CALIFORNIA LEGISLATURE—ASSEMBLY.

TWENTY-NINTH SESSION.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Monday, January 5, 1891.

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

PRAYER.

Prayer was offered by Rev. J. A. Bruner.

RESOLUTION.

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

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

ROLL CALL.

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

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

First District—Del Norte and Siskiyou: Geo. B. Robertson.
Second District—Humboldt. A. J Bledsoe.
Third District—Humboldt: E. D Kellogg.
Fourth District—Trinity and Shasta: T. W. H Shanahan.
Fifth District—Modoc and Lassen: A J. Jackson.
Sixth District—Plumas and Sierra: F. G. Hall.
Seventh District—Tehama J. T. Matlock.
Eighth District—Butte: T. H. Barnard.
Ninth District—Butte: John J Smith.
Tenth District—Colusa H P. Eakle
Eleventh District—Mendocino Geo. A. Sturtevant
Twelfth District—Lake J. H. Renfro.
Thirteenth District—Sutter and Yuba: H P Stabler
Fourteenth District—Nevada: Michael Garver
Fifteenth District—Nevada T. C. Hocking
Sixteenth District—Placer: Noble Martin
Seventeenth District—El Dorado W. E. Baughman.
Eighteenth District—Sacramento: Jud C. Brusie.
Nineteenth District—Sacramento: Elwood Brunel.
Twentieth District—Sacramento: Gilbs Doty.
Twenty-first District—Yolo R. Clark.

Twenty-second District—Napa: F. L. Coombs
Twenty-third District—Sonoma: Frank J. Murphy.
Twenty-fourth District—Sonoma: J. D. Barnett.
Twenty-fifth District—Sonoma: H. L. Weston
Twenty-sixth District—Solano: C. Dunnet
Twenty-seventh District—Solano: J. C. Wolfskill.
Twenty-eighth District—Marin: Thomas H. Estey
Twenty-ninth District—San Francisco: J. H. Daly.
Thirtieth District—San Francisco: Thomas J. Tully.
Thirty-first District—San Francisco: John Hayes.
Thirty-second District—San Francisco: George E. Lewis.
Thirty-third District—San Francisco: F. L. Jones.
Thirty-fourth District—San Francisco: A. L. Lux.
Thirty-fifth District—San Francisco: Wm. J. Dunn
Thirty-sixth District—San Francisco: John P. Glynn.
Thirty-seventh District—San Francisco: M. W. Coffey.
Thirty-eighth District—San Francisco: A. T. Barnett.
Thirty-ninth District—San Francisco: Chas. S. Arms.
Fortieth District—San Francisco: T. W. Dennis
Forty-first District—San Francisco: H. C. Dibble.
Forty-second District—San Francisco: Louis A. Phillips.
Forty-third District—San Francisco: William E. Tennis.
Forty-fourth District—San Francisco: George A. Wentworth.
Forty-fifth District—San Francisco: Eugene F. Bert.
Forty-sixth District—San Francisco: L. Hoey.
Forty-seventh District—San Francisco: John T. Steltz.
Forty-eighth District—San Francisco: Joseph Windrow.
Forty-ninth District—San Mateo: A. Gordon
Fiftieth District—Santa Cruz: W. H. Galbraith.
Fifty-first District—Alameda: Frank L. Fowler
Fifty-second District—Alameda: Fred Bryant
Fifty-third District—Alameda: J. G. McCall.
Fifty-fourth District—Alameda: E. S. Culver
Fifty-fifth District—Alameda: E. G. Train
Fifty-sixth District—Alameda: Almon Ames
Fifty-seventh District—Contra Costa: George E. Carter.
Fifty-eighth District—San Joaquin: R. A. Johnson
Fifty-ninth District—San Joaquin: J. L. Beecher, Jr.
Sixtieth District—Amador: E. A. Freeman.
Sixty-first District—Calaveras: Alexander Brown
Sixty-second District—Tuolumne: F. T. Murnan.
Sixty-third District—Santa Clara: E. E. Dow
Sixty-fourth District—Santa Clara: James R. Lowe
Sixty-sixth District—Stanislaus: J. S. Alexander
Sixty-seventh District—Merced and Mariposa: F. H. Gould.
Sixty-eighth District—San Benito: C. G. Cargill.
Sixty-ninth District—Monterey: C. F. Lacey.
Seventieth District—Fresno: G. W. Mordecai
Seventy-first District—Tulare: W. S. Cunningham
Seventy-second District—Alpine, Mono, and Inyo: F. E. Hunewill.
Seventy-third District—San Luis Obispo: M. Harloe.
Seventy-fourth District—Santa Barbara: W. A. Hawley.
Seventy-fifth District—Kern and Ventura: T. A. Rice.
Seventy-sixth District—Los Angeles: F. N. Marion.
Seventy-seventh District—Los Angeles: John R. Mathews.
Seventy-eighth District—Los Angeles and Orange: A. Guy Smith.
Seventy-ninth District—San Bernardino: John C. Lynch.
Eightieth District—San Diego: Nestor A. Young

Quorum present.

APPOINTMENTS.

In the absence of constitutional officers, Minute Clerk Bruce Pendegast and Sergeant-at-Arms J. J. Driscoll, the Chief Clerk announced that he had appointed as Minute Clerk Isidor Alexander and as Sergeant-at-Arms Frank Anaya.

In the twenty-eighth session Mr. Alexander was Assistant Minute Clerk and Frank Anaya Assistant Sergeant-at-Arms.

RECESS.

At twelve o'clock and forty minutes P. M., on motion of Mr. Dibble, the House took a recess until two o'clock P. M.

REASSEMBLED.

At two o'clock P. M. the House reassembled.
Chief Clerk Leake in the chair.

APPOINTMENTS.

The Chief Clerk announced that, after consultation with experienced legislators, who are members of the majority, he had concluded that a certain number of attachés, not included in the statutory officers, were necessary to transact the business of temporary organization, and he announced the following appointments, subject to the approval of the Assembly:

Assistant Clerks—H. Orear and D. C. Shepard.
Assistant Minute Clerk—Chas. McGreevey.
Journal Clerk—Geo. M. Woodward.
Assistant Journal Clerk—Wm. McDonald.
Assistant Sergeant-at-Arms—P. McManus.
Clerk to Sergeant-at-Arms—Wm. Fitzgerald.
Gatekeeper—J. T. Power.
Pages—Milton Berry, Milo C. Aver, Elmer Moore, Ed. Short, and Edgar Stack.
Watchmen—Chas. Scofield and Wm. A. Wall.

MOTION.

On motion of Mr. Barnard, the roll of members was called and the following responded to their names:

Messrs. Alexander, Ames, Arms, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Brusie, Bryant, Cargill, Carter, Clark, Coffey, Coombs, Cram, Culver, Cunningham, Dibble, Doty, Dow, Dunn, Durner, Eakle, Estey, Fowler, Freeman, Galbraith, Gaver, Gordon, Gould, Hail, Harloe, Hawley, Hayes, Hocking, Hoey, Hunewill, Johnson, Jackson, Jones, Kellogg, Lacey, Lewis, Lowe, Lux, Lynch, Martin, Matlock, McCall, Mordecai, Murnan, Murphy, Phillips, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Wentworth, Windrow, Wolfskill, and Young.

RESOLUTIONS.

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

Resolved, That the standing rules of the twenty-eighth session, as the same were first adopted, be and they are hereby adopted as the rules of this House, pending the report of the Committee on Rules and Regulations, as far as the same are practicable.

Mr. Wolfskill offered the following resolution:

Resolved, That all officers and attachés, who have reported for duty, of the last session, be employed for the temporary organization.

On motion of Mr. Dibble, the resolution was referred to the Committee on Attachés.

MOTION.

Mr. Lowe moved that the House do now proceed to elect the statutory officers.
Carried.

ELECTION OF SPEAKER.

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

Mr. Brusie nominated Frank L. Coombs, of Napa.

Mr. Robertson nominated T. W. H. Shanahan, of Shasta.

On motion of Mr. Dibble, nominations closed.

The roll was called, with the following result:

For Coombs—Messrs. Alexander, Ames Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Brusie, Bryant, Cargill, Carter, Clark, Coffey, Crain, Culver, Daly, Dennis, Dibble, Dow, Durner, Estey, Fowler, Freeman, Galbraith, Glynn, Gordon, Hall, Harloe, Hawley, Hayes, Hocking, Hoey, Hunewill, Johnson, Jones, Kellogg, Lacey, Lewis, Lowe, Lux, Lynch, Marion, Matlock, McCall, Murphy, Phillips, Shanahan, Smith of Butte, Smith of Orange, Steltz, Sturtevant, Tennis, Tully, Wentworth, Windrow, and Young.

For Shanahan—Messrs Arms, Coombs, Cunningham, Doty, Dunn, Eakle, Garver, Gould, Jackson, Martin, Mathews, Mordecai, Murnan, Renfro, Rice, Robertson, Stabler, and Wolfskill.

Whole number of votes cast	78
Necessary to a choice	40
Frank L. Coombs received	60
T. W. H. Shanahan received	18

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

COMMITTEE.

The Chief Clerk appointed Messrs. Shanahan, Brusie, and Durner a committee to conduct the Speaker elect to the chair.

The oath of office was administered by the Hon. E. E. Leake, Chief Clerk.

Speaker Coombs in the chair.

REMARKS BY SPEAKER COOMBS.

On taking the chair. Mr. Coombs made the following remarks:

GENTLEMEN OF THE ASSEMBLY: You are the chosen representatives of the people; here assembled under auspices pointing to a future of prosperity and advancement. You have taken the oath required by the Constitution, and your obligations should lead you to a serious contemplation of the many duties you owe the State. Newly developing fields of industry call for the enactment of laws to meet the continually changing conditions of the country. The Constitution prohibits, in most cases, special legislation, but we find that general laws judiciously framed meet the requirements of people pursuing widely different occupations, and engaged in different industries. Hence it is the province of the law maker to pave the way of progress by general laws which may be applied to the diversified conditions of every section. Labor may be measurably protected by preventing convict competition. Natural advantages may be aided by perfecting irrigation laws and rendering them adequate to the purposes for which they were intended. A new or amended road law, of practical and economical utility, is a public necessity. It is a matter allied to the question of progress and development.

A due regard for these and all other interests is consistent with an economical administration of the Government and its laws. An enlightened system of economy can, therefore, be the rule of conduct, with better results than can follow a system of extravagance. There are needless appurtenances to our departments which should be cut off. If the numerous Commissions were consolidared, in many instances they would prove of the same benefit operated upon a more economical basis. The tendency of the times is to create more of these, and in this respect the course of this Legislature should be against such tendency. While every interest pertaining to the Commonwealth should be fostered, experience has taught us that Commissions are often a greater care and expense upon the Government than the interests of which they are supposed to be the guardian powers. Customs have grown upon the legislative department of State which should be checked. The interest of economy demands that one third of the Assembly standing

committees of the last Legislature should be dispensed with. It is to be sincerely hoped that you will recede from the extravagant custom of sending committees over the entire State. The work of investigation could be better and more economically performed.

Heretofore various appropriations have been considered, solely with reference to their expediency or importance, by the respective committees having in charge the matters to which such appropriations relate, and without reference to a proper limit to public expenditures. As a remedy for this, the rules should be so amended that every bill appropriating money should ultimately be considered by the Committee on Ways and Means, and that this committee should be a check upon other committees, and in a measure be held responsible to this body for the different appropriations recommended. While I do not desire to say anything political, yet I warn the dominant party that it has a dangerous strength in its majority, and it should be as guarded in the exercise of its sacred functions as though it had a majority of but one. We are reminded that its platform has prescribed the maximum of governmental expenditure, and it has become the mandate of the people I take it that beyond doubt, debate, or exigency, this Legislature is instructed by the authority that created it to keep within the fifty-cent limit, and in this regard such instruction has become the measure of its powers.

To enact original legislation, to amend or repeal existing laws, to abolish cumbersome systems, to do away with extravagant customs, to pass an apportionment bill based upon the principles of fairness and political justice, will require your earnest and dignified deliberations. This will best assist your Speaker in enforcing the rules of the House in a manner such as to commend your actions to the people of the State of California. I have a high and grateful appreciation of the honor you have conferred upon me, and a full realization of its important duties. In all things I shall try to promote the public good, and shall endeavor to pursue that course calculated to do justice to you all. I again thank you for the honor you have given me.

RESOLUTION.

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

Resolved, That a Committee on Rules and Regulations, consisting of seven members, including the Speaker, be appointed.

ELECTION OF SPEAKER PRO TEM.

Nominations for Speaker pro tem. were declared in order.

Mr. Dibble nominated Nestor A. Young, of San Diego.

Mr. Mathews nominated Gillis Doty, of Sacramento.

On motion, nominations closed.

The roll was called, with the following result:

For Young—Messrs. Alexander, Ames, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Brusie, Bryant, Cargill, Carter, Clark, Coffey, Cram, Culver, Dennis, Dibble, Doty, Dow, Durner, Estey, Fowler, Freeman, Galbraith, Glynn, Gordon, Hall, Harloe, Hawley, Hayes, Hocking, Hoey, Hunewill, Johnson, Jones, Kellogg, Lacey, Lewis, Lowe, Lux, Lynch, Marion, Matlock, McCall, Murphy, Phillips, Smith of Butte, Smith of Orange, Steltz, Stuttevant, Tennis, Tully, Wentworth, Weston, Windrow, and Mr Speaker

For Doty—Messrs Aims, Dunn, Eakle, Garver, Gould, Jackson, Martin, Mathews, Mordecai, Murnan, Rentro, Rice, Robertson, Shanahan Stabler, Wolfskill, and Young.

Whole number of votes cast	76
Necessary to a choice	39
Mr. Young received	59
Mr. Doty received	17

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

COMMITTEE.

The Speaker appointed Messrs. Doty, Ames, and Mathews a committee to escort the Speaker pro tem. to the Speaker's desk, where the oath of office was administered to him.

ELECTION OF CHIEF CLERK.

Nominations for Chief Clerk were declared in order.

Mr. Hocking nominated H. A. Mason, of Nevada County.

Mr. Gould nominated E. E. Leake, of Solano County.

On motion, nominations closed.

The roll was called, with the following result:

For Mason—Messrs. Alexander, Ames, Barnard Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Bryant, Cargill, Carter, Clark, Coffey, Cram, Culver, Daly, Dibble, Dow, Durner, Estey, Fowler, Freeman, Galbraith, Glynn, Gordon, Hall, Harloe, Hawley, Hayes, Hocking, Hoey, Hunewill, Johnson, Jones, Kellogg, Lacey, Lewis, Lux, Lynch, Marion, Matlock, McCall, Murphy, Phillips, Smith of Butte, Smith of Orange, Sturtevant, Tennis, Tully, Wentworth, Weston, Windrow, Young, and Mr Speaker.

For Leake—Messrs Arms, Doty, Dunn, Eakle Garver, Gould, Jackson, Martin, Mathews, Mordecai, Murnan, Rentro, Rice, Robertson, Shanahan, Stabler, and Wolfskill.

Whole number of votes cast	74
Necessary to a choice	38
Mr. Mason received	57
Mr. Leake received	17

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

RESOLUTION.

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

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

ELECTION OF ASSISTANT CLERK.

Nominations for two Assistant Clerks were declared in order.

Mr. Wentworth moved that but one Assistant Clerk be elected this day.

Carried.

Mr. Bruner nominated for Assistant Clerk F. W. Whitmore, of Sacramento.

There being no further nominations, the roll was called, with the following result:

For Whitmore—Messrs Alexander, Ames, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Bryant, Cargill, Carter, Clark, Coffey, Cram, Culver, Daly, Dennis, Dibble, Doty, Dow, Durner, Eakle, Estey, Fowler, Galbraith, Glynn, Gordon, Hall, Harloe, Hawley, Hayes, Hoey, Hunewill, Johnson, Jackson, Kellogg, Lacey, Lewis, Lowe, Lux, Lynch, Marion, Matlock, Mathews, McCall, Murnan, Murphy, Phillips, Rentro, Rice, Robertson, Smith of Butte, Smith of Orange, Stabler, Tennis, Tully, Wentworth, Weston, Young, and Mr. Speaker.

Whole number of votes cast	63
Necessary to a choice	32
F. W. Whitmore received	63

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

ELECTION OF SERGEANT-AT-ARMS.

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

Mr. Ames nominated H. J. McKusick, of Alameda.

Mr. Arms nominated Frank Anaya, of Stanislaus.

On motion, nominations closed.

The roll was called, with the following result:

For McKusick—Messrs. Alexander, Ames, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Cargill, Carter, Clark, Coffey, Cram, Culver, Daly, Dow, Durner, Estey, Fowler, Galbraith, Gordon, Hail, Harloe, Hawley, Hayes, Hocking, Hoey, Hunewill, Jones, Kellogg, Lacey, Lowe, Lux, Lynch, Marion, Matlock, McCall, Murphy, Phillips, Smith of Butte, Smith of Orange, Steltz, Sturtevant, Tennis, Wentworth, Weston, Windrow, Young, and Mr. Speaker.

For Anaya—Messrs. Arms, Doty, Dunn, Eakle, Garver, Gould, Jackson, Martin, Mathews, Mordecai, Murnan, Renfro, Rice, Robertson, Shanahan, Stabler, and Wolfskill.

Whole number of votes cast	69
Necessary to a choice	35
H. J. McKusick received	52
Frank Anaya received	17

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

ELECTION OF MINUTE CLERK.

Nominations for Minute Clerk were declared in order.

Mr. Estey nominated W. J. Randall, of Marin.

Mr. Stabler nominated Isidor Alexander, of Sacramento.

The roll was called, with the following result:

For Randall—Messrs. Alexander, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Brusie, Bryant, Cargill, Carter, Clark, Coffey, Culver, Dennis, Dow, Durner, Estey, Fowler, Freeman, Galbraith, Glynn, Gordon, Hail, Harloe, Hawley, Hayes, Hocking, Hoey, Hunewill, Johnson, Jones, Kellogg, Lacey, Lewis, Lowe, Lynch, Marion Matlock, McCall, Murphy, Phillips, Smith of Butte, Smith of Orange, Steltz, Sturtevant, Wentworth, Weston, Young, and Mr. Speaker.

For Alexander—Messrs. Arms, Doty, Dunn, Eakle, Garver, Gould, Jackson, Martin, Mathews, Mordecai, Murnan, Renfro, Rice, Robertson, Shanahan, Stabler, and Wolfskill

Whole number votes cast	70
Necessary to a choice	36
W. J. Randall received	53
Isidor Alexander received	17

Mr. Randall 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. Barnett of San Francisco nominated A. F. Chapman, of San Francisco.

Mr. Murnan nominated Carl Spelling, of Sonoma.

The roll was called, with the following result:

For Chapman—Messrs. Alexander, Ames, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Brusie, Bryant, Cargill, Carter, Clark, Coffey, Culver, Dennis, Dibble, Dow, Durner, Estey, Fowler, Freeman, Galbraith, Glynn, Gordon, Hail, Harloe, Hawley, Hayes, Hocking, Hunewill, Jones, Kellogg, Lacey, Lewis, Lowe, Lynch, Marion, Matlock, McCall, Murphy, Smith of Butte, Smith of Orange, Steltz, Wentworth, Weston, Young, and Mr. Speaker.

For Spelling—Messrs. Arms, Doty, Dunn, Eakle, Garver, Gould, Jackson, Martin, Mathews, Mordecai, Murnan, Renfro, Rice, Robertson, Shanahan, Stabler, and Wolfskill.

Whole number of votes cast	67
Necessary to a choice	34
A. F. Chapman received	50
Carl Spelling received	17

Mr. Chapman 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. Hail nominated E. J. Niles, of Los Angeles.

Mr. Rice nominated Charles McGreevey, of San Francisco.

The roll was called, with the following result:

For Niles—Messrs. Alexander, Ames, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bledsoe, Brown, Bruner, Brusie, Bryant, Cargill, Carter, Clark, Coffey, Cram, Culver, Dennis, Dibble, Dow, Durner, Estey, Fowler, Freeman, Galbraith, Glynn, Gordon, Hail, Harloe, Hawley, Hayes, Hocking, Hoey, Hunewill, Johnson, Jones, Kellogg, Lacey, Lewis, Lowe, Lux, Lynch, Matlock, McCall, Murphy, Phillips, Smith of Butte, Smith of Orange, Stuitevant, Wentworth, Weston, Young, and Mr. Speaker.

For McGreevey—Messrs. Arms, Doty, Dunn, Eakle, Garver, Gould, Jackson, Martin, Mathews, Mordecai, Murnan, Renfro, Rice, Robertson, Shanahan, Stabler, and Wolfskill.

Whole number of votes cast	71
Necessary to a choice	36
E. J. Niles received	54
Charles McGreevey received	17

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

ELECTION OF ENROLLING CLERK.

Nominations for Enrolling Clerk were declared in order.

Mr. Johnson nominated A. L. Rossi, of San Joaquin.

Mr. Shanahan moved that the election for this position be indefinitely postponed.

The ayes and noes were demanded by Messrs. Shanahan, Wolfskill, and Bledsoe.

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

AYES—Messrs. Arms, Cunningham, Doty, Dunn, Eakle, Galbraith, Garver, Gould, Harloe, Jackson, Martin, Mathews, Mordecai, Murnan, Renfro, Rice, Robertson, Shanahan, Stabler, and Wolfskill—20.

NOES—Messrs. Alexander, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Bryant, Cargill, Carter, Clark, Coffey, Cram, Culver, Dennis, Dibble, Dow, Durner, Estey, Fowler, Gordon, Hail, Hawley, Hayes, Hocking, Hoey, Hunewill, Johnson, Jones, Kellogg, Lacey, Lewis, Lowe, Lux, Lynch, Marion, Matlock, McCall, Murphy, Phillips, Smith of Butte, Smith of Orange, Steltz, Stuitevant, Wentworth, Weston, Young, and Mr. Speaker—51

There being no further nominations for Enrolling Clerk, the roll was called, with the following result:

For Rossi—Messrs. Alexander, Ames, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Brusie, Bryant, Cargill, Carter, Clark, Coffey, Cram, Culver, Daly, Dennis, Dibble, Durner, Estey, Fowler, Freeman, Galbraith, Glynn, Gordon, Hail, Harloe, Hawley, Hayes, Hocking, Hoey, Hunewill, Johnson, Jones, Kellogg, Lacey, Lewis, Lowe, Lux, Lynch, Marion, Matlock, McCall, Murphy, Phillips, Smith of Butte, Steltz, Stuitevant, Wentworth, Weston, Young, and Mr. Speaker.

Whole number of votes cast	55
Necessary to a choice	28
A. L. Rossi received	55

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

ELECTION OF ASSISTANT SERGEANT-AT-ARMS.

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

Mr. Bledsoe nominated G. E. Shinn, of Humboldt.

Mr. Jackson nominated D. L. Gover, of Shasta.

The roll was called, with the following result:

For Shinn—Messrs. Alexander, Ames, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Brusie, Bryant, Cargill, Carter, Clark, Coffey, Cram, Culver, Dennis, Dibble, Dow, Durner, Estey, Fowler, Freeman, Galbraith, Glynn, Gordon, Hail, Harloe, Hawley, Hayes, Hocking, Hoey, Hunewill, Johnson, Jones, Kellogg, Lacey, Lewis, Lowe, Lux, Lynch, Marion, Matlock, McCall, Murphy, Phillips, Smith of Butte, Smith of Orange, Steltz, Sturtevant, Tully, Wentworth, Weston, Young, and Mr. Speaker—75.

For Gover—Messrs. Arms, Doty, Dunn, Eakle, Garver, Gould, Jackson, Martin, Mathews, Mordecai, Murnan, Renfro, Rice, Robertson, Shanahan, Stabler, and Wolfskill—17.

Whole number of votes cast	75
Necessary to a choice	38
G. E. Shinn received	58
D. L. Gover received	17

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

ELECTION OF POSTMISTRESS.

Nominations for Postmistress were declared in order.

Mr. Dibble nominated Mrs. W. H. Hunter, of San Francisco.

There being no further nominations, the roll was called, with the following result:

For Hunter—Messrs. Alexander, Ames, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Brusie, Bryant, Cargill, Carter, Clark, Coffey, Cram, Culver, Dennis, Dibble, Dow, Durner, Estey, Fowler, Freeman, Galbraith, Gordon, Hail, Harloe, Hawley, Hayes, Hocking, Hoey, Hunewill, Johnson, Jackson, Jones, Kellogg, Lacey, Lewis, Lowe, Lux, Lynch, Marion, Martin, Matlock, Mathews, McCall, Mordecai, Murnan, Murphy, Phillips, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tully, Wentworth, Windrow, Wolfskill, Young, and Mr. Speaker—65.

Whole number of votes cast	65
Necessary to a choice	33
Mrs. Hunter received	65

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

RESOLUTIONS.

By Mr. Alexander:

Resolved, That Mrs R. O Clark be appointed Assistant Postmistress, at a per diem of four dollars, payable out of the Contingent Fund of the Assembly.

Adopted.

By Mr. Lowe:

Resolved, That Frank X. Hernandez be and he is hereby appointed Clerk to Sergeant-at-Arms, at the same per diem as is paid to the assistant clerks at the desk, payable out of the appropriation for the contingent expenses of the Assembly

Adopted.

By Mr. Bruner:

Resolved, That the Rev. A C. Herrick be and he is hereby appointed Chaplain of the Assembly, and his per diem is hereby fixed at five dollars, payable out of the Contingent Fund of the Assembly.

Adopted.

By Mr. Phillips:

Resolved, That Benjamin Warschauer be and he is hereby appointed Assistant Minute Clerk of the Assembly, at the same per diem as is paid the Minute Clerk at the desk, payable out of the Contingent Fund of the Assembly.

Adopted.

By Mr. Beecher:

Resolved, That S. H. Reid be and he is hereby appointed Assistant Journal Clerk of the Assembly, payable out of the Contingent Fund of the Assembly.

Referred to Committee on Attachés and Employés.

By Mr. Carter:

Resolved, That C. E. Wetmore be and he is hereby appointed Assistant Enrolling Clerk of the Assembly, payable out of the Contingent Fund of the Assembly.

Referred to Committee on Attachés and Employés.

By Mr. McCall:

Resolved, That William T. Hamilton 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

Referred to Committee on Attachés and Employés.

By Mr. Bruner:

Resolved, That a committee of three be appointed by the Speaker to confer with a like committee from the Senate, and the Inaugural Ball Committee of Sacramento City, upon inauguration ceremonies.

Adopted.

APPOINTMENT OF COMMITTEE.

The Speaker appointed as such committee: Messrs. Bruner, Ames, and Shanahan.

RESOLUTIONS.

By Mr. Brusie:

Resolved, That W. H. Lath be and he is hereby appointed Messenger to the State Printing Office at a per diem of five dollars, the same to be paid out of the Contingent Fund of the Assembly.

Referred to Committee on Attachés and Employés.

By Mr. A. T. Barnett:

Resolved, That A Friedlander be and he is hereby appointed First Assistant Journal Clerk, at the same per diem as other assistants, being made payable out of the appropriation for the contingent expenses of the Assembly.

Referred to Committee on Attachés and Employés.

By Mr. Carter:

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

Adopted.

APPOINTMENT OF COMMITTEE.

The Speaker appointed as such committee: Messrs. Carter, Barnett of Sonoma, Lynch, Rice, and Garver.

The Speaker appointed the Committee on Rules and Regulations, as follows: Messrs. Bert, Bledsoe, Barnard, Hocking, Renfro, and Cunningham.

OATH OF OFFICE.

H. A. Mason, Chief Clerk; H. J. McKusick, Sergeant-at-Arms; W. J. Randall, Minute Clerk; A. F. Chapman, Journal Clerk; A. L. Rossi, Enrolling Clerk; George E. Shinn, Assistant Sergeant-at-Arms; and Mrs. W. H. Hunter, 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. Wentworth:

Resolved, That Charles Ellis be and he is hereby appointed a Committee Room Porter, 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. Lux:

Resolved, That A. E. Post is hereby appointed Bill Clerk in the Sergeant-at-Arms' office, at a per diem of four dollars, payable out of the Contingent Fund of the Assembly.

Referred to Committee on Attachés and Employés.

By Mr. Baughman:

Resolved, That Mr. James Hodge be appointed Assistant Engrossing Clerk for this Assembly at the same per diem as the clerks at the desk, payable out of the Contingent Fund of the Assembly.

Referred to Committee on Attachés and Employés.

By Mr. Fowler:

Resolved, That Mr. William McDonald be appointed as Assistant Engrossing Clerk of the Assembly, the same to be paid out of the Contingent Fund of the Assembly.

Referred to Committee on Attachés and Employés.

By Mr. Bruner:

Resolved, That Mrs. Fannie Grubbs be and is hereby appointed Portress of the ladies' toilet-room at a per diem of four dollars, payable out of the Contingent Fund of the Assembly.

Referred to Committee on Attachés and Employés.

ADJOURNMENT.

At four o'clock and ten minutes P. M., Mr. Brown moved that the House do now adjourn until to-morrow at eleven o'clock A. M.

On a division the motion was carried, and the House stood adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Tuesday, January 6, 1891.

The House met pursuant to adjournment.

Speaker Coombs in the chair.

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

Messrs Alexander, Ames, Arms, Barnard Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Brusie, Bryant, Cargill, Carter, Clark, Coffey, Cram, Culver, Cunningham, Daly, Dennis, Dibble, Doty, Dow, Dunn, Eakle, Estey, Fowler, Freeman, Galbraith Garver, Glynn, Gordon, Gould, Hail, Harloe, Hawley, Hayes, Hersey, Hocking, Hoey, Hunewill, Johnson, Jackson, Jones, Kellogg, Lacey, Lewis, Lowe, Lux, Lynch, Marion, Martin, Matlock, Mathews, McCall, Mordecai, Murnan, Murphy, Phillips, Renfro, Rice Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Tully, Wentworth, Weston, Windrow, Wolfskill, Young, and Mr. Speaker.

Quorum present.

OATH OF OFFICE.

G. E. Hersey, member of the Assembly, Sixty-fifth District, Santa Clara County, came forward and duly qualified by taking the following oath of office, administered by Speaker Coombs:

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.

PRAYER.

Prayer by the Chaplain, Rev. A. C. Herrick.

READING OF THE JOURNAL.

On motion of Mr. Lowe, further reading of the Journal was dispensed with.

Journal approved.

RESOLUTIONS.

By Mr. Lowe:

Resolved, That the Clerk be instructed to notify the Senate that the Assembly, on Monday, January 5, 1891, organized by the election of the following officers, viz.:

Speaker	Frank L. Coombs.
Speaker pro tem	Nestor A. Young
Chief Clerk	H. A. Mason.
Assistant Clerk	F. W. Whitmore.
Sergeant-at-Arms	H. J. McKusick.
Minute Clerk	Wm. J. Randall.
Journal Clerk	A. F. Chapman.
Engrossing Clerk	E. J. Niles.
Enrolling Clerk	A. L. Rossi.
Assistant Sergeant-at-Arms	Geo. E. Shinn.
Postmistress	Mrs. W. H. Hunter.
Assistant Postmistress	Mrs. B. M. Clark.
Clerk to Sergeant-at-Arms	F. X. Hernandez.
Assistant Minute Clerk	B. Warschauer.

Adopted.

By Mr. Johnson:

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.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, Monday, January 5, 1891.

MR. SPEAKER. I am directed to inform your honorable body, that the Senate, on Monday, January 5, 1891, effected a permanent organization, and is ready for the transaction of legislative business, having elected the following officers, viz.:

President pro tem	Senator Thos. Fraser.
Secretary of Senate	F. J. Brandon.
Assistant Secretaries	J. C. Boatman and R. L. Thomas.
Sergeant-at-Arms	Thos. Rogers
Assistant Sergeant-at-Arms	T. B. Gardner
Minute Clerk	C. S. McMullan.
Journal Clerk	F. A. Rossi.
Enrolling Clerk	J. H. Dungan.
Engrossing Clerk	J. H. Harney.
Postmistress	Mrs. E. Tobias

F. J. BRANDON, Secretary.

COMMITTEE FROM THE SENATE.

Senators Dray, Hamill, and Byrnes, a committee of the Senate, appeared at the bar of the House and announced that the Senate was fully organized and ready to receive any communication from the Assembly.

RESOLUTION.

By Mr. Dow:

Resolved, That a committee of three be appointed by the Speaker 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 for Governor and Lieutenant-Governor, as provided by the Constitution of the State of California.

MOTION.

Mr. Dibble moved that Senate message be taken up, and that the same be substituted for Mr. Dow's resolution.

Carried.

SENATE MESSAGE.

SENATE CHAMBER, SACRAMENTO, January 6, 1891.

MR. SPEAKER: The Senate, on this day, adopted the following concurrent resolution:

Resolved, That the Senate, the Assembly concurring, hereby agrees to meet in Joint Convention at two o'clock and thirty minutes P. M., this day, for the purpose of canvassing the returns for Governor and Lieutenant-Governor.

F. J. BRANDON, Secretary.
By R. L. THOMAS, Assistant Secretary.

MOTION.

Mr. Dibble moved that the House concur in Senate Concurrent Resolution relative to the holding of a Joint Convention.

Carried.

CONCURRENT RESOLUTION.

By Mr. Bledsoe:

ASSEMBLY CONCURRENT RESOLUTION No. 1.

Advising the Secretary of State to order the removal of the restaurant and saloon combined from the State Capitol building

WHEREAS, Alcoholic and vinous liquors are being sold in the basement of the State Capitol, and a restaurant and saloon combined are being conducted there, and whereas, the sale or giving away of such alcoholic and vinous liquors in the State Capitol is a violation of the law of the State and a discredit to the Legislature, and whereas, there is no law permitting or authorizing any State officer to rent the basement of the State Capitol for any purpose whatever, therefore be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Secretary of State be and he is hereby advised to order and cause the removal of the restaurant and saloon combined from the State Capitol building, and be it

Resolved, That the Secretary of State be and he is hereby advised to order and cause the removal of all signs or cards, indicating said restaurant and saloon, from the walls of the corridors and rooms of the State Capitol

Adopted.

RESOLUTION.

By Mr. Dibble:

Resolved, That the Speaker of the Assembly be and he is hereby authorized to appoint the following attachés for the Assembly One Doorkeeper, at a per diem of five dollars; three Gatekeepers, at a per diem of four dollars each; two Watchmen, at a per diem of four dollars each; one Mail Carrier, at a per diem of four dollars, one Clerk to Sergeant-at-Arms, at a per diem of eight dollars; eight Porters, at a per diem of four dollars each, and eight Pages, at a per diem of three dollars each. All to be paid out of the Contingent Fund of the Assembly.

Adopted.

MOTION.

Mr. Bruner moved that the House do now proceed to the further election of officers.

Carried.

ELECTION OF ASSISTANT CLERK.

Nominations for Assistant Clerk were declared in order.

Mr. Wentworth nominated E P. Beaton, of San Francisco.

There being no further nominations, the roll was called, with the following result:

For Beaton—Messrs. Alexander, Ames, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe Brown Bruner, Bryant, Cargill, Carter, Clark, Coffey, Cram, Culver, Daly, Dennis, Dibble, Durner, Estey, Fowler, Freeman, Galbraith, Glynn, Gordon, Hail, Harloe, Hawley, Hayes, Hersey, Hocking, Hoey, Hunewill, Johnson, Jones, Kellogg, Lacey, Lewis, Lowe, Lux, Lynch, Marion, Matlock, McCall, Murphy, Phillips, Smith of Butte, Smith of Orange, Steltz, Stuntevant, Tennis, Tully, Wentworth, Weston, Windrow, Young, and Mr. Speaker.

Whole number of votes cast	59
Necessary to a choice	30
E P. Beaton received	59

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

APPOINTMENT OF COMMITTEE.

The Speaker appointed Messrs. Johnson, Windrow, and Mathews a committee to notify his Excellency, the Governor, that the Assembly is organized and awaits any communication he may have to make.

ELECTION OF ASSISTANT JOURNAL CLERK.

Mr. Bruner nominated for Assistant Journal Clerk, Mrs. Sadie Burns.
Mr. Gould nominated Eugene Ward.
The roll was called, with the following result:

For Burns—Messrs. Alexander, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bledsoe, Brown, Bruner, Brusie, Bryant, Cargill, Carter, Clark, Coffey, Crain, Culver, Daly, Dennis, Dibble, Doty, Dow, Durner, Estey, Fowler, Freeman, Galbraith, Glynn, Gordon, Hall, Harloe, Hawley, Hayes, Hersey, Hocking, Hoey, Hunewill, Jackson, Jones, Lacey, Lewis, Lowe, Lux, Lynch, Marion, Matlock, McCall, Murphy, Phillips, Smith of Butte, Smith of Orange, Steltz, Stuttevant, Tennis, Tully, Wentworth, Weston, Young, and Mr. Speaker.
For Ward—Messrs. Arms, Cunningham, Dunn, Fakle, Garver, Gould, Johnson, Martin, Mordecai, Murnan, Renfro, Rice, Shanahan, Stabler, and Wolfskill.

Whole number of votes cast	74
Necessary to a choice	38
Mrs. Sadie Burns received	59
Eugene Ward received	15

Mrs. Burns having received a majority of all the votes cast, was declared elected Assistant Journal Clerk of the Assembly.
Mr. Dibble called for the regular order of business.

MOTION.

Mr. Shanahan moved that the introduction of bills be deferred until the rules of the House have been adopted.
Carried.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, January 5, 1891.

To the Assembly of the State of California:

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

R. W. WATERMAN, Governor.

OATH OF OFFICE.

F. W. Whitmore and E. P. Beaton, Assistant Clerks, and E. J. Niles, Engrossing Clerk, 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

RECESS.

At twelve o'clock and thirty minutes P. M., the hour of recess having arrived, the Speaker declared a recess until two o'clock P. M.

REASSEMBLED.

The House reassembled at two o'clock P. M.
Speaker Coombs in the chair.

RESOLUTIONS.

By Mr. Cram:

Resolved, That the Sergeant-at-Arms be authorized to hire a box at the Post Office for the use of the members of this Assembly

Adopted.

By Mr. Clark:

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

Referred to Committee on Attachés and Employés.

By Mr. A. T. Barnett:

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. Culver offered the following amendment to the resolution:

That the Secretary of State be directed to furnish each member of the Assembly a copy of the Constitution, and also a copy of the latest edition of the Codes.

The resolution as amended was thereupon adopted.

REPORT OF COMMITTEE.

ASSEMBLY CHAMBER, January 6, 1891.

MR. SPEAKER: Your committee appointed to notify his Excellency, the Governor, that the Assembly was duly organized and ready to receive any communication from his office, beg leave to report that they have complied with its duties, and have fulfilled the requirements for which the committee was reported.

Very respectfully. JOHNSON, Chairman.

MOTION.

Mr. Bruner moved that the Speaker appoint a committee of three to wait upon the Senate and inform that body that the Assembly was ready to receive them in Joint Convention.

Carried.

APPOINTMENT OF COMMITTEE.

The Speaker appointed as such committee: Messrs. Bruner, Galbraith, and Gould.

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

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

The Convention was called to order by the President pro tem. of the Senate and Speaker of the Assembly.

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

Messrs Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Siskiyou, Campbell of Solano, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Hemcock, Langford, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Seawell, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Geo. H.), Williams (Wm. H.), and Wilson.

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

Messrs. Alexander, Ames, Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Brusie, Bryant, Cargill, Carter, Clark, Coffey, Cram, Culver, Cunningham, Daly, Dennis, Dibble, Doty, Dow, Dunn, Durner, Eakle, Estey, Fowler, Freeman, Galbraith, Garver, Glynn, Gordon, Gould, Hall, Harloe, Hawley, Hayes, Hersey, Hocking, Hoey, Hunewill, Johnson, Jackson, Jones, Kellogg, Lacey, Lewis, Lowe, Lux, Lynch, Marion, Martin, Matlock, Mathews, McCall, Mordecai, Murnan, Murphy, Phillips, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Tully, Wentworth, Weston, Windrow, Wolfskill, Young, and Mr. Speaker.

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

The President pro tem. of the Senate appointed as tellers, on the part of the Senate, Senators Dargie and Goucher.

The Speaker appointed as tellers, on the part of the Assembly, Messrs. Freeman and Robertson.

The tellers announced that the vote cast at the last general election, held on the fourth day of November, 1890, for Governor and Lieutenant-Governor, was as follows:

FOR GOVERNOR.

H. H. Markham	125,125
E. B. Pond	117,204
John Bidwell	10,143
Scattering	71
Whole number of votes cast for Governor	252,543

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, 252,543, and that H. H. Markham, 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.

J. B. Reddick	126,354
R. F. Del Valle	115,781
A. M. Hough	6,872
Ben. Morgan	3,384
Scattering	37
Whole number of votes cast for Lieutenant-Governor	252,428

The Speaker thereupon declared the result to be: Total number of votes cast for Lieutenant-Governor, 252,428, and that J. B. Reddick, 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 following resolution was introduced by Mr. Dibble:

Resolved, That the hour of twelve o'clock noon, of January eighth instant, be appointed as the time when the Governor and Lieutenant-Governor elect shall take the official oath in the presence of both Houses of the Legislature, in Joint Convention assembled, as required in and by Section 905 of the Political Code; that a committee of two Senators and two Assemblymen be appointed, respectively, by the President of the Senate and the Speaker of the House, to inform the Governor and Lieutenant-Governor elect of this action, that when this Joint Convention adjourns it will adjourn to meet at noon on January eighth instant

Adopted.

As such committee the President pro tem. appointed, on the part of the Senate, Senators Heacock and Langford, and on the part of the Assembly the Speaker appointed Messrs. Dibble and Wolfskill.

Proceedings of the Joint Convention were read and approved.

The Convention was thereupon adjourned by the Speaker until Thursday, January 8, 1891, at twelve o'clock M.

IN ASSEMBLY.

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

Speaker Coombs in the chair.

RESOLUTIONS.

By Mr. Barnett of San Francisco:

Resolved, That A. Friedlander be and is hereby appointed Assistant Journal Clerk of this Assembly, at the same per diem as the Journal Clerk, payable out of the appropriation for the contingent expenses of the Assembly.

Adopted.

By Mr. Bruner:

Resolved, That all assistant clerks to the Journal, Minute, and Engrossing Clerks be paid the same per diem as the clerks at the desk.

Adopted.

REPORT OF COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, January 6, 1891.

MR. SPEAKER: Your Committee on Rules and Regulations reports that they respectfully recommend the adoption of the accompanying "Standing Rules of the Assembly," as the rules to be in force and govern all proceedings of the present, the twenty-ninth session.

Respectfully submitted.

BERT, 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, 1891, and thereafter at ten A. M. 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 Whenever a standing committee reports a bill back to the House with amendments, it shall also report a printed copy of the bill, with the proposed amendments, interlined in the proper place. Every bill shall be read at length on three several days previous to its passage, unless in case of urgency two thirds of the House shall, by vote of ayes and noes, dispense with this provision The Speaker shall give notice at each reading, whether it be the first, second, or third, and no bill shall be read at either reading until the House has so determined by a vote. All bills to appropriate money for contingent expenses shall be presented by the Committee on Ways and Means and Appropriations.

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 the power to order the same to be cleared.

DUTIES OF 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.

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

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 AND APPROPRIATIONS.

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

XXII.—ON CLAIMS.

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

XXIII.—ON COMMERCE AND NAVIGATION.

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

XXIV.—ON PUBLIC LANDS.

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

XXV.—ON 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 such establishment.

XXVI.—ON PUBLIC BUILDINGS AND GROUNDS.

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

XXVII.—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.

XXVIII.—ON VINICULTURE, VITICULTURE, AND HORTICULTURE.

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

XXIX.—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.

XXX.—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.

XXXI.—ON CHINESE IMMIGRATION AND EMIGRATION AND LABOR AND CAPITAL.

It shall be the duty of this committee 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, and all matters pertaining to labor and capital.

XXXII.—ON ELECTION LAWS AND APPORTIONMENT.

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

XXXIII.—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.

XXXIII½.

No committee shall be permitted to incur any expense by visiting any part of the State, on official or other business, without first obtaining leave of the House, by a two-thirds vote, for that purpose.

XXXIV.—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.

XXXV.—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.

XXXVI.—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.

XXXVII.—MOTION TO RISE DECIDED WITHOUT DEBATE.

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

XXXVIII.—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.

XXXIX.—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.

XL.—ORDER IN SPEAKING TO QUESTIONS.

Every member, when he speaks, shall, standing in his place, address "Mr. Speaker," and when he has finished he shall sit down. No member shall speak more than twice during the consideration of any one question, of whatever nature, on the same day and at the same stage of proceedings, without leave being granted; except the author of a bill or resolution, or mover of a question, who shall be allowed to speak twice upon all questions, for not more than ten minutes in all, except, by vote, he be granted a longer time.

XLII.—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.

XLIII.—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.

XLIII.—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.

XLIV.—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.

XLV.—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. A dilatory motion shall not be deemed intervening business within the meaning of parliamentary usage.

XLVI.—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 present, shall be to put an end to all debate and bring the House to a vote on the question or questions before it.

XLVII.—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.

XLVIII.—PREVIOUS QUESTION DEMANDED.

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

XLIX.—QUESTION INDEFINITELY POSTPONED

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

L.—DIVISION OF QUESTIONS

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

LI.

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

LII.—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.

LIII.—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.

LIV.—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.

LV.—PRINTING OF MAPS.

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

LVI.—FILLING BLANKS.

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

LVII.—PRIORITY OF BUSINESS.

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

LVIII.—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.

LIX.—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.

LX.—ELECTIONS BY HOUSE.

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

LXI.—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 (unless for special reasons he be excused), shall 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.

LXII.—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.

LXIII.—VOTING ON QUESTION WHEN INTERESTED.

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

LXIV.—DIVISION AND COUNT OF HOUSE.

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

LXV.—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.

LXVI.—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 from 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

LXVII.—SUSPENDING AND CHANGING RULES.

No standing rule or order of the House shall be rescinded or changed without a vote of two thirds, and one day's notice being given of the motion therefor; but a rule of order may be suspended temporarily by a vote of two thirds of the members present, except that portion of Rule 6 relating to the 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.

LXVIII.—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.

LXIX.—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.

LXX.—SMOKING IN HALL.

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

LXXI.—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.

LXXII.—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.

LXXIII.—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.

LXXIV.—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.

LXXV.—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 a 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.

LXXVI.—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 apportionment bills and 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 they may be reported to the Assembly, and he shall place no other bills thereon.

LXXVII.—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.

LXXVIII.—EXTRA PAY.

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

LXXIX.—ENGROSSING AND ENROLLING OF 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

LXXX.—DUTY OF COMMITTEE ON ATTACHÉS AND EMPLOYÉS.

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

LXXXI.—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

LXXXII.—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.

LXXXIII.

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

Respectfully submitted.

EUGENE F. BERT, Chairman
J. H. RENFRO,
A. J. BLEDSOE,
T. C. HOCKING,
W. S. CUNNINGHAM,
T. H. BARNARD,
Committee on Rules and Regulations.

MOTION.

Mr. Bert moved that the further consideration of the report of the Committee on Rules and Regulations be postponed until to-morrow morning, and that the report be printed in the Journal.

Carried.

NOTICE OF CONTEST.

The Speaker announced that he was in receipt of the papers in the election contest of J. C. Campbell vs. H. P. Eakle for member of the Assembly, Tenth District, and that the papers would be referred to the Committee on Elections when appointed.

ADJOURNMENT.

At four o'clock and fifteen minutes P. M., on motion of Mr. Dibble, the House adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Wednesday, January 7, 1891.

The House met pursuant to adjournment.

Speaker Coombs in the chair.

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

Messrs. Alexander, Ames, Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Brusie, Bryant, Cargill, Carter, Clark, Coffey, Cram, Culver, Cunningham, Daly, Dennis, Dibble, Doty, Dow, Dunn, Durner, Eakle, Estey, Fowler, Freeman, Galbraith, Garver, Glynn, Gordon, Gould, Hail, Harloe, Hawley, Hayes, Heisey, Hocking, Hoey, Hunewill, Johnson, Jackson, Jones, Kellogg, Lacey, Lewis, Lowe, Lux, Lynch, Marion, Martin, Matlock, Mathews, McCall, Mordecai, Murnan, Murphy, Phillips, Rentro, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Tully, Wentworth, Weston, Windrow, Wolfskill, Young, and Mr. Speaker.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. A. C. Herrick.

READING OF THE MINUTES.

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

So ordered.

Journal approved.

ADOPTION OF RULES.

Mr. Bert moved the adoption of the report of the Committee on Rules and Regulations as printed in the Journal.

Carried.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, January 5, 1891.

To the Assembly of the State of California

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

R. W. WATERMAN, Governor.

MOTION.

On motion of Mr. Phillips, the reading of the Governor's message was dispensed with.

RESOLUTION.

By Mr. Daly:

Resolved, That T. R Riding be and he is hereby appointed Messenger between the Clerk's desk and the office of Superintendent of State Printing at a per diem of six dollars, payable out of the appropriation for the contingent expenses of the Assembly.

Referred to Committee on Attachés and Employés.

MOTION.

Mr. Bruner moved that Senate messages be taken up.
Carried.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, January 7, 1891.

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

Resolved by the Senate, the Assembly concurring, That the Secretary of State be requested to place at the disposal of the committees having in charge the inaugural ceremonies, and subsequent inaugural ball and banquet, the various halls, corridors, and unoccupied chambers in and about the State Capitol, from and after the adjournment of the Legislature on this seventh day of January, 1891, to the hour of ten o'clock A. M., January 12, 1891.

F. J BRANDON, Secretary.
By R. L THOMAS, Assistant Secretary.

SENATE RESOLUTION CONCURRED IN.

Mr. Bruner moved the Assembly's concurrence in said resolution.
Carried.

RESOLUTION.

By Mr. Bruner:

Resolved by the Assembly, That the Sergeant-at-Arms of the Assembly be and he is hereby instructed to permit the Committees on Inaugural Ceremonies, including inaugural ball and banquet, full use of the Assembly Chamber, the Sergeant-at-Arms' rooms, and the various committee rooms under his charge, at all hours when the Assembly is not in session until its assembling on January 12, 1891.

Adopted.
Also:

Resolved, That the Secretary of State be requested to have the dome of the State Capitol building lighted on the evening of January 9, 1891, and to have the Assembly Chamber placed in readiness for the occasion of the inaugural ball to be held on that evening, and the sum of two hundred dollars ($200) is hereby appropriated out of the Contingent Fund of the Assembly to pay the expenses thereof.

Adopted.
Also:

Resolved, That when the Assembly adjourns on January 8, 1891, it adjourn until Monday, January 12, 1891, at twelve o'clock M.

Adopted.
Also:

Resolved, That the sum of fifty dollars is hereby appropriated out of the Contingent Fund of the Assembly to the order of the Joint Legislative Committee on Inaugural Ceremonies, for the securing of music for the said ceremonies.

Adopted.

ASSEMBLY CONCURRENT RESOLUTION No. 2.

By Mr. Bruner:

Resolved by the Assembly, the Senate concurring, That the Assembly and Senate do meet in joint session in the Assembly Chamber at twelve o'clock noon, on Thursday, January 8, 1891, for the purpose of attending the inauguration of the Governor and Lieutenant-Governor.

Adopted.

RESOLUTION.

By Mr. Phillips:

Resolved, That I. R. Riding be and hereby is appointed Messenger between the Clerk's desk and office of the Superintendent of Public Printing, at a per diem of six dollars, payable out of the Contingent Fund of the Assembly.

MOTION.

Mr. Phillips moved the suspension of the rules to consider the resolution.

Lost.

The resolution was referred to the Committee on Attachés and Employés.

RESOLUTION.

By Mr. Shanahan:

Resolved, That the Speaker of the Assembly appoint a committee of five members, whose duty it shall be to investigate into the duties of, labor performed, and necessity for the further existence of the State Board of Forestry, the State Mining Bureau, the Commission on Yosemite Valley and Mariposa Big Trees, the State Board of Horticulture, the State Viticultural Commission, the Board of Silk Culture, and the State Board of Agriculture, and report to the Assembly thereon. It shall also be the duty of such committee to investigate and report as to the advisability and practicability of abolishing or consolidating any or all of the various Boards and Commissions herein named.

MOTION.

Mr. Lowe moved that the resolution be referred to the Committee on Rules and Regulations.

Upon which motion the ayes and noes were demanded by Messrs. Gould, Ames, and Shanahan.

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

AYES—Messrs. Alexander, Ames, Barnard, Barnett of San Francisco, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Brusie, Bryant, Cargill, Carter, Clark, Coffey, Cram, Culver, Dennis, Dibble, Dow, Durner, Estey, Fowler, Freeman, Galbraith, Glynn, Gordon, Hall, Harloe, Hawley, Hayes, Hersey, Hocking, Hoey, Hunewill, Johnson, Jones, Lacey, Lewis, Lowe, Lux, Lynch, Marion, Matlock, McCall, Phillips, Smith of Butte, Smith of Orange, Steltz, Sturtevant, Tennis, Tully, Wentworth, Weston, Windrow, and Young—57.

NOES—Messrs. Arms, Cunningham, Doty, Dunn, Eakle, Garver, Gould, Jackson, Martin, Mathews, Mordecai, Murnan, Rentro, Rice, Robertson, Shanahan, Stabler, Wolfskill, and Mr. Speaker—19.

MOTIONS.

Mr. Bruner moved that members be allowed to introduce bills in the order of the roll call.

Mr. Young moved, as an amendment, that the roll be called alternately, beginning with the letter A and then calling off the letter Y.

Amendment lost.

The question recurring on Mr. Bruner's motion, it was lost.

INTRODUCTION OF BILLS.

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

By Mr. Dibble: Assembly Bill No. 1—An Act to divide the State into legislative districts, as required by section six, article four, of the Constitution, and to provide for the election of Assemblymen and Senators in such districts.

Referred to Committee on Apportionment and Election Laws.

Also: Assembly Bill No. 2—An Act to further regulate elections, and to secure the secrecy of the ballot.

Referred to Committee on Apportionment and Election Laws.

By Mr. Arms: Assembly Bill No. 3—An Act to provide for the conduct of elections, and to more fully secure the independence of electors and the secrecy of the ballot.

Referred to Committee on Apportionment and Election Laws.

By Mr. Cram: Assembly Bill No. 4—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-six, one thousand one hundred and eighty-seven, one thousand one hundred and ninety-three, one thousand one hundred and ninety-four, one thousand one hundred and ninety-five, one thousand two hundred, and to repeal section one thousand one hundred and eighty-eight, and to add a new section, to be numbered one thousand two hundred and three, of an Act of the Legislature of the State of California, entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, all relating to liens of mechanics and others.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 5—An Act to provide for the publication of the statutes and laws passed at each session of the Legislature.

Referred to Committee on Public Printing.

By Mr. Bruner: Assembly Bill No. 6—An Act to provide for certain improvements and repairs at the Folsom State Prison, and making an appropriation therefor.

Referred to Committee on State Prisons.

Also: Assembly Bill No. 7—An Act to pay the claim of Geo. Nelson for services rendered the State Prison at Folsom, and for his wrongful imprisonment therein.

Referred to Committee on Claims.

Also: Assembly Bill No. 8—An Act to amend an Act entitled "An Act to amend section three thousand four hundred and eighty-eight of an Act entitled 'An Act to establish a Political Code,' approved March 12, 1872, and to make sections three thousand four hundred and forty-six, three thousand four hundred and forty-seven, three thousand four hundred and forty-nine, three thousand four hundred and fifty, three thousand four hundred and fifty-two, three thousand four hundred and fifty-three, three thousand four hundred and fifty-four, three thousand four hundred and fifty-five, three thousand four hundred and fifty-six, three thousand four hundred and fifty-seven, three thousand four hundred and fifty-nine, three thousand four hundred and sixty, three thousand four hundred and sixty-one, three thousand four hundred and sixty-two, three thousand four hundred and sixty-three, three thousand four hundred and sixty-five, three thousand four hundred and sixty-six, three thousand four hundred and sixty-seven, three thousand four hundred and sixty-eight, three thousand four hundred and seventy-one, three thousand four hundred and seventy-two, and three thousand four hundred and seventy-three of said Political Code, relating to the reclamation of certain lands within certain municipalities," approved March 19, 1889.

Referred to Committee on Swamp and Overflowed and Public Lands.

By Mr. Dennis: Assembly Bill No. 9—An Act amending the Political Code, relating to eight hours being a legal day's work.

Referred to Committee on Chinese Immigration and Emigration and Labor and Capital.

Also: Assembly Bill No. 10—An Act amending the Political Code, relating to the payment of persons employed under section three thousand two hundred and forty-five of said Political Code.

Referred to Committee on Judiciary.

Also. Assembly Bill No. 11—An Act to provide a Board of Arbitration, etc.

Referred to Committee on Chinese Immigration and Emigration and Labor and Capital.

By Mr. Matlock: Assembly Bill No. 12—An Act relative to the formation of agricultural districts.

Referred to Committee on Agriculture and Forestry.

Also: Assembly Bill No. 13—An Act to amend section twenty-seven of an Act to establish an uniform system of county and township government.

Referred to Committee on County and Township Governments.

Assembly Bill No. 14—An Act appropriating money for the payment of the salaries of the State Board of Harbor Commissioners for the Bay of San Diego.

Referred to Committee on Commerce and Navigation.

Also: Assembly Bill No. 15—An Act to amend section four of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Referred to Committee on Municipal Corporations.

Also: Assembly Bill No. 16—An Act to prevent the sale of intoxicating liquors to minors.

Referred to Committee on Public Morals.

Also: Assembly Bill No. 17—An Act to amend sections two hundred and seventy-five and two hundred and seventy-six of the Code of Civil Procedure.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 18—An Act to amend an Act entitled "An Act to provide for Police Courts in cities having thirty thousand and under one hundred thousand inhabitants."

Referred to Committee on Municipal Corporations.

Also: Assembly Bill No. 19—An Act limiting the time in which an action to set aside, annul, or vacate the charter of any city, city and county, or town, can be maintained, to six months.

Referred to Committee on Municipal Corporations.

Also: Assembly Bill No. 20—An Act to amend section four hundred and eight of the Code of Civil Procedure.

Referred to Committee on Judiciary

Also: Assembly Bill No. 21—An Act granting to the city of Oceanside the land along its waterfront upon the Pacific Ocean.

Referred to Committee on Commerce and Navigation.

By Mr. Wentworth: Assembly Bill No. 22—An Act to amend section one thousand two hundred and nine of "The Code of Civil Procedure of California," relating to the power of Courts in the matter of punishing contempts of Court.

Referred to Committee on Judiciary.'

By Mr. Clark: Assembly Bill No. 23—An Act to add a new section to the Code of Civil Procedure, to be known and designated as section one hundred and sixteen, relating to the jurisdiction of Justice's Courts.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 24—An Act exempting estates worth less than one thousand five hundred dollars from cost of administration.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 25—An Act to amend section one thousand four hundred and sixty-five of the Code of Civil Procedure of this State, in relation to homesteads.

Referred to Committee on Judiciary.

By Mr. Gould: Assembly Bill No. 26—An Act to appropriate the sum of seventy-five thousand dollars for the construction of a free wagon road from the town of Mariposa to the Yosemite Valley.

Referred to Committee on Roads and Highways

Also: Assembly Bill No. 27—An Act to provide for the nomination of candidates for office, to provide for ballots to be used in elections, and to further preserve the purity and secrecy of the ballot.

Referred to Committee on Apportionment and Election Laws.

By Mr. McCall: Assembly Bill No. 28—An Act to amend an Act entitled "An Act to establish a Political Code" of the State of California.

Referred to Committee on County and Township Governments.

By Mr. Bert: Assembly Bill No. 29—An Act to provide for the conduct of elections, and to more fully secure the independence of electors and the secrecy of the ballot.

Referred to Committee on Apportionment and Election Laws.

Also: Assembly Bill No. 30—An Act to add a new section to the Code of Civil Procedure of the State of California, to be known and designated as section one thousand five hundred and ninety-two, relating to mortgages, by executors, of real property belonging to the estates of decedents.

Referred to Committee on Judiciary.

Also: Assembly Bill No 31—An Act to add a new section to the Code of Civil Procedure of the State of California, to be known and designated as section one thousand six hundred and seventy, relating to the continuation of administration upon the estates of deceased persons.

Referred to Committee on Judiciary.

By Mr. Jackson: Assembly Bill No. 32—An Act to amend section eleven of an Act entitled "An Act to form agricultural districts, to provide for the organization of agricultural associations therein, and for the management and control of the same by the State," approved April 15, 1880, so as to create an additional district.

Referred to Committee on Agriculture and Forestry.

By Mr. Mathews: Assembly Bill No. 33—An Act to amend section seven hundred and thirty-eight of the Code of Civil Procedure, relating to parties in action to quiet titles.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 34—An Act concerning the costs in civil actions for serving summonses and subpœnas.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 35—An Act to amend section five hundred and forty-two of the Code of Civil Procedure, relating to the mode by which real and personal property shall be attached.

Referred to Committee on Judiciary.

By Mr. Brown: Assembly Bill No. 36—An Act to add an additional section to the Political Code, to be numbered four thousand two hundred and fifty-nine, relating to the qualifications of District Attorneys.

Referred to Committee on Judiciary.

By Mr. Hunewill: Assembly Bill No. 37—An Act to amend an Act entitled "An Act to provide a State Hospital and Asylum for Miners," approved March 14, 1881, by amending section five, relating to the annual payment of fees by miners; also relating to life membership.

Referred to Committee on State Hospitals.

Also: Assembly Bill No. 38—An Act to amend section one hundred and ninety-eight of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the qualification of jurors.

Referred to Committee on Judiciary.

By Mr. Hail: Assembly Bill No. 39—An Act to amend section three hundred and ninety-four of the Code of Civil Procedure, relative to the place of trial of certain actions.

Referred to Committee on Judiciary.

By Mr. Bledsoe: Assembly Bill No. 40—An Act to amend sections three thousand seven hundred and forty-six, three thousand seven hundred and fifty-six, three thousand seven hundred and sixty-two, and three thousand seven hundred and seventy-eight of the Political Code, relative to the collection of property taxes, and providing for the payment of all taxes on real property by installments.

Referred to Committee on Judiciary.

By Mr. Johnson: Assembly Bill No. 41—An Act to provide for the erection and furnishing of a Superintendent's residence, for the purchase of laundry machinery, for reflooring the female asylum building, and for the permanent improvement of the walks and driveways on the grounds of the State Asylum for the Insane at Stockton, and to appropriate money therefor.

Referred to Committee on State Charitable and Reformatory Institutions.

Also: Assembly Bill No. 42—An Act making an appropriation to pay the deficiency in the appropriation for support of the State Insane Asylum at Stockton, for the forty-first and forty-second fiscal years.

Referred to Committee on Ways and Means and Appropriations.

By Mr. Barnett of San Francisco: Assembly Bill No. 43—An Act to add a new section to an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, said section to be known and designated as section one hundred and eighty, relating to the punishment for advertising with intent to procure or aid in procuring any divorce.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 44—An Act to add two sections to the Penal Code, said sections to be known, numbered, and designated as sections three hundred and forty-four and three hundred and forty-five, and included in chapter twelve, part one, title nine, of said Penal Code, relating to and defining the duties and liabilities of laundrymen.

Referred to Committee on Chinese Immigration and Emigration and Labor and Capital.

Also: Assembly Bill No. 45—An Act to add a new section to the

Civil Code, said section to be numbered three thousand four hundred and fifty-three, relating to assignments for the benefit of creditors.

Referred to Committee on Judiciary.

By Mr. Barnard: Assembly Bill No. 46—An Act to amend section seven hundred and ninety-five of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Referred to Committee on Municipal Corporations.

Also: Assembly Bill No. 47—An Act to appropriate money for the completion of the building of the State Normal School at Chico.

Referred to Committee on Public Buildings and Grounds.

By Mr. Dennis: Assembly Bill No. 48—An Act to provide for the free printing of State school text-books.

Referred to Committee on Education.

Also: Assembly Bill No. 49—An Act for estimating the cost and selling price of the State text-books.

Referred to Committee on Education.

By Mr. Galbraith: Assembly Bill No. 50—An Act to amend an Act, approved March 19, 1889, entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State, for the construction of waterworks, sewers, and all necessary public improvements, or for any purpose whatever," and to repeal the Act, approved March 9, 1885, entitled "An Act to authorize municipal corporations of the fifth class, containing more than three thousand and less than ten thousand inhabitants, to obtain waterworks;" also, to repeal an Act, approved March 15, 1887, entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of the State."

Referred to Committee on Municipal Corporations.

By Mr. Dibble: Assembly Bill No. 51—An Act relating to District Attorneys, their assistants and clerks, in counties and cities and counties having a population of more than one hundred and twenty-five thousand.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 52—An Act to amend sections fifty-eight and seven hundred and ninety-two of the Political Code, so as to authorize the appointment of women as Notaries Public.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 53—An Act to amend section two thousand and twenty-four of the Code of Civil Procedure, relative to the manner of taking depositions out of the State.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 54—An Act to amend section eight hundred and ninety-four of the Code of Civil Procedure, relating to the service of summons in actions in Justice's Courts.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 55—An Act relating to the time of commencement of actions for the recovery of real property.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 56—An Act to amend section one hundred and twenty-eight of the Civil Code of the State of California, relative to actions in divorce cases.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 57—An Act to amend section three hundred and ninety-five of the Code of Civil Procedure, relating to the place of trial of civil actions.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 58—An Act to amend section one thousand two hundred and five of the Penal Code, relating to fines and imprisonment.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 59—An Act to amend sections fifty-five, fifty-six, fifty-seven, and sixty-eight, and to repeal section seventy-five of the Civil Code, relating to marriage.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 60—An Act to add two new sections to article five, of chapter eleven, of title eleven, of part three, of the Code of Civil Procedure of California, to be designated as sections one thousand seven hundred and two and one thousand seven hundred and three, and relating to the declination of testamentary trustees and the appointment of persons to fill vacancies resulting from such declination or otherwise.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 61—An Act to add a new section to the Code of Civil Procedure, to be known as section one thousand six hundred and nineteen, relating to the commissions of the executor or administrator with the will annexed in cases where the administration is, by the terms of the will, and in consequence thereof, extended beyond three years.

Referred to Committee on Judiciary.

By Mr. Clark: Assembly Bill No. 62—An Act defining the duties of County Surveyors and defining said surveys made under the orders of Boards of Supervisors.

Referred to Committee on Judiciary.

By Mr. Ames: Assembly Bill No. 63—An Act to increase the pay of the Treasurer of the Deaf, Dumb, and Blind Asylum.

Referred to Committee on State Charitable and Reformatory Institutions.

By Mr. Stabler: Assembly Bill No. 64—An Act to amend an Act relating to horticulture.

Referred to Committee on Viniculture, Viticulture, and Horticulture.

By Mr. Rice: Assembly Bill No. 65—An Act relative to the formation of agricultural districts.

Referred to Committee on Agriculture and Forestry.

By Mr. Galbraith: Assembly Bill No. 66—An Act authorizing incorporated cities to acquire by gift, purchase, or condemnation proceedings, water, water rights, reservoir sites, rights of way, and other appliances for supplying such cities and their inhabitants with water.

Referred to Committee on Municipal Corporations.

CONSTITUTIONAL AMENDMENTS.

The following Assembly constitutional amendments were introduced and referred to committees, as follows:

By Mr. Mathews: Assembly Constitutional Amendment No. 1—Pro-

posed amendment to the Constitution relative to the taxation of mortgages and deeds of trust.

Referred to Committee on Judiciary.

By Mr. Hunewill: Assembly Constitutional Amendment No. 2—Proposed amendment to section nine of article one of the Constitution, relating to freedom of speech and of the press.

Referred to Committee on Judiciary.

By Mr. Bledsoe: Assembly Constitutional Amendment No. 3—Proposed amendment to section one, article two, of the Constitution, relative to the right of suffrage.

Referred to Committee on Judiciary.

By Mr. Dibble: Assembly Constitutional Amendment No. 4—Proposed amendment to section twenty-five of article four of the Constitution, relative to local or special laws.

Referred to Committee on Judiciary.

Also: Assembly Constitutional Amendment No. 5—Proposed amendment to section thirty-four of article four, relative to appropriations.

Referred to Committee on Judiciary

RECESS.

At twelve o'clock and thirty minutes P. M., the hour of recess having arrived, the Speaker declared a recess until two o'clock P. M.

REASSEMBLED.

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

Speaker Coombs in the chair.

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

Messrs. Alexander, Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Brusie, Bryant, Cargill, Carter, Clark, Culver, Cunningham, Daly, Dennis, Dibble, Doty, Dow, Dunn, Durner, Eakle, Estey, Fowler, Freeman, Garver, Gordon, Gould, Hail, Hawley, Hayes, Hersey, Hocking, Hunewill, Johnson, Jackson, Kellogg, Lacey, Lewis, Lowe, Lux, Lynch, Marion, Matlock, Mathews, McCall, Mordecai, Murnan, Murphy, Phillips, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Wentworth, Weston, Windrow, Young, and Mr. Speaker.

ASSEMBLY JOINT RESOLUTION.

By Mr. Bledsoe: Assembly Joint Resolution No. 1—Relative to a public building at Eureka.

Referred to Committee on Public Buildings and Grounds.

ASSEMBLY CONSTITUTIONAL AMENDMENT.

By Mr. Bledsoe: Assembly Constitutional Amendment No. 6—Proposed amendment to Constitution, relative to the Judiciary Department.

Referred to Committee on Judiciary.

INTRODUCTION OF BILLS.

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

By Mr. Wentworth: Assembly Bill No. 67—An Act for the protection of sea birds and land birds, on the Farallon Islands, in the Pacific Ocean.

Referred to Committee on Fish and Game.

By Mr. Smith of Orange: Assembly Bill No. 68—An Act to amend an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Referred to Committee on Municipal Corporations.

Also: Assembly Bill No. 69—An Act to amend section one of an Act entitled "An Act to form agricultural districts, and to provide for the organization of agricultural associations therein, and for the management and control of the same by the State," approved April 15, 1880, amended March 6, 1889, and for the formation of new districts.

Referred to Committee on Agriculture and Forestry.

Also: Assembly Bill No. 70—An Act to require banks or banking corporations doing business in this State to make and publish a sworn report, showing the actual financial condition of the bank, making such report on the first Monday of March at twelve o'clock M. of each year.

Referred to Committee on Corporations.

Also: Assembly Bill No. 71—An Act to amend sections one, four, seven, nine, fourteen, sixteen, twenty-three, twenty-four, twenty-six, twenty-eight, twenty-nine, and thirty of "An Act to establish a State Reform School for Juvenile Offenders, and make appropriations therefor," approved March 11, 1889.

Referred to Committee on State Charitable and Reformatory Institutions.

Also: Assembly Bill No. 72—An Act to form Pomona County, classify it, define its boundaries, provide for its organization, and the appointment and election of officers, the location of county seat by election, and the adjustment and fulfillment of certain rights and obligations arising between such new county and certain other counties.

Referred to Committee on Counties and County Boundaries.

By Mr. Marion: Assembly Bill No. 73—An Act making an appropriation to pay the claim of William Darby.

Referred to Committee on Claims.

Also: Assembly Bill No. 74—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887.

Referred to Committee on Irrigation.

By Mr. Dunn: Assembly Bill No. 75—An Act to authorize Boards of Health and Health Officers in cities and cities and counties in this State to appoint Inspectors of Plumbing and Drainage in such cities and cities and counties, and to provide for the compensation and to define the duties of such Inspectors.

Referred to Committee on Municipal Corporations.

By Mr. Young: Assembly Bill No. 76—An Act making an appropriation to pay the claim of D. Jordan.

Referred to Committee on Claims.

By Mr. Cargill: Assembly Bill No. 77—An Act to amend section one (1) of an Act entitled "An Act to amend section one (1), to repeal sections two (2), three (3), four (4), five (5), six (6), seven (7), eight (8), nine (9), ten (10), and eleven (11), and to renumber sections twelve

(12), thirteen (13), fourteen (14), fifteen (15), sixteen (16), seventeen (17), eighteen (18), and nineteen (19), 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 same,' approved April 15, 1880, amended March 6, 1883, amended March 9, 1885, amended March 14, 1885, amended March 9, 1887; to repeal all laws amendatory thereof, and to provide for the reorganization of existing districts and the formation of new districts," approved March 6, 1889, and to provide for the reorganization of existing districts, and to form a new agricultural district.

Referred to Committee on Agriculture and Forestry.

Also: Assembly Bill No. 78—An Act to provide compensation to G. B. Montgomery for professional services rendered the State of California at the request of the Attorney-General.

Referred to Committee on Claims.

By Mr. Cram: Assembly Bill No. 79—An Act to amend section three thousand six hundred and fifty-three of an Act entitled an Act to establish a Political Code, relating to the duties of Assessors.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 80—An Act to create the office of Inspector of Weights and Measures in cities of ten thousand inhabitants or more.

Referred to Committee on Municipal Corporations.

REPORT OF COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, January 6, 1891.

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.

G. E. CARTER.
M. GARVER.
J. C. LYNCH.
T. A. RICE.
J. D. BARNETT.

Resolved, That the Controller be and he is hereby authorized to draw his warrant, on the eighth day of January, 1891, payable out of the Contingent Fund of the Assembly, in favor of the following named officers, for services performed by them for four days, at the rate per diem fixed by law, and for the following amounts, the same being mileage due them for the distance traveled by said officers, to wit:

E. E. Leake, Chief Clerk (mileage only)	$4 00
H. Orear, Assistant Clerk	48 80
D. C. Shepherd, Assistant Clerk	46 60
George M. Woodward, Journal Clerk	32 00
Frank Anaya, Sergeant-at-Arms	47 40
P. McManus, Assistant Sergeant-at-Arms	48 80

Resolved, That the Controller be and 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 attaches of the Assembly, to wit:

Wm. M. McDonald, Assistant Journal Clerk	$32 00
J. F. Powers, Gatekeeper	20 00
John Kofod, Gatekeeper	20 00
Chas. Scofield, Porter	16 00
Wm. A. Wall, Porter	16 00
Milton Berry, Page	12 00
Milo C. Ayer, Page	12 00
Elmer Moore, Page	12 00
Ed. Short, Page	12 00
Edgar Stack, Page	12 00

Resolved, That the following named gentlemen be and they are hereby retained for the term of seven days from the date of the organization of this Assembly, to be paid at the same rate per diem as other clerks at the desk are paid: I. Alexander, Minute Clerk; Wm. Fitzgerald, Clerk Sergeant-at-Arms; Ed. J Smith, Assistant Clerk; and Chas. McGreevey, Assistant Minute Clerk.

Adopted.

RESOLUTION.

By Mr. Galbraith:

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

Adopted.

ADJOURNMENT.

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

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Thursday, January 8, 1891.

The House met pursuant to adjournment.

Speaker Coombs in the chair.

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

Messrs. Alexander, Ames, Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Brusie, Bryant, Cargill, Carter, Clark, Coffey, Cram, Culver, Cunningham, Daly, Dennis, Dibble, Doty, Dow, Dunn, Durner, Eakle, Estey, Fowler, Freeman, Galbraith, Garver, Glynn, Gordon, Gould, Hail, Harloe, Hawley, Hayes, Hersey, Hocking, Hoey, Hunewill, Johnson, Jackson, Jones, Kellogg, Lacey, Lewis, Lowe, Lux, Lynch, Marion, Martin, Matlock, Mathews, McCall, Mordecai, Murnan, Murphy, Phillips, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Tully, Wentworth, Weston, Windrow, Wolfskill, Young, and Mr. Speaker.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. A. C. Herrick.

READING OF THE MINUTES.

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

So ordered.

Journal approved.

APPOINTMENT OF COMMITTEE ON JUDICIARY.

Speaker Coombs appointed the Committee on Judiciary, as follows: Messrs. Bruner, Bert, Clark, Barnett of San Francisco, Brusie, Matlock, Wentworth, Bledsoe, Freeman, Robertson, Lowe, Dibble, Lynch, Gould, and Shanahan.

REPORT OF COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, January 8, 1891.

MR. SPEAKER: Your committee, to whom was referred a resolution relative to the per diem and mileage of the temporary organization, beg leave to submit a supplementary report, to wit:

Resolved, That the Controller be and he is hereby authorized to draw his warrant on the tenth day of January, 1891, payable out of the Contingent Fund of the Assembly, in favor of the following named attachés:

William Fitzgerald, Clerk to Sergeant-at-Arms	$56 00
I. Alexander, Minute Clerk	56 00
Ed. J. Smith, Assistant Clerk	56 00
Charles McGreevey, Assistant Minute Clerk	56 00
Robert Waters, Rear Porter	12 00
John Williams, Rear Porter	16 00

CARTER, Chairman.

Adopted.

INTRODUCTION OF BILLS.

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

By Mr. Sturtevant: Assembly Bill No. 81—An Act to amend section one thousand three hundred and five, section one thousand three hundred and seventy-three, section one thousand five hundred and fifty-two, section one thousand six hundred and thirty-three, and section one thousand six hundred and thirty-four, of an Act of the Legislature of the State of California entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1873, all relating to estates of deceased persons.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 82—An Act to amend an Act entitled "An Act to amend an Act entitled an Act to protect and promote horticultural interests of the State," approved March 19, 1889.

Referred to Committee on Viniculture, Viticulture, and Horticulture.

Also: Assembly Bill No. 83—An Act appropriating the sum of one hundred and eighty-four thousand nine hundred dollars for the erection of additional buildings for the Mendocino State Asylum for the Insane, to complete buildings now being erected, to appropriate money therefor, and to provide for the expenditure of the same.

Referred to Committee on Public Buildings and Grounds.

Also: Assembly Bill No. 84—An Act to amend sections one thousand one hundred and eighty-seven and one thousand one hundred and eighty-nine, and to repeal sections one thousand one hundred and eighty-six and one thousand one hundred and ninety-one of the Civil Code, relating to the recording and the acknowledgment of transfers.

Referred to Committee on Judiciary.

Speaker pro tem. Young in the chair

By Mr. Dow: Assembly Bill No. 85—An Act appropriating the sum of one hundred and seventy-five thousand dollars for the erection of additional buildings for the use of the State Insane Asylum at Agnews, to appropriate funds therefor, and to provide for the expenditure of the same.

Referred to Committee on Public Buildings and Grounds.

By Mr. Phillips: Assembly Bill No. 86—An Act to amend sections one thousand nine hundred and eighteen, one thousand nine hundred and fifty-five, one thousand nine hundred and fifty-seven, one thousand

nine hundred and fifty-nine, one thousand nine hundred and seventy, one thousand nine hundred and eighty, one thousand nine hundred and ninety, two thousand and twenty-two, two thousand and sixty-five, two thousand and ninety-four, two thousand and ninety-five, and two thousand and ninety-nine, and to add a new section, to be known as section two thousand and eight, to an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the National Guard of California.

Referred to Committee on Military Affairs.

Also: Assembly Bill No. 87—An Act to amend sections three thousand six hundred and sixty-five, three thousand six hundred and sixty-six, three thousand six hundred and sixty-seven, three thousand six hundred and sixty-eight, three thousand six hundred and sixty-nine, three thousand six hundred and seventy, three thousand six hundred and seventy-two, three thousand six hundred and ninety-two, three thousand six hundred and ninety-six, three thousand seven hundred and fourteen, three thousand seven hundred and twenty-eight, three thousand seven hundred and thirty-two, three thousand seven hundred and forty-six, three thousand seven hundred and fifty-six, three thousand seven hundred and fifty-eight, and three thousand seven hundred and sixty-four, of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to revenue and taxation.

Referred to Committee on Judiciary.

By Mr. Murnan: Assembly Bill No. 88—An Act making an appropriation to pay the claim of Charles Anderson, executor of the estate of George Anderson, deceased, for labor performed in the Yosemite Valley.

Referred to Committee on Claims.

By Mr. Barnett of Sonoma: Assembly Bill No. 89—An Act to amend sections three thousand seven hundred and forty-six, three thousand seven hundred and fifty, three thousand seven hundred and fifty-one, three thousand seven hundred and fifty-six, three thousand seven hundred and fifty-eight, three thousand seven hundred and sixty-two, three thousand seven hundred and sixty-four, and three thousand seven hundred and ninety-seven, of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, and to add a new section to said Act, to be known as section three thousand seven hundred and fifty-seven, relating to revenue and the payment of taxes on real property in installments.

Referred to Committee on Judiciary.

By Mr. Barnett of San Francisco: Assembly Bill No. 90—An Act to add a new section to the Code of Civil Procedure, said section to be designated as section seven hundred and forty-nine, relating to the quieting of title to real property.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 91—An Act to amend section five hundred and forty-four of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to garnishments.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 92—An Act to amend section five hundred and sixty-five of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the appointment of a receiver upon dissolution of a corporation.

Referred to Committee on Judiciary.

By Mr. Dennis: Assembly Bill No. 93—An Act relating to life, and casualty, and annuity or endowment insurance on the assessment plan, and the conduct of the business of such insurance.

Referred to Committee on Corporations.

By Mr. Coffey: Assembly Bill No. 94—An Act to amend sections one thousand one hundred and eighty-three and one thousand one hundred and eighty-four of the Code of Civil Procedure, relating to liens of mechanics and others upon real property

Referred to Committee on Judiciary.

Also: Assembly Bill No. 95—An Act to amend section two thousand one hundred and sixty-eight of the Civil Code, relating to common carriers.

Referred to Committee on Corporations.

Also: Assembly Bill No. 96—An Act to amend section five hundred and forty-one of the Civil Code, relating to telegraph corporations.

Referred to Committee on Corporations.

Also: Assembly Bill No. 97—An Act to amend section two thousand two hundred and nine of the Civil Code, in relation to damages awarded when messages, including telegraphic messages, are refused or postponed

Referred to Committee on Corporations.

Also: Assembly Bill No. 98—An Act to add a new section to the Civil Code, to be known and designated as section five hundred and twelve, relating to street railroads.

Referred to Committee on Corporations.

By Mr. Wentworth: Assembly Bill No. 99—An Act requiring corporations and persons doing a banking business in this State, to file with the Controller of State statements showing moneys on deposit with them to which no claims have been made for more than ten years, and authorizing the Attorney-General to institute proceedings to ascertain its ownership.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 100—An Act to amend section eight hundred and forty-nine of the Code of Civil Procedure, relating to services of summons in Justice's Courts.

Referred to Committee on Judiciary.

By Mr. Kellogg: Assembly Bill No 101—An Act to amend sections three thousand seven hundred and eighty and three thousand seven hundred and eighty-five of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the redemption of land sold at tax sale.

Referred to Committee on Judiciary.

By Mr. Weston: Assembly Bill No. 102—An Act to amend section seven hundred and fifty-two of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, and the amendment thereto, approved March 19, 1889.

Referred to Committee on Municipal Corporations.

By Mr. Hocking: Assembly Bill No. 103—An Act providing for the mode of administration on property of the decedent held in copartnership, and to repeal section one thousand five hundred and eighty-five of the Code of Civil Procedure.

Referred to Committee on Judiciary.

By Mr. Johnson: Assembly Bill No. 104—An Act to provide for a depository for the county funds, and to regulate the same.

Referred to Committee on Judiciary.

By Mr. Mathews: Assembly Bill No. 105—An Act to regulate the sale of commercial fertilizers.

Referred to Committee on Agriculture and Forestry.

ASSEMBLY JOINT RESOLUTIONS.

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

By Mr. Clark: Assembly Joint Resolution No. 2—Relative to the navigation of the Sacramento River.

Referred to Committee on Commerce and Navigation.

By Mr. Bledsoe: Assembly Joint Resolution No. 3—Relative to foreign immigration.

Referred to Committee on Chinese Immigration and Emigration and Labor and Capital.

Also: Assembly Joint Resolution No. 4—Relative to the improvement of Humboldt Bar.

Referred to Committee on Commerce and Navigation.

By Mr. Durner: Assembly Joint Resolution No. 5—Relative to the erecting of a gun factory at Benicia for the finishing and assembling high power guns.

Referred to Committee on Public Buildings and Grounds.

RESOLUTION.

By Mr. Cram:

Resolved, That Charles Tyrrell be and he is hereby appointed messenger to the Sergeant-at-Arms, at a per diem of five dollars, payable out of the appropriation for the Contingent Fund of the Assembly.

Referred to Committee on Attachés and Employés.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, January 8, 1891.

MR. SPEAKER: I am instructed to inform your honorable body that the Senate has, this day, concurred in the following Assembly concurrent resolution:

Resolved by the Assembly, the Senate concurring, That the Assembly and Senate do meet in joint session in the Assembly Chamber, at twelve o'clock noon, on Thursday, January 8, 1891, for the purpose of attending the inauguration of the Governor and Lieutenant-Governor.

Respectfully submitted.

F. J. BRANDON, Secretary.
By R. L. THOMAS, Assistant Secretary.

IN JOINT SESSION.

Pursuant to Assembly Concurrent Resolution No. 2, the Senate and Assembly of the State of California met in joint session in the Assembly chamber at twelve o'clock M., Thursday, January 8, 1891, for the purpose of inaugurating Governor-elect H. H. Markham.

The joint session was called to order by Senator Heacock, acting President pro tem. of the Senate, in conjunction with Speaker pro tem. Young of the Assembly.

The roll of Senators was called by the Secretary of the Senate, and the following Senators responded:

Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Langford, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Seawell, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson.

Quorum present.

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

Messrs. Alexander, Ames, Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Brusie, Bryant, Cargill, Carter, Clark, Coffey, Cram, Culver, Cunningham, Daly, Dennis, Dibble, Doty, Dow, Dunn, Durner, Eakle, Estey, Fowler, Freeman, Galbraith, Garver, Glynn, Gordon, Gould, Hail, Harloe, Hawley, Hayes, Hersey, Hocking, Hoey, Hunewill, Johnson, Jackson, Jones, Kellogg, Lacey, Lewis, Lowe, Lux, Lynch, Marion, Martin, Matlock, Mathews, McCall, Mordecai, Murnan, Murphy, Phillips, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Tully, Wentworth, Weston, Windrow, Wolfskill, Young, and Mr. Speaker.

Quorum present.

President pro tem. Fraser of the Senate, and Speaker Coombs of the Assembly, presiding.

Hon. Elwood Bruner, Chairman of the Joint Committee of the Senate and the Assembly on Inaugural Ceremonies, appeared at the bar of the House, and announced to the Speaker the presence of his Excellency Governor R. W. Waterman, and H. H Markham, Governor elect.

Prayer by the Chaplain of the Assembly, Rev. A. C. Herrick.

Speaker Coombs introduced Governor R. W. Waterman, who made an address.

Mr. Bruner, Chairman of the joint committee, introduced to the Speaker, Governor-elect H. H. Markham.

The oath of office was administered by Hon. W. C. Van Fleet, 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 and 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.

Governor Markham then delivered his inaugural address.

Proceedings of the joint session were read and approved.

At one o'clock and ten minutes P. M., the Speaker declared the Joint Convention adjourned *sine die*.

REASSEMBLED.

At one o'clock and fifteen minutes P. M., the House reassembled. Speaker Coombs in the chair.

RECONSIDERATION.

Mr. Matlock moved a reconsideration of the vote whereby the Assembly on yesterday adopted the following resolution:

Resolved, That when the Assembly adjourns on January 8, 1891, it adjourn until Monday, January 12, 1891, at twelve o'clock M.

Motion carried.

MOTION.

Mr. Dibble moved to amend the resolution by striking out the figure "8," and inserting the figure "9."

Carried.

Resolution as amended adopted.

LEAVES OF ABSENCE.

Messrs. Gould, Culver, McCall, and Renfro were granted leaves of absence for to-morrow.

ADJOURNMENT.

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

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Friday, January 9, 1891.

The House met pursuant to adjournment.

Speaker Coombs in the chair.

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

Messrs. Alexander, Ames, Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Brusie, Bryant, Cargill, Carter, Clark, Coffey, Cram, Cunningham, Daly, Dennis, Dibble, Doty, Dow, Dunn, Durnet, Eakle, Estey, Fowler, Freeman, Galbraith, Garver, Glynn, Gordon, Gould, Hail, Harloe, Hawley, Hayes, Hersey, Hocking, Hoey, Hunewill, Jackson, Jones, Kellogg, Lacey, Lewis, Lowe, Lux, Lynch, Marion, Martin, Matlock, Mathews, McCall, Mordecai, Murnan, Murphy, Phillips, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Tully, Wentworth, Weston, Windrow, Young, and Mr. Speaker.

Quorum present.

Prayer by the Chaplain, Rev. A. C. Herrick.

APPROVAL OF JOURNAL.

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

Journal approved.

LEAVES OF ABSENCE.

By consent of the Assembly, the following members were granted leave of absence until Monday: Messrs. Lowe, Wolfskill, Glynn, Dennis, Daly, Tully, Smith of Butte, and Clark; also, Mr. Gould until Tuesday.

APPOINTMENT OF ATTACHÉS.

The Speaker made appointments of attachés pursuant to the following resolution adopted January sixth:

"*Resolved*, That the Speaker of the Assembly be and he is hereby authorized to appoint the following attachés for the Assembly: One Doorkeeper, at a per diem of five dollars, three Gatekeepers, at a per diem of four dollars each; two Watchmen, at a per diem of four dollars each; one Mail Carrier, at a per diem of four dollars; one Clerk to Sergeant-at-Arms, at a per diem of eight dollars; eight Porters, at a per diem of four dollars each, and eight Pages, at a per diem of three dollars each. All to be paid out of the Contingent Fund of the Assembly."

Pages—Thomas Cowan, Milton C. Irwin, Albert Keith, and Clarence Marchant. To go upon the payroll on and after Monday, January 12, 1891.

Also:

Clerk to Sergeant-at-Arms—R. P. Roper. To go upon the payroll on and after Monday, January 12, 1891.

Also:

Porters—Robert Waters, William Wall, and L. Harris. To go upon the payroll January 9, 1891, and to remain thereon until and including January 11, 1891.

Also:

Porters—R. W. Scoville, J. H. Burroughs, H. S. Chappelear, and I. N. Terrell. To go upon the payroll January 9, 1891.

Also:

Watchman—George Healey. To go upon the payroll January 9, 1891.

Also:

Watchman—N. King. To go upon the payroll January 9, 1891, and to remain thereupon until and including January 11, 1891.

Also:

Gatekeeper—W. P. Johnson. To go upon the payroll January 12, 1891.

Doorkeeper—John McNamara. To go upon the payroll January 12, 1891.

RESOLUTION.

By Mr. Hall:

Resolved, That the Public Printer is hereby instructed to print, in pamphlet form, one thousand copies of the Governor's inaugural address, for members of the Assembly, for general distribution.

Adopted.

ADJOURNMENT.

At eleven o'clock and fifteen minutes A. M., on motion of Mr. Matlock, the Assembly adjourned until Monday, January 12, 1891, at twelve o'clock M.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Monday, January 12, 1891.

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

Speaker Coombs in the chair.

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

Messrs. Alexander, Ames, Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Brunei, Brusie, Bryant, Cargill, Carter, Clark, Coffey, Cram, Culver, Cunningham, Daly, Dennis, Dibble, Doty, Dow, Dunn, Durner, Eakle, Estey, Fowler, Freeman, Galbraith, Garver, Glynn, Gordon, Hail, Harloe, Hawley, Hayes, Hersey, Hocking, Hoey, Hunewill, Johnson, Jackson, Jones, Kellogg, Lacey, Lewis, Lux, Lynch, Marion, Martin, Matlock, Mathews, McCall, Mordecai, Murnan, Murphy, Phillips, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Stuntevant, Timms, Tully, Wentworth, Weston, Wolfskill, Young, and Mr. Speaker.

Quorum present.

PRAYER.

In the absence of the Chaplain, prayer was offered by Rev. J. Simms.

APPROVAL OF JOURNAL.

Pending reading of the Journal of last Friday, Mr. McCall moved to dispense with further reading.

So ordered.

Journal approved.

INTRODUCTION OF BILLS.

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

By Mr. Bruner: Assembly Bill No. 106—An Act appropriating money to pay the expenses of maintaining an exhibit of the products of the State of California at the World's Columbian Exposition, to be held in Chicago in 1893, and to provide for Commissioners thereof.

Referred to Committee on Judiciary.

Also: Assembly Bill No 107—An Act to prevent the sale of cigarettes to minors.

Referred to Committee on Public Morals.

Also: Assembly Bill No. 108—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, amended March 14, 1885, and March 18, 1885, and as amended March 17, 1887.

Referred to Committee on Judiciary.

By Mr. McCall: Assembly Bill No. 109—An Act to amend section three thousand seven hundred and eighty-five of the Political Code, relating to the redemption of property sold for delinquent taxes, and the notices to be given by the purchasers of property at delinquent tax sales before applying for a deed.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 110—An Act to amend an Act entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State, for the construction of waterworks, sewers, and all necessary public improvements, or for any purpose whatever, and to repeal the Act approved March 9, 1885, entitled 'An Act to authorize municipal corporations of the fifth class, containing more than three thousand and less than ten thousand inhabitants, to obtain waterworks;' also, to repeal an Act, approved March 15, 1887, entitled 'An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incoporated under the laws of this State,'" approved March 19, 1889.

Referred to Committee on Municipal Corporations.

By Mr. McCall: Constitutional Amendment No. 7—A resolution to amend section eighteen of article eleven of the State Constitution, relative to the increasing of indebtedness or liability by any county, city, town, township, Board of Education, or school district.

Referred to Committee on Judiciary.

By Mr. Hersey: Assembly Bill No. 111—An Act to amend section

three hundred and seven of the Civil Code, relating to the election of Directors of corporations.

Referred to Committee on Corporations.

By Mr. Doty: Assembly Bill No. 112—An Act to amend subdivision four of section twenty-five 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, as amended March 18, 1885, as amended March 17, 1887, and as amended March 16, 1889.

Referred to Committee on County and Township Governments.

By Mr. Hawley: Assembly Bill No. 113—An Act prescribing the competency and for the protection of witnesses testifying as to crime against the election franchise, to be added as a new section under title four of the Penal Code of California, and to constitute section sixty-three of said Penal Code.

Referred to Committee on Apportionment and Election Laws.

By Mr. Culver: Assembly Bill No. 114—An Act to amend section four hundred and ninety-seven of the Civil Code, relating to the authority to lay railroad tracks through streets and public highways of any incorporated city, city and county, or town.

Referred to Committee on Municipal Corporations.

Also: Assembly Bill No. 115—An Act to amend an Act entitled "An Act to provide for Police Courts in cities having thirty thousand inhabitants and under one hundred thousand inhabitants, and to provide for officers thereof," approved March 18, 1880, relating to the duties and salaries of clerks of said Court.

Referred to Committee on Municipal Corporations.

Also: Assembly Bill No. 116—An Act to confirm, ratify, and make valid ordinances heretofore passed by the Trustees, Council, or other body intrusted with the government of any incorporated city, city and county, or town, giving authority and permission to propel cars upon railroad tracks laid through the streets and public highways of such incorporated city, city and county, or town, by electricity.

Referred to Committee on Municipal Corporations.

By Mr. Marion: Assembly Bill No. 117—An Act to provide for the improvement of the Reform School for Juvenile Offenders, and make appropriations for the same.

Referred to Committee on State Charitable and Reformatory Institutions.

By Mr. Matlock: Assembly Bill No. 118—An Act to amend section eight of an Act entitled "An Act to incorporate the town of Red Bluff, Tehama County, California," approved March, 1876, amended March, 1878.

Referred to Committee on Municipal Corporations.

By Mr. Shanahan: Assembly Bill No. 119—An Act to amend the Political Code of the State of California, by adding thereto a new section in relation to reassessments of property in cases where a former assessment is invalid.

Referred to Committee on Judiciary.

By Mr. Ames: Assembly Bill No. 120—An Act to provide buildings and improvements at the Deaf, Dumb, and Blind Asylum.

Referred to Committee on State Charitable and Reformatory Institutions.

By Mr. Shanahan: Assembly Bill No. 121—An Act repealing an Act declaring the Klamath River navigable.

Referred to Committee on Commerce and Navigation.

By Mr. Wentworth: Assembly Bill No. 122—An Act fixing the permanent channels of rivers, and providing for retaining them in their true channel, and for returning them when changed into their true channels, as defined in this Act.

Referred to Committee on Commerce and Navigation.

Also: Assembly Bill No. 123—An Act to amend sections fifty-five and seventy-five of the Civil Code, in relation to marriage.

Referred to Committee on Public Morals.

Also: Assembly Bill No. 124—An Act to amend section one thousand eight hundred and eighty-one of the Civil Code of Procedure, relating to witnesses.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 125—An Act to amend section six hundred and thirty-three of the Penal Code, relating to the taking of trout.

Referred to Committee on Fish and Game.

Also: Assembly Bill No. 126—An Act to amend section six hundred and thirty-two of the Penal Code, relating to the use of explosives in taking trout.

Referred to Committee on Fish and Game.

By Mr. Dibble: Assembly Bill No. 127—An Act to divide the State of California into Congressional Districts.

Referred to Committee on Apportionment and Election Laws.

Also: Assembly Bill No. 128—An Act to amend section one thousand and seventy of the Political Code, relating to the rights of Electors.

Referred to Committee on Apportionment and Election Laws.

Also: Assembly Bill No. 129—An Act to add an additional section to the Penal Code, to be known as section one hundred and fifty-nine and one half, making it a misdemeanor to advertise to obtain a divorce, or to aid therein.

Referred to Committee on Public Morals.

Also: Assembly Bill No. 130—An Act to provide for the issuance and sale of State bonds to create a fund for the construction and furnishing, by the Board of State Harbor Commissioners, of a general ferry and passenger depot in the city and county of San Francisco; to create a sinking fund for the payment of said bonds, and providing for the submission of this Act to a vote of the people.

Referred to Committee on Commerce and Navigation.

Also: Assembly Bill No. 131—An Act relating to life, and casualty, and annuity or endowment insurance on the assessment plan, and the conduct of the business of such insurance.

Referred to Committee on Corporations.

Also: Assembly Bill No. 132—An Act to amend an Act entitled "An Act in relation to certain deputies, assistants, and copyists of County Clerks," approved April 2, 1880.

Referred to San Francisco Delegation.

Also: Assembly Bill No. 133—An Act to amend sections forty-seven and forty-eight of the Civil Code of the State of California, relating to libel and slander.

Referred to Committee on Judiciary.

By Mr. Robertson: Assembly Bill No. 134—An Act to repeal an Act entitled "An Act to declare the Klamath River navigable," approved April 23, 1880.

Referred to Committee on Commerce and Navigation.

Also: Assembly Bill No. 135—An Act to establish a State Weather and Crop Service in the State of California, for the purpose of coöperating with the Signal Service of the United States in the collection of climatic data and publishing the same, for disseminating more speedily and thoroughly the United States Signal Service weather forecasts, storms, and frost warnings, for the benefit of the citizens of this State, and to establish in each county one or more meteorological stations.

Referred to Committee on Agriculture and Forestry.

MOTION.

On motion of Mr. Young, the time of recess was extended ten minutes.

INTRODUCTION OF BILLS—(RESUMED).

By Mr. Young: Assembly Bill No. 136—An Act to provide for additional penalty for the commission of certain offenses.

Referred to Committee on Public Morals.

Also: Assembly Bill No. 137—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by adding thereto a new section, to be known and numbered as section three hundred and eight, relative to the sale and use of opium, or any preparation thereof.

Referred to Committee on Public Morals.

By Mr. Barnett of Sonoma: Assembly Bill No. 138—An Act to provide for the levy and collection of taxes by and for the use of municipal corporations and cities incorporated under the laws of the State, excepting municipal corporations of the first, second, third, and fourth classes.

Referred to Committee on Municipal Corporations.

Also: Assembly Bill No. 139—An Act to provide for the levy and collection of taxes by and for school districts, except in municipal corporations of the first class.

Referred to Committee on Education.

By Mr. Mordecai: Assembly Bill No. 140—An Act to amend section five hundred and thirty of the Political Code, relating to the office of Superintendent of State Printing.

Referred to Committee on Public Printing.

By Mr. Mathews: Assembly Bill No. 141—An Act making an appropriation to pay the deficiency in the appropriation for postage, expressage, and contingent expenses of the Adjutant-General's office for the forty-first fiscal year.

Referred to Committee on Military Affairs.

Also: Assembly Bill No 142—An Act to amend section four hundred and ninety-nine of the Civil Code of California, relative to the authority to lay, construct, and operate railroad tracks through streets and public highways of any incorporated city, city and county, or town, and to allow different lines of street railway, operated under different management, to use parts of the same streets and tracks.

Referred to Committee on Municipal Corporations.

By Mr. Barnett of San Francisco: Assembly Bill No. 143—An Act to amend sections two hundred and sixty-nine and two hundred and seventy-four of the Code of Civil Procedure, relating to phonographic reporters.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 144—An Act to amend section two thousand four hundred and sixty-six of the Political Code, relating to rate of pilotage.

Referred to Committee on Commerce and Navigation.

By Mr. Lewis: Assembly Bill No. 145—An Act entitled "An Act to provide for the payment for services rendered the State of California by William H. Thornley, as Deputy State Commissioner of Immigration, and making the necessary appropriation therefor."

Referred to Committee on Chinese Immigration and Emigration and Labor and Capital.

Also: Assembly Bill No. 146—An Act entitled "An Act to provide for the payment of services rendered the State of California by William H. Thornley, State Commissioner of Immigration, and making the necessary appropriation therefor."

Referred to Committee on Claims.

Also: Assembly Bill No. 147—An Act to provide for the payment of the repairs upon the quarantine launch "Governor Perkins."

Referred to Committee on Commerce and Navigation.

By Mr. Wentworth: Assembly Bill No. 148—An Act to amend section four thousand and forty-six of the Political Code, relating to the jurisdiction and power of Boards of Supervisors in their respective counties.

Referred to Committee on County and Township Governments.

By Mr. Hawley: Assembly Bill No. 149—An Act to amend section one thousand three hundred and seventy-three of the Code of Civil Procedure, in reference to setting a day for the hearing of a petition for letters of administration.

Referred to Committee on Judiciary.

By Mr. Hocking: Constitutional Amendment No. 8—An Act to amend the Constitution wherein it relates to the judicial department; to establish District Courts of Appeal, and to relieve the Supreme Court, looking to the abolishment of the Supreme Court Commission.

Referred to Committee on Judiciary.

By Mr. Coffey: Assembly Bill No. 150—An Act to amend sections two thousand four hundred and sixty-four, two thousand four hundred and sixty-five, and 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. Lacey: Assembly Bill No. 151—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," relating to appeals.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 152—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," relating to trials.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 153—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," relating to Judges of Superior Courts.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 154—An Act to amend an Act entitled "An Act to establish a Political Code," relating to County Treasurers.

Referred to Committee on County and Township Governments.

By Mr. Clark: Assembly Bill No. 155—An Act to prohibit the employment of any person other than a citizen of the United States to do or perform any labor for the State of California.

Referred to Committee on Chinese Immigration and Emigration and Labor and Capital.

By Mr. Harloe: Assembly Bill No. 156—An Act to amend section one hundred and eighty-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, March 18, 1885, March 17, 1887, and March 16, 1889, relating to the government of counties of the twenty-seventh class.

Referred to Committee on County and Township Governments.

By Mr. Phillips: Assembly Bill No. 157—An Act to amend an Act entitled "An Act to authorize the incorporation of rural cemetery reservations," approved April 28, 1859, and to authorize the owners of lots in such cemeteries to transfer them by deed.

Referred to Committee on Judiciary.

By Mr. Cunningham: Assembly Bill No. 158—An Act to amend an Act entitled "An Act to amend section three thousand six hundred and sixty five of the Political Code, relating to the assessment of railroads operating in more than one county," approved March 19, 1889.

Referred to Committee on Corporations.

By Mr. Bruner: Assembly Bill No. 159—An Act to authorize the Governor to employ a stenographer for his office, and to provide for the payment of his salary.

MOTIONS.

Mr. Bruner moved that the bill be transmitted immediately to the State Printer.

Carried.

By Mr. Cunningham: Assembly Bill No. 160—An Act to amend sections three thousand six hundred and seventy-four and three thousand six hundred and sixty-seven of the Political Code, relating to the assessment of railroads in more than one county.

Referred to Committee on Corporations.

MOTION.

On motion of Mr. Bert, the hour of recess was extended until one o'clock.

APPOINTMENT OF STANDING COMMITTEES.

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

On Agriculture and Forestry—Messrs. Geo. A Sturtevant, Chairman, W. E Baughman, A. G Smith of Orange, J P Glynn F. E Hunewill, J. D. Barnett of Sonoma, W. E Tennis, T. A. Rice, and A J. Jackson.

On Apportionment and Election Laws—Messrs E G Cram, Chairman; J. T. Matlock, G. A. Wentworth H C Dibble, A Brown, T. Hocking, C. F. Lacey, W. A. Hawley, J. C Brusie, N. A. Young, T. W H. Shanahan, H. P Stabler, and F. H. Gould.

On Attachés and Employés—Messrs. J H. Daly, Chairman; W E. Baughman, G. E. Hersey, J. H. Hayes, F. E. Hunewill, F. L Jones, and G. W. Mordecai.

On Chinese Immigration and Emigration and Labor and Capital—Messrs. J T. Steltz, Chairman, W. E Tennis, E S. Culver, G. E. Lewis, J. S Alexander, E. E. Dow, H. P. Eakle, J H Renfro, and H. P. Stabler.

On Claims—Messrs. A. Ames, Chairman, N. A. Young, G. E. Lewis, G. E. Carter, E F Bert, W. S. Cunningham, and C. S Arms.

On Commerce and Navigation—L A Phillips, Chairman; A Ames, M. Harloe, N. A. Young, A. J. Bledsoe, G. E. Lewis, J. C. Wolfskill, G. B. Robertson, and G. Doty.

On Corporations—Messrs. J. R. Lowe, Chairman, A. Ames, T. Hocking, W A. Hawley, A. Brown, T. H. Barnard, J. C. Wolfskill, C. S. Arms, and J. R. Mathews

On Counties and County Boundaries—Messrs. J. D. Barnett of Sonoma, Chairman; T. W Dennis, A. T. Barnett of San Francisco, C. F Lacey, J. L. Beecher, Jr., E. E. Dow, W. S. Cunningham, G. B. Robertson, and G W. Mordecai.

On County and Township Governments—Messrs. A. Brown, Chairman; J. Windrow, J. R. Lowe, E. D. Kellogg, E. S. Culver, M. W. Coffey, M Harloe, A. Gordon, H. P. Eakle, C. S. Arms, and F. T. Murnan.

On Viticulture, Vinieulture, and Horticulture—Messrs. J. J. Smith of Butte, Chairman; J. D. Barnett of Sonoma, E E. Dow, A. G. Smith of Orange, F. L. Fowler, T. W. Dennis, H. P. Eakle, J. C. Wolfskill, and H P Stabler.

On Education—Messrs W. H. Galbraith, Chairman; F. G. Hail, C G. Cargill, J. T. Steltz, E. A. Freeman, G. E. Carter, L. Hoey, J H. Renfro, and F. H. Gould.

On Elections and Privileges—Messrs. A. T. Barnett of San Francisco, Chairman; R. Clark, E. G. Cram, A. J. Bledsoe, C. Durner, E. F. Bert, A. L. Lux, Dr. Noble Martin, and J. C. Wolfskill.

On Engrossment—Messrs. J. Windrow, Chairman; J. S. Alexander, J. J. Smith of Butte, M. W. Coffey, and W. J. Dunn.

On Enrollment—Messrs A. J. Bledsoe, Chairman; T. J. Tully, T. H. Estey, W. J. Dunn, and G. Doty.

On Fish and Game—Messrs. J. C. Lynch, Chairman, F. L. Fowler, A. L. Lux, J. G. McCall, J. L. Beecher, Jr., E. D. Kellogg, T J. Tully, T A Rice, and J. C Wolfskill

On Irrigation—Messrs. J. S. Alexander, Chairman; J. J. Smith of Butte, A. G. Smith of Orange, J C. Lynch, F. N. Marion, T. Hocking, J T Matlock, N. A. Young, A. J. Jackson, W. S. Cunningham, G. W. Mordecai, H. P Eakle, and T. A. Rice.

On Mileage—Messrs. T. Bryant, Chairman; W. E. Tennis, J. H. Daly, J. H. Renfro, and G. W. Mordecai.

On Military Affairs—Messrs. R. S. Johnson, Chairman; J. T. Steltz, J Windrow, L. A. Phillips, J. C Brusie, T H. Estey, W J Dunn, J. R. Mathews, and G. W. Mordecai.

On Mines and Mining Interests—Messrs. F. G. Hail, Chairman; A. L. Lux, F. E. Hunewill, E. A. Freeman, W. E. Baughman, E. D. Kellogg, G. B Robertson, Dr. N. Martin, and M. Garver.

On Municipal Corporations—Messrs. G. A. Wentworth Chairman; F. J. Murphy, R S. Johnson, E. Bruner, J. H Hayes, G. E. Hersey, T. J. Tully, F. Bryant, A. G. Smith of Orange, J R. Mathews, and M. Garver.

On Public Buildings and Grounds—Messrs G. E. Hersey, Chairman; T W. Dennis, C. F. Lacey, J. L. Beecher, Jr., T. H. Barnard, J. G. McCall, W J. Dunn, F. H. Gould, and F. T. Murnan.

On Swamp and Overflowed and Public Lands—Messrs. R. Clark, Chairman, C. Durner, H. L. Weston, F. L. Jones, R. S. Johnson, F. Bryant, M. W. Coffey, H. P. Stabler, and W S. Cunningham.

On Public Morals—Messrs. C. G. Cargill, Chairman, J L Beecher, Jr., J G McCall, J. Windrow, J. H. Hayes, Dr. N. Martin, and T. A. Rice.

On Public Printing—Messrs F. L. Jones, Chairman; F. N. Marion, L. Hoey, C. F. Lacey, W. H. Galbraith, H. P. Stabler, and C S. Arms.

On Roads and Highways—Messrs. J T. Matlock, Chairman, T. H. Barnard, F. J. Murphy, M. Harloe, G. Sturtevant, H. L. Weston, H. P. Eakle, F. T. Murnan, and A. J. Jackson

On Rules and Regulations—Messrs E. S. Culver, Chairman; F. J. Murphy, J. H. Daly, J. P. Glynn, G. B. Robertson, J. H. Renfro, and Mr Speaker.

On State Library—Messrs. G. E. Carter, Chairman; A Gordon, L Hoey, E G. Cram, J. P. Glynn, G. Doty, and M. Garver.

On State Charitable and Reformatory Institutions—Messrs. F N. Marion, Chairman; E. A. Freeman, G. Sturtevant, C. G. Cargill, H. L. Weston, C. S. Arms, and Dr. N. Martin.

On State Prisons—Messrs T H. Estey, Chairman, A. T. Barnett of San Francisco, W. E. Baughman, C. Durner, J. C. Lynch, A Gordon, G Doty, M. Garver, and T. A. Rice.

On Ways and Means and Appropriations—Messrs H. C Dibble, Chairman; F J. Murphy, W. A. Hawley, F. L Fowler, E Bruner, W. H. Galbraith, L. A. Phillips, F. G Hail, T. Hocking, J. H. Renfro, T. W H. Shanahan, J. R Mathews, and W. S. Cunningham.

RECESS.

At twelve o'clock and forty-five minutes P. M., on motion of Mr. Bruner, the House took a recess until two o'clock and thirty minutes P. M.

REASSEMBLED.

At two o'clock and thirty minutes P. M. the House reassembled.

Speaker Coombs in the chair.

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

Messrs. Alexander, Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Brusie, Bryant, Cargill, Carter, Clark, Coffey, Cram, Culver, Cunningham, Daly, Dennis, Dibble, Doty, Dow, Dunn, Durner, Eakle, Estey, Fowler, Freeman, Galbraith, Garver, Glynn, Gordon, Hail, Harloe, Hawley, Hayes, Hersey, Hocking, Hoey, Hunewill, Jackson, Jones, Kellogg, Lacey, Lewis, Lowe, Lux, Lynch, Marion, Martin, Matlock, Mathews, McCall, Mordecai, Murnan, Murphy, Phillips, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Tully, Wentworth, Weston, Windrow, Wolfskill, Young, and Mr. Speaker.

Quorum present.

LEAVE OF ABSENCE.

Mr. Ames was granted leave of absence until Monday morning.

RESOLUTIONS.

By Mr. Phillips:

Resolved, That the Chairman of each committee be and is hereby authorized to appoint a clerk.

That the Judiciary, and the Ways and Means and Appropriations Committees be each authorized to choose an additional clerk.

That all committee clerks be paid the per diem allowed by law.

Adopted.

By Mr. McCall:

Resolved, That W. T. Hamilton be appointed Second Assistant Minute Clerk at same per diem as the other assistants, payable out of the appropriation for the contingent expenses of the Assembly.

MOTION.

Mr. Lowe moved the suspension of the rules to consider the resolution.

Carried.

Resolution adopted.

RESOLUTION.

By Mr. Baughman:

Resolved, That James Hodge be and he is hereby appointed Bill Clerk to the Sergeant-at-Arms, at a per diem of five dollars, to be paid out of the Contingent Fund of the Assembly.

MOTION.

Mr. Baughman moved the suspension of the rules to consider the resolution.

Carried.

Resolution adopted.

RESOLUTIONS.

By Mr. Lux:

Resolved, That A. E. Post be and he is hereby appointed File Clerk in the Sergeant-at-Arms' office, at a per diem of five dollars, payable out of the Contingent Fund of the Assembly.

Mr. Lux moved the suspension of the rules to consider the resolution.
Carried.
Resolution adopted.
By Mr. Bert:

WHEREAS, It is necessary to employ a competent person to take charge of all bills introduced in the Assembly, and safely convey the same to the Hon. State Printer, now, therefore, be it

Resolved, That the Hon Speaker of the Assembly be and he is hereby authorized to appoint a messenger for such purpose, at a per diem of five dollars, to be paid out of the Contingent Fund of the Assembly.

Adopted.

APPOINTMENT.

The Speaker appointed as such messenger, J. F. Devlin.

MOTION.

Mr. Bruner moved that Assembly Bill No. 159 be read first time.
So ordered.

FIRST READING OF BILL.

Assembly Bill No. 159—An Act to authorize the Governor to employ a stenographer for his office, and to provide for the payment of his salary.
Read first time, and ordered sent to the printer for correction.

RESOLUTIONS.

By Mr. Shanahan:

Resolved, That the Governor of this State be and he is hereby requested to furnish the Assembly with an itemized statement of the expenditure of the moneys appropriated in the matter of the investigation of the State Prisons by Governor Waterman, the said statement to show the amount expended, and to whom paid; also, whether any part of the sum of ten thousand dollars appropriated by the Legislature to make such investigation remains unexpended.

Adopted.
By Mr. Clark:

Resolved, That the Speaker appoint a committee of five with power to compel the attendance of witnesses, take testimony, and report to this House within thirty days the condition of, the necessity for, and the annual cost to this State of the Boards of Agriculture, Forestry, and Mining; and also the Yosemite, Horticultural, and Viticultural Commissions; and that they further report whether or not said Boards and Commissions may not be abolished without injury to the citizens of this State, or if not abolished, the practicability of their consolidation under a general head, to be known as the State Department of the Interior; and that they further investigate and report the practicability or admissibility of the abolishment or consolidation of any other Board or Commission now existing and drawing money from the State Treasury.

Referred to Committee on Rules and Regulations.

ASSEMBLY JOINT RESOLUTIONS.

By Mr. Renfro: Assembly Joint Resolution No. 6—Relative to the election of United States Senator by a direct vote of the people.
Referred to Committee on Judiciary.
By Mr. Mordecai: Assembly Joint Resolution No. 7—Relating to irrigation and construction of reservoirs by the United States Government.
Referred to Committee on Irrigation.

By Mr. Phillips: Assembly Joint Resolution No. 8—Authorizing and directing the State Printer to deliver ten copies of every work published or printed in the State Printing Office to the State Librarian; also, two copies to the Librarian of the State University.

Referred to Committee on Public Printing.

ASSEMBLY CONSTITUTIONAL AMENDMENT.

By Mr. Shanahan: Constitutional Amendment No. 9—Providing for the repeal of sections twenty-two and twenty-three, article twelve, of the Constitution, relative to a Railroad Commission.

Referred to Committee on Judiciary.

RESOLUTION.

By Mr. Bledsoe:

Resolved, That the Sergeant-at-Arms be directed to furnish daily to each representative of the press having a desk on the floor of the House, a copy of each printed bill, Journal, and other printed documents.

Adopted.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, January 8, 1891.

To the Assembly of the State of California:

I have the honor to inform you that I have appointed Marvin R. Higgins, of the county of Los Angeles, State of California, my Private Secretary, through whom all communications from this office will be transmitted to your honorable body.

H. H. MARKHAM, Governor.

INTRODUCTION OF BILLS.

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

By Mr. Alexander: Assembly Bill No. 161—An Act to create a State association of irrigation districts, and to provide for the creation of a State Board of Irrigation to manage and conduct the affairs of the same, and to define the powers and prescribe the duties of such association, and of such Board, and to appropriate money in support thereof.

Referred to Committee on Irrigation.

By Mr. Brown: Assembly Bill No. 162—An Act to amend section three thousand four hundred and ninety-four of the Political Code, relating to the price and payment for school lands, by fixing rate of interest at seven per cent on payments due.

Referred to Committee on Education.

By Mr. Sturtevant: Assembly Bill No. 163—An Act to amend an Act entitled "An Act to repeal chapter two of title six of part three of an Act of the Legislature of the State of California entitled 'An Act to establish a Political Code,' approved March 12, 1872, and each and every section of said chapter two, and to enact a new chapter two of title six of part three of said Code, and substitute the same in place of said repealed chapter two in said Code, relating to roads and highways," approved February 28, 1883, by amending sections two thousand six hundred and forty-three and two thousand six hundred and fifty-two of said Act, and adding a new section thereto, to be known and numbered section two thousand seven hundred and seventeen.

Referred to Committee on Roads and Highways.

Also: Assembly Bill No. 164—An Act to amend section three thousand three hundred and thirty-seven of the Political Code, relating to exemptions from jury duty.

Referred to Committee on Judiciary.

By Mr. Bledsoe: Assembly Bill No. 165—An Act to repeal an Act entitled "An Act to provide for the appointment by the Supreme Court of five Commissioners, to be known as Commissioners of the Supreme Court, and to appoint a Secretary therefor, to relieve said Court of the overburdened condition of its calendar, and to provide for the compensation of said Commissioners and Secretary, and to appropriate money therefor," approved February 15, 1889.

Referred to Committee on Judiciary.

By Mr. Jackson: Assembly Bill No. 166—An Act providing for the preservation of deer and other game animals within the State.

Referred to Committee on Fish and Game.

By Mr. Rice: Assembly Bill No. 167—An Act creating a lien in favor of owners or those in charge of stallions, jacks, and bulls duly licensed, and used for propagating purposes, and providing for the operation of such lien.

Referred to Committee on Agriculture and Forestry.

RESOLUTIONS.

By Mr. Culver:

Resolved, That Ed. Short be and he is hereby appointed to take care of the coat room, at a per diem of three dollars, payable out of the Contingent Fund of the Assembly.

Referred to Committee on Attachés and Employés.

By Mr. Culver:

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

Referred to Committee on Ways and Means and Appropriations.

MOTION.

Mr. Shanahan moved that the Committee on Rules and Regulations be required to forthwith report back his resolution relative to the investigation of Commissions.

Mr. Lowe moved as an amendment that the committee report back the resolution by next Friday.

Amendment adopted.

Motion as amended carried.

RESOLUTION.

By Mr. Hawley:

Resolved, That one thousand copies of the rules, embodying the committees appointed, be printed by the Public Printer for the use of the Assembly

Adopted.

INTRODUCTION OF BILL.

By Mr. Alexander: Assembly Bill No. 168—An Act to forbid the sale or furnishing of tobacco in certain forms to minors under the age of eighteen years.

Referred to Committee on Public Morals.

RESOLUTIONS.

By Mr. Hocking:

Resolved, That a special committee, to consist of five members, be appointed by the Speaker, whose duty it shall be to examine all laws creating the various Boards and Commissions now existing in this State and to investigate the work done or to be done by them, with a view to abolishing or consolidating any or all of such Boards and Commissions, as the good of the public interests may require; that such committee shall prepare and present to the Assembly such bills as they shall deem proper relating to the abolition or consolidation of any or all of said Boards and Commissions, that such bills shall not be referred to any standing committee, but shall be at once placed on the general file; that, for the purpose of any investigation, the committee is hereby authorized to send for persons and papers, and may take testimony.

Referred to Committee on Rules and Regulations.

By Mr Johnson:

Resolved, That all requisitions on the Secretary of State for supplies for the use of Committees shall be signed by the Chairman of the committee for whose use the requisition is made, and that the Secretary of State is hereby instructed not to recognize any requisition of any committee, except signed by their respective Chairmen.

Referred to Committee on Ways and Means and Appropriations.

SUBSTITUTION OF CHAIRMAN.

At the request of Mr. Daly, who was appointed Chairman of the Committee on Attachés and Employés, Mr. Lux was substituted in his place.

ADJOURNMENT.

At four o'clock P. M., on motion of Mr. Barnett of San Francisco, the House adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Tuesday, January 13, 1891.

The House met pursuant to adjournment.

Speaker Coombs in the chair.

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

Messrs. Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Brusie, Bryant, Cargill, Carter, Clark, Coffey, Cram, Culver, Cunningham, Dennis, Doty, Dow, Dunn, Durner, Eakle, Estey, Fowler, Freeman, Galbraith, Garver, Glynn, Gordon Gould, Hall, Harloe, Hawley, Hayes, Hersey, Hocking, Hoey, Hunewill, Johnson, Jackson, Jones, Kellogg, Lacey, Lowe, Lux, Lynch, Marion, Martin, Matlock, Mathews, McCall, Mordecai, Murnan, Murphy, Phillips, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange Stabler Stelzr, Sturtevant, Tennis, Tully, Wentworth, Weston, Windrow, Wolfskill, Young, and Mr. Speaker.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. A. C. Herrick.

READING OF THE MINUTES.

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

So ordered.

Journal approved.

LEAVE OF ABSENCE.

Messrs. Dibble, Lewis, and Alexander were granted leave of absence for the day.

INTRODUCTION OF BILLS—(OUT OF ORDER).

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

By Mr. Brusie: Assembly Bill No. 169—An Act to amend section seventy of the Civil Code, relating to solemnization of marriages.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 170—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.

RESOLUTION.

By Mr. Bert:

Resolved, That the number of members of the Committee on Apportionment and Election Laws be increased from thirteen to sixteen members.

MOTION.

Mr. Lowe moved that the rules be suspended and that the resolution be considered.

Carried.

Mr. Bert's resolution was thereupon adopted.

RESOLUTIONS—(OUT OF ORDER).

By Mr. Clark:

Resolved, That Warren Powers be and he is hereby appointed Watchman, at the same per diem paid other Watchmen, payable out of the Contingent Fund of the Assembly.

Referred to Committee on Attachés and Employés.

By Mr. Bruner:

Resolved, That Assembly Bill No. 159 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage

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

AYES—Messrs. Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Brusie, Bryant, Cargill, Carter, Clark,

Coffey, Cram, Culver, Dennis, Dibble, Dow, Durner, Estey, Fowler, Freeman, Galbraith, Glynn, Gordon, Hail, Harloe, Hawley, Hayes, Hersey, Hocking, Hoey, Hunewill, Jones, Lacey, Lowe, Lux, Lynch, Marion, Matlock, Mathews, McCall, Murphy, Phillips, Rice, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Tully, Wentworth, Weston, Young, and Mr. Speaker—59

NOES—Messrs. Doty, Dunn, Garver, Jackson, Kellogg, Martin, Mordecai, Murnan, Renfro, Robertson, Shanahan, and Wolfskill—12.

SECOND READING OF BILLS.

Assembly Bill No. 159—An Act to authorize the Governor to employ a stenographer for his office, and to provide for the payment of his salary

Bill read second time.

COMMITTEE OF THE WHOLE.

Mr. Wentworth moved to go into Committee of the Whole, with the Speaker in the chair.

Carried.

The bill was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Coombs 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. 159—An Act to authorize the Governor to employ a stenographer for his office, and to provide for the payment of his salary—and now report progress, and recommend that the same do pass

COOMBS, Chairman.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Bruner, Brusie, Bryant, Cargill, Carter, Clark, Coffey, Cram, Culver, Daly, Dennis, Dibble, Dow, Durner, Estey, Fowler, Freeman, Galbraith, Glynn, Gordon, Hail, Harloe, Hawley, Hayes, Hersey, Hocking, Hoey, Hunewill, Johnson, Jones, Kellogg, Lacey, Lux, Lynch, Marion, Matlock, Mathews, McCall, Murphy, Phillips, Smith of Butte, Smith of Orange, Steltz, Sturtevant, Tennis, Tully, Weston, Windrow, and Mr. Speaker—57.

NOES—Messrs Doty, Dunn, Garver, Jackson, Martin, Renfro, Robertson, Shanahan, Stabler, and Wolfskill—10.

Title approved.

MEMORIALS.

By Mr. Hawley: From the California Fruit Growers' Convention, asking for an appropriation to enable the State Board of Horticulture to import parasites, etc.

Referred to Committee on Ways and Means and Appropriations.

Also: From the California Fruit Growers' Convention, asking the Legislature to properly support the Board of Horticulture.

Referred to Committee on Ways and Means and Appropriations.

PETITIONS.

By Mr. Mordecai: In regard to bounty for killing coyotes. Referred to Committee on Agriculture and Forestry.

APPOINTMENTS BY THE SPEAKER.

The following appointments were made by the Speaker:

Porters—Ed. Diamond, Joseph Plunkett, and Thos. Duffy.
Gatekeepers—M. Hall and Louis Devati.
Page—Chas. Welch.
Watchman—A. Stewart.
Mail Carrier—Joseph H. Coffey.

REPORT OF STANDING COMMITTEE.

ON RULES AND REGULATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 13, 1891.

MR. SPEAKER. Your Committee on Rules and Regulations, to whom was referred the following resolutions, viz.:

Resolved, That the Speaker of the Assembly appoint a committee of five members, whose duty it shall be to investigate into the duties of, labor performed, and necessity for the further existence of the State Board of Forestry, the State Mining Bureau, the Commission on Yosemite Valley and Mariposa Big Trees, the State Board of Horticulture, the State Viticultural Commission, the Board of Silk Culture, and the State Board of Agriculture, and report to the Assembly thereon. It shall also be the duty of such committee to investigate and report as to the advisability and practicability of abolishing or consolidating any or all of the various Boards and Commissions herein named.

Resolved, That the Governor of this State be and he is hereby requested to furnish the Assembly with an itemized statement of the expenditure of the moneys appropriated in the matter of the investigation of the State Prisons by Governor Waterman; the said statement to show the amount expended, and to whom paid; also, whether any part of the sum of ten thousand dollars appropriated by the Legislature to make such investigation remains unexpended.

Resolved, That the Speaker appoint a committee of five, with power to compel the attendance of witnesses, take testimony, and report to this House within thirty days the condition of, the necessity for, and the annual cost to this State of the Boards of Agriculture, Forestry, and Mining, and also the Yosemite, Horticultural, and Viticultural Commissions; and that they further report whether or not said Boards and Commissions may not be abolished without injury to the citizens of this State, or if not abolished, the practicability of their consolidation under a general head, to be known as the State Department of the Interior; and that they further investigate and report the practicability or admissibility of the abolishment or consolidation of any other Board or Commission now existing and drawing money from the State Treasury.

Have had the same under consideration, and respectfully report the same back, with a substitute for the same, and recommend the adoption of the substitute, of which the following is a copy:

Resolved, That the Speaker be and he is hereby directed to appoint a committee of five, which shall be a standing committee, vested with the same powers and authorities as other standing committees, whose duty it shall be to investigate into the character and importance of all State Commissions, to ascertain which are needful to the State, and which can be consolidated or abolished without detriment to the different interests of the Government. That said committee prepare and introduce the proper bills in this House for the accomplishment of such purpose.

CULVER, Chairman.

ON RULES AND REGULATIONS—(MINORITY REPORT).

ASSEMBLY CHAMBER, SACRAMENTO, January 13, 1891.

MR. SPEAKER: The minority of your Committee on Rules and Regulations, to whom was referred the respective resolutions of Shanahan, Clark, and Hocking, all relating to an investigation, and report to this Assembly, of the matter of special Commissions, do respectfully recommend that the resolution offered by Mr. Shanahan, and referred to your committee, be adopted, with such amendments as would cause said resolution to read as follows:

Resolved, That the Speaker of the Assembly appoint a select committee of five members, whose duty it shall be to investigate into the character, the duties of, the labors performed by, the annual expenditures in support of, and the necessity for the further

existence of the State Board of Forestry, the State Mining Bureau, the Commission on Yosemite Valley and Mariposa Big Trees, the State Board of Horticulture, the State Viticultural Commission, the Board of Silk Culture, the State Board of Fish Commissioners, the State Agricultural Society, or other State Commission or Board, at the discretion of such committee, with power to take testimony, as in case of standing committees, and shall, within thirty days after appointment, report to the Assembly thereon. It shall also be the duty of the committee to investigate and report, at the same time, as to the advisability and practicability of abolishing or consolidating any or all of the Boards and Commissions herein named, and of establishing a distinct State Department, whose function it shall be to assume the control and management of any or all of the named Boards and Commissions.

Respectfully submitted.

ROBERTSON
RENFRO.

MOTION.

Mr. Robertson moved that the minority report be substituted for the majority report.

Mr. Bruner moved that further consideration of the reports be deferred until this afternoon at two o'clock and thirty minutes.

Carried.

Mr. Bruner moved that the hour of recess having arrived, it shall be extended until after the vote is taken on United States Senator.

Carried.

REPORT OF STANDING COMMITTEE.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, January 12, 1891.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bills Nos. 22, 20, 25, 31, 45, 52, 53, 54, 56, and 60—have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also: The same committee, to whom was referred Assembly Bill No. 58—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Assembly Bill No. 51—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to the San Francisco delegation.

BRUNER, Chairman.

REFERENCE OF BILL.

Assembly Bill No. 51 was referred to the San Francisco delegation, as recommended.

REPORT OF SELECT COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, January 13, 1891.

MR. SPEAKER: The San Francisco Delegation Committee, composing members of the Assembly from the City and County of San Francisco, to whom was referred Assembly Bill No. 132, relating to certain deputies, assistants, and copyists of County Clerks—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

WENTWORTH, Chairman.

MOTION.

Mr. Lowe moved that the hour of twelve having arrived, that the Assembly proceed to elect United States Senator.

Carried.

RESOLUTION.

By Mr. Lowe:

Resolved, That the Assembly do now proceed to name, by viva voce vote, a person for Senator in Congress from the State of California for the term of six years, beginning March 4, 1891, 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.

ELECTION OF UNITED STATES SENATOR.

The Assembly, at twelve o'clock M., proceeded to the election of one United States Senator, to succeed Hon. Leland Stanford, 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 the votes cast in each House, shall be entered on the Journal of that House by the Clerk or Secretary thereof; or if either House fails to give such majority to any person on that day, the fact shall be entered on the Journal. At twelve o'clock meridian, of the day following that on which proceedings are required to take place as aforesaid, the members of the two Houses shall convene in joint assembly, and the Journal of each House shall then be read, and if the same person has received a majority of all 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 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 in the manner prescribed in the preceding section for the election of a Senator for a full term.

SEC. 17. Whenever, during the session of the Legislature of any State, a vacancy occurs in the representation of such State in the Senate, similar proceedings to fill such vacancy shall be had on the second Tuesday after the Legislature is organized and has notice of such vacancy.

SEC. 18. It shall be the duty of the Executive of the State from which any Senator has been chosen, to certify his election, under the seal of the State, to the President of the Senate of the United States.

NOMINATIONS FOR UNITED STATES SENATOR.

Mr. Bruner nominated Hon. Leland Stanford, as follows:

Until within a very few moments I had expected that the honor of naming the gentleman who will, I have no doubt, represent the people of California in the United States Senate for the next six years, would fall to some other gentleman upon this floor. But although the time for my preparation has been short, so long has the life, the fortune, and the sacred honor of Leland Stanford been at the service of the people of California, that it would be small credit to me, indeed, if I could not say something in his praise. He came to California, and to the city of Sacramento, in the early fifties. Within a stone's throw, almost, of this Capitol, he founded a mercantile business. But his integrity in business, his association and connection with public affairs, brought him so prominently before the people of the State that he received the nomination for, and became the first war Governor of California—in the year 1861. He was in truth a war Governor in all respects that the term implies. With all the power under his control, with all the weight of his intellect, with all the enthusiasm of his nature, he stood by the Federal Government in the great conflict which was then pending.

Time passed, and the question arose how to connect the great East with the great West. They of the East knew nothing of us on this coast in those days. But Leland Stanford, with his associates, bound the East and the West together, and that connection, from that day to this, has brought the people of this State into the closest communication with the people of the other States.

Time passed, and in this city of Sacramento, and throughout the State of California, he showed his devotion to the laboring men of the country by making it possible for them to have happy homes wherein to live in comfort, and enjoy not only the necessaries but the luxuries of life. And to-day his name is inscribed in the affections of the workingmen of not only California but of the whole of our great country.

In this city, filled with pleasant homes, not like the old countries of Europe, every man can own his own hearthstone and work under the employment of the great corporation of which Leland Stanford has been the head. Still we follow his career, knowing his energy in the past, his vast ability, his devotion to the interests of the people of the State. We of California placed him in the United States Senate His course there has been honorable. It has been as good as that of any man whom California has ever sent to the national capital. And to-day we are here for the purpose of replacing him in that exalted position, knowing that the industry, the ability, the integrity, the faithfulness that he has already given to the people of this State will be extended for another six years.

He has shown his philanthropy by giving to the people of this State the grandest institution of the age. Never before was it known in the history of any country where such a vast fortune—a fortune not accumulated by trampling upon any man's interests, and which is not followed by the tears and groans of orphans—was dedicated to such a purpose. That fortune is devoted to the young men of California and, as one of them, I take it to be the greatest honor to myself in being allowed the privilege of presenting his name.

I have the honor to name the Hon. Leland Stanford to this Assembly for the office of United States Senator.

Mr. Shanahan nominated Hon. Stephen M. White, as follows:

I desire to place in nomination for the exalted position of United States Senator, a gentleman whom our people on the Democratic side of this House hardly expect to elect, but whom, notwithstanding, we delight to honor by tendering to him our complimentary vote. The gentleman I allude to is a native of this State, born of pioneer parents, not only as to his father, but as to his mother as well, in the city of San Francisco, in 1853. He was reared in Santa Cruz, and is now pursuing his chosen profession—that of a lawyer—in the city of Los Angeles. He is a gentleman who has taken a somewhat prominent part in the public affairs of this State, beginning with the position of District Attorney of the county where he now resides. Later on, we find him a State Senator, in which post he gave to the people of California absolute satisfaction by his discharge of the duties incumbent upon him.

Still later on we find him attracting more or less notice from the people of the entire United States by his splendid ability as a presiding officer in a national political Convention. Later still we find him selected for a task of great importance to all the people of California, but of more particular and decided interest to the working classes of the State I remember, when on this floor two years ago, the proposition was made to send gentlemen from this State to the city of Washington to argue the Chinese Restriction Act before the Supreme Court of the United States. When it came to the point and the task of selecting a man possessed of the very highest degree of ability on the Democratic side in this State, there was no competition whatever, but Stephen M. White was the unanimous choice of his party, and, for that matter, of all the people of California for that very important task

In conjunction with the Attorney-General of California and his associate, John F. Swift, who accompanied him to Washington, we know that he nobly fulfilled the duty that was then imposed upon him. The case was argued before the Supreme Court of the United States, and a decision was rendered in favor of the people—in favor of the validity of the Restriction Act. This gentleman, I name, has within him all of the fortitude, all of the bravery that could be expected of a man born of pioneer parents on California soil. He has the courage of a lion, and at the same time the gentleness of a woman He is neither a demagogue nor a sycophant. In all of his public career there never has been any stain or slander attached to his name in any capacity whatsoever. Not one word of reproach have I ever seen published or heard uttered against his absolute, uncompromising integrity and honor.

Now, for the position of United States Senator, we certainly need one who is gifted with all the attributes that make a perfect man. He should be perfect as to his mental, his moral, and his physical condition. The gentleman I will name unites in his person all of these attributes. We find at this time that the United States Senate is composed in great part of men of extreme wealth It has been remarked to me within a few days that there are some forty-two of those gentlemen who are worth more than a million each. Now, when I make these remarks, understand me I am not undertaking to cast any stigma on the gentleman who has just been named by the gentleman from Sacramento. I admire him for his many good qualities. There are certainly many things about him which are highly commendable But I do say this, that I do not believe these forty-two millionaires are sent to the United States Senate solely because of their great mental and moral and physical ability to fill the position Many of them are men who, in times past, no doubt, were gifted with tremendous energy of mind and body.

But we find them to-day in a condition such as to render them absolutely unfit to fulfil the high and important functions properly devolving upon them, because they are physically unequal to the task imposed. The people of this State and of the entire country owe it to themselves to see that those selected for these important places are absolutely able to discharge the duties properly imposed upon them. In this connection my mind recurs to a passage in Exodus, the second book of Moses, where it is written: "And the Lord said unto Moses. 'Thy people, which thou broughtest up out of the

land of Egypt, have corrupted *themselves*. They have turned quickly out of the way which I have commanded them; they have made them a molten calf, and have worshiped it, and have offered sacrifices thereunto: and said, These be thy gods, O Israel, that have brought thee up out of the land of Egypt.'"

Now, with reference to political and governmental conditions, we find to a great extent the same thing operating that at that time was a cause of regret in sacred and spiritual matters. We are following false gods. I say this is a time for the people of the country to pause and reflect as to what is needed in these exalted positions, and not sacrifice mental and moral worth, as has been done in many instances, or surrender the rights of the people in deference to something which has never received commendation from the earliest days of sacred or profane history. It is this condition of affairs that everywhere east of the Rocky Mountains has brought about the late and pending great political upheaval, where a party has sprung full grown into existence as against the two old established parties, simply because of the fact that the leaders of those two old parties would not take into consideration the actual necessities of the people, and what was properly due them. And as it is in the East so it will be here, and I predict to you that when the day comes that honor and merit are recognized, to the exclusion of wealth, and the physical, mental, and moral attributes of a man are taken into consideration in making a selection for so exalted a position, the gentleman whom I am about to name will represent the people of the State of California in the United States Senate.

I make another prediction That if the day ever comes when California, of which I have the honor to be a native son, shall be permitted to name a man who will be President or Vice-President of these United States, if it comes within this living generation, that man will be one I now nominate for United States Senator, the Hon. Stephen M. White, of Los Angeles.

Mr. Murphy seconded the nomination of Hon. Leland Sanford, as follows:

I desire to second the nomination of Leland Stanford, yet I feel that it is presumption upon my part, after I have listened to the eloquent gentleman from Sacramento in placing him in nomination for United States Senator, to take up any of your valuable time. But, sir, I know that it is a duty which I owe to my constituency, to those who elected me to a place in this honorable body, that I should stand up here and raise my voice in behalf of a man who has done so much for the State of California as has Leland Stanford, the Republican nominee for the position of United States Senator. And I know that my constituency would say that I had failed to perform this duty, which I consider is devolving upon me at this time. And I feel that what is true of the constituency that has sent me here is true of the people throughout this great State. For I know that Californians are not slow to recognize true worth and to reward true merit; and that they are doing so in rewarding Leland Stanford for the acts which he has performed in behalf of the people of this great State, when they bestow upon him the honor of representing them in the legislative halls at Washington

And I want to state right here, to this honorable body, that it needs not the gift of prophecy to predict that the name of Leland Stanford will be remembered with respect and love by the descendants of the best citizens of this grand Commonwealth, long after the names of those who slander and libel him now have faded away and been lost forever in the shades of a forgotten past Leland Stanford's position toward the people of this State has already been mentioned by the honorable gentleman from Sacramento, in placing him in nomination. But I wish to refer to one page in the history of this State, and in the history of the honorable gentleman of whom I speak, and that is his connection with this Commonwealth when he was war Governor. When this great American Union was nearly rent asunder from East to West, when the bonds of union were nearly severed, Leland Stanford stood at the helm of the ship of State of California, and discharged the duties of his office with credit to himself and with honor to the people of the State. But his giant intellect was of sufficient magnitude to embrace other things than those which devolved upon him as Governor, and he, at that time, as the gentleman from Sacramento has said, conceived with other minds the idea of banding together from East to West this great American country with bands of steel. And he did so, and to-day it is bound from where the restless waters of the Atlantic thunder against the rock-ribbed coast of the East, to where the mighty Pacific splashes gently upon the mountain-walled coast of the Golden West, bound by the intellect of the man whom we have placed in nomination to represent the people of the State of California in the United States Senate.

Mr. Clark seconded the nomination of Hon. Leland Stanford, as follows:

I take pleasure in arising before this body for the purpose of seconding the nomination of Hon. Leland Stanford. To me, under the circumstances of this case, the name of Leland Stanford causes a feeling that may not actuate the heart of any man within the sound of my voice. It makes no difference to me what men may say of a man, what they may charge him with, what they may say he has done in the past, if that man's

conduct in life has been such that his every act has been in the interest of the welfare of the people of the State of California, and this final, the culminating, the grand act that I see moves me, I expect, to second the nomination of the man more strongly than any other member of the Assembly. After a life well spent, devoted to the interests of this State, when he sees the silent shadow of death approaching, when he sees the old man coming with his scythe—by whom we all shall be mowed into the grave in time—he takes the immense fortune which he has accumulated here in our midst and, instead of spending it in Europe, instead of going to some other State, as others have done, what does he do with it?

He does not give it to any great extent even to his blood relatives, but he gives it, sir, to your children, to my children, and to our children's children to come after them, for ages untold in the great State of California. I say it it is true—and I don't believe it—that he has been guilty of sinning against the people of this State, that such charity as this, unparalled as it were, in the history of the world, comes as a mantle and covers up, in the language of holy writ, a multitude of sins to me. Why I say this, sir, is this: If there is any man within the sound of my voice here to-day who realizes the necessity of an institution of the character which this grand man has created, it is myself. Any of your boys, any boy or girl in the State of California, from the time that institution is opened, representing twenty-three millions of dollars, the money of Leland Stanford, can go to it and by merely paying for board and washing receive an education

I say again that I feel it, and I feel it for this reason, that it is the act of a great man, the act of a man who has the interest of this State at heart. And I feel it the more strongly for this reason Because, until I arrived at man's estate, never, under any circumstances, had I the advantages of an education. They may say that he is a millionaire. If he is a millionaire his millions are in California He is not going to do anything as a Senator that will injure this State. Reason tells us that, because, whenever anything is done by him in the United States Senate that is injurious to the people of California, he injures himself; and men are not in the habit of doing that thing. I think that he is one of the best men in this State, and for that reason I heartily second his nomination.

Mr. Gould seconded the nomination of Hon. Stephen M. White, as follows:

I rise for the purpose of seconding the nomination of Hon. Stephen M. White, of Los Angeles, and in doing so I believe that I fully appreciate the character of the office to which Mr. White is an aspirant, and to which office the Democratic side of this House would be glad to elect him if our numbers were sufficient. The office to which we desire to elect him is one second only in importance to that of the President of the United States. We desire to place him in a position upon the floor of that United States Senate where the great characters of history have battled in the legislative arena. It is there that we desire he should be placed to protect the interests of this great State, as we believe him fully qualified to do. Upon the floor of the Senate there have been the historical personages of Clay, Calhoun, Webster, and of hundreds of others whom it is unnecessary to name here to-day, whose names go down to history illustrious and ennobled, and whose names should be matched with the name of our Native Son of the Golden West, Stephen M White, if he shall ever become a member of that body, as we firmly believe he will. It is in a representative capacity that we stand here to-day, the eyes of all the people of the great State of California are upon us, and it is a duty that we owe to them that the trust they have confided to our care shall be performed for them and well. It is not only to them, but to the people of this great Union that we owe honesty, integrity, and wisdom to-day, and further, to the unborn generations that will come in countless millions upon this golden coast, owe we a solemn duty now: we owe the duty not only of maintaining for ourselves the institutions which we prize, but of transmitting to posterity this glorious gem of freedom and of commonalty that we all now enjoy. But there are to-day rising (and there is not a gentleman within the reach of my voice who will dispute what I now say) vast and stupendous influences that, with their all-pervading effects, are threatening the very institutions left us by our fathers; and threatening the very existence of Republican institutions in this land A threatening cloud is approaching which may moisten the herbage of our land with plenteous showers, or may come upon us in a cyclone of energy which shall sweep order and freedom before it.

Gentlemen, in such a time as this it is required that we place those men at the helm who are competent to withstand the blandishments of these influences; men of stability of character, men of purity of heart, men of matchless eloquence, if we can find them: men of unquestioned integrity and fealty to the people of these United States

It is not necessary that there should be placed in high positions men to protect the interests of the rich and the powerful. In all ages they have protected themselves The demands of the people of this land are for some one to protect the oppressed and the poor; some man who will battle for the rights of those who are lowly in their position in life. And such a one the Democracy presents to the people of the State of California to-day in the person of Stephen M. White, whose nomination I heartily second.

MOTION.

On motion of Mr. Baughman, nominations were closed.

ROLL CALL.

The roll was called, with the following result:

For Stanford—Messrs. Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Brusie, Bryant, Cargill, Carter, Clark, Coffey, Cram, Culver, Daly, Dennis, Dibble, Dow, Durner, Estey, Fowler, Freeman, Galbraith, Glynn, Gordon, Hall, Harloe, Hawley, Hayes, Hersey, Hocking, Hoev, Hunewill, Johnson, Jones, Lacey, Lewis, Lowe, Lux, Lynch, Marion, Matlock, McCall, Murphy, Phillips, Smith of Butte, Smith of Orange, Steltz, Sturtevant, Tennis, Tully, Wentworth, Weston, Windrow, Young, and Mr. Speaker.

For White—Messrs. Arms, Cunningham, Doty, Dunn, Eakle, Garver, Gould, Jackson, Martin, Mathews, Mordecai, Murnan, Renfro, Rice, Robertson, Shanahan, Stabler, and Wolfskill.

For Morgan—Mr. Kellogg.

Whole number of votes cast	78
Necessary for a choice	41
Leland Stanford received	59
Stephen M. White received	18
Ben. Morgan received	1

QUESTION OF PRIVILEGE.

The following telegram was ordered spread on the minutes:

SAN FRANCISCO, January 13, 1891.

I ask permission to cast my vote for Hon. Leland Stanford for United States Senator.

ALMON AMES.

The Speaker announced the vote, and declared that the Hon. Leland Stanford, having received a majority of the votes of the whole House, is the choice of the Assembly of the State of California for United States Senator, for the term commencing the fourth day of March, 1891.

RESOLUTION.

By Mr. Lowe:

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, Wednesday, January 14, 1891, 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.

RECESS.

At twelve o'clock and forty-five minutes P. M., on motion of Mr. Wentworth, the House took a recess until two o'clock and thirty minutes P. M.

REASSEMBLED.

The House reassembled at two o'clock and thirty minutes P. M. Speaker Coombs in the chair.

ROLL CALL.

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

Messrs. Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Brusie, Bryant, Cargill, Carter, Clark, Coffey, Cram, Culver, Cunningham, Dennis, Doty, Dow, Dunn, Durner, Eakle, Estey, Fowler, Freeman, Galbraith, Garver, Gordon, Gould, Hall, Harloe, Hawley, Hayes, Hersey, Hocking, Hoey, Hunewill, Johnson, Jackson, Jones, Kellogg, Lacey, Lewis, Lowe, Lux, Lynch, Marion, Martin, Matlock, Mathews, McCall, Mordecai, Murnan, Murphy, Phillips, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Wentworth, Windrow, Wolfskill, Young, and Mr. Speaker.

Quorum present.

CORRECTION.

The Clerk was instructed to correct the name, as it appears in the Journal, of the Gatekeeper, to W. P. Johnson.

RESOLUTION.

By Mr. Lowe:

Resolved, That Lowe be substituted on Committee on Public Morals in place of Rice, and that Gould be substituted on Committee on County and Township Governments in place of Lowe.

MOTION.

Mr Lowe moved to suspend the rules for the purpose of voting on the resolution.

Carried.

Resolution adopted.

APPOINTMENT OF PAGE.

The Speaker appointed J. T. Gallagher as Page of the Assembly.

REPORT OF COMMITTEE READ.

Mr. Bruner asked that the report of the Committee on Rules and Regulations be read.

So ordered.

The Clerk read the report of the Committee on Rules and Regulations.

Mr. Bledsoe asked that the report of the Committee on Rules and Regulations be read again.

So ordered.

The Clerk read the report of the Committee on Rules and Regulations.

MOTIONS.

Mr. Robertson moved that the report of the Committee on Rules and Regulations be made a special order for Wednesday, January fourteenth, immediately after recess.

Lost.

Mr. Shanahan moved that the report of the Committee on Rules and Regulations be made a special order, and taken up to-morrow morning immediately after reading the Journal

Lost.

Mr. Robertson moved that the minority report of the Committee on Rules and Regulations be substituted for the majority report.

Lost.

Mr. Bruner moved that Mr. Shanahan have further opportunity to speak on the adoption of the report.

Carried.

The roll was called, and the majority report of the committee adopted by the following vote:

AYES—Messrs. Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Brusie, Bryant, Cargill, Carter, Clark, Coffey, Cram, Culver, Daly, Dennis, Dow, Durner, Estey, Fowler, Freeman, Galbraith, Glynn, Gordon, Hall, Harlow, Hawley, Hayes, Hersey, Hocking, Hoey, Hunewill, Johnson, Jackson, Jones, Kellogg, Lacey, Lewis, Lux, Lynch, Marion, Matlock, McCall, Murphy, Phillips, Smith of Butte, Smith of Orange, Steltz, Sturtevant, Tennis, Tully, Wentworth, Weston, Windrow, and Mr. Speaker—58.

NOES—Messrs. Arms, Cunningham, Doty, Dunn, Eakle, Garver, Gould, Martin, Mathews, Mordecai, Murnan, Renfro, Rice, Robertson, Shanahan, Stabler, and Wolfskill—17.

APPOINTMENT OF COMMITTEES.

The Speaker appointed the following named gentlemen as the additional members of the Committee on Apportionment and Election Laws:

Messrs. E. F. Bert, E. A. Freeman, and J. C. Wolfskill.

And also the following Committee on Commissions:

Messrs. J. C. Brusie, Chairman; H. L. Weston, J. T. Matlock, T. W. H. Shanahan, and George B. Robertson.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, January 13, 1891.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on the twelfth day of January, refused to concur in the following concurrent resolution of the Assembly:

ASSEMBLY CHAMBER, SACRAMENTO, January 6, 1891.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, adopted the following concurrent resolution, advising the Secretary of State to order the removal of the restaurant and saloon combined from the State Capitol building:

WHEREAS, Alcoholic and vinous liquors are being sold in the basement of the State Capitol, and a restaurant and saloon combined is being conducted there, and whereas, the sale or giving away of such alcoholic and vinous liquors in the State Capitol is a violation of the law of the State and a discredit to the Legislature; and whereas, there is no law permitting or authorizing any State officer to rent the basement of the State Capitol for any purpose whatever, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Secretary of State be and he is hereby advised to order and cause the removal of the restaurant and saloon combined from the State Capitol building, and be it

Resolved, That the Secretary of State be and he is hereby advised to order and cause the removal of all signs or cards indicating said restaurant and saloon from the walls of the corridors and rooms of the State Capitol.

H. A. MASON, Chief Clerk.
By F. W. WHITMORE, Assistant.

F. J. BRANDON, Secretary.
J. C. BOATMAN, Assistant Secretary.

QUESTION OF PRIVILEGE.

Mr. Bledsoe was granted opportunity to speak.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, January 13, 1891.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the thirteenth day of January, concurred in the following resolution of the Assembly.

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, Wednesday, January 14, 1891, at twelve o'clock meridian, in joint assembly, for the purpose of electing, or declaring the election, of a United States Senator, pursuant to an Act of Congress entitled "An Act to regulate the time and manner of holding elections for Senators in Congress," approved July 25, 1866.

F. J. BRANDON, Secretary of the Senate.

Also:

SENATE CHAMBER, SACRAMENTO, January 13, 1891.

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

Resolved, That the Secretary of the Senate forthwith inform the Assembly of the vote for United States Senator in this Senate, and that the Senate will meet with the Assembly in the Assembly Chamber to-morrow, Wednesday, January 14, 1891, at twelve o'clock meridian, in joint assembly, for the purpose of electing, or declaring the election, of a United States Senator, pursuant to an Act of Congress entitled "An Act to regulate the time and manner of holding elections for Senators in Congress," approved July 25, 1866.

In compliance with the above resolution I have the honor to report to your honorable body that the Senate has this day cast the following vote for United States Senator in Congress for California for the term of six years, beginning March 4, 1891, with the following result:

Total number of votes cast	39
Of which number Hon. Leland Stanford received	27
And Hon. Stephen M. White received	12

F. J. BRANDON, Secretary of the Senate.

INTRODUCTION OF BILLS.

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

By Mr. Sturtevant: Assembly Bill No. 171—An Act to amend section one thousand seven hundred and seventy-five, Political Code, chapter three, title three, article sixteen, relative to the granting of teachers' certificates.

Referred to Committee on Education.

Also: Assembly Bill No. 172—An Act to amend the Political Code, part three, title three, article ten, section one thousand six hundred and sixty-five.

Referred to Committee on Education.

Also: Assembly Bill No. 173—An Act to amend section one thousand five hundred and forty-three, subdivision eight, of Political Code, chapter three, article three, relative to issuing teachers' certificates.

Referred to Committee on Education.

By Mr. Daly: Assembly Bill No. 174—An Act to provide for organizing, establishing, and maintaining a paid fire department within municipalities in the State of California, to be under the supervision and control of a Board of Fire Commissioners.

Referred to San Francisco Delegation.

By Mr. Lacey: Assembly Bill No. 175—An Act to amend an Act entitled "An Act to establish a Penal Code."

Referred to Committee on Judiciary.

Also: Assembly Bill No. 176—An Act to amend an Act entitled "An Act to establish a Civil Code."

Referred to Committee on Judiciary.

Also: Assembly Bill No 177—An Act to amend an Act entitled "An Act to establish a Political Code."

Referred to Committee on County and Township Governments.

By Mr. Gould: Assembly Bill No. 178—An Act to ascertain and express the will of the people of the State of California upon the subject of election of United States Senators.

Referred to Committee on Elections and Privileges.

By Mr. Coffey: Assembly Bill No. 179—An Act to add a new section to the Penal Cone, relative to the prohibition and prevention of the use of all acids or solutions of acids in the manufacture of hermetically sealed tin cans used for canning purposes, to be known as section two hundred and forty-six.

Referred to Committee on Chinese Immigration and Emigration and Labor and Capital.

