan, Campbell, Carr, Carroll, Cohen, Colbert, Cope, Ellsworth, Ewing, Gould, Granger, Grunwell, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Knox, LaBlanc, Lawrence, Lewis, Mathews of Tehama, McClenahan, McDonnell, McGowan, Mitchell, Morris, Ohleyer, Price, Remson, Searey, Sims, Sykes, Toner, Venable, Vincent, Wilcox, Williams, Wright, Young of San Diego, and Young of San Joaquin—54

NOES—Messrs Cooley, Coombs, Currey of Solano, Curry of San Francisco, Handy, Hyde, Matthews of San Benito, O'Grady, Spurgeon, and Mr. Speaker—10

GENERAL FILE—SECOND READING OF BILL.

Senate Bill No. 4—An Act to establish a Branch Normal School in Northern California.

Read second time.

IN COMMITTEE OF THE WHOLE.

On motion of Mr. Henry of Butte, the House went into Committee of the Whole, for the purpose of considering Senate Bill No. 4.

Speaker Jordan in the chair.

The bill was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Jordan in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The Chairman stated the report as follows:

GENTLEMEN The Committee of the Whole have had under consideration Senate Bill No 4, and now report, and recommend that the same do pass, as amended, as follows

Amend, in section two, line nineteen, original bill, after the words "State Normal School," by inserting the following "and said Trustees shall receive the same per diem and mileage as members of the Legislature, while engaged in the selection of the site, payable from the appropriation hereinafter contained, to an amount not exceeding five hundred dollars"

Amend section three, so as to read as follows "The sum of fifty thousand dollars is hereby appropriated out of any money in the General Fund of the State not otherwise appropriated, for the building of said Northern Branch State Normal School, and furnishing the same"

Report adopted, and bill ordered to a third reading.

Assembly Bill No. 18 withdrawn by author, with consent of the House.

MOTION.

Mr. Hotchkiss moved that the rules be suspended, and that Senate Bill No. 39 be substituted for the bill withdrawn.

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

AYES—Messrs Adams, Alexander, Atherton, Bailey, Barton, Bost, Brierly, Britt, Brown W A, Brown J B, Burnett, Butler, Callaghan, Campbell, Carr, Carroll, Cohen, Colbert, Cooley, Coombs, Cope Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Gruwell, Handy, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, Knox, LaBlanc, Lawrence, Mahler, Martin, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Mitchell, Morris, O'Grady, Ohleyer, Regan, Remson, Searey, Shanahan, Sherburne, Sims, Spurgeon, Sykes, Taylor, Toner, Variel, Venable, Vincent, Weber, Wilcox, Wilhams, Wright, Young of San Diego, Young of San Joaquin, and Mr Speaker—69

NOES—None

SECOND READING OF BILL.

Assembly Bill No. 39—An Act to amend "An Act creating a Board of Bank Commissioners, and prescribing their duties and powers," approved March 13, 1878.

Read second time, and placed on file for third reading.

BILL WITHDRAWN.

Mr. McGowan withdrew Assembly Bill No 218 by consent of House, and moved to substitute Senate Bill No 17 in its place on the file.

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

AYES—Messrs Atherton, Bailey, Barry, Barton, Bost, Brierly, Britt, Brown W A, Bruse, Callaghan, Campbell, Carr, Carroll, Cohen, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Gruwell, Handy, Hart, Heath, Henry of San Joaquin, Hotchkiss, Hyde, Knox, LaBlanc, Lawrence, Lewis, Mahler, Mann, Matthews of San Benito, McClenahan, McDonnell, McGowan, Mitchell, Morris, O'Grady, Ohleyer, Logan Searey, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Sykes, Toner, Variel, Venable, Vincent, Windrow, Wilhams, Wright, Young of San Diego, Young of San Joaquin, and Mr Speaker—62.

NOES—Mr Weber—1

MOTION.

On motion of Mr. McGowan, the bill was ordered read second time.

SECOND READING OF BILL.

Senate Bill No. 17—An Act to amend "An Act giving a lien to loggers and laborers employed in logging camps upon the logs cut and hauled by the persons who employ them," approved March 13, 1878, by making applicable thereto section one thousand one hundred and ninety-five of the Code of Civil Procedure, concerning consolidation of separate actions.

Read second time, and ordered to a third reading.

Assembly Bill No. 274—An Act to amend section two thousand two hundred and seventeen of the Political Code, relating to committal of insane persons, approved February 18, 1881.

Read second time, ordered engrossed, and to a third reading.

Assembly Bill No. 248—An Act to amend the Penal Code, by adding a new section thereto, to be known as section sixty-eight *a*, in relation to crimes by and against the executive power of the State.

Read second time.

Committee amendments adopted, as follows: amend, by striking out the word "felony," in line twelve, of page two, and insert the word "misdemeanor" in lieu thereof; and by striking out all of said section after the word "felony," in line twelve, page two.

Bill ordered engrossed, and to a third reading.

Assembly Bill No. 163—An Act to add a new section to the Code of Civil Procedure, to be numbered four hundred and sixty-six, relative to the pleadings, evidence, and costs in actions upon policies of fire insurance, in certain cases.

Read second time.

Mr. Lawrence moved to make the bill a special order for to-morrow, at three o'clock P. M.

So ordered, on a division—ayes, 31; noes, 6.

LEAVE OF ABSENCE.

Mr. Carroll was granted leave of absence after ten o'clock this evening.

Assembly Bill No. 295 refused a second reading.

Assembly Bill No. 154 passed on file.

MOTION.

Mr. Knox moved that Assembly Bill No. 449 be placed in the position on the file now occupied by Assembly Bill No. 307, and that Assembly Bill No. 307 be placed in the position now occupied by Assembly Bill No. 449.

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

AYES—Messrs. Adams, Alexander, Bailey, Barton, Bost, Brierly, Britt, Brown W. A., Brown J. B., Brusie, Burnett, Callaghan, Campbell, Carr, Carroll, Cohen, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Gould, Granger, Gruwell, Handy, Hart, Heath, Henry of San Joaquin, Hotchkiss, Hyde, Knox, LaBlanc, Lawrence, Lewis, Mahler, Martin, Mann, Matthews of San Benito, McGowan, Mitchell, Morgan, Morris, O'Grady, Ohlever, Searey, Shanahan, Sherburne, Sims, Spurgeon, Sykes, Toner, Variel, Venable, Vincent, Weber, Williams, Wright, and Mr. Speaker—59

NOES—Messrs. Barry and Regan—2

Mr. Brusie in the chair.

SECOND READING OF BILL.

Assembly Bill No. 449—An Act to amend section seventy-three of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the time when and place where sessions of the Superior Court shall be held.

Read second time.

Committee substitute read and adopted.

Bill ordered engrossed, and placed on file for third reading.

Assembly Bill No. 273—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 two thousand two hundred and ninety, relating to legal proceedings in cases of trusts.

Read second time, ordered engrossed, and to a third reading.

Assembly Bill No. 289—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," approved April 16, 1880.

Read second time, ordered engrossed, and to a third reading.

BILL WITHDRAWN.

Mr. Mahler withdrew Assembly Bill No. 281, by permission of the House.

MOTION.

Mr. Mahler moved to substitute Senate Bill No. 214 in the place formerly occupied by Assembly Bill No. 281 on the file.

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

AYES—Messrs. Adams, Alexander, Atherton, Bailey, Barry, Barton, Bost, Brierly, Britt, Brown W. A., Brown J. B., Brusie, Burnett, Butler, Callaghan, Campbell, Carroll, Cohen, Colbert, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Gruwell, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, Knox, LaBlanc, Lawrence, Lewis, Mahler, Martin, Mann, Matthews of San Benito, McDonnell, McGowan, Mitchell, Morgan, Morris, O'Grady, Ohleyer, Regan, Remson, Searey, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Sykes, Toner, Variel, Venable, Vincent, Weber, Wilcox, Williams, Wright, Young of San Diego, and Mr. Speaker—71

NOES—Mr. Carr—1.

Speaker Jordan in the chair.

FIRST READING OF BILL.

Senate Bill No. 214—An Act to amend section three hundred and forty-three of the Political Code, relating to the number and designation of the civil executive officers of the State.

Read first time.

CASE OF URGENCY.

Mr. Wright moved to suspend the rules and the provisions of section fifteen, of Article IV, of the Constitution, requiring bills to be read on three separate days, that Senate Bill No. 214 be declared a case of urgency, and that the bill be read a second and third time, and put on its final passage.

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

AYES—Messrs. Adams, Alexander, Atherton, Bailey, Barry, Barton, Brierly, Brown W. A., Brown J. B., Brusie, Burnett, Butler, Callaghan, Campbell, Carroll, Cohen, Colbert, Cooley, Coombs, Cope, Curry of San Francisco, Davis, Ewing, Gould, Granger, Gruwell, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hyde, LaBlanc, Lawrence, Lewis, Mahler, Martin, Matthews of San Benito, McDonnell, McGowan, Mitchell, Morgan, O'Grady, Ohleyer, Regan, Remson, Searey, Shanahan, Sims, Smyth, Spurgeon, Sykes, Taylor, Toner, Variel, Venable, Vincent, Weber, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr. Speaker—64

NOES—Messrs. Bost, Carr, Currey of Solano, Ellsworth, Mann, Morris, and Sherburne—7

Senate Bill No. 214 read second time.

Senate Bill No. 214 read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Alexander, Atherton, Bailey, Barry, Barton, Bost, Britt, Brown W. A., Brown J. B., Butler, Callaghan, Campbell, Carroll, Cohen, Colbert, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Gruwell, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hyde, Knox, LaBlanc, Lawrence, Lewis, Mahler, Martin, Mann, Matthews of San Benito, McDonnell, McGowan, Mitchell, Morgan, O'Grady, Ohleyer, Regan, Remson, Searey, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Sykes, Toner, Venable, Vincent, Weber, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr. Speaker—71

NOES—Mr. Carr—1.

Title read and approved.

MOTION TO RECONSIDER.

Mr. Lawrence moved to reconsider the vote whereby Assembly Bill No. 163 was made a special order for to-morrow, at three o'clock P. M.

So ordered.

MOTION.

Mr. Lawrence moved that Assembly Bill No. 163 be ordered engrossed, and to a third reading.

So ordered.

LEAVE OF ABSENCE.

Mr. Cope was granted leave of absence for the evening.

SECOND READING OF BILL.

Assembly Bill No. 301—An Act to add a new chapter to the Civil Code of the State of California, to be known as Chapter VIII, of Title XIV, of Part IV, of Division III, 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.

Read second time.

Committee amendments, as follows, adopted: Amend, by inserting, in line five of the title, after the words "eighty-two," the words "and three thousand and eighty-three;" by inserting, in line twenty-three, on page two, after the word "shall," the word "twice;" by inserting, in line seventy-two, page three, after the word "into," the words "and the articles to be sold shall be present and be exposed for inspection at the time and place of sale;" by adding a new section, as follows:

Section 3083. Nothing in this chapter shall be so construed as to conflict with any of the provisions of Chapter III, Title XIV, Part IV, Division III, of this Code.

To follow said proposed chapter.

Bill ordered engrossed, and to a third reading.

MOTION.

Mr. Granger moved that the rules be suspended, and that Assembly Bill No. 521 be taken up, out of order, and considered.

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

AYES—Messrs. Alexander, Atherton, Bailey, Barry, Barton, Bost, Brierly, Britt, Brown W. A., Brown J. B., Brusie, Burnett, Butler, Callaghan, Campbell, Cohen, Colbert, Cooley, Coombs, Cope, Curtis of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Gruwell, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, Knox, LaBlanc, Lewis, Mahler, Martin, Mann, Matthews of San Benito, McDonnell, McGowan, Mitchell, O'Grady, Regan, Remson, Searey, Shanahan, Sims, Spurgeon, Sykes, Toner, Varnel, Venable, Vincent, Williams, Wright, Young of San Joaquin, and Mr. Speaker—59.

NOES—Messrs. Adams, Carr, Carroll, Morris, Ohleyer, Sherburne, Weber, and Wilcox—8.

SECOND READING OF BILL.

Assembly Bill No. 521—An Act relating to the dissolution and modification of injunctions, and amending sections five hundred and thirty and five hundred and thirty-two of the Code of Civil Procedure.

Read second time.

Mr. Venable offered the following amendments, which were adopted: amend, in line nine, page one, printed copy, strike out

words "upon the hearing," and insert the following: "in all actions pending or which may be hereafter brought when an injunction or restraining order has been or may be granted, or applied for to prevent the diversion, pending the litigation, of water used, or to be used, for irrigation or domestic purposes only;" also, amend, by inserting, after word "granted," in line twenty-five, page two, of printed copy, the following. "in all actions pending or which may be hereafter brought when an injunction or restraining order has been or may be granted, or applied for to prevent the diversion, pending the litigation, of water used, or to be used, for irrigation or domestic purposes only."

Bill ordered engrossed, and to a third reading.

MOTION.

Mr. Colbert moved that the rules be suspended, and that Senate Bill No. 105 be taken up, out of order, and considered.

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

AYES—Messrs. Atherton, Barry, Barton, Bost, Briedy, Britt, Brown W. A., Brown J. B., Burnett, Butler, Callaghan, Campbell, Carr, Cohen, Colbert, Cooley, Coombs, Curry of San Francisco, Davis, Ewing, Granger, Gruwell, Handy, Henry of San Joaquin, Hotchkiss, Hyde, LaBlanc, Lawrence, Lewis, Mahler, Martin, Mann, Mathews of Tehama, Matthews of San Benito, McDonnell, O'Grady, Ohleyer, Price, Regan, Remson, Searey, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Sykes, Toner, Variel, Vincent, Wright, Young of San Diego, and Young of San Joaquin—56

NOES—Messrs. Adams, Bailey, Brusie, Currey of Solano, Knox, Weber, Wilcox, and Williams—7

LEAVE OF ABSENCE.

Messrs. Granger and Mathews of San Benito were granted leave of absence for the evening.

SECOND READING OF BILL.

Senate Bill No. 105—An Act to amend section three thousand seven hundred and two of the Act entitled "An Act to establish a Political Code," approved March 12, 1872, relative to the State Board of Equalization, its traveling expenses, and making an appropriation therefor.

Read second time.

IN COMMITTEE OF THE WHOLE.

On motion of Mr. Variel, the House went into Committee of the Whole, for the purpose of considering Senate Bill No. 105.

Speaker Jordan in the chair.

The bill was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Jordan 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. 105, and now report the same back and recommend that it do pass.

Report adopted.
Bill ordered to a third reading.

MOTION.

Mr. Cooley moved to suspend the rules, and take up Senate Bill No. 145, out of order, and consider the same.
The roll was called, and the motion carried by the following vote:

AYES—Messrs Atherton, Barry, Barton, Bost, Brierly, Britt, Brown W A, Brown J B, Brusie, Burnett, Butler, Callaghan, Campbell, Carr, Cohen, Colbert, Cooley, Coombs, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Gruwell, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, Knox, LaBlanc, Lawrence, Lewis, Mahler, Martin, Mann, Mathews of Tehama, Matthews of San Benito, McDonnell, McGowan, Mitchell, O'Grady, Ohleyer, Regan, Searey, Shanahan, Sherburne, Sims, Spurgeon, Taylor, Toner, Variel, Vincent, Weber, Wilcox, Wilhams, Wright, Young of San Diego, and Young of San Joaquin—64
NOES—Messrs. Adams and Bailey—2.

MOTIONS.

Mr. Cooley moved to make Senate Bill No. 145 the special order for to-morrow, at three o'clock P. M.
So ordered by a unanimous vote.
Mr. Young of San Joaquin moved that the rules be suspended, and that Assembly Bill No. 347 be taken up, out of order, and considered.
The roll was called, and the motion carried by the following vote:

AYES—Messrs Atherton, Bailey, Barton, Bost, Brierly, Britt, Brown W. A, Brown J B, Burnett, Butler, Campbell, Carr, Cohen, Colbert, Cooley, Coombs, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Gruwell, Handy, Hart, Heath, Henry of San Joaquin, Hotchkiss, Hyde, Knox, LaBlanc, Mahler, Martin, Mann, Mathews of Tehama, McDonnell, Mitchell, Morgan, Ohleyer, Regan, Renison, Searey, Shanahan, Sherburne, Sims, Spurgeon, Sykes, Toner, Variel, Vincent, Weber, Wilcox, Wilhams, Wright, Young of San Diego, and Young of San Joaquin—55
NOES—Messrs. Adams, Brusie, Venable, and Mr. Speaker—4

SECOND READING OF BILL.

Assembly Bill No. 347—An Act to amend section two thousand one hundred and thirty-seven of the Political Code, relating to the powers and duties of the Board of Directors of the State Insane Asylum at Stockton.
Read second time, ordered engrossed, and to a third reading.

MOTION.

Mr. Heath moved that the rules be suspended, and that Senate Bill No. 66 be taken up, out of order, and considered.
The roll was called, and the motion carried by the following vote:

AYES—Messrs Atherton, Barton, Bost, Britt, Brown W A, Butler, Callaghan, Campbell, Carr, Cohen, Colbert, Cooley, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Gruwell, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, Knox, LaBlanc, Lawrence, Lewis, Mahler, Martin, Mann, Mathews of Tehama, McDonnell, McGowan, Mitchell, Ohleyer, Renison, Searey, Shanahan, Sims, Spurgeon, Taylor, Toner, Variel, Venable, Vincent, Wilcox, Wright, Young of San Diego, Young of San Joaquin, and Mr Speaker—54
NOES—Messrs Bailey, Brierly, Brusie, Coombs, Morris, O'Grady, Regan, Sherburne, Sykes, Weber, and Williams—11.

MOTION.

Mr. Brierly moved to make the further consideration of the bill the special order for to-morrow, at three o'clock P M.

So ordered, on a division—ayes, 34; noes, 16.

Mr. Hyde moved that the rules be suspended, and that Senate Bill No. 342 be taken up, out of order, and considered.

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

AYES—Messrs Barry, Barton, Bost, Britt, Butler, Callaghan, Campbell, Carr, Cohen, Colbert, Cooley, Coombs, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Gruwell, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, Knox, LaBlanc, Lewis, Mahler, Martin, Mathews of Tehama, McGowan, O'Grady, Regan, Searey, Shanahan, Sherburne, Sims, Spurgeon, Sykes, Taylor, Toner, Variel, Venable, Weber, Wilcox, Wright, Young of San Diego, Young of San Joaquin, and Mr Speaker—50

NOES—Messrs Atherton, Bailey, Brierly, Brown W A, Brusie, Lawrence, and Williams—7

MOTION.

Mr. Lewis moved to suspend the rules, and to take up, out of order, Assembly Bill No. 331, and consider the same.

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

AYES—Messrs Barry, Barton, Bost, Britt, Brown W A, Brown J B, Callaghan, Cohen, Colbert, Cooley, Currey of Solano, Curry of San Francisco, Davis, Ewing, Gould, Gruwell, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, Knox, LaBlanc, Lawrence, Lewis, Mathews of Tehama, McDonnell, McGowan, Mitchell, O'Grady, Regan, Searey, Sherburne, Sims, Spurgeon, Sykes, Taylor, Toner, Variel, Vincent, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr Speaker—48

NOES—Messrs Atherton, Bailey, Brierly, Brusie, Butler, Campbell, Carr, Coombs, Ellsworth, Morris, Ohleyer, and Venable—12

MOTION.

Mr. Sherburne moved to suspend the rules, and take up Senate Bill No 10, out of order, and consider the same.

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

AYES—Messrs Atherton, Bailey, Barton, Bost, Britt, Callaghan, Campbell, Carr, Cohen, Cooley, Coombs, Currey of Solano, Curry of San Francisco, Ellsworth, Ewing, Gould, Gruwell, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, Knox, LaBlanc, Lawrence, Lewis, Mahler, Mathews of Tehama, McGowan, Mitchell, O'Grady, Searey, Shanahan, Sherburne, Sims, Sykes, Taylor, Toner, Variel, Vincent, Weber, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr Speaker—49

NOES—Messrs Barry, Brierly, Brusie, Butler, Colbert, Davis, Morris, Spurgeon, and Venable—9

GENERAL FILE—SECOND READING OF BILLS—(RESUMED).

Assembly Bill No. 250—An Act to amend section six hundred and thirty-six of an Act entitled an Act to establish a Penal Code, approved February 14, 1872, relating to the preservation of fish.

Read second time, ordered engrossed, and to a third reading.

MOTION.

Mr Knox moved to take up Substitutes for Assembly Bills Nos. 314 and 284.

MOTION TO AMEND RULES.

Mr. Variel gave notice, as follows:

Notice is hereby given, that, on to-morrow, I will move to amend Rule 77, to read as follows

77.

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, and shall retain such place until they have been read, unless otherwise ordered by a two-thirds vote of the elected members of the House, *provided*, that a majority vote of the members present shall be sufficient to enable a member who is the author of a given bill to either withdraw the same from the files or to substitute in lieu thereof on the files a Senate bill covering the same subject-matter. 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

LEAVE OF ABSENCE.

Mr. Gould was granted leave of absence for the evening.

The question recurring upon the motion to consider Substitute for Assembly Bills Nos. 314 and 284.

ADJOURNMENT.

At eleven o'clock and twenty minutes P. M. Mr. Henry of San Joaquin moved to adjourn

So ordered, on a division—ayes, 24; noes, 21.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Friday, March 4, 1887.

The House met pursuant to adjournment.

Speaker pro tem. Brierly in the chair.

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

Messrs Adams, Alexander, Atherton, Bailey, Barry, Barton, Bost, Brierly, Brown W A, Brown J B, Brusie, Burnett, Butler, Callaghan, Campbell, Carr, Carroll, Cooley, Coombs, Cope, Curtis of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Gruwell, Handy, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, Knox, LaBlanc, Lawrence, Lewis, Mahler, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Mitchell, Morgan, O'Grady, Ohleyer, Price, Rucker, Remson, Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Variel, Venable, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr Speaker.

Quorum present.

Speaker Jordan in the chair.

Prayer by the Chaplain, Rev. E. R. Dille.

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

So ordered.

Journal corrected and approved.

LEAVE OF ABSENCE.

Mr. Ewing was granted leave of absence for to-day.

SPECIAL ORDERS.

On motion of Mr. Granger, the special orders set for the morning were called up.

APPOINTMENT OF COMMITTEE.

The Speaker appointed Messrs. Renison, Venable, and Bost, as a committee to prepare amendments to Senate Constitutional Amendment No. 2.

MOTION.

Mr Granger moved to reconsider the vote whereby Assembly Constitutional Amendment No. 19 was lost on February twenty-fourth.

CONSIDERATION OF SPECIAL ORDER.

Assembly Constitutional Amendment No. 19—Proposing to the people of the State of California an amendment to the Constitution of the State, relating to the regulation and control by this State of the waters thereof for beneficial uses and ends.

MOTION.

At eleven o'clock A. M. Mr. Cohen called up special order set for this hour, consideration of Senate Bill No 69, and moved that it be continued until the subject under discussion be disposed of.

So ordered

The question being on the reconsideration of the vote whereby Assembly Constitutional Amendment No. 19 was lost on February twenty-fourth.

So ordered, on a division—ayes, 36; noes, 17.

CALL OF THE HOUSE.

Mr. Granger moved a call of the House.

The ayes and noes were demanded by Messrs. Granger, Shanahan, and O'Grady.

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

AYES—Messrs Atherton, Bailey, Barry, Barton, Britt, Butler, Callaghan, Campbell, Cohen, Coombs, Cope, Curry of San Francisco, Davis, Granger, Handy, Hart, Henry of Butte, LaBlanc Lawrence, Lewis, Mahler, Martin, Mathews of Tehama, Matthews of San Benito, McDonnell, McGowan, Mitchell, Morris O'Grady, Obleyer, Regan, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Variel, Venable, Vincent, Windrow, Wilcox, Williams, Wright, Young of San Diego, and Young of San Joaquin—46

NOES—Messrs Alexander, Bost, Brierly, Brown W A, Carr, Carroll, Currey of Solano, Ellsworth, Gould, Gruwell, Henry of San Joaquin, Hyde, Knox, Mann, Morgan, Price, Rucker, Renison, Toner, and Weber—21.

The question being on the call of the House

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

Messrs Adams, Alexander, Atherton, Bailey, Barry, Barton, Bost, Brierly, Britt, Brown W A, Brusie, Burnett, Butler, Callaghan, Campbell, Carr, Carroll, Cohen, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Gruwell, Handy, Hart, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, Knox, LaBlanc, Lawrence, Lewis, Mahler, Martin, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Mitchell, Morgan, Morris, O'Grady, Ohleyer, Price, Rucker, Remson, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Toner, Variel, Venable, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr Speaker

MOTION.

Mr. Granger moved that further proceedings under the call of the House be dispensed with.

So ordered.

Mr. Granger offered the following amendment to Assembly Constitutional Amendment No. 19: amend, by striking out from line seven, page two, of the printed amendment, the words "or to recover damages for."

Adopted.

The question being on the adoption of Assembly Constitutional Amendment No. 19.

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

AYES—Messrs Adams, Bailey, Barry, Barton, Brierly, Britt, Brown J B, Brusie, Burnett, Butler, Callaghan, Campbell, Cohen, Cooley, Cope, Curry of San Francisco, Davis, Gould, Granger, Henry of Butte, Hyde, LaBlanc, Lawrence, Lewis, Mahler, Martin, Mathews of Tehama, Matthews of San Benito, McClenahan, McGowan, Mitchell, O'Grady, Regan, Searey, Shanahan, Sims, Spurgeon, Sykes, Toner, Variel, Vincent, Windrow, Williams, Wright, Young of San Diego, and Young of San Joaquin—46

NOES—Messrs Alexander, Atherton, Bost, Carr, Carroll, Coombs, Currey of Solano, Ellsworth, Gruwell, Henry of San Joaquin, Hotchkiss, Knox, Mann, Morgan, Morris, Ohleyer, Remson, Sherburne, Taylor, Venable, Weber, Wilcox, and Mr Speaker—23

MOTION.

Mr. Young of San Joaquin moved to make Senate Constitutional Amendment No. 2 the special order for four o'clock this afternoon.

So ordered.

SPECIAL ORDER.

Mr. Cohen called up special order, consideration of Senate Bill No. 69.

SECOND READING OF BILL.

Senate Bill No. 69—An Act to create and maintain a relief and pension fund in the Police Department of all cities in this State having a police force of ten or more members, and to provide for the administration of such fund.

Read second time.

CASE OF URGENCY.

Mr. Cohen moved to suspend the rules and the provisions of section fifteen, of Article IV, of the Constitution, requiring bills to be read on three separate days, that Senate Bill No. 69 be declared a case of urgency, and that the bill be read a third time, and put on its final passage.

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

AYES—Messrs Adams, Atherton, Bailey, Barton, Bost, Brierly, Britt, Brown W A., Brown J. B, Brusie, Burnett, Butler, Callaghan, Campbell, Carroll, Cohen, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Ellsworth, Gould, Granger, Gruwell, Handy, Hart, Henry of Butte, Hotchkiss, Hyde, LaBlanc, Lawrence, Lewis, Mahler, Martin, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Mitchell, O'Grady, Ohleyer, Price, Regan, Rucker, Remson, Searey, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Toner, Variel, Venable, Vincent, Weber, Windrow, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr Speaker—67

NOES—Messrs. Carr and Henry of San Joaquin—2

NOTICE OF RECONSIDERATION.

Mr. Lewis gave notice that, on to-morrow, he would move to reconsider the vote whereby Senate Bill No. 69 was declared a case of urgency, ordered to a third reading, and put upon its final passage.

THIRD READING OF BILL.

Senate Bill No. 69 read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Atherton, Bailey, Barry, Barton, Bost, Brierly, Britt, Brown W. A, Brown J. B, Brusie, Burnett, Butler, Callaghan, Campbell, Carr, Carroll, Cohen, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Gould, Granger, Gruwell, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hyde, LaBlanc, Lawrence, Lewis, Mahler, Martin, Mann, McClenahan, McDonnell, Mitchell, O'Grady, Ohleyer, Price, Regan, Rucker, Remson, Searey, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Taylor, Toner, Variel, Venable, Vincent, Weber, Windrow, Williams, Young of San Diego, Young of San Joaquin, and Mr Speaker—66.

NOES—None

Title read and approved.

BILL WITHDRAWN.

Mr. Britt withdrew Assembly Bill No. 296, by consent of the House.

REPORTS OF STANDING COMMITTEES.

ON ENROLLMENT

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1887.

MR SPEAKER: Your Committee on Enrollment beg leave to report that the following Assembly Bills have been correctly enrolled

Assembly Bill No 119—An Act to amend section five hundred and fourteen of an Act entitled "An Act to establish a Political Code," approved March 12, 1872 relating to the salary of the deputy for the Superintendent of Public Instruction, and equalizing the same with the salaries paid the deputies for other State officers

Also, Assembly Bill No 10—An Act relating to insurance, to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, as amended by an Act entitled "An Act to amend the Civil Code, relative to insurance," approved April 1, 1878, and to add a new section thereto, to be known as section four hundred and thirty-two

Also, Assembly Bill No 9—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," adopted March 11, 1872, by adding thereto a new section, to be known as section one thousand three hundred and forty-eight, authorizing certain corporations to act as executor, and in other capacities

Also, Assembly Bill No. 135—An Act for the remuneration of Elisha O. Crosby, for money advanced to and for the State of California

Also, Assembly Bill No. 8—Entitled an Act to amend section six hundred and two (602) of the Political Code of the State of California, relating to insurance.

Also, Assembly Bill No 113—An Act to appropriate money to pay the claim of B F. Langford

And were presented to the Governor, this day, at eleven o'clock and twenty-five minutes A M

JAMES B BROWN, Chairman

ON LABOR AND CAPITAL.

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1887.

MR. SPEAKER: Your Committee on Labor and Capital, to whom was referred Assembly Bill No 535—An Act to prevent the adulteration of cigars, cigarettes, and manufactured tobacco—report the same back, and recommend that it do pass.

LABLANC, Chairman.

ON MILEAGE.

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1887.

MR SPEAKER: Your Committee on Mileage, to whom was referred the report of the Committee on Education, on the occasion of their visit to Oakland, Santa Clara, San José, and Berkeley—have had the same under consideration, and recommend that the following named members be allowed mileage: Hon. W. P. Mathews, to San Francisco and return, one hundred and sixty-eight miles; Hon. J. Sims, to San José, Santa Clara and return, via San Francisco, two hundred and seventy-six miles; Hon. J. R. Brierly, to Santa Clara, via San Francisco and San José, and return, three hundred miles; Hon. J. C. Brusie, to Santa Clara, via San Francisco and San José, and return, three hundred miles; Hon. G. W. Morgan, to Santa Clara, via San Francisco and San José, and return, three hundred miles; Miss Mary Bird, Clerk, to Santa Clara, via San Francisco and San José, and return, three hundred miles.

Resolved, That the Controller be and he is hereby authorized to draw his warrant for the sum of one hundred and sixty-four dollars and forty cents, in favor of John R. Brierly, to pay above mileage, payable out of the appropriation for the contingent expenses of the Assembly.

WEBER, Chairman.

Adopted.

REPORT OF SPECIAL COMMITTEE.

MR SPEAKER: Your committee, appointed on the twenty-first ultimo, to investigate the report that Hon. J. D. Young and Hon. Joseph Burnett, members of this Assembly, had refused to accompany the Sergeant-at-Arms, when under arrest, respectfully report as follows: We have examined the Journal of the Assembly of February twenty-first, and find that all proceedings under the call of the House were dispensed with prior to the report being made by the Sergeant-at-Arms. Your committee, therefore, believes that this action on the part of the House fully absolved the above named members from any infractions of the rules alleged to have been committed during the call of the House.

HYDE, Chairman.

Mr. Cooley moved that the report be adopted.

Mr. Brierly moved to recommit the report.

Mr. Cooley moved to amend, that they be granted further time, and report to the next Legislature.

Mr. Rucker moved to lay the whole subject-matter on the table.

So ordered.

SENATE MESSAGE.

SENATE CHAMBER, SACRAMENTO, March 3, 1887.

MR SPEAKER: I am directed to inform your honorable body that the Senate, on the twenty-sixth day of February, passed Senate Bill No. 194—An Act making appropriation for the purchase of additional jute machinery, and the erection of additional buildings for the manufacture of jute goods for the State Prison at San Quentin, and other expenses incidental and relating thereto.

Also, on March third, passed the following:

Senate Bill No. 446—An Act appropriating money to meet the contingent expenses of the Senate for its twenty-seventh session.

Also, Senate Bill No. 447—An Act appropriating 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-seventh session of the Legislature.

ED HAMILTON, Secretary.

The Speaker gave notice that, if there were no objections, the bills in Senate messages would be ordered to the file.

So ordered.

LEAVE OF ABSENCE.

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

MOTION TO AMEND THE RULES.

Mr. Variel moved to amend Rule 77, to read as follows:

77.

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, and shall retain such place until they have been read, unless otherwise ordered by a two-thirds vote of the elected members of the House, *provided*, that a majority vote of the members present shall be sufficient to enable a member who is the author of a given bill to either withdraw the same from the files or to substitute in lieu thereof on the files a Senate bill covering the same subject-matter 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

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

AYES—Messrs Alexander, Barry, Barton, Britt, Brown W A., Brown J B, Brusie, Burnett, Callaghan, Campbell, Cohen, Cooley, Curry of San Francisco, Davis, Gould, Gruwell, LaBlanc, Lawrence, Lewis, Mahler, Martin, McClenahan, McDonnell, O'Grady, Regan, Shanahan, Sims, Sykes, Toner, Variel, and Windrow—31

NOES—Messrs Adams, Atherton, Bailey, Bost, Brierly, Carr, Carroll, Cope, Currey of Solano, Ellsworth, Granger, Handy, Hart, Heath, Henry of San Joaquin, Knox, Mann, Mathews of Tehama, Matthews of San Benito, Morgan, Morris, Ohleyer, Price, Remson, Sherburne, Smyth, Spurgeon, Taylor, Vincent, Williams, and Mr. Speaker—31.

RECESS.

The hour of recess having arrived, at twelve o'clock and thirty minutes P. M. the Speaker declared the usual recess until two o'clock P. M.

REASSEMBLED.

At two o'clock P. M. the House reassembled.
Speaker Jordan in the chair.
Quorum present.

SPECIAL ORDER.

Mr. Sims called up Special Order No. 3, consideration of Assembly Bill No. 490.

SECOND READING OF BILL.

Assembly Bill No. 490—An Act to establish a Home of Industry and Refuge for ex-Convicts, and provide for the maintenance of the same.
Read second time.

IN COMMITTEE OF THE WHOLE.

On motion of Mr. Sims, the House went into Committee of the Whole, for the purpose of considering Assembly Bill No. 490.
Speaker Jordan in the chair.
The bill was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Jordan in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The Chairman stated the report as follows:

GENTLEMEN The Committee of the Whole have had under consideration Assembly Bill No 490—report the bill back, and recommend that it do pass

Report adopted.
Bill ordered engrossed, and to a third reading.

SPECIAL FILE.

Assembly Bill No. 561 passed on file.

THIRD READING OF BILL

Senate Bill No. 192—An Act establishing an Industrial Home of Mechanical Trades for the Adult Blind of the State of California, creating a Board of Directors for the government thereof, and appropriating the sum of sixty-five thousand dollars for the support of said Home

Read third time.

MOTIONS.

Mr. Rucker moved that the special order set for this hour—the consideration of the report of the Investigating Committee—be postponed until after the consideration of the bill now pending.

Mr. Brusie moved to amend, to fix the time of consideration at eight o'clock this evening.

The shortest time being put first, was lost.

The question recurring on the amendment offered by Mr. Brusie, it was carried, on division—ayes, 40; noes, 18.

The motion of Mr. Rucker, as amended, adopted.

Mr. Brierly moved that further consideration of Senate Bill No. 192 be postponed until four o'clock P. M. to-morrow

So ordered, on division—ayes, 46; noes, 5.

SPECIAL FILE—(RESUMED).

Assembly Bill No. 493 withdrawn by Mr. Rucker, by consent of the House.

MOTION.

Mr. Rucker moved that Senate Bill No 342 be substituted in the place occupied by Assembly Bill No. 493.

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

AYES—Messrs Alexander, Atherton, Bailey, Barry, Barton, Bost, Brierly, Britt, Burnett, Butler, Carr, Carroll, Cohen, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Ellsworth, Gould, Handy, Hart, Henry of Butte, Hotchkiss, Hyde, Knox, LaBlanc, Mahler, Martin, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, McGowan, Morris, O'Grady, Ohlever, Regan, Rucker, Shanahan, Sherburne, Sims, Spurgeon,

Sykes, Taylor, Varnel, Vincent, Weber, Wilcox, Williams, Wright, and Young of San Diego—50.

Noes—Messrs Brusie, Campbell, Colbert, Davis, Granger, Henry of San Joaquin, Lawrence, Mitchell, Morgan, Venable, and Mr Speaker—11

SPECIAL FILE—(RESUMED).

Substitute for Assembly Bills Nos. 214 and 284—An Act to amend Chapter III of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, and each and every article and section of said Chapter III, and substituting a new Chapter III, to take the place thereof in said Act, relating to the organization, incorporation, and government of municipal corporations of the second class.

Committee amendments, as follows, adopted: strike out all of section one, and insert in place thereof, the following:

SECTION 1 Chapter III of an Act entitled "An Act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, and each and every article and section of said Chapter III is hereby amended, and a new Chapter III is substituted to take the place thereof in said Act, to read as follows

Also, amend section three hundred and one, by striking out the first word "the," and inserting, in place thereof, the words "except as in this Act otherwise provided, the"

Also, amend section three hundred and two, line two, by striking out the word "April," and inserting the word "March."

Also, strike out all of the paragraph beginning with the word "seven," and ending with the word "city," and insert the following: "A City Council, to be composed of one Councilman from each ward of the city, who shall be elected from such ward by the vote of the electors of such ward. The said officers shall respectively hold office for the term of two years, and until their successors are elected and qualified, except as in this chapter otherwise provided."

Also, amend section three hundred and six, line two, after the word "Mayor," by inserting, "and the officers of the Educational Department;" on line three, after the word "provided," insert a comma, and the word "and."

Also, strike out all of section three hundred and eight, on pages six and seven, and insert the following in place thereof:

SEC 308 *Salaries of Officers* The salaries and compensation of all officers, clerks, and employés of the city, except the pay of officers and employés of the Educational Department, shall be paid yearly as follows, to wit For the Mayor, two thousand dollars, Mayor's Clerk, twelve hundred dollars, Treasurer, fifteen hundred dollars, Auditor and Clerk of the City Council, twenty-four hundred dollars, Assessor, forty-five hundred dollars, and pay his own deputies, Tax Collector, five thousand dollars, and pay his own deputies, Clerk of the Police Court, twelve hundred dollars, City Attorney, two thousand dollars, Assistant City Attorney, fifteen hundred dollars, Superintendent of Streets, twenty-four hundred dollars, School Superintendent, twenty-four hundred dollars, Assistant to the School Superintendent, twelve hundred dollars, Chief of Police, twenty-four hundred dollars, Captain of Police, fifteen hundred dollars, Mounted Policemen, fourteen hundred dollars; Policemen, twelve hundred dollars, Chief of the Fire Department, two thousand dollars, City Engineer, twenty-four hundred dollars, Police Judge, twenty-four hundred dollars, Zanjero, two thousand dollars, Harbormaster, twenty-four hundred dollars, City Justices, each, two thousand dollars, Health Officer, two thousand dollars, Fire Warden and Superintendent of Fire and Police Telegraph, eighteen hundred dollars, Councilmen shall receive five dollars for each meeting of the City Council at which they shall be in actual attendance The salaries of all officers shall be paid in monthly installments at the end of each and every month, *provided*, that no salary shall be paid to any of the above named officers unless his office be established by this charter, or by some ordinance of said city

Also, amend subdivision two, line six, by striking out the word "value," and inserting, in place thereof, the word "same."

Also, amend subdivision nine, line three, by striking out the word "walls," and inserting, in place thereof, the word "wharves."

Also, amend sub-section twenty-two, by striking out the last two words, "and awnings," and inserting a period after the word "wires."

Also, amend line three, by inserting, after the word "Council," the following: "and duly approved in writing by the Mayor."

Also, amend subdivision thirty-five, by striking out all of the sentence beginning with the italicized words "*and also provided*," on line one hundred and nineteen, down to and including the word "city," on line one hundred and twenty-three.

Also, amend line one hundred and twenty-three, by inserting, after the word "made," the words "for a longer term than twenty-five years."

Also, amend sub-section thirty-six, by striking out the words "Board of Health and a," and after the word "parks," insert the words "from their own body."

Also, amend sub-section thirty-eight, by striking out the word "fix," and the words "compensation and;" also, insert, at end of section, after the word "city," "no compensation shall be allowed to the members of said Board."

Also, add a new sub-section, to be known as—

45 To build, alter, improve, keep in repair, and control the waterfront, to erect, regulate, and repair wharves, and to fix the rate of wharfage and transit wharf and levy dues upon vessels and commodities, and to provide for the regulation of berths, landing, stationing, and removing of steamboats, sail vessels, rafts, barges, and all other watercraft, to fix the rate of speed at which steamboats and other steam watercraft may run along the waterfront of the city, to build bridges, so as not to interfere with navigation; to provide for the removal of obstructions to the navigation of any channel or watercourse, to clear out and excavate sloughs and other watercourses or channels, to license steamers, boats, and vessels used in any watercourse in the city, and to fix and collect a license tax thereon, to license ferries and bridges, under the law regulating the granting of such license

To amend section forty-five to section forty-six.

Also, strike out all of section three hundred and twelve, and insert, in place thereof, the following:

SEC 312 The City Council shall, by ordinance, in the year eighteen hundred and ninety-one, and every tenth year thereafter, redistrict the city into wards, not to exceed seven in number The wards shall be made as nearly equal in population and as geographically compact as possible, and the division shall be made in such a manner as to make the population in the several wards as nearly equally divided between the political parties as possible, *provided*, that the city shall not be so redistricted within ninety days of a general or municipal election, nor shall the existing number of wards be increased or diminished by the City Council

Also, amend section three hundred and fourteen, line three, by striking out the word "Mayor," and insert the word "Auditor."

Also, amend section three hundred and seventeen, by striking out all after the word "year," in line five, and inserting, in place thereof, "*provided*, that the rate of taxes so levied shall not exceed, in any one year, one dollar for each one hundred dollars upon the assessment roll, except for the payment of the principal and interest of the bonded debt of said city."

Also, amend sub-section sixth, by striking out the last word, "Clerk," at end of second line, and inserting, after the word "city," the following, "Auditor and ex officio City Clerk."

Also, amend sub-section eleven, by striking out of line forty-two, the words "City Clerk," and inserting, in place thereof, the words "City Auditor."

Also, amend line six, by striking out the second word, "only," after the word "purpose."

Also, on line ten, after the word "same," insert the following: "*provided, further*, such proposition may also propose the election at the same time of three Commissioners of Public Works."

Also, strike out all of the sentence beginning with the word "The," and to the end of the sentence on line fourteen ending with the word "incurred," then insert the sentence at the end of line twenty, after the word "values," as follows: "The money so raised shall be paid into the Treasury and there kept as a special (naming it) fund, and to be drawn and used only for the special purpose for which the indebtedness was incurred;" and further amend, by adding, after the word "incurred," the following provision: "The three persons elected as Commissioners of Public Works shall constitute a Board of Public Works. They shall take the entire control, charge, and management of the proceeds of all bonds issued and sold under the provisions hereof, and of the expenditure and disbursement of the same; of all buildings and other improvements to be erected; of all contracts to be made in the erection and construction of the same; *provided*, the City Council may prescribe by ordinance the manner in which and the conditions upon which the said contracts shall be let. Said Commissioners shall have power to appoint a Secretary of said Board, at a salary of one hundred and fifty dollars per month. Said Commissioners shall qualify within ten days after receiving notice of their election, by giving bond in the sum of ——. Said bond to be given, approved, and filed, and recorded, as in the case of all other officers provided for herein. Said Commissioners shall hold office until the next general municipal election, when their successors shall be elected; *provided*, the public works to be erected by said Board shall not be wholly completed at the time of said election, but if said public works shall be completed at the time of said election, or at any time, then said Board of Commissioners shall cease to longer exist. If, when said public works are completed, any part of said fund shall remain unexpended, it shall be turned into the Public Building Fund, and shall be kept apart for the sole use of the repair and construction of the public buildings of said city. Said Commissioners shall be paid for their services the sum of five dollars per day."

Also, on lines seventeen and eighteen, strike out the words "disposing of the same."

SPECIAL ORDER.

Pending the consideration of the amendments to the above bill, Mr. Cooley called up special order set for this hour.

THIRD READING OF BILL.

Senate Bill No. 145—An Act to amend sections five, six, eight, nine, eleven, seventeen, eighteen, twenty-three, and twenty-six of an Act entitled "An Act to define, regulate, and govern the State Prisons of California," approved April 15, 1880.

Read third time.

MOTION.

Mr. Coombs moved that Senate Bill No. 145 be made the special order for immediately after the reading of the Journal, to-morrow.

So ordered.

Senate Bill No. 66—An Act to appropriate money to pay for the publication of Amendment Number One to the Constitution, as submitted at the general election, November 2, 1886.

Read second time, March third.

IN COMMITTEE OF THE WHOLE.

On motion of Mr. Lawrence, the House went into Committee of the Whole, for the purpose of considering Senate Bill No. 66.

Speaker Jordan in the chair.

The bill was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Jordan in the chair

REPORT OF COMMITTEE OF THE WHOLE.

The Chairman stated the report as follows:

GENTLEMEN The Committee of the Whole have had under consideration Senate Bill No 66—and now report the same back, and recommend that it do pass

Report adopted.

Bill read third time.

MOTION.

Mr. Brierly moved that a select committee of one be appointed to prepare amendment as follows:

Amend, by adding, after the word "year," at the end of section two, as follows. "*provided*, that the State Board of Examiners shall cause the publishers of any newspaper to show whether the advertisement was at any time published in any place other than a regular issue of either a four-page or an eight-page newspaper, and if it appears that such advertisement was at any time published in any other than such four-page or eight-page newspaper, then not more than fifty per cent of the rate per issue charged in the bills heretofore presented shall be paid for any insertion or insertions, except in such four-page or eight-page newspaper."

QUESTIONS OF PRIVILEGE.

Mr. Brierly arose to a question of privilege.

Mr. Renison also arose to a question of privilege.

The question recurring on the motion of Mr. Brierly, to appoint a select committee of one.

The ayes and noes were demanded by Messrs. Renison, Brierly, and W. A. Brown.

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

AYES—Messrs Atherton, Barry, Brierly, Britt, Brown W A, Brown J B, Brusie, Burnett, Butler, Campbell, Cohen, Colbert, Coombs, Currey of Solano, Curry of San Francisco,

Davis, Henry of Butte, Hyde, LaBlanc, Martin, Mann, McDonnell, McGowan, Price Searey, Sherburne, Sims, Spurgeon, Toner, Variel, Vincent, Weber, and Williams—33

NOES—Messrs Adams, Alexander, Bailey, Barton, Bost, Carr, Carroll, Cooley, Cope, Ellsworth, Gould, Granger, Gruwell, Handy, Hart, Heath, Henry of San Joaquin, Hotchkiss, Knox, Lawrence, Mahler, Mathews of Tehama, McClenahan, Mitchell, Morgan, Morris, Remson, Shanahan, Smyth, Sykes, Taylor, Venable, Windrow, Young of San Diego, Young of San Joaquin, and Mr. Speaker—36.

The question being on the passage of Senate Bill No. 66.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Atherton, Bailey, Barry, Barton, Bost, Brierly, Britt, Brown W. A., Brown J B, Brusie, Burnett, Butler, Callaghan, Campbell, Carr, Carroll, Cohen, Colbert, Cooley, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Gould, Granger, Gruwell, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, Knox, LaBlanc, Lawrence, Mahler, Martin, Mann, Mathews of Tehama, McClenahan, McDonnell, McGowan, Mitchell, Morgan, Morris, Ohleyer, Remson, Searey, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Toner, Variel, Venable, Vincent, Weber, Williams, Young of San Joaquin, and Mr Speaker—67

NOES—None

Title read and approved.

CONSIDERATION OF SUBSTITUTE FOR ASSEMBLY BILLS Nos. 314 AND 284—(RESUMED)

Committee amendments as follows, continued.

Also, amend line two, section three hundred and twenty-five, by striking out the words "thirty-nine," and inserting "twenty-four."

Also, amend line three, section three hundred and twenty-eight, by striking out the word "six," and inserting, in place thereof, the word "seven."

Also, amend section three hundred and forty-nine, line seven, by striking out, after the word "article," all of the balance of the section.

Also, amend line fifteen, by striking out the period after the word "provided," and inserting a comma; take out the capital letter "I," and insert a lower case "i."

Also, amend subdivision two, line nine, by striking out the words "seventy-seven," and inserting, in place thereof, the words "fifty-eight."

Also, amend subdivision nine, by striking out the words "sixty-six," and inserting, in place thereof, the words "forty-seven."

Also, amend section three hundred and fifty-four, line twenty-one, by striking out the words "seventy-five," and inserting, in place thereof, the words "fifty-six."

Also, amend line four, section three hundred and fifty-six, by striking the letter "s" from the word "claims."

Also, amend section three hundred and fifty-seven, line three, by striking out the words "seventy-five," and inserting the words "fifty-six;" also, line six, strike out the words "seventy-five," and insert the words "fifty-six," and the word "that," and insert the word "than."

Also, amend section three hundred and fifty-eight, line five, by striking out the words "sixty-six," and inserting, in place thereof, the words "fifty-seven;" also, on line fifteen, strike out "seventy-eight," and insert "fifty-nine;" also, on line seventeen, strike out "seventy-three," and insert "fifty-four."

Also, amend section three hundred and sixty, line four, by striking out the words "seventy-seven," and inserting, therefor, the words "fifty-eight."

Also, amend section three hundred and sixty-two, line four, by striking out "seventy-seven," and inserting, in place thereof, "fifty-eight."

Also, amend subdivision second, line nine, by striking out the words "sixty-six," and inserting, in place thereof, the words "forty-six."

Also, amend section three hundred and sixty-seven, line two, by changing the word "superintendent," to the word "superintend."

Also, amend section three hundred and sixty-eight, line two, by striking out the words "and may build, repair;" and, on line three, the words "and clean sewers," and insert, in place thereof, the following: "may build all other than main sewers, and repair and clean both main and connecting sewers."

Also, amend section three hundred and sixty-nine, line eleven, by inserting, before the first word, "section," the word "this," and by striking out, on same line, after the first word, "section," the words "three hundred and sixty-six of this article," and by striking out, on line twelve, the words "mentioned in this section."

Also, amend section three hundred and seventy, line five, by striking out the words "seventy-three," and inserting, in place thereof, the words "fifty-four;" also, by striking out all the words on line six, after the word "article," to end of section

Also, amend section three hundred and seventy-one, line five, by striking out the first word, "contingent," and inserting, in place thereof, the word "department;" also, amend, by inserting, after the word "provided," on line eighteen, the following: "*provided, however*, that such notice shall also propose the election of three Commissioners of Public Works, if there shall not then be an elected Board of Public Works for such city;" also, amend section three hundred and seventy-one, line three, by striking out the word "added."

Also, amend section three hundred and seventy-two, line three, after the first word, "section," by adding the words "or of any other sections of this chapter."

Also, amend section three hundred and seventy-nine, by striking out, after the section number, the first two lines, beginning with the word "In," to and including the first word, "Mayor," on line five; also, amend line eight, after the words "Mayor's Clerk," by adding the words "by and with the consent of the Council, a;" also, strike out the word "the," before "Board," on same line.

MOTION.

At four o'clock P. M. Mr. Mathews of Tehama called up special order set for this hour, the consideration of Senate Constitutional Amendment No. 2, and moved that further consideration be continued until after the disposal of the matter now in hand.

So ordered.

CONSIDERATION OF AMENDMENTS—(CONTINUED).

Also, amend section three hundred and eighty, line nine, by inserting, before the word "Monday," the words "the first:" also, strike out, on same line, the word "week," and insert the word "month;" on line sixteen, strike out the words at end of the line, "for the salary of the Mayor and;" on line eighteen, strike out first word, "Mayor," and insert the word "Auditor;" on line twenty-seven, strike out last

words, "except the:" on line twenty-eight, strike out first word, "Mayor," on same line, strike out words "School Trustees," and insert word "Education," also, on line thirty-four, after the word "numbered," insert the word "and;" on line forty-two, before the first word, "who," insert the word "assigns;" on line forty-five, strike out the word "He," and insert, in place thereof, the words, "The Auditor and ex officio City Clerk"

Also, amend section three hundred and eighty-one, by adding, after the last word, "charge," all of section three hundred and eighty-two, commencing with the word "If," and ending with the word "sustained," also, amend, by adding the following as section three hundred and eighty-two, under the head of Harbormasters:

HARBORMASTERS.

SEC. 382. The Harbormaster shall collect all licenses and wharfage rates, and he shall pay the same monthly to the City Treasurer, unless otherwise ordered by the City Council. He shall regulate the landing and stationing of all steamers, vessels, boats, or other watercraft, and shall make report to the City Council each month. He shall have general supervision of all waterfronts, levees, wharves, sloughs, and waterways, and shall superintend all work, repairs, or improvements thereof or thereon. He shall make report of his doings, and shall do and perform such other duties as may be required of him by the City Council. He is hereby authorized, in his official capacity, to make all written contracts, and to do any other act, either expressed or implied, that pertains to the duties of his office, as provided for by law or by ordinance of said City Council. He shall fix the time for the performance of the work under all contracts entered into by him, in accordance with the notice given by the City Council, and may extend the time so fixed, from time to time, under the direction of said City Council. All work upon the waterfronts, levees, wharves, sloughs, and waterways of said city, provided for by law or under the orders or ordinances of the City Council of such city, must, in all cases, be done under the direction and to the satisfaction of the Harbormaster, and the materials used shall be such as are required by said Harbormaster, in accordance with the contracts, and all contracts made therefor must contain this condition, and also express notice that in no other case, except when it is otherwise provided by law, will the city be liable for any portion of the expense, and when such expense is defrayed by assessment, in no case for delinquency of persons or property.

Also, amend section three hundred and eighty-six, line four, before the word "and," by inserting the words "Justice of the Peace."

Also, amend line four, page fifty-six, after the word "city," by inserting the words, "except as provided by ordinance of," and strike out of lines four and five the words "without a special order from."

Also, amend section four hundred and twenty, line two, by striking out the words "with the advice and consent of the City Council."

Also, amend line one, page sixty-seven, by striking out the words "City Council," and inserting, in place thereof, the word "Mayor."

Also, amend section four hundred and twenty-four, by inserting, after the word "Board," at end of section, the following: "all libraries and reading-rooms heretofore established in said city, and all property, real and personal, thereto belonging, shall be turned over to the charge, custody, and administration of such Board of Directors as may be continued or appointed in such city under the provisions of this article, with like powers and liabilities as if such library had been established under this Act."

Mr. Knox moved to amend as follows: by inserting, in amendment to section five hundred and twenty, page eighteen, line eighteen, after the word "values," the following: "The provisions of sections three hundred and seventy-one, three hundred and seventy-two, three hundred and seventy-three, and three hundred and seventy-four of this chapter, relating to the issuance and the sale of bonds, the payment of the principal of the bonded debt, and the interest thereon, are

hereby made applicable to the bonds authorized to be issued and sold under this section." Also, amend, by striking out on line twenty-nine, page eighteen, the words, "the sum of ——," and inserting, instead, the following: "such amount as may be fixed by resolution of the City Council;" also, amend, by striking out, on line eighteen, page eighteen, all of said line, beginning with the words "next general;" also, of lines thirty-two, thirty-three, and thirty-four, and all of line thirty-five to the word "exist," inclusive, and by inserting, in lieu thereof, the following: "completion of such building, work, property, or improvement;" also, amend, by inserting, on line thirty-seven, page nineteen, after the word "buildings," the words "and public works."

Adopted.

Also, amend, by inserting, at the beginning of section three hundred and seventy-nine, line one, to precede the words "the Mayor," the following: "The Mayor shall preside at the meetings of the City Council, but shall not vote, except in case of a tie, when he shall give the casting vote. The Council shall elect a President pro tempore, who shall preside during the absence of the Mayor. In case of a vacancy in the office of Mayor, or during his absence from the city, the President pro tempore of the City Council shall have all the powers and discharge all the duties of Mayor."

Adopted.

Mr. Cooley moved to amend, by striking out of section three hundred and twelve, line one, the word "shall," and insert "may;" also, by striking out of section three hundred and twelve, lines one and two, the words "in the year eighteen hundred and ninety-one, and every tenth year thereafter," and inserting, instead, the following: "at any time after the incorporation of any city under this charter."

Adopted.

Bill ordered engrossed, and to a third reading.

SPECIAL ORDER.

Senate Constitutional Amendment No 2—To propose to the people of the State an amendment to the Constitution of the State, relative to the Judicial Department.

REPORT OF SPECIAL COMMITTEE.

MR SPEAKER Your special committee, to whom was referred Senate Constitutional Amendment No 2—report the same back, with the amendments hereto attached, and recommend that said amendments be adopted

THOS RENISON,
JOHN W BOST,
McD R VENABLE,
Special Committee

Amend section seventeen, by striking out all after the word "Judges," in line ten, page four, and insert the following: "of the City and County of San Francisco, and the Counties of Alameda, Los Angeles, Santa Clara, Sacramento, Sonoma, San Joaquin, Solano, Butte, Nevada, Humboldt, and the Counties of Yuba and Sutter combined, shall receive an annual salary of five thousand dollars each; and the Superior Court Judges of the Counties of Placer, Tulare, Santa Cruz, Fresno, Mendocino, San Bernardino, Monterey, Colusa, Yolo, Napa, El Dorado, Amador, Contra Costa, Stanislaus, Santa Barbara, Cala-

veras, San Luis Obispo, Shasta, Tehama, and San Diego, shall receive an annual salary of four thousand dollars each; and the Superior Court Judges of each of the other counties of the State shall receive an annual salary of three thousand dollars."

Mr. Hotchkiss moved to amend the committee amendments, as follows: amend, by striking out "Sonoma," where it occurs in the amendments of committee, after the word "Sacramento," and insert "it," after the word "Shasta."

Adopted.

Mr. Vincent moved to amend, by striking out the word "Fresno," in the amendment of committee.

Adopted.

Mr. Mathews of Tehama in the chair.

Mr. Coombs moved to amend, as follows: amend the amendment to the Constitution, by striking out the word "Napa," and the words "Santa Cruz," and the word "Yolo."

Adopted.

Mr. Venable offered the following substitute for the committee amendment: amend, by striking out all after line seventeen, on page three, being all of section seventeen. Also, amend title, by striking out the words "and seventeen" in title, and also insert the word "and" between the words "two" and "three" in title.

Adopted, on a division—ayes, 38; noes, 2.

Mr. Granger moved to amend the Constitutional Amendment, as follows: by striking out all of the proposed amendment preceding the words "The Supreme Court Commissioners," on line forty-four, page two, and striking out all of the proposed amendment following the end of section two, on page three, of the printed proposed amendment.

PREVIOUS QUESTION.

Mr. Young of San Joaquin moved the previous question, seconded by Messrs. Wright and Henry of Butte.

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

Speaker Jordan in the chair.

The question recurring on the amendment offered by Mr. Granger, it was lost.

Mr. Brierly moved to amend, by adding, after the sentence ending with the word "amendment," in line forty-six, section two, the following: "Said Commission may be continued for such time thereafter as may be fixed by an Act passed by a vote of two thirds of the elected members of each House of the Legislature, and approved by the Governor."

Adopted, on division—ayes, 28; noes, 3.

Mr. Brierly moved to amend, by striking out of section two, line seven, the words "same term that he was elected or appointed Justice," and inserting, instead, the words "for a term of four years from the second Monday in January, after the regular election of Justices as required by section three of this article;" in section two, lines ten and eleven, strike out the words "and the Justice so elected shall be Chief Justice for the remainder of his term."

MOTION.

Mr. Ellsworth moved that the subject under discussion be made the special order for nine o'clock this evening.

Lost.

The question being on the amendment offered by Mr. Brierly, the same was adopted, on a division—ayes, 34; noes, 2.

The question recurring on the adoption of Senate Constitutional Amendment No. 2, as amended.

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

AYES—Messrs. Alexander, Atherton, Bailey, Barry, Barton, Bost, Brierly, Brown W. A., Butler, Callaghan, Campbell, Carroll, Cohen, Colbert, Coombs, Cope, Currey of Solano, Curry of San Francisco, Ellsworth, Gould, Gruwell, Handy, Hart, Heath, Hotchkiss, Hyde, LaBlanc, Lawrence, Lewis, Mahler, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Mitchell, Morgan, Morris, Ohlever, Price, Regan, Rucker, Searey, Shanahan, Sims, Spurgeon, Sykes, Taylor, Toner, Vanel, Venable, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, and Young of San Joaquin—59

NOES—Messrs. Adams, Carr, Granger, Henry of San Joaquin, Sherburne, and Smyth—6.

SENATE CONSTITUTIONAL AMENDMENT No. 2.

Constitutional Amendment to propose to the People of the State an amendment to the Constitution of the State, relative to the Judiciary Department.

Resolved, That the Legislature of the State of California, at its regular session, commencing on the third day of January, A. D. 1887, two thirds of all the members elected to each of the two Houses of said Legislature voting in favor thereof, hereby propose that sections two and three, of Article VI, of the Constitution of said State, be amended so as to read as follows:

Section 2. The Supreme Court shall consist of seven Justices. The Chief Justice and Associate Justices of the Supreme Court, in office at the time of the adoption of this amendment to the Constitution, are hereby continued in office as Chief Justice and Justices of the Supreme Court for the remainder of the terms to which they were respectively elected. When the first vacancy occurs in the office of Chief Justice, the Justices shall elect one of their number to be Chief Justice, and he shall hold the office of Chief Justice of said Court for a term of four years from the second Monday in January after the regular election of Justices as required by section three of this article. An entry of the election of such Chief Justice shall be made in the minutes of the Court and signed by four Justices. Whenever thereafter a vacancy occurs in the office of Chief Justice, a like election shall be had to fill such office. The Supreme Court may sit in departments or in bank, and shall always be open for the transaction of business. There shall be two departments, denominated, respectively, Department One and Department Two. The Chief Justice shall assign three of the Justices to each department, and such assignment may be changed by him from time to time. The Justices shall be competent to sit in either department, and may interchange with each other by agreement among themselves or as ordered by the Chief Justice. Each of the departments shall have the power to hear and determine causes and all questions arising therein, subject to the provisions hereinafter contained in relation to the Court in bank. The presence of three Justices shall be necessary to transact any business in either of the departments, except such as may be done at chambers, and the concurrence of two Justices shall be necessary to pronounce a judgment. The Chief Justice shall apportion the business to the departments, and may, in his discretion, order any cause pending before the Court to be heard and decided by the Court in bank. The order may be made before or after judgment pronounced by a department, but where a cause has been allotted to one of the departments, and a judgment pronounced thereon, the order must be made within thirty days after such judgment, and concurred in by two Justices, and if so made it shall have the effect to vacate and set aside the judgment. Any four Justices may, either before or after judgment by a department, order a cause to be heard in bank. If the order be not made within the time above limited, the judgment shall be final. No judgment by a department shall become final until the expiration of the period of thirty days aforesaid, unless approved by the Chief Justice, in writing, with the concurrence of two Justices. The Chief Justice may convene the Court in bank at any time, and shall be the presiding Justice of the Court when so convened. The concurrence of four Justices present at the argument shall be necessary to pronounce a judgment in bank, but if four Justices, so present, do not concur in a judgment, then all the Justices qualified to sit in the cause shall hear the argument, but to render a judgment a concurrence of four Judges shall be necessary. In the determination of causes all decisions of the Court in bank, or in departments, shall be given in writing, and the grounds of the decision shall be stated. The Chief Justice may sit in either department, and shall preside when

so sitting, but the Justices assigned to each department shall select one of their number as presiding Justice In case of the absence of the Chief Justice from the place at which the Court is held, or his inability to act, the Associate Justices shall select one of their own number to perform the duties and exercise the powers of the Chief Justice during such absence or inability to act The Supreme Court Commission, created by the Act of the Legislature, approved March twelfth, eighteen hundred and eighty-five, shall continue and be a Supreme Court Commission for four years after the adoption of this amendment Said Commission may be continued for such time thereafter as may be fixed by an Act passed by a vote of two thirds of the elected members of each House of the Legislature, and approved by the Governor The members thereof and Secretary shall be appointed as in said Act provided, and such Commission shall be subject to removal in like manner as Judges of the Supreme Court Said Commission shall have the same power to hear and determine causes possessed by a department of the Supreme Court, and causes may be assigned to the Commission in the same manner they are assigned to a department, and after decision they may be ordered heard in bank in the same way and with like restrictions as if decided in department The judgments of the Commission shall be entered as the judgments of the Court. The Commission shall sit at such times and places as may be designated by the Court, but such Commissioners shall not exercise any judicial functions except when assembled as a Commission, and then they shall only have power to hear and determine such causes as may have been assigned to them

Section 3 The Justices of the Supreme Court shall be elected by the qualified electors of the State at large, at the general State elections, and the times and places at which State officers are elected, and the term of office shall be twelve years from and after the first Monday after the first day of January next succeeding their election Three Justices shall be elected for the full term at the general State election held in eighteen hundred and ninety, and at the general election held every fourth year thereafter, two Justices shall be elected for full terms of twelve years, except that in every twelfth year thereafter three Justices shall be elected for full terms If the Chief Justice, or any Justice, becomes permanently disqualified, either mentally or physically, to perform the duties of his office, and such fact is certified to the Governor by five Justices, one of whom may be the Chief Justice in case of the disability of a Justice, the office of such disqualified person becomes immediately vacant, and he shall be paid a retiring salary of two hundred and fifty (250) dollars per month for the remainder of his term If a vacancy occur in the office of a Justice, the Governor shall appoint a person to hold the office for the remainder of the unexpired term If a vacancy occur in the office of Chief Justice, before the expiration of the term of the present incumbent, the Governor shall appoint a Justice to hold office as Justice until the first Monday of January, eighteen hundred and ninety-one

RESOLUTION—(OUT OF ORDER).

By Mr. Hyde:

Resolved, That two hundred extra copies be printed of Assembly Bill, Substitute for Nos. 314 and 284.

Laid over under the rules.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1887

MR SPEAKER Your Committee on Judiciary, to whom was referred Senate Bill No 232—An Act to increase the number of Judges of the Superior Court of the County of Fresno, State of California, and for the appointment of an additional Judge—have considered the same, and now report it back, with the recommendation that it do pass

VARIEL, Chairman.

CASE OF URGENCY.

Mr. Wright moved to suspend the rules and the provisions of section fifteen, of Article IV, of the Constitution, requiring bills to be read on three separate days, that Senate Bill No. 232 be declared a case of urgency, and that the bill be read a first, second, and third time, and put on its final passage.

Mr. Brierly moved to amend, by taking the bill up, and reading the first time.

So ordered, on a division—ayes, 29; noes, 27.

LEAVE OF ABSENCE.

Messrs. Spurgeon, Renison, and Variel were granted leave of absence for the evening.

FIRST READING OF BILL.

Senate Bill No 232—An Act to provide one additional Judge of the Superior Court of the County of Fresno, State of California.

Read first time.

MOTION.

Mr. Wright moved that Senate Bill No. 232 be made a special order for to-morrow morning, at eleven o'clock and thirty minutes.

So ordered.

Mr. Brierly moved that the rules be suspended, and that Senate Bill No. 237 be taken up, out of order, from unfinished business, and considered.

RECESS.

Pending roll-call, the hour of recess having arrived, the Speaker declared the usual recess until seven o'clock and thirty minutes P. M.

REASSEMBLED.

The House reassembled at seven o'clock and thirty minutes P. M.

Speaker Jordan in the chair.

Quorum present.

The question recurring on the roll-call, on the motion of Mr. Brierly, to suspend the rules and take up out of order Senate Bill No. 237.

MOTION.

Mr. Brierly moved to postpone the interrupted roll-call for fifteen minutes.

So ordered.

Assembly Constitutional Amendment No. 20 temporarily passed on file.

SECOND READING OF BILL.

Assembly Bill No. 560—An Act to appropriate money to meet a deficiency in the appropriation for the State's portions of the salaries of the Superior Judges, for the thirty-eighth fiscal year.

Read second time.

MOTION.

Mr. Brierly moved that the House go into Committee of the Whole, and consider Assembly Bill No. 560, with the Speaker in the chair.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Jordan in the chair.

The bill was considered in the Committee of the Whole.

IN ASSEMBLY.

Speaker Jordan in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The Chairman stated the report of the committee as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No 560—and report the same back, and recommend that it do pass, as amended, as follows: amend, by striking out of section one, the word "five," before the word "thousand," and insert the word "six."

Report adopted.

Bill ordered engrossed, and to a third reading.

SECOND READING OF BILL.

Assembly Bill No. 503—An Act to provide for compiling, illustrating, electrotyping, printing, binding, copyrighting, and distributing certain books of a State series of school text-books, and appropriating money therefor.

Read second time.

The interrupted roll-call was resumed, and the motion carried by the following vote:

AYES—Messrs Adams, Atherton, Bailey, Barton, Bost, Brierly, Britt, Brown W. A., Butler, Callaghan, Campbell, Carl, Carroll, Cohen, Colbert, Coombs, Cope, Currey of Solano, Curry of San Francisco, Ellsworth, Ewing, Gould, Granger, Gruwell, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, Knox, LaBlanc, Lawrence, Lewis, Mahler, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Mitchell, Morgan, Morris, Ohleyer, Rucker, Searey, Shanahan, Sims, Smyth, Spurgeon, Sykes, Taylor, Variel, Venable, Weber, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr Speaker—61.

NOES—None

MOTION.

Mr. Brierly moved that Assembly Bill No. 237 be placed on Special File.

So ordered.

Consideration of Assembly Bill No. 503 resumed.

IN COMMITTEE OF THE WHOLE.

On motion of Mr. Taylor, the House went into Committee of the Whole, for the purpose of considering Assembly Bill No. 503.

Speaker Jordan in the chair.

The bill was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Jordan 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 503—do now report the same back, and recommend its passage, as amended, as follows: Strike out, in line ten, section one, all after the word 'exercises,' strike out all of line eleven, and the words "may be necessary," in line twelve, and insert the words "and special instructions as to the nature of alcoholic drinks and narcotics, and their effects upon the human system." Also, amend section three, by striking out the word "types," in line seventeen, printed bill, and inserting the words "type and other materials."

Report adopted.

Bill ordered engrossed, and to a third reading.

REPORT OF STANDING COMMITTEE.

ON ENROLLMENT

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1887

MR. SPEAKER: Your Committee on Enrollment beg leave to report that the following Assembly Bills have been correctly enrolled

Assembly Bill No 78—An Act to provide an additional Judge of the Superior Court of the County of San Bernardino

Also, Assembly Bill No 114—An Act to appropriate money to pay the claim of Benj Knight

Also, Assembly Bill No 111—An Act to appropriate money to pay the claim of W. J Brown, or his executors or administrators

Also, Assembly Bill No 117—An Act making an appropriation for the support and maintenance of the State Mining Bureau, for the thirty-ninth and fortieth fiscal years

Also, Assembly Bill No 115—An Act to appropriate money to pay the claim of E T. Wilkins.

Also, Assembly Bill No. 112—An Act to appropriate money to pay the claim of R F. Del Valle

And were presented to the Governor, this day, at three o'clock and forty-five minutes P M.

JAMES B BROWN, Chairman

SPECIAL FILE—THIRD READING OF BILL.

Senate Bill No. 105—An Act to amend section three thousand seven hundred and two of the Act entitled "An Act to establish a Political Code," approved March 12, 1872, relative to the State Board of Equalization, its traveling expenses, and making an appropriation therefor.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Bailey, Barry, Barton, Bost, Brierly, Britt, Brown W A, Brown J B, Brusie, Burnett, Butler, Campbell, Carr, Carroll, Colbert, Cooley, Coombs, Cope, Currey of Solano, Davis, Ellsworth, Ewing, Gould, Granger, Gruwell, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, Knox, LaBlanc, Mahler, Martin, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, Mitchell, Morgan, Ohlever, Regan, Rucker, Searey, Shanahan, Sherburne, Sims, Smyth, Sykes, Taylor, Venable, Weber, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr Speaker—62.

NOES—None.

Title read and approved.

SPECIAL ORDER.

Mr. Ellsworth called up the special order set for this hour, the consideration of the report and resolution of the committee appointed to investigate certain charges of changes of bills on the file.

MOTION.

Mr. Mathews of Tehama moved that the further consideration of the report and resolution be made the special order for to-morrow, at two o'clock and thirty minutes P. M.

So ordered, on division—ayes, 35; noes, 27.

RESOLUTION—(OUT OF ORDER).

By Mr. Hart:

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 one hundred dollars in favor of P. R. Klein, Sergeant-at-Arms, payable out of the appropriation for the Contingent Fund of the Assembly, and the Treasurer of the State is hereby directed to pay the same.

Referred to Committee on Attachés and Employés.

LEAVE OF ABSENCE.

Messrs. Butler and Vincent were granted leave of absence for the evening.

CONSTITUTIONAL AMENDMENT.

By Mr. Taylor: Assembly Constitutional Amendment No. 21—A resolution to propose an amendment to section seventeen, of Article VI, of the Constitution, relative to the Judiciary Department.

MOTIONS.

Mr. Taylor moved to suspend the rules and place the amendment upon the file, without reference to a committee.

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

So ordered, on a division—ayes, 36; noes, 12.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1887.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following Assembly Bills have been correctly engrossed

Assembly Bills Nos. 274, 347, 301, 248, 273, 250, and 251

WINDROW, Chairman.

SPECIAL FILE—(RESUMED).

Assembly Constitutional Amendment No. 20—To amend section twelve, of Article XIII, of the Constitution.

MOTION.

Mr. Brierly moved to pass the Assembly Constitutional Amendment No. 20.

So ordered.

LEAVE OF ABSENCE.

Mr. Mann was granted leave of absence until Monday, at two o'clock P. M.

SECOND READING OF BILLS.

Assembly Bill No. 526—An Act to repeal an Act entitled "An Act to incorporate the Town of Wilmington, in the County of Los Angeles, in the State of California," approved February 20, 1872.

Read second time, ordered engrossed, and to a third reading.

Assembly Bill No. 527—An Act to repeal an Act entitled an Act to amend an Act entitled "An Act to incorporate the Town of Wilmington, in the County of Los Angeles, in the State of California, approved February 20, 1872," approved March 21, 1872.

Read second time, order engrossed, and to a third reading.

GENERAL FILE—THIRD READING OF BILL.

Senate Bill No. 25—An Act to amend section one thousand and thirty-three, one thousand and thirty-four, and one thousand and thirty-five of an Act entitled "An Act to etablish a Penal Code," approved February 14, 1872, relating to the removal of criminal actions before trial.

Read third time.

MOTIONS.

Mr. Lawrence moved that the further consideration of this bill be made the special order for Saturday night, at nine o'clock.

Lost.

CALL OF THE HOUSE.

Mr. Coombs moved a call of the House.

So ordered.

Mr Hyde moved to dispense with further proceedings under the call.

Lost.

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

Messrs Adams, Alexander, Atherton, Bailey, Barry, Barton, Bost, Brierly, Britt, Brown W. A, Brown J B, Burnett, Callaghan, Campbell, Carr, Carroll, Cohen, Colbert, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Gruwell, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, Knox, LaBlanc, Lawrence, Lewis, Mahler, Martin, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Mitchell, Morgan, Morris, O'Grady, Ohlever, Price, Regan, Rucker, Remson, Searey, Shanahan, Sherburne, Sims, Smyth, Sykes, Taylor, Toner, Venable, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr Speaker

MOTION.

Mr. Ellsworth moved that further proceedings under the call of the House be dispensed with.

So ordered.

PREVIOUS QUESTION.

Mr. Coombs moved the previous question, seconded by Messrs. Wright and McGowan.

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

The question being upon the passage of Senate Bill No. 25.

The roll was called, and the bill passed by the following vote:

Ayes—Messrs Adams, Alexander, Bailey, Barton, Bost, Brierly, Britt, Brown J B, Campbell, Carr, Carroll, Cohen, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Ellsworth, Ewing, Gould, Granger, Gruwell, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, Knox, LaBlanc, Lawrence, Lewis, Mahler, Martin, Mann, Mathews of Tehama, McClenahan, McGowan, Morgan, Ohleyer, Price, Regan, Rucker, Remson, Shanahan, Sherburne, Sims, Sykes, Taylor, Toner, Venable,

Weber, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr. Speaker—58

NOES—Messrs Burnett, Colbert, Davis, Matthews of San Benito, McDonnell, Mitchell, Searey, and Smyth—8.

Title read and approved.

LEAVE OF ABSENCE.

Committee on Elections were granted leave of absence for the evening.

GENERAL FILE—THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 4—An Act to establish a Branch Normal School in Northern California.

Read third time.

The roll was called, and the bill passed by the following vote.

AYES—Messrs Alexander, Atherton, Bailey, Barry, Barton, Bost, Brierly, Britt, Brown J. B, Burnett, Butler, Callaghan, Campbell, Carroll, Cohen, Colbert Cooley, Coombs, Cope, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Gruwell, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, Knox, LaBlanc, Lawrence, Lewis, Martin, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, McGowan, Mitchell, Morgan, Ohlever, Price, Regan, Rucker, Remson, Searey, Sherburne, Sims, Taylor, Toner, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr Speaker—62

NOES—Messrs Adams, Mahler, McDonnell, Shanahan, Smyth, and Venable—6.

Title read and approved.

Assembly Bill No. 182—An Act to amend section one thousand and seventy of the Penal Code, relating to peremptory challenges to jurors in criminal cases.

Read third time.

CALL OF THE HOUSE.

Pending consideration of the above bill, Mr. Wright moved a call of the House.

So ordered.

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

Messrs. Alexander, Atherton, Bailey, Barry, Barton, Bost, Brierly, Britt, Brooks, Brown W A, Brown J B, Burnett, Butler, Callaghan, Carroll, Cohen, Colbert, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Gould, Granger, Gruwell, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, LaBlanc, Lawrence, Lewis, Mahler, Martin, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Mitchell, Morgan, Morris, Ohlever, Price, Regan, Rucker Remson, Searey, Shanahan, Sherburne, Sims, Smyth, Sykes, Taylor, Toner, Venable, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr Speaker.

MOTION.

Mr. Hotchkiss moved that further proceedings under the call be dispensed with.

So ordered.

PASSAGE OF BILL.

The question being on the passage of Assembly Bill No. 182.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Atherton, Bailey, Bost, Brierly, Brown W. A., Brusie, Butler, Callaghan, Carroll, Cooley, Coombs, Cope, Davis, Ellsworth, Granger, Gruwell, Handy, Heath, Henry of San Joaquin, Hotchkiss, Mahler, Mann, McClenahan, Mitchell, Morgan, Ohlever, Price, Rucker, Remson, Sherburne, Sims, Sykes, Taylor, Toner, Venable, Weber, Windrow, Wilcox, Williams, Wright, Young of San Joaquin, and Mr Speaker—43

NOES—Messrs Adams, Barry, Barton, Britt, Brown J B., Burnett, Cohen, Colbert, Curry of San Francisco, Gould, Hart, Henry of Butte, LaBlanc, Lawrence, Lewis, Martin, Mathews of Tehama, Matthews of San Benito, McGowan, Regan, Shanahan, and Smyth—22

Title read and approved.

LEAVE OF ABSENCE.

Mr. Williams was granted leave of absence for the evening.

THIRD READING OF BILL.

Senate Bill No. 39—An Act to amend 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. Adams, Alexander, Atherton, Bailey, Bost, Brierly, Brown W. A., Brown J. B., Brusie, Burnett, Butler, Carroll, Colbert, Cooley, Coombs, Cope, Curry of San Francisco, Davis, Ellsworth, Gould, Granger, Gruwell, Handy, Hart, Heath, Henry of San Joaquin, Hotchkiss, Hyde, Lawrence, Lewis, Mahler, Martin, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Mitchell, Morgan, Ohleyer, Price, Rucker, Remson, Sherburne, Sims, Smyth, Sykes, Taylor, Venable, Wilcox, Wright, Young of San Joaquin, and Mr. Speaker—52

NOES—None

Title read and approved.

CONSIDERATION OF SENATE AMENDMENTS.

The question being on concurring in Senate amendments to Substitute for Assembly Constitutional Amendment No. 16, as follows

On line one, section eight, after "city," insert, "or consolidated city and county."

Also, on line two, page two, of original bill, insert, after "city," "or city and county"

Also, strike out, on line three, after words "within ninety days," and insert, in lieu thereof, "one hundred days."

Also, on line four, insert, after "city," "or city and county."

Also, on line five, after "city," insert, "or city and county."

Also, on line six, after the word "county," insert "or city and county."

Also, to be inserted after "days," line seven, before "and," "And such publication shall be commenced within twenty (20) days after the completion of the charter."

Also, on line seven, after "city," insert "or city and county."

Also, on line nine, before the word "such," insert "the completion of."

Also, on line eleven, page three, after the word "submitted," insert "by the legislative authority of said city, or city and county."

Also, on line thirteen, after word "electors," strike out "of such city," and insert "thereof."

Also, on line fourteen, insert, after "or," and before "chief," the word "other."

Also, insert, after the word "city," end of line fifteen, "or city and county."

Also, line fourteen, after "or," before "chief," insert the word "other."

Also, on line sixteen, after the word "county," insert, "or city and county."

Also, on line seventeen, insert, after "city," "or city and county."

Also, on line eighteen, after "city," insert "or city and county."

Also, on line nineteen, insert after "city," "or consolidated city and county."

Also, on line twenty, after "city," insert "or city and county."

Also, on line twenty-one, after "city," insert "or city and county."

Also, on line twenty-two, after the word "executive," insert "officers," same line, after the word "city," insert "or city and county."

Also, on line twenty-three, after "county," insert "or city and county."

Also, on line twenty-four, after "city," insert "or city and county."

Also, strike out, on line twenty-five, after "be," the word "made," and insert, in lieu thereof, "commenced."

Also, strike out, on line twenty-six, after "and," the words "the first."

Also, on line twenty-seven, insert, after the word "after," the words "the completion of."

Also, on line twenty-eight, after the word "submitted," insert "by the legislative authority of said city, or city and county."

Also, on line twenty-nine, after the word "city," insert "or city and county."

Also, on line thirty, after "city," strike out "and," and insert, after "same city," the following. "or if such city be consolidated with a county, then of such city and county, and shall become."

Also, on line thirty-one, after the word "and," strike out "any," and, in lieu thereof, insert the word "all."

Also, on line thirty-one, between the words "or," and "chief," insert "other."

Also, on line thirty-three, after "city," insert "or city and county."

Also, strike out from word ——, in line thirty-two, the following: "said Recorder's office shall be deposited in," and, in lieu thereof, insert "the office of the Recorder of Deeds of the county, or city and county, among."

Also, on line thirty-five, after "city," insert "or city and county."

Also, on line thirty-six, after the word "notice," strike out the words "of said charter," and in lieu thereof insert "thereon."

Also, after "city," at end of line thirty-seven, insert "or city and county."

The House unanimously concurred in each of the above amendments.

Mr Hyde in the chair.

Senate Bill No. 17—An Act to amend "An Act giving a lien to loggers and laborers employed in logging camps upon the logs cut and hauled by the persons who employ them," approved March 13, 1878, by making applicable thereto section one thousand one hundred and ninety-five of the Code of Civil Procedure, concerning consolidation of separate actions.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Alexander, Atherton, Bailey, Barry, Bost, Brierly, Brown W A, Butler, Carroll, Cohen, Cooley, Coombs, Cope, Curry of San Francisco, Davis, Ellsworth, Gould, Granger, Gruwell, Hart, Heath, Henry of San Joaquin, Hotchkiss, Hyde, Knox, LaBlanc, Lewis, Mahler Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Mitchell, Ohlever, Price, Regan, Rucker, Searey, Sherburne, Smyth, Taylor, Toner, Venable, Weber, Windrow, Wilcox, Williams, Wright, and Mr. Speaker—52

NOES—None.

Title read and approved.

LEAVE OF ABSENCE.

Mr. Price was granted leave of absence for the evening.

THIRD READING OF BILL.

Senate Bill No. 93—An Act to authorize the Common Councils and Boards of Supervisors of the several cities, counties, and cities and counties in this State to levy taxes for the maintenance of public parks having an area of over ten acres each within their respective limits

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Alexander, Atherton, Bailey, Barry, Bost, Brierly, Brown W A, Brown J B, Burnett, Butler, Callaghan, Carroll, Cohen, Cooley, Coombs, Cope, Curry of San Francisco, Davis, Gould, Granger, Gruwell, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, LaBlanc, Mahler, Martin, Mann, Mathews of Tehama, McClenahan, McDonnell, McGowan, Mitchell, Ohleyer, Price, Regan, Rucker, Remson, Searey, Sherburne, Smyth, Sykes, Taylor, Toner, Venable, Weber, Windrow, and Wilcox—53

NOES—Messrs Ellsworth and Handy—2

Title read and approved.

REPORT OF CONFERENCE COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1887.

MR SPEAKER Your Committee of Conference, appointed to confer with a like committee from the Senate upon the disagreement between the Assembly and Senate upon the Assembly amendments to Senate Bill No. 107—An Act to increase the number of Judges of the Superior Court of the County of Tulare, State of California, the appointment of an additional Judge, fix his place of residence and of holding Court—respectfully report back, and state that no conclusion has been reached, for the reason that the Senate committee and your committee are unable to agree.

We therefore recommend that the Senate be requested to appoint a Committee of Free Conference, to meet a like committee from the Assembly, for the purpose of taking action upon said amendment.

A. B BUTLER.
C C WRIGHT
JOHN R BRIERLY.

MOTION.

Mr. Mathews of Tehama moved the adoption of the above report.

So ordered.

THIRD READING OF BILL.

Senate Bill No. 304—An Act to appropriate money for the purchase of certain roads within the limits of the Yosemite Grant.

Read third time.

Speaker Jordan in the chair.

MOTION.

Mr. Granger moved to pass Senate Bill No. 304 on file.
Lost.

PASSAGE OF BILL.

The question being on the passage of Senate Bill No. 304.
The roll was called.

CALL OF THE HOUSE.

At end of roll-call Mr. Wright moved a call of the House.
So ordered, on a division—ayes, 32, noes, 9.
The roll was called, and the following members answered to their names:

Messrs Adams, Alexander, Atherton, Bailey, Barry, Bost, Brierly, Britt, Brown W. A, Brown J B, Brusie, Burnett, Butler, Callaghan, Carroll, Colbert, Cooley, Coombs, Cope, Curry of San Francisco, Davis, Ellsworth, Gould, Granger, Gruwell, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, LaBlanc, Lawrence, Lewis, Mahler, Martin, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Mitchell, Morgan, Ohleyer, Regan, Rucker, Renison, Searey, Sherburne, Sims, Smyth, Sykes, Taylor, Toner, Venable, Weber, Windrow, Wilcox, Wright, Young of San Joaquin, and Mr. Speaker

Mr. Hyde moved that further proceedings under the call be dispensed with.
So ordered, on a division—ayes, 18; noes, 9.

PASSAGE OF BILL.

The question being on the passage of Senate Bill No. 304.
The roll was called, and the bill passed by the following vote:

Ayes—Messrs Barry, Bost, Britt, Brown W. A, Brown J B., Brusie, Burnett, Butler, Callaghan, Campbell, Carroll, Cohen, Colbert, Cooley, Coombs, Curry of San Francisco, Davis, Ewing, Granger, Henry of Butte, Henry of San Joaquin, Hyde, Knox, LaBlanc, Lewis, Mahler, Martin, Mann, McClenahan, Mitchell, Regan, Rucker, Searey, Sims, Smyth, Sykes, Toner, Weber, Windrow, Wright, Young of San Joaquin, and Mr Speaker—42.

Noes—Messrs Adams, Alexander, Atherton, Bailey, Brierly, Carr, Cope, Ellsworth, Gould, Gruwell, Handy, Hart, Heath, Hotchkiss, Mathews of Tehama, McDonnell, McGowan, Morgan, Ohleyer, Renison, Sherburne, Taylor, Venable, and Wilcox—24

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Davis gave notice that, on to-morrow, he would move to reconsider the vote whereby Assembly Bill No. 304 was passed.

MOTION.

At eleven o'clock and ten minutes P. M. Mr. McDonnell moved to adjourn.
The ayes and noes were demanded by Messrs. Brierly, Rucker, and Ellsworth.
The roll was called, and the motion lost by the following vote:

Ayes—Messrs Brown J B, Campbell, Carr, Davis, Granger, Gruwell, Handy, Hart, Heath, Henry of San Joaquin, LaBlanc, Martin, Matthews of San Benito, McClenahan McDonnell, Mitchell, Morgan, Ohleyer, Regan, Renison, Sims, Toner, Vincent, Wilcox, and Mr. Speaker—25

NOES—Messrs. Adams, Atherton, Bailey, Barry, Bost, Brierly, Britt, Brown W A, Burnett, Callaghan, Carroll, Cohen, Colbert, Cooley, Coombs, Cope, Ellsworth, Hotchkiss, Hyde, Lawrence, Lewis, Mahler, Mann, Mathews of Tehama, McGowan, Rucker, Sherburne, Taylor, Weber, and Wright—30.

MOTION.

Mr. Ellsworth moved that the rules be suspended, and that we take up bills on second reading.

The Speaker ordered the roll called.

CALL OF THE HOUSE.

Before the commencement of the above vote, Mr. Weber moved a call of the House.

So ordered, on a division—ayes, 22; noes, 21.

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

AYES—Messrs Adams, Atherton, Bailey, Barry, Bost, Brierly, Britt, Brown W A., Brown J B, Brusie, Burnett, Butler, Callaghan, Campbell, Carroll, Cohen, Colbert, Cooley, Coombs, Cope, Curry of San Francisco, Davis, Gould, Granger, Gruwell, Handy, Hart, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, Knox LaBlanc, Lawrence, Lewis, Mahler Martin, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Mitchell, Morgan, Ohlever, Regan, Rucker, Renison, Searey, Sherburne, Sims, Sykes, Taylor Toner, Venable, Weber, Wilcox, and Mr Speaker

Mr. Renison moved to dispense with further proceedings under the call of the House.

The ayes and noes were demanded by Messrs. Renison, Handy, and McDonnell.

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

AYES—Messrs Adams, Barry, Bost, Britt, Brown W A, Brown J B, Brusie, Burnett, Carroll, Cooley, Ellsworth, Ewing, Gould, Gruwell, Handy, Heath, Henry of Butte, Henry of San Joaquin, Lawrence, Mahler, Martin, McClenahan, McDonnell, Ohlever, Regan, Renison, Searey, Sims, Smyth, Sykes, Toner, Venable, Wilcox, Wright, Young of San Joaquin, and Mr Speaker—36

NOES—Messrs Atherton, Bailey, Brierly, Butler, Callaghan, Campbell, Cohen, Colbert, Coombs, Cope, Curry of San Francisco, Granger, Hotchkiss, Hyde, LaBlanc, Lewis, Mann, Mathews of Tehama, McGowan, Mitchell, Rucker, Sherburne, Taylor, Weber, and Windrow—25.

MOTION.

At eleven o'clock and thirty minutes P. M. Mr. Renison moved to adjourn.

The ayes and noes were demanded by Messrs. Rucker, Weber, and Cope.

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

AYES—Messrs. Adams, Bailey, Barry, Brown J B, Burnett, Campbell, Ewing, Gould, Granger, Handy, Hart, Heath, Henry of San Joaquin, Hyde, LaBlanc, Martin, McClenahan, McDonnell, Mitchell, Ohlever, Regan, Renison, Sims, Smyth, Taylor, Venable, Wilcox, Wright, Young of San Joaquin, and Mr Speaker—29

NOES—Messrs Atherton, Bost, Brierly, Britt, Brown W A, Butler, Callaghan, Carr, Carroll, Cohen, Colbert, Cooley, Coombs, Cope, Curry of San Francisco, Ellsworth, Gruwell, Henry of Butte, Knox, Lawrence, Lewis, Mahler, Mann, Mathews of Tehama, McGowan, Rucker, Searey, Sherburne, Toner, Weber, and Windrow—30.

LEAVE OF ABSENCE.

Messrs. Gould, Matthews of San Benito, and Currey of Solano, were granted leave of absence for the balance of the evening.

CALL OF THE HOUSE.

Mr. Young of San Joaquin moved a call of the House.

The ayes and noes were demanded by Messrs. Brierly, Rucker, and Handy.

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

AYES—Messrs Adams, Atherton, Bailey, Bost, Brierly, Brusie, Butler, Carroll, Cohen, Colbert, Cooley, Coombs, Cope, Ewing, Henry of Butte, LaBlanc, Lewis Mahler, Mann, Mathews of Tehama, McClenahan, Rucker, Renison, Toner, Windrow, and Young of San Joaquin—25

NOES—Messrs Britt, Brown J B, Burnett, Campbell, Carr, Curry of San Francisco, Granger, Handy, Henry of San Joaquin, McDonnell, Ohleyer, Sherburne, Sims, Smyth, Taylor, Wilcox, and Wright—17

The question being the call of the House.

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

Messrs Adams, Atherton, Bailey, Bost, Brierly, Britt, Brown W A, Brown J B, Brusie, Burnett, Callaghan, Campbell, Carr, Carroll, Cohen, Cooley, Cope, Curry of San Francisco, Davis, Ewing, Gould, Granger, Gruwell, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, Knox, LaBlanc, Lawrence, Lewis, Mahler, Martin, Mann, McClenahan, McDonnell, McGowan, Mitchell, Morgan, Morris, O'Grady, Ohleyer, Regan, Rucker, Renison, Sherburne, Taylor, Toner, Venable, Windrow, Wilcox, Wright, Young of San Joaquin, and Mr. Speaker.

MOTION.

Mr. Renison moved that further proceedings under the call be dispensed with.

The ayes and noes were demanded by Messrs. Heath, Campbell, and Ewing.

The roll was called, with the following result:

AYES—Messrs Lewis, Sherburne, Taylor, Vincent, Windrow, and Williams—6.

NOES—Messrs Atherton, Bost, Brierley, Britt, Brusie, Burnett, Butler, Cohen, Cope, Curry of San Francisco, Knox, Mahler, Martin, McGowan, Regan, Rucker, Searey, Sykes, and Young of San Joaquin—19

ADJOURNMENT.

There being no quorum voting, at eleven o'clock and fifty minutes the Speaker declared the House adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Saturday, March 5, 1887.

The House met pursuant to adjournment.

Speaker Jordan in the chair.

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

Messrs Adams, Alexander, Atherton, Bailey, Barry, Barton, Bost Brierly, Britt, Brown W A, Brown J B, Brusie, Butler, Callaghan, Campbell, Carr, Carroll, Cohen, Colbert, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Gruwell, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin,

Hotchkiss, Hyde, Knox, LaBlanc, Lewis, Mahler, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Mitchell, Morgan, Morris, Ohleyer, Price, Rucker, Rentson, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Variel, Venable, Vincent, Weber, Windrow, Wilcox, Wilhams, Wright, Young of San Diego, Young of San Joaquin, and Mr. Speaker

Quorum present.

Prayer by the Chaplain, Rev. E. R. Dille.

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

So ordered.

MOTION.

Mr. Knox moved to correct the Journal, so that it may show a roll-call of the House as having concurred in each and all of the Senate amendments to Assembly Constitutional Amendment No. 16.

The roll was called, and the House concurred in each and all of the Senate amendments to Assembly Constitutional Amendment No. 16, as shown on pages twenty-five and twenty-six of the printed Journal of yesterday, by the following vote:

AYES—Messrs. Adams, Alexander, Atherton, Bailey, Barry, Barton, Bost, Burnett, Butler, Campbell, Carr, Carroll, Cohen, Cooley, Coombs, Cope, Curtey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Gruwell, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, Knox, LaBlanc, Mahler, Mathews of Tehama, McClenahan, McDonnell, McGowan, Morgan, Morris, Ohlever, Price, Rucker, Rentson, Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Variel, Venable, Vincent, Weber, Wilcox, Wilhams, Young of San Diego, Young of San Joaquin, and Mr Speaker—57

NOES—None

Journal, as corrected, approved.

LEAVE OF ABSENCE.

Mr. Matthews of San Benito was granted leave of absence for the day.

MOTION.

Mr. Mathews of Tehama called up special order for this hour.

Mr. Coombs moved that Special Order No. 2 be postponed until after the subject under discussion is disposed of.

So ordered.

SPECIAL ORDER.

Assembly Concurrent Resolution, by Mr. Mathews of Tehama, relative to adjournment sine die of the twenty-seventh session of the California Legislature on March 5, 1887, at twelve o'clock M.

MOTIONS.

Mr. Mathews of Tehama moved to amend, to make the day and date "Thursday, the tenth."

Mr. Ellsworth moved to amend, to make the time "Saturday, the twelfth."

Mr. Brierly moved to make further consideration of the subject a special order for next Wednesday, at two o'clock P. M.

The ayes and noes were demanded by Messrs. Davis, Ohleyer, and Ewing.

PREVIOUS QUESTION.

Pending discussion, Mr. Rucker moved the previous question, seconded by Messrs. Weber and Brierly.

So ordered.

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

The question being on the motion of Mr. Brierly.

The ayes and noes were demanded by Messrs. Brierly, Rucker, and Spurgeon.

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

AYES—Messrs Adams, Alexander, Barry, Barton, Brierly, Britt, Brusie, Burnett, Butler, Callaghan, Carroll, Cohen, Colbert, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Ellsworth, Gould, Hyde, Knox, Lewis, Mahler, Martin, McGowan, Mitchell, Ohleyer, Price, Regan, Rucker, Shanahan, Sherburne, Spurgeon, Taylor, Variel, Vincent, Weber, Windrow, Wilcox, Williams, Young of San Diego, and Young of San Joaquin—44

NOES—Messrs Bost, Brown W A, Campbell, Carr, Davis, Ewing, Granger, Gruwell, Handy, Hart, Heath, Henry of San Joaquin, Hotchkiss, LaBlanc, Mathews of Tehama, McClenahan, McDonnell, Morgan, Morris, Remson, Sims, Smyth, Sykes, Venable, Wright, and Mr. Speaker—23

SPECIAL ORDER—PASSAGE OF BILLS.

Senate Bill No. 145—An Act to amend sections five, six, eight, nine, eleven, seventeen, eighteen, twenty-three, and twenty-six of an Act entitled "An Act to define, regulate, and govern the State Prisons of California," approved April 15, 1880.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Alexander, Atherton, Bailey, Barry, Barton, Bost, Brierly, Brusie, Burnett, Butler, Campbell, Carr, Carroll, Colbert, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Ellsworth, Granger, Gruwell, Handy, Henry of San Joaquin, Hyde, LaBlanc, McDonnell, McGowan, Mitchell, Morris, Ohleyer, Price, Rucker, Remson, Sherburne, Spurgeon, Sykes, Taylor, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr Speaker—50.

NOES—Messrs Davis, Hart, Heath, Hotchkiss, Lewis, Mahler, McClenahan, Morgan, Shanahan, Sims, Smyth, Variel, and Venable—13.

Title read and approved.

MOTION.

Mr. Weber moved to suspend the rules, and take up, out of order, the second reading of bills on the General File.

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

AYES—Messrs Adams, Alexander, Atherton, Barry, Barton, Bost, Brierly, Brown W. A., Brusie, Burnett, Butler, Callaghan, Campbell, Carr, Carroll, Cohen, Cooley, Cope, Currey of Solano, Curry of San Francisco, Ewing, Gould, Granger, Gruwell, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Knox, LaBlanc, Lewis, Mahler, Martin, McClenahan, McGowan, Mitchell, Morgan, Morris, Ohleyer, Price, Rucker, Remson, Shanahan, Sherburne, Smyth, Spurgeon, Sykes, Taylor, Variel, Venable, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr. Speaker—60

NOES—Messrs Davis and McDonnell—2

SENATE MESSAGES.

SENATE CHAMBER, SACRAMENTO, March 4, 1887

MR SPEAKER I am directed to inform your honorable body that the Senate, on this day, passed the following bills

Senate Bill No 54—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by amending section seven hundred and thirty-nine, relating to salaries of officers connected with the Supreme Court.

Also, Senate Bill No 330—An Act to ascertain the loss and damage suffered and sustained by the Coulterville and Yosemite Turnpike Company, a corporation, by the construction of a road by the Yosemite Turnpike Road Company, under and by virtue of an Act of the Legislature of the State of California entitled "An Act granting the right of way to the Yosemite Turnpike Road Company over the Yosemite Grant," approved February 17, 1874, and for the relief of said Coulterville and Yosemite Turnpike Company.

Also Senate Bill No. 359—An Act to amend section six hundred and thirty-four of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to the taking of salmon

Also, Senate Bill No 425—An Act to appropriate money to pay the claim of Richard Coleman, formerly First Lieutenant, commanding Company "D," Fifth Infantry Battalion, Second Brigade, National Guard of California, for moneys paid by him as expenses of said company

Also, Assembly Bill No 29—An Act to amend sections two thousand six hundred and forty-one, two thousand six hundred and forty-two, and two thousand six hundred and forty-four of an Act entitled an Act to establish a Political Code, approved March 12, 1872, relating to the powers and duties of highway officers, to the appointment of, and oath, and bond of Roadmasters or Road Overseers.

Also, Assembly Bill No 232—An Act to repeal all such provisions of an Act entitled "An Act to revise an Act entitled 'An Act to amend the charter of the City of Los Angeles, to define its limits and rights, to enlarge its powers, and provide for its more efficient government,' approved March 26, A D 1874," approved April 1, 1876, as provide for the creation of a City Court in the City of Los Angeles, for a Judge of said City Court, and as require the Mayor of said city to be ex officio City Judge of said Court

Also, Assembly Bill No 181—An Act to amend section four hundred and eight of the Code of Civil Procedure of the State of California, relating to the issuing of alias summons

Also, Assembly Bill No 120—An Act to amend an Act entitled an Act to amend an Act to incorporate the Town of Chico, Butte County California, approved March 23, 1878

Also, Assembly Bill No 92—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 Notary Publics

Also, Assembly Bill No 523—An Act to provide for the government and management of the "California Home for the Care and Training of Feeble-Minded Children"

Also, Assembly Bill No 106—An Act to amend sections one thousand nine hundred and twelve, one thousand nine hundred and twenty-nine, one thousand nine hundred and ninety, two thousand and twenty-two, two thousand and twenty-six, two thousand and ninety-four, and to add a new section, to be known as section two thousand and twenty-seven, of the Political Code, relating to the State militia

Also, Assembly Bill No 390—An Act to appropriate money for the erection of a monument at the grave of J. W Marshall, deceased, the discoverer of gold in California

And have amended Assembly Bills Nos 29 and 92, and respectfully ask your honorable body to concur in said amendments

Also, on this day (March fifth), Senate concurred in Assembly amendments to Senate Bill No 4.

E H HAMILTON, Secretary.
By R B OGLLAHAN, Assistant Secretary.

CONSIDERATION OF SENATE MESSAGES.

There being no objection, the Speaker ordered the Senate Bills placed on file.

Assembly Bills Nos 106, 390, 29, 232, 181, 120, 92, 523, 106, and 390 were ordered to enrollment.

Senate amendments to Assembly Bill No. 29, as follows, unanimously concurred in: amend, by inserting the words "salary or," between "his" and "per diem." in next to the last line of section two thousand six hundred and forty-one.

Also, amend section two thousand six hundred and forty-two, line thirty-one, by inserting, after the word "has," the word "not."

GENERAL FILE—SECOND READING OF BILLS.

Assembly Bill No. 154—An Act relating to wires and cables of telegraph, telephone, and electric light companies, to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872.

Read second time.

Committee amendments, as follows, adopted: on line seven of sec-

tion one, amend, by striking out the last word, "insular," and inserting, in place thereof, the word "insulators."

Also, on line thirteen, of section one, after the ciphers "100,000," insert the word "inhabitants."

Bill passed on file.

WITHDRAWAL OF BILL.

Mr. Sykes withdrew Assembly Bill No. 249, by permission of the House.

MOTION.

Mr. Sykes moved that the rules be suspended, and that Senate Bill No. 162 be substituted in the position occupied formerly by Assembly Bill No. 249.

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

AYES—Messrs Adams, Alexander, Atherton, Barton, Bost, Brierly, Britt, Brown J B, Brusie, Burnett, Butler, Campbell, Carr, Carroll, Cohen, Colbert, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Handy, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, Knox, LaBlanc, Lewis, Mahler, Mathews of Tehama, McClenahan, McDonnell, McGowan, Mitchell, Price, Rucker, Remson, Sherburne Sims, Smyth, Spurgeon, Sykes, Taylor, Variel, Venable, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, and Mr Speaker—58

NOES—None

SECOND READING OF BILL.

Senate Bill No. 162—An Act to regulate the vocation of fishing, and to provide therefrom revenue for the "restoration and preservation of fish" in the waters of the State of California.

Read second time.

Committee amendments, as follows, adopted: amend section one, by adding, after the word "license," on line five from the bottom of page two, the words: "or the fishing by the holder of a license by unlawful lines, nets, seines, bag-nets, modes, or methods, in violation of the law for the preservation of fish and game."

Also, amend by adding to section three, the following: "and to the compensation to the Commission for each day employed in the discharge of their duties, to be fixed by the State Board of Examiners, and all other necessary expenses."

Read second time, and ordered to third reading.

Senate Bill No. 46—An Act to amend section six hundred and thirty-three of the Penal Code, relating to violations of the law for the preservation of fish.

Second reading refused.

Assembly Bill No. 480—An Act to amend an Act entitled an Act to provide for compiling, illustrating, electrotyping, printing, binding, copyrighting, and distributing a State series of school text-books, and appropriating money therefor, approved February 26, 1885.

Read second time.

Committee amendments adopted, as follows:

Amend line twenty-four, by striking out the word "or."

Also, add after line eleven, section two, printed bill, "It shall be the duty of the Board of Supervisors to allow the County Superintendent of Schools, for clerk hire, postage, expressage, and freight, for the distribution of State text-books, not less than three dollars, nor more than ——— per annum, for each school district in the county, payable quarterly, the number of school districts to be estimated in

accordance with section one thousand five hundred and fifty-two of the Political Code of the State of California.

MOTION.

Mr. Wright moved that the special order set for this hour—consideration of Senate Bill No. 232—be postponed until two P. M. to-day.

So ordered.

Mr. Hyde called up the resolution offered by him yesterday.

Resolved, That two hundred extra copies be printed of Assembly Bill, Substitute for Nos. 314 and 284

Resolution adopted.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 5, 1887.

MR SPEAKER: Your Committee on Engrossment beg leave to report that the following Assembly Bills have been correctly engrossed

Assembly Bill No. 280, Substitute for Nos. 449, 526, 527, 560, 503, 490, and 163

WINDROW, Chairman

SECOND READING OF BILLS.

Assembly Bill No. 261—An Act to provide for the payment and expenses incurred in fitting up and furnishing the chambers of the Supreme Court Commissioners.

Read second time.

Assembly Bill No. 234—An Act making an appropriation to pay a deficiency in the appropriation for stationery, fuel, and lights for the Legislature and State officers, for the thirty-fourth fiscal year.

Read second time.

Assembly Bill No. 255—An Act making an appropriation for the deficiency in the appropriation for rent and contingent expenses of Insurance Commissioner, for the thirty-seventh fiscal year.

Read second time.

Assembly Bill No. 265 withdrawn, by consent of the House.

MOTION.

Mr. Venable moved that the rules be suspended, and that Senate Bill No. 60 be substituted in the place formerly occupied by Assembly Bill No. 265.

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

AYES—Messrs Alexander, Atherton, Bailey, Barry, Barton, Bost, Brierly, Britt, Brown W A, Brusie, Burnett, Butler, Callaghan, Campbell, Carr, Carroll, Cohen, Colbert, Cooley, Cope, Currey of Solano, Davis, Ellsworth, Ewing, Gould, Granger, Gruwell, Handy, Hart, Heath, Henry of San Joaquin, Hotchkiss, LaBlanc, Lewis, Mahler, Martin, Mathews of Tehama, McClenahan, McDonnell, McGowan, Mitchell, Morris, Ohleyer, Price, Regan, Rucker, Renison, Shanahan, Sherburne, Sims, Spurgeon, Sykes, Taylor, Variel, Venable, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Joaquin, and Mr. Speaker—64

NOES—None

SECOND READING OF BILLS—(RESUMED).

Assembly Bill No. 257—An Act to provide for the deficiency in the appropriation for the payment of rewards for the arrest and conviction of highway robbers, for the thirty-sixth fiscal year.

Read second time.

Assembly Bill No. 260—An Act to provide for the deficiency in the appropriation for the payment of rewards for the arrest and conviction of highway robbers, for the thirty-seventh fiscal year.

Read second time.

IN COMMITTEE OF THE WHOLE.

On motion of Mr. Venable, the House went into Committee of the Whole, for the purpose of considering Assembly Bills Nos. 261, 234, 255, 257, and 260, and Senate Bill No. 60.

Speaker Jordan in the chair.

The bills were considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Jordan 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 Bills Nos. 261, 234, 255, 257, and 260, and Senate Bill No. 60, and now report the same back, and recommend that they do pass.

Report adopted.

CASE OF URGENCY.

Mr. Wright moved to suspend the rules and the provisions of section fifteen, of Article IV, of the Constitution, requiring bills to be read on three separate days, that Assembly Bill No. 261 be declared a case of urgency, and that the bill be read a third time, and put on its final passage.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of roll-call, Mr. Wright moved a call of the House.

Lost.

The result of the roll-call on "case of urgency," lost by the following vote:

AYES—Messrs. Bost, Britt, Brusie, Burnett, Callaghan, Cooley, Hyde, LaBlanc, Lewis, Mahler, Mathews of Tehama, McClenahan, Mitchell, Morgan, Smyth, Sykes, Taylor, Variel, Venable, and Wright—20.

NOES—Messrs. Adams, Alexander, Bailey, Brierly, Butler, Campbell, Carr, Carroll, Cohen, Coombs, Cope, Currey of Solano, Davis, Ewing, Gould, Granger, Gruwell, Handy, Hart, Heath, Henry of San Joaquin, Knox, McDonnell, McGowan, Ohleyer, Price, Rucker, Rennson, Shanahan, Sherburne, Spurgeon, and Wilcox—32.

The following Assembly Bills were ordered to engrossment and to a third reading: Nos. 261, 234, 255, 257, and 260, and Senate Bill No. 60.

BILL WITHDRAWN.

Assembly Bill No. 67—An Act to provide for the better protection and security of life and property in the use of steam boilers—withdrawn by the author, with consent of the House.

MOTION.

Mr. Regan moved that the rules be suspended, and that Senate Bill No. 188 be substituted in place of Assembly Bill No. 67 on the file

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

AYES—Messrs Adams, Alexander, Atherton, Bailey, Bost, Brierly, Brown W A, Brown J B, Brusie, Burnett, Butler, Callaghan, Campbell, Carr, Carroll, Cohen, Colbert, Cooley, Coombs, Cope, Currey of Solano, Davis, Ellsworth, Ewing, Gould, Granger, Grunwell, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, LaBlanc, Lewis, Mahler, Martin, Mathews of Tehama, McClenahan, McGowan, Mitchell, Morgan, Ohleyer, Price, Regan, Rucker, Remson, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Variel, Venable, Weber, Wilcox, Williams, Wright, and Mr Speaker—62

NOES—None

Speaker pro tem. Brierly in the chair.

SECOND READING OF BILLS—(RESUMED).

Senate Bill No. 188—An Act to amend an Act entitled "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," approved March 3, 1885, by amending sections one and two thereof.

Read second time, and placed on file for a third reading.

Assembly Bill No 348—An Act to amend sections three thousand four hundred and fifty-two, three thousand four hundred and fifty-three, and three thousand four hundred and fifty-four of the Political Code, relative to the adoption of by-laws, the election of Trustees, their powers, duties, and compensation, in reclamation districts of this State.

Read second time, ordered engrossed, and to a third reading.

Assembly Bill No. 442—An Act to amend section three thousand eight hundred and sixty-two of the Political Code, relative to the collection of poll taxes.

Read second time.

Substitute by committee adopted and ordered printed.

Mr. Atherton offered the following amendments to the substitute, which were adopted: amend, by changing word "ordinance," wherever it appears in bill, to the word "order;" also, amend substitute, by inserting, after the words "County Assessors," line two from bottom of second page, the following. "or the Road Overseer of the several road districts, as the Board of Supervisors may direct," also, strike out the words "of the county," in same line.

Bill ordered engrossed, and to a third reading.

MOTION.

At twelve o'clock and twenty minutes P. M. Mr. Rucker moved that the hour of recess be extended to twelve o'clock and forty-five minutes P. M.

So ordered.

BILL WITHDRAWN.

Assembly Bill No. 465 withdrawn by the author, with consent of the House.

MOTION.

Mr. Cooley moved that Senate Bill No. 50 be substituted for Assembly Bill No. 465 on the file.

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

AYES—Messrs. Adams, Alexander, Atherton, Bailey, Barton, Bost, Brierly, Britt, Brown W. A., Burnett, Butler, Campbell, Carr, Carroll, Colbert, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Ellsworth, Ewing, Gould, Granger, Gruwell, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Knox, Lewis, Mahler, Martin, McClenahan, McGowan, Mitchell, Morgan, Morris, Ohleyer, Price, Rucker, Remson, Shanahan, Sherburne, Sims, Spurgeon, Sykes, Taylor, Varnel, Venable, Vincent, Weber, Wilcox, Williams, Wright, and Young of San Diego—58

NOES—None

FIRST READING OF BILL.

Senate Bill No. 50—An Act to appropriate money to pay the claim of N. P. Perine for furnishing granite and statuary for the Napa State Asylum for the Insane, and for labor performed on said asylum.

Read first time, and placed on file for second reading.

BILL WITHDRAWN.

Assembly Bill No. 317 was withdrawn by the author, by the consent of the House.

MOTION.

Mr. Weber moved that the rules be suspended, and that Senate Bill No. 342 be substituted for Assembly Bill No. 317 on the file.

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

AYES—Messrs. Adams, Alexander, Atherton, Barton, Bost, Brierly, Britt, Brown W. A., Burnett, Butler, Campbell, Carr, Carroll, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Gruwell, Handy, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Knox, LaBlanc, Lewis, Mahler, Martin, Mathews of Tehama, McClenahan, McDonnell, McGowan, Mitchell, Morgan, Morris, Ohleyer, Price, Regan, Rucker, Remson, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Varnel, Venable, Vincent, Weber, Wilcox, Williams, Wright, and Young of San Diego—60

NOES—None

SECOND READING OF BILL.

Senate Bill No. 342—An Act authorizing the incurring of indebtedness by cities, towns, or municipal corporations, incorporated under the laws of this State.

Read second time, and ordered to a third reading.

MOTION.

Mr. Mathews of Tehama moved that a Committee of Free Conference be appointed to meet a like committee from the Senate, to further consider Assembly amendments to Senate Bill No. 107.

APPOINTMENT OF COMMITTEE OF FREE CONFERENCE.

The Speaker appointed Messrs. Mathews of Tehama, Hyde, and Spurgeon a Committee of Free Conference to meet a like committee from the Senate, to further consider amendments to Senate Bill No. 107.

LEAVE OF ABSENCE.

Mr. Martin was granted leave of absence from two o'clock P. M. to-day, until two o'clock P. M. on Tuesday next.

Messrs. Lawrence and Colbert were granted leave of absence until two o'clock P. M. Monday.

MOTION.

Mr. Cooley moved that when this House adjourns to-night, that it adjourn to meet on Monday, March 7, 1887, at two o'clock P. M.

RECESS.

Pending discussion of motion of Mr. Cooley, 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 Jordan in the chair.

Quorum present.

Mr. Wright called up special orders, continued until after the matter under discussion was disposed of, by consent of the House.

REPORTS OF STANDING COMMITTEES.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 5, 1887

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following Assembly Bill has been correctly engrossed

Substitute for Assembly Bills Nos 314 and 284

McCLENAHAN, of Committee.

ON ATTACHÉS AND EMPLOYÉS.

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1887

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

Resolved, That Martin Steinmetz be and he is hereby allowed the sum of two dollars per day, during the session of the Legislature, for lighting and caring for the gaslights of the Assembly Chamber, and the Controller is hereby authorized to draw his warrant on the Contingent Fund of the Assembly in payment of the same, also,

Adopted.

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

Report the same back, and recommend that they be adopted.

C. F. CURRY, Chairman.

ON WAYS AND MEANS

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1887.

MR SPEAKER Your Committee on Ways and Means, to whom was referred Assembly Bill No 519—An Act to establish the California State Weather Service, and making an appropriation therefor.

Also, Assembly Bill No. 562—An Act to appropriate fifty thousand dollars for the erection of a monument commemorative of the services of Rodman M Price, and to provide for the investment of said sum and the payment of the interest thereon.

Report the same back, and recommend that they do not pass.

TAYLOR, Chairman

ON CONSTITUTIONAL AMENDMENTS

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1887

MR SPEAKER Your Committee on Constitutional Amendments, to whom was referred Senate Constitutional Amendment No 1—report the same back, and recommend that it be adopted.

ELLSWORTH, Chairman

ON COMMERCE AND NAVIGATION

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1887

MR SPEAKER Your Committee on Commerce and Navigation, to whom was referred Assembly Bill No 121—Providing for the inspection of illuminating oils, etc —report the same back, and recommend that it do not pass.

EWING, Chairman

MOTION.

Mr. Brierly moved that the report of Committee on Retrenchment be referred back, with instructions to report back the committees that did not draw any stationery.

So ordered.

MOTION TO RECONSIDER.

Mr. Davis moved to reconsider the vote whereby Senate Bill No. 304 was passed on yesterday.

Mr. McDonnell moved to indefinitely postpone the motion to reconsider.

Ayes and noes demanded by Messrs. Brierly, Venable, and Weber.

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

AYES—Messrs Barry, Barton, Bost, Britt, Brown W A, Brusie, Burnett, Butler, Callaghan, Campbell, Cohen, Cooley, Coombs, Currey of Solano, Curry of San Francisco, Davis, Ewing, Gould, Gruwell, Hart, Henry of Butte, Henry of San Joaquin, Hyde, Knox, LaBlanc, Mathews of Tehama, McClenahan, McDonnell, Mitchell, Morris, Regan, Rucker, Searey, Shanahan Sherburne, Sims, Smyth, Sykes, Toner, Variel, Webet, Wilcox, Williams, Wright, Young of San Diego, and Mr Speaker—46

NOES—Messrs Adams, Atherton, Bailey, Brierly, Carr, Carroll, Cope, Ellsworth, Handy, Mahler, Matthews of San Benito, McGowan, Morgan, Ohleyer, Price, Renison, Spurgeon, Taylor, Venable, and Vincent—20

MOTION.

Mr. Sims moved that the rules be suspended, and that Senate Bill No. 127 be now taken up, out of order, and considered.

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

AYES—Messrs Alexander, Atherton, Barry, Barton, Bost, Britt, Brown W A, Brusie, Burnett, Callaghan, Campbell, Carroll, Cohen, Colbert, Cooley, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Gruwell, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, Mahler, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Mitchell, Morgan, Regan, Rucker, Renison, Searey, Shanahan, Sims, Smyth, Sykes, Taylor, Toner, Variel, Venable, Vincent, Weber, Windrow, Williams, Wright Young of San Diego, and Mr. Speaker—55.

NOES—Messrs Adams, Bailey, Brierly, Butler, Carr, Coombs, Cope, Knox, Morris, Ohleyer, Price, Sherburne, Spurgeon, and Wilcox—14

At two o'clock and thirty minutes P. M. Mr. Ellsworth called up Special Orders Nos. 5 and 6

Their consideration continued, by consent.

FIRST READING OF BILL.

Senate Bill No. 127—An Act to amend section three hundred and seven of an Act entitled "An Act to establish a Civil Code," relating to the formation of corporations.

Read first time.

CASE OF URGENCY.

Mr. Renison moved to suspend the rules and the provisions of section fifteen, of Article IV, of the Constitution, requiring bills to be read on three separate days, that Senate Bill No. 127 be declared a case of urgency, and that the bill be read a second and third time, and put on its final passage.

PREVIOUS QUESTION.

Mr. Cohen moved the previous question, seconded by Messrs. Weber and Rucker.

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

The question being on the motion offered by Mr. Renison, to make a case of urgency.

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

AYES—Messrs. Alexander, Barry, Barton, Bost, Britt, Brown W. A., Burnett, Callaghan, Campbell, Carroll, Cohen, Cooley, Currey of Solano, Curry of San Francisco, Davis, Ewing, Gould, Gruwell, Handy, Hart, Heath, Henry of San Joaquin, Hotchkiss, Hyde, Mahler, Mathews of Tehama, Matthews of San Benito, Mitchell, Price, Regan, Rucker, Renison, Searey, Shanahan, Sims, Sykes, Taylor, Toner, Variel, Vincent, Windrow, Wright, Young of San Joaquin, and Mr. Speaker—44

NOES—Messrs. Adams, Atherton, Bailey, Brierly, Brusie, Butler, Carr, Coombs, Cope, Ellsworth, Granger, Knox, McDonnell, McGowan, Morgan, Morris, Ohleyer, Sherburne, Venable, Weber, Wilcox, Williams, and Young of San Diego—24

SPECIAL ORDERS—SECOND READING OF BILL.

Senate Bill No. 232—An Act to provide one additional Judge of the Superior Court of the County of Fresno, State of California.

Read second time.

Mr. Vincent offered the following amendment, striking out section two, and inserting the following, in lieu thereof:

At the next general election there shall be elected in and for said county, one additional Superior Judge thereof, who shall hold office until the first Monday after the first day of January, A. D. eighteen hundred and ninety-one. At the general election to be held in eighteen hundred and ninety, and at every election for Superior Judges thereafter, two Superior Judges for said county shall be elected.

Ayes and noes demanded by Messrs. Vincent, McGowan, and Brierly.

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

AYES—Messrs. Alexander, Atherton, Bailey, Brierly, Carr, Carroll, Cope, Currey of Solano, Curry of San Francisco, Ellsworth, Handy, Knox, Mathews of Tehama, McDonnell, McGowan, Morgan, Morris, Price, Regan, Rucker, Sherburne, Spurgeon, Sykes, Vincent, Wilcox, and Williams—25

NOES—Messrs. Adams, Barry, Barton, Bost, Britt, Brusie, Butler, Callaghan, Cohen, Cooley, Coombs, Davis, Ewing, Gould, Granger, Gruwell, Hart, Heath, Henry of Butte, Hotchkiss, Hyde, Mahler, Matthews of San Benito, Ohleyer, Renison, Searey, Shanahan, Sims, Smyth, Taylor, Toner, Variel, Venable, Weber, Windrow, Wright, Young of San Joaquin, and Mr. Speaker—38

Bill ordered to a third reading.

SPECIAL ORDER No 4

Resolution of Mr. Atherton, relative to dispensing with the services of the various Assembly committee clerks.

MOTION.

Mr. Cooley moved to pass Special Order No. 4.

The ayes and noes were demanded by Messrs. Atherton, Young of San Diego, and Smyth.

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

AYES—Messrs Alexander, Atherton, Barry, Brierly, Brown W A., Brown J B, Brusie, Burnett, Butler, Callaghan, Campbell, Carr, Carroll, Cohen, Cooley, Curry of San Francisco, Davis, Gould, Handy, Hart, Hyde, Knox, Lewis, Mathews of Tehama, McGowan, Price, Rucker, Sims, Sykes, Taylor, Weber, Windrow, Wright, Young of San Diego, and Mr Speaker—35

NOES—Messrs Adams, Bailey, Bost, Britt, Coombs, Cope, Currey of Solano, Ellsworth, Ewing, Granger, Gruwell, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Mahler, Matthews of San Benito, McClenahan, Mitchell, Morgan, Morris, Ohleyer, Regan, Remson, Shanahan Sherburne, Smyth, Spurgeon, Venable, Vincent, Wilcox, Williams, and Young of San Joaquin—33

MOTION.

At four o'clock P. M. Mr. Curry of San Francisco moved to continue the consideration of special order set for this hour—consideration of Assembly Bill No. 192—until the matter under discussion is disposed of.

PREVIOUS QUESTION.

Pending discussion, Mr. Cooley moved the previous question, seconded by Messrs. Cohen and W. A. Brown.

The question being, "Shall the main question be now put?" it was lost, on a division—ayes, 25; noes, 33.

SPECIAL ORDER No 5

Resolution reported by Special Committee on Investigation, declaring vacant the position of Assistant Minute Clerk, now filled by Ray G. Falk.

Mr. Cooley offered the following amendment:

Resolved, That Ray Falk be brought before the bar of the House and reprimanded by the Speaker

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

AYES—Messrs Bailey, Barry, Barton, Britt, Brown W A, Brown J B, Brusie, Burnett Callaghan, Campbell, Carr, Carroll, Cohen, Cooley, Curry of San Francisco, Granger, Handy, Hart, Henry of Butte, Hyde, Lewis, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, Mitchell, Regan, Remson, Searey, Shanahan, Sherburne, Sims, Taylor, Toner, Variel, Windrow, Wilcox, Williams, Young of San Diego, and Young of San Joaquin—40

NOES—Messrs Adams, Alexander, Atherton, Bost, Brierly, Butler, Coombs, Cope, Currey of Solano, Ellsworth, Gould, Gruwell, Heath, Henry of San Joaquin, Hotchkiss, Knox, Mahler, McGowan, Morgan, Morris, Ohleyer, Price, Spurgeon, Sykes, Venable, Vincent, Weber, Wright, and Mr. Speaker—29

Mr. Davis was paired with Mr. LaBlanc.
Mr. Rucker was paired with Mr. Martin.
Mr. Davis would have voted "aye."
Mr. LaBlanc would have voted "no."
Mr. Rucker would have voted "aye."
Mr. Martin would have voted "no."
The question being on the adoption of the report of the committee, as amended, as follows:

Resolved, That Ray Falk be brought before the bar of the House and reprimanded by the Speaker

MOTION.

Mr. Brierly moved to continue the consideration of the resolution until after the consideration of the next special order.
Lost, on a division—ayes, 24; noes, 30.
The question recurring on the adoption of the resolution to "reprimand," the ayes and noes were demanded by Messrs. Coombs, Mahler, and Cooley.
The roll was called.

RECESS.

Pending announcement of roll-call, the hour of recess having arrived, the Speaker declared the usual recess until seven o'clock and thirty minutes P. M.

REASSEMBLED.

The House reassembled at seven o'clock and thirty minutes P. M.
Speaker Jordan in the chair.
Quorum present.
The question recurring on the roll-call, on the adoption of the resolution to "reprimand."
The roll-call was announced, and the resolution adopted by the following vote.

AYES—Messrs Bailey, Barry, Barton, Britt, Brown W. A, Brown J B, Brusie, Burnett, Butler, Callaghan, Campbell, Carr, Carroll, Cohen, Cooley, Curry of San Francisco, Granger, Handy, Hart, Henry of Butte, Hyde Lewis, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, Mitchell, Price, Regan, Remson, Searey, Shanahan, Sherburne, Sims, Taylor, Toner, Wilcox, Williams, Young of San Diego, and Young of San Joaquin—40

NOES—Messrs Adams, Atherton, Bost, Brierly, Coombs, Cope, Cohen, Currey of Solano, Ellsworth, Gould, Gruwell, Heath, Henry of San Joaquin, Hotchkiss, Knox, Mahler, McGowan, Morgan, Morris, Ohleyer, Spurgeon, Sykes, Variel, Venable, Vincent, Weber, Wright, and Mr Speaker—27

LEAVE OF ABSENCE.

Mr. Mahler was granted leave of absence until eight o'clock and thirty minutes P. M. this evening.

ANNOUNCEMENT.

The Speaker announced that he would administer the reprimand, as directed by the House, on Monday next, at two o'clock and fifteen minutes P. M.

MOTIONS.

Mr. Curry of San Francisco called up special order (continued) for this hour, seven o'clock and thirty minutes P. M., and moved that it be

made the special order for Monday next, at two o'clock and thirty minutes P. M.

So ordered.

Mr. Weber moved that Special Order No. 6—consideration of the report of Investigation Committee—be postponed until Monday next, at two o'clock and fifteen minutes P. M.

Mr. Brierly moved to amend, to make the hour eight o'clock tonight.

Amendment adopted.

The motion of Mr. Weber, as amended, adopted.

SPECIAL COMMITTEE REPORT.

ASSEMBLY CHAMBER, SACRAMENTO, March —, 1887

MR SPEAKER: Your committee, appointed to draft and submit resolutions of respect to the late Hon S B McKee, recommend the adoption of the following resolutions

Resolved, That by the death of the Honorable Samuel Bell McKee the people of this State are called upon to mourn the loss of one of its most eminent and respected citizens. For nearly a third of a century he occupied exalted positions upon the bench of the Courts of this commonwealth The judicial ermine received no spot from contact with him His pure soul had no place save but for honor and right His abilities fitted him to render to the State those great services for which he will ever be held in honor. His opinions, written in the reports of the Supreme Court, are a monument that will remain to his memory long after the stone that shall be erected over his resting place shall have fallen into decay His was a life that helped to make the world better

Resolved, That these resolutions be spread upon the Journal of the Assembly.

J ELLSWORTH,
RUSSEL HEATH,
SAM N RUCKER,
Committee

MOTION.

Mr. Brierly moved to amend, by adding:

Resolved, That an engrossed copy of these resolutions be forwarded to the family of the deceased.

Adopted.

The resolution, as amended, adopted.

Assembly Bill No. 311 passed on file, temporarily.

SECOND READING OF BILL.

Assembly Bill No. 387—An Act to amend section two thousand three hundred and eighty-five, of Article CXI, of the Civil Code, approved March 30, 1874, relating to obligations of ship owner to owner of cargo.

Read second time, ordered engrossed, and to third reading.

LEAVE OF ABSENCE.

Messrs. Mathews of San Benito and Adams were granted leave of absence until Monday.

SECOND READING OF BILL.

Assembly Bill No. 288—An Act entitled "An Act to amend 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.

Read second time.

Committee substitute as follows:

An Act entitled "An Act to amend 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

The People of the State of California, represented in Senate and Assembly, do enact as follows

SECTION 1 Section seven of the Act of which this Act is amendatory is hereby amended so as to read as follows

Section 7 The Counties of San Benito, Monterey, and San Luis Obispo shall constitute Agricultural District Number Seven

SEC 2. The County of Santa Cruz shall constitute Agricultural District Number Fourteen

SEC 3 This Act shall take effect immediately.

Mr. Venable offered the following amendment: strike out "San Luis Obispo," line three, page two, and insert, at end of section two, "and the County of San Luis Obispo shall constitute Agricultural District Number Sixteen."

Adopted.

The substitute, so amended, adopted.

Bill ordered engrossed and to a third reading.

SPECIAL ORDER.

Mr. Brierly called up the special order for the hour—the consideration of the report of the Committee on Investigation.

MOTION.

Mr. Brierly moved to take up the report and consider it seriatim.

So ordered.

CONSIDERATION OF REPORT.

The report, down to part second, read and adopted.

Part second read and adopted.

CONSIDERATION OF PART THREE.

Mr. Hart moved to strike out, on line two, the words "willfully and wrongfully."

Mr. Brusie moved to amend: to strike out the words "willfully and."

The ayes and noes were demanded by Messrs Davis, Heath, and Campbell.

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

AYES—Messrs. Bailey, Barry, Barton, Brierly, Britt, Brown W A, Brown J B, Brusie, Butler, Callaghan, Carr, Cohen, Cooley, Curry of San Francisco, Handy, Hart, Henry of Butte, Hyde, Matthews of San Benito, McDonnell, Regan, Searey, Shanahan, Sims, Toner, and Williams—26

NOES—Messrs Atherton, Bost, Campbell, Coombs, Cope, Currey of Solano, Davis, Ellsworth, Ewing, Gould, Gruwell, Heath, Henry of San Joaquin Hotchkiss, Knox, Lewis, Mahler, Mathews of Tehama, McClenahan, McGowan, Mitchell, Morgan, Morris, Ohleyer, Price, Rennson, Sherburne, Smyth, Spurgeon, Sykes, Taylor, Variel, Venable, Vincent, Weber, Windrow, Wilcox, Wright, Young of San Diego, Young of San Joaquin, and Mr Speaker—42

CALL OF THE HOUSE.

Mr. Cohen moved a call of the House.

Lost.

The question being, to strike out the words "willfully" and "wrongfully"

The ayes and noes were demanded by Messrs. Davis, Handy, and Morgan.

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

AYES—Messrs Barry, Britt, Brown W A, Brown J B., Callaghan, Cohen, Hart, Hyde, Mitchell, Searey, and Toner—11

NOES—Messrs Atherton, Bailey, Barton, Bost, Brierly, Brusie, Butler, Campbell, Carr, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis Ellsworth, Ewing, Gould, Gruwell, Handy, Heath, Henry of San Joaquin, Hotchkiss, Knox, Mahler, Mathews of Tehama, McClenahan, McDonnell, McGowan, Morgan, Morris, Ohleyer, Price, Regan, Remson, Shanahan, Sherburne, Smyth, Spurgeon, Sykes, Taylor, Variel, Venable, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr Speaker—51

Part four read and adopted.

Part five read.

Mr Regan moved to strike out, in line one, the words "except Mr. Falk."

Lost.

Mr. Carr moved to amend, on line two: strike out the words "or suspicion."

RECESS.

At eight o'clock and forty minutes P. M. Mr. Hyde moved to take a recess for ten minutes.

So ordered, on a division—ayes, 54, noes, 4.

REASSEMBLED.

The House reassembled at eight o'clock and fifty minutes P. M.

Speaker Jordan in the chair.

The question being on the adoption of the amendment to part five.

Lost.

The question being on the adoption of part five.

Adopted.

Part six read and adopted.

Part seven read and adopted by unanimous vote.

Part eight read.

Mr. Mathews of Tehama moved to transpose the sentence "L. E. Bulkeley attempted to influence Assistant Clerk Smith," so it shall read "Assistant Clerk Smith attempted to intimidate L. E. Bulkeley."

Lost

The question recurring on the adoption of part eight, adopted, on a division—ayes 39; noes, 9.

Part nine read.

Mr Hyde moved to strike out part nine.

The ayes and noes were demanded by Messrs. Brierly, Spurgeon, and Shanahan.

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

AYES—Messrs Bailey, Barry, Barton, Britt, Brown W A, Brown J B, Brusie, Burnett, Butler, Callaghan, Carroll, Cohen, Granger, Hart, Hyde, Lewis, Mathews of Tehama, McDonnell, Mitchell, Regan, Searey, Sims, Taylor, Toner, Williams, Wright, Young of San Joaquin, and Mr Speaker—28

NOES—Messrs Atherton, Bost, Brierly, Campbell, Carr, Coombs, Cope, Currey of Solano, Davis, Ellsworth, Gould, Gruwell, Handy, Heath, Henry of San Joaquin, Hotchkiss, Knox, Mahler, McGowan, Morris, Ohleyer, Price, Shanahan, Sherburne, Spurgeon, Venable, Vincent, and Weber—28

The question being on the adoption of part nine.

The ayes and noes were demanded by Messrs. Ellsworth, Mahler, and Coombs.

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

AYES—Messrs Atherton, Bailey, Bost, Brierly, Campbell, Carr, Carroll, Coombs, Cope, Currey of Solano, Davis, Ellsworth, Gould, Gruwell, Heath, Henry of San Joaquin, Hotchkiss, Knox, Mahler, Morgan, Morris, Ohleyer, Price, Shanahan, Sherburne, Sims, Spurgeon, Sykes, Venable, Vincent, Weber, and Wilcox—32

NOES—Messrs. Barry, Barton, Britt, Brown W A, Brown J B, Brusie, Burnett, Butler, Callaghan, Cohen, Curry of San Francisco, Granger, Hart, Hyde, Mathews of Tehama, McDonnell, Mitchell, Regan, Remson, Searey, Taylor, Toner, Wilhams, Wright, Young of San Joaquin, and Mr Speaker—26

Part ten read and adopted.

The question being on the adoption of the report.

The ayes and noes were demanded by Messrs. Hyde, McDonnell, and Spurgeon.

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

AYES—Messrs Atherton, Bailey, Barry, Barton, Bost, Brierly, Burnett, Butler, Campbell, Carr, Carroll, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Gruwell, Handy, Heath, Henry of San Joaquin, Hotchkiss, Knox, Mahler, Mathews of Tehama, McGowan, Morgan, Morris, Ohleyer, Price, Remson, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Sykes, Variel, Venable, Vincent, Weber, Wilcox, Williams, Young of San Diego, and Mr Speaker—47

NOES—Messrs Britt, Brown W. A., Brown J B, Callaghan, Cohen, Granger, Hart, Hyde, McDonnell, Mitchell, Regan, Searey, Taylor, Toner, Wright, and Young of San Joaquin—16.

RESOLUTION.

By Mr. Mathews of Tehama:

WHEREAS, The testimony taken by the committee appointed to investigate charges respecting changes of positions of bills on file shows that Assistant Clerk E J Smith swore falsely when giving his evidence before the committee, therefor,

Resolved, That E J Smith be expelled from his position at the desk

Mr. Brierly moved that a committee of five be appointed to investigate the charges referred to.

MOTION.

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

The ayes and noes were demanded by Messrs. McDonnell, Mathews of Tehama, and Henry of Butte.

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

AYES—Messrs Atherton, Bailey, Barry, Barton, Brierly, Butler, Campbell, Carr, Carroll, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis Ewing, Gould, Gruwell, Handy, Hart, Heath, Henry of San Joaquin, Hotchkiss, Knox, Mahler, McDonnell, Mitchell, Morgan, Morris, Ohleyer, Price, Regan, Shanahan, Sherburne, Sims, Spurgeon, Taylor, Variel, Weber, Wilcox, Williams, Young of San Diego, and Mr Speaker—43

NOES—Messrs Bost, Britt, Brown W A, Brown J B, Brusie, Burnett, Callaghan, Cohen, Ellsworth, Henry of Butte Mathews of Tehama, McGowan, Remson, Searey, Sykes, Toner, Venable, Vincent, Wright, and Young of San Joaquin—20.

LEAVE OF ABSENCE.

Mr. Granger was granted leave of absence until Tuesday, at two o'clock P. M.

NOTICE OF RECONSIDERATION.

Mr. Mathews of Tehama gave notice that, on the next legislative day, he would move to reconsider the vote whereby the report of the investigation committee was adopted.

ADJOURNMENT.

At ten o'clock and twenty minutes P. M. Mr. Ohleyer moved to adjourn.

The ayes and noes were demanded by Messrs. McDonnell, Brusie, and Brierly.

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

AYES—Messrs Barry, Barton, Brown W A., Brown J. B., Brusie, Campbell, Carr, Carroll, Currey of Solano, Curry of San Francisco, Davis Ewing, Hart, Heath, Hotchkiss, Hyde, Lewis, Mitchell, Morgan, Morris, Ohlever, Regan, Remson, Searey, Shanahan, Sims, Smyth, Tonei, Venable, Williams, Wright, and Mr Young of San Diego—32

NOES—Messrs Atherton, Bailey, Bost, Brierly, Britt, Burnett, Cooley, Coombs, Cope, Ellsworth, Gould, Gruwell, Handy, Henry of Butte, Henry of San Joaquin, Knox, Mahler, Mathews of Tehama, McDonnell, McGowan, Price, Sherburne, Spurgeon, Sykes, Taylor, Varnel, Vincent, Weber, Wilcox, Young of San Joaquin, and Mr Speaker—31

The Speaker declared the House adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Monday, March 7, 1887.

The House met pursuant to adjournment.

Speaker Jordan in the chair.

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

Messrs Adams, Alexander, Atherton, Bailey, Barry, Barton, Bost, Brierly, Britt, Brown W A, Brown J B, Brusie, Burnett, Butler, Callaghan, Campbell, Carr, Carroll, Cohen, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Gruwell, Handy, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Knox, Lawrence, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Morgan, Morris, Ohleyer, Rucker, Remson, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Venable, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr Speaker.

Quorum present.

Prayer by the Rev. John Thompson.

Pending the reading of the Journal of Saturday, Mr. Curry of San Francisco moved to dispense with further reading.

So ordered.

Journal corrected and approved.

LEAVE OF ABSENCE.

Mr. J. B. Brown was granted leave of absence for the day.

At ten o'clock and ten minutes A. M. Mr. Young of San Joaquin moved to take up third reading of bills on General File for one and one half hours.

Mr. Brierly moved to amend, so as to include Special File.

Amendment adopted.

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

AYES—Messrs. Adams, Alexander, Bailey, Barton, Bost, Brierly, Britt, Butler, Campbell, Carr, Carroll, Cohen, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Handy, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, Knox, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Morgan, Morris, Ohleyer, Rucker, Rentson, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Varnel, Venable, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr. Speaker—57.

NOES—Mr. Atherton—1

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON PUBLIC BUILDINGS AND GROUNDS.

ASSEMBLY CHAMBER, SACRAMENTO, March 5, 1887

MR. SPEAKER: Your Committee on Public Buildings and Grounds, to whom was referred Assembly Bill No. 430—report the same back, and recommend that it do pass.

CARROLL, Chairman

ON MILEAGE.

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1887

MR. SPEAKER: Your Committee on Mileage, to whom was referred the report of the Committee on State Prison, on the occasion of their visit to Folsom—have had the same under consideration, and recommend that the following named members be allowed mileage for forty-four miles: Messrs. Burnett, Ewing, Cooley, McDonnell, Gruwell, Mathews, Atherton, and Clerk Trowbridge.

Resolved, That the Controller be and he is hereby authorized to draw his warrant for the sum of thirty-five dollars and twenty cents in favor of J. W. Atherton, to pay above mileage, payable out of the appropriation for the contingent expenses of the Assembly.

WEBER, Chairman

Adopted.

SPECIAL FILE—SECOND READING OF BILL.

Senate Bill No. 237—An Act to add three new sections to an Act entitled "An Act to establish a Political Code," approved March 12, 1872, to be numbered four hundred and forty-four, one thousand six hundred and twenty-five, and one thousand six hundred and eighty-two, respectively, in relation to the duties of the Controller and Trustees of school districts, as to apportionment of moneys, the enrollment of pupils in the grammar school course, and to provide for the same; and to amend sections one thousand five hundred and thirty-two, one thousand five hundred and thirty-three, one thousand five hundred and forty-three, and one thousand six hundred and ninety-six of said Act, in relation to pupils enrolled in the grammar school course, the duties of the Superintendent of Public Instruction, County Superintendents, and teachers, in relation thereto, and the apportionment of moneys appropriated therefor.

Read second time March second.

Mr. Brierly offered the following amendments, which were adopted:

Amend subdivision eleventh, section six, by adding thereto "which shall be open to the inspection of any applicant or his authorized agent."

Also, amend title, by inserting after the words "provide for the same," where the same first occurs in the title, the following: "also, to add a new section to said Code, to be numbered one thousand six hundred and sixty-nine, in relation to the manner in which studies

shall be taught in the grammar school course and grammar grade, and prescribing the duties of teachers, Principals, and County Superintendents in relation thereto."

Amend title, by inserting, after the numbers "1543," where they first occur therein, the following: "1771, 1773."

Amend title, by inserting the word "Principals," after the words "County Superintendents," the time the same occurs therein.

Amend title, by adding thereto, after the word "therefor," the following: "also, relating to the examination of applicants to teach in the grammar school course, and grammar grade, and the powers of County Boards of Education to grant certificates to teach in the public schools, including said course and grade."

Amend, by adding new section to bill, to follow section three, to read as follows:

SEC. 4. A new section is hereby added to said Act, to be numbered one thousand six hundred and sixty-nine, to read as follows:

1669. In the grammar school course, and grammar grade, all the subjects and studies taught shall, as far as practicable, be segregated into natural groups of allied subjects, and one or more of such groups shall be assigned to each of the teachers employed, according to the teacher's special fitness for teaching such subjects and studies. Each teacher to manage, subject to the direction of the Principal, the instruction in the group of subjects and studies so assigned. Such assignment and segregation shall be made by the Principal, subject to the approval of the County Superintendent.

Also, amend line one, page two, printed bill, by striking out figure "4" and inserting figure "5."

Also, amend line one, section five, printed bill, page five, by striking out figure "5," and inserting figure "6."

Also, amend line one, section six, page five, by striking out figure "6" and inserting figure "7."

Amend, by adding to subdivision second, section six, the following: "The property of any school district that shall lapse, shall be sold by the Board of Supervisors, and the proceeds of such sale, after the payment of any indebtedness of the district, shall be placed in the County School Fund; the territory included within the boundaries of said district shall, by order of the Board of Supervisors, be attached to one or more adjoining districts."

Also, add two new sections to bill, to follow present section six, on page eight, printed bill, after the words "Public Instruction," to read as follows:

SEC. 8. Section seventeen hundred and seventy-one of said Code is amended to read as follows:

1771. County Boards of Education have power:

First—To adopt rules and regulations, not inconsistent with the laws of this State, for their own government.

Second—To prescribe and enforce rules for the examination of teachers.

Third—To examine applicants, and to prescribe a standard of proficiency which will entitle the person examined to a certificate, and to grant certificates to three grades, as follows:

1. Grammar school course, valid for four years, authorizing holder to teach in any high school, grammar school course, grammar grade, and primary school.

2. Grammar grade, valid for three years, authorizing holder to teach any grammar grade and primary school.

3. Primary, valid for two years, authorizing holder to teach any primary school.

Fourth—To prescribe and enforce the use of a uniform series of text-books, and a course of study in the public schools, and to adopt a list of books for district school libraries.

Fifth—To revoke, for immoral or unprofessional conduct, or evident unfitness for teaching, the certificates granted by them.

Sixth—To keep a record of its proceedings.

Seventh—To issue diplomas of graduation from any of the public schools of the county, which diplomas shall be designated by the Superintendent of Public Instruction, and dis-

tributed as other blanks from his office Diplomas shall be issued only to pupils who have passed an examination prescribed by the County Board of Education Such diplomas shall be signed by the President and Secretary of the County Board and the Principal of the school

Eighth—To adopt and use, in the authentication of its acts, an official seal.

Ninth—All examination papers shall be kept on file in the office of the Superintendent of Schools for at least one year, and shall be open for the inspection of the applicant or his authorized agent

SEC 9 Section seventeen hundred and seventy-three of said Code is amended to read as follows:

1773 All examinations shall be in writing in answer to questions formulated by the Board of Education The said Board shall also examine all applicants orally, touching the questions asked in each study in which a written examination is required, and such other matters in connection therewith as will have a tendency to demonstrate the fitness of the applicant to assume the duties of teacher The said Board shall ask questions of practical utility with a view of ascertaining the knowledge and ability of the applicant All examinations shall be public

Amend line one, section seven, printed bill, by striking out figure "7," and inserting figures "10"

Amend section eight, printed bill, by striking out figure "8," and inserting figures "11."

Amend, further, by adding to said section, preceding word "this," the following: "All laws or parts of laws in conflict with the provisions of this Act are hereby repealed."

THIRD READING OF BILL.

Substitute for Assembly Bills Nos. 314 and 284—An Act to amend Chapter III of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, and each and every article and section of said Chapter III, and substituting a new Chapter III, to take place thereof, in the said Act, relating to the organization, incorporation, and government of municipal corporations of the second class.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Atherton, Bailey, Barry, Barton, Bost, Brierly, Britt, Brown W. A, Brown J B, Brusie, Butler, Callaghan, Campbell, Carr, Carroll, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Gruwell, Handy, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Knox, Lawrence, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Morgan, Morris, Ohleyer, Rucker, Searey, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Varnel, Venable, Weber, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr Speaker—60

NOES—None

Title read and approved.

REPORTS OF STANDING COMMITTEE—(OUT OF ORDER).

ON ELECTIONS.

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1887

MR. SPEAKER Your Committee on Elections, to whom was referred Assembly Resolution, relative to expenses of W A. Brown, in the contested election case of Berthier vs Brown, beg leave to report that they have had the same under consideration, and respectfully recommend as follows That the seven hundred and fifty dollars asked as attorney's fees be reduced to four hundred dollars, that the sum of two hundred and forty dollars asked as Commissioner's fees be stricken out, that the total amount disallowed is five hundred and ninety dollars, that the total amount allowed is six hundred and seventy-two dollars and fifty cents, and your committee respectfully recommend that the Controller be authorized to draw his warrant for the sum of six hundred and seventy-two dollars and fifty cents, as specified, and in favor of W. A Brown

Adopted.
Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1887.

MR. SPEAKER: Your Committee on Elections, to whom was referred Assembly Resolution, relative to expenses of John LaBlanc, in the contested election case of O'Connor vs. LaBlanc, beg leave to report that they have had the same under consideration, and respectfully recommend as follows That the sum of one hundred and fifty dollars, asked as Commissioner's fees, be stricken out, that the fifty dollars, asked for contingent expenses in procuring witnesses, be reduced to twenty-five dollars, that the seven hundred and fifty dollars, asked as attorney fees, be reduced to four hundred dollars, and the same allowed, and that the total amount disallowed is five hundred and twenty-five dollars, and the total amount allowed is five hundred and seven dollars and fifty cents, and your committee respectfully recommend that the Controller be authorized to draw his warrant for the sum of five hundred and seven dollars and fifty cents, as specified, and in favor of John LaBlanc.

Adopted.
Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1887.

MR. SPEAKER: Your Committee on Elections, to whom was referred Assembly Resolution, relative to expenses of John Hayes, in the contested election case of Hayes vs Lewis, beg leave to report that they have had the same under consideration, and respectfully recommend as follows: That the five hundred dollars, asked as attorney's fees, be reduced to three hundred and twenty-five dollars; that the sum of one hundred dollars, asked as Commissioners' fees, be stricken out, that the total amount disallowed is two hundred and seventy-five dollars, that the total amount allowed is seven hundred and sixty-five dollars and seventy-five cents, and the same allowed; and your committee respectfully recommend that the Controller be authorized to draw his warrant for the sum of seven hundred and sixty-five dollars and seventy-five cents, as specified, and in favor of John Hayes.

CARR, Chairman

PREVIOUS QUESTION.

Pending discussion, Mr. Hotchkiss moved the previous question, seconded by Messrs. Young of San Diego and Coombs.

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

The question being upon the adoption of the resolution.

The ayes and noes were demanded by Messrs. Matthews of San Benito, Coombs, and Rucker.

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

AYES—Messrs. Alexander, Barry, Bost, Britt, Brown J B., Brusie, Callaghan, Campbell, Carr, Carroll, Cohen, Cope, Curry of San Francisco, Ellsworth, Ewing, Henry of Butte, Knox, Mathews of Tehama, Sims, Wright, and Mr. Speaker—21

NOES—Messrs. Adams, Atherton, Bailey, Barton, Brierly, Burnett, Cooley, Coombs, Currey of Solano, Davis, Gould, Gruwell, Handy, Heath, Henry of San Joaquin, Hotchkiss, Lawrence, Matthews of San Benito, McClenahan, McDonnell, McGowan, Ohleyer, Rucker, Renison, Shanahan, Sherburne, Smyth, Spurgeon, Sykes, Taylor, Varnel, Venable, Vincent, Weber, Windrow, Wilcox, Williams, Young of San Diego, and Young of San Joaquin—39

GENERAL FILE—THIRD READING OF BILLS.

Assembly Bill No. 274—An Act to amend section two thousand two hundred and seventeen of the Political Code, relating to committal of insane persons, approved February 18, 1881.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Alexander, Atherton, Bailey, Barry, Barton, Bost, Britt, Brown W A, Burnett, Butler, Callaghan, Campbell, Carr, Carroll, Cooley, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Gruwell, Handy, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Knox, Lawrence, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Morgan, Ohleyer, Rucker,

Renison, Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Venable, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr Speaker—56.
NOES—None.

Title read and approved.

Assembly Bill No. 347—An Act to amend section two thousand one hundred and thirty-seven of the Political Code, relating to the powers and duties of Board of Directors of the State Insane Asylum at Stockton.

Read third time.

Mr. Mathews of Tehama in the chair.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Alexander, Atherton, Bailey, Barry, Barton, Bost, Brierly, Britt, Burnett, Butler, Callaghan, Campbell, Carr, Carroll, Cohen, Cooley, Cope, Currey of Solano, Curry of San Francisco, Ellsworth, Ewing, Gould, Gruwell, Handy, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Knox, Lawrence, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Morgan, Price, Rucker, Renison, Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Variel, Vincent, Windrow, Wilcox, Williams, Wright, Young of San Diego, and Young of San Joaquin—54.
NOES—None.

Title read and approved.

Assembly Bill No. 301—An Act to add a new chapter to the Civil Code of the State of California, to be known as Chapter VIII, of Title XIV, of Part IV, of Division III, 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.

Read third time.

MOTIONS.

Mr. Ellsworth moved that a select committee of one be appointed, with special instructions to amend Assembly Bill No. 301, as follows: Amend, by striking out of section two the following words: "every person engaged in carrying on the business of a pawnbroker or pledgee is and shall be known as a pawnbroker, and shall be considered as carrying on the business of a pawnbroker, and shall be so known and considered, although he may carry on some other business in the same place or locality."

Mr. Cooley moved to make the further consideration of Assembly Bill No. 301 the special order for eight o'clock this evening.

So ordered.

THIRD READING OF BILL.

Assembly Bill No. 248—An Act to amend the Penal Code, by adding a new section thereto, to be known as section sixty-eight *a*, in relation to crimes by and against the executive power of the State.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Alexander, Atherton, Bailey, Barry, Barton, Bost, Brierly, Britt, Brusie, Burnett, Butler, Campbell, Carr, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Gruwell, Handy, Heath, Henry of San Joaquin, Hotchkiss, Hyde, Knox, Lawrence, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Morgan, Morris, Ohleyer, Searey, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Toner, Variel, Vincent, Windrow, Wilcox, Williams, Wright, Young of San Diego, and Young of San Joaquin—57.
NOES—None.

Title read and approved.

RESOLUTION—(OUT OF ORDER).

By Mr. Lawrence:

Resolved by the Assembly, the Senate concurring, That the twenty-seventh session of the Legislature adjourn sine die on Wednesday, March ninth, at midnight

MOTION.

Mr. Heath moved to make the resolution a special order for Wednesday, at two o'clock P. M.

So ordered.

RESOLUTION—(OUT OF ORDER).

By Mr. Knox:

Resolved, That the Secretary of State be and he is hereby authorized and directed to deliver without cost or fee one set of the Proceedings of the Constitutional Convention of 1879, to every member of the Assembly of the twenty-seventh session.

Adopted.

THIRD READING OF BILL.

Assembly Bill No. 273—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 two thousand two hundred and ninety, relating to legal proceedings in cases of trusts.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Alexander, Atherton, Bailey, Barry, Barton, Bost, Brierly, Britt, Brown W A, Brown J B, Bruse, Burnett, Campbell, Carr, Coombs, Cope, Currey of Solano, Ellsworth, Ewing, Gould, Handy, Heath, Henry of San Joaquin, Hotchkiss, Knox, Lawrence, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Morgan, Ohleyer, Rucker, Remson, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Toner, Variel, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr. Speaker—54.

NOES—None

Title read and approved.

RESOLUTION—(OUT OF ORDER).

By Mr. Alexander:

Resolved, That the Controller be and he is hereby directed to draw his warrant upon the Contingent Fund of the Assembly, for the sum of one hundred and twelve dollars, in favor of P R. Klein, Sergeant-at-Arms, for the payment of the following bills:

To Mrs M Mains, washing towels, etc.	$16 00
To C H Rave, locksmith	6 50
To Bragg Brothers, turned blocks	2 00
To Golden Eagle Carriage Company	5 00
To Golden Eagle Carriage Company, February 24	3 00
To James Cousins, carriage hire, March 2	3 00
To John Toomey, carriage hire, March 3	4 00
To T D Scriver, carriage hire, March 3	2 50
To J T Hayes, assistant, call of the House March 3	2 00
To P H Malony, assistant, call of the House February 19	2 00
To P H Malony, assistant, call of the House February 21	2 00
To J W. Watson, assistant, call of the House February 19	2 00
To J. W. Watson, assistant, call of the House February 21	2 00

To H. E. Kerlin, assistant, call of the House February 19	$2 00
To H. E Kerlin, assistant, call of the House February 24	2 00
To incidental expenses of office	20 00
To Union Ice Company	36 00
Total	$112 00

And the Treasurer is hereby directed to pay the same.

Referred to Committee on Retrenchment.

By Mr. Brierly:

Resolved, That the Committee on Enrollment be and it is hereby allowed an additional clerk, at the same per diem that is paid committee clerks, said per diem being payable out of the appropriation for the contingent expenses of the Assembly.

Referred to Committee on Attachés and Employés.

THIRD READING OF BILL.

Assembly Bill No. 250—An Act to amend section six hundred and thirty-six of an Act entitled an Act to establish a Penal Code, approved February 14, 1872, relating to the preservation of fish.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Atherton, Bailey, Barton, Bost, Brierly, Britt, Brown J B, Brusie, Burnett, Butler, Cooley, Cope, Curry of San Francisco, Davis, Ellsworth, Ewing, Gruwell, Handy, Heath, Henry of San Joaquin, Hotchkiss, Hyde, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Morgan, Ohleyer, Renison, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Toner, Venable, Vincent, Weber, Wilcox, Williams, Young of San Diego, Young of San Joaquin, and Mr Speaker—48

NOES—None.

Title read and approved.

RESOLUTION—(OUT OF ORDER).

By Mr. Curry of San Francisco:

Resolved, That the Secretary of State be and he is hereby instructed to forward to each member of the Assembly one copy of all books and maps that have been or may hereafter be published by the State Engineer, except Part I on Irrigation Development

Adopted.

THIRD READING OF BILLS.

Assembly Bill No. 521—An Act relating to the dissolution and modification of injunctions, and amending sections five hundred and thirty and five hundred and thirty-two of the Code of Civil Procedure.

Read third time, and passed temporarily on file.

Assembly Bill No. 154 passed on file.

Senate Bill No. 162—An Act to regulate the vocation of fishing, and to provide therefrom revenue for the "restoration and preservation of fish" in the waters of the State of California.

Read third time.

RECESS.

Pending the roll-call on Senate Bill No. 162, the hour of recess having arrived, the Speaker declared the usual recess until two o'clock P. M.

REASSEMBLED.

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

Speaker Jordan in the chair.

Quorum present.

The question recurring on the roll-call on the passage of Senate Bill No. 162.

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

AYES—Messrs. Adams, Alexander, Atherton, Bailey, Barry, Bost, Brierly, Britt, Brusie, Butler, Callaghan, Cohen, Cooley, Cope, Ewing, Handy, Hart, Henry of Butte, Hyde, Lawrence, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, Ohleyer, Rucker, Remson, Searey, Sherburne, Sims, Sykes, Taylor, Toner, Venable, Weber, Wilcox, Williams, Wright, Young of San Diego, and Mr. Speaker—40

NOES—Messrs. Barton, Brown W. A., Brown J. B., Campbell, Carroll, Currey of Solano, Curry of San Francisco, Heath, Hotchkiss, Lewis, McDonnell, Morgan, Smyth, and Spurgeon—14.

REPORT OF STANDING COMMITTEE.

ON ATTACHÉS AND EMPLOYÉS.

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1887.

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

Resolved, That the Committee on Enrollment be and it is hereby allowed an additional clerk, at the same per diem that is paid committee clerks, said per diem payable out of the appropriation for the contingent expenses of the Assembly.

Report the same back, and recommend that it be adopted

C. F. CURRY, Chairman.

MOTION.

Mr. Brierly moved to amend, "that the committee appoint their clerk."

Adopted.