Also: Assembly Bill No. 180—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 Chinese Immigration and Emigration and Labor and Capital.

Also: Assembly Bill No. 181—An Act to amend section five hundred and one of the Civil Code, relating to railroads.

Referred to Committee on Corporations.

Also: Assembly Bill No. 182—An Act to add a new section to the Civil Code, to be known as section three hundred and twenty-eight, to enforce the provisions of section three of article twelve of the Constitution.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 183—An Act to create a State Board of Mediation and Arbitration, prescribe its powers and duties, and provide for the amicable adjustment of grievances and disputes that may arise between employers and employés.

Referred to Committee on Chinese Immigration and Emigration and Labor and Capital.

By Mr. Wolfskill: Assembly Bill No. 184—An Act to authorize payment for certain services rendered by Justices of the Peace in counties of the tenth class.

Referred to Committee on County and Township Governments.

By Mr. Eakle: Assembly Bill No. 185—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. Renfro: Assembly Bill No. 186—An Act to amend section one thousand six hundred and sixty-five of the Political Code, relating to course of instruction to be taught in the public schools of California.

Referred to Committee on Education.

By Mr. Windrow: Assembly Bill No. 187—An Act to regulate the collection and disposition of all garbage, offal, ashes, and other refuse matter in towns, cities, and cities and counties.

Referred to Committee on Municipal Corporations.

Also: Assembly Bill No. 188—An Act to regulate the practice of pharmacy and the sale of poisons in the State of California.

Referred to Committee on Judiciary.

By Mr. Mathews: Assembly Bill No. 189—An Act to regulate the sale of commercial fertilizers or materials used for manurial purposes.

Referred to Committee on Agriculture and Forestry.

By Mr. Estey: Assembly Bill No. 190—An Act to purchase a dwelling house, now on State land, at San Quentin, owned by Henry Schlosser, for the use of the State Prison, and making an appropriation therefor.

Referred to Committee on State Prisons.

By Mr. Hail: Assembly Bill No. 191—An Act to add a new section to the Code of Civil Procedure of the State of California, relating to changing the place of trial of certain actions.

Referred to Committee on Judiciary.

By Mr. Marion: Assembly Bill No. 192—An Act to provide for the organization and government of levee districts created for the protection of lands from overflow of innavigable streams of water, and to confine innavigable running streams to a fixed channel.

Referred to Committee on Swamp and Overflowed and Public Lands.

MOTION.

Mr. Marion moved that five hundred copies of this bill be ordered printed.

Carried.

INTRODUCTION OF BILLS—(RESUMED).

By Mr. Wentworth: Assembly Bill No. 193—An Act to amend section six and to repeal section sixty-three of an Act entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors," approved April 16, 1880, relating to the appointment of receivers, and the care and disposition of the property of insolvent debtors during the pendency of insolvency proceedings, and before the election of an assignee.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 194—An Act to amend sections six hundred and eighty-nine and five hundred and forty-nine of the Code of Civil Procedure of the State of California relative to the claims, by third persons, of property levied upon under writs of execution and attachment, as to the procedure upon said claims, and as to the necessary prerequisites to their being received.

Referred to Committee on Judiciary.

By Mr. Hawley: Assembly Bill No. 195—An Act to appropriate ten thousand dollars for the purpose of sending an expert to Australia, New Zealand, and adjacent countries, to collect and import into the State parasites and predaceous insects.

Referred to Committee on Viticulture, Viniculture, and Horticulture.

Also: Assembly Bill No. 196—An Act to regulate the sale of olive oil.

Referred to Committee on Viticulture, Viniculture, and Horticulture.

By Mr. Kellogg: Assembly Bill No. 197—An Act to amend section two thousand six hundred and eighty-four of the Political Code of California, relative to appointing viewers on roads and highways.

Referred to Committee on Roads and Highways.

By Mr. Phillips: Assembly Bill No. 198—An Act to provide penalties for failure to pay tolls, by false returns or otherwise, to Board of State Harbor Commissioners.

Referred to Committee on Commerce and Navigation.

Also: Assembly Bill No. 199—An Act to add a new section to "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, to be known as section eight hundred and eighty-seven, relating to illegal salaries and fees.

Referred to Committee on Municipal Corporations.

Also: Assembly Bill No. 200—An Act to amend an Act entitled "An Act to amend section six of an Act entitled '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 Commerce and Navigation.

By Mr. Culver: Assembly Bill No. 201—An Act to regulate the practice of veterinary medicine and surgery in the State of California.

Referred to Committee on Agriculture and Forestry.

Also: Assembly Bill No. 202—An Act to provide for the appointment of a State Veterinary Surgeon, to prescribe his duties, and fixing his compensation.

Referred to Committee on Agriculture and Forestry.

By Mr. Bledsoe: Assembly Bill No. 203—An Act to amend section two thousand six hundred and fifty-two of the Political Code, relating to road poll taxes.

Referred to Committee on Roads and Highways.

Also: Assembly Bill No. 204—An Act to amend sections two thousand six hundred and forty-one and two thousand six hundred and forty-three of the Political Code, relating to duties of highway officers, and to roads and highways.

Referred to Committee on Roads and Highways.

By Mr. Lux: Assembly Bill No. 205—An Act amending sections one thousand one hundred and eighty-three, one thousand one hundred and eighty-four, and one thousand one hundred and eighty-seven of the Code of Civil Procedure of the State of California, as amended March 15, 1887, and section one thousand one hundred and ninety-five of the said Code of Civil Procedure, as amended March 18, 1885, relating to liens of mechanics and others.

Referred to Committee on Judiciary.

By Mr. Matlock: Assembly Bill No. 206—An Act to provide for the organization and government of irrigation districts.

Referred to Committee on Irrigation.

By Mr. Lynch: Assembly Bill No. 207—An Act making an appropriation for the additional buildings and improvements of the Southern California State Hospital for the Insane.

Referred to Committee on State Charitable and Reformatory Institutions.

By Mr. Tennis: Assembly Bill No. 208—An Act to amend an Act entitled "An Act to create a Police, Relief, Health, and Life Insurance and Pension Fund in the several counties, cities and counties, cities, and towns of the State.

Referred to Committee on Corporations.

By Mr. Bruner: Assembly Bill No. 209—An Act to authorize cities of not less than twenty-six thousand nor more than thirty thousand inhabitants to vote upon the question of paying indebtedness incurred in the years eighteen hundred and eighty-nine and eighteen hundred and ninety.

Referred to Committee on Municipal Corporations.

Also: Assembly Bill No. 210—An Act to regulate the preparation, sale, use, fire test, and inspection of petroleum oils, kerosene, gasoline, or any product of petroleum, by whatever name known, which may be manufactured, offered for sale, or sold for consumption for illuminating purposes within the State.

Referred to Committee on Corporations.

Also: Assembly Bill No. 211—An Act to increase the police force of the various cities, and cities and counties of the State, and to provide for the appointment of such extra police officers, and for the payment of their salaries.

Referred to Committee on Municipal Corporations.

Also: Assembly Bill No. 212—An Act to repeal section three hundred and thirty-seven of the Penal Code.

Referred to Committee on Judiciary.

By Mr. Dunn: Assembly Bill No. 213—An Act authorizing and requiring Boards or Commissions having the management and control of paid police forces to grant the members thereof yearly vacations.

Referred to Committee on Municipal Corporations.

By Mr. Harloe: Assembly Bill No. 214—An Act to amend section eight hundred and seventy-four of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Referred to Committee on Municipal Corporations.

Also: Assembly Bill No. 215—An Act to amend section seven hundred and seventy-seven of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Referred to Committee on Municipal Corporations.

By Mr. Clark: Assembly Bill No. 216—An Act to determine that lands of this State are swamp and overflowed when returned as such by the United States Surveyor-General.

Referred to Committee on Swamp and Overflowed and Public Lands.

By Mr. Lowe: Assembly Bill No. 217—An Act to amend section 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.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 218—An Act to amend section three hundred and sixty-four of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to Boards of Health.

Referred to Committee on Municipal Corporations.

By Mr. Brusie: Assembly Bill No. 219—An Act to amend section one thousand two hundred and twenty-two of the Code of Civil Procedure, in relation to judgments and orders in cases of contempt, and providing for appeals therefrom.

Referred to Committee on Judiciary.

By Mr. Lacey: Assembly Bill No. 220—An Act for the relief of Wallace Green, for personal injuries received by him while confined as a convict in the State Prison at San Quentin, and to appropriate money therefor.

Referred to Committee on Claims.

RESOLUTIONS.

By Mr. Lacey:

Resolved, That the Speaker of the Assembly appoint a committee of five, whose duty it shall be to prepare and report a bill, the object of which shall be to discourage or prohibit the holding by private individuals and corporations of large tracts of land in this State.

Adopted.

By Mr. Fowler:

WHEREAS, Under the existing method of collecting State and county taxes, the people of California are forced annually to suffer for a certain period a severe and sudden contraction of money in circulation, which often seriously affects industry and trade; and whereas, this unnecessary evil condition may be avoided by collecting taxes in different districts of the State at different periods of time, so arranged that only a part of the annual taxes shall be locked up in the State Treasury at one time.

Resolved, That the Judiciary Committee shall consider this question as soon as practicable, and report, if approved, a bill containing the following provisions:

1. The division of the State into four collection districts as nearly equal, with respect to assessed valuations, as possible.

2. State and county taxes to fall due and become payable annually, as follows, to wit:

First district, in the month of January.

Second district, in the month of April.

Third district, in the month of July.

Fourth district, in the month of October.

The central part of the State to constitute the first and third districts, and the northern and southern portions to be the second and fourth districts.

Referred to Committee on Judiciary.

By Mr. Wentworth:

Resolved, That Milo C. Ayer be and he is hereby appointed Messenger to the Judiciary Committee, at the same per diem as is allowed the Pages, payable out of the Contingent Fund of the Assembly.

MOTION.

Mr. Bruner moved that the rules be suspended for the purpose of voting on the resolution.

Carried.

Resolution adopted.

RESOLUTIONS—(RESUMED).

By Mr. Hayes:

Resolved, That John Lewis be and he is hereby appointed Messenger to the Election Committee, 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.

ADJOURNMENT.

At four o'clock and fifteen minutes P. M., on motion of Mr. Hail, the House adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Wednesday, January 14, 1891.

The House met pursuant to adjournment.

Speaker Coombs in the chair.

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

Messrs. Alexander, Ames, Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Brusie, Bryant, Cargill, Carter, Clark, Coffey, Cram, Culver, Cunningham, Dennis, Doty, Dow, Dunn, Durner, Eakle, Estey, Fowler, Freeman, Galbraith, Garver, Glynn, Gordon, Gould, Hail, Harloe, Hawley, Hayes, Hersey, Hocking, Hoey, Hunewill, Johnson, Jackson, Jones, Kellogg, Lacey, Lewis, Lowe, Lux, Lynch, Marion, Martin, Matlock, Mathews, McCall, Mordecai, Murnan, Murphy, Phillips, Rentro, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Tully, Wentworth, Weston, Windrow, Wolfskill, Young, and Mr. Speaker.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. A. C. Herrick.

READING OF THE MINUTES.

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

So ordered.

Journal corrected and approved.

LEAVE OF ABSENCE.

Mr. Dibble was granted leave of absence.

MOTION.

Mr. Lowe moved, as a correction of the Journal of yesterday, that the nominating speeches be inserted in the minutes.

Carried.

REPORTS OF STANDING COMMITTEES.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, January 13, 1891.

MR SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 101—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Your Committee on Judiciary, to whom was referred Assembly Bill No. 103—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Your Committee on Judiciary, to whom was referred Assembly Constitutional Amendment No. 3—have had the same under consideration, and respectfully report the same back, without recommendation.

BRUNER, Chairman.

ON PUBLIC BUILDINGS AND GROUNDS.

ASSEMBLY CHAMBER, SACRAMENTO, January 13, 1891.

MR. SPEAKER: Your Committee on Public Buildings and Grounds, to whom was referred Assembly Joint Resolution No. 5—Relative to the erection of a gun factory at Benicia, for furnishing and assembling high power guns—have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

Also: Assembly Joint Resolution No. 1—Relative to a public building at Eureka—have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

HERSEY, Chairman.

RESOLUTIONS—(OUT OF ORDER).

By Mr. Baughman:

WHEREAS, A. E. Post was elected to the office of File Clerk to the Sergeant-at-Arms, and is now upon the payroll of this Assembly as such File Clerk, at a per diem of five dollars, and whereas, the said A. E. Post has been appointed clerk to the Committee on Attachés and Employés, and is now on the payroll of this Assembly as such clerk, at a per diem of five dollars; and whereas, it appears that the said A. E. Post is now drawing pay for two offices at the same time, therefore, be it

Resolved, That the office of File Clerk to the Sergeant-at-Arms of this Assembly be and is hereby declared vacant.

Referred to Committee on Attachés and Employés, with instructions to report this afternoon.

By Mr. Phillips:

WHEREAS, There is a scarcity of suitable committee rooms; and whereas, for the use of the Committees on Education, and Ways and Means and Appropriations, it is essentially necessary that suitable quarters be secured, and adjacent to the Library; and whereas, the State Librarian has given permission to use said Library rooms for the use of said committees; be it

Resolved, That the Sergeant-at-Arms be and he is hereby authorized to appoint a porter, who shall be satisfactory to the State Librarian, to keep said Library rooms in order for the meetings of said committees, put same in order after meetings, and also act as Assistant Sergeant-at-Arms during sessions of said committees, at the same per diem as other porters, payable out of the Contingent Fund of the Assembly.

Referred to Committee on Public Library, with instructions to report this afternoon.

By Mr. Barnard:

Resolved, That the Clerk to the Sergeant-at-Arms, R. P. Roper, be and he is hereby empowered to receipt to the Controller for all warrants for the members and attachés of the Assembly.

Rules suspended, and resolution adopted.

By Mr. Hunewill:

Resolved, That the Committee on County and Township Governments be increased from eleven members to fifteen.

MOTION.

Mr. Hail moved to suspend the rules for the consideration of the resolution.

Carried.

Resolution adopted.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, January 14, 1891.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Assembly Bill No. 159—An Act to authorize the Governor to employ a stenographer for his office, and to provide for the payment of his salary.

F. J. BRANDON, Secretary.
By J. C. BOATMAN, Assistant Secretary.

Assembly Bill No. 159 referred to Committee on Enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, January 14, 1891.

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

Resolved, That when this Senate adjourns on Friday, the sixteenth (the Assembly concurring), that both Houses stand adjourned until Monday, the nineteenth instant.

F. J. BRANDON, Secretary of Senate.
By R. L. THOMAS, Assistant.

Mr. Shanahan in the chair.

Resolution adopted.

INTRODUCTION OF BILLS.

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

By Mr. Arms: Assembly Bill No. 221—An Act authorizing and empowering the Board of Supervisors, or other legislative body of any town, city, county, or city and county of this State to grant to any person, corporation, or association the right to lay down and maintain railroad tracks through, upon, and over the streets and public highways of any such town, city, county, or city and county, and regulating the propelling of cars upon and over such track, and authorizing such Board to grant such authority over any and all streets and public highways of any such town, city, county, or city and county, notwithstanding the fact that any other corporation, person, or association shall have been granted the right to, or may have acquired, the use of any such street or public highway for such purpose.

Referred to Committee on Municipal Corporations.

Also: Assembly Bill No. 222—An Act to regulate the conduct of elections and other meetings of stockholders of corporations, and providing the manner of voting by proxy thereat.

Referred to Committee on Corporations.

By Mr. Mordecai: Assembly Bill No. 223—An Act to amend section six hundred and twenty-six of the Penal Code.

Referred to Committee on Fish and Game.

Also: Assembly Bill No. 224—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, by amending sections one, two, three, four, eleven, twelve, thirty-five, and forty-two thereof, relating to irrigation districts.

Referred to Committee on Irrigation.

By Mr. Stabler: Assembly Bill No. 225—An Act to provide for the extermination of squirrels and gophers.

Referred to Committee on Viniculture, Viticulture, and Horticulture.

By Mr. Barnett of San Francisco: Assembly Bill No. 226—An Act to add a new section to the Civil Code, said section to be known and designated as section four hundred and four, and included in chapter four, division one, part four, title two, of the Civil Code, providing a penalty for the formation of trusts and combinations to raise the price of commodities.

Referred to Committee on Judiciary.

By Mr. Lewis: Assembly Bill No. 227—An Act to add a new section to the Political Code, to be known and numbered section six hundred and thirty-five, relating to insurance companies.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 228—An Act to add a new article to the Civil Code, to be known as article six of chapter three of title seven of part four, relating to telephone companies.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 229—An Act to amend section two thousand four hundred and sixty-seven of the Political Code, relating to charges for towage.

Referred to Committee on Judiciary.

By Mr. Lynch: Assembly Bill No. 230—An Act to amend section one hundred and fifty-eight of the Code of Civil Procedure of the State of California, relating to the residence of Judges of the Superior Court.

Referred to Committee on Judiciary.

By Mr. Young: Assembly Bill No. 231—An Act to provide for the organization and government of irrigation districts, to provide for the acquisition of water and other property, and to provide for the distribution of water for irrigation purposes.

Referred to Committee on Irrigation.

By Mr. Eakle: Assembly Bill No. 232—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, by amending sections fifteen, twenty-two, and twenty-three thereof, relating to irrigation districts.

Referred to Committee on Irrigation.

By Mr. Barnett of Sonoma: Assembly Bill No. 233—An Act to authorize and direct the sale of the site and buildings of the California Home for the Care and Training of Feeble-Minded Children in Santa Clara County.

Referred to Committee on State Charitable and Reformatory Institutions.

Also: Assembly Bill No. 234—An Act to provide for the erection of additional buildings for the California Home for the Care and Training of Feeble-Minded Children, and making an appropriation therefor.

Referred to Committee on State Charitable and Reformatory Institutions.

MOTION.

On motion, Messrs. Lowe, Brusie, and Mathews were appointed a committee to wait upon the Senate and inform that honorable body that the Assembly is ready to receive them in joint assembly.

INTRODUCTION OF BILLS—(RESUMED).

By Mr. Shanahan: Assembly Bill No. 235—An Act to authorize the Governor and Surveyor-General to sell and convey the State's interest in certain lands.

Referred to Committee on Judiciary.

By Mr. Mathews: Assembly Bill No. 236—An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers within municipalities.

Referred to Committee on Municipal Corporations.

Also: Assembly Bill No 237—An Act to provide for the management of the public schools of the State, and to repeal all laws in conflict with the provisions of the same

Referred to Committee on Education.

By Mr. Clark: Assembly Bill No. 238—An Act to license and define the duties of land surveyors, and to provide for a proper record of surveys.

Referred to Committee on Judiciary.

By Mr. Daly: Assembly Bill No. 239—An Act for the relief of Emma Kelly, widow of G. H. Kelly, and appropriating ten thousand dollars therefor.

Referred to Committee on Claims.

By Mr. Hawley: Assembly Bill No. 240—An Act for the regulation of the practice of medicine and surgery in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation.

Referred to Committee on Public Morals.

By Mr. Lewis: Assembly Bill No. 241—An Act to declare arrangements, contracts, agreements, trusts, or combinations in restraint of trade and production unlawful, and to fix the penalty therefor.

Referred to Committee on Chinese Immigration and Emigration and Labor and Capital.

REPORT OF COMMITTEE.

The committee appointed to wait upon the Senate appeared at the bar of the House, and announced that the Senate was ready to meet the Assembly in joint assembly.

IN JOINT ASSEMBLY.

WEDNESDAY, January 14, 1891.

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.

Senator Fraser, President pro tem. of the Senate, in conjunction with the Hon. F. L. Coombs, Speaker of the Assembly, presiding.

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

Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Dargie, De Long, Denson, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Ragsdale, Seawell, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson.

Quorum present.

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

Messrs. Alexander, Ames, Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Brusie, Bryant, Cargill, Carter, Clark, Coffey, Cram, Culver, Cunningham, Daly, Dennis, Doty, Dow, Dunn, Durner, Eakle, Estey, Fowler, Freeman, Galbraith, Garver, Glynn, Gordon, Gould, Hall, Harloe, Hawley, Hayes, Hersey, Hocking, Hoey, Hunewill, Johnson, Jackson, Jones, Kellogg, Lacey, Lewis, Lowe, Lux, Lynch, Marion, Martin, Matlock, Mathews, McCall, Mordecai, Murnan, Murphy, Phillips, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Tully, Wentworth, Weston, Windrow, Wolfskill, Young, and Mr. Speaker.

Quorum present.

The President of the Senate directed the Secretary of the Senate to read the Act of Congress requiring the joint assembly to be held this day. It was read, as follows:

Title two, chapter one, Revised Statutes United States—An Act to regulate the time and manner of holding elections for Senators in Congress, approved July 25, 1866.

Be it enacted by the Senate and House of Representatives of the United States, in Congress assembled

Section 14. The Legislature of each State, which is chosen next preceding the expiration of the time for which any Senator was elected to represent such State in Congress, shall, on the second Tuesday after the meeting and organization thereof, proceed to elect a Senator in Congress.

Sec. 15. Such election shall be conducted in the following manner: Each House shall openly, by a viva voce vote of each member present, name one person for Senator in Congress from such State, and the name of the person so voted for who receives a majority of the whole number of the votes cast in each House, shall be entered on the Journal of that House by the Clerk or Secretary thereof, or if either House fails to give such majority to any person on that day, the fact shall be entered on the Journal. At twelve o'clock meridian of the day following that on which proceedings are required to take place as aforesaid, the members of the two Houses shall convene in joint assembly, and the Journal of each House shall then be read, and if the same person has received a majority of all 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 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, in the manner prescribed in the preceding section for the election of a Senator for a full term.

Sec. 17. Whenever, during the session of the Legislature of any State, a vacancy occurs in the representation of such State in the Senate, similar proceedings to fill such vacancy shall be had on the second Tuesday after the Legislature is organized and has notice of such vacancy.

Sec. 18. It shall be the duty of the Executive of the State from which any Senator has been chosen, to certify his election, under the seal of the State, to the President of the Senate of the United States.

The Secretary of the Senate then read from the Journal of the Senate so much of the proceedings of yesterday, which was the second Tuesday after the organization of the twenty-ninth session, as relates to the election of a United States Senator for the term of six years, beginning March 4, 1891: Whereby, it appears that thirty-nine Senators were present and voted each for his choice, and that the Hon. Leland Stanford had received twenty-seven votes, and the Hon. Stephen M. White had received twelve votes.

The President pro tem. of the Senate then announced that it appeared from the reading of the Journal of the Senate that the Hon. Leland

Stanford had received a majority of the votes of the Senate, and declared him the choice of the Senate for United States Senator for the term of six years, beginning the fourth day of March, A. D. 1891.

The Chief Clerk of the Assembly then read from the Journal of the Assembly so much of the proceedings of yesterday, which was the second Tuesday after the organization of the twenty-ninth session, as relates to the election of a United States Senator for the term of six years, beginning March 4, 1891: Whereby it appears that seventy-eight members of the Assembly were present, and voted each for his choice, and that Hon. Leland Stanford had received fifty-nine votes, and that Hon. Stephen M. White had received eighteen votes, and that Hon. Ben. Morgan had received one vote.

The Speaker then announced that it appeared from the reading of the Journal of the Assembly that Hon. Leland Stanford had received a majority of the votes of the whole House, and declared him the choice of the Assembly for United States Senator for the term of six years, commencing the fourth day of March, A. D. 1891.

The President pro tem. of the Senate, Hon. Thomas Fraser, then declared as follows: It appearing from the Journals of the Senate and Assembly, as read in Joint Assembly, that Hon. Leland Stanford having received a majority of all the votes of the Senate and a majority of all the votes of the Assembly, I therefore declare Hon. Leland Stanford duly elected United States Senator in the Congress of the United States from the State of California, for the term of six years, commencing March 4, 1891.

The following resolution was introduced by Senator Heacock:

Resolved, That the Secretary of the Senate and Clerk of the Assembly be and they are hereby directed to prepare and transmit forthwith to the Governor of the State of California, a copy of the proceedings of this joint assembly, pertaining to the election of a person to the United States Senate in Congress from California, for the term of six years, beginning March 4, 1891, in accordance with an Act of Congress entitled "An Act to regulate the time and manner of holding elections for Senators in Congress," approved July 25, 1866, and that said copy be attested by the President and Secretary of the Senate, and the Speaker and Clerk of the Assembly.

Adopted.

The Journal of the proceedings in Joint Convention were then read and approved.

At twelve o'clock and twenty minutes P. M., Speaker Coombs of Joint Assembly, announced that both Houses having performed their duties regarding the election of a United States Senator are now dissolved.

THOMAS FRASER, President pro tem. of the Senate.
F. J. BRANDON, Secretary of the Senate.
F. L. COOMBS, Speaker of the Assembly.
H. A. MASON, Chief Clerk of the Assembly.

IN ASSEMBLY.

Speaker Coombs in the chair.

RECESS.

On motion of Mr. Hail, the House took a recess until two o'clock P. M.

REASSEMBLED.

The House reassembled at two o'clock P. M.
Speaker Coombs in the chair.

ROLL CALL.

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

Messrs. Alexander, Ames, Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Brusie, Bryant, Cargill, Carter, Clark, Coffey, Cram, Culver, Cunningham, Dennis, Doty, Dow, Dunn, Durner, Eakle, Estey, Fowler, Freeman, Galbraith, Garver, Glynn, Gordon, Gould, Hall, Harloe, Hawley, Hersey, Hoey, Hunewill, Johnson, Jackson, Kellogg, Lacey, Lewis, Lux, Lynch, Marion, Martin, Matlock, Mathews, Mordecai, Murnan, Murphy, Phillips, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Tully, Wentworth, Weston, Windrow, Wolfskill, Young, and Mr. Speaker.

Quorum present.

ANNOUNCEMENT BY THE SPEAKER.

COTTONWOOD, CAL., January 14, 1891.

To T. W. H. SHANAHAN, *Assembly Chamber, Sacramento*:

A fine boy at nine A. M. Mother and child doing well.

J. O. SMITH, M.D.

MOTION.

On motion of Mr. Ames, the telegram was spread upon the minutes.

RESOLUTION—(OUT OF ORDER).

By Mr. Beecher:

Resolved, That the sum of nine hundred and twenty-five dollars and twenty cents be appropriated out of the Contingent Fund of the Assembly to pay for eighty sets of Codes at eleven dollars and fifty cents each, nine hundred and twenty dollars, and freight additional, five dollars and twenty cents; total, nine hundred and twenty five dollars and twenty cents, previously ordered by this Assembly, and the State Controller is hereby authorized to draw his warrant in favor of the Secretary of State in payment of same.

By Mr. Barnard:

Resolved, That Norman Schuller be and he is hereby appointed Messenger to the Election Committee, 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.

INTRODUCTION OF BILLS—(OUT OF ORDER).

By Mr. Gould: Assembly Bill No. 242—An Act to amend section one 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 an additional district.

Referred to Committee on Agriculture and Forestry.

RESOLUTION.

By Mr. Bryant:

WHEREAS, There is a question as to whether the law contemplates the payment of mileage to members of the Assembly from the county seats of the respective counties where they reside, or from the locality of their residence; therefore, be it

Resolved, That the Attorney-General of this State is requested to submit to this Assembly his opinion thereon at the earliest possible date.

Adopted.

INTRODUCTION OF BILLS—(OUT OF ORDER).

By Mr. Renfro: Assembly Bill No. 243—An Act to amend sections three hundred and thirty-seven and three hundred and thirty-nine of the Code of Civil Procedure, relating to time of commencing actions.

Referred to Committee on Judiciary.

REPORT OF STANDING COMMITTEE.

ON STATE LIBRARY.

ASSEMBLY CHAMBER, SACRAMENTO, January 14, 1891.

MR. SPEAKER: Your Committee on State Library, to whom was referred the following resolution:

Resolved, That the Sergeant-at-Arms be and he is hereby authorized to appoint a Porter, who shall be satisfactory to the State Librarian, to keep said library rooms in order for the meetings of said committee, put same in order after meetings, and also act as Assistant Sergeant-at-Arms during sessions of said committee, at the same per diem as other porters, payable out of the Contingent Fund of the Assembly.

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

CARTER, Chairman.

Adopted.

PETITION.

By Mr. Jackson—A petition from citizens of Modoc County was introduced, asking for division of Eleventh Agricultural District.

Referred to Committee on Agriculture and Forestry.

INTRODUCTION OF BILLS—(OUT OF ORDER.)

By Mr. Wentworth: Assembly Bill No. 244—An Act to amend section six hundred and thirty-seven of the Penal Code of the State of California, relating to the construction and repairing of fish ladders or dams and other obstructions in the running waters of this State.

Referred to Committee on Fish and Game.

Also: Assembly Bill No. 245—An Act to amend section six hundred and twenty-six of the Penal Code, relative to the violation of the laws for the preservation of game and fish.

Referred to Committee on Fish and Game.

By Mr. Coffey: Assembly Bill No. 246—An Act to amend section three hundred and twenty-one of the Penal Code, relating to lotteries.

Referred to Committee on Public Morals.

Also: Assembly Bill No. 247—An Act to amend section three hundred and twenty-three of the Penal Code, relating to lotteries.

Referred to Committee on Public Morals.

Also: Assembly Bill No. 248—An Act to amend sections six hundred and twenty-eight and six hundred and thirty, relating to gas corporations.

Referred to Committee on Corporations.

Also: Assembly Bill No. 249—An Act to add a new section to the Penal Code, to be known and numbered as section three hundred and nineteen, relating to the renting of property for immoral purposes.

Referred to Committee on Public Morals.

Also: Assembly Bill No. 250—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to lotteries, by adding a new section thereto, to be known and numbered as section three hundred and twenty-seven of said Code.

Referred to Committee on Public Morals.

CONSTITUTIONAL AMENDMENT.

By Mr. Bert: Assembly Constitutional Amendment No. 10—Proposed amendment to article six of the Constitution, relative to Justices of Supreme Court and Judges of Superior Courts, and the payment of the salaries of the same.

Referred to Committee on Judiciary.

FIRST READING OF BILLS.

Assembly Bill No. 22—An Act to amend section one thousand two hundred and nine of the Code of Civil Procedure of California, relating to the power of Courts in the matter of punishing contempts of Court.

Read first time, and ordered to a second reading.

Assembly Bill No. 20—An Act to amend section four hundred and eight of the Code of Civil Procedure.

Read first time, and ordered to a second reading.

Assembly Bill No. 25—An Act to amend section one thousand four hundred and sixty-five of the Code of Civil Procedure of the State of California.

Read first time, and ordered to a second reading.

Assembly Bill No. 31—An Act to add a new section to the Code of Civil Procedure of the State of California, to be known and designated as section one thousand six hundred and seventy, relating to the continuation of administration upon the estates of deceased persons.

Read first time, and ordered to a second reading.

Assembly Bill No. 45—An Act to add a new section to the Civil Code, said section to be numbered three thousand four hundred and fifty-three, relating to assignments for the benefit of creditors.

Read first time, and ordered to a second reading.

RESOLUTION.

By Mr. Hersey:

Resolved, That the Controller is hereby instructed to draw his warrant in favor of the various attachés employed by the Assembly during the organization of said Assembly, and whose services are not longer required:

N. King, Watchman	2 extra days.
C. A. Grove, Porter	1 extra day.
F. T. Case	1 extra day.
Peter Carlson, Mail Carrier	6 days at $4 per day.
T. J. Power, Gatekeeper	3 days.
John Kofod, Gatekeeper	3 days.
Wm. Wall, Porter	3 days.
E. Moore, Page	2 days.

Adopted.

APPOINTMENT

The Speaker appointed Walter Howard as Page of the Assembly.

FIRST READING OF BILLS—(RESUMED).

Assembly Bill No. 53—An Act to amend section two thousand and twenty-four of the Code of Civil Procedure, relative to the manner of taking depositions out of the State.

Read first time, and ordered to a second reading.

Assembly Bill No. 52—An Act to amend sections fifty-eight and seven hundred and ninety-two of the Political Code, so as to authorize the appointment of women as Notaries Public.

Read first time, and ordered to a second reading.

Assembly Bill No. 54—An Act to amend section eight hundred and forty-nine of the Code of Civil Procedure, relating to the service of summons in actions in Justice's Courts.

Read first time, and ordered to a second reading.

Assembly Bill No. 56—An Act to amend section one hundred and twenty-eight of the Civil Code of the State of California, relative to actions in divorce cases.

Read first time, and ordered to a second reading.

Assembly Bill No. 60—An Act to add two new sections to article five of chapter eleven of title eleven of part three of the Code of Civil Procedure of California, to be designated as sections one thousand seven hundred and two and one thousand seven hundred and three, and relating to the declination of testamentary trustees and the appointment of persons to fill vacancies resulting from such declination or otherwise.

Read first time, and ordered to a second reading.

Assembly Bill No. 132—An Act to amend an Act entitled "An Act in relation to certain deputies, assistants, and copyists of County Clerks," approved April 2, 1880.

Read first time, and ordered to a second reading.

RESOLUTIONS.

By Mr. Cargill:

Resolved, That Benj. D. Martin be and he is hereby appointed Page to the Sergeant-at-Arms, at a per diem of three dollars

Referred to Committee on Attachés and Employés.

By Mr. Murphy:

Resolved, That the Adjutant-General be requested to transmit to this Legislature, at the earliest possible moment, an account showing the amounts of money appropriated by the several States of the Union for military purposes.

Adopted.

INTRODUCTION OF BILLS—(OUT OF ORDER).

By Mr. Shanahan: Assembly Bill No. 251—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by adding a new section to be known and numbered as section three hundred and eight, relative to the sale and use of opium prepared for smoking.

Referred to Committee on Public Morals.

By Mr. Stabler: Assembly Bill No. 252—An Act to amend section three thousand nine hundred and twenty-six of the Political Code, relating to the boundary of Sutter County.

Referred to Committee on Counties and County Boundaries.

ADJOURNMENT.

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

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Thursday, January 15, 1891.

The House met pursuant to adjournment.

Speaker Coombs in the chair.

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

Messrs. Alexander, Ames, Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Brusie, Bryant, Cargill, Carter, Clark, Coffey, Culver, Cunningham, Daly, Dennis, Dibble, Doty, Dow, Dunn, Durner, Eakle, Estey, Fowler, Freeman, Galbraith, Garter, Glynn, Gordon, Gould, Hail, Harloe, Hawley, Hayes, Heisey, Hocking, Hoey, Hunewill, Johnson, Jackson, Jones, Kellogg, Lacey, Lewis, Lowe, Lux, Lynch, Marion, Martin, Matlock, Mathews, McCall, Mordecai, Murnan, Murphy, Phillips, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Tully, Wentworth, Weston, Windrow, Wolfskill, Young, and Mr. Speaker.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. A. C. Herrick.

LEAVE OF ABSENCE.

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

READING OF THE MINUTES.

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

So ordered.

Journal corrected by inserting the announcement by the President pro tem. of the Senate of the vote in the Senate for United States Senator, and the reading of that part of the Journal of yesterday, by the Chief Clerk, relating to the vote in the Assembly for United States Senator.

Journal then approved.

PRESENTATION OF PETITION.

By Mr. Sturtevant—From the residents and taxpayers of Mendocino County, in regard to the payment to John Geschwend of certain sums expended on public roads and highways.

Referred to Committee on Roads and Highways.

REPORT OF STANDING COMMITTEE.

ON ATTACHÉS AND EMPLOYÉS.

ASSEMBLY CHAMBER, SACRAMENTO, January 15, 1891.

MR. SPEAKER: Your Committee on Attachés and Employés, to whom was referred Chas. Tyrell as Messenger to Sergeant-at-Arms, and Warren Powers as Watchman, report that they be appointed at the per diem of four dollars; also, that Wm Fitzgerald be allowed one week's salary as Assistant Clerk to Sergeant-at-Arms, at the same per diem as Clerk to the Sergeant-at-Arms; also, that the Speaker be empowered to appoint a Watchman for the members' coat-room.

LUX, Chairman.

Recommendation refused adoption.

PETITION—(OUT OF ORDER).

Mr. Gould presented a petition from citizens of Merced County, relating to a State bounty on coyotes.

Referred to Committee on Agriculture and Forestry.

REPORTS OF STANDING COMMITTEES.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, January 14, 1891

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 100—have had the same under consideration, and respectfully report the same back, and recommend that the author be allowed to withdraw the bill, for the reason that the same principle has already been embodied in Assembly Bill No. 54, already reported to this House.

BRUNER, Chairman.

Recommendation adopted.

ON COUNTY AND TOWNSHIP GOVERNMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, January 14, 1891.

MR. SPEAKER: Your Committee on County and Township Governments, to whom was referred Assembly Bill No. 148—An Act to amend section four thousand and forty-six of the Political Code, relating to the jurisdiction and power of Boards of Supervisors in their respective counties

Also Assembly Bill No. 112—An Act to amend subdivision four of section twenty-five 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, as amended March 18, 1885, as amended March 17, 1887, as amended March 16, 1889.

Also, Assembly Bill No. 13—An Act to amend paragraph twenty-seven of section twenty-five of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883.

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

BROWN, Chairman

ON COUNTY AND TOWNSHIP GOVERNMENTS—MINORITY REPORT.

ASSEMBLY CHAMBER, SACRAMENTO, January 15, 1891.

MR. SPEAKER: The minority of your Committee on County and Township Governments, to whom was referred Assembly Bill No. 13—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

F. T. MURNAN.
C. S. ARMS.
E. D KELLOGG.
F. H. GOULD.

WITHDRAWAL OF BILL.

By consent of the Assembly, Mr. Wentworth withdrew Assembly Bill No. 100, because the same was embodied and contained in Assembly Bill No. 54, it being identical, and heretofore reported favorably to and acted upon by the Assembly.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, January 15, 1891.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the fourteenth instant, passed the following concurrent resolution:

Resolved by the Senate, the Assembly concurring, That the Secretary of the Senate and Clerk of the Assembly be and they are hereby directed to prepare and transmit forthwith to the Governor of the State of California a copy of the proceedings of the joint assembly, pertaining to the election of a person to the United States Senate in Congress, from California, for the term of six years, beginning March 4, 1891, in accordance with an Act of Congress entitled "An Act to regulate the time and manner of holding elections for Senators in Congress," approved July 25, 1866, and that said copy be attested by the President and Secretary of the Senate, and the Speaker and Clerk of the Assembly.

F. J. BRANDON, Secretary of Senate.
By R. L. THOMAS, Assistant Secretary.

Resolution adopted.

INTRODUCTION OF BILLS.

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

By Mr. Young: Assembly Bill No 253—An Act to add a new section to the Code of Civil Procedure, relative to demurrers in civil cases, to be known and numbered as section four hundred and thirty-five.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 254—An Act to add a new section to the Code of Civil Procedure, relative to time of trial of actions, to be known and numbered as section five hundred and ninety-seven.

Referred to Committee on Judiciary.

By Mr. Lux: Assembly Bill No. 255—An Act to prevent the destruction of young fish in millraces, irrigating ditches, flumes, and canals.

Referred to Committee on Fish and Game.

Also: Assembly Bill No. 256—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to the preservation of fish and game.

Referred to Committee on Fish and Game.

Also: Assembly Bill No. 257—An Act to authorize the Board of Fish Commissioners of this State to purchase the land on which the State Fish Hatcheries at Sisson and Lake Tahoe are now situated, and appropriating money therefor.

Referred to Committee on Fish and Game.

Also: Assembly Bill No. 258—An Act to authorize the Board of Fish Commissioners of this State to establish a trout hatchery at or near the city of San Francisco, and making an appropriation therefor.

Referred to Committee on Fish and Game.

By Mr. Mordecai: Assembly Bill No. 259—An Act to encourage the destruction of coyotes and wolves, and to authorize a bounty to be given by the State to any person who shall kill the same.

Referred to Committee on Agriculture and Forestry.

By Mr. Steltz: Assembly Bill No. 260—An Act to add a section to the Political Code, to be known as section two thousand nine hundred and eighty-three, relating to public asylums and hospitals.

Referred to Committee on State Charitable and Reformatory Institutions.

By Mr. Carter: Assembly Bill No. 261—An Act to authorize the establishment of County High Schools, and provide for their support.

Referred to Committee on Education.

By Mr. Hocking: Assembly Bill No. 262—An Act to amend section eight hundred and sixty-five of the Code of Civil Procedure, relating to arrests in civil actions.

Referred to Committee on Judiciary.

By Mr. Sturtevant: Assembly Bill No. 263—An Act concerning toll roads.

Referred to Committee on Roads and Highways.

By Mr. Mathews: Assembly Bill No. 264—An Act to amend an Act entitled "An Act to establish a Reform School for Juvenile Offenders, and make an appropriation therefor," approved March 11, 1889.

Referred to Committee on State Charitable and Reformatory Institutions.

By Mr. Harloe: Assembly Bill No. 265—An Act to amend sections two thousand six hundred and forty-two, two thousand six hundred and forty-four, and two thousand six hundred and forty-five of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the powers and duties of highway officers, and to the appointment and duties of Roadmasters or Road Overseers, as amended by an Act approved March 19, 1887, and amended and approved March 19, 1889.

Referred to Committee on Roads and Highways.

By Mr. Lacey: Assembly Bill No. 266—An Act to check and to more effectually prevent the spread of infectious and contagious diseases among live stock.

Referred to Committee on Agriculture and Forestry.

By Mr. Bruner: Assembly Bill No. 267—An Act giving the consent of the State of California to the reservation of certain lands by Congress.

Referred to Committee on Swamp and Overflowed and Public Lands.

By Mr. Hayes: Assembly Bill No. 268—An Act to add two new sections to chapter ten of the Penal Code, to be known and numbered as sections three hundred and thirty-seven and three hundred and thirty-eight, relative to the selling of pools on horse races.

Referred to Committee on Public Morals.

BILL WITHDRAWN.

On motion, Mr. Smith of Orange withdrew Assembly Bill No. 71.

MOTION.

Mr. Lowe moved that the Speaker appoint such additional attachés as in his judgment are required.

Carried.

RESOLUTION—(OUT OF ORDER).

By Mr. Hersey:

Resolved, That the Controller is hereby instructed to draw his warrant for two days' services each, payable out of the Contingent Fund of the Assembly, in favor of T. J. Powers and John Kofod, Gatekeepers, employed by the Assembly during the temporary organization of said Assembly, and whose services are not longer required.

Adopted.

By Mr. Lowe:

Resolved, That William Fitzgerald be and he is hereby allowed one week's salary as Assistant Clerk to the Sergeant-at-Arms, at the same per diem as the Clerk to the Sergeant-at-Arms, payable out of the Contingent Fund of the Assembly.

Adopted.

JOINT RESOLUTION—(OUT OF ORDER).

By Mr. Coffey: Joint Resolution No. 9—Relative to the establishment of a postal telegraph and an express department in connection with the postal service of the United States:

WHEREAS, It is of the utmost importance for the business, that the people of the United States should have cheap communication and transportation instead of being at the mercy of the telegraph and express companies; therefore, be it

Resolved by the Senate and Assembly of the State of California, That our Senators and Representatives in Congress be requested to use all honorable means to establish a postal telegraph and an express department in connection with the postal service of the United States, and be it further

Resolved, That the Governor be requested to forward copies of these resolutions to our Senators and Representatives in Congress, and to the President and the Postmaster-General of the United States.

Referred to Committee on Corporations.

RESOLUTION—(OUT OF ORDER).

By Mr. Hocking:

Resolved, That the Public Printer be directed to print one hundred additional copies each of the Assembly Journals of January fifth, seventh, twelfth, and thirteenth, the issues of said dates having been exhausted and a demand for the same existing

Adopted.

INTRODUCTION OF BILLS—(RESUMED).

By Mr Lowe: Assembly Bill No. 269—An Act entitled "An Act to appropriate money to pay the claim of George Fetherstone for services rendered in the office of the Treasurer of State."

Referred to Committee on Claims.

RESOLUTION—(OUT OF ORDER).

By Mr. Bruner:

Resolved, That the Committee on Judiciary be increased to eighteen members.

On motion of Mr. Bruner, the rules were suspended, and, upon vote, the resolution was adopted.

BUSINESS ON SPECIAL FILE.

Assembly Constitutional Amendment No. 3—A resolution to propose an amendment to section one of article two of the Constitution of the State of California, relative to the right of suffrage.

MOTION.

On motion of Mr. Bledsoe, further consideration of Special File was deferred until to-morrow morning, immediately after reading of the Journal.

GENERAL FILE—FIRST READING OF BILLS.

Assembly Bill No. 101—An Act to amend sections three thousand seven hundred and eighty and three thousand seven hundred and eighty-five of an Act entitled "An Act to establish a Political Code,"

approved March 12, 1872, relating to the redemption of land sold at tax sale.

Read first time, and ordered to a second reading.

Assembly Bill No. 103—An Act providing for the mode of administration on property of the decedent held in copartnership, and to repeal section one thousand five hundred and eighty-five, Code of Civil Procedure.

On motion of Mr. Dibble, the bill was indefinitely postponed.

INCREASE OF COMMITTEE ON JUDICIARY.

Mr. Bruner moved that the Speaker appoint four additional members on the Committee on Judiciary.

Carried.

APPOINTMENT BY THE SPEAKER.

The Speaker appointed on the Judiciary Committee the following named members: Messrs. McCall, Young, Stabler, and Lacey.

JOINT RESOLUTIONS.

Assembly Joint Resolution No. 1—Relating to a public building at Eureka.

Read and adopted.

Assembly Joint Resolution No 5—Relative to the erecting of a gun factory at Benicia for finishing and assembling high power guns.

Read and adopted.

APPOINTMENTS BY THE SPEAKER.

The Speaker made appointments as follows: Porter, William Holland; Watchman, E. J. Dow.

GENERAL FILE—SECOND READING OF BILLS.

Assembly Bill No. 22—An Act to amend section one thousand two hundred and nine of the Code of Civil Procedure of California, relating to the power of Courts in the matter of punishing contempts of Court.

Read second time, ordered engrossed, and to a third reading.

Assembly Bill No. 20—An Act to amend section four hundred and eight of the Code of Civil Procedure.

Read second time, ordered engrossed, and to a third reading.

RECESS.

At twelve o'clock and thirty minutes P. M., the hour of recess having arrived, the Assembly took a recess.

REASSEMBLED.

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

Speaker Coombs in the chair.

ROLL CALL.

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

Messrs. Alexander, Ames, Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Brusie, Bryant, Cargill, Carter, Clark, Coffey, Culver, Cunningham, Daly Dennis, Dibble, Doty, Dow, Dunn, Durnel, Eakle, Estey, Fowler, Freeman, Galbraith Garver, Glynn, Gordon, Gould, Hall, Harloe, Hawley, Hayes, Hersey, Hocking, Hoey, Hunewill, Johnson, Jackson, Jones, Kellogg, Lacey, Lewis, Lowe, Lux, Lynch, Marion, Martin, Matlock, Mathews, McCall, Mordecai, Murnan, Murphy, Phillips, Renfro, Rice, Robertson, Shanahan, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Tully, Wentworth, Weston, Windrow, Wolfskill, Young, and Mr. Speaker.

Quorum present.

RESOLUTION.

By Mr. Dibble:

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

Adopted.

GENERAL FILE—SECOND READING OF BILLS.

Assembly Bill No. 25—An Act to amend section one thousand four hundred and sixty-five of the Code of Civil Procedure of the State of California.

Mr. Clark moved to amend, as appears in printed bill, in line eight, section one, by striking out the word "common;" and also, as it appears in printed bill, in line fifteen, section one, by striking out the letter "a," before the word "homestead," in such line.

Carried.

Bill read second time, ordered engrossed, and to a third reading.

Assembly Bill No. 31—An Act to add a new section to the Code of Civil Procedure of the State of California, to be known and designated as section one thousand six hundred and seventy, relating to the continuation of administration upon the estates of deceased persons.

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

To amend by striking out the words "one or more" from line six of the printed copy, and inserting the word "all" in their place.

Mr. Gould offered the following amendment, which was adopted:

Amend lines twelve, thirteen, and fourteen in the printed copy by substituting: "Said petition and notice thereof shall be served on all persons interested in the estate, in the same manner that summons in civil actions are served."

TO RECOMMIT.

Mr. Matlock moved that Assembly Bill No. 31 be recommitted to the Committee on Judiciary.

Carried.

REPORT OF STANDING COMMITTEES.

ON RULES AND REGULATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 15, 1891.

MR SPEAKER: Your Committee on Rules and Regulations beg leave to report, and recommend that Rule Seventy-five of the Standing Rules be amended so as to read as follows, viz.:

LXXV.—ORDER OF MAKING FILE.

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

Also: That Rule Six of the Standing Rules be amended so as to read as follows, viz.:

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. Whenever a standing committee reports a bill back to the House with amendments, it shall also report a printed copy of the bill, with the proposed amendments interlined in the proper place. Every bill shall be read at length on three several days previous to its passage, unless in case of urgency two thirds of the House shall, by vote of ayes and noes, dispense with this provision. The Speaker shall give notice at each reading, whether it be the first, second, or third, and no bill shall be read at either reading until the House has so determined by a vote. All bills to appropriate money for contingent expenses shall be presented by the Committee on Ways and Means and Appropriations. The Chairman or Clerk of each committee of the Assembly shall notify the author of any bill or proceeding pending before such committee of the hour and place of hearing or acting upon such bill or proceeding.

Also: That Rule Two of the Standing Rules be amended so as to read as follows, viz.:

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 preceeding day.
15. Any business pending at the hour of recess shall be resumed at the hour of meeting.

CULVER, Chairman.

On motion of Mr. McCall, consideration was deferred until to-morrow.

COMMITTEE ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, January 15, 1891.

MR. SPEAKER: Your Committee on Enrollment beg leave to report that the following Assembly Bill has been correctly enrolled.

Assembly Bill No. 159—An Act to authorize the Governor to employ a stenographer for his office, and to provide for the payment of his salary.

And was presented to the Governor this day at twelve o'clock and forty-five minutes P. M.

BLEDSOE, Chairman.

SECOND READING OF BILLS.

Assembly Bill No. 45—An Act to add a new section to the Civil Code, said section to be numbered three thousand four hundred and fifty-three, relating to assignments for the benefit of creditors.

Read second time, ordered engrossed, and to a third reading

Assembly Bill No. 52—An Act to amend sections fifty-eight and seven hundred and ninety-two of the Political Code, so as to authorize the appointment of women as Notaries Public.

Read second time, ordered engrossed. and to a third reading.

Assembly Bill No. 53—An Act to amend section two thousand and twenty-four of the Code of Civil Procedure, relative to the manner of taking depositions out of the State.

Read second time, ordered engrossed, and to a third reading.

Assembly Bill No. 54—An Act to amend section eight hundred and forty-nine of the Code of Civil Procedure, relating to the service of summons in actions in Justices' Courts.

Read second time, ordered engrossed, and to a third reading.

Assembly Bil No. 56—An Act to amend section one hundred and twenty-eight of the Civil Code of the State of California, relative to actions in divorce cases.

Read second time, ordered engrossed, and to a third reading.

Assembly Bill No. 60—An Act to add two new sections to article five of chapter eleven of title eleven of part three of the Code of Civil Procedure of California, to be designated as sections one thousand seven hundred and two and one thousand seven hundred and three, and relating to the declination of testamentary trustees and the appointment of persons to fill vacancies resulting from such declination or otherwise.

Read second time, ordered engrossed, and to a third reading.

Assembly Bill No. 58—An Act to amend section one thousand two hundred and five of the Penal Code, relating to fines and imprisonment.

Mr. Dibble offered the following amendment, which was adopted: Amend by inserting after the word "sentenced," in line six of printed bill, the words "to imprisonment."

Read second time, ordered engrossed, and to a third reading.

Assembly Bill No. 132—An Act to amend an Act entitled "An Act in relation to certain deputies, assistants, and copyists of County Clerks," approved April 2, 1880.

Read second time, ordered engrossed, and to a third reading.

RESOLUTION.

By Mr. Young:

Resolved, That the name of J. L. Beecher, Jr., be substituted for that of Nestor A. Young on the Irrigation Committee, and that of Nestor A. Young be substituted for that of J. L. Beecher, Jr., on the Committee on Public Morals.

SUSPENSION OF RULES.

Mr. Young moved the suspension of the rules for consideration of the resolution.

Carried.

Resolution adopted.

INTRODUCTION OF BILLS—(OUT OF ORDER).

By Mr. Marion: Assembly Bill No 270—An Act to add a new section to an Act entitled "An Act to establish a Political Code of the State of California," to be called section two thousand nine hundred and eighty-four, relative to the appointment of a State Sanitary Inspector.

Referred to Committee on Judiciary.

By Mr. Gould: Assembly Bill No. 271—An Act to amend section two thousand six hundred and eighty-one of an Act entitled "An Act to establish a Political Code."

Referred to Committee on Roads and Highways.

By Mr. Bert: Assembly Bill No. 272—An Act to amend sections seven hundred and thirty-six, seven hundred and thirty-seven, and seven hundred and thirty-eight of the Political Code, relating to salaries of Justices of the Supreme Court and Superior Court Judges.

Referred to Committee on Judiciary.

By Mr. Clark: Assembly Bill No. 273—An Act entitled "An Act to amend an Act to establish a Code of Civil Procedure," approved March 11, 1872, and amended in 1889, and to add a new section thereto, to be known and designated as section one thousand eight hundred and twenty-two and one half.

Referred to Committee on Judiciary.

By Mr. Jones: Assembly Bill No. 274—An Act for the relief of Cornelius Lynch, for personal injuries received by him while in the service of the State.

Referred to Committee on Claims.

RESOLUTIONS—(RESUMED).

By Mr. Bruner:

Resolved, That the Sergeant-at-Arms be authorized to have a railing or counter constructed in his office, and to purchase a suitable desk and office fixtures, to be paid out of the Contingent Fund of the Assembly.

Carried.

By Mr. Steltz:

WHEREAS, The Sergeant-at-Arms has not provided for the meeting rooms of thirteen committees of this Assembly, and says he cannot provide for the same in the Capitol building; be it

Resolved, That he be empowered to rent rooms for the meeting place of the same committees, subject to the approval of the Committee on Ways and Means and Appropriations

Resolution laid on the table.

INTRODUCTION OF BILLS—(OUT OF ORDER).

By Mr. Smith of Orange: Assembly Bill No. 275—An Act to amend the Penal Code of California by adding a new section thereto, to be known as section three hundred and eight, relative to the sale or furnishing of tobacco or preparations thereof to persons under sixteen years of age.

Referred to Committee on Public Morals.

Also: Assembly Bill No. 276—An Act to enable cities of the fifth class to issue bonds for the purpose of raising money to purchase school lots,

and for building or purchasing one or more school houses, and supplying the same with furniture, necessary apparatus, and improving the grounds, and for liquidating any indebtedness already incurred for such purposes.

Referred to Committee on Education.

By Mr. Matlock: Assembly Bill No. 277—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 adding thereto a new section, providing for registration and prescribing the qualifications of certain voters to be entitled to vote at all municipal elections.

Referred to Committee on Municipal Corporations.

By Mr. Young: Assembly Bill No. 278—An Act making an appropriation for the construction of a seawall thoroughfare and piers in the harbor of San Diego.

Referred to Committee on Commerce and Navigation.

Also: Assembly Bill No. 279—An act to restrict gaming.

Referred to Committee on Public Morals.

By Mr. Mathews: Assembly Bill No. 280—An Act making an appropriation to pay for the maintenance of the Reform School for Juvenile Offenders, from January 1, 1891, to June 30, 1891, and making an appropriation for extra work, materials, and labor furnished in erection of buildings of said Reform School, and making an appropriation for payment of insurance on said Reform School buildings.

Referred to Committee on State Charitable and Reformatory Institutions.

By Mr. Wentworth: Assembly Bill No. 281—An Act establishing a committee for the revision of the laws.

Referred to Committee on Judiciary.

By Mr. Lux: Assembly Bill No. 282—An Act to pay the claim of Mary M. Springer, the widow and heir of Thomas A. Springer, late State Printer, deceased.

Referred to Committee on Claims.

By Mr. Steltz: Assembly Bill No. 283—An Act to amend 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.

RESOLUTIONS—(RESUMED).

By Mr. Dibble:

Resolved, That the Sergeant-at-Arms be instructed not to allow bills to be distributed on the desks one at a time, but that the same be made up in packages, in regular order, and be all placed on the members' desks during recess.

Adopted.

ADJOURNMENT.

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

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Friday, January 16, 1891.

The House met pursuant to adjournment.

Speaker Coombs in the chair.

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

Messrs. Alexander, Ames, Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Bryant, Cargill, Carter, Clark, Coffey, Cram, Culver, Cunningham, Daly, Dennis, Dibble, Doty, Dow, Dunn, Eakle, Estey, Fowler, Freeman, Galbraith, Garver, Gordon, Gould, Hall, Harloe, Hawley, Hayes, Hersey, Hocking, Hoey, Hunewill, Johnson, Jackson, Jones, Kellogg, Lacey, Lewis, Lowe, Lux, Lynch, Martin, Matlock, Mathews, Mordecai, Murnan, Murphy, Phillips, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Tully, Wentworth, Weston, Windrow, Wolfskill, Young, and Mr. Speaker.

Quorum present.

LEAVE OF ABSENCE.

Messrs. McCall and Durner were granted leave of absence for the day, and Mr. Marion until Monday, the nineteenth instant.

PRAYER.

Prayer by the Chaplain, Rev. A. C. Herrick.

READING OF MINUTES.

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

So ordered

Journal approved as corrected.

MOTION.

Mr. Shanahan moved that the rules be suspended, and that the order approving the Journal of January twelfth be reconsidered.

Carried.

On motion of Mr. Shanahan, the Journal of January twelfth was corrected by referring Assembly Bill No. 121 to the Committee on Commerce and Navigation instead of to the Committee on Judiciary.

SPECIAL ORDER.

The time for special order having arrived, Assembly Constitutional Amendment No. 3, a resolution to propose an amendment to section one of article two of the Constitution of the State of California, relative to the right of suffrage, was taken up.

AMENDMENT.

Mr. Renfro moved to amend by adding to line eleven of printed copy: "Also, provided no person born in the United States shall be denied the elective franchise."

Lost.

REPORT OF COMMITTEE ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, January 16, 1891.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that they have examined the following Assembly Bills, and find them correctly engrossed:

Assembly Bill No. 20—An Act to amend section four hundred and eight of the Code of Civil Procedure.

Also: Assembly Bill No. 45—An Act to add a new section to the Civil Code, said section to be numbered three thousand four hundred and fifty-three, relating to assignments for the benefit of creditors.

Also: Assembly Bill No. 54—An Act to amend section eight hundred and forty-nine of the Code of Civil Procedure, relating to the service of summons in actions in Justice's Courts.

Also: Assembly Bill No. 56— An Act to amend section one hundred and twenty-eight of the Civil Code of the State of California, relative to actions in divorce cases.

WINDROW, Chairman.

SENATE MESSAGE—(OUT OF ORDER).

Mr. Bruner moved to take up Senate messages.

Carried.

SENATE CHAMBER, SACRAMENTO, January 16, 1891.

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

Senate Bill No. 207—An Act to amend sections two hundred and forty-five, two hundred and forty-six, and two hundred and sixty-eight of the Political Code of the State of California, and to repeal sections two hundred and forty-eight and two hundred and forty-nine of said Code—by the following vote: Yeas, 29; nays, 6.

F. J. BRANDON, Secretary of Senate.
By R. L. THOMAS, Assistant Secretary.

RESOLUTION—(OUT OF ORDER).

By Mr. Bruner:

Resolved, That Senate Bill No. 207 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

MOTION.

Mr. Dibble moved that the resolution be made a special order for two o'clock, and that Senate Bill No. 207 be referred to the Judiciary Committee, with instruction to report the same at two o'clock.

Carried.

CONSIDERATION OF CONSTITUTIONAL AMENDMENT—(RESUMED).

Mr. Bledsoe moved that the consideration of Assembly Constitutional Amendment No. 3 be postponed until next Monday at two o'clock.

Carried.

REPORT OF STANDING COMMITTEES.

ON MILEAGE.

ASSEMBLY CHAMBER, SACRAMENTO, January 16, 1891.

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-ninth session of the California Legislature. We have taken distances as established by part two, title three, of the Political Code as amended as a basis, and have calculated the mileage and amounts in accordance with the provisions of the statutes. We recommend the adoption of the following resolution, viz.:

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

BRYANT, Chairman.

NAME	District	County.	Miles	Amount
Geo. B. Robertson	First	Del Norte and Siskiyou	570	$57 00
A. J. Bledsoe	Second	Humboldt	624	62 40
E. D. Kellogg	Third	Humboldt	664	66 40
T. W. H. Shahanan	Fourth	Trinity and Shasta	320	32 00
A. J. Jackson	Fifth	Modoc and Lassen	852	85 20
F. G Hall	Sixth	Plumas and Sierra	318	31 80
J. T. Matlock	Seventh	Tehama	270	27 00
T. H. Barnard	Eighth	Butte	208	20 80
John J. Smith	Ninth	Butte	208	20 80
H P. Eakle	Tenth	Colusa	124	12 40
Geo. A. Sturtevant	Eleventh	Mendocino	450	45 00
J. H. Renfro	Twelfth	Lake	396	39 60
H. P. Stabler	Thirteenth	Sutter and Yuba	104	10 40
Michael Garver	Fourteenth	Nevada	142	14 20
T. C. Hocking	Fifteenth	Nevada	134	13 40
Noble Martin	Sixteenth	Placer	136	13 60
W. E. Baughman	Seventeenth	El Dorado	166	16 60
Jud C. Brusie	Eighteenth	Sacramento	2	20
Elwood Bruner	Nineteenth	Sacramento	2	20
Gillis Doty	Twentieth	Sacramento	30	3 00
R. Clark	Twenty-first	Yolo	44	4 40
F. L. Coombs	Twenty-second	Napa	122	12 20
Frank J. Murphy	Twenty-third	Sonoma	326	32 60
J D. Barnett	Twenty-fourth	Sonoma	282	28 20
H. L. Weston	Twenty-fifth	Sonoma	254	25 44
C. Durner	Twenty-sixth	Solano	124	12 00
J. C. Wolfskill	Twenty-seventh	Solano	68	6 80
Thos. H Estey	Twenty-eighth	Marin	220	22 00
J H. Daly	Twenty-ninth	San Francisco	168	16 80
Thos. J. Tully	Thirtieth	San Francisco	168	16 80
John Hayes	Thirty-first	San Francisco	168	16 80
Geo. E. Lewis	Thirty-second	San Francisco	168	16 80
F. L. Jones	Thirty-third	San Francisco	168	16 80
A. L. Lux	Thirty-fourth	San Francisco	168	16 80
Wm. J. Dunn	Thirty-fifth	San Francisco	168	16 80
John P. Glynn	Thirty-sixth	San Francisco	168	16 80
M. W. Coffey	Thirty-seventh	San Francisco	168	16 80
A. T. Barnett	Thirty-eighth	San Francisco	168	16 80
Chas. S. Arms	Thirty-ninth	San Francisco	168	16 80
T. W. Dennis	Fortieth	San Francisco	168	16 80
H. C. Dibble	Forty-first	San Francisco	168	16 80
Louis A. Phillips	Forty-second	San Francisco	168	16 80
Wm. E. Tennis	Forty-third	San Francisco	168	16 80
Geo. A. Wentworth	Forty-fourth	San Francisco	168	16 80
Eugene F. Bert	Forty-fifth	San Francisco	168	16 80
L. Hoey	Forty-sixth	San Francisco	168	16 80
John T. Steltz	Forty-seventh	San Francisco	168	16 80
Joseph Windrow	Forty-eighth	San Francisco	168	16 80
A. Gordon	Forty-ninth	San Mateo	228	22 80
W. H. Galbraith	Fiftieth	Santa Cruz	420	42 00
Frank L. Fowler	Fifty-first	Alameda	260	26 00
Fred. Bryant	Fifty-second	Alameda	200	20 00
J. G. McCall	Fifty-third	Alameda	182	18 20
E. S. Culver	Fifty-fourth	Alameda	182	18 20
E. G. Cram	Fifty-fifth	Alameda	182	18 20
Almon Ames	Fifty-sixth	Alameda	196	19 60
Geo. E. Carter	Fifty-seventh	Contra Costa	118	11 80
R. A. Johnson	Fifty-eighth	San Joaquin	96	9 60
J. L Beecher, Jr.	Fifty-ninth	San Joaquin	116	11 60
E. A. Freeman	Sixtieth	Amador	154	15 40
Alexander Brown	Sixty-first	Calaveras	158	15 80
F. T. Murnan	Sixty-second	Tuolumne	208	20 80
E. E Dow	Sixty-third	Santa Clara	276	27 60
Jas R. Lowe	Sixty-fourth	Santa Clara	256	25 60
G. E. Hersey	Sixty-fifth	Santa Clara	328	32 80
J. S. Alexander	Sixty-sixth	Stanislaus	154	15 40

NAME	District	County	Miles	Amount
F. H. Gould	Sixty-seventh	Merced and Mariposa	230	$23 00
C. G. Cargill	Sixty-eighth	San Benito	370	37 00
C. F. Lacey	Sixty-ninth	Monterey	392	39 20
G. W. Mordecai	Seventieth	Fresno	308	30 80
W. S. Cunningham	Seventy-first	Tulare	462	46 20
F. E. Hunewill	Seventy-second	Alpine, Mono, and Inyo	602	60 20
M. Harloe	Seventy-third	San Luis Obispo	698	69 80
W. A. Hawley	Seventy-fourth	Santa Barbara	738	73 80
T. A. Rice	Seventy-fifth	Kern and Ventura	936	93 60
F. N. Marion	Seventy-sixth	Los Angeles	988	98 80
John R. Mathews	Seventy-seventh	Los Angeles	956	95 60
A. Guy Smith	Seventy-eighth	Los Angeles and Orange	1,056	105 60
John C. Lynch	Seventy-ninth	San Bernardino	1,224	122 40
Nestor A. Young	Eightieth	San Diego	1,234	123 40

Report of committee adopted.

ON EDUCATION

ASSEMBLY CHAMBER, SACRAMENTO, January 15, 1891.

MR. SPEAKER: Your Committee on Education, to whom was referred Assembly Bill No. 139—An Act to provide for the levy and collection of taxes by and for school districts, except in municipal corporations of the first class—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Assembly Bill No. 48—An Act to provide for the free printing of the State school text-books—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

GALBRAITH, Chairman.

ON PUBLIC MORALS.

ASSEMBLY CHAMBER, SACRAMENTO, January 16, 1891.

MR. SPEAKER: Your Committee on Public Morals, to whom was referred Assembly Bill No. 129—An Act to add an additional section to the Penal Code, to be known as section one hundred and fifty-nine and one half, making it a misdemeanor to advertise to obtain a divorce, or to aid therein—have had the same under consideration, and report the same back, and recommend that it do pass.

CARGILL, Chairman.

ON COMMERCE AND NAVIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, January 15, 1891.

MR. SPEAKER: Your Committee on Commerce and Navigation, to whom was referred Assembly Joint Resolution No. 4—Relative to the improvement of Humboldt Bar.

Also: Assembly Joint Resolution No. 2—Relative to Sacramento River and adjoining lands.

Also: Assembly Bill No. 121—An Act to repeal an Act entitled "An Act to declare the Klamath River navigable."

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

PHILLIPS, Chairman.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 16, 1891.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Assembly Bill No. 68—An Act to amend an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Also: Assembly Bill No. 142—An Act to amend section four hundred and ninety-nine of the Civil Code of California, relative to the authority to lay, construct, and operate railroad tracks through streets and public highways of any incorporated city, city and county, or town, and to allow different lines of street railways operating under different managements to use parts of the same streets and tracks.

Also: Assembly Bill No. 114—An Act to amend section four hundred and ninety-seven of the Civil Code of the State of California, relating to the authority to lay railroad tracks through streets and public highways of any incorporated city, city and county, or town.

Also: Assembly Bill No. 116—An Act to confirm, ratify, and make valid ordinances heretofore passed by the Trustees, Council, or other body intrusted with the government of any incorporated city, city and county, or town, giving authority and permission to

propel cars upon railroad tracks laid through the streets and public highways of such incorporated city, city and county, or town, by electricity,

Also: Assembly Bill No. 66—An Act authorizing incorporated cities to acquire by gift, purchase, or condemnation proceedings, water rights, reservoir sites, rights of way, and other appliances for supplying such cities and their inhabitants with water

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

WENTWORTH, Chairman.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, January 15, 1891.

To the Assembly of the State of California

I have the honor to inform your honorable body that I have approved Assembly Bill No 159.

H. H. MARKHAM, Governor.

INTRODUCTION OF BILLS.

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

By Mr. Phillips: Assembly Bill No. 284—An Act to prescribe who can practice law in Police Courts.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 285—An Act to amend section two hundred and seventy-six of the Code of Civil Procedure.

Referred to Committee on Judiciary.

Also: Assembly Bill No 286—An Act to amend section two hundred and eighty-one, Code of Civil Procedure.

Referred to Committee on Judiciary.

Also: Assembly Bill No 287—An Act to amend section six hundred and forty-seven of the Penal Code, relating to vagrants.

Referred to Committee on Public Morals.

Also: Assembly Bill No. 288—An Act entitled "An Act to amend an Act to create a Police Court in and for the City and County of San Francisco, State of California," approved March 5, 1889.

Referred to Committee on Judiciary.

By Mr. Beecher: Assembly Bill No. 289—An Act to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, by amending section two thousand five hundred and ninety-four, and repealing section two thousand five hundred and ninety-five, relating to policies of insurance

Referred to Committee on Corporations.

Also: Assembly Bill No. 290—An Act to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, by amending section two thousand seven hundred and fifty-six, relating to fire insurance.

Referred to Committee on Corporations.

Also: Assembly Bill No. 291—An Act to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, by amending section two thousand five hundred and eighty-seven, relating to policies of insurance.

Referred to Committee on Corporations.

By Mr. Dibble: Assembly Bill No. 292—An Act authorizing the Controller and Treasurer to transfer to the General Fund all moneys now in the State Drainage Construction Fund, and also from time to time

to transfer to the General Fund all moneys that may hereafter be paid into the State Drainage Construction Fund.

Referred to Committee on Ways and Means and Appropriations.

Also: Assembly Bill No. 293—An Act authorizing the Controller and Treasurer to transfer to the General Fund all moneys to the credit of the Construction Fund of Drainage District No. 1, and also from time to time to transfer to the General Fund all moneys that may hereafter be paid into said Construction Fund of Drainage District No. 1.

Referred to Committee on Ways and Means and Appropriations.

Also: Assembly Bill No. 294—An Act providing for the payment of all moneys in the State Treasury to the credit of Swamp Land District Funds, to the treasuries of the counties wherein the said swamp land districts are situated, and to provide for the control of the same by the Auditor and Treasurer of said counties, and prescribing the duties of the Controller and Treasurer in relation thereto.

Referred to Committee on Ways and Means and Appropriations.

Also: Assembly Bill No. 295—An Act providing for the cancellation of certain receipts which were directed by law to be received as cash by the State Treasurer, and authorizing the Controller and Treasurer to make the proper entries in the books of their respective offices.

Referred to Committee on Ways and Means and Appropriations.

Also: Assembly Bill No. 296—An Act authorizing the Controller to charge the sum of three thousand three hundred and six dollars and seventy-two cents against the General Fund, to adjust a discrepancy existing between the books of his office and those of the office of the State Treasurer, because of payments of warrants from the General Fund which have been drawn against the State Drainage Construction Fund and Construction Fund of Drainage District No. 1.

Referred to Committee on Ways and Means and Appropriations.

Also: Assembly Bill No. 297—An Act to amend an Act entitled "An Act concerning actions for libel and slander," approved March 23, 1872, amended April 16, 1880, so as to extend the operations of said Act to all actions for unliquidated damages not arising from contract.

Referred to Committee on Judiciary.

By Mr. Alexander: Assembly Bill No. 298—An Act for the relief of the heirs of Michael Curran, deceased.

Referred to Committee on Claims.

By Mr. Wentworth: Assembly Bill No. 299—An Act to establish a standard of weights and measures, and to repeal all Acts and parts of Acts in conflict with this Act.

Referred to Committee on Chinese Immigration and Emigration and Labor and Capital.

By Mr. Young: Assembly Bill No. 300—An Act to enfranchise the women citizens of the State, and prescribing their qualifications as electors.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 301—An Act relating to life, health, accident, and annuity or endowment insurance on the assessment plan, and the conduct of the business of such insurance.

Referred to Committee on Corporations.

By Mr. Windrow: Assembly Bill No. 302—An Act prescribing the power, duties, and rights of corporations, companies, associations, or

persons furnishing water to any city and county, city, or town, or to the inhabitants thereof, and to regulate water rates.

Referred to Committee on Municipal Corporations.

By Mr. Carter: Assembly Bill No. 303—An Act to amend section two thousand six hundred and forty-two of the Political Code, relative to Road Overseers.

Referred to Committee on Roads and Highways.

By Mr. Clark: Assembly Bill No. 304—An Act entitled "An Act to give preference to honorably discharged Union soldiers in employment upon all public works and all public departments of the State.

Referred to Committee on Chinese Immigration and Emigration and Labor and Capital.

Also: Assembly Bill No. 305—An Act to amend an Act entitled "An Act concerning actions for libel and slander," approved March 23, 1872, amended April 16, 1880, so as to include within the operations of said Act actions for malpractice against physicians and surgeons.

Referred to Committee on Public Morals.

By Mr. Glynn: Assembly Bill No. 306—An Act for the relief of G. Raisch.

Referred to Committee on Claims.

By Mr. Lowe: Assembly Bill No. 307—An Act to provide for the superintendence of State buildings and works, the appointment of a superintending engineer, to prescribe his duties and fix his compensation, and to make an appropriation for expenses.

Referred to Committee on Commerce and Navigation.

MOTION.

Mr. Wentworth moved that the hour of recess be extended ten minutes.

Carried.

REPORT OF COMMITTEE ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, January 15, 1891.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that they have examined the following Assembly Bills, and find them correctly engrossed:

Assembly Bill No. 132—An Act to amend an Act entitled "An Act in relation to certain deputies, assistants, and copyists of County Clerks," approved April 2, 1880.

Also: Assembly Bill No. 22—An Act to amend section one thousand two hundred and nine of the Code of Civil Procedure of California, relating to the power of Courts in the matter of punishing contempts of Court

Also: Assembly Bill No. 52—An Act to amend sections fifty-eight and seven hundred and ninety-two of the Political Code, so as to authorize the appointment of women as Notaries Public.

Also: Assembly Bill No. 53—An Act to amend section two thousand and twenty-four of the Code of Civil Procedure, relative to the manner of taking depositions out of the State.

WINDROW, Chairman.

MOTION.

Mr. Dibble moved that the amended rules be adopted, and ordered to be printed.

Carried.

INTRODUCTION OF BILLS—(RESUMED).

By Mr. Lynch: Assembly Bill No. 308—An Act making an appropriation to pay the deficiency in the appropriation for the salary of the

Executive Secretary to the Governor for the forty-first and forty-second fiscal years.

Referred to Committee on Ways and Means and Appropriations.

By Mr. Hunewill: Assembly Bill No. 309—An Act to amend paragraph eleven of section two hundred of the Code of Civil Procedure of the State of California, relating to exempting exempt firemen from jury duty.

Referred to Committee on Judiciary.

By Mr. Brusie: Assembly Bill No. 310—An Act to appropriate money for the erection of a monument on the plot of the Sacramento Veterans of the Mexican War, in the City Cemetery of Sacramento.

Referred to Committee on Public Buildings and Grounds.

By Mr. Bledsoe: Assembly Bill No. 311—An Act in relation to reassessments of property, and the equalization of the same, in cases where a former assessment is invalid or void, and in relation to the collection of taxes on said reassessments.

Referred to Committee on Judiciary.

By Mr. Robertson: Assembly Bill No. 312—An Act to amend section one thousand four hundred and sixty-nine of the Code of Civil Procedure, providing for a more economical method of administration of estates of decedents when such estates do not exceed the appraised value of fifteen hundred dollars.

Referred to Committee on Judiciary.

By Mr. Bruner: Assembly Bill No. 313—An Act to regulate the practice of veterinary medicine and surgery in the State of California.

Referred to Committee on Agriculture and Forestry.

LEAVE OF ABSENCE.

Mr. Barnard was granted leave of absence until Monday.

INTRODUCTION OF BILLS—(RESUMED).

By Mr. Bruner: Assembly Bill No. 314—An Act to provide for the painting of portraits of R. W. Waterman and H. H. Markham, and appropriating money therefor.

Referred to Committee on Ways and Means and Appropriations.

By Mr. Dunn: Assembly Bill No. 315—An Act to provide for reports of dormant accounts in savings banks incorporated under the laws of this State.

Referred to Committee on Corporations.

Also: Assembly Bill No. 316—An Act to prevent any life insurance company, or agent thereof, doing business in this State, from making or permitting any distinction or discrimination in favor of individuals, between insurants of the same class and equal expectations of life, in the amount of payment of premiums or rates charged for policies of life or endowment insurance, and providing a penalty for violation thereof.

Referred to Committee on Corporations.

By Mr. Hunewill: Assembly Bill No. 317—An Act to amend section one hundred and ninety-seven 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, March 18, 1885, March 17, 1887, and March 16, 1889, relating to the salary of the county officers in the counties of the thirty-fifth class.

Referred to Committee on County and Township Governments.

By Mr. Matlock: Assembly Bill No. 318—An Act regulating the sale of the lands uncovered by the recession of the waters of inland lakes.

Referred to Committee on Swamp and Overflowed and Public Lands.

RESOLUTIONS—(OUT OF ORDER).

By Mr. Brusie:

Resolved, That the State Printer be and he is hereby directed to furnish such printed matter for the use of the committee appointed to investigate the various Commissions of the State as may be considered necessary by said committee.

Carried.

Also:

Resolved, That the committee appointed by this House to investigate the various Commissions of the State, be and they are hereby empowered to employ a stenographer, in the event of it appearing to the satisfaction of said committee that said employment is a matter of necessity. Said stenographer to receive the usual compensation allowed by law, which shall be paid out of the contingent expenses of the Assembly.

Adopted.

By Mr. Dibble:

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

Adopted.

By Mr. Johnson:

WHEREAS, The business of the House requires another Clerk at the desk; therefore, be it

Resolved, That the Chief Clerk is hereby authorized to appoint another Assistant at the same per diem as is paid the other Assistant Clerks; said per diem being payable out of the appropriation for the contingent expenses of the Assembly.

Adopted.

APPOINTMENT.

To the Assembly

GENTLEMEN: In accordance with the resolution this day adopted by the Assembly, authorizing me, as Chief Clerk of the Assembly, to appoint an Assistant Clerk, I have appointed Ed. J. Smith

H. A. MASON, Chief Clerk.

MOTION.

Mr. Lowe moved that Ed. J. Smith be allowed four days' pay at the same per diem as is allowed the Clerks at the desk.

Carried.

RESOLUTION.

By Mr. Wentworth:

Resolved, That W. H. Reynolds be and he is hereby appointed Clerk to the San Francisco Delegation Committee (a select committee of this House), at a per diem the same as other committee clerks, the same to be paid out of the Contingent Fund of the Assembly.

Adopted.

RECESS.

The hour of recess having arrived, the Assembly took a recess.

REASSEMBLED.

The Assembly reassembled at two o'clock P. M.
Speaker Coombs in the chair.
Quorum present.

GENERAL FILE—FIRST READING OF BILLS.

Assembly Bill No. 112—An Act to amend subdivision four of section twenty-five 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, as amended March 18, 1885, as amended March 17, 1887, and as amended March 16, 1889.

Read first time, and ordered to a second reading.

Assembly Bill No. 13—An Act to amend paragraph twenty-seven of section twenty-five of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883.

Read first time, and ordered to a second reading.

Assembly Bill No. 148—An Act to amend section four thousand and forty-six of the Political Code, relating to the jurisdiction and power of Boards of Supervisors in their respective counties.

Read first time, and ordered to a second reading.

SECOND READING OF BILLS.

Assembly Bill No. 101—An Act to amend sections three thousand seven hundred and eighty and three thousand seven hundred and eighty-five of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the redemption of land sold at tax sale.

Read second time, ordered engrossed, and to a third reading.

SPECIAL ORDER.

The consideration of the resolution introduced by Mr. Bruner making Senate Bill No. 207 a case of urgency.

REPORT OF COMMITTEE ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, January 16, 1891.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Senate Bill No. 207—An Act to amend sections two hundred and forty-five, two hundred and forty-six, and two hundred and sixty-eight of the Political Code of the State of California, and to repeal sections two hundred and forty-eight and two hundred and forty-nine of said Code—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

BRUNER, Chairman.

Mr. Lowe in the chair.

VOTE ON THE RESOLUTION.

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

AYES—Messrs. Alexander, Ames, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bledsoe, Brown, Bruner, Brusie, Bryant, Cargill, Carter, Clark,

Culver, Daly, Dibble, Dow, Fowler, Freeman, Galbraith, Garver, Glynn, Gordon, Hall, Harloe, Hawley, Hayes, Hersey, Hocking, Hoey, Hunewill, Johnson, Jones, Kellogg, Lacey, Lewis, Lowe, Lux, Lynch, Marion, Martin, Matlock, Murphy, Smith of Orange, Steltz, Sturtevant, Tully, Wentworth, Weston, Windrow, Young, and Mr. Speaker—53.

Noes—Messrs. Cunningham, Doty, Eakle, Jackson, Mathews, Mordecai, Murnan, Renfro, Rice, Robertson, Shanahan, Stabler, and Wolfskill—13.

INTRODUCTION OF BILLS—(RESUMED).

By Mr. Culver: Assembly Bill No. 319—An Act making an appropriation for the support and maintenance of the State Mining Bureau for the forty-third and forty-fourth fiscal years.

Referred to Committee on Ways and Means and Appropriations.

LEAVE OF ABSENCE.

Mr Bryant was granted leave of absence until next Tuesday.

ADJOURNMENT.

At two o'clock and forty-five minutes P. M., on motion of Mr. Gould, the Assembly adjourned until twelve o'clock M., Monday, January 19, 1891.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Monday, January 19, 1891.

The Assembly met pursuant to adjournment.

Speaker Coombs in the chair.

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

Messrs. Alexander, Ames, Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Brusie, Cargill, Carter, Clark, Coffey, Culver, Cunningham, Dennis, Dibble, Doty, Dow, Dunn, Durner, Eakle, Estey, Freeman, Galbraith, Garver, Glynn, Gould, Hall, Harloe, Hawley, Hayes, Hersey, Hocking, Hoey, Hunewill, Johnson, Jones, Kellogg, Lacey, Lewis, Lowe, Lux, Lynch, Marion, Martin, Matlock, Mathews, McCall, Mordecai, Murnan, Murphy, Phillips, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Tully, Wentworth, Weston, Windrow, Wolfskill, Young, and Mr. Speaker.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. A. C. Herrick.

READING OF THE MINUTES.

Pending the reading of the Journal of Friday, the sixteenth instant, Mr. Dibble moved that the further reading of the Journal be dispensed with.

So ordered.

LEAVE OF ABSENCE.

Messrs. Jackson, Gordon, and Cram were granted leave of absence for the day.

MOTIONS.

Mr. Phillips moved that the Journal of Friday, the sixteenth instant, be corrected as regards the resolution offered by Mr. Brusie, as follows:

Strike out all after the word "necessity," in line four, down to and including the word "investigations," in line six, and all after the word "law," in line seven, down to and including the word "of," preceding the word "which," in line nine.

Carried.

Mr. Hawley moved that the Journal be corrected by inserting "pending the reading of the minutes of the fifteenth, it was moved that the Journal be approved as read."

Adopted.

It was moved by Mr. Hawley that the minutes of the fourteenth, as corrected, be approved.

Adopted.

Mr. Wentworth moved that the vote approving the minutes of Thursday be reconsidered.

Carried.

RESOLUTION.

By Mr. Wentworth:

Resolved, That the Journal of Thursday, January 15, 1891, be corrected so as to show that when Mr. Wentworth withdrew, by leave of the Assembly, Assembly Bill No. 100, he did so because the same was embodied and contained in Assembly Bill No. 54, it being identical, and had been heretofore reported favorably to and acted upon by the Assembly.

Adopted.

JOURNAL APPROVED.

The Journal of January fifteenth was then approved.

QUESTION OF PRIVILEGE.

The "Record-Union" of Friday has it, on Mr. Renfro's remarks of last Thursday, that the word "perfect" was substituted in the place of the word "perpetuated."

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, January 16, 1891.

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

Resolved by the Senate, the Assembly concurring, That the Standing Committee on Rules of both Houses be requested to prepare and report a joint rule of the two Houses, relative to the consideration and passage of duplicate bills, or bills of substantially the same character, pending in both Houses, or committees thereof, at the same time.

F. J. BRANDON, Secretary of the Senate.
By R. L. THOMAS, Assistant Secretary.

Lost.

INTRODUCTION OF BILLS.

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

By Mr. Barnett of San Francisco: Assembly Bill No. 320—An Act to appropriate money to pay the claim of Max Gumpel for services rendered the State, as an expert, during the trial of John S. Gray.

Referred to Committee on Claims.

By Mr. Gould: Assembly Bill No. 321—An Act to repeal section five hundred and thirty-seven of the Penal Code, relating to defrauding proprietors and managers of hotels, inns, restaurants, boarding houses, and lodging houses.

Referred to Committee on Judiciary.

By Mr. Beecher: Assembly Bill No. 322—An Act to amend an Act entitled "An Act to establish a Penal Code," approved March 12, 1885, by amending section six hundred and twenty-six, relating to the laws for the preservation of game.

Referred to Committee on Fish and Game.

By Mr. Baughman: Assembly Bill No. 323—An Act to authorize the Governor of the State of California to appoint a custodian of the Marshall Monument.

Referred to Committee on Public Buildings and Grounds.

Mr. Phillips in the chair.

By Mr. McCall: Assembly Bill No. 324—An Act to add a new section to the Political Code, to be known as section seven hundred and ninety-three, relating to qualifications of Notaries Public.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 325—An Act to amend section seven hundred and ninety-one of the Political Code, relating to the appointment and number of Notaries Public.

Referred to Committtee on Judiciary.

Also: Assembly Bill No. 326—An Act to create a State Board of Funeral Directors, to prescribe its power and duties, to regulate the practice of undertaking and funeral direction, and to more effectually protect the people against contagious diseases.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 327—An Act to amend section five hundred and ninety-eight of the Civil Code of the State of California, relating to benevolent and religious corporations.

Referred to Committee on Judiciary.

By Mr. Dennis: Assembly Bill No. 328—An Act for the relief of J. B. Martin and A. J. Martin, executors of the will of John Martin, deceased, and of the estate of John Martin, deceased, and of John Landers, for judgment recovered by the people of the State of California against John Martin and John Landers, in an action entitled "People of the State of California ex rel. John P. Dunn, State Controller, plaintiff, vs. Frank W. Gross, John Martin, and John Landers, defendants," in the Superior Court of the City and County of San Francisco.

Referred to Committee on Claims.

By Mr. Gould: Assembly Bill No. 329—An Act for the destruction of wolves, coyotes, bears, and California lions, and to authorize a bounty to be given by the State to encourage such destruction, to any person who shall kill any wolf, coyote, bear, or California lion.

Referred to Committee on Agriculture and Forestry.

By Mr. Marion: Assembly Bill No. 330—An Act to donate to free public libraries of the State, having more than eight thousand volumes, certain books and public documents.

Referred to Committee on State Library.

By Mr. Lacey: Assembly Bill No. 331—An Act to amend an Act to establish a Political Code, and relating to the duties of Superintendent of Public Instruction.

Referred to Committee on Education.

Also: Assembly Bill No. 332—An Act to amend an Act entitled "An Act to establish a Political Code," and relating to fees of witnesses in criminal cases.

Referred to Committee on Judiciary.

By Mr. Smith of Orange: Assembly Bill No. 333—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, and also since the passage of the Act entitled "An Act to provide for the classification of municipal corporations," approved March 2, 1883.

Referred to Committee on Municipal Corporations.

Also: Assembly Bill No. 334—An Act to provide that property within the boundaries of a city of the fifth class, not laid out into lots, but used for agricultural purposes, shall not be taxed, except for road and school purposes.

Referred to Committee on Municipal Corporations.

By Mr. Wentworth: Assembly Bill No. 335—An Act to amend sections thirteen, sixteen, twenty-five, fifty-seven, seventy, seventy-one, one hundred and forty-seven, one hundred and sixty-two, 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-seven, one hundred and seventy-eight, one hundred and seventy-nine, one hundred and eighty, one hundred and eighty-one, one hundred and eighty-three, one hundred and eighty-four, one hundred and eighty-five, one hundred and eighty-six, one hundred and eighty-seven, one hundred and eighty-eight, one hundred and eighty-nine, one hundred and ninety, one hundred and ninety-one, one hundred and ninety-two, one hundred and ninety three, one hundred and ninety-five, one hundred and ninety-six, two hundred and one, two hundred and two, two hundred and three, two hundred and six, two hundred and nine, two hundred and eleven, and two hundred and twenty-five, 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, March 18, 1885, and March 17, 1887, and to insert two new sections, to be numbered one hundred and eighty-eight and one half and two hundred and one and one half, and to create two new classes of counties of the twenty-sixth and one half and of the thirty-ninth and one half class, relating to the government of counties, and to repeal section one hundred and ten and one half of said Act.

Referred to Committee on County and Township Governments.

By Mr. Hocking: Assembly Bill No 336—An Act to provide for the division of existing counties, and for the creation and organization of new counties and names therefor; to determine the location of county seat by an election; to declare the manner of providing officers; to provide funds for the support of such new counties by the issuance of

bonds; and to determine what portion of old county debt is chargeable to such new county.

Referred to Committee on County and Township Governments.

By Mr. Coombs: Assembly Bill No. 337—An Act to provide for the appointment of a Board of Sutter's Fort Trustees, and for the acquisition of the Sutter Fort property, and providing for an appropriation for the preservation, protection, and improvement of said property.

Referred to Committee on Ways and Means.

By Mr. Bruner: Assembly Bill No. 338—An Act to authorize Robert C. Ball to sue the State of California.

Referred to Committee on Judiciary.

By Mr. Renfro: Assembly Bill No. 339—An Act to add a new section to the Penal Code, to be numbered section two hundred and eighty-three and one half, relative to time of marriage of divorced persons.

Referred to Committee on Public Morals.

By Mr. Lux: Assembly Bill No. 340—An Act amending section eight hundred and thirty-two of the Civil Code of the State of California, as amended March 3, 1874, relating to excavations made upon lands and the duty of protecting the lands of coterminous owners.

Referred to Committee on Judiciary.

By Mr. Clark: Assembly Bill No. 341—An Act governing the business of fire, marine, life, and accident insurance, relating to deposits.

Referred to Committee on Corporations.

By Mr. Robertson: Assembly Bill No. 342—An Act to amend sections two thousand six hundred and forty-one and two thousand six hundred and forty-six of the Political Code, relative to the supervision and working of public roads and highways by contract.

Referred to Committee on Roads and Highways.

By Mr. Shanahan: Assembly Bill No. 343—An Act to amend section one thousand two hundred and forty-six of the Penal Code, relating to the cost of appeals in criminal cases.

Referred to Committee on Judiciary.

By Mr. Rice: Assembly Bill No. 344—An Act to amend section two hundred and one and one half 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, March 18, 1885, and March 17, 1887, and to insert two new sections, to be numbered one hundred and eighty-eight and one half and two hundred and one and one half, and to create two new classes of counties of the twenty-sixth and one half and of the thirty-ninth and one half class, relating to the government of counties, and to repeal section one hundred and ten and one half of said Act, approved March 16, 1889.

Referred to Committee on County and Township Governments.

RECESS.

At one o'clock and thirty minutes P. M., the hour of recess having arrived, the Assembly took a recess until two o'clock P. M.

REASSEMBLED.

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

Speaker Coombs in the chair.

Quorum present.

APPOINTMENTS.

The Speaker made the following appointments: Page, Otto Glover; Messenger to Sergeant-at-Arms, N. King.

INTRODUCTION OF BILLS.

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

By Mr. Barnett of Sonoma: Assembly Bill No. 345—An Act to repeal section three thousand eight hundred and eighteen of the Political Code, relating to preferred purchasers for lands sold to the State for taxes.

Referred to Committee on Judiciary.

By Mr. Murnan: Assembly Bill No. 346—An Act to amend section one thousand five hundred and ninety-three of the Political Code, relating to the election of Trustees, when and where held.

Referred to Committee on Education.

By Mr. Weston: Assembly Bill No. 347—An Act to amend sections two thousand six hundred and forty-two and two thousand six hundred and forty-four, approved March 9, 1887, section two thousand six hundred and forty-six, in effect March 15, 1887, and section two thousand six hundred and fifty-three of "An Act to establish a Political Code," approved March 12, 1872, relating to roads and highways, and adding a new section thereto, to be known as section two thousand six hundred and forty-seven.

Referred to Committee on Roads and Highways.

By Mr. Bruner: Assembly Bill No. 348—An Act to amend section ninety-two of the Civil Code, to be designated as section one hundred and eight, concerning divorces.

Referred to Committee on Judiciary.

By Mr. Renfro: Assembly Constitutional Amendment No. 11—To propose an amendment to section five of article twenty of the Constitution of the State of California, relative to fiscal year.

Referred to Committee on Judiciary.

By Mr. Marion: Assembly Concurrent Resolution No. 2—Relative to the supplying of certain free public libraries with State documents now in the State Library,

Referred to the Committee on State Library.

By Mr. Barnett of San Francisco: Assembly Constitutional Amendment No. 12—A resolution to propose amendments to sections one, two, three, four, ten, twelve, seventeen, eighteen, twenty-three, and twenty-four, of article six of the Constitution of the State of California, relating to the Judicial Department.

Referred to Committee on Judiciary.

REPORT OF STANDING COMMITTEE.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 19, 1891.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Assembly Bill No. 50—An Act to amend an Act approved March 19, 1889, entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State, for the construction of waterworks, sewers, and all necessary public improvements, or for any purpose whatever;" and to

repeal the Act approved March 9, 1885, entitled "An Act to authorize municipal corporations of the fifth class, containing more than three thousand and less than ten thousand inhabitants, to obtain waterworks," also, to repeal an Act approved March 15, 1887, entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State"—have had the same under consideration, and report the same back with a substitute for the same, and recommend the passage of the substitute.

WENTWORTH, Chairman.

GENERAL FILE—THIRD READING OF BILLS.

Assembly Bill No. 20—An Act to amend section four hundred and eight of the Code of Civil Procedure.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Ames, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Brusie, Cargill, Carter, Clark, Coffey, Culver, Daly, Dennis, Dibble, Doty Dow, Dunn, Durner, Estey, Freeman, Garver, Glynn, Gould, Hail, Hawley, Hayes, Hersey, Hocking, Hoey, Hunewill, Johnson, Jones, Kellogg, Lacey, Lewis, Lowe, Lux, Lynch, Marion, Martin, Matlock, Mathews, McCall, Mordecai, Murnan, Murphy, Phillips, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Wentworth, Weston, Wolfskill, Young, and Mr. Speaker—67.

NOES—None.

Title read and approved.

Assembly Bill No. 45—An Act to add a new section to the Civil Code, said section to be numbered three thousand four hundred and fifty-three, relating to assignments for the benefit of creditors.

Read third time.

Mr. Dibble moved to refer Assembly Bill No. 45 to Judiciary Committee, with instructions to report to-morrow, and that the bill do not lose its place on the file.

Carried.

Assembly Bill No. 54—An Act to amend section eight hundred and forty-nine of the Code of Civil Procedure, relating to the service of summons in actions in Justice's Courts.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Ames, Arms, Barnett of San Francisco, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Brusie, Cargill, Carter, Clark, Coffey, Cram, Culver, Cunningham, Daly, Dennis, Dibble, Doty, Dow, Dunn, Durner, Eakle, Estey, Freeman, Galbraith, Garver, Gould, Hail, Hawley, Hayes, Hersey, Hoey, Hunewill, Johnson, Jones, Kellogg, Lacey, Lewis, Lowe, Lux, Lynch, Marion, Matlock, Mathews, McCall, Mordecai, Murnan, Phillips, Renfro, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Tully, Wentworth, Windrow, Wolfskill, Young, and Mr. Speaker—67.

NOES—Mr. Martin—1.

Title read and approved.

APPOINTMENT BY THE SPEAKER.

The Committee on County and Township Governments was increased by the appointment by the Speaker of the following named members, namely: Messrs. Hunewill, Matlock, Carter, and Gould.

THIRD READING OF BILLS—(RESUMED).

Assembly Bill No. 56—An Act to amend section one hundred and twenty-eight of the Civil Code of the State of California, relative to actions in divorce cases.

Read third time, and passed by the following vote:

AYES—Messrs. Alexander, Ames, Arms, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Brusie, Cargill, Carter, Clark, Coffey, Cram, Culver, Cunningham, Daly, Dennis, Dibble, Doty, Dow, Dunn, Durner, Eakle, Estey, Fowler, Freeman, Galbraith, Garver, Glynn, Gould, Hail, Hawley, Hayes, Hersey, Hocking, Hoey, Hunewill, Johnson, Jones, Kellogg, Lacey, Lewis, Lowe, Lux, Lynch, Marion, Matlock, Mathews, McCall, Mordecai, Murnan, Murphy, Phillips, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Tully, Wentworth, Weston, Windrow, Wolfskill, Young, and Mr. Speaker—74.
NOES—Mr. Martin—1.

Title read and approved.

SPECIAL ORDERS.

Assembly Constitutional Amendment No. 3—A resolution to propose an amendment to section one of article two of the Constitution of the State of California, relative to the right of suffrage.

By Mr. Shanahan: Amendment No. 2—Amend by adding to line eleven, the following:

Also, providing that the provisions of this amendment shall not apply to any person prevented by a physical disability from complying with its requisitions, nor to any person who now has the right to vote, nor to any person who shall be sixty years of age, or upwards, at the time this amendment shall take effect.

Adopted.

Mr. Dibble moved to make the consideration of the special order and amendment to Assembly Constitutional Amendment No. 3, a special order for Wednesday, at three o'clock.

THIRD READING OF BILLS—(RESUMED).

Assembly Bill No. 132—An Act to amend an Act entitled "An Act in relation to certain deputies, assistants, and copyists of County Clerks," approved April 2, 1880.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Alexander, Ames, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Brusie, Cargill, Carter, Clark, Coffey, Cram, Culver, Dennis, Dibble, Doty, Dunn, Durner, Eakle, Estey, Fowler, Freeman, Galbraith, Garver, Glynn, Gould, Hail, Harloe, Hawley, Hayes, Hersey, Hocking, Hoey, Hunewill, Johnson, Jones, Kellogg, Lacey, Lewis, Lowe, Lux, Lynch, Marion, Matlock, Mathews, McCall, Murphy, Phillips, Renfro, Rice, Shanahan, Smith of Butte, Stabler, Steltz, Sturtevant, Tennis, Wentworth, Weston, Windrow, and Mr. Speaker—64.
NOES—Messrs. Arms, Dow, Martin, Mordecai, Murnan, Robertson, and Wolfskill—7.

Title read and approved.

MOTION.

Mr. Bruner moved that Senate Bill No. 207, number twenty-three on the file, be taken up.

Lost.

THIRD READING OF BILLS—(RESUMED).

Assembly Bill No. 22—An Act to amend section one thousand two hundred and nine of "The Code of Civil Procedure of California," relating to the power of Courts in the matter of punishing contempts of Court.

Referred to Committee on Engrossment, to retain its position on file.

Assembly Bill No. 52—An Act to amend sections fifty-eight and seven hundred and ninety-two of the Political Code, so as to authorize the appointment of women as Notaries Public.

Read third time.

Mr. Martin moved to refer Assembly Bill No. 52 to a special committee of one for consideration of Amendment No. 1, providing that the applicant shall be a maiden or widow with children.

Lost.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Barnett of San Francisco, Barnett of Sonoma, Beecher, Bert, Bledsoe, Brown, Bruner, Clark, Coffey, Cunningham, Dibble, Doty, Estey, Garver, Gould, Hall, Harloe, Hayes, Hersey, Hoey, Hunewill, Johnson, Kellogg, Lewis, Low, Lux, Lynch, Marion, Matlock, Murnan, Murphy, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Sturtevant, Tennis, Wentworth, Weston, and Young—43.

NOES—Messrs Ames, Arms, Barnard, Baughman, Brusie, Cargill, Carter, Culver, Dennis, Dow, Dunn, Durner, Eakle, Fowler, Freeman, Galbraith, Hawley, Hocking, Martin, Mathews, McCall, Mordecai, Phillips, Stabler, Steltz, Windrow, and Wolfskill—27.

Title read and approved.

Mr. Bruner in the chair.

Assembly Bill No. 53—An Act to amend section two thousand and twenty-four of the Code of Civil Procedure, relative to the manner of taking depositions out of the State.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Ames, Arms, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Brusie, Cargill, Carter, Clark, Coffey, Culver, Cunningham, Dennis, Dibble, Doty, Dow, Dunn, Durner, Eakle, Estey, Fowler, Freeman, Galbraith, Gould, Hall, Harloe, Hawley, Hayes, Hersey, Hocking, Hoey, Hunewill, Johnson, Kellogg, Lacey, Lewis, Lux, Lynch, Marion, Martin, Matlock, Mathews, McCall, Mordecai, Murnan, Murphy, Phillips, Renfro, Robertson, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Wentworth, Weston, Windrow, Wolfskill, and Young—66.

NOES—None.

Title read and approved.

MOTION.

Mr. Dibble moved to suspend the regular order, and take up Senate Bill No. 207, number twenty-three on the file, for reading first time.

Carried.

FIRST READING OF BILL.

Senate Bill No. 207—An Act to amend sections two hundred and forty-five, two hundred and forty-six, and two hundred and sixty-eight of the Political Code of the State of California, and to repeal sections two hundred and forty-eight and two hundred and forty-nine of said Code.

Read first time, and placed on file for a second reading.

MOTION.

Mr. Dibble moved to make Senate Bill No 207 a special order for to-morrow morning, immediately after reading of Journal.

Carried.

SPECIAL ORDER—SECOND READING OF BILLS.

Assembly Bill No. 112—An Act to amend subdivision four of section twenty-five 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, as amended March 18, 1885, as amended March 17, 1887, and as amended March 16, 1889.

MOTION.

Mr. Barnard moved that Assembly Bill No. 112 be made a special order for Thursday at two o'clock P. M.

Carried.

LEAVE OF ABSENCE.

Mr. Doty was granted leave of absence until Thursday at two o'clock P.M.

SECOND READING OF BILLS—(RESUMED).

Assembly Bill No. 13—An Act to amend paragraph twenty-seven of section twenty-five of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883.

Mr. Brown moved that the bill be recommitted to Committee on County and Township Governments.

Carried.

Assembly Bill No. 148—An Act to amend section four thousand and forty-six of the Political Code, relating to the jurisdiction and power of Boards of Supervisors in their respective counties.

Read second time, ordered engrossed and to a third reading.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, January 19, 1891.

MR. SPEAKER: Your Committee on Engrossment, to whom was re-referred Assembly Bill No. 22, find the same correctly engrossed.

Also: Assembly Bill No. 25—An Act to amend section one thousand four hundred and sixty-five of the Code of Civil Procedure of the State of California.

Also: Assembly Bill No. 60—An Act to add two new sections to article five, of chapter eleven, of title eleven, of part three, of the Code of Civil Procedure of California, to be designated as sections one thousand seven hundred and two and one thousand seven hundred and three, and relating to the declination of testamentary trustees and the appointent of persons to fill vacancies resulting from such declination or otherwise.

Also: Assembly Bill No. 58—An Act to amend section one thousand two hundred and five of the Penal Code, relating to fines and imprisonment.

Also: Assembly Bill No. 101—An Act to amend sections three thousand seven hundred and eighty and three thousand seven hundred and eighty-five of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the redemption of land sold at tax sale.

WINDROW, Chairman.

FIRST READING OF BILLS.

Assembly Bill No. 68—An Act to amend an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Read first time, and placed on file for second reading.

Assembly Bill No. 142—An Act to amend section four hundred and ninety-nine of the Civil Code of California, relative to the authority to

lay, construct, and operate railroad tracks through streets and public highways of any incorporated city, city and county, or town, and to allow different lines of street railway, operated under different managements, to use parts of the same streets and tracks.

Read first time, and placed on file for second reading.

Assembly Bill No. 114—An Act to amend section four hundred and ninety-seven of the Civil Code of the State of California, relating to the authority to lay railroad tracks through streets and public highways of any incorporated city, city and county, or town.

Read first time, and placed on file for second reading.

Assembly Bill No. 66—An Act authorizing incorporated cities to acquire, by gift, purchase, or condemnation proceedings, water, water rights, reservoir sites, rights of way, and other appliances for supplying such cities and their inhabitants with water.

Read first time, and placed on file for second reading.

Assembly Bill No. 116—An Act to confirm, ratify, and make valid ordinances heretofore passed by the Trustees, Council, or other body intrusted with the government of any incorporated city, city and county, or town, giving authority and permission to propel cars upon railroad tracks laid through the streets and public highways of such incorporated city, city and county, or town, by electricity.

Read first time, and placed on file for second reading.

Assembly Bill No. 121—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.

JOINT RESOLUTIONS.

Assembly Joint Resolution No. 4—Relating to the improvement of Humboldt Bar.

Read and adopted.

Assembly Joint Resolution No. 2—Relative to Sacramento River and adjoining lands.

MOTION.

Mr. Hail moved that the resolution be referred to a Select Committee, consisting of the Committees of Commerce and Navigation and Mines and Mining Interests, of which Select Committee the Chairman shall be the Chairman of the Committee on Commerce and Navigation.

Carried.

FIRST READING OF BILLS—(RESUMED).

Assembly Bill No. 129—An Act to add an additional section to the Penal Code, to be known as section one hundred and fifty-nine and one half, making it a misdemeanor to advertise to obtain a divorce, or to aid therein.

Read first time, and placed on file for second reading.

Assembly Bill No. 139—An Act to provide for the levy and collection of taxes by and for school districts, except in municipal corporations of the first class.

Read first time, and placed on file for second reading.

Assembly Bill No. 48—An Act to provide for the free printing of the State school text-books.

Refused first reading.

RESOLUTIONS.

By Mr. Bert:

Resolved, That the name of Joseph Windrow be substituted for that of Eugene F. Bert on the Committee on Claims.

On suspension of the rules, the resolution was adopted.

By Mr. Culver:

Resolved, That the Superintendent of State Printing be and is hereby directed to print, in a small, convenient form, one thousand copies of the standing committees of the Assembly, for the use of the members.

Adopted.

By Mr. Dibble:

Resolved, That the Public Printer be and he is hereby instructed to print, for the use of the members of the Assembly, four hundred extra copies of Assembly Journal of January thirteenth.

Adopted.

By Mr. Galbraith:

Resolved, That the Committee on Education be increased from nine members to eleven members, and that Mr. Cram and Mr. Murnan be added to said committee.

Referred to Committee on Rules and Regulations.

ADJOURNMENT.

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

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Tuesday, January 20, 1891.

The Assembly met pursuant to adjournment.

Speaker Coombs in the chair.

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

Messrs. Alexander, Ames, Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Brusie, Bryant, Cargill, Carter, Clark, Coffey, Cram, Culver, Cunningham, Dennis, Dibble, Dow, Dunn, Durner, Eakle, Estey, Fowler, Freeman, Galbraith, Garver, Gordon, Gould, Hall, Harloe, Hawley, Hayes, Hersey, Hocking, Hoey, Hunewill, Johnson, Jackson, Jones, Kellogg, Lacey, Lewis, Lowe, Lux, Lynch, Mahon, Martin, Matlock, Mathews, McCall, Mordecai, Murnan, Murphy, Phillips, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Wentworth, Weston, Windrow, Wolfskill, Young, and Mr. Speaker.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. A. C. Herrick.

READING OF THE MINUTES.

Pending the reading of the Journal of yesterday, Mr. Barnett of San Francisco moved that the further reading of the Journal be dispensed with.

So ordered.

Journal corrected and approved.

Journal of January twelfth approved as corrected.

APPOINTMENT BY THE SPEAKER.

Mr. Doty was appointed by the Speaker instead of Mr. Gould, on the Committee on County and Township Governments.

SECOND READING OF BILL—SPECIAL ORDER.

Senate Bill No. 207—An Act to amend sections two hundred and forty-five, two hundred and forty-six, and two hundred and sixty-eight of the Political Code of the State of California, and to repeal sections two hundred and forty-eight and two hundred and forty-nine of said Code.

Read second time, and placed on file for third reading.

MOTION.

Mr. Dibble moved that Senate Bill No. 207 be made a special order for to-morrow morning after reading of the Journal.

Carried.

PRESENTATION OF PETITION.

Mr. Gould presented a petition from residents of Mariposa County for the further establishment of a bounty on coyotes.

Referred to Committee on Agriculture and Forestry.

REPORTS OF STANDING COMMITTEES.

ON STATE CHARITABLE AND REFORMATORY INSTITUTIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 20, 1891.

MR. SPEAKER: Your Committee on State Charitable and Reformatory Institutions to whom was referred Assembly Bill No. 63—An Act to amend section two thousand two hundred and eighty-one of "An Act to establish a Political Code," approved March 12, 1872, in relation to the office of Treasurer of the Deaf and Dumb and Blind Asylum—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

MARION, Chairman.

ON STATE PRISONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 20, 1891.

MR. SPEAKER: Your Committee on State Prisons, to whom was referred Assembly Bill No. 6—An Act to provide for certain improvements and repairs at the Folsom State Prison, and making an appropriation therefor—beg leave to report progress, and ask for further time.

ESTEY, Chairman.

Further time granted.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, January 20, 1891.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bills Nos. 34 and 36—have had the same under consideration, and report the same back, and recommend that they do pass.

Also. Assembly Constitutional Amendment No. 9—and report the same back without recommendation.

Also: Assembly Bills Nos. 23 and 35—and report the same back, and recommend that they do not pass.

BRUNER, Chairman.

MINORITY REPORT.

ASSEMBLY CHAMBER, SACRAMENTO, January 20, 1891.

MR. SPEAKER: We, the undersigned members of the Judiciary Committee, recommend that Assembly Bill No. 36 do not pass.

CLARK.
BLEDSOE.
SHANAHAN.
MATLOCK.
STABLER.
ROBERTSON.

ON ROADS AND HIGHWAYS.

ASSEMBLY CHAMBER, SACRAMENTO, January 19, 1891.

MR. SPEAKER: Your Committee on Roads and Highways, to whom was referred Assembly Bill No. 197—An Act to amend section two thousand six hundred and eighty-four of the Political Code of California—have amended the same by inserting the words "of whom" after the word "one," in the fourth line of the printed bill, and report the same back, and recommend that it do pass as amended.

MATLOCK, Chairman.

ON RULES AND REGULATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 20, 1891.

MR. SPEAKER: Your Committee on Rules and Regulations, to whom was referred the following resolution, viz.:

Resolved, That the Committee on Education be increased from nine members to eleven members, and that Mr. Cram and Mr. Murnan be added to said committee.

Have had the same under consideration, and report the same back, and recommend that the same be adopted.

CULVER, Chairman.

Resolution adopted as reported.

ON CHINESE IMMIGRATION AND EMIGRATION AND LABOR AND CAPITAL.

ASSEMBLY CHAMBER, SACRAMENTO, January 20, 1891.

MR. SPEAKER: Your Committee on Chinese Immigration and Emigration and Labor and Capital, to whom was referred Assembly Joint Resolution No. 3—Relative to foreign Immigration—have had the same under consideration, and report the same back, and recommend that it do pass.

Also: Assembly Bill No. 155—An Act to define the qualifications of persons performing labor for the State of California, and fixing a penalty for the violation thereof—have had the same under consideration, and report the same back, and recommend that it do pass.

Also: Assembly Bill No. 145—An Act entitled "An Act for the payment for services rendered the State of California by William H. Thornley as Deputy State Commissioner of Immigration," and making the necessary appropriation therefor—have had the same under consideration, and report the same back, and recommend that the bill be referred to the Committee on Claims.

STELTZ, Chairman.

Ordered so referred.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 20, 1891.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Assembly Bill No. 102—An Act to amend section seven hundred and fifty-two of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, and the amendment thereto, approved March 19, 1889.

Also: Assembly Bill No. 211—An Act to increase the police force of the various cities, and cities and counties, of the State, and to provide for the appointment of such extra police officers, and for the payment of their salaries.

Have had the same under consideration, and report the same back with amendments, and recommend their passage as amended.

Also: Assembly Bill No. 199—An Act to add a new section to "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, to be known as section eight hundred and eighty-seven, relating to illegal salaries and fees.

Also: Assembly Bill No. 209—An Act to authorize cities of not less than twenty-six thousand nor more than thirty thousand inhabitants, to vote upon the question of paying indebtedness incurred in the years 1889 and 1890

Also: Assembly Bill No. 214—An Act to amend section eight hundred and seventy-four of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Also: Assembly Bill No 215—An Act to amend section seven hundred and seventy-seven of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Also: Assembly Bill No. 110—An Act to amend an Act entitled "An Act authorizing the incurring of indebtedness by cities, towns and municipal corporations incorporated under the laws of this State, for the construction of waterworks, sewers, and all necessary public improvements, or for any purpose whatever, and to repeal the Act approved March 9, 1885, entitled 'An Act to authorize municipal corporations of the fifth class containing more than three thousand and less than ten thousand inhabitants, to obtain waterworks;' also, to repeal an Act approved March 15, 1887, entitled 'An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State,'" approved March 19, 1889.

Also: Assembly Bill No. 138—An Act to provide for the levy and collection of taxes by and for the use of municipal corporations, and cities incorporated under the laws of the State, excepting municipal corporations of the first, second, third, and fourth classes.

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

WENTWORTH, Chairman.

ON PUBLIC PRINTING.

ASSEMBLY CHAMBER, SACRAMENTO, January 20, 1891.

MR. SPEAKER: Your Committee on Public Printing, to whom was referred Assembly Bill No. 5—An Act to provide for the publication of one hundred thousand copies of the statutes and laws passed at each session of the Legislature—have had the same under consideration, and respectfully ask that the committee be allowed further time.

Also: Assembly Joint Resolution No. 8—Authorizing and directing the State Printer to deliver ten copies of every work published or printed in the State Printing Office to the State Librarian, also, two copies to the Librarian of the State University—have had the same under consideration, and report the same back, and recommend the same be adopted.

JONES, Chairman.

Further time granted on Assembly Bill No. 5.

ON PUBLIC MORALS

ASSEMBLY CHAMBER, SACRAMENTO, January 20, 1891.

MR. SPEAKER: Your Committee on Public Morals, to whom was referred Assembly Bill No. 16—An Act to prevent the sale of intoxicating liquors to minor children.

Also: Assembly Bill No. 123—An Act to amend sections fifty-five and seventy-five of the Civil Code, in relation to marriage.

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

CARGILL, Chairman.

SAN FRANCISCO DELEGATION COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, January 20, 1891.

MR. SPEAKER: The San Francisco Delegation Committee (a Select Committee of this House), to whom was referred Assembly Bill No. 51—An Act relating to District Attorneys, their assistants and clerks, in counties, and cities and counties, having a population of more than one hundred and twenty-five thousand.

Also: Assembly Bill No. 174—An Act to provide for organizing, establishing, and maintaining a paid fire department within municipalities in the State of California, to be under the supervision and control of a Board of Fire Commissioners.

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

WENTWORTH, Chairman

INTRODUCTION OF BILLS.

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

By Mr. Fowler: Assembly Bill No 349—An Act to amend section eight hundred and sixty-two of the Political Code, an Act entitled "An

Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Referred to Committee on Municipal Corporations.

Also: Assembly Bill No. 350—An Act to amend section four hundred of the Penal Code of California, approved March 19, 1889, in relation to the suppression and prevention of glanders or farcy.

Referred to Committee on Agriculture and Forestry.

Also: Assembly Bill No. 351—An Act to amend section six hundred and twenty-six of the Penal Code of California, in relation to the protection and preservation of game birds and animals.

Referred to Committee on Fish and Game.

By Mr. Wolfskill: Assembly Bill No. 352—An Act to abolish the commissions now authorized to be paid by the State to County Treasurers, County Auditors, and County Treasurers, for collecting and disbursing State revenues, and to repeal all laws now authorizing the payment of said commissions.

Referred to Committee on County and Township Governments.

By Mr. Young: Assembly Bill No. 353—An Act to create the county of San Jacinto, to define the boundaries thereof, to determine the county seat by an election, and to provide for its organization and election of officers, and to classify said county.

Referred to Committee on County and Township Governments.

Also: Assembly Bill No. 354—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 Judiciary.

Also: Assembly Bill No. 355—An Act relating to the conduct of the business of insurance companies.

Referred to Committee on Corporations.

By Mr. Mordecai: Assembly Bill No. 356—An Act to amend section three and section thirteen of an Act entitled "An Act to promote drainage."

Referred to Committee on Irrigation.

By Mr. Alexander: Assembly Bill No. 357—An Act to amend an Act entitled "An Act to establish a Political Code," by adding thereto a new section, to be numbered three thousand seven hundred and forty-five, to precede section three thousand seven hundred and forty-six, and by amending section three thousand seven hundred and thirty-one thereof, all relating to the payment of taxes.

Referred to Committee on Judiciary.

By Mr. Hersey: Assembly Bill No. 358—An Act to amend section one thousand three hundred and forty-eight of an Act entitled "An Act to establish a Code of Civil Procedure," adopted March 11, 1872, authorizing certain corporations to act as executor, and in other capacities.

Referred to Committee on Judiciary.

By Mr. Lacey: Assembly Bill No. 359—An Act to amend an Act entitled "An Act to establish a Penal Code."

Referred to Committee on Judiciary.

Also: Assembly Bill No. 360—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure."

Referred to Committee on Judiciary.

Also: Assembly Bill No. 361—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure."

Referred to Committee on Judiciary.

Also: Assembly Bill No. 362—An Act to prohibit the acquiring by individuals and private corporations of large tracts of land.

Referred to Committee on Agriculture and Forestry.

Also: Assembly Bill No. 363—An Act to compensate attorneys for services rendered in defense of impecunious defendants.

Referred to Committee on Judiciary.

By Mr. Marion: Assembly Bill No. 364—An Act appropriating money to the Historical Society of Southern California.

Referred to Committee on Ways and Means and Appropriations.

By Mr. Smith of Orange: Assembly Bill No. 365—An Act to provide for the organization and government of districts already supplied with water for domestic and irrigation purposes, or either, and to provide for the acquisition of additional supplies of water when necessary, and to provide for the regulation and use of such water.

Referred to Committee on Irrigation.

By Mr. Dow: Assembly Bill No. 366—An Act appropriating the sum of fifty thousand ($50,000) dollars for the erection of an additional building for the State Normal School at San José.

Referred to Committee on Public Buildings and Grounds.

Also: Assembly Bill No. 367—An Act to provide for the construction and furnishing of a kitchen and dining-room at the Napa State Asylum for the Insane, and making an appropriation therefor.

Referred to Committee on State Charitable and Reformatory Institutions.

By Mr. Phillips: Assembly Bill No. 368—An Act to control the business of benevolent organizations in the State of California.

Referred to Committee on Corporations.

Also: Assembly Bill No. 369—An Act to regulate the business of land and building, and building and loan associations in the State of California.

Referred to Committee on Corporations.

By Mr. Culver: Assembly Bill No. 370—An Act authorizing school districts, cities, cities and counties, or incorporated towns, in the State of California, to furnish the pupils of their respective public schools with free use of school text-books.

Referred to Committee on Education.

By Mr. Hocking: Assembly Bill No. 371—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. Barnett of San Francisco: Assembly Bill No. 372—An Act to amend sections two thousand four hundred and thirty-six, two thousand four hundred and forty, and two thousand four hundred and forty-three of article five of the Political Code, relating to pilots and Pilot Commissioners, and sections 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 six 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. Ames: Assembly Bill No. 373—An Act making appropriation of money to supply the deficiency in the appropriation for the support of the State Printing Office for the forty-second fiscal year.

Referred to Committee on Public Printing.

Also: Assembly Bill No. 374—An Act to amend sections three thousand seven hundred and forty-six, three thousand seven hundred and forty-eight, three thousand seven hundred and fifty, three thousand seven hundred and fifty-one, three thousand seven hundred and fifty-six, three thousand seven hundred and fifty-eight, three thousand seven hundred and sixty-four, three thousand seven hundred and ninety-seven, three thousand seven hundred and ninety-nine, three thousand eight hundred, three thousand eight hundred and sixteen, and three thousand eight hundred and sixty-six of "An Act to establish a Political Code," approved March 12, 1872, and to add a new section thereto, to be known as section three thousand seven hundred and fifty-seven, relative to the collection of property taxes.

Referred to Committee of Judiciary.

By Mr. Lowe: Assembly Bill No. 375—An Act to amend section two thousand nine hundred and eighty-one of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relative to the preservation of the public health.

Referred to Committee on Public Morals.

By Mr. Bruner: Assembly Bill No. 376—An Act to add a new section to the Civil Code, to be known as section one hundred and eight, relatting to trials of actions for divorce.

Referred to Committee on Judiciary.

GENERAL FILE—THIRD READING OF BILLS.

Assembly Bill No. 45—An Act to add a new section to the Civil Code, said section to be numbered three thousand four hundred and fifty-three, relating to assignments for the benefit of creditors.

On motion, Mr. Barnett of San Francisco was granted permission to withdraw this bill.

Assembly Bill No. 22—An Act to amend section one thousand two hundred and nine of "The Code of Civil Procedure of California," relating to the power of Courts in the matter of punishing contempts of Court.

MOTION.

Mr. Gould moved that Assembly Bill No. 22 be amended by striking out the word "and" on page two, line thirty-four, of the printed copy, and that there be substituted therefor the word "or" in the same place, and that a select committee of one, consisting of Mr. Galbraith, be appointed to amend the bill in accordance with this motion.

Carried.

Mr. Galbraith was appointed as committee to make such amendment.

REPORT OF SELECT COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, January 20, 1891.

MR. SPEAKER. Your Select Committee, to whom was referred Assembly Bill No. 22—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.

GALBRAITH, Committee.

Report rejected.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Ames, Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Bryant, Cargill, Carter, Clark, Coffey, Cram, Culver, Dennis, Dibble, Dow, Dunn, Durner, Estey, Fowler, Freeman, Galbraith, Glynn, Gordon, Hail, Harloe Hawley, Hayes, Hersey, Hocking, Hoey, Hunewill, Johnson, Jackson, Jones, Kellogg, Lewis, Lowe, Lux, Marion, Matlock, Mathews, McCall, Mordecai, Murnan, Murphy, Phillips, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Tully, Wentworth, Weston, Windrow, Young, and Mr. Speaker—69.

NOES—Messrs. Garver, Gould, Lacey, Martin, and Wolfskill—5.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Shanahan gave notice that to-morrow morning he would move the reconsideration of the vote by which the bill passed.

THIRD READING OF BILLS—(RESUMED).

Assembly Bill No. 25—An Act to amend section one thousand four hundred and sixty-five of the Code of Civil Procedure of the State of California.

Mr. Dibble moved to have Assembly Bill No. 25 returned to the printer, and not lose its place on the file.

Carried

Assembly Bill No. 60—An Act to add two new sections to article five, of chapter eleven, of title eleven, of part three, of the Code of Civil Procedure of California, to be designated as sections one thousand seven hundred and two and one thousand seven hundred and three, and relating to the declination of testamentary trustees and the appointment of persons to fill vacancies resulting from such declination or otherwise.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Ames, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Bryant, Carter, Clark, Coffey, Cram, Culver, Cunningham, Dow, Dunn, Durner, Eakle, Estey, Fowler, Freeman, Galbraith, Garver, Gordon, Gould, Hail, Harloe, Hawley, Hayes, Hersey, Hocking, Hoey, Hunewill, Johnson, Jackson, Kellogg, Lacey, Lewis, Lowe, Lux, Lynch, Marion, Martin, Matlock, Mathews, McCall, Mordecai, Murnan, Murphy, Phillips, Renfro, Rice, Robertson, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Tully, Wentworth, Weston, Windrow, Wolfskill, and Mr. Speaker—68.

NOES—None.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Lowe gave notice that he will move to-morrow for reconsideration of the vote by which Assembly Bill No. 60 passed.

RECESS.

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

REASSEMBLED.

At two o'clock P. M. the Assembly reassembled.
Speaker Coombs in the chair.
Quorum present.

MOTION.

Mr. Lowe asked the privilege to withdraw his notice of reconsideration of the vote by which Assembly Bill No. 60 was passed.
By consent of the House it was granted.

GENERAL FILE—THIRD READING OF BILLS.

Assembly Bill No. 58—An Act to amend section one thousand two hundred and five of the Penal Code, relating to fines and imprisonment.
Read third time.
The roll was called, and the bill passed by the following vote:

AYES—Messrs. Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bledsoe, Brown, Bruner, Brusie, Bryant, Cargill, Carter, Clark, Coffey, Cram, Culver, Cunningham, Daly, Dennis, Dibble, Dow, Dunn, Durner, Eakle, Estey, Fowler, Freeman, Galbraith, Garver, Glynn, Gordon, Gould, Hall, Hawley, Hersey, Hocking, Hoey, Hunewill, Johnson, Jackson, Jones, Lacey, Lewis, Lowe, Lux, Lynch, Marion, Martin, Matlock, Mathews, McCall, Mordecai, Murnan, Murphy, Phillips, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Steltz, Sturtevant, Tennis, Tully, Wentworth, Weston, Windrow, Wolfskill, Young, and Mr. Speaker—70.
NOES—None.

Title read and approved.
Assembly Bill No. 101—An Act to amend sections three thousand seven hundred and eighty and three thousand seven hundred and eighty-five of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the redemption of land sold at tax sale.
Read third time.
Mr. Dibble moved to refer the bill to a select committee of one, for the purpose of inserting the following amendments:

No. 1—Amend by inserting after the title, "The People of the State of California, represented in Senate and Assembly, do enact as follows."
No. 2—Strike out the proviso on line thirty-five of printed bill and insert "provided, however, that if redemption is made within eleven months of date of sale, the purchaser shall not be entitled to the three-dollar fee."

Carried.

APPOINTMENT OF COMMITTEE.

The Speaker appointed Mr. Dibble as select committee of one.

REPORT OF SELECT COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, January 20, 1891.

MR. SPEAKER. Your Select Committee, to whom was referred Assembly Bill No. 101—An Act to amend sections three thousand seven hundred and eighty and three thousand seven hundred and eighty-five of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the redemption of land sold at tax sale—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.

DIBBLE.

Report of Select Committee adopted.

MOTION.

Mr. Dibble moved that the bill be sent to the State Printer, and from the State Printer to the Committee on Engrossment.

Carried.

RESOLUTION—(OUT OF ORDER).

By Mr. Dibble:

Resolved, That the Committee on Elections and Privileges be directed to inquire and report to the House by what authority the State Printer changed the language of Assembly Bill No. 101.

Adopted.

SECOND READING OF BILLS.

Assembly Bill No. 68—An Act to amend an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 142—An Act to amend section four hundred and ninety-nine of the Civil Code of California, relative to the authority to lay, construct, and operate railroad tracks through streets and public highways of any incorporated city, city and county, or town, and to allow different lines of street railway, operated under different managements, to use parts of the same streets and tracks.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 114—An Act to amend section four hundred and ninety-seven of the Civil Code of the State of California, relating to the authority to lay railroad tracks through streets and public highways of any incorporated city, city and county, or town.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 66—An Act authorizing incorporated cities to acquire, by gift, purchase, or condemnation proceedings, water, water rights, reservoir sites, rights of way, and other appliances for supplying such cities and their inhabitants with water.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 116—An Act to confirm, ratify, and make valid ordinances heretofore passed by the Trustees, Council, or other body intrusted with the government of any incorporated city, city and county, or town, giving authority and permission to propel cars upon railroad tracks laid through the streets and public highways of such incorporated city, city and county, or town, by electricity.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 121—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.

Mr. Robertson was permitted to withdraw Assembly Bill No. 134.

Assembly Bill No. 129—An Act to add an additional section to the Penal Code, to be known as section one hundred and fifty-nine and one half, making it a misdemeanor to advertise to obtain a divorce, or to aid therein.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 139—An Act to provide for the levy and collection of taxes by and for school districts, except in municipal corporations of the first class.

Read second time, ordered engrossed and to a third reading.

FIRST READING OF BILLS.

Assembly Bill No. 50—An Act to amend an Act approved March 19, 1889, entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State, for the construction of waterworks, sewers, and all necessary public improvements, or for any purpose whatever; and to repeal the Act approved March 9, 1885, entitled 'An Act to authorize municipal corporations of the fifth class, containing more than three thousand and less than ten thousand inhabitants, to obtain waterworks;' also, to repeal an Act approved March 15, 1887, entitled 'An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State.'"

Read first time, and placed on file for second reading.

INTRODUCTION OF BILLS.

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

By Mr. Brusie: Assembly Bill No. 377—An Act to authorize the State Board of Prison Directors to pay for certain skilled labor used in the construction of the dam and canal at the Folsom Prison, and making an appropriation therefor.

Referred to Committee on State Prisons.

By Mr. Brown: Assembly Bill No. 378—An Act to regulate the fees of Justices of the Peace in counties of the twenty-eighth class.

Referred to Committee on County and Township Governments.

By Mr. Galbraith: Assembly Bill No. 379—An Act to repeal sections two thousand six hundred and forty-two and two thousand six hundred and forty-four of the Political Code, relative to the powers and duties of highway officers.

Referred to Committee on Roads and Highways.

Also: Assembly Bill No. 380—An Act to amend section two thousand six hundred and forty-three of the Political Code, relating to the duties of highway officers.

Referred to Committee on Roads and Highways.

Also: Assembly Bill No. 381—An Act to amend section two thousand six hundred and forty-one of the Political Code of the State of California, relative to the duties of highway officers.

Referred to Committee on Roads and Highways.

Also: Assembly Bill No. 382—An Act to add a new section to the Political Code, to be known as section two thousand six hundred and forty-seven, relative to keeping roads in repair.

Referred to Committee on Roads and Highways.

Also: Assembly Bill No. 383—An Act to amend section two thousand six hundred and forty-six of the Political Code, relative to contracts to maintain roads.

Referred to Committee on Roads and Highways.

MOTION.

Mr. Marion moved that the Committee on State Charitable and Reformatory Institutions be allowed three days' leave of absence for

the purpose of investigating the charitable institutions of Southern California.

AMENDMENT.

Mr. Phillips moved that the Chairman of the committee be allowed to appoint a committee of three to make said investigation.

PREVIOUS QUESTION.

Mr. Young moved the previous question.

Seconded by Messrs. Hail and Weston.

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

The question being upon the adoption of the amendment.

The ayes and noes were demanded by Messrs. Phillips, Bruner, and Hunewill.

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

AYES—Messrs. Barnett of San Francisco, Baughman, Bert, Bledsoe, Bruner, Brusie, Clark, Coffey, Dow, Estey, Galbraith, Garver, Gordon, Harloe, Hersey, Hocking, Hunewill, Kellogg, Lewis, Lux, Murphy, Phillips, Smith of Orange, Wentworth, and Mr. Speaker—25.

NOES—Messrs. Alexander, Ames, Arms, Barnard, Barnett of Sonoma, Beecher, Brown, Bryant, Cargill, Carter, Cram, Culver, Cunningham, Daly, Dennis, Dunn, Durner, Eakle, Fowler, Freeman, Glynn, Gould, Hail, Hayes, Hoey, Johnson, Jackson, Jones, Lacey, Lynch, Marion, Martin, Matlock, Mathews, McCall, Mordecai, Murnan, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Stabler, Steltz, Sturtevant, Tennis, Tully, Weston, Windrow, Wolfskill, and Young—51.

The question recurring on the original motion, the ayes and noes were demanded by Messrs. Hail, Phillips, and Hunewill.

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

AYES—Messrs. Barnard, Bledsoe, Brown, Carter, Culver, Dennis, Dunn, Durner, Estey, Fowler, Freeman, Glynn, Hoey, Johnson, Lacey, Lynch, Marion, Martin, Mathews, McCall, Steltz, and Weston—22.

NOES—Messrs. Ames, Barnett of Sonoma, Baughman, Beecher, Bert, Bruner, Brusie, Bryant, Clark, Coffey, Cram, Cunningham, Daly, Dow, Eakle, Galbraith, Garver, Gordon, Gould, Hail, Harloe, Hawley, Hayes, Hersey, Hocking, Hunewill, Jackson, Jones, Kellogg, Lewis, Lux, Matlock, Mordecai, Murnan, Murphy, Phillips, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Sturtevant, Tennis, Tully, Wentworth, Windrow, Wolfskill, Young, and Mr. Speaker—51.

MOTION.

Mr. Shanahan moved that Assembly Bill No. 25 be referred to a select committee, for the purpose of amending the bill, as follows: By striking out all after the enacting clause, and inserting as follows:

SECTION 1. Section one thousand four hundred and sixty-five of the Code of Civil Procedure of the State of California is hereby amended to read as follows:

Section 1465. Upon the return of the inventory, or at any subsequent time during the administration, the Court may, on its own motion, or on petition therefor, set apart for the use of the surviving husband or wife, or in case of his or her death, to the minor children of the decedent, all the property exempt from execution, including the homestead selected, designated, and recorded; *provided*, such homestead was selected from the common property, or from the separate property, of the persons selecting or joining in the selection of the same, if none has been selected, designated, and recorded; or in case the homestead was selected by the survivor out of the separate property of the decedent, not having joined therein, the Court must select, designate, and set apart, and cause to be recorded, a homestead for the use of the surviving husband or wife, and the minor children, or if there be no surviving husband or wife, then for the use of the minor

children, in the manner provided in article two of this chapter, out of the common property, or if there be no common property, then out of the real estate belonging to the decedent; *provided*, that in no case shall such homestead so set apart exceed in value the sum of five thousand dollars.

Carried.

Mr. Shanahan was appointed a select committee to make such amendment.

Bill read third time.

REPORT OF SELECT COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, January 20, 1891.

MR. SPEAKER: Your Select Committee, to whom was referred Assembly Bill No. 25—An Act to amend section one thousand four hundred and sixty-five of the Code of Civil Procedure of 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.

SHANAHAN.

Report of Select Committee adopted.

INTRODUCTION OF BILLS—(OUT OF ORDER).

By Mr. Bruner: Assembly Bill No. 384—An Act to provide for the payment of the wages of mechanics and laborers employed by corporations.

Referred to Committee on Chinese Immigration and Emigration and Labor and Capital.

By Mr. Arms: Assembly Bill No. 385—An Act to amend an Act entitled "An Act to provide for the completion of all unfinished county, city and county, town, and township buildings in the several counties, cities and counties, cities, and towns throughout the State of California," approved March 10, 1887.

Referred to Committee on Public Buildings and Grounds.

By Mr. Weston: Assembly Bill No. 386—An Act to amend an Act entitled "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," approved March 15, 1887.

Referred to Committee on Education.

RESOLUTION—(OUT OF ORDER).

By Mr. Bruner:

Resolved, That Chas. Herndon be paid the sum of eight dollars for two days' services as porter, payable out of the Contingent Fund of the Assembly.

Adopted.

INTRODUCTION OF BILLS—(RESUMED).

By Mr. Hayes: Assembly Bill No. 387—An Act to provide for the refunding of money held by gas companies, or persons or companies supplying gas, as security for gas meters, and to provide a penalty for violation of this Act.

Referred to Committee on Corporations.

Also: Assembly Bill No. 388—An Act to fix the compensation for gas supplied by persons, companies, or corporations to any city, or in-

corporated city and county, of more than one hundred thousand (100,000) inhabitants, or the inhabitants thereof, and to provide a penalty for collecting or attempting to collect illegal gas rates.

Referred to Committee on Corporations.

Also: Assembly Bill No. 389—An Act to compel persons, companies, or corporations supplying gas to any city, city and county, or town, or to the inhabitants thereof, to supply gas to any person desiring the same; to provide for the connecting of gas meters, and to provide a penalty for violating the provisions of this Act.

Referred to Committee on Corporations.

Also: Assembly Bill No. 390—An Act to amend an Act entitled "An Act to limit and fix the rates of fare on street railroads in cities and towns of more than one hundred thousand inhabitants," approved January 1, 1878.

Referred to Committee on Corporations.

By Mr. Jones: Assembly Bill No. 391—An Act for the relief of George Nightingale, Michael Ryan, Joseph Rosa, Bridget Davis, Bernard Ward, Ellen Burdette, John Wixon, 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 McGeongle, Otis Berge, James Hartford, and Ellen J. 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.

Referred to Committee on Claims.

RESOLUTIONS.

By Mr. Wentworth:

Resolved, That the Committee on Municipal Corporations be increased by adding two more members thereto.

Referred to Committee on Rules and Regulations.

By Mr. Barnett of San Francisco:

Resolved, That the Committee on Elections and Privileges be allowed a stenographer to take testimony in the contested cases of this House, provided it be found necessary, at the usual per diem allowed by law, payable out of the Contingent Fund of the Assembly.

Rejected.

ADJOURNMENT.

At four o'clock P. M., on motion of Mr. Shanahan, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Wednesday, January 21, 1891.

The Assembly met pursuant to adjournment.

Speaker Coombs in the chair.

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

Messrs. Alexander, Ames, Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Brusie, Bryant, Cargill, Carter, Clark, Coffey, Cram, Culver, Cunningham, Daly, Dennis, Dibble, Dow, Dunn, Durner, Eakle, Estey, Fowler, Freeman, Galbraith, Garver, Glynn, Gordon, Gould, Hail, Harloe, Hawley, Hersey, Hocking, Hoey, Hunewill, Johnson, Jackson, Jones, Kellogg, Lacey, Lewis, Lowe, Lux, Lynch, Marion, Martin, Matlock, Mathews, McCall, Mordecai, Murnan, Murphy, Phillips, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Tully, Wentworth, Weston, Windrow, Wolfskill, Young, and Mr. Speaker.

Quorum present.

LEAVE OF ABSENCE.

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

PRAYER.

Prayer by the Chaplain, Rev. A. C. Herrick.

READING OF THE MINUTES.

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

So ordered.

MOTION.

Mr. Dibble moved that the State Printer be ordered to print the Journal of yesterday, with corrections.

Carried.

APPOINTMENT BY SPEAKER.

The speaker then appointed James Hynes as Porter, in place of Wm. Holland, withdrawn, the appointment to date from yesterday.

Journal corrected and approved.

REPORT OF COMMITTEE ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, January 21, 1891.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that they have examined the following Assembly Bills, and find them correctly engrossed: Assembly Bills Nos. 148, 25, 101, 68, 142, 114, 66, 116, 121, 129, and 139.

Assembly Bills Nos. 25 and 101 have been reëngrossed.

Assembly Bill No. 148—An Act to amend section four thousand and forty-six of the Political Code, relating to the jurisdiction and power of Boards of Supervisors in their respective counties.

Also: Assembly Bill No. 25—An Act to amend section one thousand four hundred and sixty-five of the Code of Civil Procedure of the State of California.

Also: Assembly Bill No. 101—An Act to amend sections three thousand seven hundred and eighty and three thousand seven hundred and eighty-five of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the redemption of land sold at tax sale.

Also: Assembly Bill No. 68—An Act to amend an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 18, 1883.

Also: Assembly Bill No. 142—An Act to amend section four hundred and ninety-nine of the Civil Code of California, relative to the authority to lay, construct, and operate railroad tracks through streets and public highways of any incorporated city, city and county, or town, and to allow different lines of street railway, operated under different management, to use parts of the same streets and tracks.

Also: Assembly Bill No. 111—An Act to amend section four hundred and ninety-seven of the Civil Code of the State of California relating to the authority to lay railroad tracks through streets and public highways of any incorporated city, city and county, or town.

Also: Assembly Bill No. 66—An Act authorizing incorporated cities to acquire, by gift, purchase, or condemnation proceedings, water, water rights, reservoir sites, rights of way, and other appliances for supplying such cities and their inhabitants with water.

Also: Assembly Bill No. 116—An Act to confirm, ratify, and make valid, ordinances heretofore passed by the Trustees, Council, or other body intrusted with the government of any incorporated city, city and county, or town, giving authority and permission to propel cars upon railroad tracks laid through the streets and public highways of such incorporated city, city and county, or town, by electricity.

Also: Assembly Bill No. 121—An Act to repeal an Act entitled "An Act to declare the Klamath River navigable."

Also: Assembly Bill No. 129—An Act to add an additional section to the Penal Code, to be known as section one hundred and fifty-nine and one half, making it a misdemeanor to advertise to obtain a divorce, or to aid therein.

Also: Assembly Bill No. 139—An Act to provide for the levy and collection of taxes by and for school districts, except in municipal corporations of the first class.

WINDROW, Chairman.

LEAVE OF ABSENCE.

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

FURTHER TIME GRANTED.

The Committee on Corporations was granted further time to report on Assembly Bills Nos. 70, 93, 95, 96, 97, 98, 111, 131, 158, 160, now pending before said committee.

LEAVE OF ABSENCE.

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

SPECIAL ORDERS.

Senate Bill No. 207—An Act to amend sections two hundred and forty-five, two hundred and forty-six, and two hundred and sixty-eight of the Political Code of the State of California, and to repeal sections two hundred and forty-eight and two hundred and forty-nine of said Code.

Read third time.

MOTION.

Mr. Bruner moved that a select committee of one be appointed to amend Senate Bill No. 207, as follows:

Amend section three to read as follows:

SEC. 3. Section two hundred and sixty-eight of said Code is amended to read as follows:

268. There must be paid to the Secretary, Assistant Secretaries, Minute, Journal, Enrolling, and Engrossing Clerks, and their Assistants, and Sergeant-at-Arms of the

Senate, and Clerk and Bookkeeper to Sergeant-at-Arms of the Senate, and the Chief Clerk, Assistant Clerks, Minute, Journal, Enrolling, Engrossing Clerks, and their Assistants, and Clerk and Bookkeeper to Sergeant-at-Arms, and Sergeant-at-Arms of the Assembly, each eight dollars per day; to the Assistant Sergeant-at-Arms of the Senate and Assembly, each six dollars per day; to the Porters of the Senate and Assembly, each four dollars per day; to each committee Clerk appointed by authority of either House, five dollars per day, except the Clerks of the Judiciary Committees, and the Chief Clerk of the Finance Committee of the Senate, and the Chief Clerk of the Ways and Means and Appropriations Committee of the Assembly, who must be paid eight dollars per day; to the Pages, each three dollars per day, and to the Postmasters of the Senate and Assembly and their Assistants, each four dollars per day; and to such other officers and employés as may be elected or employed by the Senate or Assembly, or by authority thereof, such per diem as may be fixed by the House so electing or employing them or authorizing their employment, *provided*, that no officer or employé of the Senate or Assembly, whose per diem is not hereinbefore fixed, shall receive a per diem exceeding the sum of five dollars, to be fixed by the resolution electing or appointing such additional officer or employé, except in the case of stenographer, who shall receive the compensation allowed by law.

Carried.

APPOINTMENT OF COMMITTEE.

Mr. Bruner was appointed a special committee of one to make said amendment.

REPORT OF COMMITTEES.

SELECT COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, January 21, 1891.

MR. SPEAKER: Your Select Committee, to whom was referred Senate Bill No 207—An Act to amend sections two hundred and forty-five, two hundred and forty-six, and two hundred and sixty-eight of the Political Code of the State of California, and to repeal sections two hundred and forty-eight and two hundred and forty-nine of said Code—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.

BRUNER, Committee.

Committee report adopted.

ON AGRICULTURE AND FORESTRY.

ASSEMBLY CHAMBER, SACRAMENTO, January 21, 1891.

MR. SPEAKER: Your Committee on Agriculture and Forestry, to whom was referred Assembly Bill No. 135—do report that we have had the same under consideration, and recommend that it do pass.

STURTEVANT, Chairman.

ON RULES AND REGULATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 21, 1891.

MR. SPEAKER: Your Committee on Rules and Regulations, to whom was referred the following resolution, viz.:

Resolved, That the Committee on Municipal Corporations be increased by adding two more members thereto.

Have had the same under consideration, and report back, and recommend that the same be adopted.

CULVER, Chairman.

Resolution adopted.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, January 20, 1891.

MR. SPEAKER: Your Committee on Education, to whom was referred Assembly Bill No. 49—An Act to provide for estimating the cost and selling price of the State textbooks—have had the same under consideration, and report the same back, and recommend that it do pass.

GALBRAITH, Chairman.

ON SWAMP AND OVERFLOWED AND PUBLIC LANDS.

ASSEMBLY CHAMBER, SACRAMENTO, January 21, 1891.

MR. SPEAKER. Your Committee on Swamp and Overflowed and Public Lands, to whom was referred Assembly Bill No. 216—report the same back to this House, and recommend that it do not pass.

Also: Assembly Bill No. 192—report the same back to this House without recommendation.

CLARK, Chairman.

ON IRRIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, January 21, 1891.

MR. SPEAKER: Your Committee on Irrigation, to whom was referred Assembly Bill No. 161—An Act to create a State Association of Irrigation Districts, and to provide for the creation of a State Board of Irrigation to manage and conduct the affairs of the same, and to define the powers and prescribe the duties of such association and of such Board, and to appropriate money in support thereof—have had the same under consideration, and report the same back with amendments, and recommend its passage as amended.

Also: Assembly Joint Resolution No. 7—Relating to irrigation and construction of reservoirs by the United States Government—have had the same under consideration, and report the same back, and recommend that it be adopted.

ALEXANDER, Chairman.

Mr. Freeman in the chair.

INTRODUCTION OF BILLS.

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

By Mr. Martin: Assembly Bill No. 392—An Act to pay the claim of Wm. Gutenberger for mechanics' tools destroyed at the Branch State Prison at Folsom.

Referred to Committee on Claims.

By Mr. McCall: Assembly Bill No 393—An Act to amend an Act entitled "An Act to create a Police Relief, Health, and Life Insurance and Pension Fund, in the several counties, cities and counties, cities, and towns of the State," approved March 4, 1889.

Referred to Committee on Municipal Corporations.

By Mr. Young: Assembly Bill No. 394—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by amending sections two thousand five hundred and eighty-nine, two thousand five hundred and ninety-five, two thousand six hundred and five, two thousand six hundred and six, and two thousand six hundred and seven of said Code, relating to the establishing of a Board of State Harbor Commissioners for the Bay of San Diego.

Referred to Committee on Commerce and Navigation.

By Mr. Hersey: Assembly Bill No. 395—An Act to authorize the Adjutant-General to issue arms and accoutrements to regularly organized Camps of the Order of Sons of Veterans in the State of California.

Referred to Committee on Military Affairs.

By Mr. Gould: Assembly Bill No. 396—An Act to provide for the redemption of property which has been heretofore sold to irrigation districts for delinquent assessments.

Referred to Committee on Irrigation.

By Mr. Ames: Assembly Bill No. 397—An Act making an appropriation to pay the claims incurred by the Examining Commission on Rivers and Harbors under the provisions of chapter two hundred and seventy-two of the Statutes of California.

Referred to Committee on Ways and Means and Appropriations.

Also: Assembly Bill No. 398—An Act making an appropriation to pay the claim of James A. Kearney, ex-Sheriff of San Benito County, for expenses incurred in conveying prisoners.

Referred to Committee on Claims.

Also: Assembly Bill No. 399—An Act making an appropriation to pay the claim of Henry Mahler for services superintending the improvement of the grounds around the Marshall Monument.

Referred to Committee on Ways and Means and Appropriations.

Also: Assembly Bill No. 400—An Act making an appropriation to pay the claim of "The California Spirit of the Times" for advertising the election proclamation.

Referred to Committee on Ways and Means and Appropriations.

Also: Assembly Bill No. 401—An Act making an appropriation to pay the claims of the Journal Clerk of the twenty-eighth session of the Legislature, and his assistants, for completing the Journal of the Senate.

Referred to Committee on Ways and Means and Appropriations.

Also: Assembly Bill No. 402—An Act making an appropriation to pay the claim of Henry Hogan.

Referred to Committee on Ways and Means and Appropriations.

Also: Assembly Bill No. 403—An Act making an appropriation to pay the claim of C. C. Rochford, ex-Sheriff of Modoc County, for expenses incurred in the capture and arrest of J. R. Franklin, a murderer.

Referred to Committee on Ways and Means and Appropriations.

Also: Assembly Bill No. 404—An Act making an appropriation for reimbursing the Japanese Government for moneys expended in the extradition of Calvin Pratt, a fugitive from the justice of this State, and to provide for transmitting the same to Japan.

Referred to Committee on Ways and Means and Appropriations.

Also: Assembly Bill No. 405—An Act to equalize the compensation of the attorneys who were employed by the State of California in a United States case, involving the Chinese Exclusion Act passed by Congress, to wit: the case of Chae Chan Ping vs. The United States, and making an appropriation therefor.

Referred to Committee on Ways and Means and Appropriations.

By Mr. Galbraith: Assembly Bill No. 406—An Act to authorize the establishment of County High Schools, and provide for their support.

Referred to Committee on Education.

Also: Assembly Bill No. 407—An Act to amend sections one thousand five hundred and forty-eight, one thousand five hundred and fifty-one, one thousand five hundred and fifty-two, one thousand five hundred and sixty, one thousand five hundred and sixty-five, one thousand five hundred and seventy-six, one thousand five hundred and eighty-one, one thousand five hundred and eighty-three, one thousand five hundred and ninety-six, one thousand five hundred and ninety-nine, one thousand six hundred and forty-nine, one thousand six hundred and sixty-two, one thousand six hundred and sixty-five, one thousand seven hundred and seventy-one, one thousand seven hundred and seventy-five, one thousand seven hundred and ninety-one, and one thousand seven hundred and ninety-two of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the public schools.

Referred to Committee on Education.

Mr. Dibble moved the suspension of the rules, and that the titles of the deficiency bills be not read.

Carried.

By Mr. Dibble: Assembly Bill No 408—An Act making an appropriation to pay the deficiency in the appropriation for stationery supplies, fuel, and lights for the Legislature and State officers, for the fortieth fiscal year.

Referred to Committee on Ways and Means and Appropriations.

Also: Assembly Bill No. 409—An Act making an appropriation to pay the deficiency in the appropriation for the costs and expenses of suits in which the State is a party in interest, for the forty-first fiscal year.

Referred to Committee on Ways and Means and Appropriations.

Also: Assembly Bill No. 410—An Act making an appropriation to pay the deficiency in the appropriation for payment of costs and expenses of trials of persons violating the laws for the preservation of fish, for the thirty-ninth, fortieth, and forty-first fiscal years.

Referred to Committee on Ways and Means and Appropriations.

Also: Assembly Bill No. 411—An Act making an appropriation to pay the deficiency in the appropriation for payment of costs and expenses of trials of persons violating the laws for the preservation of fish, for the forty-second fiscal year.

Referred to Committee on Ways and Means and Appropriations.

Also: Assembly Bill No. 412—An Act making an appropriation to pay the deficiency in the appropriation for arrest of criminals without the limits of the State, for the fortieth fiscal year.

Referred to Committee on Ways and Means and Appropriations.

Also: Assembly Bill No. 413—An Act making an appropriation to pay the deficiency in the appropriation for repairs to State Capitol building and furniture, for the forty-first fiscal year.

Referred to Committee on Ways and Means and Appropriations.

Also: Assembly Bill No. 414—An Act making an appropriation to pay the deficiency in the appropriation for repairs to State Capitol and furniture, for the forty-second fiscal year.

Referred to Committee on Ways and Means and Appropriations.

Also: Assembly Bill No. 415—An Act making an appropriation to pay the deficiency in the appropriation for postage, expressage, and contingent expenses of the Attorney-General, for the fortieth fiscal year.

Referred to Committee on Ways and Means and Appropriations.

Also: Assembly Bill No. 416—An Act making an appropriation to pay the deficiency in the appropriation for postage and expressage in the Supreme Court, for the fortieth fiscal year.

Referred to Commitee on Ways and Means and Appropriations.

Also: Assembly Bill No. 417—An Act making an appropriation to pay the deficiency in the appropriation for improvement of State Capitol grounds, for the forty-second fiscal year.

Referred to Committee on Ways and Means and Appropriations.

Also: Assembly Bill No. 418—An Act making an appropriation to pay the deficiency in the appropriation for salary of Commissioner of Bureau of Labor Statistics, for the fortieth fiscal year.

Referred to Committee on Ways and Means and Appropriations.

Also: Assembly Bill No. 419—An Act making an appropriation to pay the deficiency in appropriation for construction of granite steps in the State Capitol grounds, for the forty-first and forty-second fiscal years.

Referred to Committee on Ways and Means and Appropriations.

Also: Assembly Bill No. 420—An Act making an appropriation to pay the deficiency in the appropriation for the salary of the Deputy Commissioner of the Bureau of Labor Statistics, for the fortieth fiscal year.

Referred to Committee on Ways and Means and Appropriations.

Also: Assembly Bill No. 421—An Act making an appropriation to pay the deficiency in the appropriation for the salary of the Secretary of the State Engineer, for the fortieth, forty-first, and forty-second fiscal years.

Referred to Committee on Ways and Means and Appropriations.

Also: Assembly Bill No. 422—An Act making an appropriation to pay the deficiency in the appropriation for support of the Insane Asylum at Stockton, for the fortieth fiscal year.

Referred to Committee on Ways and Means and Appropriations.

Also: Assembly Bill No. 423—An Act making an appropriation to pay the deficiency in the appropriation for the payment of claims incurred under an Act entitled "An Act to promote drainage," approved April 23, 1880.

Referred to Committee on Ways and Means and Appropriations.

Also: Assembly Bill No. 424—An Act making an appropriation to pay the deficiency in the appropriation for fuel, lights, postage, and incidental expenses of the Board of Railroad Commissioners, for the fortieth fiscal year.

Referred to Committee on Ways and Means and Appropriations.

Also: Assembly Bill No. 425—An Act making an appropriation to pay the deficiency in the appropriation for use of library at State Normal School at San José, for the thirty-eighth fiscal year.

Referred to Committee on Ways and Means and Appropriations.

Also: Assembly Bill No. 426—An Act making an appropriation to pay the deficiency in the appropriation for the use of the State Board of Forestry, for the thirty-eighth fiscal year.

Referred to Committee on Ways and Means and Appropriations.

Also: Assembly Bill No. 427—An Act making an appropriation to pay the deficiency in the appropriation for the purchase of ballot paper, for the forty-second fiscal year.

Referred to Committee on Ways and Means and Appropriations.

Also: Assembly Bill No. 428—An Act making an appropriation to pay the deficiency in the appropriation for contingent expenses of Commissioner of Bureau of Labor Statistics, for the fortieth, forty-first, and forty-second fiscal years.

Referred to Committee on Ways and Means and Appropriations.

Also: Assembly Bill No. 429—An Act to provide for the government and control of all building and loan associations doing business in the State of California.

Referred to Committee on Corporations.

Also: Assembly Bill No. 430—An Act to amend section twenty-five of the Civil Code, relating to the age of minors.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 431—An Act to add a new section to the Code of Civil Procedure, to be known as section one thousand eight hundred and ten, relating to the power of guardians to settle and compromise claims against the estates of their wards.

Referred to Committee on Judiciary.

CONSTITUTIONAL AMENDMENT.

By Mr. Wentworth: Assembly Constitutional Amendment No. 13—An Act to submit to the people of the State of California an amendment to section two, article four, of the Constitution of the State of California.

Referred to Committee on Judiciary.

INTRODUCTION OF BILLS—(RESUMED).

By Mr. Wentworth: Assembly Bill No. 432—An Act to provide for furnishing assistants to every attorney and counselor, City Attorney, and City and County Attorney, and to each law officer by whatever official name he may be designated, officially conducting the civil litigation of each city, or city and county having one hundred thousand or more inhabitants, and providing the mode in which such assistants shall be appointed and designated as officers of each city, or city and county, and establishing the compensation and prescribing the duties of such assistants.

Referred to San Francisco Delegation.

By Mr. Bruner: Assembly Bill No. 433—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, known as the Insolvent Act of 1880.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 434—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the taking of depositions.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 435—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to appeals.

Referred to Committee on Judiciary.

By Mr. Clark: Assembly Bill No. 436—An Act entitled an Act to amend section four thousand one hundred and four of the Political Code.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 437—An Act to secure the purity of the ballot and prevent fraud at elections.

Referred to Committee on Judiciary.

By Mr. Johnson: Assembly Bill No. 438—An Act to pay the claim of James W. Rankin, for services in the office of the State Treasurer of California, and appropriate money therefor.

Referred to Committee on Claims.

By Mr. Bledsoe: Assembly Bill No. 439—An Act to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to the obligations of coterminous owners and others claiming interests or rights in land, and providing for the construction and maintenance of division fences.

Referred to Committee on Judiciary

Also: Assembly Bill No. 440—An Act to amend section one thousand nine hundred and seventy of the Civil Code, relating to the liability of employés.

Referred to Committee on Chinese Immigration and Emigration and Labor and Capital.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON STATE LIBRARY.

ASSEMBLY CHAMBER, SACRAMENTO, January 21, 1891.

MR SPEAKER: Your Committee on State Library, to whom was referred Assembly Concurrent Resolution No. 2—Relative to the supplying of certain free public libraries with State documents now in the State Library—have had the same under consideration, and report the same back, and recommend that it do pass.

CARTER, Chairman.

RESOLUTION—(OUT OF ORDER).

By Mr. Marion: Assembly Concurrent Resolution No. 2—Relative to the supplying of certain free public libraries with State documents now in the State Library:

WHEREAS, Certain free public libraries, regularly organized under the laws of the State, are without complete sets of the Journals, Appendixes, and Statutes of the Legislature; therefore, be it

Resolved by the Assembly, the Senate concurring, That the State Librarian be and he is hereby authorized to supply to such free public libraries, on application, as many volumes of the above-mentioned documents as in his discretion may be spared from the duplicates now in his possession.

Adopted.

SPECIAL FILE.

Assembly Constitutional Amendment No. 9—A resolution to propose an amendment to and providing for the repeal of sections twenty-two and twenty-three of article twelve of the Constitution, relative to a Board of Railroad Commissioners.

Mr. Shanahan moved that the order go over for consideration until to-morrow.

Carried.

Speaker Coombs in the chair.

GENERAL FILE—THIRD READING OF BILLS.

Assembly Bill No. 25—An Act to amend section one thousand four hundred and sixty-five of the Code of Civil Procedure of the State of California.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Ames, Barnard, Barnett of San Francisco, Barnett of Sonoma, Beecher, Bledsoe, Brown, Brusie, Bryant, Cargill, Carter, Clark, Culver, Daly, Dennis, Dibble, Dow, Durner, Estey, Fowler, Freeman, Galbraith, Garver, Glynn, Gordon, Gould, Hall, Harloe, Hawley, Hersey, Hoey, Hunewill, Johnson, Jackson, Jones, Kellogg, Lacey, Lewis, Lowe, Marion, Martin, Matlock, Mathews, McCall, Murnan, Murphy, Phillips, Renfro, Rice, Robertson, Shanahan, Stabler, Steltz, Sturtevant, Tennis, Tully, Wentworth, Weston, Windrow, Young, and Mr. Speaker—61.

NOES—Mr. Arms—1

Title read and approved.

Assembly Bill No. 101—An Act to amend sections three thousand seven hundred and eighty and three thousand seven hundred and eighty-five of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the redemption of land sold at tax sale.

Read third time, with its amendments.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Ames, Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Beecher, Bledsoe, Brown, Bruner, Brusie, Bryant, Cargill, Carter, Clark,

Culver, Cunningham, Daly, Dennis, Dibble, Dow, Dunn, Durner, Eakle, Estey, Fowler, Freeman, Galbraith, Garver, Hail, Harloe, Hawley, Hersey, Hocking, Hoey, Hunewill, Johnson, Jackson, Jones, Kellogg, Lacey, Lewis, Lowe, Lux, Lynch, Marion, Martin, Matlock, Mathews, Murman, Murphy, Phillips, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Tully, Wentworth, Weston, Windrow, Young, and Mr. Speaker—68.

NOES—Mr. Gould—1.

Title read and approved.

SECOND READING OF BILLS.

Assembly Bill No. 50—An Act to amend an Act approved March 19, 1889, entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State, for the construction of waterworks, sewers, and all necessary public improvements, or for any purpose whatever; and to repeal the Act approved March 9, 1885, entitled 'An Act to authorize municipal corporations of the fifth class, containing more than three thousand and less than ten thousand inhabitants, to obtain waterworks;' also, to repeal an Act approved March 15, 1887, entitled 'An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State.'"

Read second time, committee substitute adopted, ordered engrossed and to a third reading.

RECESS.

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

REASSEMBLED.

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

Speaker Coombs in the chair.

Quorum present.

LEAVE OF ABSENCE.

Messrs. Culver and Rice were granted leave of absence for the rest of the day.

APPOINTMENT BY SPEAKER.

In accordance with a resolution introduced yesterday authorizing the Speaker to appoint two additional members on the Committee on Municipal Corporations, the Speaker appointed Messrs. McCall and Windrow.

Mr. Brusie in the chair.

INTRODUCTION OF BILL.

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

By Mr. Matlock: Assembly Bill No. 441—An Act to amend sections eight, eighteen, twenty-one, and twenty-three of an Act entitled "An Act to incorporate the town of Red Bluff, Tehama County, California," approved March, 1876, and amended March, 1878.

Referred to Committee on Municipal Corporations.

RESOLUTIONS.

By Mr. Carter.

Resolved, That the Committee on Roads and Highways be increased from nine to eleven members.

Referred to Committee on Rules and Regulations.

By Mr. Gould:

Resolved, That the Assembly Post Office shall remain open from 9 A. M. to 5 P. M., and from 7 P. M. to 8:30 P. M.

Referred to Committee on Rules and Regulations.

SPECIAL ORDERS.

Assembly Constitutional Amendment No. 3—A resolution to propose an amendment to section one of article two of the Constitution of the State of California, relative to the right of suffrage.

Resolution read.

Pending Mr. Bledsoe's remarks under this head, Mr. Lacey called a point of order for overlapping the time allowed by Rule 40.

Point of order sustained.

MOTION.

Mr. Dibble moved that Mr. Bledsoe be permitted ten minutes more time to continue his remarks.

Carried.

CALL OF THE HOUSE.

Mr. Bledsoe moved a call of the House.

So ordered.

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

Messrs. Ames, Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Beecher, Bert, Bledsoe, Brown, Bruner, Brusie, Bryant, Cargill, Carter, Clark, Cram, Cunningham, Daly, Dennis, Dibble, Dow, Dunn, Durner, Eakle, Estey, Fowler, Freeman, Galbraith, Garver, Glynn, Gordon, Gould, Hail, Harloe, Hawley, Hersey, Hocking, Hoey, Hunewill, Johnson, Jones, Kellogg, Lacey, Lewis, Lowe, Lux, Lynch, Marion, Martin, Matlock, Mathews, McCall, Mordecai, Murnan, Murphy, Phillips, Renfro, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Tully, Wentworth, Weston, Windrow, Young, and Mr. Speaker.

MOTION.

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

Carried.

The question recurring upon the adoption of Assembly Constitutional Amendment No. 3, the roll was called, and Assembly Constitutional Amendment No. 3 lost by the following vote:

AYES—Messrs. Barnard, Beecher, Bledsoe, Cargill, Carter, Dow, Durner, Estey, Gordon, Hail, Harloe, Hawley, Hersey, Hocking, Hunewill, Kellogg, Lacey, Marion, Murphy, Shanahan, Smith of Butte, Smith of Orange, Sturtevant, Windrow, and Young—25.

NOES—Messrs. Ames, Arms, Barnett of San Francisco, Barnett of Sonoma, Bert, Brown, Bruner, Brusie, Bryant, Clark, Cram, Cunningham, Daly, Dennis, Dibble, Dunn, Eakle, Fowler, Freeman, Galbraith, Garver, Glynn, Gould, Hoey, Johnson, Jones, Lewis, Lowe, Lux, Lynch, Martin, Matlock, Mathews, McCall, Mordecai, Murnan,

Phillips, Renfro, Robertson, Stabler, Steltz, Tennis, Tully, Wentworth, Weston, and Mr. Speaker—46.

FIRST READING OF BILLS.

Assembly Bill No. 63—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 12 1872, in relation to the office of Treasurer of the Deaf and Dumb and Blind Asylum.

Read first time, and placed on file for second reading.

MOTION ON RECONSIDERATION.

Mr. Shanahan moved, in accordance with his notice of yesterday, that the vote whereby Assembly Bill No. 22 was passed be reconsidered.

Speaker Coombs in the chair.

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

AYES—Messrs. Barnard, Biusie, Cargill, Dunn, Durner, Galbraith, Garver, Gordon, Gould, Hall, Hocking, Lacey, Lux, Mathews, Murnan, Murphy, Renfro, Shanahan, Stabler, Tully, Young, and Mr. Speaker—22.

NOES—Messrs. Alexander, Ames, Arms, Barnett of San Francisco, Barnett of Sonoma, Beecher, Bert, Bledsoe, Brown, Bruner, Bryant, Carter, Clark, Cunningham, Dennis, Dibble, Dow, Estey, Fowler, Freeman, Glynn, Harloe, Hawley, Hersey, Hoey, Hunewill, Johnson, Jones, Kellogg, Lewis, Lowe, Lynch, Marion, Martin, Matlock, McCall, Phillips, Robertson, Smith of Butte, Smith of Orange, Sturtevant, Tennis, Wentworth, Weston, and Windrow—45.

FIRST READING OF BILLS—(RESUMED).

Assembly Bill No. 34—An Act concerning the costs in civil actions for serving summonses and subpœnas.

Read first time, and placed on file for second reading.

Assembly Bill No. 36—An Act to add an additional section to the Political Code, to be numbered four thousand two hundred and fifty-nine, relating to the qualifications of District Attorney.

Read first time, and placed on file for second reading.

Assembly Bill No. 23—An Act to add a new section to the Code of Civil Procedure of the State of California, to be known and designated as section one hundred and sixteen.

Mr. Clark asked unanimous consent to withdraw the bill.

Granted.

Assembly Bill No. 35—An Act to amend section five hundred and forty-two of the Code of Civil Procedure, relating to the mode by which real and personal property shall be attached.

Read first time, and placed on file for second reading.

Assembly Bill No. 197—An Act to amend section two thousand six hundred and eighty-four of the Political Code of California.

Read first time, and placed on file for second reading.

Assembly Joint Resolution No. 3—Relative to foreign immigration to the United States.

Mr. Dibble moved that the resolution be passed on file to appear on file for second reading to-morrow.

Carried.

Assembly Bill No. 155—An Act to define the qualifications of persons performing labor for the State of California, and fixing a penalty for the violation thereof.

Read first time, and placed on file for second reading.

Assembly Bill No. 102—An Act to amend section seven hundred and fifty-two of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, and the amendment thereto, approved March 19, 1889.

Read first time, and placed on file for second reading.

Assembly Bill No. 211—An Act to increase the police force of the various cities, and cities and counties of the State, and to provide for the appointment of such extra police officers, and for the payment of their salaries.

Read first time, and placed on file for second reading.

Assembly Bill No. 199—An Act to add a new section to "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, to be known as section eight hundred and eighty-seven, relating to illegal salaries and fees.

Read first time, and placed on file for second reading.

Assembly Bill No. 209—An Act to authorize cities of not less than twenty-six thousand nor more than thirty thousand inhabitants to vote upon the question of paying indebtedness incurred in the years 1889 and 1890.

Read first time, and placed on file for second reading.

Assembly Bill No. 214—An Act to amend section eight hundred and seventy-four of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Read first time, and placed on file for second reading.

Assembly Bill No. 215—An Act to amend section seven hundred and seventy-seven 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.

MOTION.

Mr. Bruner moved that Senate Bill No. 207 be made a special order for to-morrow morning, immediately after reading of Journal.

Carried.

FIRST READING OF BILLS—(RESUMED).

Assembly Bill No. 110—An Act to amend an Act entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State, for the construction of waterworks, sewers, and all necessary public improvements, or for any purpose whatever, and to repeal the Act approved March 9, 1885, entitled 'An Act to authorize municipal corporations of the fifth class containing more than three thousand and less than ten thousand inhabitants, to obtain waterworks;' also, to repeal an Act approved March 15, 1887, entitled 'An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State,'" approved March 19, 1889.

Read first time, and placed on file for second reading.

Assembly Bill No. 138—An Act to provide for the levy and collection of taxes by and for the use of municipal corporations, and cities incor-

porated under the laws of the State, excepting municipal corporations of the first, second, third, and fourth classes.

Read first time, and placed on file for second reading.

Assembly Joint Resolution No. 8—Relative to authorizing and directing the State Printer to deliver ten copies of every work published or printed in the State Printing Office to the State Librarian, also two copies to the Librarian of the State University.

MOTION.

Mr. Dibble moved that Assembly Joint Resolution No. 8 be placed at the head of the file for to-morrow morning.

Carried.

MOTION TO ADJOURN.

At four o'clock and twenty-five minutes, Mr. Phillips moved to adjourn.

Lost.

FIRST READING OF BILLS—(RESUMED).

Assembly Bill No. 16—An Act to prevent the sale of intoxicating liquors to minor children.

Read first time and placed on file for second reading.

Assembly Bill No. 123—An Act to amend sections fifty-five and seventy-five of the Civil Code, in relation to marriage.

Read first time, and referred to Committee on Judiciary, and retains its place on the file.

Assembly Bill No. 51—An Act relating to District Attorneys, their assistants and clerks, in counties, and cities and counties having a population of more than one hundred and twenty-five thousand.

Read first time, and placed on file for second reading.

Assembly Bill No. 174—An Act to provide for organizing, establishing, and maintaining a paid fire department within municipalities in the State of California, to be under the supervision and control of a Board of Fire Commissioners.

Read first time, and placed on file for second reading.

MOTION.

Mr. Dibble moved that the Sergeant-at-Arms be instructed to procure a drawer, with lock, for the Speaker's desk.

Carried.

ADJOURNMENT.

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

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Thursday, January 22, 1891.

The Assembly met pursuant to adjournment.

Speaker Coombs in the chair.

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

Messrs. Alexander, Ames, Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Brusie, Bryant, Cargill, Carter, Clark, Coffey, Cram, Culver, Cunningham, Daly, Dennis, Dibble, Doty, Dow, Dunn, Durner, Eakle, Estey, Fowler, Freeman, Galbraith, Garver, Glynn, Gordon, Gould, Hail, Harloe, Hawley, Hayes, Hersey, Hocking, Hoey, Hunewill, Johnson, Jackson, Jones, Kellogg, Lacey, Lewis, Lowe, Lux, Lynch, Marion, Martin, Matlock, Mathews, McCall, Mordecai, Murnan, Murphy, Phillips, Renfro, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Tully, Wentworth, Weston, Windrow, Young, and Mr. Speaker.

Quorum present.

LEAVE OF ABSENCE.

Indefinite leave of absence was granted Mr. Wolfskill on account of sickness.

PRAYER.

Prayer by the Chaplain, Rev. A. C. Herrick.

READING OF THE MINUTES.

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

So ordered.

Journal corrected and approved.

SPECIAL ORDERS—IMMEDIATELY AFTER READING OF JOURNAL.

Senate Bill No. 207—An Act to amend sections two hundred and forty-five, two hundred and forty-six, and two hundred and sixty-eight of the Political Code of the State of California, and to repeal sections two hundred and forty-eight and two hundred and forty-nine of said Code.

MOTION.

Mr. Bruner moved to refer Senate Bill No. 207 to a select committee of one, with instructions to amend by striking out section four thereof, and renumbering section five as section four; also, amend the title by striking therefrom the words "and to repeal sections two hundred and forty-eight and two hundred and forty-nine of said Code."

Carried.

Mr. Bruner was appointed a select committee of one to make such amendment.

PRESENTATION OF PETITIONS.

Mr. Culver presented a petition from the residents of San Francisco, relative to enabling street railroad companies to propel their cars by electric power.

Referred to Committee on Municipal Corporations.

By Mr. Marion—Petition relative to exempting veteran soldiers from poll tax.

Referred to Committee on Judiciary.

REPORT OF COMMITTEES.

SELECT COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1891.

MR. SPEAKER. Your Select Committee, to whom was referred Senate Bill No. 207—An Act to amend sections two hundred and forty-five, two hundred and forty-six, and two hundred and sixty-eight of the Political Code of the State of California, and to repeal sections two hundred and forty-eight and two hundred and forty-nine of said Code—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.

BRUNER, Select Committee.

Report of Select Committee adopted.

ON IRRIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, January 21, 1891.

MR SPEAKER: Your Committee on Irrigation, to whom was referred Assembly Bill No 224—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, by amending sections one (1), two (2), three (3), four (4), eleven (11), twelve (12), thirty-five (35), and forty-two (42) thereof, relating to irrigation districts—have had the same under consideration, and report the same back with amendments, and recommend its passage as amended.

ALEXANDER, Chairman.

ON CLAIMS.

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1891.

MR. SPEAKER: Your Committee on Claims, to whom was referred Assembly Bill No. 7—An Act to pay the claim of George Nelson for services rendered the State at the State Prison at Folsom, and for his wrongful imprisonment therein—have had the same under consideration, and report the same back, and recommend that it do pass.

Also: Assembly Bills Nos. 73, 76, 78, 88, and 146—and report progress, and ask for further time for consideration.

AMES, Chairman.

Assembly Bill No. 7 referred to Committee on Ways and Means and Appropriations.

ON AGRICULTURE AND FORESTRY.

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1891.

MR. SPEAKER: Your Committee on Agriculture and Forestry, to whom was referred Assembly Bills Nos. 12, 32, 65, 69, 77, and 242—have had the same under consideration, and report the same back, and recommend that the committee substitute bill do pass.

STURTEVANT, Chairman.

ON CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 21, 1891.

MR. SPEAKER. Your Committee on Corporations, to whom was referred Assembly Bill No. 208—An Act to amend an Act entitled "An Act to create a Police Relief, Health, and Life Insurance and Pension Fund in the several counties, cities and counties, cities, and towns of the State"—have had the same under consideration, and report the same back, and recommend that it do pass

LOWE, Chairman.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1891.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Assembly Bill No. 115—An Act to amend an Act entitled "An Act to provide for Police Courts in cities having thirty thousand inhabitants and under one hundred thousand inhabitants, and to provide for officers thereof," approved March 18, 1885, in relation to the duties and salaries of clerks of said Police Courts—have had the same under consideration, and report the same back, and recommend the adoption of the accompanying substitute.

Also: Assembly Bill No. 46—An Act to amend section seven hundred and ninety-five of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883—have had the same under consideration, and report the same back, and recommend that it do pass.

Also: Assembly Bill No. 75—An Act to authorize Boards of Health and Health Officers, in cities, and cities and counties, in this State, to appoint Inspectors of Plumbing and Drainage in such cities, and cities and counties, and to provide for the compensation, and to define the duties of such Inspectors—have had the same under consideration, and report the same back, and recommend that it do pass as amended.

WENTWORTH, Chairman.

ON FISH AND GAME.

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1891.

MR. SPEAKER: Your Committee on Fish and Game, to whom was referred Assembly Bill No. 258—An Act to authorize the Board of Fish Commissioners of this State to establish a trout hatchery at or near the city of San Francisco, and making an appropriation therefor.

Also: Assembly Bill No. 125—An Act to amend section six hundred and thirty-three of the Penal Code, relating to the taking of trout

Have had the same under consideration, and report the same back, and recommend their passage.

Also: Assembly Bill No. 244—An Act to amend section six hundred and thirty-seven of the Penal Code of the State of California, relating to the construction and repairing of fish ladders on dams and other obstructions in the running waters of this State—have had the same under consideration, and report the same back with amendments, and recommend its passage as amended.

LYNCH, Chairman.

MOTION.

Mr. Clark moved that Assembly Bill No. 216 be recommitted to Committee on Swamp and Overflowed and Public Lands.

Carried.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, January 21, 1891.

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

Senate Joint Resolution No. 2—Relative to the erecting of a gun factory at Benicia for finishing and assembling high power guns.

F. J. BRANDON, Secretary.

Resolution concurred in.

SENATE CHAMBER, SACRAMENTO, January 21, 1891.

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

Senate Bill No. 10—An Act to amend sections six hundred and eighty-nine and five hundred and forty-nine of the Code of Civil Procedure of the State of California, relative to the claims by third persons of property levied upon under writs of execution and attachment, as to the procedure upon said claims, and as to the necessary prerequisites to their being received.

Also: Senate Bill No. 13—An Act to amend section five hundred and thirty-two of the Penal Code, relating to the crime of obtaining money or property by false pretenses.

Also: Senate Bill No. 32—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 12, 1872, in relation to the office of Treasurer of the Deaf and Dumb and Blind Asylum.

Also: Senate Bill No. 14—An Act to amend section seventy-two of the Penal Code, relating to the fraudulent presentation of claims to public officers.

F. J. BRANDON, Secretary.
R. L. THOMAS, Assistant Secretary.

Senate Bill No. 10 referred to Committee on Judiciary.

Senate Bill No. 13 referred to Committee on Judiciary.

Senate Bill No. 32 referred to Committee on Public Buildings and Grounds.

Senate Bill No. 14 referred to Committee on Judiciary.

INTRODUCTION OF BILLS.

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

By Mr. Hawley: Assembly Bill No. 442—An Act to prevent damage from the overflow of artesian wells.

Referred to Committee on Irrigation.

Also: Assembly Bill No. 443—An Act to provide for the planting, maintenance, and care of shade trees upon streets, lanes, alleys, courts, and places, within municipalities, and of hedges upon the lines thereof; also for the eradication of certain weeds within city limits.

Referred to Committee on Municipal Corporations.

By Mr. Alexander: Assembly Bill No. 444—An Act to amend section one hundred and ninety-one 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, March 18, 1885, March 17, 1887, and March 16, 1889, relating to the salary of the Deputy Superintendent of Schools of counties of the twenty-ninth class.

Referred to Committee on County and Township Governments.

By Mr. Sturtevant: Assembly Bill No. 445—An Act authorizing Boards of Supervisors of the several counties to grant compensation to corporations or persons owning a toll road for improvements thereon constructed after the franchise has expired.

Referred to Committee on Roads and Highways.

By Mr. Durner: Assembly Bill No. 446—An Act to amend an Act to establish a Penal Code, approved February 14, 1872, by amending section six hundred and thirty-four, relating to fish and game.

Referred to Committee on Fish and Game.

By Mr. Kellogg: Assembly Bill No. 447—An Act to create a Board of State Harbor Commissioners for Humboldt Bay, to provide for the appointment of such Commissioners, and to define their duties.

Referred to Committee on Commerce and Navigation.

Also: Assembly Bill No. 448—An Act to appropriate the sum of four hundred and fifty-eight dollars and sixty-five cents to pay the claim of William H. Murphy for money illegally paid the State of California.

Referred to Committee on Claims.

By Mr. Renfro: Assembly Bill No. 449—An Act to amend section one thousand five hundred and ninety-three of the Political Code, relative to time of election for School Trustees.

Referred to Committee on Education.

By Mr. Cunningham: Assembly Bill No. 450—An Act to increase the number of Judges of the Superior Court of the county of Tulare, and to provide for the appointment of an additional Judge.

Referred to Committee on Judiciary.

By Mr. Tennis: Assembly Bill No. 451—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 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."

Referred to Committee on Claims.

By Mr. Dennis: Assembly Bill No. 452—An Act to authorize the Trustees of municipal corporations having a voting population of less than two hundred voters, to wind up the affairs of said corporation, by paying off its indebtedness, disposing of its property, and turning over the proceeds to the County Supervisors for its own local improvements, etc., and to declare said corporation no longer in force.

Referred to Committee on Municipal Corporations.

Also: Assembly Bill No. 453—An Act to provide for the interchange of the copyrights of school text-books between the State of California and other States.

Referred to Committee on Education.

By Mr. Hocking: Assembly Bill No. 454—An Act to amend an Act entitled "An Act to establish a Political Code," and relating to public roads, their repair and maintenance.

Referred to Committee on Roads and Highways.

By Mr. Murphy: Assembly Bill No. 455—An Act to provide for, insure, and maintain preference in the appointment, employment, and retention in the public service and upon public works of the State of California of honorably discharged ex-Union soldiers, sailors, and marines of the War of the Rebellion.

Referred to Committee on Corporations.

Also: Assembly Bill No. 456—An Act authorizing the formation of county mutual insurance companies, regulating the transaction of their business, and defining the duties of the officers thereof.

Referred to Committee on Corporations.

By Mr. Hunewill: Assembly Bill No. 457—An Act to amend section one thousand nine hundred and twelve of the Political Code, relating to the number of National Guard companies.

Referred to Committee on Military Affairs.

By Mr. Coffey: Assembly Bill No. 458—An Act for the relief of Patrick Creighton.

Referred to Committee on Claims.

SPECIAL FILE.

Assembly Constitutional Amendment No. 9—A resolution to propose an amendment to and providing for the repeal of sections twenty-two and twenty-three of article twelve of the Constitution, relative to a Board of Railroad Commissioners.

Mr. Bruner moved that Assembly Constitutional Amendment No. 9 be made a special order for Thursday, January twenty-ninth, at two o'clock P. M.

Mr. Brusie moved as a substitute that Assembly Constitutional Amendment No. 9 be referred to the Committee on Commissions.

Substitute lost.

Original motion carried.

GENERAL FILE—THIRD READING OF BILLS.

Assembly Bill No. 148—An Act to amend section four thousand and forty-six of the Political Code, relating to the jurisdiction and power of Boards of Supervisors in their respective counties.

Read third time, passed on file, and to retain its position on file.

Assembly Bill No. 68—An Act to amend an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Mr. Hersey moved that Assembly Bill No. 68 be referred to a select committee of one to amend the same, as follows:

Amend by inserting the words "section one" after the enacting clause, so as to make the first section of the bill; also, amend the bill on page two, line thirty-one, of printed copy of bill, by inserting the words "and water" after the word "fund."

Carried.

Mr. Hersey was appointed a Select Committee to make the amendment.

REPORT OF COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1891.

MR. SPEAKER: Your Select Committee, to whom was referred Assembly Bill No 68—An Act to amend an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883—with instructions to amend in accordance with the action of the House, would respectfully report that the instructions of the House have been carried out.

HERSEY, Committee.

Report adopted.

MOTION.

Mr. Fowler moved that a special committee of one be appointed to amend Assembly Bill No. 68 (printed bill), by adding after the words "or otherwise," in section ten, line thirty-nine, the following:

And it shall be unlawful for any county officer of the county in which said city or town is situated, to collect any such license otherwise than as herein provided.

Carried.

The Speaker appointed Mr. Fowler as such committee of one.

REPORT OF COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1891

MR SPEAKER: Your Select Committee, to whom was referred Assembly Bill No. 68—An Act to amend an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883—with instructions to amend in accordance with the action of the House, would respectfully report that the instructions of the House have been carried out.

FOWLER, Committee.

Report lost.

RECESS.

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

REASSEMBLED.

At two o'clock P. M. the Assembly reassembled.
Mr. Dibble in the chair.
Quorum present.

LEAVE OF ABSENCE.

Mr. McCall was granted leave of absence for the rest of the day.

REPORT OF CHIEF CLERK.

ASSEMBLY CHAMBER, SACRAMENTO, January 21, 1891.

MR. SPEAKER: In accordance with instructions, I herewith present a list of the officers and attachés of the Assembly, together with the amount of per diem paid to such officers and attachés:

OFFICERS OF THE ASSEMBLY.

NAME	Position	Per Diem.
Hon. F. L. Coombs	Speaker	$2 00
H. A. Mason	Chief Clerk	8 00
F. W. Whitmore	Assistant Clerk	8 00
E. P. Beaton	Assistant Clerk	8 00
H. J. McKusick	Sergeant-at-Arms	8 00
G. E. Shinn	Assistant Sergeant-at-Arms	6 00
W. J. Randall	Minute Clerk	8 00
A. F. Chapman	Journal Clerk	8 00
E J. Niles	Engrossing Clerk	8 00
A. L. Rossi	Enrolling Clerk	8 00
Mrs. Hunter	Postmistress	3 00
Total		$75 00

COMMITTEE CLERKS.

NAME.	Committee	Per Diem.
E. R. Spear	Ways and Means and Appropriations	$5 00
H. M. Burke	Ways and Means and Appropriations	5 00
J. Sullivan	Attachés and Employés	5 00
C. E. Cunningham	Irrigation	5 00
F. E. Foote	Commissions	5 00
W. H. Dobyns	Counties and County Boundaries	5 00
C. W. Freeman	County and Township Governments	5 00
A. S. Foster	Roads and Highways	5 00
W. F. Burbank	Apportionment and Election Laws	5 00
Jno. McCarthy	Rules and Regulations	5 00
James Donohue	Military Affairs	5 00
I. E. Wooten	Public Morals	5 00
Isabel H. Raymond	Education	5 00
H. J. Burdick	State Prisons	5 00
W. H. Gray	Mileage	5 00
Nellie Clark	Swamp, and Overflowed and Public Lands	5 00
A. J. Bruner	Judiciary	8 00
G. G. Davis	Judiciary	8 00
Mrs. M E. Carlston	Vinculture, Viticulture, and Horticulture	5 00
R W. Thompson	State Library	5 00
L. Hansche	Chinese Immigration and Emigration and Labor and Capital	5 00
H. Juhrs	Public Printing	5 00
F. C. Handy	Agriculture and Forestry	5 00

COMMITTEE CLERKS—Continued.

NAME	Committee.	Per Diem
James Brownlie	Engrossment	$5 00
L. Montgomery	Public Buildings and Grounds	5 00
E. H. Shaw	Claims	5 00
W. W Lowe	Corporations	5 00
W. T. Barnett	Elections and Privileges	5 00
T. F. Emmons	Mines and Mining	5 00
A. Smith	State Charitable and Reformatory Institutions	5 00
P. Callsen	Commerce and Navigation	5 00
C. J. Bledsoe	Enrollment	5 00
J. H. McCann	Municipal Corporations	5 00
W. G. Young	Fish and Game	5 00
W. H. Reynolds	San Francisco Delegation	5 00
Total		$181 00

CONTINGENT FUND ATTACHÉS.

NAME.	Position.	Per Diem
Sadie Burns	Assistant Journal Clerk	$8 00
A. Friedlander	Assistant Journal Clerk	8 00
W. T. Hamilton	Assistant Minute Clerk	8 00
B. Warschauer	Assistant Minute Clerk	8 00
Ed. J Smith	Third Assistant Clerk	8 00
F. X. Hernandez	Clerk to Sergeant-at-Arms	8 00
R. P. Roper	Clerk to Sergeant-at-Arms	8 00
Mrs Clark	Assistant Postmistress	4 00
J. H. Coffey	Mail Carrier	4 00
Rev. A. C Herrick	Chaplain	5 00
Geo. C. Healey	Watchman	4 00
A. Stewart	Watchman	4 00
E. J. Dow	Watchman	4 00
J. H. Burrows	Porter	4 00
H. S. Chappelear	Porter	4 00
Ed. Diamond	Porter	4 00
Thos. Duffy	Porter	4 00
L. Devoto	Gatekeeper	4 00
R. W. Scoville	Porter	4 00
I. M. Terill	Porter	4 00
James Hynes	Porter	4 00
H. Schwannecke	Porter	4 00
Jos Plunkett	Porter	4 00
J. F. Devlin	Messenger	4 00
N. King	Messenger	4 00
M. C. Ayer	Messenger	3 00
W. P. Johnson	Gatekeeper	4 00
M. G. Hall	Gatekeeper	4 00
Jno. McNamara	Doorkeeper	5 00
A. E. Post	File Clerk	5 00
T. Cowan	Page	3 00
M. C. Irwin	Page	3 00
Al. Keith	Page	3 00
C. Marchant	Page	3 00
C. Welch	Page	3 00
J. T. Gallagher	Page	3 00
Otto Glover	Page	3 00
W. Howard	Page	3 00
James Hodge	Bill Clerk	5 00
Total		$179 00

AGGREGATION.

Officers' account	$75 00
Committee Clerks' account	181 00
Contingent Fund	179 00
Total	$435 00

H. A MASON, Chief Clerk.

SPECIAL ORDER.

Assembly Bill No. 112—An Act to amend subdivision four of section twenty-five 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, as amended March 18, 1885, as amended March 17, 1887, and as amended March 16, 1889.

SUBSTITUTE.

Mr. Barnard offered a substitute for Assembly Bill No. 112.

MOTION.

Mr. Clark moved that the substitute be printed.

Lost.

The question recurring upon the adoption of the substitute, it was lost.

Bill read second time, ordered engrossed and to a third reading.

THIRD READING OF BILLS.

Assembly Bill No. 142—An Act to amend section four hundred and ninety-nine of the Civil Code of California, relative to the authority to lay, construct, and operate railroad tracks through streets and public highways of any incorporated city, city and county, or town, and to allow different lines of street railway, operated under different management, to use parts of the same streets and tracks.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Ames, Arms, Barnard, Barnett of Sonoma, Baughman, Beecher, Bledsoe, Brown, Bruner, Brusie, Bryant, Carter, Culver, Cunningham, Dow, Dunn, Durner, Estey, Freeman, Galbraith, Garver, Glynn, Gordon, Harloe, Hawley, Hersey, Hunewill, Johnson, Jackson, Kellogg, Lewis, Lowe, Lynch, Marion, Matlock, Mathews, Mordecai, Murnan, Murphy, Phillips, Rentfo, Robertson, Smith of Butte, Smith of Orange, Stabler, Weston, and Young—48.

NOES—Messrs. Alexander, Barnett of San Francisco, Clark, Coffey, Dennis, Doty, Eakle, Fowler, Gould, Hayes, Hoey, Jones, Lacey, Lux, Martin, Shanahan, Steltz, Sturtevant, Tennis, Tully, and Windrow—20.

Title read and approved.

NOTICE OF MOTION FOR RECONSIDERATION.

Mr. Arms gave notice that he will move to-morrow morning for a reconsideration of the vote whereby Assembly Bill No. 142 passed.

REPORT OF COMMITTEE ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, January 22 1891.

MR. SPEAKER. Your Committee on Judiciary to whom was referred Assembly Bills Nos 61 and 79—have had the same under consideration, and report the same back, and recommend that they do pass as amended.

Also: Assembly Bills Nos. 17 and 38—have had the same under consideration, and report the same back, and recommend that they do not pass.

Also: Assembly Bills Nos. 106 and 108—have had the same under consideration, and report the same back as constitutional

Also: Assembly Constitutional Amendments Nos. 1 and 5—have had the same under consideration, and report the same back without recommendation.

Also: Assembly Bills Nos. 31, 39, 55, 59, 90 and 92—have had the same under consideration, and report the same back, and recommend that they do pass.

Also: Assembly Bills Nos. 43 and 123—have had the same under consideration, and report the same back, and recommend that they be withdrawn

BRUNER, Chairman.

THIRD READING OF BILLS—(RESUMED).

Assembly Bill No. 114—An Act to amend section four hundred and ninety-seven of the Civil Code of the State of California, relating to the authority to lay railroad tracks through streets and public highways of any incorporated city, city and county, or town.

Read third time.

MOTIONS.

Mr. Culver moved that the names on the petition, in reference to matter in Assembly Bill No. 114, be read.

Carried.

Pending the reading of names on petition, Mr. Phillips moved to suspend further reading.

Carried.

Mr. Shanahan moved to suspend the rules to adopt the following amendment to Assembly Bill No. 68.

That Assembly Bill No. 68 be amended on line thirty-one, page two, of the printed copy, by striking out amendment number two and substituting therefor the following amendment: by inserting in line thirty-one, page two, after the word "sewer," the words "and water."

Carried.

The question recurring upon consideration of Assembly Bill No. 114, the roll was called, and the bill passed by the following vote:

AYES—Messrs. Ames, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Brusie, Bryant, Cargill, Carter, Culver, Dow, Durner, Estey, Freeman, Galbraith, Gordon, Gould, Hall, Hawley, Hersey, Hunewill, Jackson, Kellogg, Lowe, Lynch, Marion, Matlock, Mathews, Mordecai, Murphy, Phillips, Robertson, Smith of Butte, Smith of Orange, Stabler, Wentworth, Weston, and Young—43.

NOES—Messrs. Alexander, Arms, Clark, Coffey, Dennis, Doty, Dunn, Eakle, Fowler, Glynn, Harloe, Hayes, Hocking, Hoey, Johnson, Jones, Lacey, Lewis, Lux, Martin, Murnan, Renfro, Shanahan, Steltz, Sturtevant, Tennis, Tully, Windrow, and Mr. Speaker—29.

Title read and approved.

Assembly Bill No. 66—An Act authorizing incorporated cities to acquire, by gift, purchase, or condemnation proceedings, water, water rights, reservoir sites, rights of way, and other appliances for supplying such cities and their inhabitants with water.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Ames, Barnard, Barnett of San Francisco, Barnett of Sonoma, Beecher, Bledsoe, Brown, Brusie, Bryant, Cargill, Carter, Clark, Coffey, Cram, Culver, Dennis, Dibble, Doty, Durner, Eakle, Estey, Fowler, Freeman, Galbraith, Garver, Gordon, Gould, Hall, Harloe, Hawley, Hayes, Hersey, Hocking, Hoey, Hunewill, Johnson, Jackson, Kellogg, Lacey, Lewis, Lowe, Lux, Lynch, Marion, Martin, Matlock, Mathews, Mordecai, Murnan, Murphy, Phillips, Renfro, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Weston, Young, and Mr. Speaker—63.

NOES—None.

Title read and approved.

Assembly Bill No. 116—An Act to confirm, ratify, and make valid ordinances heretofore passed by the Trustees, Council, or other body intrusted with the government of any incorporated city, city and county, or town, giving authority and permission to propel cars upon railroad tracks laid through the streets and public highways of such incorporated city, city and county, or town, by electricity.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Ames, Barnard, Baughman, Beecher, Bert, Bledsoe, Brusie, Bryant, Cargill, Carter, Cram, Culver, Dow, Dunn, Durner, Estey, Freeman, Galbraith, Garver, Gordon, Hail, Harloe, Hawley, Hersey, Hunewill, Johnson, Jackson, Kellogg, Lewis, Lowe, Lynch, Marion, Martin, Matlock, Mathews, Mordecai, Murphy, Phillips, Renfro, Robertson, Smith of Butte, Smith of Orange, Wentworth, Weston, and Young —46.

NOES—Messrs. Ames, Barnett of San Francisco, Barnett of Sonoma, Clark, Coffey, Daly, Dennis, Doty, Eakle, Fowler, Glynn, Gould, Hayes, Hocking, Hoey, Jones, Lacey, Lux, Murnan, Shanahan, Stabler, Steltz, Sturtevant, Tennis, and Tully—25.

Title read and approved.

NOTICES OF MOTION FOR RECONSIDERATION.

Mr. Dunn gave notice that he will move to-morrow for a reconsideration of the vote whereby Assembly Bill No. 116 was passed.

Mr. Robertson gave notice that to-morrow he will move for a reconsideration of the vote whereby Assembly Bill No. 114 was passed.

THIRD READING OF BILLS—(RESUMED).

Assembly Bill No. 121—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. Ames, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Bert, Bledsoe, Brown, Brusie, Bryant, Cargill, Carter, Clark, Coffey, Cram, Culver, Dibble, Doty, Durner, Eakle, Estey, Fowler, Galbraith, Garver, Gordon, Gould, Hail, Harloe, Hayes, Hersey, Hocking, Hoey, Hunewill, Johnson, Jackson, Kellogg, Lacey, Lewis, Lowe, Lux, Martin, Matlock, Mathews, Mordecai, Murnan, Murphy, Phillips, Renfro, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Wentworth, Weston, and Young—59

NOES—None

Title read and approved.

Assembly Bill No. 129—An Act to add an additional section to the Penal Code, to be known as section one hundred and fifty-nine and one half, making it a misdemeanor to advertise to obtain a divorce, or to aid therein.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Brown, Bruner, Bryant, Cargill, Carter, Clark, Coffey, Cram, Culver, Dibble, Doty, Eakle, Estey, Freeman, Galbraith, Garver, Gordon, Gould, Hail, Hawley, Hayes, Hersey, Hocking, Hoey, Hunewill, Jackson, Kellogg, Lacey, Lewis, Lowe, Lux, Martin, Matlock, Mordecai, Murnan, Murphy, Phillips, Renfro, Shanahan, Smith of Butte, Smith of Orange, Stabler, Sturtevant, Tennis, Wentworth, Weston, and Young—53.

NOES—Messrs. Brusie, Dennis, Durner, Harloe, and Robertson—5

Title read and approved.

Assembly Bill No. 139—An Act to provide for the levy and collection of taxes by and for school districts, except in municipal corporations of the first class.

MOTION.

Mr. Gould moved that Assembly Bill No. 139 be rereferred to the Committee on Judiciary, and retain its place on file for third reading.

Carried.

SECOND READING OF BILLS.

Assembly Joint Resolution No. 8—Relative to authorizing and directing the State Printer to deliver ten copies of every work published or printed in the State Printing Office to the State Librarian, also two copies to the Librarian of the State University.

Adopted.

Assembly Bill No. 63—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 12, 1872, in relation to the office of Treasurer of the Deaf and Dumb and Blind Asylum.

Mr. Ames asked the privilege of withdrawing this bill and substituting Senate Bill No. 32.

Granted.

MOTION.

Mr. Ames moved to take up Senate Bill No. 32, and read same first time.

Carried.

FIRST READING OF BILL.

Senate Bill No. 32—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 12, 1872, in relation to the office of Treasurer of the Deaf, Dumb, and Blind Asylum.

Read first time, and placed on file for second reading.

SECOND READING OF BILLS—(RESUMED).

Assembly Bill No. 36—An Act to add an additional section to the Political Code, to be numbered four thousand two hundred and fifty-nine, relating to the qualifications of District Attorney.

Read second time.

AMENDMENT.

Mr. Shanahan offered the following amendment:

Amend, by striking out in line four the word "Supreme," and inserting the word "Superior" in lieu thereof.

Upon a call of the roll, moved by Mr. Shanahan, seconded by Messrs. Clark and Alexander, the amendment was adopted by the following vote:

AYES—Messrs. Alexander, Arms, Barnett of Sonoma, Baughman, Bledsoe, Bruner, Brusie, Carter, Clark, Cunningham, Dennis, Doty, Dow, Dunn, Durner, Eakle, Estey, Garver, Glynn, Hail, Hersey, Hoey, Hunewill, Jackson, Kellogg, Lewis, Lowe, Lux, Martin, Matlock, Mathews, Murnan, Murphy, Renfro, Robertson, Shanahan, Stabler, Steltz, Sturtevant, Tully, and Mr. Speaker—41.

NOES—Messrs. Barnard, Barnett of San Francisco, Beecher, Bert, Brown, Bryant, Cargill, Coffey, Cram, Culver, Dibble, Fowler, Freeman, Galbraith, Gordon, Gould, Harloe, Hawley, Hayes, Hocking, Johnson, Lacey, Mordecai, Phillips, Smith of Butte, Tennis, Wentworth, Weston, and Young—29.

Ordered engrossed and to a third reading.

NOTICE OF RECONSIDERATION.

Mr. Bruner gave notice that to-morrow he will move for a reconsideration of the vote by which Assembly Bill No. 36 was amended.

LEAVE OF ABSENCE.

Mr. Bryant was granted leave of absence until Monday.

SECOND READING OF BILLS—(RESUMED).

Assembly Bill No. 34—An Act concerning the costs in civil actions for serving summonses and subpœnas.

Read second time, ordered engrossed and to a third reading.

RESOLUTION.

By Mr. Bert:

WHEREAS, The Assembly of the State of California has learned of the death of the late King Kalakaua with feelings of sincere regret and genuine sorrow; now, therefore, be it

Resolved, That when the Assembly adjourns to-day it adjourn out of respect to his memory.

Resolution adopted.

ADJOURNMENT.

At four o'clock and forty-five minutes P. M., on motion of Mr. Phillips, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Friday, January 23, 1891.

The House met pursuant to adjournment.

Speaker Coombs in the chair.

LEAVE OF ABSENCE.

Messrs. McCall and Hoey were granted leave of absence for the day.

Mr. Marion was granted leave of absence until Monday.

Mr. Gould was granted leave of absence for Monday.

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

Messrs. Alexander, Ames, Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Brusie, Cargill, Carter, Clark, Coffey, Cram, Culver, Cunningham, Daly, Dennis, Dibble, Doty, Dow, Dunn, Durner, Eakle, Estey, Fowler, Freeman, Galbraith, Garver, Glynn, Gordon,

Gould, Hall, Harloe, Hawley, Hayes, Hersey, Hocking, Hunewill, Johnson, Jackson, Jones, Kellogg, Lacey, Lewis, Lowe, Lux, Lynch, Martin, Matlock, Mathews, Mordecai, Murnan, Murphy, Phillips, Renfro, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz Sturtevant, Tennis, Tully, Wentworth, Weston, Windrow, and Mr. Speaker

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. A. C. Herrick.

READING OF THE JOURNAL.

Pending the reading of the Journal, Mr. Barnett of San Francisco moved that the further reading of the Journal be dispensed with.

So ordered.

Journal corrected and approved.

MOTION TO RECONSIDER.

Mr. Arms moved that the vote whereby Assembly Bill No. 142 passed be now reconsidered.

Upon demand of Messrs. Dibble, Shanahan, and Murnan, the roll was called, and the motion carried by the following vote:

AYES—Messrs. Alexander, Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Bert, Brown, Bruner, Brusie, Cargill, Clark, Cram, Cunningham, Daly, Dennis, Dibble, Doty, Dow, Dunn, Durner, Eakle, Estey, Fowler, Freeman, Garver, Glynn, Gordon, Gould, Hall, Harloe, Hawley, Hayes, Hersey, Hocking, Hunewill, Johnson, Jackson, Jones, Kellogg, Lacey, Lewis, Lowe, Lux, Martin, Matlock, Mordecai, Murnan, Murphy, Phillips, Renfro, Robertson, Shanahan, Smith of Butte, Stabler, Steltz, Sturtevant, Tennis, Tully, Wentworth, Weston, Windrow, and Mr. Speaker—63.

NOES—Messrs. Ames, Beecher, Bledsoe, Culver, Galbraith, Lynch, Mathews, and Smith of Orange—8.

MOTIONS.

Mr. Dibble moved that the consideration of Assembly Bill No. 142 be made a special order for Wednesday, January 28, 1891, at two o'clock P. M.

Carried.

Mr. Gould moved that the rules be suspended for the purpose of considering the following resolution.

Carried.

RESOLUTION.

By Mr. Gould:

Resolved, That the Assembly Post Office be kept open from nine o'clock A. M. until five o'clock P. M., and from seven o'clock P M. until eight o'clock and thirty minutes P. M. of each week day, and from twelve o'clock M. until two o'clock P. M. on Sundays, until further orders.

Adopted.

MOTIONS TO RECONSIDER.

Mr. Robertson moved that the vote whereby Assembly Bill No. 114 passed be now reconsidered.

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

AYES—Messrs. Alexander, Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Brusie, Cargill, Clark, Coffey, Cunningham, Daly, Dennis, Dibble, Doty, Dow, Dunn, Durner, Eakle, Estey, Fowler,

Freeman, Galbraith, Garver, Glynn, Gordon, Gould, Hail, Harloe, Hawley, Hayes, Hersey, Hocking, Johnson, Jackson, Jones, Kellogg, Lacey, Lewis, Lowe, Lux, Martin, Matlock, Mathews, Mordecai, Murnan, Murphy, Phillips, Renfro, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Tully, Wentworth, Weston, Windrow, and Mr. Speaker—67.

Noes—Messrs. Ames, Cram, Culver, and Lynch—4.

Mr. Phillips moved that Assembly Bill No. 114 be made a special order for next Wednesday, January twenty-eighth, at two o'clock P. M.

Carried.

Mr. Dunn moved that the vote whereby Assembly Bill No. 116 passed be now reconsidered.

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

Ayes—Messrs. Alexander, Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bledsoe, Brown, Bruner, Brusie, Cargill, Clark, Coffey, Cunningham, Daly, Dennis, Dibble, Doty, Dow, Dunn, Durner, Eakle, Estey, Fowler, Freeman, Galbraith, Garver, Glynn, Gordon, Gould, Hail, Harloe, Hawley, Hayes, Hersey, Hocking, Hunewill, Johnson, Jackson, Jones, Kellogg, Lacey, Lewis, Lowe, Lux, Martin, Matlock, Mathews, Mordecai, Murnan, Murphy, Phillips, Renfro, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Tully, Wentworth, Weston, Windrow, and Mr. Speaker—67.

Noes—Messrs. Ames, Cram, Culver, and Lynch—4.

Mr. Shanahan moved that Assembly Bill No. 116 be made a special order for Wednesday, January twenty-eighth, at two o'clock P. M.

Carried.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT.

Assembly Chamber, Sacramento, January 23, 1891.

Mr. Speaker: Your Committee on Engrossment beg leave to report that they have examined the following Assembly Bill, and find it correctly engrossed:

Assembly Bill No. 68—An Act to amend an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

WINDROW, Chairman.

MOTION TO RECONSIDER.

Mr. Bruner moved that the vote whereby amendment number one to Assembly Bill No. 36 was carried be now reconsidered.

Motion to reconsider decided out of order.

MOTION.

Mr. Lacey moved that Assembly Bill No. 353 be referred to the Committee on Counties and County Boundaries, instead of to Committee on County and Township Governments.

Carried.

SPECIAL ORDERS—IMMEDIATELY AFTER READING OF JOURNAL.

Senate Bill No. 207—An Act to amend sections two hundred and forty-five, two hundred and forty-six, and two hundred and sixty-eight of the Political Code of the State of California, and to repeal sections two hundred and forty-eight and two hundred and forty-nine of said Code.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Ames, Arms, Barnard, Barnett of Sonoma, Baughman, Bert, Bledsoe, Brown, Bruner, Brusie, Cargill, Clark, Coffey, Culver, Daly, Dennis, Dow, Dunn, Durner, Estey, Fowler, Freeman, Galbraith, Garver, Gordon, Hall, Hawley, Hayes, Hocking, Hunewill Johnson, Lacey, Lewis, Lowe, Lux, Lynch, Martin, Matlock, Murphy, Phillips, Smith of Butte, Smith of Orange, Steltz, Sturtevant, Wentworth, Weston, and Mr. Speaker—47.

NOES—Messrs. Beecher, Doty, Eakle, Gould, Harloe, Jackson, Kellogg, Mathews, Mordecai, Murnan, Renfro, Robertson, Shanahan, and Stabler—14.

Title read and approved.

REPORT OF STANDING COMMITTEES.

ON COMMERCE AND NAVIGATION.

ASSEMBLY CHAMBER, January 23, 1891.

MR. SPEAKER: Your Committee on Commerce and Navigation, to whom was referred Assembly Bills Nos. 130, 144, 150, and 278, would ask for further time to consider the same.

Also: Assembly Bills Nos. 14 and 147—have had the same under consideration, and report the same back without recommendation, and that they be referred to the Committee on Ways and Means and Appropriations.

Also: Assembly Bills Nos. 21, 122, 198, and 200—have had the same under consideration, and report the same back and recommend that they do pass, and that Assembly Bill No. 21 be at once referred to the State Printer, to be correctly printed

PHILLIPS, Chairman.

Assembly Bills Nos. 14 and 147 referred to Committee on Ways and Means and Appropriations.

ON ROADS AND HIGHWAYS.

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1891.

MR. SPEAKER: Your Committee on Roads and Highways, to whom was referred Assembly Bills Nos. 163, 204, and 267—Acts to amend certain sections of the Political Code, relating to the powers and duties of highway officers, and to provide for the construction and maintenance of such highways—have had the same under consideration, and report progress thereon.

Also: Assembly Bill No. 271—An Act to amend section two thousand six hundred and eighty-one of an Act entitled "An Act to establish a Political Code"—have had the same under consideration, and report the same back, and recommend that it do pass.

MATLOCK, Chairman.

Mr. Matlock asked that the Committee on Roads and Highways be allowed further time for the consideration of Assembly Bills Nos. 163, 204, and 267.

Granted.

ON AGRICULTURE AND FORESTRY.

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1891.

MR. SPEAKER: Your Committee on Agriculture and Forestry, to whom was referred Assembly Bills Nos. 167, 201, 202, 259, and 266—have had the same under consideration, and report the same back, and recommend that Assembly Bills Nos. 167 and 201 do pass; that Assembly Bill No. 202 do pass as amended; that Assembly Bills Nos. 259 and 266 do not pass.

STURTEVANT, Chairman.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1891.

MR SPEAKER: Your Committee on Education, to whom was referred Assembly Bill No 162—An Act to amend section three thousand four hundred and ninety-four of the Political Code, relating to the price and payment for school lands, by fixing rate of interest at seven per cent on payments due—have had the same under consideration, and report the same back, and recommend that it be referred to the Committee on Swamp and Overflowed and Public Lands.

Also· Assembly Bill No. 171—An Act to amend section one thousand seven hundred and seventy-five, Political Code, chapter three, title three, article sixteen.

Also· Assembly Bill No. 175—An Act to amend section one thousand five hundred and forty-three, subdivision eight, of Political Code, chapter three, article three.

Have had the same under consideration, and report the same back and recommend that they do not pass.

GALBRAITH, Chairman.

Assembly Bill No. 162 referred to Committee on Swamp and Overflowed and Public Lands.

ON CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1891.

MR. SPEAKER· Your Committee on Corporations, to whom was referred Assembly Bill No. 301—An Act relating to life, health, and annuity or endowment insurance on the assessment plan, and the conduct of the business of such insurance—have had the same under consideration, and report the same back with amendments, and recommend its passage as amended.

Also· Assembly Bill No. 131—An Act relating to life and casualty and annuity or endowment insurance on the assessment plan, and the conduct of the business of such insurance—have had the same under consideration, and report the same back without recommendation.

LOWE, Chairman.

MOTION.

Mr. Dibble moved that he be permitted to withdraw Assembly Bill No. 131.

Carried.

ON CLAIMS.

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1891.

MR. SPEAKER: Your Committee on Claims, to whom was referred Assembly Bill No. 146—An Act entitled "An Act to provide for the payment of services rendered the State of California by William H. Thornley, State Commissioner of Immigration, and making the necessary appropriation therefor"—have had the same under consideration, and report the same back, and recommend that it do pass.

Also: Assembly Bill No. 76—"An Act making an appropriation to pay the claim of D. Jordan"—have had the same under consideration, and report the same back with amendments, and recommend its passage as amended.

AMES, Chairman.

RESOLUTION—(OUT OF ORDER).

By Mr. Ames:

Resolved, That the State Printer be and he is hereby instructed to print five hundred (500) copies of a special report of the Committee on Claims on Assembly Bill No. 76—An Act making an appropriation to pay the claim of D. Jordan—together with the testimony relating thereto, for the use of the members of the Legislature.

Adopted.

ON CHINESE IMMIGRATION AND EMIGRATION AND LABOR AND CAPITAL.

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1891.

MR. SPEAKER: Your Committee on Chinese Immigration and Emigration and Labor and Capital, to whom was referred Assembly Bill No. 44—An Act to add two sections to the Penal Code, said sections to be known, numbered, and designated as sections three hundred and forty-four and three hundred and forty-five, and included in chapter twelve, part one, title nine, of said Penal Code, relating to and defining the duties and liabilities of laundrymen—have had the same under consideration, and report the same back, and recommend that it do pass.

Also, have had Assembly Bills No. 9 and 11 under consideration, and report progress, and ask for further time for consideration of the same.

STELTZ, Chairman.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1891

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Assembly Bills Nos. 15, 18, 19, 80, and 118—have had the same under consideration, and respectfully ask for further time to consider the same.

WENTWORTH, Chairman.

RESOLUTIONS—(OUT OF ORDER).

By Mr. Phillips:

Resolved, That the Sergeant-at-Arms, or the Assistant Sergeant-at-Arms, under the direction of the Sergeant-at-Arms, be and he is hereby directed to superintend the Gatekeepers, Porters, Watchmen, Mail Carrier, and Pages, and to assign them to their respective places and duties, and direct them in the discharge of the obligations of their respective offices, and to report any neglect of duty to the Speaker of the Assembly.

Adopted.

Also:

Resolved, That a vote of thanks of the House be tendered to Mr. Marion, the member from Los Angeles, for his munificent donation of oranges, and that a copy of this resolution be spread on the minutes.

Adopted.

ON ELECTIONS AND PRIVILEGES.

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1891.

MR. SPEAKER: Your Committee on Elections and Privileges, to whom was referred Assembly Bill No 178—An Act to ascertain and express the will of the people of the State of California upon the subject of election of United States Senators—have had the same under consideration, and report the same back, and recommend that it do pass.

A. T. BARNETT, Chairman.

RESOLUTIONS—(OUT OF ORDER).

By Mr. Lewis:

Resolved, That Geo M. Woodward, temporary Journal Clerk of the Assembly, be allowed the sum of sixteen dollars and eighty cents ($16 80) for mileage, payable out of the Contingent Fund of the Assembly.

Referred to Committee on Attachés and Employés.

By Mr. Brusie:

Resolved, That the sum of ten dollars be and it is hereby appropriated out of the Contingent Fund of the Assembly, to be paid to the Chairman of the Committee on Commissions, for the purpose of paying postage on notices sent by said committee.

Adopted.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, January 22, 1891.

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

Senate Bill No. 208—An Act giving the consent of the State of California to the reservation of certain lands by Congress.

F. J. BRANDON, Secretary.
By R. L. THOMAS, Assistant Secretary.

Senate Bill No. 208 referred to Committees on Swamp and Overflowed and Public Lands and Judiciary, jointly.

Also:

SENATE CHAMBER, SACRAMENTO, January 22, 1891.

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

Senate Bill No. 351—An Act making an appropriation to pay the deficiency in the appropriation for the office of Secretary of State, and for the purchase of supplies and furniture, and for making necessary repairs in the several offices of the State Capitol.

F. J. BRANDON, Secretary.
By R. L. THOMAS, Assistant Secretary.

Senate Bill No. 351 referred to Committee on Ways and Means and Appropriations.

Also:

SENATE CHAMBER, SACRAMENTO, January 23, 1891.

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

Senate Bill No. 30—An Act to amend sections three thousand seven hundred and forty-six, three thousand seven hundred and forty-eight, three thousand seven hundred and fifty, three thousand seven hundred and fifty-one, three thousand seven hundred and fifty-six, three thousand seven hundred and fifty-eight, three thousand seven hundred and sixty-four, three thousand seven hundred and ninety-seven, three thousand seven hundred and ninety-nine, three thousand eight hundred, three thousand eight hundred and sixteen, three thousand eight hundred and sixty-six, and three thousand eight hundred and sixty-eight of "An Act to establish a Political Code," approved March 12, 1872, and to add a new section thereto, to be known as section three thousand seven hundred and fifty-seven, relative to the collection of property taxes.

Also: Senate Bill No. 19—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.

F. J. BRANDON, Secretary.
By R. L. THOMAS, Assistant Secretary.

Senate Bill No. 30 referred to Committee on Judiciary.

Senate Bill No. 19 referred to Committee on Judiciary.

INTRODUCTION OF BILLS.

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

By Mr. Dow: Assembly Bill No. 459—An Act to appropriate money to pay the claim of Bartolo Sepulveda, his executors, administrators, or assigns, for unlawful imprisonment.

Referred to Committee on Claims.

By Mr. Garver: Assembly Bill No. 460—An Act to provide for the payment of the claim of A. B. Dibble for professional services performed by him in the case of the People, respondent, vs. O. P. Dobbins, appellant, No. 12,106, Department One, of the Supreme Court, August 30, 1887.

Referred to Committee on Ways and Means and Appropriations.

By Mr. Bruner: Assembly Bill No. 461—An Act to amend section one hundred and seventy-two of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to the husband's control and disposition of the community property.

Referred to Committee on Judiciary.

By Mr. Bert: Assembly Bill No. 462—An Act making an appropriation to pay the claims of Charles F. Reed, C. E. Grunsky, and J. J. Crawford, for expenses incurred as members of the Examining Commission on Rivers and Harbors.

Referred to Committee on Claims.

By Mr. Wentworth: Assembly Bill No. 463—An Act to repeal title sixteen, of part four, division first, of the Civil Code, and to substitute a new title in place thereof, providing for the formation and government of mutual building and loan associations, and to add fifteen new sections to said Civil Code, to be known and numbered as sections six hundred and thirty-three, six hundred and thirty-four, six hundred and thirty-five, six hundred and thirty-six, six hundred and thirty-seven, six hundred and thirty-eight, six hundred and thirty-nine, six hundred and forty, six hundred and forty-one, six hundred and forty-

two, six hundred and forty-three, six hundred and forty-four, six hundred and forty-five, six hundred and forty-six, and six hundred and forty-seven, providing for the formation and government of mutual building and loan associations.

Referred to Committee on Corporations.

Also: Assembly Bill No. 464—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 fish and game.

Referred to Committee on Fish and Game.

Also: Assembly Bill No. 465—An Act to require the construction of wire screens to secure the protection of fish in the waters of the State.

Referred to Committee on Fish and Game.

Also: Assembly Bill No. 466—An Act to amend an Act entitled "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," approved March 21, 1887.

Referred to Committee on Fish and Game.

Also: Assembly Bill No. 467—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 protection of fish.

Referred to Committee on Fish and Game.

By Mr. Weston: Assembly Bill No. 468—An Act for the relief of Benicia F. Vallejo, the widow of the late General Mariano G. Vallejo.

Referred to Committee on Ways and Means and Appropriations.

By Mr. Gordon: Assembly Bill No. 469—An Act to amend an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, by amending section eight hundred and sixty-two of said Act, relative to the power of the Board of Trustees of cities and towns of the sixth class, and the exemption by persons paying licenses therein from paying other licenses; and by amending section eight hundred and sixty-nine of said Act, relative to the payment of the cost and expenses of building and repairing sewers.

Referred to Committee on Municipal Corporations.

By Mr. Johnson: Assembly Bill No. 470—An Act to further secure the purity of the ballot, and to provide means for effecting the same.

Referred to Committee on Apportionment and Election Laws.

By Mr. Bledsoe: Assembly Bill No. 471—An Act to ascertain and express the will of the people of the State of California upon the subject of requiring an educational qualification of voters.

Referred to Committee on Judiciary.

MOTION.

Mr. Bledsoe moved that Assembly Bill No. 471 be committed to the Committee on Elections and Privileges.

Lost.

INTRODUCTION OF BILLS—(RESUMED).

By Mr. Freeman: Assembly Bill No. 472—An Act to amend sections two thousand six hundred and forty-one, two thousand six hundred and forty-three, two thousand six hundred and forty-five, two thousand six hundred and forty-six, and to repeal sections 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 highways.

Referred to Committee on Roads and Highways.

By Mr. Beecher: Assembly Bill No. 473—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, by repealing section six hundred and thirty-two, relating to decisions of Court on questions of fact.

Referred to Committee on Judiciary.

RECESS.

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

REASSEMBLED.

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

Speaker Coombs in the chair.

Quorum present.

LEAVE OF ABSENCE.

Messrs. Hersey and Lynch were granted leave of absence for Saturday, and Mr. Robertson for Monday.

MOTION.

Mr. Dibble moved that there shall be no second or third reading of bills on to-morrow (Saturday).

Carried.

INTRODUCTION OF BILLS—(RESUMED.)

By Mr. Brusie: Assembly Bill No. 474—An Act to amend an Act of the Legislature of the State of California entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, by adding thereto five new sections, to be known as sections five hundred and thirty-nine (*a*), five hundred and thirty-nine (*b*), five hundred and thirty-nine (*c*), five hundred and thirty-nine (*d*), and five hundred and thirty-nine (*e*), in chapter four of part two, title seven, concerning "attachments."

Referred to Committee on Judiciary.

MOTION.

Mr. Bledsoe moved that Assembly Bill No. 471, introduced this morning, be referred to Committee on Apportionment and Election Laws.

So ordered.

INTRODUCTION OF BILLS—(RESUMED).

By Mr. McCall: Assembly Bill No. 475—An Act to amend section two thousand six hundred and forty-four of the Political Code, relating to bond and oath of Road Overseers.

Referred to Committee on Roads and Highways.

Also: Assembly Bill No. 476—An Act to amend section two thousand

six hundred and forty-two of the Political Code, relating to the appointment of Road Overseers.

Referred to Committee on Roads and Highways.

Also: Assembly Bill No. 477—An Act to amend section two thousand six hundred and forty-five of the Political Code, relating to the duties of Road Overseers.

Referred to Committee on Roads and Highways.

Also: Assembly Bill No. 478—An Act to amend section two thousand six hundred and forty-six of the Political Code, relating to awarding contracts for maintaining roads.

Referred to Committee on Roads and Highways.

Also: Assembly Bill No. 479—An Act to amend subdivision number four, section twenty-five, 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, March 18, 1885, March 17, 1887, and March 16, 1889, relating to public roads.

Referred to Committee on Roads and Highways.

By Mr. Dibble: Assembly Bill No. 480—An Act to amend section two thousand three hundred and fourteen of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the duties of the Librarian of the Supreme Court Library.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 481—An Act to amend sections two hundred and sixty-five and two hundred and sixty-six of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to Secretaries, Bailiffs, and Librarian of the Supreme Court.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 482—An Act to amend section seven hundred and thirty-nine of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the salaries of officers of the Supreme Court.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 483—An Act to provide for the deficiency in the appropriation for expenses of the Supreme Court, under section forty-seven of the Code of Civil Procedure, for the fortieth fiscal year.

Referred to Committee on Ways and Means and Appropriations.

Also: Assembly Bill No. 484—An Act to provide for the deficiency in the appropriation for expenses of the Supreme Court, under section forty-seven of the Code of Civil Procedure, for the forty-first fiscal year.

Referred to Committee on Ways and Means and Appropriations.

By Mr. Renfro: Assembly Bill No. 485—An Act to add two new sections to the Penal Code, to be numbered sections one thousand three hundred and twenty-nine and one half, and one thousand three hundred and twenty-nine and three quarters, relative to paying witnesses in criminal cases.

Referred to Committee on Judiciary.

By Mr. Weston: Assembly Bill No 486—An Act to appropriate money for the erection of a monument in Golden Gate Park, in the city of San Francisco, in memory of the late General M. G. Vallejo.

Referred to Committee on Public Buildings and Grounds.

By Mr. Steltz: Assembly Bill No. 487—An Act for the relief of John J. Conlin.

Referred to Committee on Claims.

By Mr. Lowe: Assembly Bill No. 488—An Act to amend section two hundred and twenty-four of an Act entitled "An Act to establish a Civil Code of the State of California," approved March 21, 1872, in relation to the adoption of children.

Referred to Committee on Judiciary.

BILL REREFERRED.

Mr. Phillips, Chairman of the Committee on Commerce and Navigation, returned Assembly Bill No. 307, and requested that it be referred to the Committee on Public Buildings and Grounds.

So ordered.

REPORT OF STANDING COMMITTEE.

ON VINICULTURE, VITICULTURE, AND HORTICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1891

MR. SPEAKER: Your Committee on Viniculture, Viticulture, and Horticulture, to whom was referred Assembly Bill No. 64—An Act to amend an Act entitled "An Act to protect and promote horticultural interests of the State," approved March 14, 1881, as amended by chapter two hundred and sixty-five of the laws of 1889, approved March 19, 1889—have had the same under consideration, and report the same back with amendments, and recommend its passage as amended.

J. J. SMITH, Chairman

SPECIAL FILE.

Assembly Constitutional Amendment No. 1—A resolution to propose to the people of the State an amendment to the Constitution thereof, relative to the taxation of mortgages and deeds of trust.

Passed on file, without losing its place.

Assembly Constitutional Amendment No. 5—A resolution to propose to the people of the State of California an amendment to section thirty-four of article four of the Constitution of the State of California.

Passed on file.

RESOLUTION.

By Mr. Bruner:

Resolved, That the Committee on Elections and Privileges is hereby instructed to report to this House on Monday, January twenty-sixth, its report on the contested case of Campbell vs. Eakle.

MOTION.

Mr. Bledsoe moved as an amendment to the resolution, to strike out in last line of resolution the words and figures, "Monday, January 26th," and insert "Monday, February 2d."

The ayes and noes were demanded by Messrs. Shanahan, Jackson, and Gould.

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

AYES—Messrs. Arms, Barnett of San Francisco, Baughman, Bledsoe, Clark, Cunningham, Doty, Dunn, Dunner, Garver, Gould, Hersey, Jackson, Kellogg, Lux, Martin, Matlock, Mordecai, Murnan, Phillips, Renfro, Robertson, Shanahan, Smith of Orange, Stabler, Steltz, and Weston—27.

NOES—Messrs. Alexander, Ames, Barnard, Barnett of Sonoma, Brown, Bruner, Brusie, Cargill, Carter, Coffey, Culver, Daly, Dow, Estey, Fowler, Freeman, Galbraith, Gordon, Harloe, Hawley, Hayes, Hocking, Hunewill, Johnson, Jones, Lacey, Lewis, Lynch, McCall, Murphy, Smith of Butte, Tennis, Wentworth, Windrow, and Mr. Speaker—35.

The question recurring upon the original motion, the ayes and noes were demanded by Messrs. Shanahan, Gould, and Martin.

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

AYES—Messrs. Alexander, Ames, Barnard, Barnett of Sonoma, Beecher, Brown, Bruner, Brusie, Cargill, Carter, Coffey, Culver, Daly, Dennis, Dow, Estey, Fowler, Freeman, Galbraith, Glynn, Gordon, Harloe, Hawley, Hocking, Hunewill, Johnson, Jones, Lacey, Lewis, Lynch, McCall, Murphy, Shanahan, Smith of Butte, Tennis, Wentworth, Windrow, and Mr. Speaker—38.

NOES—Messrs. Arms, Barnett of San Francisco, Baughman, Bledsoe, Clark, Dibble, Doty, Dunn, Durner, Garver, Gould, Haves, Hersey, Jackson, Kellogg, Lux, Martin, Matlock, Mordecai, Murnan, Phillips, Renfro, Robertson, Smith of Orange, Stabler, and Steltz—26.

NOTICE OF RECONSIDERATION.

Mr. Shanahan gave notice that on to-morrow he would move the reconsideration of the vote by which Mr. Bruner's resolution was adopted.

POINT OF ORDER.

Mr. Bruner made the point of order that such notice was out of order.

The Speaker ruled the point well taken.

MOTION TO RECONSIDER.

Mr. Shanahan moved that the vote whereby this resolution was adopted be now reconsidered.

MOTIONS.

Mr. Bledsoe moved that the consideration of Mr. Shanahan's motion be made a special order for to-morrow morning, immediately after the reading of the Journal.

Mr. Bruner moved to indefinitely postpone Mr. Shanahan's motion.

ADJOURNMENT.

At four o'clock and ten minutes P. M. Mr. Matlock moved to adjourn.

The ayes and noes were demanded by Messrs. Lacey, Hunewill, and Carter.

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

AYES—Messrs. Ames, Arms, Barnett of San Francisco, Baughman, Bledsoe, Bruner, Carter, Clark, Culver, Cunningham, Dennis, Dibble, Doty, Dow, Dunn, Eakle, Estey, Garver, Glynn, Gordon, Hall, Harloe, Hersey, Hocking, Hunewill, Johnson, Jackson, Jones, Kellogg, Lacey, Lewis, Lowe, Lux, Lynch, Martin, Matlock, McCall, Mordecai, Murnan, Murphy, Renfro, Robertson, Shanahan, Stabler, Steltz, Sturtevant, Tennis, Weston, Windrow, and Mr. Speaker—50.

NOES—Messrs. Alexander, Barnard, Barnett of Sonoma, Brown, Brusie, Cargill, Coffey, Daly, Durner, Fowler, Freeman, Galbraith, Hawley, Phillips, Smith of Butte, and Wentworth—16.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Saturday, January 24, 1891.

The Assembly met pursuant to adjournment.

Speaker Coombs in the chair.

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

Messrs. Alexander, Ames, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Bledsoe, Brown, Bruner, Brusie, Cargill, Carter, Clark, Coffey, Cram, Cunningham, Doty, Dow, Dunn, Durner, Eakle, Estey, Fowler, Freeman, Galbraith, Garver, Glynn, Gordon, Hall, Harloe, Hawley, Hayes, Hocking, Hunewill, Johnson, Jackson, Kellogg, Lacey, Lux, Martin, Matlock, McCall, Mordecai, Murnan, Phillips, Renfro, Shanahan, Smith of Butte, Stabler, Steltz, Sturtevant, Tennis, Weston, Windrow, and Mr. Speaker.

Quorum present.

LEAVE OF ABSENCE.

The following members were granted leave of absence for the day: Messrs. Wentworth, Culver, Jones, Murphy, Lewis, Smith of Orange, Mathews, Beecher, and Hoey.

PRAYER.

Prayer by the Chaplain, Rev. A. C. Herrick.

READING OF THE JOURNAL.

On motion of Mr. Barnett of San Francisco, further reading of the Journal was dispensed with.

Journal corrected and approved.

QUESTION OF INFORMATION.

Mr. Bruner asked for information concerning the status of the question pending yesterday at time of adjournment, viz.:

Does the motion to reconsider the vote by which the resolution was adopted yesterday, directing the Committee on Elections and Privileges to report on Monday, January twenty-sixth, in the contested election case of Campbell vs. Eakle, restrain the taking effect of the original resolution?

RULING BY THE SPEAKER.

The Speaker ruled that the motion to reconsider the vote by which the resolution was adopted pending at time of adjournment, did not attach itself to the original resolution, but on the contrary the resolution, as adopted, stands as the action of the House until the same is formally reconsidered.

APPEAL FROM THE DECISION OF THE CHAIR.

Mr. Shanahan appealed from the decision of the Speaker.

The question being, "Shall the ruling of the Speaker stand as the ruling of the House?"

The ayes and noes were demanded by Messrs. Bruner, Phillips, and Hunewill.

The roll was called, and the decision of the Chair sustained by the following vote:

AYES—Messrs. Alexander, Ames, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Bledsoe, Brown, Bruner, Brusie, Cargill, Carter, Coffey, Cram, Cunningham, Dennis, Dow, Dunn, Estey, Fowler, Freeman, Galbraith, Garver, Glynn, Gordon, Harboe, Hawley, Hayes, Hocking, Hunewill, Johnson, Jackson, Kellogg, Lacey, Lux, Martin, Matlock, McCall, Mordecai, Murman, Phillips, Robertson, Smith of Butte, Steltz, Tennis, Weston, and Windrow—46

NOES—Messrs. Clark, Renfro, Rice, Shanahan, and Stabler—5.

Messrs. Doty and Hail were excused from voting.

MOTION.

Mr. Barnett of San Francisco moved that the rules be suspended, and that unfinished business be taken up.

Carried.

UNFINISHED BUSINESS.

Motion to reconsider the vote whereby the Committee on Elections and Privileges was instructed to report to the Assembly on Monday, January twenty-sixth, its report on the contested case of Campbell vs. Eakle.

The question being upon the motion for indefinite postponement, Mr. Bruner was permitted to withdraw the same.

The question being on Mr. Shanahan's motion to reconsider the resolution, it was carried.

The question recurring upon the orignal resolution, Mr. Bruner moved to amend by inserting Wednesday, January twenty-eighth, instead of Monday, January twenty-sixth.

Carried.

Resolution adopted.

REPORT OF STANDING COMMITTEES.

ON WAYS AND MEANS AND APPROPRIATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 24, 1891.

MR. SPEAKER: Your Committee on Ways and Means and Appropriations, to whom was referred Assembly Bills Nos. 292, 293, 294, 295, and 296—have had the same under consideration, and report the same back, and recommend that they do pass.

Also: Report that the following Assembly Bills, involving appropriations of money, have been introduced in the Assembly and printed:

Assembly Bill No.	6—Folsom Prison	$65,000 00
Assembly Bill No.	7—Claim of Geo. Nelson	3,600 00
Assembly Bill No.	11—Board of Arbitration	2,500 00
Assembly Bill No.	26—Yosemite Wagon Road	75,000 00
Assembly Bill No.	41—Asylum for Insane, Stockton	45,000 00
Assembly Bill No.	42—Deficiency for Insane, Stockton	21,529 00
Assembly Bill No.	47—Normal School, Chico	25,000 00
Assembly Bill No.	69—Orange County Agricultural Society	4,000 00
Assembly Bill No.	73—Claim of Wm. Darby	533 00
Assembly Bill No.	76—Claim of D. Jordan	101,120 00
Assembly Bill No.	78—Claim of G. B. Montgomery	1,500 00
Assembly Bill No.	83—Mendocino Asylum for Insane	184,000 00
Assembly Bill No.	85—Agnews Asylum for Insane	175,000 00
Assembly Bill No.	88—Claim of Geo. Anderson	1,110 00
Assembly Bill No.	106—World's Fair	300,000 00

Assembly Bill No. 117—Reform School for Juveniles	$173,400 00
Assembly Bill No. 120—Asylum for Deaf, Dumb, and Blind	65,310 00
Assembly Bill No. 141—Deficiency, postage, Adjutant-General	100 00
Assembly Bill No. 145—Thornley, claim	2,500 00
Assembly Bill No. 146—Thornley, claim	13,722 00
Assembly Bill No. 147—Repairs to quarantine launch	4,034 00
Assembly Bill No. 159—Stenographer for Governor	800 00
Assembly Bill No. 195—Experts for New Zealand to import insects	10,000 00
Assembly Bill No. 190—Purchase of dwelling at San Quentin	800 00
Assembly Bill No. 183—State Board of Arbitration	30,000 00
Assembly Bill No. 161—State Board of Irrigation	20,000 00
Assembly Bill No. 202—Veterinary Surgeon	5,000 00
Assembly Bill No. 207—Southern California Hospital for Insane	235,000 00
Assembly Bill No. 220—Claim of Wallace Green	5,000 00
Assembly Bill No 234—Appropriation for Home for Feeble-Minded	219,302 00
Assembly Bill No. 239—Relief of Emma Kelly	10,000 00
Assembly Bill No. 257—Purchase of land for fish hatcheries	1,500 00
Assembly Bill No 258—For Fish Commission	1,200 00
Assembly Bill No. 269—Claim of Geo. Fetherstone	800 00
Assembly Bill No. 274—Claim of Cornelius Lynch	5,000 00
Assembly Bill No. 278—Appropriation for San Diego Harbor	195,000 00
Assembly Bill No 280—Appropriation for State Reform School	15,837 00
Assembly Bill No. 282—Claim of Mary Sprague	8,532 00
Assembly Bill No. 307—Superintendent of State Buildings and Works	25,000 00
Assembly Bill No. 308—Deficiency in appropriation for Executive Secretary	1,200 00
Assembly Bill No. 310—Monument to Sacramento Veterans of Mexican War	2,000 00
Assembly Bill No. 314—For portraits of Governor Markham and ex-Governor Waterman	1,200 00
Assembly Bill No 319—For State Mining Bureau	100,000 00
Assembly Bill No. 320—Claim of Max Gumpel	500 00
Total	$2,157,627 00

DIBBLE, Chairman.

ON VINICULTURE, VITICULTURE, AND HORTICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, January 24, 1891.

MR. SPEAKER: Your Committee on Viniculture, Viticulture, and Horticulture, to whom was referred Assembly Bill No. 195—An Act to appropriate ten thousand dollars for the purpose of sending an expert to Australia, New Zealand, and adjacent countries, to collect and import into this State parasites and predaceous insects—have had the same under consideration, and report the same back, and recommend that it do pass.

JOHN J. SMITH, Chairman.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1891.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bills Nos. 149, 194, 219, and 230—have had the same under consideration, and report the same back, and recommend that they do pass.

Also, Assembly Bill No. 229—have had the same under consideration, and report the same back, and recommend that it be referred to the Committee on Commerce and Navigation.

Also: Assembly Bill No. 139—have had the same under consideration, and report the same back, and recommend that it do pass as amended.

Also: Assembly Bills Nos. 227 and 228—have had the same under consideration, and report the same back, and recommend that they be referred to Committee on Corporations.

Also: Assembly Bill No. 119—have had the same under consideration, and report the same back as amended, without recommendation.

Also: Assembly Bill No. 45—have had the same under consideration, and report the same back, and recommend that the author be allowed to withdraw the same.

Also: Assembly Bills Nos. 170 and 10—have had the same under consideration, and report the same back, and recommend that they do pass as amended.

Also: Assembly Bills Nos. 62, 81, 91, 124, 164, 169, 175, 176, and 217—have had the same under consideration, and report the same back, and recommend that they do not pass.

BRUNER, Chairman.

Assembly Bill No. 229 referred to Committee on Commerce and Navigation.

Assembly Bills Nos. 227 and 228 referred to Committee on Corporations.

JOINT COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, January 24, 1891.

MR. SPEAKER: Your Select Committee on Commerce and Navigation and Mines and Mining Interests, to whom was referred Assembly Joint Resolution No. 2—have had the same under consideration, and report the same back, and recommend that it be adopted as amended.

PHILLIPS, Chairman Joint Committee.

MINORITY.

ASSEMBLY CHAMBER, SACRAMENTO, January 24, 1891.

MR. SPEAKER: We, of your Joint Committee on Commerce and Navigation and Mines and Mining Interests, to whom was referred Assembly Joint Resolution No. 2—respectfully present the minority report herewith, viz.: that the original resolution, without amendments, be adopted.

DOTY.
HARLOE.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, January 24, 1891.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Senate Bill No 301—An Act making appropriation of money to supply the deficiency in the appropriation for the support of the State Printing Office for the forty-second fiscal year.

F. J. BRANDON, Secretary.
By R. L. THOMAS, Assistant Secretary.

Senate Bill No. 301 referred to Committee on Ways and Means and Appropriations.

ORDER.

Assembly Bill No. 31 ordered engrossed and to a third reading.

RESOLUTION.

By Mr. Lacey:

Resolved by the Assembly of the State of California, the Senate thereof concurring, That a copy of each bill finally passed be transmitted at once to each District Attorney, Superior Judge, and County Clerk of the State.

Adopted.

CONSTITUTIONAL AMENDMENT—(OUT OF ORDER).

By Mr. Sturtevant: Assembly Constitutional Amendment No. 14—To propose an amendment to section one of article two of the Constitution of California, relative to the right of suffrage.

Referred to Committee on Judiciary.

INTRODUCTION OF BILLS.

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

By Mr. Steltz: Assembly Bill No. 489—An Act for the relief of John J. Conlin.

Referred to Committee on Claims.

By Mr. Weston: Assembly Bill No. 490—An Act to grant a right of way to Patrick Monahan over the site of the California Home for the Care and Training of Feeble-Minded Children, in Sonoma County.

Referred to Committee on Public Buildings and Grounds.

By Mr. Hunewill: Assembly Bill No. 491—An Act to provide a permanent site for the California State Hospital and Asylum for Miners, to erect suitable buildings thereon, and making an appropriation therefor.

Referred to Committee on State Charitable and Reformatory Institutions.

By Mr. Johnson: Assembly Bill No. 492—An Act to amend section four thousand one hundred and sixty-one of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the deposit of public funds.

Referred to Committee on Judiciary.

FIRST READING OF BILLS.

Assembly Bill No. 135—An Act to establish a State Weather and Crop Service in the State of California, for the purpose of coöperating with the Signal Service of the United States in the collection of climatic data, and publishing the same, for disseminating more speedily and thoroughly the United States Signal Service weather forecasts, storms, and frosts warnings, for the benefit of the citizens of this State, and to establish in each county one or more meteorological stations.

Read first time, and placed on file for second reading.

Assembly Bill No. 49—An Act to provide for estimating the cost and selling price of the State text-books.

Read first time, and placed on file for second reading.

Assembly Bill No. 192—An Act to provide for the organization and government of levee districts created for the protection of lands from overflow of innavigable running streams of water, and to confine innavigable running streams to a fixed channel.

Read first time, and placed on file for second reading.

MOTION.

At twelve o'clock and thirty minutes P. M., Mr. Ames moved that the House adjourn until Monday, January twenty-sixth, at one o'clock P. M.

Lost.

RECESS.

The hour of recess having arrived, the Assembly took a recess.

REASSEMBLED.

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

Speaker Coombs in the chair.

Quorum present.

MOTION.

Mr. Phillips moved that Senate Bill No. 301 be taken up.

Carried.

FIRST READING OF BILLS.

Senate Bill No. 301—An Act making appropriation of money to supply the deficiency in the appropriation for the support of the State Printing Office for the forty-second fiscal year.

Read first time, and placed on file for second reading.

Assembly Joint Resolution No. 7—Relating to irrigation and construction of reservoirs by the United States Government.

Adopted.

Assembly Bill No. 224—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for distribution of water thereby for irrigation purposes," approved March 7, 1887, by amending sections one, two three, four, eleven, twelve, thirty-five, and forty-two thereof, relating to irrigation districts.

Read first time, and placed on file for second reading.

Assembly Bill No. 12—An Act to amend section one of an Act entitled "An Act to amend section one, to repeal sections two, three, four, five, six, seven, eight. nine, ten, and eleven, and to renumber sections twelve, thirteen, fourteen, fifteen, sixteen, seventeen. eighteen, and nineteen 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,' approved April 15, 1880, amended March 6, 1883, amended March 9, 1885, amended March 14, 1885, amended March 9, 1887, to repeal all laws amendatory thereof, and to provide for the reorganization of existing districts and the formtion of new districts," approved March 6, 1889.

Read first time, and placed on file for second reading.

Assembly Bill No. 32—An Act to amend section eleven of an Act entitled "An Act to form agricultural districts, to provide for the organization of Agricultural Associations therein, and for the management and control of the same by the State," approved April 15, 1880, so as to create an additional district.

Read first time, and placed on file for second reading.

Assembly Bill No. 65—An Act to amend section one of an Act entitled "An Act to amend sections one, two, three, four, five, six, seven, eight, nine, ten, and eleven, and to renumber sections twelve, thirteen, fourteen, fifteen, sixteen, seventeen, eighteen, and nineteen 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,' approved April 15, 1880, amended March 6, 1883, amended March 9, 1885. amended March 14, 1885, amended March 9, 1887, and to repeal all laws amendatory thereof, and to provide for the reorganization of existing districts and the formation of new districts."

Read first time, and placed on file for second reading.

Assembly Bill No. 69—An Act to amend section one of an Act entitled "An Act to form agricultural districts, and to provide for the organization of Agricultural Associations therein. and for the management and control of the same by the State," approved April 15, 1880, amended March 6, 1889. and for the formation of new districts.

Read first time, and placed on file for second reading.

Assembly Bill No. 77—An Act to amend section one of an Act entitled "An Act to amend section one, to repeal sections two, three, four, five, six, seven, eight, nine, ten, and eleven, and to renumber sections twelve, thirteen, fourteen, fifteen. sixteen, seventeen. eighteen, and nineteen 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,' approved April 15, 1880, amended March 6, 1883, amended March 9, 1885, amended March 14, 1885, amended March 9, 1887, to repeal all laws amendatory thereof, and to provide for the reorganization of existing districts and the formation of new districts," approved March 6, 1889, and to provide for the reorganization of existing districts, and to form a new agricultural district.

Read first time, and placed on file for second reading.

Assembly Bill No. 242—An Act to amend section one 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 an additional district.

Read first time, and placed on file for second reading.

Assembly Bill No. 208—An Act to amend an Act entitled "An Act to create a Police Relief, Health, and Life Insurance and Pension Fund in the several counties, cities and counties, cities, and towns of the State."

Read first time, and placed on file for second reading.

Assembly Bill No. 115—An Act to amend an Act entitled "An Act to provide for Police Courts in cities having thirty thousand inhabitants and under one hundred thousand inhabitants, and to provide for officers thereof," approved March 18, 1885, in relation to the duties and salary of clerks of said Police Courts.

Read first time, and placed on file for second reading.

Assembly Bill No. 46—An Act to amend section seven hundred and ninety-five 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. 75—An Act to authorize Boards of Health and Health Officers, in cities, and cities and counties, in this State, to appoint Inspectors of Plumbing and Drainage in such cities, and cities and counties, and to provide for the compensation, and to define the duties of such Inspectors.

Read first time, and placed on file for second reading.

Assembly Bill No. 244—An Act to amend section six hundred and thirty-seven of the Penal Code of the State of California, relating to the construction and repairing of fish ladders on dams and other obstructions in the running waters of this State.

Read first time, and placed on file for second reading.

Assembly Bill No. 125—An Act to amend section six hundred and thirty-three of the Penal Code, relating to the taking of trout.

Read first time, and placed on file for second reading.

Assembly Bill No. 61—An Act to add a new section to the Code of Civil Procedure of California, to be known as section one thousand six hundred and nineteen, relating to the commissions of the executor or administrator, with the will annexed, in cases where the administration is, by the terms of the will, and in consequence thereof, extended beyond three years.

Read first time, and placed on file for second reading.

Assembly Bill No. 79—An Act to amend section three thousand six hundred and fifty-three of an Act entitled "An Act to establish a

Political Code," approved March 12, 1872, relating to the duties of Assessors.

Read first time, and placed on file for second reading.

Assembly Bill No. 17—An Act to amend sections two hundred and seventy-five and two hundred and seventy-six of the Code of Civil Procedure of the State of California, relating to the admission of attorneys and counselors at law.

Read first time, and placed on file for second reading.

Assembly Bill No. 38—An Act to amend section one hundred and ninety-eight of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the qualification of jurors.

Read first time, and placed on file for second reading.

Assembly Bill No. 43—An Act to add a new section to an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, said section to be known and designated as section one hundred and eighty, relating to the punishment for advertising with intent to procure, or aid in procuring, any divorce.

Read first time, and placed on file for second reading.

Assembly Bill No. 39—An Act to amend section three hundred and ninety-four of the Code of Civil Procedure of the State of California, relative to the place of trial of certain actions, where a county or city is a party, and a citizen or corporation resident of another county is sued by a county or city.

Read first time, and placed on file for second reading.

Assembly Bill No. 55—An Act relating to the time of commencement of actions for the recovery of real property.

Read first time, and placed on file for second reading.

RESOLUTIONS.

By Mr. Clark:

Resolved, That whereas a Standing Committee was appointed more than ten days ago to investigate and report whether or not the various Boards and Commissions in this State, supported in whole or in part by the State, might not be abolished or consolidated without injury to the interests of the people of this State, and whereas, there are some eight or ten of said Commissions to be investigated, and whereas, one third of this session has now expired and said committee has not reported what, if anything, they have done as such committee; and whereas, it is imperative that said committee should report as early as practicable, if any action is to be taken by this body in the way of abolishing or consolidating said Boards or Commissions, therefore, be it

Resolved, That said committee be ordered to report to this House on Monday, the twenty-sixth day of January, 1891, at two o'clock P. M.

Mr. Clark moved that the rules be suspended for the purpose of the consideration of the resolution.

Carried.

Resolution adopted.

By Mr. Bruner:

Resolved, That the Chief Clerk be instructed to prepare a card containing a list of the committees, with the nights of meeting and room where committees will meet, printed, and shall post the same in a convenient place in the lobby each day. Each Chairman of committee shall note any changes in committee meetings that shall take place, by written notice upon the card.

Adopted.

LEAVE OF ABSENCE.

Mr. Eakle was granted leave of absence for Monday and Tuesday.

MOTION.

Mr. Bruner moved that when this House adjourn, it be until Monday, January twenty-sixth, at one o'clock P. M.

Carried.

FIRST READING OF BILLS—(RESUMED).

Assembly Bill No. 59—An Act to amend sections fifty-five, fifty-six, fifty-seven, and sixty-eight, and to repeal section seventy-five of the Civil Code, relating to marriage.

Read first time, and placed on file for second reading.

Assembly Bill No. 90—An Act to add a new section to the Code of Civil Procedure, said section to be designated as section seven hundred and forty-nine, relating to the quieting of title to real property.

Read first time, and placed on file for second reading.

Assembly Bill No. 92—An Act to amend section five hundred and sixty-five of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the appointment of a receiver upon dissolution of a corporation.

Read first time, and placed on file for second reading.

Assembly Bill No. 21—An Act to grant to the city of Oceanside the land along its frontage upon the Pacific Ocean, lying below high-water mark, for commercial, navigation, and other purposes.

Read first time, and placed on file for second reading.

Assembly Bill No. 122—An Act fixing the permanent channels of rivers in the State of California, and providing for retaining them in their true channels, and for returning them, when changed, into their true channels, as defined in this Act.

Read first time, and placed on file for second reading.

Assembly Bill No. 198—An Act to provide penalties for failure to pay tolls, by false returns or otherwise, to Board of State Harbor Commissioners.

Read first time, and placed on file for second reading.

Assembly Bill No. 200—An Act to amend an Act entitled "An Act to amend section six of an Act entitled '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.

Read first time, and placed on file for second reading.

Assembly Bill No. 271—An Act to amend section two thousand six hundred and eighty-one of an Act entitled "An Act to establish a Political Code."

Read first time, and placed on file for second reading.

Assembly Bill No. 167—An Act creating a lien in favor of owners, or those in charge of stallions, jacks, and bulls duly licensed and used for propagating purposes, and providing for the operation of such lien.

Read first time, and placed on file for second reading.

Mr. Shanahan moved that this bill be referred to the Committee on Public Morals.

Lost.

Assembly Bill No. 201—An Act to regulate the practice of veterinary medicine and surgery in the State of California.

Read first time, and placed on file for second reading.

Assembly Bill No. 202—An Act to provide for the appointment of a State Veterinary Surgeon, to prescribe his duties, and fixing his compensation.

Read first time, and placed on file for second reading.

Assembly Bill No. 259—An Act to encourage the destruction of coyotes and wolves, and to authorize a bounty to be given by the State to any person who shall kill the same.

Read first time, and placed on file for second reading.

Assembly Bill No. 266—An Act to check and to more effectually prevent the spread of infectious and contagious diseases among live stock.

Read first time, and placed on file for second reading.

Assembly Bill No. 171—An Act to amend section one thousand seven hundred and seventy-five, Political Code, chapter three, title three, article sixteen.

Read first time, and placed on file for second reading.

Assembly Bill No. 173—An Act to amend section one thousand five hundred and forty-three, subdivision eight, of Political Code, chapter three, article three.

Read first time, and placed on file for second reading.

Assembly Bill No. 301—An Act relating to life, health, accident, and annuity or endowment insurance on the assessment plan, and the conduct of the business of such insurance.

Read first time, and placed on file for second reading.

MOTIONS.

Mr. Hocking moved that Assembly Bill No. 301 be referred to the Committee on Corporations.

Mr. Bruner moved to make the motion of Mr. Hocking a special order for Monday, immediately after the reading of the Journal.

Lost.

The question recurring upon the motion of Mr. Hocking, Mr. Hocking was permitted to withdraw his motion.

FIRST READING OF BILLS—(RESUMED).

Assembly Bill No. 44—An Act to add two sections to the Penal Code, said sections to be known, numbered, and designated as sections three hundred and forty-four and three hundred and forty-five, and included in chapter twelve, part one, title nine, of said Penal Code, relating to and defining the duties and liabilities of laundrymen.

Read first time, and placed on file for second reading.

Assembly Bill No. 178—An Act to ascertain and express the will of the people of the State of California upon the subject of election of United States Senators.

Read first time, and placed on file for second reading.

Assembly Bill No. 64—An Act to amend an Act entitled "An Act to protect and promote horticultural interests of the State," approved March 14, 1881, as amended by chapter two hundred and sixty-five of the laws of 1889, approved March 19, 1889.

Read first time, and placed on file for second reading.

RESOLUTION.

By Mr. Cargill:

Resolved, That the Committee on Public Morals be increased from seven members to nine members, and that Mr. Beecher and Mr. Baughman be added to such committee.

MOTION.

Mr. Hawley moved that Mr. Cargill's resolution be amended by striking out the names of Messrs. Baughman and Beecher.

Carried.

Resolution as amended adopted.

RESOLUTION.

By Mr. Cram:

Resolved, That the Sergeant-at-Arms be and he is hereby instructed to purchase a desk for the Committee on Apportionment and Election Laws, to be paid for out of the Contingent Fund of the Assembly.

Adopted.

ADJOURNMENT.

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

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Monday, January 26, 1891.

The Assembly met pursuant to adjournment.

Speaker Coombs in the chair.

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

Messrs. Alexander, Ames, Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Brusie, Bryant, Cargill, Carter, Clark, Coffey, Cram, Culver, Cunningham, Daly, Dennis, Dibble, Doty, Dow, Dunn, Durner, Estey, Fowler, Freeman, Galbraith, Garver, Glynn, Gould, Hail, Harloe, Hawley, Hayes, Hersey, Hocking, Hoey, Hunewill, Johnson, Jackson, Jones, Kellogg, Lacey, Lewis, Lowe, Lux, Lynch, Marion, Martin, Matlock, Mathews, McCall, Mordecai, Murnan, Murphy, Phillips, Renfro, Shanahan, Smith of Butte, Smith of Orange, Stabler, Sturtevant, Tennis, Tully, Wentworth, Weston, Windrow, and Mr. Speaker.

Quorum present.

LEAVE OF ABSENCE.

Messrs. Rice, Steltz, and Gordon were granted leave of absence for the day.

PRAYER.

Prayer by the Chaplain, Rev. A. C. Herrick.

READING OF THE JOURNAL.

On motion of Mr. Hawley, further reading of the Journal was dispensed with.

Journal corrected and approved.

ORDER.

Senate Bill No. 301 was ordered by the Speaker to be referred to the Committee on Ways and Means and Appropriations.

PRESENTATION OF PETITIONS.

The following petitions were introduced, read, and referred to committees, as follows:

By Mr. Gould: A petition from the citizens of Merced County, for a free road into the Yosemite Valley.

Referred to Committee on Roads and Highways.

Also: A petition for a new agricultural district.

Referred to Committee on Agriculture and Forestry.

Also: A petition from Merced Grange, indorsing the appropriation of three hundred thousand dollars for the World's Fair.

Referred to Committee on Ways and Means and Appropriations.

Also: A petition for a bounty of five dollars per head, to be paid to parties killing coyotes, said bounty to be disbursed at each county seat.

Referred to Committee on Agriculture and Forestry.

REPORTS OF STANDING COMMITTEES.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, January 26, 1891.

Mr. Speaker: Your Committee on Engrossment beg leave to report that they have examined the following Assembly Bills and find them correctly engrossed: Nos. 50, 112, 34, 36, and 31.

WINDROW, Chairman.

ON RULES AND REGULATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 26, 1891.

MR. SPEAKER: Your Committee on Rules and Regulations, to whom was referred the following resolution:

Resolved, That the Committee on Roads and Highways be increased from nine to eleven members.

Have had the same under consideration, and report the same back, and recommend its adoption.

CULVER, Chairman.

Resolution adopted.

RESOLUTION—(OUT OF ORDER).

By Mr. Hunewill:

Resolved, To amend Rule No 40, so that it will read as follows: Every member when he speaks, shall, standing in his place, address "Mr. Speaker," and when he has finished he shall sit down. No member shall speak more than once during the consideration of any one question of whatever nature, on the same day, and at the same stage of the proceedings, and for a longer time than five minutes, except the author of a bill or resolution, or mover of a question, who shall be allowed to speak twice, the last time closing the debate, and who shall in his close be allowed ten minutes. This rule may be waived or suspended by a majority of those present.

Referred to Committee on Rules and Regulations.

INTRODUCTION OF BILLS.

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

By Mr. Dibble: Assembly Bill No. 493—An Act to amend section two hundred and ninety of the Civil Code, relative to articles of incorporation.

Referred to Committee on Corporations.

Also: Assembly Bill No. 494—An Act entitled "An Act to amend section four hundred and seventy-two of the Political Code, providing for deputies in the office of the Attorney-General, and fixing their salaries."

Referred to Committee on Judiciary.

Also: Assembly Bill No. 495—An Act entitled "An Act to amend section four hundred and seventy-five of the Political Code," providing for clerks and a phonographic reporter in the office of the Attorney-General, and fixing their salaries.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 496—An Act to amend section one thousand one hundred and seven of the Civil Code of the State of California.

Referred to Committee on Judiciary.

By Mr. Stabler: Assembly Bill No. 497—An Act to amend an Act entitled "An Act to reorganize Swamp Land District No. 70, of Sutter County, and to provide for the construction, maintenance, and repairs of levees therein," approved March 27, 1878.

Referred to Committee on Swamp and Overflowed and Public Lands.

Also: Assembly Bill No. 498—An Act to declare the bridge across Feather River, extending from Fifth Street, at the city of Marysville, in the county of Yuba, to the opposite bank of said river, a free bridge.

Referred to Committee on Roads and Highways.

By Mr. Lowe: Assembly Bill No. 499—An Act to amend sections one thousand two hundred and seventeen, one thousand two hundred and twenty, one thousand two hundred and twenty-one, one thousand two hundred and twenty-three, one thousand two hundred and twenty-four, 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 twenty-nine, and one thousand two hundred and thirty of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to execution of judgments of death.

Referred to Committee on Judiciary.

By Mr. Mathews: Assembly Bill No. 500—An Act to appropriate money to pay for the services of M. L. Wolfe, assistant at Los Angeles to the Commissioner of the Bureau of Labor Statistics.

Referred to Committee on Claims.

Also: Assembly Bill No. 501—An Act to amend "An Act to establish a Civil Code," approved March 21, 1872, by adding two new sections thereto, to be numbered one thousand eight hundred and fifty-six and one thousand eight hundred and fifty-seven, relating to the lien of depositaries for fire.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 502—An Act to amend section three thousand eight hundred and fifteen of the Political Code, relating to the redemption of property sold to the State, and the determination of invalid sales.

Referred to Committee on Judiciary.

By Mr. Beecher: Assembly Bill No. 503—An Act to validate and make legal acknowledgments, affidavits, and oaths made before and taken by any person acting as a Notary Public, under appointment by the Governor of the State of California, in certain cases; and to validate and make legal all the acts and transactions of such person while acting as such Notary Public.

Referred to Committee on Judiciary.

By Mr. Sturtevant: Assembly Bill No. 504—An Act to provide for the submission of questions to the electors of the State of California, or to the electors of any city and county, or city, within the State.

Referred to Committee on Judiciary.

By Mr. Marion: Assembly Bill No. 505—An Act appropriating money to pay for extra foundation of the Southern California State Hospital for the Insane.

Referred to Committee on Ways and Means and Appropriations.

By Mr. Phillips: Assembly Bill No. 506—An Act to prohibit discrimination in life insurance contracts.

Referred to Committee on Corporations.

By Mr. Lacey: Assembly Bill No. 507—An Act to prevent destruction by fire of property of contiguous owners.

Referred to Committee on Agriculture and Forestry.

By Mr. Baughman: Assembly Bill No. 508—An Act to appropriate money to pay the claim of George J. Mothersole, for labor performed and expenses incurred in roofing the Napa State Asylum for the Insane, under a written contract.

Referred to Committee on Claims.

Also: Assembly Bill No. 509—An Act to appropriate money to pay the claim of Enoch N. Strout for services rendered as Reclamation Land Commissioner, under "An Act to provide for the funding of the indebtedness of the reclamation and levee districts of this State," approved March 30, 1872.

Referred to Committee on Claims.

By Mr. Dow: Assembly Bill No. 510—An Act to license and define the duties of land surveyors, and to provide for a proper record of surveys.

Referred to Committee on Judiciary.

By Mr. Clark: Assembly Bill No. 511—An Act to repeal section two thousand six hundred and thirty-seven of the Civil Code, and to enact a new section in lieu thereof, to be known as section two thousand six hundred and thirty-seven, relating to insurance.

Referred to Committee on Judiciary.

By Mr. Bruner: Assembly Bill No. 512—An Act to amend section three thousand four hundred and sixty-six of the Political Code, relating to the collection of assessments made by Commissioners of Assessment, in reclamation districts of this State.

Referred to Committee on Swamp and Overflowed and Public Lands.

Also: Assembly Bill No. 513—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," by adding thereto a new section, to follow section three hundred and forty-eight thereof, to be numbered section three hundred and forty-nine, relating to the time of commencing and maintaining actions other than for the recovery of real property.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 514—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, by adding a section thereto, to be known as section two thousand and eighty, and providing for the manner of proving the formation of corporations.

Referred to Committee on Corporations.

By Mr. Bruner: Constitutional Amendment No. 15—To propose amendments to article eleven of the Constitution.

Referred to Committee on Judiciary.

SPECIAL FILE.

Assembly Constitutional Amendment No. 1—A resolution to propose to the people of the State an amendment to the Constitution thereof, relative to the taxation of mortgages and deeds of trust.

Passed on file.

Assembly Constitutional Amendment No. 5—A resolution to propose to the people of the State of California an amendment to section thirty-four of article four of the Constitution of the State of California.

Passed on file.

THIRD READING OF BILLS.

Assembly Bill No. 148—An Act to amend section four thousand and forty-six of the Political Code, relating to the jurisdiction and power of Boards of Supervisors in their respective counties.

Read third time.

MOTION.

Mr. Wentworth moved that a special committee of one be appointed by the Speaker to make the following amendment:

Subdivision four of said bill is hereby amended so as to read as follow:

4. To lay out, maintain, control, and manage public roads, turnpikes, ferries, and bridges within the county, and levy road tax therefor as authorized by law. To erect and maintain waterworks and supplies for the purpose of watering the public roads, or such parts of them as may be deemed advantageous to the public interest, and for such purpose may purchase or lease real or personal property. The moneys to be expended for the use of the highways in this respect may be taken from the General County Fund, the General Road Fund, or the Special Road Fund of the districts to be benefited thereby.

Also: Amend subdivision nineteen of said bill so as to read as follows:

19. To fill by appointment all vacancies that may occur in county or township offices, except Judges of Superior Court and Supervisors.

Also: Amend subdivision twenty-three of said bill so as to read as follows:

23. To make regulations for the destruction of gophers, squirrels, noxious weeds, and wild animals (except elk, antelope, mountain sheep, buck, doe, or fawn, and such animals as are protected by law), and to levy a special tax of not exceeding three cents on each one hundred dollars of taxable property, wherewith to pay rewards therefor. To make regulations for the prevention of injuries to sheep by dogs, and to tax dogs, and direct the application of the tax. All ordinances of Supervisors heretofore passed regulating the close season of fish and game are hereby annulled and repealed.

Also: Amend subdivision eight of said bill, by striking out of line twenty-seven thereof the word "first."

Also: Amend subdivision ten of said bill, by striking out of line thirty-two thereof the word "public."

Also: Amend subdivision thirteen of said bill, in line forty-two thereof, by inserting the word "any" after the word "for."

Carried.

APPOINTMENT OF COMMITTEE.

Mr. Wentworth was appointed as such committee of one.

REPORT OF SELECT COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, January 26, 1891.

MR. SPEAKER: Your Select Committee appointed to amend Assembly Bill No. 148, with instructions to amend in accordance with the action of the House, report that the instructions of the House have been carried out.

WENTWORTH, Committee.

Amendment of subdivision four, adopted.
Amendment of subdivision nineteen, adopted.
Amendment of subdivision twenty-three, rejected.
Amendment of subdivision eight, adopted.
Amendment of subdivision ten, rejected.
Amendment of subdivision thirteen, adopted.

MOTION.

Mr. Shanahan moved that Assembly Bill No. 148 be rereferred to the Committee on Judiciary, and retain its place on the file.

Carried.

THIRD READING OF BILLS—(RESUMED).

Assembly Bill No. 139—An Act to provide for the levy and collection of taxes by and for school districts, except in municipal corporations of the first class.

Passed on file.

Assembly Bill No. 68—An Act to amend an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Read third time.

MOTION.

Mr. Gould moved that a special committee of one be appointed by the Speaker to make the following amendment:

Amend by adding to subdivision thirteen, line fifty-two, printed bill, page three, after the word "street," the words: "and to permit the construction and maintenance of telegraph and telephone lines therein."

Carried.

APPOINTMENT OF COMMITTEE.

Mr. Gould was appointed by the Speaker a committee of one to make the said amendment.

REPORT OF COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, January 26, 1891.

MR. SPEAKER: Your Select Committee, to whom was referred Assembly Bill No. 68—An Act to amend an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883—with instructions to amend in accordance with the action of the House, would report that the instructions of the House have been carried out

GOULD, Committee.

Report adopted.

MOTION.

Mr. Fowler moved that a special committee of one be appointed by the Speaker to make the following amendment:

Provided, that any license taxes collected under either city or county ordinances shall be collected by the City or Town Marshal and paid into the city or town treasury for the use of the city or town in which it is collected.

Carried.

APPOINTMENT OF COMMITTEE.

Mr. Fowler was appointed by the Speaker a select committee to make said amendment.

REPORT OF COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, January 26, 1891.

MR. SPEAKER. Your Select Committee, to whom was referred Assembly Bill No. 68—An Act to amend an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883—with instructions to amend in accordance with the action of the House, would report that the instructions of the House have been carried out.

FOWLER, Committee.

Report adopted.

MOTION.

Mr. Gould moved that a special committee of one be appointed by the Speaker to make the following amendment:

Strike out the words "steam and other power" on line fifty-one, page three, printed copy.

Carried.

APPOINTMENT OF COMMITTEE.

Mr. Gould was appointed by the Speaker a committee of one to make said amendment.

REPORT OF COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, January 26, 1891.

MR. SPEAKER: Your Select Committee, to whom was referred Assembly Bill No. 68—An Act to amend an Act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, with instructions to amend in accordance with the action of the House, would report that the instructions of the House have been carried out.

GOULD, Committee.

Report adopted.

Assembly Bill No. 31—An Act to add a new section to the Code of Civil Procedure of the State of California, to be known and designated as section one thousand six hundred and seventy, relating to the continuation of administration upon the estates of deceased persons.

Passed on file.

Mr. Gould in the chair.

Assembly Joint Resolution No. 2—Relative to Sacramento River and adjoining lands.

Made special order for Thursday at two o'clock P. M.

Mr. Shanahan in the chair.

SECOND READING OF BILLS.

Senate Bill No. 32—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 12, 1872, in relation to the office of Treasurer of the Deaf and Dumb and Blind Asylum.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 35—An Act to amend section five hundred and forty-two of the Code of Civil Procedure, relating to the mode by which real and personal property shall be attached.

Passed on file.

Assembly Bill No. 197—An Act to amend section two thousand six hundred and eighty-four of the Political Code of California.

Read second time, and ordered engrossed and to a third reading.

Assembly Joint Resolution No. 3—Relative to foreign immigration to the United States.

Adopted.

Assembly Bill No. 155—An Act to define the qualifications of persons performing labor for the State of California, and fixing a penalty for the violation thereof.

Read second time, ordered engrossed and to a third reading.

APPOINTMENT BY THE SPEAKER.

Messrs. Carter and Durner were appointed by the Speaker additional members on the Committee on Roads and Highways.

SECOND READING OF BILLS—(RESUMED).

Assembly Bill No. 102—An Act to amend section seven hundred and fifty-two of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 31, 1883, and the amendment thereto, approved March 19, 1889.

Read second time.

A committee amendment, as follows, was adopted:

Amend section one, line nine, changing the word "five" to "two."

Ordered engrossed and to a third reading.

Assembly Bill No. 211—An Act to increase the police force of the various cities, and cities and counties, of the State, and to provide for the appointment of such extra police officers, and for the payment of their salaries.

Read second time.

Committee amendments, as follows, adopted:

To amend section one of Assembly Bill No. 211, by inserting after the word "Supervisors," in line four of the printed bill,the following: "*provided*, that the police force in any city, or city and county, shall not exceed in the aggregate at any time one member for every five hundred inhabitants of such city, or city and county, according to the latest census of the United States."

Also: Amend by inserting after the word "State," on line two, section one of printed bill, the words "of the first, second, third, and fourth classes."

Also: Amend section three, line three, printed bill, by adding thereto the words "or towns."

Also: Amend section three, line one, printed bill, by inserting the words "Board of Trustees" after the word "Council."

Also: Amend section two, line three, printed bill, by inserting after "counties" the words "or towns."

Also: Amend section one, line six, printed bill, by adding thereto the words "or towns."

Also: Amend section one, line four, printed bill, by inserting the words "Board of Trustees" after the word "Council."

Also: Amend section one, line three, printed bill, by inserting the words "or towns" after the word "counties."

Also: Amend section one, line three, printed bill, by changing the word "or" to the word "and."

Also: Amend section one, line one, printed bill, by adding after the word "county" the words "or towns."

Also: Amend title by adding after word "counties" the words "and towns."

Also: Amend section one, line one, printed bill, by inserting the words "Board of Trustees" after the word "Supervisors."

Ordered engrossed and to a third reading.

Assembly Bill No. 199—An Act to add a new section to "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, to be known as section eight hundred and eighty-seven, relating to illegal salaries and fees.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 209—An Act to authorize cities of not less than twenty-six thousand nor more than thirty thousand inhabitants, to vote upon the question of paying indebtedness incurred in the years 1889 and 1890.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 214—An Act to amend section eight hundred and seventy-four of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 215—An Act to amend section seven hundred and seventy-seven of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 110—An Act to amend an Act entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State for the construction of waterworks, sewers, and all necessary public improvements, or for any purpose whatever, and to repeal the Act approved March 9, 1885, entitled 'An Act to authorize municipal corporations of the fifth class containing more than three thousand and less than ten thousand inhabitants to obtain waterworks;' also, to repeal an Act approved March 15, 1887, entitled 'An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State,'" approved March 19, 1889.

Read second time, and to retain place on file.

Assembly Bill No. 138—An Act to provide for the levy and collection of taxes by and for the use of municipal corporations and cities incorporated under the laws of the State, excepting municipal corporations of the first, second, third, and fourth classes.

Read second time.

Mr. Smith of Orange moved to amend as follows:

Amend section four, line seven, by adding the words, "the net amount as ascertained by section five;" also, in line eight, by changing the word "they" to "it," and the word "belong" to "belongs," and also, adding the words, "under the general requirements and penalties provided by law for the settlement of other taxes."

Adopted.

Also: Adding a new section, to be numbered five, to read as follows:

SEC. 5. The Board of Supervisors, on the filing of itemized statements by the County Auditor and County Tax Collector, showing the additional expense to their offices of assessing and collecting these local taxes, may, by an order spread upon its minutes, deduct such expenses from the taxes of each municipal corporation or city, while in the hands of the County Tax Collector, and cover the same into the County Salary Fund

Adopted.

Also: Changing section five to section six.

Adopted.

Ordered engrossed and to a third reading.

Assembly Bill No. 16—An Act to prevent the sale of intoxicating liquors to minor children.

Read second time, and committee amendments acted upon, as follows:

Amend section one, line one, of printed bill, by adding the words after delivered, "to be drank at the time."

Rejected.

Also: Amend section one, line six, of printed bill, by striking out the words "the crime of," and insert in lieu thereof the word "a."

Adopted.

Also: Amend section one, line seven, of printed bill, by striking out the words "one hundred," and insert in lieu thereof the word "fifty."

Rejected.

Also: Amend section one, line nine, of printed bill, by striking out the words "one hundred," and insert in lieu thereof the word "fifty."

Rejected.

Amendment of Mr. Doty to Assembly Bill No. 16, as follows:

Amend section one, line two and line four of printed bill, by changing the word "sixteen," and inserting in lieu thereof the word "eighteen."

Adopted.

Ordered engrossed and to a third reading.

Assembly Bill No. 123—An Act to amend sections fifty-five and seventy-five of the Civil Code, in relation to marriage.

Passed on file.

Assembly Bill No. 51—An Act relating to District Attorneys, their assistants and clerks, in counties, and cities and counties, having a population of more than one hundred and twenty-five thousand.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 174—An Act to provide for organizing, establishing, and maintaining a paid fire department within municipalities in the State of California, to be under the supervision and control of a Board of Fire Commissioners.

Read second time, amended, ordered engrossed and to a third reading.

Assembly Bill No. 135—An Act to establish a State Weather and Crop Service in the State of California, for the purpose of coöperating with the Signal Service of the United States in the collection of climatic data, and publishing the same, for disseminating more speedily and thoroughly the United States Signal Service weather forecasts, storms, and frost warnings, for the benefit of the citizens of this State, and to establish in each county one or more meteorological stations.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 49—An Act to provide for estimating the cost and selling price of the State text-books.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 192—An Act to provide for the organization and government of levee districts created for the protection of lands from overflow of innavigable running streams of water, and to confine innavigable running streams to a fixed channel.

Read second time, ordered recommitted to committee, and retain its place on file.

Senate Bill No. 301—An Act making appropriation of money to supply the deficiency in the appropriation for the support of the State Printing Office for the forty-second fiscal year.

Recommitted to Committee on Ways and Means and Appropriations, to retain its place on the file.

Assembly Bill No. 224—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, by amending sections one, two, three, four, eleven, twelve, thirty-five, and forty-two thereof, relating to irrigation districts.

Read second time.

Committee amendments adopted as follows:

Amend section two by striking out the word "shall," at the end of line twenty-five, page two, of printed copy, and insert in lieu thereof the words "may, in the discretion of the Board."

Also: Strike out the words "be entitled to," in line twenty-six, page two, same section, printed copy.

Amend section three by inserting after the words "theretofore had and," in line eleven, page three, of printed copy, the word "of."

Amend section eleven by inserting after the word "Secretary," line four, page four, printed copy, the words "who shall each hold office during the pleasure of the Board."

APPOINTMENTS BY THE SPEAKER.

The following additional members were appointed by the Speaker on the Committee on Public Morals: Messrs. Baughman and Doty.

SECOND READING OF BILLS—(RESUMED.)

Assembly Bill No. 12—An Act to amend section one of an Act entitled "An Act to amend section one, to repeal sections two, three, four, five, six, seven, eight, nine, ten, and eleven, and to renumber sections twelve, thirteen, fourteen, fifteen, sixteen, seventeen, eighteen, and nineteen 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,' approved April 15, 1880, amended March 6, 1883, amended March 9, 1885, amended March 14, 1885, amended March 9, 1887, to repeal all laws amendatory thereof, and to provide for the reorganization of existing districts and the formation of new districts," approved March 6, 1889.

Read second time.

Committee substitute for Assembly Bills Nos. 12, 32, 65, 69, 77, and 242.

Read and adopted, and ordered to be sent to the printer, and to retain its place on the file.

Assembly Bill No. 208—An Act to amend an Act entitled "An Act to create a Police Relief, Health, and Life Insurance and Pension Fund in the several counties, cities and counties, cities, and towns of the State."

Read second time, ordered engrossed and to a third reading.

ASSEMBLY JOINT RESOLUTION NUMBER TEN.

Mr. Phillips moved that the rules be suspended for the purpose of considering Assembly Joint Resolution No. 10—Relative to the fostering of American shipping.

Carried.

Resolution read.

MOTIONS.

Mr. Shanahan moved that the resolution take its place on file.

Carried.

Mr. Shanahan moved to suspend the rules and take up Governor's message.

Carried.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, January 24, 1891.

To the honorable Assembly of the State of California:

In response to the resolution of your honorable body of January twelfth, requesting the Governor of this State to furnish the Assembly an itemized statement of the expenditure of moneys appropriated in the matter of the investigation of the State Prisons by Governor Waterman, and showing the amount expended and to whom paid, and whether any part of the sum of ten thousand dollars so appropriated by the Legislature remains unexpended, I have the honor to inform your honorable body that the records of this office, so far as I have been able to ascertain, do not disclose either the amount expended or to whom paid, nor the amount of the appropriation unexpended; but through the kindness of the Controller of the State, I am enabled to furnish you with the following statement, to wit:

STATEMENT OF MONEYS DRAWN OUT OF APPROPRIATION FOR INVESTIGATION OF STATE PRISONS.

Fortieth Fiscal Year.

May 21, 1889, voucher No. 16767	$1,342 55	
June 4, 1889, voucher No. 17127	1,200 00	
		$2,542 55

Forty-first Fiscal Year.

July 17, 1889, voucher No. 652	$500 00	
September 21, 1889, voucher No. 3389	3,500 00	
December 7, 1889, voucher No. 7457	860 00	
January 14, 1890, voucher No. 9181	250 00	
		5,110 00
		$7,652 55

There was but one of these vouchers, No 16767, itemized, as follows:

1889.

April 1—J H. Hendricks, mileage and per diem		$6 80
	E. J. Gregory, mileage and per diem	5 10
	S. Dierssen, mileage and per diem	5 10
	Jos Steffens, mileage and per diem	5 10
	M. A Wilson, mileage and per diem	26 80
	Edward Riley, mileage and per diem	26 80
	Geo. W. Squires, mileage and per diem	26 80
May 15—Jos M Filcher, mileage and per diem		41 60
	J. H. Hendricks, mileage and per diem	39 00
	Jake Hyman, mileage and per diem	39 80
	J. H. Burnham, mileage and per diem	39 80
May 15—M Paul, mileage and per diem		39 80
	Chris. Ecklon, mileage and per diem	39 80
	M. A. Wilson, mileage and per diem	12 40
May 16—D. A. Ostrom, mileage and per diem		43 20
	J. Donahue, mileage and per diem	7 40
	J. W. Ferguson, mileage and per diem	56 40
May 17—C. H. Murphy, mileage and per diem		64 80
	W E Hale, mileage and per diem	14 00
	M. A. Wilson, mileage and per diem	7 40
	Edw. Reilly, mileage and per diem	77 00
	H. Beveridge, mileage and per diem	7 40
	R. Dichenberry, mileage and per diem	7 40
	J. M. Sullivan, expenses as bailiff	202 85
	S. P. Allen, services as expert	500 00
	Total	$1,342 55

Of the amount of this voucher, No. 16767, $202 85 was paid to J. M. Sullivan, which is itemized as follows:

1889.

May 5—Fare to Wheatland and return to Sacramento		$2 95
	Carriage hire	6 00
May 7—Fare to Woodland and return to Sacramento		1 80
	Carriage hire	2 50
May 8—Fare to Auburn and return		2 20
May 9—Fare to Placerville		3 65
	Buggy and driver with fare, feed, etc., from Placerville to Coloma	24 00
May 12—Fare to Sacramento		3 65
May 13—Fare to Folsom and return		2 60
May 13—Buggy to prison		4 00
	Telegrams	75
May 14—Fare to San Francisco		2 50
	Baggage	50
May 15—Fare to San Quentin		35
	Fare to San Francisco	35
	Fare to Oakland, two trips	60
	Street car fare	1 25
May 16—Fare to Stockton and return		6 00
May 17—Fare to San Quentin		35
	Fare to San Francisco	35
May 18—Fare to Sacramento		2 50
	Baggage	50
	Expenses from May fifth to May eighteenth, inclusive, fourteen days at $3 50	49 00
	To per diem, fourteen days at $6	84 00
May 17—Telegrams to Maslin		50
		$202 85

I am also informed by the Controller that there is a balance in the fund of $2,347 45, and that the orders were all drawn in favor of Governor Waterman and paid to him, and that they have no record of any items except as above set forth.

H. H. MARKHAM, Governor

MOTION.

Mr. Shanahan moved that the message from the Governor be printed and come up under the head of "Message from the Governor" to-morrow.

Carried.

REPORT OF COMMITTEE ON COMMISSIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 26, 1891.

MR. SPEAKER: Your Committee on Commissions, to whom was referred the task of investigating the various State Commissions, have had the same under consideration, and beg leave to report as follows:

We have ascertained the names of the gentlemen comprising said Commissions, and have notified them of the time in which each Commission will be granted a hearing before said committee on the proposition as to the character and importance of each, and to ascertain which are needful to the State and which can be consolidated or abolished without detriment to the different interests of the State. The calendar arranged for such hearing is as follows to wit: Monday, January twenty-sixth, we shall investigate the Fish Commission and State Board of Silk Culture, Tuesday, January twenty-seventh, Viticulture Commission, Wednesday, January twenty-eighth, State Board of Horticulture; Thursday, January twenty-ninth, the Mining Bureau, Friday, January thirtieth, Commission on Yosemite Valley and Big Trees; Monday, February second, State Board of Forestry. The delay if any, in bringing about a more speedy hearing has been occasioned from a desire on the part of the committee to give all parties concerned ample and sufficient time to present whatever side they may see fit, and your committee confidently expect and hope to be able to present their full and final report some time during the first week of February

BRUSIE, Chairman.

INTRODUCTION OF BILLS—(OUT OF ORDER).

By Mr. Doty: Assembly Bill No. 515—An Act to amend section three hundred and thirty of the Penal Code, in reference to gaming.

Referred to Committee on Public Morals.

By Mr. Brusie: Assembly Bill No. 516—An Act for the relief of A. J. Bourn for personal injuries received by him while in the service of the State.

Referred to Committee on Claims.

By Mr. Dibble: Assembly Bill No. 517—An Act authorizing the Controller and Treasurer to transfer to the General Fund all moneys standing to the credit of coupons upon Central Pacific Railroad bonds.

Referred to Committee on Ways and Means and Appropriations.

SECOND READING OF BILLS—(RESUMED).

Assembly Bill No. 115—An Act to amend an Act entitled "An Act to provide for Police Courts in cities having thirty thousand inhabitants and under one hundred thousand inhabitants, and to provide for officers thereof," approved March 18, 1885, in relation to the duties and salary of clerks of said Police Courts.

Committee substitute adopted, ordered engrossed and to a third reading.

Assembly Bill No. 46—An Act to amend section seven hundred and ninety-five of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 75—An Act to authorize Boards of Health and Health Officers, in cities, and cities and counties, in this State, to appoint Inspectors of Plumbing and Drainage, in such cities, and cities and counties, and to provide for the compensation, and to define the duties of such Inspectors.

Read second time, and committee amendments adopted, as follows:

Amend title to read as follows:

An Act to authorize Boards of Health and Health Officers, in towns, cities, counties, and cities and counties, in this State, to appoint Inspectors of Plumbing and Drainage in such towns, cities, counties, and cities and counties, and to provide for the compensation, and to define the duties of such Inspectors

Amend section one as follows:

SECTION 1. In all towns, cities, counties, and cities and counties in this State where Boards of Health are established, or Health Officers appointed, it shall be the duty of the Board of Health, or the Health Officer where no Board of Health is established, to appoint for such town, city, county, or city and county, containing less than one hundred thousand inhabitants, not less than one nor more than three Inspectors of Plumbing and Drainage, and to appoint not less than three nor more than five such Inspectors in cities and towns, counties, or cities and counties containing one hundred thousand inhabitants or more; the duties of such Inspectors shall be as prescribed in this Act, and their terms of office shall continue during the pleasure of the Board, or officers appointing. Such Inspectors shall receive as compensation such sum as may be determined upon by the Board or officer appointing.

Amend section five, line three, of printed bill, by inserting the words "or town" before the word "within."

Also: Amend section five, line four, of printed bill, by inserting the word "county" between the words "city or."

Also: Amend section five, line four, of printed bill, by inserting the words "or town" before the word "refusing."

Also: Add the word "town" after the word "such," on line one of section seven of printed bill.

Also: Insert the word "county" after the word "county," on line two, section seven, of the printed bill.

Ordered engrossed and to a third reading.

ADJOURNMENT.

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

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Tuesday, January 27, 1891.

The Assembly met pursuant to adjournment.

Speaker Coombs in the chair.

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

Messrs. Alexander, Ames, Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Brusie, Bryant, Cargill, Carter, Clark, Coffey, Cram, Cunningham, Daly, Dennis, Dibble, Doty, Dow, Dunn, Durner, Estey, Fowler, Freeman, Galbraith, Garver, Glynn, Gordon, Gould, Hail, Harloe, Hawley, Haves, Hersey, Hocking, Hoey, Hunewill, Johnson, Jackson, Jones, Kellogg, Lacey, Lewis, Lowe, Lux, Lynch, Marion, Martin, Matlock, Mathews, McCall, Mordecai, Murnan, Murphy, Phillips, Renfro, Robertson, Shanahan, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Tully, Wentworth, Weston, Windrow, Young, and Mr. Speaker.

Quorum present.

LEAVE OF ABSENCE.

Messrs. Culver and Smith of Butte were granted leave of absence.

PRAYER.

Prayer by the Chaplain, Rev. A. C. Herrick.

READING OF THE JOURNAL.

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

So ordered.

REPORT OF STANDING COMMITTEES.

ON WAYS AND MEANS AND APPROPRIATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 27, 1891.

MR. SPEAKER: Your Committee on Ways and Means and Appropriations, to whom was referred Senate Bill No. 301 and Assembly Bill No. 308—have had the same under consideration, and report the same back, and recommend that they do pass.

Also: Assembly resolution relative to supplies for standing committees—have had the same under consideration, and report the same back, and recommend that it be adopted.

DIBBLE, Chairman.

Mr. Dibble asked that Assembly Bill No. 308 and Senate Bill No. 301 go upon the special file.

So ordered.

Assembly resolution in relation to supplies for standing committees was adopted.

ON CLAIMS.

ASSEMBLY CHAMBER, SACRAMENTO, January 26, 1891.

MR. SPEAKER: Your Committee on Claims, to whom was referred Assembly Bill No. 88—An Act making an appropriation to pay the claim of Charles Anderson, executor of the estate of George Anderson, deceased, for labor performed in the Yosemite Valley—have had the same under consideration, and report the same back, and recommend that it do not pass.

Also, Assembly Bill No. 78—An Act to provide compensation to G. B. Montgomery for professional services rendered the State of California, at the request of the Attorney-General—have had the same under consideration, and report the same back with amendments, and recommend its passage as amended.

Also: Assembly Bill No. 269—An Act to appropriate money to pay the claim of George Fetherstone, for services rendered in the office of the Treasurer of State—have had the same under consideration, and report the same back, and recommend that it do pass.

AMES, Chairman.

Assembly Bills Nos. 88 and 269 referred to Committee on Ways and Means and Appropriations.

Assembly Bill No. 78 recommitted to the Committee on Claims.

ON STATE PRISONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 26, 1891.

MR. SPEAKER: Your Committee on State Prisons, to whom was referred Assembly Bill No. 190—An Act to purchase a dwelling house now on State land at San Quentin, owned by Henry Schlosser, for the use of the State Prison, and making an appropriation therefor—have had the same under consideration, and report the same back, and recommend that it do pass, and refer the same to the Committee on Ways and Means and Appropriations.

ESTEY, Chairman.

Assembly Bill No. 190 referred to Committee on Ways and Means and Appropriations.

ON PUBLIC PRINTING.

ASSEMBLY CHAMBER, SACRAMENTO, January 27, 1891.

MR SPEAKER: Your Committee on Public Printing, to whom was referred Assembly Bill No. 140—An Act to amend section five hundred and thirty of the Political Code, relating to the office of Superintendent of State Printing—have had the same under consideration, and report the same back, and recommend that it do not pass.

Also: Assembly Bill No. 5—An Act to provide for the publication of one hundred thousand copies of the statutes and laws passed at each session of the Legislature—recommend that the words "one hundred thousand," in line two of section one of said Act, be stricken out, and the words "ten thousand" inserted in lieu thereof—have had the same under consideration, and report the same back, and recommend that it do pass as amended

JONES, Chairman.

ON COUNTY AND TOWNSHIP GOVERNMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, January 27, 1891.

MR. SPEAKER: Your Committee on County and Township Governments, to whom was referred Assembly Bill No. 28—An Act to amend an Act entitled "An Act to establish a Political Code of the State of California"—have had the same under consideration, and report the same back with amendments, and recommend its passage as amended, and recommend that it be rereferred to Judiciary Committee.

BROWN, Chairman.

Assembly Bill No. 28 referred to Committee on Judiciary.

RESOLUTION.

By Mr. Shanahan:

WHEREAS, The Assembly has passed a resolution calling on the Governor to make an itemized statement of the expense items made by Governor Waterman out of the appropriation of ten thousand dollars appropriated by the last Legislature, for the purpose of defraying the expenses of an investigation of the State Prisons; and whereas, the present Governor, by his statement just made to this House, says that he has no record or statement concerning expenditures of the same, therefore, be it

Resolved, That the Committee on Commissions be and they are hereby directed to investigate into the matter of the expenditure of the said appropriation, and report to the House thereon.

Adopted.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, January 26, 1891.

MR SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Senate Bill No. 7—An Act to amend an Act entitled "An Act to provide for the completion of all unfinished county, city, city and county, town, and township buildings in the several counties, cities and counties, cities, and towns throughout the State of California," approved March 10, 1887.

Also: Senate Bill No. 29—An Act to amend section two hundred and twenty-four of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, in relation to the adoption of children.

Also: Senate Bill No 23—An Act to amend sections four hundred and four hundred and one of the Penal Code, relating to contagious diseases among animals, and to renumber said sections.

Also: Senate Bill No. 77—An Act to legalize certain acknowledgments.

Also: Senate Bill No. 22—An Act to amend section four hundred of the Penal Code, relating to the offense of aiding, advising, and encouraging the commission of suicide, and to renumber said section.

Also: Senate Bill No. 49—An Act to amend section seventy of the Civil Code, relating to solemnization of marriages.

Also: Senate Bill No. 24—An Act to amend section four hundred and one of the Penal Code, relating to the adulteration of candy, and to renumber said section.

Also: Substitute for Senate Bills No. 18 and 25—An Act to amend sections one thousand one hundred and eighteen and one thousand two hundred and thirty-eight of an Act entitled "An Act to establish a Penal Code of the State of California," approved February 14, 1872, relating to the dismissal of actions and to appeals.

And has concurred in the Assembly amendments to Senate Bill No. 207.

F. J. BRANDON, Secretary.
J. C. BOATMAN, Assistant Secretary.

Senate Bill No. 7 referred to Committee on Municipal Corporations.
Senate Bill No. 29 referred to Committee on Judiciary.
Senate Bill No. 23 referred to Committee on Agriculture and Forestry.
Senate Bill No. 77 referred to Committee on Judiciary.
Senate Bill No. 22 referred to Committee on Judiciary.
Senate Bill No. 49 referred to Committee on Judiciary.
Senate Bill No. 24 referred to Committee on Public Morals.
Substitute for Senate Bills Nos. 18 and 25 referred to Committee on Judiciary.

INTRODUCTION OF BILLS.

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

By Mr. Dibble: Assembly Bill No. 518—An Act to amend sections one thousand five hundred and twenty-one, one thousand five hundred and thirty-two, one thousand five hundred and thirty-three, one thousand five hundred and forty-three, one thousand six hundred and fifty, one thousand six hundred and sixty-three, and one thousand six hundred and ninety-six, and to repeal sections one thousand six hundred and twenty-five, one thousand six hundred and sixty-nine, one thousand six hundred and eighty-two, and four hundred and forty-four of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the public schools.

Referred to Committee on Education.

Also: Assembly Bill No. 519—An Act to establish a naval battalion, to be attached to the National Guard of California.

Referred to Committee on Military Affairs.

By Mr. Shanahan: Assembly Bill No. 520—An Act to create and establish a State Board of Insurance, prescribe its powers and duties, and to provide for cheap and safe insurance in this State against losses by fire.

Referred to Committee on Judiciary.

By Mr. Clark: Assembly Bill No. 521—An Act to amend sections three thousand four hundred and sixty-two and three thousand four hundred and sixty-three of the Political Code of this State, relating to the filing with County Treasurers and County Recorders of lists of charges assessed by Commissioners of Assessment in reclamation districts, and making said charges a lien upon the land assessed.

Referred to Committee on Swamp and Overflowed and Public Lands.

By Mr. Gould: Assembly Bill No. 522—An Act to provide when the wages of persons employed by corporations become due, to provide for the payment of such wages, and fixing penalties upon corporations and upon their officers and agents for neglecting or refusing to pay such wages within a certain time after they become due.

Referred to Committee on Chinese Immigration and Emigration and Labor and Capital.

SPECIAL FILE.

Assembly Constitutional Amendment No. 1—A resolution to propose to the people of the State an amendment to the Constitution thereof, relative to the taxation of mortgages and deeds of trust.

Passed on file.

Assembly Constitutional Amendment No. 5—A resolution to propose to the people of the State of California an amendment to section thirty-four of article four of the Constitution of the State of California.

Passed on file.

THIRD READING OF BILLS.

Assembly Bill No. 148—An Act to amend section four thousand and forty-six of the Political Code, relating to the jurisdiction and power of Boards of Supervisors in their respective counties.

Passed on file.

Assembly Bill No. 31—An Act to add a new section to the Code of Civil Procedure of the State of California, to be known and designated as section one thousand six hundred and seventy, relating to the continuation of administration upon the estates of deceased persons.

Passed on file.

Substitute for Assembly Bill No. 50—An Act to amend an Act approved March 19, 1889, entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of the State, for the construction of waterworks, sewers, and all necessary public improvements, or for any purpose whatever; and to repeal the Act approved March 9, 1885, entitled 'An Act to authorize municipal corporations of the fifth class, containing more than three thousand and less than ten thousand inhabitants, to obtain waterworks;' also, to repeal an Act approved March 15, 1887, entitled 'An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State,'" approved March 19, 1889.

Read third time.

MOTION.

Mr. Dibble moved that a select committee of one be appointed to amend Substitute for Assembly Bill No. 50, as follows:

Amend title by inserting the words "section five of" after the word "amend," in line one.

Also: Strike out all after the enacting clause, and insert the following:

SECTION 1. Section five of the Act, the title of which is recited in the title hereof, is hereby amended so as to read as follows

Section 5. No city, town, or municipal corporation shall incur an indebtedness for public improvements which shall, in the aggregate, exceed fifteen per cent of the assessed value of all taxable real estate and personal property of such city, town, or municipal corporation.

SEC. 2. This Act shall go into effect from and after its passage.

Adopted.

APPOINTMENT OF COMMITTEE.

The Speaker appointed Mr. Dibble a committee of one to make said amendment.

REPORT OF COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, January 27, 1891.

MR. SPEAKER: Your Select Committee, to whom was referred Substitute for Assembly Bill No. 50—An Act to amend an Act approved March 19, 1889, entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State, for the construction of waterworks, sewers, and

all necessary public improvements or for any purpose whatever; and to repeal the Act approved March 9, 1885, entitled 'An Act to authorize municipal corporations of the fifth class, containing more than three thousand and less than ten thousand inhabitants, to obtain waterworks;' also, to repeal an Act approved March 15, 1887, entitled 'An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State,'" approved March 19, 1889—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.

DIBBLE, Committee.

INTRODUCTION OF BILLS—(OUT OF ORDER).

Bills were introduced, read by title, and referred to committees, as follows:

By Mr. Wentworth: Assembly Bill No. 523—An Act to appropriate money for the payment of the unpaid salary of the Deputy Reporter of the Decisions of the Supreme Court, for three months, fortieth fiscal year.

Referred to Committee on Ways and Means and Appropriations.

Also: Assembly Bill No. 524—An Act to amend an Act entitled "An Act to authorize the State Board of Fish Commissioners to import game birds into the State for propagation, and to appropriate money for that purpose, and providing a penalty for the shooting, trapping, killing, or otherwise destroying any of said birds within this State."

Referred to Committee on Fish and Game.

THIRD READING OF BILLS.

Assembly Bill No. 112.

Recommitted to Committee on County and Township Governments.

Assembly Bill No. 34—An Act concerning the costs in civil actions for serving summonses and subpœnas.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Ames, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Brown, Bruner, Brusie, Bryant, Carter, Clark, Coffey, Dennis, Dibble, Dow, Estey, Fowler, Freeman, Galbraith, Garver, Glynn, Gordon, Gould, Hall, Hersey, Hocking, Hoey, Johnson, Jackson, Jones, Kellogg, Lewis, Lynch, Martin, Matlock, Mathews, McCall, Mordecai, Murnan, Murphy, Phillips, Rentto, Rice, Robertson, Shanahan, Smith of Orange, Stabler, Steltz, Tennis, Wentworth, Weston, Young, and Mr. Speaker—54.

NOES—Messrs. Daly, Hunewill, Lacey, and Tully—4.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Hocking gave notice that he would to-morrow move to reconsider the vote by which Assembly Bill No. 34 was passed.

LEAVE OF ABSENCE.

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

THIRD READING OF BILLS—(RESUMED).

Assembly Bill No. 36—An Act to add an additional section to the Political Code, to be numbered four thousand two hundred and fifty-nine, relating to the qualifications of District Attorney.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Ames, Barnard, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Brusie, Bryant, Clark, Coffey, Cram, Daly, Dibble, Doty, Dow, Dunn, Fowler, Freeman, Galbraith, Garver, Gordon, Gould, Hail, Hocking, Hunewill, Jackson, Kellogg, Lewis, Lowe, Lynch, Marion, Martin, Matlock, McCall, Murnan, Murphy, Renfro, Rice, Robertson, Shanahan, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Tully, Wentworth, Weston, Windrow, and Young—53.

NOES—Messrs. Barnett of San Francisco, Carter, Dennis, Harloe, Lacey, Mordecai, Phillips, Smith of Butte, and Mr. Speaker—9.

MOTION.

Mr. Brown moved that a select committee of one be appointed to amend the title, as follows:

An Act to add an additional section to the Political Code, to be numbered four thousand two hundred and fifty-nine, relating to the qualifications of District Attorneys.

APPOINTMENT OF COMMITTEE.

The Speaker appointed Mr. Brown a committee of one to make said amendments.

REPORT OF COMMITTEE.

MR SPEAKER: Your Special Committee, to whom was referred Assembly Bill No. 36 to amend, respectfully report that he has performed his duties as directed by the Assembly.

BROWN, Committee.

Report adopted.

Assembly Bill No. 139—An Act to provide for the levy and collection of taxes by and for school districts, except in municipal corporations of the first class.

Read third time.

MOTION.

Mr. Shanahan moved that a special committee of one be appointed to amend, as follows:

Amend by inserting in line four, after the word "taxation," the words "without a vote of the people of the school district."

Carried.

APPOINTMENT OF COMMITTEE.

The Speaker appointed Mr. Shanahan a committee of one to make said amendment.

REPORT OF COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, January 27, 1891.

MR SPEAKER: Your Select Committee, to whom was referred Assembly Bill No. 139—An Act to provide for the levy and collection of taxes by and for school districts, except in municipal corporations of the first class—with instructions to amend in accordance with the action of the House, would respectfully report that the instructions of the House have been carried out.

SHANAHAN, Committee.

Report of committee adopted, and bill ordered reëngrossed.

Senate Bill No. 32—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 12, 1872, in relation to the office of Treasurer of the Deaf and Dumb and Blind Asylum.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Ames, Arms, Barnard, Barnett of San Francisco, Bert, Bruner, Brusie, Bryant, Carter, Coffey, Cram, Daly, Dennis, Dow, Dunn, Galbraith, Glynn, Hail, Harloe, Hayes, Hunewill, Johnson, Jackson, Jones, Lacey, Lewis, Lowe, Lux, Lynch, Marion, Martin, Mathews, McCall, Rice, Robertson, Shanahan, Stabler, Steltz, Sturtevant, Tennis, Tully, and Weston—42.

NOES—Messrs. Barnett of Sonoma, Baughman, Beecher, Bledsoe, Brown, Clark, Durner, Estey, Fowler, Freeman, Garver, Gordon, Gould, Hocking, Kellogg, Matlock, Mordecai, Murnan, Murphy, Phillips, Renfro, Smith of Butte, Smith of Orange, and Mr. Speaker—24.

Title read and approved.

RECESS.

At twelve o'clock and thirty minutes P. M. the House took a recess.

REASSEMBLED.

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

Speaker Coombs in the chair.

Quorum present.

Journal of yesterday corrected and approved.

Assembly Joint Resolution No. 10—Relative to the fostering of American shipping.

Passed on file.

SECOND READING OF BILLS.

Assembly Bill No. 35—An Act to amend section five hundred and forty-two of the Code of Civil Procedure, relating to the mode by which real and personal property shall be attached.

Read second time.

Mr. Dibble moved to strike out the enacting clause.

Carried.

MOTION.

Mr. Ames moved that a select committee of one be appointed to amend the title of Senate Bill No. 32, as follows:

Amend title of Senate Bill No. 32, by striking out of said title the figures "21" after the word "March," and inserting in lieu thereof the figures "12."

Carried.

APPOINTMENT OF COMMITTEE.

The Speaker appointed Mr. Ames a committee of one to make said amendment.

REPORT OF COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, January 27, 1891.

MR. SPEAKER: Your Select Committee, to whom was referred Senate Bill No. 32—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 12, 1872, in relation to the office of Treasurer of the Deaf and Dumb and Blind Asylum—with instructions to amend in accordance with the action of the House, would report that the instructions of the House have been carried out.

AMES, Committee.

Assembly Bill No. 110—An Act to amend an Act entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State, for the construction of waterworks, sewers, and all necessary public improvements, or for any purpose whatever, and to repeal the Act approved March 9, 1885, entitled 'An Act to authorize municipal corporations of the fifth class containing more than three thousand and less than ten thousand inhabitants, to obtain waterworks;' also, to repeal an Act approved March 15, 1887, entitled 'An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State," approved March 19, 1889.

Read second time, and committee amendments adopted as follows:

Amend in section one, line one, after the word "said," and before the word "Act," insert the words "above entitled."

Also: Amend in section two, line one, after the word "said," and before the word "Act," insert the words "above entitled."

The above amendments referring to printed copy of bill.

Ordered engrossed and to a third reading.

Assembly Bill No. 17—An Act to amend sections two hundred and seventy-five and two hundred and seventy-six of the Code of Civil Procedure of the State of California, relating to the admission of attorneys and counselors at law.

Mr. Young asked that he be allowed to withdraw Assembly Bill No. 17, and moved that Assembly Bill No. 301 be taken up and read the second time in place thereof.

Carried.

Assembly Bill No. 301—An Act relating to life, health, accident, and annuity or endowment insurance on the assessment plan, and the conduct of the business of such insurance.

Read second time.

Mr. Dennis moved that Assembly Bill No. 301 be recommitted to the Committee on Corporations, and retain its place on file.

Carried.

Assembly Bill No. 244—An Act to amend section six hundred and thirty-seven of the Penal Code of the State of California, relating to the construction and repairing of fish ladders on dams and other obstructions in the running waters of this State.

Read second time, and committee amendments, as follows, adopted:

Amend section one, at line twenty-nine, page one, to read as follows: "of not less than fifty dollars nor more than two hundred, or by imprisonment in the county jail in which such conviction is had of not less than twenty-five days nor more than one hundred days."

Amend section two to read as follows:

SEC. 2. One half of all moneys collected as fines for violations of the provisions of this Act shall be paid to the informer, one fourth to the District Attorney of the county where the conviction is secured, and the remaining one fourth shall be paid to the State Board of Fish Commissioners of this State, to be by them used for the purposes and in conformity of "An Act to authorize the State Board of Fish Commissioners to import game birds into the State for propagation," approved March 16, 1889.

Mr. Wentworth moved to amend as follows:

Amend said bill in line two thereof, by striking out the word "requested," in said line, and substitute in its place and stead the words "ordered and notified."

Adopted.

Ordered engrossed and to a third reading.

Assembly Bill No. 61—An Act to add a new section to the Code of Civil Procedure of California, to be known as section one thousand six hundred and nineteen, relating to the commissions of the executor or administrator, with the will annexed, in cases where the administration is, by the terms of the will, and in consequence thereof, extended beyond three years.

Read second time.

Mr. Dibble moved that Assembly Bill No. 61 be recommitted to the Committee on Judiciary.

Carried.

Assembly Bill No. 79—An Act to amend section three thousand six hundred and fifty-three of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the duties of Assessors.

Read second time.

Committee amendments acted upon as follows:

Amend by striking out in line two, section three, the word "eight," and in lieu thereof insert the words "twelve and one half," of printed bill.

Adopted.

Strike out the words "request the same" in line three of section four of the printed bill, and insert in lieu thereof the words "make written request for the same."

Adopted.

Strike out the word "eight" in line two, section five, and insert in lieu thereof the words "twelve and one half."

Adopted.

Ordered engrossed and to a third reading.

Assembly Bill No. 125—An Act to amend section six hundred and thirty-three of the Penal Code, relating to the taking of trout.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 123 passed on file.

Assembly Bill No. 192 passed on file.

Substitute for Assembly Bills Nos. 12, 32, 65, 69, 77, and 242 passed on file.

Assembly Bill No. 38—An Act to amend section one hundred and ninety-eight of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the qualification of jurors.

Read second time.

Mr. Dibble moved to strike out the enacting clause.

Carried.

Assembly Bill No. 43 withdrawn on motion of Mr. Barnett of San Francisco.

Assembly Bill No. 39—An Act to amend section three hundred and ninety-four of the Code of Civil Procedure of the State of California, relative to the place of trial of certain actions, where a county or city is a party, and a citizen or corporation resident of another county is sued by a county or city.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 55—An Act relating to the time of commencement of actions for the recovery of real property.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 59 passed on file.

Senate Bill No. 90—An Act to add a new section to the Code of Civil Procedure, said section to be designated as section seven hundred and forty-nine, relating to the quieting of title to real property.

Read second time.

Mr. Gould moved to amend as follows:

Amend by striking out all in section one after the word "Code," on line sixteen of printed bill.

Adopted.

Order engrossed and to a third reading.

Assembly Bill No. 92—An Act to amend section five hundred and sixty-five of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the appointment of a receiver upon dissolution of a corporation.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 21—An Act granting to the city of Oceanside the land along its waterfront upon the Pacific Ocean.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 122—An Act fixing the permanent channels of rivers in the State of California, and providing for retaining them in their true channels, and for returning them, when changed, into their true channels, as defined in this Act.

Read second time; refused engrossment.

FIRST READING OF BILLS.

Assembly Bill No. 292—An Act authorizing the Controller and Treasurer to transfer to the General Fund all moneys now in the State Drainage Construction Fund, and also from time to time to transfer to the General Fund all moneys that may hereafter be paid into the State Drainage Construction Fund.

Read first time, and placed on file for second reading.

Assembly Bill No. 293—An Act authorizing the Controller and Treasurer to transfer to the General Fund all moneys to the credit of the Construction Fund of Drainage District No. 1, and also from time to time to transfer to the General Fund all moneys that may hereafter be paid into said Construction Fund of Drainage District No. 1.

Read first time, and placed on file for second reading.

Assembly Bill No. 294—An Act providing for the payment of all moneys in the State Treasury to the credit of Swamp Land District Funds, to the treasuries of the counties wherein the said swamp land districts are situated, and to provide for the control of the same by the Auditor and Treasurer of said counties, and prescribing the duties of the Controller and Treasurer in relation thereto.

Read first time, and placed on file for second reading.

Assembly Bill No. 295—An Act providing for the cancellation of certain receipts which were directed by law to be received as cash by the State Treasurer, and authorizing the Controller and Treasurer to make the proper entries in the books of their respective offices.

Read first time, and placed on file for second reading.

Assembly Bill No. 296—An Act authorizing the Controller to charge the sum of three thousand three hundred and six dollars and seventy-two cents against the General Fund, to adjust a discrepancy existing

between the books in his office and those of the office of the State Treasurer, because of payments of warrants from the General Fund which had been drawn against the State Drainage Construction Fund and Construction Fund of Drainage District No. 1.

Read first time, and placed on file for second reading.

Assembly Bill No. 149—An Act to amend section one thousand three hundred and seventy-three of the Code of Civil Procedure, in reference to setting a day for the hearing of a petition for letters of administration.

Read first time, and placed on file for second reading.

Assembly Bill No. 194—An Act to amend sections six hundred and eighty-nine and five hundred and forty-nine of the Code of Civil Procedure of the State of California, relative to the claims by third persons of property levied upon under writs of execution and attachment, as to the procedure upon said claims, and as to the necessary prerequisites to their being received.

Read first time, and placed on file for second reading.

Assembly Bill No. 219—An Act to amend section one thousand two hundred and twenty-two of the Code of Civil Procedure, in relation to judgments and orders in cases of contempt, and providing for appeals therefrom.

Read first time, and placed on file for second reading.

Assembly Bill No. 230—An Act to amend section one hundred and fifty-eight of the Code of Civil Procedure of the State of California, relating to the residence of Judges of the Superior Court.

Read first time, and placed on file for second reading.

Assembly Bill No. 119—An Act to amend the Political Code of the State of California, by adding thereto a new section 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. 170—An Act to amend section fifteen of an Act entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors," approved April 16, 1880.

Read first time, and placed on file for second reading.

Assembly Bill No. 10—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by adding a new section thereto, to be known as section three thousand two hundred and forty-six, relating to the payment of persons employed under the provisions of section three thousand two hundred and forty-five of said Political Code.

Read first time, and placed on file for second reading.

Assembly Bill No. 62—An Act to define the duties of County Surveyors, and to define valid surveys authorized by County Boards of Supervisors.

Refused first reading.

Assembly Bill No. 81—An Act to amend section one thousand three hundred and five, section one thousand three hundred and seventy-three, section one thousand five hundred and fifty-two, section one thousand six hundred and thirty-three, and section one thousand six hundred and thirty-four 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 estates of deceased persons.

Refused first reading.

Assembly Bill No. 91—An Act to amend section five hundred and forty-four of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to garnishments.

Refused first reading.

Assembly Bill No. 124—An Act to amend section one thousand eight hundred and eighty-one of the Code of Civil Procedure, relating to witnesses.

Refused first reading.

Assembly Bill No. 164—An Act to amend section three thousand three hundred and thirty-seven of the Political Code, relating to exemptions from jury duty.

Refused first reading.

Assembly Bill No. 169—An Act to amend section seventy of the Civil Code, relating to solemnization of marriages.

Passed on file.

Assembly Bill No. 175—An Act to amend an Act entitled "An Act to establish a Penal Code."

Refused first reading.

Assembly Bill No. 176—An Act to amend an Act entitled "An Act to establish a Civil Code."

Refused first reading.

Assembly Bill No. 217—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.

Refused first reading.

SECOND READING OF BILLS.