Mr. Hyde moved to amend, "that the per diem commence from March seventh."

Adopted.

The question recurring on the resolution as reported by the Committee on Attachés and Employés, and as amended, was adopted.

Mr. Heath moved to suspend the rules, and take up bills on third reading until all are read.

SPECIAL ORDERS.

Pending the consideration of the above motion, the hour arrived for the reprimand.

The Speaker announced that the hour, two o'clock and fifteen minutes P. M., for the reprimand, had arrived.

The Speaker announced that he had received the following resignation:

SACRAMENTO, March 7, 1887.

To the Hon. W. H. Jordan, Speaker of the Assembly:

DEAR SIR: Herewith I tender my resignation as Assistant Minute Clerk of the Assembly. In doing so I desire to reiterate that I am entirely innocent of the charge preferred against me.

Respectfully, etc., RAY G. FALK.

MOTION.

Mr. Hyde moved that the resignation be accepted.

Mr. Coombs moved to indefinitely postpone action on the resignation.

SPECIAL ORDER.

At two o'clock and thirty minutes P. M. Mr. Mathews of Tehama called up special order for this hour—consideration of Senate Bill No. 192—which, by consent, was continued.

The question recurring on the motion to postpone, the same was lost.

The question recurring on the motion made by Mr. Hyde, to accept the resignation.

Lost.

RESOLUTION—(OUT OF ORDER).

By Mr. Young of San Joaquin:

WHEREAS, Ray Falk was ordered to appear before the bar of this House to receive a reprimand from the Speaker, and, whereas, he has not done so,

Resolved, That he be dismissed from his position as Assistant Minute Clerk of the Assembly

MOTION.

Mr. Venable moved to amend the resolution, by striking out the word "ordered," and inserting the word "failed."

PREVIOUS QUESTION.

Pending discussion, Mr. Knox moved the previous question, seconded by Messrs. Weber and Shanahan.

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

The question being on the amendment offered by Mr. Venable, the same was lost.

The question recurring on the resolution of Mr. Young of San Joaquin.

The ayes and noes were demanded by Messrs. Heath, McDonnell, and Davis.

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

AYES—Messrs. Alexander, Bost, Brierly, Campbell, Cope, Davis, Gould, Handy, Heath, Henry of San Joaquin, Hotchkiss, Knox, Mathews of Tehama, McGowan, Morgan, Morris, Rucker, Shanahan, Sherburne, Smyth, Spurgeon, Venable, Vincent, Weber, Wright, and Young of San Diego—26

NOES—Messrs Adams, Atherton, Bailey, Barry, Barton, Britt, Brown W A., Brown J B, Brusie, Burnett, Butler, Callaghan, Carr, Carroll, Cohen, Cooley, Coombs, Currey of Solano, Curry of San Francisco, Ellsworth, Ewing, Gruwell, Hart, Hyde, Lawrence, Lewis, Mann, Matthews of San Benito, McDonnell, Ohleyer, Searey, Sims, Sykes, Taylor, Toner, Variel, Windrow, Wilcox, Williams, Young of San Joaquin, and Mr Speaker—41.

REPRIMAND OF RAY G. FALK.

The Speaker spoke as follows:

THE SPEAKER The Sergeant-at-Arms will produce Mr. Ray Falk before the bar of this House.

Mr. Falk appears at the bar of the House. The Speaker continues:

Mr Falk, this House has imposed upon the Speaker the most disagreeable duty of his life. At the commencement of this session of the Legislature, you were selected to fill the office of Assistant Minute Clerk of the House, and you were selected to that position because we thought you both capable and honest. Not long after, rumors

were circulated that you had been guilty of tampering with the records of the House A committee was appointed, who made a careful, patient, and lengthy examination of the charges, you were cited before them, you appeared and gave your testimony, there was ample opportunity afforded you to be represented as you saw fit. After carefully sifting all the evidence, the committee has unanimously found you guilty of having willfully and wrongfully attempted to alter the position of bills upon the file of this House They have made their report, and the House has concurred therein The committee recommended that you be removed from your position and be dismissed from the service of the House Out of kindness of heart of the members, your punishment has been modified from a dismissal to a reprimand by the Chair. I am not unmindful, at this time, of the fact that you are a young man, nor that, in common with most young men, you are looking forward toward the future, that you are building hopes upon that future, that you look forward to it as having in store for you many pleasures and many honors I am not unmindful either of the fact that even at this moment a kind and loving wife upon her bed of sickness is turning her thoughts and heart toward you Though mindful of these things, and strongly moved by a tendency to say as little as I may that shall cause you pain, yet I cannot forget the fact that you are arraigned, not only at the bar of this House, but at the bar of this commonwealth, for having committed a high crime I am not unmindful of the fact that you have been found guilty of willfully and wrongfully attempting, at least, to tamper with the public records of the highest body in the commonwealth, that had you succeeded in carrying out your designs concerning those files, some of the most sacred rights of the people would have been frustrated, and I admonish you now that in all your future you carry the memory of this mistake, if mistake it was, in mind. Let it not crush you, but rather let it be a lesson that shall tend to drive you in the future far away from the rocks of temptation, far away from the paths of evil-doers, and lead you into an upright and proper life, where you may in the future receive the good wishes and benedictions of your fellow-men. You may now take your seat at the desk.

Speaker pro tem. Brierly in the chair.

REPORT OF STANDING COMMITTEE.

ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1887.

MR SPEAKER Your Committee on Enrollment beg leave to report that the following Assembly Bill has been correctly enrolled·

Assembly Bill No 181—An Act amending section four hundred and eight of the Code of Civil Procedure, relating to the issuing of alias summons

And was presented to the Governor, this day, at twelve o'clock and thirty minutes P M.

J. B BROWN, Chairman

SPECIAL ORDER—PASSAGE OF BILL.

Senate Bill No. 192—An Act establishing an Industrial Home of Mechanical Trades for the Adult Blind of the State of California, creating a Board of Directors for the government thereof, and appropriating the sum of sixty-five thousand dollars for the support of said Home.

Mr. Ellsworth in the chair.

MOTION.

Mr. Brierly moved that further consideration of Senate Bill No. 192 be made the special order for four o'clock P. M. to-day.

So ordered.

Speaker Jordan in the chair.

RESOLUTION—(OUT OF ORDER).

By Mr. Heath:

Resolved, That the Secretary of State is hereby required to certify to the Controller the various items and values of all supplies furnished to each committee clerk of the Assembly, together with the various items and value returned to his office by each of said clerks, and that the Controller is hereby required to deduct from the pay of any of said clerks the value of all such supplies, other than paper, pens, envelopes, pencils, ink, and blotting paper, which shall not have been so returned to the Secretary of State.

Mr. Brusie moved to amend, by adding one pair of shears in the exceptions.

Amendment lost.

Resolution adopted.

THIRD READING OF BILLS.

Senate Bill No. 232—An Act to provide one additional Judge of the Superior Court of the County of Fresno, State of California.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Barry, Bost, Brierly, Britt, Brown W A, Brown J. B., Brusie, Burnett, Callaghan, Carroll, Cohen, Colbert, Cooley, Coombs, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Gruwell, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Knox, Lewis, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, Rucker, Renison, Searey, Shanahan, Sims, Smyth, Spurgeon, Toner, Variel, Venable, Windrow, Wright, Young of San Diego, and Young of San Joaquin—47

NOES—Messrs. Atherton, Bailey, Campbell, Cope, Currey of Solano, Handy, McGowan, Morris, Ohleyer, Sherburne, Sykes, Vincent, Wilcox, Williams, and Mr. Speaker—15.

Title read and approved.

Assembly Bill No. 521 having been returned correctly engrossed.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Atherton, Bailey, Barry, Bost, Brierly, Britt, Brown W. A, Brown J B, Brusie, Burnett, Callaghan, Campbell, Carr, Carroll, Cohen, Colbert, Cooley, Cope, Curry of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Gruwell, Handy, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Knox, Lewis, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Morris, Rucker, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Toner, Variel, Venable, Vincent, Weber, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr. Speaker—59.

NOES—None.

Title read and approved.

Senate Bill No. 342—An Act authorizing the incurring of indebtedness by cities, towns, or municipal corporations, incorporated under the laws of this State.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Alexander, Atherton, Bailey, Barry, Barton, Bost, Brierly, Butler, Callaghan, Carr, Carroll, Cohen, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Gruwell, Handy, Hart, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, Knox, Lewis, Mann, Matthews of San Benito, McGowan, Morgan, Ohleyer, Rucker, Searey, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Taylor, Variel, Weber, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr Speaker—52.

NOES—Mr. Colbert—1.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Lewis gave notice that, on to-morrow, he would move to reconsider the vote whereby Senate Bill No. 162 was lost.

THIRD READING OF BILL.

Senate Bill No. 188—An Act to amend an Act entitled "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," approved March 3, 1885, by amending sections one and two thereof.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Atherton, Bailey, Bost, Brierly, Britt, Brown J. B., Brusie, Burnett, Butler, Callaghan, Cohen, Colbert, Coombs, Currey of Solano, Curry of San Francisco, Ellsworth, Ewing, Gould, Gruwell, Hart, Henry of Butte, Henry of San Joaquin, Hyde, Knox, Lewis, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Rucker, Searey, Sherburne, Sims, Smyth, Spurgeon, Taylor, Toner, Variel, Weber, Windrow, Wright, and Young of San Joaquin—45

NOES—Messrs. Carr, Cooley, Cope, Hotchkiss, Mitchell, Ohleyer, and Young of San Diego—7.

Title read and approved.

REPORT OF STANDING COMMITTEE.

ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1887.

MR. SPEAKER: Your Committee on Enrollment beg leave to report that the following Assembly Bills have been correctly enrolled:

Assembly Bill No. 106—An Act to amend sections one thousand nine hundred and twelve, one thousand nine hundred and twenty-nine, one thousand nine hundred and ninety, two thousand and twenty-one, two thousand and twenty-six, two thousand and ninety-four, two thousand and seven, and to add a new section, to be known as section two thousand and twenty-seven of the Political Code, relating to the State militia

Also, Assembly Bill No 523—An Act to provide for the government and management of the California Home for the Care and Training of Feeble-Minded Children.

Also, Substitute for Assembly Bill No 232—An Act to provide, in all cities of over ten thousand inhabitants, that the Mayor or other Chief Executive shall not be required to act as City Judge, or ex officio Judge of the City Court, or as Justice of the Peace, to provide for the abolishment of such City Court, and for the transfer of the business and properties of said City Court to the Justice of the Peace of such cities, and to require such Justice to finish such business, and to repeal all special Acts in conflict herewith.

Also, Substitute for Assembly Bill No 390—An Act to appropriate money for the erection of a monument at the grave of J. W. Marshall, deceased, the discoverer of gold in California.

Also, Assembly Bill No 120—An Act to amend an Act entitled "An Act to amend an Act to incorporate the Town of Chico, Butte County, State of California," approved March 23, 1878.

And were presented to the Governor, this day, at three o'clock and fifty minutes P. M.

JAS B. BROWN, Chairman.

THIRD READING OF BILL.

Senate Bill No. 60—An Act making an additional appropriation for rent, furniture, and contingent expenses of Insurance Commissioner, for the thirty-eighth fiscal year.

Read third time.

MOTION.

Mr. Heath moved that the special order set for this hour, four o'clock P. M., consideration of Senate Bill No. 192, be postponed until after the bill now under consideration is passed.

So ordered.

PASSAGE OF SENATE BILL No 60.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Atherton, Bailey, Bost, Brierly, Britt, Brusie, Burnett, Campbell, Carr, Carroll, Cohen, Cooley, Coombs, Cope, Currey of Solano, Curry of San Fran-

cisco, Davis, Ellsworth, Ewing, Gould, Gruwell, Handy, Hart, Heath, Henry of San Joaquin, Hotchkiss, Hyde, Knox, Lewis, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, Morgan, Morris, Ohleyer, Searey, Sherburne, Sims, Smyth, Spurgeon, Taylor, Toner, Varnel, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, and Mr. Speaker—54.

NOES—Mr. Adams—1.

Title read and approved.

SECOND READING OF BILLS.

Senate Bill No. 190—An Act appropriating the sum of ten thousand dollars to erect a building for the purpose of furnishing dormitories and dining rooms for the male adult blind inmates at the "Home for the Adult Blind."

Read second time.

Senate Bill No. 191—An Act appropriating the sum of twenty-eight thousand five hundred dollars for the purpose of purchasing suitable property for the location of the Industrial Home of Mechanical Trades for the Adult Blind of California.

Read second time.

MOTION.

Mr. Brierly moved that the House go into Committee of the Whole, with the Speaker in the chair, and consider Senate Bills Nos. 190 and 191.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Jordan in the chair.

The bill was considered in the Committee of the Whole.

IN ASSEMBLY.

Speaker Jordan in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The Chairman stated the report of the committee as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No 190—and report the same back, and recommend that it do pass, as amended, as follows

Amend, by striking out of section two, line one, the word "brick."

Also, by striking out of section three, line two, the words "one brick."

Also, have had under consideration Senate Bill No. 191—and report the same back, and recommend that it do pass, as amended, as follows

Amend, by inserting, in place occupied in printed Substitute for Senate Bill No 191, the following after the word "property," in section two, line two, the words "and the erection of buildings."

Also, amend, by inserting, after the word "location," the following "of not less than thirty acres of land, within four miles of a railroad station, and not more than one hundred miles from San Francisco."

Report adopted.

Senate Bill No. 190 ordered to a third reading.

Senate Bill No. 191 ordered to a third reading.

PASSAGE OF BILL.

Senate Bill No. 192—An Act establishing an Industrial Home of Mechanical Trades for the Adult Blind of the State of California, creating a Board of Directors for the government thereof, and appropriating the sum of sixty-five thousand dollars for the support of said Home.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Alexander, Atherton, Bailey, Barry, Barton, Bost, Brierly, Britt, Brown J. B, Brusie, Burnett, Butler, Callaghan, Campbell, Carr, Carroll, Cohen, Colbert, Cooley, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Gruwell, Handy, Hart, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, Lawrence, Lewis, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Morgan, Morris, Ohlever, Rucker, Sherburne, Sims, Spurgeon, Taylor, Venable, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr. Speaker—60.

NOES—None

Title read and approved.

CASE OF URGENCY.

Mr. Wright moved to suspend the rules and provisions of section fifteen, of Article IV, of the Constitution, requiring bills to be read on three separate days, that Senate Bill No. 106 be declared a case of urgency, and the bill be read the second and third time, and placed upon its passage.

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

AYES—Messrs Adams, Alexander, Atherton, Bailey, Barton, Bost, Brierly, Brown W. A, Brown J B, Brusie, Butler, Campbell, Carr, Carroll, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Gruwell, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, Knox, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Morgan, Morris, Ohleyer, Rucker, Searey, Shanahan, Sims, Smyth, Spurgeon, Taylor, Variel, Venable, Vincent, Weber, Wilcox, Williams, Wright, Young of San Joaquin, and Mr Speaker—56.

NOES—Messrs. Britt, Burnett, Callaghan, Cohen, Colbert, Lawrence, Lewis, and Sherburne—8.

SECOND READING OF BILL.

Senate Bill No. 106—An Act to amend section six hundred and fifty-four of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relative to the State Board of Examiners, its Secretary, and making an appropriation for his salary.

Read second time.

MOTION.

Mr. Wright moved that the House go into Committee of the Whole, and consider Senate Bill No. 106, with the Speaker in the chair.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Jordan in the chair.

The bill was considered in the Committee of the Whole.

IN ASSEMBLY.

Speaker Jordan in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The Chairman stated the report of committee as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 106—and report the same back, and recommend that it do pass

Report adopted.

Senate Bill No. 106 read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Alexander, Atherton, Bailey, Barry, Barton, Bost, Brierly, Britt, Brown W. A., Brown J. B., Brusie, Burnett, Butler, Campbell, Carr, Carroll, Cohen, Cooley, Cope, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Gruwell, Handy, Heath, Henry of San Joaquin, Hotchkiss, Knox, Lewis, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Morgan, Morris, Ohleyer, Renison, Searey, Shanahan, Sherburne, Sims, Spurgeon, Taylor, Variel, Venable, Weber, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr. Speaker—57.
NOES—Mr. Lawrence—1.

Title read and approved.

MOTION.

Mr. Brierly moved that the rules be suspended, and that Assembly Bill No. 247 be taken up, out of order, and considered.

Mr. Venable in the chair.

CALL OF THE HOUSE.

Pending roll-call, Mr. Brierly moved a call of the House.

So ordered.

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

Messrs. Adams, Alexander, Atherton, Bailey, Barry, Barton, Bost, Brierly, Britt, Brown W. A., Brown J. B., Brusie, Burnett, Butler, Callaghan, Campbell, Carr, Carroll, Cohen, Colbert, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Gruwell, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, Knox, Lawrence, Lewis, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Morgan, Morris, Ohleyer, Rucker, Renison, Searey, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Toner, Variel, Venable, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr. Speaker.

MOTION.

Mr. Renison moved that further proceedings under the call of the House be dispensed with.

So ordered.

The question being on the motion of Mr. Brierly, to suspend the rules and take up Assembly Bill No. 247.

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

AYES—Messrs. Alexander, Barton, Bost, Brierly, Butler, Campbell, Cooley, Coombs, Cope, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Gruwell, Handy, Hart, Henry of Butte, Hotchkiss, Hyde, Knox, Lewis, Mathews of Tehama, McClenahan, McGowan, Morgan, Morris, Rucker, Shanahan, Sims, Spurgeon, Sykes, Variel, Venable, Vincent, Weber, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr. Speaker—43.
NOES—Messrs. Adams, Bailey, Brusie, Carr, Carroll, Colbert, Currey of Solano, Heath, Henry of San Joaquin, Ohleyer, Renison, Sherburne, Smyth, and Taylor—14.

Senate Concurrent Resolution No. 5 passed on file.

Assembly Joint Resolution No. 10—Relative to mining debris.

Read.

Speaker Jordan in the chair.

Mr. Variel offered a substitute for Assembly Joint Resolution No. 10.

Mr. Variel moved to make the consideration of Assembly Joint Resolution No. 10, and substitute for same, the special order for to-morrow, at two o'clock and thirty minutes P. M.

Mr. Taylor moved to amend, by making the time seven o'clock and thirty minutes P. M.

The question being on the shortest time, the resolution and substitute were made the special order for two o'clock and thirty minutes P. M. to-morrow, on a division—ayes, 32; noes, 15.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1887.

MR SPEAKER: Your Committee on Engrossment beg leave to report that the following Assembly Bills have been correctly engrossed:

Nos. 261, 234, 255, 257, and 260.

WINDROW, Chairman

THIRD READING OF BILL.

Assembly Bill No. 289—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," approved April 16, 1880.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Atherton, Barry, Barton, Bost, Brierly, Britt, Brown W A, Brown J. B, Campbell, Carr, Carroll, Cooley, Coombs, Cope, Curry of Solano, Ewing, Gould, Gruwell, Hart, Heath, Henry of San Joaquin, Hyde, Knox, Lewis, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Morgan, Ohleyer, Remson, Sherburne, Sims, Smyth, Spurgeon, Taylor, Variel, Venable, Weber, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr. Speaker—47.

NOES—None.

Title read and approved.

Substitute for Assembly Bill No. 449—An Act to amend sections sixty-six and seventy-three of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the number of Judges of the Superior Courts to be elected in certain counties, and the number of sessions of the Superior Court to be held by the Judges of said Court, and to the time when and place where the sessions of such Courts shall be held.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Alexander, Atherton, Bailey, Barry, Bost, Brierly, Britt, Brown W. A, Brown J. B, Callaghan, Campbell, Carr, Carroll, Cohen, Colbert, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Gould, Gruwell, Handy, Heath, Henry of Butte, Henry of San Joaquin, Knox, Lawrence, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Morgan, Ohleyer, Remson, Searey, Sherburne, Sims, Smyth, Spurgeon, Taylor, Toner, Variel, Venable, Vincent, Weber, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr. Speaker—55.

NOES—None.

Title read and approved.

At six o'clock P. M., on motion of Mr. Knox, the hour of recess was extended five minutes.

THIRD READING OF BILLS.

Assembly Bill No. 526—An Act to repeal an Act entitled "An Act to incorporate the Town of Wilmington, in the County of Los Angeles, in the State of California," approved February 20, 1872.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Alexander, Atherton, Bailey, Barton, Bost, Brierly, Britt, Brown W A, Campbell, Carr, Colbert, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ewing, Gould, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hyde, Knox, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Morgan, Ohleyer, Searey, Sherburne, Sims, Smyth, Spurgeon, Taylor, Variel, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr Speaker—48.

NOES—Mr. Barry—1.

Title read and approved.

Assembly Bill No. 527—An Act to repeal an Act entitled an Act to amend an Act entitled "An Act to incorporate the Town of Wilmington, in the County of Los Angeles, in the State of California, approved February 20, 1872," approved March 21, 1872.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Atherton, Barry, Barton, Bost, Brierly, Britt, Brown W. A, Brown J. B, Callaghan, Campbell, Carr, Carroll, Cohen, Cooley, Coombs, Cope, Currey of Solano, Davis, Ellsworth, Gould, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hyde, Knox, Lawrence, Lewis, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Morgan, Ohlever, Searey, Sherburne, Sims, Spurgeon, Taylor, Toner, Variel, Venable, Vincent, Weber, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr. Speaker—52.

NOES—None.

Title read and approved.

RECESS.

At six o'clock and five minutes P. M., the hour of recess having arrived, the Speaker declared the usual 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. Brierly in the chair.

Quorum present.

Speaker Jordan in the chair.

THIRD READING OF BILLS.

Assembly Bill No. 560—An Act to appropriate money to meet a deficiency in the appropriation for the State's portions of the salaries of the Superior Judges, for the thirty-eighth fiscal year.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Bailey, Barton, Bost, Brierly, Brown W. A., Brown J. B, Brusie, Butler, Carr, Cohen, Cooley, Coombs, Cope, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Gruwell, Hart, Heath, Henry of San Joaquin, Hotchkiss, Hyde, Matthews of San Benito, McClenahan, McDonnell, McGowan, Mitchell, Ohleyer, Remson, Sherburne, Sims, Smyth, Sykes, Taylor, Variel, Venable, Vincent, Weber, Windrow, Wilcox, Williams, Young of San Diego, and Mr Speaker—46

NOES—None.

Title read and approved.

Assembly Bill No. 503—An Act to provide for compiling, illustrating, electrotyping, printing, binding, copyrighting, and distributing certain books of a State series of school text-books, and appropriating money therefor.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Atherton, Bailey, Barton, Bost, Brierly, Brown W. A., Brown J. B., Brusie, Butler, Callaghan, Campbell, Carr, Carroll, Cohen, Cooley, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Gruwell, Handy, Hart, Henry of San Joaquin, Hotchkiss, Hyde, Matthews of San Benito, McClenahan, McDonnell, McGowan, Mitchell, Ohleyer, Price, Renison, Sherburne, Sims, Smyth, Sykes, Taylor, Variel, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr Speaker—52.

NOES—Mr Venable—1.

Title read and approved.

Assembly Bill No. 490—An Act to establish a Home of Industry and Refuge for ex-Convicts, and to provide for the maintenance of the same.

Read third time.

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

AYES—Messrs Barton, Brierly, Brusie, Callaghan, Campbell, Curry of San Francisco, Henry of San Joaquin, Hyde, McDonnell, McGowan, Renison, Sherburne, Sims, Sykes, Weber, Wilcox, and Young of San Joaquin—18

NOES—Messrs Adams, Atherton, Bost, Britt, Brown W A , Brown J B , Carr, Carroll, Cohen, Colbert, Cope, Currey of Solano, Davis, Ellsworth, Gould, Gruwell, Handy, Heath, Hotchkiss, Knox, Mitchell, Morgan, Ohleyer, Price, Searey, Shanahan, Smyth, Spurgeon, Taylor, Toner, Venable, Vincent, Williams, and Wright—35.

Assembly Bill No. 163—An Act to add a new section to the Code of Civil Procedure, to be numbered four hundred and sixty-six, relative to the pleadings, evidence, and costs in action upon policies of fire insurance, in certain cases.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Atherton, Bailey, Barry, Barton, Brierly, Britt, Brown W A., Brown J. B., Brusie, Butler, Campbell, Carr, Carroll, Coombs, Cope, Currey of Solano, Curry of San Francisco, Ewing Gould, Handy, Hart, Heath, Henry of San Joaquin, Hotchkiss, Knox, Matthews of San Benito, McClenahan, McDonnell, McGowan, Morgan, Renison, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Variel, Vincent, Weber, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr. Speaker—48

NOES—Messrs. Bost, Cohen, Colbert, Cooley, Ellsworth, Gruwell, Hyde, Ohleyer, and Price—9.

Title read and approved.

MOTION.

Mr. Variel moved that the rules be suspended, and that Senate Bill No. 333 be taken up, out of order, and considered.

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

AYES—Messrs. Barry, Barton, Bost, Brown J B , Callaghan, Campbell, Cooley, Coombs, Currey of Solano, Curry of San Francisco, Ellsworth, Ewing, Gruwell, Handy, Hart, Henry of San Joaquin, Hyde, Knox, Lewis, Matthews of San Benito, Mitchell, Morgan, Ohleyer, Renison, Sims, Sykes, Toner, Variel, Venable, Vincent, Windrow, Wright, and Young of San Joaquin—35

NOES—Messrs Atherton, Bailey, Brierly, Britt, Butler, Carroll, Cope, Gould, Heath, Hotchkiss, McClenahan, McDonnell, Price, Sherburne, Smyth, Taylor, Weber, Wilcox, Williams, and Mr. Speaker—19

REPORTS OF STANDING COMMITTEE.

ON ELECTIONS.

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1887.

MR SPEAKER: Your Committee on Elections, to whom was referred Assembly Resolution relative to expenses of J B Brown, in the contested election case of Eaton vs Brown, beg leave to report that they have had the same under consideration, and respectfully recommend as follows That the seven hundred and fifty dollars asked as attorney's fees be reduced to three hundred and seventy-five dollars, that the one hundred and five dollars asked as expenses of witnesses to Sacramento be stricken out, that the twenty dollars asked as fee for Mr Dryden in watching contest, be stricken out, that the forty-eight dollars asked as expense of respondent in contesting be stricken out, that the seven dollars and fifty cents asked as expenses in Court be stricken out, that the total amount disallowed is five hundred and fifty-five dollars and fifty cents, that the total amount allowed is four hundred and forty-three dollars and thirty cents, and your committee respectfully recommend that the Controller be authorized to draw his warrant for the sum of four hundred and forty-three dollars and thirty cents, as specified, and in favor of J. B. Brown.

Adopted.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1887.

MR. SPEAKER, Your Committee on Elections, to whom was referred Assembly Resolution, relative to expenses of H R Mann, in the contested election case of Colton vs Mann, beg leave to report that they have had the same under consideration, and respectfully recommend as follows: That the one hundred and ten dollars and ten cents asked as witnesses' fees and mileage, be reduced to eighty-seven dollars and thirty cents, that the seven hundred and fifty dollars, asked as attorney's fees, be reduced to four hundred dollars, that the same be allowed, and that the total amount disallowed is three hundred and seventy-two dollars and eighty cents, and the total amount allowed is six hundred and fifty-eight dollars and twenty cents, and your committee respectfully recommend that the Controller be authorized to draw his warrant for the sum of six hundred and fifty-eight dollars and twenty cents, as specified, and in favor of H. R. Mann.

CARR, Chairman.

Adopted.

LEAVE OF ABSENCE.

The Committee on State Library was granted leave of absence for the evening.

At eight o'clock and fifteen minutes P. M. Mr. Brusie was granted leave of absence for one hour.

The question recurring on the report of the Committee on Elections.

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1887.

MR. SPEAKER: Your Committee on Elections, to whom was referred Assembly Resolution, relative to expenses of Edwin Lewis, in the contested election case of Hayes vs Lewis, beg leave to report that they have had the same under consideration, and respectfully recommend as follows That the nine hundred dollars asked as attorney's fees be reduced to four hundred and fifty dollars, that the one hundred and sixty-five dollars asked as mileage and expenses of two counsel be stricken out; that the one hundred and forty dollars asked as Commissioner's fees be stricken out, that the two hundred and seventy-eight dollars asked as witnesses' fees be stricken out, that the total amount disallowed is ten hundred and thirty-three dollars, and the total amount allowed is seven hundred and twenty-four dollars, and your committee respectfully recommend that the Controller be authorized to draw his warrant for the sum of seven hundred and twenty-four dollars, as specified, and in favor of Edwin Lewis.

CARR, Chairman.

Mr. Renison moved that the attorneys' fees be reduced to two hundred and fifty dollars.

Lost.

Resolution adopted.

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1887.

MR. SPEAKER: Your Committee on Elections, to whom was referred Assembly Resolution, relative to expenses of John H. Colbert in the contested election case of Beal vs.

Colbert, beg leave to report that they have had the same under consideration, and respectfully recommend as follows. That the seven hundred and fifty dollars asked as attorney's fees be reduced to three hundred dollars, that the forty dollars asked as Commissioners' fees be stricken out, that the one hundred and sixty-five dollars asked as contingent expenses, in preparing respondent's case for trial, be stricken out, that the one hundred and thirty-five dollars asked as expenses of "self and counsel attending meetings before the Justices of the Peace," be stricken out, that the forty-five dollars asked as per diem of seven witnesses be reduced to twenty-five dollars, that the thirty-seven dollars and sixty-five cents asked for copying, postage, telegrams, etc., be stricken out, that the total amount disallowed is eight hundred and forty-seven dollars and sixty-five cents; that the total amount allowed is five hundred and one dollars and fifty cents, and your committee respectfully recommend that the Controller be authorized to draw his warrant for the sum of five hundred and one dollars and fifty cents, as specified, and in favor of John H Colbert.

Adopted.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1887.

MR SPEAKER: Your Committee on Elections, to whom was referred Assembly Resolution, relative to expenses of A O. Colton in the contested election case of Colton vs Mann, beg leave to report that they have had the same under consideration, and respectfully recommend as follows That the five hundred dollars asked as attorney's fees be reduced to four hundred dollars, that the sum of thirty-two dollars and twenty-five cents be deducted from the other expenses incurred in contest, that the total amount disallowed is one hundred and thirty-two dollars and twenty-five cents, and the total amount allowed is seven hundred and twenty dollars and seventy-five cents; that the same be allowed; and your committee respectfully recommend that the Controller be authorized to draw his warrant for the sum of seven hundred and twenty dollars and seventy-five cents, as specified, and in favor of A. O Colton

CARR, Chairman.

The ayes and noes were demanded by Messrs. Renison, Matthews of San Benito, and McDonnell.

The roll was called, and this part of the report was refused adoption by the following vote:

AYES—Messrs Barry, Brierly, Britt, Brown J. B., Callaghan, Carr, Carroll, Cohen, Cope, Curry of San Francisco, Ellsworth, Ewing, Hyde, McDonnell, Searey, Sims, Wright, and Mr Speaker—18.

NOES—Messrs Adams, Atherton, Bailey, Barton, Bost, Butler, Campbell, Cooley, Coombs, Currey of Solano, Davis, Gould, Gruwell, Handy, Hart, Heath, Henry of San Joaquin, Hotchkiss, Lawrence, Matthews of San Benito, McGowan, Morgan, Ohleyer, Price, Renison, Shanahan, Sherburne, Smyth, Spurgeon, Sykes, Variel, Venable, Vincent, Weber, Windrow, Williams, and Young of San Diego—37.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1887.

MR SPEAKER: Your Committee on Elections, to whom was referred Assembly Resolution, relative to expenses of A. C. Berthier in the contested election case of Berthier vs. Brown, beg leave to report that they have had the same under consideration, and respectfully recommend as follows That the seven hundred and fifty dollars asked as attorney's fee be reduced to three hundred dollars; that the one hundred and fifty dollars asked as attorney's fee in the prohibition suit be stricken out, that the one hundred dollars asked by contestant for examining records, etc., be stricken out, that the twenty-seven dollars asked for hunting up and interviewing witnesses be stricken out, that the total amount disallowed is seven hundred and twenty-seven dollars; that the total amount allowed is four hundred and thirty-four dollars and sixty cents, and your committee respectfully recommend that the Controller be authorized to draw his warrant for the sum of four hundred and thirty-four dollars and sixty cents, as specified, and in favor of A. C Berthier.

Refused adoption.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1887

MR. SPEAKER Your Committee on Elections, to whom was referred Assembly Resolution, relative to the expenses of Richard O'Connor, in the contested election case of O'Connor vs LaBlanc, beg leave to report that they have had the same under consideration, and respectfully recommend, as follows That the seven hundred and fifty dollars, asked as attorney's fees, be reduced to three hundred dollars; that the seventy-five dollars,

asked for hunting witnesses, examining records, etc., be stricken out, that the one hundred and fifty dollars, asked as Commissioner's fees, be stricken out, that the one hundred and fifty-three dollars, asked for expense of three men hunting up evidence and preparing for contest, be stricken out, that the total amount disallowed is eight hundred and twenty-eight dollars; that the total amount allowed is three hundred and nine dollars; and your committee respectfully recommend that the Controller be authorized to draw his warrant for the sum of three hundred and nine dollars, as specified, and in favor of Richard O'Connor.

Refused adoption.
Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1887.

MR SPEAKER: Your Committee on Elections, to whom was referred Assembly Resolution, relative to expenses of David Beal in the contested election case of Beal vs Colbert, beg leave to report that they have had the same under consideration, and respectfully recommend as follows: That the three hundred and fifty dollars asked as attorney's fee be reduced to two hundred and fifty dollars, that the forty dollars asked as Commissioner's fees be stricken out, that the total amount disallowed is one hundred and forty dollars, that the total amount allowed is three hundred and three dollars and fifty cents, and your committee respectfully recommend that the Controller be authorized to draw his warrant for the sum of three hundred and three dollars and fifty cents, as specified, and in favor of David Beal.

Refused adoption.
Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1887.

MR SPEAKER: Your Committee on Elections, to whom was referred Assembly Resolution, relative to expenses of J. M Eaton in the contested election case of Eaton vs. Brown, beg leave to report that they have had the same under consideration, and respectfully recommend as follows That the fifteen hundred dollars asked as attorney's fees be reduced to four hundred dollars, that the sixty dollars asked as Justice's fees be stricken out, that the twenty dollars asked as expenses of attorneys to Sacramento be stricken out, that the total amount disallowed is eleven hundred and eighty dollars, that the total amount allowed is nine hundred and fifty-eight dollars and forty cents, and your committee respectfully recommend that the Controller be authorized to draw his warrant for the sum of nine hundred and fifty-eight dollars and forty cents, as specified, and in favor of J. M. Eaton.

Refused adoption.
Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1887.

MR. SPEAKER: Your Committee on Elections, to whom were referred the election contests of Colton vs Mann, Beal vs Colbert, Hayes vs. Lewis, O'Connor vs. LaBlanc, and Berthier vs Brown, beg leave to report that they have had the same under consideration; that the respective parties to said contests, together with their attorneys, have appeared before your committee, and have had a hearing; that from all the facts and the evidence before your committee, it appears that the result of the election was declared by the proper election officers in each of said cases, on the twenty-fourth day of November, 1886; that the time allowed by law for the filing of a statement of contest of the election in each of said cases expired on the fourteenth day of December, 1886, that none of the contestants filed their said statements of contest until after the said fourteenth day of December, 1886, and therefore were not entitled to thereafter prosecute such contests or to a hearing of the same before your committee.

Therefore your committee report said cases back to the Assembly, with the recommendation that said contests be dismissed, on the ground that they were not begun in the time required by law.

CARR, Chairman.

Report adopted.

ON PUBLIC EXPENDITURES AND ACCOUNTS.

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1887.

MR SPEAKER: Your Committee on Public Expenditures and Accounts, to whom was referred Assembly Bill No 188—An Act prescribing certain duties of telegraph and telephone companies, prohibiting discriminations between corporations of such companies—report the same back, without recommendation

Also, Assembly Bill No. 299, report the same back, without recommendation.

W. A. BROWN, Chairman

ON INTERNAL IMPROVEMENTS

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1887.

MR. SPEAKER: Your Committee on Internal Improvements, to whom was referred Assembly Bill No. 394—report the same back, without recommendation.

W. A. BROWN, Chairman.

ON RETRENCHMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1887.

MR. SPEAKER: Your Committee on Retrenchment, who have been directed by a resolution of this House, to examine all requisitions made by committees for stationery and supplies, would most respectfully report that during this session they have examined and allowed requisitions of committees for such stationery and supplies at a cost of two hundred and ninety-three dollars and forty-eight cents.

Herewith find a statement of the amounts allowed each committee, and, also, a list of committees who have not drawn any stationery or supplies.

Respectfully submitted.

GOULD, Chairman.

List of committees, with cost of supplies:

Judiciary	$17 21
Corporations	16 55
Constitutional Amendments	14 53
Viniculture and Viticulture	3 05
Mileage	6 50
Ways and Means	19 10
Swamp and Overflowed Lands	6 45
Roads and Highways	4 80
Fish and Game	9 95
County and Township Governments	7 21
County Boundaries and Public Morals	5 41
Federal Relations	9 62
Claims	9 94
Apportionment	5 02
Municipal Corporations	8 71
Agriculture	6 61
Attachés and Employés	7 50
Public Printing	6 21
Forestry	2 75
Labor and Capital	16 13
Silk Culture	4 12
Elections	3 74
Water Rights	13 97
Crimes and Penalties	4 06
Mines and Mining Interest	4 17
Retrenchment	2 50
Hospitals	12 99
Internal Improvements	3 18
Public Buildings	5 76
Irrigation	16 37
Enrollment	12 38
Commerce and Navigation	4 51
Rules and Regulations	6 87
Immigration	3 59
Mechanics' Arts	9 01
Public Expenditures	3 21
Total	$293 48

Following is a list of committees who did not draw any stationery or supplies: Education, Military Affairs, Public Lands, Indian Affairs, Yosemite Valley and Mariposa Grove of Big Trees and Forestry, Homestead and Land Monopoly.

Report adopted.

Also:

Resolved, That the Controller be and he is hereby directed to draw his warrant upon the Contingent Fund of the Assembly, for the sum of one hundred and twelve dollars in favor of P. R. Klein, Sergeant-at-Arms, for the payment of the following bills:

To Mrs. M. Mains, washing towels	$16 00
To C. H. Rave, locksmith	6 50
To Bragg Bros., turned blocks	2 00
To Golden Eagle Carriage Company	5 00

To Golden Eagle Carriage Company, February 24	$3 00
To James Cousins, carriage, March 2	3 00
To John Toomey, carriage, March 3	4 00
To T. D. Scriver, carriage, March 2	2 50
To J. T Hayes, assistant call of House, March 3	2 00
To P A. Maloney, assistant call of House, February 19	2 00
To P. A. Maloney, assistant call of House, February 21	2 00
To J W Watson, assistant call of House, February 19	2 00
To J. W. Watson, assistant call of House, February 21	2 00
To H. E Kerlin, assistant call of House, February 19	2 00
To H E Kerlin, assistant call of House, February 24	2 00
Incidental expense of office	20 00
Union Ice Company	36 00
Total	$112 00

And the Treasurer is hereby directed to pay the same.

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1887

MR SPEAKER: Your Committee on Retrenchment, to whom was referred Assembly Resolution, relative to contingencies in the office of the Sergeant-at-Arms, have examined the same, and find that the total amount named in said resolution is correct, but that mistakes occur in the items, and herewith report back a substitute for said resolution, and recommend that the substitute be adopted.

GOULD, Chairman.

Report adopted.

LEAVE OF ABSENCE.

Mr. McClenahan was granted leave of absence for the remainder of the evening.

NOTICE OF MOTION TO AMEND RULES.

Mr. Variel gave notice, as follows:

I hereby give notice that, on to-morrow, I will move to amend Rule 77 of this House, to read as follows

77.

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 place 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, and shall retain such place until they have been read, unless otherwise ordered by a two-thirds vote of the members of the House present, *provided*, that a majority vote of the members present shall be sufficient to enable a member who is the author of a given bill to either withdraw the same from the files or to substitute in lieu thereof on the files, a Senate Bill covering the same subject-matter 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

Also, give notice that, on to-morrow, I will move the adoption of a resolution to strike from the Assembly General File all Assembly Bills except those relating to the public schools, the deficiency bills, and Assembly Bill No 247—being No. 258 on Monday's file.

MESSAGES FROM THE GOVERNOR.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
SACRAMENTO, March 4, 1887.

To the Assembly of the State of California:

I have to inform your honorable body that I have approved Assembly Bill No 62—An Act to amend sections three and seven hundred and sixty-eight of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations."

Also, Assembly Bill No 122—An Act to amend sections six hundred and one, six hundred and seven, six hundred and ten, six hundred and eleven, six hundred and twelve, six hundred and seventeen, six hundred and twenty-nine, and six hundred and thirty of the Political Code of this State, all of said sections relating to insurance

Also, Assembly Bill No. 113—An Act to appropriate money to pay the claim of B. F. Langford

Also, Assembly Bill No. 119—Relating to the salary of the Deputy for the Superintendent of Public Instruction

Also, Assembly Bill No 135—An Act for the remuneration of Elisha O Crosby for money advanced to the State of California.

WASHINGTON BARTLETT, Governor.

Also the following:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
SACRAMENTO, March 5, 1887.

To the Assembly of the State of California

I have to inform your honorable body that I have approved Assembly Bill No 8—An Act to amend section six hundred and two of the Political Code, relating to insurance.

Also, Assembly Bill No 9—An Act to amend an Act entitled an Act to establish a Code of Civil Procedure, authorizing certain corporations to act as executors, and in other capacities

Also, Assembly Bill No. 10—An Act to amend the Civil Code relating to insurance, and to the investment of the capital stock of insurance corporations

Also, Assembly Bill No. 111—An Act to appropriate money to pay the claim of W. T. Brown.

Also, Assembly Bill No 112—An Act to appropriate money to pay the claim of R. F. Del Valle

Also, Assembly Bill No 114—An Act to appropriate money to pay the claim of Benj. Knight

Also, Assembly Bill No 115—An Act to appropriate money to pay the claim of E T. Wilkins.

Also, Assembly Bill No. 78—An Act to provide an additional Judge of the Superior Court of the County of San Bernardino.

WASHINGTON BARTLETT, Governor

Also, the following:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
SACRAMENTO, March 7, 1887.

To the Assembly of the State of California:

I have to inform your honorable body that I have approved Assembly Bill No. 12—An Act to provide for the organization and government of irrigation districts, etc.

WASHINGTON BARTLETT, Governor.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
SACRAMENTO, CAL., March 5, 1887

To the Assembly of the State of California:

I herewith return, without approval, "Substitute for Assembly Bill No 55—Entitled 'An Act to protect the manufacturing industries of this State'"—with my objections thereto, as follows:

First—The bill is too broad and too indefinite It applies to "*every* maker or manufacturer of *any article* made or manufactured in this State" (section one), and requires the "article" to be imprinted, labeled, or stamped, unless "it would be impossible, or impracticable, or unnecessary, for the purpose of carrying out the true intent of this Act" (section three), in which case the cover or package may be stamped, or a tag attached

It is to be noticed that the "article" need not be made for sale, and, therefore, it seems to apply to articles made in the household as well as in the factory The clause of section three quoted, sufficiently indicates the indefiniteness of the Act, and how impossible it would be, in many cases, for the maker of an article to determine whether he must label or stamp it according to section three, or go to jail under section one

Further, by section two, a merchant or other person is not prohibited from selling an article, whether labeled or not, manufactured in any other State or country, but if he sell an article made in California, without the label or stamp required, he may be punished as a criminal And there is no means provided whereby such person may be able to identify articles made in this State, or to procure and be able to exhibit with the article offered the label or stamp of the maker, and the name of the place of manufacture

In other words, a merchant or other person may sell an article manufactured in any other State or country, whether it is labeled or not, but if he sell an article made in California, which the maker has failed to label or stamp as required, he may be punished as a criminal, unless he himself properly label or stamp it Again, this Act would seem to require that every person who made, or caused to be made, any change in the original article, should place his label or stamp thereon This would evidently result in numerous stamps on the combined article, and lead to confusion

Second—Violations of sections one, two, three, and five are declared to be crimes, irrespective of the intent of the person committing the acts No criminal intent or knowledge is required. The personal employer, or any officer of the corporation employer, is subject to punishment under these sections by the accidental or intentional violation by any employé, even if such violation were contrary to his instructions.

Third—It is provided that the Act shall take effect within ten days This time is unreasonably short "Articles" are "made or manufactured" in every household in the State But this law could not be published and become generally or at all known throughout the State within that time. Even if the Act were known at the time of its passage, the stamps, labels, moulds, lithographs, etc., necessary to comply with it, could not be obtained within that time Nor would any "maker or manufacturer of any article" venture to continue work in view of section two, until securing such label, stamp, etc., and so would be compelled to close his business for that time As to articles already manufactured and in the hands of dealers throughout the State, but a small portion could be sold within ten days. Yet by section two any person selling, or offering or exposing for sale, any of those articles after that time, now owned by him, or who should fail to exhibit and expose with the article offered the imprint, label, or stamp of the maker, and the name or the place of manufacture, would be liable to be punished as a criminal In other words, the millions of dollars' worth of articles manufactured in California, on hand and unstamped, could not be sold without violating the law

Fourth—Since the presentation of the bill to me, many of those who are engaged in the manufacturing industries in the State have submitted suggestions in relation to the same Communications by committees and otherwise from the Chambers of Commerce, Boards of Trade, manufacturers' associations, and other reputable representative bodies, and from a great many engaged in the most important industries of the State, have been presented to me, urging objections to this Act They represent that a compliance with the provisions of this Act would materially increase the cost of our struggling industries, that this cost in many articles would exceed the profit now earned, and compel the abandonment of such manufactures, the withdrawal of capital from productive industries, and the discharge of many working people, that this would give the manufacturers of other States and countries (to whom this Act does not apply) such an advantage over California manufacturers that they would be able to undersell, and to occupy the home market, that it would destroy large industries which at present are able to exist only because their products are permitted to be disposed of without label or stamp to dealers in this and other States and countries, that in so far as the expense of labeling, stamping, etc., is incurred, to that extent is cheap labor benefited, and that such "cheap labor" could be used in the industries now maintained, even after the more intelligent and skilled labor should have suspended, that, in other words, this Act would make a discrimination in favor of foreign manufactures and against our own, would drive capital out of manufacturing enterprises and out of the State; would deprive many working people of employment and drive them from the State, would discourage immigration and investment in industries in this State. They also represent that in the nature of many manufactures, it is impossible to comply with the Act at all In others, it is not only useless, but absolutely injurious, as for instance, in lumber and the articles into which it is converted, also, brick, stone, and other primary forms of products These suggestions from those for the protection of whose interests the bill purports to be passed, are entitled to much weight.

Fifth—The bill implies an interference with the rights of persons and property to an extent which has not, to my knowledge, been authorized hitherto in this country It is a restraint upon the liberty of the citizen in the use of his property It does not purport to conserve the health or the safety of the people It has no relation to any of those principles which justify legislative control over the individual for the peace or preservation of the State It is not unlike those laws which regulated the dress or the equipage of the citizen, or subject, but which now are not in force in any enlightened State Not only is the bill subject to this general objection, but its provisions magnify the evils of such legislation by the encouragement of spies, informers, and mischief-makers, whose cupidity, spite, and malice would lead to suspicion and strife in every neighborhood

While greatly regretting that my views on this bill differ from those of your honorable body, yet I am constrained to believe that it is my duty to return this bill without my approval

WASHINGTON BARTLETT, Governor

CONSIDERATION OF GOVERNOR'S MESSAGE.

The veto of the Governor of Assembly Bill No. 55—An Act to protect the manufacturing interests of this State—was read.

The question being "Shall the bill become a law, notwithstanding the Governor's veto?"

MOTION.

Mr. Cohen moved to make the further consideration of this bill the special order for to-morrow, at three o'clock P. M.

So ordered.

The Speaker announced that all Senate Bills coming from the Senate will be ordered placed on first reading file.

LEAVE OF ABSENCE.

Mr. Vincent was granted leave of absence for the evening.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 7, 1887.

MR SPEAKER I am directed to inform your honorable body that the Senate, on this day, passed Senate Bills Nos 449, 19, 358, 61, 448, 437, and 443, Assembly Bill No 278, Senate Bill No 346, Assembly Bills Nos 395 and 259, Senate Bills Nos 356, 198, and 357; and Senate Bill No. 241

Senate Bill No 346—An Act to provide for the deficiency in the appropriation for the costs and expenses of suits wherein the State is a party in interest, for the thirty-eighth fiscal year

Senate Bill No 449—An Act to appropriate money for salaries of additional clerks in the Controller's office

Senate Bill No 19—An Act to provide for the opening of new streets, and for the extending, widening, and straightening of existing streets within municipalities

Senate Bill No 198—An Act to provide for the deficiency in the appropriation for payment of rewards for the arrest and conviction of highway robbers, during the thirty-sixth fiscal year, offered by the Governor.

Senate Bill No 61—An Act making an appropriation for rent and contingent expenses of Insurance Commissioner, for the thirty-seventh fiscal year

Senate Bill No 358—An Act to provide for the deficiency in the appropriation for the restoration and preservation of fish in the waters of the State, for the thirty-sixth fiscal year

Senate Bill No 437—An Act to amend sections two thousand nine hundred and sixty-nine of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to preventing the bringing into the State persons affected with leprosy or insanity, or such other persons as by reason of their condition are liable to become a charge upon the State, and to provide for the deportation of the same

Senate Bill No 448—An Act to appropriate the sum of five thousand dollars, to pay the expenses and disbursements to be incurred and made in maintaining the rights of the State in litigation now pending in or which may come before the Supreme Court of the United States, to which the State is or shall be a party, or in the determination of which the State is or shall be interested

Senate Bill No 443—An Act to amend section eight of an Act entitled "An Act to provide for the future management of the Napa Asylum for the Insane," approved March 6, 1876, relating to the Resident and Assistant Physician.

Senate Bill No 356—An Act to provide for the deficiency in the appropriation for official advertising, for the thirty-eighth fiscal year

Senate Bill No 357—An Act to provide for the deficiency in the appropriation for the restoration and preservation of fish in the waters of the State, for the thirty-eighth fiscal year.

Assembly Bill No 278—An Act making an appropriation for the payment of claims of certain employés, and other creditors of the State

Assembly Bill No 395—An Act to provide for the deficiency in the appropriation for salaries of the Commissioners of the Supreme Court and their Secretary, for the thirty-eighth fiscal year

Assembly Bill No 259—An Act to provide for the payment of the rent of the chambers occupied by the Supreme Court Commissioners

Senate Bill No 241—An Act to authorize the Controller to draw his warrant in favor of the Treasurer for the sum of fifty-three thousand seven hundred and fifty-two dollars and seventy-seven cents, and requiring the Treasurer, in the presence of the State Board of Examiners, to destroy receipts for that amount in his possession, given to various County Treasurers by W A January, late State Treasurer, for money left with him by them

I am also directed to inform your honorable body that the Senate, on this day, concurred in Assembly amendments to Senate Constitutional Amendment No 2

Also, on this day, appointed a Committee on Free Conference, consisting of Senators Sargent, Clunie, and Langford, on disagreement of Conference Committee on Assembly amendments to Senate Bill No 107.

Also, on this day, passed the following bills

Assembly Bill No 110—An Act to provide for the deficiency in the appropriation for the salary of Deputy Supreme Court Reporter, during the thirty-seventh fiscal year

Assembly Bill No 444—An Act to provide for the deficiency in the appropriation for the salary of Deputy Supreme Court Reporter, during the thirty-eighth fiscal year

Senate Bill No 421—An Act to appropriate the sum of one thousand eight hundred and thirty-seven dollars and thirty-seven cents for deficiencies for the support of the State Board of Forestry, for the thirty-eighth fiscal year

Assembly Bill No 148—An Act to amend section six of an Act entitled "An Act to provide for the redemption of the funded indebtedness of the City of Sacramento," approved March 25, 1872

Assembly Bill No 134—An Act to provide for the removal of the Mineral Cabinet from the State Library

Also, on this day, passed the following bills:

Assembly Bill No 46—An Act amending section one thousand one hundred and forty-three of the Code of Civil Procedure of the State of California, as amended March 18, 1885, and section one thousand one hundred and eighty-seven of the Code of Civil Procedure of the State of California, as amended March 30, 1874, relating to liens of mechanics and others, as amended

Assembly Bill No. 47—An Act to amend section one thousand two hundred and forty-one of the Civil Code of the State of California, as amended April 6, 1880, relating to the subjection of homesteads to execution, as amended

Also, passed Senate Bill 422—An Act to provide for the deficiency in the appropriation for the costs and expenses of suits, wherein the State is a party in interest, for the thirty-fifth fiscal year

Assembly Bill No 256—An Act to provide for the deficiency in the appropriation for the costs and expenses of suits wherein the State is a party in interest, for the thirty-sixth fiscal year

Assembly Bill No. 258—An Act to provide for the deficiency in the appropriation for the costs and expenses of suits wherein the State is a party in interest, for the thirty-seventh fiscal year

Senate Bill No 144—An Act to provide for the construction and maintenance of an open canal from and along North Street, in the City of Stockton, County of San Joaquin, State of California, to the San Joaquin River, for sanitary and drainage purposes

Assembly Bill No. 262—An Act to provide for the deficiency in the appropriation for the costs and expenses of suits wherein the State is a party in interest, for the thirty-eighth fiscal year

And respectfully ask your honorable body to concur in Senate amendments to Assembly Bills Nos 46 and 47.

Also, March 7, passed, as amended, Assembly Bill No 138—An Act to amend sections six and eight 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, so as to create one additional district.

ED HAMILTON, Secretary.

CONSIDERATION OF SENATE MESSAGES.

Assembly Bill No. 46—An Act amending section one thousand one hundred and eighty-three of the Code of Civil Procedure of the State of California, as amended March 18, 1885, and section one thousand one hundred and eighty-seven of the Code of Civil Procedure of the State of California, as amended March 13, 1874, relating to liens of mechanics and others—was taken up.

The question being upon the House concurring in the Senate amendments.

Mr. Venable moved that the House concur.

Amendment No. 1: Amendment to title: "An Act to amend sections one thousand one hundred and eighty-three, one thousand one hundred and eighty-four, one thousand one hundred and eighty-seven, one thousand one hundred and ninety-one, and to repeal section one thousand two hundred and three of an Act of the Legislature of the State of California, entitled an Act to establish a Code of Civil Procedure, approved March 11, 1872, all relating to liens of mechanics and others."

Concurred in unanimously.

Amendment No. 2: To be inserted between the enacting clause and section one thousand one hundred and eighty-three, the following:

SECTION 1. Section eleven hundred and eighty-three of the Code of Civil Procedure is amended so as to read as follows

Concurred in unanimously.

Amendment No. 3: Insert, in section one thousand one hundred and eighty-three, line three, after the word "alteration," the words "addition to."

Concurred in unanimously.

Amendment No. 4: On line four, after the word "alteration," insert "addition to."

Concurred in unanimously.

Amendment No. 5: On line five, after "the" and before "owner" insert the word "reputed."

Concurred in unanimously.

Amendment No. 6: On line six, strike out the word "description," after word "general," and insert, on same line, after "a," and before "general," the words "statement of the;" also, insert, after "general," and before "of," same line, the word "character."

Concurred in unanimously.

Amendment No. 7: Insert section two, after section one, before section three, section one thousand one hundred and eighty-seven:

SEC 2 Section one thousand one hundred and eighty-four of the Code of Civil Procedure is hereby amended so as to read as follows.

1184 No part of the contract price shall, by the terms of any such contract, be made payable, nor shall the same, or any part thereof, be paid in advance of the commencement of the work, but the contract price shall, by the terms of the contract, be made payable in installments at specified times after the commencement of the work, or on the completion of specified portions of the work, or on the completion of the whole work; *provided*, that at least twenty-five per cent of the whole contract price shall be made payable at least five days after the final completion of the contract No payment made prior to the time when the same is due, under the terms and conditions of the contract, shall be valid for the purpose of defeating, diminishing, or discharging any lien in favor of any person except the contractor, but as to such liens, such payment shall be deemed as if not made, and shall be applicable to such liens, notwithstanding that the contractor to whom it was paid may thereafter abandon his contract, or be, or become indebted to the reputed owner in any amount for damages, or otherwise, for non-performance of his contract or otherwise. As to all liens, except that of the contractor, the whole contract price shall be payable in money, and shall not be diminished by any prior or subsequent indebtedness, offset, or counterclaim in favor of the reputed owner and against the contractor; no alteration of any such contract shall affect any lien acquired under the provisions of this chapter In case such contracts and alterations thereof do not conform substantially to the provisions of this section, the labor done and materials furnished by all persons except the contractor shall be deemed to have been done and furnished at the personal instance and request of the person who contracted with the contractor, and they shall have a lien for the value thereof Any of the persons mentioned in section one thousand one hundred and eighty-three, except the contractor, may at any time give to the reputed owner a written notice that they have performed labor or furnished materials, or both, to the contractor, or other person acting by authority of the reputed owner, or that they have agreed to do so, stating in general terms the kind of labor and materials, and the name of the person to or for whom the same was done or furnished, or both, and the amount in value, as near as may be, of that already done or furnished, or both, and of the whole agreed to be done or furnished, or both. Such notice may be given by delivering the same to the reputed owner personally, or by leaving it at his residence or place of business, with some person in charge, or by delivering it to his architects, or by leaving it at their residence or place of business, with some person in charge, or by posting it in a conspicuous place upon the mining claim or improvement No such notice shall be invalid by reason of any defect or form, provided it is sufficient to inform the reputed owner of the substantial matters herein provided for, or to put him upon inquiry as to such matters. Upon such notice being given, it shall be the duty of the person who contracted with the contractor to, and he shall, withhold from his contractor, or from any other person acting under such reputed owner, and to whom by said notice the said labor or materials, or both, have been furnished, or agreed to be furnished, sufficient money due, or that may become due, to such contractor, or other person, to answer such claim, and any lien that may be filed therefor, for record under this chapter, including counsel fees, not exceeding one hundred dollars in each case, besides reasonable costs provided for in this chapter

Concurred in unanimously.

Amendment No. 8:

SEC 3 Section eleven hundred and eighty-seven of the Code of Civil Procedure is amended so as to read as follows

This is to be inserted before section one thousand one hundred and eighty-seven.

Concurred in unanimously.

Amendment No. 9: On line seven, insert, after the word "alteration," the words "addition to."

Concurred in unanimously.

Amendment No. 10. At end of line ten, after word "file," insert the words "for record."

Concurred in unanimously.

Amendment No. 11: On line eight, after the word "alteration," insert "addition to."

Concurred in unanimously.

Amendment No. 12:

SEC 4 Section one thousand one hundred and ninety-one of the Code of Civil Procedure is hereby amended so as to read as follows

1191. Any person who, at the request of the reputed owner of any lot in any incorporated city or town, grades, fills in, or otherwise improves the same on the street or sidewalk in front of or adjoining the same, or constructs any areas, or vaults, or cellars, or rooms, under said sidewalks, or makes any improvements in connection therewith, has a lien upon said lot for his work done and material furnished

Concurred in unanimously.

Amendment No. 13:

SEC 5 Section one thousand two hundred and three of the Code of Civil Procedure is hereby repealed

Concurred in unanimously.

Amendment No. 14:

SEC 6. This Act shall take effect and be in force from and after its passage.

Concurred in unanimously.

Amendment No. 15: On line nine, after the word "alteration," insert "addition thereto."

Concurred in unanimously.

Assembly Bill No. 47—An Act to amend section one thousand two hundred and forty-one of the Civil Code of the State of California, as amended April 6, 1880, relating to the subjection of homesteads to execution—was taken up.

The question being upon the House concurring in the Senate amendments.

Amendment No. 1:

SECTION 1. Section twelve hundred and forty-one of the Civil Code is amended so as to read as follows

Concurred in unanimously.

Amendment No. 2: Strike out the word "laborers," in section two, line one from bottom of page one, and insert, after the word "contractors," on line one from bottom of page one, "subcontractors, artisans, architects, builders, laborers of every class, material-men's or vendors' liens."

Concurred in unanimously.

Assembly Bill No. 138—An Act to amend sections six and eight of an Act entitled "An Act to form agricultural districts, to provide for the organization of agricultural associations therein, and for the man-

agement and control of the same by the State," approved April 15, 1880, so as to create one additional district—was taken up.

The question being upon the House concurring in the Senate amendments.

Amendment No. 1: Amend title, by inserting, after the word "sections," where it first occurs therein, the words "two, four."

Concurred in unanimously.

Amendment No. 2: Amend title, by inserting, before word "and," where it first occurs therein, the word "seven."

Concurred in unanimously.

Amendment No. 3: Amend title, by striking out word "one," after the word "create," and insert the word "certain."

Concurred in unanimously.

Amendment No. 4: Add to word "district," at end of title, the letter "s."

Concurred in unanimously.

Amendment No. 5: Insert, after word "sections," in section one, line one, of printed bill, the words "two" and "four;" also, after "six," same line and section, the word "seven."

Concurred in unanimously.

Amendment No. 6: Insert these amended sections in their regular order: section two, then four, then six, then seven, then eight; last, section three.

Concurred in unanimously.

Amendment No. 7:

SEC 2 The Counties of San Joaquin, Calaveras, Merced, Stanislaus, and Tuolumne shall constitute Agricultural District No 2. The Counties of Tulare and Kern shall constitute Agricultural District No 15

Concurred in unanimously.

Amendment No. 8:

SEC 4. The Counties of Sonoma and Marin shall constitute Agricultural District No 4, and the Counties of Solano and Napa shall constitute Agricultural District No 25.

Concurred in unanimously.

Amendment No. 9: Amend section six, by striking out San Diego.

Concurred in unanimously.

Amendment No. 10:

SEC 7 The Counties of Monterey and San Benito shall constitute Agricultural District No 7 The County of Santa Cruz shall constitute Agricultural District No 14 The County of San Luis Obispo shall constitute Agricultural District No 16

Concurred in unanimously.

Amendment No. 11: Insert, after the word "eight," page two, printed bill, line six, the following: "*provided*, that the meetings of the society shall alternate between the counties constituting Agricultural District No. 8."

Concurred in unanimously.

Amendment No. 12: Insert, after section two, the following:

SEC 3 All Acts and parts of Acts in conflict with this Act are hereby repealed.

Concurred in unanimously.

Amendment No. 13: Strike out of section—naming counties constituting Agricultural District No. 2—the word "Calaveras."

Concurred in unanimously.

Amendment No. 14: Amend, by adding the following, before section four: "The Counties of Merced, Mariposa, and Fresno, shall constitute Agricultural District No. 21."

Concurred in unanimously.

Amendment No. 15: Add, at end of section one of bill, the following: "The Counties of Amador and Calaveras shall constitute Agricultural District No. 26."

Concurred in unanimously.

Amendment No. 16: Strike out of section—naming the counties constituting Agricultural District No. 8—the words "and Amador;" in same section, substitute word "county," for "counties."

Concurred in unanimously.

Amendment No. 17: Strike out the words, "*provided*, that meetings of the society shall alternate between the counties constituting Agricultural District No 8," where they occur in section one of the bill.

Concurred in unanimously.

MOTION.

Mr. Weber moved to suspend the rules, and take up first reading bills.

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

AYES—Messrs Atherton, Bailey, Barry, Barton, Bost, Brierly, Britt, Brown W. A., Burnett, Butler, Callaghan, Campbell, Carr, Carroll, Cohen, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ewing, Gould, Gruwell, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, Knox, Lewis, Mann, Mathews of Tehama, Matthews of San Benito, McGowan, Mitchell, Morgan, Ohleyer, Price, Searey, Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Toner, Variel, Weber, Windrow, Williams, Wright, Young of San Diego, and Mr Speaker—56

NOES—Messrs McDonnell and Venable—2

LEAVE OF ABSENCE.

Mr. Matthews of San Benito was granted leave of absence for the evening.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1887.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following Assembly Bills have been correctly engrossed

Nos. 387, 480, 288, 442, and 348, reengrossed, Nos 29, 92, and Constitutional Amendment No 16

WINDROW, Chairman.

NOTICE OF RECONSIDERATION.

Mr. Taylor gave notice that, on to-morrow, he would move to reconsider the vote whereby Assembly Bill No. 163 was passed.

MOTION.

Mr. Mathews of Tehama moved that the Chief Clerk be instructed to request the Senate to return Assembly Bill No. 163.

So ordered.

FIRST READING OF BILL.

Senate Bill No. 294—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, in relation to corporations.

Read first time, and ordered placed on file for second reading.

MOTION TO WITHDRAW BILLS.

Mr. Mathews of Tehama moved to strike from the file Assembly Bills Nos. 44, 147, 156, 506, 516, 538, 231, 308, 345, 350, 422, 501, 537, 228, 478, 486, 507, and 524.

So ordered, by a unanimous vote.

FIRST READING OF BILLS.

Assembly Bill No. 509—An Act to establish a standard of weights and measures.

Read first time, and ordered on file for second reading.

Senate Bill No. 265—An Act to amend an Act entitled "An Act to establish a State Board of Silk Culture, and to provide moneys for the expenses thereof," approved March 18, 1885, in relation to the salary of officers.

Read first time, and ordered placed on file for second reading.

Senate Bill No. 327—An Act to grant to the United States certain tide lands, belonging to the State of California, for the purpose of improving the Harbor of Humboldt Bay.

Read first time, and ordered placed on file for second reading.

Senate Bill No. 273—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, and add thereto a new section to Part I, Title IX, and Chapter VIII thereof, to be known as section one thousand three hundred and eighty-nine, for the prevention of minors being employed by telephone companies, special delivery companies, to delivering notes or messages to houses of prostitution or places of questionable repute.

Read first time, and placed on file for second reading.

Senate Bill No. 374—An Act relating to the compensation of Court reporters in counties of the eighth and ninth classes.

Read first time, and placed on file for second reading.

Senate Bill No. 234—An Act to provide for the correction and establishment of a portion of the eastern boundary line of the State of California.

Read first time, and placed on file for second reading.

MOTION.

Mr. Gould moved to make Senate Bill No. 234 the special order for eleven o'clock A. M. to-morrow.

So ordered.

FIRST READING OF BILLS—(RESUMED).

Assembly Bill No. 240—An Act to amend section two thousand four hundred and sixty-six of Article VI of the Political Code, relating to pilot regulations for San Francisco, Mare Island, and Benicia.

Read first time, and placed on file for second reading.

Assembly Bill No. 393—An Act to amend sections two thousand five hundred and twenty-two, two thousand five hundred and twenty-four, two thousand five hundred and twenty-eight, and two thousand five hundred and thirty of an Act entitled an Act to establish a Political Code, approved March 12, 1872, relating to the San Francisco Harbor and State Harbor Commissioners.

Read first time, and placed on file for second reading.

Assembly Bill No. 535—An Act to prevent the adulteration of cigars, cigarettes, and manufactured tobacco.

Read first time, and placed on file for second reading.

Senate Bill No. 194—An Act making appropriations for the purchase of additional jute machinery, and the erection of additional buildings for the manufacture of jute goods for the State Prison at San Quentin, and other expenses incidental and relating thereto.

Read first time, and placed on file for second reading.

Senate Bill No. 54—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by amending section seven hundred and thirty-nine, relating to salaries of officers connected with the Supreme Court.

Read first time, and placed on file for second reading.

Senate Bill No. 330—An Act to ascertain the loss and damage suffered and sustained by the Coulterville and Yosemite Turnpike Company, a corporation, by the construction of a road by the Yosemite Turnpike Road Company, under and by virtue of an Act of the Legislature of the State of California entitled "An Act granting the right of way to the Yosemite Turnpike Road Company over the Yosemite Grant," approved February 17, 1874, and for the relief of said Coulterville and Yosemite Turnpike Company.

Read first time, and placed on file for second reading.

MOTION.

Mr. Cooley moved to make Senate Bill No. 330 a special order for to-morrow, at eleven o'clock A. M.

So ordered.

FIRST READING OF BILLS.

Senate Bill No. 359—An Act to amend section six hundred and thirty-four of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to the taking of salmon.

Read first time, and placed on file for second reading.

Senate Bill No. 425—An Act to appropriate money to pay the claim of Richard Coleman, formerly First Lieutenant, commanding Company "D," Fifth Infantry Battalion, Second Brigade, National Guard of California, for moneys paid by him as expenses of said company.

Read first time, and placed on file for second reading.

MOTION.

Mr. Mathews of Tehama moved to strike from the file Assembly Bills Nos. 562, 519, and 121.

So ordered by a unanimous vote.

Speaker pro tem. Brierly in the chair.

Senate Bill No. 430—An Act to provide for the completion of all

unfinished county buildings in the several counties, cities and counties, cities, and towns throughout the State of California.

Read first time, and placed on file for second reading.

RESOLUTION—(OUT OF ORDER).

By Mr. Campbell:

Resolved, That Tuesday, March eighth, be devoted to the consideration of Senate Bills alone, and that the Clerk be instructed to prepare a file containing those bills alone in the order in which they now stand on Assembly File.

Laid over under the rules.

MOTION.

Mr. Curry of San Francisco moved that Senate Bill No. 430 be made a special order for to-morrow, at eleven o'clock and thirty minutes A. M.

So ordered.

FIRST READING OF BILLS.

Senate Bill No. 422—An Act to provide for the deficiency in the appropriation for the costs and expenses of suits wherein the State is a party in interest, for the thirty-fifth fiscal year.

Read first time, and placed on file for second reading.

Senate Bill No. 144—An Act to provide for the construction and maintenance of an open canal from and along North Street, in the City of Stockton, County of San Joaquin, State of California, to the San Joaquin River, for sanitary and drainage purposes.

Read first time, and placed on file for second reading.

Senate Bill No. 19—An Act to provide for the opening of new streets, and for the extending, widening, and straightening of existing streets within municipalities.

Read first time, and placed on file for second reading.

Senate Bill No. 346—An Act to provide for the deficiency in the appropriation for the costs and expenses of suits wherein the State is a party in interest, for the thirty-eighth fiscal year.

Read first time, and placed on file for second reading.

Senate Bill No. 198—An Act to provide for the deficiency in the appropriation for payment of rewards for the arrest and conviction of highway robbers, during the thirty-sixth fiscal year, offered by the Governor.

Read first time, and placed on file for second reading.

Senate Bill No. 61—An Act making an appropriation for rent and contingent expenses of Insurance Commissioner, for the thirty-seventh fiscal year.

Senate Bill No. 358—An Act to provide for the deficiency in the appropriation for the restoration and preservation of fish in the waters of the State, for the thirty-sixth fiscal year.

Read first time, and placed on file for second reading.

Senate Bill No. 437—An Act to amend section two thousand nine hundred and sixty-nine of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the preventing the bringing into the State persons affected with leprosy or insanity, or such other persons as by reason of their condition are liable to

become a charge upon the State, and to provide for the deportation of the same.

Read first time and placed on file for second reading.

SENATE MESSAGE.

SENATE CHAMBER, SACRAMENTO, March 7, 1887.

MR. SPEAKER: I am directed to inform your honorable body that the Senate respectfully requests that Senate Bill No 346—An Act to provide for the deficiency in the appropriation for the costs and expenses of suits wherein the State is a party in interest, for the thirty-eighth fiscal year—be returned to the Senate by the Assembly

ED. HAMILTON, Secretary.
By J. H. CORCORAN, Assistant Secretary.

Senate Bill No. 448—An Act to appropriate the sum of five thousand dollars to pay the expenses and disbursements to be incurred and made in maintaining the rights of the State in litigation now pending in, or which may come before, the Supreme Court of the United States, to which the State is or shall be a party, on the determination of which this State is or shall be interested.

Read first time, and placed on file for second reading.

Senate Bill No. 443—An Act entitled an Act to amend section eight of an Act entitled "An Act to provide for the future management of the Napa State Asylum for the Insane," approved March 6, 1876, relating to the Resident and Assistant Physicians.

Read first time, and placed on file for second reading.

MOTION.

Mr. Handy moved to make Senate Bill No. 443 the special order for to-morrow, at ten o'clock and thirty minutes A. M.

So ordered.

FIRST READING OF BILLS.

Senate Bill No. 356—An Act to provide for the deficiency in the appropriation for official advertising, for the thirty-eighth fiscal year.

Read first time, and placed on file for second reading.

Senate Bill No. 357—An Act to provide for the deficiency in the appropriation for the restoration and preservation of fish in the waters of the State, for the thirty-eighth fiscal year.

Read first time, and placed on file for second reading.

Senate Bill No. 241—An Act to authorize the Controller to draw his warrant in favor of the Treasurer for the sum of fifty-three thousand seven hundred and fifty-two dollars and seventy-seven cents, and requiring the Treasurer, in the presence of the State Board of Examiners, to destroy receipts for that amount in his possession, given to various County Treasurers by W. A. January, late State Treasurer, for moneys left with him by them.

Read first time, and placed on file for second reading.

Senate Bill No. 421—An Act to appropriate the sum of one thousand eight hundred and thirty-seven dollars and thirty-seven cents, for deficiencies for the support of the State Board of Forestry, for the thirty-eighth fiscal year.

Read first time, and placed on file for second reading.

Senate Bill No. 449—An Act to appropriate money for salaries of additional clerks in the Controller's office.

Read first time, and placed on file for second reading.

SECOND READING OF BILLS

Assembly Bill No. 402—An Act for the government of savings banks, and for the protection of depositors in the same.

Committee substitute adopted, read second time, ordered engrossed, and placed on file for third reading.

Assembly Bill No. 222 withdrawn.

Assembly Bill No. 398—An Act to amend sections one thousand one hundred and eighty-seven, one thousand one hundred and eighty-eight, and one thousand one hundred and ninety-one of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to uniformity of tickets.

Read second time, ordered engrossed, and placed on file for third reading.

Assembly Bill No. 321 passed on file.

Assembly Bill No. 436—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 two thousand five hundred and fifty-four, relating to the powers and duties of the Board of State Harbor Commissioners.

Read second time, ordered engrossed, and placed on file for third reading

Senate Bill No. 10—An Act to amend section six hundred and ninety of an Act entitled an Act to establish a Code of Civil Procedure, adopted March 11, 1872, by adding a new article, exempting fishing boats and nets from execution.

Read second time, ordered engrossed, and to a third reading.

MOTION.

On motion of Mr. Wright, Senate Bill No. 10 was made the special order for to-morrow, at two o'clock and thirty minutes P. M.

Assembly Bill No. 128 passed on file.

Assembly Bill No. 283—An Act to appropriate money to pay the fees of John C. Edgar, ex-Sheriff of the County of San Mateo, for delivering certain insane persons at the Insane Asylum at Stockton.

Substitute offered by the committee read second time and adopted.

Bill ordered engrossed, and to a third reading.

Assembly Bill No. 542—An Act to amend section four hundred and nineteen of an Act entitled an Act to establish a Civil Code, approved March 21, 1872, relating to insurance corporations.

Second reading refused.

Assembly Bill No. 328—An Act to regulate the practice of pharmacy, and the sale of medicines and poisons, to provide for the inspection of drugs and medicines, and to prevent and punish the adulteration of the same.

Read second time.

Committee amendments, as follows, adopted:

SEC. 13 Any person or persons opening a store without being registered, as demanded by this Act, shall be guilty of a misdemeanor, and upon conviction thereof, shall be fined not less than fifty dollars for each day kept open, or imprisonment fifty days, or both such fine or imprisonment.

Also, amend Schedule "B," by adding the words "hydrate chloral," in lieu thereof. Also, amend section six, line twelve, after the word

"quorum," insert the following: "provided they may delegate one or more members to make examinations, and report to full Board, or quorum, in lieu thereof;" amend line thirteen, drop the word "may," and insert the word "shall," in lieu thereof.

Bill ordered engrossed, and placed on file for third reading.

Senate Bill No. 160—An Act to amend section nine of an Act entitled "An Act for the promotion of the viticultural industries of the State," approved April 15, 1880, in relation to donations of land suitable for experimental vineyards and stations, the improvement and management thereof.

Second reading refused.

NOTICE OF RECONSIDERATION.

Mr. Weber gave notice that, on to-morrow, he would move to reconsider the vote whereby Senate Bill No. 160 was refused a second reading.

Assembly Bill No. 184 passed on file.

Assembly Bill No. 272—An Act making an appropriation for the deficiencies in the appropriations for the support of the State Prison at San Quentin, for the thirty-fifth, thirty-sixth, thirty-seventh, and thirty-eighth fiscal years.

Withdrawn by the author, by permission of the House.

Assembly Bill No. 242—An Act to repeal an Act entitled "An Act to punish seduction," approved March 17, 1872.

Read second time, ordered engrossed, and to a third reading.

Assembly Bill No. 243—An Act to amend an Act entitled an Act to establish a Penal Code, approved February 14, 1872, by adding to Chapter I, Title IX, of Part I, thereof, two new sections, numbered, respectively, two hundred and sixty-eight and two hundred and sixty-nine, relating to the punishment of seduction and sexual intercourse procured and had under promise of marriage, and to the effect of the marriage of the parties concerned after the commission of the offense.

Read second time, ordered engrossed, and to a third reading.

Assembly Bill No. 244—An Act to amend section two hundred and sixty-six of the Act entitled an Act to establish a Penal Code, approved February 14, 1872, by providing for the punishment of seduction accomplished by means of false representations and pretenses, or other fraudulent means.

Read second time, ordered engrossed, and to a third reading.

Assembly Bill No. 245—An Act to amend section one thousand one hundred and ten of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by adding to said section a clause requiring the evidence of the party seduced to be corroborated in all cases arising or prosecuted under the provisions of section two hundred and sixty-eight of said Code.

Read second time, ordered engrossed, and to a third reading.

Assembly Bill No. 313 passed on file.

Assembly Bill No. 277—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by adding a new section thereto, to be numbered section two hundred and sixty-eight, relative to the seduction of unmarried females under the age of twenty years.

Read second time.

Committee amendments, as follows, adopted: Strike out of line

four, printed bill, the word "twenty," and substitute the word "eighteen."

Also, insert, in line six, printed bill, after the word "punishable," the following: "by a fine not exceeding five hundred dollars, or."

Also, insert, in line seven, printed bill, after the word "years," the following: "or by both such fine and imprisonment."

Also, add new section to the bill, as follows:

SEC 2 This Act shall take effect from and after its passage.

Bill ordered engrossed, and placed on file for third reading.

Assembly Bill No. 315—An Act to amend section three hundred and seven of the Penal Code, in reference to smoking opium.

Amendment to Assembly Bill No. 315:

SEC 307. Every person who opens or maintains, to be resorted to by other persons, any place where opium, or any of its preparations, is sold or given away, to be smoked at such place, and every person who shall at any place within this State smoke opium or any of its preparations, except on prescription of a legally licensed practicing physician, is guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not exceeding five hundred dollars or imprisonment in the county jail not exceeding six months, or by both such fine and imprisonment

Read second time, ordered engrossed, and placed on file for third reading.

Assembly Bill No. 276—An Act to amend an Act entitled "An Act to prevent the sale of intoxicating drinks to minors," approved March 4, 1872.

Read second time, ordered engrossed, and placed on file for third reading.

Assembly Bill No. 351—An Act to provide for the deficiency in the appropriation for the expenses of the Supreme Court, under section forty-seven of the Code of Civil Procedure, for the thirty-seventh fiscal year.

Read second time.

Assembly Bill No. 370—An Act to provide for the deficiency in the appropriation for the transportation of prisoners, for the thirty-seventh fiscal year.

Read second time.

Assembly Bill No. 183—An Act to repeal section three thousand seven hundred and forty-eight of the Political Code, relating to the collection of taxes.

Read second time, ordered engrossed, and placed on file for third reading.

Assembly Bill No. 206—An Act making an appropriation for deficiency in fund for printing the school text-books, for thirty-eighth fiscal year.

Read second time.

Assembly Bill No. 354—An Act to provide for the deficiency in the appropriation for costs and expenses of suits wherein the State is a party in interest, for the thirty-fifth fiscal year.

Read second time.

Assembly Bill No. 355—An Act to provide for the deficiency in the appropriation for contingent expenses in the office of Surveyor-General, for the thirty-sixth fiscal year.