Assembly Bill No. 198—An Act to provide penalties for failure to pay tolls, by false returns or otherwise, to Board of State Harbor Commissioners.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 200—An Act to amend an Act entitled "An Act to amend section six of an Act entitled '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.

Read second time, ordered engrossed and to a third reading.

MOTIONS.

Mr. Shanahan moved to reconsider the vote whereby the Journal of yesterday was approved.

Carried.

Mr. Shanahan moved that the footing as shown in the Journal of the Governor's message be corrected to read five thousand one hundred and ten dollars instead of two thousand one hundred and ten dollars.

Carried.

Journal then approved.

Mr. Lacey moved that the vote whereby Assembly Bill No. 175 was refused a first reading be reconsidered.

Carried.

Assembly Bill No. 175 ordered on file for first reading.

Mr. Dibble moved that the vote whereby Assembly Bills Nos. 176, 217, 62, 81, 91, 124, and 164 were refused first reading be reconsidered, and that they appear on the file to-morrow.

Carried.

SECOND READING OF BILLS—(RESUMED).

Assembly Bill No. 271—An Act to amend section two thousand six hundred and eighty-one of an Act entitled "An Act to establish a Political Code."

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 167—An Act creating a lien in favor of owners, or those in charge of stallions, jacks, and bulls duly licensed and used for propagating purposes, and providing for the operation of such lien.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 201—An Act to regulate the practice of veterinary medicine and surgery in the State of California.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 202—An Act to provide for the appointment of a State Veterinary Surgeon, to prescribe his duties, and fixing his compensation.

Read second time.

Committee amendment adopted as follows: Amend section one, line sixteen, of original bill, by striking out the name "San Francisco," and inserting in lieu thereof "Sacramento."

Mr. Gould moved that Assembly Bill No. 202 be passed on file, retaining its place.

Carried.

Assembly Bill No. 259—An Act to encourage the destruction of coyotes and wolves, and to authorize a bounty to be given by the State to any person who shall kill the same.

Read second time.

Mr. Phillips moved that the enacting clause be stricken out.

Carried.

Assembly Bill No. 266 withdrawn by the author, with the permission of the House.

Assembly Bill No 171.

Mr. Sturtevant moved that the enacting clause be stricken out.

Carried.

Assembly Bill No. 173 refused second reading.

Assembly Bill No. 44—An Act to add two sections to the Penal Code, said sections to be known, numbered, and designated as sections three hundred and forty-four and three hundred and forty-five, and included in chapter twelve, part one, title nine, of said Penal Code, relating to and defining the duties and liabilities of laundrymen.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 178—An Act to ascertain and express the will of the people of the State of California upon the subject of election of United States Senators.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 64—An Act to amend an Act entitled "An Act to protect and promote horticultural interests of the State," approved

March 14, 1881, as amended by chapter two hundred and sixty-five of the laws of 1889, approved March 19, 1889.

Read second time.

Committee amendments, as follows, adopted:

Amend section two by striking out the words: "if the owner or owners, or the person or persons, in charge or in possession of any place, or orchard, or nursery, or trees, plants, shrubs, vegetables, vines, or fruit, or articles, infested with said insects, or any of them, or their larvæ or eggs, after having been notified as above to eradicate or destroy said insects, or other pests, or their eggs or larvæ, shall neglect or refuse to do so within the time specified, such places, or orchards, or nurseries, or trees, plants, shrubs, vegetables, vines, or fruit, or articles thus infested, shall be adjudged, and the same are hereby declared a public nuisance;" on lines seventeen, eighteen, nineteen, twenty, twenty-one, twenty-two, and twenty-three, page two, of printed copy, and inserting in lieu thereof, "any and all such places, or orchards, or nurseries, or trees, plants, shrubs, vegetables, vines, fruit, or articles thus infested, are hereby adjudged and declared to be a public nuisance."

Also: By striking out the words: "The Clerk of the Board shall certify the amount so paid to the County Auditor, together with a description of the real estate on which said nuisance was located, and the name of the owner if known, and said Auditor shall place said sum on the proper tax books as an assessment against said realty, and said sum shall be collected as other taxes and paid into the General Fund of the County," on lines thirty-two, thirty-three, thirty-four, thirty-five, thirty-six, same section and page, and inserting in lieu thereof: "any and all sum or sums so paid shall be and become a lien on the property and premises from which said nuisance has been removed or abated in pursuance of this Act, and may be recovered by an action against such property and premises, which action to foreclose all such liens shall be in the proper Court, in the name and for the benefit of the county making such payment or payments, and when the property is sold, enough of the proceeds shall be paid into the County Treasury of such county to satisfy the lien and costs, and an attorney fee in such foreclosure suit, of one hundred dollars, and the overplus, if any there be, shall be paid to the owner of the property, if he be known, and if not, then into the Court for his use when ascertained."

Also: By striking out the words "to act upon, define, determine, and adjudge what shall constitute a public nuisance under this Act, and," on lines thirty-seven and thirty-eight, same page and section; and also, by striking out the words "the same," on line thirty-nine, same section and page, and substituting in lieu thereof the words "any and all such nuisances"

Mr. Smith of Orange moved to amend as follows:

Make line number thirty, on page two, printed copy, read as follows, viz.: "abated as provided by section number three thousand four hundred and ninety-four of the Civil Code of California;" and strike out all of the balance of the bill after line thirty.

Lost.

Mr. Hocking moved to amend as follows:

Amend line five, of section two, printed bill, by substituting the word "three" for the word "six."

Lost.

Mr. Stabler moved to amend as follows:

Amend section two, page two of printed bill, by striking out lines forty to forty-four, inclusive.

Adopted.

By Mr. Marion:

Strike out all of section two, from line one to line seven, inclusive.

Adopted.

MOTION.

Mr. Shanahan moved that the bill be recommitted to the Committee on Viniculture, Viticulture, and Horticulture.

Carried.

RESOLUTIONS.

By Mr. McCall:

Resolved, That a majority of the Committee on Public Buildings and Grounds be and they are hereby granted leave of absence from Friday, January thirtieth, to Monday, February second, to visit the State Normal School at Chico, and report on the same.

Referred to Committee on Ways and Means and Appropriations.

By Mr. Dibble:

Resolved, That the Controller be and he is hereby directed to draw his warrant on the Contingent Fund of the Assembly for the sum of twenty-five dollars in favor of Wm M. Cutter, short-hand reporter, for transcribing and furnishing for the State Printer long-hand copies of the addresses made in nominating and seconding the nominations of candidates for United States Senator, that the same might be printed in the Journal, as ordered by the House.

Adopted.

Also:

Resolved, That the Sergeant-at-Arms be and he is hereby directed to purchase a table for the political room in the State Library, for the use of the Ways and Means Committee, the same to be paid for out of the Contingent Fund of the Assembly, the purchase price not to exceed fifty dollars.

Adopted.

By Mr. Lacey:

Resolved, That all bills now in the hands of committees, and all bills hereafter referred to committees, be considered and reported on by the committee to which reference is made, in the order of the introduction and reference of said bills.

Rejected.

INTRODUCTION OF BILLS—(OUT OF ORDER).

Bills were introduced, read by title, and referred to committees, as follows:

By Mr. Bruner: Assembly Bill No 525—An Act to amend section one hundred and three of the Code of Civil Procedure, approved March 11, 1872, relating to Justice's Courts

Referred to Committee on Judiciary.

By Mr. Lacey: Assembly Bill No. 526—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure."

Referred to Committee on Judiciary.

By Mr. Sturtevant: Assembly Bill No. 527—An Act to prevent the use of substitute for hops, or pure extract of hops, in the manufacture of ale or beer sold or offered for sale in this State.

Referred to Committee on Agriculture and Forestry.

Also: Assembly Bill No. 528—An Act fixing the rate of tare on baled hops.

Referred to Committee on Agriculture and Forestry.

By Mr. Bruner: Assembly Bill No. 529—An Act authorizing the appointment of a State Agent for the guidance and employment of discharged convicts, defining his duties, and appropriating money therefor.

Referred to Committee on State Prisons.

Also: Assembly Bill No. 530—An Act to amend sections nine hundred and thirty-six and nine hundred and thirty-seven of an Act entitled "An Act to establish a Political Code," approved March 12, 1872.

Referred to Committee on Judiciary.

By Mr. Phillips: Assembly Bill No. 531—An Act for the relief of Peter Connolly, his assigns or legal representatives.

Referred to San Francisco Delegation.

Also: Assembly Bill No. 532—An Act concerning returns of banks, insurance, and railroad companies.

Referred to Committee on Corporations.

By Mr. Wentworth: Assembly Bill No. 533—An Act to promote the science of health and regulate the practice of medicine in the State of California.

Referred to Committee on Judiciary.

By Mr. Marion: Assembly Bill No. 534—An Act for the protection of policy holders in fire insurance companies.

Referred to Committee on Corporations.

By Mr. Young: Assembly Bill No. 535—An Act entitled an Act to provide for the payment of taxes in semi-annual installments, and to amend sections three thousand seven hundred and seventeen, three thousand seven hundred and eighteen, three thousand seven hundred and thirty-one, three thousand seven hundred and thirty-two, three thousand seven hundred and forty-six, three thousand seven hundred and fifty, three thousand seven hundred and fifty-one, three thousand seven hundred and fifty-six, three thousand seven hundred and fifty-eight, three thousand seven hundred and sixty-four, three thousand seven hundred and sixty-nine, three thousand seven hundred and seventy, three thousand seven hundred and seventy-six, three thousand seven hundred and seventy-nine, three thousand seven hundred and eighty, three thousand seven hundred and eighty-one, three thousand seven hundred and eighty-three, three thousand seven hundred and eighty-four, three thousand seven hundred and eighty-five, three thousand seven hundred and eighty-six, three thousand seven hundred and eighty-seven, and three thousand seven hundred and ninety-seven of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, to repeal section three thousand seven hundred and seventy-seven of said Act, and to enact a new section in lieu thereof, to be known as section three thousand seven hundred and seventy-seven of said Political Code, and to add a new section to said Political Code, to be known as section three thousand eight hundred and one, relating to levy and collection of taxes.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 536—An Act to authorize the Adjutant-General to issue arms and accouterments to Camps of the Order of Sons of Veterans in the State of California.

Referred to Committee on Military Affairs.

MOTION.

Mr. Wentworth moved that the vote whereby Assembly Bill No. 122 was refused engrossment be reconsidered.

Carried.

ADJOURNMENT.

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

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Wednesday, January 28, 1891.

The Assembly met pursuant to adjournment.

Speaker Coombs in the chair.

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

Messrs. Alexander, Ames, Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Brusie, Bryant, Cargill, Carter, Clark, Coffey, Cram, Culver, Cunningham, Daly, Dennis, Dibble, Doty, Dow, Dunn, Durner, Eakle, Estey, Fowler, Freeman, Galbraith, Garver, Glynn, Gordon, Gould, Hail, Hawley, Hayes, Hersey, Hocking, Hoey, Hunewill, Johnson, Jackson, Jones, Kellogg, Lacey, Lewis, Lowe, Lux, Lynch, Marion, Martin, Mathews, McCall, Mordecai, Murnan, Murphy, Phillips, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Tully, Wentworth, Weston, Windrow, Young, and Mr. Speaker.

Quorum present.

LEAVE OF ABSENCE.

Messrs. Harloe and Matlock were granted leave of absence for the day.

PRAYER.

Prayer by the Chaplain, Rev. A. C. Herrick.

READING OF THE JOURNAL.

On motion of Mr. Barnett of San Francisco, further reading of the Journal was dispensed with.

MOTION.

Mr. Hocking moved that the vote whereby Assembly Bill No. 34 passed yesterday be now reconsidered.

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

AYES—Messrs Ames, Arms, Barnard Baughman, Cargill, Carter, Culver, Durner, Fowler, Garver, Hail, Hawley, Hocking Hunewill, Jones, Kellogg, Lacey, and Sturtevant—18.

NOES—Messrs. Alexander, Barnett of San Francisco, Barnett of Sonoma, Beecher, Bledsoe, Brown, Bruner, Brusie, Bryant, Clark, Coffey, Dennis, Dibble, Doty, Dow, Dunn, Eakle, Estey, Freeman, Galbraith, Gordon, Gould, Hayes, Hersey, Hoey, Johnson, Jackson, Lowe, Lux, Lynch, Marion, Martin, Mathews, McCall, Mordecai, Murnan, Murphy, Phillips, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Tennis, Wentworth, Weston, Windrow, Young, and Mr. Speaker—50.

PRESENTATION OF PETITION.

By Mr. Stabler: A petition accompanying and attached to a bill for the reorganizing of Swamp Land District No. 70, of Sutter County.

Referred to Committee on Swamp and Overflowed and Public Lands.

REPORTS OF STANDING COMMITTEES.

ON PUBLIC BUILDINGS AND GROUNDS.

ASSEMBLY CHAMBER, SACRAMENTO, January 27, 1891.

MR. SPEAKER: Your Committee on Public Buildings and Grounds, to whom was referred Assembly Bill No. 323—have had the same under consideration, and report the same back, and recommend that it do pass as amended.

HERSEY, Chairman.

Assembly Bill No. 323 referred to Committee on Ways and Means and Appropriations.

ON STATE LIBRARY.

ASSEMBLY CHAMBER, SACRAMENTO, January 27, 1891.

MR. SPEAKER: Your Committee on State Library, to whom was referred Assembly Bill No. 330—An Act to donate to free public libraries of the State having more than eight thousand volumes, certain books and public documents—have had the same under consideration, and report the same back, and recommend that it do pass.

CARTER, Chairman.

ON AGRICULTURE AND FORESTRY.

ASSEMBLY CHAMBER, SACRAMENTO, January 28, 1891.

MR. SPEAKER: Your Committee on Agriculture and Forestry, to whom was referred Assembly Bill No. 313—have had the same under consideration, and report the same back, and recommend that it do pass.

STURTEVANT, Chairman.

MINORITY REPORT ON AGRICULTURE AND FORESTRY.

ASSEMBLY CHAMBER, SACRAMENTO, January 28, 1891.

MR. SPEAKER: The undersigned members of the Committee on Agriculture and Forestry, to whom was referred Assembly Bill No. 313—have had the same under consideration, and recommend that it do not pass.

JACKSON.
BAUGHMAN.

ON STATE CHARITABLE AND REFORMATORY INSTITUTIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 28, 1891.

MR. SPEAKER: Your Committee on State Charitable and Reformatory Institutions, to whom was referred Assembly Bill No. 260—An Act to add a section to the Political Code, to be known as section two thousand nine hundred and eighty-three, relating to public asylums and hospitals—have had the same under consideration, and report the same back, and recommend that it do pass.

MARION, Chairman.

MOTION.

Mr. Ames moved that the Committee on State Charitable and Reformatory Institutions be required to report back Assembly Bill No. 120, and refer the same to the Committee on Ways and Means and Appropriations.

Lost.

ON VINICULTURE, VITICULTURE, AND HORTICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, January 28, 1891.

MR. SPEAKER: Your Committee on Viniculture, Viticulture, and Horticulture, to whom was referred Assembly Bill No. 196—An Act to regulate the sale of olive oil—have had the same under consideration, and report the same back, and recommend that it do pass.

JOHN J. SMITH, Chairman.

ON CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 27, 1891.

MR. SPEAKER: Your Committee on Corporations, to whom was referred Assembly Bill No. 301—An Act relating to life, health, and annuity or endowment insurance on the assessment plan, and the conduct of the business of such insurance—have had the same under consideration, and report the same back with amendments, and recommend its passage as amended.

Also: Assembly Bill No. 93—An Act relating to life and casualty and annuity or endowment insurance on the assessment plan, and the conduct of the business of such insurance—have had the same under consideration, and report the same back, and recommend that same do not pass.

LOWE, Chairman.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 28, 1891.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Assembly Bill No. 302—relative to an Act prescribing the power, duties, and rights of corporations, companies, associations, or persons furnishing water to any city and county, city, or town, or to 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 as amended.

WENTWORTH, Chairman.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, January 28, 1891.

MR. SPEAKER: Your Committee on Education, to whom was referred Assembly Bill No. 237—An Act to provide for the management of the public schools of the State, and to repeal all laws in conflict with the provisions of the same—have had the same under consideration, and report the same back, and recommend that it do not pass.

GALBRAITH, Chairman.

ON CHINESE IMMIGRATION AND EMIGRATION AND LABOR AND CAPITAL.

ASSEMBLY CHAMBER, SACRAMENTO, January 28, 1891.

MR. SPEAKER: Your Committee on Chinese Immigration and Emigration and Labor and Capital, to whom was referred Assembly Bill No 241—An Act to declare arrangements, contracts, agreements, trusts, or combinations, in restraint of trade and production, unlawful, and to fix a penalty therefor.

Also: Assembly Bill No. 11—An Act to provide for a State Board of Arbitration for the settlement of differences between employers and employés.

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

Also: Assembly Bill No. 183—An Act to create a State Board of Mediation and Arbitration, and prescribe its powers and duties—have had the same under consideration, and report the same back, and recommend that Assembly Bill No 11 be substituted, and the author of Assembly Bill No. 183 be allowed to withdraw the same.

STELTZ, Chairman

ON SWAMP AND OVERFLOWED AND PUBLIC LANDS.

ASSEMBLY CHAMBER, SACRAMENTO, January 28, 1891.

MR. SPEAKER: Your Committee on Swamp and Overflowed and Public Lands have considered Assembly Bills Nos. 318 and 216, and recommend that they do not pass.

Also: Assembly Bills Nos. 8 and 192, and recommend they do pass as amended by the committee.

CLARK, Chairman.

MOTION.

On motion of Mr. Gordon, extra time, until Friday, was granted to the Committee on Elections and Privileges to report the case of Campbell vs. Eakle.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, January 27, 1891.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Senate Bill No. 197—An Act to provide for the completion of the ten tiers of granite steps in the State Capitol grounds, located at Sacramento, and to appropriate money therefor.

F. J. BRANDON, Secretary.
By J. C. BOATMAN, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, January 27, 1891.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Senate Bill No. 41—An Act to amend section four thousand one hundred and sixty-one of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the deposit of public funds.

Also: Senate Bill No. 76—An Act to amend section one thousand one hundred and eighty-one of the Civil Code of the State of California, as amended April 3, 1880, relating to the proof and acknowledgment of instruments.

Also: Senate Bill No. 82—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by adding a new section thereto, to be known as section three thousand two hundred and forty-five and one half, relating to the payment of persons employed under the provisions of section three thousand two hundred and forty-five of said Political Code.

Also: Senate Bill No 84—An Act to regulate the practice of pharmacy and sale of poisons in the State of California.

Also: Senate Bill No. 113—An Act to authorize the establishment of County High Schools, and provide for their support.

Also: Senate Bill No. 196—An Act to provide for the improvement of the State Capitol grounds, located at Sacramento, and to appropriate money therefor.

Also: Senate Constitutional Amendment No. 10—Relative to the Legislative Department.

F. J. BRANDON, Secretary.
By J. C. BOATMAN, Assistant Secretary.

Senate Bill No. 197 referred to Committee on Public Buildings and Grounds.

Senate Bill No. 41 referred to Committee on Judiciary.

Senate Bill No. 76 referred to Committee on Judiciary.

Senate Bill No. 82 referred to Committee on Judiciary.

Senate Bill No. 84 referred to Committee on Education and Public Morals.

Senate Bill No. 113 referred to Committee on Education and Public Morals.

Senate Bill No. 196 referred to Committee on Public Buildings and Grounds.

Senate Constitutional Amendment No. 10 referred to Committee on Judiciary.

MOTION.

Mr. Barnett of San Francisco moved that the Judiciary Committee be required to report back Senate Constitutional Amendment No. 10 to-morrow.

Motion withdrawn.

INTRODUCTION OF BILLS.

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

By Mr. Bruner: Assembly Bill No. 537—An Act to provide for the purchase, repair, and furnishing of a residence for the Governor of California, and to appropriate money therefor.

Referred to Committee on Public Buildings and Grounds.

Also: Assembly Bill No. 538—An Act to amend section one thousand three hundred and seventy of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the appointment of a married woman as administratrix of an estate of a deceased person.

Referred to Committee on Judiciary.

By Mr. Sturtevant: Assembly Bill No. 539—An Act to provide for the payment to Wm. Carey Jones, out of the moneys heretofore appropriated for the compilation of a State series of school books, for his services in compiling the elementary book on Civil Government for the State series of school text-books, as provided in an Act approved March 19, 1889, and in accordance with an agreement made with said Jones by C. W. Childs, as Committee of the State Board of Education, to whom said bill was referred.

Referred to Committee on Education.

By Mr. Hersey: Assembly Bill No. 540—An Act authorizing certain corporations to act as executor and in other capacities, and to provide for and regulate the administration of trusts by such corporations.

Referred to Committee on Corporations.

By Mr. McCall: Assembly Bill No. 541—An Act to amend sections two, three, four, five, seven, nine, thirteen, twenty-four, twenty-six, thirty-four, thirty-five, and thirty-seven of an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and the construction of sewers within municipalities," approved March 18, 1885, relative to the mode of assessing and otherwise providing for said work.

Referred to Committee on Municipal Corporations.

By Mr. Culver: Assembly Bill No. 542—An Act to provide for the formation, organization, and government of sanitary districts, and to provide for the laying and maintaining of sewers therein, the issuing of bonds therefor, and the levying and collection of taxes thereon.

Referred to Committee on Judiciary.

By Mr. Lewis: Assembly Bill No. 543—An Act for the relief of Michael J. Maloney.

Referred to Committee on Claims.

By Mr. Mathews: Assembly Bill No. 544—An Act to amend section four thousand one hundred and two of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the age, citizenship, and residence of district and township officers, and their deputies.

Referred to Committee on Municipal Corporations.

By Mr. Lacey: Assembly Bill No. 545—An Act to amend subdivision four of section thirty-four of an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885.

Referred to Committee on Roads and Highways.

By Mr. Lux: Assembly Bill No. 546—An Act for the relief of George Dougherty.

Referred to Committee on Claims.

By Mr. Dibble: Assembly Bill No. 547—An Act to repeal sections four hundred and forty-four, one thousand six hundred and twenty-five, one thousand six hundred and eighty-two, and one thousand six

hundred and sixty-nine of the Political Code; 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, and one thousand six hundred and ninety-six of said Code; to abolish the Grammar School Course in the public schools, and the Grammar School Course Fund, and to authorize and direct the Controller of State to credit to the School Fund any balance which may stand to the credit of the said fund.

Referred to Committee on Education.

Also: Assembly Bill No. 548—An Act to amend section four hundred and forty-three of the Political Code, relative to the duty of the State Controller to estimate and certify the amount necessary to be raised by ad valorem tax for school purposes.

Referred to Committee on Education.

Also: Assembly Bill No. 549—An Act to provide for the appointment of a Board of Election Commissioners for the several counties, cities, cities and counties, towns, and townships throughout the State of California, and to regulate the registration of voters, and the conduct, control, and management of elections therein.

Referred to Committee on Apportionment and Election Laws.

Also: Assembly Bill No. 550—An Act to amend section one thousand one hundred and forty-two of an Act of the Legislature of the State of California entitled "An Act to establish a Political Code," approved March 12, 1872, relating to elections.

Referred to Committee on Apportionment and Election Laws.

By Mr. Shanahan: Assembly Bill No. 551—An Act to provide for the payment of the per diem of members and attachés of the Constitutional Convention.

Referred to Committee on Claims.

Also: Assembly Bill No. 552—An Act to amend section one thousand one hundred and eight of the Penal Code, relating to evidence of certain criminal trials.

Referred to Committee on Judiciary.

By Mr. Baughman: Assembly Bill No. 553—An Act to add to part two, division two, of the Civil Code, a new title, to be known as title five, containing eighteen sections, to be numbered eight hundred and seventy-eight, eight hundred and seventy-nine, eight hundred and eighty, eight hundred and eighty-one, eight hundred and eighty-two, eight hundred and eighty-three, eight hundred and eighty-four, eight hundred and eighty-five, eight hundred and eighty-six, eight hundred and eighty-seven, eight hundred and eighty-eight, eight hundred and eighty-nine, eight hundred and ninety, eight hundred and ninety-one, eight hundred and ninety-two, eight hundred and ninety-three, eight hundred and ninety-four, and eight hundred and ninety-five, relating to mining laws and forming mining districts.

Referred to Committee on Mines and Mining Interests.

By Mr. Barnett of San Francisco: Assembly Bill No. 554—An Act to amend section fifty-three of the Code of Civil Procedure, approved March 11, 1872, relating to powers in appealed cases.

Referred to Committee on Judiciary.

By Mr. Kellogg: Assembly Bill No. 555—An Act to pay the claim of A. G. Lafferty against the State of California for supplies furnished in fitting out Company A, First Battalion of Mountaineers.

Referred to Committee on Military Affairs.

By Mr. Renfro: Assembly Bill No. 556—An Act to add a new section to the Civil Code, to be numbered one hundred and thirty-one, relative to the divorce of married persons.

Referred to Committee on Public Morals.

SPECIAL FILE.

Assembly Constitutional Amendment No. 1 passed on file.

Assembly Constitutional Amendment No. 5 passed on file.

Senate Bill No. 301—An Act making appropriation of money to supply the deficiency in the appropriation for the support of the State Printing Office for the forty-second fiscal year.

Read second time.

MOTION.

Mr. Dibble moved that the House now go into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bill No. 301.

Carried.

IN COMMITTEE OF THE WHOLE.

Speaker Coombs in the chair.

The bill was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Coombs in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The Speaker stated the report as follows:

GENTLEMAN: The Committee of the Whole have had under consideration Senate Bill No. 301—An Act making appropriation of money to supply the deficiency in the appropriation for the support of the State Printing Office for the forty-second fiscal year—and now report the same back to the House and recommend that it do pass.

RESOLUTION.

By Mr. Dibble:

Resolved, That Senate Bill No 301 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the third time and placed upon its passage.

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

AYES—Messrs. Alexander, Ames, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Brusie, Bryant, Cargill, Carter, Clark, Cram, Culver, Cunningham, Daly, Dibble, Doty, Dow, Dunn, Durner, Eakle, Estey, Fowler, Freeman, Galbraith, Garver, Gordon, Hail, Hawley, Hayes, Hersey, Hocking, Hunewill, Jackson, Kellogg, Lewis, Lowe, Lynch, Martin, McCall, Mordecai, Murphy, Phillips, Renfro, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Tully, Wentworth, Weston, Windrow, and Mr Speaker—62.

NOES—None.

Senate Bill No. 301 was read the third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Ames, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Brusie, Bryant, Cargill, Carter, Clark, Coffey, Cram, Culver, Daly, Dennis, Dibble, Doty, Dow, Durner, Eakle, Estey, Fowler, Freeman, Galbraith, Garver, Gordon, Gould, Hail, Hawley, Hayes, Hersey, Hocking, Hunewill, Johnson, Jackson, Kellogg, Lewis, Lowe, Lynch, Marion, Martin, McCall, Mordecai, Murphy, Phillips, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Tully, Wentworth, Weston, Windrow, and Mr. Speaker—65.

NOES—None.

Title read and approved.

Assembly Bill No. 308—An Act making an appropriation to pay the deficiency in the appropriation for the salary of the Executive Secretary to the Governor, for the forty-first and forty-second fiscal years.

Read first time, and to retain its place on special file for second reading.

REPORT OF SPECIAL COMMITTEE.

ON INAUGURAL CEREMONIES.

MR. SPEAKER: Your Special Committee on Inaugural Ceremonies respectfully report that they have performed their duties, and have incurred certain bills which they ask the Assembly to be ordered paid, and therefore present the accompanying resolution, and recommend its adoption.

BRUNER.
AMES.
SHANAHAN.

RESOLUTION.

Resolved, That the sum of seventy-five dollars is hereby appropriated out of the Contingent Fund of the Assembly, payable to the Chairman of Joint Committee on Inaugural Ceremonies, to defray the expenses of inaugural ceremonies.

Adopted.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, January 28, 1891.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that they have examined the following Assembly Bills and find them correctly engrossed: Nos. 68, 197, 155, 102, 211, 199, 209, 214, 215, 138, 16, 51, 174, 135, 49, 224, 208, and 46.

WINDROW, Chairman.

THIRD READING OF BILLS.

Assembly Bill No. 148 passed on file.

Assembly Bill No. 139 passed on file.

RECESS.

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

REASSEMBLED.

At two o'clock the House reassembled.

Speaker Coombs in the chair.

SPECIAL ORDERS.

Assembly Bill No. 114—An Act to amend section four hundred and ninety-seven of the Civil Code of the State of California, relating to the authority to lay railroad tracks through streets and public highways of any incorporated city, city and county, or town.

MOTION.

Mr. Dibble moved that a select committee of one be appointed to make the following amendment:

Amend section one by adding at the end thereof the following words: "*provided, however*, that in cities, cities and counties, and towns having a population exceeding twenty thousand persons, no railroad company shall be allowed to erect or maintain poles in or along any street, or erect, maintain, or use overhead wires.

Carried.

APPOINTMENT BY THE SPEAKER.

Mr. Dibble was appointed by the Speaker a committee to make such amendment.

REPORT OF COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, January 28, 1891.

MR. SPEAKER: Your Select Committee, to whom was referred Assembly Bill No. 114—An Act to amend section four hundred and ninety-seven of the Civil Code of the State of California, relating to the authority to lay railroad tracks through streets and public highways of any incorporated city, city and county, or town—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.

DIBBLE, Committee.

Adopted.

MOTION.

Mr. Dibble moved that the bill be made a special order for Tuesday at two o'clock P. M.

Carried.

Assembly Bill No. 116—An Act to confirm, ratify, and make valid ordinances heretofore passed by the Trustees, Council, or other body intrusted with the government of any incorporated city, city and county, or town, giving authority and permission to propel cars upon railroad tracks laid through the streets and public highways of such incorporated city, city and county, or town, by electricity.

MOTION.

Mr. Dibble moved that a select committee of one be appointed to make the following amendment:

Amend section one by adding at the end thereof, the following words: "*provided, however*, that in cities, cities and counties, and towns having a population exceeding twenty thousand persons, no railroad company shall be allowed to erect or maintain poles in or along any street, or to erect, maintain, or use overhead wires."

Carried.

APPOINTMENT OF COMMITTEE.

Mr. Dibble was appointed by the Speaker a select committee of one to make said amendment.

REPORT OF COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, January 28, 1891.

MR. SPEAKER: Your Select Committee, to whom was referred Assembly Bill No. 116—An Act to confirm, ratify, and make valid ordinances heretofore passed by the Trustees, Council, or other body intrusted with the government of any incorporated city, city and county, or town, giving authority and permission to propel cars upon railroad tracks laid through the streets and public highways of such incorporated city, city and county, or town, by electricity—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.

DIBBLE, Committee.

Mr. Gould offered an amendment to the report of the Select Committee, as follows: That the following be substituted in the place of the amendment offered by Mr. Dibble:

Provided, that no authority so granted shall prevent the removal by the city, city and county, or town, at the expense of such person, corporation, or association, of all wires, ropes, posts, and other appliances above ground for the propulsion of cars, upon notice to such person, corporation, or association, of not less than one year.

Insert after the word "provided," on line ten, page one.

MOTION.

Mr. Bruner moved that all amendments and subject-matter on the bill be printed in the Journal, and be made a special order for next Tuesday at two o'clock P. M.

Carried.

SPECIAL ORDERS.

Assembly Bill No 142—An Act to amend section four hundred and ninety-nine of the Civil Code of California, relative to the authority to lay, construct, and operate railroad tracks through streets and public highways of any incorporated city, city and county, or town, and to allow different lines of street railway, operated under different management, to use parts of the same streets and tracks.

MOTION.

Mr. Mathews moved that Assembly Bill No. 142 be made a special order for next Wednesday at two o'clock P. M.

AMENDMENT.

Mr. Phillips moved as an amendment that it shall be made a special order for next Tuesday at two o'clock P. M.

Amendment withdrawn.

Motion carried.

THIRD READING OF BILLS.

Assembly Bill No. 31—An Act to add a new section to the Code of Civil Procedure of the State of California, to be known and designated as section one thousand six hundred and seventy, relating to the continuation of administration upon the estates of deceased persons.

MOTION.

Mr. Lowe moved that Assembly Bill No. 31 be recommitted to the Committee on Judiciary, retaining its place on file.

Mr. Bert offered as a substitute motion that Assembly Bill No. 31 be passed on the file.

Lost.

Motion carried.

Substitute for Assembly Bill No. 50 passed on file.

Assembly Bill No. 112 passed on file.

Assembly Bill No. 36 passed on file.

Senate Bill No. 32—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 12, 1872, in relation to the office of Treasurer of the Deaf and Dumb and Blind Asylum.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Ames, Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Bert, Bryant, Carter, Coffey, Cram, Culver, Daly, Dennis, Doty, Dow, Dunn, Durner, Fowler, Galbraith, Glynn, Gordon, Hawley, Hayes, Hersey, Hoey, Hunewill, Johnson, Jackson, Jones, Lacey, Lewis, Lowe, Lux, Lynch, Marion, Martin, Mathews, McCall, Rice, Robertson, Shanahan, Smith of Orange, Steltz, Sturtevant, Tennis, Tully, Wentworth, Weston, and Young—49.

NOES—Messrs. Baughman, Beecher, Bledsoe, Brown, Clark, Cunningham, Estey, Freeman, Garver, Gould, Hocking, Kellogg, Mordecai, Mumau, Murphy, Phillips, Renfro, Smith of Butte, Windrow, and Mr. Speaker—20.

Title read and approved.

Assembly Joint Resolution No 10 passed on file.

SECOND READING OF BILLS.

Assembly Bill No. 123 passed on file.

Assembly Bill No. 192—An Act to provide for the organization and government of levee districts created for the protection of lands from overflow of innavigable running streams of water, and to confine innavigable running streams to a fixed channel.

Read second time.

Committee amendments adopted as follows:

In section one, line one, strike out the words "fifty or."

Also: Amend by inserting at end of section two: "*provided*, that no lands already embraced in reclamation, levee, or protection districts shall be included in such boundaries."

Ordered engrossed and to a third reading.

Substitute for Assembly Bills Nos. 12, 32, 65, 69, 77, and 242.

MOTION.

Mr. Brown moved that the bill be recommitted to the Committee on Agriculture and Forestry, retaining its place on the file.

Carried.

Assembly Bill No. 301—An Act relating to life, health, accident, and annuity or endowment insurance on the assessment plan, and the conduct of the business of such insurance.

Read second time.

Committee amendments acted upon as follows:

Amend section two, line five, of printed bill, by striking out the word "five" and inserting the word "ten;" also, on same line, by striking out the figure "5" and inserting the figures "10."

Rejected.

Also: Amend section four, line eight, of the printed bill, by inserting, after the word "after," the following: "notice at the home office by mail as provided by law of."

Adopted.

Also: Amend section ten, line four, of printed bill, by inserting after the word "of" the following: "notice of."

Adopted.

Also: Amend section eleven, line five, of printed bill, by inserting after the word "payable" the following: "and such notice shall be mailed at least fifteen days before the assessment is due."

Adopted, ordered engrossed and to a third reading.

Assembly Bill No. 59 passed on file.

Assembly Bill No. 202 passed on file.

Assembly Bill No. 64 passed on file.

Assembly Bill No. 122 passed on file.

Assembly Bill No. 292—An Act authorizing the Controller and Treasurer to transfer to the General Fund all moneys now in the State Drainage Construction Fund, and also from time to time to transfer to the General Fund all moneys that may hereafter be paid into the State Drainage Construction Fund.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 293—An Act authorizing the Controller and Treasurer to transfer to the General Fund all moneys to the credit of the Construction Fund of Drainage District No. 1, and also, from time to time, to transfer to the General Fund all moneys that may hereafter be paid into said Construction Fund of Drainage District No. 1.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 294—An Act providing for the payment of all moneys in the State Treasury to the credit of Swamp Land District Funds, to the treasuries of the counties wherein the said swamp land districts are situated, and to provide for the control of the same by the Auditor and Treasurer of said counties, and prescribing the duties of the Controller and Treasurer in relation thereto.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 295—An Act providing for the cancellation of certain receipts which were directed by law to be received as cash by the State Treasurer, and authorizing the Controller and Treasurer to make the proper entries in the books of their respective offices.

Read second time.

Mr. Dibble moved to amend as follows:

Amend section two so as to read:

Section 2. The Controller shall draw his warrants in favor of the State Treasurer against each one of the funds affected by said Treasurer's receipts, in the proportion that each fund through its proper percentage bears to the whole amount of said receipts, and the payment of such warrants shall be effected by the cancellation of said receipts.

Also: Amend by making section two section three, and making section three section four.

Adopted.

Ordered engrossed and to a third reading.

Assembly Bill No. 296—An Act authorizing the Controller to charge the sum of three thousand three hundred and six dollars and seventy-two cents against the General Fund, to adjust a discrepancy existing between the books in his office and those of the office of the State Treasurer, because of payments of warrants from the General Fund which had been drawn against the State Drainage Construction Fund and Construction Fund of Drainage District No. 1.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 149—An Act to amend section one thousand three hundred and seventy-three of the Code of Civil Procedure, in reference to setting a day for the hearing of a petition for letters of administration.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 194—An Act to amend sections six hundred and eighty-nine and five hundred and forty-nine of the Code of Civil Procedure of the State of California, relative to the claims by third persons of property levied upon under writs of execution and attachment, as to the procedure upon said claims, and as to the necessary prerequisites to their being received.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 219—An Act to amend section one thousand two hundred and twenty-two of the Code of Civil Procedure, in relation to judgments and orders in cases of contempt, and providing for appeals therefrom.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 230—An Act to amend section one hundred and fifty-eight of the Code of Civil Procedure of the State of California, relating to the residence of Judges of the Superior Court.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 119—An Act to amend the Political Code of the State of California, by adding thereto a new section, in relation to reassessments of property in cases where a former assessment is invalid.

Mr. Bruner moved that the enacting clause be stricken out.

Motion withdrawn.

Mr. Dibble moved that the substitute proposed by the committee be printed, and be made a special order for next Wednesday at two o'clock P. M.

Lost.

Read second time.

Mr. Dibble moved that the committee substitute for Assembly Bill No. 119 be made a special order for next Friday at two o'clock P. M.

Carried.

Mr. Phillips in the chair.

Assembly Bill No. 170—An Act to amend section fifteen of an Act entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors," approved April 16, 1880.

Read second time.

Committee amendments adopted as follows:

Amend as follows: Strike out the word "and" in line three of printed bill, and insert the words "and security" after the word "nature" in said line.

Ordered engrossed, and to a third reading.

Assembly Bill No. 10—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by adding a new section thereto, to be known as section three thousand two hundred and forty-six, relating to the payment of persons employed under the provisions of section three thousand two hundred and forty-five of said Political Code.

Read second time.

Committee amendments adopted as follows:

Amend the title so as to read: An Act to add an additional section to the Political Code, to be known as section three thousand two hundred and fifty-one, relating to the payment of persons employed under the provision of section three thousand two hundred and forty-five of said Code.

Amend section one by striking out the words "forty-six" in line two of printed bill, and insert the words "fifty-one."

Amend section one by striking out the figures "3246" in line three of printed bill, and insert the figures "3251."

Mr. Renfro moved to amend as follows:

Amend section one, line seven of original bill, by inserting after the word "contractors," the words "or any corporation operating under a franchise granted under the laws of this State."

Adopted.

Mr. Mordecai moved that the enacting clause be stricken from the bill.

Motion withdrawn.

Ordered engrossed, and to a third reading.

FIRST READING OF BILLS.

Assembly Bill No. 62—An Act to define the duties of County Surveyors, and to define valid surveys authorized by County Boards of Supervisors.

Read first time.

Mr. Dibble moved that the enacting clause of Assembly Bill No. 62 be stricken out.

Carried.

Assembly Bill No. 81—An Act to amend section one thousand three hundred and five, section one thousand three hundred and seventy-three, section one thousand five hundred and fifty-two, section one thousand six hundred and thirty-three, and section one thousand six hundred and thirty-four 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 estates of deceased persons.

Read first time, and placed on file for second reading.

Assembly Bill No. 91—withdrawn by Mr. Barnett of San Francisco, with the consent of the House.

Assembly Bill No. 124—An Act to amend section one thousand eight hundred and eighty-one of the Code of Civil Procedure, relating to witnesses.

Read first time, and placed on file for second reading.

Assembly Bill No. 164—An Act to amend section three thousand three

hundred and thirty-seven of the Political Code, relating to exemptions from jury duty.

Read first time.

Mr. Bruner moved to strike out the enacting clause.

Carried.

Assembly Bill No. 169—An Act to amend section seventy of the Civil Code, relating to solemnization of marriages.

Read first time, and placed on file for second reading.

Assembly Bill No. 175—An Act to amend an Act entitled "An Act to establish a Penal Code."

Read first time.

Mr. Dibble moved to strike out the enacting clause.

Carried.

Assembly Bill No. 176—An Act to amend an Act entitled "An Act to establish a Civil Code."

Read first time, and placed on file for second reading.

Assembly Bill No. 217—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. 140—An Act to amend section five hundred and thirty of the Political Code, relating to the office of Superintendent of State Printing.

Refused first reading.

Assembly Bill No. 5—An Act to provide for the publication of one hundred thousand copies of the statutes and laws passed at each session of the Legislature.

Read first time, and placed on file for second reading.

INTRODUCTION OF BILLS—(OUT OF ORDER).

Bills were introduced, read by title, and referred to committees, as follows:

By Mr. McCall: Assembly Bill No. 557—An Act to amend section twenty-five of "An Act to establish a uniform system of county and township governments," approved March 14, 1883, amended March 14, 1885, March 18, 1885, and as amended March 17, 1887, and March 16, 1889, by adding a new subdivision to said section twenty-five, to be known and designated as subdivision thirty-nine.

Referred to Committee on County and Township Governments.

By Mr. McCall: Assembly Bill No. 558—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the registration of voters, by adding a new section thereto, to be designated as section one thousand one hundred and eighteen.

Referred to Committee on Apportionment and Election Laws.

ADJOURNMENT.

At four o'clock and forty minutes P. M., on motion of Mr. Renfro, the House adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Thursday, January 29, 1891.

The Assembly met pursuant to adjournment.

Speaker Coombs in the chair.

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

Messrs. Ames, Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Brusie, Bryant, Cargill, Carter, Clark, Coffey, Culver, Cunningham, Daly, Dennis, Dibble, Doty, Dow, Dunn, Durner, Eakle, Estey, Fowler, Freeman, Galbraith, Garver, Glynn, Gordon, Gould, Hail, Harloe, Hawley, Hayes, Hersey, Hocking, Hoey, Hunewill, Johnson, Jackson, Jones, Kellogg, Lacey, Lewis, Lowe, Lux, Lynch, Marion, Martin, Mathews, McCall, Mordecai, Murnan, Murphy, Phillips, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Tully, Wentworth, Weston, Young, and Mr. Speaker.

Quorum present.

LEAVE OF ABSENCE.

Messrs. Windrow, Matlock, and Alexander were granted leave of absence for the day.

PRAYER.

Prayer by the Chaplain, Rev. A. C. Herrick.

READING OF THE JOURNAL.

On motion of Mr. Hunewill, further reading of the Journal was dispensed with.

Journal of Tuesday, January twenty-seventh, corrected and approved.

Journal of yesterday corrected and approved.

PRESENTATION OF PETITIONS.

Mr. Johnson presented a petition relative to the creation of a Ship Commission for the benefit and protection of farmers of the State.

Referred to Committee on Commerce and Navigation.

RESOLUTION—(OUT OF ORDER).

By Mr. Gould:

Resolved, That the Committee on Apportionment and Election Laws be required to report on Assembly Bill No. 27, relating to nomination of candidates, ballots, and conduct of elections, on Monday, February 2, 1891.

MOTIONS.

Mr. Dibble moved that the resolution be laid on the table.

Lost.

Mr. Dibble moved as an amendment that the above named committee report back Assembly Bill No. 27 as quick as they conveniently can.

Mr. Bledsoe moved as a substitute that the Committee on Apportionment and Election Laws report all of the ballot bills before that committee back to the House February sixth.

The question recurring upon Mr. Gould's resolution, the substitute of Mr. Bledsoe was accepted by Mr. Gould, and carried.

Mr. Galbraith moved that the rules be suspended and that his resolution be taken up.

Lost.

RESOLUTION—(OUT OF ORDER).

By Mr. Bert:

WHEREAS, The mails at the city Post Office do not close until ten o'clock P. M.; and whereas, it will be of great convenience to members of the Assembly to be able to purchase stamps, deposit mail, etc., as late as nine o'clock and thirty minutes P. M.; therefore, be it

Resolved, That the mail carrier of the Assembly be and he is hereby instructed to remain in charge of the Assembly Post Office from eight o'clock and thirty minutes P. M. to nine o'clock and thirty minutes P. M. each day, except Sunday, and that he close the Post Office at nine o'clock and thirty minutes P. M., and carry all mail to the Sacramento City Post Office, and deposit the same therein before ten o'clock P. M.

Adopted.

REPORTS OF STANDING COMMITTEES.

ON RULES AND REGULATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1891.

MR. SPEAKER: Your Committee on Rules and Regulations, to whom was referred resolution by Mr. Hunewill, relating to the time allowed for debate—have had the same under consideration, and report the same back, and recommend that it be not adopted.

CULVER, Chairman.

RESOLUTION TAKEN UP.

By Mr. Hunewill:

Resolved, To amend Rule No. 40, so that it will read as follows: Every member when he speaks, shall, standing in his place, address "Mr. Speaker," and when he has finished he shall sit down. No member shall speak more than once during the consideration of any one question of whatever nature, on the same day, and at the same stage of the proceedings, and for a longer time than five minutes, except the author of a bill or resolution, or mover of a question, who shall be allowed to speak twice, the last time closing the debate, and who shall in his close be allowed ten minutes. This rule may be waived or suspended by a majority of those present.

MOTION.

Mr. Dibble moved that the resolution be printed, and come up for consideration to-morrow.

Carried.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON CLAIMS.

ASSEMBLY CHAMBER, SACRAMENTO, January 28, 1891.

MR. SPEAKER: Your Committee on Claims, to whom was referred Assembly Bill No. 298—An Act for the relief of the heirs of Michael Curran—have had the same under consideration, and report the same back, and recommend that it do not pass.

Also: Assembly Bills Nos. 73, 145, 220, 239, 274, 282, 306, 320, and 328, and report progress and ask for further time for consideration.

Also: Assembly Bill No. 392—An Act to pay the claim of Wm. Gutenberger for mechanics' tools destroyed at the Branch State Prison at Folsom—have had the same under consideration, and report the same back, and recommend that it do pass.

AMES, Chairman.

Assembly Bill No. 392 referred to Committee on Ways and Means and Appropriations.

ON WAYS AND MEANS AND APPROPRIATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1891.

MR SPEAKER: Your Committee on Ways and Means and Appropriations, to whom was referred Assembly Bill No. 258—report the same back, and recommend that the author have leave to withdraw it.

Also: Assembly Bill No. 319—with recommendation that the author have leave to withdraw it.

DIBBLE, Chairman.

ON IRRIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1891.

MR. SPEAKER: Your Committee on Irrigation, to whom was referred Assembly Bill No. 232—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, by amending sections fifteen, twenty-two, and twenty-three thereof, relating to irrigation districts—have had the same under consideration, and report the same back with amendments, and recommend its passage as amended.

Also: Assembly Bill No. 356—An Act to amend section three and section thirteen of an Act entitled "An Act to promote drainage"—have had the same under consideration, and report the same back, and recommend that it do pass.

Also: Assembly Bill No. 396—An Act to provide for the redemption of property which has been heretofore sold to irrigation districts for delinquent assessments—have had the same under consideration, and report the same back with amendments, and recommend its passage as amended.

ALEXANDER, Chairman.

ON STATE CHARITABLE AND REFORMATORY INSTITUTIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 28, 1891.

MR. SPEAKER: Your Committee on State Charitable and Reformatory Institutions, to whom was referred Assembly Bill No. 280—An Act making an appropriation to pay for the maintenance of the Reform School for Juvenile Offenders, from January 1, 1891, to June 30, 1891, and making an appropriation for extra work, materials, and labor, furnished in the erection of buildings of said reform school, and making an appropriation for payment of insurance on said reform school buildings—have had the same under consideration, and report the same back, and recommend that it do pass.

Also: Assembly Bill No 71—An Act to amend sections one, four, seven, nine, fourteen, sixteen, twenty-three, twenty-four, twenty-six, twenty-eight, twenty-nine, and thirty of "An Act to establish a State Reform School for Juvenile Offenders, and make an appropriation therefor," approved March 11, 1889—and recommend that the author be allowed to withdraw the same.

MARION, Chairman.

Mr. Smith of Orange was granted permission to withdraw Assembly Bill No. 71.

ON COUNTY AND TOWNSHIP GOVERNMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, January 28, 1891.

MR. SPEAKER. Your Committee on County and Township Governments, to whom was referred Assembly Bill No. 177—have had the same under consideration, and report the same back, and recommend that it be rereferred to the Committee on Roads and Highways.

Also: Assembly Bill No. 444—have had the same under consideration, and report the same back, and recommend that it do pass.

BROWN, Chairman.

SELECT COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, January 28, 1891.

MR SPEAKER: The San Francisco Delegation Committee (a select committee of this House), to whom was referred Assembly Bill No. 432—An Act to provide for furnishing assistants to every attorney and counselor, city attorney, and city and county attorney, and to each law officer of whatever official name he may be designated, officially conducting the civil litigation of each city, or city and county, having one hundred thousand or more inhabitants, and providing the mode in which such assistants shall be appointed and designated as officers of each city, or city and county, and establishing the compensation and prescribing the duties of such assistants—have had the same under consideration, and report the same back, and recommend that it do pass.

WENTWORTH, Chairman.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, January 29, 1891.

To the honorable Assembly of the State of California:

I desire to call your attention to the law providing that all officers, Boards of Officers, Commissioners, Trustees, Regents, and Directors required by law to make reports to the Governor or Legislature, and to the provision that the Superintendent of State Printing must print such reports, and fixing the number of each to be printed.

It is a well known fact that many of these reports are more voluminous than necessity demands, and are printed at great expense to the State. This is done without regard to the value of the contents to the public. There is no official, or board of officials, that has authority to determine what is proper matter for printing, or whether the report is sufficiently meritorious to deserve printing at all. Under the law as at present, the State Printer has no discretion in regard to the number or size of the reports he is required to print, or the order in which they should be printed. On this account, it is simply impossible for that official, or any other, to make an accurate estimate of the amount required for the conduct of his office. In my opinion, a very large amount of money is thus expended every year which does not bring an adequate return to the taxpayers. From the information I can obtain, the practice that prevails in our public offices in this respect has been a source of unnecessary expense, and I think there should be some check placed upon the matter that the abuses so prevalent and so well known to each of you may be corrected. I therefore recommend that the law be so amended that the reports, when submitted to the Governor, be, by him, referred to some competent authority, who shall have power to determine what is proper to print, the size and number of each report, the style of binding, and the limit of expense generally that the State Printer shall be bound to observe in the printing of reports.

I am informed that it has been the habit of many of the officials of our public institutions to order a very large amount of printed material of various kinds, some of which has afterwards been sold, and large amounts wasted. Instances of this kind are not rare, and various subterfuges are resorted to in order to bring the demand for printing within the provisions of law or the rules of the office. Parties who are familiar with the practical workings of the State Printing Office, and upon whose judgment we can rely, have estimated that a saving of from thirty to fifty thousand dollars can be made annually.

I therefore recommend that all requisitions upon the State Printer from any institution or official be first approved by some authority designated by you.

H. H. MARKHAM, Governor.

MOTION.

Mr. Lowe moved that the Governor's message be referred to the Committee on Commissions, with instructions that they report back a bill to the House in conformity with the suggestions of the Governor's message.

Carried.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, January 28, 1891.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, concurred in the Assembly amendments to Senate Bill No. 32.

F. J. BRANDON, Secretary.
By J. C. BOATMAN, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, January 28, 1891.

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

Senate Joint Resolution No. 8—Memorializing Congress to loan money to farmers, and to charge interest therefor at the rate of two per cent per annum.

Also: Senate Joint Resolution No. 9—Memorializing Congress to loan money to farmers, and to charge interest therefor at the rate of two per cent per annum.

Also: Senate Bill No. 67—An Act to amend section one thousand two hundred and thirty-eight of the Code of Civil Procedure of the State of California, concerning the right of eminent domain.

Also: Senate Bill No. 70—An Act to add a new section to the Penal Code of the State of California, to be numbered section eight hundred and thirty, relative to the service of warrants of arrest and other process in criminal cases.

F. J. BRANDON, Secretary,
By J. C. BOATMAN, Assistant Secretary.

Senate messages acted upon as follows:

Senate Joint Resolution No. 8—Relative to memorializing Congress to loan money to farmers at the rate of two per cent per annum.

MOTIONS.

Mr. Shanahan moved the adoption of the resolution.

Mr. Gould moved that the resolution be made a special order for Friday, February sixth.

Carried.

Senate Joint Resolution No. 9—Relative to memorializing Congress to loan money to farmers at the rate of two per cent per annum.

Made a special order for Friday, February sixth.

Senate Bill No. 67 referred to Committee on Judiciary.

Senate Bill No. 70 referred to Committee on Judiciary.

INTRODUCTION OF BILLS.

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

By Mr. Fowler: Assembly Bill No. 559—An Act providing for the appointment of a Commission to make arrangements for the proper reception of the American Library Association, and appropriating money to defray the expenses thereof.

Referred to Committee on Ways and Means and Appropriations.

By Mr. Bryant: Assembly Bill No. 560—An Act to enable the Coulterville and Yosemite Turnpike Company, a corporation, to sue the State of California for the loss and damage suffered and sustained by said 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.

Referred to Committee on Judiciary.

By Mr. Dibble: Assembly Bill No. 561—An Act making appropriations for the support of the government of the State of California for the forty-third and forty-fourth fiscal years.

Referred to Committee on Ways and Means and Appropriations.

By Mr. Marion: Assembly Bill No. 562—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by amending section three thousand eight hundred and thirty-nine, relating to poll taxes.

Referred to Committee on Judiciary.

By Mr. Lacey: Assembly Bill No. 563—An Act to amend sections two thousand six hundred and thirty-eight and two thousand five hundred and ninety-six of the Civil Code, relative to insurance policies.

Referred to Committee on Corporations.

Also: Assembly Bill No. 564—An Act requiring foreign insurance companies doing business in this State to pay two per cent of the gross premiums collected into city, or city and county treasuries.

Referred to Committee on Corporations.

Also: Assembly Bill No. 565—An Act to amend section six hundred and sixteen of the Political Code, relative to foreign corporations, and the conditions on which they may transact business in this State.

Referred to Committee on Corporations.

By Mr. Barnett of San Francisco: Assembly Bill No. 566—An Act to amend section ninety-two of the Civil Code, relating to the grounds of action for divorce.

Referred to Committee on Judiciary.

By Mr. Culver: Assembly Bill No. 567—An Act to amend sections one hundred and sixty-four and two hundred and eleven 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, March 18, 1885, March 17, 1887, and March 16, 1889, relative to the government of counties.

Referred to Committee on County and Township Governments.

By Mr. Murnan: Assembly Bill No. 568—An Act to amend section two hundred 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, March 18, 1885, March 17, 1887, and March 16, 1889, relating to the salaries of officers of counties of the thirty-eighth class.

Referred to Committee on County and Township Governments.

By Mr. Galbraith: Assembly Bill No. 569—An Act to amend the Political Code, part three, title three, article one, section one thousand five hundred and twenty-one, relating to the powers and duties of the State Board of Education.

Referred to Committee on Education.

Also: Assembly Bill No. 570—An Act to amend 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, approved March 15, 1887.

Referred to Committee on Education.

By Mr. Robertson: Assembly Bill No. 571—An Act to amend section one thousand four hundred and thirty-one of the Code of Civil Procedure.

Referred to Committee on Judiciary.

By Mr. Clark: Assembly Bill No. 572—An Act to amend sections three thousand four hundred and sixty-five and three thousand four hundred and sixty-six of the Political Code, relating to the collection of taxes in reclamation districts.

Referred to Committee on Swamp and Overflowed and Public Lands.

By Mr. Steltz: Assembly Bill No. 573—An Act to add seven new sections to the Political Code of the State of California, to be known as sections five hundred and eighty-five, five hundred and eighty-six, five hundred and eighty-seven, five hundred and eighty-eight, five hundred and eighty-nine, five hundred and ninety, and five hundred and ninety-one, relating to the appointment of an Inspector of Iron Castings in cities and counties of more than one hundred and fifty thousand inhabitants.

Referred to Committee on Chinese Immigration and Emigration and Labor and Capital.

By Mr. Renfro: Assembly Joint Resolution No. 11—In relation to the action of the United States Senate in its refusal to adopt the cloture

rule and pass the Force bill, and the indorsement of the action of Senators Stanford and Stewart in opposing the passage of said measure.

Placed on third reading file.

By Mr. Johnson: Assembly Joint Resolution No. 12—Relating to the removal of Chinese patients from the asylums for the insane in this State.

Placed on third reading file.

REPORTS OF STANDING COMMITTEES.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1891.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that they have examined the following Assembly Bills and find them correctly engrossed:

Nos. 75, 139, 50, 36, 110, 244, 125, 79, 39, 55, 90, 92, 21, 198, 200, 271, 167, 201, 44, and 178.

WINDROW, Chairman
By DUNN.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, January 28, 1891

MR. SPEAKER. Your Committee on Judiciary, to whom was referred Assembly Bills Nos. 40, 89, and 359—have had the same under consideration, and report the same back, and recommend that the authors be allowed to withdraw them, as Assembly Bill No. 87 covers all the ground required.

Also: Senate Bill No. 77—have had the same under consideration, and report the same back, and recommend that it do pass.

Also: Senate Bills Nos. 13, 14, and 29—have had the same under consideration, and report the same back, and recommend that they do pass as amended.

Also: Senate Bills Nos. 22, 30, and 49—have had the same under consideration, and report the same back, and recommend that they do not pass.

Also: Assembly Bill No. 235—have had the same under consideration, and report the same back, and recommend that it do pass

Also: Assembly Bills Nos. 87 and 348—have had the same under consideration, and report the same back, and recommend that they do pass as amended.

Also. Assembly Bill No. 270—have had the same under consideration, and report the same back, and recommend that it be referred to Committee on Ways and Means and Appropriations.

Also: Senate Bill No. 10—have had the same under consideration, and report the same back, and recommend that it do pass, with the recommendation that it take the place of Assembly Bill No. 194.

BRUNER, Chairman.

ON CHINESE IMMIGRATION AND EMIGRATION AND LABOR AND CAPITAL.

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1891.

MR. SPEAKER: Your Committee on Chinese Immigration and Emigration and Labor and Capital, to whom was referred Assembly Bill No. 9—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by amending section three thousand two hundred and forty-five, relating to eight hours being a legal day's work—have had the same under consideration, and report the same back with amendments, and recommend its passage as amended.

STELTZ, Chairman.

SPECIAL FILE.

Assembly Constitutional Amendment No. 1—A resolution to propose to the people of the State an amendment to the Constitution thereof, relative to the taxation of mortgages and deeds of trust.

Passed until Monday.

Assembly Constitutional Amendment No. 5—A resolution to propose to the people of the State of California an amendment to section thirty-four of article four of the Constitution of the State of California.

Passed until Monday.

Assembly Bill No. 308—An Act making an appropriation to pay the

deficiency in the appropriation for the salary of the Executive Secretary to the Governor, for the forty-first and forty-second fiscal years.

Read second time.

MOTION.

Mr. Dibble moved that the Assembly resolve itself into the Committee of the Whole, with the Speaker in the chair, for consideration of Assembly Bill No. 308.

Carried.

IN COMMITTEE OF THE WHOLE.

Speaker Coombs in the chair.

Assembly Bill No. 308 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Coombs in the chair.

The Speaker stated the report as follows:

REPORT OF COMMITTEE OF THE WHOLE.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 308—An Act making an appropriation to pay the deficiency in the appropriation for the salary of the Executive Secretary to the Governor, for the forty-first and forty-second fiscal years—and now report progress, and recommend that the same do pass.

Ordered engrossed and to a third reading.

RECESS.

At twelve o'clock and thirty minutes P. M., the hour of recess having arrived, the Assembly took a recess.

REASSEMBLED.

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

Speaker Coombs in the chair.

Quorum present.

REPORT OF COMMITTEE.

Mr. Clark presented an individual report as one of the Committee on Elections and Privileges.

Mr. Barnett of San Francisco moved that Mr. Clark reserve his report until the committee report.

Agreed to by Mr. Clark.

LEAVE OF ABSENCE.

Mr. Windrow was granted two days' leave of absence.

SPECIAL ORDER.

Assembly Constitutional Amendment No. 9—A resolution to propose an amendment to and providing for the repeal of sections twenty-two and twenty-three of article twelve of the Constitution, relative to a Board of Railroad Commissioners.

MOTION.

Mr. Dibble moved that the consideration of Assembly Constitutional Amendment No. 9 be deferred until next Monday, at two o'clock P. M.

The ayes and noes were demanded by Messrs. Dibble, Lowe, and Bruner.

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

AYES—Messrs. Ames, Barnett of San Francisco, Bert, Bruner, Clark, Cram, Culver, Daly, Dibble, Dow, Glynn, Hail, Harloe, Hayes, Hersey, Johnson, Jones, Lowe, Lux, Steltz, Sturtevant, Tennis, and Tully—23.

NOES—Messrs. Arms, Barnett of Sonoma, Baughman, Beecher, Bledsoe, Brown, Brusie, Bryant, Cargill, Carter, Doty, Dunn, Durner, Eakle, Estey, Fowler, Freeman, Galbraith, Gaiver, Gordon, Gould, Hawley, Hocking, Hunewill, Jackson, Kellogg, Lacey, Lynch, Marion, Martin, Mathews, McCall, Mordecai, Murnan, Murphy, Phillips, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Weston, Young, and Mr. Speaker—46.

MOTIONS.

Mr. Dibble moved that Assembly Constitutional Amendment No. 9 be indefinitely postponed.

Motion withdrawn by Mr. Dibble by consent of the House.

Mr. Dibble moved to postpone consideration of Assembly Constitutional Amendment No. 9 until next Tuesday, at two o'clock P. M.

The ayes and noes were demanded by Messrs. Dibble, Bledsoe, and Jackson.

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

AYES—Messrs. Barnard, Barnett of San Francisco, Barnett of Sonoma, Bert, Bruner, Brusie, Bryant, Clark, Culver, Dennis, Dibble, Dow, Hail, Harloe, Hayes, Hersey, Hoey, Johnson, Jones, Lowe, Lynch, McCall, Robertson, Steltz, Tully, Wentworth, Weston, and Young—28.

NOES—Messrs. Arms, Baughman, Beecher, Bledsoe, Brown, Cargill, Daly, Doty, Dunn, Durner, Eakle, Estey, Fowler, Freeman, Galbraith, Glynn, Gordon, Gould, Hawley, Hocking, Hunewill, Jackson, Kellogg, Lacey, Lux, Marion, Martin, Mathews, Mordecai, Murnan, Murphy, Renfro, Rice, Shanahan, Smith of Butte, Smith of Orange, Stabler, Sturtevant, Tennis, and Mr. Speaker—40.

Mr. Bruner moved that the consideration of Assembly Constitutional Amendment No. 9 be made a special order for next Wednesday, at two o'clock P. M.

Mr. Gould moved as an amendment that Assembly Constitutional Amendment No. 9 be made a special order for next Monday, at three o'clock P. M.

Mr. Clark moved as an amendment that the entire matter be referred to the Committee on Commissions.

Mr. Young moved the previous question, seconded by Messrs. Phillips and Hunewill.

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

The question recurring on Mr. Clark's amendment, it was lost.

The question then being on the amendment of Mr. Gould, it was carried.

The motion as amended was carried.

Assembly Joint Resolution No. 2—Relative to Sacramento River and adjoining lands, made a special order for next Thursday, at two o'clock.

MOTION.

Mr. Phillips moved that the majority report be printed.

Carried.

THIRD READING OF BILLS.

Assembly Bill No. 148 passed on file.

Mr. Galbraith in the chair.

Assembly Bill No. 139—An Act to provide for the levy and collection of taxes by and for school districts, except in municipal coporations of the first class.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Ames, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Bryant, Cargill, Carter, Clark, Culver, Cunningham, Dennis, Dibble, Doty, Dow, Dunn, Durner, Eakle, Estey, Fowler, Freeman, Galbraith, Glynn, Gordon, Gould, Hail, Harloe, Hawley, Hayes, Hersey, Hocking, Hoey, Hunewill, Johnson, Jackson, Jones, Kellogg, Lacey, Lewis, Marion, Martin, Mathews, McCall, Mordecai, Murman, Murphy, Phillips, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Wentworth, Weston, Young, and Mr. Speaker—66.

NOES—None.

Title read and approved.

Assembly Bill No. 31 passed on file.

Assembly Bill No. 318—An Act regulating the sale of the lands uncovered by the recession of the waters of inland lakes.

Mr. Clark asked that Assembly Bill No. 318 be recommitted to the Committee on Swamp and Overflowed and Public Lands.

So ordered.

REPORT OF COMMITTEE ON JUDICIARY—(OUT OF ORDER).

ASSEMBLY CHAMBER, SACRAMENTO, January 28, 1891.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Senate Constitutional Amendment No. 10—have had the same under consideration, and report the same back, and recommend that it do pass

BRUNER, Chairman.

THIRD READING OF BILLS—(RESUMED).

Substitute for Assembly Bill No. 50—An Act to amend an Act approved March 19, 1889, entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of the State, for the construction of waterworks, sewers, and all necessary public improvements, or for any purpose whatever; and to repeal the Act approved March 9, 1885, entitled 'An Act to authorize municipal corporations of the fifth class, containing more than three thousand and less than ten thousand inhabitants, to obtain waterworks;' also, to repeal an Act approved March 15, 1887, entitled 'An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State,'" approved March 19, 1889.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Brusie, Bryant, Cargill, Carter, Clark, Culver, Cunningham, Daly, Dennis, Dibble, Dow, Durner, Eakle, Estey, Fowler, Freeman, Galbraith, Glynn, Gordon, Gould, Hail, Harloe, Hawley, Hayes, Hersey, Hocking, Johnson, Jackson, Jones, Kellogg, Lacey, Lewis, Lowe, Lux, Marion, Martin, McCall, Mordecai, Murphy, Phillips, Renfro, Rice, Robertson, Smith of Butte, Smith of Orange, Stabler, Steltz, Tennis, Wentworth, and Young—60.

NOES—None.

Title read and approved.

Assembly Bill No. 112 passed on file.

Assembly Bill No. 36—An Act to add an additional section to the Political Code, to be numbered four thousand two hundred and fifty-nine, relating to the qualifications of District Attorney.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Barnett of San Francisco, Baughman, Beecher, Bledsoe, Brown, Bruner, Brusie, Bryant, Clark, Daly, Dennis, Dibble, Dow, Freeman, Galbraith, Glynn, Gordon, Gould, Hail, Harloe, Hawley, Hayes, Hersey, Johnson, Jackson, Jones, Kellogg, Lacey, Lewis, Lowe, Lux, Marion, Martin, Mathews, McCall, Mordecai, Murphy, Phillips, Renfro, Rice, Robertson, Smith of Butte, Smith of Orange, Stabler, Steltz, Tennis, Tully, and Young—48.

NOES—Messrs. Culver and Eakle—2.

Title read and approved.

Assembly Joint Resolution No. 10 passed on file.

Assembly Bill No. 68—An Act to amend an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Read third time.

MOTION.

Mr. Hersey moved that a select committee of one be appointed to make the following amendment:

Amend subdivision nine by adding at the end thereof the following:

Provided further, that the Board of Trustees shall have no power to incur an indebtedness for public improvements which shall in the aggregate exceed fifteen per cent of the assessed value of all the taxable real estate and personal property of said city, town, or municipal corporation.

Carried.

APPOINTMENT OF COMMITTEE.

Mr. Hersey was appointed by the Speaker a select committee of one to make said amendment.

REPORT OF COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1891.

MR. SPEAKER: Your Select Committee, to whom was referred Assembly Bill No. 68—An Act to amend an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883—with instructions to amend in accordance with the action of the House, would report that the instructions of the House have been carried out.

HERSEY, Committee.

Report adopted.

Assembly Bill No. 68 was ordered sent to the printer, and to retain its place on the file.

Assembly Bill No. 197—An Act to amend section two thousand six hundred and eighty-four of the Political Code of California.

Read third time.

The roll was called, and the bill was passed by the following vote:

AYES—Messrs. Arms, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Bruner, Brusie, Bryant, Daly, Dennis, Dibble, Doty, Dow, Dunn, Durner, Eakle, Estey, Fowler, Freeman Galbraith, Garver, Glynn, Gould, Hail, Harloe, Hawley, Hayes, Hersey, Hocking, Johnson, Jackson, Jones, Kellogg, Lewis, Lowe, Lux, Martin, Mathews, McCall, Mordecai, Murphy, Phillips, Renfro, Rice, Stabler, Steltz, Sturtevant, Tennis, Tully, Wentworth, Weston, and Young—54.

NOES—Mr. Robertson—1.

Title read and approved.

Assembly Bill No. 155—An Act to define the qualifications of persons performing labor for the State of California, and fixing a penalty for the violation thereof.

Read third time.

MOTION.

Mr. Baughman moved that a select committee of one be appointed to make the following amendment:

Add to section one, line three, after the word "States," "or has declared his intention to become a citizen of the United States"

Carried.

APPOINTMENT OF COMMITTEE.

Mr. Baughman was appointed by the Speaker a committee of one to make such amendment.

REPORT OF COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1891.

MR. SPEAKER: Your Select Committee, to whom was referred Assembly Bill No. 155—An Act to define the qualifications of persons performing labor for the State, and fixing a penalty for the violation thereof—with instructions to amend in accordance with the action of the House, would report that the instructions of the House have been carried out.

BAUGHMAN, Committee.

Report adopted.

Bill ordered sent to the printer, and to retain its place on the file.

Assembly Bill No. 102—An Act to amend section seven hundred and fifty-two of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, and the amendment thereto, approved March 19, 1889.

Read third time.

The roll was called, and the bill was passed by the following vote:

AYES—Messrs. Ames, Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Bert, Brown, Bruner, Brusie, Cargill, Carter, Clark, Culver, Daly, Dennis, Dow, Estey, Freeman, Galbraith, Garver, Hall, Harloe, Hawley, Hayes, Hoey, Johnson, Jones, Lacey, Lewis, Lowe, Lux, Marion, Martin, McCall, Murphy, Phillips, Smith of Butte, Smith of Orange, Steltz, Sturtevant, Tennis, Tully, Wentworth, Weston, and Young—46.

NOES—Messrs. Bledsoe, Bryant, Dibble, Doty, Durner, Eakle, Fowler, Gould, Hersey, Hocking, Jackson, Kellogg, Lynch, Mathews, Mordecai, Murnan, Rice, Shanahan, and Stabler—19.

Title read and approved.

Speaker Coombs in the chair.

Assembly Bill No. 211—An Act to increase the police force of the various cities, and cities and counties, of the State, and to provide for the appointment of such extra police officers, and for the payment of their salaries.

Read third time.

The roll was called, and the bill was passed by the following vote:

AYES—Messrs. Ames, Arms, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Brusie, Bryant, Cargill, Carter, Clark, Culver, Daly, Dennis, Dibble, Doty, Dow, Durner, Eakle, Estey, Freeman, Galbraith, Garver, Glynn, Gould, Hall, Harloe, Hawley, Hayes, Hersey, Hocking, Hoey, Johnson, Jackson, Jones, Kellogg, Lewis, Lowe, Lux, Lynch, Martin, Mathews, McCall, Mordecai, Murphy, Phillips, Rice, Robertson, Smith of Butte, Smith of Orange, Stabler, Steltz, Tennis, Tully, Wentworth, Weston, Young, and Mr. Speaker—62

NOES—None

Title read and approved.

Assembly Bill No. 199—An Act to add a new section to "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, to be known as section eight hundred and eighty-seven, relating to illegal salaries and fees.

Read third time.

Mr. Gould moved that Assembly Bill No. 199 be rereferred to the Committee on Judiciary.

Lost.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Ames, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Brusie, Bryant, Cargill, Carter, Culver, Daly, Dennis, Dibble, Dow, Durner, Eakle, Estey, Fowler, Freeman, Garver, Hall, Harloe, Hawley, Hayes, Hocking, Hoev, Hunewill, Johnson, Lewis, Lux, Lynch, Marion, Martin, Mathews, McCall, Murphy, Phillips, Smith of Butte, Smith of Orange, Steltz, Sturtevant, Tennis, Tully, Wentworth, Weston, and Mr. Speaker—50.

NOES—Messrs. Clark, Doty, Gould, Jackson, Kellogg, Mordecai, Murnan, Renfro, Rice, Robertson, Shanahan, Stabler, and Young—13.

Title read and approved.

Assembly Bill No. 209—An Act to authorize cities of not less than twenty-six thousand nor more than thirty thousand inhabitants to vote upon the question of paying indebtedness incurred in the years eighteen hundred and eighty-nine and eighteen hundred and ninety.

MOTION.

Mr. Bruner moved that a select committee of one be appointed to make the following amendment:

Amend by inserting after the word "city," in line five of printed bill, the words: "contracted in the years eighteen hundred and eighty-nine and eighteen hundred and ninety."

Carried.

APPOINTMENT OF COMMITTEE.

Mr. Bruner was appointed by the Speaker a select committee to make said amendment.

REPORT OF SELECT COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1891.

MR. SPEAKER: Your Select Committee, to whom was referred Assembly Bill No. 209—An Act to authorize cities of not less than twenty-six thousand nor more than thirty thousand inhabitants, to vote upon the question of paying indebtedness incurred in the years 1889 and 1890—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.

BRUNER, Select Committee.

Report adopted.

The bill was ordered sent to the printer, and to retain its place on the file.

REPORT OF STANDING COMMITTEE.

ON COMMERCE AND NAVIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1891.

MR. SPEAKER: Your Committee on Commerce and Navigation, to whom was referred Assembly Bill No 278—and without recommendation ask that it be referred to the Committee on Ways and Means and Appropriations.

PHILLIPS, Chairman.

Assembly Bill No. 278 referred to Committee on Ways and Means and Appropriations.

INTRODUCTION OF BILLS—(OUT OF ORDER).

By Mr. Brusie: Assembly Bill No. 574—An Act to amend section five of the Political Code.

Referred to Committee on Public Printing.

Also: Assembly Bill No. 575—An Act to amend sections three hundred and thirty-two, three hundred and thirty-three, three hundred and thirty-four, and three hundred and thirty-five of the Political Code.

Referred to Committee on Public Printing.

Mr. Lynch moved to suspend the rules for the purpose of introducing a bill out of order.

Carried.

By Mr. Lynch: Assembly Bill No. 576—An Act to amend sections one thousand five hundred and seventy-seven, one thousand five hundred and seventy-eight, and one thousand five hundred and seventy-nine of the Code of Civil Procedure, relating to mortgages and leases in certain cases.

Referred to Committee on Judiciary.

Mr. Murphy moved that the rules be suspended for the purpose of introducing a bill out of order.

Carried.

By Mr. Murphy: Assembly Bill No. 577—An Act to amend section two of an Act entitled "An Act to advance learning, the arts and sciences, and to promote the public welfare by providing for the conveyance, holding, and providing of property, and the creation of trusts for the founding, endowment, erection, and maintenance within this State of universities, colleges, schools, seminaries of learning, mechanical institutes, museums, and galleries of art," approved March 9, 1885.

Referred to Committee on Education.

ADJOURNMENT.

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

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Friday, January 30, 1891.

The Assembly met pursuant to adjournment.

Speaker Coombs in the chair.

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

Messrs Alexander, Ames, Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Brusie, Bryant, Cargill Carter, Clark, Cram, Culver, Cunningham, Daly, Dennis, Dibble, Doty, Dow, Dunn, Durner, Eakle, Estey, Fowler, Freeman, Galbraith, Garver, Glynn, Gordon, Gould, Hail, Harloe, Hawley, Hayes, Hersey, Hocking, Hoey, Hunewill, Johnson, Jackson, Jones,

Kellogg, Lacey, Lewis, Lowe, Lux, Lynch, Marion, Martin, Mathews, McCall, Mordecai, Murnan, Murphy, Phillips, Renfro, Rice, Robertson, Shanahan, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Tully, Wentworth, Weston, Young, and Mr. Speaker.

Quorum present.

LEAVE OF ABSENCE.

Messrs. Smith of Butte, Matlock, and Coffey were granted leave of absence for the day.

PRAYER.

Prayer by the Chaplain, Rev. A. C. Herrick.

READING OF THE MINUTES.

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

So ordered.

PRESENTATION OF PETITION.

Mr. Gould presented two petitions from the citizens of Mariposa County, to appropriate money for a free road into Yosemite Valley.

Referred to Committee on Roads and Highways.

Also: A petition of citizens of Mariposa County for a new agricultural district, comprising Merced and Mariposa Counties alone.

Referred to Committee on Agriculture and Forestry.

RESOLUTION.

By Mr. Gould:

WHEREAS, There has appeared in the San Francisco "Evening Post" of January 29, 1891, the following statement of an interview with Mayor Glascock of the city of Oakland, referring to this Assembly:

"Why," he said, "we were not in it for a moment. Those fellows have got to be paid or the bill will not be passed. I am satisfied of that. To talk about any other influence with them is the worst sort of nonsense. If we were to center all of our forces and do our best, we couldn't get that crowd to adopt the Lord's prayer, unless they saw boodle in it."

And whereas, it has been recently stated in a late paper that W. W. Camron, of Oakland, has said that no electric bills could be passed without fixing this Legislature, also referring to this Assembly; be it

Resolved, That a committee of three members of this House be appointed, with full power to subpœna witnesses, and to compel their attendance before them, to examine witnesses under oath, and to thoroughly investigate the truth of these charges, as well as any others of a like character in regard to this Assembly That said Mayor Glascock and said W W Camron be summoned to appear before said committee and give what information they have concerning said charges, or any other knowledge they may have in the matter, and to report the result of their investigation at as early a date as possible to this Assembly.

MOTION.

Mr. Shanahan moved that the resolution be adopted.

Carried.

APPOINTMENT BY THE SPEAKER.

The Speaker appointed Messrs. Gould, Murphy, and Sturtevant the committee on investigation of the charges made in the resolution.

REPORTS OF STANDING COMMITTEES.

ON CLAIMS.

ASSEMBLY CHAMBER, SACRAMENTO, January 30, 1891.

MR. SPEAKER: Your Committee on Claims, to whom was referred Assembly Bill No. 438—An Act to pay the claim of James W. Rankin for services in the office of the State Treasurer of California, and appropriate money therefor—report the same back, and recommend that it do pass.

AMES, Chairman.

Assembly Bill No. 438 referred to Committee on Ways and Means and Appropriations.

ON COUNTY AND TOWNSHIP GOVERNMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1891.

MR. SPEAKER: Your Committee on County and Township Governments, to whom was referred Assembly Bill No. 317—An Act to amend section one hundred and ninety-seven of an Act entitled "An Act to establish a uniform system of county and township governments"—report the same back with amendments, and recommend its passage as amended.

Also: Assembly Bill No. 336—report the same back, and recommend that inasmuch as said bill contemplates a provision for dividing counties, it properly belongs to the Committee on Counties and County Boundaries, and recommend that it be re-referred to said committee.

BROWN, Chairman.

Assembly Bill No. 336 referred to Committee on Counties and County Boundaries.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 30, 1891.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Assembly Bill No. 218—An Act to amend section three thousand and sixty-four of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to Boards of Health.

Also. Assembly Bill No. 333—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, and also since the passage of the Act entitled "An Act to provide for the classification of municipal corporations," approved March 2, 1883.

Also: Assembly Bill No. 19—An Act limiting the time in which an action to set aside, annul, or vacate the charter of any city, city and county, or town, can be maintained, to six months.

Report the same back, and recommend their passage.

Also: Senate Bill No. 7—An Act to amend an Act entitled "An Act to provide for the completion of all unfinished county, city, city and county, town, and township buildings in the several counties, cities and counties, cities, and towns throughout the State of California," approved March 10, 1887—report the same back, and recommend that it do pass.

WENTWORTH, Chairman.

ON COMMISSIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 30, 1891.

MR. SPEAKER: Your Committee on Commissions, to whom was referred the Governor's message, transmitted to this House on yesterday, have had the same under consideration, and beg leave to report as follows: Recognizing the wisdom and economy of the suggestions made in said message, we have prepared the bills necessary to meet the advice of the Governor, and have submitted the same to this House.

BRUSIE, Chairman.

ON WAYS AND MEANS AND APPROPRIATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 30, 1891.

MR SPEAKER: Your Committee on Ways and Means and Appropriations, to whom was referred Assembly Bills Nos. 408, 409, 410 412, 413, 418, 419, and 423—report the same back, and recommend that they do pass.

DIBBLE, Chairman.

ON STATE CHARITABLE AND REFORMATORY INSTITUTIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 30, 1891.

MR. SPEAKER: Your Committee on State Charitable and Reformatory Institutions, to whom was referred Assembly Bill No. 233—An Act to authorize and direct the sale of the site and buildings of the California Home for the Care and Training of Feeble-Minded Children, in Santa Clara County—report the same back, and recommend that it do pass

Also: Assembly Bill No. 37—An Act to amend an Act entitled "An Act to provide a State Hospital and Asylum for Miners," approved March 14, 1881, by amending section five, relating to the annual payment of fees by miners, also relating to life membership—report the same back, and recommend that it do not pass.

Also: Assembly Bill No. 491—An Act to provide a permanent site for the California State Hospital and Asylum for Miners, to erect suitable buildings thereon, and making an appropriation therefor—report the same back without recommendation, and ask that it be referred to the Ways and Means and Appropriations Committee.

Also: Ask for further time to consider Assembly Bills Nos. 120, 41, 234, 264, and 117.

MARION, Chairman.

Assembly Bill No. 491 referred to Committee on Ways and Means and Appropriations.

ON CHINESE IMMIGRATION AND EMIGRATION AND LABOR AND CAPITAL.

ASSEMBLY CHAMBER, SACRAMENTO, January 30, 1891.

MR. SPEAKER: Your Committee on Chinese Immigration and Emigration and Labor and Capital, to whom was referred Assembly Bill No. 304—An Act to give preference to honorably discharged Union soldiers upon all public works and all public departments of this State.

Also: Assembly Bill No. 180—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 in their preparation.

Also: Assembly Bill No. 440—An Act to amend section one thousand nine hundred and seventy of the Civil Code of the State of California, relating to the liability of employers.

Report the same back, and recommend that they do pass.

STELTZ, Chairman.

ON PUBLIC BUILDINGS AND GROUNDS.

ASSEMBLY CHAMBER, SACRAMENTO, January 30, 1891.

MR. SPEAKER: Your Committee on Public Buildings and Grounds, to whom was referred Assembly Bill No. 490—An Act to grant a right of way to Patrick Monahan over the site of the Feeble-Minded Home—report the same back, and recommend that the author be allowed to withdraw the same.

HERSEY, Chairman.

ON PUBLIC MORALS.

ASSEMBLY CHAMBER, SACRAMENTO, January 30, 1891.

MR. SPEAKER: Your Committee on Public Morals, to whom was referred Assembly Bill No. 287—An Act to amend section six hundred and forty-seven of the Penal Code, relating to vagrants—report the same back, and recommend that it do pass.

CARGILL, Chairman.

ON ELECTIONS AND PRIVILEGES.

ASSEMBLY CHAMBER, SACRAMENTO, January 30, 1891.

MR. SPEAKER: Your Committee on Elections and Privileges, to whom was referred the contested election case of Campbell vs. Eakle, have had the same under consideration, and find that the testimony in this case establishes conclusively the following material facts:

1. The official returns give Eakle one thousand seven hundred and sixty-two votes, and Campbell one thousand seven hundred and thirty-nine votes; that there were fifty-five persons counted as having voted at Willows, precincts one and two, who in fact did not vote, and many of whom testified they were not at or near the polls on election day. The indisputable returns from these two precincts show that the contestant Campbell received only ten votes out of three hundred and eighty-four votes cast, and that respondent Eakle received the balance, three hundred and seventy-four votes. We find that there were fifty-five votes improperly and illegally cast and counted in these two precincts.

2. Assuming that all the votes Campbell received in these two precincts were improper and illegal, it would still leave forty-five improper and illegal votes to the credit of respondent Eakle. From the official returns (in which the entire fifty-five votes are counted), it appears that Eakle's majority is twenty-three. After deducting

forty-five votes from Eakle's one thousand seven hundred and sixty-two, it leaves him with one thousand seven hundred and seventeen votes to his credit, and leaves the contestant Campbell with a majority of all votes cast, and we respectfully report this matter back, and recommend that the contestant J. C. Campbell be declared legally elected a member of this Assembly.

A. T. BARNETT, Chairman.

CONCURRING REPORT.

I concur in the majority report of the committee, and reach my conclusion as follows:

As one member of your committee, I find the following facts in the contested case of Campbell vs. Eakle:

First—The official returns give Eakle one thousand seven hundred and sixty-two votes, and Campbell one thousand seven hundred and thirty-nine votes

Second—There is a fair preponderance of evidence that there were fifty-five persons counted as having voted at Willows, precincts numbers one and two, who, in fact, did not vote, or if they did vote, the persons voting were not the persons upon the register who were entitled to vote.

Third—The returns from precincts one and two, which are not disputed, show that Campbell received only ten votes in the two precincts all told. Hence, it follows that Mr. Eakle was credited with forty-five illegal votes and Campbell ten illegal votes, assuming that Campbell's votes were all illegal.

Fourth—After this accounting for and disposing of the fifty-five illegal votes, and deducting Mr. Eakle's twenty-three majority from forty-five, it gives Mr. Campbell twenty-two majority of all the votes cast, and entitles him to his seat in this body.

Fifth—This member of your committee is of the opinion, from the testimony taken at the hearing, that the friends of the contestant, and also of Mr. Eakle, were more zealous in behalf of their respective candidates than is consistent with the public good, or the purity and freedom of the ballot, which zeal was not so much on account of personal regard or admiration of the statesmanship of the respective candidates, but arose from a desire of the citizens in the northern part of the county to have the county divided, while in the southern and western part of the county the opinion seemed to be general that the county should not be divided

Sixth—This question seemed to be a prolific source of strife and ill feeling, and was the prime cause of the fraud proven, as it was also the cause of much fraud and intimidation not proven, to the extent that I could consider it. This spirit of bitterness and suspicion seems to have followed the contestant and respondent into the committee room, and to have caused the contestant or his friends to indirectly intimate upon the floor of this House that the members of this committee were not doing their duty to him, but were actuated by improper motives, and were generally derelict in their duty. I, for one, of the committee, do not approve of the "Colusa method" of determining an election, or election contest, and I feel confident that if Colusa County was divided, that a most prolific source of corruption and fraud would be removed from the politics of that county.

Seventh—While it is clear that Mr Campbell is entitled to his seat, there is no evidence whatever that any member of the Boards of Election in precincts one and two were willfully or knowingly guilty of fraud, as the returns are regular on their face, and no witness testified to any matter or thing that the gentlemen constituting the Boards of Election in precincts one and two were other than upright gentlemen and representative citizens; unless it be, they were criminally negligent in the discharge of their duty.

Eighth—In conclusion, I desire to say that the only illegal matter or thing shown by the testimony is, that either fifty-five votes were cast by persons not entitled to cast the same, or those votes were in some way added to the tally sheets without authority of the law. As to who thus added those votes, or who the persons were that personated others and voted their names, I have no means of knowing. Neither is it material to be considered here, as the fact is practically indisputable that there were fifty-five votes counted that are not votes in law, and with these votes not counted, Mr. Campbell received a majority of all the votes cast, and should be seated

CLARK, of the Committee.

I concur in the majority report of the committee for the reasons given in the opinion of Mr. Clark.

CRAM.

RESOLUTION.

By Mr. Bledsoe:

Resolved, That J. C. Campbell, the contestent in the election contest of Campbell vs. Eakle, is hereby entitled to a seat in this Assembly as an Assemblyman, representing the Tenth Assembly District of the State of California, and that the said Eakle is not entitled thereto, and it is hereby ordered that the said J. C Campbell be and he is hereby seated as a member of this House, from said Tenth Assembly District, instead of the said H. P. Eakle.

MOTION.

Mr. Shanahan moved that the report of the Committee on Elections and Privileges be printed, together with the minority report, and the

resolution by Mr. Bledsoe be entered in the Journal and come up for consideration under the head of Reports of Committees to-morrow.

Mr. Dibble moved as an amendment that the time for consideration be set for two o'clock P. M., Monday, February second, which was accepted by Mr. Shanahan.

Mr. Bledsoe moved as an amendment that the whole matter be made a special order for Monday, February second, immediately after the reading of the Journal.

Lost.

Motion as amended carried.

ON VINICULTURE, VITICUTURE, AND HORTICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, January 30, 1891.

MR. SPEAKER: Your Committee on Viniculture, Viticulture, and Horticulture, to whom was recommitted Assembly Bill No. 64—An Act to amend an Act entitled "An Act to protect and promote horticultural interests of the State," approved March 14, 1881, as amended by chapter two hundred and sixty-five of the laws of 1889, approved March 19, 1889—report the same back, and recommend that same do pass as it was received by the committee.

JOHN J. SMITH, Chairman.

RESOLUTIONS—(OUT OF ORDER).

By Mr. Galbraith:

WHEREAS, Nearly five hundred thousand dollars have been appropriated for the compilation and manufacture of State text-books; and whereas, bills are pending before this Legislature for still further appropriations for the same purpose; and whereas, it is reported that the outgoing Superintendent of State Printing printed editions of said text-books regardless of the orders of the State Board of Education, and in some cases largely in excess of demands, and whereas, the said State Board of Education, at its meeting held December 27, 1890, passed a resolution recommending the Legislature to pass a law forbidding the State Printer to print any editions of said books unless first ordered by the State Board of Education or its Secretary, therefore,

Resolved, That a special committee of three be appointed by the Speaker, whose duty it shall be to examine into all matters concerning the compilation and manufacture of State text-books, and report to this Assembly the amount of money appropriated for the various purposes, the amount expended, the number of books manufactured, and the cost of the same, the number of books sold and the amount of money turned into the State School Book Fund from such sales; the amount of money expended from said fund for the manufacture of additional books, the losses, if any, that have been caused by the sale of books at less than cost; the balance of money now on hand, and outstanding obligations contracted by the Superintendent of State Printing for material, or by the State Board of Education for compilation, and to report within twenty days, to the end that this Assembly may become better informed upon the subject of State school books and the manufacture and sale thereof.

Ordered printed in the Journal, and laid over.

By Mr. Barnard:

Resolved, That the Sergeant-at-Arms be authorized to provide a bulletin board sufficient in size and properly lettered, that the meetings of the several committees may be properly bulletined, giving number of room or place assigned, and the day and hour of meetings, the same to be paid for out of the Contingent Fund of the Assembly.

Adopted.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, January 29, 1891.

MR SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Senate Bill No. 154—An Act authorizing school districts, cities, cities and counties, or incorporated towns in the State of California to furnish the pupils of their respective public schools with free use of school text-books.

F. J. BRANDON, Secretary.

Senate Bill No. 154 referred to Committee on Education.

Also:

SENATE CHAMBER, SACRAMENTO, January 30, 1891.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the twenty-ninth day of January, 1891, adopted the following:

Assembly Joint Resolution No. 1—Relating to a public building at Eureka.

Also: Assembly Joint Resolution No. 5—Relative to the erecting of a gun factory at Benicia for finishing and assembling high power guns.

J. BRANDON, Secretary.
By J. C. BOATMAN, Assistant Secretary.

INTRODUCTION OF BILLS.

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

By Mr. Bert: Assembly Bill No. 578—An Act to create the office of Attorney for the State Board of Health and the Board of Health of the City and County of San Francisco.

Referred to San Francisco Delegation.

By Mr. Gordon: Assembly Bill No. 579—An Act to form Riverside County, classify it, define its boundaries, provide for its organization, and the appointment and election of officers, the location of a county seat by election, and the adjustment and fulfillment of certain rights and obligations arising between such county and certain other counties.

Referred to Committee on Counties and County Boundaries.

MOTION.

Mr. Sturtevant moved that Assembly Bill No. 83 be referred to the Committee on State Charitable and Reformatory Institutions.

So ordered.

Mr. Hail in the chair.

INTRODUCTION OF BILLS—(RESUMED).

By Mr. Gould: Assembly Bill No. 580—An Act to amend sections one hundred and nineteen and one hundred and twenty of an Act entitled "An Act to establish a uniform system of county and township governments."

Referred to Committee on Judiciary.

Also: Assembly Bill No. 581—An Act to amend an Act entitled "An Act to establish a Political Code of the State of California," approved March 12, 1872, relating to the duties of County Treasurers.

Referred to Committee on Judiciary.

By Mr. Coombs: Assembly Bill No. 582—An Act to amend section five hundred and thirty of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the office of Superintendent of State Printing, and providing for the election of such officer.

Referred to Committee on Judiciary.

By Mr. Shanahan: Assembly Bill No. 583—An Act repealing sections seven hundred and seventy-eight, seven hundred and seventy-nine, seven hundred and eighty, seven hundred and eighty-one, and seven hundred and eighty-two of the Political Code, relating to the printing of decisions of the Supreme Court.

Referred to Committee on Judiciary.

By Mr. Beecher: Assembly Bill No. 584—An Act to provide for the appointment of an Inspector of Live Stock in each county of this State, to fix his compensation, and to prevent the spread of glanders, farcy, and other infectious or contagious diseases among live stock, and fixing a penalty for the using, keeping, buying, or selling of any animal infected with glanders, farcy, or other infectious or contagious disease.

Referred to Committee on Agriculture and Forestry.

By Mr. Alexander: Assembly Bill No. 585—An Act to amend the Code of Civil Procedure, by adding thereto a new section, to be numbered and known as section nine hundred and twenty-seven, prohibiting any one except regularly admitted attorneys from practicing law in Justice Courts in any incorporated city or town in this State.

Referred to Committee on Judiciary.

By Committee on Irrigation: Assembly Bill No. 586—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, by amending sections eighteen, twenty-four, twenty-five, and twenty-six thereof, relating to the assessment of property and the collection of such assessments.

Ordered placed on first reading file.

By Mr. Lacey: Assembly Bill No. 587—An Act for the protection of consumers of canned and packed products.

Referred to Committee on Chinese Immigration and Emigration and Labor and Capital.

RESOLUTION—(OUT OF ORDER).

By Mr. Mathews:

Resolved, That the Speaker of this House call a meeting of the Chairmen of all committees, that the time of their regular meetings may be had without conflict, as at present.

Adopted.

By Mr. Hawley:

Resolved, That the State Printer be requested to reprint three hundred copies of Assembly Bill No. 240.

Adopted.

MOTION.

Mr. Dibble moved that when the House adjourn, it will adjourn to meet at ten o'clock A. M. to-morrow; that after recess to-morrow no bills shall be read or considered except upon the first reading.

Carried.

RECESS.

At twelve o'clock and thirty minutes P. M., the hour for recess having arrived, the Assembly took a recess until two o'clock.

REASSEMBLED.

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

Speaker Coombs in the chair.

SPECIAL ORDERS.

Assembly Bill No. 119—An Act to amend the Political Code of the State of California, by adding thereto a new section, in relation to reassessments of property in cases where a former assessment is invalid.

MOTION.

Mr. Bledsoe moved to amend as follows:

After the word "stated," in line seventeen of printed substitute, insert the following: "Several causes of action for different years may be united in the same complaint and in one count thereof."

Adopted.

Mr. Shanahan moved to amend as follows:

Amend by inserting in line thirty, between the word "such" and the word "corporation," the words "person or."

Adopted.

Also, amend by inserting in line thirty-eight of the printed substitute, between the word "corporation" and the word "such," the words "person or."

Adopted.

MOTION.

Mr. Dibble moved that Assembly Bill No. 119 be printed as amended, and be made a special order for next Wednesday, at two o'clock P. M.

Carried.

SPECIAL FILE.

Assembly Constitutional Amendment No. 1 passed on file.

Assembly Constitutional Amendment No. 5 passed on file.

SENATE CONSTITUTIONAL AMENDMENT No. 10.

An Act to submit to the people of the State of California an amendment to section two, article four, of the Constitution of the State of California.

The Legislature of the State of California, at its twenty-ninth session, commencing on the fifth day of January, A. D. eighteen hundred and ninety-one, two thirds of all the members elected to each House of said Legislature voting in favor thereof, hereby propose that section two, of article four, Legislative Department of the Constitution of the State of California, be amended so as to read as follows:

ARTICLE IV.

SECTION 2. The sessions of the Legislature shall commence at twelve o'clock M., on the first Monday after the first day of January next succeeding the election of its members, and shall be biennial, unless the Governor shall, in the interim, convene the Legislature by proclamation. No pay shall be allowed to members for a longer period than one hundred days, and no bill shall be introduced in either House after the expiration of sixty days from the commencement of each session, without the consent of two thirds of the members thereof.

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

AYES—Messrs. Alexander, Ames, Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bledsoe, Brown, Bruner, Brusie, Bryant, Cargill, Carter, Clark, Culver, Cunningham, Daly, Dibble, Doty, Dow, Dunn, Durner, Eakle, Estey, Fowler, Freeman, Galbraith, Garver, Glynn, Gordon, Gould, Harloe, Hawley,

Hayes, Hersey, Hocking, Hoey, Johnson, Kellogg, Lacey, Lowe, Lux, Marion, Martin, Mathews, McCall, Murnan, Phillips, Rice, Robertson, Shanahan, Smith of Orange, Stabler, Tennis, Wentworth, Weston, and Young—59.

NOES—Messrs. Hail, Jackson, Mordecai, Renfro, and Mr. Speaker—5.

PRESENTATION OF PETITION.

By Mr. Gould: A petition from the residents of Mariposa County in reference to the construction of a free wagon road from the town of Mariposa to the Yosemite Valley.

Referred to Committee on Roads and Highways.

THIRD READING OF BILLS.

Assembly Bill No. 148 passed on file.

Assembly Bill No. 31 passed on file.

Assembly Bill No. 112 passed on file.

Assembly Joint Resolution No. 10—Relative to the fostering of American shipping.

The question being upon the adoption of the resolution.

The ayes and noes were demanded by Messrs. Barnett, Carter, and Hunewill.

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

AYES—Messrs. Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bledsoe, Brown, Bruner, Bryant, Cargill, Carter, Clark, Culver, Daly, Dennis, Dibble, Dow, Durner, Estey, Fowler, Freeman, Galbraith, Glynn, Hail, Harloe, Hawley, Hayes, Hersey, Hocking, Hoey, Hunewill, Johnson, Jackson, Lacey, Lowe, Lux, Lynch, Marion, Martin, McCall, Mordecai, Murphy, Phillips, Shanahan, Smith of Orange, Steltz, Tennis, Wentworth, Weston, Young, and Mr. Speaker—51.

NOES—Messrs. Alexander, Arms, Cunningham, Doty, Gould, Mathews, Murnan, Renfro, Rice, Robertson, and Stabler—11.

Mr. Shanahan gave notice that to-morrow he will move for a reconsideration of the vote by which Assembly Joint Resolution No. 10 passed.

Assembly Bill No. 68 passed on file.

Assembly Bill No. 155 passed on file.

Assembly Bill No. 209 passed on file.

Assembly Bill No. 214—An Act to amend section eight hundred and seventy-four of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Ames, Arms, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bledsoe, Brown, Bruner, Brusie, Cargill, Carter, Clark, Culver, Daly, Dennis, Dow, Dunn, Durner, Eakle, Estey, Freeman, Galbraith, Garver, Gordon, Gould, Hail, Harloe, Hayes, Hersey, Hocking, Hoey, Hunewill, Johnson, Jackson, Kellogg, Lowe, Lux, Lynch, Marion, Martin, Mathews, McCall, Murnan, Murphy, Phillips, Renfro, Rice, Robertson, Stabler, Steltz, Tennis, Wentworth, Young, and Mr. Speaker—55.

NOES—None.

Title read and approved.

Assembly Bill No. 215—An Act to amend section seven hundred and seventy-seven of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Ames, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Brown, Bruner, Brusie, Bryant, Cargill, Carter, Clark, Culver, Dennis, Doty, Dow, Dunn, Durner, Estey, Fowler, Freeman, Galbraith, Garver, Gordon, Gould, Hail, Harloe, Hayes, Hersey, Hocking, Hoey, Hunewill, Johnson, Jackson, Lowe, Lux, Lynch, Marion, Martin, Mathews, McCall, Mordecai, Murnan, Murphy, Phillips, Renfro, Rice, Robertson, Shanahan, Stabler, Steltz, Tennis, Wentworth, Young, and Mr. Speaker—56.
NOES—None.

Title read and approved.

Assembly Bill No. 138—An Act to provide for the levy and collection of taxes by and for the use of municipal corporations, and cities incorporated under the laws of the State, excepting municipal corporations of the first, second, third, and fourth classes.

Read third time.

Mr. Galbraith moved that Assembly Bill No. 138 be passed until next Tuesday, retaining its place on file.

Lost.

Bill passed on file.

Assembly Bill No. 16—An Act to prevent the sale of intoxicating liquors to minor children.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Ames, Barnard, Barnett of Sonoma, Baughman, Beecher, Bledsoe, Brown, Brusie, Bryant, Cargill, Carter, Cram, Culver, Daly, Dennis, Dibble, Doty, Dow, Dunn, Eakle, Estey, Fowler, Freeman, Galbraith, Garver, Glynn, Gordon, Gould, Hail, Harloe, Hawley, Hayes, Hersey, Hocking, Hunewill, Jackson, Kellogg, Lacey, Lowe, Lux, Lynch, Marion, Martin, Mathews, Mordecai, Murnan, Phillips, Rice, Robertson, Shanahan, Smith of Orange, Stabler, Steltz, Tennis, Weston, Young, and Mr. Speaker—57.
NOES—Mr. Clark—1.

Title read and approved.

Assembly Bill No. 51—An Act relating to District Attorneys, their assistants and clerks, in counties and cities and counties having a population of more than one hundred and twenty-five thousand.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Ames, Barnard, Barnett of San Francisco, Barnett of Sonoma, Brown, Bruner, Brusie, Cargill, Carter, Clark, Cram, Culver, Cunningham, Daly, Dennis, Dibble, Doty, Dow, Dunn, Eakle, Estey, Fowler, Freeman, Garver, Glynn, Gould, Hail, Harloe, Hawley, Hayes, Hersey, Hocking, Hoey, Hunewill, Jackson, Kellogg, Lacey, Lowe, Lux, Lynch, Marion, Martin, Mathews, Mordecai, Murnan, Murphy, Rice, Smith of Orange, Steltz, Tennis, and Young—52.
NOES—Messrs. Baughman, Beecher, Bledsoe, Gordon, Renfro, Shanahan, Stabler, and Mr. Speaker—8.

Title read and approved.

Assembly Bill No. 174 passed on file.

APPOINTMENTS.

The following appointments were made by the Speaker:

Third Assistant Journal Clerk—Jas. J. McCarthy.
Assistant Engrossing Clerk—Wm. Guiry.
Watchman—William Sampson.

THIRD READING OF BILLS—(RESUMED).

Assembly Bill No. 135—An Act to establish a State Weather and Crop Service in the State of California, for the purpose of coöperating with the Signal Service of the United States in the collection of climatic data, and publishing the same, for disseminating more speedily and thoroughly the United States Signal Service weather forecasts, storms, and frost warnings, for the benefit of the citizens of this State, and to establish in each county one or more meteorological stations.

Read third time.

MOTION.

Mr. Lacey moved that the enacting clause be stricken out.

The ayes and noes were demanded by Messrs. Jackson, Culver and McCall.

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

AYES—Messrs. Barnard, Baughman, Carter, Hocking, Lacey, and Mr. Speaker—6.

NOES—Messrs. Alexander, Ames, Arms, Barnett of San Francisco, Barnett of Sonoma, Beecher, Bledsoe, Brown, Bruner, Brusie, Bryant, Cargill, Clark, Cram, Culver, Cunningham, Dennis, Doty, Dunn, Durner, Eakle, Estey, Fowler, Freeman, Galbraith, Garver, Glynn, Gordon, Gould, Hail, Harloe, Hawley, Hunewill, Johnson, Jackson, Kellogg, Lowe, Lux, Lynch, Marion, Mathews, McCall, Mordecai, Murnan, Murphy, Phillips, Renfro, Rice, Robertson, Shanahan, Smith of Orange, Stabler, Steltz, Tennis, Wentworth, Weston, and Young—57.

MOTION.

Mr. Barnard moved to refer Assembly Bill No. 135 to the Committee on Ways and Means and Appropriations.

Mr. Dibble in the chair.

Motion lost.

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

AYES—Messrs. Alexander, Ames, Arms, Barnett of San Francisco, Beecher, Bledsoe, Brown, Bruner, Brusie, Culver, Dennis, Doty, Dunn, Estey, Fowler, Freeman, Gordon, Gould, Hail, Hawley, Hunewill, Johnson, Jackson, Kellogg, Lowe, Lynch, Marion, Mathews, McCall, Mordecai, Renfro, Rice, Robertson, Smith of Orange, Steltz, Tennis, and Wentworth—37

NOES—Messrs. Barnard, Barnett of Sonoma, Baughman, Bryant, Cargill, Carter, Clark, Cram, Cunningham, Durner, Eakle, Galbraith, Garver, Harloe, Hersey, Hocking, Lacey, Lux, Martin, Murnan, Murphy, Phillips, Shanahan, Stabler, Weston, and Young—26.

Assembly Bill No. 49—An Act to provide for estimating the cost and selling price of the State text-books.

Read third time.

MOTION.

Mr. Galbraith moved that this bill be made a special order for next Friday, at two o'clock P. M.

Lost.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Ames, Arms, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bledsoe, Brown, Bruner, Brusie, Bryant, Carter, Clark, Culver, Daly, Dennis, Dibble, Doty, Dow, Dunn, Eakle, Estey, Fowler, Freeman, Galbraith, Garver, Glynn, Gould, Harloe, Hawley, Hersey, Hocking, Hoey, Hunewill, Johnson, Jackson, Kellogg, Lowe, Lynch, Marion, Martin, Mathews, McCall, Mordecai, Murnan, Murphy, Renfro, Rice, Robertson, Stabler, Steltz, Tennis, Wentworth, Weston, Young, and Mr. Speaker—57.

NOES—Messrs. Barnard, Cargill, Cunningham, Hail, Phillips, and Smith of Orange—6.

Title read and approved.

Mr. Clark gave notice that to-morrow he will move a reconsideration of the vote whereby this bill was passed.

INTRODUCTION OF BILL—(OUT OF ORDER).

By Mr. Bruner: Assembly Bill No. 588—An Act to amend section one thousand nine hundred and sixty-two of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, to be known as subdivision eight, relating to what is deemed conclusive presumptions.

Referred to Committee on Judiciary.

MOTION.

Mr. Lowe moved that when this House adjourns to-day, it adjourn out of respect to the memory of Hon. Wm. Windom, late Secretary of the United States Treasury.

Carried.

ADJOURNMENT.

At four o'clock and forty minutes P. M., on motion Mr. Shanahan, the House adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Saturday, January 31, 1891.

The Assembly met pursuant to adjournment.

Speaker Coombs in the chair.

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

Messrs. Arms, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bledsoe, Bruner, Carter, Clark, Coffey, Culver, Cunningham, Dennis, Dibble, Doty, Dow, Dunn, Durner, Eakle, Estey, Fowler, Freeman, Galbraith, Garver, Gordon, Gould, Hail, Harloe, Hawley, Hersey, Hocking, Hunewill, Johnson, Kellogg, Lacey, Lowe, Lynch, Marion, Martin, Mathews, McCall, Mordecai, Murnan, Murphy, Phillips, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Wentworth, Weston, Young, and Mr. Speaker.

Quorum present.

LEAVE OF ABSENCE.

The following named members were granted leave of absence for the day: Messrs. Daly, Glynn, Tully, Jones, Lewis, Jackson, Matlock, Alexander, Bryant, Brusie, Ames, Bert, Lux, and Carter.

PRAYER.

Prayer by the Chaplain, Rev. A. C. Herrick.

READING OF THE JOURNAL.

On motion of Mr. Hawley, further reading of the Journal was dispensed with.

Journal corrected and approved.

Journal of Thursday approved.

QUESTION OF PRIVILEGE.

Mr. McCall arose to a question of privilege, exonerating Mayor Glascock from charges made in the San Francisco "Evening Post."

MOTION.

Mr. Gould moved that telegrams read by Mr. McCall be spread upon the minutes, and referred to the committee appointed yesterday, in accordance with the resolution of Mr. Gould.

Carried.

LETTER FROM MR. CAMRON.

OAKLAND, CAL., January 30, 1891.

Hon. T. H GOULD, *Sacramento, Cal.*·

DEAR SIR: I read from the columns of the Oakland "Evening Enquirer" of this date, the following, being a part of a resolution introduced by yourself in the Legislature this day:

"WHEREAS, It has been recently stated in a late paper that W. W Camron, of Oakland, has said that no electric bills could be passed without fixing this Legislature, referring to this Assembly."

Will you kindly inform me in what paper you read such a statement? Inclosed you will please find the only interview I have furnished any paper in this State on this subject. Any other than this interview was unauthorized.

Yours truly,

W. W. CAMRON.

ANOTHER LETTER FROM MR. CAMRON.

OAKLAND, CAL., January 30, 1891.

Hon. J. G. MCCALL, *Sacramento, California*

DEAR SIR· The "Oakland Enquirer," of this evening, has a news item from Sacramento, saying in large headlines: "The Assembly excited over alleged charges of corruption against it. John R Glascock and W. W. Camron to be cited before a committee of that body."

I was rather surprised to read the above this evening. I have no objection to appear before the committee and telling what I know upon this subject, but I do not relish this newspaper notoriety. I inclose, for information, a clipping from the "Enquirer" of January 29, 1891, which is the only paper that has interviewed me upon this subject, also, a short editorial, which was the result of the manager's interview with me. I returned home with the firm belief that the bill for electric street railroads would, after thorough investigation, be passed, and have been busy collecting matter of information, and have also prepared a concise amendment which will remove Mr. Bruner's objection to the bill. I feel very sorry to know that any feeling has unnecessarily been engendered against me, as I have neither done nor said anything to injure the feelings of any Assemblyman or impair the usefulness of the Legislature. Trusting those who have been taking offense at anything that was said or published without authority, purporting to emanate from me, will do me the justice of withholding their opinion until they have properly investigated the matter.

It is my intention to visit Sacramento at an early date, at which time I will be pleased to talk with you upon this subject further.

Yours truly,

W. W. CAMRON.

TELEGRAM TO MR. M'CALL.

OAKLAND, January 30, 1891.

Hon. J. G. MCCALL, *Assembly Chamber, Sacramento*·

I am just informed that last evening's "Post" contains a reported interview which makes me say that the electric bill cannot pass the Assembly without the use of money. Contradict this emphatically. I have never used such language nor any embodying that idea. On the contrary, I have uniformly said that the bill would pass when thoroughly explained.

JOHN R. GLASCOCK.

PRESENTATION OF PETITION.

AZUSA, CALIFORNIA, January 28, 1891.

To the California House of Representatives, per Hon. E. N. MARION, *member Seventy-sixth Assembly District*

I see by the Los Angeles "Times" of January twenty-sixth, that there is a bill before the House and Senate of the Legislature of this State for the closing of places of business on Sundays. In the exceptions made to the application of the law, as given in section two, I see no exemption for such as observe the seventh day of the week as the Sabbath. Such exception is made in favor of hotels, barber shops, places of amusement, etc., but none for Christians who have already conscientiously observed the day previous (Saturday) as the Sabbath, according to the Fourth Commandment of the Decalogue (see Exodus, 20:8-11). Such a law would be a manifest injustice to this class of citizens, as well as in direct opposition to the Constitution of the United States, which grants religious liberty to all.

Therefore, in behalf of the hundreds or thousands of conscientious and law-abiding citizens of California who observe the seventh day of the week, commonly called Saturday, as the Sabbath, I earnestly petition your honorable body, the House of Representatives of the State of California, to add to section two of above said law a clause exempting from the application of the law such citizens as religiously observe the seventh day of the week as the Sabbath.

Believing that this petition must meet the approval of all lovers of good order, justice, and equality, both among our Representatives and their constituents,

I am, very respectfully yours,

G. M. COTTRELL,
Seventh Day Baptist Missionary to California, from Atchison County, Kansas.

REPORTS OF STANDING COMMITTEES.

ON PUBLIC MORALS.

ASSEMBLY CHAMBER, SACRAMENTO, January 31, 1891.

MR. SPEAKER: Your Committee on Public Morals, to whom was referred Senate Bill No. 84—An Act to regulate the practice of pharmacy and sale of poisons in the State of California.

Also: Assembly Bill No 305—An Act to amend an Act entitled "An Act concerning actions for libel and slander," approved March 23, 1872, amended April 16, 1880, so as to include within the operations of said Act actions for malpractice against physicians and surgeons.

Also: Senate Bill No. 24—An Act to amend section four hundred and one of the Penal Code, relating to the adulteration of candy, and to renumber said section.

Report the same back, and recommend that they do pass.

Also: Assembly Bill No 107—An Act to prevent the sale of cigarettes to minors.

Also: Assembly Bill No. 375—An Act to amend section two thousand nine hundred and eighty-one of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relative to the preservation of the public health.

Report the same back, and recommend that they do not pass.

CARGILL, Chairman.

ON FISH AND GAME.

ASSEMBLY CHAMBER, SACRAMENTO, January 30, 1891.

MR. SPEAKER. Your Committee on Fish and Game, to whom was referred Assembly Bill No. 126—An Act to amend section six hundred and thirty-two of the Penal Code, relating to the use of explosives in taking trout.

Also: Assembly Bill No. 67—An Act for the protection of sea birds and land birds on the Farallon Islands in the Pacific Ocean—report the same back with amendments, and recommend its passage as amended.

Also: Assembly Bill No. 524—An Act to amend an Act entitled "An Act to authorize the State Board of Fish Commissioners to import game birds into the State for propagation, and to appropriate money for that purpose, and providing a penalty for the shooting, trapping, killing, or otherwise destroying any of said birds within this State," approved March 16, 1889—report the same back, and recommend its passage.

LYNCH, Chairman.

ON WAYS AND MEANS AND APPROPRIATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 30, 1891.

MR. SPEAKER: Your Committee on Ways and Means and Appropriations, to whom was referred Assembly Bill No. 106—An Act appropriating money to pay the expenses of maintaining an exhibit of the products of the State of California at the World's

Columbian Exposition, to be held in Chicago in 1893, and to provide for Commissioners thereof—report the same back with amendments, and recommend that it do pass as amended

Also: Assembly Bill No. 270—report the same back, and recommend that it do pass.

DIBBLE, Chairman.

Mr. Dibble moved that Assembly Bill No. 108 be ordered to print in advance of report of committee.

Carried.

Mr. Dibble moved that Assembly Bill No. 106 go on the special file.

Lost.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, January 28, 1891.

MR. SPEAKER: Your Committee on Education, to whom was referred Assembly Bill No 407—An Act to amend sections one thousand five hundred and forty-eight, one thousand five hundred and fifty-one, one thousand five hundred and fifty-two, one thousand five hundred and sixty, one thousand five hundred and sixty-five, one thousand five hundred and seventy-six, one thousand five hundred and eighty-one, one thousand five hundred and eighty-three, one thousand five hundred and ninety-six, one thousand five hundred and ninety-nine, one thousand six hundred and forty-nine, one thousand six hundred and sixty-two, one thousand six hundred and sixty-five, one thousand seven hundred and seventy-one, one thousand seven hundred and seventy-five, one thousand seven hundred and ninety-one, and one thousand seven hundred and ninety-two of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the public schools—report the same back with amendments, and recommend its passage as amended.

GALBRAITH, Chairman.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, January 30, 1891.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bills Nos. 28, 99, 212, 273, 338, 439, 520, 354, and Assembly Constitutional Amendments Nos. 4 and 7—have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also: Assembly Bill No. 538—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

BRUNER, Chairman.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, January 31, 1891.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that they have examined the following Assembly Bills and find them correctly engrossed: Nos. 115, 192, 301, 292, 293, 294, 295, 296, 149, 194, 219, 230, 170, 10, and 308.

WINDROW, Chairman.
Per DUNN.

ON AGRICULTURE AND FORESTRY.

ASSEMBLY CHAMBER, SACRAMENTO, January 31, 1891.

MR. SPEAKER: Your Committee on Agriculture and Forestry, to whom was referred Assembly Bill No. 329—report the same back, and recommend that it do pass as amended.

Also: Assembly Bills No. 350 and 105—report the same back, and recommend that they be withdrawn

Also: Substitute for Assembly Bills Nos 12, 32, 65, 69, 77, and 242—report the same back with amendments, and recommend their passage as amended.

Also. Assembly Bills 189, 527, 528, and 507, and Senate Bill No. 23—report the same back, and recommend that they do pass.

STURTEVANT, Chairman.

ON AGRICULTURE AND FORESTRY (MINORITY REPORT).

We, a minority of your Committee on Agriculture and Forestry, have had under consideration Assembly Bill No. 329, and respectfully report the same back with the recommendation that it do not pass.

BAUGHMAN.
JACKSON.

By permission of the House, Mr. Mathews was allowed to withdraw Assembly Bill No. 105.

ON COUNTY AND TOWNSHIP GOVERNMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, January 31, 1891.

MR. SPEAKER: Your Committee on County and Township Governments, to whom was referred Assembly Bill No. 335—report back a committee substitute bill, and recommend that it do pass.

Also: To whom was referred Assembly Bill No. 112—An Act to amend section twenty-five of an Act entitled "An Act to establish a uniform system of county and township governments"—report the same back with amendments, and recommend its passage as amended.

BROWN, Chairman.

RESOLUTION.

By Mr. Gould:

Resolved, That the Sergeant-at-Arms be instructed to cover the lobby with cocoa matting.

Rejected.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, January 30, 1891.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the twenty-ninth day of January, adopted the following

Senate Constitutional Amendment No. 4—Relative to incurring of indebtedness or liability of county, city, town, township, Board of Education, or school district.

Also: Senate Joint Resolution No. 1—Relative to United States Senate Bill No. 8150.

F. J. BRANDON, Secretary.
By J. C. BOATMAN, Assistant Secretary.

Senate Constitutional Amendment No. 4 referred to Committee on Judiciary.

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

INTRODUCTION OF BILLS.

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

By Mr. Hersey: Assembly Bill No. 589—An Act to amend sections three thousand four hundred and fifty-four and three thousand four hundred and fifty-five of the Political Code of this State, relating to the powers and duties of Boards of Trustees of reclamation districts formed for the reclamation of swamp and overflowed lands.

Referred to Committee on Swamp and Overflowed and Public Lands.

By Mr. Mathews: Assembly Bill No. 590—An Act to amend sections twenty-seven, twenty-eight, twenty-nine, thirty, thirty-one, thirty-two, and thirty-three, the same comprising part second 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, relative to a system of street improvement certificates.

Referred to Committee on Municipal Corporations.

By Mr. Young: Assembly Bill No. 591—An Act to amend section eight hundred and sixty-six of the Code of Civil Procedure of the State of California, relating to the affidavit for attachment in Justice's Courts.

Referred to Committee on Judiciary.

By Mr. Tennis: Assembly Bill No. 592—An Act to authorize the State Harbor Commissioners to adjust and pay the claim of Daniel J. Logan.

Referred to Committee on Claims.

By Mr. Gould: Assembly Bill No. 593—An Act to create a State Board of Pardon Commissioners, define their duties, and to provide for the expense thereto attached.

Referred to Committee on State Charitable and Reformatory Institutions.

By Mr. Clark: Assembly Joint Resolution No. 13—Requesting Congress to modify and change the land laws relative to the sale of timber lands in California.

Referred to Committee on Agriculture and Forestry.

FIRST READING OF BILLS.

Assembly Bill No. 408—An Act making an appropriation to pay the deficiency in the appropriation for stationery, supplies, fuel, and lights for Legislature and State officers, for the fortieth fiscal year.

Read first time, and placed on file for second reading.

Assembly Bill No. 409—An Act making an appropriation to pay the deficiency in the appropriation for costs and expenses of suits in which the State is a party in interest, for the forty-first fiscal year.

Read first time, and placed on file for second reading.

Assembly Bill No. 410—An Act making an appropriation to pay the deficiency in the appropriation for payment of costs and expenses of trials of persons violating the law for the preservation of fish, for the thirty-ninth, fortieth, and forty-first fiscal years.

Read first time, and placed on file for second reading.

Assembly Bill No. 412—An Act making an appropriation to pay the deficiency in the appropriation for arrest of criminals without the limits of the State, for the fortieth fiscal year.

Read first time, and placed on file for second reading.

Assembly Bill No. 413—An Act making an appropriation to pay the deficiency in the appropriation for repairs to State Capitol building and furniture, for the forty-first fiscal year.

Read first time, and placed on file for second reading.

Assembly Bill No. 418—An Act making an appropriation to pay the deficiency in the appropriation for salary of Commissioner of Bureau of Labor Statistics, for the fortieth fiscal year.

Read first time, and placed on file for second reading.

Assembly Bill No. 419—An Act making an appropriation to pay the deficiency in the appropriation for construction of granite steps in the State Capitol grounds, for the forty-first and forty-second fiscal years.

Read first time, and placed on file for second reading.

Assembly Bill No. 423—An Act making an appropriation to pay the deficiency in the appropriation for the payment of claims incurred under an Act entitled "An Act to promote drainage," approved April 23, 1880.

Read first time, and placed on file for second reading.

MOTIONS.

Mr. Bruner moved to take up Assembly Bill No 106.

Carried.

Assembly Bill No. 106—An Act appropriating money to pay the expenses of maintaining an exhibit of the products of the State of Cali-

tornia at the World's Columbian Exposition, to be held in Chicago in 1893, and to provide for Commissioners thereof.

Read first time.

Mr. Bruner moved that Assembly Bill No. 106 be made a special order for Monday, at one o'clock P. M.

Mr. Clark moved to amend by making it two o'clock P. M. Tuesday.

Mr. Dibble moved a substitute to make the hour Tuesday, at eleven o'clock A. M.

Carried.

Motion as amended carried.

Mr. Shanahan moved to take up the second reading of bills.

Carried.

RECONSIDERATIONS.

Mr. Clark moved that the vote whereby Assembly Bill No. 49 passed yesterday be now reconsidered.

Mr. Bledsoe in the chair.

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

AYES—Messrs. Alexander, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bruner, Cargill, Carter, Clark, Culver, Dennis, Dibble, Doty, Dow, Dunn, Durner, Eakle, Estey, Freeman, Galbraith, Gordon, Gould, Hail, Harloe, Hayes, Hersey, Hocking, Kellogg, Lux, Marion, Mordecai, Murnan, Phillips, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Wentworth, Weston, and Young—47.

NOES—Messrs. Bledsoe, Cunningham, Garver, Hawley, Martin, and Mathews—6

Assembly Bill No. 49 passed on file.

Mr. Shanahan moved that the vote whereby Assembly Joint Resolution No. 10 passed yesterday, be now reconsidered.

Lost.

SECOND READING OF BILLS.

Assembly Bill No. 123—An Act to amend sections fifty-five and seventy-five of the Civil Code, in relation to marriage.

Passed on file.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 30, 1891.

MR. SPEAKER: Your Committee on Corporations, to whom was referred Assembly Bill No. 158—An Act to amend an Act entitled "An Act to amend section three thousand six hundred and sixty-five of the Political Code, relating to the assessment of railroads operating in more than one county," approved March 19, 1889—report the same back without recommendation.

Also: Assembly Bill No 210—An Act to regulate the preparation, sale, use, fire test, and inspection of petroleum oils, kerosene, gasoline, or any product of petroleum by whatever name known, which may be manufactured, offered for sale, or sold for consumption for illuminating purposes within the state—report the same back, and recommend that the same do pass

Also: Assembly Bill No. 160—An Act to amend sections three thousand six hundred and seventy-four and three thousand six hundred and sixty-seven of the Political Code, relating to the assessment of railroads in more than one county—report the same back without recommendation.

LOWE, Chairman.

SECOND READING OF BILLS—(RESUMED).

Substitute for Assembly Bills Nos. 12, 32, 65, 69, 77, and 242—An Act to amend section one, to add one new section to be numbered eight and one half, 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," approved April 15, 1880, amended March 6, 1883, March 9, 1885, amended March 14, 1885, amended March 9, 1887, and amended March 9, 1889, relating to the formation of new districts, and the residence of Directors.

Committee amendments acted upon as follows:

Amend by making Napa County constitute Agricultural District No. 25, and Solano County No. 36.

Adopted.

Also: By making Fresno County constitute Agricultural District No. 21, and that Merced and Mariposa Counties constitute Agricultural District No. 35.

Adopted.

Also: That Calaveras County be taken out of Agricultural District No. 29, and be placed in Agricultural District No. 2.

Adopted.

Also: That Stanislaus County constitute Agricultural District No. 37.

Adopted.

Also: Amend by adding to the end of section two of said bill, printed copy, the following: "Whenever the Boards of Directors of two or more agricultural districts shall, by a majority vote of each Board, elect to unite, the said several districts may associate as one district, and hold a Fair in any of said districts, and may, for such purpose, draw the appropriations for all of said districts, and expend the same for said Fair, in like manner as in the case of one district holding a separate Fair."

Pending the consideration of the amendments, Mr. Hunewill moved that the committee amendments be printed in the Journal, and that the bill pass on file.

Carried.

Assembly Bill No. 59—An Act to amend sections fifty-five, fifty-six, fifty-seven, and sixty-eight, and to repeal section seventy-five of the Civil Code, relating to marriage.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 202—An Act to provide for the appointment of a State Veterinary Surgeon, to prescribe his duties, and fixing his compensation.

Read second time, ordered engrossed and to a third reading.

MOTIONS.

Mr. Phillips moved to take recess until two o'clock P. M.

Lost.

Mr. Shanahan moved to take recess until one o'clock and thirty minutes P. M.

Lost.

At eleven o'clock and forty-five minutes A. M. Mr. Gould moved to adjourn.

Lost.

SECOND READING OF BILLS—(RESUMED).

Assembly Bill No. 64—An Act to amend an Act entitled "An Act to protect and promote horticultural interests of the State," approved March 14, 1881, as amended by chapter two hundred and sixty-five of the laws of 1889, approved March 19, 1889.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 122—An Act fixing the permanent channels of rivers in the State of California, and providing for retaining them in their true channels, and for returning them, when changed, into their true channels, as defined in this Act.

Read second time, refused engrossment and third reading.

MOTION.

Mr. Gould moved that the vote whereby Assembly Bill No. 122 was refused engrossment and to third reading, be now reconsidered.

Carried.

Assembly Bill No. 122 passed on file.

MOTION TO ADJOURN.

At twelve o'clock and ten minutes P. M. Mr. McCall moved to adjourn.

Lost.

RECESS.

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

REASSEMBLED.

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

Speaker Coombs in the chair.

Quorum present.

REPORTS OF STANDING COMMITTEES.

ON FISH AND GAME

ASSEMBLY CHAMBER, SACRAMENTO, January 31, 1891.

MR SPEAKER: Your Committee on Fish and Game, to whom was referred Assembly Bills Nos. 166, 245, 322, and 351—Acts to amend an Act entitled "An Act to establish a Penal Code," approved March 12, 1885, by amending section six hundred and twenty-six of the Penal Code, relating to the laws for the preservation of game birds and animals—report a substitute for the same, and recommend the passage of the substitute.

LYNCH, Chairman

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, January 31, 1891.

MR SPEAKER: Your Committee on Education, to whom was referred Assembly Bill No. 453—An Act to provide for the interchange of the copyrights of school text-books between the State of California and other States—report the same back, and recommend that it do not pass.

Also, Assembly Bill No. 346—An Act to amend section one thousand five hundred and ninety-three of the Political Code, relating to the election of trustees, when and where held—report the same back, and recommend that the author be given leave to withdraw the same.

Also: Assembly Bill No. 276—An Act to enable cities of the fifth class to issue bonds for the purpose of raising money to purchase school lots, and for building or purchasing

one or more school houses, and supplying the same with furniture, necessary apparatus, and improving the grounds, and for liquidating any indebtedness already incurred for such purposes.

Also: Assembly Bill No. 449—An Act to amend section one thousand five hundred and ninety-three of the Political Code, relative to time of election for School Trustees.

Report the same back, and recommend that they do pass.

Also: Assembly Bill No. 351—An Act to amend an Act entitled "An Act to establish a Political Code."

Also: Assembly Bill No. 370—An Act authorizing school districts, cities, cities and counties, or incorporated towns, in the State of California, to furnish the pupils of their respective public schools with free use of school text-books.

Also: Assembly Bill No. 172—An Act to amend the Political Code, part three, title three, article ten, section one thousand six hundred and sixty-five.

Also: Assembly Bill No. 186—An Act to amend section one thousand six hundred and sixty-five of the Political Code, relating to course of instruction to be taught in the public schools of California.

Report the same back, and recommend that the authors be given leave to withdraw the same.

Also: Senate Bill No. 113—An Act to authorize the establishment of County High Schools and provide for their support—report the same back with amendments, and recommend its passage as amended.

GALBRAITH, Chairman.

MOTION.

On motion of Mr. Renfro, Assembly Bill No. 186 was rereferred to Committee on Education.

WITHDRAWAL OF BILL.

By consent of the House, Mr. Murnan withdrew Assembly Bill No. 346.

FIRST READING OF BILLS.

Assembly Bill No. 330—An Act to donate to free public libraries of the State having more than eight thousand volumes, certain books and public documents.

Read first time, and placed on file for second reading.

Assembly Bill No. 313—An Act to regulate the practice of veterinary medicine and surgery in the State of California.

Read first time, and placed on file for second reading.

Assembly Bill No. 260—An Act to add a section to the Political Code, to be known as section two thousand nine hundred and eighty-three, relating to public asylums and hospitals.

Read first time, and placed on file for second reading.

Assembly Bill No. 196—An Act to regulate the sale of olive oil.

Read first time, and placed on file for second reading.

Assembly Bill No. 93—An Act relating to life, and casualty, and annuity or endowment 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. 302—An Act prescribing the power, duties, and rights of corporations, companies, associations, or persons furnishing water to any city and county, city, or town, or to the inhabitants thereof, and to regulate water rates.

Read first time, and placed on file for second reading.

Assembly Bill No. 237—An Act to provide for the management of the public schools of the State, and to repeal all laws in conflict with the provisions of the same.

Read first time.

Mr. Mathews was permitted to withdraw Assembly Bill No. 237.

Assembly Bill No. 241—An Act to declare arrangements, contracts, agreements, trusts, or combinations in restraint of trade and production unlawful, and to fix the penalty therefor.

Read first time, and placed on file for second reading.

Assembly Bill No. 11—An Act to provide for a State Board of Arbitration, for the settlement of differences between employers and employés.

Read first time.

Mr. Baughman raised the point of order that as the bill provided for an appropriation it should be referred to the Committee on Ways and Means and Appropriations.

Point of order sustained.

Bill referred to Committee on Ways and Means and Appropriations.

Assembly Bill No. 183—An Act to create a State Board of Mediation and Arbitration, prescribe its powers and duties, and provide for the amicable adjustment of grievances and disputes that may arise between employers and employés.

Read first time, and referred to Committee on Ways and Means and Appropriations.

Assembly Bill No. 216—An Act to determine that the lands of this State are swamp and overflowed when returned as such by the United States Surveyor-General.

Read first time, and placed on file for second reading.

Assembly Bill No. 8—An Act to amend an Act entitled "An Act to amend section three thousand four hundred and eighty-eight of an Act entitled 'An Act to establish a Political Code,' approved March 12, 1872, and to make sections three thousand four hundred and forty-six, three thousand four hundred and forty-seven, three thousand four hundred and forty-nine, three thousand four hundred and fifty, three thousand four hundred and fifty-two, three thousand four hundred and fifty-three, three thousand four hundred and fifty-four, three thousand four hundred and fifty-five, three thousand four hundred and fifty-six, three thousand four hundred and fifty-seven, three thousand four hundred and fifty-nine, three thousand four hundred and sixty, three thousand four hundred and sixty-one, three thousand four hundred and sixty-two, three thousand four hundred and sixty-three, three thousand four hundred and sixty-five, three thousand four hundred and sixty-six, three thousand four hundred and sixty-seven, three thousand four hundred and sixty-eight, three thousand four hundred and seventy-one, three thousand four hundred and seventy-two, and three thousand four hundred and seventy-three of said Political Code, relating to the reclamation of certain lands within certain municipalities," approved March 19, 1889.

Read first time, and placed on file for second reading.

Assembly Bill No. 258—An Act to authorize the Board of Fish Commissioners of this State to establish a trout hatchery at or near the city of San Francisco, and making an appropriation therefor.

Read first time.

Mr. Lux was permitted to withdraw Assembly Bill No. 258.

Assembly Bill No. 519—An Act making an appropriation for the support and maintenance of the State Mining Bureau for the forty-third and forty-fourth fiscal years.

Read first time, and placed on file for second reading.

Assembly Bill No. 232—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, by amending sections fifteen, twenty-two, and twenty-three thereof, relating to irrigation districts.

Read first time, and placed on file for second reading.

Assembly Bill No. 356—An Act to amend section three and section thirteen of an Act entitled "An Act to promote drainage."

Read first time, and placed on file for second reading.

Assembly Bill No. 396—An Act to provide for the redemption of property which has been heretofore sold to irrigation districts for delinquent assessments.

Read first time, and placed on file for second reading.

Assembly Bill No. 280—An Act making an appropriation to pay for the maintenance of the Reform School for Juvenile Offenders, from January 1, 1891, to June 30, 1891, and making an appropriation for extra work, materials, and labor furnished in the erection of buildings of said reform school, and making an appropriation for payment of insurance on said reform school buildings.

Read first time, and referred to Committee on Ways and Means and Appropriations.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON PUBLIC MORALS.

ASSEMBLY CHAMBER, SACRAMENTO, January 31, 1891.

MR. SPEAKER: Your Committee on Public Morals, to whom was referred Assembly Bill No. 168—An Act to forbid the sale or furnishing of tobacco, in certain forms, to minors under the age of sixteen years—report the same back with amendments, and recommend its passage as amended.

CARGILL, Chairman.

FIRST READING OF BILLS—(RESUMED).

Assembly Bill No. 444—An Act to amend section one hundred and ninety-one 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, March 18, 1885, March 17, 1887, and March 16, 1889, relating to the salary of the Deputy Superintendent of Schools of counties of the twenty-ninth class.

Read first time, and placed on file for second reading.

MOTIONS.

Mr. Shanahan moved to adjourn.

Lost.

Mr. Shanahan moved to adjourn until two o'clock P. M. Monday.

Mr. Bruner moved the previous question, seconded by Messrs. McCall and Shanahan.

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

The question being on Mr. Shanahan's motion, it was carried on a division, and at three o'clock and fifteen minutes P. M. the House adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Monday, February 2, 1891.

At two o'clock P. M. the Assembly met pursuant to adjournment.

Speaker Coombs in the chair.

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

Messrs. Alexander, Ames, Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Brusie, Bryant, Cargill, Clark, Cram, Culver, Cunningham, Daly, Dennis, Dibble, Doty, Dow, Dunn, Durner, Eakle, Estey, Fowler, Freeman, Galbraith, Garver, Glynn, Gordon, Gould, Hail, Harloe, Hawley, Hayes, Hersey, Hocking, Hunewill, Johnson, Jackson, Jones, Kellogg, Lacey, Lowe, Lux, Lynch, Marion, Martin, Matlock, Mathews, Mordecai, Murnan, Murphy, Phillips, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Sturtevant, Tennis, Tully, Wentworth, Weston, Windrow, Young, and Mr. Speaker.

Quorum present.

LEAVE OF ABSENCE.

The following named members were granted leave of absence for the day: Messrs. McCall, Steltz, Hoey, Coffey, Lewis, and Carter.

PRAYER.

Prayer by the Chaplain, Rev. A. C. Herrick.

READING OF THE JOURNAL.

On motion of Mr. Wentworth, further reading of the Journal was dispensed with.

Journal corrected and approved.

Mr. Culver asked that memorials be inserted in the Journal, as follows:

So ordered.

MEMORIALS.

[Certified Copy.]

OAKLAND CITY COUNCIL—RESOLUTION NO. 15801.

Introduced by Mr. Camron:

WHEREAS, Electric street railways are now in successful operation in more than two hundred cities in the United States, and giving universal satisfaction; and whereas, the construction of said street railways will be of great advantage to this city, and will greatly promote its development and prosperity; and whereas, the sentiments of the citizens of Oakland favor such street railways; therefore, in the interest of this city, be it

Resolved, That we earnestly request the delegation from Alameda County in the State Legislature, to use every honorable effort in their power to have the laws of the State of California so amended as to permit the use of electricity as a motive power on street railways in this State, and that the Clerk of the City Council of Oakland be and is hereby directed to furnish a certified copy of this resolution, under the seal of the city of Oakland, to the members of the Alameda delegation now assembled at Sacramento, California.

Adopted January 26, 1891.

AYES—Messrs. Brosnahan, Camron, Earl, Evans, Hackett, Kirk, Macdonald, McAvoy, Towle, Wakefield, and President Collins—11.

NOES—None.

H. M. COLLINS,
President of the Council.

I certify that the foregoing is a full, true, and correct copy of a resolution adopted by the City Council of the city of Oakland, January 26, 1891.

J. M. BRADY, City Clerk.

[Certified Copy]

OAKLAND CITY COUNCIL—RESOLUTION NO. 15826.

Introduced by Mr. Evans:

WHEREAS, A bill has been introduced in the Senate of the State of California by Senator Maher, the same being Senate Bill No 80, and entitled "An Act to increase the police force of the various cities, and cities and counties, of the State, and to provide for the appointment of such extra police officers, and for the payment of their salaries;" and whereas, said bill contemplates the appointment of one police officer to every five hundred inhabitants, and, if applied to the city of Oakland, will increase its police force to one hundred members and involve an additional expense to the city of about seventy-two thousand dollars per annum; and whereas, the charter of the city of Oakland makes ample provision already for any increase in the police force of this city whenever the public necessities may require it, therefore, be it

Resolved, That it is the sense of this Council that the application of said bill to the city of Oakland is unnecessary and might involve the city in a great and unnecessary expense, and thus materially increase the rate of taxation; and be it further

Resolved, That this Council respectfully recommends that all reference to cities of the second class be stricken from said bill, and that the Representatives of this city in both Houses of the Legislature be requested to use their best endeavors to have the same stricken out; and be it further

Resolved, That the City Clerk be directed to transmit forthwith to each of said Representatives in the State Legislature, a copy of this preamble and resolutions, with a request that they give the matter their earnest attention at the earliest opportunity.

(True copy:) J. M. BRADY, City Clerk.

OAKLAND, January 27, 1891

PETITION.

SAN FRANCISCO, January 2, 1891

To the honorable the members of the Senate and Assembly of the Legislature of the State of California

GENTLEMEN: We, the undersigned, respectfully petition your honorable body to pass to law the proposed Acts which will be presented to you at your present session, enabling street railroad companies to propel their cars by electric power, by the most approved electric appliances, in the streets of incorporated cities and towns; and also confirm, ratify, and make valid ordinances heretofore passed by the body intrusted with the government of incorporated cities, city and county, and towns, giving authority and permission to propel cars upon railroad tracks laid through the streets and public highways of such incorporated cities, city and county, and towns, by electric power.

NAMES.

William Alvord, Bank of California.
Robert J. Tobin, Hibernia Savings and Loan Society.
Jas. K. Wilson, Sather Banking Company.
A. H. Walker, Railroading.
O'Farrell & Lang, Real Estate.
M. Lilienthal, Anglo-Californian Bank.
Louis Sloss & Co.
Chas. Webb Howard.
Wm. J. Landers.
A. Borel, Alfred Borel Banking Company.
S. J. Marshall, President American Bank and Trust Company
W. B. King, Railroading.
J. D. Grant, Merchant
Carroll-Fitzhugh-Hopkins Company, Real Estate.
A. Andrews

REQUEST.

Mr. Shanahan asked that Assembly Constitutional Amendment No. 9 go over until Thursday, at two o'clock P. M., immediately following the order set for that hour.

So ordered.

MOTION.

Mr. Hocking moved that Assembly Bill No. 336 having been referred to the wrong committee, be returned to the desk, and be referred to the Committee on Judiciary.

Carried

Assembly Bill No. 336 ordered referred to the Committee on Judiciary.

ELECTION CONTEST OF CAMPBELL VS. EAKLE.

Resolution by Mr. Bledsoe.

Resolved, That J. C Campbell, the contestant in the election contest of Campbell vs Eakle, is hereby entitled to a seat in this Assembly as an Assemblyman, representing the Tenth Assembly District of the State of California, and that the said Eakle is not entitled thereto; and it is hereby ordered that the said J. C. Campbell be and he is hereby seated as a member of this House from said Tenth Assembly District, instead of the said H. P. Eakle.

The above resolution, together with the rest of the reports of members of the Committee on Elections and Privileges, as it appears in the Journal of January thirtieth, were read by the Clerk.

Mr. Martin presented the following minority report of the Committee on Elections and Privileges:

MINORITY REPORT OF COMMITTEE ON ELECTIONS AND PRIVILEGES.

Contest for a seat in the Assembly, Tenth District, Colusa County, State of California, J. C Campbell, Contestant, vs. H. P. Eakle, Respondent.

The contestant complains that, by fraudulent returns from Willows Precincts Nos. 1 and 2, he is defrauded of his seat as an Assemblyman from District No. 10, in Colusa County, and in proof of such charge he submits the testimony which was taken before the Commission, of Colusa County, which was appointed to hear and determine the case from such testimony. I find charged as follows:

That fifty-five names were added to the poll list of Willows Precinct No. 2 after the polls closed, that the whole number of fraudulent votes in said first and second precincts was seventy-five.

The contestant submitted documentary evidence, and the names of forty-two persons who testified that they did not vote at the aforesaid precincts on the fourth day of November last, as shown by the poll list of said precincts.

On the part of the respondent several members of the Election Boards of the Willows Precincts Nos. 1 and 2 were before the committee and testified that the election held in their precincts was conducted according to law; that the polls were closed at sundown; that the counting of the ballots commenced immediately, and in the presence of all the citizens who wished to remain and see the results declared and the ballots sealed according to law; that no additional names were added to said poll lists after closing the polls, which statements were corroborated by several voters in said precincts who remained and saw the ballots sealed up.

It appeared by testimony given before said committee, that the Election Boards of the aforesaid precincts were composed of old, well known citizens of the county.

It was also shown in evidence that a large percentage of the voting population in that vicinity were laboring men, who had no permanent residence, and belonged to that class known as "floating population."

In rendering my decision in the case, I assume the position of a juror who is sworn to render a verdict according to law and evidence; therefore, if I give credence to those (who appeared to belong to what is generally known to be the "floating population") who testified before the Commission, not their committee, that they did not vote at the aforesaid precincts as returned on the poll list of said precincts—if I accept such testimony as reliable and truthful, I must believe and infer that the Election Boards of Willows Precincts Nos. 1 and 2, made up of the old, well known citizens of that town, are proven to be "downright rascals" and guilty of a State's Prison offense, and should not be allowed to hide themselves among the willows of Colusa County, but be dealt with according to law.

As it is the law and the custom of our Courts to instruct the jury that it is their right and duty to give the accused the *benefit* of any and all reasonable doubts, therefore it is my *verdict* that the respondent, H P. Eakle is entitled to his seat on the floor of this House.

It also appeared in evidence, corroborated by the expressive comments and bitter declarations of the friends of each party, that the main issue was a division of this county. That party affiliation was lost sight of and ignored; that Democrats were supporting the Republican who was opposed to division, as he had declared (if elected) if his vote would decide the election of a United States Senator, he would give his vote to the Democratic nominee. It was in evidence that money was used by the friends of the contestant (Mr. Campbell) to buy votes for him, but it was not proven that it was money furnished by him, or used by his request or consent.

Respectfully submitted.

N. MARTIN.

MOTION.

Mr. Shanahan moved that the report of Mr. Martin be substituted for and instead of all other reports and resolutions bearing upon the election contest of Campbell vs. Eakle.

CALL OF THE HOUSE.

Mr. Shanahan moved a call of the House, seconded by Messrs. Hail and Galbraith.

Carried.

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

AYES—Messrs. Alexander, Ames, Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Bryant, Cargill, Clark, Cram, Culver, Cunningham, Daly, Dennis, Dibble, Doty, Dow, Dunn, Durner, Eakle, Estey, Fowler, Freeman, Galbraith, Garver, Glynn, Gordon, Gould, Hail, Harloe, Hawley, Hayes, Hersey, Hocking, Hunewill, Johnson, Jackson, Jones, Kellogg, Lacey, Lowe, Lynch, Marion, Martin, Matlock, Mathews, Mordecai, Murnan, Murphy, Phillips, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Sturtevant, Tennis, Tully, Wentworth, Weston, Windrow, Young, and Mr. Speaker.

Quorum present.

CALL OF ABSENTEES.

The absentees were called as follows: Messrs. Brusie and Lux.

MOTION.

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

Carried.

The question recurring upon the motion of Mr. Shanahan substituting the report of Mr. Martin to be the report of the committee.

The ayes and noes were demanded by Messrs. Bledsoe, Young, and Phillips.

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

AYES—Messrs. Alexander, Ames, Arms, Barnard, Beecher, Brown, Bruner, Culver, Cunningham, Daly, Dennis, Dibble, Doty, Dow, Dunn, Durner, Estey, Fowler, Freeman, Galbraith, Garver, Glynn, Gould, Hail, Harloe, Hawley, Hayes, Hersey, Hocking, Johnson, Jackson, Jones, Lacey, Lowe, Marion, Martin, Mathews, Mordecai, Murnan, Renfro, Rice, Robertson, Shanahan, Smith of Orange, Stabler, Sturtevant, Tennis, Tully, Wentworth, Windrow, and Young—51.

NOES—Messrs. Barnett of Sonoma, Baughman, Bert, Bledsoe, Bryant, Cargill, Clark, Cram, Gordon, Hunewill, Kellogg, Lynch, Matlock, Murphy, Phillips, Smith of Butte, Weston, and Mr. Speaker—18.

MOTION.

Mr. Robertson moved that Mr. Barnett of San Francisco be excused from voting.

Carried.

NOTICE OF RECONSIDERATION.

Mr. Barnard gave notice that on to-morrow he will move to reconsider the vote by which the report of Mr. Martin was adopted.

The question recurring upon the report of the committee as amended,

the ayes and noes were demanded by Messrs. Bledsoe, Baughman, and Cargill.

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

AYES—Messrs. Alexander, Ames, Arms, Baughman, Beecher, Bledsoe, Brown, Bruner, Culver, Cunningham, Daly, Dennis, Dibble, Doty, Dow, Dunn, Durner, Estey, Fowler, Freeman, Galbraith, Garver, Glynn, Gould, Hail, Harloe, Hawley, Hayes, Hersey, Hocking, Johnson, Jackson, Jones, Lacey, Lowe, Marion, Martin, Mathews, Mordecai, Murnan, Renfro, Rice, Robertson, Shanahan, Smith of Orange, Stabler, Sturtevant, Tennis, Tully, Wentworth, Windrow, and Young—52.

NOES—Messrs. Barnard, Barnett of Sonoma, Bert, Bryant, Cargill, Clark, Cram, Gordon, Hunewill, Kellogg, Lynch, Matlock, Murphy, Phillips, Smith of Butte, Weston, and Mr. Speaker—17

Mr. Bledsoe changed his vote from no to aye for the purpose of moving a reconsideration.

NOTICE OF RECONSIDERATION OF VOTE.

Mr. Baughman gave notice that on to-morrow he will move for a reconsideration of the vote whereby the committee report as amended was adopted.

ADJOURNMENT.

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

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Tuesday, February 3, 1891.

The Assembly met pursuant to adjournment.

Speaker Coombs in the chair.

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

Messrs. Alexander, Ames, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bledsoe, Brown, Bruner, Bryant, Cargill, Carter, Clark, Coffey, Culver, Cunningham, Dennis, Dibble, Doty, Dow, Dunn, Durner, Eakle, Estey, Fowler, Freeman, Galbraith, Garver, Glynn, Gordon, Gould, Hail, Harloe, Hawley, Hayes, Hersey, Hocking, Hoey, Hunewill, Johnson, Jackson, Jones, Kellogg, Lacey, Lowe, Lux, Lynch, Marion, Martin, Matlock, Mathews, McCall, Mordecai, Murnan, Murphy, Phillips, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Wentworth, Weston, Young, and Mr. Speaker.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. A. C. Herrick.

READING OF THE JOURNAL.

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

Mr. Culver asked that memorials be inserted in the Journal, as follows:

So ordered.

PETITION.

SAN FRANCISCO, January 2, 1891.

To the honorable the members of the Senate and Assembly of the State of California

GENTLEMEN. We, the undersigned, respectfully petition your honorable body to pass to law the proposed Acts which will be presented to you at your present session, enabling street railroad companies to propel their cars by electric power, by the most approved electric appliances, in the streets of incorporated cities and towns; and also confirm, ratify, and make valid ordinances heretofore passed by the body intrusted with the government of incorporated cities, city and county, and towns, giving authority and permission to propel cars upon railroad tracks laid through the streets and public highways of such incorporated cities, city and county, and towns, by electric power.

And your petitioners will ever pray.

Signed by one hundred and fifty citizens and taxpayers.

LEAVE OF ABSENCE.

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

MOTION FOR RECONSIDERATION.

Mr. Baughman moved that the vote whereby the minority report of the Committee on Elections and Privileges was substituted for the majority report be now reconsidered.

Mr. Bledsoe moved that the consideration of the reconsideration of the vote be made a special order for next Friday, immediately after the reading of the Journal.

Mr. Dibble moved that the motion be indefinitely postponed.

Motion withdrawn.

Mr. Bledsoe's motion lost.

PREVIOUS QUESTION.

Mr. Bruner demanded the previous question, seconded by Messrs. Baughman and Galbraith.

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

The question recurring upon the motion to reconsider

The ayes and noes were demanded by Messrs. Bledsoe, Kellogg, and Smith of Butte.

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

AYES—Messrs. Barnard, Barnett of Sonoma, Baughman, Bledsoe, Bryant, Cargill, Clark, Gordon, Hunewill, Kellogg, Lux, Lynch, Matlock, Murphy, Smith of Butte, Weston, and Mr. Speaker—17.

NOES—Messrs. Alexander, Ames, Barnett of San Francisco, Beecher, Brown, Bruner, Carter, Coffey, Culver, Cunningham, Dennis, Dibble, Doty, Dow, Dunn, Durner, Estey, Fowler, Freeman, Galbraith, Garver, Gould, Hall, Harloe, Hawley, Hayes, Hersey, Hocking, Hoey, Johnson, Jones, Lacey, Lowe, Marion, Martin, Mathews, McCall, Mordecai, Murphy, Phillips, Renfro, Rice, Robertson, Shanahan, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Wentworth, and Young—51.

PRESENTATION OF PETITIONS.

MEMORIAL FROM THE STATE HORTICULTURAL SOCIETY.

To the honorable the Senate and Assembly of California in Legislature assembled

The following memorial was adopted by the State Horticultural Society at its regular meeting, January 30, 1891, as follows, viz:

WHEREAS, The State Horticultural Society is a private association of California fruit

growers, which has been in continuous existence since its organization in 1879, and is therefore the oldest society of its kind in the State, and in its membership is representative of the fruit interest of the whole State; and whereas, the State Horticultural Society does not receive and has never received any aid from the treasury of the State, and is therefore wholly disinterested in its sentiments and actions; therefore, be it

Resolved, That the State Horticultural Society does hereby formally declare its appreciation of the public service rendered by the California State Board of Horticulture and its officers in its valuable reports and other publications, and in the large public assemblages of fruit growers held under its auspices in different parts of the State, and in its energetic work in dissemination of knowledge concerning the pests and diseases of fruit trees, and untiring efforts to carry into execution existing laws for the suppression of such evils which threaten the vast fruit interests of the State.

Resolved, That the State Horticultural Society most respectfully petitions the honorable the Legislature of the State of California, that the appropriation for the work of the State Board of Horticulture be continued during the next two years, and that amendments to existing laws for the suppression of insects and pests be enacted to the end that such laws may be rendered still more useful and effective

Resolved, That copies of these resolutions be transmitted to members of the State Horticultural Society now in the Senate and Assembly for submission by them to the honorable bodies of which they form a part

Adopted by unanimous vote.

E. J. WICKSON, Secretary.

SAN FRANCISCO, CAL., January 30, 1891.

Four petitions were introduced by Mr. Gould relative to the construction of a free wagon road to Yosemite Valley.

Referred to Committee on Roads and Highways.

REPORTS OF STANDING COMMITTEES.

ON WAYS AND MEANS AND APPROPRIATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 2, 1891.

MR. SPEAKER: Your Committee on Ways and Means and Appropriations, to whom was referred Assembly Bill No. 108—have had the same under consideration, and report the same back with a substitute, and recommend that the substitute be passed.

Also: Assembly Bills Nos. 401, 427, and 42—report the same back, and recommend that they do pass.

DIBBLE, Chairman.

ON STATE PRISONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 3, 1891.

MR. SPEAKER: Your Committee on State Prisons, to whom was referred Assembly Bill No. 6—An Act to provide for certain improvements and repairs at Folsom State Prison, and making an appropriation therefor—report the same back, and recommend that it do pass, and refer the same to the Committee on Ways and Means and Appropriations.

ESTEY, Chairman.

Assembly Bill No. 6 referred to Committee on Ways and Means and Appropriations.

ON CLAIMS.

ASSEMBLY CHAMBER, SACRAMENTO, February 2, 1891.

MR. SPEAKER. Your Committee on Claims, to whom was referred Assembly Bill No. 239—An Act for the relief of Emma Kelly, widow of G. H. Kelly, and appropriating ten thousand dollars therefor—report the same back with amendments, and recommend its passage as amended.

Also: Assembly Bill No. 282—An Act to pay the claim of Mary M. Springer, the widow and heir of Thomas A. Springer, late State Printer, deceased—report the same back with amendments, and recommend its passage as amended

Also: Assembly Bill No 448—An Act to appropriate the sum of four hundred and fifty-eight dollars and sixty-five cents to pay the claim of Wm. H Murphy, for money illegally paid the State of California—report the same back, and recommend that it do pass.

AMES, Chairman

Assembly Bills Nos. 239, 282 and 448 referred to Committee on Ways and Means and Appropriations.

ON ATTACHÉS AND EMPLOYÉS.

ASSEMBLY CHAMBER, SACRAMENTO, February 3, 1891

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

"*Resolved*, That Geo. M. Woodward, temporary Journal Clerk of the Assembly, be allowed the sum of sixteen dollars and eighty cents for mileage, payable out of the Contingent Fund of the Assembly."