Read second time.

Assembly Bill No. 356—An Act to provide for the deficiency in the

appropriation for the cleaning and transportation of arms for the National Guard of California, for the thirty-fourth fiscal year.

Read second time.

Assembly Bill No. 357—An Act to provide for the deficiency in the appropriation for postage, expressage, etc., of the Surveyor-General, for the thirty-fifth fiscal year.

Read second time.

Assembly Bill No. 358—An Act to provide for the deficiency in the appropriation for postage and expressage in the office of the Adjutant-General, for the thirty-fifth fiscal year.

Read second time.

Assembly Bill No. 359—An Act to provide 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 second time.

Assembly Bill No. 368—An Act to provide for the deficiency in the appropriation for traveling expenses of the Superintendent of Public Instruction, for the thirty-fifth fiscal year.

Read second time.

Assembly Bill No. 369—An Act to provide for the deficiency in the appropriation for traveling expenses of the Attorney-General, for the thirty-fifth fiscal year.

Read second time.

Assembly Bill No. 360—An Act to provide for the deficiency in the appropriation for stationery and contingent expenses of the Bureau of Labor Statistics, for the thirty-sixth fiscal year.

Read second time.

Assembly Bill No. 361—An Act to provide for the deficiency in the appropriation for the contingent expenses in the office of the Secretary of State, for the thirty-sixth fiscal year.

Read second time.

Assembly Bill No. 377—An Act to provide for the deficiency in the appropriation for the transportation of the insane, for the thirty-seventh fiscal year.

Read second time.

Assembly Bill No. 380—An Act to provide for the deficiency in the appropriation for the payment of rewards for the arrest of criminals without the limits of the State, for the thirty-sixth fiscal year.

Read second time.

Assembly Bill No. 378—An Act to provide for the deficiency in the appropriation for the payment of rewards for the arrest of criminals without the limits of the State, for the thirty-seventh fiscal year.

Read second time.

Assembly Bill No. 379—An Act to provide for the deficiency in the appropriation for the payment of rewards for arresting criminals without the limits of the State, for the thirty-fifth fiscal year.

Read second time.

Assembly Bill No. 374—An Act to provide for the deficiency in the appropriation for the transportation of the insane, for the thirty-second fiscal year.

Read second time.

Assembly Bill No. 375—An Act to provide for the deficiency in the appropriation for the transportation of the insane, for the thirty-fifth fiscal year.

Read second time.

Assembly Bill No. 376—An Act to provide for the deficiency in the appropriation for the transportation of the insane, for the thirty-sixth fiscal year.

Read second time.

Assembly Bill No. 371—An Act to provide for the deficiency in the appropriation for the transportation of prisoners, for the thirty-sixth fiscal year.

Read second time.

Assembly Bill No. 372—An Act to provide for the deficiency in the appropriation for the transportation of prisoners, for the thirty-fifth fiscal year.

Read second time.

Assembly Bill No. 373—An Act to provide for the deficiency in the appropriation for the transportation of insane, for the thirty-first fiscal year.

Read second time.

Assembly Bill No. 365—An Act to provide for the deficiency in the appropriation for the uses of the State Board of Viticulture, for the thirty-seventh fiscal year.

Read second time.

Assembly Bill No. 366—An Act to provide for the deficiency in the appropriation for the contingent expenses of the office of the Surveyor-General, for the thirty-seventh fiscal year.

Read second time.

Assembly Bill No. 364—An Act to provide for the deficiency in the appropriation for the erection and maintenance of the State Salmon Hatchery, for the thirty-seventh fiscal year.

Read second time.

Assembly Bill No. 362—An Act to provide for the deficiency in the appropriation for the uses of the State Board of Silk Culture, for the thirty-sixth fiscal year.

Read second time.

MOTION.

Mr. Mathews of Tehama moved that the House go into Committee of the Whole, with the Speaker in the chair, to consider Assembly Bills Nos. 283, 351, 370, 206, 354, 355, 356, 357, 358, 359, 368, 369, 360, 361, 377, 380, 378, 379, 374, 375, 376, 371, 372, 373, 365, 366, 364, and 362.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker pro tem. Brierly in the chair.

The bills were considered in the Committee of the Whole.

IN ASSEMBLY.

Speaker pro tem. Brierly in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The Chairman stated the report of the committee, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bills Nos. 283, 351, 370, 206, 354, 355, 356, 357, 358, 359, 368, 369, 360, 361, 377, 380, 378, 379, 374, 375, 376, 371, 372, 373, 365, 366, 364, 362.

Report the same back, as follows.

SUBSTITUTE FOR ASSEMBLY BILL No. 283

An Act to appropriate money to pay the claim of John C Edgar, ex-Sheriff of the County of San Mateo, for delivering certain insane persons at the Insane Asylum at Stockton, for the twenty-fourth fiscal year

The People of the State of California, represented in Senate and Assembly, do enact as follows

SECTION 1 The sum of one hundred and forty dollars ($140) is hereby appropriated out of any money in the State Treasury not otherwise appropriated, to pay the claim of John C. Edgar, ex-Sheriff of the County of San Mateo, for transporting two (2) insane persons, to wit, Hugh Devine and Joseph Herling, from the county seat of said county of San Mateo, viz., Redwood City, and delivering said persons at the Insane Asylum of the State of California, at Stockton, for the twenty-fourth fiscal year.

SEC 2. The Controller of State is hereby authorized and directed to draw his warrant in favor of said John C. Edgar for said sum of one hundred and forty dollars, and deliver the same to said Edgar, upon said Edgar surrendering to said Controller of State the receipts for said insane persons, issued by the Medical Superintendent or Resident Physician of said Insane Asylum to said Edgar, and the State Treasurer is hereby authorized and directed to pay said warrant

SEC 3 This Act shall take effect immediately.

Assembly Bill No 370, amended as follows

Committee amendment Strike out, in lines one and two, of section one, of printed bill, the words "seven thousand five hundred and thirty-four dollars and ten cents," and insert "seven thousand seven hundred and forty-six dollars and fifteen cents"

Assembly Bill No 377, amended as follows Strike out the words "six hundred and one dollars and sixty cents," section one, line one, of printed bill, and insert "six hundred and twenty-four dollars and sixty cents."

Assembly Bill No 364, amended as follows: In section one, of printed bill, strike out the words "two hundred and forty-four dollars and seventeen cents," and add "sixteen hundred and forty-seven dollars and eighty-one cents"

Now report the same back, as amended, and recommend the passage of bills as reported

Report adopted.

Bills ordered engrossed, and to a third reading.

Assembly Bill No. 61 passed on file.

Assembly Bill No. 72 passed on file.

Assembly Bill No. 123—An Act to authorize certified copies of surveys, maps, or plats of subdivided tracts of land, to be recorded in the office of the County Recorder, and to regulate and designate the penalty inflicted upon failure to record such, said Act being substituted for section one thousand one hundred and sixty-three of the Civil Code. Said section was repealed July 1, 1874.

Read second time.

The committee offered a substitute, which was read and adopted.

Bill ordered engrossed, and placed on file for third reading.

Senate Bill No. 113—An Act to amend sections three thousand and seventy-seven, three thousand and seventy-eight, three thousand and eighty, and three thousand and eighty-two of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relative to the registry of births, deaths, and marriages.

Read second time, and ordered to a third reading.

Assembly Bill No. 303—An Act to amend section three hundred and seventy-eight of an Act entitled an Act to establish a Penal Code, approved February 14, 1872, relating to the preservation of the public health and safety, and registration of births, deaths, and marriages.

Read second time, ordered engrossed, and placed on file for third reading.

Assembly Bill No. 305—An Act to amend section three thousand and eighty-four of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relative to the interment or cremation of human bodies.

Read second time, ordered engrossed, and placed on file for third reading.

Assembly Bill No. 304—An Act to amend section three thousand and sixty-two of, and to add a new section to, an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to Boards of Health.

Read second time, ordered engrossed, and placed on file for third reading.

Assembly Bill No. 306—An Act to amend section three hundred and seventy-seven of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to the disposal of human dead bodies, and preservation of the public health.

Read second time, ordered engrossed, and placed on file for third reading.

Assembly Bill No. 144—An Act to amend section one thousand two hundred and fifty-seven of the Political Code of the State of California, relating to counting of ballots at elections.

Read second time, ordered engrossed, and placed on file for third reading.

Assembly Bill No. 166—An Act to amend section one thousand one hundred and sixty of the Political Code of the State of California, relating to elections.

Read second time.

The committee offered a substitute, which was read and adopted.

Bill ordered engrossed, and placed on file for third reading.

MOTION.

At eleven o'clock and thirty-five minutes P. M. Mr. Variel moved to adjourn.

Lost.

Assembly Bill No. 338—An Act to provide for the better protection of life and limb, and to guard against accidents on street and cable roads, by the use of safety guards, and to punish negligence.

Withdrawn by the authors, by permission of the House

Assembly Bill No. 4—An Act to repeal an Act entitled an Act fixing jurisdiction and providing compensation for Justices of the Peace in cities and towns, approved March 9, 1883.

Read second time, ordered engrossed, and placed on file for third reading.

Assembly Bill No. 209—An Act to amend section one hundred and twelve of the Code of Civil Procedure, Chapter V, Article III, relating to Justices of the Peace and Justices' Courts in general.

Read second time.

Committee amendments, as follows, adopted:

Amend section two, line five, by inserting the word "to" after the word "title."

Bill ordered engrossed, and to a third reading.

Assembly Bill No. 202—An Act to amend section one hundred and three of an Act entitled "An Act to amend an Act of the Legislature of the State of California to establish a Code of Civil Procedure," approved March 17, 1872, relating to Justices' Courts and Justices of the Peace.

Read second time.

The committee offered a substitute, which was read.

Mr. Knox offered the following amendments, which were adopted:

Amend section one hundred and three, page two, on line seventeen,

by inserting, after the word "than," the following: "twenty thousand inhabitants, there shall be one Justice's Court, for which there shall be elected by the qualified electors of such city or town, one Justice of the Peace in every incorporated city or town having more than twenty thousand inhabitants and not more than."

On page two, lines twenty-three and twenty-four, amend, by striking out the words "for such Court."

On page three, amend, by striking out all on line forty-four, after the word "county," all on lines forty-five to sixty inclusive, and all on line sixty-one to the word "dollars," inclusive.

On page three, line sixty-three, amend, by striking out the word "fifteen," and insert, in lieu thereof, the word "twenty."

On lines sixty-three and sixty-five, page three, amend, by striking out the word "fifteen," on each line, and insert the word "twenty," in lieu thereof on each line, and on line sixty-five, strike out the word "one."

On page four, line ninety-three, amend, by adding the following new matter:

"All Justices of the Peace, in any city, whose term of office shall not have expired at the time of the passage of this Act, shall continue to perform the duties of such office and to hold the same until the full end of the term for which they have been elected."

On page two, line thirty-seven, strike out the word "ten," and substitute the word "twenty."

Bill ordered engrossed, and to a third reading.

LEAVE OF ABSENCE.

Mr. Williams was granted leave of absence for the evening.

MOTION.

At eleven o'clock and forty-five minutes P. M. Mr. Henry of Butte moved to adjourn.

Lost.

SECOND READING OF BILL.

Senate Bill No. 116—An Act to add section five hundred and thirty-nine to Article II of the Political Code, relating to the office of Superintendent of State Printing, authorizing the Superintendent of State Printing to appoint a Deputy.

Read second time.

Committee amendment, as follows, adopted:

In section one, strike out, after the word "Deputy," the words "at a salary of two thousand four hundred dollars per annum," and, in lieu of, insert the following words: "who shall be the bookkeeper for the Superintendent."

Bill ordered engrossed, and to a third reading.

MOTION.

At eleven o'clock and fifty minutes P. M. Mr. Venable moved to adjourn.

Lost.

CALL OF THE HOUSE.

Mr. Venable moved a call of the House.
Lost.

ADJOURNMENT.

At eleven o'clock and fifty-eight minutes P. M. Mr. Henry of Butte moved to adjourn.

The ayes and noes were demanded by Messrs. Mathews of Tehama, Henry of Butte, and Ohleyer.

The roll was called, with the following result:

AYES—Messrs Atherton, Carr, Hart, Heath, Mitchell, Ohleyer, Taylor, and Venable—8.
NOES—Messrs Brierly, Britt, Brusie, Callaghan, Carroll, Cohen, Colbert, Coombs, Cope, Curry of San Francisco, Ellsworth, Gould, Handy, Hyde, Knox, Lawrence, McDonnell, McGowan, Regan, Sherburne, Toner, Weber, Windrow, and Young of San Joaquin—24

There being no quorum voting, the Speaker declared the House adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Tuesday, March 8, 1887.

The House met pursuant to adjournment.

Speaker Jordan in the chair.

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

Messrs. Adams, Alexander, Atherton, Bailey, Barry, Barton, Bost, Brierly, Britt, Brown W A, Brown J. B, Brusie, Burnett, Butler, Callaghan, Campbell, Carr, Carroll, Cohen, Colbert, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Gruwell, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, Knox, LaBlanc, Lawrence, Lewis, Martin, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Mitchell, Morgan, Morris, Ohleyer, Price, Regan, Rucker, Remson, Searey, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Toner, Vattel, Venable, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr Speaker

Quorum present.

Prayer by the Chaplain, Rev. E. R. Dille.

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

So ordered.

Journal corrected and approved.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 7, 1887

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

Senate Bill No 450—By suspending section fifteen, of Article IV, of the Constitution—An Act to pay the officers and members of the Second Brigade, National Guard of California, for guard duty performed by them in obedience to the orders of the Governor and Commander-in-Chief, from December 19, 1886, to January 31, 1887, both days inclusive.

Also, returns Assembly Bill No 163, as requested by your honorable body

Also, Senate Bill No 347—An Act to pay the claim of J W. Rock, for the construction of a steam launch

Also, Senate Bill No 292—An Act to amend section three thousand three hundred and sixty of an Act entitled "An Act to establish a Civil Code," approved March 21 1872, relating to damages in cases of libel or slander

Also, Senate Bill No 428—An Act to add a new section to the Political Code, to be numbered section three thousand two hundred and thirty-five, relating to the furnishing of supplies, under contract, to all public institutions under the control of the State, or of any county, city and county, city, or town thereof.

Also, Assembly Bill No 459, as amended—An Act making appropriations for the support of the government of the State of California, for the thirty-ninth and fortieth fiscal years

And asks your honorable body to concur in the amendments thereto.

ED. HAMILTON, Secretary

CONSIDERATION OF SENATE MESSAGES.

Assembly Bill No. 459—An Act making appropriations for the support of the government of the State of California, for the thirty-ninth and fortieth fiscal years.

The question being upon the House concurring in the Senate amendments:

Amendment No. 2: In line eleven, page one, printed bill, strike out word "twenty," and insert, in lieu thereof, "twelve."

Concurred in unanimously.

MOTION.

Mr. Brierly moved to make the further consideration of this bill the special order for two o'clock and fifteen minutes P. M. to-day.

So ordered.

MOTION TO RECONSIDER.

Mr. Weber moved to reconsider the vote whereby Senate Bill No. 160 was refused second reading.

So ordered.

SECOND READING OF BILL.

Senate Bill No. 160—An Act to amend section nine of an Act entitled "An Act for the promotion of the viticultural industries of the State," approved April 15, 1880, in relation to donations of land suitable for experimental vineyards and stations, the improvement and management thereof.

Read second time.

SPECIAL ORDER.

At ten o'clock and thirty minutes A. M. Mr. Handy called up special order for this hour, Senate Bill No. 443.

Mr. Weber moved that the special order be continued until the consideration of Senate Bill No. 160 be disposed of.

So ordered.

MOTION.

Mr. Brierly moved that the House go into Committee of the Whole, and consider Senate Bill No. 160, with the Speaker in the chair.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Jordan in the chair.

The bill was considered in the Committee of the Whole.

IN ASSEMBLY.

Speaker Jordan in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The Chairman stated the report of the committee as follows:

GENTLEMEN The Committee of the Whole have had under consideration Senate Bill No 160—and report the same back, and recommend that it do pass.

Report adopted.
Bill ordered to a third reading.

SPECIAL ORDER No. 1.

Senate Bill No. 443—An Act to amend section eight of an Act entitled "An Act to provide for the future management of the Napa State Asylum for the Insane," approved March 6, 1876, relating to the Resident and Assistant Physicians.
Read second time, and ordered placed on file for third reading.

MOTION FOR SPECIAL ORDER.

On motion of Mr. Handy, Senate Bill No. 443 was made a special order for ten o'clock and thirty minutes A. M. to-morrow.

SPECIAL FILE.

Assembly Bill No. 561 passed on file.
Assembly Constitutional Amendment No. 20—To amend section twelve, of Article XIII, of the Constitution.
The roll was called, and the amendment lost by the following vote:

AYES—Messrs Alexander, Barry, Bost, Brusie, Carr, Cooley, Curry of San Francisco, Davis, Henry of Butte, Hyde, Knox, LaBlanc, Martin, McGowan, Weber, Windrow, Williams, Young of San Diego, and Young of San Joaquin—18
NOES—Messrs Adams, Atherton, Bailey, Barton, Brierly, Britt, Brown J B Butler, Callaghan, Campbell, Coombs, Cope, Currey of Solano, Ellsworth, Ewing, Gould, Grunwell, Handy, Hart, Heath, Henry of San Joaquin, Hotchkiss, Lewis, Mathews of Tehama, Matthews of San Benito, McDonnell, Morgan, Ohlever, Rucker, Remson, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Taylor, Variel, Venable, Wilcox, Wright, and Mr Speaker—41

NOTICES OF RECONSIDERATION.

Mr. Ellsworth gave notice that, on to-morrow, he would move to reconsider the vote whereby Assembly Constitutional Amendment No. 20 was lost.

MOTION TO RECONSIDER.

Mr. Lewis moved to reconsider the vote whereby Senate Bill No. 162 was, on yesterday, lost.
So ordered.

PASSAGE OF BILL.

Senate Bill No. 162—An Act to regulate the vocation of fishing, and to provide therefrom revenue for the "restoration and preservation of fish" in the waters of the State of California.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Alexander, Atherton, Bailey, Barry, Barton, Bost, Britt, Brown W A, Brusie, Butler, Callaghan, Campbell, Carr, Cohen, Cooley, Coombs, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Gruwell, Handy, Hart, Henry of Butte, Henry of San Joaquin, Hyde, Knox, LaBlanc, Lewis, Martin, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Ohleyer, Rucker, Renison, Shanahan, Sherburne, Sims, Sykes, Taylor, Variel, Venable, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr Speaker—57.
NOES—Messrs. Hotchkiss and Morgan—2

Title read and approved.

SPECIAL FILE—(RESUMED).

Senate Bill No. 446—An Act to appropriate money to meet the contingent expenses of the Senate for its twenty-seventh session.

Read first time.

CASE OF URGENCY.

Mr. Variel moved to suspend the provisions of section fifteen of Article IV of the Constitution, requiring bills to be read on three separate days, that Senate Bill No. 446 be declared a case of urgency, and that the bill be read the second and third times, and placed upon its passage.

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

AYES—Messrs. Adams, Alexander, Atherton, Bailey, Barry, Barton, Bost, Brierly, Britt, Brusie, Burnett, Butler, Callaghan, Campbell, Carr, Cohen, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Ewing, Gould, Gruwell, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hyde, Knox, LaBlanc, Lewis, Martin, Mann, Matthews of San Benito, McClenahan, McDonnell, McGowan, Morgan, Morris, Ohleyer, Renison, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Variel, Venable, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, and Mr Speaker—60
NOES—Mr. Davis—1.

Senate Bill No. 446 read second time.

Senate Bill No. 447—An Act appropriating 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-seventh session of the Legislature.

Read first time.

Senate Bill No. 447 read second time.

Senate Bill No. 144—An Act to provide for the construction and maintenance of an open canal from and along North Street, in the City of Stockton, County of San Joaquin, State of California, to the San Joaquin River, for sanitary and drainage purposes, and to appropriate money therefor.

Read second time.

MOTION—SPECIAL ORDERS.

At eleven o'clock A. M. Mr. Curry of San Francisco moved that the special orders set for this hour, consideration of Senate Bills Nos. 234 and 330, be continued until after the consideration of the bills now pending.

So ordered.

MOTION.

Mr. Curry of San Francisco moved that the House go into Committee of the Whole, and consider Senate Bills Nos. 446, 447, 237, and 144, with the Speaker in the chair.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Jordan in the chair.

The bills were considered in the Committee of the Whole.

IN ASSEMBLY.

Speaker Jordan in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The Chairman stated the report of committee as follows:

GENTLEMEN The Committee of the Whole have had under consideration Senate Bill No 446—and report the same back, and recommend that it do pass, as amended, as follows

Amend, by striking out, in section one, the words "to meet the contingent expenses," and insert the words "to pay officers and clerks"

Also, amend title, so as to read "for the pay of officers and clerks of Senate"

Also, Senate Bill No 447—and report the same back, and recommend it do pass

Also, Senate Bill No 237—and report the same back, and recommend it do pass

Also, Senate Bill No 144—and report the same back, and recommend that it do pass, as amended, as follows

Amend, by inserting, after the word "Asylum," on line eleven, the following "a sewer may be constructed instead of an open canal on any part of the line of the proposed canal"

Insert the word and figure "Section 1," before line one, of bill

Report adopted.

THIRD READING OF BILLS.

Senate Bill No. 446—An Act to appropriate money to meet the contingent expenses of the Senate, for its twenty-seventh session.

Read third time.

Senate Bill No. 447—An Act appropriating 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-seventh session of the Legislature.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Alexander, Atherton, Barton, Bost, Brierly, Britt, Butler, Campbell, Carr, Carroll, Cohen, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Gruwell, Handy, Henry of San Joaquin, Hyde, LaBlanc, Lewis, Martin, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Morris, Ohleyer, Rucker, Renison, Sherburne, Sims, Spurgeon, Sykes, Taylor, Variel, Venable, Windrow, Wilcox, Williams, Young of San Diego, and Mr. Speaker—49

NOES—None

Title read and approved.

Senate Bill No. 237—An Act to add three new sections to an Act entitled "An Act to establish a Political Code," approved March 12, 1872, to be numbered four hundred and forty-four, one thousand six hundred and twenty-five, and one thousand six hundred and eighty-

two, respectively, in relation to the duties of the Controller and Trustees of School Districts, as to apportionment of moneys, the enrollment of pupils in the grammar school course, and to provide for the same; also to add a new section to said Code, to be numbered one thousand six hundred and sixty-nine, in relation to the manner in which studies shall be taught in the grammar school course and grammar grade, and prescribing the duties of teachers, principals, and County Superintendents in relation thereto, and to amend sections one thousand five hundred and thirty-two, one thousand five hundred and thirty-three, one thousand five hundred and forty-three, one thousand seven hundred and seventy-one, one thousand seven hundred and seventy-three, and one thousand six hundred and ninety-six of said Act, in relation to pupils enrolled in the grammar school course, the duties of the Superintendent of Public Instruction, County Superintendents, principals and teachers, in relation thereto, and the apportionment of moneys appropriated therefor; also, relating to the examination of applicants to teach in the grammar school course and grammar grade, and the powers of the County Boards of Education to grant certificates to teach in the public schools, including said course and grade.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Alexander, Atherton, Bailey, Barton, Bost, Britt, Burnett, Butler, Callaghan, Campbell, Carr, Carroll, Cooley, Cope, Currey of Solano, Davis, Ellsworth, Ewing, Gould, Heath, Henry of Butte, Hyde, Knox, LaBlanc, Mann, Matthews of San Benito, Morris, Ohleyer, Price, Rucker, Remson, Searey, Shanahan, Sims, Spurgeon, Sykes, Taylor, Toner, Variel, Weber, Windrow, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr. Speaker—47.

NOES—None

Title read and approved.

Senate Bill No. 144 ordered to a third reading.

Mr. Curry of San Francisco called up Special Orders Nos. 2 and 3, Senate Bill No. 330, and Senate Bill No. 234.

Mr. Curry moved that the special order set for this hour, eleven o'clock and thirty minutes A. M., be postponed until the matters now under consideration are disposed of.

So ordered.

RESOLUTION.

By Mr. Hyde:

Resolved, That a committee of three be appointed by the Speaker to report to the House a list of all Assembly Bills which have not been read a second time, and to recommend that such bills be stricken from the file There shall be excepted from the operation of this resolution all appropriation, deficiency, and school bills, and bills relating to irrigation.

Mr. Mathews of Tehama moved to lay the resolution on the table.

So ordered.

SPECIAL ORDER No. 2—SECOND READING OF BILL.

Senate Bill No. 234—An Act to provide for the correction and establishment of a portion of the eastern boundary line of the State of California.

Read second time.

IN COMMITTEE OF THE WHOLE.

On motion of Mr. Gould, the House went into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bill No. 234.

The bill was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Jordan in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The Chairman stated the report as follows:

GENTLEMEN. The Committee of the Whole have had under consideration Senate Bill No 234, and now report the same back, and recommend that it do pass, as amended, as follows

Amend section three, in line five, of printed bill, by striking out, after the word "with," the words "the present and existing"

Also, amend section three, in line fourteen, by striking out after the word "regarded," the words "and confirmed."

Also, amend section three, by inserting, after the word "California," in line fifteen, the words "when confirmed by the United States Government."

Also, amend section three, by inserting, after the word "Act," in line seventeen, the words "and confirmed as hereinbefore provided"

Also, amend section four, by striking out in lines three and four, of printed bill, after the word "survey," in line three, the words "and removal of the present monuments"

Report adopted.

Bill ordered to a third reading.

MOTION FOR A SPECIAL ORDER.

Mr. Gould moved that the further consideration of Senate Bill No. 234 be made the special order for to-morrow, at three o'clock P. M.

So ordered.

SPECIAL ORDER No. 3.

Senate Bill No. 330—An Act to ascertain the loss and damage suffered and sustained by the Coulterville and Yosemite Turnpike Company, a corporation, by the construction of a road by the Yosemite Turnpike Road Company, under and by virtue of an Act of the Legislature of the State of California, entitled "An Act granting the right of way to the Yosemite Turnpike Road Company over the Yosemite Grant," approved February 17, 1874, and for the relief of said Coulterville and Yosemite Turnpike Company.

Read second time, and ordered to a third reading.

MOTION.

Mr. Cooley moved that the further consideration of Senate Bill No. 330 be made the special order for to-morrow, at eleven o'clock A. M.

So ordered.

SPECIAL ORDER No. 4.

Senate Bill No. 430—An Act to provide for the completion of all unfinished county buildings in the several counties, cities and counties, cities and towns throughout the State of California.

Read second time, and ordered to a third reading.

MOTION—SPECIAL ORDER.

Mr. Curry of San Francisco moved to make the further consideration of Senate Bill No. 430 the special order for to-morrow, at eleven o'clock and thirty minutes A. M.

So ordered.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON MILEAGE.

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1887.

MR SPEAKER Your Committee on Mileage, to whom was referred the report of the Committee on Savings Banks, on the occasion of their visit to San Francisco, Oakland, San José, and Los Angeles, have had the same under consideration, and recommend that they may be allowed mileage as follows John LaBlanc, to San Francisco and return, one hundred and sixty-eight miles. William B Hunt, to San Francisco, Oakland, San José, Los Angeles, and return, one thousand five hundred and sixty-two miles

Resolved, That the Controller be and he is hereby authorized to draw his warrant for the sum of sixteen dollars and eighty cents, in favor of Jno LaBlanc, payable out of the appropriation for the contingent expenses of the Assembly, also,

Resolved, That the Controller be and he is hereby authorized to draw his warrant for the sum of one hundred and fifty-six dollars and twenty cents, in favor of Wm. B Hunt, payable out of the appropriation for the contingent expenses of the Assembly

WEBER, Chairman.

Resolution adopted.

SPECIAL FILE—(RESUMED).

Senate Constitutional Amendment No. 1—An Act proposing an amendment to section one, of Article XIII, of the Constitution of the State of California, relating to exemption from taxation of personal property, not exceeding in value three hundred dollars, and exempt by law from execution.

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

AYES—Messrs. Bailey, Bost, Brierly, Britt, Brown W. A., Brown J B, Butler, Callaghan, Campbell, Cohen, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gruwell, Handy, Hart, Henry of Butte, Hyde, LaBlanc, Lawrence, Lewis, Mann, Matthews of San Benito, McDonnell, McGowan, Mitchell, Morris, Rucker, Searey, Shanahan, Sherburne, Sims, Sykes, Taylor, Toner, Variel, Windrow, Wilcox, Young of San Joaquin, and Mr. Speaker—44.

NOES—Messrs Atherton, Carr, Carroll, Gould, Heath, Hotchkiss, Knox, Mathews of Tehama, McClenahan, Morgan, Ohleyer, Price, Smyth, Venable, Williams, Wright, and Young of San Diego—15

NOTICE OF RECONSIDERATION.

Mr. Ellsworth gave notice that, on to-morrow, he would move to reconsider the vote whereby Senate Constitutional Amendment No. 1 was lost.

MOTION.

Mr. Shanahan moved that the rules be suspended, and Assembly Bill No. 550 be taken up, out of order, and considered.

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

AYES—Messrs Atherton, Bailey, Barry, Barton, Bost, Brierly, Britt, Brown J B, Butler, Campbell, Carr, Carroll, Cohen, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ewing, Gruwell, Handy, Hart, Heath, Henry of Butte, Hotchkiss, Hyde,

Knox, LaBlanc, Lawrence, Lewis, Martin, Matthews of San Benito, McClenahan, McDonnell, McGowan, Mitchell, Ohleyer, Price, Regan, Rucker, Remson, Searey, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Taylor, Toner, Variel, Weber, Windrow, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr Speaker—58

NOES—Messrs. Ellsworth, Henry of San Joaquin, Morgan, Venable, and Wilcox—5

SECOND READING OF BILL.

Assembly Bill No. 550—An Act to add a new section to the Political Code, to be numbered section three thousand two hundred and thirty-five, relating to the furnishing of supplies under contract to all public institutions under the control of the State, or of any county, city and county, or town thereof.

Read second time.

Mr. Shanahan offered the following amendment, which was adopted: Amend, by inserting, after word "character," in line six, the words "for the benefit of the State, or to be paid for by any moneys appropriated or to be appropriated by the State;" also, add, after the word "officials," in line eight, the words "for the State;" also, add: "Section 2. This Act shall take effect immediately."

Bill ordered engrossed, and to a third reading.

MOTION—SPECIAL ORDER.

Mr. Shanahan moved that the further consideration of Assembly Bill No. 550 be made the special order for to-morrow, at eleven o'clock A. M.

So ordered.

GENERAL FILE.

Assembly Bill No. 154 withdrawn by the author, by permission of the House.

MOTION.

Mr. Lawrence moved to suspend the rules, and take up Senate Bill No. 222, out of order, and consider the same.

RECESS.

Pending discussion of motion of Mr. Lawrence, 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 Jordan in the chair.

Quorum present.

The question recurring on the motion made by Mr. Lawrence, to suspend the rules and take up, out of order, Senate Bill No. 222.

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

AYES—Messrs Bost, Brierly, Britt, Brusie, Burnett, Callaghan, Cohen, Colbert, Cooley, Curry of San Francisco, Ewing, Hart, Hyde, Lawrence, Martin, Mann, McClenahan, McGowan, Mitchell, Regan, Searey, Toner, Weber, Windrow, and Young of San Diego—25

NOES—Messrs Alexander, Atherton, Bailey, Butler, Carroll, Coombs, Cope, Currey of Solano, Davis, Granger, Gruwell, Handy, Heath, Henry of San Joaquin, Knox, Morgan, Morris, Ohleyer, Price, Sherburne, Spurgeon, Sykes, Taylor, Variel, Venable, Wilcox, Williams, and Mr Speaker—31

MOTIONS.

Mr. McGowan moved that the rules be suspended, and that Senate Bill No. 327 be taken up out of order, and considered.

Mr. Hyde moved that the special order set for this hour, two o'clock and fifteen minutes P M., consideration of Assembly Bill No. 459, be continued until after the disposal of the matter now in hand.

So ordered.

The roll was called on the motion of Mr. McGowan, which was carried by the following vote:

AYES—Messrs. Alexander, Atherton, Bailey, Barton, Bost, Brierly, Britt, Brusie, Burnett, Butler, Callaghan, Campbell, Carr, Carroll, Cohen Colbert, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Gruwell, Handy, Hart, Heath, Henry of San Joaquin, Hotchkiss, Hyde, Knox, Lawrence, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Mitchell, Morgan Morris, Ohleyer, Price, Regan, Renison, Searey, Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Toner, Variel, Venable, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr Speaker—66.

NOES—None

CASE OF URGENCY.

Mr McGowan moved to suspend the rules and the provisions of section fifteen, of article four, of the Constitution, requiring bills to be read on three separate days, that Senate Bill No. 327 be declared a case of urgency, and that the bill be read the second and third time, and put on its final passage.

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

AYES—Messrs Alexander, Atherton, Bailey, Barton, Bost, Brierly, Britt, Brown W A, Brusie, Burnett, Butler, Callaghan, Campbell, Carr, Carroll, Cohen, Colbert, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Gruwell, Handy, Hart, Heath, Henry of San Joaquin, Hotchkiss, Hyde, Knox, La Blanc, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Mitchell, Morgan, Morris, Ohleyer, Rucker, Renison, Searey, Sherburne, Sims, Smyth, Spurgeon, Sykes, Young of San Diego, Young of San Joaquin, and Mr. Speaker—65.

NOES—None.

SECOND READING OF BILL.

Senate Bill No. 327—An Act to grant to the United States certain tide lands, belonging to the State of California, for the purpose of improving the Harbor of Humboldt Bay.

Read second time.

Senate Bill No. 327 read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Alexander, Atherton, Bailey, Barton, Bost, Brierly, Britt, Brusie, Butler, Callaghan, Campbell, Carr, Carroll, Colbert, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Gruwell, Handy, Hart, Henry of San Joaquin, Hyde, Knox, Lawrence, Martin, Mathews of Tehama, Matthews of San Benito, McDonnell, McGowan, Mitchell, Morris, Ohleyer, Price, Renison, Searey, Sherburne, Sims, Spurgeon, Sykes, Taylor, Toner, Variel, Venable, Vincent, Weber, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr. Speaker—59

NOES—None.

Title read and approved.

MOTIONS.

Mr. Wright moved that the Committee on Internal Improvements return to the House immediately Assembly Bill No. 394.

So ordered.

At two o'clock and thirty minutes P. M. Mr. Variel moved that the special order for this hour, consideration of Assembly Joint Resolution No. 10, be made a special order for eight o'clock and thirty minutes this P. M.

So ordered.

At two o'clock and thirty minutes P. M. Mr. Wright moved to continue the special order set for this hour, Senate Bill No. 10, until the disposal of Assembly Bill No. 459, now under consideration.

So ordered.

BILL WITHDRAWN.

Mr. Carroll withdrew Assembly Bill No. 128, by permission of the House.

MOTION.

Mr. Carroll moved that Senate Bill No. 347 be substituted on the file in the place formerly occupied by Assembly Bill No. 128.

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

AYES—Messrs. Alexander, Atherton, Bailey, Barry, Barton, Bost, Brierly, Britt, Brusie, Burnett, Butler, Callaghan, Campbell, Carr, Carroll, Cohen, Colbert, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ewing, Gould, Gruwell, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, Knox, Lawrence, Mathews of Tehama, Matthews of San Benito, McDonnell, Morgan, Price, Regan, Remson, Searey, Sherburne, Sims, Sykes, Taylor, Toner, Variel, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, and Young of San Joaquin—55.

NOES—Messrs. Adams, Granger, Venable, and Mr. Speaker—4.

BILLS WITHDRAWN.

Mr. Cooley withdrew Assembly Bills Nos. 439 and 462, by permission of the House.

Mr. Carroll withdrew Assembly Bills Nos. 512, 513, and 515, by permission of the House.

Special order, consideration of Substitute for Assembly Bill No. 459, resumed.

SENATE AMENDMENTS.

Amendment No. 3: In line twelve, page one, printed bill, strike out word "twenty," and insert, in lieu thereof, "twelve."

The roll was called, and the amendment concurred in by the following vote:

AYES—Messrs. Adams, Alexander, Atherton, Bailey, Barton, Bost, Britt, Brown W. A., Brusie, Butler, Carr, Carroll, Cohen, Cooley, Coombs, Cope, Currey of Solano, Ewing, Granger, Gruwell, Handy, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Knox, Lawrence, Matthews of San Benito, McClenahan, McDonnell, Mitchell, Ohlexer, Regan, Remson, Sherburne, Sykes, Taylor, Variel, Venable, Wilcox, Wright, and Mr. Speaker—42.

NOES—Messrs. Brierly, Burnett, Colbert, Curry of San Francisco, Davis, Gould, Hart, Hyde, Martin, Mathews of Tehama, McGowan, Price, Sims, Smyth, Toner, Weber, Windrow, and Williams—18.

MOTION.

Mr. Cohen called up the special order set for this hour, three o'clock P. M., consideration of the veto of his Excellency Washington Bartlett, to Assembly Bill No. 55—"An Act to protect the manufacturing indus-

trics of this State"—and moved that the consideration of same be postponed until to-morrow, at three o'clock P. M.

So ordered.

The question recurring on Senate Amendment No. 4 to Assembly Bill No. 459, as follows:

Amendment No. 4: On page two, printed bill, strike out lines nineteen and twenty.

The roll was called, and the House refused to concur in the amendment by the following vote:

AYES—Messrs Adams, Bailey, Campbell, Carr, Coombs, Currey of Solano, Handy, Hart, Lawrence, McDonnell, Ohleyer, Regan, Rucker, Renison, Sherburne, and Mr Speaker—16

NOES—Messrs Alexander, Atherton, Barton, Bost, Brierly, Britt, Brown W A, Burnett, Colbert, Cooley, Cope, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Gruwell, Heath, Henry of San Joaquin, Hotchkiss, Knox, LaBlanc, Martin, Mann, Mathews of Tehama, Matthews of San Benito, McGowan, Mitchell, Morgan, Price, Searey, Sims, Smyth, Spurgeon, Sykes, Taylor, Toner, Variel, Venable, Weber, Wilcox, Williams, Wright, and Young of San Diego—44.

Amendment No. 5: In line thirty, page two, printed bill, strike out words "eight hundred."

The roll was called, and the amendment concurred in by the following vote:

AYES—Messrs Adams, Alexander, Atherton, Bailey, Barton, Bost, Brown W A, Campbell, Carr, Carroll, Cooley, Coombs, Cope, Currey of Solano, Davis, Ellsworth, Granger, Gruwell, Handy, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Knox, Lawrence, Matthews of San Benito, McClenahan, McDonnell, Mitchell, Ohlever, Rucker, Renison, Shanahan, Sherburne, Sims, Smyth, Sykes, Taylor, Variel, Venable, Weber, Wilcox, Williams, and Mr Speaker—44

NOES—Messrs Brierly, Brusie, Burnett, Butler, Colbert, Hart, Martin, Mann, Mathews of Tehama, McGowan, Morgan, Price, Searey, Spurgeon, Wright, and Young of San Diego—16.

Amendment No. 6: In lines fifty-seven and fifty-eight, page three, printed bill, strike out "twenty-four" and insert "fifteen."

Concurred in unanimously.

Amendment No. 7: On page four, printed bill, strike out lines ninety, ninety-one, and ninety-two.

The roll was called, and the House refused to concur in the amendment by the following vote:

AYES—Messrs Adams, Atherton, Barton, Campbell, Carr, Carroll, Cope, Gruwell, Handy, Henry of San Joaquin, Hotchkiss, Lawrence, Mitchell, Ohleyer, Taylor, Venable, Williams, Wright, Young of San Diego, and Mr Speaker—20

NOES—Messrs Alexander, Brierly, Brusie, Burnett, Butler, Colbert, Coombs, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Hart, Heath, Henry of Butte, Hyde, Knox, Martin, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Morgan, Price, Rucker, Searey, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Sykes, Variel, Weber, and Wilcox—39

Amendment No. 8: On line one hundred and seven, page four, printed bill, insert "telegraphing," after the word "postage."

Concurred in unanimously.

Amendment No. 9: On page four, printed bill, strike out lines one hundred and sixteen, one hundred and seventeen, and one hundred and eighteen.

Concurred in unanimously.

Amendment No. 10: On line one hundred and twenty, page five, printed bill, change "five" to "four."

Concurred in unanimously.

Amendment No. 11: On page five, printed bill, strike out lines one

hundred and twenty-two, one hundred and twenty-three, and one hundred and twenty-four.

The roll was called, and the amendment concurred in by the following vote:

AYES—Messrs Alexander, Atherton, Bailey, Barton, Brown W A, Carr, Cooley, Coombs, Cope, Currey of Solano, Davis, Ewing, Gould, Granger, Gruwell, Hart, Heath, Henry of San Joaquin, Hotchkiss, Hyde, Lawrence, Martin, McDonnell, Mitchell, Morgan, Ohlever, Price, Remson, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Venable, Wilcox, Williams, Wright, and Mr Speaker—40

NOES—Messrs Bost, Brierly, Brusie, Butler, Cohen, Colbert, Curry of San Francisco, Handy, Henry of Butte, Knox, LaBlanc, Mathews of Tehama, McGowan, Variel, and Young of San Diego—15.

Amendment No. 12: In line one hundred and thirty-two, page five, printed bill, change "seventy-four" to "forty."

Concurred in unanimously.

Amendment No. 13: On page five, line one hundred and thirty-three, change "thirty" to "twenty."

Concurred in unanimously.

Amendment No. 13½: After "forty thousand dollars," and between lines one hundred and twenty-one and one hundred and twenty-two, page five, printed copy, insert the following: "For target practice, National Guard, thirty-five hundred dollars; for carriages for Gatling battery, five hundred dollars."

Concurred in unanimously.

Amendment No. 14: In line one hundred and thirty-five, page five, change "seventy" to "fifty-six."

Concurred in unanimously.

Amendment No. 14½: On line one hundred and thirty-five, page five, printed copy, after word "uniform," insert "and equipments."

Concurred in unanimously.

Amendment No. 15: On page five, line one hundred and thirty-seven, at end, insert "exempt from the provisions of section four of this Act; *and provided further*, that such appropriation shall be in full for the completion of all work now in the hands of said Engineer."

Concurred in unanimously.

Amendment No. 16: Page five, line one hundred and thirty-eight, at end, insert "exempt from the provisions of section four of this Act."

Concurred in unanimously.

Amendment No. 17: Strike out, in lines one hundred and forty-four, one hundred and forty-five, and one hundred and forty-six, page five, all after the word "Engineer," and insert in lieu thereof, "seven thousand five hundred dollars."

Concurred in unanimously.

Amendment No. 18: Line one hundred and forty-four, page five, strike out "State Engineer," and insert "Controller."

The roll was called, and the House refused to concur in the amendment by the following vote:

AYES—Messrs. Adams, Alexander, Bailey, Barton, Britt, Butler, Campbell, Carr, Carroll, Coombs, Ellsworth, Ewing, Gruwell, Handy, Heath, Henry of San Joaquin, Lawrence, Ohlever, Rucker, Taylor, Williams, and Mr Speaker—22

NOES—Messrs Atherton, Bost, Brierly, Brusie, Cope, Currey of Solano, Curry of San Francisco, Davis, Granger, Hotchkiss, Hyde, LaBlanc, Martin, Mathews of Tehama, McDonnell, Morgan, Price, Remson, Sherburne, Sims, Smyth, Spurgeon, Sykes, Variel, Venable, Weber, Wilcox, Wright, and Young of San Diego—29

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1887

MR SPEAKER. Your Committee on Engrossment beg leave to report that the following Assembly Bills have been correctly engrossed

Nos 144, 379, 373, 372, 357, 369 380, 360, 366, 378, 276, 359, 361, 371, 375, 368, 355, 358, 356, 362, 351, 365, 354, 374, 376, 4, 242, 183, 303, 243, 206, 305, 306, 304, 436, and 244

WINDROW, Chairman

The question recurring on action on Senate amendment to Assembly Bill No. 459.

Amendment No. 19: Page five, line one hundred and forty-four, at end, insert "exempt from the provisions of section four of this Act."

Concurred in unanimously.

Amendment No. 20: On page six, strike out lines one hundred and sixty-one and one hundred and sixty-two.

The roll was called, and the amendment concurred in by the following vote:

AYES—Messrs. Adams, Alexander, Atherton, Bailey, Barry, Carr, Cooley, Cope, Currey of Solano, Granger, Gruwell, Handy, Heath, Henry of San Joaquin, Hotchkiss, Lawrence, McClenahan, Morgan, Rucker, Shanahan, Sherburne, Venable, Wilcox, and Williams—24

NOES—Messrs Brierly, Britt, Brusie, Butler, Carroll, Curry of San Francisco, Davis, Ewing, Hart, Hyde, LaBlanc, Martin, Mathews of Tehama, McDonnell, Price, Sims, Smyth, Spurgeon, Taylor, Varnel, Windrow, and Young of San Diego—22

Amendment No. 21: Line one hundred and sixty-seven, page six, change "four thousand five hundred" to "four thousand."

Concurred in unanimously.

Amendment No. 22: On page six, strike out lines one hundred and eighty-two and one hundred and eighty-three.

The roll was called, and the House refused to concur in the amendment by the following vote:

AYES—Messrs Adams, Cohen, Colbert, Cope, Currey of Solano, Gould, Gruwell, Henry of San Joaquin, Lewis, Ohleyer, Renison, and Mr Speaker—11

NOES—Messrs Alexander, Atherton, Bailey, Barry, Barton, Bost, Brierly, Britt, Brown W A, Brusie, Butler, Carr, Carroll, Cooley, Coombs, Curry of San Francisco, Davis, Ewing, Granger, Handy, Heath, Hotchkiss, Martin, Mathews of Tehama, Mathews of San Benito, McClenahan, McDonnell, McGowan, Price, Rucker, Searey Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Varnel, Venable, Vincent, Williams, and Wright—43

Mr. Venable in the chair.

CALL OF THE HOUSE.

Mr. Mathews of Tehama moved a call of the House.

So ordered.

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

Messrs Adams, Alexander, Atherton, Bailey, Barry, Barton, Bost, Brierly, Britt, Brusie, Butler, Callaghan, Campbell, Carr, Carroll, Cohen, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Gruwell, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, LaBlanc, Lawrence, Lewis Mahler, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Mitchell, Morgan, Ohleyer, Regan, Rucker, Renison, Searey, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Toner, Varnel, Venable, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr Speaker

Mr. Lawrence moved to dispense with further proceedings under the call of the House.

Lost.

RECESS.

The Speaker declared a recess for ten minutes.

MOTION.

Mr. Wright moved that further proceedings under the call be dispensed with.

So ordered.

Speaker Jordan in the chair.

Amendment No. 23: In line one hundred and eighty-eight, page six, strike out "seven thousand five hundred," and insert "five thousand."

The roll was called, and the amendment concurred in by the following vote:

AYES—Messrs Adams, Alexander, Atherton, Bailey, Carroll, Cohen, Currey of Solano, Davis, Ewing, Granger, Gruwell, Handy, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Lewis, Mann, Matthews of San Benito, McClenahan, McDonnell, Shanahan, Sherburne, Sims, Smyth, Venable, Vincent, Wilcox, Williams, and Mr Speaker—30

NOES—Messrs Barry, Barton, Bost, Brierly, Britt, Brown W A, Brusie, Butler, Campbell, Carr, Colbert, Cope, Hyde, LaBlanc, Martin, Mathews of Tehama, McGowan, Ohleyer, Price, Regan, Rucker, Searey, Sykes, Variel, Weber, and Wright—27

Amendment No. 24: In line one hundred and ninety-eight, page seven, strike out "six hundred."

The roll was called, and the amendment concurred in by the following vote:

AYES—Messrs Adams, Atherton, Bailey, Cope, Currey of Solano, Davis, Ewing, Gould, Granger, Gruwell, Handy, Heath, Hotchkiss, McClenahan, McDonnell, Ohleyer, Remson, Searey, Sherburne, Smyth, Spurgeon, Venable, Vincent, Williams, and Mr Speaker—25

NOES—Messrs Alexander, Barry, Barton, Bost, Brierly, Britt, Brusie, Butler, Campbell, Carr, Carroll, Cohen, Colbert, Cooley, Curry of San Francisco, Martin, Price, Rucker, Shanahan, Sims, Sykes, Variel, Wright, and Young of San Diego—24.

Amendment No. 25: On page seven, strike out line two hundred and four.

Refused to concur unanimously.

Amendment No. 26: In lines two hundred and twenty and two hundred and twenty-one, page seven, change "eighty-seven thousand six hundred" to "one hundred and thirty-four thousand."

IN COMMITTEE OF THE WHOLE.

On motion of Mr. Brierly, the House went into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Amendment No. 26 to Assembly Bill No. 459.

The amendment was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Jordan in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The Chairman stated the report as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Senate Amendment No. 26 to Assembly Bill No. 459—report the same back, and recommend that the House do concur.

Report adopted.

Amendment No. 26 concurred in unanimously.

Amendment No. 27: On page seven, strike out lines two hundred and twenty-two, two hundred and twenty-three, and two hundred and twenty-four.

Concurred in unanimously.

Amendment No. 28: On page eight, strike out line two hundred and twenty-eight, and all on the page succeeding said line down to and including line two hundred and forty-five.

Concurred in unanimously.

Amendment No. 29: In line two hundred and fifty, page eight, change "ten" to "five."

Concurred in unanimously.

Amendment No. 30: On page nine, line two hundred and seventy-two, change "twenty" to "thirty."

IN COMMITTEE OF THE WHOLE.

Mr. Brierly moved to go into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Amendment No. 30 to Assembly Bill No. 459.

The amendment was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Jordan in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The Chairman stated the report as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Senate Amendment No. 30 to Assembly Bill No. 459, and now report the same back, and recommend that the House do concur.

Report adopted.

The question recurring on Amendment No. 30 to Assembly Bill No. 459, the roll was called, and the amendment concurred in by the following vote:

AYES—Messrs. Alexander, Atherton, Bailey, Barry, Barton, Bost, Brierly, Britt, Brown W. A., Butler, Carroll, Cohen, Cooley, Curry of San Francisco, Ewing, Gould, Hotchkiss, Hyde, Knox, Martin, Mathews of Tehama, McClenahan, McDonnell, Morgan, Price, Rucker, Shanahan, Sims, Spurgeon, Sykes, Taylor, Toner, Variel, Weber, Wilcox, Williams, and Mr. Speaker—37.

NOES—Messrs. Adams, Brusie, Campbell, Carr, Cope, Currey of Solano, Davis, Granger, Gruwell, Handy, Hart, Heath, Lawrence, Lewis, Matthews of San Benito, Ohleyer, Remson, Shelburne, Smyth, Venable, and Young of San Diego—21.

Amendment No. 31: On page nine, line two hundred and eighty-two, change "ten" to "fifteen."

MOTION.

Mr. Rucker moved that the House go into Committee of the Whole, for the purpose of considering Senate Amendment No. 31 to Assembly Bill No. 459.

So ordered.

IN COMMITTEE OF THE WHOLE.

Mr. Rucker in the chair.

The amendment was considered in the Committee of the Whole.

IN ASSEMBLY.

Speaker Jordan in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The Chairman stated the report of committee as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Senate Amendment No. 31 to Assembly Bill No. 459, and report the same back, and recommend that the House do concur.

Report adopted.

Amendment No. 32: Page ten, line two hundred and ninety-six, change "twenty" to "fifteen."

Concurred in unanimously.

Amendment No. 33: Page ten, line two hundred and ninety-nine, change "four" to "five."

Amendment No. 34. Page ten, line three hundred and five, change "three thousand four hundred" to "five thousand."

Amendment No. 35: On page ten, line three hundred and eight, strike out "three" and insert "two."

Amendment No. 36: Page ten, line three hundred and ten, strike out "one thousand six hundred" and insert "two thousand."

Amendment No. 37: On page ten, line three hundred and twelve, strike out "one thousand six hundred" and insert "two thousand."

Amendment No. 38: Page ten, line three hundred and sixteen, strike out "thirty-five hundred" and insert "four thousand."

Amendment No. 39: In lines three hundred and eighteen and three hundred and nineteen, page ten, strike out "five hundred."

Amendment No. 40: Page ten, line three hundred and twenty, change "one thousand five hundred" to "two thousand."

Amendment No. 42: Page ten, lines three hundred and twenty-four and three hundred and twenty-five, change "three thousand five hundred" to "four thousand."

Amendment No. 45: For aid of District Agricultural Society Number Twenty-one, two thousand five hundred dollars.

Amendment No. 46: And for aid of District Agricultural Society Number Twenty-five, two thousand five hundred dollars.

Amendment No. 47: For aid of District Agricultural Society Number Twenty-six, two thousand four hundred dollars.

MOTION.

Mr. Venable moved that the House go into Committee of the Whole, for the purpose of considering Senate Amendments Nos. 33, 34, 35, 36, 37, 38, 39, 40, 42, 45, 46, and 47 to Assembly Bill No. 459, with the Speaker in the chair.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Jordan in the chair.

The amendments were considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Jordan in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The Chairman stated the report of the committee as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Senate Amendments Nos. 33, 34, 35, 36, 37, 38, 39, 40, 42, 45, 46, and 47 to Assembly Bill No. 459—and report the same back, and recommend that the House concur in the amendments, with the exception of Amendment No. 39.

Report adopted.

The House concurred in Senate Amendments Nos. 33, 34, 35, 36, 37, and 38, unanimously.

The House refused to concur in Senate Amendment No. 39 unanimously.

The House concurred in Senate Amendment No. 40 unanimously.

Amendment No. 41: Page ten, line three hundred and twenty-two, strike out "five hundred."

The House refused to concur in the above amendment unanimously.

The House concurred in Senate Amendment No. 42 unanimously.

Amendment No. 43: Page ten, line three hundred and twenty-six, change "four" to "two."

The House refused to concur in the above amendment unanimously.

Amendment No. 44: In line three hundred and twenty-seven, page eleven, strike out "and" at beginning of line.

Concurred in unanimously.

Amendment No. 44½: Also, strike out "three" and insert "one."

The roll was called, and the House refused to concur in the above amendment by the following vote:

AYES—Messrs. Alexander, Lawrence, McDonnell, Morris, and Weber—5.

NOES—Messrs. Adams, Atherton, Barton, Bost, Brierly, Britt, Brusie, Butler, Callaghan, Carr, Carroll, Colbert, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Gruwell, Handy, Hart, Heath, Henry of San Joaquin, Hotchkiss, Hyde, Knox, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, McGowan, Mitchell, Morgan, Ohlever, Price, Regan, Remson, Searey, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Toner, Variel, Venable, Wilcox, Wilhams, Wright, Young of San Diego, and Mr. Speaker—58.

The House concurred in Senate Amendments Nos. 45, 46, and 47 to Assembly Bill No. 459, unanimously.

Amendment No. 48: Page eleven, strike out lines three hundred

and thirty-two, three hundred and thirty-three, and three hundred and thirty-four.

Refused to concur.

Amendment No. 49: Page eleven, line three hundred and thirty-seven, strike out "ten" and insert "five."

The roll was called, and the House refused to concur in the amendment by the following vote:

AYES—Messrs. Adams, Alexander, Bailey, Barton, Brown W A, Colbert, Currey of Solano, Ellsworth, Gould, Gruwell, Hart, Heath, Henry of San Joaquin, Lawrence, Morris, Ohleyer, Smyth, Sykes, Taylor, Venable, Windrow, and Mr Speaker—22

NOES—Messrs Atherton, Bost, Brierly, Britt, Brusie, Butler, Callaghan, Carr, Carroll, Cohen, Cooley, Coombs, Cope, Curry of San Francisco, Ewing, Handy, Hotchkiss, Hyde, Knox, Mann, Mathews of Tehama, McClenahan, McDonnell, McGowan, Mitchell, Price, Regan, Remson, Searey, Shanahan, Sherburne, Sims, Spurgeon, Toner, Variel, Wilcox, Williams, Young of San Diego, and Young of San Joaquin—39.

Amendment No. 50: In section five, on page twelve, strike out all after the word "appropriations," on line three, down to and including the word "executed," on line six.

Concurred in unanimously.

SPECIAL ORDER No. 6—THIRD READING OF BILL

Senate Bill No. 10—An Act to amend section six hundred and ninety of an Act entitled an Act to establish a Code of Civil Procedure, adopted March 11, 1872, by adding a new article, exempting fishing boats and nets from execution.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Alexander, Atherton, Bailey, Bost, Brierly, Britt, Brown W A, Brusie, Butler Campbell, Carr, Carroll Cohen, Colbert, Cooley, Coombs, Currey of Solano, Curry of San Francisco, Ellsworth, Ewing, Gould, Granger, Gruwell, Handy, Hart, Heath, Henry of San Joaquin, Hyde, Knox, Lawrence, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Mitchell, Morris, Ohleyer, Price, Remson, Searey, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Taylor, Toner, Variel, Venable, Vincent, Weber, Wilcox, Williams, Wright, Young of San Diego, and Mr Speaker—59

NOES—Mr Callaghan—1

Title read and approved.

Mr. Hart moved that the rules be suspended, and that Assembly Bill No. 387 be taken up, out of order, and considered.

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

AYES—Messrs Adams, Atherton, Bailey, Bost, Brierly, Britt, Brown W. A, Brusie, Butler, Campbell, Carr, Carroll, Cohen, Coombs, Cope, Currey of Solano, Curry of San Francisco, Ellsworth, Ewing, Gould, Granger, Gruwell, Handy, Hart, Heath, Henry of San Joaquin, Hyde, Knox, Lawrence, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Ohleyer, Regan, Remson, Shanahan, Sherburne, Sims, Spurgeon, Sykes, Variel, Venable, Vincent, Weber, Wilcox, Williams, Wright, Young of San Diego, and Mr Speaker—51

NOES—None

RECESS.

At five o'clock and fifty-five minutes P. M., on motion of Mr. Brierly, the House took a recess until seven o'clock and thirty minutes P. M.

REASSEMBLED.

At seven o'clock and thirty minutes P. M. the House reassembled. Speaker Jordan in the chair.

Quorum present.

SPECIAL FILE—(RESUMED).

Senate Concurrent Resolution No. 5—Relating to the employment of Captain John Mullan to represent the State of California in the collection of certain moneys due from the United States to this State.

Mr. Hyde moved that the further consideration of Senate Concurrent Resolution No. 5 be indefinitely postponed.

So ordered.

THIRD READING OF BILLS.

Assembly Bill No. 261—An Act to provide for the payment and expenses incurred in fitting up and furnishing the chambers of the Supreme Court Commissioners.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Alexander, Atherton, Bailey, Barry, Bost, Brierly, Britt, Brown W A, Brusie, Butler, Campbell, Cohen, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Ellsworth, Ewing, Gould, Gruwell, Handy, Hart, Heath, Henry of San Joaquin, Hyde, LaBlanc, Mann, McClenahan, McDonnell, McGowan, Ohleyer Regan, Sherburne, Sims, Smyth, Sykes, Taylor, Variel, Venable, Weber, Windrow, Wilcox, Wilhams, Young of San Diego, and Mr. Speaker—46.

NOES—None.

Title read and approved.

Assembly Bill No. 234—An Act making an appropriation to pay a deficiency in the appropriation for stationery, fuel, and lights for the Legislature and State officers, for the thirty-fourth fiscal year.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Alexander, Atherton, Bailey, Barry, Barton, Bost, Britt, Brown W A, Brusie, Butler Callaghan, Campbell, Cohen, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Gruwell, Handy, Hart, Henry of San Joaquin, Hyde, Knox, LaBlanc, Mann, McClenahan, McDonnell, McGowan, Ohleyer, Regan, Remson, Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Toner, Variel, Venable, Weber, Windrow, Wilcox, Wilhams, Young of San Diego, and Mr Speaker—52.

NOES—None.

Title read and approved.

Assembly Bill No. 255—An Act making an appropriation for the deficiency in the appropriation for rent and contingent expenses of Insurance Commissioner, for the thirty-seventh fiscal year.

Temporarily passed on file.

LEAVE OF ABSENCE.

Messrs. Vincent and Carroll were each granted leave of absence for the evening.

THIRD READING OF BILLS.

Assembly Bill No. 257—An Act to provide for the deficiency in the appropriation for the payment of rewards for the arrest and conviction of highway robbers, for the thirty-seventh fiscal year.

Read third time and passed temporarily on file.

Assembly Bill No 260—An Act to provide for the deficiency in the appropriation for the payment of rewards for the arrest and conviction of highway robbers, for the thirty-seventh fiscal year.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Alexander, Atherton, Bailey, Barton, Bost, Brown W A, Brusie, Butler, Callaghan, Campbell, Carr, Cohen, Coombs, Cope, Currey of Solano, Curry of San Francisco, Ellsworth, Ewing, Gould, Gruwell, Handy, Hart, Heath, Henry of San Joaquin, Hyde, Lawrence, McClenahan, McDonnell, McGowan, Mitchell, Morgan, Ohleyer, Regan, Remson, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Variel, Venable, Weber, Wilcox, Williams, Young of San Joaquin, and Mr. Speaker—49

NOES—Messrs Brierly and Colbert—2

Title read and approved.

Senate Bill No. 190—An Act appropriating the sum of ten thousand dollars to erect a building for the purpose of furnishing dormitories and dining-rooms for the male adult blind inmates at the "Home for the Adult Blind."

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Atherton, Bailey, Barry, Bost, Brierly, Britt, Brown W A, Brusie, Butler, Callaghan, Campbell, Carl, Cohen, Cooley, Coombs, Cope, Curry of San Francisco, Ellsworth, Ewing, Gould, Handy, Hart, Henry of Butte, Henry of San Joaquin, Hyde, Knox, Mann, McClenahan, McDonnell, McGowan, Mitchell, Morgan, Ohlever, Regan, Remson, Shanahan, Sherburne, Sims Spurgeon, Sykes, Taylor, Toner, Variel, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr. Speaker—53.

NOES—Messrs. Adams, Barton, Colbert, Davis, Gruwell, Lawrence, Smyth, and Venable—8

Title read and approved.

REPORT OF STANDING COMMITTEE.

ON ENROLLMENT

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1887

MR SPEAKER Your Committee on Enrollment beg leave to report that the following Assembly Bills have been correctly enrolled

Assembly Bill No 444—Entitled an Act to provide for the deficiency in the appropriation for the salary of Deputy Supreme Court Reporter, during the thirty-eighth fiscal year.

Also, Assembly Bill No 256—Entitled an Act to provide for the deficiency in the appropriation for the costs and expenses of suits wherein the State is a party in interest, for the thirty-sixth fiscal year

Also, Assembly Bill No 110—Entitled an Act to provide for the deficiency in the appropriation for the salary of Deputy Supreme Court Reporter, during the thirty-seventh fiscal year

And were presented to the Governor, this day, at three o'clock and five minutes P M.

HIRAM BAILEY, Acting Chairman

THIRD READING OF BILLS.

Senate Bill No. 191—An Act appropriating the sum of twenty-eight thousand five hundred dollars for the purpose of purchasing suitable property for the location of the Industrial Home of Mechanical Trades for the Adult Blind of California.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Alexander, Atherton Bailey, Barton, Bost, Brierly, Britt, Brown W A, Brusie, Butler, Callaghan, Campbell, Carr, Cohen, Cooley, Coombs, Cope, Curry of San Francisco, Ellsworth, Ewing, Gould, Granger, Gruwell, Handy, Hart, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, Knox, Martin, Mann, Mathews of Tehama, McClenahan, McDonnell, McGowan, Mitchell, Morgan, Ohleyer, Regan, Remson, Shanahan,

Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Toner, Variel, Weber, Windrow, Wilcox, Williams, Wright, Young of San Joaquin, and Mr Speaker—58.
NOES—Messrs Colbert, Davis, and Venable—3

Mr. Alexander offered the following amendment to the title, which was adopted: amend title, by adding "and erection of buildings thereon."
Title read and approved.

BILL WITHDRAWN.

Mr. Venable withdrew Assembly Bill No. 255, by permission of the House.

MOTION.

Mr. Venable moved to substitute Senate Bill No. 61 on the file in the place formerly occupied by Assembly Bill No. 255.
The roll was called, and the motion carried by the following vote:

AYES—Messrs Adams, Alexander, Atherton, Bailey, Barton, Bost, Brierly, Britt, Brown W A, Brusie, Butler, Campbell, Carr, Cohen, Colbert, Cooley, Coombs, Cope, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Gruwell, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, Knox, Lewis, Mann, Mathews of Tehama, McClenahan, McDonnell, McGowan, Mitchell, Morgan, Ohleyer, Regan, Renison, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Toner, Variel, Venable, Weber, Windrow, Wilcox, Williams, Wright, Young of San Joaquin, and Mr Speaker—61.
NOES—None

SECOND READING OF BILL.

Senate Bill No. 61—An Act making an appropriation for the deficiency in the appropriation for rent and contingent expenses of Insurance Commissioner, for the thirty-seventh fiscal year.
Read second time.

IN COMMITTEE OF THE WHOLE.

On motion of Mr. Venable, the House went into Committee of the Whole, for the purpose of considering Senate Bill No. 61.
Speaker Jordan in the chair.
The bill was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Jordan 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 61—and now report the same back, and recommend that it do pass.

Report adopted.
Bill ordered to a third reading.

BILLS WITHDRAWN.

Mr. Brierly withdrew Assembly Bills Nos. 150, 349, 161, and 481, by permission of the House.

MOTION.

Mr. Brierly moved that the rules be suspended, and that Assembly Bill No. 247 be taken up, out of order, and considered.

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

AYES—Messrs Alexander, Atherton, Bailey, Barry, Barton, Bost, Brierly, Britt, Brown W. A., Brusie, Butler, Campbell, Carr, Cooley, Coombs, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Gruwell, Handy, Hart Heath, Henry of Butte, Hotchkiss, Hyde, Knox, Lawrence, Lewis, Martin, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, McGowan, Mitchell, Regan, Searey, Shanahan, Sherburne, Sims, Spurgeon, Sykes, Taylor, Toner, Variel, Venable, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, and Mr Speaker—57

NOES—Messrs Adams, Callaghan, Colbert, Henry of San Joaquin, and Renison—5

SECOND READING OF BILL.

Assembly Bill No. 247—An Act to create an irrigation, drainage, and water rights Legislation Commission, to define its powers and duties, and to provide for payment of its cost and expenses.

Read second time.

Mr. Mathews of Tehama in the chair.

Amendments to Assembly Bill No. 247, presented on second reading by Mr. Brierly: Strike out section one, and substitute therefor the following:

SECTION 1 There is hereby created a Board of Water Commissioners, composed of five members, which shall exist for a term of two years, whose duty it shall be to inquire into the subjects of watercourses and water rights, with reference to irrigation and mining, and the improvement and maintenance of navigable streams and other watercourses of the State

Adopted.

Strike out section two, and substitute therefor the following:

SEC 2 When this Act takes effect, the Governor shall appoint, as members of the Commission, for the term specified, five citizens of the State, of high repute and attainments, who shall each receive the sum of four thousand dollars per annum for his services, and be allowed his actual traveling expenses while on duty of the Commission

Adopted.

Strike out division first, of section three, and substitute therefor the following:

First—To inquire into the subject of watercourses and water rights throughout the State, as specified in section one of this Act

Adopted.

Strike out subdivisions *d*, *e*, *f*, and *g*, of section four, and substitute therefor the following:

d And, for this purpose, hold open meetings in the chief town of each county interested in irrigation, mining, or the improvement of the navigable streams of the State, and elsewhere if necessary and expedient.

Adopted.

e Collect or cause to be collected such additional data with reference to facts of water supply and storage with reference to irrigation and mining and the preservation of watercourses, etc., as may be necessary or expedient for their purpose.

Adopted.

f. Examine and study the existing laws and decisions which bear on these subjects in California.

Adopted.

g. Study the laws and systems of administration of watercourses, water supply, and storage and use of waters, in other States and nations.

Adopted.

Amend, on line one, section nine, by striking out the word "fifty," and inserting "seventy."

Adopted.

Amend title to read as follows:

An Act to create a Board of Water Commissioners, composed of five members, which shall exist for a term of two years, whose duty it shall be to inquire into the subject of watercourses and water rights, with reference to irrigation and mining, and the improvement and maintenance of navigable streams and other watercourses of the State

Adopted.

Committee amendments considered and rejected.

Mr. Variel called up the special order set for this hour, eight o'clock and thirty minutes P. M., consideration of Assembly Joint Resolution No. 10, and moved that the consideration of same be postponed until the bill under consideration is disposed of.

So ordered.

Speaker Jordan in the chair.

Mr. Granger moved to amend, by striking out of section four, subdivision *b*, the word "this," and inserting, instead, the following: "such."

Adopted.

Bill ordered engrossed, and to a third reading.

Mr. Brierly moved that Assembly Bill No. 247 be made the special order for to-morrow, at two o'clock and fifteen minutes P. M.

So ordered.

BILL WITHDRAWN.

Mr. Toner withdrew Assembly Bill No. 414, by permission of the House.

MOTIONS.

Mr. Ohleyer moved that the consideration of Assembly Joint Resolution No. 10 be postponed until nine o'clock P. M.

So ordered.

Mr. Toner moved that the rules be suspended, and that Senate Bill No. 67 be taken up out of order, and considered.

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

AYES—Messrs. Adams, Alexander, Atherton, Bailey, Barry, Barton, Bost, Brierly, Britt, Butler, Callaghan, Campbell, Carr, Carroll, Cohen, Colbert, Cooley, Cope, Curtis of Solano, Curry of San Francisco, Davis, Ewing, Gould, Gruwell, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hyde, Lewis, Martin, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Mitchell, Morgan, Ohleyer, Regan, Remson, Searey, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Toner, Variel, Venable, Vincent, Weber, Windrow, Williams, Wright, and Young of San Joaquin—59.

NOES—Mr. Granger and Mr. Speaker —2

WITHDRAWAL OF BILLS.

Mr. Hyde withdrew Assemby Bills Nos. 204 and 488, by permission of the House.

Mr. Gould withdrew Assembly Bill No. 499, by permission of the House.

Senate Bill No. 67—An Act to amend section three thousand two hundred and forty-four of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, and to add five new sections to said Political Code, to be numbered sections three thousand two hundred and forty-six, three thousand two hundred and forty-seven, three thousand two hundred and forty-eight, and three thousand two hundred and fifty, regulating the hours of labor.

Read second time, and ordered to a third reading.

LEAVE OF ABSENCE.

Mr. Granger was granted leave of absence for the remainder of the evening.

MOTION FOR SPECIAL ORDER.

Mr. Toner moved that the further consideration of Senate Bill No. 67 be made the special order for to-morrow, at two o'clock and fifteen minutes P. M.

So ordered.

Mr. Handy moved to suspend the rules, and take up Senate messages.

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

AYES—Messrs Adams, Atherton, Bailey, Barry, Barton, Brierly, Britt, Brown W A., Brusie, Callaghan, Campbell, Carr, Carroll, Cooley, Cope, Currey of Solano, Curry of San Francisco, Davis, Ewing, Gould, Gruwell, Handy, Hart, Heath, Henry of Butte, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Mitchell, Morgan, Ohleyer, Regan, Remson, Searey, Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Variel, Venable, Vincent, Weber, Williams, Wright, Young of San Joaquin, and Mr Speaker—50.

NOES—Messrs. Cohen, Colbert, and Lewis—3.

MOTION.

Mr. Lewis moved to suspend the rules, and take up Senate Bill No. 127, out of order, and consider the same.

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

AYES—Messrs. Atherton, Bailey, Barry, Barton, Bost, Britt, Brown W. A , Brusie, Butler, Callaghan, Campbell, Carr, Carroll, Cohen, Colbert, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Gould, Gruwell, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, Martin, Mann, Matthews of San Benito, McClenahan, McDonnell, McGowan, Mitchell, Morgan, Ohlever, Regan, Remson, Searey, Sherburne, Sims, Spurgeon, Sykes, Taylor, Toner, Variel, Venable, Vincent, Windrow, Williams, Wright, Young of San Joaquin, and Mr Speaker—54.

NOES—Messrs Adams, Mathews of Tehama, and Smyth—3

REPORT OF STANDING COMMITTEE

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1887

MR SPEAKER Your Committee on Engrossment beg leave to report that the following Assembly Bills have been correctly engrossed:

Nos. 370, 364, 377, 283, 166, 550, 398, 245, 402, 277, 209, 47, and 138.

WINDROW, Chairman.

Senate Bill No. 127—An Act to amend section three hundred and seven of an Act entitled "An Act to establish a Civil Code," relating to the formation of corporations.

Read second time.

Mr. Ellsworth offered the following amendment: Amend section one, by inserting, after the words "shall think fit," and before the word "in," the following words: "No person having stock standing in his name, as Trustee, without the name of the trustor appearing in the certificate of stock, shall be deemed to be the owner or holder of such stock, so as to be entitled to vote the same at any election, unless he shall produce and exhibit the certificate of such stock at such election."

Lost.

Bill ordered to a third reading.

MOTION.

Mr. Lewis moved that Senate Bill No. 127 be made the special order for eleven o'clock A. M. to-morrow.

So ordered.

SPECIAL ORDER.

Mr. Variel called up special order.

SPECIAL ORDER No. 5.

Assembly Joint Resolution No. 10—Relative to mining debris.

Mr. Coombs offered the following substitute, which was adopted:

WHEREAS, Under the law of the land, the mining industry of our State is in imminent danger of being entirely suppressed; and whereas, the miners desire to submit to the mandates of the law, and pursue their occupation under its sanction, and inasmuch as mining cannot be carried on without debris, and whereas, this industry has added materially to the wealth of this country, and is one upon which vast interests depend, and too, upon which the welfare, the homes, and fortunes of thousands of hard working people depend, and is now in "*extremis mortis*," and whereas, it is impossible to continue that industry openly and legally without some legislation to protect it, and whereas, the miners, as a class, are at present unable to carry on their industries and works under the laws of the land, and whereas, immense sums of money have been paid the General Government in the purchase of mining land, and still greater sums invested in improving the same, and in the construction of ditches, canals, and reservoirs to carry on such industry, and whereas, such vast expenditures have been made in good faith, and under the belief that the license to mine was presumed to exist by reason of the past course of the General Government towards the mining industry, and whereas, the product of the miners' toil has largely fallen off in California, by reason of the operation of the law as announced by the Courts, and whereas, an increase of the bulk of our circulating medium is imperatively demanded by the great and growing commercial interests of the world, more especially in view of the fact that the aggregate annual output of the entire world is not more than sufficient to supply the demands for use in the arts alone, and whereas, it is the opinion of this body that some Congressional legislation and action is not only desirable, but absolutely necessary, and that the valley people, as well as the miners, desire to promote the industry of miners, provided it can be done without detriment or damage to the valleys and navigable streams of California; therefore, be it

Resolved by the Assembly, the Senate concurring, That our Senators and members of Congress be requested to take such steps as will in their judgment relieve the mining industry of California from its present state, with a view at all times to a proper recognition of the law and the interests of all, and to that end procure the passage of such laws as will provide First, for an immediate and thorough investigation of this mining debris question, by a commission of competent government engineers, for the purpose of ascertaining whether some plan can be devised whereby the present conflict between the mining and farming sections may be adjusted, and the mining industry rehabilitated. Second, to the carrying out of such plans in the event any suitable ones can be determined on Third, for a complete examination and surveys of the injured river channels, with a view to their improvement and rectification. Fourth, providing sufficient means to accomplish said purpose.

PREVIOUS QUESTION.

Mr. Young of San Joaquin moved the previous question, seconded by Messrs. Campbell and Gruwell.

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

The question being on the adoption of Substitute to Assembly Joint Resolution No. 10, the same was adopted.

The question recurring on the resolution, as amended, it was adopted.

MOTION.

Mr. Callaghan moved to suspend the rules, and take up Senate Bill No. 157, out of order, and consider the same.

The roll was called.

CALL OF THE HOUSE.

Pending roll-call Mr. Curry of San Francisco moved a call of the House.

So ordered.

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

Messrs. Adams, Atherton, Bailey, Barton, Bost, Brierly, Britt, Brown W. A., Brusie, Butler, Callaghan, Campbell, Carr, Carroll, Cohen, Colbert, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Gruwell, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, Lewis, Martin, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Mitchell, Morgan, Ohleyer, Regan, Rucker, Remson, Searey, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Toner, Variel, Venable, Weber, Windrow, Williams, Wright, Young of San Joaquin, and Mr. Speaker.

Mr. Hotchkiss moved to dispense with further proceedings under the call.

So ordered.

The interrupted roll-call was completed, and the motion of Mr. Callaghan carried by the following vote:

AYES—Messrs. Alexander, Atherton, Barton, Bost, Britt, Brown W. A., Brusie, Burnett, Butler, Callaghan, Campbell, Carr, Carroll, Cohen, Colbert, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Gruwell, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, Knox, Lawrence, Lewis, Mahler, Martin, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, McGowan, Mitchell, Morgan, Morris, Ohleyer, Regan, Remson, Searey, Shanahan, Sherburne, Sims, Smyth, Sykes, Taylor, Toner, Variel, Venable, Weber, Windrow, Wilcox, Williams, Wright, and Young of San Joaquin—60

NOES—Messrs. Adams, Bailey, Spurgeon, and Mr. Speaker—4.

SECOND READING OF BILL.

Senate Bill No. 157—An Act to amend sections two thousand five hundred and twenty-two, two thousand five hundred and twenty-four, two thousand five hundred and twenty-eight, and two thousand five hundred and thirty of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the San Francisco Harbor and State Harbor Commissioners.

Read second time.

MOTIONS.

Mr. W. A. Brown moved that further consideration of this bill be made the special order for to-morrow, at eleven o'clock A. M.

Lost.

Mr. Atherton offered the following amendment to Senate Bill No. 157: Line two hundred and nine, after "slips," section two, "*provided*, that all ferries now landing passengers at the foot of Market Street, shall, in all cases, be located between the northerly line of Pacific Street and the southerly line of Howard Street."

Ayes and noes demanded on the amendment by Messrs. Callaghan, Colbert, and Smyth.

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

AYES—Messrs Adams, Atherton, Bailey, Barry, Barton, Bost, Brierly, Brown W A, Brusie, Campbell, Carr, Carroll, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Handy, Heath, Hotchkiss, McGowan, Morgan, Shanahan, Sherburne, Spurgeon, Sykes, Weber, and Williams—31.

NOES—Messrs Britt, Callaghan, Cohen, Colbert, Gould, Hart, Henry of Butte, Lewis, Mann, Mathews of Tehama, McClenahan, Mitchell, Ohleyer, Regan, Remson, Sims, Smyth, Wright, Young of San Diego, Young of San Joaquin, and Mr Speaker—20.

LEAVE OF ABSENCE.

Mr. Davis was granted leave of absence for the remainder of the evening.

MOTION.

Mr. Brierly moved that the rules be suspended, and that the House proceed to consider bills on second reading file.

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

AYES—Messrs Alexander, Atherton, Bailey, Barry, Barton, Brierly, Brown W A., Brusie, Butler, Carr, Cohen, Cooley, Cope, Curry of San Francisco, Ellsworth, Ewing, Handy, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Martin, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Morgan, Ohleyer, Regan, Searey, Shanahan, Sherburne, Sims, Spurgeon, Sykes, Taylor, Toner, Variel, Vincent, Weber, Wilcox, Williams, Wright, Young of San Diego, and Young of San Joaquin—46

NOES—Messrs Adams, Bost, Britt, Carroll, Colbert, Coombs, Currey of Solano, Gruwell, Lewis, Mitchell, Remson, and Venable—15

CALL OF THE HOUSE.

Mr. Handy moved a call of the House.

Lost.

MOTION.

Mr. Coombs moved to take up Senate messages.

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

AYES—Messrs Bailey, Barton, Callaghan, Carr, Carroll, Cooley, Cope, Currey of Solano, Curry of San Francisco, Ewing, Gruwell, Handy, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Matthews of San Benito, Morgan, Ohleyer, Remson, Sims, Taylor, Toner, Variel, Venable, Williams, Wright, Young of San Joaquin, and Mr Speaker—30

NOES—Messrs Adams, Brierly, Britt, Brown W A, Butler, Campbell Cohen, Colbert, Gould, Hart, Lewis, Mathews of Tehama, McDonnell, McGowan, Mitchell, Searey, Shanahan, Sherburne, Smyth Spurgeon, Sykes, Toner, Weber, and Young of San Diego—24.

NOTICE OF MOTION TO RECONSIDER.

Mr. McGowan gave notice that, on to-morrow, he would move to reconsider the vote whereby Senate Bill No. 157 was amended.

NOTICE TO AMEND RULES.

Mr. Brierly gave notice of amendment to the rules, as follows:

I propose to make a motion, on Wednesday, March ninth, to amend the Standing Rules of the Assembly, by adding a new rule, to read as follows

RULE EIGHTY-SIX.

At any time after the fiftieth day of the session, the Assembly may order that the General and Special Files be considered by reading the number on file and number of the bill only, and if any Assembly Bill on the file is similar in general character to a Senate Bill on file, the Assembly Bill shall be dropped from the file, unless otherwise ordered by the House Any three members may call for a vote, when a bill is reached on file, to determine whether the bill shall have another reading, but, while acting under this rule, no bill shall be read at length

LEAVE OF ABSENCE.

Mr. Matthews of San Benito was granted leave of absence for the evening.

BILLS WITHDRAWN.

Mr. W. A. Brown asked permission to withdraw Assembly Bills Nos. 415 and 510.

Mr. Taylor asked permission to withdraw Assembly Bills Nos. 233, 223, 318, 474, and 473.

Mr. Lawrence asked permission to withdraw Assembly Bill No. 240.

Mr. Butler asked permission to withdraw Assembly Bills Nos. 525 and 452.

Mr. McDonnell asked permission to withdraw Assembly Bills Nos. 470 and 241.

Mr. Coombs asked permission to withdraw Assembly Bills Nos. 93, 94, and 463.

The requests were granted.

GENERAL FILE—THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 113—An Act to amend sections three thousand and seventy-seven, three thousand and seventy-eight, three thousand and eighty, and three thousand and eighty-two of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relative to the registry of births, deaths, and marriages.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Atherton, Bailey, Barton, Bost, Brierly, Brown W A, Butler, Callaghan, Carr, Carroll, Coombs, Cope, Currey of Solano, Curry of San Francisco, Ellsworth, Ewing, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Lawrence, Lewis, Mathews of Tehama, McDonnell, Ohleyer, Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Vandl, Venable, Vincent, Weber, Williams, Wright, Young of San Diego, and Mr. Speaker—41.

NOES—None

Title read and approved.

Senate Bill No. 116—An Act to add section five hundred and thirty-

nine to Article II of the Political Code, relating to the office of Superintendent of State Printing, authorizing the Superintendent of State Printing to appoint a deputy.

Read third time.

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

AYES—Messrs Barton, Bost, Brierly, Britt, Brown W A, Cohen, Cope, Ewing, Hart, Mathews of Tehama, Remson, Spurgeon, Taylor, and Mr. Speaker—14.

NOES—Messrs. Butler, Callaghan, Campbell, Carr, Carroll, Colbert, Cooley, Coombs, Currey of Solano, Gould, Handy, Heath, Hotchkiss, Hyde, Lawrence, Lewis, McDonnell, Ohleyer, Shanahan, Sherburne, Sims, Smyth, Sykes, Venable, Vincent, Wilhams, Wright, and Young of San Diego—28.

PASSAGE OF BILL.

Assembly Bill No. 257—An Act to provide for the deficiency in the appropriation for the payment of rewards for the arrest and conviction of highway robbers, for the thirty-sixth fiscal year.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Atherton, Bailey, Barton, Bost, Britt, Brusie, Butler, Callaghan, Campbell, Carr, Carroll, Cohen, Cooley, Cope, Currey of Solano, Curry of San Francisco, Ellsworth, Ewing, Gould, Gruwell, Handy, Hart, Heath, Henry of San Joaquin, Hyde, Mathews of Tehama, McDonnell, McGowan, Ohleyer, Regan, Remson, Shanahan, Sherburne, Sims, Smyth, Sykes, Taylor, Variel, Venable, Vincent, Weber, Wilhams, Wright, Young of San Diego, and Mr Speaker—45.

NOES—Messrs. Brown W. A and Colbert—2

Title read and approved.

Assembly Bill No. 387—An Act to amend section two thousand three hundred and eighty-five, of Article CXI, of the Civil Code, approved March 30, 1874, relating to obligations of ship owner to owner of cargo.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Barton, Bost, Brierly, Britt, Brusie, Butler, Callaghan, Campbell, Carroll, Cohen, Cooley, Cope, Currey of Solano, Curry of San Francisco, Ewing, Gould, Gruwell, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hyde, Lawrence, Lewis, Mathews of Tehama, McDonnell, McGowan, Ohleyer, Regan, Remson, Shanahan, Sims, Smyth, Spurgeon, Sykes, Variel, Vincent, Weber, Wilhams, and Young of San Diego—42

NOES—Messrs Atherton, Coombs, Ellsworth, Taylor, Venable, and Mr Speaker—6

Title read and approved.

Assembly Bill No. 480—An Act to amend an Act entitled an Act to provide for compiling, illustrating, electrotyping, printing, binding, copyrighting, and distributing a State series of school text-books, and appropriating money therefor, approved February 26, 1885.

Read third time.

CALL OF THE HOUSE.

Pending roll-call on passage of Assembly Bill No. 480, Mr. Hyde moved a call of the House.

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

Messrs. Adams, Alexander, Atherton, Bost, Brierly, Britt, Brown W. A., Brusie, Butler, Callaghan, Campbell, Carr, Carroll, Cohen, Colbert, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Ellsworth, Ewing, Gould, Gruwell, Handy, Hart, Heath Henry of Butte, Henry of San Joaquin, Hyde, Knox, Lewis, Mathews of Tehama, McDon-

nell, McGowan, Ohleyer, Renison, Sherburne, Sims, Smyth, Sykes, Taylor, Variel, Venable, Vincent, Weber, Wilcox, Williams, Young of San Diego, Young of San Joaquin, and Mr. Speaker.

The Speaker directed the Sergeant-at-Arms to close the doors.

The Speaker directed the Sergeant-at-Arms to arrest the absentees and bring them before the bar of the House.

The Speaker declared a recess for three minutes.

Mr. Hyde moved that further proceedings under the call of the House be dispensed with.

So ordered.

NOTICE OF RECONSIDERATION.

Mr. McDonnell gave notice that, on to-morrow, he would move to reconsider the vote whereby Senate Bill No. 116 was refused passage.

The question recurring on the passage of Assembly Bill No. 480.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Atherton, Bost, Brierly, Britt, Brown W A, Brusie, Butler, Callaghan, Carroll, Cohen, Colbert, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Ellsworth, Ewing, Gould, Gruwell, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, Knox, Lawrence, Lewis, Mathews of Tehama, McDonnell, McGowan, Ohleyer, Regan, Renison, Shanahan, Sherburne, Sims, Sykes, Variel, Vincent, Weber, Wilcox, Williams, Young of San Diego, Young of San Joaquin, and Mr. Speaker—50

NOES—None.

Title read and approved.

LEAVE OF ABSENCE.

Mr. Williams was granted leave of absence for the evening.

Assembly Bill No. 348—An Act to amend sections three thousand four hundred and fifty-two, three thousand four hundred and fifty-three, and three thousand four hundred and fifty-four of the Political Code, relative to the adoption of by-laws, the election of Trustees, their powers, duties, and compensation, in reclamation districts of this State.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Atherton, Bailey, Barton, Bost, Brierly, Britt, Brusie, Carroll, Cohen, Cooley, Cope, Currey of Solano, Curry of San Francisco, Ellsworth, Ewing, Gould, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, Knox, Lawrence, Mathews of Tehama, McDonnell, McGowan, Regan, Renison, Shanahan, Sherburne, Sims, Sykes, Taylor, Variel, Venable, Vincent, Weber, Wilcox, Young of San Diego, Young of San Joaquin, and Mr. Speaker—44.

NOES—None.

Title read and approved.

Assembly Bill No. 442—An Act to amend section three thousand eight hundred and sixty-two of the Political Code, relative to the collection of poll taxes.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Alexander, Atherton, Bailey, Bost, Brierly, Britt, Butler, Callaghan, Carr, Carroll, Cohen, Cooley, Cope, Currey of Solano, Curry of San Francisco, Ewing, Gould, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, Knox, Lawrence, Lewis, Mathews of Tehama, McDonnell, McGowan, Ohleyer, Regan, Renison, Shanahan, Sherburne, Sykes, Taylor, Variel, Venable, Vincent, Weber, Wilcox, Young of San Diego, Young of San Joaquin, and Mr. Speaker—46.

Title read and approved.

ADJOURNMENT.

At eleven o'clock and forty-five minutes P. M., on motion of Mr. Venable, the House adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Wednesday, March 9, 1887.

The House met pursuant to adjournment.

Speaker Jordan in the chair.

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

Messrs Adams, Alexander, Atherton, Bailey, Barry, Barton, Bost, Brierly, Britt, Brown W. A, Brown J B, Brusie, Burnett, Butler, Callaghan, Campbell, Carr, Carroll, Cohen, Colbert, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Gruwell, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, Knox, Lawrence, Lewis, Mahler, Martin, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Mitchell, Morgan, Morris, Ohlever, Price, Regan, Rucker, Remson, Searey, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Toner, Variel, Venable, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr Speaker

Quorum present.

Prayer by the Chaplain, Rev. E R. Dille.

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

So ordered.

Journal approved.

REPORT OF STANDING COMMITTEE.

Final report of Committee on State Hospitals received and ordered printed.

MESSAGE FROM THE GOVERNOR.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
SACRAMENTO, March 8, 1887.

To the Assembly of the State of California

I have to inform your honorable body that I have approved Assembly Bill No 181—Entitled an Act to amend section four hundred and eight of the Code of Civil Procedure, relating to the issuance of alias summons

Also, Assembly Bill No 390—Entitled an Act to appropriate money for the erection of a monument at the grave of J W. Marshall, deceased

Also, Assembly Bill No 256—Entitled an Act to provide for the deficiency in the appropriation for the costs and expenses of suits wherein the State is a party in interest, for the thirty-sixth fiscal year

Also, Assembly Bill No. 232—Entitled an Act to provide that in all cities of over ten thousand inhabitants the Mayor or other chief executive shall not be required to act as City Judge, etc.

WASHINGTON BARTLETT, Governor

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 8, 1887.

MR SPEAKER I am directed to inform your honorable body that the Senate, on this day, passed the following Assembly Bill No 54—An Act entitled an Act to prevent persons unlawfully using or wearing the badge of the Grand Army of the Republic of this State

Also, Assembly Joint Resolution No 10—Relating to mining debris

Also, Assembly Bill No 37—An Act to amend section one hundred and sixty of an Act entitled "An Act to establish a Code of Civil Procedure," adopted March 11, 1872, relating to the holding of Superior Courts by Superior Judges of other counties, and providing for their actual expenses.

Also, Assembly Bill No 79—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

Also, Assembly Bill No 136—An Act to repeal an Act entitled "An Act to amend an Act to incorporate the City of Santa Barbara," approved March 30, 1878.

Also, Senate Bill No. 375—An Act to define the duties of the Attorney-General, and committees of the Legislature, in relation to claims against the State

Also, Assembly Bill No. 347—An Act to amend section two thousand one hundred and thirty-seven of the Political Code, relating to the power and duties of the Board of Directors of the State Insane Asylum

Also, Assembly Bill No. 21—An Act to provide for the funding of certain indebtedness of the several counties of this State, and the issuing of bonds therefor.

Also, Assembly Bill No. 22—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments."

Also, Assembly Bill No ——An Act to add a new section to the Code of Civil Procedure, relating to hearing of appeals in the Supreme Court

Also, Assembly Bill No 180—An Act authorizing County Clerks in this State to take and certify affidavits for United States pension claimants, without the payment of fees or compensation therefor

Also, Assembly Bill No 456—An Act to amend sections three thousand nine hundred and nine and three thousand nine hundred and thirteen of the Political Code, relating to the boundaries of Del Norte and Siskiyou Counties

Also, Assembly Bill No 563—An Act making an appropriation for the officers' and clerks' fund of the Assembly, for the twenty-seventh session of the Legislature.

Also, Senate Bill No 336—An Act for the destruction of wolves and coyotes, and to authorize a bounty to be given by the State to encourage such destruction, to any person who shall kill a wolf or coyote.

Also:

Resolved, That the Senate does not recede from any of the amendments made to Assembly Bill No 459, and that a conference committee, consisting of Senators Moffitt, White, and Vrooman, is hereby appointed to meet a like committee from the Assembly, at ten o'clock A M March ninth, and that this resolution be reported immediately to the Assembly, with the request that that body appoint a similar committee

Also, passed Substitute for Assembly Bills Nos 323 et al, with amendments—An Act to amend sections seventeen, twenty-five, sixty-six, 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 seventy-two, one hundred and seventy-five, one hundred and seventy-eight, one hundred and seventy-nine, one hundred and eighty, one hundred and eighty-one, one hundred and eighty-six, one hundred and eighty-seven, one hundred and ninety, one hundred and ninety-one, one hundred and ninety-two, one hundred and ninety-three, two hundred and three, two hundred and eleven, and two hundred and eighteen of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883, as amended March 14, 1885, and March 18, 1885, and to insert a new section therein, to be numbered one hundred and ten and one half, relating to the government of counties—and ask your honorable body to concur in said amendments

Also, Senate Bill No 426—An Act to amend an Act entitled "An Act to provide for compiling, illustrating, electrotyping, printing, binding, copyrighting, and distributing a State series of school text-books, and appropriating money therefor," approved February 26, 1885.

E H HAMILTON, Secretary
By R B OULLAHAN, Assistant Secretary.

CONSIDERATION OF SENATE MESSAGES.

Assembly Bill No. 459 (as amended)—An Act making appropriations for the support of the government of the State of California, for the thirty-ninth and fortieth fiscal years.

APPOINTMENT OF CONFERENCE COMMITTEE.

The Speaker appointed as Conference Committee, to meet a like committee from the Senate, to consider amendments to Assembly Bill No. 459, Messrs. Taylor, Campbell, and Heath.

Substitute for Assembly Bill No. 323 et al.—An Act to amend sections seventeen, twenty-five, sixty-six, 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 seventy-two, one hundred and seventy-five, one hundred and seventy-eight, one hundred and seventy-nine, one hundred and eighty, one hundred and eighty-one, one hundred and eighty-six, one hundred and eighty-seven, one hundred and ninety, one hundred and ninety-one, one hundred and ninety-two, one hundred and ninety-three, two hundred and three, two hundred and eleven, and two hundred and eighteen of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883, as amended March 14, 1885, and March 18, 1885, and to insert a new section therein, to be numbered one hundred and ten and one half, relating to the government of counties.

Amendment No. 1: After word "Act," line two, title, insert the following: "entitled an Act."

Concurred in unanimously.

Amendment No. 2. Amend the title, by inserting, after the figures "164," the figures "165," also, after the figures "167," insert the figures "168:" also, after the figures "198," insert the figures "203;" also, after the figures "191," insert "192;" also, strike out the figures "198" in title.

Concurred in unanimously.

Amendment No. 24. In line one, printed substitute, after words "twenty-five," add words "sixty-six."

Concurred in unanimously.

Amendment No. 3: Amend, on line one, of page one, by inserting, after the words "sixty-four," the words "one hundred and sixty-five."

Concurred in unanimously.

Amendment No. 4: Also, on page two, after the words "sixty-seven," by inserting the words "one hundred and sixty-eight"

Concurred in unanimously.

Amendment No. 5: Also, after the words "seventy-two," by inserting the words "one hundred and seventy-five."

Concurred in unanimously.

Amendment No. 6: Also, on line three, same page, after the word "eighty," insert the words "one hundred and eighty-one."

Concurred in unanimously.

Amendment No. 7: Also, on line four, after the words "eighty-seven," insert the words "one hundred and ninety;" also, after "ninety-one," insert "one hundred and ninety-two."

Concurred in unanimously.

Amendment No. 8: Also, on line five, same page, after the words "ninety-eight," insert the words "two hundred and three."

Concurred in unanimously.

Amendment No. 9. Also, strike out the words "one hundred and ninety-eight," in line four, page one.

Concurred in unanimously.

Amendment No. 10: In line one, printed substitute, after the words "twenty-five," add the words "sixty-six."

Concurred in unanimously.

Amendment No. 11: Insert, after enacting clause, the words "Section 1."

Concurred in unanimously.

Amendment No. 12: On line three, after the word "eleven," insert the word "and."

Concurred in unanimously.

Amendment No. 13: On line four, add "ir," to the word "the."

Concurred in unanimously.

SPECIAL ORDER No. 1.

At ten o'clock and thirty minutes A. M., Mr. Coombs called up the special order set for that time, consideration of Senate Bill No. 443.

MOTION.

Mr. Handy moved to continue the special order set for this hour, Senate Bill No 443, until after the bill now under consideration is disposed of.

So ordered.

Amendment No. 14: On lines four and five, strike out the word "to," when it occurs.

Concurred in unanimously.

Amendment No. 15. On line nine, after the word "township," insert the word "election."

Concurred in unanimously.

Amendment No. 16: Line one hundred and nine, strike out word "purchase," and insert "sale or transfer."

Concurred in unanimously.

Amendment No. 17: Amend, on page five, of printed bill, line one hundred and ten, by striking out the word "at," and inserting the word "and."

Concurred in unanimously.

Amendment No. 18: Amend, on pages seven and eight of printed bill, by striking out all of Subdivision No. 23, commencing on line one hundred and ninety-nine, on page seven, and ending with line two hundred and thirteen, on page eight, and insert the following:

23 The Board of Supervisors shall annually fix the price at which the county shall be supplied with job printing, stationery, and blank books, and also the price of all county advertising, and each county officer shall procure such supplies and advertising at a price no greater than is so fixed, and certify the bills therefor to the Board of Supervisors, *provided*, that said supplies and advertisements shall be procured within the county, when practicable, *and, provided*, that a square of advertising shall be two hundred and forty ems nonpareil.

Concurred in unanimously.

Amendment No. 19: Insert the following at end of line two hundred and seventeen, page eight, printed bill:

Provided, that the Boards of Supervisors of the respective counties shall not be empowered to fix a rate of license tax for retail liquor dealers to exceed the sum of twenty-five dollars per quarter.

Refused concurrence.

SPECIAL ORDERS Nos. 2 AND 9

At eleven o'clock A. M. Mr. Curry of San Francisco called up the special orders set for this hour, consideration of Senate Bill No. 330, and Assembly Bill No. 550, and moved to continue the special orders until after the bill now under consideration is disposed of.

So ordered.

REPORT OF STANDING COMMITTEE.

ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1887.

MR SPEAKER Your Committee on Enrollment beg leave to report that the following Assembly Bills have been correctly enrolled

Assembly Bill No 262—An Act to provide for the deficiency in the appropriation for the costs and expenses of suits wherein the State is a party in interest, for the thirty-eighth fiscal year

Also, Assembly Bill No 278—An Act making an appropriation for the payment of claims of certain employés and other creditors of the State

Also, Assembly Bill No 259—An Act to provide for the payment of the rent of the chamber occupied by the Supreme Court Commissioners

Also, Assembly Bill No 395—An Act to provide for the deficiency in the appropriation for salaries of the Commissioners of the Supreme Court, and their Secretary, for the thirty-eighth fiscal year

Also, Assembly Bill No. 258—An Act to provide for the deficiency in the appropriation for the costs and expenses of suits wherein the State is a party in interest, for the thirty-seventh fiscal year.

Also, Assembly Bill No 134—An Act to provide for the removal of the mineral cabinet from the State Library

Also, Substitute for Assembly Bill No. 148—An Act to amend section six of an Act entitled "An Act to provide for the redemption of the funded indebtedness of the City of Sacramento," approved March 25, 1872.

And were, this day, at ten o'clock and fifteen minutes A. M., presented to the Governor.

JAS B BROWN, Chairman.

PREVIOUS QUESTION.

Mr. Weber moved the previous question, seconded by Messrs. Hotchkiss and Rucker.

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

The question being upon concurring in Senate amendment No. 19 to Substitute for Assembly Bill No. 323 et al.

The ayes and noes were demanded by Messrs. Variel, Heath, and Ohleyer.

The roll was called, and the House refused to concur in the amendment by the following vote:

AYES—Messrs Barry, Britt, Brown W A, Brown J B, Callaghan, Cohen, Colbert, Cooley, Curry of San Francisco, Ewing, Hart, Henry of Butte, Martin, Matthews of Tehama, McClenahan, Regan, Rucker, Remson, Weber, Windrow, Wright, and Young of San Joaquin—22

NOES—Messrs Adams, Alexander, Atherton, Bailey, Barton, Bost, Brierly, Brusie, Butler, Campbell, Carr, Carroll, Coombs, Cope, Currey of Solano, Ellsworth, Granger, Gruwell, Handy, Heath, Henry of San Joaquin, Hotchkiss, Knox, Lewis, Matthews of San Benito, McDonnell, Morris, Ohleyer, Price, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Variel, Venable, Vincent, Wilcox, Williams, Young of San Diego, and Mr. Speaker—43

SPECIAL ORDER No 4.

At eleven o'clock and thirty minutes A. M. Mr. Cohen called up the special order set for this hour, consideration of Senate Bill No. 430, and moved to continue the special order until after the bill now under consideration is disposed of.

So ordered.

REPORTS OF STANDING COMMITTEES.

ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1887.

MR SPEAKER Your Committee on Enrollment beg leave to report that the following Assembly Bills have been correctly enrolled.

Assembly Bill No 92
Also, Assembly Constitutional Amendment No. 16.
Also, Assembly Bill No 29
Also, Assembly Bill No 563
And were presented to the Governor, this day, at eleven o'clock and fifty-five minutes A M.

JAS. B. BROWN, Chairman.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1887.

MR. SPEAKER Your Committee on Engrossment beg leave to report that the following Assembly Bills have been correctly engrossed
Assembly Bill No 315, and reengrossed Assembly Bill No 46.

WINDROW, Chairman.

QUESTION OF PRIVILEGE.

Mr. Brierly arose to a question of privilege.

The question recurring on the consideration of Senate amendment to Assembly Bill No. 323

Amendment No 20: Amend, on page nine, of printed bill, after line two hundred and forty-nine, by inserting the following:

37 To appropriate from the General Fund of the county not to exceed the sum of one thousand (1,000) dollars in any one year, to aid in or carry on the work of inducing immigration thereto

Concurred in unanimously.

Amendment No. 21: On line two hundred and forty-one, after the word "duties," insert "of the office," and strike out, on line nine, after "of," word "the."

Concurred in unanimously.

Amendment No. 22: Page nine, before section one hundred and sixty-four, insert:

Section 66 The following officers must reside at the county seat of their respective counties The County Clerk, Auditor, Recorder, Sheriff, and District Attorney.

Concurred in unanimously.

Amendment No. 23: Amend printed bill, on page nine, after line twenty-three, by inserting the following:

Section 165 In counties of the third class, the county officers shall receive as compensation for the services required of them by law, or by virtue of their office, the following salaries, to wit

1. The County Clerk, eight thousand dollars per annum
2. The Sheriff, nine thousand five hundred and twenty dollars per annum. *provided*, that he shall receive, as additional compensation, the mileage collected by him in criminal cases, where the same is not a charge against his county
3. The Recorder, seven thousand dollars per annum
4. The Auditor, six hundred and fifty dollars per annum
5. The Treasurer, four thousand dollars per annum
6. The Tax Collector, two thousand four hundred dollars per annum
7. The Assessor, nine thousand five hundred dollars per annum
8. The District Attorney, three thousand two hundred dollars per annum.
9. The Coroner, six hundred dollars per annum
10. The Public Administrator, such fees as are now or hereafter may be allowed by law.

11. The Superintendent of Schools, two thousand dollars per annum.
12 The Surveyor, such fees as are now or may hereafter be allowed by law
13. Justices of the Peace, such fees as are now or hereafter may be allowed by law.
14. Constables, such fees as are now or hereafter may be allowed by law
15 Supervisors, twelve hundred dollars each per annum.

Concurred in unanimously.

Amendment No. 24: Amend, on page eleven, of printed bill, line twenty-five, by striking out the words "Justice of the Peace," and inserting "Constable."

Concurred in unanimously.

Amendment No. 25: After the word "mileage," page eleven, line thirty-one, printed bill, insert the following:

16 The County Clerk shall charge and collect the fees and charges which he is now authorized by law to charge and collect, except that said Clerk shall charge and collect the sum of ten cents, and no more, for the filing of each paper or document filed by him or in his office, and shall charge and collect for all transcription, recording, and copying done by him or in his office for which the County Clerk is now authorized or empowered to collect fees or make charges, ten cents, and no more, per folio of one hundred words. All fees and charges received or collected by such County Clerk shall belong to and be the property of the county and paid into the Treasury thereof. The County Recorder shall charge and collect the fees and charges which he is now authorized by law to charge and collect, except that he shall charge and collect at the rate of ten cents, and no more, per folio of one hundred words, for all documents or papers or other matter recorded by him or in his office, and shall charge and collect ten cents, and no more, for the filing of each document or paper filed by him or in his office. All fees and charges received or collected by such Recorder shall belong to and be the property of the county, and paid into the County Treasury thereof

Concurred in unanimously.

Amendment No. 26: Amend printed bill, on page eleven, after line thirty-one, by inserting the following:

Section 168. In counties of the sixth class, the county officers shall receive for the services required of them by law, or by virtue of their office, the following salaries, to wit:

1. The County Clerk, fifty-five hundred dollars per annum
2. The Sheriff, six thousand five hundred dollars per annum, and for traveling—to be computed in all cases from the Court House—to serve any summons and complaint, or any other process by which an action or proceeding is commenced, notice, rule, order, subpœna, attachment on property, to levy an execution, to post notices of sale, to sell property under execution or other order of sale, to execute an order for the delivery of personal property, writ of possession or restitution, to hold inquest or trial of right of property, in executing a writ of habeas corpus, or collecting taxes, *provided*, that if any two or more papers be required to be served in the same suit, at the same time, and in the same direction, one mileage only shall be charged to the most distant points to complete such service, for each mile necessarily traveled by the most practicable route, in going only, twenty cents.
3. The Recorder, four thousand five hundred dollars per annum.
4 The Auditor, one thousand dollars per annum
5 The Treasurer, twenty-four hundred dollars per annum
6 The Tax Collector, twelve hundred dollars per annum.
7 The Assessor, thirty-four hundred dollars per annum; and he shall also receive fifteen per cent on all poll taxes and six per cent on all personal property taxes collected by him.
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, two 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 shall receive, for their own use and benefit, the following fees, which shall be in full of all compensation for such service as is now or may be hereafter required of them by law

For serving a summons and complaint, or any other process by which an action or proceeding is commenced, on each defendant, fifty cents

For serving an attachment on property, or levying an execution, or executing an order of arrest, or order for the delivery of personal property, one dollar.

For his trouble and expense in taking possession of and preserving personal property under attachment, or execution, or other process, as the Court shall order, provided no more than two dollars per diem shall be allowed to a keeper, three dollars.

For taking a bond or undertaking in any case he is authorized to take the same, fifty cents

For copy of any writ or process, or other paper, when demanded or required by law, for each folio, fifty cents

For serving every notice, rule, or order, twenty-five cents.

For advertising property for sale, under execution, or any judgment or order of sale, exclusive of the cost of publication, each, fifty cents

For serving a writ of possession or restitution, putting a person in possession of premises, and removing the occupant, two dollars

For holding each inquest or trial of right of property, to include all service in the matter, except mileage, two dollars

For serving subpœnas, for each witness served, twenty-five cents.

For traveling to serve any summons and complaint, or any other process by which an action or proceeding is commenced, notice, rule, order, subpœna, attachment on property, to levy an execution, to post notices of sale, to sell property under execution or other order of sale, to execute an order for the delivery of personal property, writ of possession or restitution, to hold an inquest or trial of the right of property, or in executing a writ of habeas corpus, *provided*, that if any two or more papers be required to be served in the same suit, at the same time, and in the same direction, one mileage only shall be charged to the most distant point to complete the service, for each mile necessarily traveled, in going only, twenty cents

For commission for receiving and paying over money on execution or other process when lands or other personal property have been levied on or sold, on the first one hundred dollars, two per cent, and on all sums above that amount, one per cent

For executing a certificate of sale, fifty cents.

The fees herein allowed shall be collected from the judgment debtor.

For making every arrest in a criminal action, other than on a charge of felony, one dollar

For making every arrest on a charge of felony, one dollar and fifty cents

For summoning a jury of twelve or less persons, two dollars

For every mile necessarily traveled in executing any warrant of arrest, serving subpœnas, bringing up a prisoner on habeas corpus, taking a prisoner to jail by order of any Court, *provided*, that when any two or more persons are served at the same time, or in the same direction, but one mileage shall be charged to the most distant point; twenty-five cents per mile, in going only

For conveying a prisoner when under arrest, the necessary expense actually paid for transportation

Concurred in unanimously.

Amendment No. 26½: Amend, on page twelve, line eighteen, of printed bill, by substituting for subdivision thirteen, of section one hundred and seventy-two, the following:

13 Justices of the Peace, a salary to be fixed by the Board of Supervisors, and paid monthly out of the Salary Fund, as the salaries of county officers are paid, such salary to be in full compensation for all services of every kind, nature, or description required of them by law in criminal cases. Each Justice of the Peace must keep a book open to the inspection of the public during office hours, in which must be entered at once, and in detail, the amount of all fines collected by him in criminal cases, and on the first Monday in each and every month he must pay such fines so collected (less the amount now provided by law to be paid to some other officer or person), into the County Treasury for the benefit of the county, *provided*, that said Justices of the Peace shall also be allowed to charge and receive for their own use such fees as are now or hereafter may be allowed by law for all services performed by them in civil cases

Concurred in unanimously.

Amendment No. 27: Amend subdivision fifteen, of section one hundred and seventy-two, page twelve, line thirty-one, of the printed bill, by striking out the words "five dollars per diem and mileage," and inserting, in lieu thereof, the words "each, seven hundred dollars per annum, without mileage."

Concurred in unanimously.

Amendment No. 28: Insert, at end of line eleven, section one hundred and seventy-eight, the following: "*provided*, he may charge and receive for his use necessary expense for traveling on county or public business, to be allowed as other county charges are allowed by law."

Concurred in unanimously.

Amendment No. 29: Strike out, in subdivision seven, of section one hundred and seventy-nine, the words "to include costs of all necessary maps."

Amendment No. 30: Add, after the word "annum," subdivision eleven, "and traveling expenses, not to exceed three —— per annum, which expenses are to be allowed and paid as a county charge."

The House refused to concur by a unanimous vote.

Amendment No. 31: Add, after the word "provided," end of section one hundred and eighty-five, "the provision hereof respecting the deputy for the County Assessor, and the expenses of Superintendent of Schools, shall take effect immediately."

Concurred in unanimously.

Amendment No. 32. Page twenty-one, line nine, section one hundred and ninety, strike out "five hundred," and insert "seven hundred and fifty."

Concurred in unanimously.

Amendment No. 33: Insert, after word "nine," subdivision seven, section one hundred and ninety, the word "ten."

Concurred in unanimously.

Amendment No. 34: Insert, after word "as," line thirteen, page twenty-one, the word "are;" insert, after word "as," line fourteen, word "are."

Concurred in unanimously.

Amendment No. 35: Page twenty-one, line twenty, insert, after the word "expenses," "the Supervisors may allow two hundred dollars additional for traveling expenses, as a county charge, to the Superintendent of Schools."

Concurred in unanimously.

Amendment No. 36: End of section one hundred and ninety, "the provision hereof respecting the deputy for the County Assessor shall take effect immediately."

Concurred in unanimously.

Amendment No. 37: Page twenty-one, line twenty-seven, insert, after the word "Assessor," the following: "And the additional allowance for traveling expenses for County Superintendents."

Concurred in unanimously.

Amendment No. 38: Amend, on page eighteen, section one hundred and ninety-one, line eighteen, by striking out the word "ten," and inserting the word "twenty."

Concurred in unanimously.

Amendment No. 39: Amend, on page twenty, line ninety-five, by striking out the words "for recording marriage license and certificate to be given by the County Clerk, one dollar."[1]

Concurred in unanimously.

Amendment No. 40: Amend, by inserting, after line one hundred and fourteen, on page twenty-one, printed bill, as follows:

Section 192 In counties of the thirtieth class, the county and township officers shall receive as compensation for the services required of them by law, or by virtue of their office, the salaries and fees hereinafter respectively mentioned, and shall be allowed for the performance of services required of them by law, as herein provided, and such officers may lawfully charge, demand, and receive, and must pay the amount received by them into the State Treasury, or Treasury of the county to which such fees may be due by law, except where the officer is by law entitled to receive the fees collected for his own use and benefit, the amounts hereinafter respectively specified All fees shall be payable only in gold and silver coin of the United States

1 The County Clerk shall receive as compensation twenty-five hundred dollars per annum.

FEES OF COUNTY CLERK

At the commencement of each suit the Clerk shall be entitled to demand and receive from the plaintiff not to exceed the sum of five dollars, to cover costs to time of judgment, and from the defendant, two dollars, to cover costs for the same time If, in the progress of the action, the sums allowed the Clerk should be insufficient, he shall be entitled to demand from either party such further sums as he may deem necessary to cover costs to the time of judgment, including the entry thereof. Any excess of fees advanced by either party, on the termination of the action, shall be returned by the Clerk to the party who advanced them, on demand The Clerk of the Superior Court shall receive for entering each suit on the Clerk's register of actions, and for making the necessary entries therein during the progress of the suit and of the trial and subsequent proceedings, for the first folio, twenty-five cents, for each subsequent folio, fifteen cents.

For issuing every writ of process, under seal, fifty cents, except the writ of habeas corpus

For issuing each subpœna for one or more witnesses, twenty-five cents

For filing each paper, fifteen cents

For entering every motion and order, rule, default, discontinuance, dismissal, or nonsuit, twenty-five cents.

For entering every cause on the calendar, and making a copy thereof for the bar, for each term of the Court, twenty-five cents

For calling and swearing every jury on voire dire, twenty-five cents

For calling and swearing every jury to try cause, twenty-five cents

For receiving and entering each verdict of a jury, twenty-five cents

For entering every final judgment, for the first folio, fifty cents, for each subsequent folio, fifteen cents

For making up and filing judgment roll, twenty-five cents

For each entry of judgment on judgment docket, twenty cents.

For entering satisfaction or credit on judgment docket, twenty-five cents

For administering every oath or affirmation, twenty cents

For certifying the same, twenty cents

For copy of any proceeding, record, or paper, per folio, fifteen cents

For every certificate under seal, twenty-five cents

For issuing every commission to take testimony, fifty cents

For writing down testimony of witnesses during trial, for each folio (to be paid by the party requiring the same), fifteen cents

For issuing every execution, or other final process, under seal, fifty cents

For copy of every decree or order of sale of mortgaged property, for each folio, fifteen cents

For receiving and filing every remittitur from Supreme Court, accompanying papers, fifty cents.

For taking and approving each undertaking or bond, twenty-five cents

For taking justification thereto, twenty-five cents.

For taking testimony on justification to undertaking or bond, for each folio, fifteen cents

For taking acknowledgment of deed or other instrument, to include all writing and the seal, for the first name thereto, fifty cents, for each additional name, twenty-five cents

For indexing every suit in the general index in the Court, as required by law, for each name, ten cents

For filing and entering papers on transfer of cases from other Courts, two dollars

For transmission of files or transfer of cases to other Courts, including certificate of order of transfer one dollar

For searching records or files of each year, except for suitors or their attorneys, fifty cents

For filing all papers on appeal from Justices' Courts, for each case, one dollar

For writing and posting each notice required, twenty-five cents.

For each notice for publication, in addition to the cost of publication, twenty-five cents

For recording papers required by law to be recorded, for each folio, fifteen cents; for indexing same, twenty cents

For issuing each marriage license, one half to be paid to the County Recorder, two dollars.

For recording the testimony, and commitment upon examination of insane persons, when it is ascertained by the Judge of the Superior Court that the person committed has sufficient property to pay the expenses of his commitment, per folio, fifteen cents

For filing all papers to be kept by him, not required to be recorded, ten cents, for indexing same, for each name, ten cents

For issuing any license required by law, one dollar

For all services in estates of deceased persons fees shall be charged as follows, the value of the estate required to be determined herein to be ascertained from the inventory and appraisement thereof Estates of the value of five hundred dollars or less, two dollars, estates of five hundred dollars and not exceeding five thousand dollars, ten dollars, estates of five thousand dollars and not exceeding twenty thousand dollars, twenty-five dollars; estates of over twenty thousand dollars, fifty dollars The two last named classes of estates shall be charged ten cents for each paper filed, and fifteen cents per folio for recording each

document required by law to be recorded, *provided*, that the County Clerk shall charge and collect for each action or proceeding commenced in the Superior Court of said county, a fee of one dollar in addition to the fees above mentioned, which sum shall be deposited in the Treasury of the county, as a fund for the purpose of establishing a law library, and shall be expended by and under the direction of the Judge of Superior Court of such county, for said purpose No fees shall be charged for affidavits or certificates for or in behalf of United States pension applicants

2 The Sheriff shall receive as compensation four thousand dollars per annum, and his mileage, at the rate of twenty-five cents per mile for each mile necessarily traveled, in going only.

FEES OF SHERIFF.

For serving a summons and complaint, or any other process by which an action or proceeding is commenced, on each defendant, fifty cents

For serving an attachment on property, or levying an execution, or executing an order of arrest, or order for the delivery of personal property, one dollar

For serving an attachment on any ship, boat, or vessel, in proceeding to enforce any lien thereon created by law, two dollars

For his trouble and expense in taking and keeping possession of and preserving property under attachment, or execution, or other process, such sum as the Court may order, *provided*, that no more than three dollars per diem shall be allowed to a keeper

For taking bond or undertaking in any case in which he is authorized to take the same, fifty cents

For copy of any writ, process, or other paper, when demanded as required by law, for each folio, fifteen cents

For serving every notice, rule, or order, fifty cents

For advertising property for sale or execution, or under any judgment or order of sale, exclusive of cost of publication, each notice, fifty cents

For serving a writ of possession or restitution, putting a person in possession of premises and removing the occupant, two dollars

For holding each inquest, or trial of right of property, to include all services in the matter, except mileage, two dollars

For serving a subpœna, for each witness summoned, twenty-five cents

For traveling, to be computed in all cases from the Court House, to serve any summons and complaint, or other process by which an action or proceeding is commenced, notice, rule, order, subpœna, attachment on property, to levy an execution, to post notice of sale, to sell property under execution, or other order of sale, to execute an order for the delivery of personal property, writ of possession or restitution, to hold inquest or trial of right of property, *provided*, that if any two or more papers be required to be served in the same suit, at the same time, and in the same direction, one mileage only shall be charged to the most distant point to complete such service, for each mile necessarily traveled, in going only, twenty-five cents

For commissions for receiving and paying over money on execution or other process, when land or other personal property has been levied on and sold, on the first one thousand dollars, two per cent. on all sums above that amount, one per cent

For commissions in receiving and paying over money on execution without levy, or when lands or goods are levied on shall not be sold, on the first one thousand dollars, one per cent, and one half of one per cent on all sums over that amount

The fees herein allowed for the levy of an execution, cost of advertising, and percentage for making or collecting the money on execution, shall be collected from the judgment debtor by virtue of such execution, in the same manner as the sum directed herein.

For drawing and executing a Sheriff's deed, to include the acknowledgment, to be paid by the grantee before delivery, two dollars and fifty cents

For executing a certificate of sale, exclusive of the filing, and recording the same, one dollar

For summoning a trial jury of twelve persons or less, three dollars

For all services in Justice's Courts, the same fees as are allowed Constables for like services.

For conveying a prisoner, when under arrest, the necessary expenses incurred in transportation He shall also be allowed to retain for his own use the amount allowed by the State for the conveyance of prisoners to the State's Prison and conveyance of persons to the Insane Asylum He shall also be allowed for the boarding of prisoners a sum not to exceed twenty-five cents per meal, and not to exceed fifty cents per day

3 The Recorder shall receive as compensation, fifteen hundred dollars per annum.

FEES OF RECORDER.

For recording every instrument, paper, or notice, fifteen cents for each name indexed

For copies of any record or paper, per folio, fifteen cents

For filing every instrument for record, and making the necessary entries thereon, fifteen cents

For each certificate under seal, twenty-five cents

For every entry of discharge of mortgage or other instrument on margin of record, or for entering credit thereon, or witnessing same and indexing same, twenty-five cents

For searching records or files in his office, for each year, when required, fifty cents.

For abstract of title, for each conveyance or incumbrance certified, twenty-five cents
For recording every plat or map, for each course five cents
For figures and letters on plats or maps, per folio, twenty-five cents, *provided*, the fees for recording any town plat shall not exceed fifty dollars
For taking acknowledgments, including seal, for the first signature, fifty cents, for each additional signature, twenty-five cents
For recording marriage license and certificate, to be paid by the Clerk, one dollar
For recording transcript, and for all other services in estray cases, one dollar
For recording each mark or brand, fifty cents.
For administering oath or affirmation, twenty-five cents
For certifying same, twenty-five cents
For filing, indexing, and keeping each paper not by law required to be recorded, twenty-five cents
For recording mining claims and water rights, the same as are allowed for recording any other instrument
For all other services not herein enumerated, the same fees as are allowed the Clerk of the Superior Court for like services

4 The Auditor shall receive as compensation one thousand dollars per annum

5 The Treasurer shall receive as compensation twelve hundred dollars per annum

6 The Tax Collector shall receive as compensation fifteen hundred dollars per annum.

7 The Assessor shall receive as compensation thirty-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 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

8 The District Attorney shall receive as compensation fifteen hundred dollars per annum, and traveling expenses, incurred by virtue of his office, to be fixed and allowed by the Board of Supervisors

9 The Coroner shall receive as compensation the following sums, viz

For general services in holding an inquest, ten dollars
For each witness subpœnaed, twenty-five cents
For each mile necessarily traveled in going to the place of the inquest, twenty-five cents
For directing or attending the interment of each body upon which an inquest has been held, two dollars, which fees shall be all that he shall be entitled to charge
When acting as or in the place of the Sheriff, the same fees as are allowed the Sheriff for like services

10 The Public Administrator shall be allowed and receive such fees as are now or hereafter may be allowed by law

11 The Superintendent of Schools shall receive as compensation six hundred dollars per annum, and his necessary traveling expenses, incurred officially, to be fixed and allowed by the Board of Supervisors

12 The Surveyor shall be allowed and receive such fees as are now or hereafter may be allowed by law

13 The Justices of the Peace shall receive as compensation the sums respectively mentioned hereafter, viz .

For entering every case upon his docket, fifty cents.
For filing each paper in the suit, twenty-five cents
For issuing any writ or process by which the suit is commenced, fifty cents
For issuing each subpœna, for one or more persons, twenty-five cents
For administering an oath or affirmation, twenty-five cents
For each certificate, twenty-five cents
For issuing writ of attachment, or arrest, or for the delivery of property, fifty cents
For taking or approving any bond or undertaking directed by law to be taken or approved by him, fifty cents
For taking justification to a bond, fifty cents
For swearing a jury, fifty cents, for issuing an execution, fifty cents, for taking depositions, per folio, fifteen cents
For issuing search warrant, fifty cents
For affidavit for search warrant, including entry on his docket, when there is no other or further action, fifty cents.
For entry of cause without process, one dollar
For entering every motion rule, order, exception, or default, twenty-five cents
For entering any final judgment, for the first folio, fifty cents, for every additional folio, fifteen cents
For entering judgment by confession, and only on affidavit, as required in the Superior Court, two dollars, *provided, however*, that it shall be the duty of Justices of the Peace to pay into the County Treasury all sums of money by them received in all criminal cases for fines or other purposes
For entering satisfaction of a judgment, fifty cents
For issuing commission to take testimony, fifty cents
For transcript of a judgment, order, docket, or paper in his office, for each folio, fifteen cents.
For making up and transmitting transcript and papers on appeal, one dollar and fifty cents.

For taking acknowledgment of any instrument, for the first name, fifty cents, and for every additional name, twenty-five cents

For celebrating a marriage and returning certificate thereof to the County Recorder, five dollars

For all services and proceedings before a Justice of the Peace in a criminal action or proceeding, whether on examination or trial, two dollars, but there shall be allowed for all depositions required by law to be taken (including the transmission to the County Clerk of the papers in the case), for each folio, fifteen cents, *provided*, no additional compensation shall be allowed for taking bail.

For all services connected with the posting of estrays, including transcript to the Recorder, two dollars

For all services appertaining to the Coroner's office, the Justice of the Peace, who shall act when the Coroner shall be absent or unable to attend, shall receive the same fees as are allowed to the Coroner for similar services

When the venue shall be changed in a civil case, the Justice before whom the action shall have been brought, for all services in making up and transmitting the transcript and papers, shall receive such fees as have accrued in the case, all of which fees must be paid before the Justice shall be required to transmit the papers, and the Justice before whom the case is transferred shall be entitled to receive the fees accruing to him for all services which he shall thereafter render, the same as if the case had originally been commenced before him. When the venue shall be changed in criminal cases, the fees shall be equally divided between the Justices. In cases of appeal, all fees of the Justice, including those on trial and those on appeal, must be paid before the Justice shall be required to forward the papers to the County Clerk

14 The Constables shall receive as compensation the fees hereinafter respectively designated, viz

First—For serving summons in civil cases, fifty cents

Second—For summoning any jury before a Justice of the Peace, including mileage, two dollars

Third—For making sales of estrays, the same fees as for sales on execution

Fourth—For executing every warrant of arrest and making said arrest, in a criminal proceeding, two dollars, and mileage at the rate of twenty-five cents per mile, *provided, however*, that mileage shall be allowed but one way for all services performed by Constables

Fifth—For all other services, including mileage, the same fees as are allowed the Sheriff for similar services.

15 The Supervisors shall receive as compensation the sum of six hundred dollars per annum, and mileage for attending meetings, to be allowed one way, at twenty cents per mile

Concurred in unanimously.

Amendment No. 41: Strike out all of section one hundred and ninety-eight.

Concurred in unanimously.

Amendment No. 42: Amend, by inserting, after line six, on page twenty-three, the following:

Section 203 In counties of the forty-first class, the county officers shall receive as compensation for the services required of them by law, or by virtue of their office, the following salaries, to wit:

1 The County Clerk, 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
5 The Treasurer, one thousand dollars per annum
6 The Tax Collector, five hundred dollars per annum
7 The Assessor, one thousand eight hundred dollars per annum.
8 The District Attorney, one thousand five 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, twelve 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 may hereafter be allowed by law
14 Constables, such fees as are now or hereafter may be allowed by law
15 Supervisors, five dollars per day for each day while in session, and twenty cents per mile in traveling from his residence to the county seat, *provided*, that such per diem and mileage shall not exceed the sum of three hundred and fifty dollars per annum.

Concurred in unanimously.

Amendment No. 43: Amend line fifteen, by inserting, after word "assistant," the following: "Unless in this Act otherwise provided."

Concurred in unanimously.

Amendment No. 44: Amend line sixteen, by inserting, after word "provided," the following: "Unless in this Act otherwise provided."

Concurred in unanimously.

Amendment No. 45: Amend, on page twenty-three, printed bill, after the words "twenty-sixth," on line eighteen, by inserting the words "twenty-ninth."

Concurred in unanimously.

Amendment No. 46: Add, after the word "Courts," the following: "Whenever the salary or compensation of any officer is increased or diminished by the terms of this Act, the provisions hereof so increasing or diminishing such salary or compensation shall not apply to or affect present incumbents, unless where otherwise in this Act expressly stated."

Concurred in unanimously.

Amendment No 47: A new section is hereby added to said Act, to be numbered one hundred and ten and a half, to read as follows:

Section 1104½ It shall be the duty of the Tax Collector, except where it is herein otherwise expressly stated, to collect all taxes levied by law, or imposed by ordinance of the Board of Supervisors, in the manner and subject to the terms of the law or ordinance providing for the same.

Concurred in unanimously.

Amendment No. 48. Substitute for present section one hundred and ten and a half, lines three, four, five, and six, page thirty-six:

Section 1104½ It shall be the duty of the Tax Collector, except where it is by law otherwise expressly directed, to collect all taxes and licenses levied by law, or imposed by ordinance of the Board of Supervisors, in the manner and subject to the terms of the law or ordinance providing for the same

Concurred in unanimously.

SPECIAL ORDER No 1.

Senate Bill No. 443—An Act to amend section eight of an Act entitled "An Act to provide for the future management of the Napa State Asylum for the Insane," approved March 6, 1876, relating to the Resident and Assistant Physicians.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Alexander, Atherton, Bailey, Barry, Barton, Bost, Brierly, Brown W A, Brusie, Butler, Campbell, Carr, Carroll, Cohen, Colbert, Cooley, Coombs, Cope, Currey of Solano Curry of San Francisco, Ellsworth, Ewing, Gould, Granger, Gruwell, Handy, Hart, Heath, Henry of Butte, Hotchkiss, Hyde, Knox, Lawrence, Lewis, Manu, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, Morgan, Morris, Ohleyer, Price, Rucker, Remson, Shanahan, Sherburne, Sims, Spurgeon, Sykes, Venable, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr Speaker—61

NOES—None.

Title read and approved.

SPECIAL ORDER No 2.

Senate Bill No. 330—An Act to ascertain the loss and damage suffered and sustained by the Coulterville and Yosemite Turnpike Company, a corporation, by the construction of a road by the Yosemite Turnpike Road Company, under and by virtue of an Act of the Leg-

islature of the State of California, entitled "An Act granting the right of way to the Yosemite Turnpike Road Company over the Yosemite Grant," approved February 17, 1874, and for the relief of said Coulterville and Yosemite Turnpike Company.

Read third time.

Mr. Wright in the chair.

Mr. Brierly moved to make the further consideration of this bill the special order for four o'clock P. M. to-day.

So ordered.

Speaker Jordan in the chair.

SPECIAL ORDER No. 3

Assembly Bill No. 550—An Act to add a new section to the Political Code, to be numbered section three thousand two hundred and thirty-five, relating to the furnishing of supplies under contract to all public institutions under the control of the State, or of any county, city and county, city, or town thereof.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Alexander, Atherton, Bailey, Barry, Barton, Bost, Britt, Brown W A, Brown J B, Brusie Butler, Callaghan, Campbell, Carr, Carroll, Cohen, Colbert, Cope, Currey of Solano, Curry of San Francisco, Ewing, Gould, Granger, Henry of Butte, Henry of San Joaquin, Hotchkiss, Knox, Lawrence, Lewis, Martin, Mann, Matthews of San Benito, McClenahan, McDonnell, McGowan, Morris, Ohleyer, Price, Regan, Rucker, Renison, Shanahan, Spurgeon, Sykes, Taylor, Vincent, Weber, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr. Speaker—54

NOES—Messrs Morgan and Sherburne—2

Title read and approved.

SPECIAL ORDER No. 4

Senate Bill No. 127—An Act to amend section three hundred and seven of an Act entitled "An Act to establish a Civil Code," relating to the formation of corporations.

Read third time.

MOTIONS.

Mr. Cohen moved that the hour of recess be extended for five minutes.

Mr. Wright moved to amend, by extending the hour of recess thirty minutes.

Mr. Cohen accepted the amendment.

Motion, as amended, lost.

The question then recurring on the passage of Assembly Bill No. 127.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Alexander, Atherton, Bailey, Barry, Barton, Bost, Brierly, Britt, Brown W A, Brown J B, Brusie, Butler, Campbell, Carr, Carroll, Cohen, Colbert, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Ewing, Gould, Granger, Gruwell, Hart, Heath, Henry of San Joaquin, Hyde, Knox, Lawrence, Lewis, Martin, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Morris, Ohleyer, Price, Regan, Rucker, Sherburne Sims, Spurgeon, Sykes, Venable, Vincent, Weber, Windrow, Wilcox, Wright, Young of San Diego, Young of San Joaquin, and Mr Speaker—58

NOES—Mr Morgan—1.

Title read and approved.

RECESS.

The hour for recess having arrived, 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 Jordan in the chair.
Quorum present.

SPECIAL ORDER No. 5

Senate Bill No. 430—An Act to provide for the completion of all unfinished county buildings in the several counties, cities and counties, cities and towns throughout the State of California.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Atherton, Bailey, Barry, Barton, Bost, Britt, Brown W A, Brusie, Burnett, Callaghan, Campbell, Carr, Carroll, Cohen, Colbert, Cooley, Coombs, Curry of San Francisco, Ellsworth, Ewing, Gould, Gruwell, Handy, Hart, Heath, Henry of San Joaquin, Hyde, Knox, Lewis, Martin, Matthews of San Benito, McClenahan, McDonnell, McGowan, Mitchell, Morris, Ohleyer, Price, Regan, Rucker, Renison, Searey, Shanahan, Sherburne, Sims, Smyth, Sykes Taylor, Toner, Variel, Venable, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr Speaker—59

NOES—None

Title read and approved.

SPECIAL ORDER No. 6.

Assembly Concurrent Resolution, by Mr. Mathews of Tehama, relative to adjournment sine die of the twenty-seventh session of the California Legislature on March 5, 1887, at twelve o'clock M.

Mr. Weber moved to postpone the further consideration of this bill until Saturday next, at two o'clock P. M.

Mr. Taylor moved to amend, by fixing the time for considering above resolution at five o'clock P. M. to-morrow.

The question being on the amendment of Mr. Taylor, it was carried.

The question then being on the motion, as amended.

The ayes and noes were demanded by Messrs. Renison, Venable, and Hart.

The roll was called, and the motion to postpone consideration until to-morrow at five o'clock P. M. carried by the following vote:

AYES—Messrs Alexander, Atherton, Bailey, Barton, Bost, Brierly, Britt, Brown W A, Brusie, Burnett, Butler, Campbell, Carroll, Colbert, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Ellsworth, Gould, Handy, Heath, Henry of San Joaquin, Knox, Mahler, Mann, Matthews of San Benito, McClenahan, McGowan, Price, Regan, Rucker, Searey, Shanahan, Sherburne, Sims, Spurgeon, Sykes, Taylor, Toner, Variel, Weber, Wilcox, Williams, Young of San Diego, and Young of San Joaquin—47.

NOES—Messrs Callaghan, Cohen, Gruwell, Hart, Hotchkiss, Hyde, McDonnell, Ohleyer, Renison, Venable, Vincent, Wright, and Mr Speaker—13.

At two o'clock and fifteen minutes P M. Mr. Brierly called up special orders set for that hour, and, on motion, they were postponed until after the resolutions now under discussion were disposed of.

SPECIAL ORDER No 7

Assembly Concurrent Resolution by Mr. Lawrence, relative to adjournment sine die of the twenty-seventh session of the California Legislature on March 9, 1887, at twelve o'clock midnight.

On motion of Mr. Weber, the consideration of above resolution was postponed until to-morrow, at five o'clock P. M.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1887

MR SPEAKER: Your Committee on Engrossment beg leave to report that the following Assembly Bills have been correctly engrossed

Assembly Bills Nos. 247 and 123

WINDROW, Chairman.

SPECIAL ORDER No 8.

Assembly Bill No. 247—An Act to create an irrigation, drainage, and water rights Legislation Commission, to define its powers and duties, and to provide for payment of its cost and expenses.

Read third time.

Mr. Brierly moved to postpone the further consideration of this bill until four o'clock P. M.

So ordered.

SPECIAL ORDER No 9

Senate Bill No. 67—An Act to amend section three thousand two hundred and forty-four of an Act entitled an Act to establish a Political Code, approved March 12, 1872, and to add five new sections to said Political Code, to be numbered sections three thousand two hundred and forty-six, three thousand two hundred and forty-seven, three thousand two hundred and forty-eight, and three thousand two hundred and fifty, regulating the hours of labor.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Atherton, Barton, Bost, Brierly, Butt, Brown W A, Brown J. B., Brusie, Burnett, Butler, Callaghan, Campbell, Carr, Carroll, Cohen, Colbert, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Ellsworth, Gould, Gruwell, Handy, Hart, Heath, Henry of San Joaquin, Hotchkiss, Hyde, Lewis, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Mitchell, Ohleyer, Price, Regan, Rucker, Remson, Searey, Sims, Smyth, Sykes, Variel, Venable, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, and Young of San Joaquin—58

NOES—Messrs Bailey, Ewing, Sherburne, and Mr Speaker—4.

Title read and approved.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 8, 1887

MR SPEAKER: I am directed to inform your honorable body that the Senate, this day, adopted the following resolution

Resolved by the Senate, the Assembly concurring, That this Legislature do adjourn sine die on Wednesday, March ninth, at twelve o'clock midnight

E H HAMILTON, Secretary

By R. B OULLAHAN, Assistant Secretary

Mr. Venable moved to strike out Wednesday, and insert Thursday.

Mr. Brierly moved to continue the further consideration of above resolution until to-morrow, at five o'clock P. M.

Ayes and noes demanded on the motion of Mr. Brierly, by Messrs. Renison, Venable, and Heath.

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

AYES—Messrs Adams, Atherton, Bailey, Barry, Bost, Brierly, Brown J. B, Butler, Callaghan, Campbell, Colbert, Ellsworth, Gould, Hart, Henry of Butte, Lewis, Mann, Mathews of Tehama, Matthews of San Benito, McDonnell, McGowan, Mitchell, Price, Searey, Sherburne, Sims, Spurgeon, Sykes, Taylor, Toner, Variel, Vincent, Weber, Windrow, Young of San Diego, and Young of San Joaquin—36

NOES—Messrs. Carr, Carroll, Cohen, Cooley, Coombs, Cope, Currey of Solano, Ewing, Gruwell, Handy, Hyde, McClenahan, Ohleyer, Rucker, Renison, Venable, Wright, and Mr Speaker—18.

REPORT OF STANDING COMMITTEE.

ON ENROLLMENT

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1887.

MR SPEAKER Your Committee on Enrollment beg leave to report that the following Assembly Bills have been correctly enrolled

Assembly Bill No 138—An Act to amend sections six and eight 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 Bill No 47—An Act amending section one thousand two hundred and forty-one of the Civil Code of the State of California, relating to the subjection of homesteads to execution

And were presented to the Governor, this day, at two o'clock and forty minutes P M.

JAS B. BROWN, Chairman.

MESSAGES FROM THE SENATE—(RESUMED).

SENATE CHAMBER, SACRAMENTO, March 9, 1887

MR. SPEAKER I am directed to inform your honorable body that the Senate, on this day, passed Senate Bill No 418—An Act to appropriate money to pay the claim of John C. Edgar, ex-Sheriff of the County of San Mateo, for delivering certain insane persons at the Insane Asylum at Stockton, for the twenty-fifth fiscal year

Also, Senate Bill No 419—An Act to appropriate money to pay the claim of John C. Edgar, ex-Sheriff of San Mateo County, for delivering certain insane persons at the Asylum for the Insane at Stockton, for the twenty-fourth fiscal year

Also, Senate Bill No 132—An Act to amend section one thousand nine hundred and eighty-six of the Code of Civil Procedure, relating to the issuance of subpœnas

Also, Senate Concurrent Resolution No 7—Relative to Charles M. Blake, late Chaplain of the United States Army

Also, Assembly Bill No 80—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 six hundred and three, providing for the formation of certain religious corporations

Also, Assembly Bill No 164—An Act to add a new section to the Penal Code to be known as section five hundred and thirty-seven, relative to cheats.

Also, on this day, refused to concur in Assembly amendment to Senate Bill No 191, and respectfully asks your honorable body to recede from said amendment

Also, amends Assembly Bill No. 164, and asks your honorable body to concur in said amendment.

Also, Assembly Bill No 19—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 indebtedness of said counties equitably chargeable to San Benito County.

Also, Assembly Bill No 263—An Act to provide for the deficiency in the appropriation for the payment of costs and expenses of suit wherein the State is a party in interest, for the thirty-seventh fiscal year, to pay the claim of Arthur Rodgers

Also, Assembly Bill No 560—An Act to appropriate money to meet a deficiency in the appropriation for the State's portions of the salaries of the Superior Judges, for the thirty-eighth fiscal year.

Also, on this day, passed Senate Constitutional Amendment No 7—An Act to propose to the people of the State an amendment to the Constitution of the State, relative to the salaries of the Judiciary Department

Also, Assembly Bill No 13—An Act to amend Chapter LXXI of the Statutes of California, passed the twenty-third session of the Legislature, A D 1880, entitled an Act to define, regulate, and govern State Prisons of California

Also, Assembly Bill No 13, as amended in Senate, and respectfully ask your honorable body to concur in said amendments

ED HAMILTON, Secretary
By J. H. CORCORAN, Assistant Secretary

CONSIDERATION OF SENATE MESSAGES.

Assembly Bill No. 164—An Act to add a new section to the Penal Code, to be known as section five hundred and thirty-seven, relating to personal property mortgaged.

Senate Amendment No. 1—Amend. by adding, in section one, line eight, printed bill, after the word "mortgages," the following: "with intent to deprive the mortgagee of his interest therein."

Concurred in unanimously.

Assembly Bill No. 13—An Act to amend Chapter LXXI of the Statutes of California, passed at the twenty-third session of the Legislature, A. D. 1880, entitled "An Act to define, regulate, and govern State Prisons of California."

On motion of Mr. Curry of San Francisco, the consideration of the Senate amendment to the above bill was made the special order for to-morrow, at ten o'clock and thirty minutes A. M.

Assembly Bill No. 191.

Consideration of action of Senate on Assembly amendments.

The question being: "Shall the House recede from its amendments?"

Mr. Hyde moved that the House do now recede from its amendments.

Lost.

The question being. "Shall the House ask for a Committee of Conference of three, to meet a like committee from the Senate?" it was so ordered, the Speaker asking time to appoint the same.

Mr. Gould called up Special Order No. 10.

MOTION.

Mr. Variel moved to postpone special order, to allow the introduction of a resolution

Lost.

SPECIAL ORDER No. 10

Senate Bill No. 234—An Act to provide for the correction and establishment of a portion of the eastern boundary line of the State of California.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Alexander, Atherton, Bailey, Barton, Bost, Britt, Brown W. A, Brown J B, Brusie, Burnett, Campbell, Carr, Carroll, Cohen, Colbert, Coombs, Cope, Currey of Solano, Curry of San Francisco, Ellsworth, Ewing, Gould, Gruwell, Handy, Hart, Heath, Henry of San Joaquin, Hotchkiss, Hyde, Lewis, Martin, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, Mitchell, Morris, Ohleyer, Price, Regan, Rucker, Searey, Shanahan, Sherburne, Sims, Sykes, Taylor, Toner, Weber, Wilcox, Wright, Young of San Diego, Young of San Joaquin, and Mr Speaker—56.

NOES—Messrs Butler, Venable, and Williams—3

Title read and approved.

RESOLUTION—(OUT OF ORDER).

By Mr. Variel:

Resolved, That the provisions of Rule 77 be now temporarily suspended, and that the roll be forthwith called, and that as their names are called by the Clerk, the members may each call up out of order any bill contained on the file, or which may be in Senate messages, on the Clerk's desk

Mr. Cohen moved that Special Order No. 11, consideration of the veto of his Excellency Washington Bartlett to Assembly Bill No. 55—"An Act to protect the manufacturing industries of this State"—be continued.

So ordered.

Mr. McDonnell offered the following, as a substitute:

Resolved, That all Assembly Bills now on General File, not ordered engrossed, be dropped from the file

Mr. Henry of Butte moved to lay the resolution and the substitute on the table.

Lost, on a division—ayes, 16; noes, 36

Mr. Renison offered the following amendment to the substitute. amend, by adding the following: "except Assembly Bill No. 561."

Adopted.

The question recurring on the substitute, as amended, the same was lost.

Mr. Young of San Joaquin offered the following amendment: "provided that all bills on the Special File and all bills for third reading on the General File be first read."

Mr. Cohen moved to amend, by including Senate messages.

Lost.

Mr. Henry of Butte offered the following amendment: "and the roll shall be called from both top and bottom, alternating."

Lost.

Mr. Renison offered the following amendment:

Resolved, That we take up nothing but Senate Bills

Lost.

PREVIOUS QUESTION.

Mr. Cohen moved the previous question, seconded by Messrs. Butler and Young of San Diego.

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

The question being on the adoption of the amendment offered by Mr. Young of San Joaquin, it was lost.

The question then recurring on the original resolution offered by Mr. Variel.

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

AYES—Messrs. Adams, Alexander, Atherton, Bailey, Barry, Barton, Britt, Brown W. A., Brown J. B., Brusie, Burnett, Butler, Callaghan, Campbell, Carroll, Cohen, Colbert, Cooley,

Coombs, Cope, Currey of Solano, Curry of San Francisco, Ellsworth, Ewing, Gould, Gruwell Hart, Hyde, Knox, Lewis, Martin, Mann, Mitchell, Morris, Ohleyer, Regan, Searey, Shanahan, Sherburne, Sims, Spurgeon, Sykes, Taylor, Toner, Variel, Windrow, Wilcox, Williams, Wright, and Young of San Diego—50

NOES—Messrs Brierly, Carr, Granger, Handy, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Mathews of Tehama, Matthews of San Benito, McGowan, Morgan, Price, Renison, Venable, Weber, Young of San Joaquin, and Mr Speaker—18

REPORT OF CONFERENCE COMMITTEE ON ASSEMBLY BILL No 459.

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1887

MR SPEAKER Your Committee on Conference, appointed to confer with a like committee from the Senate on the subject of Senate amendments to Assembly Bill No 459—An Act making appropriations for the support of the government of the State of California, for the thirty-ninth and fortieth fiscal years—beg leave to report that such conference was held this day, and your committee recommend

That the Assembly do concur in Senate Amendment No 4
That the Assembly do concur in Senate Amendment No 7
That the Assembly do concur in Senate Amendment No. 18.
That the Assembly do concur in Senate Amendment No 22
That the Assembly do concur in Senate Amendment No 25.
That the Senate recede from Senate Amendment No 39
That the Senate recede from Senate Amendment No 41
That the Senate recede from Senate Amendment No 43
That the Senate recede from Senate Amendment No 44½.
That the Senate recede from Senate Amendment No 48
That the Assembly concur in Senate Amendment No. 49

L. S TAYLOR,
R H. CAMPBELL,
RUSSEL HEATH,
Committee.

Report adopted unanimously.

Amendments, as therein recommended, unanimously concurred in.

The roll was then called upon the bill, as amended, and the bill passed by the following vote:

AYES—Messrs Adams, Alexander, Atherton, Bailey, Barton, Brierly, Britt, Brusie, Campbell, Carr, Carroll, Colbert, Coombs, Cope, Currey of Solano, Curry of San Francisco, Ellsworth, Ewing, Gould, Granger, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, Knox, Mann, Mathews of Tehama, Matthews of San Benito, McGowan, Morgan, Morris, Ohleyer, Price, Regan Renison, Searey, Shanahan, Sherburne, Sims, Spurgeon, Sykes, Taylor, Toner, Variel, Venable, Vincent, Weber, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr Speaker—56.

NOES—None

Title read and approved.

LEAVE OF ABSENCE.

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

MOTIONS TO RECONSIDER.

Mr. McGowan moved to reconsider the vote whereby Senate Bill No. 157 was, on yesterday, amended.

So ordered, on a division—ayes, 34: noes, 16.

The question being on the adoption of the following amendment to Senate Bill No. 157: Line two hundred and nine, after "slips," section two, "*provided*, that all ferries now landing passengers at the foot of Market Street shall, in all cases, be located between the northerly line of Pacific Street and the southerly line of Howard Street."

The ayes and noes were demanded by Messrs. Henry of Butte, Hotchkiss, and Carr.

MOTIONS—SPECIAL ORDERS.

Mr. Cooley called up the special order set for this hour, four o'clock P. M., consideration of Senate Bill No. 330, and moved that it be postponed until the bill now under consideration be disposed of.

So ordered

Mr. Brierly called up the special order set for this hour, four o'clock P. M., consideration of Assembly Bill No 247, and moved that it be postponed until the bill now under consideration is disposed of.

So ordered.

The question then being on the adoption of the amendment offered to Senate Bill No 157.

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

AYES—Messrs Atherton, Bailey, Brierly, Brown W A, Brusie, Campbell, Carr, Coombs, Cope, Currey of Solano, Curry of San Francisco, Ellsworth, Ewing, Gruwell, Handy, Henry of San Joaquin, Hotchkiss, Knox, Mann, McGowan, Morgan, Morris, Ohleyer, Rucker, Sherburne, Spurgeon, Taylor, Vincent, Weber, Windrow, Wilcox, and Williams—32.

NOES—Messrs Adams, Alexander, Barry, Barton, Britt, Brown J B, Burnett, Butler, Callaghan, Carroll, Cohen, Colbert, Cooley, Gould, Hart, Henry of Butte, Hyde, Lewis, Martin, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, Mitchell, Regan, Searey, Shanahan, Sims, Smyth, Sykes, Toner, Variel, Wright, Young of San Diego, Young of San Joaquin, and Mr Speaker—36

SPECIAL ORDER No. 11.

Consideration of the veto of his Excellency Washington Bartlett to Assembly Bill No. 55—"An Act to protect the manufacturing industries of this State."

CALL OF THE HOUSE.

Mr. Cohen moved a call of the House.

So ordered, on a division—ayes, 35; noes, 11.

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

Messrs Adams, Alexander, Atherton, Bailey, Barry, Barton, Bost, Brierly, Britt, Brown W A, Brown J B, Brusie, Burnett, Butler, Callaghan, Campbell, Carr, Carroll, Cohen, Colbert, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Ellsworth, Ewing, Gould, Granger, Gruwell, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, Knox, Lewis, Martin, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Mitchell, Morgan, Ohleyer, Price, Regan, Rucker, Rentson, Searey, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Toner, Variel, Venable, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, and Mr Speaker

The Speaker directed the Sergeant-at-Arms to close the doors.

Mr. Hotchkiss moved to dispense with further proceedings under the call of the House.

Lost.

The Speaker directed the Sergeant-at-Arms to arrest the absentees and bring them before the bar of the House.

Mr. Variel moved to dispense with further proceedings under the call.

So ordered.

The question being, "Shall the bill become a law, notwithstanding the Governor's veto?"

The roll was called, and the Governor's veto was sustained by the following vote:

AYES—Messrs Barry, Bost, Brierly, Britt, Brown W A, Brown J B, Burnett, Callaghan, Campbell, Carr, Cohen, Colbert, Cooley, Curry of San Francisco, Ewing, Hyde, Lewis, Martin, Matthews of San Benito, McDonnell, McGowan, Mitchell, Regan, Remson, Searey, Shanahan, Smyth, Toner, Weber, Windrow, and Young of San Joaquin—31

NOES—Messrs Adams, Alexander, Atherton, Bailey, Barton, Brusie, Butler, Carroll, Coombs, Cope, Currey of Solano, Ellsworth, Gould, Granger, Gruwell, Handy, Hart, Heath, Henry of San Joaquin, Hotchkiss, Knox, Mann, Mathews of Tehama, McClenahan, Morgan, Morris, Ohleyer, Price, Rucker, Sherburne, Sims, Spurgeon, Sykes, Taylor, Variel, Venable, Vincent, Wilcox, Williams, Wright, Young of San Diego, and Mr Speaker—42

Consideration of Senate Bill No. 330—An Act to ascertain the loss and damage suffered and sustained by the Coulterville and Yosemite Turnpike Company, a corporation, by the construction of a road by the Yosemite Turnpike Road Company, under and by virtue of an Act of the Legislature of the State of California, entitled "An Act granting the right of way to the Yosemite Turnpike Road Company over the Yosemite Grant," approved February 17, 1874, and for the relief of said Coulterville and Yosemite Turnpike Company—resumed.

Mr. Cooley moved that this bill be referred to a select committee of one, with special instructions to prepare an amendment to the bill as follows: Amend, by striking out of section four all of line one, and all of line two up to the words "for the purposes."

So ordered.

APPOINTMENT OF SELECT COMMITTEE.

The Speaker appointed Mr. Cooley the select committee of one to amend Senate Bill No. 330.

REPORT OF SELECT COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1887

MR SPEAKER Your select committee, to whom was referred Senate Bill No 330, with instructions to prepare an amendment in accordance with the action of the House, would respectfully report that the instructions of the House have been carried out

COOLEY, Select Committee.

Report adopted.

Mr. Cooley moved that further consideration of Senate Bill No. 330 be made a special order for to-morrow, at eleven o'clock A. M.

So ordered.

Consideration of Assembly Bill No. 247 resumed.

PASSAGE OF BILL.

Assembly Bill No. 247—An Act to create an irrigation, drainage, and water rights Legislation Commission, to define its powers and duties, and to provide for payment of its costs and expenses.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Alexander, Bailey, Barry, Barton, Bost, Brierly, Britt, Brusie, Burnett, Butler, Campbell, Carr, Cohen, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Handy, Hyde, Martin, Mann, Mathews of Tehama, McClenahan, McGowan, Morris, Price, Shanahan, Sims, Spurgeon, Sykes, Variel, Vincent, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr. Speaker—43

NOES—Messrs Adams, Atherton, Carroll, Colbert, Gruwell, Hart, Heath, Henry of San Joaquin, Hotchkiss, Lewis, Matthews of San Benito, McDonnell, Morgan, Ohleyer, Remson, Sherburne, Smyth, Venable, and Weber—19.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Carr gave notice that, on to-morrow, he would move to reconsider the vote whereby Assembly Bill No. 247 was passed.

RECESS.

At five o'clock and fifty-five minutes P. M., on motion of Mr. Alexander, 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 Jordan in the chair.
Quorum present.

RESOLUTION—(OUT OF ORDER).

By Mr. Heath:

Resolved, That the resolution adopted by this House day before yesterday, to wit "*Resolved*, That the Secretary of State is hereby required to certify to the Controller the various items and values of all supplies furnished to each committee clerk of the Assembly, together with the various items and value returned to his office by each of said clerks, and that the Controller is hereby required to deduct from the pay of any of said clerks the value of all such supplies, other than paper, pens, envelopes, pencils, ink, and blotting paper, which shall not have been so returned to the Secretary of State"—was introduced in and carried by this House, under a misapprehension

Resolved, further, That said resolution is hereby rescinded

Resolution adopted.

APPOINTMENT OF COMMITTEE OF CONFERENCE.

The Speaker appointed Messrs. Price, Brusie, and Handy as a Committee of Conference to meet a like committee from the Senate to consider Assembly Bill No. 323.

LEAVE OF ABSENCE.

Mr. Knox was granted leave of absence for the evening.

MOTION TO RECONSIDER.

Mr. Venable moved to reconsider the vote whereby the resolution offered by Mr. Variel, amending Rule 77, was adopted.
Lost.
Bills called up under the resolution offered by Mr. Variel.
Mr. Adams called up Senate Bill No. 343.

SECOND READING OF BILL.

Senate Bill No. 343—An Act to add two new sections to the Political Code, to be known and numbered as sections three thousand two hundred and three thousand two hundred and one, relating to trademarks, the use and adoption of the same, and the person who and the manner by which said trademark and the rights thereunder may be protected.
Read second time, and ordered to a third reading.

Mr. Alexander called up Senate Bill No. 294.

SECOND READING OF BILL.

Senate Bill No. 294—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, in relation to corporations.

Read second time, and ordered to a third reading.

Mr. Atherton called up Senate Bill No. 274.

SECOND READING OF BILL.

Senate Bill No. 274—An Act making appropriations for the erection of buildings, and for other improvements, at the State Prison at San Quentin.

Read second time.

MOTION.

Mr. Atherton moved that the House go into Committee of the Whole, and consider Senate Bill No. 274, with the Speaker in the chair.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Jordan in the chair.

The bill was considered in the Committee of the Whole.

IN ASSEMBLY.

Speaker Jordan in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The Chairman stated the report of the committee as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No 274, and report the same back, and recommend that it do pass

Report adopted.

Bill ordered to a third reading.

Mr. Bailey called up Senate Bill No. 20.

SECOND READING OF BILL.

Senate Bill No. 20—An Act to amend section two thousand seven hundred and twelve of an Act entitled "An Act to establish a Political Code," approved March 12, 1872.

Read second time, and ordered to a third reading.

Mr. Barry called up Senate Bill No. 222.

SECOND READING OF BILL.

Senate Bill No. 222—An Act to confine the power to impose license taxes in incorporated cities and towns, other than consolidated cities and counties, to the corporate authorities of such cities and towns.

The question being, "Shall this bill be read a second time."

The ayes and noes were demanded by Messrs. Britt, Regan, and Colbert.

The roll was called, and the bill refused a second reading by the following vote:

AYES—Messrs Barry, Bost, Britt, Brown W A, Brown J B, Burnett, Callaghan, Campbell, Carroll, Cohen, Colbert, Cooley, Cope, Curry of San Francisco, Gould, Hart Henry of Butte, Hyde, LaBlanc, Lawrence, Martin, Mann, McClenahan, Mitchell, O'Grady, Regan, Searey, Toner, Weber, Windrow, Wright, and Young of San Joaquin—32

NOES—Messrs Adams, Alexander, Atherton, Bailey, Barton, Brierly, Brusie, Butler, Carr, Coombs, Currey of Solano, Ellsworth, Granger, Gruwell, Handy, Heath, Henry of San Joaquin, Hotchkiss, Matthews of San Benito, Morgan, Ohlever, Remson Shanahan, Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Variel, Venable, Vincent, Wilcox, Williams, and Mr Speaker—35

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1887

MR SPEAKER Your Committee on Engrossment beg leave to report that the following Assembly Bills have been correctly engrossed:

Assembly Bills Nos. 202, 328, and reengrossed Assembly Bill No 164

WINDROW, Chairman

Mr. Barton called up Senate Bill No. 3.

SECOND READING OF BILL.

Senate Bill No. 3—An Act to repeal section one thousand four hundred and twenty-two of Title VIII, of Part IV, of Division II, of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, and to reserve from the operation of said repeal rights already vested.

Read second time.

Mr. Hyde moved to amend, by inserting the following after the word "vested," in line five: "or of the rights of persons residing on the banks of any stream to have sufficient water left running in such stream for domestic purposes."

PREVIOUS QUESTION.

Mr. Young of San Joaquin moved the previous question, seconded by Messrs Callaghan and Lewis.

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

The question being on the amendment offered by Mr Hyde

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

AYES—Messrs Alexander, Atherton, Bost, Brown W A, Brusie, Callaghan, Carr, Carroll, Cooley, Coombs, Ellsworth, Gould, Heath, Henry of Butte, Hotchkiss, Hyde, Martin, Mathews of Tehama, Ohleyer, Price, Sherburne, Smyth, Taylor, Weber, Windrow, and Wilcox—26

NOES—Messrs. Adams, Bailey, Barry, Barton, Brierly, Brown J B, Burnett, Butler, Campbell, Cohen, Colbert, Cope, Currey of Solano, Curry of San Francisco, Davis, Ewing, Granger, Hart, LaBlanc, Lawrence, Lewis, Matthews of San Benito, McClenahan, McDonnell, McGowan, O'Grady, Regan, Remson, Searey, Shanahan, Sims, Spurgeon, Sykes, Toner, Variel, Venable, Vincent, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr. Speaker—42.

APPOINTMENT OF COMMITTEE OF CONFERENCE.

The Speaker appointed Messrs. Sims, Wright, and Britt as a Committee of Conference, to meet a like committee from the Senate, to further consider Senate Bill No. 191.

MOTION OF RECONSIDERATION.

Mr. McDonnell moved to reconsider the vote whereby Senate Bill No. 116 was lost.

PREVIOUS QUESTION.

Mr. Cohen moved the previous question, seconded by Messrs. Wright and Young of San Diego.

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

The question being upon the motion to reconsider, it was so ordered, on a division—ayes, 35; noes, 23.

Senate Bill No. 116—An Act to add section five hundred and thirty-nine to Article II of Political Code, relating to the office of Superintendent of State Printing, authorizing the Superintendent of State Printing to appoint a deputy.