Have had the same under consideration, and report the same back, and recommend that it be referred to the Committee on Mileage.

LUX, Chairman

Resolution referred to Committee on Mileage.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, February 2, 1891.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bills Nos. 552, 30, and 157—have had the same under consideration, and report the same back, and recommend that they do pass.

Also: Assembly Bills Nos. 31 and 262—report the same back, and recommend that they do pass as amended

Also: Assembly Bill No. 357—report the same without recommendation.

Also: Assembly Bill No. 238—report the same back with recommendation that the committee substitute bill therefor do pass.

BRUNER, Chairman.

ON COMMERCE AND NAVIGATION

ASSEMBLY CHAMBER, SACRAMENTO, February 3, 1891.

MR. SPEAKER: Your Committee on Commerce and Navigation, to whom was referred Assembly Bills Nos. 144 and 150—report the same back, and recommend that the authors have leave to withdraw them.

Also: Assembly Bill No. 372, with amendment by the author—report the same back without recommendation.

PHILLIPS, Chairman.

WITHDRAWAL OF BILL.

Mr. Barnett of San Francisco was permitted to withdraw, by consent of the House, Assembly Bill No. 144.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 3, 1891.

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

Senate Bill No. 9—An Act to provide for the payment of the repairs upon the quarantine launch "Governor Perkins."

F. J. BRANDON, Secretary.
By J. C. BOATMAN, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, February 2, 1891

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

Senate Bill No. 72—An Act regulating the form of requisitions for stationery made by the members of the Legislature, and the officers and employés thereof, upon the Secretary of State.

Also: Senate Bill No. 83—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by amending section three thousand two hundred and forty-five, relating to eight hours being a legal day's work.

F. J. BRANDON, Secretary.
By J. C. BOATMAN, Assistant Secretary.

Messages from the Senate acted upon as follows:

Senate Bill No. 9 referred to Committee on Commerce and Navigation.

Senate Bill No. 72 referred to Committee on Ways and Means and Appropriations.

Senate Bill No. 83 referred to Committee on Chinese Immigration and Emigration and Labor and Capital.

INTRODUCTION OF BILL—(OUT OF ORDER).

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

By Mr. Weston: Assembly Bill No. 594—An Act declaring Petaluma River a public way.

Referred to Committee on Commerce and Navigation.

SPECIAL ORDERS.

Assembly Bill No. 106—An Act appropriating money to pay the expenses of maintaining an exhibit of the products of the State of California at the World's Columbian Exposition, to be held in Chicago in eighteen hundred and ninety-three, and to provide for Commissioners thereof.

Read second time.

MOTION.

Mr. Dibble moved that the House go into Committee of the Whole for the purpose of considering Assembly Bill No. 106, with the Speaker in the chair.

Carried.

IN COMMITTEE OF THE WHOLE.

Speaker Coombs in the chair.

Assembly Bill No. 106 was considered in the Committee of the Whole.

IN ASSEMBLY.

Speaker Coombs 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. 106—An Act appropriating money to pay the expenses of maintaining an exhibit of the products of the State of California at the World's Columbian Exposition, to be held in Chicago in eighteen hundred and ninety-three, and to provide for Commissioners thereof—and now report progress, and recommend that the same pass as amended in the Committee of the Whole.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 3, 1891.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that they have examined the following Assembly Bills and find them correctly engrossed: Nos. 59, 202, and 64.

WINDROW, Chairman.

RECESS.

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

REASSEMBLED.

At two o'clock P. M. the House reassembled.
Speaker Coombs in the chair.
Quorum present.

SPECIAL ORDERS—(RESUMED).

Mr. Bruner in the chair.

Assembly Bill No. 106 was taken up and read a second time.

Committee amendments, as follows, adopted:

Insert after the word "Commissioners," in section one, line two, of the printed bill, the words "at least one from each of the Congressional Districts of the State."

Also: Strike from section two, line one, of the printed bill, the words "it is further provided that the."

Also: Insert after the word "expenses," in section two, line two, of the printed bill, the words "not exceeding two thousand dollars each."

Also: Insert after the word "dollars," in line one, section three, of the printed bill, the words "or so much thereof as may be necessary."

Also: Add section five: "This Act shall take effect and be in force from and after its passage."

Also: Amendment by Committee of the Whole adopted, as follows:

Amend by adding to line nine, in section one, the following: "Each of said Commissioners shall execute and file with the Secretary of State, within thirty days after his appointment by the Governor, a good and sufficient bond in the sum of twenty thousand dollars, made to the people of the State of California, which bond must be approved by the Governor. Said bond shall be conditioned for the faithful performance by said Commissioner of all the duties enjoined upon him by this Act."

The bill as amended ordered engrossed and to a third reading.

Assembly Bill No. 114—An Act to amend section four hundred and ninety-seven of the Civil Code of the State of California, relating to the authority to lay railroad tracks through streets and public highways of any incorporated city, city and county, or town.

Mr. Coombs moved that a special committee of one be appointed to amend, as follows:

Strike out that portion of section one which follows the word "as," in line ten, printed bill, and insert the following:

"In this title hereinafter mentioned; *provided, however,* that such Board or body in granting the right, or at any time after the same is granted, to use electricity or any other of said modes, shall have power to impose such terms, restrictions, and limitations, as to the use of streets, and the construction and mode of operating such electric and other roads, as may by such Board or body be deemed for the public safety and welfare."

Mr. Gould moved the following as a substitute:

Provided, that no authority so granted shall prevent the removal by the city, city and county, or town, at the expense of such person, corporation, or association, of all wires, ropes, posts, and other appliances above ground for the propulsion of cars, upon notice to such person, corporation, or association, of not less than one year.

Insert after the word "reasons," in line ten, section one, printed copy.

MOTION.

Mr. Dibble moved that the special orders be postponed until two o'clock P. M. to-morrow.

Carried.

ADJOURNMENT.

At four o'clock and fifty minutes P. M., on motion of Mr. Dibble, the House adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Wednesday, February 4, 1891.

The Assembly met pursuant to adjournment.

Speaker Coombs in the chair.

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

Messrs. Alexander, Ames, Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Brusie, Bryant, Cargill, Carter, Clark, Coffey, Culver, Cunningham, Dennis, Dibble, Doty, Dow, Dunn, Durner, Eakle, Estey, Fowler, Freeman, Galbraith, Garver, Glynn, Gordon, Gould, Hall, Harloe, Hawley, Hayes, Hersey, Hocking, Hoey, Hunewill, Johnson, Jones, Kellogg, Lacey, Lewis, Lowe, Lux, Lynch, Marion, Martin, Matlock, Mathews, McCall, Mordecai, Murnan, Murphy, Phillips, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Tully, Wentworth, Windrow, Young, and Mr. Speaker.

Quorum present.

LEAVE OF ABSENCE.

Mr. Weston was granted an indefinite leave of absence.

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

PRAYER.

Prayer by the Chaplain, Rev. A. C. Herrick.

READING OF THE JOURNAL.

On motion of Mr. Wentworth, further reading of the Journal was dispensed with.

Journal of February second approved.

Journal of yesterday corrected and approved.

PRESENTATION OF PETITIONS.

Mr. Gould presented a petition signed by residents of Mariposa County, in reference to the construction of a free public road to Yosemite Valley.

Referred to Committee on Roads and Highways.

REPORTS OF STANDING COMMITTEES.

ON SWAMP AND OVERFLOWED AND PUBLIC LANDS.

MR. SPEAKER: Your Committee on Swamp and Overflowed and Public Lands have considered Assembly Bills Nos. 521 and 497, and report the same back, and recommend that they do pass.

Petition No. 70 belongs to Assembly Bill No. 497, and is reported back with said bill.

CLARK, Chairman.

ON ROADS AND HIGHWAYS.

ASSEMBLY CHAMBER, SACRAMENTO, February 4, 1891.

MR. SPEAKER: Your Committee on Roads and Highways, to whom was referred Assembly Bill No. 545—report the same back, and recommend that it be rereferred to the Committee on Municipal Corporations.

Also: Assembly Bill No. 498—An Act to declare the bridge across Feather River a free bridge—report the same back, and recommend that it do pass.

MATLOCK, Chairman.

Assembly Bill No. 545 referred to Committee on Municipal Corporations.

ON MILEAGE.

ASSEMBLY CHAMBER, SACRAMENTO, February 4, 1891.

MR SPEAKER: Your Committee on Mileage, to whom was referred Assembly resolution, of which the following is a copy, viz.:

"*Resolved*, That Geo. M. Woodward, temporary Journal Clerk of the Assembly, be allowed the sum of sixteen dollars and eighty cents for mileage, payable out of the Contingent Fund of the Assembly."

Report the same back, and recommend the adoption of the said resolution.

BRYANT, Chairman.

Resolution adopted.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 4, 1891.

MR. SPEAKER: Your Committee on Education, to whom was referred Assembly Bill No. 386—An Act to amend an Act entitled "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," approved March 15, 1887—report the same back with amendments, and recommend its passage as amended.

Also. Assembly Bill No. 261—An Act to authorize the establishment of County High Schools, and provide for their support.

Also: Assembly Bill No. 570—An Act to amend "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," approved March 15, 1887.

Also: Assembly Bill No. 577—An Act to amend section two of an Act entitled "An Act to advance learning, the arts and sciences, and to promote the public welfare by providing for the conveyance, holding, and protection of property and the creation of trusts for the founding, endowment, erection, and maintenance, within this State, of universities, colleges, schools, seminaries of learning, mechanical institutes, museums, and galleries of art," approved March 9, 1885.

Report the same back and recommend that they do pass.

GALBRAITH, Chairman.

Mr. Carter was granted permission to withdraw Assembly Bill No. 261.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 4, 1891.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Assembly Bill No. 118—An Act to amend section eight of an Act entitled "An Act to incorporate the town of Red Bluff, Tehama County, California," approved March, 1876, amended March, 1878—report the same back, and recommend that the author be permitted to withdraw the same

Also: Assembly Bill No. 549—An Act to amend section eight hundred and sixty-two of the Political Code of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883—report the same back, and recommend that the author be permitted to withdraw the same.

Also: Assembly Bill No. 141—An Act to amend sections eight, eighteen, twenty-one, and twenty-three of an Act entitled "An Act to incorporate the town of Red Bluff, Tehama County, California," approved March, 1876, and amended March, 1878.

Also: Assembly Bill No. 213—An Act authorizing and requiring Boards or Commissions having the management and control of paid police forces to grant the members thereof yearly vacations.

Report the same back, and recommend the passage of the same.

WENTWORTH, Chairman.

Mr. Matlock was granted permission to withdraw Assembly Bill No. 118.

ON WAYS AND MEANS AND APPROPRIATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 4, 1891.

MR. SPEAKER: Your Committee on Ways and Means and Appropriations, to whom was referred Assembly Bill No. 278—An Act making an appropriation for the construction of a seawall thoroughfare and piers in the harbor of San Diego—report the same back, and recommend that it be recommitted to the Committee on Commerce and Navigation.

DIBBLE, Chairman.

Mr. Clark asked that Assembly Bill No. 216 be rereferred to the Committee on Swamp and Overflowed and Public Lands.

So ordered.

Assembly Bill No. 278 referred to Committee on Commerce and Navigation.

ON CLAIMS.

ASSEMBLY CHAMBER, SACRAMENTO, February 4, 1891.

MR. SPEAKER: Your Committee on Claims, to whom was referred Assembly Bill No. 489—An Act for the relief of John J. Conlin—report the same back, and recommend that the author be allowed to withdraw the same.

Also: Assembly Bill No. 75—An Act making an appropriation to pay the claim of William Darby—report the same back, and recommend that it do pass.

Also: Assembly Bill No. 508—An Act to appropriate money to pay the claim of George J. Mothersole, for labor performed and expenses incurred in roofing the Napa State Asylum for the Insane, under a written contract—report the same back, and recommend that it do not pass.

Also: Assembly Bill No. 500—An Act to appropriate money to pay for the services of W. L. Wolfe, assistant at Los Angeles to the Commissioner of the Bureau of Labor Statistics—report the same back with amendments, and recommend its passage as amended.

AMES, Chairman.

Mr. Steltz was granted permission to withdraw Assembly Bill No. 489.

Assembly Bill No. 73 referred to Committee on Ways and Means and Appropriations.

ON MILITARY AFFAIRS.

ASSEMBLY CHAMBER, SACRAMENTO, February 4, 1891.

MR. SPEAKER: Your Committee on Military Affairs, to whom was referred Assembly Bill No. 86—have had the same under consideration, and recommend that the committee substitute do pass, and ask that the same be printed

JOHNSON, Chairman.

ON CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 3, 1891.

MR. SPEAKER: Your Committee on Corporations, to whom was referred Assembly Bill No. 95—An Act to amend section two thousand one hundred and sixty-eight of the Civil Code, relating to common carriers—report the same back without recommendation.

Also: Assembly Bill No. 96—An Act to amend section five hundred and forty-one of the Civil Code, relating to telegraph corporations—report the same back without recommendation.

Also: Assembly Bill No. 97—An Act to amend section two thousand two hundred and nine of the Civil Code, in relation to damages awarded when messages, including telegraphic messages, are refused or postponed—report the same back, and recommend that the same do not pass.

Also: Assembly Bill No. 493—An Act to amend section two hundred and ninety of the Civil Code, relative to articles of incorporation—report the same back, and recommend that the same do pass.

LOWE, Chairman.

INTRODUCTION OF BILLS.

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

By Mr. Hail: Assembly Bill No. 595—An Act to provide for the establishment of High Schools in the State of California.

Referred to Committee on Education.

By Mr. Bert: Assembly Bill No. 596—An Act to amend an Act entitled an Act amendatory of an Act entitled "An Act for the better protection of the stockholders of incorporations formed under the laws of the State of California for the purpose of carrying on and conducting the business of mining," approved March 30, 1874; in effect April 23, 1880.

Referred to Committee on Corporations.

Also: Assembly Bill No. 597—An Act to amend sections three hundred and seven, three hundred and twelve, and three hundred and fourteen of the Civil Code.

Referred to Committee on Municipal Corporations.

By Mr. Dibble: Assembly Bill No. 598—An Act to amend 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, by adding thereto certain new and additional sections to provide the mode of carrying into effect certain provisions of said Act, relative to changing grades.

Referred to Committee on Municipal Corporations.

By Mr. Baughman: Assembly Bill No. 599—An Act to encourage the cultivation of ramie in the State of California, to provide a bounty for ramie fiber, and to make an appropriation therefor, to appoint a State Superintendent of Ramie Culture, and make an appropriation for his salary.

Referred to Committee on Agriculture and Forestry.

By Mr. McCall: Assembly Bill No. 600—An Act to amend an Act entitled "An Act establishing an Industrial Home of Mechanical Trades for the Adult Blind in 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," approved March 17, 1887.

Referred to Committee on State Charitable and Reformatory Institutions.

By Mr. Jones: Assembly Bill No. 601—An Act to ascertain the amount, and provide for the payment of damages done to the property of J. G. Ziegler, Christina Mangels, and Diedrich Steffens, executor of the last will of Martin Mangels, deceased, Thomas Foley, E. A. Goetze, C. Hildebrandt, H. Schammel, Peter Ginochio, John Dondero, and George Seekamp, whose property has been damaged by reason of the change of grade of Montgomery Avenue, in the City and County of San Francisco, in pursuance of an Act entitled "An Act to change and modify the grades, and to provide for the grading and regrading of certain portions of Montgomery Avenue, and of certain portions of certain streets intersecting Montgomery Avenue, in the City and County of San Francisco," approved April 3, 1876.

Referred to Committee on Claims.

By Mr. Young: Assembly Bill No. 602—An Act to prohibit the

coming of Chinese persons into this State, whether subjects of the Chinese Empire or otherwise, and to provide a registration and fix the status of all Chinese persons now resident in this State.

Referred to Commitee on Chinese Immigration and Emigration and Labor and Capital.

Also: Assembly Bill No. 603—An Act to prevent the placing, or keeping, or leaving, of married women in houses of prostitution, and to punish persons therefor.

Referred to Committee on Public Morals.

Also: Assembly Bill No. 604—An Act to create and establish the political divisions for Justices of the Peace and Constables in townships, incorporated cities, and towns, in the State of California.

Referred to Committee on County and Township Governments.

By Mr. McCall: Assembly Bill No. 605—An Act appropriating money to pay Walter J. Matthews for services rendered as architect in the construction of the Superintendent's cottage for the Home of the Adult Blind.

Referred to Committee on Public Buildings and Grounds.

Also: Assembly Bill No. 606—An Act to protect the manufacturing industries of this State.

Referred to Committee on Chinese Immigration and Emigration and Labor and Capital.

By Mr. Lynch: Assembly Bill No. 607—An Act making an appropriation to pay the deficiency in the appropriation for the traveling expenses incurred by the Commissioners appointed to select a site for the State Hospital for Insane, to be located in Southern California.

Referred to Committee on Ways and Means and Appropriations.

By Mr. Stabler: Assembly Bill No. 608—An Act to validate and make legal proofs and acknowledgments of instruments made before and taken by Court Commissioners after the third day of April, one thousand eight hundred and eighty.

Referred to Committee on Judiciary.

By Mr. Matlock: Assembly Bill No. 609—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by adding to chapter seven, title nine, part one thereof, three new sections, numbered, respectively, two hundred and ninety-nine, three hundred, and three hundred and one, forbidding the exhibition, opening, or maintaining of a bull, bear, cock, or prize fight, horse race, circus, gambling house, or saloon, or any barbarous or noisy amusement; or the keeping, conducting, or exhibiting of any theater or other place of musical, theatrical, or operatic performance, where intoxicating drink is sold or given away, or used on Sunday; forbidding also the keeping open on that day of any store, workshop, bar, saloon, banking house, or other place of business, for business purposes.

Referred to Committee on Public Morals.

Also: Assembly Bill No. 610—An Act to amend section one thousand seven hundred and four of the Political Code, in effect April 7, 1880, and to add a new section, numbered one thousand seven hundred and five.

Referred to Committee on Education.

By Mr. Renfro: Assembly Bill No. 611—An Act to amend section one thousand four hundred and thirty-one of the Code of Civil Procedure of California.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 612—An Act concerning municipal bonds of municipalities of the sixth class.

Referred to Committee on Judiciary.

By Mr. Kellogg: Assembly Bill No. 613—An Act for the preservation of the timber land of California.

Referred to Committee on Agriculture and Forestry.

By Mr. Hayes: Assembly Bill No. 614—An Act to add a new section to the Political Code, to be numbered two thousand five hundred and fifty-five, relating to the leasing of wharves, docks, and landings, under control of the Harbor Commissioners.

Referred to Committee on Commerce and Navigation.

Also: Assembly Bill No. 615—An Act to add a new section to the Penal Code, to be numbered section six hundred and fifty-three and one half, relating to punishment for the violation of the provisions of section two thousand five hundred and fifty-five of the Political Code.

Referred to Committee on Judiciary.

By Mr. Bruner: Assembly Bill No. 616—An Act to amend section nine hundred and ninety-nine of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to vacancies in office.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 617—An Act to protect the owners of bottles, boxes, siphons, and kegs, used in the sale of soda waters, mineral or aerated waters, porter, ale, cider, ginger ale, milk, cream, small beer, lager beer, weiss beer, beer, white beer, or other beverages.

Referred to Committee on Judiciary.

By Mr. Barnett of San Francisco: Assembly Bill No. 618—An Act to provide for payment for private property heretofore taken for public use.

Referred to Committee on Judiciary.

By Mr. Clark: Assembly Bill No. 619—An Act to provide for the recovery of damages in cases of trespass upon private property in this State.

Referred to Committee on Judiciary.

By Mr. Stabler: Assembly Bill No. 620—An Act to add a new section to the Political Code, numbered eight hundred and two, providing for recording the commission of a Notary Public.

Referred to Committee on Judiciary.

By Mr. Young: Assembly Constitutional Amendment No. 16—Relative to amendment of section three of article twelve of the Constitution.

Referred to Committee on Judiciary.

ACTION ON RESOLUTIONS.

The following resolution, introduced by Mr. Galbraith, January thirtieth, was taken up:

WHEREAS, Nearly five hundred thousand dollars have been appropriated for the compilation and manufacture of State text-books; and whereas, bills are pending before this Legislature for still further appropriations for the same purpose, and whereas, it is reported that the outgoing Superintendent of State Printing printed editions of said text-books regardless of the orders of the State Board of Education, and in some cases largely in excess of demands; and whereas, the said State Board of Education, at its meeting held December 27, 1890, passed a resolution recommending the Legislature to pass a law

forbidding the State Printer to print any editions of said books unless first ordered by the State Board of Education or its Secretary; therefore,

Resolved, That a special committee of three be appointed by the Speaker, whose duty it shall be to examine into all matters concerning the compilation and manufacture of State text-books, and report to this Assembly the amount of money appropriated for the various purposes, the amount expended, the number of books manufactured, and the cost of the same; the number of books sold and the amount of money turned into the State School Book Fund from such sales; the amount of money expended from said fund for the manufacture of additional books, the losses, if any, that have been caused by the sale of books at less than cost; the balance of money now on hand, and outstanding obligations contracted by the Superintendent of State Printing for material, or by the State Board of Education for compilation, and to report within twenty days, to the end that this Assembly may become better informed upon the subject of State school books and the manufacture and sale thereof.

Mr. Marion moved to amend by making the resolution read:

"*Resolved*, That the Committee on Public Printing shall examine," etc., and that "a special committee of three be appointed by the Speaker whose duty it be to" be stricken out from the resolution.

Amendment adopted.

Resolution as amended adopted.

The following resolution, introduced by Mr. Hunewill, was taken up:

Resolved, To amend Rule No. 40, so that it will read as follows Every member when he speaks, shall, standing in his place, address "Mr Speaker," and when he has finished he shall sit down. No member shall speak more than once during the consideration of any one question of whatever nature, on the same day, and at the same stage of the proceedings, and for a longer time than five minutes, except the author of a bill or resolution, or mover of a question, who shall be allowed to speak twice, the last time closing the debate, and who shall in his close be allowed ten minutes This rule may be waived or suspended by a majority of those present

Mr. Renfro moved to amend by striking out the word "five," in line five of the resolution as printed in the Journal, and insert the word "ten" instead.

Mr. Shanahan moved to indefinitely postpone the resolution.

Lost.

Amendment accepted by Mr. Hunewill.

The resolution as amended adopted.

SPECIAL ORDERS

Assembly Bill No. 408—An Act making an appropriation to pay the deficiency in the appropriation for stationery, supplies, fuel, and lights for Legislature and State officers, for the fortieth fiscal year.

Read second time

Assembly Bill No. 409—An Act making an appropriation to pay the deficiency in the appropriation for costs and expenses of suits in which the State is a party in interest, for the forty-first fiscal year.

Read second time.

Assembly Bill No. 410—An Act making an appropriation to pay the deficiency in the appropriation for payment of costs and expenses of trials of persons violating the law for the preservation of fish, for the thirty-ninth, fortieth, and forty-first fiscal years.

Read second time.

Assembly Bill No. 412—An Act making an appropriation to pay the deficiency in the appropriation for the arrest of criminals without the limits of the State, for the fortieth fiscal year.

Read second time.

Assembly Bill No. 413—An Act making an appropriation to pay the deficiency in the appropriation for repairs to State Capitol building and furniture, for the forty-first fiscal year.

Read second time.

REPORT OF COMMITTEE ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 4, 1891.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that they have examined the following Assembly Bill, and find it properly engrossed: Assembly Bill No. 106.

WINDROW, Chairman.

SPECIAL ORDERS—(RESUMED).

Assembly Bill No. 418—An Act making an appropriation to pay the deficiency in the appropriation for salary of Commissioner of Bureau of Labor Statistics, for the fortieth fiscal year.

Read second time.

Assembly Bill No. 419—An Act making an appropriation to pay the deficiency in the appropriation for construction of granite steps in the State Capitol grounds, for the forty-first and forty-second fiscal years.

Read second time.

Assembly Bill No. 423—An Act making an appropriation to pay the deficiency in the appropriation for the payment of claims incurred under an Act entitled "An Act to promote drainage," approved April 23, 1880.

Read second time.

MOTION.

Mr. Dibble moved that the House do now go into Committee of the Whole, for the purpose of considering Assembly Bills Nos. 408, 409, 410, 412, 413, 418, 419, and 423, with the Speaker in the chair.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Coombs in the chair.

Assembly Bills Nos. 408, 409, 410, 412, 413, 418, 419, and 423 were considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Coombs in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Speaker stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 408—An Act making an appropriation to pay the deficiency in the appropriation for stationery, supplies, fuel, and lights for Legislature and State officers, for the fortieth fiscal year.

Also: Assembly Bill No. 409—An Act making an appropriation to pay the deficiency in the appropriation for costs and expenses of suits in which the State is a party in interest, for the forty-first fiscal year.

Also: Assembly Bill No. 410—An Act making an appropriation to pay the deficiency in the appropriation for payment of costs and expenses of trials of persons violating the law for the preservation of fish, for the thirty-ninth, fortieth, and forty-first fiscal years.

Also: Assembly Bill No. 412—An Act making an appropriation to pay the deficiency in the appropriation for arrest of criminals without the limits of the State, for the fortieth fiscal year.

Also: Assembly Bill No. 413—An Act making an appropriation to pay the deficiency in the appropriation for repairs to State Capitol building and furniture, for the forty-first fiscal year.

Also: Assembly Bill No. 418—An Act making an appropriation to pay the deficiency in the appropriation for salary of Commissioner of Bureau of Labor Statistics, for the fortieth fiscal year.

Also: Assembly Bill No. 419—An Act making an appropriation to pay the deficiency in the appropriation for construction of granite steps in the State Capitol grounds, for the forty-first and forty-second fiscal years.

Also: Assembly Bill No. 423—An Act making an appropriation to pay the deficiency in the appropriation for the payment of claims incurred under an Act entitled "An Act to promote drainage," approved April 23, 1880.

And now report progress, and recommend that the same do pass.

Assembly Bill No. 408 ordered engrossed and to a third reading.

Assembly Bill No. 409 ordered engrossed and to a third reading.

Assembly Bill No. 410 ordered engrossed and to a third reading.

Assembly Bill No. 412 ordered engrossed and to a third reading.

Assembly Bill No. 413 ordered engrossed and to a third reading.

Assembly Bill No. 418 ordered engrossed and to a third reading.

Assembly Bill No. 419 ordered engrossed and to a third reading.

Assembly Bill No. 423 ordered engrossed and to a third reading.

Assembly Constitutional Amendment No. 4 passed on file.

Assembly Bill No. 308—An Act making an appropriation to pay the deficiency in the appropriation for the salary of the Executive Secretary to the Governor for the forty-first and forty-second fiscal years.

Read third time, and passed by the following vote:

AYES—Messrs. Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Brusie, Bryant, Coffey, Cunningham, Dennis, Dibble, Doty, Dow, Durner, Eakle, Estey, Fowler, Freeman, Garver, Gordon, Gould, Hail, Hawley, Hayes, Hersey, Hocking, Hunewill, Johnson, Jackson, Kellogg, Lacey, Lewis, Lynch, Martin, Matlock, Mathews, McCall, Mordecai, Murnan, Phillips, Renfro, Robertson, Smith of Butte, Smith of Orange, Stabler, Sturtevant, Wentworth, Young, and Mr. Speaker—52.

NOES—None.

Assembly Bill No. 42—An Act making an appropriation to pay the deficiency in the appropriation for support of the State Insane Asylum at Stockton, for the forty-first and forty-second fiscal years.

Read first time and placed on file for second reading.

SPECIAL FILE.

Assembly Constitutional Amendment No. 1 passed on file.

Assembly Constitutional Amendment No 5—A resolution to propose to the people of the State of California an amendment to section thirty-four of article four of the Constitution of the State of California.

Mr. Dibble offered the following amendment:

Amend by adding the following words "No officer of the State shall have power to incur any deficiency, except in case of actual necessity, and then upon the written authority first obtained of the Governor, Secretary of State, and Attorney-General. Any deficiency incurred in violation of this provision shall be void, and the Legislature shall not have power to appropriate money to pay the same."

Adopted.

Assembly Constitutional Amendment No. 5 passed on file.

Assembly Constitutional Amendment No 7—A resolution to propose to the people of the State of California an amendment to the Constitu-

tion of the State, amending section eighteen of article eleven thereof, relative to the increasing of indebtedness or liability by any county, city, town, township, Board of Education, or school district.

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

AYES—Messrs. Ames, Barnard, Barnett of Sonoma, Bert, Bruner, Bryant, Dibble, Fowler, Gould, Hall, Hawley, Hersey, Hunewill, Lewis, Lowe, Lynch, Matlock, McCall, Robertson, Smith of Orange, Steltz, Tennis, Tully, Windrow, and Young—25.

NOES—Messrs. Baughman, Beecher, Bledsoe, Brusie, Cargill, Clark, Culver, Cunningham, Doty, Dunn, Durner, Eakle, Estey, Freeman, Garvey, Gordon, Harloe, Hocking, Johnson, Jackson, Kellogg, Lacey, Martin, Mathews, Mordecai, Mumau, Murphy, Phillips, Renfro, Rice, Smith of Butte, Stabler, Stuntevant, and Mr. Speaker—33.

NOTICE OF RECONSIDERATION.

Mr. Culver changed his vote from aye to no and gave notice that to-morrow he will move for a reconsideration of the vote whereby Assembly Constitutional Amendment No. 7 was lost.

Mr. Hocking in the chair.

Substitute for Assembly Bill No. 108—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, amended March 14, 1885, March 18, 1885, March 17, 1887, and March 16, 1889, relative to the power of Boards of Supervisors.

Read first time, and placed on file for second reading.

Assembly Bill No. 401—An Act making an appropriation to pay the Journal Clerk of the Senate, twenty-eighth session of the Legislature, and his assistants, for completing the Journal of the Senate.

Read first time, and placed on file for second reading.

Assembly Bill No. 427—An Act making an appropriation to pay the deficiency in the appropriation for the purchase of ballot paper for the forty-second fiscal year.

Read first time, and placed on file for second reading.

THIRD READING OF BILLS.

Assembly Bill No. 148 passed on file.

Assembly Bill No. 31 passed on file.

Assembly Bill No. 112—An Act to amend subdivision four of section twenty-five 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, as amended March 18, 1885, as amended March 17, 1887, and as amended March 16, 1889.

Read third time.

Mr. Doty moved that a select committee of one be appointed to make the following amendments:

Amend by substituting as follows:

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, as amended March 14, 1885, March 18, 1885, March 17, 1887, and March 16, 1889

The People of the State of California, represented in Senate and Assembly, do enact as follows

SECTION 1. Section twenty-five 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, March 18, 1885, March 17, 1887, and March 16, 1889, is hereby amended so as to read as follows:

Section 25. The Boards of Supervisors in their respective counties have jurisdiction and power under such limitations and restrictions as are prescribed by law:

1. To supervise the official conduct of all county officers and officers of all districts and other subdivisions of the county charged with the assessing, collecting, safe-keeping, management, or the disbursement of the public revenues; see that they faithfully perform their duties, direct prosecutions for delinquencies, and, when necessary, require them to renew their official bonds, make reports, and present their books and accounts for inspection.

2. To divide the counties into townships, election, school, road, supervisor, sanitary, and other districts required by law, change the same, and create others, as convenience requires.

3. To establish, abolish, and change election precincts, and to appoint Inspectors and Judges of Elections, canvass all election returns, declare the result, and order the County Clerk to issue certificates thereof, but no election precinct shall be established, or the boundaries of any precinct changed, within thirty days prior to any election.

4 To lay out, maintain control, erect, and manage public roads, turnpikes, ferries, and bridges, within the county, and to grant franchises and licenses to collect tolls therein; *provided*, when the cost of the erection of any bridge exceeds the sum of five hundred dollars, they must advertise for bids for the construction of such bridge, but before advertising for such bids, the Board of Supervisors shall cause to be prepared, at the expense of the county, the plans, specifications, strain-sheets, and working details of such bridge as is required, and file the same in the office of the County Clerk of the county in which the bridge is to be erected, during the same length of time the advertisement for proposals is required, for the inspection of contractors or other parties offering bids on the same; and the Board shall let the contract therefor to the lowest bidder upon the plans adopted, a copy of which, when the contract is let, shall be attached to and be made a part of such contract; and the person or corporation to whom the contract is awarded shall be required to execute a bond, to be approved by said Board, for the faithful performance of such contract; *provided*, that the Road Overseers in their respective districts shall employ all labor required and direct the conduct of work of any kind done upon any and all public roads

5. To provide for the care and maintenance of the indigent sick or the otherwise dependent poor of the county, erect, officer, and maintain hospitals and poor-houses in their discretion therefor, or otherwise provide for the same, and for such purposes to levy the necessary property or poll tax, or both, therefor; *provided*, the Board of Supervisors shall appoint (not let to the lowest bidder) some suitable person or persons to take care of and maintain such hospitals and poor-houses, and the Board shall also appoint (not let to the lowest bidder) some suitable graduate in medicine to attend such indigent sick or otherwise dependent poor

6. To provide a farm in connection with the county hospital or poor-house, and make regulations for working the same.

7. When there are no necessary county buildings, to provide suitable rooms for county purposes.

8. To purchase, receive by donation, or lease, any real or personal property or water rights necessary for the use of the county, preserve, take care of, and manage and control the same; but no purchase of real property must be made unless a notice of the intention of the Board to make such purchase, describing the property to be purchased, the price to be paid therefor, from whom it is proposed to be purchased, and fixing the time when the Board will meet to consummate such purchase, shall be published for at least three weeks in some newspaper of general circulation published in the county; or, if none be published in the county, then by posting such notice at least three weeks prior to the time when the Board will meet to consummate such purchase, in at least three public places in each Supervisor District.

9 To cause to be erected, or built and furnished, a Court House, jail, hospital, and such other public buildings as may be necessary, *provided*, that none of the aforesaid buildings shall be erected or constructed until the plans and specifications shall have been made therefor and adopted by the Board All such buildings must be erected by contract, let to the lowest responsible bidder, after notice by publication in a newspaper of general circulation published in such county, for at least sixty days. In case there is no newspaper published in such county, then such notice shall be given by posting in three public places.

10. To sell at public auction, at the Court House door, after thirty days' previous notice, given either by publication in a newspaper published in the county, or by posting in five public places in the county, and convey to the highest bidder for cash, any property belonging to the county no longer required for public use, paying the proceeds into the County Treasury, for the use of the county.

11. To examine and audit, at least every six months, the accounts of all officers having the care, management, collection, or disbursement of moneys belonging to the county, or appropriated by law or otherwise for its use and benefit.

12. To examine, settle, and allow all accounts legally chargeable against the county, except salaries of officers, and order warrants to be drawn on the County Treasurer therefor.

13. To levy taxes upon the taxable property of their respective counties for all county purposes, and also upon the taxable property of any district, for the construction and repairs of roads and highways, and other district purposes; *provided*, that no tax shall be levied upon any district, until the proposition to levy the same has been submitted to the qualified electors of such district, and received a majority of all the legal votes cast upon such proposition.

14. The Board of Supervisors of any county having an outstanding indebtedness on the first day of January, eighteen hundred and eighty, evidenced by bonds or warrants thereof, by a vote of two thirds of all the members thereof, are empowered, if they deem it for the public interest, to fund and refund the same, and issue bonds of the county therefor, in sums not less than one hundred dollars nor more than one thousand dollars each, having not more than twenty years to run, and bearing a rate of interest not exceeding seven per cent per annum, payable semi-annually, which bonds shall be substantially in the following form: No ——. The County of——, in the State of California, for value received, promise to pay—— ——, or order, at the office of the Treasurer of said county in——, on the first day of——, eighteen hundred and——, or at any time before that date, at the pleasure of the county, the sum of——dollars, gold coin of the United States, with interest at the rate of——per cent per annum, payable at the office of said Treasurer, semi-annually, on the first day of——and——in each year, on presentation and surrender of the interest coupons hereto attached. This bond is issued by the Board of Supervisors, in conformity with a resolution of said Board, dated the ——day of——, eighteen hundred and——, and under authority conferred upon said Board by the provisions of an Act of the Legislature of California entitled "An Act to establish a uniform system of county governments," approved ——.

In testimony whereof, the said county, by its Board of Supervisors, has caused this bond to be signed by the Chairman of the Board, and attested by the Auditor, with the county seal attached, this —— day of ——, eighteen hundred and ——.

—— ——, Chairman of the Board of Supervisors.

Attested. —— ——, Auditor.

And the interest coupon shall be in the following form:

The Treasurer of —— County, California, will pay to the holder hereof, on the —— day of ——, eighteen hundred and ——, at his office, in ——, —— dollars, gold coin, for interest on County Bond No. ——.

—— ——, County Auditor.

(*b*) Whenever bonds issued under this chapter shall be duly executed, numbered consecutively, and sealed, they shall be delivered to the County Treasurer, and his receipt taken therefor, and he shall stand charged on his official bond with all bonds delivered to him, and the proceeds thereof, and he shall sell the same or exchange them under the direction of the Board of Supervisors, on the best available terms, for any legal indebtedness of the county outstanding on the first day of January, eighteen hundred and eighty, but in neither case for a less sum than the face value of the bonds, and all interest accrued on them at the date of such sale or exchange; and if any portion of such bonds are sold for money, the proceeds thereof shall be applied exclusively for the payment of liabilities existing against the county at and before the date above named. When they are exchanged for bonds or warrants, or other legal evidences of county indebtedness, the Treasurer shall at once proceed to cancel the old bonds and such other evidences of indebtedness, by indorsing on the face thereof the amount for which they were received, the word "canceled," and the date of cancellation. He shall also keep a record of bonds sold or exchanged by him by number, date of sale, amount, date of maturity, the name and Post Office address of purchasers, and if exchanged, what evidence of indebtedness was received therefor, which record shall be open at all times for inspection by the public. Whenever the holder of any bond shall sell or transfer it, the purchaser shall notify the Treasurer of such sale or transfer, giving at the same time the number of the bonds transferred, and his Post Office address, and every transfer shall be noted on the record. The Treasurer shall also report under oath to the Board, at each regular session, a statement of all bonds sold or exchanged by him since the preceding report, and date of such sale or exchange, and when exchanged, a list or description of the county indebtedness exchanged therefor, and the amount of accrued interest received by him on such sale or exchange, which latter sum shall be charged to him as money received by him on Bond Fund, and so entered by him on his books; but such bonds shall not be sold or exchanged for any indebtedness of the county, except by the approval of the Board of Supervisors of said county. No sale shall be made of any such bond, except to the highest bidder, after advertising bids for the purchase of the same for not less than three weeks in at least one newspaper published in the county, the right being reserved in such advertisement to reject any and all such bids

(*c*) The Board of Supervisors shall cause to be assessed and levied each year upon the taxable property of the county, in addition to the levy authorized for other purposes, a sufficient sum to pay the interest on outstanding bonds issued in conformity with the provisions of this Act, accruing before the next annual levy, and such proportions of the principal that at the end of five years the sum raised from such levies shall equal at least twenty per cent of the amount of bonds issued; at the end of nine years, at least forty per cent of the amount, and at and before the date of maturity of the bonds, shall be equal to the whole amount of the principal and interest; and the money arising from such levies shall be known as the Bond Fund, and shall be used for the payment of bonds and interest coupons, and for no other purpose whatever; and the Treasurer shall open and keep in his books a separate and special account thereof, which shall at all times show the exact condition of said Bond Fund.

(*d*) Whenever the amount in the hands of the Treasurer belonging to the Bond Fund, after setting aside the sum required to pay the interest maturing before the next levy, is sufficient to redeem one or more bonds, he shall notify by mail the owner of such bond or bonds, that he is prepared to pay the same, with all interest accrued thereon, and that if not presented for payment or redemption within forty days after the date of such

notice, the interest on such bond shall cease, and the amount due thereon shall be set aside for its payment whenever presented. The notice shall be directed to his Post Office address, as shown by the record kept in the Treasurer's office. If said bonds are not presented interest shall cease, and the amount due be set aside as specified in such advertisement. All redemptions shall be made in the exact order of this issuance, beginning at the lowest or first number, and the notice herein required shall be directed to the Post Office address of the owner, as shown by the record kept in the Treasurer's office.

(*e*) If the Board of Supervisors of any county which has issued bonds under the provisions of this Act shall fail to make the levy necessary to pay such bonds or interest coupons at maturity, and the same shall have been presented to the County Treasurer and payment thereof refused, the owner may file the bond, together with all unpaid coupons, with the State Controller, taking his receipt therefor, and the same shall be registered in the State Controller's office, and the State Board of Equalization shall, at their next session, and at each annual equalization thereafter, add to the State tax to be levied in said county a sufficient rate to realize the amount of principal or interest past due and to become due prior to the next levy, and the same shall be levied and collected as a part of the State tax, and paid into the State Treasury, and passed to the special credit of such county as bond tax, and shall be paid by warrants, as the payments mature, to the holder of such registered obligations as shown by the register in the office of the State Controller, until the same shall be fully satisfied and discharged, any balance then remaining being passed to the general account and credit of said county.

15. To maintain, regulate, and govern public pounds, fix the limits within which animals shall not run at large, and appoint poundkeepers, who shall be paid out of the fines imposed and collected from the owners of impounded animals, and from no other source.

16. To equalize assessments.

17. To direct and control the prosecution and defense of all suits to which the county is a party, and to employ counsel to assist the District Attorney in conducting the same.

18. To insure the county buildings in the name of and for the benefit of the county.

19. To grant licenses and franchises for constructing, keeping, and taking tolls on roads, bridges, ferries, wharves, chutes, booms, and piers.

20. To establish a salary fund, and also such other county funds as they may deem necessary for the proper transaction of the business of the county, and to transfer moneys from one fund to another, as the public interest may require.

21. To fill by appointment all vacancies that may occur in any office filled by the appointment of the Board of Supervisors and elective county or township officers, except in those of Judge of the Superior Court and Supervisors; the appointee to hold office for the unexpired term.

22. To adopt such provisions for the preservation of the health of their respective counties, or any district therein, or portion thereof, as they may deem necessary, and to provide for paying the expenses thereof, and when the expense is incurred in a district, or portion of a county, for the particular benefit thereof, the Board may fix the boundaries of such district, or portion, and levy a tax on the property therein to pay the same, the tax to be levied and collected in the same manner as other taxes are levied and collected. The rate of taxation shall be ascertained by deducting fifteen per cent for anticipated delinquencies from the aggregate assessed value of the property in the district as it appears on the assessment roll of the county, and then dividing the same voted by the remainder of such aggregate assessed value. Whenever a sanitary district has been formed, as herein provided, it shall then be the duty of the Board of Supervisors, by ordinance, to appoint a Board of Health, which shall consist of not less than three persons, and the members of the Board shall hold their offices for the term of two years, and shall serve without compensation. The Board of Health so appointed shall have a general supervision of all the matters appertaining to the sanitary condition of the district, and may make such rules and regulations in relation thereto as are not inconsistent with law. They shall have power, subject to the approval of the Board of Supervisors, to construct and maintain sewers, and in time of epidemic to locate and establish pesthouses, and to do and perform such other acts as the health of the people of the district may require. All expenses necessarily incurred in carrying out the provisions of this section must be provided for by the Board of Supervisors, who may make appropriation therefor out of the Sanitary District Fund, derived from taxes levied in said district, and to be known as the Sanitary District Fund.

23. The Board of Supervisors shall annually advertise, for at least ten days in the official newspaper of the county, for sealed bids for furnishing the county and its officers, for the ensuing year, with stationery.

Such advertisement shall specify the amount and kind of stationery to be furnished. In considering such bids, the Board may accept or reject all or any of them, or may accept or reject a part of any such bid; and all such supplies furnished to the county, or any officer thereof, shall be furnished at a price no greater than is specified in the bid which may be accepted by the Board. The Board of Supervisors shall annually fix the price at which the county shall be supplied with job printing and blank books, and, also, the price of all county advertising, and each county officer shall procure such blank books, job printing, and advertising at a price no greater than is so fixed, and certify the bills therefor to the Board of Supervisors; *provided*, that a square of advertising shall be two hundred and forty ems nonpareil; *and provided*, that no supplies, printing, stationery, or books, shall be procured of any person or firm whose paper has not been published,

or whose place of business has not been established, in the county for six months or more prior to the time of fixing said prices, *provided*, that said supplies and advertisements shall be procured within the county when practicable

24. The Board shall cause to be published a semi-annual statement of the financial condition of the county, showing in detail the expenditures authorized during the preceding six months, and after each session of the Board a fair statement of all their proceedings.

25. To make and enforce such rules and regulations for the government of their body, the preservation of order, and the transaction of business, as may be necessary.

26. To adopt a seal for their Board, a description and impression whereof must be filed in the office of the County Clerk and the Secretary of State.

27. To license, for purposes of regulation and revenue, all and every kind of business not prohibited by law, and transacted or carried on in such county, and all shows, exhibitions, and lawful games carried on therein; to fix the rates of license tax upon the same, and to provide for the collection of the same, by suit or otherwise.

28. To provide for the destruction of gophers, squirrels, other wild animals, noxious weeds, and insects injurious to fruit or fruit trees, or vines, or vegetable or plant life.

29. To provide for the prevention of injuries to sheep by dogs, and to tax dogs and direct the application of the tax.

30. To provide for the working of prisoners confined in the county jail, under judgment of conviction of misdemeanor, under the direction of some responsible person, upon the public grounds, roads, streets, alleys, highways, or public buildings, or in such other places as may be deemed advisable for the benefit of the county.

31. To provide for the inspection, measurement, or graduation of any merchandise, manufacture, or commodity, and to appoint the necessary officers therefor.

32. To provide for the burying of the indigent dead.

33. To make and enforce within the limits of their county, all such local, police, sanitary, and other regulations as are not in conflict with general laws.

34 To adopt such rules and regulations within their respective counties with regard to keeping and storing of every description of gunpowder, Hercules powder, Giant powder, or other combustible material, as the safety and protection of the lives and property of individuals may require.

35. To do and perform all other acts and things required by law, not in this Act enumerated, or which may be necessary to the full discharge of the duties of the legislative authority of the county government.

36 To authorize the District Attorney to appoint an Assistant District Attorney, if in their judgment it may be necessary for the proper discharge of the duties of the District Attorney, such compensation for his services as they may determine, not to exceed, unless otherwise in this Act provided, the sum of fifteen hundred dollars per annum.

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.

38. To regulate and determine the kinds of nets, and seines, and the size of the meshes thereof, to be used in fishing.

39. By proper ordinances to enforce within the limits of their counties all such regulations concerning the size of wagons and vehicles of all kinds to be used on the roads or highways, and the width of tires on the same, as is not in conflict with general laws.

SEC. 2. This Act shall take effect and be in force from and after its passage.

Carried.

APPOINTMENT OF COMMITTEE.

The Speaker appointed Mr. Doty a committee of one to make said amendment.

REPORT OF COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, February 4, 1891.

MR SPEAKER. Your Select Committee, to whom was referred Assembly Bill No. 112—An Act to amend subdivision four of section twenty-five 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, as amended March 18, 1885, as amended March 17, 1887, and as amended March 16, 1889—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

DOTY, Committee.

Committee substitute adopted, and ordered to the printer.

Assembly Bill No. 68—An Act to amend an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

MOTION.

Mr. Renfro moved that a select committee of one be appointed to make the following amendment:

Any bonds hereafter issued by a municipality of the sixth class may, at the option of the Board of Trustees, be so drawn and issued that the principal thereof may be paid in installments, to commence at any period of time after the date and issuance of said bonds, not exceeding ten years to the first installment; and in no case shall it become necessary that installments shall be paid during the years immediately succeeding the date of the issuance of said bonds.

Carried.

APPOINTMENT OF COMMITTEE.

The Speaker appointed Mr. Renfro a committee of one to make said amendments.

REPORT OF COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, February 4, 1891.

MR. SPEAKER: Your Select Committee, to whom was referred Assembly Bill No. 68—An Act to amend an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations" approved March 13, 1883—with instructions to amend in accordance with the action of the House, would respectfully report that the instructions of the House have been carried out.

RENFRO, Committee.

Report adopted.

Assembly Bill No. 155—An Act to define the qualifications of persons performing labor for the State of California, and fixing a penalty for the violation thereof.

Read third time, and passed by the following vote:

AYES—Messrs. Ames, Aims, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Brusie, Bryant, Carter, Clark, Culver, Daly, Dennis, Dibble, Dunn, Durner, Eakle, Fowler, Freeman, Galbraith, Garver, Glynn, Gordon, Gould, Hail, Harloe, Hawley, Hayes, Hersey, Hocking, Hoey, Hunewill, Johnson, Jackson, Jones, Kellogg, Lacey, Lewis, Lowe, Lux, Lynch, Martin, Matlock, McCall, Mordecai, Murnan, Murphy, Phillips, Rice, Robertson, Shanahan, Smith of Orange, Stabler, Sturtevant, Tennis, Tully, Wentworth and Mr. Speaker—63.

NOES—None.

Title read and approved.

Assembly Bill No. 209—An Act to authorize cities of not less than twenty-six thousand nor more than thirty thousand inhabitants to vote upon the question of paying indebtedness incurred in the years 1889 and 1890.

Read third time, and passed by the following vote:

AYES—Messrs. Alexander, Ames, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Brusie, Bryant, Cargill, Carter, Clark, Culver, Daly, Dennis, Doty, Dunn, Durner, Eakle, Fowler, Freeman, Galbraith, Garver, Gordon, Gould, Hail, Harloe, Hawley, Hayes, Hersey, Hocking, Hunewill, Johnson, Jackson, Jones, Kellogg, Lacey, Lewis, Lowe, Lux, Lynch, Martin, Matlock, Mathews, McCall, Mordecai, Murnan, Murphy, Phillips, Renfro, Rice, Robertson, Shanahan, Smith of Orange, Stabler, Sturtevant, Tennis, Tully, Wentworth, Windrow, Young, and Mr. Speaker—66.

NOES—None

Title read and approved.

RECESS.

At twelve o'clock and thirty minutes P. M. the House took a recess.

REASSEMBLED.

At two o'clock P. M. the House reassembled.
Speaker Coombs in the chair.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 4, 1891.

MR. SPEAKER. Your Committee on Municipal Corporations, to whom was referred Assembly Bill No. 285—An Act to amend 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—report the same back, and recommend the passage of the committee's substitute for said bill.

WENTWORTH, Chairman.

SAN FRANCISCO DELEGATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 4, 1891.

MR. SPEAKER: The San Francisco Delegation Committee, a select committee of this House, to whom was referred Assembly Bill No. 531—An Act for the relief of Peter Connolly, his assigns or legal representatives—report the same back, and recommend the passage of said bill.

WENTWORTH, Chairman

Assembly Bill No. 531 referred to Committee on Ways and Means and Appropriations.

ON COMMERCE AND NAVIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 4, 1891.

MR. SPEAKER: Your Committee on Commerce and Navigation, to whom was referred Assembly Bill No. 447—report the same back, and recommend that the committee substitute do pass; also, that it be printed and referred to the Committee on Ways and Means and Appropriations.

PHILLIPS, Chairman.

Assembly Bill No. 447 referred to Committee on Ways and Means and Appropriations.

SPECIAL ORDERS.

Assembly Bill No. 142—An Act to amend section four hundred and ninety-nine of the Civil Code of California, relative to the authority to lay, construct, and operate railroad tracks through streets and public highways of any incorporated city, city and county, or town, and to allow different lines of street railway, operated under different management, to use parts of the same streets and tracks.

Mr. Mathews asked that Assembly Bill No. 142 be made a special order for to-morrow, at two o'clock P. M.

So ordered.

Assembly Bill No. 119—An Act to amend the Political Code of the State of California, by adding thereto a new section, in relation to reassessments of property in cases where a former assessment is invalid.

Ordered engrossed and to a third reading.

Assembly Bill No. 114—An Act to amend section four hundred and ninety-seven of the Civil Code of the State of California, relating to the authority to lay railroad tracks through streets and public highways of any incorporated city, city and county, or town.

PREVIOUS QUESTION.

The question recurring upon the adoption of Mr. Gould's substitute for the amendment embodied in the motion of Mr. Coombs to appoint a select committee.

Mr. Bledsoe moved the previous question, seconded by Messrs. Hersey and Mathews.

Lost.

The question recurring upon the motion of Mr. Gould.

CALL OF THE HOUSE.

Mr. Culver moved a call of the House.

So ordered.

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

Messrs. Alexander, Ames, Arms, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Brusie, Bryant, Cargill, Carter, Clark, Coffey, Cram, Culver, Cunningham, Daly, Dennis, Dibble, Doty, Dow, Dunn, Durner, Eakle, Estey, Fowler, Freeman, Galbraith, Garver, Glynn, Gordon, Gould, Hail, Harloe, Hawley, Hayes, Hersey, Hocking, Hoey, Hunewill, Johnson, Jackson, Jones, Kellogg, Lacey, Lewis, Lowe, Lux, Lynch, Marion, Martin, Matlock, Mathews, McCall, Mordecai, Murnan, Murphy, Phillips, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Tully, Wentworth, Weston, Windrow, Wolfskill, Young, and Mr. Speaker

Absent—Mr. Barnard.

MOTION.

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

Carried.

On Mr. Gould's substitute, the ayes and noes were demanded by Messrs. Bledsoe, Smith, and Kellogg.

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

AYES—Messrs. Cunningham, Gould, Hunewill, Murnan, Robertson, Shanahan, and Sturtevant—7.

NOES—Messrs. Alexander, Ames, Arms, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Brusie, Bryant, Cargill, Carter, Clark, Coffey, Cram, Culver, Daly, Dennis, Dibble, Doty, Dow, Dunn, Durner, Eakle, Estey, Fowler, Freeman, Galbraith, Garver, Glynn, Gordon, Hail, Harloe, Hawley, Hayes, Hersey, Hocking, Hoey, Johnson Jackson, Jones, Kellogg, Lacey, Lewis, Lowe, Lux, Lynch, Marion, Martin, Matlock, Mathews, McCall, Mordecai, Murphy, Phillips, Renfro, Rice, Smith of Butte, Smith of Orange, Stabler, Steltz, Tennis, Tully, Wentworth, Windrow, Young, and Mr. Speaker—70.

On the motion of Mr. Coombs, to appoint a select committee to amend, the ayes and noes were demanded by Messrs. Bledsoe, Hersey, and Freeman.

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

AYES—Messrs Ames, Arms, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Brusie, Bryant, Cargill, Clark, Cram, Culver, Cunningham, Doty, Dow, Estey, Fowler, Freeman, Galbraith, Garver, Gordon, Harloe, Hawley, Hersey, Hocking, Hunewill, Jackson, Kellogg, Lewis, Lowe, Lynch, Marion, Matlock, Mathews, McCall, Mordecai, Murphy, Renfro, Rice, Robertson, Smith of Butte, Smith of Orange, Stabler, Sturtevant, Young, and Mr. Speaker—49.

NOES—Messrs. Alexander, Barnett of San Francisco, Carter, Coffey, Daly, Dennis, Dibble, Dunn, Durner, Eakle, Glynn, Gould, Hail, Hayes, Hoey, Johnson, Jones, Lacey, Lux, Martin, Murnan, Phillips, Shanahan, Steltz, Tennis, Tully, Wentworth, and Windrow—27.

Mr. Bruner in the chair.

APPOINTMENT OF COMMITTEE.

The Speaker appointed Mr. Coombs a select committee of one to make such amendment.

REPORT OF COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, February 3, 1891.

MR. SPEAKER: Your Select Committee, to whom was referred Assembly Bill No. 114—An Act to amend section four hundred and ninety-seven of the Civil Code of the State of California, relating to the authority to lay railroad tracks through the streets and public highways of any incorporated city, city and county, or town—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, Committee.

Report of committee adopted.

MOTIONS.

Mr. Sturtevant moved that a select committee of one be appointed to make the following amendment:

In line five, section one, printed copy, strike out the word "fifty," and insert the word "twenty."

Lost.

Mr. Shanahan moved that a select committee of one be appointed by the Speaker to make the following amendment:

Amend by adding (following the amendment last adopted) the words: "but no franchise shall be granted for electric roads, where wires are to be suspended overhead, for a longer period than ten years."

Lost.

Mr. Dibble moved that a select committee of one be appointed by the Speaker to make the following amendment:

Amend by inserting after the word "town," in line four of printed bill, the following: "having a population of two hundred and fifty thousand inhabitants."

The ayes and noes were demanded by Messrs. Bledsoe, Hersey, and Beecher.

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

AYES—Messrs. Alexander, Barnett of San Francisco, Barnett of Sonoma, Baughman, Bruner, Brusie, Clark, Coffey, Cunningham, Daly, Dennis, Dibble, Garver, Glynn, Gould, Hall, Harloe, Hayes, Hocking, Hoey, Hunewill, Jones, Lewis, Lux, Lynch, Murnan, Phillips, Renfro, Rice Robertson, Shanahan, Smith of Orange, Steltz, Sturtevant, Tennis, Tully, Wentworth, Windrow, and Young—39

NOES—Messrs. Ames, Barnard, Beecher, Bert, Bledsoe, Brown, Bryant, Cargill, Carter, Cram, Culver, Doty, Dow, Dunn, Durner, Eakle, Estey, Fowler, Freeman, Galbraith, Gordon, Hawley, Hersey, Johnson, Jackson, Kellogg, Lowe, Marion, Martin, Matlock, Mathews, McCall, Mordecai, Murphy, Smith of Butte, Stabler, and Mr. Speaker —37.

APPOINTMENT OF COMMITTEE.

Mr. Dibble was appointed a committee to make said amendment.

REPORT OF COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, February 4, 1891.

MR. SPEAKER: Your Select Committee, to whom was referred Assembly Bill No. 114—An Act to amend section four hundred and ninety-seven of the Civil Code of the State of

California, relating to the authority to lay railroad tracks through streets and public highways of any incorporated city, city and county, or town—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

DIBBLE, Committee.

Report adopted.

Mr. Shanahan moved that a select committee of one be appointed to make the following amendment:

Amend bill, as amended, by adding at end of line seven, after the word "provided," the words: "*provided*, such license tax shall not be less than three per cent per annum on the gross receipts in a city, or city and county, of over one hundred thousand inhabitants, and not less than one and one half per cent per annum on the gross receipts in a city, or city and county, of less than one hundred thousand inhabitants."

Lost.

Mr. Coombs moved that further consideration of Assembly Bill No. 114 be made a special order for next Monday, at two o'clock P. M.

Carried.

Assembly Bill No. 116—An Act to confirm, ratify, and make valid ordinances heretofore passed by the Trustees, Council, or other body intrusted with the government of any incorporated city, city and county, or town, giving authority and permission to propel cars upon railroad tracks laid through the streets and public highways of such incorporated city, city and county, or town, by electricity.

Mr. Coombs moved that the following be substituted for the select committee report:

After line ten, printed copy, add the following: "*provided*, that all such permissions or franchises heretofore granted shall be subject to the provisions of the laws of this State applicable to street railroads in general, and subject to the same regulations from city, city and county, and town authorities as if the said franchises were hereafter granted."

Adopted.

Mr. Dibble moved that a select committee of one be appointed to make the following amendment:

Amend Assembly Bill No. 116 by inserting after the word "town," in line three, printed copy, the following: "having a population of less than two hundred and fifty thousand population."

Carried.

APPOINTMENT OF COMMITTEE.

Mr. Dibble was appointed by the Speaker a select committee of one to make such amendments.

REPORT OF COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, February 4, 1891.

MR. SPEAKER: Your Select Committee, to whom was referred Assembly Bill No. 116—An Act to confirm, ratify, and make valid ordinances heretofore passed by the Trustees, Council, or other body intrusted with the government of any incorporated city, city and county, or town, giving authority and permission to propel cars upon railroad tracks laid through the streets and public highways of such incorporated city, city and county, or town, by electricity—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.

DIBBLE, Committee.

Report adopted, and Assembly Bill No. 116 made a special order, following Assembly Bill No. 114.

Mr. Dibble asked that Assembly Bill No. 106 be placed on special file.

So ordered.

REPORT OF STANDING COMMITTEE.

ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 4, 1891.

MR. SPEAKER: Your Committee on Enrollment beg leave to report that the following Assembly Bill has been correctly enrolled:

Assembly Joint Resolution No. 1—Entitled "Assembly Joint Resolution relative to a public building at Eureka"—and was presented to the Governor this day at three o'clock and thirty minutes.

BLEDSOE, Chairman.

ADJOURNMENT.

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

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Thursday, February 5, 1891.

The Assembly met pursuant to adjournment.

Speaker Coombs in the chair.

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

Messrs. Alexander, Ames, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Brusie, Bryant, Cargill, Carter, Clark, Coffey, Culver, Cunningham, Daly, Dennis, Dibble, Doty, Dow, Dunn, Durner, Eakle, Estey, Fowler, Freeman, Galbraith, Garver, Glynn, Gordon, Gould, Hail, Harloe, Hawley, Hayes, Heisey, Hocking, Hoey, Hunewill, Johnson, Jackson, Jones, Kellogg, Lacey, Lowe, Lux, Lynch, Marion, Martin, Matlock, Mathews, McCall, Mordecai, Murnan, Murphy, Phillips, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Wentworth, Windrow, Young, and Mr. Speaker.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. A. C. Herrick.

READING OF THE JOURNAL.

On motion of Mr. Barnett of San Francisco, further reading of the Journal was dispensed with.

Journal corrected and approved.

LEAVE OF ABSENCE.

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

REPORTS OF STANDING COMMITTEES.

ON WAYS AND MEANS AND APPROPRIATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 5, 1891.

MR. SPEAKER: Your Committee on Ways and Means and Appropriations, to whom was referred Assembly Bill No. 269—report the same back, and recommend that it do pass.

Also: Assembly Bill No. 11—have had the same under consideration, and recommend that it be amended by striking out section seven, of the printed bill, and renumbering section eight section seven, and that it do pass as amended.

DIBBLE, Chairman

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, February 4, 1891.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bills Nos. 583, 494, 495, 542, 435, 433, and 434—report the same back, and recommend that they do pass.

Also: Assembly Constitutional Amendments Nos. 8, 10, 2, and 12—without recommendation.

Also: Assembly Constitutional Amendments Nos. 6, 13, and 15—that the authors thereof have leave to withdraw the same

Also: Assembly Bill No. 243—that it do not pass.

Also: Assembly resolution, relative to the method of collecting State and county taxes, introduced by Mr. Fowler—with leave to the author to withdraw the same.

Also: Senate Bill No. 67—that the same do pass as amended.

BRUNER, Chairman.

ON COMMERCE AND NAVIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 5, 1891.

MR. SPEAKER: Your Committee on Commerce and Navigation, to whom was referred Senate Bill No. 9—would ask that same be referred to Committee on Ways and Means and Appropriations.

Also: That Assembly petition be read and acted upon in the House.

Also: Assembly Bill No. 130—report the same back, and recommend that it do pass with the committee amendment.

PHILLIPS, Chairman

Senate Bill No. 9 referred to Committee on Ways and Means and Appropriations.

ON PUBLIC MORALS.

ASSEMBLY CHAMBER, SACRAMENTO, February 3, 1891

MR. SPEAKER: Your Committee on Public Morals, to whom was referred Assembly Bill No. 240—An Act for the regulation of the practice of medicine and surgery in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation—report the same back with amendments, and recommend its passage as amended.

CARGILL, Chairman.

Mr. Martin moved that Assembly Bill No. 240 be recommitted to Committee on Public Morals.

Lost.

ON ROADS AND HIGHWAYS.

ASSEMBLY CHAMBER, SACRAMENTO, February 5, 1891.

MR. SPEAKER: Your Committee on Roads and Highways, to whom was referred Assembly Bills Nos. 163, 204, 265, 303, 342, 347, 379, 381, 382, 383, 454, 472, 475, 476, 477, 478, and 479, relating to powers and duties of highway officers, and for the maintenance and improvement of highways by contract—have had the same under consideration, and ask to report the accompanying committee substitute bill, and recommend that it do pass.

MATLOCK, Chairman

ON CHINESE IMMIGRATION AND EMIGRATION AND LABOR AND CAPITAL.

ASSEMBLY CHAMBER, SACRAMENTO, February 5, 1891.

MR. SPEAKER: Your Committee on Chinese Immigration and Emigration and Labor and Capital, to whom was referred Senate Bill No. 83—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by amending section three thousand two hundred and forty-five, relating to eight hours being a legal day's work—report the same back, and recommend that it do pass.

Also: Assembly Bill No. 299—An Act to establish as standard of weights and measures.

Also: Assembly Bill No. 179—An Act to add a new section to the Penal Code, relative to the prohibition and prevention of the use of all acids, or solution of acids, in the

manufacture of hermetically sealed tin cans for canning purposes, to be known as section two hundred and forty-six.

Also: Assembly Bill No. 587—An Act for the protection of consumers of canned and packed products.

Report the same back, and recommend that they do pass

STELTZ, Chairman.

MINORITY REPORT.

Mr. Stabler, a minority of the Committee on Chinese Immigration and Emigration and Labor and Capital, recommends that Assembly Bill No. 179 do not pass.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, February 5, 1891.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 148—report the same without action.

BRUNER, Chairman.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 5, 1891.

MR. SPEAKER: Your Committee on Education, to whom was referred Assembly Bill No. 518—An Act to amend sections one thousand five hundred and twenty-one, one thousand five hundred and thirty-two, one thousand five hundred and thirty-three, one thousand five hundred and forty-three, one thousand six hundred and fifty, one thousand six hundred and sixty-three, and one thousand six hundred and ninety-six, and to repeal sections one thousand six hundred and twenty-five, one thousand six hundred and sixty-nine, one thousand six hundred and eighty-two, and four hundred and forty-four of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the public schools—report the same back, and recommend that the author be given leave to withdraw the same.

Also: Assembly Bill No. 547—An Act to repeal sections four hundred and forty-four, one thousand six hundred and twenty-five, one thousand six hundred and eighty-two, and one thousand six hundred and sixty-nine of the Political Code; 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, and one thousand six hundred and ninety-six of said Code; to abolish the grammar school course in the public schools, and the Grammar School Course Fund, and to authorize and direct the Controller of State to credit to the School Fund any balance which may stand to the credit of the said fund—report the same back with amendments, and recommend its passage as amended.

GALBRAITH, Chairman.

ON MILITARY AFFAIRS.

ASSEMBLY CHAMBER, SACRAMENTO, February 5, 1891.

MR. SPEAKER: Your Committee on Military Affairs, to whom was referred Assembly Bill No. 457—An Act to amend section one thousand nine hundred and twelve of the Political Code, relating to the number of National Guard companies—report the same back without recommendation.

Also: Assembly Bill No. 141—An Act making an appropriation to pay the deficiency in the appropriation for postage, expressage, and contingent expenses of the Adjutant-General's office for the forty-first fiscal year—report the same back with the recommendation that the author have leave to withdraw.

Also: Assembly Bill No. 395—An Act to authorize the Adjutant-General to issue arms and accouterments to regularly organized Camps of the Order of Sons of Veterans in the State of California—with the recommendation that it do not pass.

Also: Assembly Bill No. 455—An Act to provide for, insure, and maintain preference in the appointment, employment, and retention in the public service and upon public works of the State of California, of honorably discharged ex-Union soldiers, sailors, and marines of the War of the Rebellion—have had the same under consideration, and recommend that it do pass.

JOHNSON, Chairman.

ON MUNICIPAL CORPORATIONS

ASSEMBLY CHAMBER, SACRAMENTO, February 5, 1891.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Assembly Bill No. 541—An Act to amend sections two, three, four, five, seven, nine, thirteen, twenty-four, twenty-six, thirty-four, thirty-five, and thirty-seven of an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and the construction of sewers within municipalities," approved March 18, 1885, relative to the mode of assessing and otherwise providing for said work—report the same back, and recommend the passage of the same as amended.

Also: Assembly Bill No. 236—An Act to provide for work upon streets, lanes, courts, places, and sidewalks, and for the construction of sewers within municipalities—report the same back, and recommend that the author be permitted to withdraw the same.

WENTWORTH, Chairman.

ON SWAMP AND OVERFLOWED AND PUBLIC LANDS.

ASSEMBLY CHAMBER, SACRAMENTO, February 5, 1891.

MR. SPEAKER: Your Committee on Swamp and Overflowed and Public Lands have considered Assembly Bills Nos 318 and 216—and report the same back, and recommend that they do pass as amended.

Also: Assembly Bills Nos 162 and 572—and recommend that they do not pass.

CLARK, Chairman.

WITHDRAWAL OF BILLS.

Mr. Bledsoe was permitted to withdraw Assembly Constitutional Amendment No. 6.

Mr. Wentworth was permitted to withdraw Assembly Constitutional Amendment No. 13.

Mr. Bruner was permitted to withdraw Assembly Constitutional Amendment No. 15.

Mr. Fowler was permitted to withdraw a resolution in reference to the collection of State and county taxes.

Mr. Dibble was permitted to withdraw Assembly Bill No. 518.

Mr. Mathews was permitted to withdraw Assembly Bills Nos. 141 and 236.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 5, 1891.

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

Assembly Bill No. 139—An Act to provide for the levy and collection of taxes by and for school districts, except in municipal corporations of the first class.

F. J. BRANDON, Secretary.
By J. C. BOATMAN, Assistant.

Also:

SENATE CHAMBER, SACRAMENTO, February 5, 1891.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the third of February, passed the following:

Senate Bill No. 215—An Act to authorize the Board of Fish Commissioners, of this State, to purchase the land on which the State Fish Hatcheries at Sisson and Lake Tahoe are now situated, and appropriating money therefor.

Also: Assembly Bill No. 22—An Act to amend section one thousand two hundred and nine of the Code of Civil Procedure of California, relating to the power of Courts in the matter of punishing contempts of Court.

F. J. BRANDON, Secretary.
By J. C. BOATMAN, Assistant.

Senate Bill No. 215 referred to Committee on Fish and Game.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON CLAIMS.

ASSEMBLY CHAMBER, SACRAMENTO, February 4, 1891.

MR. SPEAKER: Your Committee on Claims, to whom was referred Assembly Bill No. 509—An Act to appropriate money to pay the claim of Enoch N. Strout, for services rendered as Reclamation Land Commissioner, under "An Act to provide for the funding of the indebtedness of the reclamation and levee districts of this State," approved March 30, 1872—report the same back, and recommend that it do pass.

Also: Assembly Bill No 274—An Act for the relief of Cornelius Lynch, for personal injuries received by him while in the service of the State—report the same back with amendments, and recommend its passage as amended.

Also: Assembly Bill No. 78—An Act to provide compensation to G. B. Montgomery, for professional services rendered the State of California, at the request of the Attorney-General—report the same back, and recommend that it do pass.

Also: Assembly Bill No. 516—An Act for the relief of A. J Bourn, for personal injuries received by him while in the service of the State—report the same back with amendments, and recommend its passage as amended.

AMES, Chairman.

Assembly Bills Nos. 509, 274, 78, and 516 referred to Committee on Ways and Means and Appropriations.

INTRODUCTION OF BILLS.

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

By Mr. Bruner: Assembly Bill No. 621—An Act supplementary to an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, A. D. 1883, and being in relation to the organization of new counties, and the classification thereof.

Referred to Committee on County and Township Governments.

By Mr. Baughman: Assembly Bill No. 622—An Act to divide the State into legislative districts, as required by section six, article four, of the Constitution, and to provide for the election of Assemblymen and Senators in such districts.

Referred to Committee on Apportionment and Election Laws.

By Mr. Barnard: Assembly Bill No. 623—An Act to amend section three thousand nine hundred and sixteen and three thousand nine hundred and twenty-two of the Political Code of the State of California, relating to county boundaries.

Referred to Committee on Counties and County Boundaries.

By Mr. Mathews: Assembly Bill No. 624—An Act to amend sections two thousand six hundred and eighteen, two thousand six hundred and twenty-one, and two thousand six hundred and forty-three of the Political Code of the State of California, and to add a new section thereto, to be numbered two thousand six hundred and ninety-seven, all relating to highways.

Referred to Committee on Roads and Highways.

By Mr. Brown: Assembly Bill No. 625—An Act to amend section one hundred and forty-seven of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883, as amended March 14, 1885, March 18, 1885, March 17, 1887, and March 16, 1889, relating to the duties of the County Coroner.

Referred to Committee on County and Township Governments.

By Mr. Wentworth: Assembly Bill No. 626—An Act to amend an Act entitled "An Act to provide for the construction, maintenance, and regulation of fishways in streams naturally frequented by salmon, shad, and other migratory fish," approved April 16, 1880.

Referred to Committee on Fish and Game.

Also: Assembly Bill No. 627—An Act to amend an Act, approved March 8, A. D. 1872, entitled "An Act to prevent hunting and shooting on private inclosed grounds, and the destruction of growing timber on private grounds in certain counties of this State."

Referred to Committee on Fish and Game.

Also: Assembly Bill No. 628—An Act to amend sections six hundred and twenty-six, six hundred and thirty-three, six hundred and thirty-six, and six hundred and thirty-seven of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to fish and game.

Referred to Committee on Fish and Game.

By Mr. Ames: Assembly Bill No. 629—An Act to add a new section

to chapter eleven of title nine of part one of an Act entitled "An Act to establish a Penal Code of the State of California," approved February 14, 1872, relating to and declaring who are pawnbrokers.

Referred to Committee on Public Morals.

By Mr. Brusie: Assembly Bill No. 630—An Act to provide for the organization and government of districts to cut through ridges, to allow rapid flow from upper ponds down through the troughs adjacent to our great navigable rivers to tide water.

Referred to Committee on Commerce and Navigation.

By Mr. Marion: Assembly Bill No. 631—An Act making an appropriation to pay the claim of Major José Ramon Pico, for expenses incurred in recruiting and maintaining military companies.

Referred to Committee on Claims.

PRESENTATION OF PETITION.

Mr. Marion presented a petition from José Ramon Pico, asking a pension from the State for services rendered, and also for services and property furnished the State by his father.

Referred to Committee on Claims.

CONSTITUTIONAL AMENDMENT.

By Mr. Bruner: Assembly Constitutional Amendment No. 17—A resolution to propose amendments to sections one, two, three, four, ten, twelve, fourteen, seventeen, eighteen, twenty-three, and twenty-four of article six of the Constitution of the State of California, relating to the Judicial Department.

Referred to Committee on Judiciary.

RESOLUTION—(OUT OF ORDER).

By Mr. Hawley:

Resolved, That the Sergeant-at-Arms be authorized to purchase for the clerks of the House whatever instruments or material may be necessary to assist them in the expedition of their work.

Adopted.

RECONSIDERATION.

Mr. Culver moved that the vote whereby Assembly Constitutional Amendment No. 7 was lost be reconsidered, and moved that the consideration of the same be made a special order for next Monday, at two o'clock P. M.

Carried.

SPECIAL FILE.

Assembly Constitutional Amendment No. 1 passed on file.

Assembly Constitutional Amendment No. 5 passed on file.

Assembly Constitutional Amendment No. 4 passed on file.

Assembly Bill No. 42—An Act making an appropriation to pay the deficiency in the appropriation for support of the State Insane Asylum at Stockton, for the forty-first and forty-second fiscal years.

Read second time.

Assembly Bill No. 401—An Act making an appropriation to pay the Journal Clerk of the Senate, twenty-eighth session of the Legislature, and his assistants, for completing the Journal of the Senate.

Read second time.

Assembly Bill No. 427—An Act making an appropriation to pay the deficiency in the appropriation for the purchase of ballot paper, for the forty-second fiscal year.

Read second time.

MOTION.

Mr. Dibble moved that the House do now go into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Assembly Bills Nos. 42, 401, and 427.

Carried.

IN COMMITTEE OF THE WHOLE.

Speaker Coombs in the chair.

Assembly Bills Nos. 42, 401, and 427 were considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Coombs 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. 42, 401, and 427, and now report the same to the House and recommend that the same do pass.

Report of committee adopted.

Assembly Bill No. 42 ordered engrossed and to a third reading.

Assembly Bill No. 401 ordered engrossed and to a third reading.

Assembly Bill No. 427 ordered engrossed and to a third reading.

Assembly Bill No. 106—An Act appropriating money to pay the expenses of maintaining an exhibit of the products of the State of California at the World's Columbian Exposition, to be held in Chicago in 1893, and to provide for Commissioners thereof.

Read third time.

MOTIONS.

Mr. Brusie moved to make Assembly Bill No. 106 a special order for Monday next, at two o'clock P. M.

Mr. Bruner moved as an amendment that the bill be passed on file.

Amendment lost.

Mr. Dibble moved as an amendment that Assembly Bill No. 106 be made a special order for next Tuesday, at eleven o'clock A. M.

Carried.

Motion as amended carried.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 5, 1891.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Assembly Bill No. 590—An Act to amend sections twenty-seven, twenty-eight, twenty-nine, thirty, thirty-one, thirty-two, and thirty-three, the same comprising part second 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, relative to a system of street improvement certificates—report the same back, and recommend the passage of the same as amended.

WENTWORTH, Chairman.

SECOND READING OF BILLS.

Substitute for Assembly Bill No. 108—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, amended March 14, 1885, March 18, 1885, March 17, 1887, and March 16, 1889, relative to the power of Boards of Supervisors.

Read second time.

Mr. Bruner moved that substitute for Assembly Bill No. 108 be made a special order for next Tuesday, at eleven o'clock A. M.

Carried.

Assembly Bill No. 148 passed on file.

Assembly Bill No. 112 passed on file.

Assembly Bill No. 31—An Act to add a new section to the Code of Civil Procedure of the State of California, to be known and designated as section one thousand six hundred and seventy, relating to the continuation of administration upon the estates of deceased persons.

Mr. Bert moved that a select committee of one be appointed to amend according to the reported amendment of the Committee on Judiciary, which reads as follows: After line thirty-four of printed bill, insert the following: "*provided*, that this provision shall not apply to the estate of any person now deceased."

Carried.

APPOINTMENT OF COMMITTEE.

Mr. Bert was appointed a committee to make said amendment.

REPORT OF COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, February 5, 1891.

MR. SPEAKER: Your Select Committee, to whom was referred Assembly Bill No. 31, 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.

BERT, Committee.

MOTION.

Mr. Gould moved to amend the report as follows:

Amend by striking out the words "this provision" in the proposed amendment, and insert in lieu thereof the words "the provisions of this section."

Adopted.

Committee report as amended adopted.

THIRD READING OF BILLS.

Assembly Bill No. 68—An Act to amend an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Ames, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Bruner, Brusie, Bryant, Cargill, Carter, Clark, Coffey, Cunningham, Dennis, Dibble, Doty, Dow, Dunn, Durner, Eakle, Estey, Fowler, Freeman, Galbraith, Garver, Glynn, Gordon, Gould, Hail, Harloe, Hawley, Haves, Hersey, Hunewill, Johnson, Jackson, Jones, Kellogg, Lacey, Lowe, Lux, Lynch, Martin, Matlock, Mathews, McCall, Mordecai, Murnan, Murphy, Phillips, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Tully, Wentworth, Young, and Mr. Speaker—68.

NOES—None.

Title read and approved.

Assembly Bill No. 138—An Act to provide for the levy and collection of taxes by and for the use of municipal corporations, and cities incorporated under the laws of the State, excepting municipal corporations of the first, second, third, and fourth classes.

MOTION.

Mr. Barnett of Sonoma moved that a select committee of one be appointed to make the following amendments:

After the word "classes," in the third line of section one, printed bill, insert "and cities operating under a charter framed under section eight, article eleven of the Constitution."

Also, to amend the title by adding the following: "and cities operating under a charter framed under section eight, article eleven of the Constitution."

Also: At the end of section one, add the following: "*provided, however*, that the provisions of this Act shall not apply to or be in force in any city or municipal corporation until its Board of Trustees, Common Council, or other legislative body, shall have passed an ordinance electing to avail itself of the provisions of this Act, and filed a certified copy of the same with the Auditor of the county in which such municipal corporation or city is situated, on or before the first Monday in March of each year."

Carried.

APPOINTMENT OF COMMITTEE.

Mr. Barnett of Sonoma was appointed a committee to make said amendments.

REPORT OF COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, February 5, 1891.

MR. SPEAKER: Your Select Committee, to whom was referred Assembly Bill No. 138, with instructions to amend in accordance with the action of the House, would respectfully report that the instructions of the House have been carried out.

J. D. BARNETT, Committee.

Report of committee adopted.

Assembly Bill No. 224—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, by amending sections one, two, three, four, eleven, twelve, thirty-five, and forty-two thereof, relating to irrigation districts.

Read third time.

RECESS.

At twelve o'clock and thirty minutes P. M. the House took a recess.

REASSEMBLED.

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

Speaker Coombs in the chair.

The question recurring upon the consideration of Assembly Bill No. 224.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Ames, Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bleesoe, Brown, Bruner, Brusie, Bryant, Cargill, Carter, Clark, Coffey, Culver, Dennis, Doty, Dow, Dunn, Durner, Eakle, Estey, Fowler, Freeman, Garver, Glynn, Gould, Hail, Harloe, Hawley, Hayes, Hersey, Hoey, Hunewill, Johnson, Jackson, Jones, Kellogg, Lacey, Lewis, Lowe, Lux, Lynch, Marion, Martin, Matlock, Mathews, McCall, Mordecai, Murnan, Murphy, Phillips, Rentro, Shanahan, Smith of Butte, Stabler, Sturtevant, Tennis, Tully, Wentworth, Windrow, Young, and Mr Speaker—66.

NOES—None.

Title read and approved.

SPECIAL ORDERS.

Assembly Joint Resolution No. 2—Relative to Sacramento River and adjoining lands.

REPORT OF A MAJORITY OF JOINT COMMITTEE ON COMMERCE AND NAVIGATION AND MINES AND MINING. JANUARY 24, 1891.

Resolved by the Assembly of the State of California, the Senate concurring, That whereas, there is a navigable stream within the borders of the State of California known as the Sacramento River, which stream runs through the whole length of the Sacramento Valley, a distance of three hundred miles and upwards; and whereas, said valley contains an acreage of agricultural lands equal to nearly one third of all the agricultural lands within said State; and whereas, fully ten per cent of said valley has been and is being wholly destroyed by the overflow of said Sacramento River, which destruction and overflow is due to the neglect by the Government of its rivers; and whereas, hundreds of prosperous and happy homes have been wholly ruined and rendered desolate by such destruction and overflow, thus depriving the citizens of this State of their property, and greatly reducing the revenues of this State, by thus rendering the property of its citizens of no taxable value; and whereas, the maintenance of said river in a navigable condition is of paramount importance to all of the citizens of this State; and whereas, the navigation at this time is only passable with vessels drawing from eight to twenty-four inches of water, except in times of flood; and whereas, prior to said neglect, said river was navigable for many miles beyond where it is now navigable, and that such navigation was practicable with vessels drawing ten feet of water; and whereas, said river, in a navigable condition for large vessels, would be of great benefit to the whole United States in case of invasion by a foreign power or insurrection at home; and whereas, unless the Congress of the United States takes some immediate action to prevent the destruction of navigation upon said river, and to restore it to a navigable condition for vessels of deep draught, in a few years more the navigation of said river must cease, and not only ten per cent of all the lands of the great Sacramento Valley will be valueless but at least ten per cent more of such lands will become a dismal swamp, and where now is seen splendid orchards, smiling fields of cereals, and rich meadows, will be seen a waste of tules, breeding disease and death, and whereas, the Congress of the United States has, by the Constitution of the United States, been given the exclusive jurisdiction and control over all navigable streams within the United States, and whereas, Congress annually appropriates many millions of dollars to maintain the navigability of waterways in other States of this Union, that are of no greater importance to the people of the United States than is the Sacramento River; therefore, be it

Resolved by the Assembly of the State of California, the Senate concurring, That it is the sense of the people of this State that the Congress of the United States should, in justice to the United States and to the people of this State, appropriate at least one million of dollars to be used in maintaining and restoring said river to a navigable condition—and, to that end, this Assembly and Senate earnestly request our Senators and Representa-

tives at Washington to use all reasonable and honorable efforts to secure the appropriation of one million of dollars, to be at once expended, under the direction and control of the War Department of the United States, in restoring and maintaining the navigation of said river, and thereby preventing the destruction of the private property of the citizens of this State, and maintaining for the people of California its chief inland waterway, so indispensable to their future financial welfare.

Resolved, That a copy of this preamble and resolution be forthwith forwarded to our Senators and Representatives at Washington, under the seal of this State, by the Governor of this State.

A minority of the Committee on Commerce and Navigation and Mines and Mining, report in favor of the Assembly Joint Resolution No. 2, without amendments.

MOTION.

Mr. Doty moved that the minority report be substituted for the majority report.

Mr. Bruner moved to amend by the adoption of the following substitute for the minority report:

Resolved by the Assembly of the State of California, the Senate concurring, That whereas, there is a navigable stream within the borders of the State of California known as the Sacramento River, which stream runs through the whole length of the Sacramento Valley, a distance of three hundred miles and upwards; and whereas, said valley contains an acreage of agricultural lands equal to nearly one third of all the agricultural lands within said State; and whereas, fully ten per cent of said valley has been and is being wholly destroyed by the overflow of said Sacramento River, which destruction and overflow is due to the neglect by the Government of its river and other causes; and whereas, hundreds of prosperous and happy homes have been wholly ruined and rendered desolate by such destruction and overflow, thus depriving the citizens of this State of their property, and greatly reducing the revenues of this State, by thus rendering the property of its citizens of no taxable value, and whereas, the maintenance of said river in a navigable condition is of paramount importance to all of the citizens of this State; and whereas, the navigation at this time is only possible with vessels drawing from eight to twenty-four inches of water, except in times of flood; and whereas, in the early history of California said river was navigable for many miles beyond where it is now navigable, and that such navigation was practicable with vessels drawing ten feet of water; and whereas, said river, in a navigable condition for large vessels, would be of great benefit to the whole United States in a case of invasion by a foreign power or insurrection at home, and whereas, unless the Congress of the United States takes some immediate action to prevent the destruction of navigation upon said river, and to restore it to a navigable condition for vessels of deep draught, in a few years more the navigation of said river must cease, and not only ten per cent of all the lands of the great Sacramento Valley will be valueless, but at least ten per cent more of such lands will become a dismal swamp, and where now is seen splendid orchards, smiling fields of cereals, and rich meadows, will be seen a waste of tules, breeding disease and death; and whereas, the Congress of the United States has, by the Constitution of the United States, been given the exclusive jurisdiction and control over all navigable streams within the United States, and whereas, Congress annually appropriates many millions of dollars to maintain the navigability of waterways in other States of this Union, that are of no greater importance to the people of the United States than is the Sacramento River, therefore, be it

Resolved by the Assembly of the State of California, the Senate concurring, That it is the sense of the people of this State that the Congress of the United States should, in justice to the United States and to the people of this State, appropriate at least one million of dollars to be used in maintaining and restoring said river to a navigable condition—and, to that end, this Assembly and Senate earnestly request our Senators and Representatives at Washington to use all reasonable and honorable efforts to secure the appropriation of one million of dollars, to be at once expended, under the direction and control of the War Department of the United States, in restoring and maintaining the navigation of said river, and thereby preventing the destruction of the private property of the citizens of this State, and maintaining for the people of California its chief inland waterway, so indispensable to their future financial welfare.

Resolved, That a copy of this preamble and resolution be forthwith forwarded to our Senators and Representatives at Washington, under the seal of this State, by the Governor of this State.

Carried.

Motion, as amended, carried, and the substitute of Mr. Bruner was adopted.

Assembly Constitutional Amendment No. 9—A resolution to propose an amendment to and providing for the repeal of sections twenty-two and twenty-three of article twelve of the Constitution, relative to a Board of Railroad Commissioners.

MOTIONS.

Mr. Dibble moved that the consideration of Assembly Constitutional Amendment No. 9 be made a special order for next Monday, at two o'clock P. M.

Lost.

Mr. Sturtevant in the chair.

Mr. Lowe moved that the consideration of Assembly Constitutional Amendment No. 9 be made a special order for Monday, at two o'clock P. M.

Carried.

Assembly Bill No. 142.

Mr. Dibble moved that the consideration of Assembly Bill No. 142 be made a special order for next Tuesday, at two o'clock P. M.

Carried.

THIRD READING OF BILLS.

Assembly Bill No. 174—An Act to provide for organizing, establishing, and maintaining a paid fire department within municipalities in the State of California, to be under the supervision and control of a Board of Fire Commissioners.

Read third time.

MOTION.

Mr. Bert moved that Assembly Bill No. 174 be referred to the Committee on Municipal Corporations.

The ayes and noes were demanded by Messrs. Bert, Gordon, and Hawley.

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

AYES—Messrs. Ames, Arms, Barnett of Sonoma, Baughman, Beecher, Bert, Brown, Brusie, Bryant, Carter, Clark, Culver, Cunningham, Dunn, Durner, Fowler, Freeman, Galbraith, Garver, Gordon, Harloe, Hawley, Johnson, Lacey, Lewis, Lynch, Marion, Martin, Mathews, Murman, Renfro, Rice, Robertson, Stabler, and Sturtevant—35.

NOES—Messrs. Barnett of San Francisco, Bledsoe, Bruner, Cargill, Coffee, Daly, Dennis, Dibble, Doty, Estey, Eakle, Glynn, Gould, Hayes, Hersey, Hocking, Hoey, Hunewill, Jackson, Jones, Kellogg, Lowe, Lux, Matlock, McCall, Mordecai, Phillips, Shanahan, Smith of Butte, Steltz, Tennis, Tully, Wentworth, Windrow, and Young—35.

LEAVE OF ABSENCE.

Mr. Bryant was granted leave of absence for to-morrow.

ADJOURNMENT.

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

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Friday, February 6, 1891.

The Assembly met pursuant to adjournment.

Speaker Coombs in the chair.

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

Messrs. Alexander, Ames, Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Brusie, Cargill, Carter, Clark, Coffey, Cram, Culver, Cunningham, Daly, Dennis, Dibble, Doty, Dow, Dunn, Durner, Eakle, Estey, Fowler, Freeman, Galbraith, Garver, Glynn, Gordon, Gould, Hail, Harloe, Hawley, Hayes, Hersey, Hocking, Hoey, Hunewill, Johnson, Jackson, Jones, Kellogg, Lacey, Lewis, Lowe, Lux, Lynch, Marion, Martin, Matlock, Mathews, McCall, Mordecai, Murnan, Murphy, Phillips, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Tully, Wentworth, Weston, Windrow, Young, and Mr. Speaker.

Quorum present.

LEAVE OF ABSENCE.

Mr. Eakle was granted leave of absence until Monday, and Mr. Durner an indefinite leave of absence.

PRAYER.

Prayer by the Chaplain, Rev. A. C. Herrick.

READING OF THE JOURNAL.

On motion of Mr. Barnett of San Francisco, further reading of the Journal was dispensed with.

Mr. Estey is recorded on page twelve as voting "aye," whereas he voted no.

He asked that the Journal be corrected, so as to show that he voted "no" on the question of referring Assembly Bill No. 174 to the Committee on Municipal Corporations.

So ordered.

Mr. Fowler asked that his vote, which is not recorded as voting on the question of referring Assembly Bill No. 174 to the Committee on Municipal Corporations, be inserted in the Journal as voting "aye."

So ordered.

Mr. Hawley moved that Mr. Estey be recorded according to his request.

Carried.

Mr. Hawley moved that the Journal be so corrected as to show that Mr. Fowler voted "aye."

Carried.

Mr. Dow asked that the Journal be corrected so as to show that he voted "no" in the matter of referring Assembly Bill No. 174 to the Committee on Municipal Corporations.

So ordered.

Mr. Bledsoe moved that the Journal be corrected so as to show that

Mr. Matlock voted "aye" on the referring of Assembly Bill No. 174 to the Committee on Municipal Corporations.

The ayes and noes were demanded by Messrs. Phillips, Lowe, and Barnett of San Francisco

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

AYES—Messrs. Alexander, Ames, Arms, Barnard, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruce, Cargill, Clark, Cram, Culver, Cunningham, Dibble, Dow, Dunn, Estey, Fowler, Freeman, Galbraith, Garver, Gordon, Gould, Harloe, Hawley, Hersey, Hocking, Jackson, Kellogg, Lacey, Lewis, Lowe, Lynch, Marion, Martin, Mathews, Mordecai, Murnan, Murphy, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Sturtevant, Tennis, Young, and Mr. Speaker—53.

NOES—Messrs. Barnett of San Francisco, Bruner, Carter, Coffey, Daly, Dennis, Doty, Glynn, Hail, Hayes, Hoey, Hunewill, Johnson, Jones, Lux, Phillips, Steltz, Tully, Weston, and Windrow—20.

Pending the calling of the roll, Mr. Marion moved that Mr. Dibble be excused from voting.

Lost.

Journal, as corrected, approved.

PRESENTATION OF PETITION.

Mr. Barnett of Sonoma presented a petition from citizens of Santa Rosa, relative to the exemption from payment of poll tax of veterans of the Civil War of 1861–65.

Referred to Committee on Military Affairs.

REPORTS OF STANDING COMMITTEES.

ON APPORTIONMENT AND ELECTION LAWS.

ASSEMBLY CHAMBER, SACRAMENTO, February 6, 1891.

MR. SPEAKER: Your Committee on Apportionment and Election Laws, to whom was referred Assembly Bills Nos 1, 2, 3, 27, 29, 470, and 471—report the same back without recommendation.

CRAM, Chairman.

ON PUBLIC BUILDINGS AND GROUNDS.

ASSEMBLY CHAMBER, SACRAMENTO, February 6, 1891.

MR. SPEAKER: Your Committee on Public Buildings and Grounds, to whom was referred Assembly Bill No. 537—An Act to provide for the purchase, repair, and furnishing a residence for the Governor of California, and to appropriate money therefor—report the same back with amendments, and recommend its passage as amended, and that the same be referred to the Committee on Ways and Means and Appropriations.

HERSEY, Chairman.

Assembly Bill No. 537 referred to Committee on Ways and Means and Appropriations.

ON CLAIMS.

ASSEMBLY CHAMBER, SACRAMENTO, February 5, 1891.

MR SPEAKER: Your Committee on Claims, to whom was referred Assembly Bill No. 592—An Act to authorize the Board of State Harbor Commissioners to adjust and pay the claim of Daniel J. Logan—report the same back, and recommend that it do not pass.

Also: Assembly Bill No. 487—An Act for the relief of John J. Conlin—report the same back, and recommend that it do pass.

AMES, Chairman.

Assembly Bills Nos. 592 and 487 referred to Committee on Ways and Means and Appropriations.

ON STATE CHARITABLE AND REFORMATORY INSTITUTIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 6, 1891.

MR. SPEAKER: Your Committee on State Charitable and Reformatory Institutions, to whom was referred Assembly Bill No. 264—*An Act to amend "An Act to establish a Reform School for Juvenile Offenders, and make an appropriation therefor" approved March 11, 1889*—report the same back with a substitute, and recommend that the substitute do pass.

MARION, Chairman.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 6, 1891.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that they have examined the following Assembly Bills and find them correctly engrossed: Nos. 408, 409, 410, 412, 413, 418, 419, 423, and substitute for No. 119.

WINDROW, Chairman.

ON PUBLIC MORALS.

ASSEMBLY CHAMBER, SACRAMENTO, February 5, 1891.

MR. SPEAKER: Your Committee on Public Morals, to whom was referred Assembly Bill No. 240—*An Act for the regulation of the practice of medicine and surgery in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation*—report the same back with amendments, and recommend its passage as amended.

CARGILL, Chairman.

ON PUBLIC MORALS—MINORITY REPORT.

We, the undersigned, members of the Committee on Public Morals, have had under consideration Assembly Bill No. 240, and report the same back with the accompanying amendment to section one, and recommend the adoption of the said amendment.

BAUGHMAN,
YOUNG.
McCALL.
DOTY.

Amendment to Assembly Bill No. 240.

Amend section one by striking out the last three words of line two, all of lines three, four, five, and all of line six up to the word "from," and insert in place thereof the words "three persons of the allopathic school, two of the homœopathic school, and two of the eclectic school; none of said appointees shall belong to the faculty of any medical college, but shall be."

ON PUBLIC PRINTING.

ASSEMBLY CHAMBER, SACRAMENTO, February 6, 1891.

MR SPEAKER: Your Committee on Public Printing, to whom was referred Assembly Bill No. 575—*An Act to amend sections three hundred and thirty-two, three hundred and thirty-three, three hundred and thirty-four, and three hundred and thirty-five of the Political Code.*

Also: Assembly Bill No. 574—*An Act to amend section five of the Political Code*—report the same back, and recommend their passage.

JONES, Chairman.

ON COUNTIES AND COUNTY BOUNDARIES.

ASSEMBLY CHAMBER, SACRAMENTO, February 6, 1891.

MR. SPEAKER: Your Committee on Counties and County Boundaries, to whom was referred Assembly Bill No. 72—*An Act to form Pomona County, classify it, define its boundaries, provide for its organization, the appointment and election of officers, the location of a county seat by election, and the adjustment and fulfillment of certain rights and obligations arising between such new county and certain other counties.*

Also: Assembly Bill No. 579—*An Act to form Riverside County, classify it, define its boundaries, provide for its organization, and the appointment and election of officers, the location of a county seat by election, and the adjustment and fulfillment of certain rights and obligations arising between such county and certain other counties.*

Report the same back, and recommend that they do not pass.

Also: Assembly Bill No. 353—*An Act to create the county of San Jacinto, to define the boundaries thereof, to determine the county seat by an election, and to provide for its organization and election of officers, and to classify said county*—report the same back, and recommend that it do pass.

Also: Assembly Bill No. 185—*An Act to create the county of Glenn, to establish the boundaries thereof, and provide for its organization*—report the same back, and recommend that it do pass as amended.

J. D. BARNETT, Chairman.

ON STATE PRISONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 5, 1891.

MR. SPEAKER: Your Committee on State Prisons, to whom was referred Assembly Bill No. 377—An Act to authorize the State Board of Prison Directors to pay for certain skilled labor used in the construction of the dam and canal at the Folsom Prison, and making an appropriation therefor—report the same back, and recommend that it do pass.

Also: Assembly Bill No. 529—An Act authorizing the appointment of a State agent for the guidance and employment of discharged convicts, defining his duties, and appropriating money therefor—report the same back, and recommend that it do not pass.

ESTEY, Chairman.

Assembly Bills Nos. 377 and 529 referred to Committee on Ways and Means and Appropriations.

ON WAYS AND MEANS AND APPROPRIATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 6, 1891.

MR. SPEAKER: Your Committee on Ways and Means and Appropriations respectfully report the accompanying bill—An Act to provide an appropriation for the contingent expenses of the Assembly—and recommend that it do pass.

Also: A resolution for the payment of sundry bills, aggregating ninety-two dollars and twenty-five cents—and recommend that it be passed.

Also: Assembly Bill No. 280—have had the same under consideration, and report back the accompanying substitute and recommend that it do pass.

DIBBLE, Chairman.

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 ninety-two dollars and twenty-five cents, in favor of H. J. McKusick, Sergeant-at-Arms, for the payment of the following bills:

For letter scales for Assembly Post Office, as per bill	$8 00
For cash box for warrants	1 25
For washing towels to January twenty-fourth	3 50
Union Ice Company, for ice to February first	8 10
For carpenter work—repairing tables, desks, and chairs	20 65
For making sixty-four keys, locks and keys, and picking locks	48 25
For rubber stamps for Minute Clerk of Assembly	2 50
Total	$92 25

And the Treasurer is hereby directed to pay the same.

Adopted.

INTRODUCTION OF BILL—(OUT OF ORDER).

By Committee on Ways and Means and Appropriations: Assembly Bill No. 632—An Act to provide for an appropriation for the contingent expenses of the Assembly.

Read first time, and placed on file for second reading.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON COMMERCE AND NAVIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 6, 1891.

MR. SPEAKER: Your Committee on Commerce and Navigation, to whom was referred Assembly Bill No. 278—An Act making an appropriation for the construction of a seawall thoroughfare and piers in the harbor of San Diego—report the same back, and recommend that it do pass..

AMES.
YOUNG.
ROBERTSON.
DOTY.

ON COMMERCE AND NAVIGATION—MINORITY REPORT.

ASSEMBLY CHAMBER, SACRAMENTO, February 6, 1891.

MR. SPEAKER: The undersigned, members of your Committee on Commerce and Navigation, to whom was referred Assembly Bill No. 278—An Act making an appropriation for the construction of a seawall thoroughfare and piers in the harbor of San Diego—have had the same under consideration, and recommend that the same do not pass.

PHILLIPS.
BLEDSOE.

Assembly Bill No. 278 referred to Committee on Ways and Means and Appropriations.

ON CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 5, 1891.

MR. SPEAKER: Your Committee on Corporations, to whom was referred Assembly Bill No. 369—An Act to regulate the business of land and building, and building and loan associations in the State of California

Also: Assembly Bill No. 429—An Act to provide for the government and control of all building and loan associations doing business in the State of California.

Also: Assembly Bill No. 463—An Act to repeal title sixteen of part four, division one, of the Civil Code, and to substitute a new title in place thereof, providing for the formation and government of mutual building and loan associations, and to add fifteen new sections to said Civil Code, to be known and numbered as sections six hundred and thirty-three, six hundred and thirty-four, six hundred and thirty-five, six hundred and thirty-six, six hundred and thirty-seven, six hundred and thirty-eight, six hundred and thirty-nine, six hundred and forty, six hundred and forty-one, six hundred and forty-two, six hundred and forty-three, six hundred and forty-four, six hundred and forty-five, six hundred and forty-six, and six hundred and forty-seven, providing for the formation and government of mutual building and loan associations

The committee allows authors of said bills to withdraw same, submit substitute for said bill, and report the same back and recommend that substitute do pass.

Also: Assembly Bill No. 341—An Act governing the business of fire, marine, life, and accident insurance, relating to deposits—report the same back without recommendation.

Also: Assembly Bill No. 289—An Act to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, and repealing section two thousand five hundred and ninety-five, relating to policies of insurance—report the same back with amendments, and recommend its passage as amended.

Also: Assembly Bill No. 290—An Act to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, by amending section two thousand seven hundred and fifty-six, relating to fire insurance—report the same back, and recommend that same do pass

Also: Assembly Bill No. 291—An Act to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, by amending section two thousand five hundred and eighty-seven, relating to policies of insurance—report the same back with amendments, and recommend its passage as amended

LOWE, Chairman.

Mr. Phillips was permitted to withdraw Assembly Bill No. 369.
Mr. Dibble was permitted to withdraw Assembly Bill No. 429.
Mr. Wentworth was permitted to withdraw Assembly Bill No. 463.

ON COUNTY AND TOWNSHIP GOVERNMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, February 5, 1891.

MR. SPEAKER: Your Committee on County and Township Governments, to whom was referred Assembly Bill No. 352—An Act to abolish the commissions now authorized to be paid by the State to County Treasurers, County Auditors, and County Treasurers for collecting and disbursing State revenues, and to repeal all laws now authorizing the payment of said commissions—report the same back with amendments, and recommend its passage as amended.

BROWN, Chairman.

Mr. Renfro was permitted to withdraw Assembly Bill No. 243.

ON ROADS AND HIGHWAYS.

ASSEMBLY CHAMBER, SACRAMENTO, February 6, 1891.

MR. SPEAKER: Your Committee on Roads and Highways, to whom was referred Assembly Bill No. 177—An Act in relation to the compensation of Supervisors—respectfully report the same back, and recommend that it be rereferred to the Committee on County and Township Governments.

Also: Assembly Bill No 263—Relating to toll roads—and recommend that the author, Mr. Sturtevant, be permitted to withdraw the same.

Also: Assembly Bill No. 445—Relating to toll roads—with petition.

Also: Committee Substitute Bill for Assembly Bill No. 26—Relating to free road into Yosemite Valley, with petitions, and making an appropriation of fifty thousand dollars therefor.

Report the same back, and recommend that they do pass.

MATLOCK, Chairman.

Substitute for Assembly Bill No 26 referred to Committee on Ways and Means and Appropriations.

Assembly Bill No. 177 referred to Committee on County and Township Governments.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 5, 1891.

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

Senate Joint Resolution No. 7—Relative to coast defense.

Also: Senate Joint Resolution No 11—Memorializing Congress to pass an Act forfeiting to the General Government the land granted to certain railroads, because of noncompliance by them with the Acts of Congress granting said lands.

F. J. BRANDON, Secretary.
By J. C. BOATMAN, Assistant Secretary

Also:

SENATE CHAMBER, SACRAMENTO, February 5, 1891.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed the following Senate Bill No. 444—An Act to amend section six hundred and forty-seven of the Penal Code, concerning vagrants.

Also. Assembly Bill No 132—An Act to amend an Act entitled "An Act in relation to certain deputies, assistants, and copyists of County Clerks," approved April 2, 1880.

F. J. BRANDON, Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, February 6, 1891.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the fifth day of February, concurred in the following: Assembly Joint Resolution No. 4—Relating to the improvement of Humboldt Bar.

Also: Passed Senate Bill No. 45—An Act to amend section three hundred and thirty of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, to prohibit gaming.

F. J. BRANDON, Secretary.
By J. C. BOATMAN, Assistant Secretary.

Senate Bill No. 444 referred to Committee on Public Morals.

Assembly Bill No. 132 referred to Committee on Enrollment.

Assembly Joint Resolution No. 4 referred to Committee on Enrollment.

Senate Bill No. 45 referred to Committee on Public Morals.

INTRODUCTION OF BILL—(OUT OF ORDER).

By Mr. Lowe, as Chairman of Committee on Corporations: Assembly Bill No. 633—An Act to repeal sections six hundred and thirty-nine, six hundred and forty, six hundred and forty-one, six hundred and forty-two, six hundred and forty-three, six hundred and forty-four, six hundred and forty-five, and six hundred and forty-seven of title sixteen of part four, division first of the Civil Code, providing for the formation and government of mutual building and loan associations, and to add seventeen new sections to said Civil Code, to be known and numbered as sections six hundred and thirty-three, six hundred and

thirty-four, six hundred and thirty-five, six hundred and thirty-six, six hundred and thirty-seven, six hundred and thirty-eight, six hundred and thirty-nine, six hundred and forty, six hundred and forty-one, six hundred and forty-two, six hundred and forty-three, six hundred and forty-four, six hundred and forty-five, six hundred and forty-six, six hundred and forty-seven, six hundred and forty-eight, and six hundred and forty-eight and one half, providing for the formation and government of mutual building and loan associations.

RESOLUTION.

By Mr. McCall:

Resolved, That a majority of the Committees on State Charitable and Reformatory Institutions, and Public Buildings and Grounds, be granted leave of absence to inspect the State buildings at Los Angeles, Berkeley, San José, and Chico.

MOTIONS.

Mr. Matlock moved to amend the resolution by including the Committee on State Prisons.

Carried.

Mr. Bruner moved to reconsider the vote whereby the amendment adding the State Prison Committee was carried.

RECESS.

Pending discussion on the matter, at twelve o'clock and thirty minutes P. M. the House took a recess.

REASSEMBLED.

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

Speaker Coombs in the chair.

MOTION.

Mr. Martin moved that Senate Joint Resolutions Nos. 8 and 9 be passed on file, and made a special order for to-morrow morning immediately after the reading of the Journal.

Carried.

LEAVE OF ABSENCE.

Mr. Culver was granted leave of absence until Monday.

Mr. Ames was refused leave of absence until Monday.

Mr. Galbraith was granted leave of absence until Monday.

MOTION.

Mr. Bruner moved that when this House adjourn to-day it adjourn until next Monday, at one o'clock P. M.

The ayes and noes were demanded by Messrs. Lacey, Hunewill, and Tennis.

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

AYES—Messrs. Ames, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Brown, Bruner, Brusie, Cargill, Carter, Clark, Coffey, Cram, Culver, Daly,

Dennis, Doty, Dow, Estey, Galbraith, Gordon, Gould, Hall, Hersey, Hocking, Hoey, Jackson, Jones, Lowe, Lux, Marion, Mathews, McCall, Mordecai, Murnan, Renfro, Robertson, Shanahan, Smith of Butte, Stabler, Steltz, and Windrow—43.

NOES—Messrs. Arms, Bledsoe, Cunningham, Dibble, Dunn, Fowler, Freeman, Garver, Glynn, Harloe, Hawley, Hunewill, Johnson, Kellogg, Lacey, Lynch, Matlock, Murphy, Phillips, Rice, Smith of Orange, Sturtevant Tennis, Tully, Wentworth, Weston, Young, and Mr. Speaker—28.

LEAVE OF ABSENCE.

Messrs. Stabler and Ames were granted leave of absence until Monday.

UNFINISHED BUSINESS.

Consideration of the resolution introduced by Mr. McCall in regard to granting leave of absence to certain committees.

Mr. Murphy moved the adoption of the following substitute:

Resolved, That one member from each of the following committees, to wit: First, Ways and Means and Appropriations; second, State Charitable and Reformatory Institutions; third, Public Buildings and Grounds, fourth, State Prisons; to be selected by each of the several committees, either by appointment or election, as such committees may determine, to visit the following public institutions, to wit: *provided*, that in selecting said sub-committees to perform such labor, that different sub-committees shall be selected to visit different institutions.

Mr. Shanahan moved to amend by striking out both resolutions, and substituting the following:

That Mr. Murphy is hereby authorized to visit all State institutions and report to this Assembly in reference thereto.

Mr. Robertson moved to amend the substitute by adding the following names: Messrs. Gould, Clark, Shanahan, and Bledsoe.

Lost.

Mr. Shanahan's substitute lost.

Mr. Bruner moved to amend as follows:

Resolved, That three members of the Committees on Public Buildings and Grounds, and State Charitable and Reformatory Institutions, each be and they are hereby authorized to visit such public buildings as require appropriations of money for the purpose of erecting or repairing such public buildings.

Carried.

Mr. Renfro moved to add the Committee on Education.

Lost.

PREVIOUS QUESTION.

The question recurring upon the original resolution as amended.

Mr. Ames moved the previous question, seconded by Messrs. Tennis and Phillips.

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

The question being upon the adoption of the resolution as amended, it was adopted.

INTRODUCTION OF BILL—(OUT OF ORDER).

By Committee on Swamp and Overflowed and Public Lands: Assembly Bill No. 634—An Act to amend section three thousand eight hundred and sixteen, section three thousand eight hundred and ninety-seven, and

section three thousand eight hundred and ninety-eight of the Political Code of the State of California.

Read first time, and placed on file for second reading.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 6, 1891.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the sixth of February, amended and passed the following:

Assembly Bill No. 211—An Act to increase the police force of the various cities, and cities and counties, and towns of the State, and to provide for the appointment of such extra police officers, and for the payment of their salaries

And respectfully ask that the Assembly concur in the amendments.

F. J. BRANDON, Secretary.
By J. C. BOATMAN, Assistant Secretary.

SENATE AMENDMENT.

Amend by striking out of section one, line two, the word "third" in printed amended Assembly Bill No. 211.

MOTION.

Mr. Dibble moved that the Assembly do now concur in the Senate amendment.

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

AYES—None.

NOES—Messrs. Alexander, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bledsoe, Brown, Bruner, Brusie, Cargill, Carter, Clark, Coffey, Cunningham, Daly, Dennis, Dibble, Doty, Dow, Dunn, Estey, Fowler, Freeman, Garver, Gordon, Hail, Harloe, Hawley, Hocking, Hoey, Hunewill, Johnson, Jackson, Kellogg, Lacey, Lowe, Lux, Lynch, Matlock, Mathews, McCall, Murnan, Murphy, Phillips, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Sturtevant, Wentworth, Weston, Windrow, Young, and Mr Speaker—57.

INTRODUCTION OF BILLS.

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

By Mr. Alexander: Assembly Bill No. 635—An Act to amend section seven hundred and fifty-one of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the duties of the Clerk of the Supreme Court.

Referred to Committee on Judiciary.

By Mr. Mathews: Assembly Bill No. 636—An Act to amend an Act entitled "An Act to form agricultural districts, to provide for the organization of agricultural associations therein, and for the management and control of the same by the State," approved April 15, 1880, and amended by amendatory Act, approved March 6, 1889.

Referred to Committee on Agriculture and Forestry.

By Mr. Gould: Assembly Bill No 637—An Act to amend section one thousand seven hundred and twelve 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 public schools.

Referred to Committee on Municipal Corporations.

By Mr. McCall: Assembly Bill No. 638—An Act authorizing the Attorney-General to dismiss those certain actions pending in the

Superior Court of the City and County of San Francisco, and numbered eleven thousand seven hundred and six, eleven thousand nine hundred and twenty-five, and eleven thousand nine hundred and twenty-six, upon payment to him for the use of the State of certain moneys.

Referred to Committee on Judiciary.

By Mr. Fowler: Assembly Bill No. 639—An Act to amend sections one thousand six hundred and sixty-five and one thousand six hundred and sixty-six, and to repeal sections numbers one thousand six hundred and sixty-three and one thousand six hundred and sixty-nine of the Political Code of the State of California.

Referred to Committee on Education.

By Mr. Doty: Assembly Bill No. 640—An Act to pay the claim of Joseph C. Gorman, for services rendered as a member of the Constitutional Convention, and appropriating money to pay the same.

Referred to Committee on Claims.

By Mr. Young: Assembly Bill No. 641—An Act to amend section three hundred and seventeen of the Penal Code.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 642—An Act to establish Boards of Commissioners for the parole and government of paroled prisoners.

Referred to Committee on Public Morals.

Also: Assembly Bill No. 643—An Act to define the manner in which the County Auditors shall keep their books, and for the adoption of a uniform system for use in such office.

Referred to Committee on Judiciary.

By Mr. Windrow: Assembly Bill No. 644—An Act to amend section one thousand two hundred and seventy-nine of the Penal Code, relating to the qualifications of bail.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 645—An Act to amend section four hundred and ninety-four and section one thousand and fifty-seven of the Code of Civil Procedure.

Referred to Committee on Judiciary.

By Mr. Murphy: Assembly Bill No. 646—An Act to amend section two thousand six hundred and fifty-two of the Political Code, relating to road poll tax.

Referred to Committee on Roads and Highways.

By Mr. Barnett of San Francisco: Assembly Bill No. 647—An Act for the relief of Barnaby Dougherty.

Referred to Committee on Claims.

By Mr. Dennis: Assembly Bill No. 648—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 Municipal Corporations.

By Mr. Lowe: Assembly Bill No. 649—An Act to provide for making proof of will during the lifetime of testator.

Referred to Committee on Judiciary.

MOTION.

Mr. Dibble moved that the Assembly now proceed to first reading of bills.

Carried.

LEAVE OF ABSENCE.

Mr. Renfro was granted leave of absence for to-morrow and Monday.

FIRST READING OF BILLS.

Assembly Bill No. 269—An Act entitled "An Act to appropriate moneys to pay the claim of George Fetherstone, for services rendered in the office of the Treasurer of State.

Read first time, and placed on file for second reading.

Assembly Bill No. 547—An Act to repeal sections four hundred and forty-four, one thousand six hundred and twenty-five, one thousand six hundred and eighty-two, and one thousand six hundred and sixty-nine of the Political Code; 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, and one thousand six hundred and ninety-six of said Code; to abolish the grammar school course in the public schools, and the Grammar School Course Fund; and to authorize and direct the Controller of State to credit to the School Fund any balance which may stand to the credit of the said fund.

Read first time, and placed on file for second reading.

Mr. Bledsoe was permitted to withdraw Assembly Bill No. 40.

Assembly Bill No. 432—An Act to provide for furnishing assistants to every attorney and counselor, City Attorney, and City and County Attorney, and to each law officer, by whatever official name he may be designated, officially conducting the civil litigation of each city, or city and county, having one hundred thousand or more inhabitants, and providing the mode in which such assistants shall be appointed and designated as officers of each city, or city and county, and establishing the compensation and prescribing the duties of such assistants.

Read first time, and placed on file for second reading.

Assembly Bill No. 235—An Act to authorize the Governor and Surveyor-General to sell and convey the State's interest in certain lands.

Read first time, and placed on file for second reading.

Assembly Bill No. 87—An Act to amend sections three thousand six hundred and sixty-five, three thousand six hundred and sixty-six, three thousand six hundred and sixty-seven, three thousand six hundred and sixty-eight, three thousand six hundred and sixty-nine, three thousand six hundred and seventy, three thousand six hundred and seventy-two, three thousand six hundred and ninety-two, three thousand six hundred and ninety-six, three thousand seven hundred and fourteen, three thousand seven hundred and twenty-eight, three thousand seven hundred and thirty-two, three thousand seven hundred and forty-six, three thousand seven hundred and fifty-six, three thousand seven hundred and fifty-eight, and three thousand seven hundred and sixty-four of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to revenue and taxation.

Read first time, and placed on file for second reading

Assembly Bill No. 348—An Act to amend section ninety-two of the

Civil Code, and to add a new section to the Civil Code, to be designated as section one hundred and eight, concerning divorces.

Read first time, and placed on file for second reading.

Senate Bill No. 77—An Act to legalize certain acknowledgments.

Read first time, and placed on file for second reading.

Senate Bill No. 13—An Act to amend section five hundred and thirty-two of the Penal Code of the State of California, relating to the crime of obtaining money or property by false pretenses.

Read first time, and placed on file for second reading.

Senate Bill No. 14—An Act to amend section seventy-two of the Penal Code of the State of California, relating to the fraudulent presentation of claims to public officers.

Read first time, and placed on file for second reading.

Senate Bill No. 29—An Act to amend section two hundred and twenty-four of an Act entitled "An Act to establish a Civil Code of the State of California," approved March 21, 1872, in relation to the adoption of children.

Read first time, and placed on file for second reading.

Senate Bill No. 22—An Act to amend section four hundred of the Penal Code, relating to the offense of aiding, advising, and encouraging the commission of suicide, and to renumber said section.

Read first time, and placed on file for second reading.

Senate Bill No. 30—An Act to amend sections three thousand seven hundred and forty-six, three thousand seven hundred and fifty, three thousand seven hundred and fifty-one, three thousand seven hundred and fifty-six, three thousand seven hundred and fifty-eight, three thousand seven hundred and sixty-four, three thousand seven hundred and ninety-seven, three thousand eight hundred, three thousand eight hundred and sixteen, three thousand eight hundred and sixty-six, and three thousand eight hundred and sixty-eight of "An Act to establish a Political Code," approved March 12, 1872, and to add a new section thereto, to be known as section three thousand seven hundred and fifty-seven, relative to the collection of property taxes, and providing for the payment of taxes by installments.

Read first time, and placed on file for second reading.

Senate Bill No. 49—An Act to amend section seventy of the Civil Code, relating to solemnization of marriages.

Read first time, and placed on file for second reading.

Senate Bill No. 10—An Act to amend sections six hundred and eighty-nine and five hundred and forty-nine of the Code of Civil Procedure of the State of California, relative to the claims by third persons of property levied upon under writs of execution and attachment, as to the procedure upon said claims, and as to the necessary prerequisites to their being received.

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 Political Code," approved March 12, 1872, by amending section three thousand two hundred and forty-five, relating to eight hours being a legal day's work.

Read first time, and placed on file for second reading.

Assembly Bill No. 317—An Act to amend section one hundred and ninety-seven 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, March 18, 1885, March 17, 1887, and March 16, 1889, relating to the salary of the county officers in the counties of the thirty-fifth class.

Read first time, and placed on file for second reading.

Assembly Bill No. 218—An Act to amend section three thousand and sixty-four of 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. 333—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, and also since the passage of the Act entitled "An Act to provide for the classification of municipal corporations," approved March 2, 1883.

Read first time, and placed on file for second reading.

Assembly Bill No. 19—An Act limiting the time in which an action to set aside, annul, or vacate the charter of any city, city and county, or town, can be maintained to six months.

Read first time, and placed on file for second reading.

Senate Bill No. 7—An Act to amend an Act entitled "An Act to provide for the completion of all unfinished county, city, city and county, town, and township buildings in the several counties, cities and counties, cities, and towns throughout the State of California," approved March 10, 1887.

Read first time, and placed on file for second reading.

Assembly Bill No. 238—An Act to authorize and direct the sale of the site and buildings of the California Home for the Care and Training of Feeble-Minded Children, in Santa Clara County.

Read first time, and placed on file for second reading.

Assembly Bill No. 37—An Act to amend an Act entitled "An Act to provide a State Hospital and Asylum for Miners," approved March 14, 1881, by amending section five, relating to the annual payment of fees by miners; also, relating to life membership.

Read first time, and placed on file for second reading.

Assembly Bill No. 304—An Act entitled "An Act to give preference to honorably discharged Union soldiers upon all public works and all public departments of this State."

Read first time, and placed on file for second reading.

Assembly Bill No. 180—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.

Read first time, and placed on file for second reading.

Assembly Bill No. 440—An Act to amend section one thousand nine hundred and seventy of the Civil Code of the State of California, relating to the liability of employer.

Read first time, and placed on file for second reading.

Assembly Bill No. 490—An Act to grant a right of way to Patrick Monohan over the site of the California Home for the Care and Training of Feeble-Minded Children, in Sonoma County.

Read first time, and placed on file for second reading.

Assembly Bill No. 287—An Act to amend section six hundred and forty-seven of the Penal Code, relating to vagrants.

Read first time, and placed on file for second reading.

Assembly Bill No. 586—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, for the distribution of water thereby for irrigation purposes," approved March 7, 1887, by amending sections eighteen, twenty-four, twenty-five, and twenty-six thereof, relating to the assessment of property, and the collection of such assessments.

Read first time, and placed on file for second reading.

Senate Bill No 84—An Act to regulate the practice of pharmacy and sale of poisons in the State of California.

Read first time, and placed on file for second reading.

Senate Bill No. 24—An Act to amend section four hundred and one of the Penal Code, relating to the adulteration of candy, and to renumber said section.

Read first time, and placed on file for second reading.

Assembly Bill No. 107—An Act to prevent the sale of cigarettes to minors.

Read first time, and placed on file for second reading.

Assembly Bill No. 305—An Act to amend an Act entitled "An Act concerning actions for libel and slander," approved March 23, 1872, amended April 16, 1880, so as to include within the operations of said Act actions for malpractice against physicians and surgeons.

Read first time, and placed on file for second reading.

Assembly Bill No. 375—An Act to amend section two thousand nine hundred and eighty-one of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relative to the preservation of the public health.

Read first time, and placed on file for second reading.

Assembly Bill No. 126—An Act to amend section six hundred and thirty-two of the Penal Code, relating to the use of explosives in taking trout.

Read first time, and placed on file for second reading.

Assembly Bill No. 67—An Act for the protection of sea birds and land birds on the Farallon Islands, in the Pacific Ocean.

Read first time, and placed on file for second reading.

Assembly Bill No. 524—An Act to amend an Act entitled "An Act to authorize the State Board of Fish Commissioners to import game birds into the State for propagation, and to appropriate money for that purpose, and providing a penalty for the shooting, trapping, killing, or otherwise destroying any of said birds within this State," approved March 16, 1889.

Read first time, and placed on file for second reading.

Assembly Bill No. 270—An Act to add a new section to an Act entitled "An Act to establish a Political Code of the State of California," to be called section two thousand nine hundred and eighty-four, relative to the appointment of a State Sanitary Inspector.

Read first time, and placed on file for second reading.

Assembly Bill No. 407—An Act to amend sections one thousand five hundred and forty-eight, one thousand five hundred and fifty-one, one thousand five hundred and fifty-two, one thousand five hundred and sixty, one thousand five hundred and sixty-five, one thousand five hundred and seventy-six, one thousand five hundred and eighty-one, one thousand five hundred and eighty-three, one thousand five hundred and

ninety-six, one thousand five hundred and ninety-nine, one thousand six hundred and forty-nine, one thousand six hundred and sixty-two, one thousand six hundred and sixty-five, one thousand seven hundred and seventy-one, one thousand seven hundred and seventy-five, one thousand seven hundred and ninety-one, and one thousand seven hundred and ninety-two of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the public schools.

Read first time, and placed on file for second reading.

Assembly Bill No. 28—An Act to amend an Act entitled "An Act to establish a Political Code of the State of California."

Read first time, and placed on file for second reading.

Assembly Bill No. 99—An Act requiring corporations and persons doing a banking business in this State to file with the Controller of State statements showing moneys on deposit with them, to which no claims have been made within ten years, and authorizing the Attorney-General to institute proceedings to ascertain its ownership.

Read first time, and placed on file for second reading.

Assembly Bill No. 212—An Act to repeal section three hundred and thirty-seven of the Penal Code.

Read first time, and placed on file for second reading.

Assembly Bill No. 273—An Act entitled an Act to amend "An Act to establish a Code of Civil Procedure," approved March 11, 1872, and amended in 1889, and to add a new section thereto, to be known and designated as section one thousand eight hundred and twenty-two and one half.

Read first time, and placed on file for second reading.

Assembly Bill No. 338—An Act to authorize Robert C. Ball to sue the State of California.

Read first time, and placed on file for second reading.

Assembly Bill No. 439—An Act to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to the obligations of coterminous owners and others claiming interests or rights in land, and providing for the construction and maintenance of division fences.

Read first time, and placed on file for second reading.

Assembly Bill No. 520—An Act to create and establish a State Board of Insurance, prescribe its powers and duties, and to provide for cheap and safe insurance in this State against losses by fire.

Read first time, and placed on file for second reading.

Assembly Bill No. 538—An Act to amend section one thousand three hundred and seventy of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the appointment of a married woman as administratrix of an estate of a deceased person.

Read first time, and placed on file for second reading.

Assembly Bill No. 329—An Act for the destruction of wolves, coyotes, bears, and California lions, and to authorize a bounty to be given by the State to encourage such destruction, to any person who shall kill any wolf, coyote, or California lion.

Read first time, and placed on file for second reading.

Assembly Bill No. 350.

Mr. Fowler was granted permission to withdraw this bill.

Assembly Bill No. 189—An Act to regulate the sale of commercial fertilizers, or materials used for manurial purposes.

Read first time, and placed on file for second reading.

Assembly Bill No. 527—An Act to prevent the use of substitute for hops, or pure extract of hops, in the manufacture of ale or beer sold or offered for sale in this State.

Read first time, and placed on file for second reading.

Assembly Bill No. 528—An Act fixing the rate of tare on baled hops.

Read first time, and placed on file for second reading.

Assembly Bill No. 507—An Act to prevent destruction by fire of property of contiguous owners.

Read first time, and placed on file for second reading.

Senate Bill No. 23—An Act to amend sections four hundred and four hundred and one of the Penal Code, relating to contagious diseases among animals, and to renumber said sections.

Read first time, and placed on file for second reading.

Assembly Bill No. 335—An Act to amend an Act entitled "An Act to amend sections thirteen, sixteen, twenty-five, fifty-seven, seventy, seventy-one, one hundred and forty-seven, one hundred and sixty-two, 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-seven, one hundred and seventy-eight, one hundred and seventy-nine, one hundred and eighty, one hundred and eighty-one, one hundred and eighty-three, one hundred and eighty-four, one hundred and eighty-five, one hundred and eighty-six, one hundred and eighty-seven, one hundred and eighty-eight, one hundred and eighty-nine, one hundred and ninety, one hundred and ninety-one, one hundred and ninety-two, one hundred and ninety-three, one hundred and ninety-five, one hundred and ninety-six, two hundred and one, two hundred and two, two hundred and three, two hundred and six, two hundred and nine, two hundred and eleven, and two hundred and twenty-five 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, March 18, 1885, and March 17, 1887, and to insert two new sections, to be numbered one hundred and eighty-eight and one half and two hundred and one and one half, and to create two new classes of counties of the twenty-sixth and one half and of the thirty-ninth and one half class, relating to the government of counties, and to repeal section one hundred and ten and one half of said Act," approved March 16, 1889, by striking from said Act subdivision number thirty-eight of section twenty-five thereof.

Read first time, and placed on file for second reading.

Assembly Bill No. 158—An Act to amend an Act entitled "An Act to amend section three thousand six hundred and sixty-five of the Political Code, relating to the assessment of railroads operated in more than one county," approved March 19, 1889.

Read first time, and placed on file for second reading.

Assembly Bill No. 210—An Act to regulate the preparation, sale, use, fire test, and inspection of petroleum oils, kerosene, gasolene, or any product of petroleum, by whatever name known, which may be manu-

factured, offered for sale, or sold for consumption for illuminating purposes within the State.

Read first time, and placed on file for second reading.

Assembly Bill No. 160—An Act to amend section three thousand six hundred and sixty-four and section three thousand six hundred and sixty-seven of the Political Code, relating to the assessments of railroads operated in more than one county.

Read first time, and placed on file for second reading.

Assembly Bill No. 166—An Act providing for the preservation of deer and other game animals within the State of California.

Read first time, and placed on file for second reading.

Assembly Bill No. 245—An Act to amend section six hundred and twenty-six of the Penal Code, relative to the violation of the laws for the preservation of game and fish.

Read first time, and placed on file for second reading.

Assembly Bill No. 322—An Act to amend an Act entitled "An Act to establish a Penal Code," approved March 12, 1885, by amending section six hundred and twenty-six, relating to the laws for the preservation of game.

Read first time, and placed on file for second reading.

Assembly Bill No. 351—An Act to amend section six hundred and twenty-six of the Penal Code of California, in relation to the protection and preservation of game birds and animals.

Read first time, and placed on file for second reading.

Senate Bill No. 113—An Act to authorize the establishment of County High Schools, and provide for their support.

Read first time, and placed on file for second reading.

Assembly Bill No. 172—An Act to amend the Political Code, part three, title three, article ten, section one thousand six hundred and sixty-five.

Read first time, and placed on file for second reading.

Assembly Bill No. 449—An Act to amend section one thousand five hundred and ninety-three of the Political Code, relative to time of election for School Trustees.

Read first time, and placed on file for second reading.

Assembly Bill No. 331—An Act to amend an Act entitled "An Act to establish a Political Code."

Read first time, and placed on file for second reading.

Assembly Bill No. 370—An Act authorizing school districts, cities, cities and counties, or incorporated towns, in the State of California, to furnish the pupils of their respective public schools with free use of school text-books.

Read first time, and placed on file for second reading.

Assembly Bill No. 276—An Act to enable cities of the fifth class to issue bonds for the purpose of raising money to purchase school lots, and for building or purchasing one or more school houses, and supplying the same with furniture, necessary apparatus, and improving the grounds, and for liquidating any indebtedness already incurred for such purposes.

Read first time, and placed on file for second reading

Assembly Bill No. 453—An Act to provide for the interchange of the copyrights of school text-books between the State of California and other States.

Read first time, and placed on file for second reading.

Assembly Bill No. 168—An Act to forbid the sale or furnishing of tobacco in certain forms to minors under the age of eighteen years.

Read first time, and placed on file for second reading.

Assembly Bill No. 354—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. 552—An Act to amend section one thousand one hundred and eight of the Penal Code, relating to evidence in certain criminal trials.

Read first time, and placed on file for second reading.

Assembly Bill No. 30—An Act to add a new section to the Code of Civil Procedure of the State of California, to be known and designated as section one thousand five hundred and ninety-two, relating to mortgages. by executors, of real property belonging to the estates of decedents.

Read first time, and placed on file for second reading.

Assembly Bill No. 157—An Act to amend an Act entitled "An Act to authorize the incorporation of rural cemetery associations," approved April 28, 1859, and to authorize the owners of lots in such cemeteries to transfer them by deed.

Read first time, and placed on file for second reading.

Assembly Bill No. 262—An Act to amend section eight hundred and sixty-five of the Code of Civil Procedure, relating to arrests in civil actions.

Read first time, and placed on file for second reading.

Assembly Bill No. 357—An Act to amend an Act entitled "An Act to establish a Political Code," by adding thereto a new section, to be numbered section three thousand seven hundred and forty-five, to precede section three thousand seven hundred and forty-six, and by amending section three thousand seven hundred and thirty-one thereof, all relating to the payment of taxes.

Read first time, and placed on file for second reading.

Assembly Bill No. 238—An Act to license and define the duties of land surveyors, and to provide for a proper record of surveys.

Read first time, and placed on file for second reading.

Assembly Bill No. 150—An Act to amend sections two thousand four hundred and sixty-four, two thousand four hundred and sixty-five, and two thousand four hundred and sixty-six of the Political Code, relating to pilots and pilot regulations.

Read first time, and placed on file for second reading.

Assembly Bill No. 372—An Act to amend sections two thousand four hundred and thirty-six, two thousand four hundred and forty, and two thousand four hundred and forty-three of article five of the Political Code, relating to pilots and Pilot Commissioners, and sections 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 six 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.

Assembly Bill No. 521—An Act to amend sections three thousand four hundred and sixty-two and three thousand four hundred and sixty-three of the Political Code of this State, relating to the filing with County Treasurers and County Recorders of lists of charges assessed by Commissioners of Assessment in reclamation districts, and making said charges a lien upon the lands assessed.

Read first time, and placed on file for second reading.

Assembly Bill No. 498—An Act to declare the bridge across Feather River, extending from Fifth Street, at the city of Marysville, in the county of Yuba, to the opposite bank of said river, a free bridge.

Read first time, and placed on file for second reading.

Assembly Bill No. 386—An Act to amend an Act entitled "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," approved March 15, 1887.

Read first time, and placed on file for second reading.

Assembly Bill No. 570—An Act to amend "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," approved March 15, 1887.

Read first time, and placed on file for second reading.

Assembly Bill No. 577—An Act to amend section two of an Act entitled "An Act to advance learning, the arts and sciences, and to promote the public welfare by providing for the conveyance, holding, and protection of property, and the creation of trusts for the founding, endowment, erection, and maintenance within this State of universities, colleges, schools, seminaries of learning, mechanical institutes, museums, and galleries of art," approved March 9, 1885, amended so as to read as follows.

Read first time, and placed on file for second reading.

Assembly Bill No. 441—An Act to amend sections eight, eighteen, twenty-one, and twenty-three of an Act entitled "An Act to incorporate the town of Red Bluff, Tehama County, California," approved March, 1876, and amended March, 1878.

Read first time, and placed on file for second reading.

Assembly Bill No. 213—An Act authorizing and requiring Boards or Commissions having the management and control of paid police forces to grant the members thereof yearly vacations.

Read first time, and placed on file for second reading.

Assembly Bill No. 86—An Act to amend sections one thousand nine hundred and eighteen, one thousand nine hundred and fifty-five, one thousand nine hundred and fifty-seven, one thousand nine hundred and fifty-nine, one thousand nine hundred and seventy, one thousand nine hundred and eighty, one thousand nine hundred and ninety, two thousand and twenty-two, two thousand and sixty-five, two thousand and ninety-four, two thousand and ninety-five, and two thousand and ninety-nine, and to add a new section, to be known as section two thousand and eight, to an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the National Guard of California.

Read first time, and placed on file for second reading.

Assembly Bill No. 95—An Act to amend section two thousand one hundred and sixty-eight of the Civil Code, relating to common carriers.

Read first time, and placed on file for second reading.

Assembly Bill No. 96—An Act to amend section five hundred and forty-one of the Civil Code, relating to telegraph corporations.

Read first time, and placed on file for second reading.

Assembly Bill No. 97—An Act to amend section two thousand two hundred and nine of the Civil Code, in relation to damages awarded when messages, including telegraphic messages, are refused or postponed.

Read first time, and placed on file for second reading.

Assembly Bill No. 493—An Act to amend section two hundred and ninety of the Civil Code, relative to articles of incorporation.

Read first time, and placed on file for second reading.

Assembly Bill No. 283—An Act to amend 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. 531—An Act for the relief of Peter Connolly, his assigns or legal representatives.

Read first time, and placed on file for second reading.

Assembly Bill No. 497—An Act to amend an Act entitled "An Act to reorganize Swamp Land District No. 70, of Sutter County, and to provide for the construction, maintenance, and repairs of levees therein," approved March 27, 1878.

Read first time, and placed on file for second reading.

Assembly Bill No. 11—An Act to provide for a State Board of Arbitration, for the settlement of differences between employers and employés.

Read first time, and placed on file for second reading.

Assembly Bill No. 583—An Act repealing sections seven hundred and seventy-eight, seven hundred and seventy-nine, seven hundred and eighty, seven hundred and eighty-one, and seven hundred and eighty-two of the Political Code, relating to the printing of reports of decisions of the Supreme Court.

Read first time, and placed on file for second reading.

Assembly Bill No. 494—An Act entitled an Act to amend section four hundred and seventy-two of the Political Code, providing for deputies in the office of the Attorney-General, and fixing their salaries.

Read first time, and placed on file for second reading.

Assembly Bill No. 495—An Act entitled an Act to amend section four hundred and seventy-five of the Political Code, providing for clerks and phonographic reporter in the office of the Attorney-General, and fixing their salaries.

Read first time, and placed on file for second reading.

Assembly Bill No. 542—An Act to provide for the formation, organization, and government of sanitary districts, and to provide for the laying and maintaining of sewers therein, the issuing of bonds therefor, and the levying and collection of taxes therein.

Read first time, and placed on file for second reading.

Assembly Bill No. 435—An Act to amend an Act entitled "An Act to

establish a Code of Civil Procedure," approved March 11, 1872, relating to appeals.

Read first time, and placed on file for second reading.

Assembly Bill No. 433—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the taking of depositions.

Read first time, and placed on file for second reading.

Assembly Bill No. 434—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the taking of depositions.

Read first time, and placed on file for second reading.

Assembly Bill No. 243—An Act to amend sections three hundred and thirty-seven and three hundred and thirty-nine of the Code of Civil Procedure, relating to time of commencing actions.

Mr. Renfro withdrew Assembly Bill No. 243, by permission of the House.

Senate Bill No. 67—An Act to amend section one thousand two hundred and thirty-eight of the Code of Civil Procedure, concerning the right of eminent domain.

Read first time, and placed on file for second reading.

Assembly Bill No. 130—An Act to provide for the issuance and sale of State bonds to create a fund for the construction and furnishing by the Board of State Harbor Commissioners of a general ferry and passenger depot in the City and County of San Francisco; to create a Sinking Fund for the payment of said bonds, and providing for the submission of this Act to a vote of the people.

Read first time, and placed on file for second reading.

Assembly Bill No. 163—An Act to amend an Act entitled "An Act to repeal chapter two of title six, part three, of an Act of the Legislature of the State of California entitled 'An Act to establish a Political Code,' approved March 12, 1872, and each and every section of said chapter two, and to enact a new chapter two of title six of part three of said Code, and substitute the same in place of said repealed chapter two in said Code, relating to roads and highways," approved February 28, 1883, by amending sections two thousand six hundred and forty-three and two thousand six hundred and fifty-two of said Act, and adding a new section thereto, to be known and numbered section two thousand seven hundred and seventeen.

Read first time, and placed on file for second reading.

Assembly Bill No. 204—An Act to amend sections two thousand six hundred and forty-one and two thousand six hundred and forty-three of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the powers and duties of highway officers, and to provide for the construction, maintenance, and improvements of highways by contract let out to the lowest bidder.

Read first time, and placed on file for second reading.

Assembly Bill No. 265—An Act to amend section two thousand six hundred and forty-two and sections two thousand six hundred and forty-four and two thousand six hundred and forty-five of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the powers and duties of highway officers, and to the appointment and duties of Roadmasters or Road Overseers, as amended by an Act approved March 9, 1887, and amended and approved March 19, 1889.

Read first time, and placed on file for second reading.

Assembly Bill No. 303—An Act to amend section two thousand six hundred and forty-two of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to Road Overseers.

Read first time, and placed on file for second reading.

Assembly Bill No. 342—An Act to amend sections two thousand six hundred and forty-one and two thousand six hundred and forty-six of the Political Code, relative to the supervision and working of public roads and highways by contract.

Read first time, and placed on file for second reading.

Assembly Bill No. 379—An Act to repeal sections two thousand six hundred and forty-two and two thousand six hundred and forty-four of the Political Code, relative to the powers and duties of highway officers.

Read first time, and placed on file for second reading.

Assembly Bill No. 381—An Act to amend section number two thousand six hundred and forty-one of the Political Code of the State of California, relative to the duties of highway officers.

Read first time, and placed on file for second reading.

Assembly Bill No. 382—An Act to add a new section to the Political Code, to be known as number two thousand six hundred and forty-seven, relative to keeping roads in repair.

Read first time, and placed on file for second reading.

Assembly Bill No. 383—An Act to amend section number two thousand six hundred and forty-six of the Political Code, relative to contracts to maintain roads.

Read first time, and placed on file for second reading.

Assembly Bill No. 454—An Act to amend an Act entitled "An Act to establish a Political Code," and relating to public roads, their repair and maintenance.

Read first time, and placed on file for second reading.

Assembly Bill No. 472—An Act to amend sections two thousand six hundred and forty-one, two thousand six hundred and forty-three, two thousand six hundred and forty-five, and two thousand six hundred and forty-six, and to repeal sections 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 highways.

Read first time, and placed on file for second reading.

Assembly Bill No. 475—An Act to amend section two thousand six hundred and forty-four of the Political Code, relating to bond and oath of Road Overseers.

Read first time, and placed on file for second reading.

Assembly Bill No. 476—An Act to amend section two thousand six hundred and forty-two of the Political Code, relating to the appointment of Road Overseers.

Read first time, and placed on file for second reading.

Assembly Bill No. 477—An Act to amend section two thousand six hundred and forty-five of the Political Code, relative to the duties of Road Overseers.

Read first time, and placed on file for second reading.

Assembly Bill No. 478—An Act to amend section two thousand six hundred and forty-six of the Political Code, relating to awarding contracts for maintaining roads.

Read first time, and placed on file for second reading.

Assembly Bill No. 479—An Act to amend subdivision four, section twenty-five, 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, March 18, 1885, March 17, 1887, and March 16, 1889, relating to public roads.

Read first time, and placed on file for second reading.

Senate Bill No. 83—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by amending section three thousand two hundred and forty-five, relating to eight hours being a legal day's work.

Read first time, and placed on file for second reading.

Assembly Bill No. 299—An Act to establish a standard of weights and measures.

Read first time, and placed on file for second reading.

Assembly Bill No. 179—An Act to add a new section to the Penal Code, relative to the prohibition and prevention of the use of all acids, or solution of acid, in the manufacture of hermetically sealed tin cans used for canning purposes, to be known as section two hundred and forty-six.

Read first time, and placed on file for second reading.

Assembly Bill No. 587—An Act for the protection of consumers of canned and packed products.

Read first time, and placed on file for second reading.

Assembly Bill No. 457—An Act to amend section one thousand nine hundred and twelve of the Political Code, relating to the number of National Guard companies.

Read first time, and placed on file for second reading.

Assembly Bill No. 395—An Act to authorize the Adjutant-General to issue arms and accouterments to regularly organized Camps of the Order of Sons of Veterans in the State of California.

Read first time, and placed on file for second reading.

Assembly Bill No. 455—An Act to provide for, insure, and maintain preference in the appointment, employment, and retention in the public service and upon public works of the State of California, of honorably discharged ex-Union soldiers, sailors, and marines of the War of the Rebellion.

Read first time, and placed on file for second reading.

Assembly Bill No. 541—An Act to amend sections two, three, four, five, seven, nine, thirteen, twenty-four, twenty-six, thirty-four, thirty-five, and thirty-seven of an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and the construction of sewers within municipalities," approved March 18, 1885, relative to the mode of assessing and otherwise providing for said work.

Read first time, and placed on file for second reading.

Assembly Bill No. 531—An Act for the relief of Peter Connolly, his assigns or legal representatives.

Read first time, and placed on file for second reading.

Assembly Bill No. 318—An Act regulating the sale of the lands uncovered by the recession of the waters of inland lakes.

Read first time, and placed on file for second reading.

Assembly Bill No. 216—An Act to determine that lands of this State are swamp and overflowed when returned as such by the United States Surveyor-General.

Read first time, and placed on file for second reading.

Assembly Bill No. 162—An Act to amend section three thousand four hundred and ninety-four of the Political Code, relating to the price and payment for school lands, by fixing rate of interest at seven per cent on payments due.

Read first time, and placed on file for second reading.

Assembly Bill No. 572—An Act to amend sections three thousand four hundred and sixty-five and three thousand four hundred and sixty-six of the Political Code, relating to the collection of taxes in reclamation districts.

Read first time, and placed on file for second reading.

Assembly Bill No. 590—An Act to amend sections twenty-seven, twenty-eight, twenty-nine, thirty, thirty-one, thirty-two, and thirty-three, the same comprising part second 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, relative to a system of street improvement certificates.

Read first time, and placed on file for second reading.

MOTION.

Mr. Hawley moved that the House do now adjourn.

Lost.

ADJOURNMENT.

At four o'clock and thirty minutes P. M., Mr. Young moved that the House do now adjourn until two o'clock P. M., Monday.

Carried.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Monday, February 9, 1891.

The Assembly met pursuant to adjournment.

Speaker Coombs in the chair.

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

Messrs. Alexander, Ames, Arms, Barnard, Barnett of San Francisco, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Brusie, Bryant, Carter, Clark, Coffey, Cram, Culver, Cunningham, Daly, Dennis, Dibble, Doty, Dow, Dunn, Durner, Estey, Fowler, Freeman, Galbraith, Garver, Glynn, Gordon, Gould, Hail, Harloe, Hawley, Hayes, Hersey, Hocking, Hoey, Hunewill, Johnson, Jackson, Jones, Kellogg, Lacey, Lewis, Lowe, Lux, Lynch, Marion, Martin, Matlock, Mathews, McCall, Mordecai, Murnan, Murphy, Phillips, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Wentworth, Weston, Windrow, Young, and Mr. Speaker.

Quorum present.

LEAVE OF ABSENCE.

Messrs. Tully, Cargill, and Eakle were granted leave of absence for the day.

PRAYER.

Prayer by the Chaplain, Rev. A. C. Herrick.

READING OF THE JOURNAL.

On motion of Mr. Galbraith, further reading of the Journal was dispensed with.

Journal corrected and approved.

MOTIONS.

Mr. Shanahan moved that the resolutions which were made a special order for Saturday, and passed without action on account of adjournment, be placed on the special order for consideration this afternoon.

Carried.

The Speaker announced that the above action should be used as a precedent in deciding similar cases during the rest of the session.

Mr. Bert moved that special orders, Senate Joint Resolution No. 8 and Senate Joint Resolution No. 9, be made a special order for next Wednesday, at two o'clock P. M.

Lost.

SPECIAL ORDERS.

Senate Joint Resolution No. 8—Relative to memorializing Congress to loan money to farmers at two per cent per annum.

Mr. Martin offered a substitute as follows:

SUBSTITUTE FOR SENATE JOINT RESOLUTION No. 8.

Joint resolution memorializing Congress to loan money to farmers and miners, and to charge interest thereon at the rate of two per cent per annum.

WHEREAS, It has been the policy of the wisest men of all times and countries to encourage and protect the industries of farming and mining, and whereas, on the prosperity and success of farming and mining depends the welfare of every other American industry and enterprise, and whereas, under the present condition of affairs it is impossible to extend to farming and mining the same protection that is given to other industries by the American system of import duties, and whereas, the circulating medium of the United States is insufficient to supply the demands of commerce and trade, caused by the stopping of our mining industry and high rates charged for transporting our farming products; therefore, be it

Resolved by the Senate of the State of California, the Assembly concurring, That the Congress of the United States be and is hereby requested to make the necessary laws whereby any person, company, or corporation, owning and cultivating lands, or working mines within the boundaries of the United States, can borrow money, to the amount of sixty per cent of the value of such lands and mines, from the Government of the United States by paying two per cent per annum, and mortgaging said lands or mines as security for said loans, *provided*, that no individual, company, or corporation shall be allowed to borrow on said securities a sum greater than five thousand dollars, *and be it further provided*, that no money shall be loaned to any person, company, or corporation owning more than six hundred and forty acres of farming or mining land.

Resolved, That a copy of this memorial be transmitted by the Governor of the State to each of our Representatives in Congress, and that they be requested to use all honorable endeavors to obtain such laws.

Mr. Clark moved to amend by striking out "American system of import duties;" also, by striking out "high rates of transporting."

Lost.

Mr. Martin's substitute for Senate Joint Resolution No. 8 rejected.

Mr. Dibble moved that Mr. Martin's substitute be printed and made a special order for Wednesday, at two o'clock P. M.

Lost.

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

AYES—Messrs. Ames, Arms, Barnett of San Francisco, Beecher, Bert, Brown, Bruner, Brusie, Bryant, Carter, Clark, Coffey, Cram, Culver, Dennis, Doty, Dow, Dunn, Durner,

Estey, Fowler, Freeman, Glynn, Gordon, Gould, Harloe, Hayes, Hersey, Hoey, Johnson, Jones, Lacey, Lewis, Lowe, Lux, Marion, Matlock, Mathews, Mordecai, Murnan, Murphy, Phillips, Shanahan, Smith of Butte, Steltz, Tennis, Wentworth, Weston, Windrow, Young, and Mr Speaker—52.

NOES—Messrs. Alexander, Baughman, Bledsoe, Cunningham, Dibble, Galbraith, Garver, Hail, Hawley, Hocking, Hunewill, Jackson, Kellogg, Lynch, Martin, Robertson, Smith of Orange, Stabler, and Sturtevant—19

Senate Joint Resolution No. 9—Relative to memorializing Congress to loan money to farmers at the rate of two per cent per annum.

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

AYES—Messrs. Arms, Barnett of San Francisco, Bruner, Brusie, Bryant, Clark, Cram, Culver, Dennis, Doty, Dow, Dunn, Estey, Fowler, Freeman, Glynn, Hersey, Hunewill, Lacey, Matlock, Murphy, Phillips, Steltz, Weston, Windrow, Young, and Mr. Speaker—27.

NOES—Messrs. Alexander, Ames, Baughman, Beecher, Bert, Bledsoe, Brown, Carter, Coffey, Cunningham, Dibble, Durner, Galbraith, Garver, Gordon, Gould, Hail, Harloe, Hawley, Hayes, Hocking, Johnson, Jackson, Jones, Kellogg, Lewis, Lynch, Marion, Martin, Mathews, Mordecai, Murnan, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Sturtevant, Tennis, and Wentworth—40.

Assembly Constitutional Amendment No. 7—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending section eighteen of article eleven thereof, relative to the increasing of indebtedness or liability by any county, city, town, township, Board of Education, or school district.

Mr. Culver moved that Assembly Constitutional Amendment No. 7 be made a special order for to-morrow, at two o'clock P. M.

Carried

Assembly Bill No. 114—An Act to amend section four hundred and ninety-seven of the Civil Code of the State of California, relating to the authority to lay railroad tracks through streets and public highways of an incorporated city, city and county, or town.

Mr. Dibble moved that a select committee of one be appointed to make the following amendment:

Amend section one of Assembly Bill No. 114, as amended in Assembly under special instructions, February 4, 1891, as follows:

1. By adding to section one the following words: "*and provided further*, that in cities, cities and counties, and towns, having a population exceeding two hundred and fifty thousand persons, no street railroad company shall be allowed to erect or maintain poles in or along any street or road, or erect, maintain, or use overhead wires."

2. Amend section one by striking out the words, "having a population of less than two hundred and fifty thousand inhabitants," in lines four and five.

Carried.

APPOINTMENT OF COMMITTEE.

Mr. Dibble was appointed a select committee of one to make said amendment.

REPORT OF SELECT COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, February 9, 1891.

MR. SPEAKER:—Your Select Committee, to whom was referred Assembly Bill No 114, 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.

DIBBLE, Committee

Report of committee adopted, and Assembly Bill No. 114 made a special order for Wednesday, immediately following reading of the Journal.

Assembly Bill No. 116—An Act to confirm, ratify, and make valid ordinances heretofore passed by the Trustees, Council, or other body intrusted with the government of any incorporated city, city and county, or town, giving authority and permission to propel cars upon railroad tracks laid through the streets and public highways of such incorporated city, city and county, or town, by electricity.

MOTION.

Mr. Dibble moved that a select committee of one be appointed by the Speaker to make the following amendment:

Amend Assembly Bill No. 116, as amended in Assembly under special instructions, February 4, 1891, as follows:

Amend section one by adding thereto the following words: "*and provided further*, that in cities, cities and counties, and towns, having a population exceeding two hundred and fifty thousand persons, no street railroad company shall be allowed to erect or maintain poles in or along any street or road, or erect, maintain, or use overhead wires."

Amend section one by striking out the words, 'having a population of less than two hundred and fifty thousand population," in line three.

Carried.

APPOINTMENT OF COMMITTEE.

Mr. Dibble was appointed a committee to make said amendment.

REPORT OF COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, February 9, 1891.

MR. SPEAKER: Your Select Committee, to whom was referred Assembly Bill No. 116, 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.

DIBBLE, Committee.

Report of committee adopted, and Assembly Bill No. 116 made a special order for Wednesday, immediately after the reading of the Journal.

Assembly Constitutional Amendment No. 9—A resolution to propose an amendment to and providing for the repeal of sections twenty-two and twenty-three of article twelve of the Constitution, relative to a Board of Railroad Commissioners.

MOTION.

Mr. Shanahan moved a call of the House.

Carried.

CALL OF THE HOUSE.

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

Messrs. Alexander, Ames, Arms, Barnard, Barnett of San Francisco, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Brusie, Bryant, Carter, Clark, Coffey, Cram, Culver, Cunningham, Daly, Dennis, Dibble, Doty, Dow, Dunn, Durner, Estey, Fowler, Freeman, Galbraith, Garvey, Glynn, Gordon, Gould, Hall, Harloe, Hawley, Hayes, Hersey, Hocking, Hoey, Hunewill, Jackson, Johnson, Jones, Kellogg, Lacey, Lewis, Lowe, Lux, Lynch, Marion, Martin, Mathews, Matlock, McCall, Mordecai, Murnan, Murphy, Phillips, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Wentworth, Weston, Windrow, Young, and Mr. Speaker.

MOTION.

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

Carried.

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

AYES—Messrs. Arms, Barghman, Beecher, Bledsoe, Brown, Cunningham, Doty, Dunn, Duiner, Estey, Fowler, Garver, Gordon, Gould, Hall, Harloe, Hocking, Jackson, Kellogg, Lacey, Lynch, Marion, Martin, Matlock, Mathews, Mordecai, Murnan, Murphy, Rice, Robertson, Smith of Butte, Smith of Orange, Sturtevant, and Weston—34.

NOES—Messrs. Alexander, Ames, Barnard, Barnett of San Francisco, Bert, Bruner, Brusie, Bryant, Carter, Clark, Coffey, Cram, Culver, Daly, Dennis, Dibble, Dow, Freeman, Galbraith, Glynn, Hawley, Hayes, Hersey, Hoey, Hunewill, Johnson, Jones, Lewis, Lowe, Lux, McCall, Phillips, Shanahan, Stabler, Steltz, Tennis, Wentworth, Windrow, Young, and Mr Speaker—40.

NOTICE OF RECONSIDERATION.

Mr. Shanahan gave notice that on to-morrow he will move for a reconsideration of the vote whereby Assembly Constitutional Amendment No. 9 was lost.

RESOLUTION.

By Mr. Galbraith:

Resolved, That the Rules be amended as follows: Amend section two, on page three of Rules, by striking out under the head of order of business, subdivision fourteen, to wit: "unfinished business of the preceding day," and inserting immediately after subdivision three, to wit: "reading and approval of the Journal," the following: "unfinished business," to be numbered subdivision four, and that the following subdivisions, in the order in which they respectively are arranged, shall be numbered five, six, seven, eight, nine, ten, eleven, twelve, thirteen, fourteen, and fifteen.

Also: Amend Rules by making a new section thereto, to be numbered section eighty-six, to read as follows, to wit:

"When any proposition is made an order for any special hour or day, and for any reason the same is not called up for consideration at that time, the same shall remain a special order for the next meeting day at the same hour, or as soon thereafter as the House shall convene."

Ordered printed.

Mr. Mathews asked that Assembly Bill No. 275, which was entered as from Mr. Smith, be credited to Mr. Mathews.

So ordered.

PRESENTATION OF PETITIONS.

Mr. Gould presented a petition from the residents of Mariposa County, for a free wagon road from the town of Mariposa to the Yosemite Valley.

Referred to Committee on Roads and Highways.

Mr. Bledsoe presented several petitions from citizens of San Francisco, in regard to the passage of Assembly Bill No. 471.

Referred to Committee on Municipal Corporations.

REPORTS OF STANDING COMMITTEES.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, February 6, 1891.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Senate Bills Nos. 82 and 19—have had the same under consideration, and respectfully report the same back, and recommend that they do pass

Also: Senate Bills Nos. 76 and 70, and Senate Substitute Bills Nos. 18 and 25, and recommend that they do not pass.
Also: Senate Joint Resolution No. 1, that it do pass.
Also: Senate Constitutional Amendment No. 4, that it do pass.
Also: Assembly Bills Nos. 450, 580, 581, 300, 588, 554, 284, 288, 376, 324, and 327—have had the same under consideration, and respectfully report the same back, and recommend that they do pass.
Also: Assembly Bills Nos. 281, 57, 61, 133, 297, 430, 480, 496, and 530, without recommendation.
Also, Assembly Bills Nos 309, 286, and 325, with leave to author to withdraw the same.
Also. Assembly Bills Nos. 33, 485, 285, and 582, that they do not pass.
Also: Assembly Bills Nos. 326 and 4, with recommendation that the committee substitutes therefor do pass.
Also. Assembly Bill No. 513, report the same back, and recommend that it do pass as amended.

BRUNER, Chairman.

Mr. Hunewill was permitted to withdraw Assembly Bill No. 309.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 9, 1891.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that they have examined the following Assembly Bills and find them correctly engrossed: Nos. 42, 401, 427, 148, and 31.

WINDROW, Chairman.

ON RULES AND REGULATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 9, 1891.

MR. SPEAKER: Your Committee on Rules and Regulations, to whom was referred the following Joint Rules for the Senate and Assembly.

JOINT RULES OF THE SENATE AND ASSEMBLY.

I.—COMMITTEE OF CONFERENCE.

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

II.—MESSAGES MUST BE ANNOUNCED BY THE ASSISTANT SERGEANT-AT-ARMS.

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

III.—SECRETARY, CLERKS, ETC., TO CARRY MESSAGES.

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

IV.—NOTICES TO BE ON PAPER UNDER PROPER SIGNATURE.

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

V.—ENROLLED BILLS TO RECEIVE SIGNATURE OF PROPER OFFICER.

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

VI.—ENROLLING COMMITTEE TO COMPARE.

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

VII.—PRESIDENT AND SPEAKER TO SIGN BILLS.

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

VIII.—ENROLLING COMMITTEE TO PRESENT BILL TO GOVERNOR.

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

IX.—ORDERS, RESOLUTIONS, AND VOTES TO BE APPROVED AS ARE BILLS.

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

X.—JOINT ADDRESSES TO GOVERNOR.

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

XI.—BILL OR RESOLUTION OF ONE HOUSE, REJECTED IN THE OTHER, REQUIRES NOTICE.

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

XII.—REJECTED BILLS REQUIRE FIVE DAYS' NOTICE AND TWO-THIRDS VOTE FOR REINTRODUCTION.

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

XIII.—EACH HOUSE TO TRANSMIT PAPERS.

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

XIV.—DISAGREEMENT, ADHERED TO, DEFEATS THE BILL.

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

XV.—NO APPROPRIATION EXCEPT BY BILL.

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

XVI.—EXCEPT BY EACH HOUSE, PRINTING TO BE DONE BY CONCURRENT RESOLUTION.

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

XVII.—JOINT STANDING COMMITTEE OF THREE FROM EACH HOUSE.

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

XVIII.—NO LIQUORS IN PUBLIC BUILDINGS.

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

XIX.—UNANIMOUS CONSENT FOR EXTRA PAY.

No extra pay nor increase in the pay of any officer or attaché of the Senate or Assembly shall be made by resolution, except by unanimous consent.

XX.—JOINT RESOLUTIONS TREATED AS BILLS.

All joint resolutions which relate to or contain communications to the Federal Government, shall be treated in all respects as bills; except that all joint resolutions shall be read but one time in each House.

XXI.—AMENDMENTS TO AMENDED BILLS MUST BE ATTACHED.

Whenever a bill or resolution which shall have been passed in one House shall be amended in the other, such amendment or amendments shall be attached to the bill or resolution so amended, and indorsed "Adopted," and such amendment or amendments, if concurred in by the House in which such bill or resolution originated, shall be indorsed "Concurred in," and such indorsement shall be signed by the Secretary or Assistant Secretary of the Senate, or the Clerk or Assistant Clerk of the Assembly, as the case may be.

XXII.

Whenever any Senate or Assembly Bill is reported back by any committee, it shall be substituted on the file at the request of any Senator or member of the Assembly, by the Secretary of the Senate or Clerk of the Assembly, in the place of any similar Senate or Assembly Bill.

Report the same back, and recommend their adoption.

CULVER, Chairman.

Ordered printed.

ON AGRICULTURE AND FORESTRY.

ASSEMBLY CHAMBER, SACRAMENTO, February 9, 1891.

MR. SPEAKER: Your Committee on Agriculture and Forestry, to whom was referred Assembly Bill No. 599—report the same back with amendments, and recommend its passage as amended

Also. Assembly Bill No. 584—have had the same under consideration, and respectfully report the same back, and recommend that the author be allowed to withdraw the same.

Also: Assembly Joint Resolution No. 13—that it be adopted.

STURTEVANT, Chairman.

Mr. Beecher was permitted to withdraw Assembly Bill No. 584.

ON WAYS AND MEANS AND APPROPRIATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 6, 1891.

MR. SPEAKER: Your Committee on Ways and Means and Appropriations respectfully report that the following Assembly Bills, involving appropriations, have been introduced and printed

Assembly Bill No 6—Folsom Prison	$65,000 00
Assembly Bill No. 7—Claim of Geo. Nelson	3,600 00
Assembly Bill No. 11—Board of Arbitration	2,500 00
Assembly Bill No. 26—Yosemite Wagon Road	75,000 00
Assembly Bill No. 41—Asylum for Insane, Stockton	45,000 00
Assembly Bill No. 42—Deficiency for Insane, Stockton	21,529 00
Assembly Bill No. 47—Normal School, Chico	25,000 00
Assembly Bill No. 69—Orange County Agricultural Society	4,000 00
Assembly Bill No. 73—Claim of Wm. Darby	533 00
Assembly Bill No. 76—Claim of D. Jordan	101.120 00
Assembly Bill No. 78—Claim of G B. Montgomery	1,500 00
Assembly Bill No. 83—Mendocino Asylum for Insane	184,000 00
Assembly Bill No. 85—Agnews Asylum for Insane	175.000 00
Assembly Bill No. 88—Claim of Geo Anderson	1.110 00
Assembly Bill No 106—World's Fair	300.000 00
Assembly Bill No 117—Reform School for Juveniles	173,400 00
Assembly Bill No. 120—Asylum for Deaf, Dumb, and Blind	65,310 00
Assembly Bill No. 141—Deficiency, postage, Adjutant-General	100 00
Assembly Bill No. 145—Thornley, claim	2.500 00
Assembly Bill No 146—Thornley, claim	13,722 00
Assembly Bill No. 147—Repairs to quarantine launch	4,034 00
Assembly Bill No. 159—Stenographer for Governor	800 00
Assembly Bill No. 195—Experts for New Zealand to import insects	10,000 00
Assembly Bill No. 90—Purchase of dwelling at San Quentin	800 00
Assembly Bill No. 183—State Board of Arbitration	30,000 00
Assembly Bill No. 161—State Board of Irrigation	20,000 00
Assembly Bill No. 202—Veterinary Surgeon	5.000 00
Assembly Bill No. 207—Southern California Hospital for Insane	235,000 00
Assembly Bill No. 220—Claim of Wallace Green	5,000 00
Assembly Bill No 234—Appropriation for Home for Feeble-Minded	219,302 00
Assembly Bill No. 239—Relief of Emma Kelly	10,000 00
Assembly Bill No 257—Purchase of land for fish hatcheries	1,500 00
Assembly Bill No. 258—For Fish Commission	1,200 00
Assembly Bill No 269—Claim of Geo. Fetherstone	800 00
Assembly Bill No. 274—Claim of Cornelius Lynch	5,000 00
Assembly Bill No. 278—Appropriation for San Diego Harbor	195,000 00
Assembly Bill No. 280—Appropriation for State Reform School	15,837 00
Assembly Bill No. 282—Claim of Mary Springer	8,532 00

Assembly Bill No 307—Superintendent of State Buildings and Works	$25,000 00
Assembly Bill No. 308—Deficiency in appropriation for Executive Secretary	1,200 00
Assembly Bill No. 310—Monument to Sacramento Veterans of Mexican War	2,000 00
Assembly Bill No. 314—For portraits of Governor Markham and ex-Governor Waterman	1,200 00
Assembly Bill No. 319—For State Mining Bureau	100,000 00
Assembly Bill No. 320—Claim of Max Gampel	500 00
Assembly Bill No. 323—Custodian for Marshall Monument	1,800 00
Assembly Bill No. 237—Board of Sutter's Fort Trustees	20,000 00
Assembly Bill No. 364—Historical Society of Southern California	5,000 00
Assembly Bill No. 366—Additional buildings for Normal School, San José	50,000 00
Assembly Bill No. 367—Kitchen and dining-room, Napa Asylum	17,000 00
Assembly Bill No. 373—Deficiency in State Printing Office	75,000 00
Assembly Bill No. 377—Construction of dam at Folsom	16,925 00
Assembly Bill No. 392—Claim of Wm. Gutenberger	1,645 00
Assembly Bill No. 397—For Examining Commission on Rivers and Harbors	1,215 53
Assembly Bill No. 398—Claim of Jas. A. Kearny	37 00
Assembly Bill No. 399—Claim of Henry Mahler	182 00
Assembly Bill No. 400—Claim of "California Spirit of the Times"	300 00
Assembly Bill No. 401—Claim of Journal Clerk of the Senate, and assistants	640 00
Assembly Bill No. 402—Claim of Henry Hogan	150 00
Assembly Bill No. 403—Claim of C. C. Rochford	603 15
Assembly Bill No. 404—Reimbursing Japanese Government	1,000 00
Assembly Bill No. 405—Service rendered by G. A. Johnson	1,000 00
Assembly Bill No. 408—Deficiency for stationery and supplies for Legislature and State officers for fortieth fiscal year	2,331 00
Assembly Bill No. 409—For costs and expenses in suits for the forty-first fiscal year	10,059 00
Assembly Bill No. 410—For expenses of trials of persons violating fish laws, thirty-ninth, fortieth, and forty-first fiscal years	937 21
Assembly Bill No. 411—Deficiency for trials of persons violating fish laws for forty-second fiscal year	1,000 00
Assembly Bill No. 412—Deficiency for arrest of criminals	311 00
Deficiency bills from Assembly Bill No 413 to Assembly Bill No. 428, inclusive	31,414 78
Assembly Bill No. 438—For claim of James W. Rankin	250 00
Assembly Bill No 448—Claim of William H. Murphy	458 65
Assembly Bill No. 459—Claim of Bartolo Sepulveda, for false imprisonment	15,000 00
Assembly Bill No. 460—Claim of A B Dibble	1,000 00
Assembly Bill No. 462—Claim of members of Examining Commission on Rivers and Harbors	957 27
Assembly Bill No. 468—For relief of Benicia F. Vallejo	7,200 00
Assembly Bill No. 483—Supreme Court deficiency	460 16
Assembly Bill No. 484—Supreme Court deficiency	50 18
Assembly Bill No. 486—For monument to General Vallejo	10,000 00
Assembly Bill No. 491—For permanent site for Hospital and Asylum for Miners	100,000 00
Assembly Bill No. 495—For Clerk and Phonographic Reporter in Attorney-General's office	6,800 00
Assembly Bill No. 500—For W. L. Wolfe, Los Angeles Assistant of Labor Bureau	500 00
Assembly Bill No. 505—Extra foundation for the Southern California Hospital for Insane	7,000 00
Assembly Bill No 508—Claim of Geo. Mothersole, for labor in roofing Napa Asylum under written contract	1,516 59
Assembly Bill No. 509—Claim of Enoch N. Strout, for services as Reclamation Land Commissioner	2,000 00
Assembly Bill No. 516—Relief of A. J. Bourn, for loss of his right arm while in the service of the State	30,000 00
Assembly Bill No. 520—Unpaid salary of Deputy Reporter of Supreme Court for three months, fortieth fiscal year	600 00
Assembly Bill No. 529—State agent for guidance and employment of discharged convicts	13,600 00
Assembly Bill No. 537—For purchase of residence for Governor	70,000 00
Assembly Bill No. 543—For relief of M. J. Maloney	1,500 00
Assembly Bill No. 551—For per diem of members of Constitutional Convention	117,837 00
Assembly Bill No. 555—Claim of G. A. Lafferty	600 00
Assembly Bill No. 559—To receive the American Library Association	3,000 00
Assembly Bill No. 570—For compiling, illustrating, printing, electrotyping, binding, and distributing school text-books	165,000 00
Assembly Bill No 578—Salary of attorney for State Board of Health	6,000 00
Assembly Bill No. 561—Appropriations for the support of the State Government for the forty-third and forty-fourth fiscal years	3,359,950 00
Total	$6,317,258 79

DIBBLE, Chairman.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 6, 1891.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Assembly Bill No. 174—An Act to provide for organizing, establishing, and maintaining a paid fire department within municipalities in the State of California, to be under the supervision and control of a Board of Fire Commissioners—have had the same under consideration, and report the same back without action.

Also: The committee has had under consideration a substitute for said Assembly Bill No. 174, and report the same back without action, and request that the same be printed.

WENTWORTH, Chairman.

MOTION.

Mr. Bert moved that Assembly Bill No. 174 be referred to a select committee of one to amend the same by substituting the following:

SUBSTITUTE FOR ASSEMBLY BILL No. 174.

An Act creating and providing for the organizing and maintaining in all cities, and cities and counties, and towns having a population of over seventy-five thousand inhabitants, of a paid fire department, to be under the supervision and control of a Board of Fire Commissioners, and providing for the appointment, term of office, powers, duties, salaries, and compensation of the members of such fire department.

The People of the State of California, represented in Senate and Assembly, do enact as follows:

SECTION 1. In all cities, and cities and counties, and towns, in this State, having a population of over seventy-five thousand inhabitants, there shall be and there is hereby created a paid fire department for the extinguishment of fires and the protection against fires in any such cities, or cities and counties, or towns.

SEC. 2. Such fire department shall be under the supervision and control of a Board of Fire Commissioners, which Board of Fire Commissioners is hereby created to consist of five members, four of whom shall be appointed by the Governor, and who shall hold their offices as such Commissioners for the term of four years, and until their successors are appointed and qualified; *provided*, that two of the Commissioners first appointed under the Act shall be appointed and hold office for the term of two years, and the other two Commissioners first appointed under this Act shall hold office for the full term of four years, and the persons appointed to succeed the Commissioners first appointed under this Act shall hold office for the full term of four years, and until their successors are appointed and qualified. The Mayor of the City and County of San Francisco is an ex officio member of said Board and the President thereof.

SEC. 3. All vacancies, however occurring, in the Board of Fire Commissioners, shall be filled by the Governor, and such appointee shall only hold for the unexpired term.

SEC. 4. Each of said Commissioners shall, before entering upon his duties, take and subscribe the oath of office, and an official bond in the sum of five thousand dollars, conditioned to faithfully perform the duties of such office, and file such oath and bond in the office of the Secretary of State.

SEC. 5. Said Commissioners shall be residents of, and have and keep an office in, the city, or city and county, or town, for which they are appointed.

SEC. 6. The Board of Fire Commissioners shall appoint one Chief Engineer, who shall be the executive officer of such fire department, and such Assistant Engineers, members, firemen, employés, and such other help and assistance as the exigencies may from time to time require, and shall make rules for the regulation, management, and behavior of said fire department, and the members thereof, and no member thereof shall be removed, except for good cause, after notice and a fair hearing. No member of such fire department shall belong to any political club or organization, or take part in any primary or general election otherwise than to vote, and any person who shall be found by the Board to have violated this provision, shall be removed from the department

SEC. 7. Said Board of Fire Commissioners shall receive a salary of fifty dollars each per month, to be paid out of the Treasury of the city, or city and county, or town, in and for which he is appointed a Commissioner, in the same manner as the salaries of other city, or city and county, or town officers are paid.

SEC. 8. The Board of Fire Commissioners shall fix and regulate the salaries and compensation of the Chief Engineer, Assistant Engineers, members, firemen, employés, and such other help and assistance as shall be required, and shall purchase, and cause to be kept and repaired, all engines, horses, hook and ladder wagons, and all such other engines, machinery, implements, extinguishers, and other apparatus which may be necessary or advantageous, or auxiliary, to extinguish or afford protection against fire.

SEC. 9. The Board of Fire Commissioners shall audit and allow all claims and demands of all kinds, for salaries of members of such fire department, and the employés

thereof, and for all expenses incurred by said fire department, and all sums of money and claims therefor accruing or to be paid by reason of anything concerning or incident to the organization, maintenance, efficiency, and conduct of said fire department, and when so audited and allowed by the Board of Fire Commissioners, and not before, nor otherwise, the same shall be paid by the Treasurer of the city, or city and county, or town, in and for which such fire department shall exist.

SEC. 10. The Board of Fire Commissioners shall organize as such Board immediately after their qualification, and elect a clerk thereof, and one of their number President of the Board, and thereafter, on the first Monday after the first day of each year, shall elect one of their number to be President of the Board. The Board shall fix the salary of the clerk of the Board, and it shall be audited and paid the same as the other salaries and compensation of members of, and demands against such fire department

SEC. 11. In all investigations for violations of the rules of the fire department, the President of the Board of Fire Commissioners shall have power to issue subpœnas and administer oaths and compel the attendance of witnesses before him, by attachment or otherwise. All subpœnas issued by him shall be in such form as he shall prescribe, and shall be served by any police officer or by any peace officer of the city, or city and county, or town, in and for which said fire department exists. Any witness who refuses to attend or testify in obedience to such subpœna, shall be deemed guilty of contempt, and be punishable by him as in cases of contempt in Justices' Courts in civil actions.

SEC. 12. In all such cities or cities and counties, or towns, in which there is now over seventy-five thousand inhabitants, and in which there exists a fire department, by whatsoever law the same may have been created, or now exists, such fire department shall immediately, upon the appointment and qualification of the Board of Fire Commissioners, become and fall under the supervision and control of such Board of Fire Commissioners, and continue to act under, and subject to, said Board of Fire Commissioners, with the same duties, salaries, rank, and compensation, and manner of payment, as they now, and then may have, until said Board of Fire Commissioners shall reorganize, provide for, and put in proper existence and efficient action a fire department under the provisions of this Act, and thereafter, such fire departments as may at said time exist in any such city, or city and county, or town, shall cease to exist as such fire department, and shall become and be subject to the provisions of this Act.

SEC 13. The Board of Fire Commissioners, as hereby created, shall have the power and authority to enforce and compel the observance of all laws of the State, or ordinances of the city, or city and county, or town in and for which they exist, for the protection of property against fires, and the prevention of fires; and all complaints concerning violations of any such laws or ordinances shall be lodged with the Board of Fire Wardens hereinafter constituted, and heard and determined by them subject to appeal to the Board of Fire Commissioners from their decision.

SEC. 14. The Board of Fire Commissioners shall be vested with the exclusive power, subject to appeal to the Courts for abuse thereof, of the granting, refusing, or withholding permits and permission to erect, build, construct, have, or maintain any building, structure, or work of any kind whatsoever as is now, by law of the State, or ordinance of such city, or city and county, or town, prohibited and enjoined, or permitted or allowed, by permit or consent of any person, Board, or department, in such city, or city and county, or town.

SEC. 15. Said Commissioners shall meet at least once a week, and as often, as in the discretion of said President of the Board of Fire Commissioners, the public necessity may demand.

SEC. 16. The Chief Engineer and the Assistant Engineer shall constitute a Board of Fire Wardens, the Chief Engineer being the President of the Board, with which Board shall be lodged all complaints pertaining to said department, and to the laws and ordinances regulating property and the use thereof to prevent fires, and from their decision an appeal may be taken by the party aggrieved to the Board of Fire Commissioners, or the Board of Fire Commissioners may, upon any complaint lodged with the Board of Fire Wardens, or in any matter pending for hearing before the Board of Fire Wardens, assume and take original jurisdiction, and hear and determine the same, by giving notice to the Board of Fire Wardens to that effect, without any previous hearing having been had before such Board of Fire Wardens. On appeal from the Board of Fire Wardens to the Board of Fire Commissioners, said Board of Fire Commissioners shall hear and determine all matters *de novo*.

SEC. 17. This Act shall take effect and be in force from and after its passage, and all Acts and parts of Acts in conflict or inconsistent with this Act, shall be and they are hereby repealed; and this Act shall not require any legislation by the legislative department of any such city, or city and county, or town, to carry it into effect, but shall be in all respects self-executing.

MOTION.

Pending the motion to appoint said committee, Mr. Dibble moved that substitute for Assembly Bill No. 174 be made a special order for next Thursday, at two o'clock P. M.

Carried.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 9, 1891.

MR. SPEAKER: I am directed to inform your honorable that the Senate, on the sixth day of February, passed the following:

Senate Bill No. 108—An Act to amend the Penal Code of California, by adding a new section thereto, to be known as section three hundred and eight, relative to the sale or furnishing of tobacco, or preparations thereof, to persons under sixteen years of age.

Also: Substitute for Senate Bill No. 75—An Act to add a new section to the Political Code, to be known and designated as section four thousand three hundred and thirty-four, relating to the duties of officers.

Also: Senate Bill No. 130—An Act to authorize and direct the sale of the site and buildings of the California Home for the Care and Training of Feeble-Minded Children, in Santa Clara County.

Also: Senate Bill No. 69—An Act to amend section one thousand three hundred and twenty-nine of the Penal Code of the State of California, relative to the payment of the necessary expenses of witnesses in criminal cases.

Also: Senate Bill No. 264—An Act to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, by adding a new section to said Civil Code, to be known as section one thousand eight hundred and sixty four and one half, to give a lien to the breeders of thoroughbred cattle, horses, and other domestic animals.

Also: Senate Bill No. 172—An Act to appropriate the sum of four hundred and fifty-eight dollars and sixty-five cents, to pay the claim of William H. Murphy, for money illegally paid the State of California.

Also Senate Bill No. 54—An Act to appropriate money to pay the claim of George J. Mothersole, for labor performed, and expenses incurred, in roofing the Napa State Asylum for the Insane, under a written contract.

Also, Senate Bill No. 227—An Act entitled "An Act to add another section to the Code of Civil Procedure of the State of California," relating to incompetent persons.

Also: Senate Bill No 66—An Act to regulate the sale of olive oil.

Also: Senate Bill No. 4—An Act to amend section two thousand six hundred and eighty-two of the Political Code of the State of California, in relation to the character of petitions to be presented for the purpose of altering, laying out, or constructing, or discontinuing, or abandoning of any public highway.

Also, Senate Bill No. 143—An Act authorizing and requiring Boards or Commissions having the management and control of paid police forces to grant the members thereof yearly vacations

Also: Senate Bill No 209—An Act entitled an Act to appropriate moneys to pay the claim of George Fetherstone, for services rendered in the office of Treasurer of State.

Also: Senate Bill No. 149—An Act to amend section seven hundred and ninety-five of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Also: Senate Bill No. 88—An Act to pay the claim of James W. Rankin, for services in the office of the State Treasurer of California, and appropriate money therefor.

Also: Senate Joint Resolution No. 4—Joint resolution relative to the abolishment of the duty on grain bags, burlaps, gunnys, or gunny cloth.

Also: Senate Joint Resolution No. 15—Joint resolution relative to the prevention of the importation of opium.

F. J. BRANDON, Secretary of the Senate.
By J. C. BOATMAN, Assistant Secretary.

The above bills were acted upon as follows:

Senate Bill No. 108 referred to Committee on Public Morals.

Senate Bill No. 75 referred to Committee on Judiciary.

Senate Bill No. 130 referred to Committee on Public Buildings and Grounds.

Senate Bill No. 69 referred to Committee on Judiciary.

Senate Bill No. 264 referred to Committee on Agriculture and Forestry.

Senate Bill No. 172 referred to Committee on Claims.

Senate Bill No. 54 referred to Committee on Claims.

Senate Bill No. 227 referred to Committee on Judiciary.

Senate Bill No. 66 referred to Committee on Viniculture, Viticulture, and Horticulture.

Senate Bill No. 4 referred to Committee on Roads and Highways.

Senate Bill No. 143 referred to Committee on Municipal Corporations.

Senate Bill No. 209 referred to Committee on Claims.

Senate Bill No. 149 referred to Committee on Municipal Corporations.

Senate Bill No. 88 referred to Committee on Claims.

Senate Joint Resolution No. 4 placed on third reading file.

Senate Joint Resolution No. 15 referred to Committe on Public Morals.

REPORT OF STANDING COMMITTEE.

ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 9, 1891.

MR. SPEAKER: Your Committee on Enrollment beg leave to report that the following Assembly Bills have been correctly enrolled

Assembly Bill No. 22—An Act to amend section one thousand two hundred and nine of the Code of Civil Procedure of California, relating to the power of Courts in the matter of punishing contempts of Court.

Also: Assembly Bill No. 139—An Act to provide for the levy and collection of taxes by and for school districts, except in municipal corporations of the first class.

And were presented to the Governor this day at four o'clock P. M.

Also: Assembly Joint Resolution No. 5—Relative to the erection of a gun factory at Benicia—and was presented to the Governor Thursday, February fifth, at three o'clock and thirty minutes P. M.

BLEDSOE, Chairman.

Mr. Lowe asked that Senate Bill No. 209 be substituted for Assembly Bill No. 269.

So ordered.

INTRODUCTION OF BILLS.

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

By Mr. Mathews: Assembly Bill No. 650—An Act to amend article three of chapter two of the Political Code, relating to highways.

Referred to Committee on Roads and Highways.

Also: Assembly Bill No. 651—An Act concerning highways, and to provide penalties to injuries thereto.

Referred to Committee on Roads and Highways.

By Mr. McCall: Assembly Bill No. 652—An Act to provide for a deficiency in the appropriation for the expenses of the State Board of Railroad Commissioners.

Referred to Committee on Ways and Means and Appropriations.

By Mr. Ames: Assembly Bill No. 653—An Act to amend section one thousand nine hundred and twenty of the Code of Civil Procedure, relating to entries in official books and records.

Referred to Committee on Judiciary.

By Mr. Weston: Assembly Bill No. 654—An Act to amend section one thousand six hundred and eleven of the Penal Code, approved February 14, 1872, relating to county jails.

Referred to Committee on County and Township Governments.

By Mr. Wentworth: Assembly Bill No. 655—An Act to add a new section to the Code of Civil Procedure of California, to be known as section one thousand six hundred and forty-one, relating to the settlement of accounts of deceased executors, administrators, and guardians.

Referred to Committee on Judiciary.

By Mr. Galbraith: Assembly Bill No. 656—An Act to provide pensions for teachers of the public schools of the State of California.

Referred to Committee on Education.

By Mr. Cram: Assembly Bill No. 657—An Act to make train wrecking a capital offense.

Referred to Committee on Judiciary.

By Mr. Barnett of San Francisco: Assembly Bill No. 658—An Act to amend section thirteen of an Act entitled "An Act to create a Police Relief, Health, and Life Insurance and Pension Fund in the several counties, cities and counties, cities, and towns of the State," approved March 4, 1889.

Referred to Committee on Corporations.

By Mr. Dibble: Assembly Bill No. 659—An Act authorizing the State Prison Directors to employ any unemployed labor to construct roads to the State Prison at San Quentin, California.

Referred to Committee on State Prisons.

By Mr. Johnson: Assembly Bill No. 660—An Act to create, and organize, and define the powers of a Board of Shipping Commissioners, and define their powers, for the purpose of securing and chartering ships to carry the surplus wheat and other surplus farm products to foreign ports.

Referred to Committee on Commerce and Navigation.

By Mr. Hail: Assembly Joint Resolution No. 13—Relative to mining industry in California.

Referred to Committee on Mines and Mining Interests.

SPECIAL FILE.

Assembly Bill No. 1—An Act to divide the State into legislative districts, as required by section six, article four of the Constitution, and to provide for the election of Assemblymen and Senators in such districts.

Read first time, and placed on file for second reading.

Assembly Bill No. 408—An Act making an appropriation to pay the deficiency in the appropriation for stationery, supplies, fuel, and lights for Legislature and State officers, for the fortieth fiscal year.

Read third time, and passed by the following vote:

AYES—Messrs. Alexander, Ames, Barnard, Barnett of San Francisco, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Brusie, Bryant, Carter, Clark, Cram, Cunningham, Dibble, Doty, Dow, Estey, Fowler, Freeman, Galbraith, Garver, Gordon, Gould, Hail, Harloe, Hayes, Hersey, Hunewill, Johnson, Jackson, Kellogg, Lowe, Marion, Martin, Matlock, Mathews, Mordecai, Murnan, Phillips, Rice, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Wentworth, Weston, Young, and Mr. Speaker—63.

NOES—None.

Title read and approved.

Assembly Bill No. 409—An Act making an appropriation to pay the deficiency in the appropriation for costs and expenses of suits in which the State is a party in interest, for the forty-first fiscal year.

Read third time.

ADJOURNMENT.

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

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Tuesday, February 10, 1891.

The Assembly met pursuant to adjournment.

Speaker Coombs in the chair.

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

Messrs. Alexander, Ames, Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Bert, Bledsoe, Brown, Bruner, Brusie, Bryant, Carter, Clark, Coffey, Cram, Culver, Cunningham, Daly, Dennis, Dibble, Doty, Dow, Dunn, Durner, Fowler, Freeman, Galbraith, Garver, Glynn, Gordon, Gould, Hail, Harloe, Hawley, Hayes, Hersey, Hocking, Hunewill, Jackson, Jones, Kellogg, Lacey, Lewis, Lowe, Lynch, Marion, Matlock, Mathews, McCall, Mordecai, Murphy, Phillips, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Tully, Wentworth, Windrow, Young, and Mr. Speaker.

Quorum present.

LEAVE OF ABSENCE.

Messrs. Cargill, Johnson, Lux, Weston, Freeman, Martin, Estey, Beecher, Murnan, Dennis, and Eakle were granted leave of absence for the day.

PRAYER.

Prayer by the Chaplain, Rev. A. C. Herrick.

READING OF THE JOURNAL.

Pending reading of the Journal. Mr. Barnett of San Francisco moved to dispense with further reading.

Carried.

MOTION.

On motion of Mr. Baughman, Senate Bill No. 54 was substituted for Assembly Bill No. 508, and referred to Committee on Ways and Means and Appropriations.

PRESENTATION OF PETITIONS.

Mr. Bledsoe presented a petition from the residents of San Francisco indorsing Assembly Bill No. 471.

Petition referred to Committee on Apportionment and Election Laws.

Mr. Sturtevant presented three petitions from the residents of Mendocino County, asking that the fish laws be amended in certain respects.

Referred to Committee on County and Township Governments.

REPORTS OF STANDING COMMITTEES.

ON WAYS AND MEANS AND APPROPRIATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 10, 1891.

MR. SPEAKER: Your Committee on Ways and Means and Appropriations to whom was referred Assembly Bill No. 195—An Act to appropriate ten thousand dollars for the purpose of sending an expert to Australia, etc.—report the same back with amendments, and recommend that it do pass as amended

Also: Memorial relating to the bill is also returned.

Also: Assembly Bill No. 183—An Act to create a State Board of Mediation and Arbitration, etc.—report the same back with amendment, and recommend that it do pass as amended.

Also: Assembly Bill No. 161—An Act to create a State Association of Irrigation Districts—report the same back with amendments, and recommend that it do pass as amended.

Also: Assembly Bill No 517—An Act to authorize the Controller and Treasurer to transfer to the General Fund all moneys standing to the credit of coupons upon Central Pacific Railroad bonds—report the same back, and recommend its passage.

Also: Assembly Bill No. 468—An Act for the relief of Benicia F. Vallejo, the widow of the late General Mariano Vallejo—report the same back, with the recommendation that the author have leave to withdraw it

Also. Assembly Bill No. 190—An Act to purchase a dwelling house now on State land at San Quentin, and recommend that the author have leave to withdraw it.

DIBBLE, Chairman.

ON STATE CHARITABLE AND REFORMATORY INSTITUTIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 10, 1891.

MR. SPEAKER: Your Committee on State Charitable and Reformatory Institutions, to whom was referred Assembly Bill No. 593—An Act to create a State Board of Pardon Commissioners, define their duties, and provide for the expense thereto attached—report the same back, and recommend that it do pass.

Also: Assembly Bill No. 120—An Act to provide buildings and improvements at the Deaf, Dumb, and Blind Asylum.

Also. Assembly Bill No. 234—An Act to provide for the erection of additional buildings for the California Home for the Care and Training of Feeble-Minded Children, and making an appropriation therefor—report the same back with amendments, and recommend its passage as amended.

MARION, Chairman.

ON CLAIMS.

ASSEMBLY CHAMBER, SACRAMENTO, February 9, 1891.

MR. SPEAKER: Your Committee on Claims, to whom was referred Assembly Bill No. 543—An Act for the relief of Michael J. Maloney—report the same back with amendments, and recommend its passage as amended.

Also: Assembly Bill No. 551—An Act to provide for the payment of the per diem of members and attachés of the Constitutional Convention—report the same back, and recommend that it do not pass.

AMES, Chairman.

Assembly Bill No. 551 referred to Committee on Ways and Means and Appropriations.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 10, 1891.

MR. SPEAKER: Your Committee on Education, to whom was referred Senate Bill No. 154—An Act authorizing school districts in cities, cities and counties, or incorporated towns in the State of California to furnish the pupils of their respective public schools with free use of school text-books—report the same back with amendments, and recommend its passage as amended.

Also: Assembly Bill No. 595—An Act to provide for the establishment of High Schools in the State of California—report the same back, and recommend that it do pass.

Also: Assembly Bill No. 569—An Act to amend the Political Code, part three, title three, article one, section one thousand five hundred and twenty-one, relating to the powers and duties of the State Board of Education—report the same back, and recommend that it do not pass.

GALBRAITH, Chairman.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, February 9, 1891.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bills Nos. 153 and 474—report the same back, and recommend that they do not pass.

Also: Assembly Bill No. 533—and report it back without recommendation

Also: Assembly Bills Nos. 363, 361, and 571—report the same back, and recommend that they do pass.

BRUNER, Chairman.

ON IRRIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 10, 1891.

MR. SPEAKER: Your Committee on Irrigation, to whom was referred Assembly Bill No. 442—An Act to prevent damage from the overflow of artesian wells—report the same back with amendments, and recommend its passage as amended.

ALEXANDER, Chairman.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 10, 1891.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Assembly Bill No. 544—An Act to amend section four thousand one hundred and two of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the age, citizenship, and residence of district and township officers and their deputies.

Also: Assembly Bill No. 452—An Act to authorize the Trustees of municipal corporations having a voting population of less than two hundred voters, to wind up the affairs of said corporation, by paying off its indebtedness, disposing of its property, and turning over the proceeds to the County Supervisors for its own local improvements, etc., and to declare said corporation no longer in force—report the same back, and recommend the passage of the same

Also: Assembly Bill No. 545—An Act to amend subdivision four of section thirty-four of an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885—report the same back without action.

WENTWORTH, Chairman.

INTRODUCTION OF BILLS.

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

By Mr. Bruner: Assembly Bill No. 661—An Act authorizing persons having claims against the State, or against counties, to prosecute and establish them in the Courts, and providing for the payment of judgments.

Referred to Committee on Judiciary.

By Mr. Mordecai: Assembly Bill No. 662—An Act to amend section one thousand two hundred and fifty-five of the Civil Code.

Referred to Committee on Judiciary.

By Mr. Clark: Assembly Bill No. 663—An Act to regulate the sale at retail of spirituous, malt, or fermented liquors, or wine, in the State of California, and to provide for the issuance of licenses.

Referred to Committee on County and Township Governments.

By Mr. Sturtevant: Assembly Bill No. 664—An Act to amend sections two thousand four hundred and fifty-seven, two thousand four hundred and sixty-four, two thousand four hundred and sixty-five, and two thousand four hundred and sixty-six of the Political Code, relating to pilots and pilot regulations.

Referred to Committee on Corporations.

By Mr. Wentworth: Assembly Bill No. 665—An Act to empower the Board of State Harbor Commissioners to rectify the alignment of East Street, from Pacific Street to Market Street, in the City and County of San Francisco, and to sell, acquire, and condemn adjacent property.

Referred to Committee on Commerce and Navigation.

Also: Assembly Bill No. 666—An Act to extend the jurisdiction of the Board of State Harbor Commissioners over East Street, San Francisco.

Referred to Committee on Commerce and Navigation.

By Mr. Hawley: Assembly Bill No. 667—An Act to pay the claim of I. K. Fisher for services rendered the State, in accordance with an Act

entitled "An Act to provide for the erection and management of a State Hospital for the Insane, to be located in Southern California," approved March 11, 1889.

Referred to Committee on Claims.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON CLAIMS

ASSEMBLY CHAMBER, SACRAMENTO, February 10, 1891.

MR. SPEAKER: Your Committee on Claims, to whom was referred Senate Bills No. 88 and 172, entitled, respectively, "An Act to pay the claim of James W. Rankin, for services in the office of the State Treasurer of California, and to appropriate money therefor," and "An Act to appropriate the sum of four hundred and fifty-eight dollars and sixty-five cents to pay the claim of William H. Murphy, for money illegally paid the State of California"—report the same back, and recommend that they do pass.

AMES, Chairman.

Senate Bills No. 88 and 172 referred to Committee on Ways and Means and Appropriations.

SPECIAL FILE.

Assembly Bill No. 1—An Act to divide the State into legislative districts, as required by section six, article four, of the Constitution, and to provide for the election of Assemblymen and Senators in such districts.

Read second time.

Mr. Dibble offered a substitute for Assembly Bill No. 1, which was ordered printed in the Journal, and to the printer, and retain its place on file:

SUBSTITUTE FOR ASSEMBLY BILL No. 1.

An Act to divide the State into legislative districts, as required by section six, article four, of the Constitution, and to provide for the election of Assemblymen and Senators in such districts.

The People of the State of California, represented in Senate and Assembly, do enact as follows:

SECTION 1. The State is hereby divided into eighty Assembly districts, constituted as follows.

1. The counties of Del Norte and Siskiyou shall constitute the First Assembly District.

2. All that portion of Humboldt County comprising the townships of Orleans, Klamath, Trinidad, Mad River, Union, Eureka, and Bucksport shall constitute the Second Assembly District.

3. All that portion of Humboldt County not included in the Second Assembly District shall constitute the Third Assembly District.

4. The counties of Tehama and Trinity shall constitute the Fourth Assembly District.

5. The counties of Shasta and Modoc shall constitute the Fifth Assembly District.

6. The counties of Lassen, Plumas, and Sierra shall constitute the Sixth Assembly District.

7. The county of Butte shall constitute the Seventh Assembly District.

8. The counties of Yuba and Sutter shall constitute the Eighth Assembly District.

9. The county of Mendocino shall constitute the Ninth Assembly District.

10. The counties of Colusa and Lake shall constitute the Tenth Assembly District.

11. The county of Yolo shall constitute the Eleventh Assembly District.

12. The county of Nevada shall constitute the Twelfth Assembly District.

13. The county of Placer shall constitute the Thirteenth Assembly District.

14. The county of El Dorado shall constitute the Fourteenth Assembly District.

15. The county of Amador shall constitute the Fifteenth Assembly District.

16. All that portion of Sonoma County comprising the townships of Analy, Bodega Mendocino, Ocean, Petaluma, Redwood, Salt Point, and Vallejo shall constitute the Sixteenth Assembly District.

17. All that portion of Sonoma County not included in the Sixteenth Assembly District shall constitute the Seventeenth Assembly District.

18. The county of Napa shall constitute the Eighteenth Assembly District.

19. The county of Solano shall constitute the Nineteenth Assembly District.

20. All that portion of Sacramento County comprising the First and Third Wards of Sacramento City shall constitute the Twentieth Assembly District.

21. All that portion of Sacramento County comprising the Second and Fourth Wards of Sacramento City shall constitute the Twenty-first Assembly District.

22. All that portion of Sacramento County not included in the Twentieth and Twenty-first Assembly Districts shall constitute the Twenty-second Assembly District.

23. The county of Marin shall constitute the Twenty-third Assembly District.

24. The county of Contra Costa shall constitute the Twenty-fourth Assembly District.

25. All that portion of San Joaquin County comprising the city of Stockton shall constitute the Twenty-fifth Assembly District.

26. All that portion of San Joaquin County not included in the Twenty-fifth Assembly District shall constitute the Twenty-Sixth Assembly District.

27. The counties of Calaveras and Alpine shall constitute the Twenty-seventh Assembly District.

28. All that portion of the City and County of San Francisco bounded as follows. Commencing at the point of intersection where the center line of Market Street intersects the bay of San Francisco, continuing thence along the center of the following named streets: Market to Third, Third to Bryant, Bryant to the waters of the bay of San Francisco, thence along the shore to Market, the place of beginning, shall constitute the Twenty-eighth Assembly District.

29. All that portion of the City and County of San Francisco bounded as follows Commencing at the intersection of the center of Market and Third Streets, continuing thence along the center of the following named streets: Market to Fifth, Fifth to Bryant, Bryant to Third, Third to Market, the place of beginning, shall constitute the Twenty-ninth Assembly District.

30. All that portion of the City and County of San Francisco bounded as follows Commencing at the intersection of the center of Market and Fifth Streets, continuing thence along the center of the following named streets: Market to Seventh, Seventh to Bryant, Bryant to Fifth, Fifth to Market, the place of beginning, shall constitute the Thirtieth Assembly District.

31. All that portion of the City and County of San Francisco bounded as follows: Commencing at the intersection of the center of Market and Seventh Streets, continuing thence along the center of the following named streets: Market to Eleventh, Eleventh to intersection of Channel and Bryant, Bryant to Seventh, Seventh to Market, the place of beginning, shall constitute the Thirty-first Assembly District.

32. All that portion of the City and County of San Francisco bounded as follows: Commencing at the point of intersection where the center of Bryant Street intersects the waters of the bay of San Francisco, continuing thence along the center of the following named streets: Bryant to intersection of Eleventh and Channel, along Eleventh to Harrison, Harrison to Napa, Napa to the waters of the bay of San Francisco; thence along the shore to Bryant, the place of beginning, shall constitute the Thirty-second Assembly District.

33. All that portion of the City and County of San Francisco bounded as follows: Commencing at the point of intersection of the center of Napa Street and the bay of San Francisco, continuing thence along the center of the following named streets: Napa to Harrison, Harrison to Army, Army to Guerrero, Guerrero to Old San José Road, Old San José Road to Thirtieth, Thirtieth to Mission, Mission to New County Road; thence along said county road to its intersection with the boundary line dividing the counties of San Francisco and San Mateo; thence along said boundary line to the intersection of the waters of the bay of San Francisco; thence along the shore of said bay to Napa Street, the place of beginning, shall constitute the Thirty-third Assembly District.

34. All that portion of the City and County of San Francisco bounded as follows: Commencing at the point of intersection of the center of Market and Eleventh Streets, continuing thence along the center of the following named streets: Market to Valencia, Valencia to Fourteenth, Fourteenth to Guerrero, Guerrero to Nineteenth, Nineteenth to Harrison, Harrison to Eleventh Eleventh to Market, the place of beginning, shall constitute the Thirty-fourth Assembly District

35. All that portion of the City and County of San Francisco bounded as follows: Commencing at the point of intersection of the center of Harrison and Nineteenth Streets, continuing thence along the center of the following named streets: Nineteenth to Guerrero, Guerrero to Army, Army to Harrison, Harrison to Nineteenth, the place of beginning, shall constitute the Thirty-fifth Assembly District.

36. All that portion of the City and County of San Francisco bounded as follows: Commencing at the point of intersection of the center of Guerrero and Fourteenth Streets, continuing thence along the center of the following named streets: Fourteenth to South Broderick, South Broderick to Park Road, thence along Park Road to Frederick, Frederick to First Avenue, First Avenue to J, J to Fourth Avenue, Fourth Avenue to K, K to the waters of the Pacific Ocean; along the shore of said ocean to the boundary line dividing the counties of San Mateo and San Francisco; thence along the said boundary line to New County Road along said road to Mission Road, Mission Road to Thirtieth, Thirtieth to Old San José Road, Old San José Road to Guerrero, Guerrero to Fourteenth, the place of beginning, shall constitute the Thirty-sixth Assembly District.

37. All that portion of the City and County of San Francisco bounded as follows: Commencing at the point of intersection of the center of Market Street and Van Ness Avenue, continuing thence along the center of the following named streets. Market to Valencia, Valencia to Fourteenth, Fourteenth to South Broderick, South Broderick to Park Road, along Park Road to Frederick, Frederick to First Avenue, First Avenue to J, J to Fourth Avenue, Fourth Avenue to K, K to the waters of the Pacific Ocean; thence

along the shore of said ocean northerly to Avenue D, Avenue D to Stanyan, Stanyan to Grove, Grove to Van Ness Avenue, Van Ness Avenue to Market, the place of beginning, shall constitute the Thirty-seventh Assembly District.

38. All that portion of the City and County of San Francisco bounded as follows: Commencing at the intersection of Avenue B and the Pacific Ocean, continuing thence along the center of the following named streets: Avenue B to First Avenue, First Avenue to Turk, Turk to Broderick, Broderick to O'Farrell, O'Farrell to Van Ness Avenue, Van Ness Avenue to Grove, Grove to Stanyan, Stanyan to Avenue D, Avenue D to the Pacific Ocean; thence along the shore to Avenue B, the place of beginning, shall constitute the Thirty-eighth Assembly District.

39. All that portion of the City and County of San Francisco bounded as follows: Commencing at the point of intersection of the center of Sacramento and Hyde Streets, continuing thence along the center of the following named streets Hyde to Sutter, Sutter to Jones, Jones to Market, Market to Van Ness Avenue, Van Ness Avenue to Sacramento, Sacramento to Hyde, the place of beginning, shall constitute the Thirty-ninth Assembly District.

40. All that portion of the City and County of San Francisco bounded as follows: Commencing at the point of intersection of Avenue B and the waters of the Pacific Ocean, continuing thence along the center of the following named streets: Avenue B to First Avenue, First Avenue to Turk, Turk to Broderick, Broderick to O'Farrell, O'Farrell to Van Ness Avenue, Van Ness Avenue to Sacramento, Sacramento to Central Avenue, Central Avenue to California, California to the east line of the City Cemetery, thence northerly in a direct line to the Pacific Ocean, thence along the shore in a southerly and westerly direction to the place of beginning, together with the islands known as the Farallon Islands, shall constitute the Fortieth Assembly District.

41. All that portion of the City and County of San Francisco bounded as follows: Commencing at the intersection of Hyde Street with the waters of the bay of San Francisco, continuing thence along the center of the following named streets: Hyde to Sacramento, Sacramento to Central Avenue, Central Avenue to California, along California in a direct line to its intersection with the east line of the City Cemetery, thence northerly in a direct line to the waters of the Pacific Ocean, thence along the shore of said ocean and the said bay to Hyde, the place of beginning, shall constitute the Forty-first Assembly District.

42. All that portion of the City and County of San Francisco bounded as follows: Commencing at the junction of the center of Market and Mason Streets, continuing thence along the center of the following named streets: Mason to Broadway, Broadway to Hyde, Hyde to Sutter, Sutter to Jones, Jones to Market, Market to Mason, the place of beginning, shall constitute the Forty-second Assembly District.

43. All that portion of the City and County of San Francisco bounded as follows: Commencing at the intersection of the center of Market and Kearny Streets, continuing thence along the center of the following named streets: Kearny to Broadway, Broadway to Mason, Mason to Market, Market to Kearny, the place of beginning, shall constitute the Forty-third Assembly District

44. All that portion of the City and County of San Francisco bounded as follows: Commencing at the point where the center of Kearny Street intersects the bay of San Francisco, continuing thence along the center of the following named streets: Kearny to Broadway, Broadway to Hyde, Hyde to the said bay; thence along the shore of said bay to Kearny, the place of beginning, shall constitute the Forty-fourth Assembly District.

45. All that portion of the City and County of San Francisco bounded as follows: Commencing at a point where the center of Market Street intersects the bay of San Francisco, continuing thence along the center of the following named streets: Market to Kearny, Kearny to the bay of San Francisco, thence along the shore of said bay to Market Street, the place of beginning, together with all the waters of the bay of San Francisco, and the islands contained therein, situated within the boundaries of the City and County of San Francisco, shall constitute the Forty-fifth Assembly District.

46. All that portion of the county of Alameda comprising the townships of Murray and Washington, and that certain portion of Eden Township within the corporate limits of the town of Haywards, and that portion of said Eden Township known as Castro Valley Election Precinct, described as follows, to wit: Commencing at a point where the northerly line of the town of Haywards is intersected by a line known as the dividing line between San Lorenzo and Castro Valley Election Precincts; thence along said dividing line of said precincts to the middle line of San Lorenzo Creek, thence easterly and northerly along the middle line of said creek to the dividing line of Alameda and Contra Costa Counties; thence easterly and southerly along said dividing line of said counties to its point of intersection with the dividing line of Eden and Murray Townships aforesaid, thence along said dividing line between Eden and Murray Townships to the corner of Eden, Murray, and Washington Townships, thence westerly along the line dividing the townships of Washington and Eden to the middle of the mountain road from Haywards; thence northerly along the middle of the said road to the southerly boundary line of the town of Haywards; thence along the boundary line of Haywards and Castro Valley Election Precincts to the place of beginning, shall constitute the Forty-sixth Assembly District

47. All that portion of the county of Alameda comprising so much of Eden Township as is not included in the Forty-sixth Assembly District, and that portion of Brooklyn Township lying outside of the city of Oakland, and all of Alameda Township, shall constitute the Forty-seventh Assembly District.

48. All that portion of the county of Alameda comprising that portion of the city of Oakland, bounded as follows: Commencing at a point on the westerly line of the Seventh Ward, where the same is intersected by Thirteenth Street extended, continuing thence along the center of the following named streets: Thirteenth to Broadway, Broadway to Tenth, Tenth to Jefferson, Jefferson to Twelfth, Twelfth to Adeline, Adeline to the shore line of Oakland Creek, and thence extended to the boundary line of said city of Oakland in said creek; thence along said boundary line in said creek to the intersection of said boundary line with the boundary line between the Sixth and Seventh Wards of said city of Oakland, and thence along said last mentioned boundary line to the place of beginning, shall constitute the Forty-eighth Assembly District.

49. All that portion of the county of Alameda comprising all that portion of the city of Oakland lying west of Adeline Street, and all that portion of the county of Alameda, being a portion of Oakland Township, lying outside of said city of Oakland, bounded as follows: Commencing at the intersection of the northern charter line of the city of Oakland, with the dividing line between Bay and Temescal Election Precincts; thence northerly along said dividing line to where it intersects the southerly line of Berkeley Election Precinct; thence westerly along said line of Berkeley Election Precinct to the dividing line between Berkeley and West Berkeley Election Precincts, thence northerly along said dividing line last named to the southerly line of Ocean View Election Precinct; thence easterly along said last mentioned line to the dividing line between Alameda and Contra Costa Counties; thence northwesterly and westerly along said Alameda and Contra Costa boundary line of Alameda County and the City and County of San Francisco; thence southerly along said last named boundary line to the said northern charter line of the city of Oakland; thence easterly along said last named line to the point of beginning, shall constitute the Forty-ninth Assembly District.

50. All that portion of the county of Alameda comprising that portion of the city of Oakland bounded as follows: Commencing at the intersection of the northern boundary line of said city with Adeline Street, continuing thence along the center of the following named streets, Adeline to Twelfth, Twelfth to Jefferson, Jefferson to Tenth, Tenth to Broadway, Broadway to Twentieth, or Delger Street, and thence along the continuation of said Twentieth Street to its intersection with the old charter line in the northwesterly arm of Lake Merritt; thence northerly along the old charter line following the meanderings of Cemetery Creek to the new charter line, and thence to the place of beginning, shall constitute the Fiftieth Assembly District.

51. All that portion of the county of Alameda, comprising all of Oakland Township outside of the city of Oakland and not included in the Forty-ninth Assembly District, and all of the Seventh Ward of the city of Oakland, shall constitute the Fifty-first Assembly District.

52. The county of San Mateo shall constitute the Fifty-second Assembly District.

53. The county of Santa Cruz shall constitute the Fifty-third Assembly District.

54. All that portion of the county of Santa Clara comprising the precinct of Agnews, Campbells, Jefferson, the town of Mountain View, Moreland, the town of Mayfield, the Fourth Ward of the city of San José, University, Willow Glen, Cupertino, and the town of Santa Clara, shall constitute the Fifty-fourth Assembly District.

55. All that portion of the county of Santa Clara comprising the First, Second, and Third Wards of the city of San José, and the precincts of Hester and Crandelville, shall constitute the Fifty-fifth Assembly District.

56. All that portion of the county of Santa Clara not included in the Fifty-fourth and Fifty-fifth Assembly Districts shall constitute the Fifty-sixth Assembly District.

57. The county of Stanislaus shall constitute the Fifty-seventh Assembly District.

58. The counties of Tuolumne, Mariposa, and Mono shall constitute the Fifty-eighth Assembly District.

59. The counties of Merced and San Benito shall constitute the Fifty-ninth Assembly District.

60. The county of Monterey shall constitute the Sixtieth Assembly District.

61. All that portion of the county of Fresno comprised in the following election precincts, as now constituted, to wit: Minturn, White's Bridge, Borden, Berenda, Fresno Colony, Cantua, Huron, Madera, Firebaugh, Washington Colony, Wildflower, Kingston, Mendocino, Lake, Eastin, Selma, Wartnam, Pleasant Valley, Sycamore, Crescent, Chicago, Central Colony, Liberty, Fowler, Madison, West Park, Kingsburg, Malaga, Oleander, Temperance, Scandinavia, Ward Number Three Fresno City, Ward Number Five Fresno City, shall constitute the Sixty-first Assembly District.

62. All that portion of the county of Fresno not included in the Sixty-first Assembly District shall constitute the Sixty-second Assembly District.

63. All that portion of the county of Tulare comprised in the following election precincts, as now constituted, to wit: Tipton, Pixley, Alila, First, Second, Third, and Fourth Wards of Tulare, Buena Vista, Enterprise, Goshen, Traver, Grand View, Excelsior, Grangeville, Hanford, Lucerne, Lake Side, Lemoore, Kings River, and West End, shall constitute the Sixty-third Assembly District.

64. All that portion of the county of Tulare not included in the Sixty-third Assembly District shall constitute the Sixty-fourth Assembly District.

65. The counties of Kern and Inyo shall constitute the Sixty-fifth Assembly District.

66. The county of San Luis Obispo shall constitute the Sixty-sixth Assembly District.

67. The county of Santa Barbara shall constitute the Sixty-seventh Assembly District.

68. The county of Ventura shall constitute the Sixty-eighth Assembly District.

69. All that portion of the county of Los Angeles included in and comprising the

following election precincts: Lancaster, Palmdale, Llano, Acton, Elizabeth Lake, La Liebre, Esperanza, Fairmount, Langs, Newhall, Los Virgines, Calabasas, San Vicente National, Electric, Santa Monica, Monte Vista, Cahuenga, Santa Susana, Lankershim, San Fernando, Burbank, Garvanza, Glendale, La Cañada, Tejunga, North Pasadena, Pasadena City Precincts Numbers One, Two, Three, Four, Five, and Six, shall constitute the Sixty-ninth Assembly District.

70. All that portion of the county of Los Angeles included in and comprising the following election precincts: Claremont, Lordsburg, Spadra, Pomona City Precincts Numbers One, Two, Three, and Four, Azusa, Glendora, El Monte, Farmdale, Old Mission, Monrovia, Duarte, Lamanda, Sierre Madre, San Gabriel, Alhambra, Knolls, South Pasadena, Rowland, Covina, Los Nietos, Whittier, and Rivera, shall constitute the Seventieth Assembly District.

71. All that portion of the county of Los Angeles included in and comprising the following election precincts: San Antonio, Fruitland, Florence, Vernon, Downey, Artesia, Clearwater, Norwalk, Compton, Lugo, Enterprise, Redondo, Long Beach, Cerritas, Wilmington, San Pedro, Catalina, Chautauqua, Ballona, Centinelli, La Dow, University, and Rosedale, shall constitute the Seventy-first Assembly District.

72. All that portion of the county of Los Angeles included in and comprising the following election precincts: Los Angeles City Precincts Numbers One, Two, Three, Four, Five, Six, Seven, Eight, Nine, Ten, Eleven, Twelve, Thirteen, Fourteen, Fifteen, Sixteen, Seventeen, and Eighteen, shall constitute the Seventy-second Assembly District.

73. All that portion of the county of Los Angeles included in and comprising the following election precincts: Los Angeles City Precincts Numbers Nineteen, Twenty, Twenty-one, Twenty-two, Twenty-three, Twenty-four, Twenty-five, Twenty-six, Twenty-seven, Twenty-eight, Twenty-nine, Thirty, and Thirty-one, shall constitute the Seventy-third Assembly District.

74. All that portion of the county of Los Angeles included in and comprising the following election precincts: Los Angeles City Precincts Numbers Thirty-two, Thirty-three, Thirty-four, Thirty-five, Thirty-six, Thirty-seven, Thirty-eight, Thirty-nine, Forty, Forty-one, Forty-two, Forty-three, Forty-four, Forty-five, Forty-six, and Forty-seven, shall constitute the Seventy-fourth Assembly District.

75. The county of Orange shall constitute the Seventy-fifth Assembly District.

76. All that portion of the county of San Bernardino comprising the election precincts of Seven Oaks, Bear Valley, Holcomb Valley, Black Hawk, Bagdad, Providence, Needles, Ivanpah, Chino, Union, Rincon, Newberry, South Riverside, Temescal, Colton, East Colton, Cloverdale, San Timoteo, Beaumont Pass, and Banning, together with the Third Supervisorial District, shall constitute the Seventy-sixth Assembly District.

77. All that portion of the county of San Bernardino not included in the Seventy-sixth Assembly District shall constitute the Seventy-seventh Assembly District.

78. All that portion of the county of San Diego comprising the First, Second, Third, Fourth, Fifth, Sixth, and Seventh Wards of the city of San Diego shall constitute the Seventy-eighth Assembly District.

79. All that portion of the county of San Diego comprising the Eighth and Ninth Wards of the city of San Diego, and including the following judicial townships: Coronado, Mission, Spring Valley, Otay, National, Campa, Jamul, Guatay, Alpine, El Cajon, Capitan, Grande, Ballena, Santa Maria, Mesa Grande, and Julian, shall constitute the Seventy-ninth Assembly District.

80. All that portion of the county of San Diego comprising the following judicial townships: Del Mar, San Pasqual, Encinitas, Poway, Bernarda, Bear Valley, Smith Mountain, De Luz, Fallbrook, Vallecitos, Palo, San Jacinto, Indio, Diamond, Elsinore, Temecula, San Luis Rey, Perris, and Murrieta, shall constitute the Eightieth Assembly District.

SEC. 2. At the general election in the year eighteen hundred and ninety-two, and every two years thereafter, a member of the Assembly shall be elected in each of said hereinbefore constituted Assembly districts.

SEC. 3. The State is hereby divided into forty Senatorial districts, constituted as follows:

1. The counties of Del Norte and Humboldt shall constitute the First Senatorial District.

2. The counties of Siskiyou, Trinity, and Shasta shall constitute the Second Senatorial District.

3. The counties of Modoc, Lassen, Plumas, and Sierra shall constitute the Third Senatorial District.

4. The counties of Tehama and Butte shall constitute the Fourth Senatorial District.

5. The counties of Nevada and Placer shall constitute the Fifth Senatorial District.

6. The counties of Yuba, Sutter, and Yolo shall constitute the Sixth Senatorial District.

7. The counties of Lake and Napa shall constitute the Seventh Senatorial District.

8. The counties of Mendocino and Colusa shall constitute the Eighth Senatorial District.

9. The county of Solano shall constitute the Ninth Senatorial District.

10. The county of Sonoma shall constitute the Tenth Senatorial District.

11. The counties of Contra Costa and Marin shall constitute the Eleventh Senatorial District.

12. The counties of Stanislaus, Merced, Tuolumne, and Mariposa shall constitute the Twelfth Senatorial District.

13. The county of Sacramento shall constitute the Thirteenth Senatorial District.

14. The counties of El Dorado, Amador, Calaveras, and Alpine shall constitute the Fourteenth Senatorial District.

15. The county of San Joaquin shall constitute the Fifteenth Senatorial District.

16. The county of Fresno shall constitute the Sixteenth Senatorial District.

17. All that portion of the City and County of San Francisco comprised within the boundaries of the Twenty-eighth and Twenty-ninth Assembly Districts, as fixed and described in this Act, shall constitute the Seventeenth Senatorial District.

18. All that portion of the City and County of San Francisco comprised within the boundaries of the Thirtieth and Thirty-second Assembly Districts, as fixed and described in this Act, shall constitute the Eighteenth Senatorial District.

19. All that portion of the City and County of San Francisco comprised within the boundaries of the Thirty-third and Thirty-sixth Assembly Districts, as fixed and described in this Act, shall constitute the Nineteenth Senatorial District.

20. All that portion of the City and County of San Francisco comprised within the boundaries of the Thirty-fourth and Thirty-fifth Assembly Districts, as fixed and described in this Act, shall constitute the Twentieth Senatorial District.

21. All that portion of the City and County of San Francisco comprised within the boundaries of the Thirty-seventh and Thirty-eighth Assembly Districts, as fixed and described in this Act, shall constitute the Twenty-first Senatorial District.

22. All that portion of the City and County of San Francisco comprised within the boundaries of the Fortieth and Forty-first Assembly Districts, as fixed and described in this Act, shall constitute the Twenty-second Senatorial District.

23. All that portion of the City and County of San Francisco comprised within the boundaries of the Thirty-first and Thirty-ninth Assembly Districts, as fixed and described in this Act, shall constitute the Twenty-third Senatorial District.

24. All that portion of the City and County of San Francisco comprised within the boundaries of the Forty-second and Forty-third Assembly Districts, as fixed and described in this Act, shall constitute the Twenty-fourth Senatorial District.

25. All that portion of the City and County of San Francisco comprised within the boundaries of the Forty-fourth and Forty-fifth Assembly Districts, as fixed and described in this Act, shall constitute the Twenty-fifth Senatorial District.

26. All that portion of the county of Alameda comprised within the boundaries of the Forty-eighth and Forty-ninth Assembly Districts, as fixed and described in this Act, shall constitute the Twenty-sixth Senatorial District.

27. All that portion of the county of Alameda comprised within the boundaries of the Fiftieth and Fifty-first Assembly Districts as fixed and described in this Act, shall constitute the Twenty-seventh Senatorial District.

28. All that portion of the county of Alameda comprised within the Forty-sixth and Forty-seventh Assembly Districts, as fixed and described in this Act, shall constitute the Twenty-eighth Senatorial District.

29. The counties of San Mateo and Santa Cruz shall constitute the Twenty-ninth Senatorial District.

30. All that portion of the county of Santa Clara not included in the Thirty-first Senatorial District, as hereinafter described, shall constitute the Thirtieth Senatorial District.

31. All that portion of the county of Santa Clara comprised in the following election precincts, as now constituted, to wit: Alma, Almaden, Alviso, Berryessa, Burnett, Evergreen, East San José, Franklin, the town of Gilroy, Guadalupe, Highland, Los Animas, Milpitas, Mt. Hamilton, Oak Grove, Orchard, Pioneer, Robertsville, San Felipe, San Ysidra, Salis, San Antonio, the Second and Third Wards of the city of San José, Uvas, Union, and Wrights, shall constitute the Thirty-first Senatorial District.

32. The counties of Mono, Inyo, and Tulare shall constitute the Thirty-second Senatorial District.

33. The counties of San Benito and Monterey shall constitute the Thirty-third Senatorial District.

34. The counties of San Luis Obispo and Kern shall constitute the Thirty-fourth Senatorial District.

35. The counties of Santa Barbara and Ventura shall constitute the Thirty-fifth Senatorial District.

36. The counties of San Bernardino and Orange shall constitute the Thirty-sixth Senatorial District.

37. All that portion of the county of Los Angeles included in and comprising the following township and election precincts: Antelope, Fairmount, Soledad, Los Angeles, Pasadena, South Pasadena, El Monte, and San Gabriel Townships, and all that part of the city of Los Angeles included in and comprising the following election precincts: Numbers One, Two, Three, Four, Five, Six, Seven, Eight, Nine, Ten, Eleven, Twelve, Thirteen, Fourteen, Fifteen, Sixteen, Seventeen, and Eighteen, shall constitute the Thirty-seventh Senatorial District.

38. All that portion of the county of Los Angeles included in and comprising the following election precincts: All that portion of the city of Los Angeles included in and comprising the following election precincts: Nineteen, Twenty, Twenty-one, Twenty-two, Twenty-three, Twenty-four, Twenty-five, Twenty-six, Twenty-seven, Twenty-eight, Twenty-nine, Thirty, Thirty-one, Thirty-two, Thirty-three, Thirty-four, Thirty-five, Thirty-six, Thirty-seven, Thirty-eight, Thirty-nine, Forty, Forty-one, Forty-two, Forty-three, Forty-four, Forty-five, Forty-six, and Forty-seven, shall constitute the Thirty-eighth Senatorial District.

39. All that portion of the county of Los Angeles included in and comprising the following townships: San José, Azusa, Rowland, Los Nietos, San Antonio, Downey, Long Beach, Wilmington, Catalina, Chautauqua, Santa Monica, Calabasas, San Fernando, Compton, Ballona, and Cahuenga, shall constitute the Thirty-ninth Senatorial District.

40. The county of San Diego shall constitute the Fortieth Senatorial District.

SEC. 4. At the general election in the year eighteen hundred and ninety-two, there shall be elected twenty Senators from the above named and constituted odd numbered districts, who shall hold office for four years Twenty Senators shall be elected from said odd numbered districts every four years thereafter. The Senators elected in the even numbered districts fixed by the Act of March eighth, eighteen hundred and eighty-three, at the general election in eighteen hundred and ninety, shall continue in office for four years from and after twelve o'clock noon on the first Monday after the first day of January eighteen hundred and ninety-one

At the general election in eighteen hundred and ninety-four, twenty Senators shall be elected from the hereinbefore named and constituted even numbered districts, who shall hold office for four years. Twenty Senators shall be elected, and every four years thereafter, from said hereinbefore constituted even numbered districts.

SEC. 5 Neither Boards of Supervisors, municipal authorities, nor any other officer or officers shall have the power to alter the boundaries of any township, ward, election precinct, or other local subdivision, of any county, city, city and county, or town, so as to change the boundaries of any Senatorial or Assembly district as constituted and defined in this Act

SEC. 6. All Acts and parts of Acts in conflict with this Act are hereby repealed.

UNFINISHED BUSINESS.

On motion of Mr. Bledsoe, Assembly Bill No. 409 was referred to Committee on Ways and Means and Appropriations.

INTRODUCTION OF BILLS—(OUT OF ORDER).

By Mr. Rice: Assembly Bill No. 668—An Act to amend section two hundred and eleven of an Act entitled "An Act to amend sections thirteen, sixteen, twenty-five, fifty-seven, seventy, seventy-one, one hundred and forty-seven, one hundred and sixty-two, 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-seven, one hundred and seventy-eight, one hundred and seventy-nine, one hundred and eighty, one hundred and eighty-one, one hundred and eighty-three, one hundred and eighty-four, one hundred and eighty-five, one hundred and eighty-six, one hundred and eighty-seven, one hundred and eighty-eight, one hundred and eighty-nine, one hundred and ninety, one hundred and ninety-one, one hundred and ninety-two, one hundred and ninety-three, one hundred and ninety-five, one hundred and ninety-six, two hundred and one, two hundred and two, two hundred and three, two hundred and six, two hundred and nine, two hundred and eleven, and two hundred and twenty-five of an Act entitled 'An Act to establish a uniform system of county and township government,' approved March 14, 1883, as amended March 14, 1885, March 18, 1885, and March 17, 1887, and to insert two new sections, to be numbered one hundred and eighty-eight and one half and two hundred and one half, and to create two new classes of counties of the twenty-sixth and one half and of the thirty-ninth and one half class, relating to the government of counties, and to repeal section one hundred and ten and one half of said Act," approved March 16, 1889.

Referred to Committee on County and Township Governments.

SPECIAL FILE.

Assembly Bill No. 410—An Act making an appropriation to pay the deficiency in the appropriation for payment of costs and expenses of trials of persons violating the law for the preservation of fish, for the thirty-ninth, fortieth, and forty-first fiscal years.

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

AYES—Messrs. Ames, Barnett of San Francisco, Baughman, Bruner, Culver, Dibble, Dow, Galbraith, Hail, Hawley, Tennis and Wentworth—12.

NOES—Messrs. Barnard, Barnett of Sonoma, Bert, Bledsoe, Brown, Brusie, Bryant, Clark, Cunningham, Doty, Dunn, Fowler, Garver, Gordon, Gould, Harloe, Hersey, Hocking, Hunewill, Kellogg, Lacey, Lewis, Marion, Matlock, Mathews, McCall, Murphy, Phillips, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Young, and Mr. Speaker—36.

Mr. Brusie moved that the special order for eleven o'clock A. M. be deferred until two o'clock P. M., preceding the other special orders for that hour.

Carried.

Assembly Bill No. 412—An Act making an appropriation to pay the deficiency in the appropriation for arrest of criminals without the limits of the State, for the fortieth fiscal year.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Barnett of San Francisco, Barnett of Sonoma, Baughman, Bert, Bledsoe, Brown, Bruner, Brusie, Bryant, Cunningham, Dibble, Doty, Dow, Dunn, Fowler, Galbraith, Garver, Gordon, Gould, Hail, Harloe, Hawley, Hersey, Hocking, Hunewill, Jackson, Kellogg Lacey, Lewis, Lowe, Matlock, Mathews, McCall, Phillips, Renfro, Rice, Robertson, Shanahan, Steltz, Sturtevant, Tennis, Wentworth, Young, and Mr. Speaker—44.

NOES—Messrs. Barnard, Marion, Smith of Butte, Smith of Orange, and Stabler—5.

Title read and approved.

Assembly Bill No. 413—An Act making an appropriatiation to pay the deficiency in the appropriation for repairs to State Capitol building and furniture, for the forty-first fiscal year.

Read third time, and sent to printer.

Assembly Bill No. 418—An Act making an appropriation to pay the deficiency in the appropriation for salary of Commissioner of Bureau of Labor Statistics, for the fortieth fiscal year.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Ames, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Bert, Bruner, Brusie, Bryant, Carter, Clark, Coffey, Cram, Culver, Cunningham, Daly, Dibble, Doty, Dow, Fowler, Galbraith, Garver, Gordon, Gould, Hail, Harloe, Hawley, Hayes, Hersey, Hoey, Jackson, Jones, Kellogg, Lowe, Lynch, Marion, Matlock, Mathews, McCall, Mordecai, Renfro, Rice, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Tennis, Tully, Wentworth, Windrow, Young, and Mr. Speaker—54

NOES—Messrs. Arms, Bledsoe, Brown, Dunn, Durner, Hocking, Hunewill, Lacey, Murphy, Phillips, and Sturtevant—11.

Title read and approved.

CALL OF THE HOUSE.

Mr. Dibble moved a call of the House, seconded by Messrs. Lowe and Daly.

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

Messrs. Alexander, Ames, Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Bert, Bledsoe, Brown, Brusie, Bryant, Carter, Clark, Coffey, Cram, Culver, Cunningham, Daly, Dibble, Doty, Dunn, Durner, Fowler, Galbraith, Garver, Gordon, Gould, Hail, Harloe, Hawley, Hayes, Hersey, Hocking, Hoey, Hunewill, Jackson, Jones, Kellogg, Lacey, Lowe, Lynch, Marion, Matlock, Mathews, McCall, Murphy, Phillips, Rice, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Tully, Wentworth, Windrow, Young, and Mr. Speaker.

MOTION.

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

Carried.

Assembly Bill No. 419—An Act making an appropriation to pay the deficiency in the appropriation for construction of granite steps in the State Capitol grounds, for the forty-first and forty-second fiscal years.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Ames, Barnard, Barnett of San Francisco, Barnett of Sonoma, Bert, Bledsoe, Brown, Bruner, Brusie, Bryant, Carter, Clark, Coffey, Cram, Culver, Cunningham, Daly, Dibble, Doty, Fowler, Galbraith, Garver, Gordon, Gould, Hail, Harloe, Hawley, Hayes, Hersey, Hocking, Hoey, Hunewill, Jackson, Jones, Kellogg, Lowe, Lynch, Marion, Matlock, Mathews, McCall, Mordecai, Murphy, Renfro, Rice, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Tully, Wentworth, Windrow, and Young—57.

NOES—Messrs. Baughman, Lacey, and Mr. Speaker—3.

Title read and approved.

Assembly Bill No. 423—An Act making an appropriation to pay the deficiency in the appropriation for the payment of claims incurred under an Act entitled "An Act to promote drainage," approved April 23, 1880.

Read third time.

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

AYES—Messrs. Alexander, Ames, Barnett of San Francisco, Barnett of Sonoma, Bert, Bruner, Brusie, Bryant, Carter, Coffey, Culver, Cunningham, Daly, Dibble, Doty, Fowler, Galbraith, Garver, Gould, Hail, Hawley, Hayes, Hersey, Hoey, Jackson, Jones, Lowe, Marion, Matlock, Mathews, McCall, Mordecai, Renfro, Robertson, Shanahan, Stabler, Windrow, and Young—38.

NOES—Messrs Barnard, Baughman, Bledsoe, Brown, Clark, Cram, Durner, Gordon, Harloe, Hunewill, Kellogg, Lacey, Murphy, Phillips, Smith of Butte, Smith of Orange, Sturtevant, Tennis, Tully, Wentworth, and Mr. Speaker—21.

Assembly Bill No. 632—An Act to provide an appropriation for the contingent expenses of the Assembly.

Read second time, and considered engrossed.

MOTION.

Mr. Dibble moved that the House do now go into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Assembly Bill No. 632.

Carried.

IN COMMITTEE OF THE WHOLE.

Speaker Coombs in the chair.

Assembly Bill No. 632 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Coombs 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. 632—An Act to provide an appropriation for the contingent expenses of the Assembly—and now report the same back to the Assembly, and recommend that the same do pass.

RESOLUTION.

By Mr. Dibble:

Resolved, That Assembly Bill No. 632 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the third time, and placed upon its passage.

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

AYES—Messrs. Alexander, Ames, Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Bert, Bledsoe, Brown, Bruner, Brusie, Bryant, Carter, Clark, Coffey, Cram, Culver, Cunningham, Daly, Dibble, Doty, Dow, Dunn, Durner, Fowler, Galbraith, Garver, Gordon, Hail, Harloe, Hawley, Hayes, Hersey, Hocking, Hoey, Jackson, Jones, Kellogg, Lacey, Lowe, Lynch, Marion, Matlock, Mathews, McCall, Mordecai, Phillips, Rentro, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Young, and Mr. Speaker—60.
NOES—None.

Assembly Bill No. 632 read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Ames, Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Bert, Bledsoe, Brown, Bruner, Brusie, Bryant, Carter, Clark, Coffey, Cram, Culver, Cunningham, Daly, Dibble, Doty, Dow, Dunn, Durner, Fowler, Galbraith, Garver, Gordon, Hail, Harloe, Hawley, Hayes, Hersey, Hocking, Hunewill, Jackson, Jones, Kellogg, Lacey, Lowe, Lynch, Marion, Matlock, Mathews, McCall, Mordecai, Murphy, Phillips, Rentro, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Wentworth, Windrow, Young, and Mr. Speaker—63.
NOES—None.

Title read and approved.

MOTION.

Mr. Dibble moved that Assembly Bill No. 632 be transmitted immediately to the Senate.

Carried.

NOTICE OF RECONSIDERATION.

Mr. Cram gave notice that to-morrow he will move a reconsideration of the vote whereby Assembly Bill No. 423 was refused passage.

Assembly Bill No. 280—An Act making an appropriation to pay for the maintenance of the Reform School for Juvenile Offenders, from January 1, 1891, to June 30, 1891, and making an appropriation for extra work, materials, and labor furnished in the erection of buildings of said reform school, and making an appropriation for payment of insurance on said reform school buildings.

Read first time, and placed on file for second reading.

Assembly Constitutional Amendment No. 4—A resolution to propose to the people of the State of California an amendment to section twenty-five of article four of the Constitution of the State of California.

The roll was called, and Assembly Constitutional Amendment No. 4 was lost, by the following vote:

AYES—Messrs. Ames, Barnard, Barnett of Sonoma, Bert, Bruner, Brusie, Bryant, Carter, Coffey, Cram, Dow, Galbraith, Gordon, Hawley, Hoey, Hunewill, Lowe, Lynch, and McCall—19.

NOES—Messrs. Alexander, Arms, Barnett of San Francisco, Baughman, Bledsoe, Brown, Clark, Daly, Doty, Dunn, Durner, Fowler, Garver, Harloe, Hayes, Hersey, Hocking, Jackson, Jones, Kellogg, Lacey, Marion, Mathews, Mordecai, Murphy, Phillips, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tully, Wentworth, and Mr. Speaker—39.

Assembly Bill No. 547—An Act to repeal sections four hundred and forty-four, one thousand six hundred and twenty-five, one thousand six hundred and eighty-two, and one thousand six hundred and sixty-nine of the Political Code; 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, and one thousand six hundred and ninety-six of said Code; to abolish the grammar school course in the public schools, and the Grammar School Course Fund; and to authorize and direct the Controller of State to credit to the School Fund any balance which may stand to the credit of the said fund.

Read second time.

Committee amendment, as follows, adopted:

Amend by striking out of section five, lines seventy-four to seventy-six, inclusive.

Ordered engrossed, and to a third reading.

Assembly Bill No. 401—An Act making an appropriation to pay the Journal Clerk of the Senate, twenty-eighth session of the Legislature, and his assistants, for completing the Journal of the Senate.

Read third time.

RECESS.

At twelve o'clock and thirty minutes P. M. the House took a recess.

REASSEMBLED.

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

Speaker Coombs in the chair.

Quorum present.

MOTION.

Mr. Arms moved that a select committee of three be appointed to consider Assembly Bill No. 401.

Carried.

RESOLUTION—(OUT OF ORDER).

By Mr. Jackson: Assembly Joint Resolution No. 15—Relative to the United States post at Fort Bidwell, California.

Referred to Committee on Military Affairs.

APPOINTMENT OF COMMITTEE.

The Speaker appointed Messrs. Arms, Freeman, and Hocking a select committee to consider Assembly Bill No. 401.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 10, 1891.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Assembly Bill No. 18—An Act to amend an Act entitled "An Act to provide for Police Courts in cities having thirty thousand and under one hundred thousand inhabitants, and to provide for officers thereof," approved March 18, 1885, and to make said Act as amended apply to cities having ten thousand and under one hundred thousand inhabitants—report the same back, and recommend the passage of the same as amended by the committee.

Also: Assembly Bill No. 277—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 adding thereto a new section, providing for registration, and prescribing the qualifications of certain voters to be entitled to vote at all municipal elections—report the same back, and recommend that it do not pass.

WENTWORTH, Chairman

ON PUBLIC MORALS.

ASSEMBLY CHAMBER, SACRAMENTO, February 9, 1891.

MR. SPEAKER: Your Committee on Public Morals, to whom was referred Assembly Bill No. 287—An Act to amend sections six hundred and forty-seven of the Penal Code, relating to vagrants—report the same back, and recommend that the author be allowed to withdraw the same, and the author's substitute take its place on the file and be ordered printed, and that the substitute do pass.

Also: Assembly Bill No. 515—An Act to amend section three hundred and thirty of the Penal Code, in reference to gaming.

Also: Assembly Bill No. 251—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by adding a new section, to be known and numbered as section three hundred and eight, relative to the sale and use of opium prepared for smoking.

Also: Assembly Bill No. 137—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by adding thereto a new section, to be known and numbered as section three hundred and eight, relative to the sale and use of opium, or any preparation thereof.

Report the same back, and recommend that they do pass.

Also: Assembly Bill No. 275—An Act to amend the Penal Code of California by adding a new section thereto, to be known as section three hundred and eight, relative to the sale or furnishing of tobacco, or preparation thereof, to persons under sixteen years of age—report the same back, and recommend that the author withdraw the same, as its provisions are the same as Assembly Bill No. 168.

CARGILL, Chairman.

NAME WITHDRAWN.

The Speaker withdrew the name of Geo. C. Healy, Watchman.

SPECIAL ORDERS.

Assembly Bill No. 106—An Act appropriating money to pay the expenses of maintaining an exhibit of the products of the State of California at the World's Columbian Exposition, to be held in Chicago in 1893, and to provide for Commissioners thereof.

MOTIONS.

Mr. Brusie moved that this bill be passed, retaining its place upon the file, not to be acted upon until after action on the general appropriation bill.

Mr. Brusie moved a call of the House.

Lost.

The ayes and noes were demanded by Messrs. Brusie, Dunn, and Clark.

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

AYES—Messrs. Barnard, Baughman, Brown, Brusie, Cargill, Clark, Coffey, Cunningham, Dunn, Durner, Eakle, Fowler, Garver, Hocking, Lacey, Marion, Murphy, Steltz, Sturtevant, Tennis, Tully, Windrow, and Mr. Speaker—23.

NOES—Messrs. Alexander, Ames, Arms, Barnett of San Francisco, Barnett of Sonoma, Bert, Bledsoe, Bruner, Bryant, Carter, Cram, Culver, Dibble, Doty, Dow, Galbraith, Glynn, Gordon, Gould, Hail, Harloe, Hawley, Hayes, Hoey, Hunewill, Jackson, Jones, Kellogg, Lewis, Lowe, Lynch, Mathews, Matlock, McCall, Mordecai, Phillips, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Wentworth, and Young—45.

MOTIONS.

At five o'clock P. M. Mr. Lacey moved to adjourn.

Lost.

Mr. Bledsoe moved that Assembly Bill No. 106 be placed on the special file, to be acted upon immediately after the general appropriations are reported to the House.

Lost.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Ames, Arms, Barnett of San Francisco, Barnett of Sonoma, Bert, Bruner, Bryant, Carter, Coffey, Cram, Culver, Dibble, Dow, Fowler, Galbraith, Glynn, Gordon, Gould, Hail, Harloe, Hawley, Hayes, Hocking, Hunewill, Jackson, Jones, Lewis, Lowe, Lynch, Marion, Mathews, Matlock, McCall, Mordecai, Phillips, Rice, Robertson, Shanahan, Smith of Orange, Smith of Butte, Steltz, Tennis, Wentworth, Windrow, and Young—46.

NOES—Messrs. Barnard, Baughman, Bledsoe, Brown, Brusie, Cargill, Clark, Cunningham, Doty, Dunn, Durner, Eakle, Garver, Hoey, Kellogg, Lacey, Murphy, Renfro, Stabler, Sturtevant, Tully, and Mr. Speaker—22.

Mr. Fowler changed his vote from no to aye, and explained his vote as being pledged to a fifty-cent limit, and being opposed to any appropriation that would cause an excess of that limit. Messrs. Hocking and Marion gave similar reasons.

NOTICE OF RECONSIDERATION.

Mr. Shanahan gave notice that on to-morrow he will move for a reconsideration of the vote whereby Assembly Constitutional Amendment No. 9 was lost.

ADJOURNMENT.

At five o'clock and twenty minutes P. M., on motion of Mr. Lacey, the House adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Wednesday, February 11, 1891.

The Assembly met pursuant to adjournment.

Speaker Coombs in the chair.

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

Messrs. Alexander, Ames, Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Brusie, Bryant, Cargill,

Carter, Clark, Coffey, Culver, Cunningham, Dennis, Dibble, Doty, Dow, Dunn, Durner, Eakle, Estey, Fowler, Freeman, Galbraith, Garver, Glynn, Gordon, Gould, Hail, Harloe, Hawley, Hayes, Hersey, Hocking, Hoey, Jackson, Johnson, Jones, Kellogg, Lacey, Lewis, Lowe, Lux, Lynch Marion, Martin, Mathews, Matlock, McCall, Mordecai, Murnan, Murphy, Phillips, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Wentworth, Weston, Windrow, Young, and Mr. Speaker.

Quorum present.

LEAVE OF ABSENCE.

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

PRAYER.

Prayer by the Chaplain, Rev. A. C. Herrick.

READING OF THE JOURNAL.

On motion of Mr. Hawley, further reading of the Journal was dispensed with.

Journal ordered corrected, and approval deferred.

MOTION.

Mr. Dibble moved that the State Printer be ordered to return substitute for Assembly Bill No. 1, and that the same be given to Chairman of Committee on Apportionment and Election Laws.

Carried.

Substitute for Assembly Bill No. 108 ordered engrossed, and to retain its place on the file.

SPECIAL ORDER.

Assembly Bill No. 116—An Act to confirm, ratify, and make valid ordinances heretofore passed by the Trustees, Council, or other body intrusted with the government of any incorporated city, city and county, or town, giving authority and permission to propel cars upon railroad tracks laid through the streets and public highways of such incorporated city, city and county, or town, by electricity.

MOTION.

Mr. Brown moved that a select committee of one be appointed to make the following amendment:

Strike out lines fourteen, fifteen, and sixteen, of printed copy.

PREVIOUS QUESTION.

The previous question was demanded by Messrs. Dunn, McCall, and Freeman.

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

A call of the House was demanded by Mr. Fowler, seconded by Messrs. Durner and Brusie.

Carried.

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

Messrs. Alexander, Ames, Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Brusie, Bryant, Cargill, Carter, Clark, Coffey, Cram, Culver, Cunningham, Dennis, Dibble, Doty, Dow, Dunn, Durner, Eakle, Estey, Fowler, Freeman, Galbraith, Garver, Glynn, Gordon, Gould, Hail, Harloe, Hawley, Hayes, Hersey, Hocking, Hoey, Jackson, Johnson, Jones, Kellogg, Lacey, Lewis, Lowe, Lux, Lynch, Mation, Martin, Mathews, Matlock, McCall, Mordecai, Murnan, Murphy, Phillips, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Tully, Wentworth, Weston, Windrow, Young, and Mr. Speaker.

MOTION.

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

Lost.

CALL OF ABSENTEES.

Mr. Daly.

MOTION.

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

Carried.

The previous question was ordered.

The question recurring on the motion of Mr. Brown.

The ayes and noes were demanded by Messrs. Bert, Gordon, and Lewis.

The roll was called, and the motion to appoint a select committee carried by the following vote:

AYES—Messrs. Alexander, Ames, Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Brusie, Bryant, Cargill, Carter, Clark, Coffey, Cram, Culver, Cunningham, Doty, Dow, Dunn, Durner, Eakle, Estey, Fowler, Freeman, Galbraith, Garver, Glynn, Gordon, Gould, Hail, Harloe, Hawley, Hayes, Hersey, Hocking, Hoey, Jackson, Johnson, Jones, Kellogg, Lacey, Lewis, Lowe, Lux, Lynch, Marion, Martin, Mathews, Matlock, McCall, Mordecai, Murnan, Murphy, Phillips, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Tully, Wentworth, Weston, Young, and Mr. Speaker—74.

NOES—Messrs. Dennis and Windrow—2.

APPOINTMENT OF COMMITTEE.

Mr. Brown was appointed by the Speaker a committee to make said amendment.

REPORT OF COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, February 11, 1891.

MR. SPEAKER: Your Select Committee, to whom was referred Assembly Bill No. 116, 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.

BROWN, Committee.

Report of Select Committee adopted.

Bill ordered to printer, and to retain its place as special order.

Mr. Dibble asked unanimous consent to introduce Ways and Means and Appropriations Committee Substitute for Assembly Bill No. 108, to be read first time.

So ordered.

INTRODUCTION OF BILL—(OUT OF ORDER).

By Committee on Ways and Means and Appropriations: Assembly Bill No. 669—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, amended March 14, 1885, March 18, 1885, March 17, 1887, and March 16, 1889, relative to the power of Boards of Supervisors.

Read first time, ordered sent to the printer, and retain its place on Special File.

SPECIAL ORDER—(RESUMED).

Assembly Bill No. 114—An Act to amend section four hundred and ninety-seven of the Civil Code of the State of California, relating to the authority to lay railroad tracks through streets and public highways of any incorporated city, city and county, or town.

MOTION.

Mr. Brown moved that a select committee of one be appointed to make the following amendment:

Amend by striking out all of lines fifteen, sixteen, and seventeen of printed bill.

Carried.

APPOINTMENT OF COMMITTEE.

Mr. Brown was appointed by the Speaker a committee to make said amendment.

REPORT OF COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, February 11, 1891.

MR. SPEAKER: Your Select Committee, to whom was referred Assembly Bill No. 114, 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.

BROWN, Committee.

Report of committee adopted.

Bill ordered to printer, and retain its place as a special order.

RECONSIDERATION OF VOTE.

On motion of Mr. McCall, the vote whereby Assembly Constitutional Amendment No. 7 was lost was reconsidered.

MOTION.

Mr. Culver moved a call of the House, seconded by Messrs. McCall and Lacey.

Carried.

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

Messrs. Alexander, Ames, Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Brusie, Bryant, Cargill, Carter, Clark, Coffey, Cram, Culver, Cunningham, Dennis, Dibble, Doty, Dow, Dunn, Durner, Eakle, Estey, Fowler, Freeman, Galbraith, Garver, Glynn, Gordon, Gould, Hall, Harloe, Hawley, Hayes, Hersey, Hocking, Hoey, Jackson, Johnson, Jones, Kellogg, Lacey, Lewis,

Lowe, Lux, Lynch, Marion, Martin, Mathews, Matlock, McCall, Mordecai, Murnan, Murphy, Phillips, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Tennis, Tully, Wentworth, Weston, Windrow, Wolfskill, Young, and Mr. Speaker.

MOTION.

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

Carried.

ASSEMBLY CONSTITUTIONAL AMENDMENT No. 7.

A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending section eighteen of article eleven thereof, relative to the increasing of indebtedness or liability by any county, city, town, township, Board of Education, or school district.

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California, at its regular session, commencing on the fifth day of January, A. D. eighteen hundred and ninety-one, two thirds of all the members elected to each House concurring, hereby propose that section eighteen of article eleven of the Constitution of said State be amended so as to read as follows:

SECTION 18. No county, city, town, township, Board of Education, or school district shall incur any indebtedness or liability in any manner, or for any purpose, exceeding in any year the income and revenue provided for it for such year, without the assent of two thirds of the qualified electors thereof voting at an election to be held for that purpose, nor unless, before or at the time of incurring such indebtedness, provision shall be made for the collection of an annual tax sufficient to pay the interest on such indebtedness as it falls due, and also provision to constitute a sinking fund for the payment of the principal thereof on or before maturity, which shall not exceed forty years from the time of contracting the same. Any indebtedness or liability incurred contrary to this provision shall be void.

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

AYES—Messrs. Alexander, Ames, Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Brusie, Bryant, Cargill, Carter, Clark, Coffey, Cram, Culver, Cunningham, Daly, Dennis, Dibble, Doty, Dow, Dunn, Durner, Eakle, Estey, Fowler, Freeman, Galbraith, Garver, Glynn, Gordon, Gould, Hail, Harloe, Hawley, Hayes, Hersey, Hocking, Hoey, Jackson, Johnson, Jones, Kellogg, Lacey, Lewis, Lowe, Lux, Lynch, Marion, Martin, Mathews, Matlock, McCall, Murnan, Phillips, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Tully, Wentworth, Weston, Windrow, and Young—74.

NOES—Messrs. Mordecai, Murphy, Renfro, and Mr. Speaker—4.

Assembly Bill No. 142—An Act to amend section four hundred and ninety-nine of the Civil Code of California, relative to the authority to lay, construct, and operate railroad tracks through streets and public highways of any incorporated city, city and county, or town, and to allow different lines of street railway, operated under different management, to use parts of the same streets and tracks.

MOTION.

Mr. Mathews moved that a select committee of one be appointed to amend as follows:

Strike out of section four hundred and ninety-nine, line five, the words, "*provided*, that in case of two," and all of lines six and seven, and the words "and operation of said railways," in line eight of printed bill.

Carried.

APPOINTMENT OF COMMITTEE.

Mr. Mathews was appointed a committee to make said amendment.

REPORT OF COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, February 11, 1891.

MR. SPEAKER: Your Select Committee, to whom was referred Assembly Bill No. 142, with instructions to amend in accordance with the action of the House, would report that the instructions of the House have been carried out.

MATHEWS, Committee.

Report of committee adopted.

Bill ordered to printer, to be made a special order on its return from printer.

REPORTS OF STANDING COMMITTEES.

ON PUBLIC BUILDINGS AND GROUNDS.

ASSEMBLY CHAMBER, SACRAMENTO, February 10, 1891.

MR. SPEAKER: Your Committee on Public Buildings and Grounds beg leave to report, and state that we have visited the Deaf, Dumb, and Blind Asylum at Berkeley, the Home for Adult Blind at Oakland, the Asylum at Agnews, and the Home for Feeble-Minded Children at Santa Clara: distance to and from said institutions, two hundred and fifty-six miles, that the following members, viz.: J. G. McCall, J. L. Beecher, Jr., and Louis Montgomery, Clerk, constituted said committee; that there is now due to each of said members and said Clerk the sum of twenty-five dollars and sixty cents.

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

Resolved, That the Controller be and he is hereby directed to draw his warrant in favor of J. G. McCall, Chairman of the sub-Committee on Public Buildings and Grounds, for the amount of seventy-six dollars and eighty cents for such mileage, and that said warrant be drawn out of the appropriation for the contingent expenses of the Assembly.

McCALL, Chairman.

Referred to Committee on Mileage.

ON STATE CHARITABLE AND REFORMATORY INSTITUTIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 10, 1891.

MR. SPEAKER: Your Committee on State Charitable and Reformatory Institutions beg leave to report, and state that we have visited the Deaf, Dumb, and Blind Asylum at Berkeley, the Home for Adult Blind at Oakland, the Asylum at Agnews, and the Home for Feeble-Minded Children at Santa Clara; distance to and from said institutions, two hundred and fifty-six miles; that the following members, viz.: F. N. Marion, G. Sturtevant, N. Martin, and A. Smith, Clerk, constituted said committee; that there is now due to each of said members and said Clerk the sum of twenty-five dollars and sixty cents.

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

Resolved, That the Controller be and he is hereby directed to draw his warrant in favor of F. N. Marion, Chairman of the Committee on State Charitable and Reformatory Institutions, for the amount of one hundred and two dollars and forty cents for such mileage, and that said warrant be drawn out of the appropriation for the contingent expenses of the Assembly.

MARION, Chairman.

Referred to Committee on Mileage.

ON PUBLIC BUILDINGS AND GROUNDS.

ASSEMBLY CHAMBER, SACRAMENTO, February 10, 1891.

MR. SPEAKER: Your Committee on Public Buildings and Grounds beg leave to report, and state that we have visited the Stockton Insane Asylum, distance to and from said institution, ninety-six miles; that the following members, viz.: J. L. Beecher, Jr., T. W. Dennis, F. T. Murnan, and a Clerk, constituted said committee; that there is now due to each of said members and said Clerk the sum of nine dollars and sixty cents.

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

Resolved, That the Controller be and he is hereby directed to draw his warrant in favor of J. L. Beecher, Jr., Chairman of the sub-Committee on Public Buildings and Grounds, for the sum of thirty-eight dollars and forty cents for such mileage, and that said warrant be drawn out of the appropriation for the contingent expenses of the Assembly.

BEECHER, Chairman.

Referred to Committee on Mileage.

ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 10, 1891.

MR. SPEAKER: Your Committee on Enrollment beg leave to report that the following Assembly Bills have been correctly enrolled:

Assembly Bill No. 132—An Act to amend an Act entitled "An Act in relation to certain deputies, assistants, and copyists of County Clerks," approved April 2, 1880.

Also: Assembly Joint Resolution No. 4—Relating to the improvement of Humboldt Bar.

And were presented to the Governor this day at four o'clock and fifteen minutes P. M.

BLEDSOE, Chairman.

PRESENTATION OF PETITION.

Mr. Mathews presented a petition from the Board of Supervisors of Los Angeles County, asking the members of the twenty-ninth Legislature to use all honorable means to secure the passage of a bill now pending in the Assembly, entitled "An Act to amend an Act to protect and promote horticultural interests of the State."

Referred to Committee on Viniculture, Viticulture, and Horticulture.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 10, 1891.

MR. SPEAKER: Your Committee on Corporations, to whom was referred Assembly Bill No. 368—An Act to control the business of benevolent organizations in the State of California—report the same back without recommendation, as amended.

Also: Assembly Bill No. 456—An Act authorizing the formation of county mutual insurance companies, regulating the transaction of their business, and defining the duties of the officers thereof.

Also: Assembly Bill No. 506—An Act to prohibit discrimination in life insurance contracts.

Also: Assembly Bill No. 532—An Act concerning returns of banks, insurance, and railroad companies.

Report the same back, and recommend that the same do pass.

Also: Assembly Bill No. 315—An Act to provide for reports of dormant accounts in savings banks incorporated under the laws of this State—report the same back with amendments, and recommend its passage as amended.

Also: Assembly Bill No. 540—An Act authorizing certain corporations to act as executor, and in other capacities, and to provide for and regulate the administration of trusts by such corporations—report the same back, without recommendation.

LOWE, Chairman.

ON SWAMP AND OVERFLOWED AND PUBLIC LANDS.

ASSEMBLY CHAMBER, SACRAMENTO, February 10, 1891.

MR. SPEAKER: Your Committee on Swamp and Overflowed and Public Lands, having considered Assembly Bills Nos. 589, 512, and 267—report the same back, without recommendation.

CLARK, Chairman.

REQUEST.

Mr. Brusie asked that Assembly Bill No. 630, now referred to the Committee on Commerce and Navigation, be referred to the Committee on Swamp and Overflowed and Public Lands.

So ordered.

INTRODUCTION OF BILLS.

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

By Mr. Stabler: Assembly Bill No. 670—An Act to define the bound-

ary and provide for the government of Levee District No. 6, of Sutter County, California.

Referred to Committee on Swamp and Overflowed and Public Lands.

Also: Assembly Bill No. 671—An Act to provide for funding the indebtedness of Levee District No. 6, of Sutter County, and to provide for the payment of such funded debt.

Referred to Committee on Swamp and Overflowed and Public Lands.

By Committee on Irrigation: Assembly Bill No. 672—An Act to amend an Act entitled "An Act amendatory of and supplemental to an Act entitled 'An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes,' approved March 7, 1887, providing for the exclusion of certain lands within any such district," by amending sections three, eight, and thirteen thereof.

Placed on first reading file.

By Mr. Dow: Assembly Bill No. 673—An Act to amend section five hundred and forty-nine of the Civil Code, relating to corporations formed to supply water.

Referred to Committee on Corporations.

By Mr. Beecher: Assembly Bill No. 674—An Act to add a new section, to be known as section five hundred and ninety-three of the Penal Code, making it a felony for a person, company, or corporation, operating irrigating ditches, to refuse to supply water for domestic and irrigating purposes.

Referred to Committee on Irrigation.

Also: Assembly Bill No. 675—An Act to add a new section, to be known as section five hundred and fifty-three of the Civil Code, concerning the sale of water for domestic and irrigating purposes.

Referred to Committee on Irrigation.

By Mr. Marion: Assembly Bill No. 676—An Act to promote silk culture in the penal, reformatory, and charitable institutions of the State of California, and to encourage sericulture throughout the State, and to provide for the expenses thereof.

Referred to Committee on State Charitable and Reformatory Institutions.

By Mr. Dibble: Assembly Bill No. 677—An Act to amend section six hundred and eight of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relative to cemetery corporations.

Referred to Committee on Corporations.

By Mr. Lowe: Assembly Bill No. 678—An Act amendatory of and supplemental to an Act entitled "An Act amendatory of and supplemental to an Act entitled 'An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes,' approved March 7, 1887, providing for the exclusion of certain lands within any such district," approved February 16, 1889.

Referred to Committee on Judiciary.

RECESS.

At twelve o'clock and thirty minutes P. M. the House took a recess.

REASSEMBLED.

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

Speaker Coombs in the chair.

MOTION.

Mr. Shanahan moved that the vote whereby Assembly Constitutional Amendment No. 9 was lost be now reconsidered.

CALL OF THE HOUSE.

Mr. Bruner moved a call of the House, seconded by Messrs. Shanahan and Smith.

The ayes and noes were demanded by Messrs. Culver, Gordon, and Arms.

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

AYES—Messrs. Ames, Barnett of San Francisco, Barnett of Sonoma, Bert, Bledsoe, Brown, Bruner, Brusie, Bryant, Cargill, Carter, Clark, Coffey, Culver, Dennis, Dibble, Doty, Dow, Dunn, Durner, Estey, Fowler Freeman, Galbraith, Glynn, Gould, Hail, Harloe, Hawley, Hayes, Hersey, Hocking, Hoey, Johnson, Jones, Kellogg, Lewis, Lowe, Matlock, Rice, Shanahan, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Wentworth, and Windrow—48.

NOES—Messrs. Barnard, Baughman, Beecher, Cunningham, Garver, Gordon, Jackson, Lacey, Lynch, Marion, Mathews, Mordecai, Murnan, Murphy, Phillips, Renfro, Smith of Butte, Tully, Weston, and Mr. Speaker—20.

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

Messrs Alexander, Ames, Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Brusie, Bryant, Cargill, Carter, Clark, Coffey, Cram, Culver, Cunningham, Dennis, Dibble, Doty, Dow, Dunn, Durner, Estey, Fowler, Freeman, Galbraith, Garver, Glynn, Gordon, Gould, Hail, Harloe, Hawley, Hayes, Hersey, Hocking, Hoey, Jackson, Johnson, Jones, Kellogg, Lacey, Lewis, Lowe, Lux, Lynch, Marion, Martin, Mathews, Matlock, McCall, Mordecai, Murnan, Murphy, Phillips, Renfro, Rice, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Tully, Wentworth, Weston, Windrow, Young, and Mr. Speaker.

Absent—Messrs. Daly and Robertson.

MOTION.

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

Carried.

The question recurring upon Mr. Shanahan's motion to reconsider the vote whereby Assembly Constitutional Amendment No. 9 was lost.

The ayes and noes were demanded by Messrs. Shanahan, Bledsoe, and Arms.

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

AYES—Messrs. Arms, Baughman, Bledsoe, Brown, Cargill, Doty, Dunn, Durner, Fowler, Garver, Gordon, Gould, Harloe, Hocking, Jackson, Kellogg, Lacey, Lynch, Marion, Martin, Mathews, Matlock, Mordecai, Murnan, Murphy, Renfro, Rice, Robertson, Shanahan, Smith of Orange, Sturtevant, Weston, Windrow, and Young—34

NOES—Messrs. Alexander, Ames, Barnard, Barnett of San Francisco, Barnett of Sonoma, Beecher, Bert, Bruner, Brusie, Bryant, Carter, Clark, Coffey, Cram, Culver, Dennis, Dibble, Dow, Estey, Freeman, Galbraith, Glynn, Hail, Hawley, Hayes, Hersey, Hoey, Johnson, Jones, Lewis, Lowe, Lux, McCall, Phillips, Smith of Butte, Stabler, Steltz, Tennis, Tully, Wentworth, and Mr. Speaker—41.

The Sergeant-at-Arms appeared at the bar of the House with Mr. Robertson, an absentee under call of the House.

On motion of Mr. Dibble, Mr. Robertson was excused.

JOINT RULES ADOPTED.

Mr. Culver moved that we adopt the joint rules as reported by the Committee on Rules and Regulations.

Carried.

Mr. Dibble asked unanimous consent to take up Senate messages.

So ordered.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 11, 1891.

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

Assembly Joint Resolution No. 8—Relative to authorizing and directing the State Printer to deliver ten copies of every work published or printed in the State Printing Office to the State Librarian, also two copies to the Librarian of the State University.

Also: Senate Joint Resolution No. 19.

Also: Senate Joint Resolution No. 4—Relative to reinstating troops at Fort Bidwell, California.

Also, on the eleventh day of February, passed the following: Assembly Bill No. 632—An Act to provide for an appropriation for the contingent expenses of the Assembly.

F. J. BRANDON, Secretary.
By J. C. BOATMAN, Assistant Secretary.

Senate message acted upon as follows:

Assembly Joint Resolution No. 8 referred to Committee on Enrollment.

Senate Joint Resolutions Nos. 19 and 4 ordered on the third reading file.

Assembly Bill No. 632 referred to Committee on Enrollment.

REPORT OF COMMITTEE ON MILEAGE.

ASSEMBLY CHAMBER, SACRAMENTO, February 11, 1891.

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 in favor of F. N. Marion, Chairman of the Committee on State Charitable and Reformatory Institutions, for the amount of one hundred and two dollars and forty cents for such mileage, and that said warrant be drawn out of the appropriation for the contingent expenses of the Assembly.

Report the same back, and recommend its adoption.

BRYANT, Chairman.

Adopted.

MOTION.

Mr. Dibble moved that we suspend the rules, and that to-morrow all intervening orders of business after reading of Journal and before business on the special file, be postponed until the night session; that a night session be held to-morrow night, and at such session the orders of business not considered that day be taken up, after which, first reading of bills shall be proceeded with.

Carried.

BILL OF COSTS.

Mr. Doty presented the following bill of costs in the election contest of J. C. Campbell, contestant, vs. H. P. Eakle, respondent.

CLAIM OF RESPONDENT FOR COSTS AND DISBURSEMENTS IN SAID CONTEST.

J. C. Mulligan, for copying transcript of evidence taken before Commission	$200 00
Wm. Cutter, for taking down and transcribing testimony before Election Commission	125 00
W. H. Kelly, for examination and transcription of records and election returns	300 00
Garrett W. McEnerney, for services as attorney in arranging and going over the testimony, and trying the case before the Commissioners and Election Commission, etc.	2,500 00
H. M. Albery, for services as attorney in going over testimony, preparing the defense, and appearing before the Commissioners and Election Commission, etc.	2,500 00
Witness fees as follows, to wit:	
Twenty-four witnesses, two days each at $2 per day	96 00
Mileage for twenty-four witnesses, four thousand seven hundred and sixty miles, at ten cents per mile	476 00
Officers' fees in subpœnaing witnesses	84 00
Traveling expenses, telegrams, and incidentals incurred by respondent	100 00
Total	$6,381 00

RESOLUTION.

By Mr. Doty:

Resolved, That the sum of six thousand three hundred and eighty-one dollars be and the same is hereby allowed and ordered paid out of the Contingent Fund of the Assembly to H. P. Eakle, for expenses incurred by him in the contested election case of Campbell vs. Eakle, and the Controller is hereby directed to draw his warrant on the Treasurer in favor of H. P. Eakle for the said sum.

Referred to Committee on Elections and Privileges.

SPECIAL FILE.

Assembly Bill No. 413—An Act making an appropriation to pay the deficiency in the appropriation for repairs to State Capitol building and furniture, for the forty-first fiscal year.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bryant, Cargill, Clark, Coffey, Cram, Cunningham, Dennis, Dibble, Doty, Dunn, Durner, Estey, Fowler, Freeman, Galbraith, Garver, Gordon, Hail, Harloe, Hawley, Hayes, Hersey, Hocking, Hoey, Jackson, Johnson, Kellogg, Lewis, Lowe, Martin, Mathews, Mordecai, Murnan, Phillips, Renfro, Rice, Smith of Orange, Smith of Butte, Stabler, Steltz, Tully, Wentworth, Weston, Young, and Mr. Speaker—54.

NOES—Messrs. Lacey and Marion—2.

Title read and approved.

Assembly Bill No. 42—An Act making an appropriation to pay the deficiency in the appropriation for support of the State Insane Asylum at Stockton, for the forty-first and forty-second fiscal years.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Ames, Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Brusie, Bryant, Cargill, Carter, Clark, Cram, Culver, Dennis, Dibble, Doty, Dunn, Durner, Estey, Fowler, Freeman, Galbraith, Garver, Gordon, Hail, Harloe, Hawley, Hersey, Hocking, Hoey, Jackson, Johnson, Kellogg, Lewis, Lowe, Marion, Martin, Mathews, McCall, Mordecai, Murnan, Phillips, Renfro, Shanahan, Smith of Butte, Smith of Orange, Stabler, Sturtevant, Tully, Wentworth, Weston, and Mr. Speaker—57.

NOES—Mr. Lacey—1.

Title read and approved.

RECONSIDERATION OF BILL.

Mr. Cram moved that the vote whereby Assembly Bill No. 423 was lost be now reconsidered.

Carried.

The question being upon the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Ames, Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bryant, Cargill, Carter, Clark, Cram, Culver, Dennis, Dibble, Doty, Dow, Dunn, Durner, Estey, Fowler, Freeman, Galbraith, Garver, Gordon, Hall, Harloe, Hawley, Hersey, Jackson, Johnson, Lewis, Lowe, Lux, Lynch, Marion, Martin, Mathews, Matlock, McCall, Mordecai, Murnan, Renfro, Rice, Shanahan, Stabler, Steltz, Sturtevant, Tennis, Wentworth, Weston, and Young—53.

NOES—Messrs. Bledsoe, Hocking, Kellogg, Lacey, Smith of Butte, Smith of Orange, and Mr. Speaker—7.

Title read and approved.

SPECIAL FILE—(RESUMED).

Assembly Bill No. 280—An Act making an appropriation to pay for the maintenance of the Reform School for Juvenile Offenders, from January 1, 1891, to June 30, 1891, and making an appropriation for extra work, materials, and labor furnished in the erection of buildings of said reform school, and making an appropriation for payment of insurance on said reform school buildings.

Read second time.

MOTION.

Mr. Dibble moved that the House go into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Assembly Bill No. 280.

Carried.

IN COMMITTEE OF THE WHOLE.

Speaker Coombs in the chair.

Assembly Bill No. 280 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Coombs in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The Speaker stated the report of the Committee of the Whole as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No 280, and now report the same back to the Assembly with an amendment, in the form of a substitute, and recommend the adoption of the substitute, as follows:

SUBSTITUTE FOR ASSEMBLY BILL No. 280.

An Act making an appropriation for the Reform School for Juvenile Offenders at Whittier.

The People of the State of California, represented in Senate and Assembly, do enact as follows:

SECTION 1. The sum of twelve thousand five hundred and ninety-seven dollars ($12,597) is hereby appropriated out of any money in the State Treasury not otherwise appropri-

ated, to be paid to the Trustees of the Reform School for Juvenile Offenders, to be expended by them as follows: Ten thousand dollars for maintenance of the school from the first day of January, eighteen hundred and ninety-one, to the thirtieth day of June, eighteen hundred and ninety-one; the sum of two thousand five hundred and ninety-seven dollars ($2,597) for extra work, materials, and labor performed.

SEC. 2. The Controller of State is hereby authorized and directed to draw his warrant for said amount upon the demand of the Trustees of the Reform School for Juvenile Offenders, and the Treasurer of the State is hereby authorized to pay the same.

SEC. 3. This Act shall take effect immediately.

Assembly Bill No. 280 read second time.

Committee substitute adopted, ordered engrossed and to a third reading.

Assembly Constitutional Amendment No. 5—A resolution to propose to the people of the State of California an amendment to section thirty-four of article four of the Constitution of the State of California.

Mr. Dibble submitted the following amendments:

Amend by striking out the words, "The Legislature shall have no power to make an appropriation for any purpose whatever for a longer period than two years," in lines one and two, printed copy.

Also: Strike out all after the word "institution," in line four, down to and including the word "Constitution," in line seven.

Adopted, and ordered to printer.

Senate Bill No. 209—An Act entitled an Act to appropriate moneys to pay the claim of George Fetherstone, for services rendered in the office of the Treasurer of State.

Read first time, and placed on file for second reading.

Assembly Bill No. 427—An Act making an appropriation to pay the deficiency in the appropriation for the purchase of ballot paper for the forty-second fiscal year.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arms, Barnard, Barnett of Sonoma, Baughman, Bert, Bledsoe, Brusie, Bryant, Carter, Clark, Culver, Cunningham, Dennis, Dibble, Doty, Dunn, Durner, Estey, Fowler, Freeman, Galbraith, Garver, Glynn, Gordon, Hall, Hawley, Hersey, Hocking, Jackson, Johnson, Jones, Kellogg, Lewis, Lowe, Lux, Marion, Martin, Mathews, Matlock, McCall, Mordecai, Murnan, Phillips, Renfro, Rice, Smith of Orange, Steltz, Sturtevant, Tennis, Wentworth, Young, and Mr. Speaker—52.

NOES—Messrs. Beecher, Smith of Butte, and Weston—3.

Title read and approved.

THIRD READING OF BILLS.

Assembly Bill No. 148—An Act to amend section four thousand and forty-six of the Political Code, relating to the jurisdiction and power of Boards of Supervisors in their respective counties.

Mr. Wentworth moved that a select committee of one be appointed by the Speaker to make the following amendment:

Amend bill to read as follows:

An Act to repeal section four thousand and forty-six of the Political Code.

The People of the State of California, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section four thousand and forty-six of the Political Code is hereby repealed.

SEC. 2. This Act shall take effect and be in force from and after its passage.

Carried.

Mr. Wentworth was appointed a committee to make said amendment.

REPORT OF COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, February 11, 1891.

MR. SPEAKER: Your Select Committee, to whom was referred Assembly Bill No. 148, with instructions to amend in accordance with the action of the House, would report that the instructions of the House have been carried out.

WENTWORTH, Committee.

Report of committee adopted.

Bill ordered to printer, and retain its place on file.

Assembly Bill No. 112—An Act to amend subdivision four of section twenty-five 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, as amended March 14, 1885, as amended March 18, 1885, as amended March 17, 1887, and as amended March 16, 1889.

Mr. Cargill in the chair.

MOTION.

Mr. Doty moved a call of the House.

Lost.

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

AYES—Messrs. Arms, Brown, Bryant, Clark, Culver, Doty, Dunn, Fowler, Glynn, Gordon, Hawley, Hayes, Kellogg, Lacey, Lux, Martin, McCall, Murnan, Renfro, Sturtevant, and Windrow—21.

NOES—Messrs. Alexander, Ames, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Bert, Bledsoe, Cargill Carter, Dow, Durner, Estey, Freeman, Garver, Gould, Hail, Hersey, Hocking, Hoey, Jackson, Johnson, Lewis, Lowe, Lynch, Marion, Mathews, Mordecai, Rice, Robertson, Shanahan, Smith of Orange, Stabler, Steltz, Tennis, Tully, Wentworth, Weston, and Young—39.

Assembly Bill No. 208—An Act to amend an Act entitled "An Act to create a Police Relief, Health, and Life Insurance and Pension Fund in the several counties, cities and counties, cities, and towns of the State."

Read third time.

MOTION.

At four o'clock and forty-five minutes P. M. Mr. Shanahan moved to adjourn.

Lost.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Bert, Bledsoe, Bruner, Bryant, Clark, Coffey, Cram, Culver, Dennis, Dibble, Dow, Dunn, Durner, Fowler, Galbraith, Gordon, Gould, Hail, Hawley, Hayes, Hersey, Hoey, Johnson, Lewis, Lowe, Lynch, Marion, Martin, McCall, Phillips, Robertson, Shanahan, Smith of Butte, Smith of Orange, Steltz, Tennis, Tully, Wentworth, Windrow, and Young—46

NOES—Messrs. Ames, Beecher, Brown, Brusie, Cargill, Cunningham, Doty, Estey, Freeman, Garver, Harloe, Jackson, Kellogg, Lacey, Mathews, Matlock, Mordecai, Murnan, Rice, Stabler, Sturtevant, Weston, and Mr Speaker—24.

Title read and approved.

APPOINTMENT BY THE SPEAKER.

The Speaker appointed Robert Williams as a Watchman.

NOTICE OF RECONSIDERATION.

Mr. Gould gave notice that on to-morrow he will move for a reconsideration of the vote whereby Assembly Bill No. 208 passed.

ADJOURNMENT.

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

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Thursday, February 12, 1891.

The Assembly met pursuant to adjournment.

Speaker Coombs in the chair.

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

Messrs. Alexander, Ames, Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Brusie, Bryant, Cargill, Carter, Clark, Coffey, Cram, Culver, Cunningham, Daly, Dennis, Dibble, Doty, Dow, Dunn, Durner, Eakle, Estey, Freeman, Galbraith, Garver, Glynn, Gordon, Gould, Hail, Harloe, Hawley, Hayes, Hersey, Hoey, Hunewill, Johnson, Jones, Kellogg, Lacey, Lewis, Lowe, Lynch, Marion, Martin, Mathews, Matlock, Mordecai, Murnan, Murphy, Phillips, Rentro, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Tully, Weston, Windrow, Young, and Mr. Speaker.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. A. C. Herrick.

READING OF THE JOURNAL.

On motion of Mr. Barnett of San Francisco, further reading of the Journal was dispensed with.

Journal of Monday approved.

Journal of Tuesday approved, as corrected.

Journal of yesterday approved, as corrected.

SPECIAL ORDER.

Assembly Bill No. 116—An Act to confirm, ratify, and make valid ordinances heretofore passed by the Trustees, Council, or other body intrusted with the government of any incorporated city, city and county, or town, giving authority and permission to propel cars upon railroad tracks laid through the streets and public highways of such incorporated city, city and county, or town, by electricity.

Read third time, as amended.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Ames, Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Bryant, Cargill, Clark,

Coffey, Cram, Culver, Daly, Dennis, Dibble, Dow, Dunn, Durner, Estey, Fowler, Freeman, Galbraith, Garver, Glynn, Gordon Gould, Hail, Harloe, Hawley, Hayes, Hersey, Hocking, Hoey, Hunewill, Johnson, Kellogg, Lacey, Lewis, Lowe, Lynch, Marion, Martin, Mathews, Matlock, Mordecai, Murnan, Murphy, Phillips, Renfro, Rice, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Weston, Young, and Mr. Speaker—65.

NOES—None.

Title read and approved.

LEAVE OF ABSENCE.

Mr. Wentworth was granted leave of absence for to-day and to-morrow.

SPECIAL ORDERS—(RESUMED).

Assembly Bill No. 114—An Act to amend section four hundred and ninety-seven of the Civil Code of the State of California, relating to the authority to lay railroad tracks through streets and public highways of any incorporated city, city and county, or town.

Read third time, as amended.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Ames, Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Brusie, Bryant, Cargill, Clark, Coffey, Cram, Culver, Daly, Dennis, Dibble, Doty, Dow, Dunn, Durner, Estey, Fowler, Freeman, Galbraith, Glynn, Gordon, Gould, Hail, Harloe, Hawley, Hersey, Hocking, Hoey, Jackson, Johnson, Jones, Kellogg, Lewis, Lowe, Lux, Lynch, Marion, Martin, Mathews, Matlock, Mordecai, Murnan, Murphy, Phillips, Renfro, Rice, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Weston, Young, and Mr. Speaker—67.

NOES—None.

Title read and approved.

Assembly Bill No. 142—An Act to amend section four hundred and ninety-nine of the Civil Code of California, relative to the authority to lay, construct, and operate railroad tracks through streets and public highways of any incorporated city, city and county, or town, and to allow different lines of street railway, operated under different management, to use parts of the same streets and tracks.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Ames, Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Bryant, Cargill, Coffey, Cram, Culver, Dennis, Dibble, Doty, Dow, Dunn, Eakle, Estey, Freeman, Galbraith, Gordon, Gould, Hail, Harloe, Hawley, Hersey Hocking, Hoey, Jackson, Johnson, Jones, Kellogg, Lewis, Lux, Lynch, Marion, Martin, Mathews, Matlock, Mordecai, Murnan, Phillips, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Weston, Young, and Mr. Speaker—61

NOES—None.

Title read and approved.

MOTIONS.

Mr. Mathews moved to suspend the rules, and that Assembly Bills Nos. 114, 116, and 142 be immediately transmitted to the Senate.

Carried.

Mr. Gould moved that the petition on first page of Journal, February tenth, by "Mr. Brown," be stricken out.

So ordered.

SPECIAL FILE.

Senate Bill No. 209—An Act entitled an Act to appropriate moneys to pay the claim of George Fetherstone, for services rendered in the office of Treasurer of State.

Read second time.

MOTION.

Mr. Dibble moved that the House go into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bill No. 209.

Carried.

IN COMMITTEE OF THE WHOLE.

Speaker Coombs in the chair.

Senate Bill No. 209 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Coombs in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The Speaker stated the report of the Committee of the Whole as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 209, and now report the same back to the Assembly, and recommend that the same do pass.

Ordered engrossed and to a third reading.

LEAVE OF ABSENCE.

Mr. Eakle was granted leave of absence.

THIRD READING OF BILLS.

Assembly Bill No. 46—An Act to amend section seven hundred and ninety-five of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Brusie, Bryant, Cargill, Clark, Coffey, Culver, Daly, Dennis, Doty, Dow, Dunn, Estey, Freeman, Gordon, Gould, Hail, Harloe, Hawley, Hersey, Hocking, Hoey, Hunewill, Jackson, Johnson, Jones, Lewis, Lowe, Martin, Mathews, Matlock, Mordecai, Murnan, Phillips, Renfro, Rice, Robertson, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Weston, Young, and Mr Speaker—55.

NOES—None.

Title read and approved.

Assembly Bill No. 75—An Act to authorize Boards of Health and Health Officers, in cities, and cities and counties, in this State, to

appoint Inspectors of Plumbing and Drainage in such cities, and cities and counties, and to provide for the compensation and to define the duties of such Inspectors.

Read third time.

MOTION.

Mr. Lacey moved that the enacting clause of this bill be stricken out.

Lost.

CALL OF THE HOUSE.

A call of the House was demanded by Messrs. Brusie, Robertson, and Barnett.

So ordered.

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

Messrs. Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Brusie, Bryant, Cargill, Clark, Coffey, Cunningham, Daly, Dennis, Dibble, Doty, Dunn, Durner, Estey, Fowler, Freeman, Garver, Glynn, Gordon, Gould, Hail, Harloe, Hawley, Hayes, Hersey, Hoey, Hunewill, Jackson, Johnson, Jones, Kellogg, Lacey, Lewis, Lowe, Lux, Lynch, Marion, Martin, Mathews, Matlock, Mordecai, Murnan, Murphy, Phillips, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Tully, Weston, Windrow, Young, and Mr. Speaker.

ROLL OF ABSENTEES.

The roll of absentees was called, and the following members were absent: Messrs. Ames, Carter, Cram, Culver, Galbraith, and Hocking.

The Sergeant-at-Arms appeared at the bar of the House with Messrs. Culver, Galbraith, Ames, Hocking, Carter, Cram, Alexander, and Dow.

All of whom were excused.

MOTION.

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

So ordered.

The question being on final passage of Assembly Bill No. 75.

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

AYES—Messrs. Alexander, Ames, Arms, Barnett of Sonoma, Bert, Brown, Bryant, Culver, Dunn, Durner, Fowler, Garver, Hocking, Jackson, Lewis, Lynch, Martin, Renfro, Rice, Shanahan, and Sturtevant—21.

NOES—Messrs. Barnard, Barnett of San Francisco, Baughman, Beecher, Bledsoe, Bruner, Brusie, Cargill, Carter, Clark, Coffey, Daly, Dennis, Dibble, Doty, Dow, Estey, Freeman, Galbraith, Glynn, Gordon, Gould, Hail, Harloe, Hawley, Hayes, Hersey, Hoey, Hunewill, Johnson, Jones, Kellogg, Lacey, Lowe, Lux, Marion, Mathews, Matlock, Mordecai, Murphy, Phillips, Robertson, Smith of Butte, Smith of Orange, Stabler, Steltz, Tennis, Weston, and Mr. Speaker—49.

Messrs. Murnan and Cram were excused from voting.

Mr. Brusie gave notice that on to-morrow he will move for a reconsideration of the vote whereby Assembly Bill No. 75 was lost.

Assembly Bill No. 79—An Act to amend section three thousand six hundred and fifty-three of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the duties of Assessors.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Carter, Coffey, Cram, Culver, Cunningham, Dennis, Dibble, Doty, Dow, Durner, Estey, Fowler, Freeman, Galbraith, Garver, Gordon, Gould, Hail, Harloe, Hawley, Hayes, Hersey, Hocking, Hunewill, Jackson, Kellogg, Lacey, Lowe, Lux, Lynch, Marion, Martin, Mathews, Matlock, Mordecai, Murnan, Murphy, Phillips, Renfro, Robertson, Smith of Butte, Stabler, Steltz, Tennis, Weston, Windrow, Young, and Mr. Speaker—58.
NOES—Messrs. Bryant and Clark—2.

Title read and approved.

Assembly Bill No. 55—An Act relating to the time of commencement of actions for the recovery of real property.

Read third time.

Mr. Dibble moved that a select committee of one be appointed to make the following amendment:

Strike out the word "midify," in section one, line five, printed copy, and insert in lieu thereof the word "modify."

Carried.

Mr. Dibble was appointed by the Speaker a select committee of one to make said amendment.

REPORT OF COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, February 12, 1891.

MR. SPEAKER: Your Special Committee, to whom was referred Assembly Bill No. 55, 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.

DIBBLE, Committee.

Report of committee adopted.

Assembly Bill No. 55 ordered reëngrossed and to the printer.

Assembly Bill No. 90—An Act to add a new section to the Code of Civil Procedure, said section to be designated as section seven hundred and forty-nine, relating to the quieting of title to real property.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Ames, Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Bryant, Carter, Clark, Coffey, Cram, Culver, Cunningham, Daly, Dennis, Dibble, Doty, Durner, Estey, Fowler, Freeman, Galbraith, Garver, Gould, Hail, Harloe, Hawley, Hayes, Hersey, Hocking, Hunewill, Jackson, Johnson, Jones, Kellogg, Lacey, Lowe, Lynch, Marion, Martin, Mathews, Matlock, Mordecai, Murnan, Murphy, Phillips, Renfro, Rice, Robertson, Shanahan, Smith of Orange, Smith of Butte, Stabler, Steltz, Tennis, Weston, Windrow, and Mr. Speaker—64.
NOES—None.

Title read and approved.

QUESTION OF PRIVILEGE.

Mr. Shanahan arose to a question of privilege in the matter of certain statements contained in the "Examiner" of to-day, all of which he characterized as untrue, as far as relating to himself and the Democratic caucus of yesterday.

Assembly Bill No. 92—An Act to amend section five hundred and sixty-five of an Act entitled "An Act to establish a Code of Civil Pro-

cedure," approved March 11, 1872, relating to the appointment of a receiver upon dissolution of a corporation.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Brusie, Carter, Clark, Coffey, Cunningham, Daly, Dennis, Dibble, Dow, Estey, Freeman, Galbraith, Garver, Gordon, Gould, Hail, Harloe, Hawley, Hocking, Jackson, Johnson, Jones, Kellogg, Lacey, Lewis, Lowe, Lynch, Marion, Martin, Mathews, Matlock, Mordecai, Murnan, Phillips, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Weston, Windrow, Young, and Mr. Speaker—55.

NOES—Mr. Renfro—1.

Title read and approved.

RECESS.

At twelve o'clock and thirty minutes P. M. the House took a recess.

REASSEMBLED.

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

Speaker Coombs in the chair.

Quorum present.

LEAVE OF ABSENCE.

Messrs. Fowler and Hersey were granted leave of absence for the day.

SPECIAL ORDER.

Assembly Bill No. 174—An Act to provide for organizing, establishing, and maintaining a paid fire department within municipalities in the State of California, to be under the supervision and control of a Board of Fire Commissioners.

The question being upon Mr. Bert's motion that a select committee of one be appointed by the Speaker to amend, made on the ninth instant.

Mr. Bert asked the privilege of withdrawing said motion.

Objected to.

MOTION.

Mr. Bert moved that the House grant him the privilege of withdrawing his motion to appoint a select committee.

The ayes and noes were demanded by Messrs. Bert, Murphy, and Weston.

So ordered.

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

AYES—Messrs. Ames, Arms, Barnett of Sonoma, Baughman, Beecher, Bert, Brown, Bryant, Cargill, Carter, Clark, Cram, Culver, Dennis, Dunn, Durner, Estey, Freeman, Garver, Gordon, Harloe, Hawley, Hersey, Hocking, Hunewill, Kellogg, Lacey, Lewis, Lynch, Marion, Murphy, Rice, Robertson, Smith of Butte, Smith of Orange, Stabler, Sturtevant, Young, and Mr. Speaker—39.

NOES—Messrs. Alexander, Barnard, Barnett of San Francisco, Bruner, Brusie, Coffey, Cunningham, Daly, Dibble, Doty, Dow, Galbraith, Glynn, Gould, Hail, Hayes, Hoey, Jackson, Johnson, Jones, Lowe, Lux, Martin, Mathews, Matlock, Mordecai, Murnan, Phillips, Renfro, Shanahan, Steltz, Tennis, Tully, and Windrow—34.

Mr. Weston was excused from voting, being paired with Mr. Fowler.

MOTION.

Mr. Bert moved that a select committee of one be appointed by the Speaker to amend Assembly Bill No. 174, said amendment to be a substitute for the bill.

CALL OF THE HOUSE.

A call of the House was demanded by Mr. Bert, seconded by Messrs. Marion and Barnett.

Lost.

The roll was called, and the motion to appoint a select committee was lost by the following vote:

AYES—Messrs. Arms, Barnett of Sonoma, Beecher, Bert, Brown, Bryant, Cargill, Carter, Clark, Cram, Culver, Dennis, Dunn, Durner, Estey, Freeman, Gordon, Harloe, Hawley, Hocking, Hunewill, Lacey, Lewis, Lynch, Marion, Murphy, Robertson, Smith of Butte, Smith of Orange, Stabler, and Sturtevant—31.

NOES—Messrs. Alexander, Ames, Barnard, Barnett of San Francisco, Baughman, Bledsoe, Bruner, Brusie, Coffey, Daly, Dibble, Dow, Galbraith, Garver, Glynn, Gould, Hail, Hayes, Hoey, Jackson, Johnson, Jones, Kellogg, Lowe, Lux, Martin, Mathews, Matlock, Mordecai, Murnan, Phillips, Renfro, Rice, Shanahan, Steltz, Tennis, Tully, Windrow, Young, and Mr. Speaker—40.

Messrs. Doty, Weston, and Cunningham were excused from voting.

MOTION.

Mr. Bledsoe moved that a select committee of one be appointed by the Speaker to amend Assembly Bill No. 174 to read as follows:

Amendment by Mr. Bledsoe:

Amend by striking out all of section two, and insert the following:

SEC. 2. Such Fire Department shall be under the supervision and control of a Board of Fire Commissioners, which Board of Fire Commissioners is hereby created to consist of five members, who shall hold their office for two years, and four of whom shall be elected at the election in November, 1892, and every two years thereafter. The Mayor of the City and County of San Francisco shall be ex officio member of said Board, and shall be the President thereof. Within thirty days after the passage of this Act, the Mayor and Board of Supervisors of the City and County of San Francisco shall appoint four members of the said Board of Fire Commissioners, and said appointees shall hold their office until their successors are elected and qualified, as provided for in the preceding section. All vacancies, however, occurring in the Board of Fire Commissioners, shall be filled by the Mayor and Board of Supervisors of the City and County of San Francisco, and the person appointed to fill such vacancy shall hold the office only for the unexpired term.

Carried.

APPOINTMENT BY THE SPEAKER.

Mr. Bledsoe was appointed a committee to make said amendment.

REPORT OF COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, February 12, 1891.

MR. SPEAKER: Your Select Committee, to whom was referred Assembly Bill No. 174, with instructions to amend in accordance with the action of the House, would report that the instructions of the House have been carried out.

BLEDSOE, Committee.

Report of committee adopted.

Assembly Bill No. 174, with amendment, sent to the printer.

MOTIONS.

Mr. Arms moved to reconsider the vote whereby Mr. Bert's motion to appoint a select committee was lost.

Mr. Dibble moved to indefinitely postpone.

At five o'clock and forty-five minutes P. M., Mr. Bert moved to adjourn.

Lost.

On the motion of Mr. Dibble, to indefinitely postpone, the ayes and noes were demanded by Messrs. Bert, Lewis, and Phillips.

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

AYES—Messrs. Alexander, Barnard, Barnett of San Francisco, Baughman, Beecher, Bledsoe, Bruner, Brusie, Carter, Coffey, Cunningham, Daly, Dibble, Doty, Dow, Galbraith, Garver, Glynn, Gould, Hail, Hayes, Hoey, Jackson, Johnson, Jones, Kellogg, Lowe, Lux, Martin, Mathews, Matlock, Mordecai, Murnan, Phillips, Renfro, Rice, Shanahan, Smith of Butte, Steltz, Tennis, Tully, Windrow, Young, and Mr. Speaker—44.

NOES—Messrs. Ames, Arms, Barnett of Sonoma, Bert, Brown, Bryant, Cargill, Clark, Cram, Culver, Dennis, Dunn, Durner, Estey, Freeman, Gordon, Harloe, Hawley, Hocking, Hunewill, Lacey, Lewis, Lynch, Marion, Murphy, Robertson, Stabler, and Sturtevant—28.

RECESS.

At five o'clock and fifty minutes P. M., on motion of Mr. Dibble, 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 Coombs in the chair.

Quorum present.

PRESENTATION OF STATEMENT.

Mr. Matlock presented a statement from J. C. Campbell of the expenses of the contested election of Campbell vs. Eakle, accompanied with a resolution.

Referred to Committee on Elections and Privileges.

MOTION.

Mr. Gould moved that the vote whereby Assembly Bill No. 208 was passed be reconsidered, and that the consideration of the same be made a special order for next Tuesday, at two o'clock P. M.

Carried.

PRESENTATION OF PETITIONS.

Mr. Smith of Butte presented a petition from residents of Butte County, favoring the passage of Assembly Bill No. 64.

Referred to Committee on Viniculture, Viticulture, and Horticulture.

Mr. Bledsoe presented a petition from the residents of Alameda and San Francisco, favoring the passage of Assembly Bill No. 471.

Referred to Committee on Judiciary.

WITHDRAWAL OF BILL.

Mr. Young was permitted to withdraw Assembly Bill No. 394.

EXCUSED.

Mr. Bert was excused for the rest of the day.

Speaker pro tem. Young in the chair.

FIRST READING OF BILL.

Senate Bill No. 351—An Act making an appropriation to pay the deficiency in the appropriation for the office of the Secretary of State, and for the purchase of supplies and furniture, and for making necessary repairs in the several offices of the State Capitol.

Read first time, and ordered on special file.

INTRODUCTION OF BILL—(OUT OF ORDER).

By Mr. Dibble: Assembly Bill No. 679—An Act to amend section six hundred and fifty-four of the Political Code, relative to the Chairman of the Board of Examiners, Secretary, and salary.

Read first time, and placed on file for second reading.

REPORTS OF STANDING COMMITTEES.

ON ELECTIONS AND PRIVILEGES.

ASSEMBLY CHAMBER, SACRAMENTO, February 12, 1891.

MR. SPEAKER: Your Committee on Elections and Privileges, to whom was referred the contested election case of John F. Brown, contestant, vs. James H. Daly, respondent—report the same back and recommend that James H. Daly, the respondent, who was legally elected a member of this Assembly, be allowed to retain his seat as a member of this Assembly.

A. T. BARNETT, Chairman.

ON STATE CHARITABLE AND REFORMATORY INSTITUTIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 12, 1891.

MR. SPEAKER: Your Committee on State Charitable and Reformatory Institutions beg leave to report, and state that we have visited the Stockton Insane Asylum; distance to and from said institution, ninety-six miles; that the following members, viz.: E. A. Freeman, H. L. Weston, and N. Martin, constituted said committee; that there is now due to each of said members the sum of nine dollars and sixty cents.

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

Resolved, That the Controller be and he is hereby directed to draw his warrant in favor of F. N. Marion, Chairman of the Committee on State Charitable and Reformatory Institutions, for the amount of twenty-eight dollars and eighty cents for such mileage, and that said warrant be drawn out of the appropriation for the contingent expenses of the Assembly.

MARION, Chairman.

Referred to Committee on Mileage.

ON MILITARY AFFAIRS.

ASSEMBLY CHAMBER, SACRAMENTO, February 12, 1891.

MR. SPEAKER: Your Committee on Military Affairs, to whom was referred Assembly Bill No. 519—An Act to establish a naval battalion, to be attached to the National Guard of California—report the same back with the recommendation that it do pass.

JOHNSON, Chairman.

ON COMMERCE AND NAVIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 12, 1891.

MR. SPEAKER: Your Committee on Commerce and Navigation, to whom was referred Assembly Bill No. 394—report the same back, and recommend that the author be allowed to withdraw the same.

PHILLIPS, Chairman.

SAN FRANCISCO DELEGATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 11, 1891.

MR. SPEAKER: The San Francisco Delegation, a Select Committee of this House, to whom was referred Assembly Bill No. 618—An Act to provide for payment for private property heretofore taken for public use—report the same back, and recommend the passage of the same.

WENTWORTH, Chairman.

ON STATE PRISONS

ASSEMBLY CHAMBER, SACRAMENTO, February 11, 1891.

MR. SPEAKER: Your Committee on State Prisons, to whom was referred Assembly Bill No. 659—An Act to authorize the State Prison Directors of the State of California to employ any unemployed prisoners to construct roads to the State Prison at San Quentin —report the same back, and recommend that it do pass.

ESTEY, Chairman.

ON PUBLIC BUILDINGS AND GROUNDS.

ASSEMBLY CHAMBER, SACRAMENTO, February 12, 1891.

MR. SPEAKER: Your Committee on Public Buildings and Grounds, to whom was referred Senate Bills Nos. 196 and 197—report the same back, and recommend that they do not pass.

Also: Assembly Bill No. 366—Appropriating the sum of fifty thousand ($50,000) dollars for an additional building for the State Normal School at San José—report the same back, and recommend that it do pass, and that the same be referred to the Committee on Ways and Means and Appropriations.

Also: Assembly Bill No. 385—An Act to authorize the completion of all unfinished county, city and county, town, and township buildings—report the same back, and recommend that the author be allowed to withdraw the same.

HERSEY, Chairman.

Assembly Bill No. 366 referred to Committee on Ways and Means and Appropriations.

ON WAYS AND MEANS AND APPROPRIATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 12, 1891

MR. SPEAKER: Your Committee on Ways and Means and Appropriations, to whom was referred Senate Bill No. 351—An Act making an appropriation to pay the deficiency in the appropriation for the office of Secretary of State—have had the same under consideration, and report it back with amendments, and respectfully recommend that it do pass as amended.

Also: Beg leave to introduce the accompanying bill.

DIBBLE, Chairman.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 12, 1891

MR. SPEAKER: Your Committee on Education, to whom was referred Assembly Bill No. 637—An Act to amend section one thousand seven hundred and twelve 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 public schools—report the same back, and recommend that it do pass.

GALBRAITH, Chairman.

ON CHINESE IMMIGRATION AND EMIGRATION AND LABOR AND CAPITAL.

ASSEMBLY CHAMBER, SACRAMENTO, February 12, 1891

MR. SPEAKER. Your Committee on Chinese Immigration and Emigration and Labor and Capital, to whom was referred Assembly Bill No 573—An Act to add seven new sections to the Political Code of the State of California, to be known as sections five hundred and eighty-five, five hundred and eighty-six, five hundred and eighty-seven, five hundred and eighty-eight, five hundred and eighty-nine, five hundred and ninety, and five hundred and ninety-one, relating to the appointment of an Inspector of Iron Castings in cities and counties of more than one hundred and fifty thousand inhabitants —report the same back without recommendation.

Also: Assembly Bill No. 584—An Act to provide for the payment of the wages of mechanics and laborers employed by corporations.

Also: Assembly Bill No. 522—An Act to provide when the wages of persons employed by corporations become due, to provide for the payment of such wages, and fixing penalties upon corporations, and upon their officers, and agents, for neglecting or refusing to pay such wages within a certain time after they become due.

Report the same back, and recommend that they do pass.

STELTZ, Chairman.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 12, 1891.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Senate Bill No. 143—An Act authorizing and requiring Boards or Commissions having the management and control of paid police forces to grant the members thereof yearly vacations.

Also: Senate Bill No. 149—An Act to amend section seven hundred and ninety-five of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 15, 1883—report the same back, and recommend the passage of the same

Also: Assembly Bill No. 597—An Act to amend sections three hundred and seven, three hundred and twelve, and three hundred and fourteen of the Civil Code—report the same back, amended by the committee, but without recommendation.

WENTWORTH, Chairman.

ON MILEAGE.

ASSEMBLY CHAMBER, SACRAMENTO, February 12, 1891.

MR. SPEAKER: Your Committee on Mileage, to whom was referred the following resolution, viz.:

Resolved, That the Controller be and he is hereby directed to draw his warrant in favor of J. G. McCall, Chairman of the sub-Committee on Public Buildings and Grounds, for the amount of seventy-six dollars and eighty cents for such mileage, and that said warrant be drawn out of the appropriation for the contingent expenses of the Assembly.

Report the same back, and recommend its adoption.

Resolution adopted.

Also:

Your Committee on Mileage, to whom was referred the following resolution, viz.:

Resolved, That the Controller be and he is hereby directed to draw his warrant in favor of J. L. Beecher, Jr., Chairman of the sub-Committee on Public Buildings and Grounds, for the sum of thirty-eight dollars and forty cents ($38 40) for such mileage, and that said warrant be drawn out of the appropriation for the contingent expenses of the Assembly.

Have had the same under consideration, and report the same back, and recommend the adoption of the following as a substitute therefor, viz:

Resolved, That the Controller be and he is hereby directed to draw his warrant in favor of J. L. Beecher, Jr., Chairman of the sub-Committee on Public Buildings and Grounds, for the sum of twenty-eight dollars and eighty cents, for mileage for Messrs. Beecher, Dennis and Murnan, and that said warrant be made payable out of the appropriation for the contingent expenses of the Assembly.

BRYANT, Chairman.

Substitute resolution adopted.

ON CLAIMS.

ASSEMBLY CHAMBER, SACRAMENTO, February 12, 1891.

MR. SPEAKER: Your Committee on Claims, to whom was referred Assembly Bill No. 306—An Act for the relief of G Raisch—report the same back, and recommend that it do pass.

AMES, Chairman.

ON RULES AND REGULATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 12, 1891.

MR. SPEAKER: Your Committee on Rules and Regulations, to whom was referred the following amendments to the Standing Rules of the Assembly:

Amend section two, on page three of Rules, by striking out under the head of order of business, subdivision fourteen, to wit: "unfinished business of the preceding day," and inserting immediately after subdivision three, to wit: "reading and approval of the Journal," the following: "unfinished business," to be numbered subdivision four; and that the following subdivisions, in the order in which they respectively are arranged, shall be numbered five, six, seven, eight, nine, ten, eleven, twelve, thirteen, fourteen, and fifteen.

Also: Amend Rules by making a new section thereto, to be numbered section eighty-six, to read as follows, to wit: "When any proposition is made an order for any special hour or day, and for any reason the same is not called up for consideration at that time, the same shall remain a special order for the next meeting day, at the same hour, or as soon thereafter as the House shall convene."

Report the same back and recommend their adoption.

CULVER, Chairman.

Report adopted.

ASSEMBLY JOINT RESOLUTION.

By Mr. Sturtevant: Assembly Joint Resolution No. 16—Relative to the examination and allotment of the lands of the Round Valley Indian Reservation.

On motion of Mr. Sturtevant, it was made a special order for next Monday, at two o'clock P. M.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, February 11, 1891.

To the honorable Assembly of the State of California.

I desire to call your attention to the biennial report of the Hon. John P. Dunn, State Controller, which shows that $2,637,000 of State Funded Debt Bonds fall due July 1, 1893.

This debt must either be paid or refunded.

It is probably unnecessary to consider the question of payment, on account of the shortness of the time in which the debt matures

I therefore recommend that you take immediate steps to enact the necessary legislation providing for the refunding of this debt. It is absolutely necessary that the Legislature attend to this duty at this session, in order that the proper officials may have ample time to perform their duties.

H. H. MARKHAM, Governor.

INTRODUCTION OF BILLS.

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

By Mr. Alexander: Assembly Bill No. 680—An Act to amend an Act entitled "An Act to provide for the organization of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigating purposes," approved March 7, 1887, by adding thereto a new section, to be known as section forty-one and one half.

Read first time, and placed on file for second reading.

By Mr. Beecher: Assembly Bill No. 681—An Act making an appropriation for the purchase of jute machinery and the erection of buildings for the manufacture of jute goods for the State Prison at Folsom, and other expenses incidental and relating thereto, and providing for fixing the price at which jute goods shall be sold by the State.

Referred to Committee on State Prisons.

Also: Assembly Bill No. 682—An Act to amend section three thousand seven hundred and seventy-nine of the Political Code, relating to lien of State vests in the purchaser at tax sale and how divested,

Referred to Committee on Judiciary.

By Mr. Jackson: Assembly Bill No. 683—An Act to prevent stallions running at large within the State of California.

Referred to Committee on Public Morals.

By Mr. Johnson: Assembly Bill No. 684—An Act authorizing the governing bodies of cities, or cities and counties, to fix the rates to be charged for gas and electricity, for lighting.

Referred to Committee on Municipal Corporations.

By Mr. Matlock: Assembly Bill No. 685—An Act to amend sections two thousand six hundred and forty-one, two thousand six hundred and forty-two, two thousand six hundred and forty-three, two thousand six hundred and forty-five, and two thousand six hundred and forty-six, and

to repeal section two thousand six hundred and forty-four of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the powers and duties of highway officers, and to provide for the construction, maintenance, and improvement of highways by contract, let out to the lowest bidder.

Read first time, and placed on file for second reading.

RESOLUTION.

By Mr. Robertson:

WHEREAS, "Smith of Butte," and "Smith of Orange," sound more euphonious than "A. G." Smith and "J. J." Smith; therefore, be it

Resolved, that the Clerk of the Assembly be instructed in calling the roll hereafter to avoid the above objectional initials, and call them "Smith of Butte," and "Smith of Orange."

Adopted.

LEAVE OF ABSENCE.

Mr. Brown was granted leave of absence for the rest of the day.

FIRST READING OF BILLS.

Assembly Bill No. 89—An Act to amend sections three thousand seven hundred and forty-six, three thousand seven hundred and fifty, three thousand seven hundred and fifty-one, three thousand seven hundred and fifty-six, three thousand seven hundred and fifty-eight, three thousand seven hundred and sixty-two, three thousand seven hundred and sixty-four, and three thousand seven hundred and ninety-seven of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, and to add a new section to said Act, to be known as section three thousand seven hundred and fifty-seven, relating to revenue and the payment of taxes on real property in installments.

Read first time, and placed on file for second reading.

Assembly Bill No. 2—An Act to further regulate elections and to secure the secrecy of the ballot.

Read first time, and placed on file for second reading.

Assembly Bill No. 3—An Act to provide for the conduct of elections, and to more fully secure the independence of electors and the secrecy of the ballot.

Read first time, and placed on file for second reading.

Assembly Bill No. 27—An Act to provide for the nomination of candidates for office, to provide for ballots to be used in elections, and to further preserve the purity and secrecy of the ballot.

Read first time, and placed on file for second reading.

Assembly Bill No. 29—An Act to provide for the conduct of elections, and to more fully secure the independence of electors and the secrecy of the ballot.

Read first time, and placed on file for second reading.

Assembly Bill No. 470—An Act to further secure the purity of the ballot, and to provide means for effecting the same.

Read first time, and placed on file for second reading.

Assembly Bill No. 471—An Act to ascertain and express the will of the people of the State of California upon the subject of requiring an educational qualification of voters.

Read first time, and placed on file for second reading.

Assembly Bill No. 592—An Act to authorize the Board of State Harbor Commissioners to adjust and pay the claim of Daniel J. Logan.

Read first time, and placed on file for second reading.

Assembly Bill No. 487—An Act for the relief of John J. Conlin.

Read first time, and placed on file for second reading.

Assembly Bill No. 264—An Act to amend "An Act to establish a Reform School for Juvenile Offenders, and make an appropriation therefor," approved March 11, 1889.

Read first time, and placed on file for second reading.

Assembly Bill No. 240—An Act for the regulation of the practice of medicine and surgery in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation.

Read first time, and placed on file for second reading.

Assembly Bill No. 575—An Act to amend sections three hundred and thirty-two, three hundred and thirty-three, three hundred and thirty-four, and three hundred and thirty-five of the Political Code.

Read first time, and placed on file for second reading.

Assembly Bill No. 574—An Act to amend section five of the Political Code.

Read first time, and placed on file for second reading.

Assembly Bill No. 72—An Act to form Pomona County, classify it, define its boundaries, provide for its organization, and the appointment and election of officers, the location of the county seat by election, and the adjustment and fulfillment of certain rights and obligations arising between such new county and certain other counties.

Read first time, and placed on file for second reading.

Assembly Bill No. 579—An Act to form Riverside County, classify it, define its boundaries, provide for its organization, and the appointment and election of officers, the location of a county seat by election, and the adjustment and fulfillment of certain rights and obligations arising between such county and certain other counties.

Read first time, and placed on file for second reading.

Assembly Bill No. 353—An Act to create the county of San Jacinto, to define the boundaries thereof, to determine the county seat by an election, and to provide for its organization and election of officers, and to classify said county.

Read first time, and placed on file for second reading.

Assembly Bill No. 185—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.

Assembly Bill No. 633—An Act to repeal sections six hundred and thirty-nine, six hundred and forty, six hundred and forty-one, six hundred and forty-two, six hundred and forty-three, six hundred and forty-four, six hundred and forty-five, and six hundred and forty-seven of title sixteen of part four, division first, of the Civil Code, providing for the formation and government of mutual building and loan associations, and to add seventeen new sections to said Civil Code, to be known and numbered as sections six hundred and thirty-three, six hundred and thirty-four, six hundred and thirty-five, six hundred and thirty-six, six hundred and thirty-seven, six hundred and thirty-eight, six hundred and thirty-nine, six hundred and forty, six hundred and forty-one, six hundred and forty-two, six hundred and forty-three, six hundred and forty-four, six hundred and forty-five, six hundred and

forty-six, six hundred and forty-seven, six hundred and forty-eight, and six hundred and forty-eight and one half, providing for the formation and government of mutual building and loan associations.

Read first time, and placed on file for second reading.

Assembly Bill No. 341—An Act governing the business of fire, marine, life, and accident insurance, relating to deposits.

Read first time, and placed on file for second reading.

Assembly Bill No. 289—An Act to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, by amending section two thousand five hundred and ninety-four and repealing section two thousand five hundred and ninety-five, relating to policies of insurance.

Read first time and placed on file for second reading.

Assembly Bill No. 290—An Act to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, by amending section two thousand seven hundred and fifty-six, relating to fire insurance.

Read first time, and placed on file for second reading.

Assembly Bill No. 291—An Act to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, by amending section two thousand five hundred and eighty-seven, relating to policies of insurance.

Read first time, and placed on file for second reading.

Assembly Bill No. 352—An Act to abolish the commissions now authorized to be paid by the State to County Treasurers, County Auditors, and County Treasurers, for collecting and disbursing State revenues, and to repeal all laws now authorizing the payment of said commissions.

Read first time, and placed on file for second reading.

Assembly Bill No. 263—An Act concerning toll roads.

Read first time, and placed on file for second reading.

Assembly Bill No. 445—An Act authorizing Boards of Supervisors of the several counties to grant compensation to corporations or persons owning a toll road, for improvements thereon constructed after the franchise has expired.

Read first time, and placed on file for second reading.

Assembly Bill No. 634—An Act to amend sections three thousand eight hundred and sixteen, three thousand eight hundred and ninety-seven, and three thousand eight hundred and ninety-eight of the Political Code, relating to sales of land sold to the State for taxes.

Read first time, and placed on file for second reading.

Senate Bill No. 82—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by adding a new section thereto, to be known as section three thousand two hundred and forty-five and one half, relating to the payment of persons employed under the provisions of section three thousand two hundred and forty-five of said Political Code.

Read first time, and placed on file for second reading.

Senate Bill No. 19—An Act to amend section two thousand nine hundred and fifty-five of an Act entitled "An Act to establish a Civil Code of the State of California," approved March 21, 1872, relating to chattel mortgages.

Read first time, and placed on file for second reading.

Senate Bill No. 76—An Act to amend section one thousand one hundred and eighty-one of the Civil Code of the State of California, as

amended April 3, 1880, relating to the proof and acknowledgment of instruments.

Read first time, and placed on file for second reading.

Senate Bill No. 70—An Act to add a new section to the Penal Code of the State of California, to be numbered section eight hundred and thirty, relative to the service of warrants of arrest and other process in criminal cases.

Read first time, and placed on file for second reading.

Substitute for Senate Bills Nos. 18 and 25—An Act to amend section one thousand two hundred and thirty-eight of an Act entitled "An Act to establish a Penal Code of the State of California," approved February 14, 1872, relating to the dismissal of actions, and to appeals.

Read first time, and placed on file for second reading.

Assembly Bill No. 450—An Act to increase the number of Judges of the Superior Court of the county of Tulare, and to provide for the appointment of an additional Judge.

Read first time, and placed on file for second reading.

Assembly Bill No. 580—An Act to amend sections one hundred and nineteen and one hundred and twenty of an Act entitled "An Act to establish a uniform system of county and township governments."

Read first time, and placed on file for second reading.

Assembly Bill No. 581—An Act to amend an Act entitled "An Act to establish a Political Code of the State of California," approved March 12, 1872, relating to the duties of County Treasurers.

Read first time, and placed on file for second reading.

Assembly Bill No. 300—An Act to enfranchise the women citizens of the State, and prescribing their qualifications as electors.

Read first time, and placed on file for second reading.