Read third time.

Mr. Mathews of Tehama moved that the further consideration of this bill be made the special order for to-morrow, at eleven o'clock A. M.

So ordered.

Mr. Bost called up Senate Bill No. 449.

SECOND READING OF BILL.

Senate Bill No. 449—An Act to appropriate money for salaries of additional clerks in Controller's office.

Read second time.

IN COMMITTEE OF THE WHOLE.

On motion of Mr. Bost, the House went into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bill No. 449.

The bill was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Jordan 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. 449, and now report the same back, and recommend that it do pass

Report adopted.

Bill ordered to a third reading.

Mr. Brierly called up Assembly Bill No. 450.

SECOND READING OF BILL.

Assembly Bill No. 450—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, all of said sections being of the Political Code of the State of California, relating to the organization, powers, and duties of Boards of Trustees of State Normal Schools.

Read second time.

Mr. Brierly offered the following amendments, which were adopted:

Amendment No. 1: Amend, in section one, line four, printed bill, strike out the word "hereafter."

Amendment No. 2: Amend, in section one, line four, insert after the word "established," the words "after the first day of January, eighteen hundred and eighty-seven."

Amendment No. 3: Amend, in section one, line nine, strike out the word "now," and insert, after the words "in office," the words "June thirtieth, eighteen hundred and eighty-seven."

Amendment No. 4: After the word "appointed," in line ten, section one, insert the words "*provided*, that no appointment made after the approval of this Act shall be for a term of more than five years, and the Trustees in office when this Act takes effect shall become members of the Board of Trustees of the Normal School located nearest to their residences."

Amendment No. 5: Amend section four, line four, by inserting, after the word "receive," the words "such salary, not to exceed one hundred and fifty dollars per annum, as may be allowed by the Board."

Amendment No. 6. Amend, by striking out of section four, line twenty-one, the words from and including the word "except," in line twenty-one, to include the remainder of line twenty-one, and all of line twenty-two, printed bill, and inserting the following: "except when attending the joint meetings provided for by section one thousand four hundred and ninety-two of the Political Code of the State of California, and each Trustee attending such meetings shall receive the same mileage as is allowed by law to members of the Legislature, for not more than two meetings in each school year."

Amendment No. 7: Amend, by striking out of section ten, all the words after the figures "1,504," in line three, to the end of the section, and by inserting the following:

The Boards of Trustees, or such Trustees as attend the joint meetings, shall have power to appoint a Secretary, who shall receive such compensation, not to exceed twenty dollars for each joint meeting, as the Trustees present at the meeting may order paid. The Secretary shall keep a full record of all the proceedings of the joint meetings of the Trustees, and shall notify the Secretary of each Board of Trustees of any changes made in the course of study or the text-books to be adopted in the State Normal Schools.

Bill ordered engrossed, and to a third reading.

REPORT OF STANDING COMMITTEE.

ON ENROLLMENT

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1887

MR SPEAKER Your Committee on Enrollment beg leave to report that the following Assembly Bills have been correctly enrolled

Assembly Bill No 130—An Act authorizing County Clerks in this State to take and certify affidavits for United States pension claimants without the payment of fees or compensation therefor.

Also, Assembly Bill No 79—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

Also, Assembly Bill No 252—An Act to add a new section to the Code of Civil Procedure, relating to hearing of appeals in the Supreme Court

And were presented to the Governor, this day, at eight o clock and fifteen minutes P M.

J. B. BROWN, Chairman

Mr. Britt called up Assembly Bill No. 370.

THIRD READING OF BILL.

Assembly Bill No. 370—An Act to provide for the deficiency in the appropriation for the transportation of prisoners, for the thirty-seventh fiscal year.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Barry, Bost, Britt, Brown W A , Brown J B , Brusie, Burnett, Butler, Callaghan, Campbell, Carroll, Cohen, Colbert, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Gould, Granger, Handy, Hart, Heath, Henry of San Joaquin, Hotchkiss, Hyde, Knox, LaBlanc, Lewis, Martin, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Ohleyer, Price, Remson, Searey, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Toner, Venable, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr Speaker—58.

Title read and approved.

Mr. W. A. Brown called up Senate Bill No. 54.

SECOND READING OF BILL.

Senate Bill No. 54—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by amending section seven hundred and thirty-nine, relating to salaries of officers connected with the Supreme Court.

Read second time, and ordered to a third reading.

Mr. J. B. Brown called up Senate Bill No. 450.

FIRST READING OF BILL.

Senate Bill No. 450—An Act to pay the officers and men of the Second Brigade, National Guard of California, for guard duty performed by them in obedience to the orders of the Governor to the Commander-in-Chief, from December nineteenth, eighteen hundred and eighty-six, to January thirty-first, eighteen hundred and eighty-seven, both days inclusive.

Read first time, and placed on file for second reading.

Mr. Brusie called up Senate Bill No. 160.

THIRD READING OF BILL.

Senate Bill No. 160—An Act to amend section nine of an Act entitled "An Act for the promotion of the viticultural industries of the State," approved April 15, 1880, in relation to donations of land suitable for experimental vineyards and stations, the improvement and management thereof.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Bailey, Barry, Barton, Bost, Brierly, Britt, Brown W A, Brown J B, Brusie, Burnett, Campbell, Carl, Carroll, Cohen, Colbert, Coombs, Cope, Currey of Solano, Davis, Gould, Granger, Gruwell, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, Lawrence, Lewis, Martin, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, Morgan, O'Grady, Ohleyer, Price, Regan, Remson, Shanahan, Sherburne, Spurgeon, Sykes, Taylor, Toner, Variel, Weber, Wilcox, Williams, Wright, Young of San Joaquin, and Mr. Speaker—55.

NOES—Mr. Venable—1.

Title read and approved.

Mr. Burnett called up Senate Bill No. 311.

SECOND READING OF BILL.

Senate Bill No. 311—An Act to aid the Board of Commissioners to manage the Yosemite Valley and the Mariposa Big Tree Grove, and to appropriate money therefor.

Read second time.

MOTION.

Mr. Wright moved that the House go into Committee of the Whole, and consider Senate Bill No. 311, with the Speaker in the chair.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Jordan in the chair.

The bill was considered in the Committee of the Whole.

IN ASSEMBLY.

Speaker Jordan in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The Chairman stated the report of the committee as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No 311—and report the same back, and recommend that it do pass, as amended, as follows: Add to section three, "*provided*, that the Secretary or Trustee shall not be a member of the Board of Commissioners."

Report adopted, and bill ordered to a third reading.

Mr. Butler called up Assembly Bill No. 326.

SECOND READING OF BILL.

Assembly Bill No. 326—An Act to establish a State Board of Charities and Reform, to prescribe the duties thereof, and to provide for their compensation and expenses.

Read second time.

Mr. Venable in the chair.

Committee amendments, as follows, were adopted:

Amend section four, line two, by striking out the words, after "duties," "and when the Board;" amend lines three and four, by striking out all the words to end of sentence; amend lines seven, eight, and nine, by striking out, commencing at the word "Treasury," in line seven, to end of sentence, in line nine, to the word "and," sentence commencing with the word "No."

Also, amend the fourth part of section five, in line twenty-five, by inserting, after the words "to visit," "all institutions receiving State aid," in lieu thereof.

Bill ordered engrossed, and to a third reading.

Mr. Callaghan called up Senate Bill No. 157.

THIRD READING OF BILL.

Senate Bill No. 157—An Act to amend sections two thousand five hundred and twenty-two, two thousand five hundred and twenty-four, two thousand five hundred and twenty-eight, and two thousand five hundred and thirty of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the San Francisco Harbor and State Harbor Commissioners.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Barton, Bost, Britt, Brown W A, Brown J B, Brusie, Burnett, Butler, Callaghan, Campbell, Carr, Carroll, Cohen, Colbert, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Gruwell, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, LaBlanc, Lawrence, Lewis, Mann, Mathews of Tehama, Matthews of San Benito, McDonnell, McGowan, Mitchell, Morgan, O'Grady, Ohleyer, Price, Regan, Remson, Searey, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Toner, Variel, Venable, Vincent, Wilcox, Wilhams, Wright, Young of San Diego, and Young of San Joaquin—61

NOES—Mr Atherton—1.

Title read and approved.

Mr. Campbell called up Senate Bill No. 333.

SECOND READING OF BILL.

Senate Bill No. 333—An Act to protect life and property against the careless and malicious use or handling of dynamite and other explosives.

Read second time, and ordered to a third reading.

Mr. Carr called up Senate Bill No. 164.

SECOND READING OF BILL.

Senate Bill No. 164—An Act to provide for the painting of State buildings located at Sacramento, and to appropriate money therefor.

Read second time.

Mr. Carr moved to amend, as follows: Strike out section three.

Adopted.

Mr. Carr moved to amend, by striking out of title the words "and to appropriate money therefor."

Adopted.

Bill ordered to a third reading.
Mr. Carroll called up Senate Bill No. 347.

FIRST READING OF BILL.

Senate Bill No. 347—An Act to pay the claim of J. W. Rock for the construction of a steam launch.
Read first time, and placed on file for second reading.

LEAVE OF ABSENCE.

Mr. Wright was granted leave of absence for the evening.

MOTION.

Mr. Coombs moved to place Senate Bill No. 347 immediately after the engrossed bills on the General File.
So ordered.

MOTION TO RECONSIDER.

Mr. Ellsworth moved to reconsider the vote whereby Senate Constitutional Amendment No. 1 was lost.

MOTION—SPECIAL ORDER.

Mr. Variel moved to make the further consideration of the motion the special order for eleven o'clock A. M. to-morrow.
So ordered.

MOTION TO RECONSIDER.

Mr. Ellsworth moved to reconsider the vote whereby Assembly Constitutional Amendment No. 20 was lost.

MOTION—SPECIAL ORDER.

Mr. Ellsworth moved to make the further consideration of the motion the special order for to-morrow, at eleven o'clock A. M.
So ordered.
Mr. Cohen called up Assembly Bill No. 371.

THIRD READING OF BILL.

Assembly Bill No. 371—An Act to provide for the deficiency in the appropriation for the transportation of prisoners, for the thirty-sixth fiscal year.
Read third time.
The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Bailey, Barry, Barton, Bost, Brierly, Britt, Brown W A, Brusie, Campbell, Carr, Carroll, Cohen, Colbert, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Gruwell, Handy, Hart, Heath, Hotchkiss, Hyde, Mann, Matthews of San Benito, McDonnell, McGowan, Morgan, Ohleyer, Regan, Remson, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Toner, Variel, Venable, Vincent, Weber, Windrow, Wilcox, Williams, and Young of San Joaquin—52
NOES—None.

Title read and approved.
Mr. Colbert called up Senate Bill No. 437.

SECOND READING OF BILL.

Senate Bill No. 437—An Act to amend section two thousand nine hundred and sixty-nine of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to preventing the bringing into the State persons affected with leprosy or insanity, or such other persons as by reason of their condition are liable to become a charge upon the State, and to provide for the deportation of the same.
Read second time.

MOTION.

Mr. Hart moved that the House go into Committee of the Whole, and consider Senate Bill No. 437, with the Speaker in the chair.
So ordered.

IN COMMITTEE OF THE WHOLE.

Mr. Venable in the chair.
The bill was considered in Committee of the Whole.

IN ASSEMBLY.

Mr. Venable in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The Chairman stated the report of the committee as follows:

GENTLEMEN The Committee of the Whole have had under consideration Senate Bill No 437—and report the same back, and recommend that it do pass

Report adopted.
Bill ordered to third reading.

MOTION.

Mr. Alexander moved to suspend the rules and allow the Committee on State Library to send in their report, and that two hundred and fifty copies be ordered printed
So ordered.
Mr. Cooley called up Senate Bill No. 265.

SECOND READING OF BILL.

Senate Bill No. 265—An Act to amend an Act entitled "An Act to establish a State Board of Silk Culture, and to provide moneys for the expenses thereof," approved March 18, 1885, in relation to the salary of officers.
Read second time.
Mr. Heath offered the following amendment: strike out all after the word "rendered," on line six, section eight.
Lost.

Bill ordered to a third reading.
Mr. Coombs called up Senate Bill No. 102.

SECOND READING OF BILL.

Senate Bill No. 102—An Act to amend sections number one thousand five hundred and ninety-three, one thousand six hundred and twelve, and one thousand six hundred and thirteen of an Act entitled an Act to establish a Political Code, approved March 12, 1872, relating to School Trustees.
Read second time, and ordered to a third reading.

MOTION.

Mr. Colbert moved to allow W. A. Brown to introduce a resolution, out of order.
Lost.
Mr. Cope called up Assembly Bill No. 554.

SECOND READING OF BILL.

Assembly Bill No. 554—An Act to amend sections one thousand five hundred and seventeen, one thousand five hundred and forty-nine, one thousand five hundred and sixty-five, one thousand five hundred and seventy-seven, one thousand five hundred and seventy-eight, one thousand five hundred and eighty-two, one thousand six hundred and twenty-one, one thousand seven hundred and seventy, one thousand eight hundred and thirty-one, one thousand eight hundred and sixty-one, and one thousand eight hundred and seventy-seven of the Political Code of the State of California, relating to the public schools of the State of California.
Read second time, and ordered to a third reading.
Mr. Currey of Solano called up Senate Bill No. 425.

SECOND READING OF BILL.

Senate Bill No. 425—An Act to appropriate money to pay the claim of Richard Coleman, formerly First Lieutenant, commanding Company "D," Fifth Infantry Battalion, Second Brigade, National Guard of California, for moneys paid by him as expenses of said company.
Read second time.

MOTION.

Mr. Carr moved that the House go into Committee of the Whole, and consider Senate Bill No. 425, with the Speaker in the chair.
So ordered.

IN COMMITTEE OF THE WHOLE.

Mr. Venable in the chair.
The bill was considered in the Committee of the Whole.

IN ASSEMBLY.

Mr. Venable in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The Chairman stated the report as follows:

GENTLEMEN The Committee of the Whole have had under consideration Senate Bill No 425, and report the same back, and recommend that it do pass.

Report adopted.
Bill ordered to a third reading.
Mr. Curry of San Francisco called up Assembly Bill No. 376.

THIRD READING OF BILL.

Assembly Bill No. 376—An Act to provide for the deficiency in the appropriation for the transportation of the insane, for the thirty-sixth fiscal year.
Read third time.
The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Atherton, Bailey, Barry, Barton, Bost, Brierly, Britt, Brown W. A , Brusie, Butler, Callaghan, Campbell, Carr, Carroll, Cohen, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Gruwell, Heath, Henry of Butte, Henry of San Joaquin, Hyde, Lewis, Martin, McClenahan, McDonnell, Mitchell, Ohleyer, Price, Renison, Searey, Shanahan, Sherburne, Sims, Spurgeon, Sykes, Taylor, Toner, Variel, Venable, Vincent, Weber, Williams, Wright, Young of San Diego, and Young of San Joaquin—55
NOES—None

Title read and approved.
Mr. Davis called up Senate Bill No. 273.

SECOND READING OF BILL.

Senate Bill No. 273—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, and add thereto a new section to Part I, Title IX, and Chapter VIII thereof, to be known as section one thousand three hundred and eighty-nine, for the prevention of minors being employed by telephone companies, special delivery companies, to delivering notes or messages.
Read a second time, and ordered to a third reading.
Mr. Ellsworth called up Senate Bill No. 50.

SECOND READING OF BILL.

Senate Bill No. 50—An Act to appropriate money to pay the claim of N. P. Perine, for furnishing granite and statuary for the Napa State Asylum for the Insane, and for labor performed on said asylum.
Read a second time.

IN COMMITTEE OF THE WHOLE.

On motion of Mr. Ellsworth, the House went into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bill No. 50.
The bill was considered in Committee of the Whole.

IN ASSEMBLY.

Mr. Venable in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Chairman stated the report as follows:

GENTLEMEN. The Committee of the Whole have had under consideration Senate Bill No 50, and now report the same back, and recommend that it do pass.

Report adopted.
Bill ordered to third reading.
Mr. Ewing called up Senate Bill No. 422.

SECOND READING OF BILL.

Senate Bill No. 422—An Act to provide for the deficiency in the appropriation for the costs and expenses of suits wherein the State is a party in interest, for the thirty-fifth fiscal year.
Read second time.

MOTION.

Mr. Ewing moved that the House go into Committee of the Whole, and consider Senate Bill No. 422, with the Speaker in the chair.
So ordered.

IN COMMITTEE OF THE WHOLE.

Mr. Venable in the chair.
The bill was considered in Committee of the Whole.

IN ASSEMBLY.

Mr. Venable in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The Chairman stated the report of the committee as follows:

GENTLEMEN The Committee of the Whole have had under consideration Senate Bill No 422, and report the same back, and recommend that it do pass.

Report adopted.
Bill ordered to third reading.
Mr. Gould called up Senate Bill No. 312.

SECOND READING OF BILL.

Senate Bill No. 312—An Act to appropriate money for the preservation and improvement of Yosemite Valley and the Mariposa Big Tree Grove.
Read second time.

IN COMMITTEE OF THE WHOLE.

On motion of Mr. Gould, the House went into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bill No. 312.

The bill was considered in Committee of the Whole.

IN ASSEMBLY.

Mr. Venable in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The Chairman stated the report as follows:

GENTLEMEN. The Committee of the Whole have had under consideration Senate Bill No 312, and now report the same back, and recommend that it do pass as amended, as follows Strike out "twenty-five" and insert "fifteen," on line one

Report adopted.
Bill ordered to a third reading.
Speaker Jordan in the chair.
Mr. Granger called up Senate Bill No. 61.

THIRD READING OF BILL.

Senate Bill No. 61—An Act making an appropriation for the deficiency in the appropriation for rent and contingent expenses of Insurance Commissioner, for the thirty-seventh fiscal year.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Atherton, Barton, Bost, Brierly, Britt, Brusie, Butler, Callaghan, Campbell, Carr, Carroll, Cohen, Colbert, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Gruwell, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, Lawrence, Lewis, Mahler, Martin, Mann, Matthews of San Benito, McDonnell, McGowan, Mitchell, Morgan, O'Grady, Ohleyer, Price, Regan, Renison, Searey, Sherburne, Sims, Spurgeon, Sykes, Taylor, Toner, Variel, Venable, Vincent, Weber, Wilcox, Williams, Wright, and Mr. Speaker—61
NOES—None.

Title read and approved.
Mr. Gruwell called up Senate Bill No. 78.

SECOND READING OF BILL.

Senate Bill No. 78—An Act to amend section one hundred and seventy of the Code of Civil Procedure, relating to the disqualifications of Judges.

Read second time.

Committee amendment as follows adopted: Amend by adding to section two the following, "or when any attorney in an action shall file his affidavit, setting forth that any adverse party to the action, or any of his attorneys, has an undue influence over said Justice, Judge, or Justice of the Peace, and that he believes by reason thereof his client cannot have a fair and impartial trial before said Justice, Judge, or Justice of the Peace."

Bill ordered to a third reading.

LEAVE OF ABSENCE.

Mr. Granger was granted leave of absence for the evening.
Mr. Handy called up Senate Bill No. 336.

FIRST READING OF BILL.

Senate Bill No. 336—An Act for the destruction of wolves and coyotes and to authorize a bounty to be given by the State to encourage such destruction, to any person who shall kill a wolf or coyote.

Read first time, and ordered placed on file for second reading.

Mr. Hart called up Assembly Bill No. 159.

SECOND READING OF BILL.

Assembly Bill No. 159—An Act to amend an Act entitled an Act to establish a Penal Code, approved February 14, 1872, by amending an Act amendatory of said Act to section six hundred and thirty-four, relating to fish and game.

Read second time, ordered engrossed, and to a third reading.

Mr. Heath called up Assembly Bill No. 209.

THIRD READING OF BILL.

Assembly Bill No. 209—An Act to amend section one hundred and twelve of the Code of Civil Procedure, Chapter V, Article III, relating to Justices of the Peace and Justices' Courts in general.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Atherton, Bailey, Barton, Bost, Brierly, Britt, Brusie, Butler, Callaghan, Campbell, Carr, Carroll, Cohen, Cooley, Cope, Currey of Solano, Curry of San Francisco, Ellsworth, Ewing, Gould, Granger, Gruwell, Handy, Heath, Henry of Butte, Hotchkiss, Hyde, Lawrence, Lewis, Mann, Matthews of San Benito, McDonnell, McGowan, Mitchell, Morgan, Ohleyer, Price, Regan, Remson, Shelburne, Sims, Spurgeon, Sykes, Toner, Variel, Venable, Vincent, Weber, Williams, Young of San Diego, and Young of San Joaquin—52

NOES—Messrs. Coombs, Hart, O'Grady, Searey, Wilcox, and Mr Speaker—6.

Title read and approved.

Mr. Henry of Butte called up Assembly Bill No. 381.

SECOND READING OF BILL.

Assembly Bill No. 381—An Act to amend sections four hundred and forty-three, one thousand five hundred and thirty-three, one thousand five hundred and forty-three, one thousand five hundred and fifty-one, one thousand five hundred and ninety-seven, one thousand six hundred and thirty-four, one thousand seven hundred and fourteen, one thousand eight hundred and seventeen, and one thousand eight hundred and fifty-eight of the Political Code of the State of California, relating to the public schools and the methods for providing and apportioning funds for their support.

Read second time.

IN COMMITTEE OF THE WHOLE.

On motion of Mr. Henry of Butte, the House went into Committee of the Whole, for the purpose of considering Assembly Bill No. 381.

Speaker Jordan in the chair.

The bill was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Jordan in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The Chairman stated the report as follows:

GENTLEMEN. The Committee of the Whole have had under consideration Assembly Bill No 381—and now report the same back, and recommend that it do pass as amended, as follows

Amend, in line three, subdivision first, section one thousand eight hundred and fifty-eight, strike out word "seventy," and substitute the word "fifty-five."

Report adopted.

Bill ordered engrossed, and to a third reading.

Mr. Henry of San Joaquin called up Senate Bill No. 144.

THIRD READING OF BILL.

Senate Bill No. 144—An Act to provide for the construction and maintenance of an open canal from and along North Street, in the City of Stockton, County of San Joaquin, State of California, to the San Joaquin River, for sanitary and drainage purposes, and to appropriate money therefor.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Atherton, Bailey, Barry, Barton, Bost, Brierly, Britt, Brown W. A., Bruse, Butler, Campbell, Carr, Carroll, Cohen, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Gruwell, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, Lewis, Mann, Matthews of San Benito, McDonnell, McGowan, Mitchell, O'Grady, Ohlever, Price, Sherburne, Sims, Smyth, Spurgeon, Sykes, Toner, Variel, Venable, Vincent, Weber, Windrow, Wilcox, Wilhams, Young of San Joaquin, and Mr Speaker—55

NOES—None.

Title read and approved.

Mr. Hotchkiss called up Senate Bill No. 231.

SECOND READING OF BILL.

Senate Bill No. 231—An Act to amend section one thousand eight hundred and fifty-eight of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to apportionment of school moneys.

Read second time, and ordered to a third reading.

Mr. Hyde called up Senate Bill No. 70.

SECOND READING OF BILL.

Senate Bill No. 70—An Act to establish an Asylum for Insane Criminals of the State of California.

Read second time.

MOTION.

Mr. Hyde moved that the House go into Committee of the Whole, for the purpose of considering Senate Bill No. 70, with the Speaker in the chair.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Jordan in the chair.
The bill was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Jordan in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The Chairman stated the report of the committee as follows:

GENTLEMEN The Committee of the Whole have had under consideration Senate Bill No 70, and report the same back, and recommend it do pass

Report adopted.
Bill ordered to a third reading.
Mr. Lawrence called up Senate Bill No. 56.

SECOND READING OF BILL.

Senate Bill No. 56—An Act to amend and supplement an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, and to add a new article thereto, to be known as Article V, of Chapter VII, of Title XI, of Part III, for the purpose of authorizing executors and administrators to make mortgages and leases of the real estate of decedents.
Read second time, and ordered to a third reading.
Mr. Lewis called up Assembly Bill No. 165.

SECOND READING OF BILL.

Assembly Bill No. 165—An Act to provide for the payment of the claim of R. C. Ball as architect of the State Prison at Folsom, and to appropriate money for the purpose of such payment.
Read second time.

IN COMMITTEE OF THE WHOLE.

On motion of Mr. Lewis, the House went into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Assembly Bill No. 165.
The bill was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Jordan in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The Chairman stated the report as follows:

GENTLEMEN The Committee of the Whole have had under consideration Assembly Bill No 165, and now report the same back, and recommend that it do pass, as amended, as follows.

Change section three to read "This Act shall be deemed exempt from the operation of section six hundred and seventy-two of the Political Code."
Also, section four "This Act shall take effect at the time of its passage."

Report adopted.
Bill ordered engrossed, and to a third reading.
At eleven o'clock and twenty minutes Mr. Heath moved to adjourn.
Lost
Mr. Martin called up Senate Bill No. 310.

SECOND READING OF BILL.

Senate Bill No. 310—An Act to provide for the deficiency in the appropriation for the salary of the Guardian of Yosemite Valley, for the thirty-sixth fiscal year.
Read second time.

MOTION.

Mr. Martin moved that the House go into Committee of the Whole, and consider Senate Bill No. 310, with the Speaker in the chair.
So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Jordan in the chair.
The bill was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Jordan in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The Chairman stated the report of the Committee as follows:

GENTLEMEN The Committee of the Whole have had under consideration Senate Bill No. 310, and report the same back, and recommend that it do pass.

Report adopted.
Bill ordered to a third reading.
Mr. Mann called up Assembly Bill No. 144.

THIRD READING OF BILL.

Assembly Bill No. 144—An Act to amend section one thousand two hundred and fifty-seven of the Political Code of the State of California, relating to counting of ballots at elections.
Read third time.
The roll was called, and the bill lost by the following vote:

AYES—Messrs. Atherton, Bailey, Bost, Brierly, Brown W. A., Brusie, Butler, Callaghan, Carr, Carroll, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Gould, Gruwell, Handy, Heath, Henry of Butte, Hyde, Lewis, Mann, McDonnell, Price, Shanahan, Sherburne, Sims, Spurgeon, Sykes, Taylor, Toner, Variel, Weber, Young of San Diego, and Young of San Joaquin—37
NOES—Messrs. Adams, Cohen, Ewing, Hart, Henry of San Joaquin, Matthews of San Benito, McGowan, Mitchell, O'Grady, Ohleyer, Regan, Searey, Venable, Vincent, Williams, and Mr. Speaker—16.

NOTICE OF RECONSIDERATION.

Mr. Venable gave notice that, on to-morrow, he would move to reconsider the vote whereby Assembly Bill No. 144 was refused passage.

LEAVE OF ABSENCE.

Mr. Williams was granted leave of absence for the evening.

Mr. Matthews of San Benito called up Senate Bill No. 194.

SECOND READING OF BILL.

Senate Bill No. 194—An Act making appropriations for the purchase of additional jute machinery, and the erection of additional buildings for the manufacture of jute goods, for the State Prison at San Quentin, and other expenses incidental and relating thereto.

Read second time.

IN COMMITTEE OF THE WHOLE.

On motion of Mr. Matthews of San Benito, the House went into Committee of the Whole, for the purpose of considering Senate Bill No 194.

Speaker Jordan in the chair.

The bill was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Jordan in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The Chairman stated the report as follows.

GENTLEMEN The Committee of the Whole have had under consideration Senate Bill No 194, and now report the same back, and recommend that it do pass.

Report adopted.

Bill ordered to a third reading.

Mr. McDonnell called up Senate Bill No. 341.

SECOND READING OF BILL.

Senate Bill No. 341—An Act to amend section four hundred and ninety-one of the Penal Code of the State of California, relating to dogs and the larceny thereof.

Read second time, and ordered to third reading.

Mr. McGowan called up Senate Bill No. 130.

SECOND READING OF BILL.

Senate Bill No. 130—An Act to amend section one thousand two hundred and seventy-eight of the Political Code, relating to canvassing election returns, and to repeal section one thousand two hundred and seventy-nine of said Code.

Read second time, and ordered to third reading.
Mr. Mitchell called up Assembly Bill No. 553.

SECOND READING OF BILL.

Assembly Bill No 553—An Act to amend section two thousand three hundred and forty-nine of the Political Code, relating to navigable streams.

Read second time, ordered engrossed, and to a third reading.
Mr. O'Grady called up Assembly Bill No. 475.

SECOND READING OF BILL.

Assembly Bill No. 475—An Act to appropriate money to pay the claim of William Saunders, for advertising certain swamp and overflowed lands, under direction of the Surveyor-General, in eighteen hundred and seventy-five.

Read second time, ordered engrossed, and to a third reading.
Mr. Price called up Senate Bill No. 418.

FIRST READING OF BILL.

Senate Bill No. 418—An Act to appropriate money to pay the claim of John C. Edgar, ex-Sheriff of the County of San Mateo, for delivering certain insane persons at the Insane Asylum at Stockton, for the twenty-fifth fiscal year.

Read first time, and placed on file for second reading.
At eleven o'clock and fifty-seven minutes P. M. Mr. Regan moved to adjourn.
Ayes and noes demanded by Messrs. Venable, Brusie, and Young of San Diego.
The roll was called as follows:

AYES—Messrs Adams, Britt, Butler, Campbell, Colbert, Coombs, and Ohleyer—7.
NOES—Messrs. Atherton, Brierly, Callaghan, Cohen, Currey of Solano, Curry of San Francisco, Hyde, Lewis, McDonnell, McGowan, O'Grady, Price, Searey, Shanahan, Sherburne, Sims, Spurgeon, Toner, Vanel, and Weber—20

No quorum voting, the Speaker declared the House adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Thursday, March 10, 1887.

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

Messrs Adams, Alexander, Atherton, Bailey, Barry, Barton, Bost, Brierly, Britt, Brown W A., Brown J B, Brusie, Burnett, Butler, Callaghan, Campbell, Carr, Carroll, Cohen, Colbert, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Gruwell, Handy, Hart, Heath, Henry of Butte, Henry of San

Joaquin, Hotchkiss, Hyde, Knox, LaBlanc, Lawrence, Lewis, Martin, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Mitchell, Morgan, Morris, Ohlever, Price, Regan, Rucker, Renison, Searey, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Toner, Variel, Venable, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr Speaker

Quorum present.

Prayer by the Chaplain, Rev. E. R. Dille.

Pending the reading of the Journal of yesterday, Mr. Matthews of San Benito moved to dispense with further reading.

So ordered.

On motion of Mr. Henry of Butte, all reference to Assistant Clerk Marston in yesterday's Journal was ordered expunged from the record of the House.

Journal, as corrected, approved.

QUESTION OF PRIVILEGE.

Mr. LaBlanc arose to a question of privilege, and read from the Sacramento Bee of March 9, 1887.

SPECIAL ORDER No 1

At ten o'clock and thirty minutes A. M. Mr. Davis called up the special order set for this hour, consideration of Assembly Bill No. 13, and moved to continue the special order until after the matter now under consideration is disposed of.

So ordered.

QUESTION OF PRIVILEGE.

Mr. Knox arose to a question of privilege.

Mr. LaBlanc arose again to a question of privilege.

MOTION.

Mr. Renison moved that Mr. LaBlanc have privilege to speak to the question of privilege.

So ordered.

QUESTION OF PRIVILEGE.

Mr. LaBlanc arose to a question of privilege in answer to remarks made by Mr. Knox.

LEAVE OF ABSENCE.

Mr. Campbell was granted an indefinite leave of absence after to-day.

SPECIAL ORDER No. 1.

Consideration of Senate amendments to Assembly Bill No 13—"An Act to repeal section twelve, and to amend sections twenty-one and twenty-five of an Act to define, regulate, and govern the State Prisons of California, approved April 15, 1880, relating to the employment of convicts, and the sale of prison products."

SPECIAL ORDERS Nos 2 AND 9

Pending reading of above bill, at eleven o'clock A. M. Mr. Cooley called up the special order set for this hour, consideration of Senate Bill No. 330, and moved to continue the special order until three o'clock P. M. to-day.

So ordered.

SPECIAL ORDERS Nos 3, 4, AND 5

At eleven o'clock A. M. Mr. Ellsworth called up Special Orders Nos 3, 4, and 5, set for this hour, and, on motion, they were postponed until after the bill now under consideration is disposed of.

The question recurring on Special Order No. 1, Senate Amendment to Assembly Bill No. 13, as follows:

An Act to amend Chapter LXXI of the Statutes of California, passed at the twenty-third session of the Legislature, A D. 1880, entitled an Act to define, regulate, and govern State Prisons of California

The People of the State of California, represented in Senate and Assembly, do enact as follows

SECTION 1 Section twelve of said chapter seventy-one is hereby repealed

SEC 2 Section twenty-one of said chapter seventy-one is hereby amended to read as follows

Section 21 All convicts not employed in the jute mills may be employed by the authority of the Board of Directors, under charge of the Wardens, in manufacture of such articles only as shall be necessary for the use of prisoners in either prison, or for the use and benefit of persons or institutions supported in whole or in part by the State of California, and in work on stone or granite material, where the labor done by convicts is on rough stone for curbing and crosswalks, or shall compete or conflict with foreign labor on imported stone or granite only, *provided*, that in case the State of California shall require stone or granite material for the erection, repair, or improvements of State public buildings, grounds, or works only, the labor of the convicts may be used for such purpose, and no articles, except as provided for in this section, and jute goods, shall be manufactured in any prison in the State, to be sold in any market for the benefit of the State, or to any one, and the Board of Directors are hereby authorized to purchase from time to time such tools, machinery, raw jute, and other materials necessary to manufacture jute goods, and to employ convicts as directed in this section, and to direct the employment of such skilled foremen as shall be necessary to carry out the provisions of this section, and to sell all the articles manufactured in prisons for cash, and only upon written applications, which applications shall be filed in the office of the Warden, and filled in the order that the same are received It shall be the duty of the Board of Directors and Wardens to carry over until the month of June of each year as large a stock of jute grain bags as the condition of the jute fund will allow, and to give preference to the applications of actual consumers, or their bona fide agents during the harvest seasons All moneys received from sales, less expenses of manufacture, to be deposited in the State Treasury for the benefit of the Jute Revolving Fund No sales of jute bags shall be made at public auction, or otherwise, at less than the cost of manufacture, without the unanimous consent of the Board of Directors and the Governor of the State of California

SEC 3 Section twenty-five of said chapter seventy-one is amended so as to read as follows.

Section 25 From and after January first, eighteen hundred and eighty-eight, no article or product shall be manufactured in either of the prisons of this State, for sale for or on account of this State, or in any manner or for any purpose, other than provided for in section twenty-one of this Act, nor shall the product of the labor of convicts, or the labor of convicts, be let out, or sold, or given in any manner, by contract or otherwise, to any person, persons, company, copartnership, or corporation, except as provided in section twenty-one of this chapter

SEC 4 All Acts and parts of Acts inconsistent with the provisions of this Act are hereby repealed

SEC 5 This Act shall take effect immediately

The House refused to concur in the above amendment.

SPECIAL ORDER No 3—PASSAGE OF BILL

Senate Bill No. 116—An Act to add section five hundred and thirty-nine to Article II of the Political Code, relating to the office of Super-

intendent of State Printing, authorizing the Superintendent of State Printing to appoint a deputy.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Alexander, Barry, Barton, Bost, Brierly, Britt, Brown W A, Brown J B, Butler, Callaghan, Carr, Carroll, Cohen, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gruwell, Hart, Henry of Butte, Hotchkiss, Knox, LaBlanc, Lewis, Mathews of San Benito, McClenahan, McDonnell, McGowan, Morgan, Ohleyer Regan, Rucker, Remson, Shanahan, Sherburne, Spurgeon, Taylor, Variel, Vincent, Wilcox, and Williams—45

NOES—Messrs Lawrence, Smyth, and Venable—3

Title read and approved.

SPECIAL ORDER No. 4

Senate Constitutional Amendment No. 1—An Act proposing an amendment to section one, of Article XIII, of the Constitution of the State of California, relating to exemption from taxation of personal property, not exceeding in value three hundred dollars, and exempt by law from execution.

The question being on the motion of Mr. Ellsworth, to reconsider the vote whereby Senate Constitutional Amendment No. 1 was refused adoption, it was reconsidered, on a division—ayes, 18; noes, 14.

CALL OF THE HOUSE.

Mr. Alexander moved a call of the House.

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

Messrs Alexander, Atherton, Bailey, Barry, Barton, Bost, Brierly, Burnett, Butler, Callaghan, Campbell, Carr, Carroll, Cohen, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Gruwell, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, Knox, LaBlanc, Lawrence, Lewis, Martin, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Morgan, Ohleyer, Regan, Rucker, Searey, Shanahan, Sherburne, Smyth, Spurgeon, Sykes, Taylor, Variel, Venable, Vincent, Weber, Windrow, Wilcox, Wilhams, Young of San Diego, and Mr Speaker.

Mr. Ellsworth moved to dispense with further proceedings under the call of the House.

Lost.

The Speaker directed the Sergeant-at-Arms to arrest the absentees and bring them before the bar of the House.

RECESS.

The Speaker declared a recess for five minutes.

REASSEMBLED.

Mr. Variel moved that further proceedings under the call of the House be dispensed with.

So ordered.

REPORT OF STANDING COMMITTEE

ON ENROLLMENT

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1887

MR SPEAKER Your Committee on Enrollment beg leave to report that the following Assembly Bills have been correctly enrolled

Assembly Bill No 456—An Act to amend sections three thousand nine hundred and nine and three thousand nine hundred and thirteen of the Political Code, relating to the boundaries of Del Norte and Siskiyou Counties, and to provide for the payment of the debt of Del Norte County, and for transcribing certain records

Also, Assembly Bill No. 293—An Act to provide for the deficiency in the appropriation for the payment of costs and expenses of suits wherein the State is a party in interest, for the thirty-seventh fiscal year, to pay the claim of Arthur Rodgers

Also, Assembly Bill No 21—An Act to provide for the funding of certain indebtedness of the several counties of this State, and the issuance of bonds therefor.

Also, Assembly Bill No. 560—An Act to appropriate money to meet a deficiency in the State's portions of the salaries of the Superior Judges, for the thirty-eighth fiscal year.

Also, Assembly Bill No. 37—An Act to amend section one hundred and sixty of an Act entitled "An Act to establish a Code of Civil Procedure," adopted March 11, 1872, relating to the holding of Superior Courts by Superior Judges of other counties, and providing for their actual expenses.

Also, Assembly Bill No 136—An Act to repeal an Act entitled "An Act to amend an Act to incorporate the City of Santa Barbara," approved March 30, 1878

Also, Assembly Bill No 54—An Act entitled "An Act to prevent persons from unlawfully using or wearing the badge of the Grand Army of the Republic of this State"

Also, Assembly Bill No 347—An Act to amend section two thousand one hundred and thirty-seven of the Political Code, relating to the power and duties of the Board of Directors of the State Asylum

And were presented to the Governor, this day, at eleven o'clock and fifteen minutes P M

JAS B. BROWN, Chairman

PREVIOUS QUESTION.

Mr. Atherton moved the previous question, seconded by Messrs. Young of San Joaquin and Rucker.

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

The question being on the adoption of Senate Constitutional Amendment No. 1.

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

AYES—Messrs Barry, Bost, Brierly, Britt, Brown W A, Brown J B, Burnett, Callaghan, Carroll, Cooley, Coombs, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Hyde, LaBlanc, Lawrence, Lewis, McDonnell, Regan, Rucker, Shanahan, Sims, Sykes, Taylor, Variel, Windrow, Young of San Diego, and Mr Speaker—31

NOES—Messrs Adams, Alexander, Atherton, Barton, Butler, Carr, Cope, Currey of Solano, Granger, Gruwell, Handy, Hart, Henry of San Joaquin, Hotchkiss, Knox, Mathews of Tehama, Matthews of San Benito, McClenahan, Morgan, Ohleyer, Price, Remson, Sherburne, Smyth, Spurgeon, Venable, Vincent, Weber, Wilcox, Williams, and Wright—32.

On motion of Mr. Coombs, the vote whereby the Journal of yesterday was approved was reconsidered, and Journal corrected and approved.

SPECIAL ORDER No. 5.

Assembly Constitutional Amendment No. 20—To amend section twelve, of Article XIII, of the Constitution.

Mr. Ellsworth moved to reconsider the vote whereby Assembly Constitutional Amendment No. 20 was refused adoption.

So ordered.

Mr. Ellsworth offered the following amendment:

Amend Assembly Constitutional Amendment No. 20, by inserting, immediately preceding the words "the Legislature," the words

"*Resolved by the Assembly, the Senate concurring*, That;" also, by striking out of lines numbered one and two of the printed resolution the words "on and after the year A. D. eighteen hundred and ninety-one;" also, by striking out the words "on any inhabitants of this State," in lines numbered two and three, of the printed resolution; also, by striking out the words "and no such tax shall at any time be imposed," on line numbered three, of the printed resolution.

Amendment adopted, on a division—ayes, 31; noes, 3.

Mr. Brierly moved to make the future consideration of this amendment the special order for two o'clock and thirty minutes P. M.

So ordered, on a division—ayes, 27; noes, 9.

RESOLUTION—(OUT OF ORDER).

By Mr. Variel:

Resolved, That at two o'clock and ten minutes P. M., Rule 77 be temporarily suspended, and that the Clerk proceed forthwith to call the roll, commencing with the name of Regan thereon, and continue calling same down to and including last name on said printed roll, and that as names are called, the members may be permitted to call up a bill to be acted on

Mr. Brierly moved to amend the resolution, by including the names of those members not calling up bills last evening.

Amendment adopted.

The roll was called upon the adoption of the resolution, as amended, and the resolution adopted by the following vote:

AYES—Messrs. Adams, Alexander, Atherton, Bailey, Barton, Bost, Brierly, Britt, Brown W. A., Burnett, Butler, Campbell, Carr, Carroll, Cohen, Cooley, Coombs, Cope, Curtis of Solano, Ellsworth, Ewing, Gould, Gruwell, Handy, Hart, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, Knox, LaBlanc, Lawrence, Lewis, Martin, McClenahan, McDonnell, McGowan, Morgan, Ohleyer, Price, Regan, Rucker, Shanahan, Sherburne, Sims, Spurgeon, Sykes, Taylor, Variel, Vincent, Weber, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr. Speaker—57

NOES—Messrs. Matthews of Tehama, Remson, Smyth, and Venable—4

Mr. Heath moved to suspend the rules, and take up Senate messages.

So ordered, on a division—ayes, 41; noes, none.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 9, 1887

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Assembly Bill No. 521, as amended—An Act relating to the dissolution and modification of injunctions, and amending sections five hundred and thirty and five hundred and thirty-two of the Code of Civil Procedure.

And respectfully asks your honorable body to concur in said amendment, also, on Assembly Bill No. 459.

The Committee of Conference offered the following report, which was adopted: That the Assembly concur in Senate Amendments Nos. 47, 18, 22, and 25, also, that the Senate recede from Senate Amendments Nos. 39, 41, 43, 44½, and 48, and that the Assembly concur in Senate Amendment No. 49.

Also, this day, appointed Senators Conklin, Briceland, and Langford as a Committee of Conference, to confer with a like committee from the Assembly, concerning the disagreement on Senate Bill No. 191.

Also, on this day, the Senate concurred in Assembly amendments to Senate Bill No. 234.

Also, passed Assembly Bill No. 503—An Act to provide for compiling, illustrating, electrotyping, printing, binding, copyrighting, and distributing certain books of a State series of school text-books, and appropriating money therefor.

And respectfully asks your honorable body to concur in the Senate amendments thereto.

Also, passed Assembly Bill No. 234—An Act making an appropriation to pay a deficiency in the appropriation for stationery, fuel, and lights, for the Legislature and State officers, for the thirty-fourth fiscal year.

Also, Assembly Bill No 261—An Act to provide for the payment and expenses incurred in fitting up and furnishing chambers of the Supreme Court Commissioners

Also, Assembly Bill No 260—An Act to provide for the deficiency in the appropriation for the payment of rewards for the arrest and conviction of highway robbers, for the thirty-seventh fiscal year

Also, Assembly Bill No 257—An Act to provide for the deficiency in the appropriation for the payment of rewards for the arrest and conviction of highway robbers, for the thirty-sixth fiscal year.

At twelve o'clock M. Mr. Handy moved that the hour of recess be extended for five minutes.

So ordered.

SENATE MESSAGES—(CONTINUED).

SENATE CHAMBER, SACRAMENTO, March 9, 1887

MR SPEAKER I am directed to inform your honorable body that the Senate, on this day, passed Assembly Bill No 39—An Act to repeal section two thousand six hundred and twenty and subdivision five of section two thousand six hundred and forty-three, and to amend sections two thousand six hundred and forty-two, two thousand six hundred and forty-three, two thousand six hundred and fifty-one, two thousand six hundred and eighty-two, two thousand six hundred and eighty-five, two thousand six hundred and eighty-eight, two thousand six hundred and eighty-nine, two thousand six hundred and ninety, two thousand six hundred and ninety-one, and two thousand six hundred and ninety-two of an Act entitled "An Act to repeal Chapter II, of Title VI, Part III, 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 II, and to enact a new Chapter II, of Title VI, of Part III, of said Code, and substitute the same in place of said repealed Chapter II in said Code, relating to roads and highways," approved February 28, 1883

Amended the same, and ask your honorable body to concur in said amendment

Also, Assembly Bill No. 526—An Act to repeal an Act entitled "An Act to incorporate the Town of Wilmington, in the County of Los Angeles, in the State of California," approved February 20, 1872.

Also, Assembly Bill No 527—An Act to repeal an Act entitled "An Act to amend an Act entitled an Act to incorporate the Town of Wilmington, in the County of Los Angeles, in the State of California," approved February 20, 1872, approved March 21, 1872

Also, the Senate, on this day, requested the return to the Senate of Assembly Bill No 521—An Act relating to the dissolution and modification of injunctions, and amending sections five hundred and thirty and five hundred and thirty-two of the Code of Civil Procedure—passed by the Senate this day, and transmitted to your honorable body, pending notice of motion to reconsider

ED HAMILTON, Secretary

At twelve o'clock and five minutes P. M. Mr. Handy moved that the hour of recess be extended five minutes.

So ordered.

SENATE MESSAGES—(CONTINUED).

Also, the Senate on this day concurred in Assembly amendments to Senate Bill No 116

Also, refused to recede from Senate amendment to Assembly Bill No 13, and appointed Senators Hall, Jones, and Gesford a Committee of Conference, to confer with a like committee from the Assembly

Also, concurred in Assembly amendments to Senate Bill No 144

Also, Assembly Bill No. 287—An Act to provide for the organization and government of water districts, and to provide for the acquisition, control, and distribution of water for irrigation

Amended the same, and respectfully asks your honorable body to concur in said amendment

ED HAMILTON, Secretary
J H CORCORAN, Assistant Secretary

REPORT OF CONFERENCE COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1887

MR SPEAKER Your Committee of Conference, appointed to confer with a similar committee from the Senate, on the subject of Senate Amendments Nos. 19 and 30, to "Substitute for Assembly Bills Nos 323 and others, relating to county governments," do now report that such conference was held this day, and your committee recommend

First—That the Assembly do concur in Senate amendment No 30
Second—That your committee were unable to agree with Senate Committee on Senate Amendment No 19, and would therefore ask that a Committee of Free Conference be appointed to consider said Senate Amendment No 19

PRICE, Chairman

Report adopted.

APPOINTMENT OF COMMITTEE OF FREE CONFERENCE.

The Speaker appointed, as a Committee of Free Conference to consider Senate Amendment No. 19 to Substitute for Assembly Bills Nos. 323 and others, Messrs. Handy, Venable, and Alexander.

CONSIDERATION OF SENATE MESSAGES.

Assembly Bill No. 521.

Amendment No. 1: Insert, on line thirty-two, page two, printed bill, after word "purpose," the word "only."

Concurred in unanimously.

Amendment No. 2: On line forty-two, page three, printed bill, strike out the word "they," and insert, in lieu thereof, "the amount fixed as such damage."

Concurred in unanimously.

Amendment No. 3: Amend, on line forty-three, page three, printed bill, after word "judgment," insert "together with reasonable attorney's fees."

Concurred in unanimously.

Bill ordered to enrollment.

Assembly Bill No. 503:

Amendment No. 1: In line six change "twenty" to "fifteen."

Concurred in unanimously.

Amendment No. 2: Beginning on line seven from bottom of page, section five, omit "from," between "Code" and "provided."

Concurred in unanimously.

Amendment No. 3: Strike out, after "demands," line three from top of last page, "for the payment of such clerical help, shall first be approved by said Superintendent of Public Instruction and," and insert "on the State School Book Fund."

Concurred in unanimously.

Bill ordered to enrollment.

Assembly Bill No. 39:

Amendment No. 1: Amend section one, by inserting, in lieu of matter included between lines one and eight, the following:

SECTION 1. Section two thousand six hundred and eighty-two of an Act to establish a Political Code, approved March 12, 1872, is hereby amended so as to read as follows.

Concurred in unanimously.

Amendment No. 2: Amend, by inserting, after word "chapter," line thirteen, section two, the following. "The Board of Supervisors, in making the order appointing Viewers may, in their discretion, direct said Viewers to first view the proposed road, and if, in the opinion of the Viewers, the road is impractical, the said Viewers shall discontinue further proceedings in the matter, and report accordingly."

Concurred in unanimously.

Bill ordered to enrollment

Assembly Bill No. 287.

Amendment No. 1: Amend, by adding, in section twenty-five, line two, after the word "irrigation," the following: "Nothing herein contained shall be deemed to authorize any person or persons to divert the waters of any river, creek, stream, canal, or ditch, from its channel, to the detriment of any person or persons having any interest in such river, creek, stream, canal, or ditch, or the waters therein, unless previous compensation be ascertained and paid therefor under the laws of this State authorizing the taking of private property for public use."

Concurred in unanimously.

Bill ordered to enrollment.

The Speaker ordered the Clerk to notify the Senate that Assembly Bill No. 521 had gone to engrossment, and could not, therefore, be returned.

APPOINTMENT OF COMMITTEE OF CONFERENCE.

The Speaker appointed Messrs. Davis, McGowan, and McDonnell a Committee of Conference to confer with a like committee from the Senate on Senate amendment to Assembly Bill No. 13.

RESOLUTION.

By Mr. Mathews of Tehama:

Resolved, That the rules be suspended temporarily, and that Senate Constitutional Amendment No 7, being No 9 on file, be called up and made a special order for three o'clock P M to-day

So ordered.

RECESS.

At twelve o'clock and forty 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 Jordan in the chair.

Quorum present.

REPORT OF STANDING COMMITTEE

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1887

MR SPEAKER Your Committee on Engrossment beg leave to report that Assembly Bill No. 475 has been correctly engrossed

WINDROW, Chairman

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 9, 1887

MR SPEAKER I am directed to inform your honorable body that the Senate, on this day, adopted the report of the Conference Committee of the Senate and Assembly upon the disagreements existing between both Houses upon Senate amendments to Assembly Bill No 459—"An Act making appropriations for the support of the government of the State

of California, for the thirty-ninth and fortieth fiscal years," and in accordance therewith the Senate adopted the report of the Committee of Conference

And refused to recede from Senate Amendments Nos 19 and 30, of Substitute for Assembly Bill No 323 et al, and appointed Senators Caminetti, Jones, and Wilson, as a Conference Committee, to meet a like committee from the Assembly—An Act to amend sections seventeen, twenty-five, sixty-six, 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 seventy-two, one hundred and seventy-five, one hundred and seventy-eight, one hundred and seventy-nine, one hundred and eighty, one hundred and eighty-one, one hundred and eighty-six, one hundred and eighty-seven, one hundred and ninety, one hundred and ninety-one, one hundred and ninety-two, one hundred and ninety-three, two hundred and three, two hundred and eleven, and two hundred and eighteen of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883, as amended March 14, 1885, and March 18, 1885, and to insert a new section therein, to be numbered one hundred and ten and one half, relating to the government of counties

Also, on March eighth, the Senate passed Assembly Bill No 22, as amended, and asks your honorable body to concur in said amendments

Assembly Bill No 22—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, 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, two hundred and thirty-one

ED. HAMILTON, Secretary

CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL No 22

Amendment No. 1: Amend title, by adding thereto the following: "in relation to the time when the provision of said Act shall go into effect as to all the counties named therein."

Concurred in unanimously.

Amendment No. 2: Amend title, by striking out letter "s," in word "Section," in title, first line; also, after word "and," in first line of title, insert words "to repeal section."

Concurred in unanimously.

The question being on the passage of Assembly Bill No. 459, as amended in Senate and Assembly, after adoption of report of a Conference Committee of both Houses.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Atherton, Bailey, Barry, Barton, Bost, Brierly, Britt, Brown W A, Brown J B, Brusie, Callaghan, Carr, Carroll, Cohen, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth Ewing, Gould, Granger, Gruwell, Handy, Hart, Henry of Butte, Henry of San Joaquin, Hyde, Knox, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Mitchell, Morgan, Ohleyer, Price, Regan, Rucker, Remson, Sherburne, Sims Smyth, Spurgeon, Sykes, Taylor, Toner, Variel, Venable, Vincent, Weber, Windrow, Wilcox, Williams, Young of San Diego, Young of San Joaquin, and Mr Speaker—59

NOES—None

Mr. Taylor 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 granted by the following vote:

AYES—Messrs Atherton, Bailey, Barry, Bost, Brierly, Britt, Brown W A, Brusie, Burnett, Carr, Carroll, Cohen, Colbert, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Ellsworth, Ewing, Gould, Granger, Gruwell, Handy, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, LaBlanc, Martin, McClenahan, McDonnell, McGowan, Morgan Ohlever, Price, Regan, Rucker, Renison, Searey, Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Toner, Variel, Venable, Vincent, Weber, Wilcox, Williams, Young of San Diego, Young of San Joaquin, and Mr. Speaker—55

NOES—None.

INTRODUCTION OF BILL.

By Mr. Taylor: Assembly Bill No. 564—An Act to provide for the payment of mileage of Presidential Electors, during the fortieth fiscal year.

Read by title.

CASE OF URGENCY.

Mr. Taylor moved to suspend the rules and provisions of section fifteen, of Article IV, of the Constitution, requiring bills to be read on three separate days, that Assembly Bill No. 564 be declared a case of urgency, and the bill be read a first and second time, considered engrossed, and read a third time, and placed on its passage.

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

AYES—Messrs. Atherton, Bailey, Barry, Barton, Bost, Brierly, Britt, Brown W A, Brown J. B, Brusie, Burnett, Butler, Carr, Carroll, Cohen, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Gruwell, Handy, Hart, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, Knox, LaBlanc, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Mitchell, Morgan, Ohlever, Price, Rucker, Searey, Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Toner, Variel, Venable, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr. Speaker—65

NOES—None.

Assembly Bill No. 564 read first time.

Assembly Bill No. 564 read second time.

IN COMMITTEE OF THE WHOLE.

Mr. Taylor moved to go into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Assembly Bill No 564.

The bill was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Jordan in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The Chairman stated the report as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No 564, and now report the same back, and recommend that it do pass

Report adopted.

Assembly Bill No. 564 read third time.

The roll was called, and the bill passed by the following vote.

AYES—Messrs Atherton, Barry, Barton, Bost, Brierly, Britt, Brown W. A, Brusie, Butler, Callaghan, Campbell, Carr, Carroll, Cohen, Cooley, Coombs, Cope, Curiey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Gruwell, Handy, Hart,

Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, Knox, LaBlanc, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Mitchell, Morgan, O'Grady, Ohleyer, Regan, Rucker, Renison, Searey, Shanahan, Sherburne, Sims, Spurgeon, Sykes, Taylor, Toner, Variel, Venable, Vincent, Weber, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr Speaker—63

NOES—None.

Title read and approved.

MOTION.

Mr. Brierly moved that the Journal Clerk be authorized to omit from the written Journal the report on the State Library, and that the report be printed in the Appendix.

So ordered.

Mr. Knox called up Assembly Bill No. 202.

THIRD READING OF BILL.

Assembly Bill No. 202—An Act to amend section one hundred and three of an Act entitled "An Act to amend an Act of the Legislature of the State of California, to establish a Code of Civil Procedure," approved March 17, 1872, relating to Justices' Courts and Justices of the Peace.

Read third time.

At two o'clock and thirty minutes P. M. Mr. Ellsworth called up Special Order No. 5:

Assembly Constitutional Amendment No. 20, to amend section twelve, of Article XIII, of the Constitution.

CALL OF THE HOUSE.

Mr. Ellsworth moved a call of the House.

Lost.

The question being on the adoption of the amendment.

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

AYES—Messrs Adams, Alexander Atherton, Bailey, Barton, Bost, Brierly, Britt, Brown W A, Brown J B, Brusie, Burnett, Butler, Callaghan, Carroll, Cohen, Colbert, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Handy, Hart, Hyde, Knox, LaBlanc, Lawrence, Mathews of Tehama, McClenahan, McDonnell, Mitchell, Price, Regan, Rucker, Renison, Searey, Shanahan, Sherburne, Spurgeon, Variel, Vincent, Weber, Windrow, Wilcox, Wright, Young of San Diego, and Young of San Joaquin—52.

NOES—Messrs Barry, Campbell, Carr, Granger, Henry of San Joaquin, Hotchkiss, Matthews of San Benito, McGowan, Morgan, Ohleyer, Sims, Smyth, Venable, and Williams—14

LEAVE OF ABSENCE.

The Conference Committee, Messrs. Handy, Venable, and Alexander, were granted leave of absence to confer with Senate Committee.

Mr. Matthews of San Benito was granted an indefinite leave of absence after to-day.

The roll was called upon the passage of Assembly Bill No. 202. and the bill passed by the following vote:

AYES—Messrs Adams, Bailey, Barton, Bost, Brierly, Britt, Brown W A, Brusie, Burnett, Butler, Callaghan, Campbell, Carr, Carroll, Cohen, Coombs, Cope, Currey of Solano, Curry of San Francisco, Ellsworth, Ewing, Gould, Granger, Gruwell, Hart Henry of Butte, Henry of San Joaquin, Hotchkiss, Knox, Mathews of Tehama, Morgan, Searey, Shanahan, Sims, Spurgeon, Taylor, Toner, Variel, Weber, Wilcox, Williams, Young of San Diego, Young of San Joaquin, and Mr Speaker—44

NOES—Messrs Brown J B, Colbert, Cooley, Hyde, Lawrence, McGowan, Mitchell, Ohleyer, Remson, Sherburne, and Smyth—11

REPORT OF STANDING COMMITTEE.

ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1887

MR SPEAKER Your Committee on Enrollment beg leave to report that the following Assembly Bills have been correctly enrolled:

Assembly Bill No 164—Entitled an Act to add a new section to the Penal Code, to be known as section five hundred and thirty-seven, relative to personal property mortgaged.

Also, Substitute for Assembly Bill No 46—An Act amending sections one thousand one hundred and eighty-three and one thousand one hundred and eighty-seven of the Code of Civil Procedure of the State of California, relating to liens of mechanics and others

Also, Assembly Bill No. 19—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 indebtedness of said counties equitably chargeable to San Benito County

Also, Assembly Joint Resolution No 10—Relative to mining debris.

And were presented to the Governor, this day, at two o'clock and twenty-five minutes P M.

JAS. B. BROWN, Chairman

Mr. LaBlanc called up Senate Bill No. 450.

SECOND READING OF BILL.

Senate Bill No. 450—An Act to pay the officers and men of the Second Brigade, National Guard of California, for guard duty performed by them in obedience to the orders of the Governor to Commander-in-Chief, from December nineteenth, eighteen hundred and eighty-six, to January thirty-first, eighteen hundred and eighty-seven, both days inclusive.

Read second time.

MOTION.

Mr. LaBlanc moved that the House go into Committee of the Whole, and consider Senate Bill No. 450, with the Speaker in the chair.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Jordan in the chair.

The bill was considered in the Committee of the Whole.

IN ASSEMBLY.

Speaker Jordan in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The Chairman stated the report of the committee as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 450, and report the same back, and recommend that it do pass.

Report adopted.

Bill ordered to a third reading.

REPORT OF CONFERENCE COMMITTEE—ON SENATE BILL No. 191

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1887

MR SPEAKER Your Committee of Conference, to whom was referred Senate Bill No 191, have had the same under consideration, and respectfully report the same back, and recommend that the Assembly do recede from its amendments

J SIMS
C C WRIGHT,
JAS E BRITT

Report adopted.

The question being, "Shall the House recede from its amendments to Senate Bill No 191?" it was so ordered.

Mr. McClenahan called up Assembly Bill No. 329.

SECOND READING OF BILL.

Assembly Bill No. 329—An Act to add a new section, to be numbered four hundred and twenty-five, to, and to amend section four hundred and thirteen of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to increasing police force of State Capitol grounds.

Read second time, ordered engrossed, and to a third reading.

Mr. Morgan called up Senate Bill No. 333.

THIRD READING OF BILL.

Senate Bill No. 333—An Act to protect life and property against the careless and malicious use of handling of dynamite and other explosives.

Read third time.

SPECIAL ORDER.

At three o'clock P. M. Mr. Cooley called up special order for this hour.

MOTION.

Mr. Hyde moved that the special order be postponed until after the roll-call on Senate Bill No. 333.

So ordered.

The roll was called on Senate Bill No. 333, and the bill passed by the following vote:

AYES—Messrs Atherton, Bailey, Barry, Barton, Bost, Brierly, Brusie, Butler, Campbell, Carr, Carroll, Cohen, Cooley, Coombs, Cope, Curtey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Gruwell, Hart, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, Knox LaBlanc, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Morgan, Oblever, Regan, Rucker, Remson, Searey, Shelburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Variel, Vincent, Weber, Windrow, Wilcox, Wright, Young of San Diego, Young of San Joaquin, and Mr Speaker—55.

NOES—None

At three o'clock P. M. Mr. Cooley called up:

SPECIAL ORDER No. 2

Passage of Senate Bill No. 330—An Act to ascertain the loss and damage suffered and sustained by the Coulterville and Yosemite Turnpike Company, a corporation, by the construction of a road by the Yosemite Turnpike Road Company, under and by virtue of an

Act of the Legislature of the State of California entitled "An Act granting the right of way to the Yosemite Turnpike Road Company over the Yosemite Grant," approved February 17, 1874, and for the relief of said Coulterville and Yosemite Turnpike Company.

Mr. Granger moved that this bill be referred to a select committee of one, with special instruction to prepare amendments to the bill, as follows:

Amendment No. 1: In section one, after the word "Whereas," on line one, insert the words "It is alleged that."

Amendment No. 2: In section two, after the word "Whereas," line one, page two, insert the words "It is alleged that."

Amendment No. 3: In section three, after the word "Whereas," in line one, page two, insert the words "It is alleged that."

Amendment No. 4: Strike out the whole of section four, and substitute the following therefor:

Section 4. Now, for the purpose of determining what loss or damage has been sustained, and what liability, if any, therefor rests upon the State, the said Coulterville and Yosemite Turnpike Company is hereby allowed to commence and prosecute an action in the Superior Court of the County of Sacramento, against the State of California, for the recovery of any such loss or damage for which the State may be found to be liable in law or equity In such action summons may be served upon the Attorney-General of the State, and it shall be his duty to appear and defend said action The Court shall hear and determine the issues involved in said action, and render judgment accordingly.

Amendment No. 5: Amend, by inserting, after the word "State," in line two, of section five, of printed bill, the following words: "if in favor of the plaintiff."

REPORTS OF STANDING COMMITTEES.

ON ENGROSSMENT

ASSEMBLY CHAMBER, SACRAMENTO, March —, 1887

MR SPEAKER: Your Committee on Engrossment beg leave to report that the following Assembly Bills have been correctly reengrossed

Assembly Bills Nos. 459, 521, and 287.

WINDROW, Chairman

ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1887

MR SPEAKER Your Committee on Enrollment beg leave to report that the following Assembly Bill has been correctly enrolled

Assembly Bill No 80—Entitled 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 six hundred and four, providing for the formation of certain religious corporations

And was presented to the Governor, this day, at three o'clock and ten minutes P M

JAS B BROWN, Chairman

PREVIOUS QUESTION.

Mr. Henry of Butte moved the previous question, seconded by Messrs. Cooley and Lawrence.

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

The question being on the motion of Mr. Granger to appoint a select committee.

The ayes and noes were demanded by Messrs. Granger, Martin, and Shanahan.

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

AYES—Messrs Adams, Atherton, Coombs, Cope, Currey of Solano, Curry of San Francisco, Granger, Gruwell, Handy, Henry of San Joaquin, Hotchkiss, Mathews of San Benito, Ohleyer, Renison, Shanahan, Spurgeon, Variel, Venable, Vincent, Weber, and Young of San Joaquin—22

NOES—Messrs Barry, Bost, Brierly, Britt, Brown W. A., Brown J. B., Brusie, Butler, Campbell, Cohen, Colbert, Cooley, Davis, Ewing, Gould, Hart, Henry of Butte, Hyde, Knox, LaBlanc, Lewis, Martin, McClenahan, McGowan, Mitchell, Morgan, Price, Regan, Rucker, Searey, Sherburne, Sims, Sykes, Toner, Windrow, Williams, Wright, and Mr Speaker—38

The question then being on the passage of Senate Bill No 330. The roll was called, and the bill passed by the following vote:

AYES—Messrs Alexander, Barry, Bost, Brierly, Britt, Brown W. A., Brown J. B., Brusie, Butler, Callaghan, Campbell, Carr, Carroll, Cohen, Colbert, Cooley, Curry of San Francisco, Davis, Ewing, Gould, Henry of Butte, Hyde, Knox, LaBlanc, Lewis, Mann, Mathews of Tehama, McClenahan, McGowan, Mitchell, Price, Regan, Rucker, Searey, Sherburne, Sims, Sykes, Toner, Variel, Weber, Windrow, Wilcox, Wright, Young of San Diego, Young of San Joaquin, and Mr Speaker—46

NOES—Messrs Adams, Atherton, Coombs, Cope, Currey of Solano, Granger, Gruwell, Hart, Henry of San Joaquin, Hotchkiss, Matthews of San Benito, Morgan, Ohleyer, Renison, Shanahan, Spurgeon, Venable, Vincent, and Williams—19

Title read and approved.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March —, 1887

MR SPEAKER Your Committee on Engrossment beg leave to report that the following Assembly Bills have been correctly engrossed

Assembly Bills Nos 105 and 326.

WINDROW, Chairman.

REPORT OF COMMITTEE OF FREE CONFERENCE.

On Senate Amendment No. 19 to Substitute for Assembly Bill No. 323 et al.

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1887

MR SPEAKER Your Committee of Free Conference, to whom was referred the duty of considering, with a Senate Free Conference Committee, Senate Amendment No 19 to 'Substitute for Assembly Bill No 323 and others,' concerning county and township governments, now report that said conference has been had, and further report

First—That the committee were unable to agree

Second—That the Senate committee proposed to so change the amendment that the maximum rate of license tax therein provided for should be fifty dollars per quarter.

Third—That the Assembly committee declined to concur in such change

Wherefore, your committee ask for further instructions

HANDY, Chairman

Mr. Venable moved that the House insist on the position taken by the Assembly Committee of Free Conference on Substitute for Assembly Bill No. 323 et al., and that further time be granted the Committee of Free Conference appointed by this House to further consider Senate Amendment No. 19, relative to "the maximum rate of license tax," and that the Senate be requested to meet our committee with a like committee.

So ordered.

SPECIAL ORDER.

Senate Constitutional Amendment No. 7—To propose to the people of the State an amendment to the Constitution of the State, relative to the salaries of the Judiciary Department.

The question being on the adoption of the above amendment.

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

AYES—Messrs. Adams, Alexander, Atherton, Barton, Bost, Brierly, Britt, Brown W A, Brown J B, Brusie, Butler, Callaghan, Campbell, Carr, Carroll, Cohen, Colbert, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Ellsworth, Ewing, Gould, Gruwell, Handy, Hart, Heath Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, Knox, LaBlanc, Lewis, Mathews of Tehama, McClenahan, Mitchell, Price, Regan, Rucker, Remson, Sims, Smyth, Spurgeon, Sykes, Taylor Toner, Variel, Venable, Vincent, Williams, Wright, Young of San Diego, and Mr Speaker—57

NOES—Messrs. Granger, Matthews of San Benito, Ohlever, Sherburne, and Windrow—5.

SENATE CONSTITUTIONAL AMENDMENT No 7.

Constitutional Amendment to propose to the people of the State an amendment to the Constitution of the State, relative to the salaries of the Judiciary Department.

Resolved, That the Legislature of the State of California, at its regular session, commencing on the third day of January, A D 1887, two thirds of all members elected to each of the two Houses of said Legislature voting in favor thereof, hereby propose that section seventeen, of Article VI, of the Constitution of said State, be amended so as to read as follows

SEC. 17. The Justices of the Supreme Court, and Judges of the Superior Court, shall severally, at stated times during their continuance in office, receive for their services a compensation which shall not be increased or diminished after their election, nor during the term for which they shall have been elected The salary of the Justices of the Supreme Court shall be paid by the State One half of the salary of each Superior Court Judge shall be paid by the State, the other half thereof shall be paid by the county for which he is elected The annual salaries of the Justices of the Supreme Court shall be seven thousand five hundred dollars ($7,500) each, and the Supreme Court Commissioners six thousand ($6,000) dollars each Until otherwise changed by the Legislature, the Superior Court Judges shall receive an annual salary of three thousand dollars each, payable monthly, except the Judges of the City and County of San Francisco, and the Counties of Alameda, Los Angeles, Santa Clara, Yuba and Sutter combined, Sacramento, Butte, Nevada, San Diego, San Bernardino, Colusa, and Tehama, who shall receive five thousand dollars, and the Judges of the Counties of Tulare, Monterey, Sonoma, and San Joaquin, shall receive four thousand dollars each

LEAVE OF ABSENCE.

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

RESOLUTION—(OUT OF ORDER).

By Mr. Carr:

Resolved, That it is the judgment of the Assembly that the right to grant license to retail liquor dealers belongs exclusively to the Boards of Supervisors of the several counties

Adopted.

Mr. Ohleyer called up Senate Bill No. 56.

THIRD READING OF BILL.

Senate Bill No. 56—An Act to amend and supplement an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, and to add a new article thereto, to be known as Article V, of Chapter VII, of Title XI, of Part III, for the purpose of authorizing executors and administrators to make mortgages and leases of the real estate of decedents.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Atherton, Bailey, Barton, Bost, Britt, Brown W A, Brusie, Butler, Callaghan, Campbell, Carr, Carroll, Coombs, Cope, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Gruwell, Handy, Hart, Heath, Henry of Butte, Henry of San

Joaquin, Hotchkiss, Hyde, Knox, Lewis, Martin, Mathews of Tehama, Matthews of San Benito, Mitchell, Morgan, Ohleyer, Price, Regan, Rucker, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Sykes, Varnel, Venable, Vincent, Weber, Windrow, Wright, Young of San Diego, and Mr Speaker—53

NOES—None

Title read and approved.

Speaker pro tem. Brierly in the chair.

Mr. Mathews of Tehama called up Senate Bill No. 347.

SECOND READING OF BILL.

Senate Bill No. 347—An Act to pay the claim of J. W. Rock for the construction of a steam launch.

Read second time.

MOTION.

Mr. Carroll moved that the House go into Committee of the Whole, and consider Senate Bill No. 347, with the Speaker pro tem. in the chair.

Mr. Hyde moved to amend, so as to include Assembly Bill No. 475.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker pro tem. Brierly in the chair.

The bills were considered in the Committee of the Whole.

IN ASSEMBLY.

Speaker pro tem. Brierly in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The Chairman stated the report of the committee as follows:

GENTLEMEN The Committee of the Whole have had under consideration Senate Bill No 347—and report the same back, and recommend that it do pass

Also, Assembly Bill No 475—and report the same back, and recommend that it do pass

Report adopted.

Senate Bill No. 347 ordered to a third reading.

Assembly Bill No. 475 ordered engrossed, and to a third reading.

Mr. Regan called up Senate Bill No. 374.

SECOND READING OF BILL.

Senate Bill No. 374—An Act relating to the compensation of Court reporters in counties of the eighth and ninth classes.

Read second time, and ordered to a third reading.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1887

MR SPEAKER Your Committee on Engrossment beg leave to report that the following Assembly Bills have been correctly engrossed

Assembly Bills Nos. 553 and 159

WINDROW, Chairman.

Mr. Rucker called up Senate Bill No. 449.

THIRD READING OF BILL.

Senate Bill No. 449—An Act to appropriate money for salaries of additional clerks in the Controller's office

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Alexander Atherton, Bailey, Barry, Barton, Brierly, Britt, Brown J B, Butler, Callaghan, Campbell, Carr, Carroll, Cohen, Cooley, Coombs, Cope Currey of Solano, Curry of San Francisco, Davis, Ewing, Gould, Granger, Gruwell, Handy, Hart, Heath, Henry of San Joaquin, Hyde, Knox, LaBlanc, Lawrence, Lewis, Martin, Mathews of Tehama, Mathews of San Benito, McClenahan, McGowan, Mitchell, Morgan, Ohlever, Price, Rucker, Renison, Searey, Shanahan, Sherburne, Sims, Smyth, Spurgeon Sykes, Taylor, Toner, Variel, Venable, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, and Young of San Joaquin—63.

NOES—None.

Title read and approved.

Mr. Renison called up Senate Bill No. 442

SECOND READING OF BILL.

Senate Bill No. 442—An Act to provide for the submission of such proposed amendments to the Constitution of the State as have been heretofore or shall hereafter be proposed and adopted by the Legislature of the State of California, at the session beginning January third, eighteen hundred and eighty-seven, to the qualified voters of said State, at a special election, to be called by the Governor for the twelfth day of April, eighteen hundred and eighty-seven.

Read second time.

Mr. Venable offered the following amendments: Strike out the word "thirty," on line four, of section two, and insert the word "twenty."

Also, strike out all of lines from four to ten, both inclusive, of section one, on page two, and insert the following: "qualified voters of the State, for adoption or rejection, the following described amendments of the Constitution of the State, which have been proposed and adopted by the Legislature of the State, at the session beginning January third, eighteen hundred and eighty-seven, to wit: Senate Consitutional Amendments Nos. Two (2) and Seven (7), relating to the Judicial Department of the State, and Assembly Constitutional Amendment No Sixteen (16), relating to the framing of a charter for cities of over ten thousand and less than one hundred thousand inhabitants, which said Constitutional amendments, if adopted, will be numbered respectively, Constitutional Amendment No 4, Constitutional Amendment No. 5, and Constitutional Amendment No. 6, in the order of their passage by said Legislature.

Adopted.

Bill ordered to a third reading.

Mr. Searey called up Senate Bill No. 54.

THIRD READING OF BILL.

Senate Bill No. 54—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by amending section seven hundred and thirty-nine, relating to salaries of officers connected with the Supreme Court.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Bailey, Barry, Barton, Bost, Brierly, Britt, Brown W. A., Brown J. B., Butler, Callaghan, Carr, Carroll Cohen, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Ewing, Gould, Granger, Gruwell, Handy, Hart, Henry of Butte, Henry of San Joaquin, Hyde, Knox, LaBlanc, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, Mitchell, Morgan, Ohlever, Regan, Remson, Searey, Shanahan, Sherburne, Sims Spurgeon, Sykes, Taylor, Toner, Vanel, Venable, Vincent, Weber, Windrow, Wilcox, Williams, Young of San Diego, and Young of San Joaquin—55.

NOES—Mr Lawrence—1.

Title read and approved.

Mr. Shanahan called up Senate Bill No. 343.

THIRD READING OF BILL.

Senate Bill No. 343—An Act to add two new sections to the Political Code, to be known and numbered as sections three thousand two hundred and three thousand two hundred and one, relating to trademarks, the use and adoption of the same, and the person who and the manner by which said trademark and the rights thereunder may be protected.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Atherton, Bailey, Barton, Brierly, Britt, Brown W A, Brown J B., Butler, Callaghan, Campbell, Carr, Carroll, Cohen, Colbert, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Gruwell, Handy, Hart, Heath, Hyde, Knox, LaBlanc, Lawrence, Lewis, Mathews of Tehama, Matthews of San Benito, McDonnell, McGowan, Mitchell, Ohlever, Price, Regan Remson, Searey, Shanahan, Sherburne, Sims Smyth, Spurgeon, Toner, Venable Vincent, Windrow, Williams, and Young of San Diego—55

NOES—None

Title read and approved.

Mr. Sherburne called up Senate Bill No. 12.

SECOND READING OF BILL.

Senate Bill No. 12—An Act to amend section one hundred and twenty-five of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883, relating to books of record and indices to be kept by County Recorders.

Read second time, and ordered to a third reading.

Mr. Sims called up Assembly Bill No. 165.

THIRD READING OF BILL.

Assembly Bill No. 165—An Act to provide for the payment of the claim of R. C. Ball, as architect of the State Prison at Folsom, and to appropriate money for the purpose of such payment.

Read third time.

Speaker Jordan in the chair.

Mr Carr moved that this bill be referred to a select committee of one, with special instructions to prepare an amendment to the bill as follows: amend by striking out section three.

Lost

On motion of Mr. Mathews of Tehama Senate messages were taken up.

SENATE MESSAGES.

SENATE CHAMBER, SACRAMENTO, March 10, 1887.

MR SPEAKER: I am directed to inform your honorable body that the Senate, on this day, adopted the following resolution:

Resolved, That Senators Chandler, Haynes, and Caminetti are hereby appointed a committee, to meet a like committee from the Assembly, to determine the time of adjournment *sine die*, and the Assembly is most respectfully requested to appoint such committee

Also, the Senate, on this day, receded from Senate Amendment No. 19 to Substitute for Assembly Bill No. 323 et al

E. H. HAMILTON, Secretary.
By R. B. OULLAHAN, Assistant Secretary.

Consideration of Senate message relating to appointing a committee to meet a committee appointed by the Senate to agree upon the time for adjournment.

MOTION.

Mr. Mathews of Tehama moved that the Speaker appoint a committee of three to confer with Senate committee upon a time to adjourn sine die.

So ordered.

SENATE CHAMBER, SACRAMENTO, March 10, 1887

MR SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed the following Assembly Bills, Nos. 370, 371, and 376

Assembly Bill No. 370—An Act to provide for the deficiency in the appropriation for the transportation of prisoners, for the thirty-seventh fiscal year

Assembly Bill No. 371—An Act to provide for the deficiency in the appropriation for the transportation of prisoners, for the thirty-sixth fiscal year

Assembly Bill No. 376—An Act to provide for the deficiency in the appropriation for the transportation of the insane, for the thirty-sixth fiscal year

ED. HAMILTON, Secretary.

CONSIDERATION OF SENATE MESSAGE.

Appointment of committee on adjournment: The Speaker appointed as a committee on adjournment, to meet a like committee from the Senate, Messrs. Cooley, Venable, and Rucker.

SENATE MESSAGES—(RESUMED).

SENATE CHAMBER, SACRAMENTO, March 10, 1887

MR SPEAKER. I am directed to inform your honorable body that the Senate, on this day, passed the following

Assembly Bill No. 124—An Act to amend section six hundred and twenty-six of the Penal Code, relative to fish and game.

And have amended said bill, and respectfully ask your honorable body to concur in said amendments.

E. H. HAMILTON, Secretary.
By R. S. OULLAHAN, Assistant Secretary

The question then recurring on the passage of Assembly Bill No. 165. The roll was called, and the bill lost by the following vote:

AYES—Messrs. Barry, Barton, Bost, Brierly, Britt, Brown J. B., Brusie, Callaghan, Carroll, Cohen, Curry of San Francisco, Ewing, Gruwell, Knox, LaBlanc, Lawrence, Lewis, McClenahan, Mitchell, Regan, Searey, Sims, Toner, and Wilcox—24

NOES—Messrs. Adams, Atherton, Bailey, Carl, Cooley, Coombs, Cope, Currey of Solano, Ellsworth, Granger, Hart, Heath, Henry of San Joaquin, Hotchkiss, Hyde, Mathews of Tehama, Matthews of San Benito, Morgan, Ohleyer, Price, Remson, Shanahan, Sherburne, Smyth, Spurgeon, Variel, Venable, Vincent, Williams, Wright, Young of San Joaquin, and Mr. Speaker—32.