Assembly Bill No. 588—An Act to amend section one thousand nine hundred and sixty-two of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, to be known as subdivision eight, relating to what are deemed conclusive presumptions.

Read first time, and placed on file for second reading.

Assembly Bill No. 554—An Act to amend section fifty-three of the Code of Civil Procedure, approved March 11, 1872, relating to powers on appealed cases.

Read first time, and placed on file for second reading.

Assembly Bill No. 284—An Act to prescribe who can practice law in Police Courts.

Read first time, and placed on file for second reading.

Assembly Bill No. 288—An Act entitled an Act to amend "An Act to create a Police Court in and for the City and County of San Francisco, State of California," approved March 5, 1889.

Read first time, and placed on file for second reading.

Assembly Bill No. 376—An Act to add a new section to the Civil Code, to be known as section one hundred and eight, relating to trials of action for divorce.

Read first time, and placed on file for second reading.

Assembly Bill No. 324—An Act to add a new section to the Political Code, to be known as section seven hundred and ninety-three, relating to qualifications of Notaries Public.

Read first time, and placed on file for second reading.

Assembly Bill No. 327—An Act to amend section five hundred and

ninety-eight of the Civil Code of the State of California, relating to benevolent and religious corporations.

Read first time, and placed on file for second reading.

Assembly Bill No. 281—An Act establishing a committee for the revision of the laws.

Read first time, and placed on file for second reading.

Assembly Bill No. 57—An Act to amend section three hundred and ninety-five of the Code of Civil Procedure, relating to the place of trial of civil actions.

Read first time, and placed on file for second reading.

Assembly Bill No. 61—An Act to add a new section to the Code of Civil Procedure of California, to be known as section one thousand six hundred and nineteen, relating to the commissions of the executor or administrator, with the will annexed, in cases where the administration is, by the terms of the will, and in consequence thereof, extended beyond three years.

Read first time, and placed on file for second reading.

Assembly Bill No. 133—An Act to amend sections forty-seven and forty-eight of the Civil Code of the State of California, relating to libel and slander.

Read first time, and placed on file for second reading.

Assembly Bill No. 297—An Act to amend an Act entitled "An Act concerning actions for libel and slander," approved March 23, 1872, amended April 16, 1880, so as to extend the operations of said Act to all actions for unliquidated damages not arising from contract.

Read first time, and placed on file for second reading.

Assembly Bill No. 430—An Act to amend section twenty-five of the Civil Code, relating to the age of minors.

Read first time, and placed on file for second reading.

Assembly Bill No. 480—An Act to amend section two thousand three hundred and fourteen of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the duties of the Librarian of the Supreme Court Library.

Read first time, and placed on file for second reading.

Assembly Bill No. 496—An Act to amend section one thousand one hundred and seven of the Civil Code of the State of California..

Read first time, and placed on file for second reading.

Assembly Bill No. 530—An Act to amend sections nine hundred and thirty-six and nine hundred and thirty-seven 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.

Assembly Bill No. 286—An Act to amend section two hundred and eighty-one of the Code of Civil Procedure.

Read first time, and placed on file for second reading.

Assembly Bill No. 325—An Act to amend section seven hundred and ninety-one of the Political Code, relating to the appointment and number of Notaries Public.

Read first time, and placed on file for second reading.

Assembly Bill No. 33—An Act to amend section seven hundred and thirty-eight of the Code of Civil Procedure, relating to parties to an action to quiet title.

Read first time, and placed on file for second reading.

Assembly Bill No. 485—An Act to add two new sections to the Penal

Code, to be numbered sections one thousand three hundred and twenty-nine and one half and one thousand three hundred and twenty-nine and three quarters, relative to paying witnesses in criminal cases.

Read first time, and placed on file for second reading.

Assembly Bill No. 285—An Act to amend section two hundred and seventy-six, Code of Civil Procedure.

Read first time, and placed on file for second reading.

Assembly Bill No. 582—An Act to amend section five hundred and thirty of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the office of Superintendent of State Printing, and providing for the election of such officer.

Read first time, and placed on file for second reading.

Assembly Bill No. 326—An Act to create a State Board of Funeral Directors, to prescribe its powers and duties, to regulate the practice of undertaking and funeral direction, and to more effectually protect the people against contagious diseases.

Read first time, and placed on file for second reading.

Assembly Bill No. 4—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-six, one thousand one hundred and eighty-seven, one thousand one hundred and ninety-three, one thousand one hundred and ninety-four, one thousand one hundred and ninety-five, and one thousand two hundred; and to repeal section one thousand one hundred and eighty-eight, and to add a new section, to be numbered one thousand two hundred and three, of an Act of the Legislature of the State of California entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, all relating to liens of mechanics and others.

Read first time, and placed on file for second reading.

Assembly Bill No. 513—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," by adding thereto a new section, to follow section three hundred and forty-eight thereof, to be numbered section three hundred and forty-nine, relating to the time of commencing and maintaining action other than for the recovery of real property.

Read first time, and placed on file for second reading.

Assembly Bill No. 195—An Act to appropriate ten thousand dollars for the purpose of sending an expert to Australia, New Zealand, and adjacent countries, to collect and import into this State parasites and predaceous insects.

Read first time, and placed on file for second reading.

Assembly Bill No. 161—An Act to create a State Association of Irrigation Districts, and to provide for the creation of a State Board of Irrigation to manage and conduct the affairs of the same, and to define the powers and prescribe the duties of such association and of such Board, and to appropriate money in support thereof.

Read first time, and placed on file for second reading.

Assembly Bill No. 517—An Act authorizing the Controller and Treasurer to transfer to the General Fund all moneys standing to the credit of coupons upon Central Pacific Railroad bonds.

Read first time, and placed on file for second reading.

Assembly Bill No 468—An Act for the relief of Benicia F. Vallejo, the widow of the late General Mariano G. Vallejo.

Read first time, and placed on file for second reading.

Assembly Bill No. 190—An Act to purchase a dwelling house now on State land at San Quentin, owned by Henry Schlosser, for the use of the State Prison, and making an appropriation therefor.

Read first time, and placed on file for second reading.

Assembly Bill No. 593—An Act to create a State Board of Pardon Commissioners, define their duties, and to provide for the expense thereto attached.

Read first time, and placed on file for second reading.

Senate Bill No. 154—An Act authorizing school districts, cities, cities and counties, or incorporated towns, in the State of California, to furnish the pupils of their respective public schools with the free use of school text-books.

Read first time, and placed on file for second reading.

Assembly Bill No. 595—An Act to provide for the establishment of High Schools in the State of California.

Read first time, and placed on file for second reading.

Assembly Bill No. 569—An Act to amend the Political Code, part three, title three, article one, section one thousand five hundred and twenty-one, relating to the powers and duties of the State Board of Education.

Read first time, and placed on file for second reading.

Assembly Bill No. 153—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure."

Read first time, and placed on file for second reading.

Assembly Bill No. 474—An Act to amend an Act of the Legislature of the State of California entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, by adding thereto five new sections, to be known as sections five hundred and thirty-nine *a*, five hundred and thirty-nine *b*, five hundred and thirty-nine *c*, five hundred and thirty-nine *d*, and five hundred and thirty-nine *e*, in chapter four of part two, title seven, concerning attachments.

Read first time, and placed on file for second reading.

Assembly Bill No. 533—An Act to promote the science of health and regulate the practice of medicine in the State of California.

Read first time, and placed on file for second reading.

Assembly Bill No. 363—An Act to compensate attorneys for services rendered in defense of impecunious defendants.

Read first time, and placed on file for second reading.

Assembly Bill No. 361—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure."

Read first time, and placed on file for second reading.

Assembly Bill No. 571—An Act to amend section one thousand four hundred and thirty-one of the Code of Civil Procedure.

Read first time, and placed on file for second reading.

Assembly Bill No. 442—An Act to prevent damage from the overflow of artesian wells.

Read first time, and placed on file for second reading.

Assembly Bill No. 544—An Act to amend section four thousand one hundred and two of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the age, citizenship, and residence of district and township officers and their deputies.

Read first time, and placed on file for second reading.

Assembly Bill No. 452—An Act to authorize the Trustees of munici-

pal corporations having a voting population of less than two hundred voters to wind up the affairs of said corporation, by paying off its indebtedness, disposing of its property, and turning over the proceeds to the County Supervisors for its own local improvements, etc., and to declare said corporation no longer in force.

Read first time, and placed on file for second reading.

Assembly Bill No. 545—An Act to amend subdivision four of section thirty-four of an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885.

Read first time, and placed on file for second reading.

Assembly Bill No. 18—An Act to amend an Act entitled "An Act to provide for Police Courts in cities having thirty thousand and under one hundred thousand inhabitants, and to provide for officers thereof," approved March 18, 1885; and to make said Act as amended apply to cities having ten thousand and under one hundred thousand inhabitants.

Read first time, and placed on file for second reading.

Assembly Bill No. 277—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 adding thereto a new section, providing for registration, and prescribing the qualifications of certain voters to be entitled to vote at all municipal elections.

Read first time, and placed on file for second reading.

Assembly Bill No. 515—An Act to amend section eight hundred and thirty of the Penal Code, in reference to gaming.

Read first time, and placed on file for second reading.

Assembly Bill No. 251—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by adding a new section, to be known and numbered as section three hundred and eight, relative to the sale of opium prepared for smoking.

Read first time, and placed on file for second reading.

Assembly Bill No. 137—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by adding thereto a new section, to be known and numbered as section three hundred and eight, relative to the sale of opium, or any preparation thereof.

Read first time, and placed on file for second reading.

Assembly Bill No. 275—An Act to amend the Penal Code of California, by adding a new section thereto, to be known as section three hundred and eight, relative to the sale or furnishing of tobacco, or preparations thereof, to persons under sixteen years of age

Read first time, and placed on file for second reading.

Assembly Bill No. 368—An Act to control the business of benevolent organizations in the State of California.

Read first time, and placed on file for second reading.

Assembly Bill No. 456—An Act authorizing the formation of county mutual insurance companies, regulating the transaction of their business, and defining the duties of the officers thereof.

Read first time, and placed on file for second reading.

Assembly Bill No. 506—An Act to prohibit discrimination in the insurance contracts.

Read first time, and placed on file for second reading.

Assembly Bill No. 315—An Act to provide for reports of dormant accounts in savings banks incorporated under the laws of this State.

Read first time, and placed on file for second reading.

Assembly Bill No. 532—An Act concerning returns of banks, insurance, and railroad companies.

Read first time, and placed on file for second reading.

Assembly Bill No. 540—An Act authorizing certain corporations to act as executor, and in other capacities, and to provide for and regulate the administration of trusts by such corporations.

Read first time, and placed on file for second reading.

Assembly Bill No. 589—An Act to amend sections three thousand four hundred and fifty-four and three thousand four hundred and fifty-five of the Political Code of this State, relating to the powers and duties of Boards of Trustees of reclamation districts formed for the reclamation of swamp and overflowed lands.

Read first time, and placed on file for second reading.

Assembly Bill No. 512—An Act to amend section three thousand four hundred and sixty-six of the Political Code, relating to the collection of assessments made by Commissioners of Assessment in reclamation districts of this State.

Read first time, and placed on file for second reading.

Assembly Bill No. 267—An Act giving the consent of the State of California to the reservation of certain lands by Congress.

Read first time, and placed on file for second reading.

Assembly Bill No. 672—An Act to amend an Act entitled "An Act amendatory of and supplemental to an Act entitled 'An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes,' approved March 17, 1887, providing for the exclusion of certain lands within any such districts," by amending sections three, eight, and thirteen thereof.

Read first time, and placed on file for second reading.

LEAVE OF ABSENCE.

Mr. Fowler was granted an indefinite leave of absence.

ADJOURNMENT.

At eight o'clock and forty-five minutes P. M., on motion of Mr. Bledsoe, the House adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Friday, February 13, 1891.

The Assembly met pursuant to adjournment.

Speaker Coombs in the chair.

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

Messrs. Alexander, Ames, Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Brusie, Cargill, Carter,

Clark, Coffey, Cram, Culver, Cunningham, Daly, Dennis, Dibble, Doty, Dow, Dunn, Durner, Estey, Freeman, Galbraith, Garver, Glynn, Gordon, Gould, Hail, Harloe, Hawley, Hayes, Hersey, Hocking, Hoey, Hunewill, Jackson, Johnson, Jones, Kellogg, Lacey, Lowe, Lux, Lynch, Martin, Mathews, Matlock, Mordecai, Murnan, Murphy, Phillips, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis Tully, Weston, Windrow, Young, and Mr. Speaker.

Quorum present.

LEAVE OF ABSENCE.

Leave of absence was granted Mr. Eakle until Tuesday, and to Mr. Marion for the day.

PRAYER.

Prayer by the Chaplain, Rev. A. C. Herrick.

READING OF THE JOURNAL.

On motion of Mr. Galbraith, further reading of the Journal was dispensed with.

Journal corrected and approved.

MOTIONS.

On motion of Mr. Jackson, Assembly Bill No. 683 was referred to Committee on Agriculture and Forestry.

Mr. Gould moved that an evening session for routine work be held to-day at seven o'clock and thirty minutes P. M., and business on the general file be now taken up.

Carried.

Mr. Bruner moved to take up Senate messages.

Carried.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 12, 1891.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the eleventh day of February, amended and passed as amended the following:

Assembly Bill No. 211—An Act to increase the police force of the various cities, and cities and counties, of the State, and to provide for the appointment of such extra police officers, and for the payment of their salaries.

F. J. BRANDON, Secretary
By J. C. BOATMAN, Assistant.

CONSIDERATION OF SENATE MESSAGE.

Assembly Bill No. 211—An Act to increase the police force of the various cities, and cities and counties, of the State, and to provide for the appointment of such extra police officers, and for the payment of their salaries.

SENATE AMENDMENT.

Amend section one, line seven, printed bill; after the word "county" insert the following words: "*provided further*, that in cities of the third class the police force shall not exceed in the aggregate at any time one member for every one thousand inhabitants of said cities."

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

AYES—Messrs. Alexander, Ames, Arms, Barnard, Bert, Bledsoe, Brown, Bruner, Brusie, Carter, Clark, Coffey, Cram, Culver, Dennis, Dibble, Doty, Dow, Dunn, Durner, Estey, Galbraith, Garver, Glynn, Gordon, Gould, Hail, Hawley, Hayes, Hersey, Hoey, Hunewill, Jackson, Johnson, Jones, Kellogg, Lacey, Lowe, Lux, Lynch, Martin, Mathews, Matlock, Murnan, Murphy, Phillips, Renfro, Rice, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tully, Weston, Windrow, and Mr. Speaker—58.
NOES—Mr. Harloe—1.

SPECIAL FILE.

Senate Bill No. 351—An Act making an appropriation to pay the deficiency in the appropriation for the office of Secretary of State, and for the purchase of supplies and furniture, and for making necessary repairs in the several offices of the State Capitol.

Read second time.

MOTION.

Mr. Dibble moved that the House now go into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bill No. 351.

Carried.

IN COMMITTEE OF THE WHOLE.

Speaker Coombs in the chair.

Senate Bill No. 351 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Coombs in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The Speaker stated the report of Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 351, and now report the same back to the Assembly, and recommend that the same be passed as amended, as follows:

Amend by striking out the title and inserting the following title:

An Act making an appropriation to provide for a deficiency in the appropriation for repairs to State Capitol and furniture, and purchase of carpets, for forty-second fiscal year.

Also: Amend by striking out section one, and inserting in lieu thereof the following: The sum of four thousand dollars is hereby appropriated out of any money in the State Treasury not otherwise appropriated, to pay the deficiency in the appropriation for repairs to State Capitol and furniture for the forty-second fiscal year.

Report adopted.

Senate Bill No. 351 ordered to a third reading.

Assembly Constitutional Amendment No. 2—A resolution to propose an amendment to section nine of article one of the Constitution of California, relating to the freedom of speech and of the press.

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

AYES—Messrs. Alexander, Arms, Bledsoe, Dibble, Hunewill, Kellogg, Lowe, Martin, Sturtevant, and Windrow—10.
NOES—Messrs. Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bruner, Cargill, Carter, Clark, Cram, Culver, Cunningham, Doty, Dow, Durner, Estey, Freeman, Garver, Gordon, Gould, Harloe, Hawley, Hersey, Hocking,

Jackson, Johnson, Lacey, Lynch, Mathews, Matlock, Mordecai, Murnan, Phillips, Renfro, Rice, Robertson, Smith of Butte, Smith of Orange, Stabler, Steltz, Tennis, Weston, Young, and Mr. Speaker—45.

Assembly Constitutional Amendment No. 5—A resolution to propose to the people of the State of California an amendment to section thirty-four of article four of the Constitution of the State of California.

Mr. Dibble offered the following amendment, which was adopted:

Amend by striking out the words "deficiency bill" after the word "bill," in line two of printed bill, and inserting the words, "and the deficiency bill."

Also: Insert after the word "expressed," in line four, the following words: "When the deficiency bill is presented to the Governor, he may object to one or more items while approving other portions of the bill."

MOTION.

On motion of Mr. Barnett of San Francisco, the report of the Committee on Elections and Privileges, as follows, was adopted:

ASSEMBLY CHAMBER, SACRAMENTO, February 12, 1891.

MR. SPEAKER: Your Committee on Elections and Privileges, to whom was referred the contested election case of John F. Brown, contestant, vs. James H. Daly, respondent—report the same back, and recommend that James H. Daly, the respondent, who was legally elected a member of this Assembly, be allowed to retain his seat as a member of this Assembly.

A. T. BARNETT, Chairman

THIRD READING OF BILLS.

Senate Bill No. 209—An Act entitled an Act to appropriate moneys to pay the claim of George Fetherstone, for services rendered in the office of the Treasurer of State.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bledsoe, Bruner, Brusie, Cargill, Clark, Coffey, Culver, Cunningham, Dennis, Doty, Dow, Durner, Estey, Freeman, Galbraith, Garver, Glynn, Gordon, Gould, Hail, Hawley, Hayes, Hersey, Hoey, Hunewill, Jackson, Jones, Kellogg, Lacey, Lowe, Lux, Lynch, Martin, Mathews, Matlock, Mordecai, Murnan, Phillips, Rice, Robertson, Shanahan, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Weston, Windrow, Young, and Mr. Speaker—55.

NOES—None.

Title read and approved.

Assembly Bill No. 138—An Act to provide for the levy and collection of taxes by and for the use of municipal corporations, and cities incorporated under the laws of the State, excepting municipal corporations of the first, second, third, and fourth classes.

Read third time as amended.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Ames, Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Bledsoe, Bruner, Brusie, Clark, Coffey, Cunningham, Dennis, Doty, Dow, Durner, Estey, Freeman, Galbraith, Garver, Gordon, Gould, Hail, Hawley, Hayes, Hersey, Hocking, Hoey, Hunewill, Jackson, Jones, Kellogg, Lowe, Lynch, Martin, Mathews, Matlock, Mordecai, Murnan, Phillips, Robertson, Shanahan, Smith of Orange, Stabler, Sturtevant, Weston, Young, and Mr. Speaker—47.

NOES—None.

Title read and approved.

Assembly Bill No. 39—An Act to amend section three hundred and ninety-four of the Code of Civil Procedure of the State of California,

relative to the place of trial of certain actions, where a county or city is a party, and a citizen or corporation resident of another county is sued by a county or city.

Read third time.

MOTION.

Mr. Dibble moved that this afternoon and to-morrow forenoon be devoted to second reading of bills, and to-morrow afternoon to first reading of bills.

Carried.

The roll was called, and Assembly Bill No. 39 was passed by the following vote:

AYES—Messrs. Alexander, Ames, Arms, Barnard, Barnett of San Francisco, Baughman, Beecher, Bledsoe, Cargill, Carter, Clark, Coffey, Cram, Culver, Daly, Dennis, Dibble, Dow, Durner, Freeman, Galbraith, Garver, Glynn, Gordon, Gould, Hail, Harloe, Hawley, Hayes, Hersey, Hocking, Hoey, Hunewill, Jackson, Johnson, Jones, Kellogg, Lacey, Lewis, Lowe, Lux, Lynch, Martin, Mathews, Matlock, Murnan, Phillips, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Steltz, Sturtevant, Tennis, Tully, Weston, Windrow, Young, and Mr. Speaker—60.

NOES—Messrs. Barnett of Sonoma, Bruner, Brusie, Cunningham, Doty, Estey, Mordecai, Renfro, and Stabler—9.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Clark gave notice that on to-morrow he will move for a reconsideration of the vote whereby Assembly Bill No. 39 passed.

BILL OF COSTS.

Mr. Lacey presented the following bill of costs:

IN THE MATTER OF THE CONTESTED ELECTION OF JOHN F. BROWN VS. JAMES H. DALY.

EXPENSE BILL OF RESPONDENT, J. H. DALY.

Notaries' fees	$6 50
One half Justices' fees	60 00
Certified copies	14 00
Serving subpœnas, and mileage of witnesses	191 00
Typewriters' copies and copying	36 00
Reporters' fees	788 40
Services of men, ballot watching and *finding* witnesses	410 00
Incidental expenses	97 00
Attorneys' fees, H. I Kowalsky, M. A. Dorn, D. S. Dorn, Lloyd & Woods	2,500 00
Sixteen witnesses, four days at $2 a day	128 00
Eleven witnesses, six days at $2 a day	132 00
Nine witnesses, five days at $2 a day	90 00
Twenty-one witnesses, one day at $2 a day	42 00
Total	$4,494 90

RESOLUTION.

By Mr. Lacey:

Resolved, That the sum of four thousand four hundred and ninety-four dollars and ninety cents be and the same is hereby allowed and ordered paid out of the Contingent Fund of the Assembly, to J. H. Daly, for expenses incurred by him in the contested election case of Brown vs. Daly, and the Controller is hereby directed to draw his warrant on the Treasurer in favor of J. H. Daly for the said sum.

Referred to Committee on Elections and Privileges.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 13, 1891.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that they have examined the following Assembly Bill and find it correctly engrossed: Assembly Bill No. 547.

WINDROW, Chairman.

RECESS.

At twelve o'clock and thirty minutes P. M. the House took a recess.

REASSEMBLED.

At two o'clock P. M. the House reassembled.
Speaker Coombs in the chair.
Quorum present.

LEAVE OF ABSENCE.

The following members were granted leave of absence until Tuesday: Messrs. Arms, Gould, and Hersey; and Messrs. Durner, Hoey, and Barnett of San Francisco, until Monday.

BILLS RECOMMITTED.

Senate Bills Nos. 76 and 70 were withdrawn from the file and recommitted to the Committee on Judiciary.

On motion of Mr. Brusie, Assembly Bills Nos. 574 and 575 were withdrawn from the file, and recommitted to the Committee on Public Printing.

RECONSIDERATION OF AMENDMENTS.

Substitute for Assembly Bills Nos. 12, 32, 65, 69, 77, and 242—An Act to amend section one, to add one new section, to be numbered eight and one half, 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," approved April 15, 1880, amended March 6, 1883, March 9, 1885, amended March 14, 1885, amended March 9, 1887, and amended March 9, 1889, relating to the formation of new districts, and the residence of Directors.

Mr. Gould moved that the vote whereby amendments one, two, three, and four were adopted, be now reconsidered, and substitute referred to the Committee on Agriculture and Forestry.

Carried.

Assembly Bill No. 122—An Act fixing the permanent channels of rivers in the State of California, and providing for retaining them in their true channels, and for returning them, when changed, into their true channels, as defined in this Act.

Ordered engrossed and to a third reading.

SECOND READING OF BILLS.

Assembly Bill No. 81—An Act to amend section one thousand three hundred and five, section one thousand three hundred and seventy-

three, section one thousand five hundred and fifty-two, section one thousand six hundred and thirty-three, and section one thousand six hundred and thirty-four 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 estates of deceased persons.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 169—An Act to amend section seventy of the Civil Code, relating to solemnization of marriages.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 176—An Act to amend an Act entitled "An Act to establish a Civil Code."

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 217 refused second reading.

Assembly Bill No. 330—An Act to donate to free public libraries of the State having more than eight thousand volumes, certain books and public documents.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 313—An Act to regulate the practice of veterinary medicine and surgery in the State of California.

Refused second reading.

Mr. Bruner moved to reconsider the vote whereby Assembly Bill No. 313 was refused second reading.

Carried.

Bill read second time, ordered engrossed and to a third reading.

Assembly Bill No. 260—An Act to add a section to the Political Code, to be known as section two thousand nine hundred and eighty-three, relating to public asylums and hospitals.

Read second time; refused engrossment.

Assembly Bill No. 196—An Act to regulate the sale of olive oil.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 93—An Act relating to life, and causalty, and annuity or endowment insurance on the assessment plan, and the conduct of the business of such insurance.

Read second time.

LEAVE OF ABSENCE.

Messrs. Tully, Beecher, and Murphy were granted leave of absence until Monday.

Messrs. Cunningham and Stabler were granted leave of absence until Saturday.

MOTIONS.

Mr. Wentworth moved that the vote whereby Assembly Bill No. 260 was refused engrossment, be reconsidered.

Carried.

Mr. Wentworth moved to amend title of bill by striking out the figures "2983" therein, and substituting the figures "2984" in place thereof.

Carried.

Mr. Wentworth moved to amend section one, line two, by striking out the word "three" in said line and substituting the word "four" in lieu thereof.

Carried.

Ordered engrossed and to a third reading.

Assembly Bill No. 302—An Act prescribing the power, duties, and rights of corporations, companies, associations, or persons furnishing water to any city and county, city, or town, or to the inhabitants thereof, and to regulate water rates.

Read second time.

Committee amendments, as follows, were adopted:

Amend section three in line one by inserting, after the word "Supervisors," the following: "Board of Trustees, or Common Council;" also, the same amendments in the title.

Ordered engrossed and to a third reading.

Assembly Bill No. 241—An Act to declare arrangements, contracts, agreements, trusts, or combinations, in restraint of trade and production unlawful, and to fix the penalty therefor.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 8—An Act to amend an Act entitled "An Act to amend section three thousand four hundred and eighty-eight of an Act entitled 'An Act to establish a Political Code,' approved March 12, 1872, and to make sections three thousand four hundred and forty-six, three thousand four hundred and forty-seven, three thousand four hundred and forty-nine, three thousand four hundred and fifty, three thousand four hundred and fifty-two, three thousand four hundred and fifty-three, three thousand four hundred and fifty-four, three thousand four hundred and fifty-five, three thousand four hundred and fifty-six, three thousand four hundred and fifty-seven, three thousand four hundred and fifty-nine, three thousand four hundred and sixty, three thousand four hundred and sixty-one, three thousand four hundred and sixty-two, three thousand four hundred and sixty-three, three thousand four hundred and sixty-five, three thousand four hundred and sixty-six, three thousand four hundred and sixty-seven, three thousand four hundred and sixty-eight, three thousand four hundred and seventy-one, three thousand four hundred and seventy-two, three thousand four hundred and seventy-three of said Political Code, relating to the reclamation of certain lands within certain municipalities," approved March 19, 1889.

Read second time.

Committee amendments acted upon, as follows:

Amend after the words "San Francisco," in line twenty-seven, original bill, by adding the words, "city of Oakland."

Adopted.

Also: Amend in line twenty-eight, original bill, after the word "either," by adding the following: "or within two miles of any incorporated city or town, except as to cities containing not less than twenty-five thousand nor more than thirty thousand inhabitants."

Adopted.

Also: Amend in line forty-seven, original bill, after the word "thousand," by adding the words, "and also to cities containing not less than twenty-five thousand nor more than thirty thousand inhabitants."

Adopted.

Ordered engrossed and to a third reading.

Assembly Bill No. 319 read second time.

Mr. Dibble moved to strike out the enacting clause.

Carried.

Assembly Bill No. 232—An Act to amend an Act entitled "An Act to

provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, by amending sections fifteen, twenty-two, and twenty-three thereof, relating to irrigating districts.

Read second time.

Committee amendments adopted, as follows:

Amend section fifteen, in section one, by inserting the word "words" immediately preceding the word "equivalent," in line twenty-one, page two, printed copy.

Also: Amend section twenty-two, in section two, by inserting after the word "assessment," line ten, page three, printed copy, the words "and levy to be made as in this Act provided, then the assessment."

Ordered engrossed and to a third reading.

Substitute for Assembly Bills Nos. 12, 32, 65, 69, 77, and 242—An Act to amend section one, to add one new section, to be numbered eight and one half, 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," approved April 15, 1880, amended March 6, 1883, March 9, 1885, amended March 14, 1885, amended March 9, 1887, and amended March 9, 1889, relating to the formation of new districts, and the residence of Directors.

Read second time.

The following amendment, by Mr. Sturtevant, was adopted:

Amend by striking out of section one, line thirty-three, the word "Solano," and insert the word "Napa," also, by striking out of section one, line twenty-seven, the words "Merced and Mariposa Counties," and insert the word "Fresno," also, by striking out of section one, line thirty-seven, the words "and Calaveras;" also, by striking out of section one, line five, the words "and Stanislaus;" also, by inserting in section one, line five, after the words "San Joaquin," the words "and Calaveras;" also, by striking out of section one, line forty-four, the word "Napa," and inserting the word "Solano;" also, by striking out of section one, line forty-three, the word "Fresno," and inserting the words "Merced and Mariposa," also, by inserting after line forty-four the words: "The county of Stanislaus shall constitute Agricultural District No. 37."

Committee amendment, as follows, adopted:

Amend by adding to the end of section two of said printed copy the following: "Whenever the Board of Directors of two or more agricultural districts shall, by a majority vote of each Board, elect to unite, the said several districts may associate as one district, and hold a fair in any of said districts, and may for such purpose draw the appropriations for all of said districts, and expend the same for said fair in like manner as in the case of one district holding a separate fair."

Amendment by Mr. Hawley, as follows, adopted:

Amend by striking out of section one all of line twenty-five, and inserting the words: "All that portion of Santa Barbara County lying south of the Santa Ynez Mountains and east of the Gaviota Pass shall constitute Agricultural District No. 19."

And inserting after line forty-four the following: "All that portion of Santa Barbara County not included in Agricultural District No. 19 shall constitute Agricultural District No. 38."

Mr. Shanahan moved that the vote be reconsidered whereby Mr. Hawley's amendment was adopted.

Carried.

The question being upon Mr. Hawley's amendment, it was lost.

Bill ordered engrossed and to a third reading.

Assembly Bill No. 5—An Act to provide for the publication of one hundred thousand copies of the statutes and laws passed at each session of the Legislature.

Read second time.

Committee amendment, as follows, adopted:

Amend by striking out of line two, section one, the words, "one hundred thousand," and insert in lieu thereof the words, "ten thousand."

Ordered engrossed and to a third reading.

Assembly Bill No. 396—An Act to provide for the redemption of property which has been heretofore sold to irrigation districts for delinquent assessments.

Read second time.

Committee amendment, as follows, adopted:

Amend section one by striking out the word "hereinafter," in line fourteen, page one, printed copy, and inserting in lieu thereof the word "herein."

Ordered engrossed and to a third reading.

Assembly Bill No. 356—An Act to amend section three and section thirteen of an Act entitled "An Act to promote drainage."

Read second time.

Mr. Mordecai moved to amend the title by adding after the word "drainage," the words "approved March 18, 1885."

Adopted.

Also, by striking out of section one, line one, the words, "above entitled Act," and inserting the following: "An Act to promote drainage, approved March 18, 1885."

Adopted.

Ordered engrossed and to a third reading.

Assembly Bill No. 444—An Act to amend section one hundred and ninety-one 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, March 18, 1885, March 17, 1887, and March 16, 1889, relating to the salary of the Deputy Superintendent of Schools of counties of the twenty-ninth class.

Read second time.

Assembly Bill No. 432—An Act to provide for furnishing assistants to every attorney and counselor, City Attorney, and City and County Attorney, and to each law officer, of whatever official name he may be designated, officially conducting the civil litigation of each city, or city and county, having one hundred thousand or more inhabitants, and providing the mode in which such assistants shall be appointed and designated as officers of each city, or city and county, and establishing the compensation and prescribing the duties of such assistants.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 235—An Act to authorize the Governor and Surveyor-General to sell and convey the State's interest in certain lands.

Read second time.

Assembly Bill No. 87—An Act to amend sections three thousand six hundred and sixty-five, three thousand six hundred and sixty-six, three thousand six hundred and sixty-seven, three thousand six hundred and sixty-eight, three thousand six hundred and sixty-nine, three thousand six hundred and seventy, three thousand six hundred and seventy-two, three thousand six hundred and ninety-two, three thousand six hundred

and ninety-six, three thousand seven hundred and fourteen, three thousand seven hundred and twenty-eight, three thousand seven hundred and thirty-two, three thousand seven hundred and forty-six, three thousand seven hundred and fifty-six, three thousand seven hundred and fifty-eight, and three thousand seven hundred and sixty-four of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to revenue and taxation.

Read second time.

Committee amendments, as follows, were adopted:

1. Insert after line nine, subdivision two of section four of printed bill, after the word "that," "the taxes on all personal property and."

2. Also in line nine, subdivision two of section four of printed bill, after the word "taxes," insert "on all real property."

3. Strike out on line twelve, subdivision two of section four of printed bill, the word "ten," and insert the words "an additional five."

4. Insert in line thirteen, subdivision two of section four of printed bill, after the word "taxes," "on all real property."

5. Strike out in line nineteen, subdivision two of section four of printed bill, the word "December," and insert "November."

6. Insert in line twenty-four, subdivision two of section four of the printed bill, after the word "examiners," "and any surplus remaining shall go into the general school fund of the State."

7. Strike out in line forty-three, subdivision fourteen of section eight of the printed bill, the figures "14," and insert the figures "13."

8. Strike out in line forty-five, subdivision fifteen of section eight of the printed bill, the figures "15," and insert the figures "14."

9. Strike out in line fifty-five, subdivision sixteen of section eight of the printed bill, the figures "16," and insert the figures "15."

10. Strike out in line three, of section eleven of the printed bill, after the word "the," the figure and letters "1st," and insert the word "second."

11. Strike out in line three of section twelve of the printed bill, after the word "or," the word "about," and insert the word "before."

12. Insert in line five, subdivision one of section thirteen of the printed bill, after the word "that," the words "the taxes on all personal property and."

13. Insert in line five, subdivision one of section thirteen of the printed bill, after the word "taxes," the words "on all real property.

14. On line five, subdivision one of section thirteen of the printed bill, strike out the word "December" and insert the word "November."

15. On line eight, subdivision one of section thirteen of the printed bill, strike out the word "ten" and insert the words "an additional five."

16. On line nine, subdivision one of section thirteen of the printed bill, after the word "taxes," insert the words "on all real property."

17. On line three of section fourteen of the printed bill, strike out the word "December" and insert the word "November."

18. On line seven of section fourteen of the printed bill, strike out the words "addition of ten" and insert instead the words "additional five."

19. Add section seventeen: "This Act shall take effect and be in force from the first Monday in July, A. D. 1891."

Ordered to the printer.

MOTION.

Mr. Bruner moved that Assembly Bill No. 538 be taken up out of order, and read second time.

Carried.

Assembly Bill No. 538—An Act to amend section one thousand three hundred and seventy of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the appointment of a married woman as administratrix of an estate of a deceased person.

Committee amendments, as follows, lost:

1. After the word "woman," on line three, strike out the word "may," and insert the words "must not."

2. Also, in same line, after the word "woman," insert "unless she be the next of kin of the decedent."

3. Also, after the word "is," on line four, strike out the words "not thereby."

4. Also, in same line, after the word "extinguished," insert "unless she be such next of kin."

Read second time, ordered engrossed and to a third reading.

Mr. Bruner moved that Assembly Bill No. 538 be made a special order for next Tuesday, at eleven o'clock A. M.

Carried.

INTRODUCTION OF BILLS—(OUT OF ORDER).

By Mr. Robertson: Assembly Bill No. 686—An Act entitled an Act relating to the working, right of way, easement, and drainage of mines in the State of California.

Referred to Committee on Mines and Mining Interests.

By Mr. Brusie: Assembly Bill No. 687—An Act to amend section one hundred and eighty-two of the Penal Code.

Referred to Committee on Judiciary.

By Mr. Steltz: Assembly Bill No. 688—An Act to amend section thirty-five of "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 also, section three of an Act amendatory thereof, approved March 14, 1889.

Referred to Committee on Municipal Corporations.

LEAVE OF ABSENCE.

Mr. Rice was granted leave of absence until Monday.

RECESS.

At four o'clock and fifty minutes P. M., on motion of Mr. Dibble, the House took a recess.

REASSEMBLED.

At seven o'clock and thirty minutes P. M. the House reassembled. Speaker Coombs in the chair.

REPORTS OF STANDING COMMITTEES.

ON SWAMP AND OVERFLOWED AND PUBLIC LANDS.

ASSEMBLY CHAMBER, SACRAMENTO, February 13, 1891.

MR. SPEAKER: Your Committee on Swamp and Overflowed and Public Lands, having considered Assembly Bills No. 671 and 670, recommend that they do pass.

Also: Assembly Bill No. 630—and report the same back without recommendation.

CLARK, Chairman.

ON VINICULTURE, VITICULTURE, AND HORTICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, February 13, 1891.

MR. SPEAKER: Your Committee on Viniculture, Viticulture, and Horticulture, to whom was referred Senate Bill No. 66—An Act to regulate the sale of olive oil—report the same back, and recommend that it do pass, and be substituted for Assembly Bill No. 196, the two bills being identical; also, ask that the same be read the first time.

JOHN J. SMITH, Chairman.

Senate Bill No. 66—An Act to regulate the sale of olive oil—substituted for Assembly Bill No. 196.

Read first time, and placed on file for second reading.

ON STATE CHARITABLE AND REFORMATORY INSTITUTIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 13, 1891.

MR. SPEAKER: Your Committee on State Charitable and Reformatory Institutions, to whom was referred Assembly Bill No. 676—An Act to promote silk culture in the penal, reformatory, and charitable institutions of the State of California, and to encurage sericulture throughout the State, and to provide for the expenses thereof—report the same back with amendments, and recommend its passage as amended.

MARION, Chairman.

ON FISH AND GAME.

ASSEMBLY CHAMBER, SACRAMENTO, February 13, 1891.

MR. SPEAKER: Your Committee on Fish and Game, to whom was referred Assembly Bill No 257—An Act to authorize the Board of Fish Commissioners of this State to purchase the land on which the State Fish Hatcheries at Sisson and Lake Tahoe are situated, and appropriating money therefor—report the same back, and recommend that Senate Bill No. 215 be substituted therefor, and that it do pass, to be referred to Committee on Ways and Means and Appropriations.

Report adopted, and Senate Bill No. 215 referred to Committee on Ways and Means and Appropriations.

Also: Assembly Bill No. 467—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 protection of fish—report the same back, and recommend that it do pass.

Also: Assembly Bill No. 223—An Act to amend section six hundred and twenty-six of the Penal Code.

Also: Assembly Bill No. 465—An Act to require the construction of wire screens to secure the protection of fish in the waters of this State—report the same back, and recommend that their authors be granted the privilege of withdrawing the same.

LYNCH, Chairman

ON VINICULTURE, VITICULTURE, AND HORTICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, February 13, 1891.

MR. SPEAKER: Your Committee on Viniculture, Viticulture, and Horticulture, to whom was referred Assembly Bill No 225—An Act to provide for the extermination of squirrels and gophers—report the same back, and recommend that it do pass.

JOHN J. SMITH, Chairman.

ON MINES AND MINING INTERESTS.

ASSEMBLY CHAMBER, SACRAMENTO, February 13, 1891.

MR. SPEAKER: Your Committee on Mines and Mining Interests, to whom was referred Assembly Joint Resolution No. 14—Relative to the mining industry in California—report the same back, and recommend that it be adopted.

HAIL, Chairman.

Ordered on third reading file.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA
SACRAMENTO, February 13, 1891.

To the honorable Assembly of the State of California.

The office of Notary Public in this State was undoubtedly created for the accommodation of the people, and was not intended to benefit a few persons to the detriment of the many. In 1889 the Legislature enacted a law limiting the number of Notaries that could be commissioned in the counties of Los Angeles, Solano, and San Francisco. No special benefit has resulted to the general public from the provisions of this law. Parties having business to transact, which requires the services of a Notary in those counties, are caused, in many instances, great inconvenience and delay. If the chief characteristics required of applicants for those positions are good character and ability, there is no sound argument in favor of the present limitation in those counties; and I believe it to be the universal desire on the part of attorneys, bankers, real estate men, brokers, and their customers and clients, that the limitation now in existence should be removed.

I therefore recommend that the law be amended, and that the limit as to the number of Notaries who may be commissioned in the counties of Solano, Los Angeles, and San Francisco, be removed.

H. H. MARKHAM, Governor.

Referred to Committee on Judiciary.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 13, 1891.

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

Senate Bill No. 136—An Act to amend section seven hundred and ninety-seven of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Also Senate Bill No. 238—An Act to amend sections seven hundred and ninety-nine and eight hundred of the Penal Code, relating to the limitation of time within which prosecution for murder, the embezzlement of public moneys, and the falsifications of public records must be commenced.

Also: Senate Bill No. 241—An Act to appropriate money for the erection of a State Hospital for Lepers.

Also: Adopted Assembly Joint Resolution No. 7—Relating to irrigation and construction of reservoirs by the United States Government.

F. J. BRANDON, Secretary.
By J. C. BOATMAN, Assistant.

Also:

SENATE CHAMBER, SACRAMENTO, February 13, 1891.

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

Senate Bill No. 615—An Act authorizing the Governor of the State of California to offer a reward for the arrest and conviction of the party or parties who murdered Mrs. John Greenwood, in Napa County, on the evening of February 9, 1891, and making an appropriation to pay the same.

Also: Assembly Bill No. 121—An Act to repeal an Act entitled "An Act to declare the Klamath River navigable."

F. J. BRANDON, Secretary.
By J. C. BOATMAN, Assistant.

Senate messages acted upon as follows:

Senate Bill No. 136 referred to Committee on Municipal Corporations.

Senate Bill No. 238 referred to Committee on Judiciary.

Senate Bill No. 241 referred to Committee on State Charitable and Reformatory Institutions.

Assembly Joint Resolution No. 7 referred to Committee on Enrollment.

Assembly Bill No. 121 referred to Committee on Enrollment.

MOTION.

Mr. Dibble moved that Senate Bill No. 615 be taken up and read first time.

Carried.

Senate Bill No. 615—An Act authorizing the Governor of the State of California to offer a reward for the arrest and conviction of the party or parties who murdered Mrs. John Greenwood, in Napa County, on the evening of February 9, 1891, and making an appropriation to pay the same.

Read first time.

MOTION.

Mr. Dibble moved that Senate Bill No. 615 be made a special order for to-morrow morning, after reading of the Journal.

Carried.

LEAVE OF ABSENCE.

Mr. Freeman was granted leave of absence until Monday.

Mr. Hunewill in the chair.

FIRST READING OF BILLS.

Assembly Bill No. 519—An Act to establish a naval battalion, to be attached to the National Guard of California.

Read first time, and placed on file for second reading.

Assembly Bill No. 618—An Act to provide for payment for private property heretofore taken for public use.

Read first time, and placed on file for second reading.

Assembly Bill No. 659—An Act to authorize the State Prison Directors of the State of California to employ any unemployed prisoners to construct roads to the State Prison at San Quentin.

Read first time, and placed on file for second reading.

Senate Bill No. 196—An Act to provide for the improvement of the State Capitol grounds, located at Sacramento, and to appropriate money therefor.

Read first time, and placed on file for second reading.

REPORT OF COMMITTEE ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 13, 1891.

MR. SPEAKER: Your Committee on Enrollment beg leave to report that the following Assembly Bills have been correctly enrolled:

Assembly Bill No. 632.

Also: Assembly Joint Resolution No. 8.

And were presented to the Governor February twelfth, at four o'clock and thirty minutes P. M.

BLEDSOE, Chairman.

FIRST READING OF BILLS—(RESUMED).

Senate Bill No. 197—An Act to provide for the completion of the ten tiers of granite steps in the State Capitol grounds, located at Sacramento, and to appropriate money therefor.

Read first time, and placed on file for second reading.

Assembly Bill No. 385—An Act to amend an Act entitled "An Act to provide for the completion of all unfinished county, city, city and county, town, and township buildings in the several counties, cities and counties, cities, and towns throughout the State of California," approved March 10, 1887.

Read first time, and placed on file for second reading.

Assembly Bill No. 637—An Act to amend section one thousand seven hundred and twelve 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 public schools.

Read first time, and placed on file for second reading.

Assembly Bill No. 573—An Act to add seven new sections to the Political Code of the State of California, to be known as sections five hundred and eighty-five, five hundred and eighty-six, five hundred and eighty-seven, five hundred and eighty-eight, five hundred and eighty-nine, five hundred and ninety, and five hundred and ninety-one, relating to the appointment of Inspector of Iron Casting in cities and counties of more than one hundred and fifty thousand inhabitants.

Read first time, and placed on file for second reading.

Assembly Bill No. 384—An Act to provide for the payment of the wages of mechanics and laborers employed by corporations.

Read first time, and placed on file for second reading.

Assembly Bill No. 522—An Act to provide when the wages of persons employed by corporations become due, to provide for the payment of such wages, and fixing penalties upon corporations, and upon their officers and agents, for neglecting or refusing to pay such wages within a certain time after they become due.

Read first time, and placed on file for second reading.

Senate Bill No. 143—An Act authorizing and requiring Boards or Commissions having the management and control of paid police forces to grant the members thereof yearly vacations.

Read first time, and placed on file for second reading.

Senate Bill No. 149—An Act to amend section seven hundred and ninety-five 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. 597—An Act to amend sections three hundred and seven, three hundred and twelve, and three hundred and fourteen of the Civil Code.

Read first time, and placed on file for second reading.

Assembly Bill No. 306—An Act for the relief of G. Raisch.

Read first time, and placed on file for second reading.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, February 13, 1891.

MR SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 560—report the same back, and recommend that it do pass.

BRUNER, Chairman.

ASSEMBLY CONSTITUTIONAL AMENDMENT—(OUT OF ORDER).

By Mr. Kellogg: Assembly Constitutional Amendment No. 18—To propose an amendment to section thirty of article four of the Constitution of the State of California, relating to the payment of Chaplains, or other religious instructors in State institutions.

Referred to Committee on Judiciary.

FIRST READING OF BILLS—(RESUMED).

Assembly Bill No. 671—An Act to provide for funding the indebtedness of Levee District No. 6, of Sutter County, and to provide for the payment of such funded debt.

Read first time, and placed on file for second reading.

Assembly Bill No. 670—An Act to define the boundary and provide for the government of Levee District No. 6, of Sutter County, California.

Read first time, and placed on file for second reading.

Assembly Bill No. 223—An Act to amend section six hundred and twenty-six of the Penal Code.

Read first time, and placed on file for second reading.

Assembly Bill No. 676—An Act to promote silk culture in the penal, reformatory, and charitable institutions of the State of California, and to encourage sericulture throughout the State, and to provide for the expenses thereof.

Read first time, and placed on file for second reading.

Assembly Bill No. 467—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 protection of fish.

Read first time, and placed on file for second reading.

Assembly Bill No. 225—An Act to provide for the extermination of squirrels and gophers.

Read first time, and placed on file for second reading.

Assembly Bill No. 465—An Act to require the construction of wire screens to secure the protection of fish in the waters of this State.

Read first time, and placed on file for second reading.

Assembly Bill No. 560—An Act to enable the Coulterville and Yosemite Turnpike Company, a corporation, to sue the State of California for the loss and damage suffered and sustained by said 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. 630—An Act to provide for the organization and government of districts to cut through ridges to allow rapid flow from upper ponds down through the troughs adjacent to our great navigable rivers to tide water.

Read first time, and placed on file for second reading.

ADJOURNMENT.

At eight o'clock and twenty-five minutes P. M., on motion of Mr. Garver, the House adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Saturday, February 14, 1891.

The Assembly met pursuant to adjournment.

Speaker Coombs in the chair.

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

Messrs. Alexander, Ames, Barnard, Barnett of Sonoma, Baughman, Bledsoe, Brown, Bruner, Brusie, Cargill, Carter, Clark, Cram, Culver, Dibble, Doty, Dow, Estey, Galbraith, Garver, Gordon, Hail, Harloe, Hawley, Hayes, Hocking, Hunewill, Jackson, Johnson, Kellogg, Lowe, Lux, Lynch, Martin, Mathews, Matlock, Mordecai, Murnan, Phillips, Renfro, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Wentworth, Weston, Windrow, Young, and Mr. Speaker.

Quorum present.

LEAVE OF ABSENCE.

Messrs. Jones, Bert, Doty, Lewis, and Marion were granted leave of absence for the day.

PRAYER.

Prayer by the Chaplain, Rev. A. C. Herrick.

READING OF THE JOURNAL.

On motion of Mr. Wentworth, further reading of the Journal was dispensed with.

Journal corrected and approved.

RESOLUTION.

By Mr. Baughman:

Resolved, That on the second reading of bills to-day, each member, as his name appears on the roll call, be allowed to take up out of order and have read one bill which he may designate.

MOTION.

Mr. Wentworth moved that the resolution be laid on the table.

Carried.

PRESENTATION OF PETITION.

Mr. Clark presented a petition of the Farmers' Alliance and Industrial Union of the State of California, relating to refunding of indebtedness of the Central Pacific Railroad.

Referred to Committee on Corporations.

RESOLUTION.

By Mr. Johnson:

Resolved, That all committees having bills referred to them, and on which no action has been taken, are hereby ordered to report the same back to the Assembly by Tuesday morning, February seventeenth, without fail.

Lost.

SPECIAL ORDERS.

Senate Bill No. 615—An Act authorizing the Governor of the State of California to offer a reward for the arrest and conviction of the party or parties who murdered Mrs. John Greenwood, in Napa County, on the evening of February 9, 1891, and making an appropriation to pay the same.

Read second time.

MOTION.

Mr. Dibble moved that the House go into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bill No. 615.

Carried.

IN COMMITTEE OF THE WHOLE.

Speaker Coombs in the chair.

Senate Bill No. 615 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Coombs in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The Speaker stated the report of the Committee of the Whole as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 615, and now report the same back to the Assembly, and recommend that the same do pass.

Report of committee adopted.

Mr. Hail in the chair.

RESOLUTION.

By Mr. Dibble:

Resolved, That Senate Bill No. 615 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the third time and placed upon its passage.

CALL OF THE HOUSE.

Pending the roll call on the resolution, a call of the House was demanded by Messrs. Cram, Hawley, and Phillips.

So ordered.

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

Messrs. Alexander, Ames, Barnard, Barnett of Sonoma, Baughman, Bledsoe, Brown, Bruner, Brusie, Cargill, Carter, Clark, Cram, Culver, Dibble, Dow, Estey, Galbraith, Garver, Gordon, Hail, Harloe, Hawley, Hayes, Hocking, Hunewill, Jackson, Johnson, Kellogg, Lowe, Lux, Lynch, Martin, Mathews, Matlock, Mordecai, Murnan, Phillips, Renfro, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Wentworth, Weston Windrow, Young, and Mr. Speaker.

MOTION.

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

Carried.

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

AYES—Messrs. Alexander, Ames, Barnard, Barnett of Sonoma, Baughman, Bledsoe, Brown, Bruner, Brusie, Cargill, Carter, Clark, Cram, Culver, Dibble, Dow, Estey, Galbraith, Garver, Gordon, Hail, Harloe, Hawley, Hayes, Hocking, Hunewill, Jackson, Johnson, Kellogg, Lowe, Lux, Lynch, Martin, Mathews, Matlock, Mordecai, Murnan, Phillips, Renfro, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz Sturtevant, Wentworth, Weston, Windrow, Young, and Mr. Speaker—51.

NOES—None.

Assembly Bill No. 615 was made a special order for Monday, immediately after reading of the Journal.

REPORTS OF STANDING COMMITTEES.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 14, 1891.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that they have examined the following Assembly Bills and find them correctly engrossed: Nos. 280, 55, 211, and 138.

WINDROW, Chairman.

Mr. Dibble in the chair.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, February 13, 1891

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bills Nos. 253, 254, 535, 591, 641, 643, 374, 499, and 649—report the same back with the recommendation that they do pass.

Also, Assembly Constitutional Amendment No. 16—that it do pass.

Also: Assembly Bills Nos. 611, 657, 345, 635, 585, 576, 608, 336, 617, 24, 84, 620, 501, 502, 312, 188, 488, 358, 616, and 612—report the same back with the recommendation that the same do pass.

Also: Assembly Bills Nos. 94, 109, 431, 481, 182, 360, 503, 511, 566, and 644—without action

Also: Assembly Bills Nos 473, 143, 152, 182, 436, 311, 205, 272, 504, 525, 526, and 645—and that the same do not pass.

Also: Assembly Bills Nos. 332, 151, and 193—with leave to the authors to withdraw the same.

Also: Senate Bills Nos 69, 75, and 227—report the same back with the recommendation that the same do pass

Also: Assembly Constitutional Amendment No. 11—report the same back without action.

Also: Assembly Joint Resolution No. 6—report the same back without action

BRUNER, Chairman.

Mr. Wentworth was permitted to withdraw Assembly Bill No. 193.

ON CLAIMS.

ASSEMBLY CHAMBER, SACRAMENTO, February 13, 1891.

MR. SPEAKER: Your Committee on Claims, to whom was referred Assembly Bill No. 328—An Act for the relief of J. B. Martin and A. J. Martin, executors of the will of John Martin, deceased, and the estate of John Martin, deceased, and of John Landers, for judgment recovered by the people of the State of California, against John Martin and John Landers, in an action entitled "People of the State of California ex rel. John P. Dunn, State Controller, plaintiff, vs. Frank W Gross, John Martin, and John Landers, defendants," in the Superior Court of the City and County of San Francisco.

Also, Assembly Bill No. 458—An Act for the relief of Patrick Creighton.

Also, Assembly Bill No. 459—An Act to appropriate money to pay the claim of Bartolo Sepulveda, his executors, administrators, or assigns, for unlawful imprisonment.

Also: Assembly Bill No. 391—An Act for the relief of George Nightingale, Michael Ryan, Joseph Rosa, Bridget Davis, Bernard Ward, Ellen Burdette, John Wixon, 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 McGeongle, Otis Berge, James Hartford, and Ellen J. 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

Report the same back, and recommend that they do pass.

Also Assembly Bill No. 320—An Act to appropriate money to pay the claim of Max Gumpel, for services rendered the State as an expert, during the trial of John S. Gray.

Also, Assembly Bill No. 546—An Act for the relief of George Dougherty.

Also, Assembly Bill No. 640—An Act to pay the claim of Joseph C. Gorman for services rendered as member of the Constitutional Convention, and appropriating money to pay the same.

Also Assembly Bill No. 647—An Act for the relief of Barnaby Dougherty.

Report the same back without recommendation.

AMES, Chairman

Assembly Bills Nos. 320, 546, 640, 647, 458, 328, 459, and 391 referred to Committee on Ways and Means and Appropriations.

ON MILITARY AFFAIRS.

ASSEMBLY CHAMBER, SACRAMENTO, February 14, 1891.

MR SPEAKER: Your Committee on Military Affairs, to whom was referred Assembly Bill No. 536—An Act to authorize the Adjutant-General to issue arms and accouterments to camps of the Order of Sons of Veterans in the State of California—recommend that the same do not pass.

Also: Assembly Joint Resolution No. 15—Relative to the Post at Fort Bidwell, California—recommend that the same be adopted.

JOHNSON, Chairman.

Assembly Joint Resolution No. 15 ordered to third reading file.

ON PUBLIC MORALS.

ASSEMBLY CHAMBER, SACRAMENTO, February 14, 1891.

MR SPEAKER: Your Committee on Public Morals, to whom was referred Assembly Bill No. 609—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by adding to chapter seven, title nine, part one thereof three new sections, numbered, respectively, two hundred and ninety-nine, three hundred, and three hundred and one, forbidding the exhibition, opening, or maintaining of a bull, bear, cock, or prize fight, horse race, circus, gambling house, or saloon, or any barbarous or noisy amusement; or the keeping, conducting, or exhibiting of any theater or other place of musical, theatrical, or operatic performance where intoxicating drink is sold, given away, or used on Sunday; forbidding, also, the keeping open on that day of any store, workshop, bar, saloon, banking house, or other place of business for business purposes—refer the same back without recommendation.

Also: Assembly Bill No. 339—An Act to add a new section to Penal Code, to be numbered section two hundred and eighty-three and one half, relative to time of marriage of divorced persons.

Also: Assembly Bill No 249—An Act to add a new section to the Penal Code, to be known and numbered as section three hundred and nineteen, relating to the renting of property for immoral purposes.

Also Assembly Bill No. 603—An Act to prevent the placing or keeping or leaving of

married women in houses of prostitution, and to punish persons therefor—refer same back, and recommend that they do pass.

Also: Assembly Bill No. 642—An Act to establish Boards of Commissioners for the parole and government of paroled prisoners—recommend that it do not pass.

Also: Senate Bill No. 45—An Act to amend section three hundred and thirty of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, to prohibit gaming.

Also: Senate Bill No. 108—An Act to amend the Penal Code of California, by adding a new section thereto, to be known as section three hundred and eight, relative to the sale or furnishing of tobacco, or preparations thereof, to persons under sixteen years of age.

Also: Senate Bill No. 444—An Act to amend section six hundred and forty-seven of the Penal Code, concerning vagrants—recommend that they do pass.

Also: Senate Joint Resolution No. 15—Joint resolution relative to the prevention of the importation of opium—refer the same back, with recommendation that it do pass.

Also: Assembly Bill No. 629—An Act to add a new section to chapter eleven of title nine, part one, of an Act entitled "An Act to establish a Penal Code of the State of California," approved February 14, 1872, relating to, and declaring who are, pawnbrokers—report the same back, and recommend that it do pass.

CARGILL, Chairman.

ON CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 14, 1891.

MR. SPEAKER: Your Committee on Corporations, to whom was referred Assembly Bill No. 677—An Act to amend section six hundred and eight of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relative to cemetery corporations—report the same back, and recommend that same do pass.

LOWE, Chairman.

ON COUNTY AND TOWNSHIP GOVERNMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, February 14, 1891.

MR. SPEAKER: Your Committee on County and Township Governments, to whom was referred Assembly Bill No. 13—report back a committee substitute bill, and recommend that it do pass.

BROWN, Chairman.

ON AGRICULTURE AND FORESTRY.

ASSEMBLY CHAMBER, SACRAMENTO, February 14, 1891.

MR. SPEAKER: Your Committee on Agriculture and Forestry, to whom was referred Assembly Bill No. 613—report the same back, and recommend that it do pass.

STURTEVANT, Chairman.

Speaker Coombs in the chair.

PRESENTATION OF PETITION.

Mr. Mathews presented a petition from the surviving members of the "Los Angeles Rangers," in relation to their recognition for certain services, etc.

Referred to Committee on Judiciary.

INTRODUCTION OF BILLS.

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

By Mr. Mathews: Assembly Bill No. 689—An Act to authorize the Boards of Supervisors of the several counties of this State to appoint Inspectors of Apiaries, to provide for their compensation, and defining their duties, and for the future protection of bee culture.

Referred to Committee on Agriculture and Forestry.

By Mr. Barnard: Assembly Bill No. 690—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 fourteen, relating to felonies and robberies.

MOTION.

Mr. Barnard moved a suspension of the rules for the purpose of reading Assembly Bill No. 690 the first time.

Carried.

Assembly Bill No. 690 read first time, and placed on file for second reading.

SECOND READING OF BILLS.

Assembly Bill No. 123—An Act to amend sections fifty-five and seventy-five of the Civil Code, in relation to marriage.

Read second time, ordered engrossed and to a third reading.

Mr. Wentworth was permitted to withdraw Assembly Bill No. 124 and substitute Assembly Bill No. 299, and moved to read same second time.

So ordered.

Assembly Bill No. 299—An Act to establish a standard of weights and measures.

Read second time.

Amendment by Mr. Wentworth, as follows, adopted:

Amend said bill on page three by striking out all of section twelve thereof; also, amend section thirteen by making it section twelve; amend section fourteen by making it section thirteen.

Ordered engrossed and to a third reading.

INTRODUCTION OF BILL—(OUT OF ORDER).

By Mr. Mathews: Assembly Bill No. 691—An Act to establish law libraries.

Referred to Committee on State Library.

SECOND READING OF BILLS—(RESUMED).

Assembly Bill No. 235—An Act to authorize the Governor and Surveyor-General to sell and convey the State's interest in certain lands.

Ordered engrossed and to a third reading.

Assembly Bill No. 348—An Act to amend section ninety-two of the Civil Code, and to add a new section to the Civil Code, to be designated as section one hundred and eight, concerning divorces.

Read second time.

Committee amendments, as follows, adopted:

Strike out the word "certified," in line eight, section two, in the original bill, and insert the word "confined."

Ordered engrossed and to a third reading.

Senate Bill No. 77—An Act to legalize certain acknowledgments.

Read second time.

Senate Bill No. 13—An Act to amend section five hundred and thirty-two of the Penal Code of the State of California, relating to the crime of obtaining money or property by false pretenses.

Read second time.

Committee amendments, as follows, adopted:

Amend by inserting the words "city and county" between the words

"county" and "municipal," after the word "city," on line eight of section one of engrossed bill.

Also: After the word "city," on line fourteen of section one of engrossed bill, insert the words "city and county."

Ordered to a third reading.

Senate Bill No. 14—An Act to amend section seventy-two of the Penal Code of the State of California, relating to the fraudulent presentation of claims to public officers.

Read second time.

Committee amendment, as follows, adopted:

Insert the words "city and county" after the word "city," in line nine of section one of engrossed bill.

Ordered to a third reading.

Senate Bill No. 29—An Act to amend section two hundred and twenty-four of an Act entitled "An Act to establish a Civil Code of the State of California," approved March 21, 1872, in relation to the adoption of children.

Read second time.

Committee amendment, as follows, adopted:

In line six of section one of engrossed bill, after the word "illegitimate," insert the word "child."

Ordered to a third reading.

Senate Bill No. 22—An Act to amend section four hundred of the Penal Code, relating to the offense of aiding, advising, and encouraging the commission of suicide, and to renumber said section.

Read second time.

Mr. Bruner moved to strike out the enacting clause.

Carried.

Senate Bill No. 30—An Act to amend sections three thousand seven hundred and forty-six, three thousand seven hundred and fifty, three thousand seven hundred and fifty-one, three thousand seven hundred and fifty-six, three thousand seven hundred and fifty-eight, three thousand seven hundred and sixty-four, three thousand seven hundred and ninety-seven, three thousand eight hundred, three thousand eight hundred and sixteen, three thousand eight hundred and sixty-six, and three thousand eight hundred and sixty-eight of "An Act to establish a Political Code," approved March 12, 1872, and to add a new section thereto, to be known as section three thousand seven hundred and fifty-seven, relative to the collection of property taxes, and providing for the payment of taxes by installments.

Read second time.

Mr. Dibble moved to strike out the enacting clause.

Carried.

Mr. Dibble moved to take up Senate messages.

Carried.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 14, 1891.

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

Senate Bill No. 626—An Act making an appropriation for the contingent expenses of the Senate for the twenty-ninth session of the Legislature.

F. J. BRANDON, Secretary.
By J. C. BOATMAN, Assistant.

MOTIONS.

Mr. Dibble moved to take up Senate Bill No. 626 and read first time.

Carried.

Senate Bill No. 626—An Act making an appropriation for the contingent expenses of the Senate for the twenty-ninth session of the Legislature.

Read first time.

Mr. Dibble moved to make Senate Bill No. 626 a special order for next Monday, immediately after reading the Journal.

So ordered.

MESSAGE FROM THE SENATE—(RESUMED).

SENATE CHAMBER, SACRAMENTO, February 14, 1891.

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

Senate Bill No. 134—An Act to amend sections one thousand one hundred and eighty-seven and one thousand one hundred and eighty-nine, and to repeal sections one thousand one hundred and eighty-six and one thousand one hundred and ninety-one of the Civil Code of the State of California, relating to the recording and acknowledgment of transfers.

Also: Senate Bill No. 74—An Act relative to the non-insurance of property belonging to the State against risk of damage or destruction by fire.

Also: Senate Bill No. 176—An Act to ascertain and express the will of the people of the State of California upon the subject of election of United States Senators.

Also: Senate Bill No 116—An Act to amend section five hundred and thirty of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the office of Superintendent of State Printing, and providing for the election of such officer.

Also: Adopted Senate Constitutional Amendment No. 11—A resolution to propose an amendment to sections fifteen (15) and nineteen (19), article five (5), of the Constitution.

F. J. BRANDON, Secretary.
By J. C. BOATMAN, Assistant.

Senate messages acted upon as follows:

Senate Bill No. 134 referred to Committee on Judiciary.

Senate Bill No. 74 referred to Committee on Ways and Means and Appropriations.

Senate Constitutional Amendment No. 11 referred to Committee on Judiciary.

Mr. Baughman moved that Senate Bill No. 116 be substituted for Assembly Bill No. 582, and that Senate Bill No. 116 be read first time.

Carried.

Senate Bill No. 116—An Act to amend section five hundred and thirty of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the office of Superintendent of State Printing, and providing for the election of such officer.

Read first time and placed on file for second reading.

Mr. Shanahan moved that the vote whereby Assembly Bill No. 39 passed yesterday, be now reconsidered.

Carried.

Mr. Shanahan moved that the reconsideration of the vote whereby Assembly Bill No. 39 passed, be indefinitely postponed.

Carried.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, February 14, 1891.

To the Assembly of the State of California:

I have the honor to inform your honorable body that I have approved Assembly Bills Nos. 132, 139, and 632.

H. H. MARKHAM, Governor.

SECOND READING OF BILLS—(RESUMED).

Senate Bill No. 49—An Act to amend section seventy of the Civil Code, relating to solemnization of marriages.

Mr. Phillips moved to strike out the enacting clause.

Carried.

LEAVE OF ABSENCE.

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

INTRODUCTION OF BILLS—(OUT OF ORDER).

By Mr. Mathews: Assembly Bill No. 692—An Act to amend sections twenty-seven, twenty-eight, twenty-nine, thirty, thirty-one, and thirty-three, the same comprising part second 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, relative to a system of street improvement bonds.

Referred to Committee on Municipal Corporations.

By Mr. Brusie: Assembly Bill No. 693—An Act entitled an Act to amend section five hundred and thirty-one of the Political Code.

Read first time, and placed on file for second reading.

Also: Assembly Bill No. 694—An Act to amend sections three hundred and thirty-two, three hundred and thirty-three, and three hundred and thirty-four of the Political Code.

Read first time, and placed on file for second reading.

SECOND READING OF BILLS—(RESUMED).

Assembly Bill No. 333—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, and also since the passage of the Act entitled "An Act to provide for the classification of municipal corporations," approved March 2, 1883.

Read second time, ordered engrossed and to a third reading.

Senate Bill No. 10—An Act to amend sections six hundred and eighty-nine and five hundred and forty-nine of the Code of Civil Procedure of the State of California, relative to the claims by third persons of property levied upon under writs of execution and attachment, as to the procedure upon said claims, and as to the necessary prerequisites to their being received.

Read second time, and ordered to third reading.

Assembly Bill No. 9—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by amending section three thousand two hundred and forty-five, relating to eight hours being a legal day's work.

Read second time.

Committee amendment, as follows, adopted:

ASSEMBLY BILL No. 9.

An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by amending section three thousand two hundred and forty-five, relating to eight hours being a legal day's work.

The People of the State of California, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section three thousand two hundred and forty-five of said Political Code is hereby amended so as to read as follows:

Section 3245. Eight hours' labor constitutes a legal day's work in all cases where the same is performed under the authority of any law of this State, or under the direction, control, or by the authority of any officer of this State acting in his official capacity, or under the direction, control, or by the authority of any municipal corporation within this State, or of any officer thereof acting as such, and a stipulation to that effect must be made a part of all contracts to which the State or municipal corporation therein is a party. And every contractor or the sub-contractor shall agree therein and thereby, in addition to the foregoing provisions, not to require or knowingly permit any person or persons performing work of any nature toward the completion of the work specified in said contract, to work more than eight hours' labor in one day. And that for the violation of any provision contained in this section, or in said contract, the contractor or sub-contractor to receive pay under said contract, shall forfeit all payments due or to become due thereon; and that he shall not recover any compensation for said work either upon quantum meruit or otherwise.

Ordered engrossed and to a third reading.

INTRODUCTION OF BILL—(OUT OF ORDER).

By Mr. Barnard: Assembly Bill No. 695—An Act in relation to insurance companies, corporations, associations, partnerships, and individuals of foreign Governments doing insurance business in this State.

Referred to Committee on Corporations.

SECOND READING OF BILLS—(RESUMED).

Assembly Bill No. 317—An Act to amend section one hundred and ninety-seven 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, March 18, 1885, March 17, 1887, and March 16, 1889, relating to the salary of the county officers in the counties of the thirty-fifth class.

Read second time.

Amendment by Mr. Hunewill, to read as follows, adopted:

SUBSTITUTE FOR ASSEMBLY BILL No. 317.

An Act to amend section one hundred and ninety-seven 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, March 18, 1885, March 17, 1887, and March 16, 1889, relating to the salary of the county officers in the counties of the thirty-fifth class.

The People of the State of California, represented in Senate and Assembly, do enact as follows

SECTION 1. Section one hundred and ninety-seven of an Act entitled "An Act to establish a uniform system of county and township governments," approved March fourteenth, eighteen hundred and eighty-three, as amended March fourteenth, eighteen hundred and eighty-five, March eighteenth, eighteen hundred and eighty-five, March seventeenth, eighteen hundred and eighty-seven, and March sixteenth, eighteen hundred and eighty-nine, is hereby amended so as to read as follows

197 In counties of the thirty-fifth class, the county officers shall receive as compensation for the services required of them by law, or by virtue of their office, the following salaries, to wit:

1. The County Clerk, one thousand two hundred dollars per annum.
2. The Sheriff, two thousand dollars per annum.
3. The Recorder, six hundred dollars per annum.

4. The Auditor, two hundred dollars per annum.
5. The Treasurer, six hundred dollars per annum.
6. The Assessor, eight hundred dollars per annum, including Deputy at the option of the Board of Supervisors, at a salary not exceeding one hundred dollars per month.
8. The District Attorney, six hundred dollars per annum.
9. The Coroner, such fees as are now or may hereafter be allowed by law.
10. The Public Administrator, such fees as are now or may hereafter be allowed by law.
11. The Superintendent of Schools, two hundred dollars per annum.
12. The Surveyor, such fees as are now or may hereafter be allowed by law.
13. Justices of the Peace, such fees as are now or may hereafter be allowed by law.
14. Constables, such fees as are now or may hereafter be allowed by law.
15. The Supervisors, six dollars per day, not to exceed three hundred dollars per annum, and 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.

SEC. 2. This Act shall take effect and be in force from and after April 1, 1891.

Ordered engrossed and to a third reading.

LEAVE OF ABSENCE.

Mr. Cram was granted leave of absence for Monday.

ADJOURNMENT.

At twelve o'clock and thirty minutes P. M., Mr. Shanahan moved that the House adjourn until two o'clock P. M., Monday.

Carried.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Monday, February 16, 1891.

The Assembly met pursuant to adjournment.

Speaker Coombs in the chair.

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

Messrs. Alexander, Ames, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Brusie, Bryant, Cargill, Carter, Clark, Coffey, Culver, Cunningham, Daly, Dennis, Dibble, Doty, Dow, Dunn, Durner, Estey, Fowler, Galbraith, Garver, Glynn, Hall, Harloe, Hawley, Hayes, Hocking, Hunewill, Jackson, Johnson, Jones, Kellogg, Lewis, Lowe, Lux, Lynch, Martin, Mathews, Matlock, McCall, Murnan, Murphy, Phillips, Rentro, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Sturtevant, Tennis, Tully, Wentworth, Weston, Windrow, Young, and Mr. Speaker.

Quorum present.

LEAVE OF ABSENCE.

Messrs. Mordecai, Gordon, Steltz, and Hoey were granted leave of absence for the day.

PRAYER.

Prayer by the Chaplain, Rev. A. C. Herrick.

READING OF THE JOURNAL.

Pending the reading of the Journal, on motion of Mr. Barnett of San Francisco, further reading of the Journal was dispensed with.

Journal corrected and approved.

Mr. Dibble asked unanimous consent to introduce the report of the Committee on Ways and Means and Appropriations.

So ordered.

REPORT OF STANDING COMMITTEE.

ON WAYS AND MEANS AND APPROPRIATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 16, 1891.

MR. SPEAKER: Your Committee on Ways and Means and Appropriations, to whom was referred Assembly Bill No. 561—An Act making an appropriation for the support of the government of the State of California for the forty-third and forty-fourth fiscal years—have had the same under consideration, and report the same back with amendments, and recommend that it do pass as amended.

DIBBLE, Chairman.

MOTION.

Mr. Dibble moved that Assembly Bill No. 561 be read first time.

Carried.

Assembly Bill No. 561—An Act making an appropriation for the support of the government of the State of California for the forty-third and forty-fourth fiscal years.

Read first time.

Mr. Dibble moved that the amendments, ninety in number, reported by the committee, be printed for the use of the members to-morrow, and Assembly Bill No. 561 be placed on the special file, immediately following Assembly Bill No. 1.

Carried.

INTRODUCTION OF BILL—(OUT OF ORDER).

By Mr. Lowe: Assembly Bill No. 696—An Act to amend an Act to reincorporate the city of San José, approved March 17, 1874.

Placed on first reading file.

SPECIAL ORDERS.

Senate Bill No. 615—An Act authorizing the Governor of the State of California to offer a reward for the arrest and conviction of the party or parties who murdered Mrs. John Greenwood, in Napa County, on the evening of February 9, 1891, and making an appropriation to pay the same.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Ames, Barnard, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Brusie, Bryant, Cargill, Carter, Clark, Coffey, Culver, Cunningham, Daly, Dennis, Dibble, Doty, Dow, Dunn, Durner, Estey, Fowler, Galbraith, Garver, Glynn, Hall, Hawley, Hayes, Hunewill, Jackson, Johnson, Jones, Kellogg, Lewis, Lowe, Lux, Lynch, Martin, Mathews, Matlock, McCall, Murnan, Murphy, Phillips, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Sturtevant, Tennis, Tully, Weston, Young, and Mr. Speaker—60.

NOES—None.

Title read and approved.

MOTION.

Mr. Hail moved that Assembly Bill No. 615 be immediately transmitted to the Senate, under suspension of the rules.

Carried.

RESOLUTION.

By Mr. Bruner:

Resolved, That Senate Bill No. 626 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that the said bill be read the second and third times, and placed upon its passage.

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

AYES—Messrs. Alexander, Barnard, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Brusie, Bryant, Cargill, Carter, Coffey, Culver, Cunningham, Daly, Dennis, Doty, Dow, Dunn, Durner, Estey, Fowler, Galbraith, Garver, Glynn, Hail, Harloe, Hawley, Hayes, Hocking, Jackson, Johnson, Jones, Kellogg, Lewis, Lowe, Lux, Lynch, Martin, Mathews, Matlock, McCall, Murnan, Murphy, Phillips, Rice, Robertson, Smith of Butte, Smith of Orange, Stabler, Sturtevant, Tennis, Tully, Wentworth, Weston, Young, and Mr. Speaker—59.

NOES—None.

Senate Bill No. 626—An Act making an appropriation for the contingent expenses of the Senate for the twenty-ninth session of the Legislature.

Read second time.

MOTION.

Mr. Bruner moved that the House now go into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bill No. 626.

Carried.

IN COMMITTEE OF THE WHOLE.

Speaker Coombs in the chair.

Senate Bill No. 626 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Coombs in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The Speaker stated the report of the Committee of the Whole as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 626—An Act making an appropriation for the contingent expenses of the Senate for the twenty-ninth session of the Legislature—and now report the same back to the Assembly and recommend that the same do pass.

Senate Bill No. 626 read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Barnard, Barnett of Sonoma, Baughman, Beecher, Bledsoe, Bruner, Brusie, Bryant, Carter, Coffey, Culver, Cunningham, Daly, Dennis, Dibble, Doty, Dow, Dunn, Durner, Estey, Fowler, Garver, Glynn, Hail, Harloe, Hawley, Hayes, Hocking, Hunewill, Jackson, Johnson, Kellogg, Lewis, Lowe, Lux, Lynch, Martin,

Mathews, Matlock, McCall, Murnan, Murphy, Phillips, Rice, Robertson, Smith of Butte, Smith of Orange, Stabler, Sturtevant, Tennis, Tully, Wentworth, Weston, Young, and Mr. Speaker—56.
NOES—None.

Title read and approved.

Mr. Bruner moved that the rules be suspended and bill immediately transmitted to the Senate.

Carried.

Assembly Joint Resolution No. 16—Relative to the examination and allotment of the lands of the Round Valley Indian Reservation.

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

AYES—Messrs. Ames, Barnard, Barnett of Sonoma, Baughman, Beecher, Bledsoe, Bruner, Bryant, Carter, Clark, Coffey, Culver, Cunningham, Dennis, Dibble, Doty, Dow, Dunn, Durner, Estey, Galbraith, Garver, Hall, Harloe, Hawley, Hayes, Hocking, Hunewill, Jackson, Johnson, Kellogg, Lewis, Lowe, Lynch, Martin, Mathews, Matlock, McCall, Murnan, Murphy, Renfro, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Sturtevant, Tennis, Tully, Wentworth, Weston, Young, and Mr. Speaker—53.
NOES—None.

Senate Bill No. 351—An Act making an appropriation to pay the deficiency in the appropriation for the office of Secretary of State, and for the purchase of supplies and furniture, and for making necessary repairs in the several offices of the State Capitol.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Ames, Barnard, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brusie, Bryant, Cargill, Carter, Clark, Coffey, Culver, Cunningham, Dennis, Dibble, Doty, Dow, Dunn, Durner, Estey, Fowler, Galbraith, Garver, Harloe, Hayes, Hocking, Hunewill, Jackson, Johnson, Kellogg, Lewis, Lowe, Lynch, Martin, Mathews, Matlock, McCall, Murnan, Murphy, Phillips, Renfro, Rice, Shanahan, Smith of Butte, Stabler, Sturtevant, Tennis, Tully, Wentworth, Weston, Young, and Mr Speaker—54.
NOES—None.

Title read and approved.

MOTIONS.

Mr. Jackson moved that Senate Joint Resolution No. 19 be taken up.

So ordered.

Senate Joint Resolution No. 19—Relative to reinstating troops at Fort Bidwell, California.

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

AYES—Messrs Ames, Barnard, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Bruner, Brusie, Bryant, Carter, Clark, Coffey, Culver, Dennis, Dibble, Doty, Dow, Durner, Estey, Fowler, Galbraith, Garver, Harloe, Hayes, Hocking, Hunewill, Jackson, Kellogg, Lewis, Lowe, Lynch, Martin, Mathews, Matlock, McCall, Murnan, Murphy, Phillips, Renfro, Rice, Shanahan, Smith of Butte, Stabler, Sturtevant, Tennis, Tully, Wentworth, Weston, Young, and Mr, Speaker—51.
NOES—Mr. Cunningham—1

Mr. Phillips moved to take up Assembly Bill No. 87.

Carried.

Assembly Bill No. 87—An Act to amend sections three thousand six hundred and sixty-five, three thousand six hundred and sixty-six, three thousand six hundred and sixty-seven, three thousand six hundred and sixty-eight, three thousand six hundred and sixty-nine, three thousand six hundred and seventy, three thousand six hundred and seventy-two, three thousand six hundred and ninety-two, three thousand six hun-

dred and ninety-six, three thousand seven hundred and fourteen, three thousand seven hundred and twenty-eight, three thousand seven hundred and thirty-two, three thousand seven hundred and forty-six, three thousand seven hundred and fifty-six, three thousand seven hundred and fifty-eight, and three thousand seven hundred and sixty-four of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to revenue and taxation.

Amendments by Mr. Phillips, as follows, adopted:

AMENDMENT No. 1.

Amend section thirteen of printed bill to read as follows:

SECTION 13. Section three thousand seven hundred and forty-six of said Act is hereby amended to read as follows:

Section 3746. 1. In counties, or cities and counties, containing a population of over two hundred and fifty thousand inhabitants, within ten days after the receipt of the "duplicate assessment book," the Tax Collector must publish a notice specifying that the taxes on all personal property, and one half of the taxes on all real property, will be due and payable on the first Monday in October, and will be delinquent on the last Monday in November next thereafter, at six o'clock P. M., and that unless paid prior thereto, five per cent will be added to the amount thereof; and that if said one half be not paid before the last Monday in February next, at six o'clock P. M., an additional five per cent will be added thereto; that the remaining one half of the taxes on all real property will be payable on and after the first Monday in January next thereafter, at six o'clock P. M., and that unless paid prior thereto, five per cent will be added to the amount thereof.

2. In counties, or cities and counties, containing a population of less than two hundred and fifty thousand inhabitants, within ten days after the receipt of the "duplicate assessment book," the Tax Collector must publish a notice specifying that the taxes on all personal property, and one half of the taxes on all real property, will be due and payable on the first Monday in October, and will be delinquent on the last Monday in November next thereafter, at six o'clock P. M., and that unless paid prior thereto, five per cent will be added to the amount thereof, and that if said one half be not paid before the last Monday in April next, at six o'clock P. M., an additional five per cent will be added thereto; that the remaining one half of the taxes on all real property will be payable on and after the first Monday in January next, and will be delinquent on the last Monday in April next thereafter, at six o'clock P. M., and that unless paid prior thereto, five per cent will be added to the amount thereof.

3. In all counties, or cities and counties, the Tax Collector must publish a notice specifying the time and place at which payment of taxes may be made.

AMENDMENT No. 2.

Add a new section, to be known as section fourteen, to be inserted in printed bill after section thirteen, and to read as follows:

SEC. 14. Section three thousand seven hundred and fifty of said Act is hereby amended to read as follows:

Section 3750. The Tax Collector must mark the date of payment of any tax, or of the several partial payments, as the case may be, in the assessment book, opposite the name of the person paying.

AMENDMENT No. 3.

Add a new section, to be known as section fifteen, to be inserted in printed bill after section fourteen, and to read as follows:

SEC. 15. Section three thousand seven hundred and fifty-one of said Act is hereby amended to read as follows:

Section 3751. He must give a receipt to the person paying any tax or any part of any tax, specifying the amount of the assessment, and the tax or part of tax paid, and the amount remaining unpaid, if any, with a description of the property assessed.

AMENDMENT No. 4.

Amend section fourteen of printed bill to read as follows:

SEC. 16. Section three thousand seven hundred and fifty-six of said Act is hereby amended to read as follows

Section 3756. In counties, or cities and counties, containing a population of over two hundred and fifty thousand inhabitants on the last Monday in November of each year, at six o'clock P. M., all the unpaid portion of the personal property taxes, and the unpaid portion of one half the taxes on all real property are delinquent, and thereafter the Tax Collector must collect for the use of the county, or city and county, an addition of five per cent thereon; *provided*, that if they be not paid before the last Monday in February next succeeding, at six o'clock P. M., he shall collect an addition of five per cent thereon; on the last Monday of February of each year, at six o'clock P. M., all the unpaid portion of the remaining one half of the taxes on all real property are delin-

quent, and thereafter the Tax Collector must collect, for the use of the county, or city and county, an addition of five per cent thereon. In counties, or cities and counties, containing a population of less than two hundred and fifty thousand inhabitants, on the last Monday in November of each year, at six o'clock P. M., all the unpaid portion of the personal property taxes, and the unpaid portion of one half the taxes on all real property are delinquent, and thereafter the Tax Collector must collect for the use of the county, or city and county, an addition of five per cent thereon, *provided*, that if they be not paid before the last Monday in April next succeeding, at six o'clock P. M., he shall collect an addition of five per cent thereon, on the last Monday of April of each year, at six o'clock P. M., all the unpaid portion of the remaining one half of the taxes on all real property are delinquent, and thereafter the Tax Collector must collect for the use of the county, or city and county, an addition of five per cent thereon.

AMENDMENT No. 5.

Section fifteen of printed bill is hereby amended to read as follows:

SEC. 17. Section three thousand seven hundred and fifty-eight of said Act is hereby amended to read as follows.

Section 3758. In all counties, or cities and counties, containing a population of over two hundred and fifty thousand inhabitants, on the first Monday in June of each year, the Tax Collector must attend, at the office of the Auditor, with the duplicate assessment book, and carefully compare the duplicate with the original assessment book, and every item marked "paid" in the former must be marked "paid" in the latter.

In all counties, or cities and counties, containing a population of less than two hundred and fifty thousand inhabitants, on the third Monday in December and May of each year, the Tax Collector must attend at the office of the Auditor with the duplicate assessment book, and carefully compare the duplicate with the original assessment book, and every item marked "paid" must be marked "paid" in the latter.

AMENDMENT No. 6.

Section sixteen of the printed bill is hereby amended to read as follows:

SEC. 18. Section three thousand seven hundred and sixty-four of said Act is hereby amended to read as follows:

Section 3764. In counties, or cities and counties, containing a population of over two hundred and fifty thousand inhabitants, on or before the first Monday in April of each year, the Tax Collector must publish the delinquent list, which must contain the names of the persons and a description of the property delinquent, and the amount of taxes and costs due, opposite each name and description, with the taxes due on personal property added to the taxes on real estate, where the real estate is liable therefor, or the several taxes are due from the same person, the expense of the publication to be a charge against the county, or city and county.

In counties, or cities and counties, containing a population of less than two hundred and fifty thousand inhabitants, on or before the first Monday in June of each year, the Tax Collector must publish the delinquent list, which must contain the names of the persons and a description of the property delinquent, and the amount of taxes and costs due opposite each name and description, with the taxes due on personal property added to the taxes on real estate, where the real estate is liable therefor, or the several taxes are due from the same person, the expense of the publication to be a charge against the county, or city and county.

AMENDMENT No. 7.

Add a new section, to be known as section nineteen, to be inserted in printed bill after section eighteen, and to read as follows

SEC. 19. Section three thousand seven hundred and ninety-seven of said Act is hereby amended to read as follows:

Section 3797. In counties, or cities and counties, containing a population of over two hundred and fifty thousand inhabitants, the Tax Collector must, on the first Monday of June in each year, attend at the office of the Auditor with the delinquent list, and the Auditor must then carefully compare the list with the assessment of persons and property not marked "paid" on the assessment book, and when taxes have been paid, must note the fact in the appropriate column in the assessment book.

In counties, or cities and counties, containing a population of less than two hundred and fifty thousand inhabitants, the Tax Collector must, on the third Monday of February and June in each year, attend at the office of the Auditor with the delinquent list, and the Auditor must then carefully compare the list with the assessment of persons and property not marked "paid" on the assessment book, and when taxes have been paid, must note the fact in the appropriate column in the assessment book.

AMENDMENT No. 8.

Add a new section, to be known as section twenty, to be inserted in printed bill after section nineteen, and to read as follows:

SEC. 20. Section three thousand eight hundred of said Act is hereby amended to read as follows.

Section 3800. At the times mentioned in section three thousand seven hundred and sixty-four, the Tax Collector must make an affidavit, indorsed on the list, that the taxes not marked "paid" have not been paid, and that he has not been able to discover any property belonging to, or in possession of, the persons liable to pay the same whereof to collect them.

AMENDMENT No 9.

Add a new section, to be known as section twenty-one, to be inserted in printed bill after section twenty, and to read as follows

SEC. 21 Section three thousand eight hundred and sixteen of said Act is hereby amended to read as follows:

Section 3816. Whenever property sold to the State, pursuant to the provisions of this chapter, shall be redeemed as herein provided, the moneys received on account of such redemption shall be distributed as follows The original tax and the fifty per cent paid in redemption shall be apportioned between the State and county, or city and county, in the same proportion that the State tax bears to the county, or city and county tax; the moneys received for delinquencies, and the money received for delinquent poll tax shall be paid to the county, or city and county; the percentage allowed for the collection of delinquent poll tax shall be paid to the collector, and the costs to the parties entitled thereto. The County Treasurer shall keep an accurate account of all money paid in redemption of property sold to the State, and shall, on the first Monday of February and June in each year, make a detailed report, verified by his affidavit, of each account, year for year, to the Controller of State, in such forms as the Controller may desire.

Whenever the State shall receive from the Tax Collector any grant of property so sold for taxes, the same shall be recorded, at the request of the County Treasurer, free of charge, by the County Recorder, and shall be immediately reported by the County Treasurer to the State Board of Equalization.

AMENDMENT No. 10.

Add a new section, to be known as section twenty-two, to be inserted in printed bill after section twenty-one, and to read as follows:

SEC. 22. Section three thousand eight hundred and sixty-six of said Act is hereby amended to read as follows:

Section 3866. The Treasurers of all the counties, or cities and counties, of this State must, between the fifteenth and thirtieth days of December, March, May, and August of each year, proceed to the State Capital and settle in full with the Controller of State, and pay over in cash to the Treasurer of State all funds which have come into their hands, as County Treasurers, before the close of business at the end of the previous month If, in the opinion of the Controller of State, it appears from the report of the County Auditor that sufficient property tax has not been collected to make it for the interest of the State that a settlement should be made, the Controller shall defer the settlement until the next regular settlement. No mileage, fees, or commissions shall be allowed any officer for any deferred settlement; *provided*, that in case any settlement is so deferred that the County Auditor, in his next report to the Controller of State, shall include therein all moneys required to be reported since the date of his last report upon which a settlement was made.

AMENDMENT No. 11.

Amend section seventeen of amended bill by striking out the figures "17," on line one, and inserting the figures "23" in their place.

Ordered engrossed and to a third reading.

Assembly Bill No. 280—An Act making an appropriation to pay for the maintenance of the Reform School for Juvenile Offenders, from January 1, 1891, to June 30, 1891, and making an appropriation for extra work, materials, and labor furnished in the erection of buildings of said reform school, and making an appropriation for payment of insurance on said reform school buildings.

Read third time.

Mr. Hawley in the chair.

Mr. Bledsoe moved that Assembly Bill No. 280 be made a special order for next Thursday, at two o'clock P. M.

Carried.

Assembly Constitutional Amendment No. 5—A resolution to propose to the people of the State of California an amendment to section thirty-four of article four of the Constitution of the State of California.

Speaker Coombs in the chair.

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

AYES—Messrs. Alexander, Ames, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Brusie, Bryant, Cargill, Carter, Clark, Cofley, Culver, Cunningham, Daly, Dibble, Doty, Dunn, Durner, Estey, Fowler, Galbraith, Garver, Glynn, Hall, Harloe, Hawley, Hayes, Hunewill, Jackson, Johnson, Jones, Kellogg, Lewis, Lowe, Lux, Lynch, Martin, Mathews, Matlock, Murnan, Phillips, Renfro, Robertson, Shanahan, Stabler, Sturtevant, Tennis, Wentworth, Weston, Windrow, Young, and Mr. Speaker—58

NOES—Mr. Smith of Butte—1.

ASSEMBLY CONSTITUTIONAL AMENDMENT No. 5.

A resolution to propose to the people of the State of California an amendment to section thirty-four of article four of the Constitution of the State of California.

The Legislature of the State of California, at its twenty-ninth session, commencing on the fifth day of January, Anno Domini eighteen hundred and ninety-one, two thirds of all the members elected to each House of said Legislature voting in favor thereof, hereby propose that section thirty-four (34) of article four of the Constitution of the State of California be amended so as to read as follows:

SECTION 34 No bill making an appropriation for money, except the general appropriation bill, deficiency bills for the appropriation of money exclusively devoted to the support of the General Government and State institutions, shall contain more than one appropriation, and that for a single and certain purpose to be therein expressed. No officer of the State shall have power to incur any deficiency except in case of actual necessity, and then only upon the written authority, first obtained, of the Governor, Secretary of State, and Attorney-General. Any deficiency incurred in violation of this provision shall be void, and the Legislature shall not have the power to appropriate money to pay the same.

PRESENTATION OF PETITIONS.

Mr. Bledsoe presented petitions from the residents of Oakland, Winters, San Diego, San Francisco, Santa Rosa, Mendocino, and Santa Barbara, favoring the passage of Assembly Bill No. 471.

Referred to Committee on Judiciary.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 16, 1891.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that they have examined the following Assembly Bills and find them correctly engrossed: Nos. 12, 122, 81, 169, 176, 5, 330, 313, 260, 196, 302, 241, 8, 232, 356, 396, 444, 452, 538, 123, 235, 348, 317, 333, and 299.

WINDROW, Chairman.

RESOLUTION.

By Mr. Beecher:

Resolved, That the Secretary of State be instructed to furnish to each member of the Assembly a copy of the Constitutional Debates.

Adopted.

SUBSTITUTION.

Mr. Wentworth asked that Assembly Bill No. 692 be substituted for Assembly Bill No. 590 on the file, and Assembly Bill No. 590 withdrawn.

So ordered.

Mr. Doty asked that Senate Bill No. 45 be substituted for Assembly Bill No. 515, and Assembly Bill No. 515 withdrawn.

So ordered.

Mr. Dennis asked that Assembly Bill No. 185 be substituted for Assembly Bill No. 93, and the latter withdrawn.

So ordered.

REPORT OF STANDING COMMITTEE.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 16, 1891.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Assembly Bill No. 692—An Act to amend sections twenty-seven, twenty-eight, twenty-nine, thirty, thirty-one, thirty-two, and thirty-three, the same comprising part second 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, relative to a system of street improvement bonds—report the same back, and recommend the passage of the same; and also recommend that it be substituted in the place and stead of Assembly Bill No. 590.

Also: Assembly Bill No. 15—An Act to amend section four (4) of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Also: Assembly Bill No. 593—An Act to amend 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, by adding thereto certain new and additional sections to provide the mode of carrying into effect certain provisions of said Act, relative to changing grades.

Also: Senate Bill No. 136—An Act to amend section seven hundred and ninety-seven of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Report the same back, and recommend the passage of the same.

Also: Assembly Bill No. 443—An Act to provide for the planting, maintenance, and care of shade trees upon streets, lanes, alleys, courts, and places, within municipalities, and of hedges upon the lines thereof, also, for the eradication of certain weeds within city limits—and report the same back without recommendation.

WENTWORTH, Chairman.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, February 16, 1891.

To the honorable Assembly of the State of California:

It becomes my painful duty, as the Executive of this State, to announce officially the death of General William Tecumseh Sherman. The whole nation is in mourning, and every evidence of respect that a grateful people is capable of manifesting should be, and I doubt not will be, expressed in memory of him who, upon all occasions during his eventful life, manifested such loyalty and such unexampled devotion to the interests of this nation.

He was the last of the three great Union Generals to go, and the nation will forever cherish his memory as one of the greatest military men of the age. So long as this nation lives the names of Grant, Sherman, and Sheridan will remain green on the pages of her history.

While we so deeply mourn his loss, let us thank God for sparing his life in the time of our greatest need of him, and that he has been allowed to enjoy, to the fullest extent, the confidence, appreciation, and affection of a grateful people during his declining years.

General Sherman was in youth a soldier on our soil, in after years, a citizen of our State, and was a constant and devoted friend of California, and dearly beloved by our people. Therefore, in accordance with the sentiments of our citizens, I, Henry H. Markham, Governor of the State of California, do hereby recommend, as a mark of appreciation of his worth as a soldier and citizen, that the flags on the several public buildings of the State, as also county, municipal, and school, be placed at half-mast, and so remain for thirty days. It is also recommended, as a further mark of respect, that on the day of the obsequies both Houses of the Legislature adjourn, and all public business be suspended at the Capitol building for the day.

H. H. MARKHAM, Governor.

MOTION.

Mr. Bruner moved that a committee be appointed to prepare appropriate resolutions in memory of General Sherman, in accordance with the Governor's suggestions.

Carried.

APPOINTMENT OF COMMITTEE.

Messrs. Dibble, Shanahan, Mathews, Rice, Matlock, Clark, Young, Cargill, Johnson, Dow, Marion, and Mr. Speaker were named as a committee to draft said resolutions.

REPORT OF STANDING COMMITTEE.

SAN FRANCISCO DELEGATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 16, 1891.

MR. SPEAKER: The San Francisco Delegation Committee (a select committee of this House), to whom was referred Assembly Bill No. 578—An Act to create the office of Attorney for the State Board of Health and the Board of Health of the City and County of San Francisco—report the same back, and recommend that the same be referred to the Judiciary Committee.

WENTWORTH, Chairman.

Assembly Bill No. 578 referred to Committee on Judiciary.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 14, 1891.

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

Senate Bill No. 585—An Act to amend section two thousand six hundred and seven of an Act entitled "An Act to add thirty-four sections to an Act of the Legislature of the State of California to establish a Political Code, approved March 12, 1872, said sections to be known, numbered, and designated as sections two thousand five hundred and seventy-five, two thousand five hundred and seventy-six, two thousand five hundred and seventy-seven, two thousand five hundred and seventy-eight, two thousand five hundred and seventy-nine, two thousand five hundred and eighty, two thousand five hundred and eighty-one, two thousand five hundred and eighty-two, two thousand five hundred and eighty-three, two thousand five hundred and eighty-four, two thousand five hundred and eighty-five, two thousand five hundred and eighty-six, two thousand five hundred and eighty-seven, two thousand five hundred and eighty-eight, two thousand five hundred and eighty-nine, two thousand five hundred and ninety, two thousand five hundred and ninety-one, two thousand five hundred and ninety-two, two thousand five hundred and ninety-three, two thousand five hundred and ninety-four, two thousand five hundred and ninety-five, two thousand five hundred and ninety-six, two thousand five hundred and ninety-seven, two thousand five hundred and ninety-eight, two thousand five hundred and ninety-nine, two thousand six hundred, two thousand six hundred and one, two thousand six hundred and two, two thousand six hundred and three, two thousand six hundred and four, two thousand six hundred and five, two thousand six hundred and six, two thousand six hundred and seven, and two thousand six hundred and eight, all relating to the establishing of a Board of State Harbor Commissioners for the bay of San Diego," approved March 18, 1889, relative to the salaries and pay of the officers and employés of the Harbor Commissioners of the bay of San Diego.

Also: Committee Substitute for Senate Bill No. 331—An Act making an appropriation to pay the deficiency in the appropriation for the salaries of the members and officers of the Board of State Harbor Commissioners for the Bay of San Diego, from the eighteenth day of March, 1889, to the eighteenth day of March, 1891.

Also: Senate Joint Resolution No. 18—Relative to Nicaragua Canal.

F. J. BRANDON, Secretary.
By J. C. BOATMAN, Assistant.

Senate Joint Resolution No. 18 referred to Committee on Municipal Corporations.

MOTION.

Mr. Young moved that Committee Substitute for Senate Bill No. 331 and Senate Bill No. 585 be taken up and read the first time.

So ordered.

Committee Substitute for Senate Bill No. 331—An Act making an

appropriation to pay the deficiency in the appropriation for the salaries of the members and officers of the Board of State Harbor Commissioners for the Bay of San Diego, from the eighteenth day of March, 1889, to the eighteenth day of March, 1891.

Read first time, and placed on file for second reading.

Senate Bill No. 585—An Act to amend section two thousand six hundred and seven of an Act entitled "An Act to add thirty-four sections to an Act of the Legislature of the State of California to establish a Political Code, approved March 12, 1872, said sections to be known, numbered, and designated as sections two thousand five hundred and seventy-five, two thousand five hundred and seventy-six, two thousand five hundred and seventy-seven, two thousand five hundred and seventy-eight, two thousand five hundred and seventy-nine, two thousand five hundred and eighty, two thousand five hundred and eighty-one, two thousand five hundred and eighty-two, two thousand five hundred and eighty-three, two thousand five hundred and eighty-four, two thousand five hundred and eighty-five, two thousand five hundred and eighty-six, two thousand five hundred and eighty-seven, two thousand five hundred and eighty-eight, two thousand five hundred and eighty-nine, two thousand five hundred and ninety, two thousand five hundred and ninety-one, two thousand five hundred and ninety-two, two thousand five hundred and ninety-three, two thousand five hundred and ninety-four, two thousand five hundred and ninety-five, two thousand five hundred and ninety-six, two thousand five hundred and ninety-seven, two thousand five hundred and ninety-eight, two thousand five hundred and ninety-nine, two thousand six hundred, two thousand six hundred and one, two thousand six hundred and two, two thousand six hundred and three, two thousand six hundred and four, two thousand six hundred and five, two thousand six hundred and six, two thousand six hundred and seven, and two thousand six hundred and eight, all relating to the establishing of a Board of State Harbor Commissioners for the bay of San Diego," approved March 18, 1889, relative to the salaries and pay of the officers and employés of the Harbor Commissioners of the bay of San Diego.

Read first time, and placed on file for second reading.

INTRODUCTION OF BILLS.

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

By Mr. Bert: Assembly Bill No. 697—An Act to amend section one hundred and thirty-seven of the Civil Code of the State of California, relating to alimony, the expense of an action for divorce, and the action for permanent support and maintenance.

Referred to Committee on Judiciary:

Also: Assembly Bill No. 698—An Act to amend section three thousand six hundred and thirty of an Act entitled "An Act to establish a Political Code," relative to revenue, approved March 12, 1872.

Referred to Committee on Ways and Means and Appropriations.

Also: Assembly Bill No. 699—An Act to amend section four hundred and twenty-nine of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relative to infraction of the revenue law.

Referred to Committee on Ways and Means and Appropriations.

By Mr. Clark: Assembly Bill No. 700—An Act to amend section

seven hundred and thirty-eight of the Political Code, relating to the salaries of Superior Judges.

Referred to Committee on Judiciary.

By Mr. Carter: Assembly Bill No. 701—An Act to amend section seven hundred and thirty-seven of the Political Code, relating to the salaries of Superior Judges.

Referred to Committee on Judiciary.

By Mr. Bryant: Assembly Bill No. 702—An Act to amend an Act to protect the wages of labor, and the salaries and fees of subordinate officers.

Referred to Committee on Judiciary.

By Mr. Brown: Assembly Bill No. 703—An Act to amend section two thousand four hundred and sixty-eight of the Political Code, relating to pilotage.

Referred to Committee on Commerce and Navigation.

By Mr. Tennis: Assembly Bill No. 704—An Act entitled an Act to provide for the employment of destitute citizens, and making an appropriation therefor.

Referred to Committee on Ways and Means and Appropriations.

By Mr. Brusie: Assembly Bill No. 705—An Act appropriating money for erecting and maintaining a Foundling Home in Sacramento.

Referred to Committee on State Charitable and Reformatory Institutions.

CONCURRENT RESOLUTION.

By Mr. Bledsoe: Assembly Concurrent Resolution No. 4—Extending an invitation to the President to visit the State of California.

MOTION.

Mr. Bledsoe moved to make Assembly Concurrent Resolution No. 4 a special order for next Friday, at two o'clock P. M.

So ordered.

CONSTITUTIONAL AMENDMENT.

By Mr. Mathews: Assembly Constitutional Amendment No. 19—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending section eight of article eleven thereof, relative to the framing and adoption of charters by cities containing more than three thousand five hundred inhabitants.

Referred to Committee on Municipal Corporations.

MOTION.

At four o'clock and forty-five minutes P. M. Mr. Weston moved that the House take a recess until seven o'clock and thirty minutes P. M.

Lost.

ADJOURNMENT.

At four o'clock and fifty minutes P. M. Mr. Dibble moved to adjourn.

Carried.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Tuesday, February 17, 1891.

Assembly met pursuant to adjournment.

Speaker Coombs in the chair

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

Messrs. Alexander, Ames, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Brusie, Bryant, Cargill, Carter, Clark, Cram, Culver, Cunningham, Daly, Dennis, Dibble, Doty, Dow, Dunn, Durner, Eakle, Estey, Fowler, Galbraith, Garvey, Glynn, Gordon, Hail, Harloe, Hawley, Hayes, Hoey, Hunewill, Jackson, Johnson, Jones, Kellogg, Lewis, Lowe, Lux, Lynch, Martin, Mathews, Matlock, McCall, Murnan, Murphy, Phillips, Renfro, Rice, Shanahan, Smith of Butte, Smith of Orange, Stabler, Stellz, Sturtevant, Tennis, Wentworth, Weston, Windrow, Young, and Mr. Speaker.

Quorum present.

LEAVE OF ABSENCE.

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

PRAYER.

Prayer by the Chaplain, Rev. A. C. Herrick.

READING OF THE JOURNAL.

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

PRESENTATION OF PETITIONS.

Mr. Bledsoe presented two petitions from the residents of Humboldt County, protesting against the passage of Assembly Bill No. 447.

Referred to Committee on Ways and Means and Appropriations.

REPORTS OF STANDING COMMITTEES.

ON COMMERCE AND NAVIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 16, 1891.

MR. SPEAKER: Your Committee on Commerce and Navigation, to whom was referred Assembly Bill No. 614—report the same back, and recommend that it do pass.

Also: Assembly Bill No. 660—report the same back without recommendation.

PHILLIPS, Chairman.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, February 17, 1891.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Senate Bill No. 41—report the same back, and recommend that it do pass.

BRUNER, Chairman.

INTRODUCTION OF BILLS.

The following bill was introduced and referred to Committee on Judiciary:

By Mr. Shanahan: Assembly Bill No. 706—An Act to prevent frauds on travelers.

SPECIAL FILE.

Assembly Bill No. 561—An Act making an appropriation for the support of the government of the State of California for the forty-third and forty-fourth fiscal years.

Read second time.

MOTION.

Mr. Dibble moved that the House go into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Assembly Bill No. 561.

Carried.

IN COMMITTEE OF THE WHOLE.

Speaker Coombs in the chair.

Assembly Bill No. 561 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Coombs in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The Speaker stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 561—An Act making an appropriation for the support of the government of the State of California for the forty-third and forty-fourth fiscal years—and now report the same back to the Assembly, and report progress, and ask leave to sit again.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON COMMERCE AND NAVIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 16, 1891.

MR. SPEAKER: Your Committee on Commerce and Navigation, to whom was referred Assembly Bills Nos. 665 and 666—report the same back, and recommend that they do pass, but be referred to Judiciary Committee for their opinion as to constitutionality.

Also: Assembly Bill No. 594—An Act declaring Petaluma River a navigable stream—report the same back with a substitute, and recommend its passage.

Also: Assembly Bill No. 229—report the same back without recommendation.

PHILLIPS, Chairman.

Assembly Bills Nos. 665 and 666 referred to the Committee on Judiciary.

MOTION.

At eleven o'clock Mr. Hawley moved that special orders be deferred, and proceedings under Committee of the Whole resumed, with the Speaker in the chair.

Carried.

IN COMMITTEE OF THE WHOLE.

Speaker Coombs in the chair.

Assembly Bill No. 561 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Coombs in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The Speaker stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 561—An Act making an appropriation for the support of the government of the State of California for the forty-third and forty-fourth fiscal years—and now report the same back to the Assembly, and report progress, and ask leave to sit again.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON ELECTIONS AND PRIVILEGES.

ASSEMBLY CHAMBER, SACRAMENTO, February 17, 1891.

MR. SPEAKER: Your Committee on Elections and Privileges, to whom was referred Assembly resolution relative to expenses in the contested election case of Brown vs. Daly, report the same back, and recommend that the following substitute resolution be adopted:

Resolved, That the sum of twenty-seven hundred and fifty ($2,750) dollars be and the same is hereby allowed and ordered paid out of the Contingent Fund of the Assembly, to J. H. Daly, for expenses incurred by him in the contested election case of Brown vs. Daly, and the Controller is hereby directed to draw his warrant on the Treasurer in favor of J. H. Daly for the said sum.

A. T. BARNETT, Chairman.

Referred to Committee on Ways and Means and Appropriations.

MOTIONS.

Mr. Bruner moved that this afternoon be devoted to second reading of bills.

Carried.

Mr. Bruner moved to make a special order of Assembly Bill No. 538, for Wednesday, at three o'clock P. M.

Carried.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON COUNTIES AND COUNTY BOUNDARIES.

ASSEMBLY CHAMBER, SACRAMENTO, February 17, 1891.

MR. SPEAKER: Your Committee on Counties and County Boundaries, to whom was referred Assembly Bill No 623—An Act to amend sections three thousand nine hundred and sixteen and three thousand nine hundred and twenty-two of the Political Code of the State of California, relating to county boundaries—report the same back without recommendation.

Also: Assembly Bill No 252—An Act to amend section three thousand nine hundred and twenty-six of the Political Code, relating to the boundary of Sutter County—report the same back, and recommend its passage.

J. D. BARNETT, Chairman.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 17, 1891.

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

Senate Concurrent Resolution No. 1—Relative to transacting the business between Senate and Assembly.

Also: Senate Bill No. 81—An Act to provide for a State Board of Arbitration for the settlement of differences between employers and employés, to define the duties of said Board, and to appropriate the sum of two thousand five hundred dollars therefor.

Also: Senate Bill No. 133—An Act to amend an Act entitled "An Act to amend an Act entitled 'An Act to protect and promote horticultural interests of the State,'" approved March 19, 1889.

Also: Senate Bill No. 5—An Act to add a new section to the Political Code, to be numbered section two thousand six hundred and twenty-three, in relation to vacating public roads.

Also: Senate Bill No. 3—An Act to amend section two thousand six hundred and eighty-eight of the Political Code of the State of California, concerning the hearing of the reports of viewers of public highways by Boards of Supervisors, and the manner, time, and place of hearing such report, and the method of giving notice of such time and place to non-consenting land owners, and concerning damages to be awarded on such hearing.

Also: Senate Bill No. 91—An Act to provide for the issuance and sale of State bonds to create a fund for the construction and furnishing by the Board of State Harbor Commissioners of a general ferry and passenger depot in the City and County of San Francisco; to create a sinking fund for the payment of said bonds, and providing for the submission of this Act to a vote of the people.

Also: Senate Bill No. 281—An Act to provide for the payment of the wages of mechanics and laborers employed by corporations.

F. J. BRANDON, Secretary,
By J. C. BOATMAN, Assistant.

Senate message acted upon as follows:

Senate Concurrent Resolution No. 1 adopted.

Senate Bill No. 81 placed on first reading file.

Senate Bill No. 133 referred to Committee on Viniculture, Viticulture, and Horticulture.

Senate Bill No. 5 and Senate Bill No. 3 referred to Committee on Roads and Highways.

Senate Bill No. 91 and Senate Bill No. 281 placed on first reading file.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON WAYS AND MEANS AND APPROPRIATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 17, 1891.

MR. SPEAKER: Your Committee on Ways and Means and Appropriations, to whom was referred Senate Bill No. 74—An Act relative to the non-insurance of property belonging to the State against risk of damage or destruction by fire—have had the same under consideration, and report the same back with amendments, and recommend that it do pass as amended.

Also: Assembly Bill No. 337—An Act to provide for the appointment of a Board of Sutter's Fort Trustees and for the acquisition of the Sutter's Fort property, and providing for an appropriation for the preservation, protection, and improvement of said property—have had the same under consideration, and report the same back with amendments, and recommend that it do pass as amended.

Also: Assembly Bill No. 529—An Act authorizing the appointment of a State agent for the guidance and employment of discharged convicts, defining his duties, and appropriating money therefor—have had the same under consideration, and report the same back with amendments, and recommend that it do pass as amended.

DIBBLE, Chairman.

MOTION.

Mr. Dibble moved to take up Senate Bill No. 74.

Carried.

Senate Bill No. 74—An Act relative to the non-insurance of property belonging to the State against risk of damage or destruction by fire.

Read first time.

Mr. Dibble moved that Senate Bill No. 74 be made a special order for to-morrow morning, immediately after reading the Journal.

Carried.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON WAYS AND MEANS AND APPROPRIATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 17, 1891.

MR. SPEAKER: Your Committee on Ways and Means and Appropriations, to whom was referred Assembly Bill No. 323—An Act to authorize the Governor of the State of California to appoint a custodian of the Marshall monument—have had the same under consideration, and report the same back with amendments, and recommend that it do pass as amended.

DIBBLE, Chairman.

ON APPORTIONMENT AND ELECTION LAWS.

ASSEMBLY CHAMBER, SACRAMENTO, February 17, 1891.

MR. SPEAKER: Your Committee on Apportionment and Election Laws, to whom was referred Assembly Bills Nos. 113, 127, 128, and 558, report the same back, and recommend as follows: that Assembly Bills Nos. 113, 128, and 558 do pass; that Assembly Bill No. 127 be reported without recommendation.

CRAM, Chairman.

ON ELECTIONS AND PRIVILEGES.

ASSEMBLY CHAMBER, SACRAMENTO, February 17, 1891.

MR. SPEAKER: Your Committee on Elections and Privileges, to whom was referred Assembly resolution relative to the expenses in the contested election case of Campbell vs. Eakle—report the same back, and recommend that the following resolution be adopted:

Resolved, That three thousand two hundred and fifty ($3,250) dollars be and the same is hereby allowed and ordered paid out of the Contingent Fund of the Assembly to John C. Campbell, for the expenses incurred by him in the contested election case of Campbell vs. Eakle, and the Controller is hereby directed to draw his warrant on the Treasurer in favor of John C. Campbell for said amount.

A. T. BARNETT, Chairman.

MINORITY REPORT.

In the matter of the contested case of Campbell vs. Eakle:

ASSEMBLY CHAMBER, SACRAMENTO, February 17, 1891.

MR. SPEAKER: The undersigned member of the Committee on Elections and Privileges, in the matter of the expense bill of J. C. Campbell, recommends that the contestant, J. C. Campbell, be allowed the following amount:

Clerk's fees	$7 75
Certifying returns	7 00
Transcribing testimony	4 00
Sheriff's fees	10 45
Commissioner's fees	100 00
Constable's fees	50 00
Printing	10 00
Witness fees and mileage	255 75
Reporter's fees	300 00
Attorney's fees	1,000 00
Total	$1,744 95

BLEDSOE.

SPECIAL FILE.

Assembly Bill No. 669—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, amended March 14, 1885, March 18, 1885, March 17, 1887, and March 16, 1889, relating to the power of Boards of Supervisors.

Read second time, and to retain its place on special file.

RECESS.

At twelve o'clock and thirty minutes P. M. the House took a recess.

REASSEMBLED.

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

Speaker Coombs in the chair.

Quorum present.

Assembly Bill No. 208—An Act to amend an Act entitled "An Act to create a Police Relief, Health, and Life Insurance and Pension Fund in the several counties, cities and counties, cities, and towns of the State."

MOTIONS.

Mr. Dibble moved that the vote whereby Assembly Bill No. 208 passed be now reconsidered.

Carried.

Mr. Dibble moved that a select committee of one be appointed by the Speaker to amend as follows:

1. Amend title by inserting before the first word, "Act," in line one, the words "section seven of."
2. Amend section one so as to read as follows:
SECTION 1. Section seven of said Act is amended so as to read as follows:
Section 7. Whenever any member of the Police Department of such county, city and county, city, or town, shall, after ten years of service, die from natural causes, then his widow or children, or if there be no widow or children, then his mother or unmarried sisters, *shall be entitled to the sum of one thousand dollars from such fund.*
3. Amend bill by striking out sections two, three, four, five, six, seven, eight, nine, ten, eleven, twelve, thirteen, fourteen, and fifteen.
4. Amend number of section sixteen so as to make it section two.

Carried.

APPOINTMENT OF COMMITTEE.

Mr. Dibble was appointed a committee of one to make said amendment.

REPORT OF COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, February 17, 1891.

MR. SPEAKER: Your Select Committee, to whom was referred Assembly Bill No 208—An Act to amend an Act entitled "An Act to create a Police Relief, Health, and Life Insurance and Pension Fund in the several counties, cities and counties, cities, and towns of the State"—with instructions to amend in accordance with the action of the House, would respectfully report that the instructions of the House have been carried out.

DIBBLE, Committee.

Report of committee adopted and bill ordered to the printer.

SECOND READING OF BILLS.

Assembly Bill No. 218—An Act to amend section three thousand and sixty-four of 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 to a third reading.

Assembly Bill No. 19—An Act limiting the time in which an action to set aside, annul, or vacate the charter of any city, city and county, or town, can be maintained, to six months.

Read second time, ordered engrossed and to a third reading.

Senate Bill No. 7—An Act to amend an Act entitled "An Act to provide for the completion of all unfinished county, city, city and county,

town, and township buildings in the several counties, cities and counties, cities and towns, throughout the State of California," approved March 10, 1887.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 233—An Act to authorize and direct the sale of the site and buildings of the California Home for the Care and Training of Feeble-Minded Children, in Santa Clara County.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 37—An Act to amend an Act entitled "An Act to provide a State Hospital and Asylum for Miners," approved March 14, 1881, by amending section five, relating to the annual payment of fees by miners; also, relating to life membership.

Read second time, refused engrossment.

Assembly Bill No. 304—An Act entitled an Act to give preference to honorably discharged Union soldiers upon all public works and all public departments of this State.

Read second time, ordered engrossed and to a third reading.

MOTION.

Mr. Hunewill moved the reconsideration of the vote whereby Assembly Bill No. 37 was refused engrossment.

Carried.

Assembly Bill No. 37 ordered engrossed and to a third reading.

SECOND READING OF BILLS—(RESUMED).

Assembly Bill No. 440—An Act to amend section one thousand nine hundred and seventy of the Civil Code of the State of California, relating to the liability of employer.

Read second time.

Assembly Bill No. 287—An Act to amend section six hundred and forty-seven of the Penal Code, relating to vagrants.

Read second time.

Amendment by Mr. Phillips, as follows, adopted:

Amend by striking out after word "not" in line four, "for the space of ten days."

Ordered engrossed and to a third reading.

Assembly Bill No. 180—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.

Read second time.

Assembly Bill No. 586—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, for the distribution of water thereby for irrigation purposes," approved March 7, 1887, by amending sections eighteen, twenty-four, twenty-five, and twenty-six thereof, relating to the assessment of property, and the collection of such assessments.

Read second time, ordered engrossed and to a third reading.

Mr. Doty in the chair.

Senate Bill No. 84—An Act to regulate the practice of pharmacy and the sale of poisons in the State of California.

Read second time, and to a third reading.

Senate Bill No. 24—An Act to amend section four hundred and one of the Penal Code, relating to the adulteration of candy, and to renumber said section.

Read second time, and to a third reading.

Mr. Weston asked that Assembly Bill No. 455 be substituted for Assembly Bill No. 490, and the latter withdrawn.

So ordered.

Assembly Bill No. 455—An Act to provide for, insure, and maintain preference in the appointment, employment, and retention in the public service, and upon public works of the State of California, of honorably discharged ex-Union soldiers, sailors, and marines of the War of the Rebellion.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 185—An Act to create the county of Glenn, to establish the boundaries thereof, and to provide for its organization.

Read second time.

MOTION.

Mr. Shanahan moved to amend by striking out all after the enacting clause and inserting the following:

SECTION 1. There may be formed out of the northern part of Colusa County, a new county, to be called Glenn, in the manner and subject to the conditions herein named.

SEC. 2. The boundaries of said county shall be as follows. Beginning at a point on the boundary line between the counties of Colusa and Lake, as now established by law, at the northwest corner of the southwest quarter of section thirty, township eighteen north, range eight west, Mount Diablo base and meridian; running thence east along the half section line, and one and one half miles north of the line dividing townships seventeen and eighteen north, of Mount Diablo base and meridian, to Butte Creek, the boundary line between Colusa and Butte Counties; thence northerly along said Butte Creek, with said county line, to a point where the north line of township nineteen north intersects said Butte Creek; thence westerly along the boundary line between the counties of Butte and Colusa, as now established by law, to the center of the Sacramento River; thence northerly, and following the meanderings thereof, along the center of said Sacramento River, to a point where the north line of township twenty-two intersects the center of the Sacramento River, being the initial point of Tehama County, as established by law; thence west along the north line of township twenty-two north, to the southwest corner of Tehama County, as established in section three thousand nine hundred and fifteen of the Political Code; thence southerly on the summit of the Coast Range Mountains, on the established line between Mendocino and Lake and Colusa Counties, to the place of beginning.

SEC. 3. The seat of justice of said county of Glenn shall be at the town of Willows, until otherwise provided by law.

SEC. 4. There shall be held an election for county officers of said county on the first Tuesday in May, A. D. eighteen hundred and ninety-one, at which time shall be elected a Judge of the Superior Court, County Clerk, Sheriff, Tax Collector, Treasurer, Recorder, Auditor, District Attorney, Assessor, Superintendent of Schools, County Surveyor, Coroner, Public Administrator, and five Supervisors. At said election there shall be submitted to the qualified electors of said county of Glenn, as hereinafter described, the question whether they desire a separate county government: and, for the purpose of ascertaining the choice of said electors, the ballots used at said election shall have, written or printed thereon, the words "For New County," "Against New County;" and all ballots from which the words "Against New County" are erased, shall be counted in favor of such separate county government; and all ballots from which the words "For New County" are erased, shall be counted against such separate county government. Said election shall be conducted in every respect, except as hereinafter otherwise provided, in accordance with the general law for the election of county and township officers

SEC. 5. The Governor shall, when this Act takes effect, appoint five persons, residents and electors of the county of Glenn, who shall be and constitute a Board of Commissioners to perfect the organization of said county, a majority of whom shall constitute a quorum. Said Commissioners shall meet in the town of Willows, within twenty days after their appointment, and after being duly sworn to faithfully discharge their duties as prescribed in this Act, shall organize by electing one of their number as President, and

shall elect a clerk. The clerk shall keep a record of their proceedings. Three of the number of said Board shall be necessary to transact business, and a majority of the votes of the members present at any meeting shall control in all matters coming before it.

SEC. 6. For the purpose of designating the several election precincts in the said county, the said Board of Commissioners shall meet at the town of Willows two weeks before the day of election, and at said meeting they shall designate the precincts of the county, the house or place within the precincts where the election must be held, and the offices to be filled; and appoint two Inspectors, two Judges of Election, and two Clerks for each of said precincts.

SEC. 7. The said Board of Commissioners, after designating the precincts of the county, and appointing the Inspectors, Judges, and Clerks of the different precincts, shall give notice thereof by posting a written or printed notice in each of the said precincts, stating therein the boundaries of said precincts, and the names of the Inspectors, Judges, and Clerks of Election appointed for the same, and naming and numbering, in numerical order, commencing with number one, the offices to be filled, and stating, also, that at said election there will be submitted to the qualified voters within the said county of Glenn the question of the final establishment of the said county.

SEC. 8. Sealed returns from the officers of election of the several precincts shall be made to the Board of Commissioners, at such office as they may select in the town of Willows, within six days after the said day of election. On the sixth day after the said election, the said Board of Commissioners shall meet in the town of Willows, in said county, and the returns of said election shall be opened and read in public, and a tabular statement shall thereupon be made, under their direction and in their presence, showing the vote given at each precinct of the county, for each candidate for the several offices, and the entire vote given in the county for each person, and also the vote for and against a separate county government; which said statement, so made out, shall be signed by the President and Clerk of said Board.

SEC. 9. As soon as the said statement is made, the said Board, by an order entered upon its minutes, shall declare the result, and if a majority of those voting upon the question shall have voted in favor of a separate county government, the President of said Board shall immediately make out and send, or deliver, to each person chosen, a certificate of election, signed by him as President of the Board of Commissioners and attested by the Clerk of said Board.

SEC. 10. Each person elected to fill an office of said county under the provisions of this Act, shall qualify in the manner provided by law for such officers, and shall enter upon the discharge of the duties of his office within twenty days after the receipt of the certificate of his election. The person elected as Judge of the Superior Court shall qualify before the President of said Board of Commissioners, and persons elected to offices of said county, other than the office of Judge of the Superior Court, shall qualify before the said Judge of the Superior Court or before the President of said Board of Commissioners, which said President of said Board of Commissioners, for said purpose, shall have power to administer to each of said persons his official oath.

SEC. 11. The President of said Board of Commissioners shall transmit a copy of the tabular statement, prepared as provided in section eight of this Act, to the Secretary of State within twenty days after said election. The election returns of said county, and the original tabular statement, shall be retained by the President of said Board of Commissioners until the person elected as Clerk of said county has qualified and entered upon the discharge of the duties of his office, after which they, with all the records of said Board of Commissioners, shall be immediately deposited with and filed by the Clerk of said county, and shall be retained by him as part of the records of his office.

SEC. 12. The Judge of the Superior Court chosen under the provisions of this Act shall hold his office until the first Monday in January, eighteen hundred and ninety-seven, and until his successor is elected and qualified. The other officers hereinabove enumerated shall hold their respective offices until the first Monday in January, in the year eighteen hundred and ninety-three, and until their successors are elected and qualified. The successors of the officers elected under this Act shall be chosen at the general election established by law, which takes place next preceding the expiration of their respective terms of office.

SEC. 13. As soon as the said county of Glenn shall have been divided into townships and road districts, in the manner provided by law, it shall be the duty of the Board of Supervisors thereof to appoint for each township two Justices of the Peace and two Constables, and for each road district a Road Overseer. Said Justices, Constables, and Road Overseer shall each, respectively, hold his office until the next general election, and until his successor is elected and qualified.

SEC. 14. The officers elected and appointed under the provisions of this Act shall each perform the duties and receive the compensation now provided by general law for the office to which he has been elected or appointed, in counties of the class to which the said county of Glenn belongs, under the general classification of counties in this State; and until otherwise provided by law, said county shall be classified as a county of the thirty-seventh class.

SEC. 15. If, at said election, a majority of the votes cast, on the question of a separate county government, shall be "For New County," then the said territory hereinabove described shall be and become a separate county from and after the day upon which the returns of the said election shall be ascertained and declared by the said Board of Commissioners.

SEC. 16. The said county of Glenn shall form a part of Assembly District Number Ten, and Senatorial District Number Eight, until otherwise provided by law.

SEC. 17. This Act shall take effect and be in force from and after its passage.

Carried.

Ordered engrossed and to a third reading.

Mr. Bruner asked that Assembly Bill No. 588 be substituted for Assembly Bill No. 107, and the latter withdrawn.

So ordered.

Assembly Bill No. 588—An Act to amend section one thousand nine hundred and sixty-two of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, to be known as subdivision eight, relating to what are deemed conclusive presumptions.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 305—An Act to amend an Act entitled "An Act concerning actions for libel and slander," approved March 23, 1872, amended April 16, 1880, so as to include within the operations of said Act actions for malpractice against physicians and surgeons.

Read second time, ordered engrossed and to a third reading.

Mr. Lowe asked that Assembly Bill No. 375 be withdrawn, and Assembly Bill No. 353 substituted therefor.

So ordered.

Speaker Coombs in the chair.

Assembly Bill No. 353—An Act to create the county of San Jacinto, to define the boundaries thereof, to determine the county seat by an election, and to provide for its organization and election of officers, and to classify said county.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 126—An Act to amend section six hundred and thirty-two of the Penal Code, relating to the use of explosives in taking trout.

Read second time.

Committee amendment, as follows, adopted:

Section six hundred and thirty-two is hereby amended to read as follows:

"Every person who, in the State of California, at any time takes, catches, kills any trout, except with hook and line, or has in his possession any trout taken or killed by any other means other than by hook and line, is guilty of a misdemeanor. Any person or persons who shall at any time take, procure, or destroy any fish of any kind by means of explosives, is guilty of misdemeanor."

Ordered engrossed, and to a third reading.

MOTION.

Mr. Dibble moved that Assembly Bill No. 185 be made a special order for next Friday, at eleven o'clock A. M.

Carried.

Assembly Bill No. 67—An Act for the protection of sea birds and land birds on the Farallon Islands, in the Pacific Ocean.

Read second time.

Committee amendment to read as follows, adopted: the words "five miles," in line two of section one, shall read "one mile."

Ordered engrossed and to a third reading.

Assembly Bill No. 524—An Act to amend an Act entitled "An Act to authorize the State Board of Fish Commissioners to import game birds into the State for propagation, and to appropriate money for that purpose, and providing a penalty for the shooting, trapping, killing, or otherwise destroying any of said birds within this State," approved March 16, 1889.

Read second time.

MOTION.

Mr. Wentworth moved that the House go into Committee of the Whole, for the purpose of considering Assembly Bill No. 524.

Carried.

IN COMMITTEE OF THE WHOLE.

Speaker Coombs in the chair.

Assembly Bill No. 524 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Coombs in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The Speaker stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 524—An Act to amend an Act entitled "An Act to authorize the State Board of Fish Commissioners to import game birds into the State for propagation, and to appropriate money for that purpose, and providing a penalty for the shooting, trapping, killing, or otherwise destroying any of said birds within this State," approved March 16, 1889—and now report the same back to the Assembly, with amendments, and recommend that the same be passed as amended.

Committee amendment, as follows, adopted:

Amend by striking out sections two and three and renumbering sections four and five, by numbering section four as "two" and section five as "three."

MOTION.

Mr. Shanahan moved to strike out the enacting clause from Assembly Bill No. 524.

Lost.

Assembly Bill No. 270—An Act to add a new section to an Act entitled "An Act to establish a Political Code of the State of California," to be called section two thousand nine hundred and eighty-four, relative to the appointment of a State Sanitary Inspector.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 407—An Act to amend sections one thousand five hundred and forty-eight, one thousand five hundred and fifty-one, one thousand five hundred and fifty-two, one thousand five hundred and sixty, one thousand five hundred and sixty-five, one thousand five hundred and seventy-six, one thousand five hundred and eighty-one, one thousand five hundred and eighty-three, one thousand five hundred and ninety-six, one thousand five hundred and ninety-nine, one thousand six hundred and forty-nine, one thousand six hundred and sixty-

two, one thousand six hundred and sixty-five, one thousand seven hundred and seventy-one, one thousand seven hundred and seventy-five, one thousand seven hundred and ninety-one, and one thousand seven hundred and ninety-two of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the public schools.

Read second time.

Committee amendments, as follows, adopted:

AMENDMENT No. 1.

Amend by inserting in section one thousand five hundred and sixty-five, after line eight, the words "*provided*, they be not teachers in the public schools of the county in which such Institute is held."

AMENDMENT No. 2.

Amend by striking out of section one thousand five hundred and eighty-one, line three, the word "nine," and inserting the word "six."

AMENDMENT No. 3.

Amend by inserting in section one thousand six hundred and seventeen, line twelve, after the word "purchase," the words "text-books of the State series for the use of pupils," and striking out of line fifteen the words "or recommended by the State Board."

AMENDMENT No. 4.

Amend by striking out of section one thousand six hundred and seventeen, line twenty-six, the words "*provided further*," and all of lines twenty-seven and twenty-eight, and inserting the following words between lines twenty-six and twenty-nine:

"*Eighth*—To suspend or expel pupils for misconduct."

AMENDMENT No. 5.

Amend by striking out of section one thousand six hundred and sixty-five, line nine, the word "shall," and substitute "may," and out of line ten, the words "that special attention be;" and all of lines eleven and twelve, and inserting the following words after the words "*provided further*," in line ten: "The Board of Education of any county may, in districts having less than one hundred and sixty census children, confine the pupils to the studies of reading, orthography, arithmetic, grammar, geography, history, penmanship, and elements of bookkeeping until they have a practical knowledge of the last mentioned branches."

Amendment by Mr. Galbraith, as follows, adopted:

Amend title as follows:

After one thousand seven hundred and ninety-two, insert "one thousand seven hundred and ninety-three."

Add section nineteen, as follows:

SEC. 19. Section one thousand seven hundred and ninety-three of the Political Code is hereby amended to read as follows:

Section 1793. The holders of city certificates are eligible to teach in the cities in which such certificates were granted, in schools of grades corresponding to the grades of such certificates, and when elected, shall be dismissed only for cause duly ascertained and approved by the Board of Education of said cities; and City Superintendents of public schools, elected by City Boards of Education, shall be elected for a term of four years; and said City Boards of Education shall have full power to fix the salary of all employés. The holders of special city certificates are eligible to teach the special studies mentioned in their certificates in all the schools in the city in which such certificates were granted.

MOTION.

Mr. Renfro moved that the vote whereby Amendment No. 5 to section one thousand six hundred and sixty-five was adopted be now reconsidered.

Carried.

Mr. Renfro moved to amend said amendment by striking out of section one thousand six hundred and sixty-five, line four, after the

word "than," "one hundred and sixty," and inserting the following: "one hundred and seventy."

Amendment, as amended, adopted.

Ordered engrossed and to a third reading.

MOTION.

Mr. Wentworth moved that when No. 115 on the file is reached, third reading of bills shall be taken up.

Carried.

MINORITY REPORT OF COMMITTEE ON ELECTIONS AND PRIVILEGES.

In the matter of the contested election case of Brown vs. Daly.

MR. SPEAKER: The undersigned member of the Committee on Elections and Privileges, in the above entitled matter, recommends that the following amounts be allowed as the expense bill of the respondent, James H. Daly:

Notary's fees	$6 50
Justice's fees	60 00
Certified copies	14 00
Serving subpœnas and mileage	191 00
Reporter's fees	300 00
Attorney's fees	1,000 00
Sixteen witnesses, four days at $2 per day	128 00
Eleven witnesses, five days at $2 per day	132 00
Nine witnesses, five days at $2 per day	90 00
Twenty-one witnesses, one day at $2 per day	42 00
Total	$1,963 50

BLEDSOE.

Referred to Committee on Ways and Means and Appropriations.

Assembly Bill No. 28—An Act to amend an Act entitled "An Act to establish a Political Code of the State of California."

Read second time.

Amended by striking out all after section one, and substituting as follows:

Section 3636. If the name of the absent owner is known to the Assessor, or it appears of record in the office of the County Recorder where the property is situated, the property must be assessed to such name; if unknown to the Assessor, and if it does not appear of record, as aforesaid, the property must be assessed to unknown owners.

SEC. 2. This Act shall take effect from and after its passage.

Adopted.

Ordered engrossed and to a third reading.

Assembly Bill No. 99—An Act requiring corporations and persons doing a banking business in this State to file with the Controller of State statements showing moneys on deposit with them to which no claims have been made within ten years, and authorizing the Attorney-General to institute proceedings to ascertain its ownership.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 212—An Act to repeal section three hundred and thirty-seven of the Penal Code.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 273—An Act entitled an Act to amend "An Act to establish a Code of Civil Procedure," approved March 11, 1872, and amended in 1889, and to add a new section thereto, to be known and

designated as section one thousand eight hundred and twenty-two and one half.

Read second time.

Amendment by Mr. Clark, as follows, adopted:

Amend by inserting the words "to cause the same" after the word "matter," in line twenty-six of original bill.

Ordered engrossed and to a third reading.

Assembly Bill No. 439—An Act to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to the obligations of coterminous owners and others claiming interests or rights in land, and providing for the construction and maintenance of division fences.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 520—An Act to create and establish a State Board of Insurance, prescribe its powers and duties, and to provide for cheap and safe insurance in this State against losses by fire.

Read second time, ordered engrossed and to a third reading.

THIRD READING OF BILLS.

Assembly Bill No. 547—An Act to repeal sections four hundred and forty-four, one thousand six hundred and twenty-five, one thousand six hundred and eighty-two, and one thousand six hundred and sixty-nine of the Political Code; 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, and one thousand six hundred and ninety-six of said Code; to abolish the grammar school course in the public schools, and the Grammar School Course Fund; and to authorize and direct the Controller of State to credit to the School Fund any balance which may stand to the credit of the said fund.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Barnard, Barnett of San Francisco, Baughman, Bert, Brunner, Brusie, Bryant, Caigill, Carter, Clark, Coffey, Cram, Culver, Cunningham, Dennis, Dibble, Doty, Dow, Dunn, Durner, Eakle, Estey, Galbraith, Garver, Gordon, Hail, Hawley, Hayes, Hunewill, Jackson, Johnson, Kellogg, Lowe, Lynch, Martin, Mathews, Matlock, McCall, Phillips, Renfro, Rice, Smith of Orange, Stabler, Sturtevant, Wentworth, Weston, Young, and Mr. Speaker—49.

NOES—Messrs. Beecher, Harloe, Robertson, and Smith of Butte—4.

Title read and approved.

MOTION TO SUBSTITUTE.

Mr. Wentworth moved to substitute Assembly Bill No. 432 for Assembly Bill No. 148, and that the latter be withdrawn.

Carried.

Assembly Bill No. 432—An Act to provide for furnishing assistants to every attorney and counselor, City Attorney, and City and County Attorney, and to each law officer, of whatever official name he may be designated, officially conducting the civil litigation of each city, or city and county, having one hundred thousand or more inhabitants, and

providing the mode in which such assistants shall be appointed and designated as officers of each city, or city and county, and establishing the compensation, and prescribing the duties of such assistants.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Ames, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Bert, Bledsoe, Bruner, Brusie, Bryant, Cargill, Carter, Coffey, Cram, Culver, Daly, Dibble, Durner, Estey, Galbraith, Garver, Glynn, Hawley, Hayes, Hocking, Hoey, Jackson, Johnson, Jones, Kellogg, Lowe, Lux, Lynch, Martin, Mathews, Matlock, McCall, Phillips, Renfro, Steltz, Wentworth, Weston, Young, and Mr. Speaker—44

NOES—Messrs. Cunningham, Dennis, Doty, Dunn, Eakle, Harloe, Mordecai, Rice, Robertson, Smith of Butte, Stabler, and Sturtevant—12.

Title read and approved.

AMENDMENT TO RULES.

By Mr. Galbraith:

The sessions of this House shall be daily (Sunday's excepted), beginning at eleven o'clock A. M., until February 1, 1891, and thereafter at ten A. M. Recess shall be taken from twelve o'clock and thirty minutes P. M. to two o'clock P. M., and from five o'clock and thirty minutes P. M. to seven o'clock P. M., unless otherwise ordered by a vote of the House.

By Mr. Dibble:

Amendment to the above:
Strike out "five" and insert "four," referring to hour of recess.

Adopted, and resolution as amended adopted under suspension of the rules.

ADJOURNMENT.

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

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Wednesday, February 18, 1891.

The Assembly met pursuant to adjournment.

Speaker Coombs in the chair.

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

Messrs. Alexander, Ames, Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bledsoe, Brown, Bruner, Bryant, Cargill, Carter, Clark, Coffey, Cram, Culver, Cunningham, Daly, Dennis, Dibble, Doty, Dow, Dunn, Durner, Eakle, Estey, Fowler, Freeman, Galbraith, Garver, Glynn, Gordon, Gould, Hall, Harloe, Hawley, Hayes, Hersey, Hunewill, Jackson, Johnson, Jones, Kellogg, Lacey, Lewis, Lowe, Lux, Lynch, Marion, Martin, Mathews, Matlock, McCall, Mordecai, Murnan, Murphy, Phillips, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Tully, Wentworth, Weston, Windrow, Young, and Mr. Speaker.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. A. C. Herrick.

READING OF THE JOURNAL.

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

Journal of Monday approved.

Journal of yesterday approved, as corrected.

LEAVE OF ABSENCE.

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

PRESENTATION OF PETITION.

Mr. Cram presented a petition from the taxpayers of the Fifty-first Assembly District, relative to proposed change in the road laws.

Referred to Committee on Roads and Highways.

REPORTS OF STANDING COMMITTEES.

ON VINICULTURE, VITICULTURE, AND HORTICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, February 17, 1891.

MR. SPEAKER: Your Committee on Viniculture, Viticulture, and Horticulture, to whom was referred Assembly Bill No. 82—An Act to amend an Act entitled an Act to amend an Act entitled "An Act to protect and promote horticultural interests of the State," approved March 19, 1889—report the same back, and recommend that the author be allowed to withdraw the same.

JOHN J. SMITH, Chairman.

Mr. Sturtevant was permitted to withdraw Assembly Bill No. 82.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 18, 1891.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Assembly Bill No. 684—An Act authorizing the governing bodies of cities, or cities and counties, to fix the rates to be charged for gas and electricity for lighting—report the same back without action.

WENTWORTH, Chairman.

ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 17, 1891.

MR. SPEAKER: Your Committee on Enrollment beg leave to report that the following Assembly Bill has been correctly enrolled.

Assembly Bill No. 121—An Act to repeal an Act entitled "An Act to declare the Klamath River navigable"—and was presented to the Governor on Monday, February sixteenth, at three o'clock and fifteen minutes P. M.

BLEDSOE, Chairman.

ON AGRICULTURE AND FORESTRY.

ASSEMBLY CHAMBER, SACRAMENTO, February 17, 1891.

MR SPEAKER: Your Committee on Agriculture and Forestry, to whom was referred Assembly Bills Nos. 636, 362, and 689, and Senate Bill No. 264—report the same back, and recommend that Assembly Bills Nos. 689, 636, and Senate Bill No. 264 do pass; also, that Assembly Bill No 362 do not pass.

STURTEVANT, Chairman.

ON ELECTION AND PRIVILEGES.

ASSEMBLY CHAMBER, SACRAMENTO, February 18, 1891.

MR. SPEAKER: Your Committee on Election and Privileges, to whom was referred Assembly resolution relative to expenses in the contested election case of J. C. Campbell vs. H. P. Eakle—report the same back, and recommend that the following resolution be adopted:

Resolved, That the sum of two thousand ($2,000) dollars be and the same is hereby allowed and ordered paid out of the Contingent Fund of the Assembly to H. P. Eakle, for expenses incurred by him in the contested election case of Campbell vs. Eakle, and the Controller is hereby directed to draw his warrant on the Treasurer in favor of H. P. Eakle for the said amount.

BARNETT, Chairman.

Referred to Committee on Ways and Means and Appropriations.

ON ELECTIONS AND PRIVILEGES—MINORITY REPORT.

ASSEMBLY CHAMBER, SACRAMENTO, February 18, 1891.

MR. SPEAKER: The undersigned member of the Committee on Elections and Privileges, in the matter of the contested election case of Campbell vs. Eakle, hereby recommends that the claim of H. P. Eakle, respondent, be allowed as follows:

Wm. Cutter, taking and transcribing testimony before Commission	$125 00
Attorney fees	1,000 00
Twenty-four witnesses—two days, at $2 per day	96 00
Mileage for witnesses	100 00
Officers' fees	84 00
Total	$1,405 00

BLEDSOE.

Referred to Committee on Ways and Means and Appropriations.

ON CHINESE IMMIGRATION AND EMIGRATION AND LABOR AND CAPITAL.

ASSEMBLY CHAMBER, SACRAMENTO, February 18, 1891.

MR. SPEAKER: Your Committee on Chinese Immigration and Emigration and Labor and Capital, to whom was referred Assembly Bill No. 602—An Act to prohibit the coming of Chinese persons into this State, whether subjects of the Chinese Empire or otherwise, and to provide a registration, and fix the status of all Chinese persons now resident of this State—report the same back without recommendation.

Also: Assembly Bill No. 606—An Act to protect the manufacturers of this State—report the same back, and recommend that the author be allowed to withdraw the same.

STELTZ, Chairman.

Mr. McCall was allowed to withdraw Assembly Bill No. 606.

ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 18, 1891.

MR. SPEAKER: Your Committee on Enrollment beg leave to report that the following Assembly Bill has been correctly enrolled: Assembly Bill No. 211.

Also: Assembly Joint Resolution No. 7—and were presented to the Governor Tuesday, at three o'clock and thirty minutes P. M.

BLEDSOE, Chairman.

ON COMMERCE AND NAVIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 18, 1891.

MR. SPEAKER: Your Committee on Commerce and Navigation, to whom was referred Senate Joint Resolution No. 18—Relative to Nicaragua Canal—report the same back, and recommend its adoption.

PHILLIPS, Chairman.

REPORT OF SELECT COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, February 18, 1891.

MR. SPEAKER: Your Select Committee of three, to whom was referred Assembly Bill No. 401—An Act making an appropriation to pay the Journal Clerk of the Senate, twenty-eighth session of the Legislature, and his assistants, for completing the Journal of the Senate—report the same back, and recommend that it do pass.

ARMS, Chairman.

MOTIONS.

Mr. Lynch moved to refer to the Committee on Fish and Game, Assembly Bill No. 126, for the purpose of amending by inserting the words "section one" in line one of printed bill.

Carried.

Mr. Lynch moved that the Engrossing Clerk be instructed to insert the words "section one" in line one of Assembly Bill No. 126.

Carried.

SPECIAL ORDERS.

Senate Bill No. 74—An Act relative to the non-insurance of property belonging to the State against risk of damage or destruction by fire.

Read second time.

Committee amendment, as follows, adopted:

Amend by striking out the words "except buildings composed of wood, and their contents," in lines three, four, and five, of section one.

MOTION.

Mr. Dibble moved to make Senate Bill No. 74 a special order for Friday morning, immediately after reading the Journal.

Carried.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, February 17, 1891.

To the Assembly of the State of California:

I have the honor to inform your honorable body that I have approved Assembly Bill No. 22.

H. H. MARKHAM, Governor.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 17, 1891.

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

Assembly Joint Resolution No. 16—Relative to the reserving a reasonable amount of the grazing land of the Round Valley Indian Reservation for the use of the Indians of said reservation.

Also: On the seventeenth day of February, passed the following:

Senate Bill No. 478—An Act making an appropriation to pay the Assistant Journal Clerks of the Senate (twenty-sixth session of the Legislature) for completing the Journal of the Senate.

Also: Senate Bill No. 167—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, and to add a new section thereto, to be known as section two hundred and eighteen, relating to train wrecking, and the punishment thereof.

Also: Senate Bill No. 87—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by adding to chapter eight, title thirteen, part one, one section, numbered five hundred and thirty-eight, relating to the punishment of fortune telling.

Also. Senate Bill No. 71—An Act prescribing the competency and for the protection of witnesses testifying as to crimes against the elective franchise; to be added as a new section under title four of the Penal Code of the State of California, and to constitute section sixty-four of said Penal Code.

Also: Senate Bill No. 51—An Act to amend an Act entitled "An Act to authorize the incorporation of rural cemetery associations," approved April 28, 1859, and to authorize the owners of lots in such cemeteries to transfer them by deed.

Also. Senate Bill No. 151—An Act amendatory of an Act entitled an Act to amend an Act entitled "An Act to protect and promote the horticultural interests of the State," approved March 14, 1881, approved March 19, 1889.

Also. Senate Bill No. 90—An Act to amend an Act entitled "An Act to amend section

six of an Act entitled '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.

Also: Committee Substitute for Senate Bill No. 92—An Act to provide penalties for failure to pay tolls by false returns, or otherwise, to any Board of State Harbor Commissioners of the State of California.

And has also concurred in Assembly amendments to Senate Bill No. 351.

F. J. BRANDON, Secretary.
By J. C. BOATMAN, Assistant.

Senate message acted upon as follows:

Senate Bill No. 478 referred to Committee on Ways and Means and Appropriations.

Senate Bill No. 167 referred to Committee on Judiciary.

Senate Bill No. 87 referred to Committee on Judiciary.

Senate Bill No. 71 referred to Committee on Apportionment and Election Laws.

Senate Bill No. 51 referred to Committee on Corporations.

Senate Bill No. 151 referred to Committee on Viniculture, Viticulture, and Horticulture.

Senate Bill No. 90 referred to Committee on Commerce and Navigation.

Committee substitute for Senate Bill No. 92 referred to Committee on Commerce and Navgiation.

RESOLUTION.

By Mr. Phillips:

Resolved, That the Controller be and he is hereby directed to draw his warrant for the sum of eighty-eight dollars on the Contingent Fund of the Assembly, in favor of B. F. Currier, for services as Special Watchman, and the Treasurer is directed to pay the same.

Adopted.

INTRODUCTION OF BILLS.

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

By Mr. Lux: Assembly Bill No. 707—An Act regulating the payment of life insurance policies, and the payment of premiums thereon.

Referred to Committee on Corporations.

By Mr. Alexander: Assembly Joint Resolution No. 17—Relating to the compensation of the enumerators who took the population of the State of California for the eleventh census of the United States.

Ordered to third reading file.

By Mr. Mathews: Constitutional Amendment No. 20—A resolution to propose amendments to section one, article thirteen of the Constitution of the State of California, relating to taxation.

Referred to Committee on Judiciary.

PRESENTATION OF PETITIONS.

Mr. Bledsoe presented petitions indorsing Assembly Bill No. 471, from residents of Yreka, Eureka, San Francisco, Vacaville, Newcastle, Paso Robles, San Diego, Sonora, Healdsburg, and Columbia.

REPORT OF STANDING COMMITTEE.

ON WAYS AND MEANS AND APPROPRIATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 18, 1891.

MR. SPEAKER: Your Committee on Ways and Means and Appropriations, to whom was referred the following resolution:

Resolved, That the sum of twenty-seven hundred and fifty ($2,750) dollars be and the same is hereby allowed and ordered paid out of the Contingent Fund of the Assembly, to J. H. Daly, for expenses incurred by him in the contested election case of Brown vs. Daly, and the Controller is hereby directed to draw his warrant on the Treasurer in favor of J. H. Daly for the said sum.

Have had the same under consideration, and respectfully recommend that it do pass, as per accompanying statement:

Notaries' fees	$6 50
Certified copies	14 00
Serving subpœnas, and mileage of witnesses	191 00
Typewriters' copies and copying	36 00
Reporters' fees	394 20
Services of men, ballot watching and finding witnesses	410 00
Incidental expenses	97 00
Attorneys' fees—H. I. Kowalsky, M. A. Dorn, D. S. Dorn, Lloyd & Woods	1,209 30
Sixteen witnesses, four days at $2 a day	128 00
Eleven witnesses, six days at $2 a day	132 00
Nine witnesses, five days at $2 a day	90 00
Twenty-one witnesses, one day at $2 a day	42 00
Total	$2,750 00

Also: Assembly Bills Nos. 411, 424, 607, 523, 483, and 428—report the same back, and recommend that they do pass.

Also: Assembly Bill No. 422—report the same back, and recommend that it may be withdrawn by the author.

Also: Assembly Bills Nos. 14 and 414—report them back, and recommend that they may be withdrawn by the authors.

Also: Assembly Bill No. 417—report the same back with an amendment, and recommend that it do pass as amended.

Also: Assembly Bills Nos. 409, 421, and 652—report them back, and recommend that they do not pass.

DIBBLE, Chairman.

Resolution adopted.

WITHDRAWAL OF BILLS.

Mr. Dibble was permitted to withdraw Assembly Bills No. 422 and 414.

Mr. Young was permitted to withdraw Assembly Bill No. 14.

Mr. Bert asked leave to withdraw petitions in reference to the electric roads.

So ordered.

MOTION.

Mr. Mathews asked that Assembly Bill No. 692 be taken up.

So ordered.

Assembly Bill No. 692—An Act to amend sections twenty-seven, twenty-eight, twenty-nine, thirty, thirty-one, thirty-two, and thirty-three, the same comprising part second of an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, place, and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885, relating to system of street improvement bonds.

Read first time, and placed on file for second reading.

SPECIAL FILE.

Assembly Bill No. 401—An Act making an appropriation to pay the Journal Clerk of the Senate, twenty-eighth session of the Legislature, and his assistants, for completing the Journal of the Senate.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Ames, Arms, Barnett of San Francisco, Beecher, Bert, Bruner, Brusie, Bryant, Cargill, Clark, Culver, Cunningham, Daly, Dennis, Dibble, Doty, Dow, Dunn, Durner, Eakle, Estey, Fowler, Freeman, Galbraith, Garver, Gould, Harloe, Hawley, Hayes, Hersey, Jackson, Johnson, Jones, Lewis, Lowe, Lux, Lynch, Martin, Mathews, Matlock, McCall, Mordecai, Murnan, Renfro, Rice, Robertson, Shanahan, Stabler, Steltz, Sturtevant, Tennis, Windrow, and Young—54.

NOES—Messrs. Bledsoe, Carter, Cram, Gordon, Lacey, Smith of Butte, Weston, and Mr. Speaker—8.

Title read and approved.

APPOINTMENT OF SELECT COMMITTEE.

The Speaker appointed Messrs. Culver, Baughman, and Doty a select committee to meet a committee from the Senate, in accordance with Senate Concurrent Resolution No. 1, adopted yesterday, relative to the transaction of business between the Senate and Assembly.

SPECIAL FILE—(RESUMED).

Assembly Bill No. 669—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, amended March 14, 1885, March 18, 1885, March 17, 1887, and March 16, 1889, relating to the power of Boards of Supervisors.

Ordered engrossed and to a third reading.

MOTION.

Mr. Dibble moved that the House go into Committee of the Whole, with Speaker pro tem. Young in the chair, for the purpose of considering Assembly Bill No. 561.

Carried.

IN COMMITTEE OF THE WHOLE.

Speaker pro tem. Young in the chair.

Assembly Bill No. 561 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker pro tem. Young in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The Speaker pro tem. stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 561, and now report the same back to the Assembly, and report progress, and ask leave to sit after recess.

MEMORIAL.

To the honorable Speaker and Members of the Assembly:

Your Memorial Committee do most respectfully submit the accompanying preamble and resolutions upon the death of General William T. Sherman, and recommend their adoption:

PREAMBLE AND RESOLUTIONS.

WHEREAS, In the ripeness of age and the full meridian of worldly honor, the Great Commander has summoned to immortal glory that American patriot, William Tecumseh Sherman; therefore, be it

Resolved, That the people of California, representing all classes and opinions, feel a deep interest and view with especial pride the career of one to their memory dear, who, among the earliest pioneers of American civilization on western shores, became one of the founders of this Commonwealth.

Resolved, By the Assembly of the State of California, that her people have learned with profound sorrow the death of General Sherman, that in the name of the people of this State the Assembly extends to the bereaved family of the deceased their heartfelt sympathy and condolence.

Resolved, That in the long and honorable life, the heroic and glorious career of General Sherman, mankind is called to contemplate an example bespeaking the possibilities which open to all people of a land protected by a republican form of government and guarded by free institutions.

Resolved, That we cherish with just pride the memory of the services of General Sherman, rendered immortal by history, poetry, and song, during the war of the Rebellion. He was among the great Captains of the world. Beloved and honored by Lincoln, trusted and cherished by Grant, with the full confidence of a grateful people; sustained and idolized by the Grand Army of Volunteers, who, with unswerving loyalty and devotion, followed him into the fire of battle, and in that world-renowned march from Atlanta to the sea, he was, and ever will be, one of the heroes of this Republic. Sherman, with Lincoln, Grant, and Sheridan, have gone from the land that their deeds have blessed, yet their characters and lives immortalize the severest tests and trials of the Republic, and the memory of their patriotism and wisdom startle the imagination with wonder, and fill the American heart with gratitude.

Resolved, That on the day when the Nation buries its honored dead, that this Assembly adjourn in respect to the cherished memory of the deceased.

Resolved, That these preambles and resolutions be spread upon the Journal of the Assembly, and that an engrossed copy be forwarded to the family of the deceased.

DIBBLE.
SHANAHAN.
MATLOCK.
CLARK.
MATHEWS.
COOMBS.
YOUNG.
BARNETT, J. D.
CARGILL.
MARION.
RICE.

Resolution adopted by a rising vote, on motion of Mr. Bert.

RECESS.

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

REASSEMBLED.

At two o'clock P. M. the House reassembled.
Speaker pro tem. Young in the chair.

MOTION.

Mr. Ames moved that the House go into Committee of the Whole, with Speaker pro tem. Young in the chair, for the purpose of considering Assembly Bill No. 561.