CALL OF THE HOUSE.

Mr. Cohen moved a call of the House.

Lost.

NOTICE OF RECONSIDERATION.

Mr. Hyde gave notice that, on to-morrow, he would move to reconsider the vote whereby Assembly Bill No. 165 was refused passage.

Mr. Spurgeon called up Assembly Bill No. 123.

THIRD READING OF BILL.

Assembly Bill No. 123—An Act to authorize certified copies of surveys, maps, or plats of subdivided tracts of land to be recorded in the office of the County Recorder, and to regulate and designate the penalty inflicted upon failure to record such, said Act being substituted for section one thousand one hundred and sixty-three of the Civil Code. Said section was repealed July 1, 1874.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Atherton, Bailey, Barry, Barton, Bost, Brierly, Britt, Brusie, Burnett, Callaghan, Carr, Carroll, Cohen, Colbert, Cooley, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Handy, Hart, Heath, Henry of San Joaquin, Hotchkiss, Hyde, Knox, LaBlanc, Lawrence, Lewis, McClenahan, McDonnell, Mitchell, Price, Regan, Remson, Shanahan, Sherburne, Spurgeon, Sykes, Taylor, Toner, Variel, Venable, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, and Mr. Speaker—56.

NOES—Mr. Ohleyer—1

Title read and approved.

REPORT OF FREE CONFERENCE COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1887

MR SPEAKER Your Committee of Conference, heretofore appointed to consider the disagreement of the Senate and Assembly concerning the Substitute for Assembly Bill No. 13—An Act to amend chapter seventy-one of the statute of California passed at the twenty-third session of the Legislature, A. D 1880, entitled 'An Act to define, regulate, and govern State Prisons," respectfully report that they have been unable to agree with a similar committee of the Senate

Your committee would most respectfully ask that this committee be appointed a Committee of Free Conference.

JOHN DAVIS, Chairman

APPOINTMENT OF FREE CONFERENCE COMMITTEE.

The Speaker appointed, as a Committee of Free Conference, Messrs. Davis, McGowan, and McDonnell, to meet with a like committee from the Senate, to further consider the Senate Substitute to Assembly Bill No. 13.

MOTION TO RECONSIDER.

Mr. Brierly moved to reconsider the vote whereby Senate Bill No. 247 was passed on yesterday.

The question being on the motion to reconsider.

The ayes and noes were demanded by Messrs. Carr, Lawrence, and Carroll.

The roll was called.

RECESS.

Pending announcement of roll-call, the hour of recess having arrived, the Speaker declared the usual recess until seven o'clock and thirty minutes P. M.

REASSEMBLED.

The House reassembled at seven o'clock and thirty minutes P. M.
Speaker Jordan in the chair.
Quorum present.
The question recurring on the roll-call, on the motion of Mr. Brierly, to reconsider the vote whereby Assembly Bill No. 247 was, on yesterday, lost, was announced, and the motion lost by the following vote:

AYES—Messrs. Adams, Atherton, Carroll, Colbert, Granger, Gruwell, Hart, Heath, Henry of San Joaquin, Lawrence, Lewis, Matthews of San Benito, Mc Donnell, Morgan, Ohleyer, Remson, Smyth, Venable, Williams, and Young of San Joaquin—20

NOES—Messrs. Barton, Bost, Brierly, Britt, Brusie, Butler, Callaghan, Cohen, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing Gould, Handy, Hyde, Knox, LaBlanc, McClenahan, McGowan, Mitchell, Price, Regan, Searey, Shanahan, Sherburne, Sims, Spurgeon, Sykes, Toner, Variel, Vincent, Weber, Windrow, Wilcox, Wright, Young of San Diego, and Mr. Speaker—41

Mr. Sykes called up Senate Bill No. 357.

SECOND READING OF BILL.

Senate Bill No. 357—An Act to provide for the deficiency in the appropriation for the restoration and preservation of fish in the waters of the State, for the thirty-eighth fiscal year.
Read second time.

IN COMMITTEE OF THE WHOLE.

On motion of Mr. Atherton, the House went into Committee of the Whole, for the purpose of considering Senate Bill No. 357.
Speaker Jordan in the chair.
The bill was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Jordan in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The Chairman stated the report as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 357—report the bill back, and recommend that it do pass.

Report adopted.
Bill ordered to a third reading.

MOTION.

Mr. Venable moved to return Senate message, in reference to Assembly Bill No. 323 et al., to the Senate, for correction.
So ordered.

Mr. Taylor called up Senate Bill No. 164.

THIRD READING OF BILL.

Senate Bill No. 164—An Act to provide for the painting of State buildings located at Sacramento, and to appropriate money therefor.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Alexander, Bailey, Barton, Bost, Brierly, Britt, Brown W A., Butler, Callaghan, Campbell, Carr, Carroll, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Gruwell, Handy, Henry of San Joaquin, Hotchkiss, Hyde, Matthews of San Benito, McClenahan, McDonnell, McGowan, Morgan, Ohleyer, Price, Regan, Rucker, Remson, Shanahan, Sims, Spurgeon, Sykes, Taylor, Variel, Vincent, Weber, Windrow, Wilcox, Young of San Diego, Young of San Joaquin, and Mr Speaker—49.

NOES—None

Title read and approved.

MOTIONS.

Mr. Campbell moved that the rules be suspended, and that the name of Mr. Toner be passed, and he be allowed to call up a bill when present this evening.

Mr. Taylor moved to amend, to suspend the rules, and allow Mr. W. A. Brown to call up a bill for Mr. Toner.

Amendment accepted, and the motion carried.

Mr. W. A. Brown (for Mr. Toner) called up Senate Bill No. 328.

SECOND READING OF BILL.

Senate Bill No. 328—An Act to provide for the care and security of the State series of school text-books, by the erection of a fireproof warehouse to be used for the storage of the same, authorizing the appointment of a storekeeper to have the care and custody of said text-books, and appropriating money to pay the expenses of erecting said warehouse and the salary of such storekeeper.

Read second time.

IN THE COMMITTEE OF THE WHOLE.

On motion of Mr. Taylor, the House went into Committee of the Whole, for the purpose of considering Senate Bill No. 328.

Speaker Jordan in the chair.

The bill was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Jordan in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The Chairman stated the report as follows:

GENTLEMEN The Committee of the Whole have had under consideration Senate Bill No 328—report the bill back, and recommend that it do pass, as amended, as follows Insert in section one, after the word "books," in line twelve, original bill, the words "and the paper, electrotypes, and other materials necessary for the publication of said State series of text-books"

Report adopted.
Bill ordered to a third reading.

RESOLUTIONS—(OUT OF ORDER).

By Mr. Venable:

Resolved, That the Speaker be and he is hereby authorized to employ such additional clerks as he may deem necessary, and to fix their compensation, and that the compensation of said clerks be paid out of the Contingent Expense Fund of the Assembly, and that the Controller draw his warrant therefor on the order of the Speaker

Adopted.
By Mr. Young of San Diego:

WHEREAS It is impossible for the Journal Clerk and his assistants to finish and complete the Journal of this House before the close of the Legislature, be it

Resolved, That the Journal Clerk and his assistants are hereby instructed and directed to remain at the State Capitol after the close of this session of this Legislature, for the purpose of completing the copying, comparing, correcting, and ruling the Journal of this House, that upon the completion of such work he shall turn over the same to the Secretary of State, who is hereby instructed to receive and receipt for the same

Resolved, That upon the presentation of such receipt from the Secretary of State the State Controller is hereby directed and instructed to draw his warrant, payable out of the appropriation for the contingent expenses of the Assembly, in favor of the Journal Clerk and each of his assistants for the sum of fifty dollars each, which sum shall be in full payment of said services, and the Treasurer is instructed to pay the same.

Referred to Judiciary Committee, with instructions to inquire into its legality, and report.

LEAVE OF ABSENCE.

Mr. Wright was granted leave of absence for the evening.

THIRD READING OF BILL.

Senate Bill No. 446—An Act to appropriate money to meet the contingent expenses of the Senate, for its twenty-seventh session.
Read third time.
The roll was called, and the bill passed by the following vote:

AYES—Messrs Atherton, Bailey, Barton, Bost, Brierly, Britt, Brown W A, Campbell, Carl, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Gruwell, Handy, Heath, Henry of San Joaquin, Hotchkiss, Hyde, LaBlanc, Matthews of San Benito, McClenahan, McDonnell, McGowan, Morgan, Morris, O'Grady, Ohleyer, Price, Rucker, Renison, Sherburne, Sims, Sykes, Taylor, Variel, Venable, Vincent, Weber, Windrow, Wilcox, Williams, Young of San Joaquin, and Mr Speaker—48
NOES—None

Title read and approved.
Mr. Variel called up Senate Bill No. 294.

THIRD READING OF BILL.

Senate Bill No. 294—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, in relation to corporations.
Read third time.
The roll was called, and the bill passed by the following vote:

AYES—Messrs Alexander, Atherton, Bailey, Barton, Bost, Britt, Bruzie, Butler, Callaghan, Carr, Carroll, Colbert, Cooley, Coombs, Cope, Currey of Solano, Curry of San Fran-

cisco, Davis, Ellsworth, Ewing, Gould, Granger, Gruwell, Handy, Hart, Heath, Henry of San Joaquin, Hotchkiss, LaBlanc, Lawrence, Mann, Matthews of San Benito, McClenahan, McDonnell, Mitchell, O'Grady, Ohleyer, Price, Rucker, Remson, Searey, Shanahan, Sherburne, Sims, Sykes, Taylor, Toner, Variel, Venable, Vincent, Weber, Windrow, Wilcox, Williams, Young of San Diego, and Mr. Speaker—60

NOES—None

Title read and approved.

Mr. Venable called up Senate Bill No. 442.

Senate Bill No. 442—An Act to provide for the submission of such proposed amendments to the Constitution of the State as have been heretofore or shall hereafter be proposed and adopted by the Legislature of the State of California, at the session beginning January third, eighteen hundred and eighty-seven, to the qualified voters of said State, at a special election, to be called by the Governor for the twelfth day of April, eighteen hundred and eighty-seven.

CASE OF URGENCY.

Mr. Venable moved to suspend the rules and the provisions of section fifteen, of Article IV, of the Constitution, requiring bills to be read on three separate days, that Senate Bill No. 442 be declared a case of urgency, and that the bill be read a third time, and put on its final passage.

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

AYES—Messrs Adams, Atherton, Bailey, Barton, Bost, Brierly, Britt, Brown W A., Brown J B, Brusie, Butler, Callaghan, Campbell, Carr, Carroll, Cooley, Coombs, Cope, Currey of Solano, Davis, Ellsworth, Ewing, Gould, Granger, Gruwell, Handy, Heath, Henry of San Joaquin, Hotchkiss, Hyde, LaBlanc, Lawrence, Lewis, Mann, Matthews of San Benito, McClenahan, McDonnell, McGowan, Mitchell, O'Grady, Ohleyer, Price, Regan, Rucker, Remson, Searey, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Toner, Variel, Venable, Vincent, Weber, Wilcox, Williams, Young of San Diego, Young of San Joaquin, and Mr Speaker—63

NOES—Mr. Morgan—1.

Senate Bill No. 442 read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Alexander, Bailey, Barton, Bost, Brierly, Britt, Butler, Callaghan, Campbell, Carr, Carroll, Cohen, Colbert, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco Davis, Ellsworth, Ewing, Granger, Gruwell, Handy, Hart, Heath, Henry of San Joaquin, Hotchkiss, Hyde, LaBlanc, Lawrence, Martin, Mann, Mathews of Tehama, Matthews of San Benito, McDonnell, McGowan, Mitchell, Ohleyer, Price, Regan Remson, Searey, Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Toner, Venable Weber, Windrow, Wilcox Williams, Young of San Diego, Young of San Joaquin, and Mr Speaker—59

NOES—Mr. Morgan—1.

Title read and approved.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1887

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following Assembly Bills have been correctly engrossed

Nos. 554, 381, 450, and 329

WINDROW, Chairman

REPORT OF FREE CONFERENCE COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1887

MR SPEAKER Your Committee of Free Conference, appointed to confer with a similar committee from the Senate, on the subject of Senate Amendment No 19 to the "Substi-

tute for Assembly Bill No 323 and others," relating to county and township governments, now report that, under the instruction of the Assembly, such conference has been held, and the committee unanimously recommend that the Senate recede from said Senate Amendment No 19

HANDY, Chairman

Report adopted.

REPORT OF COMMITTEE ON ADJOURNMENT.

MR SPEAKER Your committee appointed to confer with a like committee from the Senate to agree upon the hour of adjournment sine die of the Legislature, beg leave to report that the joint committee have fixed Friday, March eleventh, eighteen hundred and eighty-seven, at one o'clock P M, as the hour for such adjournment, and recommend that the following resolution be adopted:

Resolved by the Assembly, the Senate concurring, That this Legislature do adjourn sine die on Friday, March eleventh, eighteen hundred and eighty-seven, at one o'clock P M

F M COOLEY.

PREVIOUS QUESTION.

Mr. Britt moved the previous question, seconded by Messrs. Rucker and Alexander.

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

The question being on the adoption of the report of the Committee on Adjournment.

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

AYES—Messrs Alexander, Bost, Brown W A, Campbell, Carr, Carroll, Colbert, Cooley, Ewing, Granger, Gruwell, Heath, Henry of San Joaquin, Hotchkiss, Hyde, Matthews of San Benito, Ohleyer, Regan, Remson, Rucker, Searey, Smyth, Venable, Young of San Joaquin, and Mr Speaker—25.

NOES—Messrs Adams, Atherton, Bailey, Barton, Brierly, Britt, Brown J B, Brusie Butler, Cohen, Coombs, Cope, Curry of San Francisco, Davis, Ellsworth, Gould, Handy, Hart, Henry of Butte, Knox, LaBlanc, Lawrence, Lewis, Martin, Mann, Mathews of Tehama, McClenahan, M[illegible]onnell, McGowan, Mitchell, Morgan, O'Grady, Price, Shanahan, Sherburne, Sims, Spurgeon, Sykes, Taylor, Toner, Variel, Vincent, Weber, Windrow, Wilcox, Williams, Wright, and Young of San Diego—17

Mr. Vincent called up Senate Bill No. 50.

THIRD READING OF BILL.

Senate Bill No. 50—An Act to appropriate money to pay the claim of N. P. Perine, for furnishing granite and statuary for the Napa State Asylum for the Insane, and for labor performed on said asylum.

Read third time.

Speaker pro tem. Brierly in the chair.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Alexander, Bailey, Barton, Bost, Brierly, Britt, Brown W A, Brown J B, Brusie, Callaghan, Campbell, Carr Carroll, Cohen, Cooley, Cope, Curry of San Francisco, Ellsworth, Gould, Granger, Handy, Hart, Henry of Butte, Henry of San Joaquin, Hyde, Knox, Lewis, Martin, Mann, McGowan, Mitchell, Morgan, O'Grady, Ohleyer, Price, Regan, Rucker, Searey, Shanahan, Sherburne, Sims Spurgeon, Sykes, Taylor, Toner, Variel, Vincent, Weber, Wilcox, Williams, Wright, Young of San Diego, and Young of San Joaquin—55

NOES—Messrs Atherton, Colbert, Coombs, Currey of Solano, Lawrence, Smyth, and Venable—7.

Title read and approved.

MOTION TO RECONSIDER.

Mr Venable moved to reconsider the vote whereby Assembly Bill No. 144 was refused passage.

PREVIOUS QUESTION.

Mr. Cohen moved the previous question, seconded by Messrs. Young of San Joaquin and Curry of San Francisco.

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

The question then being on the motion to reconsider.

The ayes and noes were demanded by Messrs. Mann, Renison, and Matthews of San Benito.

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

AYES—Messrs Alexander, Barton, Bost, Brierly, Brown W A, Brown J B, Brusie, Butler, Callaghan, Carroll, Coombs, Cope, Currey of Solano, Curry of San Francisco, Ellsworth, Gould, Granger, Hart, Hyde, Knox, Lewis, Martin, Mann, Mathews of Tehama, McGowan, O'Grady, Ohlever, Rucker, Shanahan, Sherburne, Sims, Spurgeon, Sykes, Variel, Venable, Weber, Williams, Wright, and Young of San Diego—39

NOES—Messrs Atherton, Bailey, Britt, Carr, Cohen, Colbert, Cooley, Davis, Ewing, Gruwell, Handy, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Lawrence, Matthews of San Benito, McClenahan, McDonnell, Mitchell, Price, Regan, Searey, Smyth, Toner, Vincent, Windrow, and Young of San Joaquin—28

The question being on the passage of Assembly Bill No. 144.

PREVIOUS QUESTION.

Mr. Hyde moved the previous question, seconded by Messrs. Ellsworth and Alexander.

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

The question then recurring on the passage of Assembly Bill No. 144.

Assembly Bill No. 144—An Act to amend section one thousand two hundred and fifty-seven of the Political Code of the State of California, relating to counting of ballots at elections.

PREVIOUS QUESTION.

Pending discussion, Mr. Brusie moved the previous question, seconded by Messrs. Young of San Diego and Cope.

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

The question being upon the passage of Assembly Bill No. 144.

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

AYES—Messrs Adams, Alexander, Barton, Bost, Brierly, Brown W A, Brusie, Butler, Carroll, Cohen, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Granger, Handy, Hart, Hyde, Knox, Mann, Mathews of Tehama, Morgan, Ohlever, Rucker, Shanahan, Sims, Spurgeon, Sykes, Taylor, Variel, Venable, Vincent, Weber, Wilcox, Williams, and Young of San Diego—38

NOES—Messrs Atherton, Bailey, Britt, Carr, Colbert, Cooley, Ewing, Gould, Gruwell, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Lawrence, Lewis, Matthews of San Benito, McClenahan, McDonnell, McGowan, Mitchell, O'Grady, Price, Regan, Renison, Searey, Sherburne, Smyth, Toner, Windrow, and Young of San Joaquin—30

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1887.

MR SPEAKER Your Committee on Engrossment beg leave to report that the following Assembly Bills have been correctly reengrossed
Nos 39 and 22

WINDROW, Chairman.

MOTION.

Mr. Ellsworth moved to take up Senate message.
So ordered.

SENATE MESSAGE.

SENATE CHAMBER, SACRAMENTO, March 10, 1887.

MR SPEAKER I am directed to inform your honorable body that the Senate, on this day, passed the following.

Assembly Bill No 208—An Act to validate proceedings for the reorganization of municipal corporations taken since the passage of the Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Also, Assembly Bill No 35—An Act for the better protection of settlers on the public lands of the United States within the State of California, and for the protection and encouragement of persons desirous of settling thereon.

And have amended said Assembly Bill No. 35, and respectfully ask your honorable body to concur in said amendments

Assembly Bill No 564—An Act to provide for the payment of mileage of Presidential Electors during the fortieth fiscal year

Also, passed Assembly Bill No 107—An Act providing for the payment to D Jordan, for work and labor performed upon and material furnished in the construction of the State Prison at Folsom

Also, adopted the following·

Resolved by the Senate, the Assembly concurring, That this Legislature do adjourn sine die on Friday, March eleventh, eighteen hundred and eighty-seven, at one o'clock P M

Also, that Senators Hall, Jones, and Gesford were appointed as a Committee of Free Conference on Assembly Bill No 13

Also, passed, as amended, Assembly Bill No 118—An Act to amend section three thousand seven hundred and sixty-eight of the Political Code of the State of California, relating to the time and place where sales of property for delinquent taxes shall be held.

And respectfully ask concurrence in said amendment

Also, passed Assembly Bill No 40—An Act to amend section thirty-two of an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885

Also, on this day, Senate receded from Senate Amendment No 19 to Substitute for Assembly Bill No 323 et al

Also, adopted the following

Resolved by the Senate of California, the Assembly concurring, That the Superintendent of Public Instruction, and two other persons connected with the educational interests of the State, to be selected by the Governor, be and they are hereby appointed as a committee to represent California at a meeting of the "National Educational Association," to be held at Chicago, in July, eighteen hundred and eighty-seven, and urge its members to hold their annual session for eighteen hundred and eighty-eight in this State The Superintendent of Public Instruction is hereby granted permission to be absent from the State for five weeks, during the months of July and August, eighteen hundred and eighty-seven, for the purpose of attending said meeting and visiting such other educational institutions as his time will permit, and the committee so appointed shall defray the expenses of such committee.

E H HAMILTON, Secretary
By R B OLLLAHAN, Assistant Secretary.

Consideration of Senate amendments to Assembly Bill No. 35:

Amendment No. 1: Strike out all after the word "who," on line one, page one, down to and including the word "to," on line eight, page one.

Concurred in unanimously.

Amendment No. 2: Insert, after the word "who," in line one, page one, the words "shall unlawfully."

Concurred in unanimously.

Amendment No. 3: Insert, after the word "who," on line two, page two, the words "shall unlawfully."

Concurred in unanimously.

Amendment No. 4: Strike out the letter "s," from the words "hinders, prevents, and obstructs," on line three, page two.

Concurred in unanimously.

The question being on the final concurrence in the Senate amendments to Assembly Bill No. 35.

The roll was called, and the amendments concurred in by the following vote:

AYES—Messrs Adams, Atherton, Bailey, Barton, Bost, Brierly, Britt, Brown W A, Brown J B, Brusie, Butler, Campbell, Carr, Carroll, Cohen, Colbert, Coombs, Cope, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Gruwell, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, Morgan, O'Grady, Ohleyer, Price, Rennson, Sherburne, Sims, Spurgeon, Sykes, Taylor, Toner, Variel, Vincent, Weber, Windrow, Wilcox, Wilhams, Young of San Diego, and Young of San Joaquin—53

NOES—Mr Venable—1.

LEAVE OF ABSENCE.

Mr. Spurgeon was granted leave of absence for the evening.

The question being on the final concurrence in Senate amendment to Assembly Bill No. 118.

The roll was called, and the amendment concurred in by the following vote.

AYES—Messrs. Adams, Atherton, Bailey, Barton, Bost, Brierly, Britt, Brusie, Butler, Callaghan, Carr, Colbert, Cooley, Coombs, Cope, Curtey of Solano, Curty of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Gruwell, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, Knox, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Morgan, O'Grady, Ohleyer, Price, Regan, Renison, Sherburne, Taylor, Variel, Venable, Vincent, Weber, Windrow, Wilcox, Wilhams, Young of San Diego, and Young of San Joaquin—53

NOES—None

The question being on the passage of Assembly Bill No. 323 et al. as amended by Committee of Free Conference.

The roll was called, and the bill, as amended, passed by the following vote:

AYES—Messrs Adams, Atherton, Bailey, Barton, Bost, Brierly, Brusie, Butler, Campbell, Carr, Coombs, Cope, Curtey of Solano, Curty of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Gruwell, Handy, Hart, Heath, Hotchkiss, Hyde, Knox, Lewis, Mathews of San Benito, McDonnell, McGowan, Morgan, O'Grady, Ohleyer, Price, Regan, Sherburne, Sims, Sykes, Taylor, Variel, Venable Vincent, Weber, Windrow, Wilcox, Young of San Diego, and Young of San Joaquin—47

NOES—None

Title read and approved.

Mr. Hyde moved that Mr. Taylor have leave to introduce a resolution out of order.

So ordered, on a division—ayes, 38; noes, 4.

RESOLUTION.

By Mr. Taylor:

Resolved by the Assembly, the Senate concurring, That this Legislature do adjourn sine die on Friday, March eleventh, eighteen hundred and eighty-seven, at twelve o'clock midnight

Mr. Variel in the chair.

PREVIOUS QUESTION.

Mr. Cooley moved the previous question, seconded by Messrs. Hyde and Wilcox.

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

The ayes and noes were demanded by Messrs. Brierly, Venable, and Henry of Butte.

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

AYES—Messrs Atherton, Bost, Britt, Brown W A , Brusie, Butler, Callaghan, Campbell, Carr, Cohen, Colbert, Cooley, Currey of Solano, Ellsworth, Ewing, Gould, Granger, Gruwell, Handy, Henry of San Joaquin, Hyde, Lawrence, Matthews of San Benito, McClenahan, Mitchell, Morgan, O'Grady, Ohleyer, Regan, Remson, Searey, Sims, Taylor, Toner, Variel, Vincent, Weber, Wilcox, Young of San Diego, and Young of San Joaquin—40

NOES—Messrs Bailey, Brierly, Coombs, Cope, Davis, Hart, Knox, Lewis, Mathews of Tehama, McDonnell, McGowan, Price, Sherburne, Venable, and Williams—15

The question then being on the adoption of the resolution.

The ayes and noes were demanded by Messrs. McDonnell, Venable, and Henry of Butte.

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

AYES—Messrs Atherton, Bailey, Barton, Bost, Brierly, Britt, Brown W. A , Brusie Butler, Callaghan, Campbell, Carr, Carroll, Cohen, Colbert, Cooley, Cope, Currey of Solano, Davis, Ellsworth, Ewing, Gould, Granger, Gruwell Handy, Henry of San Joaquin, Hotchkiss, Hyde, Lawrence, Matthews of San Benito, McClenahan, Mitchell, Morgan, O'Grady, Ohleyer, Regan, Remson, Searey, Sims, Taylor, Toner, Variel, Vincent, Williams, Young of San Diego, and Young of San Joaquin—46

NOES—Messrs Hart, Henry of Butte, Knox, Lewis, Martin, Mathews of Tehama, McDonnell, McGowan, Price, Sherburne, Sykes, Venable, Weber, Windrow, and Wilcox—15

NOTICE OF RECONSIDERATION.

Mr. Brierly gave notice that, on to-morrow, he would move to reconsider the vote whereby the resolution offered by Mr. Taylor was adopted.

At ten o'clock and forty minutes P. M. Mr. Cooley moved to adjourn.

Lost.

MOTION.

Mr. Hyde moved that the House immediately transmit to the Senate the concurrent resolution to adjourn sine die, Friday, March eleventh, at midnight.

POINT OF ORDER.

Mr. Mathews of Tehama raised a point of order, that the motion is out of order, inasmuch as the motion of reconsideration prevented such an action.

The Speaker ruled the point of order well taken.

Mr. Granger appealed from the decision of the Chair.

The question being "Shall the decision of the Chair stand as the judgment of the House?"

Mr. Brusie withdrew his motion to reconsider.

MOTION TO RECONSIDER.

Mr. Davis gave notice that, on to-morrow, he would move to reconsider the vote whereby the concurrent resolution to adjourn sine die was carried.

The question recurring, "Shall the decision of the Chair stand as the judgment of the House?" it was so ordered, on a division—ayes, 28; noes, 13.

Mr. Weber called up Assembly Bill No. 4.

THIRD READING OF BILL.

Assembly Bill No. 4—An Act to repeal an Act entitled an Act fixing jurisdiction and providing compensation for Justices of the Peace in cities and towns, approved March 9, 1883.

Read third time.

Speaker pro tem. Brierly in the chair.

Mr. Venable moved to suspend the rules, and take up Senate messages.

Mr. Matthews of Tehama moved to lay the resolution on the table.

Lost.

At eleven o'clock and ten minutes P. M. Mr. Davis moved to adjourn.

Lost.

The question then recurring on the motion of Mr. Venable, to take up Senate messages, it was so ordered, on a division—ayes, 29; noes, 12.

Speaker Jordan in the chair.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 10, 1887.

MR SPEAKER I am directed to inform your honorable body that the Senate, on this day, adopted the following

By Mr. Vrooman:

Resolved by the Senate, the Assembly concurring, That this Legislature do adjourn sine die on Friday, March eleventh, eighteen hundred and eighty-seven, at twelve o'clock, midnight

E H HAMILTON, Secretary.

CONSIDERATION OF SENATE MESSAGE.

The question being on the adoption of the above resolution.

Mr. Lawrence moved to make this resolution the special order for to-morrow, at four o'clock P. M.

Lost.

Mr. McDonnell moved to amend the resolution, so as to read, twelve o'clock M. on Saturday, March twelfth.

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

Lost.

Amendment adopted.

Mr. Venable moved to reconsider the vote whereby the amendment of Mr. McDonnell was adopted.

Lost, on a division—ayes, 17; noes, 31.

The question then being on the adoption of the resolution, as amended, the ayes and noes were demanded by Messrs. Davis, McDonnell, and Venable.

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

AYES—Messrs Adams, Atherton, Bailey, Barton, Brierly, Britt, Brusie, Butler, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Gould, Handy, Hart, Henry of Butte, Hotchkiss, Knox, Lawrence, Lewis, Martin, Mann, Mathews of Tehama, McDonnell, O'Grady, Ohlever, Price, Shanahan, Sherburne, Sims, Sykes, Toner, Variel, Vincent, Weber, Williams, Young of San Diego, Young of San Joaquin, and Mr Speaker—40

NOES—Messrs Callaghan, Carr, Carroll, Cohen Colbert, Ellsworth, Ewing, Granger, Gruwell, Heath, Henry of San Joaquin, Hyde, McGowan, Mitchell, Morgan, Regan, Remson, Searey, Taylor, Venable, Windrow, and Wilcox—22.

The question then recurring on the passage of Assembly Bill No. 4. The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Atherton, Bailey, Barton, Bost, Brierly, Brown W A, Callaghan, Carr, Carroll, Colbert, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Ellsworth, Ewing, Gould, Gruwell, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, Knox, Lawrence, Lewis, Martin, Mathews of Tehama, McDonnell, McGowan, Mitchell, O'Grady, Ohlever, Price, Searey, Shanahan, Sherburne, Sims, Sykes, Taylor, Toner, Variel, Weber, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr Speaker—53.

NOES—Mr Venable—1.

Title read and approved.

Mr. Windrow called up Senate Bill No. 274.

THIRD READING OF BILL.

Senate Bill No. 274—An Act making appropriations for the erection of buildings, and for other improvements, at the State Prison at San Quentin.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Atherton, Bailey, Barton, Bost, Brierly, Brown W A, Butler, Callaghan, Carroll, Cohen, Colbert, Cooley, Coombs, Cope, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Hart, Henry of Butte, Hyde, Knox, Lewis, Martin, Mathews of Tehama, McDonnell, McGowan, Mitchell, Searey, Sherburne, Sims, Sykes, Toner, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, and Young of San Joaquin—41

NOES—Messrs. Adams, Carr, Granger, Gruwell, Handy, Heath, Ohleyer, Variel, and Venable—9.

Title read and approved.

Mr. Wilcox called up Senate Bill No. 448.

SECOND READING OF BILL.

Senate Bill No. 448—An Act to appropriate the sum of five thousand dollars, to pay the expenses and disbursements to be incurred and made in maintaining the rights of the State in litigation now pending in or which may come before the Supreme Court of the United States, to which the State is or shall be a party, on the determination of which this State is or shall be interested.

Read second time.

IN COMMITTEE OF THE WHOLE.

On motion of Mr. Wilcox, the House went into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bill No. 448.

The bill was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Jordan in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The Chairman stated the report as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 448, and now report the same back, and recommend that it do pass.

Report adopted.
Bill ordered to a third reading.
Mr. Williams called up Senate Bill No. 265.

THIRD READING OF BILL.

Senate Bill No. 265—An Act to amend an Act entitled "An Act to establish a State Board of Silk Culture, and to provide moneys for the expenses thereof," approved March 18, 1885, in relation to the salary of officers.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Atherton, Bailey, Bost, Brierly, Britt, Brown W A, Butler, Callaghan, Carr, Carroll, Cohen, Colbert, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Ewing, Gould, Handy, Hart, Henry of Butte, Hyde, Knox, Lawrence, Lewis, Martin, Mathews of Tehama, McDonnell, McGowan, Mitchell, O'Grady, Price, Regan, Searey, Shanahan, Sherburne, Sims, Sykes, Toner, Variel, Weber, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr Speaker—48

NOES—Messrs Adams, Davis, Ellsworth, Gruwell, Heath, Henry of San Joaquin, Ohleyer, and Venable—8.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Lawrence gave notice that, on to-morrow, he would move to reconsider the vote whereby Assembly Bill No. 265 was passed.

Mr. Wright called up Senate Bill No. 41.

SECOND READING OF BILL.

Senate Bill No 41—An Act to encourage tree planting within the State of California.

Read second time.

IN COMMITTEE OF THE WHOLE.

On motion of Mr. Wright, the House went into Committee of the Whole, for the purpose of considering Senate Bill No. 41.

Speaker Jordan in the chair.

The bill was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Jordan 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 41, and now report the same back, and recommend that it do pass

Report adopted.

Bill ordered to a third reading.

Mr. Wright moved to make this bill the special order for to-morrow, at eleven o'clock and thirty minutes A. M.

Lost

Mr. Young of San Diego called up Senate Bill No. 3—An Act to repeal section one thousand four hundred and twenty-two, of Title VIII, of Part IV, of Division II, of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, and to reserve from the operation of said repeal rights already vested.

Mr. Young of San Diego moved to make the further consideration of this bill the special order for eleven o'clock and thirty minutes A M. to-morrow.

So ordered.

Mr. Young of San Joaquin called up Senate Bill No. 70.

THIRD READING OF BILL.

Senate Bill No. 70—An Act to establish an Asylum for Insane Criminals of the State of California.

Read third time.

The roll was called, and the bill passed by the following vote.

AYES—Messrs Atherton, Bailey, Barton, Bost, Brierly, Britt, Brown W A, Butler, Callaghan, Carr, Carroll, Colbert, Cooley, Coombs, Cope, Currey of Solano, Ellsworth, Ewing, Gould, Gruwell, Hart, Henry of Butte, Henry of San Joaquin, Hyde, Knox, Lawrence, Lewis, Mathews of Tehama, McDonnell, McGowan, Mitchell, Ohleyer, Price, Regan, Searey, Sherburne, Sims, Sykes, Taylor, Vincent, Wilcox, Williams, Young of San Diego, Young of San Joaquin, and Mr Speaker—46

NOES—Messrs Adams, Shanahan, and Wright—3.

Title read and approved.

Speaker Jordan called up Senate Bill No. 419.

FIRST READING OF BILL.

Senate Bill No. 419—An Act to appropriate money to pay the claim of John C. Edgar, ex-Sheriff of the County of San Mateo, for delivering certain insane persons at the Insane Asylum at Stockton, for the twenty-fourth fiscal year.

Read first time, and placed on file for second reading.

Mr. Price moved to make this bill the special order for eleven o'clock A. M. to-morrow.

So ordered.

MOTION.

Mr. O'Grady moved that the rules be suspended, and that Senate Bill No. 425 be taken up, out of order, and considered.

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

AYES—Messrs. Adams, Atherton, Bailey, Barton, Bost, Brierly, Britt, Brown W. A., Brusie, Butler, Callaghan, Carr, Carroll, Colbert, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Ellsworth, Ewing, Gould, Granger, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hyde, Knox, La Blanc, Lawrence, Martin, McDonnell, McGowan, Mitchell, O'Grady, Ohlever, Price, Regan, Rucker Remson, Searey, Shanahan, Sherburne, Sims, Sykes, Taylor, Toner, Variel, Vincent, Windrow, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr. Speaker—57.

NOES—Mr. Venable—1

THIRD READING OF BILL.

Senate Bill No. 425—An Act to appropriate money to pay the claim of Richard Coleman, formerly First Lieutenant, commanding Company "D," Fifth Infantry Battalion, Second Brigade, National Guard of California, for moneys paid by him as expenses of said company.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Atherton, Bailey, Barton, Bost, Brierly, Britt, Brown W. A., Brusie, Butler, Callaghan, Carr, Cohen, Colbert, Cooley, Coombs, Cope, Currey of Solano, Ewing, Gould, Handy, Hyde, Knox, Lawrence, Lewis, Martin, McDonnell, McGowan, Mitchell, O'Grady, Ohlever, Price, Regan, Remson, Searey, Shanahan, Sims, Sykes, Toner, Variel, Vincent, Weber, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr Speaker—47

NOES—Messrs Davis, Heath, and Venable—3

Title read and approved.

RESOLUTION—(OUT OF ORDER).

By Mr. McDonnell:

Resolved, That all deficiency bills, and all bills ordered engrossed, be taken up and acted upon, and all other bills shall be stricken from the file

ADJOURNMENT.

Pending discussion, at eleven o'clock and fifty-nine minutes P. M., on motion of Mr. Cooley, the House adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Friday, March 11, 1887.

The House met pursuant to adjournment.

Speaker Jordan in the chair.

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

Messrs Adams, Alexander, Atherton Bailey, Barry, Barton, Bost, Brierly, Britt, Brown W A, Brown J. B, Brusie, Butler, Callaghan, Carr, Carroll, Cohen, Cooley, Coombs, Cope,

Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Gruwell, Handy, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, Knox, LaBlanc, Lawrence, Lewis, Martin, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Mitchell, Morgan, Ohlever, Price, Rucker, Remson, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Toner, Variel, Venable, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr. Speaker.

Quorum present.

Prayer by the Chaplain, Rev. E. R. Dille.

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

So ordered.

Journal approved.

RESOLUTIONS—(OUT OF ORDER).

By Mr. McDonnell:

Resolved, That Rule No 69 be temporarily suspended, and that the bills on the file be taken up and considered in the following order

First—All deficiency bills in the order that they stand on the file

Second—All engrossed and Senate Bills, provided that the Tax Levy Bill may be called up at any time, and, No. 84, Assembly Bill No 214.

Adopted.

By Mr. Carroll:

Resolved, That the sum of three dollars and sixty cents be and is hereby appropriated from Assembly Contingent Fund to defray bill of Sellinger & Co, for ice used by the Assembly. The Controller to draw his warrant for same, and the State Treasurer to pay such bill.

Adopted.

LEAVE OF ABSENCE.

Messrs. Venable, Gruwell, and Hotchkiss were granted indefinite leave of absence after recess.

Mr. Henry of San Joaquin was granted indefinite leave of absence after to-day.

Mr. Mann was granted indefinite leave of absence after eight o'clock to-day.

Mr. Wright was granted indefinite leave of absence after eleven o'clock to-morrow.

Mr. Mahler was granted indefinite leave of absence on account of sickness.

THIRD READING OF BILL.

Assembly Bill No. 283—An Act to appropriate money to pay the fees of John C. Edgar, ex-Sheriff of the County of San Mateo, for delivering certain insane persons at the Insane Asylum at Stockton.

Passed temporarily on file.

Assembly Bill No. 351—An Act to provide for the deficiency in the appropriation for the expenses of the Supreme Court, under section forty-seven of the Code of Civil Procedure, for the thirty-seventh fiscal year.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Alexander, Atherton, Bailey, Barton, Bost, Brierly, Carr, Carroll, Cohen, Cooley, Coombs, Cope, Davis, Ellsworth, Ewing, Gould, Gruwell, Handy, Hotchkiss, Hyde, Mann, McDonnell, Morgan, Ohleyer, Price, Rucker, Remson, Searey, Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Variel, Venable, Vincent, Weber, Wilcox, Wright, Young of San Diego, Young of San Joaquin, and Mr Speaker—44
NOES—None

Title read and approved.

Assembly Bill No. 206—An Act making an appropriation for deficiency in fund for printing the school text-books, for the thirty-eighth fiscal year.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Alexander, Atherton, Bailey, Barton, Bost, Brierly, Butler, Carr, Carroll, Cohen, Coombs, Cope, Currey of Solano, Davis, Ewing, Gould, Gruwell, Handy, Henry of San Joaquin, Hotchkiss, Hyde, Mann, Matthews of San Benito, McClenahan, McDonnell, Morgan, Ohleyer, Price, Rucker, Remson, Searey, Sherburne, Sims, Spurgeon, Sykes, Taylor, Toner, Venable, Vincent, Weber, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr Speaker—46
NOES—None

Title read and approved.

Assembly Bill No. 354—An Act to provide for the deficiency in the appropriation for costs and expenses of suits wherein 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 Adams, Alexander, Atherton, Bailey, Barton, Bost, Brierly, Brown W. A., Butler Carr, Carroll, Cohen, Cooley, Coombs, Cope, Currey of Solano, Davis, Gould, Gruwell, Handy, Henry of San Joaquin, Hotchkiss, Hyde, Lawrence, Mann, McClenahan, McDonnell, Morgan, Ohleyer Price, Rucker, Remson, Searey, Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Toner, Venable, Vincent, Weber, Wilcox, Williams, Wright, Young of San Joaquin, and Mr Speaker—48
NOES—None

Title read and approved.

Assembly Bill No. 355—An Act to provide for the deficiency in the appropriation for contingent expenses in the office of Surveyor-General, for the thirty-sixth fiscal year.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Alexander, Atherton, Bailey Barry, Barton, Bost, Brierly, Butler, Carr, Carroll, Cooley, Coombs, Cope, Currey of Solano, Davis, Gould, Gruwell, Handy, Henry of San Joaquin, Hotchkiss, Hyde, Mann, McClenahan, McDonnell, McGowan, Mitchell, Morgan, Ohleyer, Price, Regan, Rucker, Remson, Searey, Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Variel, Venable, Vincent, Weber, Windrow, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr. Speaker—50
NOES—None.

Title read and approved.

Assembly Bill No. 356—An Act to provide for the deficiency in the appropriation for the cleaning and transportation of arms for the National Guard of California, for the thirty-fourth fiscal year.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Alexander, Atherton, Bailey, Barry, Bost, Brierly, Britt, Butler, Carroll, Cooley, Coombs, Cope, Currey of Solano, Davis, Gould, Granger, Gruwell, Handy, Henry of San Joaquin, Hotchkiss, Hyde, Lewis, Mann, McClenahan, McDonnell, Mc-

Gowan, Mitchell, Morgan, Ohlever, Price, Regan, Rucker, Searey, Sherburne, Sims, Spurgeon, Sykes, Variel, Vincent, Weber, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr. Speaker—46

NOES—None

Title read and approved.

Assembly Bill No. 357—An Act to provide for the deficiency in the appropriation for postage, expressage, etc., of the Surveyor-General, for the thirty-fifth fiscal year.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Alexander, Atherton, Bailey, Bost, Brierly, Britt, Butler, Carr, Carroll, Cooley, Coombs, Cope, Currey of Solano, Davis, Ewing, Gould, Gruwell, Heath, Henry of San Joaquin, Hotchkiss, Hyde, Lewis, Mann, McClenahan, McDonnell, McGowan, Mitchell, Morgan, Ohlever, Price, Rucker, Searey, Sherburne, Sims, Spurgeon, Sykes Variel, Vincent, Weber, Wilcox, Williams, Young of San Diego, Young of San Joaquin, and Mr Speaker—45.

NOES—None

Title read and approved.

Assembly Bill No. 358—An Act to provide for the deficiency in the appropriation for postage and expressage in the office of the Adjutant-General, for the thirty-fifth fiscal year.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams Atherton, Bailey, Barry, Barton Bost, Brierly, Butler, Carr Carroll, Cooley, Coombs, Cope, Currey of Solano, Davis, Gould, Gruwell, Handy, Heath, Henry of San Joaquin, Hotchkiss, Hyde, Lewis, Mann, McClenahan McDonnell, McGowan, Mitchell, Morgan, Ohlever, Price, Rucker, Remson, Searey, Sherburne, Sims, Smyth, Spurgeon, Sykes, Variel, Venable, Vincent, Weber, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr Speaker—49

NOES—None

Title read and approved.

Assembly Bill No 359—An Act to provide 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 Adams, Alexander, Atherton, Bailey, Barton, Bost, Britt, Butler, Carr, Carroll, Cooley, Coombs, Cope, Currey of Solano, Davis, Ewing, Gould, Gruwell, Handy, Heath, Henry of San Joaquin, Hotchkiss, Hyde, Lewis, Mann, McClenahan, McDonnell, McGowan, Mitchell, Morgan, Ohlever, Price, Rucker, Remson, Searey, Sherburne, Sims, Smyth, Spurgeon, Sykes, Variel, Venable, Vincent, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr Speaker—49

NOES—None.

Title read and approved.

Assembly Bill No. 368—An Act to provide for the deficiency in the appropriation for traveling expenses of the Superintendent of Public Instruction, for the thirty-fifth fiscal year.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Alexander, Atherton, Barton, Bost, Brierly, Britt, Butler, Callaghan, Campbell, Carr, Carroll, Cooley, Cope, Currey of Solano, Davis, Ellsworth, Ewing, Gould, Gruwell, Handy, Henry of San Joaquin, Hotchkiss, Hyde, Lewis, Mann, McClenahan, McDonnell, Mitchell, Morgan, Ohlever, Price, Rucker, Remson, Searey, Shanahan, Sherburne, Sims, Spurgeon, Sykes, Taylor, Variel, Venable, Vincent, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr Speaker—49

NOES—None

Title read and approved.

Assembly Bill No. 369—An Act to provide for the deficiency in the appropriation for traveling expenses of the Attorney-General, for the thirty-fifth fiscal year.

Read third time

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Bailey, Bost, Brierly, Britt, Carr, Carroll, Cohen, Cooley, Coombs, Cope, Currey of Solano, Ellsworth, Ewing, Gould, Handy, Henry of San Joaquin, Hotchkiss, Mann, McClenahan, McDonnell, McGowan, Mitchell, Ohlever, Price, Rucker, Remson, Searey, Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Variel, Venable, Vincent, Weber, Wilcox, Williams, Young of San Diego, and Young of San Joaquin—42

NOES—None.

Title read and approved.

Mr. Venable in the chair.

Assembly Bill No. 360—An Act to provide for the deficiency in the appropriation for stationery and contingent expenses of the Bureau of Labor Statistics, for the thirty-sixth fiscal year.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Alexander, Atherton, Bailey, Bost, Brierly, Britt, Butler, Carroll, Cohen, Cooley, Coombs, Cope, Currey of Solano, Davis, Ellsworth, Gould, Gruwell, Handy, Henry of San Joaquin, Hyde, Lewis, McClenahan, McDonnell, Mitchell, Ohlever, Price, Rucker, Searey, Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Variel, Venable, Weber, Wilcox, Williams, Wright, Young of San Diego, and Young of San Joaquin—42

NOES—None

Title read and approved.

Assembly Bill No. 361—An Act to provide for the deficiency in the appropriation for the contingent expenses in the office of the Secretary of State, for the thirty-sixth fiscal year.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Alexander, Atherton, Bailey, Bost, Brierly, Butler, Carroll, Cohen, Cooley, Coombs, Cope, Currey of Solano, Davis, Ellsworth, Gould, Gruwell, Handy, Henry of San Joaquin, Hyde, Knox, Lewis, Mann, Mathews of Tehama, McClenahan, McDonnell, Mitchell, Ohlever, Price, Rucker, Remson, Sherburne, Sims, Spurgeon, Sykes, Taylor, Variel, Venable, Vincent, Weber, Wilcox, Williams, Wright, Young of San Diego, and Young of San Joaquin—45.

NOES—None.

Title read and approved.

Assembly Bill No. 377—An Act to provide for the deficiency in the appropriation for the transportation of the insane, for the thirty-seventh fiscal year.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Alexander, Atherton, Bailey, Bost, Brierly, Carroll, Cohen, Cooley, Coombs, Cope, Currey of Solano, Davis, Ellsworth, Gould, Gruwell, Handy, Heath, Henry of San Joaquin, Hyde, Lewis, Mann, Mathews of Tehama, McClenahan, McGowan, Mitchell, Ohleyer, Price, Rucker, Searey, Sherburne, Sims, Spurgeon, Sykes, Taylor, Variel, Venable, Weber, Wilcox, Williams, Wright, Young of San Diego, and Young of San Joaquin—43

NOES—None

Title read and approved.

Assembly Bill No. 380—An Act to provide for the deficiency in the

appropriation for the payment of rewards for the arrest of criminals without the limits of this State, for the thirty-sixth fiscal year

Read third time. .

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Alexander, Atherton, Bailey, Bost, Bnerly, Carroll, Cohen, Cooley, Coombs, Cope, Currey of Solano, Davis, Ellsworth, Gould, Gruwell, Handy, Henry of San Joaquin, Hyde, Lewis, Mann, Mathews of Tehama, McClenahan, McDonnell, McGowan, Ohleyer, Price, Rucker, Searey, Sherburne, Sims, Spurgeon, Sykes, Taylor, Toner, Variel, Venable, Vincent, Weber, Wilcox, Williams, Young of San Diego, and Young of San Joaquin—43

NOES—None.

Title read and approved.

Assembly Bill No. 378—An Act to provide for the deficiency in the appropriation for the payment of rewards for the arrest of criminals without the limits of the State, for the thirty-seventh fiscal year.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Alexander, Atherton, Bailey, Bost, Brierly, Brown W A, Butler Callaghan, Carroll, Cohen, Cooley, Coombs, Cope, Currey of Solano, Davis, Ellsworth Gould, Handy, Henry of San Joaquin, Hyde, Lewis, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Ohleyer, Price, Rucker, Sherburne, Sims, Spurgeon, Sykes, Taylor, Toner, Variel, Venable, Vincent, Weber, Wilcox, Williams, and Young of San Diego—43

NOES—None.

Title read and approved.

SPECIAL ORDER No 1—SECOND READING OF BILL

Senate Bill No. 419—An Act to appropriate money to pay the claim of John C. Edgar, ex-Sheriff of the County of San Mateo, for delivering certain insane persons at the Insane Asylum at Stockton, for the twenty-fourth fiscal year.

Read second time.

IN COMMITTEE OF THE WHOLE.

Mr. Hyde moved to go into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bill No. 419.

The bill was considered in Committee of the Whole.

IN ASSEMBLY.

Mr. Venable in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The Chairman stated the report as follows.

GENTLEMEN. The Committee of the Whole have had under consideration Senate Bill No 419, and now report the same back, and recommend that it do pass

Report adopted.

Bill ordered to a third reading.

Mr. Hyde moved to make the further consideration of this bill the special order for to-morrow, immediately after reading Journal.

So ordered.

Assembly Bill No. 379—An Act to provide for the deficiency in the appropriation for the payment of rewards for arresting criminals without the limits 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. Adams, Alexander, Atherton, Bailey, Bost, Brierly, Brown W. A., Butler, Carroll, Cooley, Coombs, Cope, Currey of Solano, Davis, Gould, Gruwell, Handy, Henry of San Joaquin, Hotchkiss, Hyde, Lewis, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Ohleyer, Price, Rucker, Shanahan, Sherburne, Sims, Spurgeon, Sykes, Taylor, Toner, Variel, Venable, Weber, Wilcox, Williams, Wright, Young of San Diego, and Young of San Joaquin—45.

NOES—None.

Title read and approved.

Assembly Bill No. 374—An Act to provide for the deficiency in the appropriation for the transportation of the insane, for the thirty-second fiscal year.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Alexander, Atherton, Bailey, Bost, Britt, Brown W. A., Butler, Carroll, Cooley, Cope, Currey of Solano, Gould, Gruwell, Handy, Heath, Henry of San Joaquin, Hotchkiss, Hyde, Lewis, Mann, Mathews of Tehama, Matthews of San Benito, McDonnell, McGowan, Ohleyer, Price, Rucker, Shanahan, Sherburne, Sims, Spurgeon, Sykes, Taylor, Variel, Venable, Vincent, Weber, Wilcox, Williams, Wright, Young of San Diego, and Young of San Joaquin—43.

NOES—None.

Title read and approved.

Assembly Bill No. 375—An Act to provide for the deficiency in the appropriation for the 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. Adams, Alexander, Bailey, Barry, Bost, Britt, Brown W. A., Carroll, Cooley, Coombs, Cope, Currey of Solano, Gould, Heath, Henry of San Joaquin, Hotchkiss, Hyde, Lewis, Mann, Mathews of Tehama, Matthews of San Benito, McDonnell, Mitchell, Morgan, Ohleyer, Price, Rucker, Shanahan, Sherburne, Sims, Spurgeon, Sykes, Taylor, Variel, Venable, Vincent, Weber, Williams, Wright, Young of San Diego, and Young of San Joaquin—41

NOES—None.

Title read and approved.

LEAVE OF ABSENCE.

Mr. Granger was granted leave of absence for the morning.

Assembly Bill No. 372—An Act to provide for the deficiency in the appropriation for the 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. Adams, Atherton, Bailey, Bost, Britt, Brown W. A., Butler, Carroll, Cooley, Cope, Currey of Solano, Ellsworth, Gould, Gruwell, Heath, Henry of San Joaquin, Hotchkiss, Hyde, Lewis, Mann, Mathews of Tehama, Matthews of San Benito, McDonnell, McGowan, Mitchell, Morgan, Rucker, Searey, Sherburne, Sims, Spurgeon, Sykes, Taylor, Toner, Venable, Weber, Wilcox, Williams, Wright, Young of San Diego, and Young of San Joaquin—41.

NOES—None

Title read and approved.

Assembly Bill No. 373—An Act to provide for the deficiency in the appropriation for the transportation of insane, for the thirty-first fiscal year.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Atherton, Bailey, Barton, Bost, Brierly, Britt, Brown W A, Butler, Carroll, Coombs, Cope, Currey of Solano, Ellsworth, Gould, Gruwell, Handy, Henry of San Joaquin, Hyde, Lewis, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Mitchell, Ohleyer, Price, Rucker, Renison, Shanahan, Sherburne, Sims, Spurgeon, Sykes, Taylor, Toner, Variel, Venable, Weber, Williams, Wright, Young of San Diego, and Young of San Joaquin—45

NOES—None.

Title read and approved.

Assembly Bill No. 365—An Act to provide for the deficiency in the appropriation for the uses of the State Board of Viticulture, for the thirty-seventh fiscal year.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Atherton, Bailey, Barry, Barton, Bost, Brierly, Britt, Brown W A, Butler, Carroll, Cooley, Coombs, Cope, Currey of Solano, Ellsworth, Gould, Gruwell, Handy, Henry of San Joaquin, Hyde, Lewis, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, McGowan, Mitchell, Morgan, Ohleyer, Renison, Shanahan, Sherburne, Sims, Spurgeon, Sykes, Taylor, Toner, Venable, Vincent, Weber, Wilcox, Williams, Wright, and Young of San Diego—45

NOES—None.

Title read and approved.

Assembly Bill No. 366—An Act to provide for the deficiency in the appropriation for the contingent expenses of the office of the Surveyor-General, for the thirty-seventh fiscal year.

Read third time

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Atherton, Bailey, Barry, Bost, Brierly, Britt, Brown W. A, Burnett, Carroll, Cooley, Cope, Currey of Solano, Gould, Granger, Gruwell, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, Lewis, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, McGowan, Mitchell, Morgan, Ohleyer, Renison, Shanahan, Sherburne, Sims, Spurgeon, Sykes, Taylor, Venable, Weber, Williams, Wright, and Young of San Diego—41

NOES—None.

Title read and approved.

Assembly Bill No. 364—An Act to provide for the deficiency in the appropriation for the erection and maintenance of the State Salmon Hatchery, for the thirty-seventh fiscal year.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Bailey, Bost, Brierly, Britt, Brown W A, Carr, Carroll, Cooley, Coombs, Cope, Currey of Solano, Davis, Ellsworth, Gould, Granger, Gruwell, Henry of Butte, Henry of San Joaquin, Hyde, Lewis, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Mitchell, Morgan, Ohleyer, Price, Regan, Rucker, Renison, Searey, Shanahan, Sherburne, Sims, Spurgeon, Sykes, Taylor, Toner, Venable, Williams, Wright, and Young of San Diego—44

NOES—None

Title read and approved.

SPECIAL ORDER No. 2—THIRD READING OF BILL.

Senate Bill No. 3—An Act to repeal section one thousand four hundred and twenty-two of Title VIII, of Part IV, of Division II, of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, and to reserve from the operation of said repeal rights already vested.

Read third time.

Speaker Jordan in the chair.

PREVIOUS QUESTION.

Pending discussion, Mr. Hyde moved the previous question, seconded by Messrs. Weber and Cooley.

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

The question being on the passage of Senate Bill No. 3.

CALL OF THE HOUSE.

Pending roll-call, Mr. Lawrence moved a call of the House.

The ayes and noes were demanded by Messrs. Lawrence, Shanahan, and Young of San Diego.

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

AYES—Messrs. Adams, Barry, Barton, Bost, Brierly, Britt, Brown J. B., Butler, Coombs, Cope, Davis, Gould, Granger, Henry of San Joaquin, Lawrence, Mathews of Tehama, Matthews of San Benito, McGowan, Mitchell, Regan, Remson, Searey, Shanahan, Sims, Smyth, Spurgeon, Sykes, Venable, Vincent, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr. Speaker—34.

NOES—Messrs. Alexander, Atherton, Bailey, Brown W. A., Callaghan, Carr, Carroll, Cohen, Cooley, Currey of Solano, Ewing, Gruwell, Henry of Butte, Hotchkiss, Hyde, Lewis, Mann, McDonnell, Morgan, Ohleyer, Price, Rucker, Sherburne, Taylor, Weber, and Wilcox—26.

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

Messrs. Adams, Alexander, Atherton, Bailey, Barry, Barton, Bost, Brierly, Britt, Brown W. A., Brown J. B., Brusie, Butler, Callaghan, Carr, Carroll, Cohen, Cooley, Coombs, Cope, Currey of Solano, Davis, Ewing, Gould, Granger, Gruwell, Handy, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, Lawrence, Lewis, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Mitchell, Morgan, Ohleyer, Price, Regan, Rucker, Remson, Searey, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Toner, Venable, Vincent, Weber, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr. Speaker.

MOTION.

Mr. Carroll moved that further proceedings under the call be dispensed with.

Lost, on a division—ayes, 25; noes, 32.

RECESS.

The Speaker declared a recess for five minutes.

Mr. Heath moved to dispense with further proceedings under the call.

So ordered.

The question being on the passage of the bill.

The interrupted roll-call was completed, and the bill carried by the following vote:

AYES—Messrs Adams, Alexander, Barry, Barton, Brierly, Britt, Brown J B, Brusie, Butler, Coombs, Cope, Davis, Ellsworth, Ewing, Gould, Granger, Heath, Henry of San Joaquin, Lawrence, Mathews of Tehama, Matthews of San Benito, McClenahan, McGowan, Mitchell, Regan, Rucker, Remson, Searey, Shanahan, Sims, Smyth, Spurgeon, Sykes, Toner, Variel, Venable, Vincent, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr Speaker—42

NOES—Messrs Atherton, Bailey, Bost, Brown W. A, Callaghan, Carr, Carroll, Cohen, Cooley, Currey of Solano, Gruwell, Henry of Butte, Hotchkiss, Hyde, Lewis, Mann, McDonnell, Morgan, Ohleyer, Price, Sherburne, Taylor, Weber, and Wilcox—24

Title read and approved.

At twelve o'clock and thirty minutes P. M. the hour of recess was extended for five minutes.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1887

MR SPEAKER: Your Committee on Engrossment beg leave to report that the following Assembly Bill has been correctly engrossed

Reengrossed Assembly Bills Nos. 118 and 35.

WINDROW, Chairman

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 10, 1887

MR SPEAKER. I am directed to inform your honorable body that the Senate, on this day, concurred in Assembly amendment to Senate resolution, relative to adjourning sine die, said amendment being to adjourn at twelve o'clock M, Saturday, March twelfth, eighteen hundred and eighty-seven.

Also, passed Senate Bill No. 453—An Act appropriating money to meet the contingent expenses of the Senate, for its twenty-seventh session.

E H. HAMILTON, Secretary.
By J. J. MCCARTHY, Assistant Secretary.

CASE OF URGENCY.

Mr Venable moved to suspend the rules and the provisions of section fifteen, of Article IV, of the Constitution, requiring bills to be read on three separate days, that Senate Bill No. 453 be declared a case of urgency, and that the bill be read the first, second, and third time, and placed upon its passage.

The roll was called, and it was so ordered by the following vote:

AYES—Messrs. Adams, Alexander, Atherton, Bailey, Barry, Barton, Bost, Brierly, Brusie, Butler, Carr, Carroll, Cooley, Coombs, Cope, Currey of Solano, Davis, Ellsworth, Ewing, Gould, Granger, Gruwell, Handy, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Mitchell, Morgan, Morris, Ohlever, Price, Regan, Rucker, Remson, Searey, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Toner, Variel, Venable, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr Speaker—60

NOES—None

Senate Bill No. 453—An Act to appropriate money to meet the contingent expenses of the Senate, for its twenty-seventh session.

Read first time.

Senate Bill No. 453 read second time.

IN COMMITTEE OF THE WHOLE.

On motion of Mr. Taylor, the House went into Committee of the Whole, for the purpose of considering Senate Bill No. 453.

Speaker Jordan in the chair.

The bill was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Jordan in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The Chairman stated the report as follows:

GENTLEMEN The Committee of the Whole have had under consideration Senate Bill No 453, report the same back, and recommend that it do pass

Report adopted.

Bill ordered to a third reading.

Senate Bill No. 453 read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Atherton, Bailey, Barry, Barton, Bost, Brierly, Britt, Brown W. A., Butler, Carr, Carroll, Cooley, Cope, Currey of Solano, Davis, Ellsworth, Ewing, Gould, Granger, Gruwell, Handy, Heath, Henry of Butte, Henry of San Joaquin, Hotchkiss, Hyde, Lewis, Mann, Mathews of Tehama, Matthews of San Benito, McClenahan, McDonnell, McGowan, Morgan, Ohleyer, Regan, Rucker, Renison, Searey, Shanahan, Sherburne, Sims, Spurgeon, Sykes, Taylor, Venable, Vincent, Weber, Wilcox, Williams, Young of San Diego, Young of San Joaquin, and Mr Speaker—53

NOES—None.

Title read and approved.

LEAVE OF ABSENCE.

Mr. Renison was granted indefinite leave of absence.

RECESS.

At twelve o'clock and thirty-five 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 pro tem. in the chair.

Quorum present.

RESOLUTION—(OUT OF ORDER).

By Mr. Mathews of Tehama:

Resolved, That the Speaker of the twenty-seventh session of the Assembly, the Hon W. H Jordan, is hereby presented by his fellow-members with the gavel which he has used so efficiently and impartially as presiding officer.

Adopted.

THIRD READING OF BILLS.

Assembly Bill No. 362—An Act to provide for the deficiency in the appropriation for the uses of the State Board of Silk Culture, for the thirty-sixth fiscal year.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Atherton, Bailey, Barton, Bost, Brierly, Britt, Brusie, Butler, Cohen, Cooley, Coombs, Cope, Currey of Solano, Davis, Gould, Granger, Handy, Hart, Henry of San Joaquin, Hyde, Mann, Mathews of Tehama, McClenahan, McDonnell, McGowan, Ohleyer, Price, Searey, Sherburne, Sims, Spurgeon, Sykes, Taylor, Variel, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, and Young of San Joaquin—43

NOES—Messrs. Ellsworth, Heath, Morgan, Rucker, and Smyth—5.

Title read and approved.

Senate Bill No. 422—An Act to provide for the deficiency in the appropriation for the costs and expenses of suits wherein 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 Adams, Atherton, Bailey, Barton, Bost, Brierly, Britt, Brusie, Butler, Cooley, Coombs, Cope, Currey of Solano, Davis, Ellsworth, Gould, Granger, Handy, Henry of San Joaquin, Hyde, Mann, McClenahan, McDonnell, McGowan, Morgan, Ohleyer, Price, Regan, Rucker, Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Toner, Variel Weber, Windrow, Wilcox Williams, Wright, Young of San Diego, and Young of San Joaquin—41

NOES—Mr Hart—1

Title read and approved.

Senate Bill No. 310—An Act to provide for the deficiency in the appropriation for salary of the Guardian of Yosemite Valley, for the thirty-sixth fiscal year.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Alexander, Atherton, Bailey, Barton, Bost, Brierly, Britt, Brown W A., Brusie, Burnett, Butler, Cohen, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Gould, Granger, Handy, Hyde, Mann, Matthews of Tehama, McGowan, Mitchell, Price, Regan, Rucker, Sherburne, Sims, Spurgeon, Sykes, Taylor, Variel, Vincent, Weber, Williams, Wright, Young of San Diego, and Young of San Joaquin—41

NOES—Messrs Adams, Hart, Heath, McDonnell, Morgan, and Ohleyer—6

Title read and approved.

Assembly Bill No. 475—An Act to appropriate money to pay the claim of William Saunders, for advertising certain swamp and overflowed lands, under direction of the Surveyor-General, in eighteen hundred and seventy-five.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Alexander, Atherton, Bailey, Barton, Bost, Brierly, Britt, Brown W A, Brusie, Burnett, Butler, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Gould, Granger, Handy, Hart, Heath, Henry of San Joaquin, Mann, Mathews of Tehama, McClenahan, McDonnell, McGowan, Mitchell, Morgan, Ohleyer, Price, Regan, Rucker, Sherburne, Sims, Spurgeon, Sykes, Taylor, Toner, Variel, Vincent, Weber, Wilcox, Williams, Wright, and Young of San Diego—48.

NOES—None

Title read and approved.

Senate Bill No. 347—An Act to pay the claim of J. W. Rock, for the construction of a steam launch.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Alexander, Bailey, Barton, Bost, Brierly, Britt, Brown W. A., Brusie, Butler, Cohen, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Gould, Granger, Handy, Hart, Heath, Henry of San Joaquin, Mann, Mathews of Tehama, McClenahan, McDonnell, McGowan, Mitchell, Morgan, Ohleyer, Price, Rucker, Sherburne, Sims, Sykes, Taylor, Toner, Variel, Vincent, Weber, Wilcox, Williams, Wright, Young of San Diego, and Young of San Joaquin—46.

NOES—None

Title read and approved.

Senate Bill No. 450—An Act to pay the officers and men of the Second Brigade, National Guard of California, for guard duty performed by them in obedience to the orders of the Governor and Commander-in-Chief, from December nineteenth, eighteen hundred and eighty-six, to January thirty-first, eighteen hundred and eighty-seven, both days inclusive.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Alexander, Atherton, Bailey, Barry, Barton, Bost, Brierly, Britt, Brown W. A., Burnett, Carroll, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Gould, Granger, Handy, Hart, Heath, Henry of San Joaquin, Hyde, Mann, Mathews of Tehama, McClenahan, McDonnell, McGowan, Mitchell, Morgan, Ohleyer, Price, Regan, Rucker, Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Toner, Variel, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, and Young of San Joaquin—53

NOES—None.

Title read and approved.

Senate Bill No. 357—An Act to provide for the deficiency in the appropriation for the restoration and preservation of fish in the waters of the State, for the thirty-eighth fiscal year.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Alexander, Atherton, Bailey, Barry, Barton, Bost, Brierly, Britt, Brown W. A., Brown J. B., Brusie, Burnett, Butler, Carroll, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Gould, Granger, Henry of San Joaquin, Hyde, Lewis, Mann, Mathews of Tehama, McClenahan, McDonnell, McGowan, Mitchell, Morgan, Ohleyer, Price, Regan, Romson, Searey, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Toner, Variel, Weber, Windrow, Wilcox, Williams, Young of San Diego, and Young of San Joaquin—51

NOES—None.

Title read and approved.

Assembly Bill No. 329—An Act to add a new section, to be numbered four hundred and twenty-five, to, and to amend section four hundred and thirteen of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to increasing police force of State Capitol grounds.

Read third time.

Mr. Hyde moved that a special committee of one be appointed to prepare amendments to the bill as follows:

Amend by striking out of section one, line three, the words "Secretary of State," and insert instead, the following: "Board of Capitol Commissioners;" strike out of section one, line four, the word "his," and insert instead, the word "its."

Also, a new section is hereby added, to be numbered section three, and to read as follows:

SEC. 13 There is hereby appropriated, out of any money in the State Treasury not otherwise appropriated, the sum of five thousand four hundred dollars, to pay the salaries of the two special policemen by this Act provided to be appointed, commencing April first, eighteen hundred and eighty-seven

Also, amend present section three, to be section four.

APPOINTMENT OF SELECT COMMITTEE.

The Speaker appointed Mr. Hyde the select committee of one to amend Assembly Bill No. 329.

REPORT OF SELECT COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1887.

MR. SPEAKER Your select committee, to whom was referred Assembly Bill No 329, 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.

HYDE, Select Committee

Report adopted.

Mr. Hyde moved that the further consideration of this bill be made the special order for five o'clock P. M. to-day.

So ordered.

THIRD READING OF BILL.

Senate Bill No. 448—An Act to appropriate the sum of five thousand dollars to pay the expenses and disbursements to be incurred and made in maintaining the rights of the State in litigation now pending in or which may come before the Supreme Court of the United States, to which the State is or shall be a party, on the determination of which this State is or shall be interested.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES— Messrs Adams, Atherton, Bailey, Barry, Barton, Bost, Brierly, Britt, Brusie, Butler, Carl, Carroll, Cohen, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Gould, Granger, Heath, Henry of Butte, Lewis, Mann, McClenahan, McDonnell, McGowan, Mitchell, Morgan, Ohlever, Price, Shanahan, Sherburne, Sims, Spurgeon, Sykes, Variel, Vincent, Weber, Wilcox, Williams, Young of San Diego, and Young of San Joaquin—45

NOES—None

Title read and approved.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1887

MR SPEAKER: Your Committee on Engrossment beg leave to report that the following Assembly Bills have been correctly engrossed

Substitute for Assembly Bills Nos. 323 et al

WINDROW, Chairman

SECOND READING OF BILLS.

Assembly Bill No. 61—An Act to appropriate money to meet the deficiency in the appropriation for the costs and expenses of suits

where the State is a party in interest, for the thirty-fifth fiscal year, to pay the claim of William Applegarth.

Read second time, ordered engrossed, and placed on file for third reading.

Assembly Bill No. 139—An Act making appropriation for a deficiency in the appropriation for salary of the Secretary of the State Engineer, for the thirty-fifth, thirty-sixth, thirty-seventh, and thirty-eighth fiscal years.

Read second time.

LEAVE OF ABSENCE.

Mr. Granger was granted leave of absence for a short time.

CALL OF THE HOUSE.

Mr. Hyde moved a call of the House.

So ordered.

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

Messrs Adams, Atherton, Bailey, Barry, Barton, Bost, Brierly, Britt, Brown W A, Brusie, Burnett, Butler, Carr, Carroll, Cohen, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Gould, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hyde, Lawrence, Lewis, Mann, McClenahan, McDonnell, McGowan, Morgan, Ohleyer, Price, Regan, Searey, Shanahan, Sherburne, Sims, Spurgeon, Sykes, Toner, Variel, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, and Young of San Joaquin

Mr. Hart moved that further proceedings under the call be dispensed with.

So ordered.

The question recurring on action on Assembly Bill No. 139.

IN COMMITTEE OF THE WHOLE.

On motion of Mr. Hart, the House went into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Assembly Bill No. 139.

The bill was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker pro tem. Brierly in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The Chairman stated the report as follows:

GENTLEMEN. The Committee of the Whole have had under consideration Assembly Bill No 139, and now report the same back, and recommend that it do pass, as amended, as follows

SUBSTITUTE "A" FOR ASSEMBLY BILL No 139.

An Act making appropriation for a deficiency in the appropriation for salary of the Secretary of the State Engineer for the thirty-fifth fiscal year

The People of the State of California, represented in Senate and Assembly, do enact as follows:

SECTION 1 The sum of eight hundred dollars is hereby appropriated out of any money in the General Fund in the State Treasury, to pay the deficiency in the appropriation for payment of salary of the Secretary of State Engineer, for the thirty-fifth fiscal year.

SEC. 2 This Act goes into effect immediately.

SUBSTITUTE "B" FOR ASSEMBLY BILL No 139

An Act making an appropriation for a deficiency in the appropriation for salary of the Secretary of the State Engineer, for the thirty-sixth fiscal year.

The People of the State of California, represented in Senate and Assembly, do enact as follows

SECTION 1 The sum of eight hundred dollars is hereby appropriated out of any money in the General Fund in the State Treasury, to pay the deficiency in the appropriation for payment of salary of the Secretary in the office of the State Engineer, for the thirty-sixth fiscal year.

SEC 2 This Act goes into effect immediately

SUBSTITUTE "C" FOR ASSEMBLY BILL No 139

An Act making appropriation for a deficiency in the appropriation for salary of Secretary in office of State Engineer, for the thirty-seventh fiscal year

The People of the State of California, represented in Senate and Assembly, do enact as follows

SECTION 1 The sum of eight hundred dollars is hereby appropriated out of any money in the General Fund in the State Treasury, to pay the deficiency in the appropriation for payment of salary of Secretary in the office of the State Engineer, for the thirty-seventh fiscal year

SEC 2. This Act goes into effect immediately

SUBSTITUTE "D" FOR ASSEMBLY BILL No 139.

An Act making appropriation for a deficiency in the appropriation for salary of Secretary in office of the State Engineer, for the thirty-eighth fiscal year

The People of the State of California, represented in Senate and Assembly, do enact as follows

SECTION 1 The sum of eight hundred dollars is hereby appropriated out of any money in the General Fund in the State Treasury, to pay the deficiency in the appropriation for payment of salary of Secretary in the office of the State Engineer, for the thirty-eighth fiscal year

SEC 2 This Act goes into effect immediately

Report adopted.

Bill, as amended, Substitutes "A," "B," "C," and "D," ordered engrossed, and to a third reading.

Assembly Bill No. 367—An Act to provide for the deficiency in the appropriation for the traveling expenses of the Attorney-General and the Surveyor-General, in contests between the State and the United States, for the thirty-fifth fiscal year.

Read second time, ordered engrossed, and placed on file for third reading.

Assembly Bill No. 412—An Act to pay the claim of Blake, Moffitt & Towne, being a deficiency in the appropriation for the purchase of ballot paper, for the thirty-eighth fiscal year.

Read second time, ordered engrossed, and placed on file for third reading.

MOTION.

Mr. Mathews of Tehama moved that the rules be suspended, and Senate Bill No. 22 be taken up, out of order, and considered.

So ordered.

SECOND READING OF BILLS

Senate Bill No. 22—An Act to amend sections one thousand six hundred and sixty-five and one thousand six hundred and sixty-seven of the Political Code of California, relating to branches of studies to be taught in the public schools.

Read second time, and ordered to a third reading.

THIRD READING OF BILL.

Senate Bill No. 41—An Act to encourage tree planting within the State of California.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Alexander, Atherton, Bailey, Barry, Barton, Brierly, Britt, Brown W. A., Butler, Campbell, Carr, Carroll, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Ellsworth, Ewing, Gould, Handy, Hart, Henry of San Joaquin, Hyde, Lawrence, Lewis, Mathews of Tehama, McGowan, Price, Regan, Rucker, Searey, Sherburne, Sims, Spurgeon, Sykes, Toner, Variel, Vincent, Weber, Wilcox, Williams, Wright, and Young of San Joaquin—44

NOES—Messrs. Heath, McDonnell, and Ohleyer—3

Title read and approved.

Assembly Bill No. 434 withdrawn by Mr. Hyde, by permission of the House.

Senate Bill No. 448 passed on file.

Senate Bill No. 207—An Act to provide for the deficiency in the appropriation for traveling expenses of the Board of Railroad Commissioners, for the thirty-third fiscal year.

Read second time, and ordered to a third reading.

Assembly Bill No. 467 temporarily passed on file.

Assembly Bill No. 337 withdrawn by Mr. Coombs, by permission of the House.

Assembly Bill No. 335 withdrawn by Mr. Coombs, by permission of the House.

Mr. Hart moved that all Assembly deficiency bills on second reading file be passed.

So ordered.

REPORT OF FREE CONFERENCE COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1887.

MR SPEAKER: Your Committee of Free Conference, who was appointed to confer with a similar committee of the Senate on Substitute for Assembly Bill No 13—An Act to amend Chapter LXXI of the Statutes of California, passed at the twenty-third session of the Legislature, A. D. eighteen hundred and eighty, entitled "An Act to define, regulate, and govern State Prisons of California," respectfully report back to the House that they have been unable to agree, and ask to be discharged.

JOHN DAVIS
JAMES McDONNELL, JR
FRANK McGOWAN

On motion of Mr. Hyde, the report on free conference was adopted, and the committee discharged.

Mr. Hart moved that the rules be temporarily suspended, and that the House proceed to consider Senate messages.

So ordered.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 11, 1887.

MR SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Assembly Bill No. 41, and Senate Bill No. 186; Assembly Bills Nos. 199, 348, 59, 58, and 37.

Assembly Bill No. 41—An Act to amend an Act entitled "An Act to repeal Chapter II, of Title VI, Part III, 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 II, and to enact a new Chapter II, of Title VI, of Part III, of said Code, and substitute the same in place of said repealed Chapter II in said Code, relating to roads

and highways, approved February 28, 1883, by adding a new section thereto, to be numbered section two thousand six hundred and forty-six.

Amended the same, and respectfully ask your honorable body to concur in said amendments

Senate Bill No. 186—An Act to amend sections six, eight, nine, 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 to add four new sections to said Act, to be known as sections thirteen, fourteen, fifteen, and seven, and to repeal section seven of said Act

Assembly Bill No. 199—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. 348—An Act to amend sections three thousand four hundred and fifty-two, three thousand four hundred and fifty-three, and three thousand four hundred and fifty-four of the Political Code, relative to the adoption of by-laws, the election of Trustees, their powers, duties, and compensation in reclamation districts of this State

Also, amended Assembly Bills Nos 199 and 348, and respectfully asks your honorable body to concur in said amendments

Assembly Bill No. 59—An Act to pay the claim of Edward J. Smith.

Assembly Bill No. 58—An Act to pay the claim of Jessie A. Galland.

Assembly Bill No 57—An Act to pay the claim of J F Gawthorne

ED. H HAMILTON, Secretary.
By J. H. CORCORAN, Assistant Secretary

CONSIDERATION OF SENATE MESSAGE.

Amendments to Assembly Bill No. 41:

Amendment No. 1: Amend section two thousand six hundred and forty-six, by inserting, after the word "State," in the third line, the words "may in their discretion," instead of "shall."

Concurred in unanimously.

Amendment No. 2: Strike out all after the word "sections," in line fourteen, down to the word "according," in line fifteen.

Concurred in unanimously.

Mr. Variel asked leave to introduce a bill, out of order, 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 Adams, Alexander, Atherton, Bailey, Barry, Barton, Bost, Brierly, Britt, Brown W. A., Brusie, Burnett, Butler, Callaghan, Carr, Carroll, Cohen, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Gould, Gruwell, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hyde, Lawrence, Lewis, Mann, Mathews of Tehama, McClenahan, McDonnell, McGowan, Mitchell, Morgan, Ohlever, Price, Rucker, Searey, Shanahan, Sherburne, Sims, Spurgeon, Sykes, Toner, Variel, Weber, Windrow, Wilcox, Wilhams, Wright, Young of San Diego, Young of San Joaquin, and Mr. Speaker—60

NOES—None

INTRODUCTION OF BILL.

By Mr. Variel: Assembly Bill No. 565—An Act to amend sections one thousand one hundred and eighty-three, one thousand one hundred and eighty-four, one thousand one hundred and eighty-seven, one thousand one hundred and ninety-one, and to repeal section one thousand two hundred and three of an Act of the Legislature of the State of California, entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, all relating to liens of mechanics and others.

Read by title.

MOTION.

On motion of Mr. Variel, the rules were suspended, and Assembly Bill No. 565 read first time.

CASE OF URGENCY.

Mr. Variel moved to suspend the rules and provisions of section fifteen, of Article IV, of the Constitution, requiring bills to be read on three separate days, that Assembly Bill No. 565 be declared a case of urgency, and the bill be read the second time, considered engrossed, and read a third time, and placed upon its passage.

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

AYES—Messrs. Adams, Alexander, Atherton, Bailey, Barry, Barton, Bost, Brierly, Britt, Brown W. A., Brusie, Burnett, Carr, Carroll, Cohen, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Gould, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hyde, Lawrence, Lewis, Mathews of Tehama, McClenahan, McDonnell, McGowan, Mitchell, Morgan, Ohleyer, Price, Regan, Rucker, Searey, Shanahan, Sherburne, Sims, Spurgeon, Sykes, Toner, Variel, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr. Speaker—56

NOES—None.

Assembly Bill No. 565 read second time.

Assembly Bill No. 565 read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Alexander, Atherton, Bailey, Barry, Barton, Bost, Brierly, Britt, Brown W. A., Brusie, Burnett, Butler, Callaghan, Carr, Carroll, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ewing, Gould, Granger, Handy, Hart, Heath, Henry of Butte, Lewis, Mathews of Tehama, McClenahan, McDonnell, McGowan, Mitchell, Morgan, Ohleyer, Price, Regan, Rucker, Searey, Shanahan, Sherburne, Sims, Spurgeon, Sykes, Toner, Variel, Weber, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr Speaker—55.

NOES—None.

Title read and approved.

MOTION TO RECONSIDER.

Mr. Shanahan moved to reconsider the vote whereby Assembly Bill No. 265 was passed.

Mr. Mathews of Tehama moved to indefinitely postpone the motion to reconsider.

So ordered.

SENATE MESSAGE.

SENATE CHAMBER, SACRAMENTO, March 11, 1887

MR SPEAKER I am directed to inform your honorable body that the Senate Committee of Free Conference, appointed on Assembly Bill No 13, reported, this day, that they were unable to agree with the like committee appointed by your honorable body on Senate amendments to said bill, and recommend no further action be taken, which recommendation was adopted by the Senate

Also, passed Assembly Bill No. 351—An Act to provide for the deficiency in the appropriation for the expenses of the Supreme Court, under section forty-seven of the Code of Civil Procedure, for the thirty-seventh fiscal year.

Assembly Bill No. 206—An Act making an appropriation for deficiency in fund for printing the school text-books, for thirty-eighth fiscal year.

Assembly Bill No 354—An Act to provide for the deficiency in the appropriation for costs and expenses of suits wherein the State is a party in interest, for the thirty-fifth fiscal year

Assembly Bill No 355—An Act to provide for the deficiency in the appropriation for contingent expenses in the office of Surveyor-General, for the thirty-sixth fiscal year

Assembly Bill No. 356—An Act to provide for the deficiency in the appropriation for the cleaning and transportation of arms for the National Guard of California, for the thirty-fourth fiscal year.

Assembly Bill No. 357—An Act to provide for the deficiency in the appropriation for postage, expressage, etc., of the Surveyor-General, for the thirty-fifth fiscal year.

Assembly Bill No. 358—An Act to provide for the deficiency in the appropriation for postage and expressage in the office of the Adjutant-General, for the thirty-fifth fiscal year

Assembly Bill No 359—An Act to provide 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.

ED HAMILTON, Secretary
J. H CORCORAN, Assistant Secretary

CONSIDERATION OF SENATE AMENDMENTS.

Assembly Bill No. 348:

At end, section three, add, "*provided*, that no warrant thus drawn shall be valid until approved by the Board of Supervisors of the proper county."

The question of final concurrence in the Senate amendments to Assembly Bill No. 348.

The roll was called, and the amendments concurred in by the following vote:

AYES—Messrs. Adams, Bailey, Barry, Bost, Brierly, Brown W. A., Brusie, Burnett, Butler, Carr, Carroll, Cohen, Colbert, Cooley, Coombs, Cope, Currey of Solano, Ellsworth, Gould, Granger, Hart, Mann, Mathews of Tehama, McClenahan, McDonnell, McGowan, Morgan, Ohlever, Price, Searey, Sherburne, Sims, Spurgeon, Sykes, Toner, Variel, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, and Young of San Joaquin—44.
NOES—None

Upon the question of the final concurrence in the Senate amendments to Assembly Bill No. 41.

The roll was called, and the amendments concurred in by the following vote:

AYES—Messrs Adams, Atherton, Bailey, Barry, Barton, Bost, Brierly, Britt, Brown W A, Burnett, Butler, Campbell, Carr, Cohen, Colbert, Cooley, Cope, Currey of Solano, Curry of San Francisco, Ellsworth, Ewing, Gould, Granger, Hart, Heath, Mann, McClenahan, McDonnell, McGowan, Morgan, Ohlever, Price, Searey, Shanahan, Sherburne, Sims, Spurgeon, Sykes, Toner, Variel, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, and Young of San Joaquin—47.
NOES—None

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1887

MR SPEAKER Your Committee on Engrossment beg leave to report that the following Assembly Bills have been correctly engrossed
Assembly Bills Nos 329 and 61

WINDROW, Chairman

GENERAL FILE.

Assembly Bill No. 288 withdrawn by the author, by consent of the House.

Assembly Bill No. 283 withdrawn by the author, by consent of the House.

Assembly Bills Nos. 242, 243, 244, and 245, withdrawn by Mr. Variel, by consent of the House.

Assembly Bill No. 277 refused third reading.

Assembly Bill No. 276 refused third reading.

Assembly Bill No. 183 refused third reading.

REPORT OF STANDING COMMITTEE.

ON ENROLLMENT

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1887

MR. SPEAKER Your Committee on Enrollment beg leave to report that the following Assembly Bills have been correctly enrolled

Assembly Bill No. 521—Entitled an Act relating to the dissolution and modification of injunctions, and amending sections five hundred and thirty and five hundred and thirty-two of the Code of Civil Procedure

Also, Assembly Bill No 257—An Act to provide for the deficiency in the appropriation for the payment of rewards for the arrest and conviction of highway robbers, for the thirty-sixth fiscal year

Also, Assembly Bill No 107—An Act providing for the payment to D Jordan for work and labor performed upon and material furnished in the construction of the State Prison at Folsom

Also, Substitute for Assembly Bill No 459—An Act making appropriations for the support of the government of the State of California, for the thirty-ninth and fortieth fiscal years

Also, Assembly Bill No. 260—An Act to provide for the deficiency in the appropriation for the payment of rewards for the arrest and conviction of highway robbers, for the thirty-seventh fiscal year

Also, Assembly Bill No 261—An Act to provide for the payment and expenses incurred in fitting up and furnishing the chambers of the Supreme Court Commissioners

And were presented to the Governor, this day, at twelve o'clock and fifteen minutes P M.

Also, Assembly Bill No 370—Entitled an Act to provide for the deficiency in the appropriation for the transportation of prisoners, for the thirty-seventh fiscal year.

Also, Assembly Bill No 376—Entitled an Act to provide for the deficiency in the appropriation for the transportation of the insane, for the thirty-sixth fiscal year

Also, Assembly Bill No. 371—Entitled an Act to provide for the deficiency in the appropriation for the transportation of prisoners, for the thirty-sixth fiscal year

Also, Assembly Bill No 503—Entitled an Act to provide for the compiling, illustrating, electrotyping, printing, binding, copyrighting, and distributing certain books of a State series of school text-books, and appropriating money therefor.

Also, Assembly Bill No 525—Entitled an Act to repeal an Act entitled "An Act to incorporate the Town of Wilmington, in the County of Los Angeles, in the State of California," approved February 20, 1872

Also, Assembly Bill No 527—Entitled an Act to repeal an Act entitled "An Act to amend an Act entitled an Act to incorporate the Town of Wilmington, in the County of Los Angeles, in the State of California," approved February 20, 1872, approved March 21, 1872

Also, Assembly Bill No 234—Entitled an Act making an appropriation for stationery, fuel, and lights, for the Legislature and State officers, for the thirty-fourth fiscal year.

And were presented to the Governor, this day, at twelve o'clock and thirty-five minutes P M

Also, Assembly Bill No 287—Entitled an Act to provide for the organization and government of water districts, and to provide for the acquisition, control, and distribution of water for irrigation

Also, Assembly Bill No. 208—An Act to validate proceedings for the reorganization of municipal corporations taken since the passage of the Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883

Also, Assembly Bill No 564—Entitled an Act to provide for the payment of mileage of Presidential Electors, during the fortieth fiscal year

And were presented to the Governor, this day, at two o'clock and fifty-five minutes P M

JAS B. BROWN, Chairman.

SENATE MESSAGES—(RESUMED).

Considering Senate amendment to Assembly Bill No. 199:

Amendment No. 1. Strike out section two.

Amendment No. 2: At the end of section one thousand and forty-six, after the word "pending," add the following. "*and provided, also*, that a person who is qualified to serve as a juror in the county from which he is summoned shall be a qualified juror under the provisions of this section."

The question being on the final concurrence in the Senate amendments to Assembly Bill No. 199.

The roll was called, and the amendments concurred in by the following vote.

AYES—Messrs Adams, Alexander, Atherton, Barton, Bost, Brierly, Brown W A, Brusie, Burnett, Butler, Campbell, Carr, Carroll, Cohen, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Hart, Hyde, Lewis, McClenahan, McGowan, Mitchell, Ohleyer, Rucker, Searey, Shanahan, Sherburne, Sims, Spurgeon, Sykes, Taylor, Toner, Vincent, Weber, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr Speaker—48

NOES—None.

Assembly Bill No. 303—An Act to amend section three hundred and seventy-eight of an Act entitled an Act to establish a Penal Code, approved February 14, 1872, relating to the preservation of the public health and safety, and registration of births, deaths, and marriages.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Bailey, Barry, Barton, Bost, Brierly, Britt, Brown W. A., Burnett, Butler, Carr, Carroll, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Gruwell, Heath, Henry of Butte, Henry of San Joaquin, Hyde, Lewis, Mann, McDonnell, McGowan, Mitchell, Morgan, Ohleyer, Price, Regan, Searey, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Toner, Variel, Vincent, Windrow, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr Speaker—52

NOES—None.

Title read and approved.

SPECIAL FILE.

Assembly Bill No. 561—An Act to amend section three thousand seven hundred and thirteen of the Political Code, relating to levy of taxes.

Read second time.

IN COMMITTEE OF THE WHOLE.

On motion of Mr. Taylor, the House went into Committee of the Whole, for the purpose of considering Senate Bill No. 561.

Speaker Jordan in the chair.

The bill was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Jordan in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The Chairman stated the report as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 561, report progress, and ask leave to sit again

Report adopted.

SPECIAL ORDER.

Assembly Bill No. 329—An Act to add a new section, to be numbered four hundred and twenty-five, to, and to amend section four hundred and thirteen of, an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to increasing police force of State Capitol grounds.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Alexander, Bailey, Barry, Barton, Bost, Brierly, Britt, Brusie, Burnett, Butler, Callaghan, Carr, Carroll, Cohen, Colbert, Coombs, Cope, Currey of Solano, Davis, Ellsworth, Ewing, Gould, Granger, Handy, Hart, Heath, Henry of San Joaquin, Hyde, Lewis, Mann, McClenahan, McDonnell, McGowan, Mitchell, Morgan,

Ohleyer, Price, Rucker, Searey, Shanahan, Sherburne, Sims, Spurgeon, Sykes, Taylor, Toner, Variel, Vincent, Weber, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr Speaker—55
NOES—None

Title read and approved.

MOTION.

Mr. Taylor moved that the House go into Committee of the Whole, and further consider Assembly Bill No. 561.
So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Jordan in the chair.
The bill was considered in Committee of the Whole

IN ASSEMBLY.

Speaker Jordan in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The Chairman stated the report of the committee as follows:

GENTLEMEN The Committee of the Whole have had under consideration Assembly Bill No 561, and report the same back, and recommend that it do pass, as amended, as follows

SUBSTITUTE FOR ASSEMBLY BILL No 561

An Act to amend section three thousand seven hundred and thirteen of the Political Code, relating to levy of taxes.

The People of the State of California, represented in Senate and Assembly, do enact as follows

SECTION 1. Section three thousand seven hundred and thirteen of the Political Code is hereby amended so as to read

3713 The State Board of Equalization must, for State purposes, for the thirty-ninth and fortieth fiscal years, and for the deficiencies that have accrued during the thirty-seventh and thirty-eighth fiscal years, fix such an ad valorem rate of taxation upon each one hundred dollars in value of taxable property of this State, as, after allowing twelve per cent for delinquencies in and costs of collection of taxes, as provided in section three thousand six hundred and ninety-six of the Political Code, will raise for the thirty-ninth fiscal year

First—For the General Fund, three millions two hundred and twenty-five thousand dollars

Second—For the School Fund, one million six hundred thousand dollars

Third—For the Interest and Sinking Fund, two hundred thousand dollars

And for the fortieth fiscal year

First—For the General Fund, two millions eight hundred and fourteen thousand dollars

Second—For the School Fund, one million eight hundred thousand dollars

Third—For the Interest and Sinking Fund, two hundred thousand dollars

Assembly Bill No. 305—An Act to amend section three thousand and eighty-four of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relative to the interment or cremation of human bodies.

Read third time.

The roll was called, and the bill passed by the following vote

AYES—Messrs. Adams, Atherton, Bailey, Barry, Barton, Bost, Britt, Brown W A, Burnett, Butler, Carr, Carroll, Cohen, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Gould, Granger, Handy, Heath, Henry of San Joaquin, Hyde, Lewis, Mathews of Tehama, McGowan, Morgan, Ohleyer, Price, Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Toner, Variel, Vincent, Weber, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr Speaker—45
NOES—None

Title read and approved.

REPORT OF STANDING COMMITTEE.

ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1887

MR SPEAKER Your Committee on Enrollment beg leave to report that the following Assembly Bill has been correctly enrolled.

Assembly Bill No 124—Entitled an Act to amend section six hundred and twenty-six of the Penal Code, relative to fish and game

And was presented to the Governor, this day, at four o'clock and forty-five minutes P. M.

H. BAILEY, Acting Chairman

Assembly Bill No. 304—An Act to amend section three thousand and sixty-two of, and to add a new section to, an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to Boards of Health.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Alexander, Bailey, Barton, Bost, Brierly, Britt, Brusie, Burnett, Butler, Callaghan, Carr, Carroll, Cohen, Cope, Currey of Solano, Davis, Ellsworth, Ewing, Gould, Granger, Handy, Hart, Heath, Henry of San Joaquin, McClenahan, McDonnell, McGowan, Mitchell, Morgan, Ohleyer, Price, Regan, Searey, Shanahan, Sherburne Sims, Spurgeon, Sykes, Variel, Vincent, Weber, Wilcox, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr. Speaker—49.

NOES—Mr. Atherton—1

Title read and approved.

Assembly Bill No. 306—An Act to amend section three hundred and seventy-seven of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to the disposal of human dead bodies, and preservation of the public health.

Read third time.

Mr. Hyde rose to a point of order, and stated that Assembly Bill No. 199 should have been sent to the Senate, and not to the Clerk of the Senate, to be corrected, and that his motion to that effect should have been entered on the Journal.

The Speaker declared that the order of the Speaker pro tem. who then occupied the chair, in sending the bill back to the Senate, need not have been entered on the Journal, and that the point of order was not well taken.

Mr. Hyde appealed from the decision of the Chair.

The question being, "Shall the decision of the Chair stand as the judgment of the House?"

The Chair was sustained, on a division—ayes, 41; noes, 4.

RECESS.

At five o'clock and fifty-five minutes P. M., pending discussion, on motion of Mr. Weber, the House took a recess until seven o'clock and thirty minutes P. M.

REASSEMBLED.

At seven o'clock and thirty minutes P. M. the House reassembled. Speaker Jordan in the chair.

Quorum present.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1887.

MR SPEAKER Your Committee on Engrossment beg leave to report that the following Assembly Bills have been correctly engrossed

Assembly Bills Nos 367 and 561

WINDROW, Chairman

CALL OF THE HOUSE.

Mr. Cohen moved a call of the House.

So ordered.

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

Messrs Alexander, Atherton, Bailey, Barry, Barton, Bost, Brierly, Britt, Brown W A, Brown J B, Burnett, Butler, Carr, Cohen, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hyde, Lawrence, Mathews of Tehama, McClenahan, McDonnell, McGowan, Mitchell, Morgan, Ohleyer, Price, Regan, Rucker, Searey, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Toner, Variel, Vincent, Weber, Windrow, Wilcox, Williams, and Mr. Speaker.

Mr. Price moved that further proceedings under the call be dispensed with.

Lost.

At seven o'clock and fifty-five minutes P. M. Mr. Cooley moved to adjourn.

The Speaker directed the Sergeant-at-Arms to arrest the absentees and bring them before the bar of the House.

The Speaker declared a recess for five minutes.

REASSEMBLED.

The Sergeant-at-Arms presented at the bar of the House Messrs. Brusie and Callaghan, who were excused, on motion of Mr. Mathews of Tehama.

Mr. Ellsworth moved that the rules be suspended, and that the House proceed to consider Senate messages.

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

AYES—Messrs. Adams, Alexander, Atherton, Bailey, Barry, Barton, Bost, Brierly, Britt, Brown J B, Brusie, Burnett, Butler, Carr, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Hart, Heath, Henry of Butte, Henry of San Joaquin, Mathews of Tehama, McClenahan, McDonnell, McGowan, Mitchell, Morgan, O'Grady, Ohleyer, Price, Regan, Searey, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Toner, Variel, Vincent, Weber, Wilcox, Williams, Wright, and Mr. Speaker—54

NOES—None

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 11, 1887

MR SPEAKER I am directed to inform your honorable body that the Senate, on this day, passed the following Assembly Bills, Nos 368, 369, 361, 377, 380, and 378

Assembly Bill No 368—An Act to provide for the deficiency in the appropriation for traveling expenses of the Superintendent of Public Instruction, for the thirty-fifth fiscal year.

Assembly Bill No 369—An Act to provide for the deficiency in the appropriation for traveling expenses of the Attorney-General, for the thirty-fifth fiscal year

Assembly Bill No 361—An Act to provide for the deficiency in the appropriation for the contingent expenses in the office of the Secretary of State, for the thirty-sixth fiscal year

Assembly Bill No 377—An Act to provide for the deficiency in the appropriation for the transportation of the insane, for the thirty-seventh fiscal year

Assembly Bill No. 380—An Act to provide for the deficiency in the appropriation for the payment of rewards for the arrest of criminals without the limits of the State, for the thirty-sixth fiscal year

Assembly Bill No 378—An Act to provide for the deficiency in the appropriation for the payment of rewards for the arrest of criminals without the limits of the State, for the thirty-seventh fiscal year.

ED. HAMILTON, Secretary

The question being on the passage of Assembly Bill No. 306, Mr. Brierly moved that the Clerk be instructed to amend Assembly Bill No. 306, by inserting an enacting clause.

So ordered.

The roll was called, on the passage of Assembly Bill No. 306, and the bill passed by the following vote:

AYES—Messrs Alexander, Atherton, Bailey, Barry, Barton, Bost, Brierly, Britt, Brown W A, Brusie, Burnett, Butler, Callaghan, Campbell, Carr, Carroll, Cohen, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ewing, Gould, Granger, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hyde, LaBlanc, Mathews of Tehama, McClenahan, McDonnell, McGowan, Mitchell, Morgan, Ohleyer, Price, Regan, Rucker, Searey, Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Variel, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Diego, and Mr. Speaker—57.

NOES—None.

Title read and approved.

MESSAGE FROM THE SENATE—(RESUMED).

SENATE CHAMBER, SACRAMENTO, March 11, 1887.

MR SPEAKER I am directed to inform your honorable body that the Senate, on this day, passed the following

Assembly Bill No 379—An Act to provide for the deficiency in the appropriation for the payment of rewards for arresting criminals without the limits of the State, for the thirty-fifth fiscal year

Also, adopted Senate Constitutional Amendment No. 2—To propose amendment to Article VI of the Constitution, relative to the Judiciary Department

ED. HAMILTON, Secretary

CONSIDERATION OF SENATE MESSAGE.

The question being on the adoption of Senate Constitutional Amendment No. 2.

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

AYES—Messrs. Adams, Alexander, Atherton, Bailey, Barry, Barton, Bost, Brierly, Britt, Brown J B, Brusie, Burnett, Butler, Carr, Carroll, Cohen, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Gould, Granger, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hyde, LaBlanc, Mathews of Tehama, McClenahan, McDonnell, McGowan, Morgan, Ohleyer, Price, Regan, Rucker, Searey, Shanahan, Sims, Smyth, Spurgeon, Sykes, Taylor, Toner, Variel, Vincent, Weber, Wilcox, Williams, Wright, Young of San Joaquin, and Mr Speaker—56.

NOES—None

CONSTITUTIONAL AMENDMENT.

Senate Constitutional Amendment No 2. To propose to the people of the State an amendment to the Constitution of the State, relative to the Judiciary Department

Resolved, That the Legislature of the State of California, at its regular session, commencing on the third day of January, A. D one thousand eight hundred and eighty-seven, two thirds of all the members elected to each of the two Houses of said Legislature voting in favor thereof, hereby propose that sections two and three, of Article VI, of the Constitution of said State, be amended so as to read as follows

SEC. 2 The Supreme Court shall consist of seven Justices The Associate Justices of the Supreme Court, in office at the time of the adoption of this amendment to the Constitution, are hereby continued in office as Justices of the Supreme Court for the remainder

or the terms to which they were respectively elected The Justices shall elect one of their number to be Chief Justice, and he shall hold the office of Chief Justice of said Court for a term of two years At the expiration of the term of the Chief Justice first elected, and every two years thereafter, the Justices shall elect a Chief Justice for a like term of two years An entry of the election of such Chief Justice shall be made in the minutes of the Court and signed by four Justices Whenever thereafter a vacancy occurs in the office of Chief Justice, a like election shall be had to fill such office for the unexpired term The Supreme Court may sit in departments or in bank, and shall always be open for the transaction of business There shall be two departments, denominated, respectively, Department One and Department Two The Chief Justice shall assign three of the Justices to each department, and such assignment may be changed by him from time to time. The Justices shall be competent to sit in either department, and may interchange with each other by agreement among themselves or as ordered by the Chief Justice. Each of the departments shall have the power to hear and determine causes and all questions arising therein, subject to the provisions hereinafter contained in relation to the Court in bank The presence of three Justices shall be necessary to transact any business in either of the departments, except such as may be done at chambers, and the concurrence of two Justices shall be necessary to pronounce a judgment The Chief Justice shall apportion the business to the departments, and may, in his discretion, order any cause pending before the Court to be heard and decided by the Court in bank The order may be made before or after judgment pronounced by a department, but where a cause has been allotted to one of the departments, and a judgment pronounced thereon, the order must be made within thirty days after such judgment, and concurred in by two Justices, and if so made it shall have the effect to vacate and set aside the judgment. Any four Justices may, either before or after judgment by a department, order a case to be heard in bank If the order be not made within the time above limited, the judgment shall be final No judgment by a department shall become final until the expiration of the period of thirty days aforesaid, unless approved by the Chief Justice, in writing, with the concurrence of two Justices The Chief Justice may convene the Court in bank at any time, and shall be the presiding Justice of the Court when so convened The concurrence of four Justices present at the argument shall be necessary to pronounce a judgment in bank; but if four Justices, so present, do not concur in a judgment, then all the Justices qualified to sit in the cause shall hear the argument, but to render a judgment a concurrence of four Judges shall be necessary In the determination of causes all decisions of the Court in bank, or in departments, shall be given in writing, and the grounds of the decision shall be stated. The Chief Justice may sit in either department, and shall preside when so sitting, but the Justices assigned to each department shall select one of their number as presiding Justice In case of the absence of the Chief Justice from the place at which the Court is held, or his inability to act, the Associate Justices shall select one of their own number to perform the duties and exercise the powers of the Chief Justice during such absence or inability to act The Supreme Court Commission, created by the Act of the Legislature, approved March twelfth, eighteen hundred and eighty-five, shall continue and be a Supreme Court Commission for four years after the adoption of this amendment Said Commission may be continued for such time thereafter as may be fixed by an Act passed by a vote of two thirds of the elected members of each House of the Legislature, and approved by the Governor The members thereof and Secretary shall be appointed as in said Act provided, and such Commissioners shall be subject to removal in like manner as Judges of the Supreme Court Said Commission shall have the same power to hear and determine causes possessed by a department of the Supreme Court, and causes may be assigned to the Commission in the same manner they are assigned to a department, and after decision they may be ordered heard in bank in the same way, and with like restrictions as if decided in department The judgments of the Commission shall be entered as the judgments of the Court The Commission shall sit at such times and places as may be designated by the Court, but such Commissioners shall not exercise any judicial functions except when assembled as a Commission, and then they shall only have power to hear and determine such causes as may have been assigned to them.

SEC 3 The Justices of the Supreme Court shall be elected by the qualified electors of the State at large, at the general State elections, and the times and places at which State officers are elected, and the term of office shall be twelve years from and after the first Monday after the first day of January next succeeding their election Three Justices shall be elected for the full term at the general State election held in eighteen hundred and ninety; and at the general election held every fourth year thereafter, two Justices shall be elected for full terms of twelve years, except that in every twelfth year thereafter three Justices shall be elected for full terms. If the Chief Justice, or any Justice, becomes permanently disqualified, either mentally or physically, to perform the duties of his office, and such fact is certified to the Governor by five Justices, one of whom may be the Chief Justice in case of the disability of a Justice, the office of such disqualified person becomes immediately vacant, and he shall be paid a retiring salary of two hundred and fifty (250) dollars per month for the remainder of his term. If a vacancy exist or occur in the office of a Justice, the Governor shall appoint a person to hold the office for the remainder of the unexpired term The Governor shall appoint a Justice to hold office as Justice for the unexpired term of the late Chief Justice.

CASE OF URGENCY.

Mr. Brierly moved to suspend the rules and provisions of section fifteen, of Article IV, of the Constitution, requiring bills to be read on three separate days, that Senate Bill No. 22 be declared a case of urgency, and that the bill be read a third time, and put on its final passage.

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

AYES—Messrs Adams, Alexander, Atherton, Bailey, Barry, Barton, Bost, Brierly, Britt, Brown W. A., Brown J B, Brusie, Burnett, Butler, Callaghan Campbell, Carr, Carroll, Colbert, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Gould, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hyde, LaBlanc, Mathews of Tehama, McClenahan, McDonnell, McGowan, Mitchell, Morgan, Ohleyer, Price, Regan, Rucker, Searey, Shanahan, Sherburne, Sims, Smyth, Spurgeon Sykes, Taylor, Toner, Variel, Vincent, Weber, Windrow, Wilcox, Williams, Wright Young of San Joaquin, and Mr Speaker—60

NOES—None

Mr. Mathews of Tehama in the chair.

THIRD READING OF BILL.

Senate Bill No. 22—An Act to amend sections one thousand six hundred and sixty-five and one thousand six hundred and sixty-seven of the Political Code of California, relating to the branches of studies to be taught in the public schools.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Alexander, Atherton, Bailey, Barry, Barton, Bost, Brierly, Britt, Brown J B, Brusie Burnett, Butler, Callaghan, Campbell, Carroll, Cohen, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hyde, Mathews of Tehama, McClenahan, McDonnell, McGowan, Mitchell, Morgan, Price, Rucker, Searey, Shanahan, Sherburne, Sims, Spurgeon, Sykes, Taylor, Toner, Variel, Vincent, Weber, Wilcox, Williams, Wright, Young of San Joaquin, and Mr Speaker—56

NOES—None

Title read and approved.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1887

MR SPEAKER: Your Committee on Engrossment beg leave to report that the following Assembly Bills have been correctly engrossed

Reengrossed Assembly Bills Nos 41, 348, and 199

WINDROW, Chairman

CASE OF URGENCY.

Mr. Brierly moved to suspend the rules and the provisions of section fifteen, of Article IV, of the Constitution, requiring bills to be read on three separate days, that Senate Bill No. 426 be declared a case of urgency, and that the bill be read first, second, and third time, and put on its final passage.

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

AYES—Messrs Adams, Alexander, Atherton, Bailey, Barton, Bost, Brierly, Britt, Brown W A., Brown J B, Burnett, Butler, Callaghan, Carr, Carroll, Colbert, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing Gould, Granger,

Handy, Hart, Heath, Henry of San Joaquin, Hyde, LaBlanc, Lewis, Mathews of Tehama, McClenahan, McDonnell, McGowan, Ohleyer, Price, Regan, Rucker, Searey, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Toner, Variel, Vincent, Weber, Windrow, Wilcox, Williams, Wright, and Young of San Joaquin—58

NOES—None.

FIRST READING OF BILL.

Senate Bill No. 426—An Act to amend an Act entitled "An Act to provide for compiling, illustrating, electrotyping, printing, binding, copyrighting, and distributing a State series of school text-books, and appropriating money therefor," approved February 26, 1885.

Read first time.

Senate Bill No. 426 read second time.

IN COMMITTEE OF THE WHOLE.

On motion of Mr. Brierly, the House went into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bill No. 426.

The bill was considered in the Committee of the Whole.

IN ASSEMBLY.

Mr. Mathews of Tehama in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The Chairman stated the report as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No 426, report the same back, and recommend that the same do pass.

Report adopted.

Bill ordered to a third reading.

Senate Bill No. 426 read a third time.

The roll was called, and the bill passed by the following vote.

AYES—Messrs. Adams, Alexander, Atherton, Bailey, Barry, Barton, Bost, Brierly, Britt, Brown W. A., Brusie, Burnett, Butler, Callaghan, Campbell, Carr, Carroll, Colbert, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Gould, Granger, Gruwell, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, LaBlanc, Lewis, Mathews of Tehama, McClenahan, McDonnell, McGowan, Mitchell, Morgan, Ohleyer, Rucker, Searey, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Sykes, Toner, Variel, Vincent, Weber, Windrow, Williams, Wright, and Mr Speaker—57

NOES—None

Title read and approved.

The Speaker appointed, as Clerks for the Committee on Enrollment, Edward Keegan, A. E. Wagstaff, Henry Shepard, and Edward Bogart.

At nine o'clock and twenty minutes P. M. Mr. Hyde moved that the House take a recess for thirty minutes.

So ordered.

REASSEMBLED.

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

Speaker Jordan in the chair.

Senate Bill No. 311—An Act to aid the Board of Commissioners to manage the Yosemite Valley and the Mariposa Big Tree Grove, and to appropriate money therefor.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Atherton, Bailey, Barry, Barton, Bost, Brierly, Britt, Brown W. A., Brown J. B., Burnett, Callaghan, Carroll, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Handy, Hart, Hyde, Mann, Mathews of Tehama, McClenahan, McDonnell, McGowan, Mitchell, Morgan, Searey, Shanahan, Sherburne, Sims, Spurgeon, Sykes, Taylor, Toner, Variel, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Joaquin, and Mr Speaker—47.

NOES—Messrs. Carr, Heath, and Ohleyer—3.

Title read and approved.

Senate Bill No. 312—An Act to appropriate money for the preservation and improvement of Yosemite Valley and the Mariposa Big Tree Grove.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Bailey, Barry, Bost, Brierly, Britt, Brown W. A., Brown J. B., Burnett, Carroll Cohen, Cooley, Coombs, Cope, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Handy, Hart, Henry of Butte, Hyde, Lewis, Mathews of Tehama, McClenahan, McDonnell, McGowan, Mitchell, Price, Searey, Sims, Spurgeon, Sykes, Taylor, Toner, Variel, Weber, Windrow, Wilcox, Wright, and Mr Speaker—41

NOES—Messrs Adams, Atherton, Carr, Currey of Solano, Heath, Henry of San Joaquin, Morgan, Ohleyer, Shanahan, Sherburne, Vincent, and Williams—12

Title read and approved.

NOTICE.

Mr. Hyde gave notice that, on to-morrow, he would file a written protest against the proceedings in the House whereby Assembly Bill No. 199 was passed.

THIRD READING OF BILLS.

Senate Bill No. 273—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, and add thereto a new section to Part I, Title IX, and Chapter VIII thereof, to be known as section one thousand three hundred and eighty-nine, for the prevention of minors being employed by telephone companies or special delivery companies to deliver notes or messages to houses of prostitution or places of questionable repute.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Alexander, Atherton, Bailey, Barry, Bost, Brierly, Britt, Brown J. B., Callaghan, Carr, Carroll, Cohen, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Gould, Granger, Handy, Henry of Butte, Lewis, Mathews of Tehama, McDonnell, McGowan, Mitchell, Ohleyer, Price, Searey, Shanahan, Sherburne, Sims, Spurgeon, Sykes, Taylor, Toner, Variel, Vincent, Weber, Windrow, Wilcox, Williams, Wright, Young of San Joaquin, and Mr. Speaker—48

NOES—Mr. Hyde—1

Title read and approved.

CALL OF THE HOUSE.

Mr. Cohen moved a call of the House.

Lost.

LEAVE OF ABSENCE.

Mr. Granger and Speaker Jordan were granted leave of absence for the evening.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 11, 1887

MR SPEAKER I am directed to inform your honorable body that the Senate, on this day, passed Assembly Bill No 550—An Act to add a new section to the Political Code, to be numbered section three thousand two hundred and thirty-five, relating to the furnishing of supplies under contract to all public institutions under the control of the State, or of any county, city and county, city, or town thereof

Assembly Bill No 565—An Act to amend sections one thousand one hundred and eighty-three, one thousand one hundred and eighty-four, one thousand one hundred and eighty-seven, one thousand one hundred and ninety-one, and to repeal section one thousand two hundred and three of an Act of the Legislature of the State of California entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, all relating to liens of mechanics and others

Assembly Bill No 227—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 two thousand six hundred and ninety-six, relating to proceedings for procuring land for the purpose of raising the banks of streams, in order to more effectually protect public roads and highways

Also, Assembly Bill No 366—An Act to provide for the deficiency in the appropriation for the contingent expenses of the office of the Surveyor-General, for the thirty-seventh fiscal year

Also, Assembly Bill No 364—An Act to provide for the deficiency in the appropriation for the erection and maintenance of the State Salmon Hatchery, for the thirty-seventh fiscal year

Also, Assembly Bill No 362—An Act to provide for the deficiency in the appropriation for the uses of the State Board of Silk Culture, for the thirty-sixth fiscal year

Also, Assembly Bill No 14—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

Assembly Bill No 329—An Act to add a new section, to be numbered four hundred and twenty-five, to an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to increasing police force on State Capitol grounds

Assembly Bill No 374—An Act to provide for the deficiency in the appropriation for the transportation of the insane, for the thirty-second fiscal year.

Assembly Bill No 375—An Act to provide for the deficiency in the appropriation for the transportation of the insane, for the thirty-fifth fiscal year

Assembly Bill No 372—An Act to provide for the deficiency in the appropriation for the transportation of prisoners, for the thirty-fifth fiscal year

Assembly Bill No 373—An Act to provide for the deficiency in the appropriation for the transportation of insane, for the thirty-first fiscal year

Assembly Bill No 365—An Act to provide for the deficiency in the appropriation for the uses of the State Board of Viticulture, for the thirty-seventh fiscal year

Also, Amended Assembly Bills Nos. 14 and 329, and respectfully asks your honorable body to concur in said amendments

ED H HAMILTON, Secretary.
By J. H CORCORAN, Assistant Secretary

CONSIDERATION OF SENATE MESSAGES.

Consideration of Senate amendments to Assembly Bill No. 329:

Amendment No. 1: Amend, by striking out from title the following words, to wit: "and to amend section four hundred and thirteen."

Concurred in unanimously.

Amendment No. 2: Strike out section two, page two, being seven lines at top of said page.

Concurred in unanimously.

Amendment No. 3: Strike out figure "3" after "Sec." on line eight, page two, printed bill, and insert, in lieu thereof, the figure "2."

Concurred in unanimously.

Amendment No. 4: Strike out figure "4," last section, and insert, in lieu thereof, the figure "3."

Concurred in unanimously.

The question being on the final concurrence in the Senate amendments to Assembly Bill No. 329.

The roll was called, and the amendments concurred in by the following vote:

AYES—Messrs. Atherton, Bailey, Barry, Bost, Brierly, Britt, Butler, Carr, Cohen, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Granger, Handy, Henry of Butte, Henry of San Joaquin, Hyde, Mathews of Tehama, McDonnell, Mitchell, Morgan, Ohleyer, Price, Regan, Searey, Shanahan, Sherburne, Sims, Spurgeon, Sykes, Toner, Variel, Vincent, Weber, Windrow, Williams, Wright, and Young of San Joaquin—43

NOES—None

Consideration of Senate amendments to Assembly Bill No 14:

Amendment No. 1: Strike out the word "shall," on line two from the bottom of page one.

Concurred in unanimously.

Amendment No. 2: Insert, after the word "petition," on line two from bottom of page one, the words "may in its discretion."

Concurred in unanimously.

Upon the question, "Will the House concur in Senate amendment to Assembly Bill No. 14?"

The roll was called, and the amendment concurred in by the following vote:

AYES—Messrs Alexander, Atherton, Bailey, Barry, Bost, Brierly, Britt, Brown J B, Brusie, Butler, Callaghan, Carr, Carroll, Cohen, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Handy, Hart, Henry of San Joaquin, Hyde, Lewis, Mathews of Tehama, McDonnell, McGowan, Mitchell, Morgan Ohleyer Price, Regan, Searey, Shanahan, Sherburne, Sims, Spurgeon, Sykes, Toner, Variel, Vincent, Weber, Windrow, Williams, Wright, and Young of San Joaquin—49

NOES—None

CALL OF THE HOUSE

Mr. Price moved a call of the House.

So ordered.

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

Messrs Atherton, Bailey, Barry, Bost, Brierly, Britt, Brown W A, Brown J B, Brusie, Butler, Callaghan, Carr, Carroll, Cohen, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hyde, Lewis, Mathews of Tehama, McDonnell, McGowan, Mitchell, Morgan, Ohleyer, Price, Regan, Searey, Shanahan, Sherburne, Sims, Spurgeon, Sykes, Taylor, Toner, Variel, Vincent, Weber, Windrow, Williams, Wright, and Young of San Joaquin.

MOTION.

Mr. Wright moved that further proceedings under the call of the House be dispensed with.

So ordered.

MOTIONS ON ADJOURNMENT.

Mr. Wright moved, that when this House adjourns to-night, that it adjourns to meet at nine o'clock A. M. to-morrow.

Mr. Hyde moved to amend, to make the time eight o'clock and thirty minutes A. M.

Mr. Cohen moved to amend the amendment, to make the time seven o'clock and thirty minutes A. M.

Lost.

The question being on the motion of Mr. Hyde, to make the time eight o'clock and thirty minutes A. M.

Lost.

The question recurring on the motion of Mr. Wright.

Adopted.

At eleven o'clock and thirty-five minutes P. M. Mr. Ohleyer moved to adjourn.

Lost.

Mr. Sykes moved to take up Senate Bill No. 374, out of order.

So ordered.

THIRD READING OF BILL.

Senate Bill No. 374—An Act relating to the compensation of Court Reporters in counties of the eighth and ninth classes.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Bailey, Barry, Bost, Brierly, Britt, Brown J. B, Campbell, Carr, Carroll, Cohen, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Handy, Hart, Heath, Henry of San Joaquin, Hyde, McDonnell, McGowan, Mitchell, Morgan, Ohleyer, Price, Regan, Searey, Shanahan, Sherburne, Sims, Sykes, Taylor, Toner, Vincent, Weber, Windrow, Williams, and Young of San Joaquin—44

NOES—None

Title read and approved.

Mr. McDonnell moved to take up Senate Bill No. 194, out of order.

So ordered.

THIRD READING OF BILL.

Senate Bill No. 194—An Act making appropriations for the purchase of additional jute machinery, and the erection of additional buildings for the manufacture of jute goods for the State Prison at San Quentin, and other expenses incidental and relating thereto.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Atherton, Bailey, Barry, Bost, Brierly, Britt, Brown J. B., Butler, Callaghan, Carr, Carroll, Cohen, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hyde, McDonnell, McGowan, Mitchell, Ohleyer, Price, Regan, Searey, Shanahan, Sherburne, Sims, Sykes, Taylor, Toner, Variel, Weber, Windrow, and Young of San Joaquin—44

NOES—Messrs. Morgan and Williams—2.

Title read and approved.

Mr. Morgan moved to take up Senate Bill No. 231, out of order.

So ordered.

THIRD READING OF BILL.

Senate Bill No. 231—An Act to amend section one thousand eight hundred and fifty-eight of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to apportionment of school moneys.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Bailey, Barry, Bost, Brierly, Britt, Brown W A, Brown J B, Callaghan, Carr, Carroll, Cohen, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Handy, Hart, Heath, Henry of San Joaquin, Mathews of Tehama, McDonnell, McGowan, Mitchell, Morgan, Ohleyer, Price, Regan,

Searey, Shanahan, Sherburne, Sims, Sykes, Taylor, Toner, Variel, Vincent, Weber, Windrow, and Young of San Joaquin—45
NOES—Mr. Williams—1

Title read and approved.

Mr. Hart moved to take up Senate Bill No. 437, out of order.

So ordered.

THIRD READING OF BILL.

Senate Bill No. 437—An Act to amend section two thousand nine hundred and sixty-nine of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to preventing the bringing into the State persons affected with leprosy or insanity, or such other persons as by reason of their condition are liable to become a charge upon the State, and to provide for a deportation of the same.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Atherton, Bailey, Barry, Bost, Brierly, Britt, Brown J. B, Brusie, Callaghan, Campbell, Carr, Carroll, Cohen, Colbert, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Handy, Hart, Henry of Butte, Hyde, McClenahan, McDonnell, McGowan, Mitchell, Morgan, Ohleyer, Price, Regan, Searey, Sherburne, Sims, Sykes, Taylor, Toner, Variel, Vincent, Weber, Williams, and Young of San Joaquin—45.
NOES—None

Title read and approved.

MOTION.

Mr. Ellsworth moved to proceed with the regular order of business

So ordered.

LEAVE OF ABSENCE.

Messrs. Williams and Heath were granted leave of absence for the evening.

THIRD READING OF BILL.

Assembly Bill No. 166—An Act to amend section one thousand one hundred and sixty of the Political Code of the State of California, relating to elections.

Read third time

The roll was called, and the bill passed by the following vote:

AYES—Messrs Atherton, Bailey, Bost, Brierly, Britt, Brown W. A, Brusie, Callaghan, Carr, Carroll, Colbert, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Gould, Handy, Henry of Butte, Henry of San Joaquin, Hyde, McDonnell, McGowan, Mitchell, Morgan, Ohleyer, Price, Regan, Searey, Sherburne, Sims, Sykes, Taylor, Toner, Variel, Vincent, Windrow, Williams, and Young of San Joaquin—41.
NOES—Mr Weber—1

Title read and approved.

Assembly Bill No. 402—An Act for the government of savings banks, and for the protection of depositors in the same.

Refused third reading.

Assembly Bill No. 398—An Act to amend sections one thousand one hundred and eighty-seven, one thousand one hundred and eighty-eight, and one thousand one hundred and ninety-one of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the uniformity of tickets.

Withdrawn by Mr. Variel, by permission of the House.

Assembly Bill No. 436—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 two thousand five hundred and fifty-four, relating to the powers and duties of the Board of State Harbor Commissioners.

Withdrawn by Mr. Atherton, by consent of the House.

Assembly Bill No. 315—An Act to amend section three hundred and seven of the Penal Code, in reference to smoking opium.

Refused third reading.

Assembly Bill No. 328—An Act to regulate the practice of pharmacy, and the sale of medicines and poisons, to provide for the inspection of drugs and medicines, and to prevent and punish the adulteration of the same.

Refused third reading.

THIRD READING OF BILL.

Senate Bill No. 20—An Act to amend section two thousand seven hundred and twelve 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. Alexander, Atherton, Bailey, Bost, Brierly, Britt, Brown J. B., Brusie, Callaghan, Carr, Carroll, Colbert, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Gruwell, Handy, Hart, Henry of Butte, Henry of San Joaquin, Hyde, Martin, McDonnell, McGowan, Mitchell, Morgan, Ohleyer, Price, Regan, Searey, Sherburne, Sims, Smyth, Sykes, Taylor, Toner, Variel, Vincent, Weber, Windrow, Williams, and Young of San Joaquin—48

NOES—Mr. Cohen—1

Title read and approved.

Mr. Callaghan withdrew Assembly Bills Nos. 502 and 325, by permission of the House.

THIRD READING OF BILL.

Senate Bill No. 102—An Act to amend sections number one thousand five hundred and ninety-three, one thousand six hundred and twelve, and one thousand six hundred and thirteen of an Act entitled an Act to establish a Penal Code, approved March 12, 1872, relating to School Trustees.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Bailey, Bost, Brierly, Britt, Brusie, Callaghan, Carr, Carroll, Colbert, Cooley, Coombs, Cope, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hyde, McClenahan, McDonnell, McGowan, Mitchell, Morgan, Ohleyer, Price, Regan, Searey, Sherburne, Sims, Sykes, Taylor, Toner, Variel, Weber, Williams, and Young of San Joaquin—41

NOES—Mr. Cohen—1

Title read and approved.

Mr. Cooley moved a call of the House.

Lost.

At eleven o'clock and fifty-seven minutes P. M. Mr. Atherton moved to adjourn.

Ayes and noes demanded by Messrs. Atherton, Hyde, and Cohen.

The roll was called, with the following result:

AYES—Messrs Atherton, Bailey, Bost, Brierly, Britt, Carr, Carroll, Colbert, Coombs, Cope, Currey of Solano, Ellsworth, Ewing, Gould, Handy, Morgan, Sims, Taylor, Vincent, and Weber—20

NOES—Messrs Callaghan, Cohen, Cooley, Curry of San Francisco, Davis, Hart, Henry of Butte, Hyde, McDonnell, McGowan, Regan, Remson, Sherburne, Toner, and Variel—15.

No quorum being present, at eleven o'clock and fifty-nine minutes P. M. the Speaker declared the House adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Saturday, March 12, 1887.

The House met pursuant to adjournment.

Speaker pro tem. Brierly in the chair.

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

Messrs Adams, Alexander, Atherton, Bailey, Barton, Bost, Brierly, Britt, Brown W. A., Brown J B, Butler, Carr, Cohen, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, Hyde, Knox, LaBlanc, Mann, Mathews of Tehama, McClenahan, McDonnell, McGowan, Morgan, Ohleyer, Price, Regan, Rucker, Searey, Shanahan, Sherburne, Sims, Smyth, Spurgeon, Sykes, Taylor, Toner, Variel, Vincent, Weber, Windrow, Wilcox, Williams, Young of San Diego, Young of San Joaquin, and Mr Speaker

Quorum present.

Prayer by the Rev. Mr. Sims.

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

So ordered.

Journal approved.

SPECIAL ORDER—IMMEDIATELY AFTER READING OF THE JOURNAL.

Senate Bill No. 419—An Act to appropriate money to pay the claim of John C. Edgar, ex-Sheriff of the County of San Mateo, for delivering certain insane persons at the Insane Asylum at Stockton, for the twenty-fourth fiscal year.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Atherton, Bailey, Barton, Bost, Brierly, Brown J. B, Butler, Carr, Cohen, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Gould, Handy, Hart, Henry of San Joaquin, LaBlanc, Mathews of Tehama, McClenahan, McDonnell, McGowan, Morgan, Ohleyer, Price, Regan, Sherburne, Sims, Spurgeon, Sykes, Taylor, Variel, Vincent, Weber, Windrow, Wilcox, Williams, Young of San Diego, and Young of San Joaquin—42.

NOES—None.

Title read and approved.

GENERAL FILE.

Senate Bill No. 78—An Act to amend section one hundred and seventy of the Code of Civil Procedure, relating to disqualifications of Judges.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Alexander, Atherton, Bailey, Barton, Bost, Brierly, Brown J B, Butler, Carr, Cohen, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Gould, Granger, Handy, Hart, Henry of Butte, Henry of San Joaquin, Hyde, LaBlanc, Mathews of Tehama, McClenahan, McDonnell, McGowan, Morgan, Ohlever, Price, Shanahan, Sherburne, Sims, Spurgeon, Sykes, Taylor, Variel, Vincent, Weber, Williams, Young of San Diego, and Young of San Joaquin—44

NOES—None

Title read and approved.

Senate Bill No. 341—An Act to amend section four hundred and ninety-one of the Penal Code of the State of California, relating to dogs, and the larceny thereof.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Atherton, Bailey, Barton, Bost, Brierly, Brown J B, Butler, Cohen, Coombs, Cope, Currey of Solano, Davis, Ellsworth, Gould Handy, Hart, Henry of Butte, Henry of San Joaquin, Hyde, LaBlanc, Mathews of Tehama, McClenahan, McDonnell, McGowan, Morgan, Ohlever, Price, Regan, Searey, Shanahan, Sherburne, Sims, Spurgeon, Sykes, Taylor, Toner, Variel, Vincent, Weber, Windrow, Wilcox, Williams, Young of San Diego, and Young of San Joaquin—44

NOES—Messrs. Adams, Carr, and Granger—3

Title read and approved.

RESOLUTION—(OUT OF ORDER).

By Mr. Mathews of Tehama:

Resolved, That the following named officers and attachés of this Assembly, viz Albert Hart, Journal Clerk, A. F Chapman, James A Orr, and E O Tuttle, Assistant Journal Clerks; and P R Klein, Sergeant-at-Arms; and M J Dunn and H M Meacham, Clerks; and Mrs M E Weaver, Assistant Postmistress, be and they are hereby employed for the term of three days after the adjournment of this Assembly, for the purpose of finishing the business of their respective offices, and that they each be paid the same per diem which they now receive, except Mrs Weaver, who shall receive five dollars per day, and the Controller is hereby directed to draw his warrant on the Treasurer for the several amounts due under this resolution, and the Treasurer is directed to pay the same.

Adopted.

THIRD READING OF BILLS.

Senate Bill No. 130—An Act to amend section one thousand two hundred and seventy-eight of the Political Code, relating to canvassing election returns, and to repeal section one thousand two hundred and seventy-nine of said Code.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Alexander, Atherton, Bailey, Barton, Bost, Brierly, Brown, Butler, Carr, Coombs Cope, Currey of Solano Curry of San Francisco, Davis, Ellsworth, Gould, Granger, Handy, Hart, Henry of Butte, Henry of San Joaquin, Hyde, LaBlanc, Mathews of Tehama, McDonnell, McGowan, Morgan, Ohlever, Price, Regan, Searey, Shanahan, Sherburne, Sims, Spurgeon, Sykes, Toner, Variel, Vincent, Weber, Wilcox, Young of San Diego, and Young of San Joaquin—44

NOES—None.

Title read and approved.

MOTION.

Mr. Atherton moved that Assembly Bills Nos. 311, 326, 553, and 159 be passed on file.

So ordered.

THIRD READING OF BILL.

Senate Bill No. 12—An Act to amend section one hundred and twenty-five of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883, relating to books of record and indices to be kept by County Recorders.

Read third time.

The roll was called, and the bill passed by the following vote.

AYES—Messrs. Adams, Alexander, Atherton, Bailey, Barton, Bost, Brierly, Brown J B, Carr, Carroll, Cohen, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Gould, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, LaBlanc, Mathews of Tehama, McClenahan, McDonnell, McGowan, Mitchell, Ohlever, Price, Regan, Searey, Sherburne, Sims, Smyth, Sykes, Toner, Variel, Vincent, Windrow, Wilcox, Williams, Young of San Diego, Young of San Joaquin, and Mr Speaker—46

NOES—None.

Title read and approved.

Senate Bill No. 328—An Act to provide for the care and security of the State series of school text-books, by the erection of a fireproof warehouse to be used for the storage of the same, authorizing the appointment of a storekeeper to have the care and custody of said text-books, and appropriating money to pay the expenses of erecting said warehouse and the salary of such storekeeper.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Alexander, Atherton, Bailey, Barton, Bost, Brierly, Butler, Carr, Carroll, Cohen, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Gould, Granger, Handy, Hart, Heath, Henry of Butte, Henry of San Joaquin, LaBlanc, Lawrence, Mathews of Tehama, McClenahan, McDonnell, McGowan, Mitchell, Ohlever, Price, Searey, Shanahan, Sherburne Sims, Sykes, Taylor, Toner, Variel, Vincent, Weber, Windrow, Wilcox, Williams, Young of San Diego, Young of San Joaquin, and Mr. Speaker—48

NOES—None

Title read and approved.

BILLS WITHDRAWN.

Mr. Young of San Joaquin withdrew Assembly Bills Nos. 554 and 381, by consent of the House

Speaker Jordan in the chair.

THIRD READING OF BILLS.

Assembly Bill No. 561—An Act to amend section three thousand seven hundred and thirteen of the Political Code, relating to levy of taxes.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Alexander, Atherton, Bailey, Barton, Bost, Brierly, Brown W A., Butler, Carr, Carroll, Cohen, Coombs, Cope, Curry of San Francisco, Ellsworth, Ewing, Granger, Handy, Heath, Henry of Butte, Hyde, LaBlanc, Mathews of Tehama, McClena-

han, McDonnell, McGowan, Morgan, Ohleyer, Price, Regan, Searey, Shanahan, Shelburne, Sims, Spurgeon, Taylor, Toner, Variel, Vincent, Weber, Windrow, Williams, Young of San Diego, Young of San Joaquin, and Mr. Speaker—46.

NOES—None.

Title read and approved.

RESOLUTION—(OUT OF ORDER).

By Mr. Handy:

Resolved, That the Controller be and he is hereby directed to draw his warrant upon the Contingent Fund of the Assembly for the sum of fifteen dollars and twenty cents, in favor of P. R Klein, Sergeant-at-Arms, for the following bills

To serving warrant and mileage, March 10	$1 20
To P. H. Maloney, assistant in call of House, March 10	2 00
To P. H. Maloney, assistant in call of House, March 11	2 00
Incidental expenses of office for March	10 00
Total	$15 20

And the Treasurer is hereby directed to pay the same

Adopted.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 11, 1887

MR. SPEAKER. I am directed to inform your honorable body that the Senate, on this day, passed Senate Bill No 454—An Act to provide for the submission of certain proposed amendments to the Constitution of the State hereinafter named, and which have been proposed and adopted by the Legislature of the State of California, at the session beginning on January third, eighteen hundred and eighty-seven, to the qualified voters of said State, at a special election to be called by the Governor for the twelfth day of April, eighteen hundred and eighty-seven.

ED HAMILTON, Secretary.

MESSAGES FROM THE GOVERNOR.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, SACRAMENTO, March 9, 1887

To the Assembly of the State of California

I have to inform your honorable body that I have approved Assembly Bill No 120
Also, Assembly Bill No 523
Also, Assembly Bill No. 117.
Also, Assembly Bill No 395
Also, Assembly Bill No. 29
Also, Assembly Bill No 92
Also, Assembly Bill No 563
Also, Assembly Bill No 444
Also, Assembly Bill No 110.
Also, Assembly Bill No. 134
Also, Assembly Bill No. 258
Also, Assembly Bill No 148
Also, Assembly Bill No 259
Also, Assembly Bill No 262
Also, Assembly Bill No. 278.
Also, Assembly Bill No 138
Also, Assembly Bill No 47
Also, on March 10, 1887, approved Assembly Bill No 263
Also, Assembly Bill No 54
Also, Assembly Bill No 180.
Also, Assembly Bill No 252
Also, Assembly Bill No 106
Also, Assembly Bill No 560
Also, Assembly Bill No 164
And, on March 11, 1887, approved Assembly Bill No 19
Also, Assembly Bill No 89
Also, Assembly Bill No 456
Also, Assembly Bill No 136

WASHINGTON BARTLETT, Governor

THIRD READING OF BILL.

Assembly Bill No. 450—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, all of said sections being of the Political Code of the State of California, relating to the organization, powers, and duties of Boards of Trustees of State Normal Schools.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Alexander, Atherton, Bailey, Barton, Bost, Brierly, Brown J B, Carr, Carroll, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ellsworth, Ewing, Gould, Granger, Handy, Henry of Butte, Hyde, Knox, LaBlanc, Mathews of Tehama, McClenahan, McDonnell, McGowan, Mitchell, Morgan, Ohleyer, Regan, Shanahan, Sherburne, Sims, Sykes, Toner, Variel, Vincent, Weber, Windrow, Wilcox, Williams, Young of San Diego, and Mr. Speaker—44.

NOES—None.

Title read and approved.

Senate Bill No. 207—An Act to provide for the deficiency in the appropriation for traveling expenses of the Board of Railroad Commissioners, for the thirty-third fiscal year.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Alexander, Atherton, Bailey, Barton, Bost, Brown J B, Carr, Carroll, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ewing, Gould, Granger, Handy, Hart, Knox, McClenahan, McDonnell, McGowan, Mitchell, Morgan, Ohleyer, Price, Regan, Searey, Shanahan, Sherburne, Sims, Spurgeon, Sykes, Toner, Variel, Vincent, Weber, Windrow, Williams, Young of San Diego, Young of San Joaquin, and Mr Speaker—43.

NOES—None.

Title read and approved.

MOTION.

Mr. Butler moved to take up Assembly Bill No. 326 out of order.

So ordered.

READING OF BILL.

Assembly Bill No. 326—An Act to establish a State Board of Charities and Reform, to prescribe the duties thereof, and to provide for their compensation and expenses.

Read third time.

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

AYES—Messrs. Adams, Bailey, Barry, Barton, Bost, Brierly, Brown J B, Butler, Coombs, Cope, Currey of Solano, Curry of San Francisco, Ewing, Granger, Handy, Hart, Mann, McClenahan, McDonnell, Ohleyer, Price, Regan, Sherburne, Sims, Spurgeon, Sykes, Variel, Vincent, Weber, Wilcox, Williams, and Young of San Diego—34

NOES—Messrs Britt, Brown W A., Carr, Hyde, Mathews of Tehama, Mitchell, Searey, Toner, and Mr. Speaker—9

Senate Concurrent Resolution No. 7—In behalf of Charles M. Blake, late Chaplain of the United States Army.

Read and adopted.

Senate Joint Resolution No. 2—Relative to inviting the National Educational Association to hold the annual meeting for eighteen hundred and eighty-eight in California.

Read and adopted.

Assembly Bill No. 367—An Act to provide for the deficiency in the appropriation for the traveling expenses of the Attorney-General and the Surveyor-General, in contests between the State and the United States, for the thirty-fifth fiscal year.

Read third time

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Alexander, Bailey, Brierly, Britt, Brown W A, Carroll, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Ewing, Gould, Granger, Handy, Hart, Heath, Henry of Butte, Hyde, Mathews of Tehama, McDonnell, McGowan, Mitchell, Morgan, Ohlever, Price, Rucker, Shanahan, Sims, Spurgeon, Sykes, Toner, Variel, Vincent, Weber, Williams, Wright, Young of San Diego, and Mr. Speaker—41.

NOES—None

Title read and approved.

PROTEST.

Mr. Hyde presented the following protest:

ASSEMBLY CHAMBER, SACRAMENTO, CAL., March 12, 1887.

To the Speaker and members of the Assembly

WHEREAS Assembly Bill No 199—Entitled "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 cases"—having been passed by the Assembly and sent to the Senate, and was on March 11, 1887, returned to the Assembly with certain amendments in which the Assembly was requested to concur, and whereas, at the time when the Assembly was about to consider whether it should concur in said amendments, I arose to a point of order, to wit "That the Assembly could not concur in all the amendments, because one of the amendments was to strike out a section which did not exist in the bill," and at the same time I asked to have the bill returned to the Senate for correction, and whereas, after some protestation against delay I promised that if the bill be immediately sent to the Senate and returned, that the bill should immediately upon its return be considered by the Assembly, that thereupon the Speaker pro tem ordered that the bill be sent to the Senate for correction of the amendments, and whereas, I have examined the Journal of the Senate of its proceedings on the said eleventh of March, and it does not appear that the said Assembly Bill was ever delivered to the Senate for its action, now, therefore,

Upon my best information and belief, I charge that the said bill was not, on the eleventh of March, 1887, as ordered by the Speaker of this House, delivered to the Senate for its action, and that, although the bill was returned to the Assembly by the Clerk thereof as having been corrected by the Senate, in fact the Senate did not on said day correct the amendments aforesaid, or in anywise on that day consider the said amendments after the bill was ordered returned to the Senate as aforesaid, and that any statement or indorsement on said bill, or any amendment to the same, that the Senate corrected the amendments as desired by the Assembly, is wholly false I therefore protest against the proceedings of the Assembly in accepting the return of the bill to the Assembly as evidence of the action of the Senate, or accepting the same as true that the Senate acted upon or considered the correction of the said amendments on the said eleventh of March, 1887, and concurring in the said Senate amendments, and I therefore respectfully request and demand that this protest be spread upon the Journal of the Assembly.

M. D. HYDE

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 12, 1887.

MR SPEAKER I am directed to inform your honorable body that the Senate, on this day, refused to concur in Assembly amendments to Senate Bill No 442, and respectfully asks your honorable body to recede from said amendments.

Also, concurred in Assembly amendments to Senate Bills Nos 311, 312, and 78.

Also, passed Substitute for Assembly Bill No. 561—An Act to amend section three thousand seven hundred and thirteen of the Political Code, relating to levy of taxes

E. H. HAMILTON, Secretary
By R. B. OULLAHAN, Assistant Secretary.

MOTION.

Mr. Variel moved to postpone action on Senate message for ten minutes.

So ordered.

THIRD READING OF BILL.

Assembly Bill No. 61—An Act to appropriate money to meet the deficiency in the appropriation for the costs and expenses of suits where the State is a party in interest, for the thirty-fifth fiscal year, to pay the claim of William Applegarth.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Alexander, Atherton, Bailey, Brierly, Brusie, Carr, Carroll, Cohen, Cope, Currey of Solano, Curry of San Francisco, Davis, Ewing, Gould, Granger, Hart, Heath, Henry of Butte, Hyde, Mann, McDonnell, McGowan, Mitchell, Morgan, Morris, Ohleyer, Regan, Rucker, Searey, Sherburne, Sims, Spurgeon, Sykes, Taylor, Vincent, Weber, Williams, Wright, Young of San Diego, Young of San Joaquin, and Mr. Speaker—41.

NOES—Mr. Toner—1

Title read and approved.

CONSIDERATION OF SENATE MESSAGES.

Consideration of action of Senate on Assembly amendments to Senate Bill No. 442.

The question being, "Shall the House recede from its amendments to Senate Bill No. 442?"

Mr. Mathews of Tehama moved that the House adhere to its amendments.

So ordered.

MOTION.

Mr. Variel moved that the Speaker appoint a Committee of Conference to further consider Senate Bill No. 442, to meet a like committee of the Senate.

So ordered.

APPOINTMENT OF COMMITTEE OF CONFERENCE.

The Speaker appointed Messrs. Variel, Heath, and Mathews of Tehama as a Committee of Conference on Senate Bill No. 442.

RECESS.

The Speaker declared a recess.

REASSEMBLED.

Speaker Jordan in the chair.

Quorum present.

REPORT OF STANDING COMMITTEE.

ON ENROLLMENT

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1887

MR SPEAKER Your Committee on Enrollment beg leave to report that the following Assembly Bills have been correctly enrolled

Assembly Bill No 40—An Act to amend section thirty-two of an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885

Also, Assembly Bill No 39—An Act to amend section two thousand six hundred and eighty, two thousand six hundred and eighty-five, two thousand six hundred and ninety, and two thousand six hundred and ninety-one of an Act entitled an Act to establish a Political Code, approved March 12, 1872, relating to roads and highways

Also, Assembly Bill No 22—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments."

Also, Assembly Bill No 57—An Act to pay the claim of J F. Gawthorne

Also, Assembly Bill No 58—An Act to pay the claim of Jessie A. Galland.

Also, Assembly Bill No 59—An Act to pay the claim of Edward J Smith.

Also, Assembly Bill No 35—An Act for the better protection for settlers on public lands of the United States within the State of California, and for the protection and encouragement of persons desirous of settling thereon

Also, Assembly Bill No 359—An Act to provide 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 118—An Act to amend section three thousand seven hundred and sixty-eight of the Political Code of the State of California

Also, Assembly Bill No 351—An Act to provide for the deficiency in the appropriation for the expenses of the Supreme Court, under section forty-seven of the Code of Civil Procedure, for the thirty-seventh fiscal year

Also, Assembly Bill No 358—An Act to provide for the deficiency in the appropriation for postage and expressage in the office of the Adjutant-General for the thirty-fifth fiscal year

Also, Assembly Bill No 368—An Act to provide for the deficiency in the appropriation for traveling expenses of the Superintendent of Public Instruction, for the thirty-fifth fiscal year

Also, Assembly Bill No 377—An Act to provide for the deficiency in the appropriation for the transportation of the insane, for the thirty-seventh fiscal year

Also, Assembly Bill No 206—An Act making an appropriation for deficiency in fund for printing school text-books, for thirty-eighth fiscal year.

Also, Substitute for Assembly Bill No 323 et al—An Act to amend sections seventeen, twenty-five, one hundred and sixty-two, one hundred and sixty-four, one hundred and sixty-six, one hundred and sixty-seven, one hundred and seventy-two, one hundred and seventy-eight, one hundred and seventy-nine, one hundred and eighty, one hundred and eighty-six, one hundred and eighty-seven, one hundred and ninety-one, one hundred and ninety-three, one hundred and ninety-eight, two hundred and eleven, and two hundred and eighteen of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883, as amended March 14, 1885, and March 18, 1885, relating to the government of counties

And were presented to the Governor, this day, at ten o'clock and forty-five minutes A M

JAS B BROWN, Chairman

REPORT OF COMMITTEE OF CONFERENCE.

MR SPEAKER Your Committee of Conference concerning Assembly amendment to Senate Bill No 442, report we have met a like committee of Senate consisting of Senators White, Vrooman, and Cammetti, and we can not agree, and ask a Committee of Free Conference, to meet a like committee of the Senate.

VARIEL, Chairman

Report adopted.

MOTION.

Mr. Mathews of Tehama moved that a Committee of Free Conference be appointed, to further consider Assembly amendments to Senate Bill No. 442.

So ordered.

APPOINTMENT OF COMMITTEE OF FREE CONFERENCE.

The chair appointed, as such committee, Messrs. Variel, Heath, and Mathews of Tehama.

RECESS.

The Speaker declared a short recess.

REASSEMBLED.

Speaker Jordan in the chair.

REPORT OF COMMITTEE OF FREE CONFERENCE.

MR SPEAKER Your Committee of Free Conference, relative to Senate Bill No 442, report—we have met a like committee from the Senate, consisting of Senators White, Vrooman, and Caminetti, and now report the said Senate Bill No 442 back as amended, and recommend passage as amended

VARIEL, Chairman

Report adopted.

The question being on the final concurrence in the amendments of the Committee of Free Conference to Senate Bill No. 442.

The roll was called, and the amendments concurred in, and the bill finally passed by the following vote:

AYES—Messrs Adams, Alexander, Atherton, Bailey, Bost, Brierly, Britt, Brusie Carr, Carroll, Cooley, Coombs, Cope, Currey of Solano, Curry of San Francisco, Davis, Gould, Granger, Handy, Hart, Heath, Henry of Butte, Hyde, Mann, Mathews of Tehama, McDonnell, McGowan, Mitchell, Morgan, Ohleyer, Regan, Rucker, Searey, Shanahan, Sims, Sykes, Taylor, Variel, Vincent, Weber, Williams, Young of San Diego, Young of San Joaquin, and Mr. Speaker—47

NOES—None

SENATE MESSAGES.

SENATE CHAMBER, SACRAMENTO, March 12, 1887

MR SPEAKER I am directed to inform your honorable body that the Senate, on this day, passed Assembly Bill No 367—An Act to provide for the deficiency in the appropriation for the traveling expenses of the Attorney-General and the Surveyor-General, in contests between the State and the United States for the thirty-fifth fiscal year.

Also, Assembly Bill No 61—An Act to appropriate money to meet the deficiency in the appropriation for the costs and expenses of suits where the State is a party in interest, for the thirty-fifth fiscal year, to pay the claim of William Applegarth

Also, appointed Senators White, Vrooman, and Caminetti a Committee of Conference to meet a like committee appointed by your honorable body, to confer upon the disagreement between both Houses on Senate Bill No 442

ED HAMILTON, Secretary

RESOLUTIONS—(OUT OF ORDER).

By Mr. Brierly:

Resolved, That two thousand copies, pamphlet form, of Assembly Bill No 287, be printed for distribution

Adopted.

Also:

Resolved, That the sum of ten dollars be allowed the Chief Clerk out of the appropriation for the contingent expenses, for the purpose of paying postage upon the final copy of the Weekly History of Assembly Bills, to be sent to each member

Adopted.

By Mr. Morgan:

Resolved, That we, the members of the twenty-seventh session of the Assembly, do extend to the different representatives of the press our thanks for the many courtesies extended to us during the session

Adopted.

SENATE MESSAGE.

SENATE CHAMBER, SACRAMENTO, March 12, 1887.

MR SPEAKER I am directed to inform your honorable body that the Senate, on this day, passed Senate Bill No 455—An Act to provide compensation for the Tax Collectors in the several counties of the State of California, for services in the collection of license taxes.

ED H. HAMILTON, Secretary.

RESOLUTION—(OUT OF ORDER).

By Mr. Hyde:

Resolved, That the State Printer be and he is hereby directed to print the usual number of copies of the Journal of to-day's proceedings of the Assembly.

Adopted.

REPORT OF STANDING COMMITTEE.

ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1887.

MR SPEAKER: Your Committee on Enrollment beg leave to report that the following Assembly Bills have been correctly enrolled

Assembly Bill No 355—An Act to provide for the deficiency in the appropriation for contingent expenses in the office of Surveyor-General, for the thirty-sixth fiscal year

Also, Assembly Bill No. 356—An Act to provide for the deficiency in the appropriation for the cleaning and transportation of arms, for the thirty-fourth fiscal year

Also, Assembly Bill No. 354—An Act to provide for the deficiency in the appropriation for costs and expenses of suits wherein the State is a party in interest, for the thirty-fifth fiscal year

Also, Assembly Bill No 357—An Act to provide for the deficiency in the appropriation for postage, expressage, etc., of the Surveyor-General, for the thirty-fifth fiscal year

Also, Assembly Bill No 380—An Act to provide for the deficiency in the appropriation for the payment of rewards for the arresting criminals without the limits of the State, for the thirty-sixth fiscal year.

Also, Assembly Bill No. 361—An Act to provide for the deficiency in the appropriation for the contingent expenses in the office of the Secretary of State, for the thirty-sixth fiscal year

Also, Assembly Bill No. 369—An Act to provide for the deficiency in the appropriation for traveling expenses of the Attorney-General, for the thirty-fifth fiscal year.

Also, Assembly Bill No. 378—An Act to provide for the deficiency in the appropriation for the payment of rewards for the arrest of criminals without the limits of the State, for the thirty-seventh fiscal year

Also, Assembly Bill No 348—An Act to amend sections three thousand four hundred and fifty-two, three thousand four hundred and fifty-three, and three thousand four hundred and fifty-four of the Political Code, relative to the adoption of by-laws, the election of Trustees, their powers, duties, and compensation in reclamation districts of this State

Also, Assembly Bill No 550—An Act to add a new section to the Political Code, to be numbered three thousand two hundred and thirty-five, relating to the furnishing of supplies under contract to all public institutions under control of the State, or of any county, city and county, or town thereof.

Also, Assembly Bill No 329—An Act to add a new section, to be numbered four hundred and twenty-one, and to amend section four hundred and thirteen of an Act entitled an Act to establish a Political Code, approved March 12, 1872, relating to increasing police force of the State Capitol grounds.

And were presented to the Governor, this day, at eleven o'clock and twenty-five minutes A. M

JAS. B. BROWN, Chairman.

RESOLUTIONS—(OUT OF ORDER).

By Mr. Heath:

Resolved, That Hon. William H Jordan is entitled to the thanks of the members of this House as a body, and the commendations of the people of the State at large, for the earnest, able, and fearless course pursued by him in that station.

Adopted.

By Mr. C. F. Curry:

Resolved, That the thanks of this Assembly are hereby tendered to our esteemed Chaplain, Rev. E. R Dille, for the able manner in which he has discharged his duties during the session.

Adopted.

SENATE MESSAGES.

SENATE CHAMBER, SACRAMENTO, March 12, 1887

MR. SPEAKER I am directed to inform your honorable body that the Senate, on this day, passed Assembly Bill No 450—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, all of said sections being of the Political Code of the State of California, relating to the organization, powers, and duties of Boards of Trustees of State Normal Schools

Also, Senate Bill No. 451—An Act allowing the Board of Directors of the Industrial Home of the Adult Blind to use the moneys received from the sale of manufactured goods and wares for the purchase of raw material and the expenses attending its manufacture.

ED HAMILTON, Secretary.
By J. H. CORCORAN, Assistant Secretary.

REPORT OF STANDING COMMITTEE.

ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1887

MR SPEAKER. Your Committee on Enrollment beg leave to report that the following Assembly Bills have been correctly enrolled

Assembly Bill No 365—An Act to provide for the deficiency in the appropriation for uses of the State Board of Viticulture, for the thirty-seventh fiscal year.

Also, Assembly Bill No 41—An Act to amend an Act entitled "An Act to repeal Chapter II, of Title VI, Part III, 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 II, and to enact a new Chapter II, of Title VI, of Part III, of said Code, and substitute the same in place of said repealed Chapter II, in said Code, relating to roads and highways, approved February 28, 1883, by adding a new section thereto, to be numbered section two thousand six hundred and forty-six

Also, Assembly Bill No 362—An Act to provide for the deficiency in the appropriation for the uses of the State Board of Silk Culture, for the thirty-sixth fiscal year.

Also, Assembly Bill No. 324—An Act to provide for the deficiency in the appropriation for the transportation of the insane, for the thirty-second fiscal year

Also, Assembly Bill No 372—An Act to provide for the deficiency in the appropriation for the transportation of prisoners, for the thirty-fifth fiscal year

Also, Assembly Bill No 361—An Act to provide for the deficiency in the appropriation for the erection and maintenance of the State Salmon Hatchery, for the thirty-seventh fiscal year

Also, Assembly Bill No. 366—An Act to provide for the deficiency in the appropriation for the contingent expenses of the office of the Surveyor-General, for the thirty-seventh fiscal year.

Also, Assembly Bill No 199—An Act to amend an Act entitled "An Act to establish a Penal Code," by amending section one thousand and forty-six, relating to forming juries in criminal causes

Also, Assembly Bill No. 565—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, and one thousand one hundred and ninety-one, and to repeal section one thousand two hundred and three of an Act of the Legislature of the State of California, entitled "An Act to establish a Code of Civil Procedure," approved March 12, 1872, all relating to liens of mechanics and others

Also, Assembly Bill No 227—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 two thousand six hundred and ninety-six, relating to proceedings for procuring land for the purpose of raising the banks of streams in order to more effectually protect public roads and highways

Also, Assembly Bill No 375—An Act to provide for the deficiency in the appropriation for the transportation of the insane, for the thirty-fifth fiscal year

Also, Assembly Bill No. 373—An Act to provide for the deficiency in the appropriation for the transportation of insane, for the thirty-first fiscal year

Also, Assembly Bill No 14—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 379—An Act to provide for the deficiency in the appropriation for payment of rewards for arresting criminals without the limits of the State, for the thirty-fifth fiscal year.

And were presented to the Governor this day, at eleven o'clock and fifty minutes A. M.

JAS B BROWN, Chairman.

RESOLUTION—(OUT OF ORDER).

By Mr. Variel:

Resolved, That the cordial thanks of this House be extended to the Clerks of this House and their assistants for the very efficient manner in which they have discharged the duties of their respective stations

Adopted unanimously.

MESSAGE FROM THE SENATE.

The Senate, by a committee composed of Senators White, Dray, and Lenahan, appeared and asked the House whether they had any further communication to make to the Senate.

Mr. Alexander 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.

Carried.

APPOINTMENT OF COMMITTEE.

The Speaker appointed Messrs. Alexander, Gould, and Barton, the committee to wait upon the Senate.

MOTION.

Mr. Lawrence moved that a committee of three be appointed to wait upon his Excellency the Governor, and ascertain if he has any further communication to make to this body.

Carried.

APPOINTMENT OF COMMITTEE.

The Speaker appointed as said committee Messrs. Lawrence, Vincent, and Knox.

MESSAGE FROM THE GOVERNOR.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
SACRAMENTO, March 12, 1887.

To the Assembly of the State of California

I have to inform your honorable body that I have approved Assembly Bill No 526
Also, Assembly Bill No. 527
Also, Assembly Bill No. 564.

WASHINGTON BARTLETT, Governor.

SENATE MESSAGE.

SENATE CHAMBER, SACRAMENTO, March 12, 1887

MR. SPEAKER I am directed to inform your honorable body that the Senate, on this day, passed Assembly Bill No 166—An Act to amend section one thousand one hundred and sixty of the Political Code of the State of California, relating to elections.

Also, Assembly Bill No 88—An Act to amend section one thousand one hundred and twenty-seven of the Political Code of the State of California, relating to the establishing of election precincts.

ED. HAMILTON, Secretary.

MOTION.

Mr. Carroll moved that a committee of three be appointed to wait upon the Senate and inform that body that this House is now ready to adjourn.

So ordered.

APPOINTMENT OF COMMITTEE.

The Speaker appointed as such committee, Messrs. Carroll, Cooley, and Shanahan.

REPORT OF STANDING COMMITTEE.

ON ENROLLMENT

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1887

MR SPEAKER Your Committee on Enrollment beg leave to report that the following Assembly Bills have been correctly enrolled

Assembly Bill No 367—An Act to provide for the deficiency in the appropriation for the traveling expenses of the Attorney-General and the Surveyor-General, in contests between the State and the United States, for the thirty-fifth fiscal year

Also, Assembly Bill No 61—An Act to appropriate money to meet the deficiency in the appropriation for the costs and expenses of suits where the State is a party in interest, for the thirty-fifth fiscal year, to pay the claim of William Applegarth

Also, Assembly Bill No 450—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, all of said sections being of the Political Code of the State of California.

Also, Assembly Bill No 88—An Act to amend section one thousand one hundred and twenty-seven of the Political Code, relating to the establishing of election precincts

Also, Assembly Bill No 561—An Act to amend section three thousand seven hundred and thirteen of the Political Code, relating to levy of taxes

Also, Assembly Bill No 166—An Act to amend section one thousand one hundred and sixty of the Political Code, relating to elections

And were presented to the Governor this day, at eleven o'clock and fifty-five minutes A M.

JAS. B. BROWN, Chairman

REPORTS OF COMMITTEES.

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.

The committee appointed to wait upon the Governor, appeared before the bar of the House, and 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.

FINAL REPORT OF COMMITTEE ON EDUCATION.

Mr. Brierly presented a final report of the Committee on Education, which was ordered printed in the Appendix.

APPROVAL OF MINUTES.

The minutes of the last day, Saturday, March 12, 1887, were read and approved.

ADJOURNMENT SINE DIE.

At twelve o'clock M., the Speaker delivered a valedictory, and declared the House adjourned sine die.

GENTLEMEN OF THE HOUSE The hour has at last arrived when, in accordance with the concurrent resolution adopted by the two branches of the Legislature, this House must adjourn without date

Before taking final leave of you, I desire to express to one and all my sincere and heartfelt thanks for the generous and kindly treatment I have received at your hands and the uniform loyalty with which you have supported me in every ruling of the session. Without this support it would not have been possible for me to have discharged the duties of my station To preside over the deliberations of so large a body of men is by no means an easy task If I have done it with satisfaction to you and to the State that fact is largely due to the aid you have so generously granted me. For this assistance I have always been deeply grateful

As we now are about to separate, I congratulate you upon the labors of the session. Many good and salutary laws have been enacted, by which the people of the State will be benefited The schools have been most liberally endowed for another two years, and the general system of their government improved. The University—ever the pride of the State—has been placed upon an independent and substantial footing. The crying demand of a large section of this commonwealth for laws regulating and legalizing the use of water for irrigating purposes, has for the first time been gratified, by the passage of measures which, in my judgment, will add largely to the general prosperity of the country. The Courts have been, in many particulars, improved, and greater facility offered for the redress of the people's wrongs

These and many other enactments have passed this House and met the approval of the Executive, in which we may all take pride; and while measures have, of necessity, died upon the files which, had they passed, would have been beneficial, still we have the satisfaction of knowing that we have honestly and conscientiously employed our time while here—having, as shown by the Journal, transacted more business by one third than any other Assembly that has ever sat in this chamber during the history of the State

To the attachés of this House I wish to return my grateful thanks for the uniform courtesy which they have shown me. Without exception they have obeyed my orders willingly and promptly A better corps of assistants could not have been found. They have been faithful, obliging, and efficient.

And now our work being over, our association as legislators ended, I do declare this branch of the Legislature of the State of California, for the twenty-seventh session, adjourned sine die.

WILLIAM H. JORDAN, Speaker.

FRANK D. RYAN, Chief Clerk.
GUY H. SALISBURY, Minute Clerk.