IN COMMITTEE OF THE WHOLE.

Speaker pro tem. Young in the chair.
Assembly Bill No. 561 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker pro tem. Young in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The Speaker pro tem. stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 561, and now report the same back to the Assembly, and report progress, and ask leave to sit again.

MOTION.

At three o'clock P. M. Mr. Bruner moved that special order for three o'clock P. M. be deferred until four o'clock P. M.
So ordered.

LEAVE OF ABSENCE.

Messrs. Culver, Doty, and Baughman were granted leave of absence for the rest of the day.

MOTION.

Mr. Dibble moved that the House go into Committee of the Whole, with Speaker pro tem. Young in the chair, for the purpose of considering Assembly Bill No. 561.
Carried.

IN COMMITTEE OF THE WHOLE.

Speaker pro tem. Young in the chair.
Assembly Bill No. 561 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Coombs in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The Chairman stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 561, and now report the same back to the Assembly, and report progress, and ask that the committee be allowed to sit again.

Mr. Hayes asked to withdraw Assembly Bill No. 615, now in the hands of the Judiciary Committee; also, to substitute for Assembly Bill No. 614, No. 369 on this day's file, the accompanying bill, to be treated as a new bill, and to take the place of said Assembly Bill No. 614 on file, said new bill being identical in all particulars with said Assembly

Bills No. 614 and 615, except they being a consolidated bill, in the form of the accompanying new bill.

So ordered.

INTRODUCTION OF BILL—(OUT OF ORDER).

By Mr. Hayes: Assembly Bill No. 708—An Act to add a new section to the Political Code, to be numbered two thousand five hundred and fifty-five, relating to the leasing of wharves, docks, and landings under control of the Harbor Commissioners.

Ordered on first reading file.

THIRD READING OF BILLS.

Assembly Bill No. 110—An Act to amend an Act entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State, for the construction of waterworks, sewers, and all necessary public improvements, or for any purpose whatever, and to repeal the Act approved March 9, 1885, entitled 'An Act to authorize municipal corporations of the fifth class containing more than three thousand and less than ten thousand inhabitants, to obtain waterworks;' also, to repeal an Act approved March 15, 1887, entitled 'An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State,'" approved March 19, 1889.

MOTION.

Mr. McCall moved that a select committee of one be appointed to amend as follows:

Amend section one by striking out all after the word "however," in line eight, page two, and lines nine and ten, same page, printed bill, and inserting instead the following:

"That in cities, towns, or municipalities operating under a charter heretofore or hereafter framed under section eight of article eleven of the Constitution, and having a Board of Public Works, all the matters and things required in this section to be done and performed by the legislative branch of the municipality, shall be done and performed by the Board of Public Works of such city, town, or municipality."

Also, amend section two of same bill, by striking out all after the word "however," in line nine, page two, and lines ten and eleven, same page, printed bill, and insert instead the following:

"That in cities, towns, or municipalities operating under a charter heretofore or hereafter framed under section eight, article eleven of the Constitution, and having a Board of Public Works, all the matters and things required in this section to be done and performed by the legislative branch of the municipality, shall be done and performed by the Board of Public Works of such city, town, or municipality."

Carried.

APPOINTMENT OF COMMITTEE.

Mr. McCall was appointed a committee to make said amendment.

REPORT OF COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, February 18, 1891.

MR. SPEAKER: Your Select Committee, to whom was referred Assembly Bill No. 110, 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.

McCALL, Committee.

Report of committee adopted.

Assembly Bill No. 244—An Act to amend section six hundred and thirty-seven of the Penal Code of the State of California, relating to the construction and repairing of fish ladders on dams and other obstructions in the running waters of this State.

MOTION.

Mr. Bledsoe moved that a select committee of one be appointed for the purpose of amending said bill.

Lost.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arms, Barnett of Sonoma, Baughman, Beecher, Bert, Brown, Bruner, Brusie, Bryant, Cargill, Culver, Cunningham, Dennis, Doty, Dow, Fowler, Freeman, Galbraith, Garver, Gordon, Gould, Hail, Harloe, Hersey, Hocking, Hunewill, Jackson, Johnson, Jones, Lacey, Lewis, Lowe, Lynch, Martin, Mathews, Matlock, McCall, Mordecai, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Tennis, Tully, Wentworth, Weston, and Young—51.

NOES—Messrs. Alexander, Bledsoe, Durner, Hawley, Hayes, Kellogg, Marion, and Mr. Speaker—8.

Title read and approved.

Assembly Bill No. 125—An Act to amend section six hundred and thirty-three of the Penal Code, relating to the taking of trout.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Ames, Barnett of Sonoma, Beecher, Bert, Brown, Bruner, Brusie, Bryant, Cargill, Clark, Culver, Cunningham, Daly, Dennis, Dow, Dunn, Fowler, Freeman, Galbraith, Garver, Glynn, Gordon, Gould, Hail, Harloe, Hawley, Hocking, Johnson, Jones, Lacey, Lewis, Lux, Lynch, Marion, Martin, Mathews, McCall, Mordecai, Murnan, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Wentworth, and Windrow—50.

NOES—Messrs. Baughman, Bledsoe, Eakle, Hayes, Kellogg, Renfro, and Mr. Speaker—7.

Title read and approved.

Assembly Bill No. 55 withdrawn, and Assembly Bill No. 493 substituted therefor.

Assembly Bill No. 493—An Act to amend section two hundred and ninety of the Civil Code, relative to articles of incorporation.

Read second time, ordered engrossed and to a third reading.

Mr. Dibble moved that Assembly Bill No. 493 retain the place on file occupied by bill withdrawn.

So ordered.

MOTION.

Mr. Bruner moved to take up Senate messages.

Carried.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 18, 1891.

MR. SPEAKER: I am directed to inform your honorable body, that the Senate, on the seventeenth of February, passed the following:

Senate Bill No. 480—An Act to amend section one thousand three hundred and seventy of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the appointment of a married woman as administratrix of an estate of a deceased person.

F. J. BRANDON, Secretary
By J. C. BOATMAN, Assistant.

MOTIONS.

Mr. Bruner moved to substitute Senate Bill No. 480 for Assembly Bill No. 538.

Carried.

Senate Bill No. 480—An Act to amend section one thousand three hundred and seventy of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the appointment of a married woman as administratrix of an estate of a deceased person.

Read first time.

Mr. Bruner moved to make Senate Bill No. 480 a special order for to-morrow morning, immediately after reading the Journal.

Carried.

Assembly Bill No. 198—An Act to provide penalties for failure to pay tolls, by false returns or otherwise, to the Board of State Harbor Commissioners.

Read third time.

Assembly Bill No. 200—An Act to amend an Act entitled "An Act to amend section six of an Act entitled 'An Act concerning the water-front 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.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Barnard, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Bruner, Cargill, Clark, Cunningham, Dibble, Doty, Fowler, Galbraith, Gould, Hail, Harloe, Hayes, Hersey, Hunewill, Jackson, Johnson, Jones, Kellogg, Lewis, Lowe, Lynch, Marion, Martin, Matlock, Mordecai, Murnan, Murphy, Rice, Shanahan, Smith of Butte, Stabler, Steltz, Sturtevant, Tully, Wentworth, Windrow, Young, and Mr. Speaker—44.

NOES—Mr. Freeman—1.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Wentworth gave notice that on to-morrow he will move for a reconsideration of the vote whereby Assembly Bill No. 200 passed.

Assembly Bill No. 271—An Act to amend section two thousand six hundred and eighty-one of an Act entitled "An Act to establish a Political Code."

Read third time.

MOTION.

Mr. Sturtevant moved that the enacting clause be stricken from this bill.

Lost.

RECESS.

At four o'clock and thirty minutes P. M. the House took a recess.

REASSEMBLED.

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

Speaker Coombs in the chair.

Quorum present.

REPORT OF STANDING COMMITTEE.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, February 18, 1891.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bills Nos. 661, 682, 697, 678, 700, 701, 665, 666, 638, and 578—report the same back, and recommend that they do pass.

Also: Assembly Message from the Governor—and report the same back, and recommend that it do pass.

Also: Senate Bills Nos. 176, 134, 238, 76, and 70—and report the same back, and recommend that they do pass.

Also: Senate Constitutional Amendment No. 11—report the same back, and recommend that it do pass.

BRUNER, Chairman.

RESOLUTION.

By Mr. Robertson:

Resolved, That the sum of seventeen hundred and sixty dollars and seventy cents be and the same are hereby allowed to John F. Brown, as expenses incurred by him in the contested election case of John F. Brown vs. James H. Daly, for the office of member of the Assembly of the State of California, payable out of the Contingent Fund of the Assembly, and the Controller is hereby directed to draw his warrant in favor of said John F. Brown for said sum of seventeen hundred and sixty dollars and seventy cents.

Referred to Committee on Ways and Means and Appropriations.

ON APPORTIONMENT AND ELECTION LAWS.

ASSEMBLY CHAMBER, SACRAMENTO, February 18, 1891.

MR. SPEAKER: Your Committee on Apportionment and Election Laws, to whom was referred Assembly Bills Nos. 549 and 550—report the same back, and recommend that they do pass.

CRAM, Chairman.

MOTION.

Mr. Robertson asked that Assembly Bill No. 167 be taken up.

So ordered.

Assembly Bill No. 167—An Act creating a lien in favor of owners or those in charge of stallions, jacks, and bulls duly licensed and used for propagating purposes, and providing for the operation of such lien.

Ordered read third time.

Mr. Robertson moved that a select committee of one be appointed to amend Assembly Bill No. 167, as follows:

1. Amend section one by inserting "jack" between first word "stallion" and "or," in line three.
2. Amend section one by inserting "jack" between "stallion" and "or," in line fourteen.

Carried.

APPOINTMENT OF COMMITTEE.

Mr. Robertson was appointed a committee to make said amendments.

REPORT OF COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, February 18, 1891.

MR. SPEAKER: Your Select Committee, to whom was referred Assembly Bill No. 167, with instructions to amend in accordance with the action of the House, would report that the instructions of the House have been carried out.

ROBERTSON, Committee.

Report of committee adopted.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON PUBLIC BUILDINGS AND GROUNDS.

ASSEMBLY CHAMBER, SACRAMENTO, February 18, 1891.

MR. SPEAKER: Your Committee on Public Buildings and Grounds, to whom was referred Senate Bills Nos. 196 and 197—have reconsidered the same, and report the same back, and recommend that they do pass.

Also: Assembly Bill No. 47—report the same back and recommend that it do pass as amended, and ask that the same be referred to the Committee on Ways and Means and Appropriations.

Also: Assembly Bill No. 605—have had the same under consideration, and report the same back, and recommend that it do pass, and recommend the same be referred to the Committee on Ways and Means and Appropriations.

Also: Senate Bill No. 130—report the same back, and recommend that it do pass, and that the same be referred to the Committee on Ways and Means and Appropriations.

HERSEY, Chairman.

Assembly Bills No. 47 and 605, and Senate Bill No. 130, referred to Committee on Ways and Means and Appropriations.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 18, 1891.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Assembly Bill No 648—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—report the same back, and recommend that it do not pass.

WENTWORTH, Chairman.

ON STATE CHARITABLE AND REFORMATORY INSTITUTIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 18, 1891.

MR. SPEAKER: Your Committee on State Charitable and Reformatory Institutions beg leave to report, and state that we have visited the Whittier Reform School at Whittier, Los Angeles County, the State Normal School at Los Angeles, the Orphans Home Society at Los Angeles, the Catholic Orphans Home at Los Angeles, and the Insane Asylum at San Bernardino, San Bernardino County; distance to and from said institutions, one thousand one hundred and seventy-six miles; that the following members, viz.: F. N. Marion, Chairman, E. A. Freeman, C. S. Arms, and A. Smith, Clerk, constituted said committee; that there is now due to each of said members and said clerk, the sum of one hundred and seventeen dollars and sixty cents. We recommend the adoption of the following resolution, viz.:

Resolved, That the Controller be and he is hereby directed to draw his warrant in favor of F. N. Marion, Chairman of the Committee on State Charitable and Reformatory Institutions, for the amount of four hundred and seventy dollars and forty cents for such mileage, and that said warrant be drawn out of the appropriation for the contingent expenses of the Assembly.

MARION, Chairman.

ON PUBLIC BUILDINGS AND GROUNDS.

ASSEMBLY CHAMBER, SACRAMENTO, February 18, 1891.

MR SPEAKER: Your Committee on Public Buildings and Grounds beg leave to report that we have visited the Whittier Reform School at Whittier, Los Angeles County, the State Normal School at Los Angeles, the Orphans Home Society at Los Angeles, the Catholic Orphans Home at Los Angeles, and the Insane Asylum at San Bernardino, San Bernardino County, distance to and from said institutions, one thousand one hundred and seventy-six miles; that the following members, viz.: Geo. E. Hersey, C. F. Lacey, F. H. Gould, and Louis Montgomery, Clerk, constituted said committee; that there is now due to each of said members and said Clerk, the sum of one hundred and seventeen dollars and sixty cents. We recommend the adoption of the following resolution, viz :

Resolved, That the Controller be and he is hereby directed to draw his warrant in favor of Geo. E. Hersey, Chairman of said Committee on Public Buildings and Grounds, for the amount of four hundred and seventy dollars and forty cents, for such mileage, and that said warrant be drawn out of the appropriation for the contingent expenses of the Assembly.

HERSEY, Chairman.

MOTION.

Mr. Robertson moved that a select committee of one be appointed by the Speaker to amend Assembly Bill No. 167, as follows:

Amend section one by striking out the words "duly licensed," in line one, and the first word "and" in line two of section one.

Amend title by striking out the words "duly licensed and," in the second line of the title in the printed bill.

Carried.

APPOINTMENT OF COMMITTEE.

Mr. Robertson was appointed a committee to make said amendment.

REPORT OF COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, February 18, 1891.

MR. SPEAKER: Your Select Committee, to whom was referred Assembly Bill No. 167, 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.

ROBERTSON, Committee.

FIRST READING OF BILLS.

The following bills were read first time, and placed on file for second reading:

Assembly Bill No. 253—An Act to add a new section to the Code of Civil Procedure, relative to demurrers in civil cases, to be known and numbered as section four hundred and thirty-five.

Assembly Bill No. 254—An Act to add a new section to the Code of Civil Procedure, relative to time of trial of actions, to be known and numbered as section five hundred and ninety-seven.

Assembly Bill No. 535—An Act entitled an Act to provide for the payment of taxes in semi-annual installments, and to amend sections three thousand seven hundred and seventeen, three thousand seven hundred and eighteen, three thousand seven hundred and thirty-one, three thousand seven hundred and thirty-two, three thousand seven hundred and forty-six, three thousand seven hundred and fifty, three thousand seven hundred and fifty-one, three thousand seven hundred and fifty-six, three thousand seven hundred and fifty-eight, three thousand seven hundred and sixty-four, three thousand seven hundred and sixty-nine, three thousand seven hundred and seventy, three thousand seven hundred and seventy-six, three thousand seven hundred and seventy-nine, three thousand seven hundred and eighty, three thousand seven hundred and eighty-one, three thousand seven hundred and eighty-three, three thousand seven hundred and eighty-four, three thousand seven hundred and eighty-five, three thousand seven hundred and eighty-six, three thousand seven hundred and eighty-seven, and three thousand seven hundred and ninety-seven of an Act entitled "An Act to establish a Political Code," approved March 12, 1872; to repeal section three thousand seven hundred and seventy-seven of said Act, and to enact a new section in lieu thereof, to be known as section three thousand seven hundred and seventy-seven of said Political Code; and to add a new section to said Political Code, to be known as section three thousand eight hundred and one, relating to levy and collection of taxes.

Assembly Bill No. 591—An Act to amend section eight hundred and sixty-six of the Code of Civil Procedure of the State of California, relating to the affidavit for attachment in Justices' Courts.

Assembly Bill No. 641—An Act to amend section three hundred and seventeen of the Penal Code.

Assembly Bill No. 643—An Act to define the manner in which the County Auditors shall keep their books, and for the adoption of a uniform system for use in such offices.

Assembly Bill No. 374—An Act to amend sections three thousand seven hundred and forty-six, three thousand seven hundred and forty-eight, three thousand seven hundred and fifty, three thousand seven hundred and fifty-one, three thousand seven hundred and fifty-six, three thousand seven hundred and fifty-eight, three thousand seven hundred and sixty-four, three thousand seven hundred and ninety-seven, three thousand seven hundred and ninety-nine, three thousand eight hundred, three thousand eight hundred and sixteen, and three thousand eight hundred and sixty-six of "An Act to establish a Political Code," approved March 12, 1872, and to add a new section thereto, to be known as section three thousand seven hundred and fifty-seven, relative to the collection of property taxes.

Assembly Bill No. 499—An Act to amend sections one thousand two hundred and seventeen, one thousand two hundred and twenty, one thousand two hundred and twenty-one, one thousand two hundred and twenty-three, one thousand two hundred and twenty-four, 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 twenty-nine, and one thousand two hundred and thirty of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to execution of judgments of death.

Assembly Bill No. 649—An Act to provide for making proof of will during the lifetime of testator.

NOTICE OF RECONSIDERATION.

Mr. Wentworth gave notice that to-morrow he will move for a reconsideration of the vote whereby Assembly Bill No. 125 passed.

FIRST READING OF BILLS—(RESUMED).

The following bills were read first time, and placed on file for second reading:

Assembly Bill No. 611—An Act to amend section one thousand four hundred and thirty-one of the Code of Civil Procedure of California.

Assembly Bill No. 657—An Act to make train wrecking a capital offense.

Assembly Bill No. 345—An Act to repeal section three thousand eight hundred and eighteen of the Political Code, relating to preferred purchasers for lands sold to the State for taxes.

Assembly Bill No. 635—An Act to amend section seven hundred and fifty-one of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the duties of the Clerk of the Supreme Court.

Assembly Bill No. 585—An Act to amend the Code of Civil Procedure

by adding thereto a new section, to be numbered and known as section nine hundred and twenty-seven, prohibiting any one, except regularly admitted attorneys, from practicing law in Justices' Courts in any incorporated city or town in this State.

Assembly Bill No. 576—An Act to amend sections one thousand five hundred and seventy-seven, one thousand five hundred and seventy-eight, and one thousand five hundred and seventy-nine of the Code of Civil Procedure, relating to mortgages and leases in certain cases.

Assembly Bill No. 608—An Act to validate and make legal proofs and acknowledgments of instruments made before and taken by Court Commissioners after the third day of April, 1880.

RESOLUTION.

By Mr. Jones:

Resolved, That the Printing Committee be allowed the privilege of engaging an expert for the purpose of examining into the text-book question now before this committee for investigation, at eight dollars per diem, payable out of the Contingent Fund of the Assembly; *provided*, that said expert shall not be employed for a longer time than twelve days.

Adopted.

FIRST READING OF BILLS—(RESUMED).

The following bills were read first time, and placed on file for second reading:

Assembly Bill No. 336—An Act to provide for the division of existing counties, and for the creation and organization of new counties, and names therefor, to determine the location of county seat by an election, to declare the manner of providing officers, to provide for the support of such new counties by the issuance of bonds, and to determine what portion of old county debt is chargeable to such new county.

Assembly Bill No. 617—An Act to protect the owners of bottles, boxes, siphons, and kegs used in the sale of soda waters, mineral or aerated waters, porter, ale, cider, ginger ale, milk, cream, small beer, lager beer, weiss beer, beer, white beer, or other beverages.

Assembly Bill No. 24—An Act exempting estates worth less than fifteen hundred dollars from cost of administration.

Assembly Bill No. 84—An Act to amend sections one thousand one hundred and eighty-seven and one thousand one hundred and eighty-nine, and to repeal sections one thousand one hundred and eighty-six and one thousand one hundred and ninety-one of the Civil Code, relating to the recording and the acknowledgment of transfers.

Assembly Bill No. 620—An Act to add a new section to the Political Code, numbered eight hundred and two, providing for recording the commission of a Notary Public.

Assembly Bill No. 501—An Act to amend an Act to establish a Civil Code, approved March 21, 1872, by adding two new sections thereto, to be numbered one thousand eight hundred and fifty-six and one thousand eight hundred and fifty-seven, relating to the lien of depositaries for hire.

Assembly Bill No. 502—An Act to amend section three thousand eight hundred and fifteen of the Political Code, relating to the redemption of property sold to the State and the determination of invalid sales.

Assembly Bill No. 312—An Act to amend section one thousand four

hundred and sixty-nine of the Code of Civil Procedure, providing for a more economic method of administration of estates of decedents, when such estate does not exceed the appraised value of one thousand five hundred dollars.

Assembly Bill No. 188—An Act to regulate the practice of pharmacy and sale of poisons in the State of California.

Assembly Bill No. 488—An Act to amend section two hundred and twenty-four of an Act entitled "An Act to establish a Civil Code of the State of California," approved March 21, 1872, in relation to the adoption of children.

Assembly Bill No. 358—An Act to amend section one thousand three hundred and forty-eight of an Act entitled "An Act to establish a Code of Civil Procedure," adopted March 11, 1872, authorizing certain corporations to act as executor, and in other capacities.

Assembly Bill No. 616—An Act to amend section nine hundred and ninety-nine of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to vacancies in office.

Assembly Bill No. 612—An Act concerning municipal bonds of municipalities of the sixth class.

Assembly Bill No. 94—An Act to amend sections one thousand one hundred and eighty-three and one thousand one hundred and eighty-four of the Code of Civil Procedure, relating to liens of mechanics and others upon real property, and to carry out the mandates of section fifteen of article twenty of the Constitution.

Assembly Bill No. 109—An Act to amend section three thousand seven hundred and eighty-five of the Political Code, relating to the redemption of property sold for delinquent taxes, and the notices to be given by the purchasers of property at delinquent tax sales before applying for a deed.

Assembly Bill No. 431—An Act to add a new section to the Code of Civil Procedure, to be known as section one thousand eight hundred and ten, relating to the power of guardians to settle and compromise claims against the estates of their wards.

Assembly Bill No. 481—An Act to amend sections two hundred and sixty-five and two hundred and sixty-six of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to Secretaries, Bailiffs, and Librarian of the Supreme Court.

Assembly Bill No. 482—An Act to amend section seven hundred and thirty-nine of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the salaries of officers of the Supreme Court.

Assembly Bill No. 360—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure."

Assembly Bill No. 503—An Act to validate and make legal acknowledgments, affidavits, and oaths made before and taken by any person acting as a Notary Public, under appointment by the Governor of the State of California, in certain cases; and to validate and make legal all the acts and transactions of such person while acting as such Notary Public.

Assembly Bill No. 511—An Act to repeal section two thousand six hundred and thirty-seven of the Civil Code, and to enact a new section in lieu thereof, to be known as section two thousand six hundred and thirty-seven, relating to insurance.

Assembly Bill No. 566—An Act to amend section ninety-two of the Civil Code, relating to the grounds of action for divorce.

Assembly Bill No. 644—An Act to amend section one thousand two hundred and seventy-nine of the Penal Code, relating to the qualifications of bail.

Assembly Bill No. 473—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, by repealing section six hundred and thirty-two, relating to decisions of Court on questions of fact.

Assembly Bill No. 143—An Act to amend sections two hundred and sixty-nine and two hundred and seventy-four of the Code of Civil Procedure, relating to phonographic reporters.

Assembly Bill No. 152—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure."

Assembly Bill No. 182—An Act to add a new section to the Civil Code, to be known as section three hundred and twenty-eight, to enforce the provisions of section three of article twelve of the Constitution.

Assembly Bill No. 436—An Act entitled an Act to amend section four thousand one hundred and four of the Political Code.

Assembly Bill No. 311—An Act in relation to reassessments of property and the equalization of the same, in cases where a former assessment is invalid or void, and in relation to the collection of taxes on said reassessments.

Assembly Bill No. 205—An Act amending sections one thousand one hundred and eighty-three, one thousand one hundred and eighty-four, and one thousand one hundred and eighty-seven of the Code of Civil Procedure of the State of California, as amended March 15, 1887, and section one thousand one hundred and ninty-five of the said Code of Civil Procedure, as amended March 18, 1885, relating to liens of mechanics and others.

Assembly Bill No. 272—An Act to amend sections seven hundred and thirty-six, seven hundred and thirty-seven, and seven hundred and thirty-eight of the Political Code, relating to salaries of Justices of the Supreme Court and Superior Court Judges.

Assembly Bill No. 504—An Act to provide for the submission of questions to the electors of the State of California, or to the electors of any city and county, or city, within the State.

Assembly Bill No. 525—An Act to amend section one hundred and three of the Code of Civil Procedure, approved March 11, 1872, relating to Justices' Courts.

Assembly Bill No. 526—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure."

Assembly Bill No. 645—An Act to amend section four hundred and ninety-four and section one thousand and fifty-seven of the Code of Civil Procedure.

Assembly Bill No. 332—An Act to amend an Act entitled "An Act to establish a Penal Code."

Assembly Bill No. 151—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure."

Senate Bill No. 69—An Act to amend section one thousand three hundred and twenty-nine of the Penal Code of the State of California, relative to the payment of the necessary expenses of witnesses in criminal cases.

Substitute for Senate Bill No. 75—An Act to add a new section to the Political Code, to be known and designated as section four thousand three hundred and thirty-four, relating to the duties of officers.

Senate Bill No. 227—An Act entitled an Act to add another section to the Code of Civil Procedure of the State of California, relating to incompetent persons.

Assembly Bill No. 458—An Act for the relief of Patrick Creighton.

Assembly Bill No. 536—An Act to authorize the Adjutant-General to issue arms and accouterments to camps of the order of Sons of Veterans in the State of California.

Assembly Bill No. 609—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by adding to chapter seven, title nine, part one thereof, three new sections, numbered, respectively, two hundred and ninety-nine, three hundred, and three hundred and one, forbidding the exhibition, opening, or maintaining of a bull, bear, cock, or prize fight, horse race, circus, gambling house or saloon, or any barbarous or noisy amusement; or the keeping, conducting, or exhibiting of any theater or other place of musical, theatrical, or operatic performance, where intoxicating drink is sold, given away, or used, on Sunday; forbidding also the keeping open on that day of any store, work-shop, bar, saloon, banking house, or other place of business, for business purposes.

Assembly Bill No. 339—An Act to add a new section to the Penal Code, to be numbered section two hundred and eighty-three and one half, relative to time of marriage of divorced persons.

Assembly Bill No. 249—An Act to add a new section to the Penal Code, to be known and numbered as section three hundred and nineteen, relating to the renting of property for immoral purposes.

Assemby Bill No. 603—An Act to prevent the placing, or keeping, or leaving of married women in houses of prostitution, and to punish persons therefor.

Assembly Bill No. 642—An Act to establish Boards of Commissioners for the parole and government of paroled prisoners.

Senate Bill No. 108—An Act to amend the Penal Code of California by adding a new section thereto, to be known as section three hundred and eight, relative to the sale or furnishing of tobacco, or preparations thereof, to persons under sixteen years of age.

Senate Bill No. 444—An Act to amend section six hundred and forty-seven of the Penal Code, concerning vagrants.

Assembly Bill No. 629—An Act to add a new section to chapter eleven of title nine, part one, of an Act entitled "An Act to establish a Penal Code of the State of California," approved February 14, 1872, relating to and declaring who are pawnbrokers.

Assembly Bill No. 677—An Act to amend section six hundred and eight of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relative to cemetery corporations.

Assembly Bill No. 613—An Act for the preservation of the timber lands of California.

Assembly Bill No. 696—An Act to amend an Act entitled "An Act to reincorporate the city of San José," approved March 17, 1874.

Assembly Bill No. 15—Act Act to amend section four of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Assembly Bill No. 598—An Act to amend 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, by adding thereto certain new and additional sections to provide the mode of carrying into effect certain provisions of said Act, relative to changing grades.

Senate Bill No. 136—An Act to amend section seven hundred and ninety-seven of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Assembly Bill No. 443—An Act to provide for the planting, maintenance, and care of shade trees upon streets, lanes, alleys, courts, and places, within municipalities, and of hedges upon the lines thereof; also, for the eradication of certain weeds within city limits.

Assembly Bill No. 614—An Act to add a new section to the Political Code, to be numbered two thousand five hundred and fifty-five, relating to the leasing of wharves, docks, and landings under control of the Harbor Commissioners.

Assembly Bill No. 660—An Act to create and organize and define the powers of a Board of Shipping Commissioners, and define their powers, for the purpose of securing and chartering ships to carry the surplus wheat and other farm products to foreign markets.

Senate Bill No. 41—An Act to amend section four thousand one hundred and sixty-one of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the deposit of public funds.

Assembly Bill No. 594—An Act declaring Petaluma River a navigable stream.

Assembly Bill No. 229—An Act to amend section two thousand four hundred and sixty-seven of the Political Code, relating to charges for towage.

Assembly Bill No. 623—An Act to amend sections three thousand nine hundred and sixteen and three thousand nine hundred and twenty-two of the Political Code of the State of California, relating to county boundaries.

Assembly Bill No. 252—An Act to amend section three thousand nine hundred and twenty-six of the Political Code, relating to the boundary of Sutter County.

Senate Bill No. 91—An Act to provide for the issuance and sale of State bonds to create a fund for the construction and furnishing by the Board of State Harbor Commissioners of a general ferry and passenger depot in the City and County of San Francisco; to create a sinking fund for the payment of said bonds, and providing for the submission of this Act to a vote of the people.

Senate Bill No. 281—An Act to provide for the payment of the wages of mechanics and laborers employed by corporations.

Assembly Bill No. 337—An Act to provide for the appointment of a Board of Sutter's Fort Trustees, and for the acquisition of the Sutter's Fort property, and providing for an appropriation for the preservation, protection, and improvement of said property.

Assembly Bill No. 529—An Act authorizing the appointment of a State agent for the guidance and employment of discharged convicts, defining his duties, and appropriating money therefor.

Assembly Bill No. 323—An Act to authorize the Governor of the State of California to appoint a custodian of the Marshall monument.

Assembly Bill No. 113—An Act prescribing the competency and for the protection of witnesses testifying as to crimes against the election franchise, to be added as a new section under title four of the Penal Code of California, and to constitute section number sixty-three of said Penal Code.

Assembly Bill No. 128—An Act to amend section one thousand and seventy of the Political Code, relating to the rights of electors.

Assembly Bill No. 558—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the registration of voters, by adding a new section thereto, to be designated as section one thousand one hundred and eighteen.

ADJOURNMENT.

At eight o'clock P. M., on motion of Mr. Dibble, the House adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Thursday, February 19, 1891.

The Assembly met pursuant to adjournment.

Speaker Coombs in the chair.

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

Messrs. Alexander, Ames, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Brusie, Bryant, Cargill, Carter, Coffey, Cram, Culver, Cunningham, Dennis, Dibble, Doty, Dow, Dunn, Durner, Eakle, Estey, Fowler, Freeman, Garver, Glynn, Gordon, Gould, Hail, Harloe, Hawley, Hayes, Hersey, Hocking, Hunewill, Jackson, Johnson, Jones, Kellogg, Lacey, Lewis, Lowe, Lux, Lynch, Marion, Martin, Mathews, Matlock, McCall, Mordecai, Murnan, Murphy, Phillips, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Tully, Wentworth, Weston, Windrow, Young, and Mr. Speaker.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. A. C. Herrick.

READING OF THE MINUTES.

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

So ordered.

Journal corrected and approved.

LEAVE OF ABSENCE.

Messrs. Clark and Hoey were granted leave of absence.

MOTIONS.

Mr. Hayes moved that Assembly Bill No. 708 be taken up out of order, and be made a special order for this afternoon, at two o'clock.

Carried.

Mr. Gould moved that Senate Bill No. 176 be substituted for Assembly Bill No. 178, and Senate Bill No. 176 read first time.

Carried.

Senate Bill No. 176—An Act to ascertain and express the will of the people of the State of California upon the subject of the election of United States Senators.

Read first time, and placed on file for second reading.

Mr. Phillips in the chair.

Mr. Gould moved to suspend the rules and place Assembly Bills Nos. 2, 3, 27, 29, and 470 on the special file.

The ayes and noes were demanded by Messrs. Brusie, Dibble, and Mathews.

So ordered.

CALL OF THE HOUSE.

Pending the roll call, a call of the House was demanded by Messrs. Gould, Dunn, and Sturtevant.

So ordered.

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

Messrs. Alexander, Ames, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bledsoe, Brown, Bruner, Brusie, Bryant, Cargill, Carter, Coffey, Cram, Culver, Cunningham, Dennis, Dibble, Doty, Dow, Dunn, Durner, Eakle, Estey, Fowler, Freeman, Galbraith, Garver, Glynn, Gould, Hall, Harloe, Hawley, Hayes, Hersey, Hocking, Hunewill, Jackson, Johnson, Jones, Kellogg, Lacey, Lewis, Lowe, Lux, Lynch, Marion, Martin, Mathews, Matlock, Mordecai, Murnan, Murphy, Phillips, Renfro, Rice, Robertson, Shanahan, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Tully, Wentworth, Weston, Windrow, and Young.

MOTION.

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

Carried.

CALL OF THE HOUSE.

A call of the House was demanded by Messrs. Shanahan, Gould, and Jackson.

So ordered.

POINT OF ORDER.

Mr. Bruner raised the point of order that no business had been transacted since further business under call of the House had been dispensed with.

Point of order sustained.

MOTION.

At eleven o'clock and ten minutes A. M., Mr. Jackson moved to adjourn.

Lost.

CALL OF THE HOUSE.

A call of the House was demanded by Messrs. Shanahan, Gould, and Dennis.

So ordered.

The ayes and noes were demanded by Mr. Shanahan, seconded by Messrs. Gould and Jackson.

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

AYES—Messrs. Barnett of Sonoma, Beecher, Bledsoe, Brown, Brusie, Cunningham, Dennis, Doty, Dunn, Durner, Eakle, Estey, Fowler, Freeman, Gould, Hail, Hawley, Hocking, Jackson, Lacey, Lynch, Marion, Martin, Mathews, Mordecai, Murnan, Murphy, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Sturtevant, Tennis, and Weston—37.

NOES—Messrs. Alexander, Ames, Barnard, Barnett of San Francisco, Baughman, Bruner, Bryant, Cargill, Carter, Coffey, Cram, Culver, Dibble, Dow, Galbraith, Garver, Glynn, Gordon, Harloe, Hayes, Hersey, Hunewill, Johnson, Jones, Kellogg, Lewis, Lowe, Lux, Matlock, McCall, Phillips, Steltz, Tully, Wentworth, Windrow, Young, and Mr. Speaker—37.

The interrupted roll call was completed, and by unanimous consent a new roll was called, and Mr. Gould's motion to suspend the rules was lost by the following vote:

AYES—Messrs. Ames, Barnett of Sonoma, Beecher, Bert, Bledsoe, Brown, Brusie, Cargill, Cunningham, Dennis, Doty, Dunn, Durner, Eakle, Estey, Fowler, Freeman, Garver, Gould, Harloe, Hawley, Hocking, Jackson, Lacey, Lewis, Lynch, Marion, Martin, Mathews, McCall, Mordecai, Murnan, Murphy, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Sturtevant, Tennis, Weston, and Young—44.

NOES—Messrs. Alexander, Barnard, Barnett of San Francisco, Baughman, Bruner, Bryant, Carter, Coffey, Cram, Culver, Dibble, Dow, Galbraith, Glynn, Gordon, Hail, Hayes, Hersey, Hunewill, Johnson, Jones, Kellogg, Lowe, Lux, Matlock, Phillips, Steltz, Tully, Wentworth, and Mr. Speaker—30.

MOTION.

Mr. Gould moved to take up Assembly Bills Nos. 2, 3, 27, 29, and 470 out of order, for the purpose of making them a special order for Tuesday morning.

The ayes and noes were demanded by Mr. Gould, seconded by Messrs. Doty and Stabler.

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

AYES—Messrs. Barnett of Sonoma, Beecher, Bert, Bledsoe, Cunningham, Dennis, Doty, Dunn, Eakle, Garver, Gould, Harloe, Jackson, Lacey, Lewis, Martin, Mathews, Mordecai, Murnan, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Stabler, Tennis, and Tully—27.

NOES—Messrs. Alexander, Ames, Barnard, Barnett of San Francisco, Baughman, Brown, Bruner, Brusie, Bryant, Cargill, Coffey, Cram, Culver, Dibble, Dow, Durner, Estey, Fowler, Freeman, Galbraith, Glynn, Gordon, Hail, Hawley, Hersey, Hocking, Jones, Kellogg, Lux, Lynch, Marion, Matlock, McCall, Phillips, Smith of Orange, Sturtevant, Wentworth, Young, and Mr. Speaker—39.

REPORT OF JOINT COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, February 19, 1891.

MR. SPEAKER: Your Special Joint Committee of the Senate and Assembly respectfully report the following amendment to the joint rules:

XXIII.

On and after February 20, 1891, the Senate and Assembly shall adopt and provide a special file, upon which shall be placed, in the Senate, only Assembly Bills that have passed the Assembly, and in the Assembly only Senate Bills that have passed the Senate. Such special file shall be taken up at two o'clock P. M. each day, and be considered one hour and a half after being so taken up.

CULVER, Chairman.

Ordered printed in the Journal.

RECESS.

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

REASSEMBLED.

At two o'clock P. M. the House reassembled.
Speaker Coombs in the chair.
Quorum present.

UNFINISHED BUSINESS.

Assembly Bill No. 271—An Act to amend section two thousand six hundred and eighty-one of an Act entitled "An Act to establish a Political Code."

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Barnett of Sonoma, Beecher, Bert, Brown, Bruner, Bryant, Cargill, Carter, Coffey, Cram, Cunningham, Daly, Dibble, Doty, Dow, Dunn, Fowler, Freeman, Galbraith, Garver, Glynn, Gordon, Gould, Hawley, Hayes, Hersey, Hunewill, Johnson, Jones, Kellogg, Lacey, Lewis, Lowe, Lux, Lynch, Marion, Martin, Mathews, Matlock, McCall, Murphy, Phillips, Rice, Robertson, Shanahan, Stabler, Steltz, Tennis, Wentworth, Weston, Windrow, and Young—52.

NOES—Messrs. Arms, Baughman, Bledsoe, Brusie, Durner, Estey, Hail, Harloe, Mordecai, Renfro, Smith of Butte, Smith of Orange, and Mr. Speaker—13.

Title read and approved.

LEAVE OF ABSENCE.

Mr. Estey was granted leave of absence until Tuesday.

REPORTS OF STANDING COMMITTEES.

ON STATE CHARITABLE AND REFORMATORY INSTITUTIONS

ASSEMBLY CHAMBER, SACRAMENTO, February 18, 1891.

MR. SPEAKER: Your Committee on State Charitable and Reformatory Institutions, to whom was referred Assembly Bills Nos. 41, 83, 117, 367, and 600, and Senate Bill No. 241—report the same back and recommend that they do pass, and ask that the same be referred to the Committee on Ways and Means and Appropriations.

Also: Assembly Bill No. 207—An Act making an appropriation for the additional buildings and improvements of the Southern California State Hospital for the Insane—have amended the same, and report the same back, and recommend that it do pass as amended.

MARION, Chairman.

Assembly Bills Nos. 41, 83, 117, 367, and 207, and Senate Bill No. 241, referred to Committee on Ways and Means and Appropriations.

JOINT REPORT OF COMMITTEES ON STATE CHARITABLE AND REFORMATORY INSTITUTIONS, AND PUBLIC BUILDINGS AND GROUNDS.

ASSEMBLY CHAMBER, SACRAMENTO, February 18, 1891.

MR. SPEAKER: Your Committee on State Charitable and Reformatory Institutions, and the Committee on Public Buildings and Grounds, beg leave to submit their joint report, in pursuance of the duties allotted to them, and state that the aforesaid have visited and carefully examined the following institutions, viz.:

The State Normal School at San José, the State Normal School at Los Angeles, the State Normal School at Chico, the Agnews Insane Asylum, the Stockton Insane Asylum, the San Bernardino Insane Asylum, the Whittier Reform School for Juvenile Offenders, the Institute for the Deaf and Dumb and the Blind at Berkeley, the Industrial Home of Mechanical Trades for the Adult Blind at Oakland, the Home for the Care and Training

of Feeble-Minded Children at Santa Clara, the Orphans Home Society at Los Angeles, and the Catholic Orphans Home at Los Angeles, and we most respectfully submit the following report of our inspections and investigations, and such suggestions as we have to offer resulting therefrom, with reference to their needs and conditions:

THE STATE NORMAL SCHOOL AT SAN JOSÉ.

This edifice is a handsome structure, plain, durable, and very conveniently arranged, it is centrally located, in the heart of the Garden City, and possesses many attractions to those who have availed themselves of its advantages. The school is centrally located, within fifty miles from San Francisco, and within a radius of sixty miles may be embraced one half of the entire population of the State.

We recommend the appropriation of fifty thousand dollars, for the following reasons:

First—The school now contains over five hundred pupils, and the building is utterly inadequate to accommodate that number. The building was originally designed to afford educational facilities for about four hundred pupils, but owing to the constant increase in the number of applicants it was deemed necessary to utilize the basement, which was originally intended as a play-room for the children in the training department in the winter months. This large basement was converted into class-rooms for the use of the Normal pupils proper, thus depriving the children of the use of the same. This basement is low, the ceiling being but eight feet in height, underground to a considerable extent, and uterally unfit for school work. It is cold, dark, and damp, and there being no provisions made for heating or ventilating any of the class-rooms. It is wholly *unfit for the purposes now used, and we condemn the same as an unhealthy and unsuitable* school-room, and we are informed by the Faculty that a number of deaths have occurred, which are directly attributable to the unhealthy condition of the same, where the pupils are compelled to live the greater portion of the day, and we are informed that the daughter of C. W. Childs, the Principal of the school, was one of the unfortunates who contracted a severe cold, which terminated fatally a few days since.

It was also reported to your committee that the students were compelled to lunch in the cloak-rooms. It is certainly a deplorable state of affairs, and the appropriation asked for is just and proper, and should be granted. There is certainly nothing lost by the State in making liberal appropriations for her Normal Schools, for it is here where the State educates her educators, and none other. All pupils applying for admission to attend the Normal Schools of this State are required to make affidavit that they intend following the occupation of teaching, and your committee is informed that over ninety per cent of the graduates for the past ten years are now in the profession, teaching the youth of California.

The Preparatory Department is of a more recent creation. There are many students that come from a long distance, and when examined for admission, would fail in one or two branches, or, it might be, would not be quite sixteen years of age. In that case they are received in the Preparatory Department, and, as the law directs, are charged a tuition fee of thirty dollars a year until they are admitted regularly into the Normal proper. The Training Department, consisting of three grades, is where the students of the Senior Class are trained to teach. Each member of the class is required to teach five months during the year, and this is as much a part of the Normal course as that of any other branch, and in granting diplomas, the record in the training school is equally as important as that of the class-room. It will be readily seen from the foregoing, that in order to conduct a well regulated Normal School, in all its branches, suitable rooms should be provided for the students, as well as the instructors, which in this school does not exist.

STATE NORMAL SCHOOL AT LOS ANGELES.

This building, although plain in architectural design, is attractive and substantial, towering prominently from its beautiful location on an eminence overlooking the city of Los Angeles, *where Nature has so lavishly bestowed her favors, making it impossible for* the imagination to conceive a more desirable location for an institution of learning. The grounds are beautiful, and in first class order, and give evidence of care and good management.

This school has grown beyond all anticipation, and the present building is not adequate to accommodate the demand for admission. The present capacity is limited to three hundred, and the total applications were three hundred and fifty; hence, fifty were unable to secure admission.

This school is not asking for an appropriation for an additional class building, but they do ask for a sufficient sum to construct a laboratory, the same to be disconnected from the main building, which is eminently just and proper, by so doing, the space now occupied by this very important department of the school can be used for class-rooms, thus relieving the overcrowded class-rooms, and give additional space to the school proper. We recommend that the full amount asked, ten thousand dollars, be appropriated for the purpose of constructing a laboratory, the same to be disconnected from the main building. We make this latter recommendation for the reason that owing to the *combustible nature of the chemicals used in making experiments, we deem it* wise to use every reasonable precaution to avert fire, which might involve the whole structure.

STATE NORMAL SCHOOL AT CHICO.

This school building is not complete in every respect. It will require an appropriation to enable the completion of the structure in all its parts.

We herewith submit estimates of the cost of the work necessary to be performed to complete the building:

Front porch and steps	$4,000 00
Basement floor (of cement)	1,120 00
Cement walks and stone curb	2,250 00
Finishing rear portion of basement story in six class-rooms and two toilettes	1,650 00
Finishing training department with cases	450 00
Making two class-rooms in first story	250 00
Plastering and finishing museum and four work-rooms in the attic	1,400 00
Cases for museum	1,500 00
Bookcases in the library	600 00
Showcases in the second story hall	300 00
Cases in the chemical department	250 00
Shelving in store-rooms and closets	250 00
Electric work	250 00
Water pipes in the ground	300 00
Painting roof and outside woodwork	400 00
Oiling brick work	300 00
Commissions and incidentals	800 00
Total	$16,020 00

In addition to the preceding estimate of expense necessary to finish and complete the building, we find that about five thousand five hundred dollars more than the appropriations have been paid to put the building in working order, and additional bills of about two thousand dollars incurred. This money has been judiciously expended and the work well done. We would respectfully urge the importance of finishing the work estimated on. The front porch and main entrance are necessary to give a finished appearance to the building; the basement floor is important to keep the building dry and healthful; the additional class-rooms are alreay needed in the growing work of the school, the museum is an important appendage and should be established as soon as possible; while the cases, shelves, and the other items mentioned are urgently needed to put the institution in complete working order.

In view of the above facts, we most respectfully recommend the appropriation of twenty-three thousand five hundred and twenty dollars, as called for in the specification and estimates.

THE AGNEWS INSANE ASYLUM.

Your committee visited the State Insane Asylum at Agnews, and would report that they found everything in most satisfactory shape at that institution, so far as management is concerned.

Referring to the necessity for increased accommodations for patients, we find that the report of the Trustees on this subject is not at all exaggerated, in fact, since said report was issued, the asylum has received patients enough to completely fill the male side of the buildings, there being only room for three more patients on that side at the present time. The female wards are even more crowded, but relief for that side will be given by the opening of ward building number three, which is expected to be ready for occupancy within a short time.

In view of the conditions as we found them to exist, we would recommend the appropriation of ninety thousand dollars. This will enable the erection of two additional ward buildings, which will accommodate some three hundred and sixty patients, at the low per capita of about four hundred and eighty dollars, and as the present receipt of patients at this asylum is about thirty a month, it can be readily seen that even with the addition of these buildings the capacity will be none too great, the asylums at Mendocino and San Bernardino, even if completed, would not relieve Agnews to any great extent, as all the insane from the counties of San Francisco, Alameda, Santa Clara, San Mateo, Santa Cruz, etc., comprising nearly half of the population of the State, will be sent to Agnews, as it would be manifestly unjust to the relatives and friends of those unfortunates to ship them hundreds of miles away from their homes, and make it difficult, if not impossible, for the latter to be visited or cared for by the former, to say nothing of the additional cost to the State in the matter of transportation.

But little has been done in the way of improving the grounds, owing to lack of funds for this purpose, and we consider the appropriation asked for this purpose as pressing, and would earnestly recommend the allowance of the same.

The Trustees, in their report, have suggested the necessity of a permanent sewer to tide-water, and this must be built at some time. At the present a temporary sewer emptying into a creek near the asylum, is being used, but this is so objectionable that it must eventually be done away with.

STOCKTON INSANE ASYLUM.

Your committee made a careful examination of the affairs at the Stockton Insane Asylum, and inspected the hospital buildings and grounds, and found that the same were in a satisfactory condition. Regularity, neatness, and cleanliness was the rule, all of which is to be highly commended. The books of the Secretary and Treasurer make a good showing of the condition in which the last appropriation was used, and the same has been kept in a correct and systematic manner. Your committee has carefully examined all the new structures erected during the past two years, as well as the improvements for which appropriations were secured at the last session of the Legislature, and in this connection would state that so far as your committee could ascertain the building and improvements have been completed in strict compliance with the plans and specifications, and that all moneys have been judiciously expended.

In addition to the foregoing, we would state that your committee has examined into the dilapidated condition of the residence of the Superintendent, which has been occupied for so long a period that it has become unsafe, and it has been abandoned. The report of the Board of Directors, now on file, says that "during the last winter the moisture rose in the brick walls of the building for several feet by capillary attraction, thus rendering the rooms damp and unwholesome, and owing to the poor quality of the material of which the building is constructed, and the long period of over thirty years since it has been built, it is the judgment of this Board, that it will not be in the interest of economy to repair this residence, and that provision should be made for the immediate erection of a new one, more appropriate to the times and better adapted to the use of the Superintendent and his family."

The floor in the main halls and corridors of the building of the Female Department has become badly worn, and should be replaced.

The machinery in use in the laundry in the Male Department is so worn that it will also have to be replaced.

Your committee would state that in order to make these necessary improvements, to wit: to erect a new residence, to place new floors in the Female Department building, require an appropriation of forty-five thousand dollars. In view of the foregoing, it seems that the appropriations asked for are eminently just and proper.

The following is an itemized statement, showing in detail the purposes for which this appropriation is sought:

Items in Special Appropriation Bill for Stockton Insane Asylum.

Reflooring Female Department, items as follows:

Seven wards, size 12x112 feet, requiring 11,760 feet of flooring at $37 50 per thousand	$4,410 00	
Eight wards, size 12x100 feet, requiring 12,000 feet of flooring at $37 50 per thousand	4,500 00	
Eight wards, size 11x60 feet, requiring 6,600 feet of flooring at $37 50 per thousand	2,475 00	
		$11,385 00
Seven hundred and twenty-seven cars of gravel, net cost per car $15	$10,905 00	
Thirteen thousand eight hundred and seventy-three square feet of concrete walk at 16 cents per square foot	2,219 68	
New engine, about	2,000 00	
Necessary shafting	225 00	
Two washing machines at $350 each	700 00	
Building and furnishing Superintendent's residence	18,000 00	
		34,049 68
		$45,434 68

SAN BERNARDINO INSANE ASYLUM.

Your committee visited the site of the San Bernardino Insane Asylum, which is located about five miles south of the city of San Bernardino. Owing to the inability of the Trustees to obtain a suitable site for the erection of the buildings for this institution immediately after the appropriation was made available, somewhat retarded progress. Excavations are now being made, and the work is rapidly progressing.

Your committee has carefully examined into the general plans and specifications, and we unhesitatingly say that the same is complete in all its parts, and when finished will be one of the first institutions of its kind in the State of California.

REFORM SCHOOL FOR JUVENILE OFFENDERS, LOCATED AT WHITTIER, LOS ANGELES COUNTY.

Your committee visited the Reform School at Whittier, Los Angeles County. A more worthy institution does not exist in California. It is here that the vicious youth of our great commonwealth is to be taken, and ought to become honest, useful, and upright citizens. Institutions of this character have been established in our sister States, and the results have shown that over ninety per cent of the boys and girls that were on the road to degradation and ruin have gone out into the world from these institutions, and have became good citizens, and have reflected honor and credit to the whole community.

The main administration building is located on an eminence overlooking the beautiful San Gabriel Valley, and in this connection your committee desires to compliment the Board of Trustees, Messrs. Hervey Lindley, the President of the Board, Hon. James R. Lowe, and Josiah Sims, for their honest endeavors and good judgment in securing the site upon which the school is erected, and which is destined to become one of the greatest and most useful of our penal institutions

The main administration building is the handsomest public building in the State, well built and convenient in all its parts, and we most respectfully refer each member to the first report of the Trustees for a clear and comprehensive statement of the various expenditures, which, in our opinion, have been well spent. The general management, thus far, has come up to all expectations, and your committee has every reason to believe that the management will compare favorably with any in the State.

We have carefully examined the books and accounts, and find that they have been kept in a correct and systematic manner, and that all expenditures of money have been judiciously expended.

We have carefully examined into each item of appropriation asked for, and your committee is of the opinion that not one dollar has been asked at your hands that is not absolutely needed at the present time. And we, therefore, recommend that the sum of one hundred and seventy-three thousand dollars be appropriated for the special purposes as set forth in the bill.

INDUSTRIAL HOME OF MECHANICAL TRADES FOR THE ADULT BLIND

Your committee is unable to make a favorable report of this most deserving institution, and we refer to the management in particular. Your committee is of opinion that the Superintendent of this institution should not be a blind man, and while we are in sympathy with him and his terrible affliction, yet we are reminded that this is a State institution, and should be conducted as such. The general condition is not what an institution of this character should be, and we recommend to the Trustees such improvement in the general management as will place this institution on a par with other beneficiaries of the State.

Your committee would favor the retention of the present Superintendent as an instructor, and some person appointed as Superintendent who can more carefully take care of this institution.

DEAF AND DUMB AND THE BLIND.

Your committee is of opinion that the Deaf and Dumb and Blind Asylum, at Berkeley, is one of the best conducted institutions in the State. We made a careful examination into the general condition and wants, and we are satisfied that an additional building is necessary to accommodate the constant increase, and we therefore recommend that the appropriation asked for be granted.

THE LOS ANGELES ORPHANS HOME SOCIETY AND THE CATHOLIC ORPHANS HOME.

Your committee, in compliance with their duty, visited the Los Angeles Orphans Home Society and the Catholic Orphans Home. Both of these institutions were constructed by private donations, and they are indeed worthy of any aid the State may see fit to give them. They are well kept, and the general management is all that could be asked for. We would recommend the usual allowance to each of the said Homes.

MARION,
Chairman Committee on State Charitable and Reformatory Institutions.
HERSEY,
Chairman Committee on Public Buildings and Grounds.

Referred to Committee on Ways and Means and Appropriations.

SPECIAL ORDERS.

Senate Bill No. 480—An Act to amend section one thousand three hundred and seventy of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the appointment of a married woman as administratrix of an estate of a deceased person.

Read second time.

AMENDMENTS.

By Mr. Gould:

Amend by striking out all of section two thereof.

Rejected.

By Mr. Beecher:

Amend by inserting after the word "extinguished," on line four of section one, the following: "*provided, however*, that the provisions hereof shall in no manner affect any estate now in process of administration in any Court of this State."

Rejected.

RESOLUTION.

By Mr. Gould:

Resolved, That Senate Bill No. 480 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the third time on this day and placed upon its passage.

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

AYES—Messrs. Alexander, Ames, Barnard, Barnett of Sonoma, Baughman, Beecher, Bert, Brown, Bruner, Brusie, Bryant, Cargill, Coffey, Cram, Culver, Daly, Dennis, Doty, Dow, Dunn, Durner, Freeman, Galbraith, Garver, Glynn, Gordon, Gould, Harloe, Hawley, Hayes, Hersey, Hocking, Hunewill, Johnson, Jones, Lacey, Lewis, Lowe, Lux, Lynch, Marion, Martin, Mathews, Matlock, McCall, Murphy, Phillips, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Steltz, Tennis, Tully, Wentworth, Weston, Windrow, Young, and Mr. Speaker—60.

NOES—Messrs. Bledsoe, Carter, Cunningham, Fowler, Kellogg, Mordecai, Murnan, and Renfro—8.

Senate Bill No. 480 read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Ames, Arms, Barnard, Barnett of Sonoma, Baughman, Bert, Brown, Bruner, Bryant, Cargill, Coffey, Culver, Daly, Dennis, Dibble, Dow, Durner, Freeman, Galbraith, Garver, Glynn, Gordon, Hall, Harloe, Hawley, Hayes, Hersey, Hocking, Hunewill, Johnson, Jones, Kellogg, Lacey, Lewis, Lowe, Lux, Lynch, Marion, Martin, Mathews, Matlock, McCall, Murphy, Rice, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Tully, Wentworth, Weston, Windrow, Young, and Mr. Speaker—58.

NOES—Messrs. Beecher, Bledsoe, Brusie, Carter, Cunningham, Doty, Dunn, Eakle, Fowler, Gould, Mordecai, Murnan, Renfro, and Robertson—14.

Title read and approved.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 19, 1891.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that they have examined the following Assembly Bills and find them correctly engrossed: Nos. 9, 87, 185, 218, 19, 233, 37, and 304.

WINDROW, Chairman.

MOTIONS.

Mr. Wentworth moved that the vote whereby Assembly Bill No. 200 passed be now reconsidered.

Carried.

Ordered to third reading file.

Mr. Wentworth moved that Assembly Bill No. 125 be now reconsidered.

Carried.

Mr. Wentworth moved that a select committee of one be appointed to amend as follows:

Amend by inserting, "except with rod and line in tide water," after the word "year" in line three.

Carried.

APPOINTMENT OF COMMITTEE.

Mr. Wentworth was appointed a committee to make said amendment.

REPORT OF COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, February 19, 1891.

MR. SPEAKER: Your Select Committee, to whom was referred Assembly Bill No. 125, 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.

WENTWORTH, Committee.

Committee report adopted.

MOTION.

Mr. Bruner moved to take up Assembly Bill No. 304, for the purpose of amending the enacting clause.

Carried.

The enacting clause was corrected.

RESOLUTION.

By Mr. Brusie:

Resolved, That Assembly Bill No. 694 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the second and third times and placed upon its passage.

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

AYES—Messrs. Ames, Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brusie, Cargill, Carter, Coffey, Cram, Culver, Cunningham, Daly, Dennis, Dibble, Doty, Durner, Eakle, Fowler, Freeman, Galbraith, Garver, Gordon, Gould, Hail, Harloe, Hawley, Hayes, Hocking, Hunewill, Johnson, Jones, Kellogg, Lacey, Lewis, Lowe, Lux, Lynch, Marion, Martin, Mathews, Matlock, Murnan, Murphy, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Steltz, Sturtevant, Tennis, Wentworth, Weston, Young, and Mr. Speaker—61.

NOES—None.

Assembly Bill No. 694—An Act to amend sections three hundred and thirty-two, three hundred and thirty-three, and three hundred and thirty-four of the Political Code.

Read second time, and considered engrossed.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Barnard, Barnett of San Francisco, Baughman, Bert, Bruner, Brusie, Bryant, Cargill, Carter, Coffey, Culver, Cunningham, Daly, Dennis, Dibble, Doty, Dow, Dunn, Durner, Eakle, Fowler, Freeman, Garver, Gordon, Hail, Harloe, Hawley, Hersey, Hocking, Hunewill, Kellogg, Lacey, Lewis, Lowe, Lux, Lynch, Marion, Martin, Mathews, Matlock, McCall, Mordecai, Murphy, Phillips, Renfro, Rice, Shanahan, Smith of Orange, Stabler, Steltz, Sturtevant, Wentworth, Weston, Young, and Mr. Speaker—55.

NOES—Messrs. Gould and Murnan—2.

On motion of Mr. Bruner, the title was amended as follows:

Amend by inserting after the end of title, "and repealing section three hundred and thirty-five of said Code."

Adopted.

Mr. Bruner moved that Assembly Bill No. 480 be immediately transmitted to the Senate.

So ordered.

RESOLUTION.

By Mr. Brusie:

Resolved, That Assembly Bill No. 693 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

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

AYES—Messrs. Arms, Barnard, Barnett of San Francisco, Baughman, Beecher, Bert, Bledsoe, Brown, Brusie, Bryant, Cargill, Coffey, Culver, Cunningham, Daly, Dennis, Dibble, Dow, Dunn, Durner, Fowler, Freeman, Garver, Gordon, Gould, Hall, Harloe, Hawley, Hayes, Hersey, Hocking, Hunewill, Kellogg, Lewis, Lowe, Lux, Lynch, Marion, Martin, Mathews, Matlock, McCall, Mordecai, Murnan, Murphy, Phillips, Renfro, Rice, Shanahan, Smith of Orange, Stabler, Steltz, Sturtevant, Weston, Young, and Mr. Speaker—56.

NOES—None.

Assembly Bill No. 693—An Act entitled an Act to amend section five hundred and thirty-one of the Political Code.

Read second time, and considered engrossed.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Ames, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brusie, Bryant, Cargill, Cunningham, Dibble, Doty, Dow, Durner, Eakle, Fowler, Freeman, Galbraith, Garver, Gordon, Harloe, Hayes, Hersey, Hocking, Hunewill, Kellogg, Lacey, Lewis, Lowe, Lynch, Marion, Martin, Matlock, Murnan, Phillips, Renfro, Rice, Smith of Butte, Smith of Orange, Steltz, Sturtevant, Wentworth, Young, and Mr. Speaker—45.

NOES—None.

Title read and approved.

MOTION.

Mr. Brusie moved that Assembly Bill No. 694 be made a special order for to-morrow morning.

Carried.

THIRD READING OF BILLS.

Assembly Bill No. 280—An Act making an appropriation to pay for the maintenance of the Reform School for Juvenile Offenders, from January 1, 1891, to June 30, 1891, and making an appropriation for extra work, materials, and labor furnished in the erection of buildings of said reform school, and making an appropriation for the payment of insurance on said reform school buildings.

MOTION.

Mr. Bledsoe moved that Assembly Bill No. 280 be made a special order for to-morrow afternoon, at two o'clock.

Lost.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Arms, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bledsoe, Bruner, Bryant, Cargill, Carter, Coffey, Culver, Cunningham, Daly, Dennis, Dibble, Doty, Dow, Durner, Fowler, Freeman, Galbraith, Garver, Glynn, Gordon, Gould, Harloe, Hawley, Hayes, Hersey, Hocking, Hunewill, Johnson,

Lewis, Lux, Lynch, Marion, Martin, Mathews, McCall, Murnan, Phillips, Rice, Robertson, Shanahan, Smith of Butte, Stabler, Steltz, Sturtevant, Tennis, Wentworth, Weston, Windrow, Young, and Mr. Speaker—57.

NOES—None.

Title read and approved.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, February 19, 1891.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Senate Bill No. 208—report the same back, and recommend that it do pass.

BRUNER, Chairman.

MOTION.

Mr. Bruner moved that Senate Bill No. 208 be taken up, out of order, and read first time.

Carried.

Senate Bill No. 208—An Act giving the consent of the State of California to the reservation of certain lands by Congress.

Read first time, and placed on file for second reading.

Assembly Concurrent Resolution No. 4—Relative to extending an invitation to the President of the United States to visit the State of California.

Adopted.

Assembly Bill No. 708 was made a special order for two o'clock P. M. to-morrow, on motion of Mr. Hayes.

REPORTS OF STANDING COMMITTEES.

ON MILEAGE.

ASSEMBLY CHAMBER, SACRAMENTO, February 19, 1891.

MR. SPEAKER: Your Committee on Mileage, to whom was referred the following Assembly resolution:

Resolved, That the Controller be and he is hereby directed to draw his warrant in favor of Geo. E. Hersey, Chairman of said Committee on Public Buildings and Grounds, for the amount of four hundred and seventy dollars and forty cents, for such mileage, and that said warrant be drawn out of the appropriation for the contingent expenses of the Assembly.

Report the same back, and recommend its adoption.

Also:

Resolved, That the Controller be and he is hereby directed to draw his warrant in favor of F. N. Marion, Chairman of the Committee on State Charitable and Reformatory Institutions, for the amount of four hundred and seventy dollars and forty cents, for such mileage, and that said warrant be drawn out of the appropriation for the contingent expenses of the Assembly.

Report the same back, and recommend its adoption.

BRYANT, Chairman.

Resolutions adopted.

ON APPORTIONMENT AND ELECTION LAWS.

ASSEMBLY CHAMBER, SACRAMENTO, February 19, 1891.

MR. SPEAKER: Your Committee on Apportionment and Election Laws, to whom was referred Senate Bill No. 71—report the same back, and recommend that it do pass.

CRAM, Chairman.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO. February 19, 1891.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that they have examined the following Assembly Bills, and find them correctly engrossed:

No. 455, substitute for 287, 586, 588, 305, 353, 126, 67, 524, 270, and 407: and substitute for Nos. 28, 99, 212, 273, 439, and 520.

WINDROW, Chairman.

ON CLAIMS.

ASSEMBLY CHAMBER, SACRAMENTO, February 18, 1891.

MR. SPEAKER: Your Committee on Claims, to whom was referred Assembly Bill No. 451—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 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. 462—An Act making an appropriation to pay the claims of Charles F. Reed, C. E. Grunsky, and J. J. Crawford, for expenses incurred as members of the Examining Commission on Rivers and Harbors.

Also: Assembly Bill No. 601—An Act to ascertain the amount and provide for the payment of damages done to the property of J. G. Ziegler, Christina Mangels, and Diedrich Steffens, executors of the last will of Martin Mangels, deceased, Thomas Foley, E. A. Goetze, C. Hildebrandt, H. Schammel, Peter Ginochio, John Dondero, and George Seekamp, whose property has been damaged by reason of the change of grade of Montgomery Avenue, in the City and County of San Francisco, in pursuance of an Act entitled "An Act to change and modify the grade, and to provide for the grading and regrading of certain portions of Montgomery Avenue, and of certain portions of certain streets intersecting Montgomery Avenue, in the City and County of San Francisco," approved April 3, 1876.

Also: Assembly Bill No. 631—An Act making an appropriation to pay the claim of Major José Ramon Pico, for expenses incurred in recruiting and maintaining military companies—report the same back, and recommend that they do pass.

Also: Assembly Bills Nos. 145 and 220, which are reported back without recommendation.

AMES, Chairman.

Assembly Bills Nos. 462, 631, 220, and 145 referred to Committee on Ways and Means and Appropriations.

ON FISH AND GAME.

ASSEMBLY CHAMBER, SACRAMENTO, February 19, 1891.

MR. SPEAKER: Your Committee on Fish and Game, to whom was referred Assembly Bill No. 255—An Act to prevent the destruction of young fish in millraces, irrigating ditches, flumes, and canals—report the same back with amendments, and recommend its passage as amended.

Also: Assembly Bill No. 626—An Act to amend an Act entitled "An Act to provide for the construction, maintenance, and regulation of fishways in streams naturally frequented by salmon, shad, and other migratory fish," approved April 16, 1880—report the same back, and recommend that it do pass.

Also: Assembly Bill No. 627—An Act to prevent hunting and shooting on private inclosed grounds, and the destruction of growing timber on private grounds—report a substitute for the same, and recommend that the substitute do pass.

LYNCH, Chairman.

ON PUBLIC BUILDINGS AND GROUNDS.

ASSEMBLY CHAMBER, SACRAMENTO, February 18, 1891.

MR. SPEAKER: Your Committee on Public Buildings and Grounds beg leave to report, and state that we have visited the State Normal School at Chico: distance to and from said institution, one hundred and ninety-two miles, that the following members, viz., J. L. Beecher, Jr., Chairman of the sub-committee, T. W. Dennis, W. J. Dunn, and Wm. Fitzgerald, Clerk of said sub-committee, constituted said committee; that there is now due to each of said members and said clerk the sum of nineteen dollars and twenty cents. We recommend the adoption of the following resolution.

Resolved, That the Controller be and he is hereby authorized to draw his warrant in favor of J. L. Beecher, Jr., of said sub-Committee on Public Buildings and Grounds, for the sum of seventy-six dollars and eighty cents for such mileage, and that said warrant be drawn out of the appropriation for the contingent expenses of the Assembly.

BEECHER, Chairman sub-Committee.

Referred to Committee on Mileage.

MOTION.

At four o'clock and thirty minutes P. M., Mr. Brusie moved to extend the hour of recess ten minutes.

Carried.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 18, 1891.

MR. SPEAKER: Your Committee on Corporations, to whom was referred Assembly Bill No. 664—An Act to amend sections two thousand four hundred and fifty-seven, two thousand four hundred and sixty-four, two thousand four hundred and sixty-five, and two thousand four hundred and sixty-six of the Political Code, relating to pilots and pilot regulations.

Also: Assembly Bill No. 673—report the same back, and recommend that same do pass.

LOWE, Chairman.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 19, 1891.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Assembly Constitutional Amendment No. 19—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending section eight of article eleven thereof, relative to the framing and adoption of charters by cities containing more than three thousand five hundred inhabitants—report the same back, and recommend the adoption of the same

Also: Assembly Bill No. 393—An Act to amend an Act entitled "An Act to create a Police Relief, Health, and Life Insurance and Pension Fund, in the several counties, cities and counties, cities, and towns of the State," approved March 4, 1889—report the same back, and recommend the passage of the same as amended.

Also: Assembly Bill No. 688—An Act to amend section thirty-five of "An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and the construction of sewers within municipalities," approved March 18, 1885; and also section three of an Act amendatory thereof, approved March 14, 1889—and report the same back, and recommend that the author be permitted to withdraw the same.

WENTWORTH, Chairman.

ON WAYS AND MEANS AND APPROPRIATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 19, 1891.

MR. SPEAKER: Your Committee on Ways and Means and Appropriations, to whom was referred Senate Bill No. 9 and Assembly Bill 147, relating to the quarantine launch "Governor Perkins"—report them back, and respectfully recommend that they do not pass.

Also: Senate Bill No. 72—report the same back, and recommend that it do pass.

Also: Assembly Bill No. 438 and Senate Bill No. 88—report the same back, and recommend that they do not pass.

Also: Assembly Bill No. 500—report the same back, and recommend that it do pass.

Also: Report the accompanying bill, and recommend that the same do pass.

Also: Assembly Bills Nos. 491, 366, 314, 364, and 599—report the same back, and respectfully recommend that they do not pass.

Also: Assembly Bills Nos. 404 and 559—report the same back, and respectfully recommend that they do pass.

Also: Senate Bill No. 215—report the same back, and respectfully recommend that it do not pass.

Also: Assembly Bill No. 508 and Senate Bill No. 54—report the same back, and respectfully recommend that they do not pass.

Also: The resolution offered by the Committee on Elections and Privileges, relative to the allowance to J. C. Campbell for expenses incurred by him in the contested election case of Campbell vs. Eakle—have had the same under consideration, and recommend the resolution be amended, and that the amount be reduced from three thousand two hundred and fifty dollars to one thousand five hundred dollars.

DIBBLE, Chairman.

INTRODUCTION OF BILL—(OUT OF ORDER).

By Mr. Dibble: Assembly Bill No. 709—An Act making an appropriation to be expended by the State Board of Examiners to pay deficiencies for support of the government that have accrued prior to the forty-first fiscal year.

Read first time, and placed on the special file, on motion of Mr. Dibble.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON STATE LIBRARY.

ASSEMBLY CHAMBER, SACRAMENTO, February 19, 1891.

MR. SPEAKER: Your Committee on State Library, to whom was referred Assembly Bill No. 691—An Act to establish law libraries—report the same back, with recommendation that it do pass.

CARTER, Chairman.

ON COMMISSIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 17, 1891.

MR. SPEAKER: Your Committee on Commissions, to whom was referred the duty of ascertaining the manner of the expenditures of the ten thousand dollars by ex-Governor R. W. Waterman, in the matter of investigating the management of affairs at San Quentin, beg leave to report as follows:

The amount of seven thousand six hundred and fifty-three dollars and seventy-five cents is accounted for in a statement accompanying this report, to which we desire to call your attention and careful scrutiny.

We have examined the vouchers as produced by the Secretary of said Investigating Commission, and find that they correspond to the amounts set out in the statement herein provided. It might be well to state, however, that this is no itemized account of said expenditures, other than appears in the figures set out in said statement.

It is the sense of this committee, that the respective amounts paid the Secretary, Maslin, the Bailiff, Sullivan, the attorney, Wilson, the stenographer, Bennett, and the charge of M. D. Boruck for postage and expressage, are on their face extravagant, in view of the work performed.

SHANAHAN.
MATLOCK.
ROBERTSON.
WESTON.

STATEMENT

Showing the persons to whom paid, for what purpose, the date of payment, and the amount paid, of moneys expended in the investigation of State Prisons of California, made under the provisions of an Act of the Legislature, approved March 11, 1889.

CREDIT.

1889.		
May 2	By Controller's Warrant No. 16767	$1,342 55
June 1	By Controller's Warrant No. 17127	1,200 00
July 22	By Controller's Warrant No. 652	500 00
Sept. 2	By Controller's Warrant	3,500 00
Dec. 9	By Controller's Warrant	860 00
1890.		
Jan. 14	By Controller's Warrant	250 00
	By excess of payments over amount drawn	1 20
	Total	$7,653 75

DEBIT.

1889.		
May 21	To M. A. Wilson, witness fees	$46 60
May 21	To Edw. Reilly, witness fees	103 80
May 21	To J. M. Sullivan, Bailiff, services and expenses	202 85
May 23	To M. Paul, witness fees	39 80
May 28	To Frank Clark, witness fees	53 80
May 28	To Joshua Clark, witness fees	53 80
June 1	To I. P. Allen, expert (on account)	500 00
June 4	To Jos. Steffens, witness fees	5 10
June 4	To E. J. Gregory, witness fees	5 10
June 4	To W. C. Hendricks, witness fees	34 20
June 4	To J. H. Hendricks, witness fees	45 80
June 4	To George W. Squiers, witness fees	26 80
June 4	To Jos. A. Filcher, witness fees	41 60
June 4	To S. P. Maslin, Secretary	420 00

June 4	To S. P. Maslin, traveling expenses	$235 50
June 4	To Jake Hymen, witness fees	39 80
June 4	To J. H. Burnham, witness fees	39 80
June 4	To Chris Ecklon, witness fees	39 80
June 4	To J. Donahue, witness fees	7 40
June 4	To R. Lichtenberg, witness fees	7 40
June 4	To H. Beveridge, witness fees	7 40
June 4	To W. E. Hale, witness fees	14 00
June 4	To C. H. Murphy, witness fees	64 80
June 4	To J. W. Ferguson, witness fees	56 40
June 4	To D. A. Ostrom, witness fees	43 20
June 19	To J. D. Borland, witness fees	7 50
June 19	To A. Cassidy, witness fees	32 40
June 19	To S. Bennett, witness fees	32 40
June 19	To Bancroft Company, supplies	41 15
June 19	To "Alta California," advertising	17 50
June 19	To "Examiner," advertising	14 00
June 19	To "Chronicle," advertising	19 60
June 19	To "Report," advertising	10 50
June 24	To "Record-Union," advertising	7 85
June 28	To I. P. Allen, expert (on account)	159 95
June 28	To "Bulletin," advertising	7 00
June 28	To "Call," advertising	24 65
July 3	To "Journal of Commerce," advertising	10 00
Aug. 1	To I. P. Allen, expert (on account)	200 00
Aug. 6	To J. H. Gilmour, witness fees	26 80
Sept. 22	To J. M. Sullivan, Bailiff, expenses and services	949 35
Sept. 22	To S. P. Maslin, Secretary, cash expended	32 35
Sept. 24	To "Examiner," advertising	10 50
Sept. 24	To "Evening Post," advertising	10 00
Sept. 24	To "Chronicle," advertising	10 50
Sept. 24	To "Journal of Commerce," advertising	10 00
Sept. 24	To "Record-Union," advertising	20 00
Sept. 24	To "Bee," advertising	20 00
Sept. 24	To "Call," advertising	11 55
Sept. 24	To Occidental Hotel, rent of rooms	40 00
Sept. 24	To J. N. E Wilson, attorney	1,500 00
Sept. 27	To Clement Bennett, stenographer	965 00
Dec. 9	To J. M. Sullivan, Bailiff, services and expenses	465 80
Dec. 9	To "Bulletin," advertising	8 75
Dec. 9	To "Report," advertising	7 50
Dec. 9	To "Alta California," advertising	8 75
Dec. 9	To Hugh J. Burke, witness fees	49 20
Dec. 9	To I. P. Allen, expert (balance)	442 15
Dec. 9	To S. P. Maslin, cash expended	52 10
1890.		
Jan. 14	To M. D. Boruck, postage and expressage on reports	250 00
Dec. 18	To G. P. Gillis, witness fees	44 20
Total		$7,653 75

RECAPITULATION.

Expert's fees	$1,302 10
Attorney's fees	1,500 00
Stenographer	965 00
Rent of rooms, San Francisco	40 00
Secretary	420 00
Traveling expenses, Secretary	295 50
Postage, telegrams, and expressage, Secretary	24 45
Bailiff and special officer	1,104 00
Traveling expenses, Bailiff and special officer	514 00
Witness fees	968 90
Advertising	228 65
Postage and expressage on reports	250 00
Stationery	41 15
Total	$7,653 75

I hereby certify that the above is a full, true, and correct statement of all moneys expended under an Act entitled "An Act authorizing the Governor of the State of California to proceed with an investigation of the State Prison authorities of this State, at the cost of the State, and appropriating money therefor," approved March 11, 1889, showing the names of the persons to whom paid, for what purpose, the date of payment, and the amount paid.

S. P. MASLIN,
Secretary of State Prison Investigation.

SACRAMENTO, January 24, 1891.

MOTION.

Mr. Brusie moved that the State Printer be requested to print two hundred copies of the report of the Committee on Commissions.

Carried.

INTRODUCTION OF BILLS.

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

By Mr. Rice: Assembly Bill No. 710—An Act authorizing the Boards of Supervisors of the several counties of this State to eradicate and prevent the spread of wild morning glories, cockle burrs, and other noxious and injurious weeds and plants in their respective counties.

Referred to Committee on Agriculture and Forestry.

By Mr. Shanahan: Assembly Bill No. 711—An Act to add a new section to the Penal Code, to be numbered five hundred and thirty-eight, relating to misrepresentations as to circulation by proprietors of newspapers and periodicals for the purpose of obtaining patronage.

Referred to Committee on Judiciary.

By Mr. Hayes: Assembly Bill No. 712—An Act to add a new section to the Political Code, to be numbered two thousand five hundred and twenty-four and one half, relating to collectors and the collecting of tolls and tonnage under control of the Harbor Commissioners.

Referred to Committee on Commerce and Navigation.

By Mr. Hersey: Assembly Bill No. 713—An Act making an appropriation to pay the deficiency in the appropriation for the Attorney-General, for the forty-second fiscal year, for costs and expenses of suits wherein the State is a party in interest.

Referred to Committee on Ways and Means and Appropriations.

By Mr. Dow: Assembly Bill No. 714—An Act to add a new section to the Penal Code, to be known and numbered three hundred and ten.

Referred to Committee on Public Morals.

By Mr. Sturtevant: Assembly Bill No. 715—An Act to amend sections one thousand nine hundred and fifteen and one thousand nine hundred and seventeen of the Civil Code, relative to the legal rate of interest, and providing a penalty for usury, and to repeal section one thousand nine hundred and eighteen of said Code.

Also: Assembly Bill No. 716—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, as amended March 14, 1885.

Referred to Committee on County and Township Governments.

By Mr. Dürner: Assembly Bill No. 717—An Act to amend an Act entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State, for the construction of waterworks, sewers, and all necessary public improvements, or for any purpose whatever, and to repeal the Act approved March 9, 1885, entitled 'An Act to authorize municipal corporations of the fifth class, containing more than three thousand and less than ten thousand inhabitants, to obtain waterworks;' also, to repeal an Act approved March 15, 1887, entitled 'An Act authorizing the incurring of indebtedness by cities, towns, and municipal corpora-

tions incorporated under the laws of this State,'" approved March 19, 1889.

Referred to Committee on Municipal Corporations.

By Mr. McCall: Assembly Bill No. 718—An Act to amend section five hundred and ninety-nine of the Civil Code of the State of California, relating to benevolent and religious corporations.

Referred to Committee on Corporations.

By Mr. Young: Assembly Bill No. 719—An Act to prohibit the coming of Chinese persons into the State, whether subjects of the Chinese Empire or otherwise, and to provide for registration and certificates of residence, and determine the status of all Chinese persons now residents of this State, and fixing penalties and punishments for violation of this Act, and providing for deportation of criminals.

Referred to Committee on Chinese Immigration and Emigration and Labor and Capital.

By Mr. Bruner: Assembly Bill No. 720—An Act to amend section three thousand four hundred and sixty of the Political Code of the State of California, in reference to making assessments on land in swamp land districts.

Referred to Committee on Swamp and Overflowed and Public Lands.

By Mr. A. T. Barnett: Assembly Bill No. 721—An Act to amend section five hundred and forty-nine of the Civil Code, relating to corporations formed to supply water.

Referred to Committee on Corporations.

By Mr. Marion: Assembly Bill No. 722—An Act to amend the Code of Civil Procedure by adding a new section thereto, to be known as section two thousand one hundred, relating to official publication.

Referred to Committee on Judiciary.

By Mr. Hersey: Assembly Bill No. 723—An Act making an appropriation to pay the deficiency in the appropriation for expenses that may be incurred by the Attorney-General, for the forty-second fiscal year, in suits in the United States Courts.

Referred to Committee on Ways and Means and Appropriations.

Also: Assembly Bill No. 724—An Act making an appropriation to pay the deficiency in the appropriation for postage, expressage, and contingent expenses of the Attorney-General, for the forty-second fiscal year, including office rent and furniture, and books for San Francisco.

Referred to Committee on Ways and Means and Appropriations.

Also: Assembly Bill No 725—An Act making an appropriation to pay the deficiency in the appropriation for the traveling expenses of the Attorney-General, for the forty-second fiscal year.

Referred to Committee on Ways and Means and Appropriations.

By Mr. Lowe: Assembly Bill No. 726—An Act to repeal an Act entitled "An Act to provide for compiling, illustrating, electrotyping, printing, binding, copyrighting, and distributing a State series of school textbooks, and appropriating money therefor," approved February 26, 1885.

Referred to Committee on Judiciary.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 19, 1891.

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

Senate Bill No. 501—An Act to amend section one thousand five hundred and five of an Act entitled "An Act to establish a Penal Code," approved February 14, A. D. 1872, the same being in relation to writs of habeas corpus.

Also: Senate Bill No. 511—An Act to amend sections two hundred and seventy-six and two hundred and seventy-seven of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, in relation to the admission of attorneys and counselors at law.

Also: Senate Bill No. 584—An Act to amend section one thousand two hundred and forty-three of the Penal Code of the State of California, relative to the stay of the execution of the judgment in criminal cases, pending an appeal to the Supreme Court.

Also: Senate Bill No. 537—An Act to amend section fifty-two of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, in relation to the appellate jurisdiction of the Supreme Court.

Also: Assembly Bill No. 209—An Act to authorize cities of not less than twenty-six thousand nor more than thirty thousand inhabitants to vote upon the question of paying indebtedness incurred in the years 1889 and 1890.

Also: Senate Bill No. 564—An Act to declare the bridge across the Feather River, extending from Fifth Street, at the city of Marysville, in the county of Yuba, to the opposite bank of said river, a free bridge.

Also: The Senate, on the eighteenth day of February, adopted the following:

Assembly Constitutional Amendment No. 7—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending section eighteen of article eleven thereof, relative to the increasing of indebtedness or liability by any county, city, town, township, Board of Education, or school district.

Also: The Senate, on the seventeenth day of February, passed the following:

Senate Constitutional Amendment No. 14—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending section eight of article eleven thereof, relative to the framing and adoption of charters by cities containing more than three thousand five hundred inhabitants.

Also: Senate Constitutional Amendment No. 17—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending section seven of article one thereof, relative to juries in civil and criminal actions in Justices' and Police Courts.

F. J. BRANDON, Secretary.
By J. C. BOATMAN, Assistant.

Senate message acted upon as follows:

Senate Bill No. 501 referred to Committee on Judiciary.

Senate Bill No. 511 referred to Committee on Judiciary.

Senate Bill No. 584 referred to Committee on Judiciary.

Senate Bill No. 537 referred to Committee on Judiciary.

Senate Bill No. 564 referred to Committee on Roads and Highways.

Senate Constitutional Amendment No. 14 referred to Committee on Judiciary.

Senate Constitutional Amendment No. 17 referred to Committee on Judiciary.

ADJOURNMENT.

At four o'clock and fifty minutes P. M., on motion of Mr. Dibble, the House adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Friday, February 20, 1891.

The Assembly met pursuant to adjournment.

Speaker Coombs in the chair.

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

Messrs Alexander, Ames, Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Brusie, Bryant, Cargill, Carter, Coffey, Culver, Cunningham, Daly, Dennis, Dibble, Doty, Dow, Dunn, Durner, Fowler, Freeman, Galbraith, Garvey, Glynn, Gordon, Gould, Hall, Harloe, Hawley, Hersey, Hocking, Hunewill, Jackson, Johnson, Jones, Kellogg, Lacey, Lewis, Lowe, Lux,

Lynch, Marion, Martin, Mathews, Matlock, McCall, Mordecai, Murnan, Murphy, Phillips, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Tully, Wentworth, Weston, Windrow, Young, and Mr. Speaker.

Quorum present.

LEAVE OF ABSENCE.

Messrs. Hoey and Eakle were granted leave of absence for the day.

PRAYER.

Prayer by the Chaplain, Rev. A. C. Herrick.

READING OF THE JOURNAL.

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

So ordered.

RESOLUTIONS.

By Mr. Lowe:

Resolved, That the Controller be and he is hereby requested and directed to draw his warrants to-day, February 20, 1891, on the State Treasurer, for the salaries due the Assemblymen, officers, and attachés of the Assembly, for the week ending Saturday, February 21, 1891.

Adopted.

By Mr. Mathews:

Resolved, That the second reading of bills be the order for afternoon session.

Adopted.

MOTION.

Mr. Hunewill moved that Assembly Bill No. 317 be now taken up, and made a special order for this afternoon at two o'clock.

Lost.

SPECIAL ORDERS.

Senate Bill No. 74—An Act relative to the non-insurance of property belonging to the State against risk of damage or destruction by fire.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bruner, Brusie, Bryant, Carter, Coffey, Culver, Cunningham, Dennis, Dibble, Doty, Dow, Dunn, Durnet, Fowler, Freeman, Galbraith, Garver, Glynn, Gordon, Gould, Hall, Harloe, Hawley, Hayes, Hersey, Hunewill, Jackson, Johnson, Jones, Kellogg, Lacey, Lewis, Lowe, Lux, Lynch, Marion, Martin, Matlock, McCall, Mordecai, Murnan, Murphy, Phillips, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Wentworth, Weston, Young, and Mr. Speaker—64.

NOES—Mr. Bledsoe—1.

Title read and approved.

Assembly Bill No. 694—An Act to amend sections three hundred and thirty-two, three hundred and thirty-three, and three hundred and thirty-four of the Political Code, and repealing section three hundred and thirty-five of said Code.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bledsoe, Bruner, Brusie, Bryant, Carter, Coffey, Culver, Cunningham, Dennis, Dibble, Doty, Dow, Dunn, Durner, Freeman, Galbraith, Garver, Glynn, Gordon, Hail, Harloe, Hawley, Hayes, Hersey, Hunewill, Jackson, Johnson, Jones, Kellogg, Lacey, Lewis, Lowe, Lux, Lynch, Martin, Mathews, Matlock, McCall, Mordecai, Murnan, Phillips, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Sturtevant, Tennis, Wentworth, Weston, Young, and Mr. Speaker—59.
NOES—None.

Title read and approved.

MOTION.

Mr. Brusie moved that the rules be suspended and Assembly Bills Nos. 693 and 694 be immediately transmitted to the Senate.
Carried.

REPORT OF JOINT COMMITTEE.

The report of the Joint Committee on Rules presented yesterday was adopted.

MOTIONS.

Mr. Dibble moved that the above rules be suspended so as not to apply to-day.
Carried.
Mr. Dibble moved that Assembly Bill No. 570 be referred to the Committee on Ways and Means and Appropriations.
So ordered.
Mr. Dibble asked that the report and accompanying items in the contested election case of Campbell vs. Eakle, be referred to the Committee on Ways and Means and Appropriations.
So ordered.
Senate Joint Resolution No. 18—Relative to Nicaragua Canal.
The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Alexander, Ames, Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bledsoe, Bruner, Brusie, Bryant, Cargill, Carter, Coffey, Culver, Dennis, Dibble, Doty, Dow, Dunn, Durner, Fowler, Freeman, Galbraith, Garver, Glynn, Gordon, Gould, Hail, Harloe, Hawley, Hayes, Hersey, Hocking, Hunewill, Jackson, Johnson, Jones, Kellogg, Lacey, Lewis, Lynch, Marion, Martin, Mathews, Matlock, McCall, Mordecai, Murnan, Murphy, Phillips, Renfro, Rice, Robertson, Smith of Butte, Smith of Orange, Stabler, Sturtevant, Tennis, Wentworth, Weston, Young, and Mr. Speaker—65.
NOES—Mr. Cunningham—1.

WITHDRAWAL OF BILL.

Mr. Hawley was permitted to withdraw Assembly Bill No. 667.

REPORTS OF STANDING COMMITTEES.

ON WAYS AND MEANS AND APPROPRIATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 20, 1891.

MR. SPEAKER: Your Committee on Ways and Means and Appropriations, to whom was referred Assembly Bill No. 505—report the same back, and recommend that it be referred to the Committee on Public Buildings and Grounds.
Also: Assembly Bills Nos. 546 and 647—report the same back, and recommend that they be placed on the file, as they do not contain appropriations, and were improperly referred to the Committee on Ways and Means and Appropriations.

DIBBLE, Chairman.

Assembly Bill No. 505 referred to Committee on Public Buildings and Grounds.

ON COMMERCE AND NAVIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 20, 1891.

MR. SPEAKER: Your Committee on Commerce and Navigation, to whom was referred Senate Bills Nos. 90 and 92—report the same back, and recommend that they do pass.

PHILLIPS, Chairman.

INTRODUCTION OF BILLS.

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

By Mr. Cunningham: Assembly Bill No. 727—An Act to amend section three thousand eight hundred and sixty-six of the Political Code, relating to the time of settlement of County Treasurers with the State Controller.

Referred to Committee on County and Township Governments.

Mr. Bruner in the chair.

Also: Assembly Bill No. 728—An Act to amend section three thousand eight hundred and sixty-eight of the Political Code, in relation to the duties of County Auditors in making settlement with the State Controller.

Referred to Committee on County and Township Governments.

By Mr. Matlock: Assembly Bill No. 729—An Act to amend paragraph twenty-seven of section twenty-five of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883.

MOTION.

Mr. Matlock moved that Assembly Bill No. 729 be taken up and read first time.

Carried.

Assembly Bill No. 729 read first time, and placed on file for second reading.

INTRODUCTION OF BILLS—(RESUMED).

By Mr. Lynch: Assembly Bill No. 730—An Act exempting incorporated cities from license imposed by counties.

Referred to Committee on County and Township Governments.

By Mr. Rice: Assembly Bill No. 731—An Act to amend an Act entitled "An Act to establish and support a Bureau of Labor Statistics," approved March 3, 1883, and amended February 8, 1889.

Referred to Committee on Chinese Immigration and Emigration and Labor and Capital.

By Mr. Brusie: Assembly Bill No. 732—An Act to amend section one thousand seven hundred and fifty-one of the Code of Civil Procedure.

Referred to Committee on Judiciary.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON PUBLIC BUILDINGS AND GROUNDS.

ASSEMBLY CHAMBER, SACRAMENTO, February 20, 1891.

MR. SPEAKER: Your Committee on Public Buildings and Grounds, to whom was referred Assembly Bills Nos. 486, 310, and 307—report the same back without recommendation.

Also: Assembly Bill No. 85—report the same back, and recommend that it do pass as amended, and request the same be referred to Committee on Ways and Means and Appropriations.

HERSEY, Chairman.

Assembly Bill No. 85 referred to Committee on Ways and Means and Appropriations.

ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 20, 1891.

MR. SPEAKER: Your Committee on Enrollment beg leave to report that the following Assembly Joint Resolution has been correctly enrolled:

Assembly Joint Resolution No. 16—and was presented to the Governor Thursday, February nineteenth, at three o'clock and thirty minutes P. M.

BLEDSOE, Chairman.

SPECIAL FILE.

The following bills were read first time and placed on file for second reading:

Assembly Bill No. 411—An Act making an appropriation to pay the deficiency in the appropriation for payment of costs and expenses of trials of persons violating the laws for the preservation of fish, for the forty-second fiscal year.

Assembly Bill No. 424—An Act making an appropriation to pay the deficiency in the appropriation for fuel, lights, postage, and incidental expenses of the Board of Railroad Commissioners, for the fortieth fiscal year.

Assembly Bill No. 607—An Act making an appropriation to pay the deficiency in the appropriation for the traveling expenses incurred by the Commissioners appointed to select a site for a State Hospital for Insane, to be located in Southern California.

Assembly Bill No. 523—An Act to appropriate money for the payment of the unpaid salary of the Deputy Reporter of the Decisions of the Supreme Court, for three months of the fortieth fiscal year.

Assembly Bill No. 483—An Act to provide for the deficiency in the appropriation for expenses of the Supreme Court, under section forty-seven of the Code of Civil Procedure, for the fortieth fiscal year.

Assembly Bill No. 428—An Act making an appropriation to pay the deficiency in the appropriation for contingent expenses of Commissioner of Bureau of Labor Statistics, for the fortieth, forty-first, and forty-second fiscal years.

Assembly Bill No. 417—An Act making an appropriation to pay the deficiency in the appropriation for the improvement of State Capitol grounds, for the forty-second fiscal year.

THIRD READING OF BILL.

Assembly Bill No. 409—An Act making an appropriation to pay the deficiency in the appropriation for costs and expenses of suits in which the State is a party in interest, for the forty-first fiscal year.

Read third time.

MOTION.

Mr. Dibble moved that a select committee of one be appointed by the Speaker to amend, as follows:

Amend line one of section one by striking out the words "ten thousand fifty-nine and forty-one," and substituting the words "three hundred and ninety-six and seventy-five" so the line will read "the sum of three hundred and ninety-six and seventy-five one hundredths dollars is hereby appropriated."

Amend line four of section one by adding after the word "year" the following, "Said sum to pay the claim of Messrs Langhorne & Miller, attorneys at law, for services rendered the State of California per authority of the late Attorney-General."

Carried.

APPOINTMENT OF COMMITTEE.

Mr. Dibble was appointed a committee to make said amendments.

REPORT OF COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, February 20, 1891.

MR. SPEAKER: Your Select Committee, to whom was referred Assembly Bill No. 409, 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.

DIBBLE, Committee

Report of committee adopted.

Assembly Bill No. 409 ordered to printer.

Assembly Bill No. 421—An Act making an appropriation to pay the deficiency in the appropriation for salary of Secretary of the State Engineer, for the fortieth, forty-first, and forty-second fiscal years.

Read first time, and placed on file for second reading.

Assembly Bill No. 652—An Act to provide for a deficiency in the appropriation for the expenses of the State Board of Railroad Commissioners.

Read first time, and placed on file for second reading.

Speaker Coombs in the chair.

PRESENTATION OF PETITIONS.

By Mr. Brusie:

SACRAMENTO, CALIFORNIA, February 18, 1891.

To the honorable the Assembly of the State of California:

GENTLEMEN. The undersigned committee, duly elected at a mass meeting of the unemployed, this eighteenth instant, have the honor to memorialize your honorable body as follows:

You have before you for consideration two bills vitally affecting the interest of the unemployed, and laborers in general—(Assembly Bill No. 704 and Assembly Bill No. ——). This committee has been instructed to urge upon you in the name of God and common humanity your early consideration of these measures.

We speak to you for the many among us who have the hand of starvation upon them, and the pangs of want gnawing at their vitals Heart sick and weary, but with unbounded faith in your loyalty and truth, we have come to you in our distress for relief. It is with liveliest satisfaction we see an honest and sincere effort to conform with the promises made by your body, namely, to look after and protect the interests of the downtrodden laboring man.

It is this fact that has given us courage to place our hopes in you, trusting our faith has not been misplaced. Touching these bills, which we firmly believe will be of benefit to us and the State at large, both morally and financially, we have the honor to again most urgently request that you accord them your earliest consideration. This request is not made in the spirit of impatient importunity, but has been wrung from us by the heavy hand of the depressing necessities under which we suffer, and from which we hope to find a relief in the adoption of the aforesaid bills. We sincerely hope that there is that in them which will recommend them favorably to your sense of justice and right. In conclusion, we have the honor to ever respectfully pray.

A. T. McMURTREY, Chairman,
CHARLES McCARTHY, Secretary,
Committee for the Unemployed of Sacramento.

Ordered printed in the Journal, and referred to Committee on Ways and Means and Appropriations.

THIRD READING OF BILLS.

Assembly Bill No. 185—An Act to create the county of Glenn, to establish the boundaries thereof, and to provide for its organization.

Read third time.

Mr. Barnard moved to strike out the enacting clause of Assembly Bill No. 185.

Lost.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Ames, Arms, Barnett of San Francisco, Barnett of Sonoma, Baughman, Bert, Bledsoe, Brown, Bruner, Brusie, Bryant, Carter, Coffey, Culver, Cunningham, Daly, Dennis, Dibble, Doty, Dow, Dunn, Durner, Fowler, Glynn, Gordon, Gould, Hail, Harloe, Hawley, Hayes, Hocking, Hunewill, Johnson, Jones, Kellogg, Lacey, Lewis, Lowe, Lux, Lynch, Marion, Martin, Mathews, Matlock, McCall, Mordecai, Murnan, Murphy, Phillips, Renfro, Rice, Robertson, Shanahan, Smith of Orange, Steltz, Sturtevant, Tennis, Wentworth, Weston, Windrow, Young, and Mr. Speaker—63.

NOES—Messrs. Barnard, Beecher, Cargill, Cram, Freeman, Galbraith, Garver, Jackson, Smith of Butte, and Stabler—10.

Title read and approved.

Mr. Dibble moved that the rules be suspended, and that Assembly Bill No. 185 be immediately transmitted to the Senate.

So ordered.

Assembly Bill No. 110—An Act to amend an Act entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State, for the construction of waterworks, sewers, and all necessary public improvements, or for any purpose whatever, and to repeal the Act approved March 9, 1885, entitled 'An Act to authorize municipal corporations of the fifth class, containing more than three thousand and less than ten thousand inhabitants, to obtain waterworks;' also, to repeal an Act approved March 15, 1887, entitled 'An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations, incorporated under the laws of this State,'" approved March 19, 1889.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Ames, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bledsoe, Brusie, Bryant, Carter, Cram, Culver, Cunningham, Dennis, Doty, Dow, Dunn, Durner, Fowler, Galbraith, Garver, Gordon, Gould, Hail, Harloe, Hawley, Hayes, Hersey, Hocking, Hunewill, Jackson, Kellogg, Lowe, Lynch, Marion, Martin, Mathews, Matlock, McCall, Mordecai, Murnan, Phillips, Renfro, Rice, Robertson, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Wentworth, Weston, Young, and Mr. Speaker—55.

NOES—None.

Title read and approved.

COMMUNICATION.

SACRAMENTO, CAL., February 20, 1891.

To the HON. FRANK COOMBS, *Speaker of the Assembly*

At a mass meeting of the unemployed and taxpayers of Sacramento, last evening, held on K Street, this city, and presided over by Mr. Carl Browne, the following resolutions were submitted by him and unanimously adopted. As the duly qualified officials of the Pacific Coast Laborers' Union, we respectfully ask, in the name of the Union, that these resolutions be read and spread on the minutes of the Assembly. We have the honor to subscribe ourselves,

W. M. WILEY, President.
C. B. SEDGWICK, Secretary.

WHEREAS, There is now before the Legislature a bill known as "The Special Urgent Necessity Fund Bill," the fundamental principles of which are not only calculated to lessen taxation, but to make many thousands of men and women happy and comfortable, where now is misery, starvation, and often suicide. In this—first: The lessening of expense to taxpayers now, in hospital expenses, including insane asylums, in paying Constable fees, Court and jail expenses to hunt down, imprison, board, etc., unfortunate American citizens who want work (we do not take cognizance of those who will not work, as the vagrant law takes care of them), to say nothing of the loss in property, such as wheat fields, barns, etc., too often merely the result of that stage of insanity produced in brains of those whose hopes of betterment are long deferred. Second: In receiving back in the enhanced value of property in each and every place the money spent under the provisions of this Act in local improvements. Third: In decreasing the annoying and expensive scenes at the kitchen doors in city and country, in relieving hunger of the famishing, therefore,

Resolved, By this mass meeting of unemployed citizens of Sacramento, that we indorse said bill, and urge its passage by the Legislature, and we call upon the employed and unemployed, and other taxpayers, in all cities and towns throughout the State, to hold meetings and indorse the same by resolutions, and forward them to the Legislature now in session.

Resolved, That copies of these resolutions be sent to the President of the Senate and the Speaker of the Assembly, to be read to the two Houses of legislation, and a copy be furnished the Governor of the State.

Resolved, That copies of these resolutions be furnished the newspapers of the State, and that they be respectfully requested to publish the same in the interest of common humanity.

Ordered entered in the Journal.

WITHDRAWAL OF BILL.

Mr. Young was permitted to withdraw Assembly Bill No. 21, and substitute in its place on file Assembly Bill No. 353.

THIRD READING OF BILLS—(RESUMED).

Assembly Bill No. 353—An Act to create the county of San Jacinto, to define the boundaries thereof, to determine the county seat by an election, and to provide for its organization and election of officers, and to classify said county.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Ames, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Bruner, Brusie, Bryant, Cargill, Carter, Coffey, Cram, Culver, Cunningham, Daly, Dibble, Doty, Dow, Durner, Galbraith, Garver, Gordon, Gould, Hall, Hawley, Hayes, Hersey, Hunewill, Jackson, Johnson, Jones, Kellogg, Lacey, Lux, Lynch, Marion, Martin, Mathews, Matlock, McCall, Mordecai, Murnan, Phillips, Robertson, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Weston, Windrow, Young and Mr. Speaker—57.

NOES—Mr. Smith of Butte—1.

Title read and approved.

INTRODUCTION OF BILL—(OUT OF ORDER).

By Mr. Marion: Assembly Bill No. 733—An Act to amend an Act entitled "An Act to provide for compiling, illustrating, electrotyping, printing, copyrighting, and distributing a State series of school textbooks, and appropriating money therefor," approved February 26, 1885.

Referred to Committees on Education, and Ways and Means and Appropriations, jointly.

MOTION.

Mr. Marion moved that Assembly Bill No. 733 be now taken up and read first time.

Carried.

Assembly Bill No. 733 read first time, and placed on file for second reading.

Substitute for Senate Bill No. 92—An Act to provide penalities for failure to pay tolls, by false returns or otherwise, to any Board of State Harbor Commissioners of the State of California.

Read second time.

Assembly Bill No. 167—An Act creating a lien in favor of owners, or those in charge of stallions, jacks, and bulls duly licensed and used for propagating purposes, and providing for the operation of such lien.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Ames, Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Bert, Bledsoe, Brown, Bruner, Bryant, Carter, Coffey, Culver, Cunningham, Daly, Dennis, Doty, Dunn, Durner, Fowler, Freeman, Galbraith, Garver, Gould, Hail, Harloe, Hawley, Hayes, Hersey, Hocking, Jackson, Johnson, Kellogg, Lacey, Lowe, Lux, Lynch, Marion, Matlock, McCall, Mordecai, Murnan, Phillips, Renfro, Rice, Robertson, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Wentworth, Weston, Young, and Mr. Speaker.

NOES—Mr. Martin—1.

Title read and approved.

MOTIONS.

Mr. Wentworth moved that Assembly Bill No. 125 be taken up out of order.

Carried.

Mr. Wentworth moved that a select committee of one be appointed by the Speaker to amend as follows:

By inserting after the word "except," in line three, the words "salmon trout taken."

Carried.

APPOINTMENT OF COMMITTEE.

Mr. Wentworth was appointed a committee to make said amendment.

REPORT OF COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, February 20, 1891

MR. SPEAKER: Your Select Committee, to whom was referred Assembly Bill No. 125, with instructions to amend in accordance with the action of the House, would report that the instructions of the House have been carried out.

WENTWORTH, Committee.

Report of committee adopted.

MOTION.

Mr. Beecher moved to take up out of order Assembly Bill No. 289.

Lost.

WITHDRAWAL OF BILL.

Mr. Bruner was permitted to withdraw Assembly Bill No. 201, substituting Assembly Bill No. 313 in its place on the file.

THIRD READING OF BILL.

Assembly Bill No. 313—An Act to regulate the practice of veterinary medicine and surgery in the State of California.

Read third time.

MOTION.

Mr. Fowler moved that a select committee of one be appointed by the Speaker to amend as follows:

Amend by striking out the words "in this State," in section two, line two, of printed bill, and substituting therefor the words "in any city of this State of more than fifty thousand inhabitants"

Also: After the words "Los Angeles.' in section three, line eight, to insert the following words: "*provided*, that only one meeting in each year shall be held in each of said cities."

Also: In section seven, line two, by striking out the word "county," and substituting therefor the word "city."

Also: In section seven, line three, by substituting "city" for "county."

Also. In section seven, line four, "to the county," and substituting the words "in the city;" also, substituting the word "city" for the word "county," in the same line.

Also: In section seven, line six, by striking out the word "county," and substituting the word "city" therefor.

RECESS.

At twelve o'clock and thirty minutes P. M. the House took a recess.

REASSEMBLED.

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

Speaker Coombs in the chair.

Quorum present.

Mr. McCall in the chair.

The question being upon Mr. Fowler's motion to appoint a select committee to amend Assembly Bill No. 313.

Carried.

MOTION.

Mr. Bruner moved to reconsider the vote whereby the motion to appoint a select committee prevailed.

LEAVE OF ABSENCE.

Mr. Carter was granted leave of absence until Monday.

MOTIONS.

Mr. Baughman moved to indefinitely postpone Mr. Bruner's motion to reconsider.

The ayes and noes were demanded By Messrs. Bruner, McCall, and Culver.

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

AYES—Messrs. Barnard, Barnett of Sonoma, Baughman, Beecher, Bledsoe, Bryant, Cunningham, Durner, Fowler, Freeman, Garver, Hall, Harloe, Hocking, Jackson, Kellogg, Marion, Martin, Matlock, Murman, Phillips, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, and Stabler—28.

NOES—Messrs Barnett of San Francisco, Bruner, Brusie, Cargill, Carter, Cram, Culver, Dennis, Dibble, Doty, Dow, Dunn, Galbraith, Gould, Hayes, Hersey, Johnson, Lacey, Lowe, Lux, Lynch, Mathews, McCall, Mordecai, Steltz, Sturtevant, Wentworth, Weston, Young, and Mr. Speaker—30.

The question recurring upon Mr. Bruner's motion to reconsider.

Mr. Bruner moved that Assembly Bill No. 313 be made a special order for next Tuesday.

Lost.

The motion to reconsider was carried.

Mr. Dibble moved that the whole matter connected with Assembly Bill No. 313 be made a special order for next Tuesday, at two o'clock P. M.

Carried.

LEAVE OF ABSENCE.

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

WITHDRAWAL OF BILL.

Mr. Dibble was permitted to withdraw Assembly Bill No. 1, and introduce a new bill, numbered 734, in its place, and moved that it be read first time and take its place on special file.

So ordered.

INTRODUCTION OF BILLS—(OUT OF ORDER).

Assembly Bill No. 734—An Act to divide the State into legislative districts, as required by section six, article four, of the Constitution, and to provide for the election of Assemblymen and Senators in such districts.

Read first time, and placed on special file for second reading.

Also: Assembly Bill No. 735—An Act to divide the State of California into Congressional districts.

Read first time, and placed on special file for second reading.

MOTION.

Mr. Brusie moved to take up Senate messages.

So ordered.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 20, 1891.

MR SPEAKER: I am directed to inform your honorable body that the Senate, on the nineteenth day of February, passed the following:

Senate Bill No. 385—An Act to authorize the State Board of Prison Directors to pay for certain skilled labor used in the construction of the dam and canal at the Folsom Prison, and making an appropriation therefor.

F. J. BRANDON, Secretary.
By J. C. BOATMAN, Assistant

Mr. Brusie moved to make Senate Bill No. 385 a special order for next Tuesday, at two o'clock P. M.

Carried.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON MILEAGE.

ASSEMBLY CHAMBER, SACRAMENTO, February 20, 1891.

MR. SPEAKER: Your Committee on Mileage, to whom was referred the following Assembly resolution:

Resolved, That the Controller be and he is hereby authorized to draw his warrant in favor of J. L. Beecher, Jr., of said sub-Committee on Public Buildings and Grounds, for the sum of seventy-six dollars and eighty cents, for such mileage, and that said warrant be drawn out of the appropriation for the contingent expenses of the Assembly.

Report the same back and recommend its adoption.

BRYANT, Chairman.

Resolution adopted.

SECOND READING OF BILLS.

Assembly Bill No. 180—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.

Read second time.

Amendment by Mr. McCall adopted, as follows:

Insert in section one, line two, after word "stamp" and before word "upon," the words "or label," also, in section two, line four, after word "days," "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."

Ordered to printer.

Mr. Bledsoe was permitted to withdraw Assembly Bill No. 440, and asked that Assembly Bill No. 471 be read instead.

So ordered.

Assembly Bill No. 471—An Act to ascertain and express the will of the people of the State of California upon the subject of requiring an educational qualification of voters.

Read second time, ordered engrossed and to a third reading.

Mr. Dibble in the chair.

Assembly Bill No. 329—An Act for the destruction of wolves, coyotes, bears, and California lions, and to authorize a bounty to be given by the State to encourage such destruction, to any person who shall kill any wolf, coyote, or California lion.

Read second time.

Mr. Gould moved to amend as follows:

Strike out of section one, line three, the word "five," and insert "three."

Adopted.

Mr. Baughman moved to strike out the enacting clause.

Lost.

Amendment by Mr. Phillips:

Strike out section six.

Lost.

Amendment by Mr. Baughman:

Add after section one, line two, after the word "coyotes," the words "wildcats, foxes, and raccoons;" also, after the word "dollars" the words "and for wildcats and foxes, two dollars for each thereof."

Lost.

Amendment by Mr. Lynch:

Amend section one, line three, by inserting the word "cents" instead of "dollars."

Lost.

Mr. Phillips moved to amend by striking out of section one, line three, the word "three," and insert the word "one."

Lost.

Ordered engrossed and to a third reading.

MOTION.

Mr. Bruner moved to take up Senate messages.

So ordered.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 20, 1891.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the twentieth of February, amended, and passed as amended, the following:

Assembly Bill No. 106—An Act appropriating money to pay the expenses of maintaining an exhibit of the products of the State of California at the World's Columbian Exposition, to be held in Chicago in eighteen hundred and ninety-three, and to provide for Commissioners thereof.

F. J. BRANDON, Secretary.
By J. C. BOATMAN, Assistant.

Senate message acted upon as follows:

Assembly Bill No. 106, Senate amendment as follows:

Insert on page two, section three, line five, after the words "ninety-three," the following: "one half to be expended in the forty-third fiscal year and one half to be expended during the forty-fourth fiscal year."

The roll was called, and the Senate amendment concurred in by the following vote:

AYES—Messrs. Alexander, Ames, Barnard, Baughman, Beecher, Bledsoe, Brown, Bruner, Bryant, Cargill, Cram, Culver, Dennis, Dibble, Dow, Durner, Fowler, Freeman, Galbraith, Gould, Hall, Hawley, Hersey, Jackson, Johnson, Kellogg, Lowe, Lux, Lynch, Marion, Martin, Mathews, McCall, Mordecai, Phillips, Smith of Butte, Smith of Orange, Stabler, Steltz, Wentworth, Windrow, and Young—42.

NOES—Mr. Garver—1.

SECOND READING OF BILLS—(RESUMED).

Assembly Bill No. 189—An Act to regulate the sale of commercial fertilizers, or materials used for manurial purposes.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 527—An Act to prevent the use of substitute for hops, or pure extract of hops, in the manufacture of ale or beer sold or offered for sale in this State.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 528—An Act fixing the rate of tare on baled hops.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 507—An Act to prevent destruction by fire of property of contiguous owners.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 329—An Act to authorize Robert C. Ball to sue the State of California.

Read second time.

Mr. Wentworth withdrew Assembly Bill No. 335, and asked that Assembly Bill No. 281 be read second time.

So ordered.

Assembly Bill No. 281 read second time; to retain place on file of bill withdrawn.

Assembly Bill No. 158—An Act to amend an Act entitled "An Act to amend section three thousand six hundred and sixty-five of the Political Code, relating to the assessment of railroads operated in more than one county," approved March 19, 1889.

Read second time.

Refused engrossment.

MOTION.

At four o'clock and thirty minutes P. M., Mr. Wentworth moved to extend the hour of recess twenty minutes.

Carried.

SECOND READING OF BILLS—(RESUMED).

Assembly Bill No. 160—An Act to amend section three thousand six hundred and sixty-four and section three thousand six hundred and sixty-seven of the Political Code, relating to the assessments of railroads operated in more than one county.

Read second time.

Refused engrossment.

Mr. Cunningham moved that the vote whereby Assembly Bill No. 158 was refused engrossment be reconsidered.

Carried.

Assembly Bill No. 158 ordered engrossed and to a third reading.

Assembly Bill No. 166—An Act providing for the preservation of deer and other game animals within the State of California.

Mr. Mathews asked that Assembly Bill No. 166 be withdrawn, and Assembly Bill No. 692 be taken up.

So ordered.

Assembly Bill No. 692—An Act to amend sections twenty-seven, twenty-eight, twenty-nine, thirty, thirty-one, thirty-two, and thirty-three, the same comprising part second 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, relating to system of street improvement bonds.

Read second time, ordered engrossed and to a third reading.

Mr. Cunningham moved that the vote whereby Assembly Bill No. 160 was refused engrossment be reconsidered.

So ordered.

Assembly Bill No. 160 ordered engrossed and to a third reading.

INTRODUCTION OF BILL—(OUT OF ORDER).

By Mr. Lynch: Assembly Bill No. 736—An Act to amend an Act entitled "An Act to establish a Penal Code," approved March 12, 1885, by amending section six hundred and twenty-six of the Penal Code, relating to the laws for the preservation of game birds and animals.

Assembly Bill No. 736 substituted for Assembly Bills Nos. 245, 322, 351, and 166, which were withdrawn.

Assembly Bill No. 736.

Read first time, and placed on file for second reading.

Mr. Smith of Orange was permitted to withdraw Assembly Bill No. 276, and place Assembly Bill No. 336 in place of Assembly Bill No. 276 on the file.

So ordered.

RECESS.

At four o'clock and thirty minutes P. M. the House took a recess.

REASSEMBLED.

At seven o'clock and thirty minutes P. M. the House reassembled.
Speaker pro tem. Young in the chair.
Quorum present.

INTRODUCTION OF BILLS—(OUT OF ORDER).

By Mr. Lowe: Assembly Bill No. 737—An Act to amend section one hundred and thirty-seven of the Political Code, in regard to the powers and duties of the Board of Directors of the Insane Asylum at Stockton.

Referred to Committee on State Charitable and Reformatory Institutions.

Also: Assembly Bill No. 738—An Act making an appropriation for improvements at the State Insane Asylum at Agnews.

Referred to Committee on State Charitable and Reformatory Institutions.

By Mr. Marion: Assembly Bill No. 739—An Act to amend section three thousand seven hundred and seventy of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the costs and fees to be collected by the Tax Collector at the time of making sales of property for delinquent taxes.

Referred to Committee on Judiciary.

By Mr. Phillips: Assembly Bill No. 740—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the duties of the State Controller.

Mr. Phillips moved to take up Assembly Bill No. 740 and read first time.

Carried.

Assembly Bill No. 740.

Read first time, and placed on file for second reading.

By Mr. Wentworth: Assembly Bill No. 741—An Act for the relief of Colonel Jonathan D. Stevenson.

Mr. Wentworth moved that Assembly Bill No. 741 be read first time.

So ordered.

Assembly Bill No. 741—An Act for the relief of Colonel Jonathan D. Stevenson.

Read first time.

Referred to Committee on Ways and Means and Appropriations.

REPORTS OF STANDING COMMITTEES.

ON STATE CHARITABLE AND REFORMATORY INSTITUTIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 20, 1891.

MR. SPEAKER: Your Committee on State Charitable and Reformatory Institutions, to whom was referred Assembly Bill No. 705—An Act to appropriate money for the erection of and maintenance and support of the Sacramento Foundling Home—report the same back, and recommend that it do pass.

MARION, Chairman.

ON VINICULTURE, VITICULTULE, AND HORTICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, February 20, 1891.

MR. SPEAKER: Your Committee on Viniculture, Viticulture, and Horticulture, to whom was referred Senate Bill No 133—An Act to amend an Act entitled "An Act to amend an Act entitled 'An Act to protect and promote horticultural interests of the State.'" approved March 19, 1889—report the same back without recommendation.

Also: Senate Bill No. 151—An Act amendatory of an Act entitled an Act to amend an Act entitled "An Act to protect and promote the horticultural interests of the State," approved March 14, 1881, approved March 19, 1889—report the same back and recommend that it do pass, and further recommend that the same be substituted on file for Assembly Bill No. 64—both bills being identical

JOHN J SMITH, Chairman.

ON APPORTIONMENT AND ELECTION LAWS.

ASSEMBLY CHAMBER, SACRAMENTO, February 20, 1891.

MR. SPEAKER: Your Committee on Apportionment and Election Laws, to whom was referred Assembly Bill No. 622—report the same back, and recommend that the author be allowed to withdraw the same

CRAM, Chairman.

Mr. Baughman was permitted to withdraw Assembly Bill No. 622.

ON ROADS AND HIGHWAYS.

ASSEMBLY CHAMBER, SACRAMENTO, February 20, 1891.

MR. SPEAKER: Your Committee on Roads and Highways, to whom was referred Senate Bill No. 564—report the same back and recommend that it do pass.

Also: Assembly Bill No. 380—An Act relating to the duties of highway officers.

Also: Assembly Bill No. 203.

Also: Assembly Bill No. 646—Relating to road poll taxes.

Also: Assembly Bill No. 650—Relating to highways.

Report the same back, and recommend that they do not pass.

Also: Senate Bill No. 3—Concerning the hearing of viewers' reports.

Also: Senate Bill No. 4—Concerning petitions relating to public highways.

Also: Senate Bill No. 5—Relating to vacating public roads.

Report the same back, and recommend that they do pass.

Also: Assembly Bills Nos. 624 and 651—Relating to highways and injuries thereto—report the same back without recommendation.

MATLOCK, Chairman.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 19, 1891.

MR. SPEAKER: Your Committee on Education, to whom was referred Assembly Bill No. 656—An Act to provide pensions for teachers of public schools of the State of California—report the same back, and recommend that it do pass as amended.

GALBRAITH, Chairman

ON COUNTY AND TOWNSHIP GOVERNMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, February 20, 1891

MR. SPEAKER: Your Committee on County and Township Governments, to whom was referred Assembly Bills Nos. 654, 557, and 621—report the same back, and recommend that they do pass.

Also: Assembly Bills Nos. 663 and 154—report the same back, and recommend that they do not pass.

Also: Assembly Bills Nos. 184 and 604—report the same back without recommendation.

BROWN, Chairman.

ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 20, 1891.

MR. SPEAKER: Your Committee on Enrollment beg leave to report that the following Assembly Bills have been correctly enrolled.

Assembly Bill No. 209.

Also: Assembly Constitutional Amendment No. 7—and were presented to the Governor this day at three o'clock and thirty minutes P. M.

BLEDSOE, Chairman.

ON COMMERCE AND NAVIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 20, 1891.

MR. SPEAKER: Your Committee on Commerce and Navigation, to whom was referred Assembly Bill No. 703—report the same back, without recommendation

PHILLIPS, Chairman.

ON MINES AND MINING INTERESTS

ASSEMBLY CHAMBER, SACRAMENTO, February 17, 1891.

MR. SPEAKER: Your Committee on Mines and Mining Interests, to whom was referred Assembly Bill No. 686—An Act relating to the working, right of way, easement, and drainage of mines in the State of California—report the same back, and recommend that it do pass.

HAIL, Chairman.

RESOLUTION.

By Mr. Jones:

Resolved, That the Postmistress and Assistant Postmistress have leave of absence for two days.

Adopted.

INTRODUCTION OF BILLS.

By Mr. Steltz: Assembly Bill No. 742—An Act to provide for the compensation of members of Boards of Supervisors, Boards of Education, and Police Commissions, and Fire Commissions, in cities and counties, and in cities having a population exceeding one hundred thousand inhabitants.

Referred to Committee on Municipal Corporations.

By Mr. Culver: Assembly Bill No. 743—An Act to amend sections two thousand two hundred and ninety-two, two thousand two hundred and ninety-three, two thousand two hundred and ninety-four, and two thousand two hundred and ninety-six of the Political Code, relating to the State Library.

Referred to Committee on State Library.

MOTION.

Mr. Brown moved that a select committee of one be appointed to amend Assembly Bill No. 301, as follows:

Amend section seven, line five, by inserting the words "health, accident, or casualty insurance only, or for" between the words "for" and "one."

Also: Amend by adding to section fourteen the words "nor to any mutual or benefit association, organized or formed, and composed only of members of any such society, lodge, or council exclusively."

Also: Amend by inserting the word "domestic" between the words "any" and "corporation."

Carried.

APPOINTMENT OF COMMITTEE.

Mr. Brown was appointed a committee to make said amendment.

REPORT OF COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, February 20, 1891.

MR. SPEAKER: Your Select Committee, to whom was referred Assembly Bill No. 301, with instructions to amend in accordance with the action of the House, would report that the instructions of the House have been carried out.

BROWN, Committee.

Report of committee adopted.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 20, 1891.

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

Senate Bill No. 214—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to the preservation of fish and game.

Also the following Assembly Bills, February 20, 1891:

Assembly Bill No. 114—An Act to amend section four hundred and ninety-seven of the Civil Code of the State of California, relating to the authority to lay railroad tracks through streets and public highways of any incorporated city, city and county, or town.

Also: Assembly Bill No. 116—An Act to confirm, ratify, and make valid ordinances heretofore passed by the Trustees, Council, or other body intrusted with the government of any incorporated city, city and county, or town, giving authority and permission to propel cars upon railroad tracks laid through the streets and public highways of such incorporated city, city and county, or town, by electricity.

Also: Assembly Bill No. 142—An Act to amend section four hundred and ninety-nine of the Civil Code of California, relative to the authority to lay, construct, and operate railroad tracks through streets and public highways of any incorporated city, city and county, or town, and to allow different lines of street railway, operated under different management, to use parts of the same streets and tracks.

F. J. BRANDON, Secretary.
By J. C. BOATMAN, Assistant.

Senate Bill No. 214 referred to Committee on Fish and Game.

MOTION.

Mr. Bledsoe moved to make Assembly Bill No. 471 a special order for Monday, March 2, 1891.

Carried.

Assembly Bill No. 449—An Act to amend section one thousand five hundred and ninety-three of the Political Code, relative to time of election for School Trustees.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 370.

Mr. Culver asked permission to withdraw Assembly Bill No. 370, and place Assembly Bill No. 542 in its place on file.

So ordered.

Assembly Bill No. 542—An Act to provide for the formation, organization, and government of sanitary districts, and to provide for the laying and maintaining of sewers therein, the issuing of bonds therefor, and the levying and collection of taxes therein.

Read second time.

Substitute by Mr. Culver, as follows, adopted:

An Act to provide for the formation, government, operation, and dissolution of sanitary districts in any part of the State, for the construction of sewers and other sanitary purposes, the acquisition of property thereby, the calling and conducting of elections in such districts, the assessment, levy, collection, custody, and disbursement of taxes therein; the issuance and disposal of the bonds thereof, and the determination of their validity, and making provision for the payment of such bonds, and the disposal of their proceeds.

SECTION 1. Whenever fifty persons in any county of the State shall desire the formation of a sanitary district within the county, they may present to the Board of Supervisors a petition, in writing, signed by them, stating the name of the proposed district, and setting forth the boundaries thereof, and praying that an election be held as provided by this Act. Each of the petitioners must be a resident and freeholder within the proposed district.

SEC. 2. When such petition is presented as above provided, the Board of Supervisors must, within thirty days thereafter, order that an election be held as provided by this Act. The order must fix the day of such election, which must be within sixty days from the date of the order, and must show the boundaries of the proposed district, and must state that at such election persons to fill the offices provided by this Act, viz.: a Sanitary Assessor, and five members of the Sanitary Board, will be voted for. This order shall

be entered in the minutes of the Board, and shall be conclusive evidence of the due presentation of a proper petition, and of the fact that each of the petitioners was at the time of the signature and presentation of such petition a resident and freeholder within the limits of the proposed district

SEC. 3. A copy of such order shall be posted for four successive weeks prior to the election, in three public places within the proposed district, and shall be published for four successive weeks prior to the election, in some newspaper published in the proposed district, if there be one, and if not, in some newspaper published in the county. It shall be sufficient if the order be published once a week.

SEC 4. The Board of Supervisors, at any time prior to the election, shall select one polling place within the proposed district, and make all suitable arrangements for the holding of such election. The tickets shall contain the words "For a Sanitary District," or "Against a Sanitary District," as the case may be, and the name of a person for Sanitary Assessor, and the names of five persons for members of the Sanitary Board. Such election shall be conducted in accordance with the general election laws of the State, so far as the same shall be applicable, except as herein otherwise provided. Every qualified elector resident within the proposed district, for the period requisite to enable him to vote at a general election, shall be entitled to vote at the election above provided for. If a majority of the votes cast at such election shall be in favor of a sanitary district, the Board of Supervisors shall make and cause to be entered in the minutes an order that a sanitary district of the name and with the boundaries stated in the petition (setting forth such boundaries) has been duly established, and said order shall be conclusive evidence of the fact and regularity of all prior proceedings of every kind and nature provided for by this Act or by law, and of the existence and validity of the district. If a majority of the votes cast shall be against a sanitary district, no other proceedings shall be taken in relation thereto until the expiration of two years from the presentation of the petition.

SEC. 5. Every sanitary district formed under the provisions of this Act shall have power to have and use a common seal, alterable at the pleasure of the Sanitary Board; to sue and be sued by its name, to construct, and maintain, and keep clean such sewers and drains as in the judgment of the Sanitary Board shall be necessary or proper, and for this purpose to acquire, by purchase, gift, devise, condemnation proceedings, or otherwise, such real and personal property and rights of way, either within or without the limits of the district, as in the judgment of the Sanitary Board shall be necessary or proper, and to pay for and hold the same, to make and accept any and all contracts, deeds, releases, and documents of every kind which, in the judgment of the Sanitary Board, shall be necessary or proper to the exercise of any of the powers of the district, and to direct the payment of all lawful claims and demands against it, to issue bonds as hereinafter provided, and to assess, levy, and collect taxes to pay the principal and interest of the same, and the running expenses of the district; to employ all necessary agents and assistants, and pay the same, to lay its sewer and drains in any public street or road of the county, and for this purpose to enter upon the same and make all necessary and proper excavations, restoring the same to proper condition, but in case such street or road shall be in an incorporated city or town, the consent of the lawful authorities thereof shall first be obtained, to make and enforce all necessary and proper regulations for the removal of garbage and the cleanliness of the roads and streets of the district, and for the purpose of guarding against the spread of contagious and infectious diseases, and for the isolation of persons and houses affected with such diseases, and for the notification of the other inhabitants of the existence thereof, and all other sanitary regulations not in conflict with the Constitution and laws of the State; to impose fines, penalties, and forfeitures for any and all violations of its regulations and orders, and to fix the penalty thereof by fine or imprisonment, or both; but no such fine shall exceed the sum of one hundred dollars, and no such imprisonment shall exceed one month; to call, hold, and conduct all elections necessary or proper after the formation of the district, to prescribe by order the time, mode, and manner of assessing, levying, and collecting taxes for sanitary purposes, except as is otherwise provided herein; to compel all residents and property owners to connect their houses and habitations with the street sewers and drains; and generally to do and perform any and all acts necessary or proper to the complete exercise and effect of any of its powers, or the purpose for which it was formed

SEC. 6 The officers of the district shall be a Sanitary Assessor and five members of the Sanitary Board.

SEC. 7. There shall be an election for Sanitary Assessor on every even numbered year in which members of the Sanitary Board are elected, and at the same time, place, and manner, and the person then elected shall hold office for two years next thereafter, and until the election and qualification of his successor. The person elected Assessor at the election at which the district was formed shall hold office until the election and qualification of his successor, *provided*, that if at any time a vacancy occur in the office of Assessor the Sanitary Board shall appoint a suitable person to fill such vacancy until the next election at which an Assessor may be elected under the provisions of this Act.

SEC. 8. It shall be the duty of the Sanitary Assessor to make out once a year, at such times as may be prescribed by the Sanitary Board, a list of all the tangible real and personal property within the district. Such list shall contain a brief and general description of the property, an assessment of the value thereof, the name or names of the owner or owners, and such other matters as may be ordered by the Sanitary Board. The land shall be assessed separately from the improvements thereon. No mistake in the name of the owner of any of the real or personal property assessed, or any informality in the description, or in other parts of the assessment, shall invalidate the same.

The Sanitary Assessor shall verify said list by his oath before some officer authorized to administer oaths, and shall deposit the same with the Sanitary Board at such time as shall be directed by the Board. He shall have power to administer all oaths and affirmations necessary or proper in the performance of his duty as Assessor, and shall receive such compensation as shall be fixed by the order of the Board. He shall also perform such further duties and do such further acts as may be ordered or required by the Sanitary Board.

SEC. 9. There shall be an election for two members of the Sanitary Board in every even numbered year, beginning with the second even numbered year after the election at which the district was organized, and the two members then to be elected shall hold office until the election and qualification of their successors in the next even numbered year, and there shall be an election for three members of the Sanitary Board in every odd numbered year, beginning with the second odd numbered year after the election at which the district was organized, and the three members then to be elected shall hold office until the election and qualification of their successors in the next odd numbered year. The five members elected at the election at which the district was organized shall, at their first meeting, or as soon thereafter as may be practicable, so classify themselves by lot that two of them shall go out of office in the second even numbered year after the election at which the district was organized, and upon the election and qualification of their successors, as provided by this Act, and three of them in the second odd numbered year after the election at which the district was organized, and upon the election and qualification of their successors, as provided by this Act. All elections for officers after the formation of the district shall be on the first Monday after the first Tuesday in the month of March. The members of the Sanitary Board shall receive no compensation whatever, either for general or special services.

SEC. 10. The Sanitary Board shall be the governing power of the district, and shall exercise all the powers thereof, except the making of an assessment list in the first instance, as herein provided. At its first meeting, or as soon thereafter as may be practicable, the Board shall choose one of its members as President, and another of its members as Secretary. And all contracts, deeds, warrants, releases, receipts, and documents of every kind, shall be signed in the name of the district by its President, and shall be countersigned by its Secretary. The Board shall hold such meetings, either in the day or in the evening, as may be convenient. In case of the absence or inability to act of the President or Secretary, the Board shall, by order entered upon the minutes, choose a President pro tem., or Secretary pro tem., or both, as the case may be.

SEC. 11. The Sanitary Board shall sit as a Board of Equalization at such times as it may prescribe, by order entered in its minutes, and shall continue in session as such Board, with convenient intermissions, until the entire list furnished by the Assessor shall have been examined and rectified, if rectification be necessary. The Board shall have power to hear complaints as to the proceedings of the Assessor and to adjudicate and determine the controversy thereon, and may of its own motion raise an assessment, after such reasonable notice to the party whose assessment is to be raised, as may be ordered by the Board. After the examination and rectification of the Assessor's list shall have been completed, the Board shall, by resolution, fix the rate of taxation for sanitary purposes, designating the number of cents on each one hundred dollars to be levied for each fund, and shall designate the fund into which the same shall be paid, but no more than sixty-five cents on each one hundred dollars shall be levied for all the sanitary purposes of any one year. After the entry in the minutes of the resolution fixing the rate of taxation, the Sanitary Board shall cause the Assessor to compute the amount of the tax upon each piece of real and personal property, and enter the same upon the assessment list in a suitable place. The list, when so completed, shall be verified by the Assessor and signed by the President and Secretary, and the amount of the tax shall thereupon become a lien upon the property upon which it is assessed, and has the effect of a judgment against the person of the owner thereof, and every such lien has the force and effect of an execution duly levied against all the property of the delinquent; and the judgment shall not be deemed satisfied or the lien extinguished until the taxes are paid or the property sold to satisfy the same; and no statute of limitations shall apply.

SEC. 12. The Board shall transmit, or cause the Assessor to transmit, a duplicate of the list so made to the Tax Collector of the county, who shall collect the taxes shown by said list to be due, in the same manner as he collects the county taxes, and all the provisions of the laws of the State as to the collection of taxes and delinquent taxes, and the enforcement of the payment thereof, so far as applicable, shall apply to the collection of taxes for sanitary purposes, and said Tax Collector, and the sureties on his official bond, shall be responsible for the due performance of the duties imposed on him by this Act, *provided*, that the Sanitary Board may, in its discretion, direct the District Attorney of the county to commence and prosecute suits for the collection of the whole, or any portion of the delinquent taxes, and it shall be the duty of the District Attorney to carry out such directions of the Sanitary Board, and he, and the sureties upon his official bond, shall be responsible for the due performance of the duty imposed upon him by this Act; *and provided further*, that the Sanitary Board may at any time, by order entered in its minutes, provide a system for the collection of delinquent taxes, or make any change in the manner of their collection, which as to such taxes shall have the force of law. All money collected for sanitary purposes by the District Attorney shall be at once paid to the County Treasurer.

SEC. 13. The Tax Collector shall pay over to the County Treasurer all moneys collected by him for sanitary purposes as fast as the same shall be collected, and the said Treasurer shall keep the same in the County Treasury as follows: In a fund called the Bond Fund of Sanitary District (naming it) he shall place and keep the moneys levied by the Sanitary Board for such fund; and no part of the money in this fund shall be transferred to any other fund, or be used for any other purpose than the payment of the principal and interest of the bonds of the sanitary district, so long as any such bonds shall be unpaid; in a fund called the Running Expense of Sanitary District (naming it) he shall place and keep the moneys levied by the Sanitary Board for such fund. The whole or any part of the money in the Running Expense Fund may be transferred to the Bond Fund, or to the other fund hereinafter provided for, upon the order of the Sanitary Board, and it shall be the duty of the Treasurer to comply with such order. The Treasurer shall pay out moneys from either of said funds, or from the fund hereinafter mentioned, only upon the written order of the Sanitary Board, signed by the President and countersigned by the Secretary, which order shall specify the name of the person to whom the money is to be paid and the fund from which it is to be paid, and shall state generally the purpose for which the payment is made, and such order shall be entered in the minutes of the Sanitary Board. The Treasurer shall keep the order as his voucher, and shall keep a specific account of his receipts and disbursements of money for sanitary purposes. The Treasurer and the sureties upon his official bond for the due performance of the duties imposed upon him by this Act. The Treasurer shall keep the money arising from the sale of bonds in the fund hereinafter mentioned.

SEC. 14. At any time after the district is organized, the Sanitary Board may, by order entered in the minutes, call an election for the purpose of determining whether bonds shall be issued for the construction of sewers. Such order shall fix the day of the election and shall specify the amount of money to be raised, and shall state in general terms the purpose for which it is to be raised. A copy of such order shall be posted for four successive weeks prior to the election in at least three public places within the district, and shall be published for four successive weeks prior to the election in some newspaper published within the district, if there be one, and if not, in some newspaper published in the county. It shall be sufficient if the order be published once a week.

SEC 15. At any time prior to the day fixed for the election, the Board shall select one polling place within the district, appoint officers of election, and make all necessary and proper arrangements for holding the election. The tickets shall contain the words "For the issuance of bonds as proposed by the Sanitary Board," or "Against the issuance of bonds as proposed by the Sanitary Board." The election shall be conducted in accordance with the general election laws of the State, so far as the same shall be applicable, except as herein otherwise provided. Every qualified elector resident within the district for the length of time necessary to enable him to vote at a general election shall be entitled to vote at the election above provided for.

After the votes cast shall have been counted by the officers of election, and the result announced, the ballots shall be sealed up and delivered to the Secretary or President of the Sanitary Board, which shall, as soon as practicable, proceed to canvass the same, and shall enter the result upon its minutes. Such entry shall be conclusive evidence of the fact and regularity of all prior proceedings of every kind and nature provided for by this Act or by law, and of the facts stated in such entry. If at such election two thirds of the qualified electors of the district voted in favor of the issuance of bonds, as proposed by the Sanitary Board, the said Board shall thenceforth have full power and authority to issue and dispose of bonds as proposed in the order calling the election.

SEC. 16. Such bonds shall be in sums of one thousand dollars each, payable in gold coin of the United States, and shall bear interest at the rate of five per cent per annum, payable semi-annually at dates to be fixed by the Board, and specified, respectively, in the bonds and coupons, payable in like gold coin. The principal of each bond shall be payable in installments of one twentieth of the face of the bond, and one of such installments shall fall due at the end of each year, so that the whole principal shall be paid in twenty years from the issuance of the bond. Each bond shall refer to this Act by its title and the date of its approval by the Governor, and shall be payable to bearer, but every person into whose hands any bond or coupon shall come shall be deemed to have notice of any and all payments that have actually been made thereon. Each bond shall be signed by the President and countersigned by the Secretary of the Sanitary Board. The bonds shall be numbered consecutively, beginning with the number one. Each coupon shall refer to its bond by number, and shall be signed by the President and countersigned by the Secretary. No bond shall be redeemed before it is due without the consent of the holder thereof, nor shall the rate of interest on any bond be reduced or the bonds be refunded without the consent of the holder thereof. When any payment of any installment of interest is made, the coupon therefor is directed to be surrendered to the County Treasurer and to be canceled by him; and when any installment of principal is paid, such payment is directed to be indorsed upon the bond by such Treasurer; and when the whole principal of any bond is paid, the bond is directed to be surrendered to the Treasurer and to be by him canceled.

The bonds must be disposed of by the Sanitary Board in such manner and in such quantities as may be determined by said Board, in its discretion, but no bond must be disposed of for less than its face value. The proceeds of such sales shall be deposited with the County Treasurer, and shall be by him placed in a fund to be called the Sewer Construction Fund of —— Sanitary District (naming it). The money in such fund shall be used for the purpose indicated in the order calling the election upon the question of

the issuance of the bonds, and for no other purpose; *provided*, that if after such purposes are entirely fulfilled, any balance remain in such fund, such balance may, upon the order of the Sanitary Board, be transferred to either of the other funds provided by this Act.

If the result of the election be against the issuance of bonds, no other election upon the question shall be called or held for the period of one year.

SEC. 17. It is hereby made the duty of the Sanitary Board to levy, each year, upon the property within the district, a sufficient tax to pay off the interest accruing upon said bonds for the respective year, as it falls due, and also to pay one twentieth of the principal of said bonds, so that the entire amount of principal and interest of said bonds shall be paid within twenty years from the date of the issuance of said bonds; and it is hereby made the duty of the Tax Collector, or such other person as may be charged with the duty of collecting the sanitary taxes, to collect the said taxes so to be levied, and the duty of the Sanitary Board to order the same to be paid, in manner and form as provided by this Act, and the duty of the County Treasurer to pay the same. If, for any reason, any portion of the tax for any year remains unpaid, and in consequence thereof any portion of the interest or principal due for any year remains unpaid, the same shall be added to the levy for the next year, and be collected and paid accordingly. The payment of the whole amount of the principal and interest of all of said bonds, within twenty years from their issuance, is hereby made the imperative duty of the district; and, if necessary for that purpose, a special tax shall be levied; and it is hereby made the duty of every officer and Board to do his respective part towards the levy, collection, and payment of such tax; and mandamus shall issue from the Superior Court of the county in which the district is situated, or from any other competent Court, upon application of any party interested, for the purpose of compelling the performance of the duty imposed by this Act upon any and all officers or Boards.

SEC. 18. If the result of any election upon the question of the issuance of bonds be in favor of such issuance, the Sanitary Board may, in their discretion, before such issuance, commence, in the Superior Court of the county, a special proceeding to determine their right to issue such bonds and the validity thereof similar to the proceeding in relation to irrigation bonds, provided for by an Act entitled "An Act supplemental to an Act entitled 'An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes,' approved March seventh, eighteen hundred and eighty-seven, and to provide for the examination, approval, and confirmation of proceedings for the issue and sale of bonds issued under the provisions of said Act," and all the provisions of said Act shall apply to and govern the proceedings so to be commenced by the Sanitary Board, so far as the same are applicable, and said proceedings shall be in accordance with the provisions of said Act, so far as the same are applicable, and the judgment in such proceedings shall have the same effect as a judgment in relation to irrigation bonds under the provisions of said Act.

SEC. 19. Any general regulation of the Sanitary Board shall be by order entered in the minutes, but such order shall be published once a week for one week in some newspaper published within the district, if there be one, and if there be no such newspaper, then such order shall be posted for one week in three public places within the district. A subsequent order of the Board that such publication or posting has been duly made shall be conclusive evidence that such publication or posting has been properly made. Orders not establishing a general regulation need not be published or posted (unless otherwise provided by this Act), but shall be entered in the minutes, and the entry shall be signed by the Secretary of the Board. A general regulation shall take effect immediately upon the expiration of the week of publication or posting thereof. An ordinary order shall take effect upon its entry in the minutes.

SEC. 20. The Board may instruct the District Attorney of the county to commence and prosecute any and all actions and proceedings necessary or proper to enforce any of its regulations or orders, and may call upon said District Attorney for advice as to any sanitary subject; and it shall be the duty of the District Attorney to obey such instructions and to give advice when called on by the Board therefor. The Board may at any time employ special counsel for any purpose. All fines for the violation of any regulation or order of the Sanitary Board shall, after the expenses of the prosecution are paid therefrom, be paid to the Secretary of the Board, who shall forthwith deposit the same with the County Treasurer, who shall place the same in the Running Expense Fund of the district.

SEC. 21. The district may at any time be dissolved upon the vote of two thirds of the qualified electors thereof, upon an election called by the Sanitary Board upon the question of dissolution. Such election shall be called and conducted in the same manner as other elections of the district. Upon such dissolution, the property of the district shall vest in any incorporated city or town that may at said time be in occupation of a considerable portion of the territory of the district, and if there be no such incorporated city or town then the property shall be vested in the Board of Supervisors of the county until the formation of such a city or town.

This Act shall take effect from and after its approval by the Governor of the State.

Read second time, ordered engrossed and to a third reading.

WITHDRAWAL OF BILL.

Mr. Cunningham was permitted to withdraw Assembly Bill No. 450.

Assembly Bill No. 336—An Act to provide for the division of existing counties, and for the creation and organization of new counties and names therefor; to determine the location of county seat by an election; to declare the manner of providing officers; to provide for the support of such new counties by the issuance of bonds; and to determine what portion of old county debt is chargeable to such new county.

Read second time.

Amendment by Mr. Hocking, as follows, adopted.

Amend Assembly Bill No. 336 to read as follows:

An Act supplementary to an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, A. D. 1883, and being in relation to the organization of new counties, and the classification thereof.

The People of the State of California, represented in Senate and Assembly, do enact as follows:

SECTION 1. Whenever the people residing in any district of territory situate in one or more counties in this State desire to organize such territory into and to erect therefrom and thereon a new county, the same may be done upon the conditions and in the manner hereinafter provided.

SEC. 2. A petition shall first be presented to the Governor, signed by not less than five hundred qualified electors residing within the district proposed to be erected into such new county, and registered upon the Great Register of the county or one of the counties from which such territory is taken, who are also taxpayers within such district, which petition shall particularly set forth and describe the proposed boundaries of such new county, and state the number of inhabitants therein as nearly as may be (which number shall be not less than five thousand), and pray that the same may be erected into and organized as a new county, by the name of ——— (designating such name). And such petition shall have attached thereto the certificate or certificates of the Clerk or Clerks of the county or counties from which such territory is taken, showing that the signers thereto are registered as aforesaid, and taxpayers within the district proposed to be erected into such new county; also, the affidavits of at least one hundred of said petitioners that to the best of their knowledge and belief the organization of such new county will not reduce the population of the former county, whose Clerk makes such certificate, below the number of eight thousand (8,000), and that the lines of such new county do not run within five miles of the county seat of his county. If any person signs the name of another to such petition without being thereto duly authorized, in writing, he shall be deemed guilty of forgery, and upon conviction thereof shall be punished accordingly. If any name is signed to said petition by another, the written authority of such other person to sign such name must accompany such petition.

SEC. 3. Upon receiving such petition, so signed and verified, the Governor shall, within thirty days thereafter, file the same with the Secretary of State, together with an order made by him appointing three discreet and competent persons residing within the territory described in such petition, whose duty it shall be to act as a Board of Commissioners for the organization of such new county, and designate in said order a time and place within such proposed new county (which time shall not be more than thirty days after the date of said order), when and where the persons so appointed shall meet and organize as such Board. When the Governor shall have received a petition, signed and certified as aforesaid, he shall not thereafter act upon or appoint Commissioners under any petition subsequently received affecting the same territory, or any part thereof, unless nor until at the election provided for in this Act, and upon the petition first filed, a majority of the electors voting thereat shall have failed to vote in favor of the organization of the new county so proposed in the petition first filed as aforesaid. The Secretary of State shall forthwith send to each of the persons so appointed a certified copy of the order aforesaid, together with a certificate showing the boundaries of said proposed new county as the same is set forth in the petition aforesaid. At the time and place named in said order the persons so appointed shall meet, and after having taken the oath of office required by the Constitution, they shall organize by electing one of their number as President, and appoint some competent person as Secretary of said Board; and thereupon they shall, by order in writing, divide the said proposed new county into a convenient number of election precincts, designating each by number and defining the boundaries thereof, and establish polling places therein, and appoint election officers to hold and conduct the election hereinafter mentioned, *provided*, no election precinct shall contain territory taken from more than one county; and also divide the territory of said proposed new county into five Supervisor Districts in the same manner that Boards of Supervisors are directed by law to establish Supervisor Districts in their respective counties, each of which district shall, until otherwise provided by the Board of Supervisors thereafter to be elected, constitute a judicial township, each district to be named and numbered according to

law. The Board shall then further proceed, by order in writing, to order and call a special election, to be held within and throughout the boundaries of such proposed new county, at such time as shall be designated by said Board, not less than thirty nor more than forty days after the date of said order, and they shall cause the orders so made and notice of such election to be printed in one or more newspapers of general circulation printed and published in said proposed new county, and a copy of such orders and notice to be posted in a conspicuous place at or near each of the polling places so fixed and established by said Board. Such order and notice shall be so posted and shall be published at least once in each week, and as much oftener as the newspaper in which the same is printed is published, for and during thirty days next preceding the day of said election. Such election shall be held and conducted under the general election laws of the State applicable to general elections.

Sec. 4. The orders, publication, and notice, made and given by said Board of Commissioners, shall prescribe and provide for the submission to the qualified electors of the said proposed new county of the question of whether or not said new county shall be organized; and also provide for the election for said new county, if organized, of a Board of Supervisors, consisting of one member for each of said Supervisor Districts, two Justices of the Peace, and two Constables in each of said judicial townships, and for the election of all elective county officers required by law to be elected in counties of the forty-first class. There shall also be submitted to the qualified electors at the same election, the question of the location of the county seat of said proposed new county.

Sec. 5. At such election only those persons shall be entitled to vote who are qualified electors within the territory embraced in said proposed new county, and within the precincts at which they, respectively, cast their ballots. The ballots used at said election shall have written or printed thereon the words "For the new county of——" (giving the name of the proposed new county), or the words "Against the new county of——" (giving the name of the proposed new county); and second, for the county seat—— (giving the name of the place designated by the voter as his choice for county seat), and third, these shall be followed, in the form and order prescribed by general law, with the name and designation of the several county, district, and township officers hereinbefore provided for, with the names of the persons to be voted for for each of said offices.

Sec. 6. The ballots cast at such election shall be counted and canvassed by the officers of election, and return thereof made by said officers to the Secretary of said Board of Commissioners, in the same manner as is provided by law for the canvass and return to County Clerks of the ballots cast at a general election. On the first Monday next succeeding said election, said Board of Commissioners shall meet and canvass said returns; and if it be found that less than three fifths of all the votes cast at said election were in favor of the organization of such new county, the said Board of Commissioners shall, under their hands, certify to the Secretary of State the fact that at an election called by them, and held in pursuance of the provisions of this Act, less than three fifths of the votes cast were in favor of the organization of such proposed new county, and thereupon all further proceedings in the matter of the organization of such proposed new county, under the petition in that behalf filed with the Governor, shall cease and determine. If, however, upon the canvass of said returns, it be found that three fifths of all the votes cast at said election were in favor of the organization of such proposed new county, then the said Commissioners shall also canvass the returns of said election on the question of location of county seat, and for county, district, and township officers, and shall certify the result of said election on all the questions so submitted, and on the election of county, district, and township officers, to the Secretary of State, and transmit the same, with a record of all the proceedings in the premises, to that officer, retaining a duplicate thereof, to be filed in the county as hereinafter provided, upon receipt of such return, the Secretary of State shall file the same with the original petition and other papers received from the Governor, and shall thereupon issue, under his hand and the great seal of the State, a certificate reciting the fact of the making and the filing of said petition with the Governor, and that, under proceedings duly and regularly had thereon and thereunder, in the form and manner prescribed by this Act, a new county has been organized, to be known as the county of —— (giving the name of the proposed new county), that —— (giving the name of the place) has been selected as the county seat thereof, and that the following named persons have been elected as the county, district, and township officers in said county (giving the name and office of each), to hold office until the next general election for county officers throughout the State, and until the first Monday after the first day of January next succeeding the date of said general election. Said certificate shall be transmitted by the Secretary of State of said Board of Commissioners, who, upon receipt thereof, shall notify the persons elected as Supervisors in the several Supervisor Districts, and each of the persons elected to county, district, and township offices in said county, to assemble at the place which shall have been selected as the county seat of said county on the first Monday of the next succeeding month; at which time and place the said Board of Commissioners shall meet the persons so elected Supervisors, as aforesaid, who shall thereupon qualify, according to law, as such Supervisors, and organize as a Board of Supervisors for said county, in the manner prescribed by law. Thereupon the said Board of Commissioners shall file with said Board of Supervisors the certificate so received from the Secretary of State, which certificate shall be filed with the County Clerk, when he shall have qualified, and shall constitute the warrant and authority under which the said county shall become and thereafter be a body corporate and politic, having all the powers

conferred upon organized counties in the State, the duties of said Board of Commissioners shall thereupon cease and determine; the Superior Judge, County Clerk, and other county, township, and district officers elected at said election shall at once qualify, according to law, and enter upon the discharge of their respective duties, and each shall thereafter receive the salary and fees, if any, prescribed by law for county, district, and township officers, respectively, in counties of the forty-first class. And the Board of Supervisors, and the members thereof, shall have and exercise all the powers and perform all duties prescribed by law for Boards of Supervisors, and the members thereof, in counties of the forty-first class; *provided*, that where territory is taken from more than one county to form said proposed new county, and less than three fifths of all the votes cast at said election in the territory taken from any of said counties shall be in favor of formation of said new county, the said Board of Commissioners shall, under their hands, certify to the Secretary of State such fact, and said territory shall not be included in said proposed new county when organized; *and further provided*, that if said new county, after deducting the population of the territory which shall be so excluded, shall be less than five thousand, said new county shall not be organized.

SEC. 7. The Board of Supervisors shall allow and order to be paid to members of the Board of Commissioners appointed under this Act compensation for their services, not exceeding five dollars per day for the number of days actually employed under the provisions of this Act, together with the actual expenses incurred by each in the performance of the duties as such Commissioners; and they shall allow and order to be paid to the Secretary of said Board, as compensation for his services as such Secretary, such sum as shall be just, not exceeding two hundred dollars. The said Board of Supervisors shall also, within one month after their organization as a Board, divide the said county into convenient road districts, and number the same, and appoint for each district a Road-master, to hold office until the next general election for county officers, and the election and qualification of a successor at that time, in the manner prescribed by law. The said Board shall, also, within the same time, divide the county into a convenient number of school districts, to be named and numbered as required by law, and appoint for each a Board of School District Trustees, to hold office and act as such until the election of their successors at the next succeeding school district election provided for by law.

SEC. 8. The county or counties from which territory is taken to create a new county shall, as soon as such proposed new county is organized, agree with such new county upon, and employ some competent person to survey, run out, and accurately define the lines and boundaries of such new county. The cost and expenses of such survey shall be borne and paid by such new county, and the lines so established shall be the boundary lines between it and the several adjoining counties. Such survey shall adhere as closely as possible to the lines and boundaries set forth in the petition to the Governor mentioned in section two of this Act. And he may, when the nature of the ground renders it necessary, depart from such lines, but so as not to exclude from the new county or district cut off any taxpayer by whom the petition was signed, nor to include therein any by whom the same was not signed, who were living outside the boundary lines set forth in said petition, without the written consent thereto of the person to be included or excluded, as the case may be; nor shall any part of the lines so run approach within five miles of the county seat of any existing county. Such surveyor shall file copies of his survey and field notes, duly certified, with the County Clerks of all the counties interested in or affected by such division.

SEC. 9. Within one month after their organization as a Board, the said Board of Supervisors shall appoint as many freeholders resident of said county, as there are counties from which said county was formed, to act as Commissioners in the adjustment of county indebtedness, and through the Clerk of said Board, under the seal of the county, shall notify the Board or Boards of Supervisors of each of the counties from which any portion of the territory was taken in the formation of said new county. Each Board of Supervisors from whose county any portion of said territory was taken, at its first meeting after receiving such notice, shall also appoint one freeholder, resident of the county making such appointment, to act as Commissioner as aforesaid for the adjustment of county indebtedness, and immediately transmit notice thereof, and of the name and residence of the Commissioner so appointed, to the Clerk of said new county. Said Clerk, immediately upon receiving notice from all the counties so entitled to appoint Commissioners, shall transmit notice thereof to each of the persons appointed of either said counties by the Board of Supervisors thereof, notifying each of the name and residence of all the others so appointed, and directing that they assemble on the second Monday following the date of such notice, at an hour therein named (giving the exact date and hour), at the Court House, at the county seat of the county, of one of the counties from which the territory for the organization of said new county was taken (giving the name of the county seat so selected), to organize as a Board of Commissioners for the adjustment of county indebtedness. The persons so appointed from the several counties shall assemble at the time and place designated in such notice, and each take an oath of office to faithfully discharge the duties of Commissioner for the adjustment of county indebtedness, as provided by law, and then proceed to the selection, and shall select one additional member of said Board, who shall be selected from and be a freeholder residing within some disinterested county or counties. If the persons so assembled fail to agree upon such additional person to be appointed, they shall immediately certify the fact of such disagreement to the Clerk of the said newly organized county, and shall thereupon adjourn,

to be again called together, as herein after provided. The Clerk of said new county shall thereupon immediately certify to the Governor of the State the fact of the appointment by the several Boards of Supervisors, of Commissioners for the adjustment of county indebtedness, as provided in this Act, of their meeting and failure to agree upon the selection and appointment of the additional member necessary to constitute said Board of Commissioners; and the Governor, within five days after receiving such certificate, shall appoint such additional member, who shall possess the qualifications aforesaid, and transmit the certificate of such appointment to the Clerk of said new county, who, after filing the same in his office, shall transmit a certified copy thereof to the person so appointed. Said Clerk shall also immediately transmit to each of the persons appointed to constitute members of said Board notice of the fact of such appointment, and again notify them to meet at the place of their former meeting, and on a day and at an hour to be designated in said notice. And it shall be their duty, and the duty of the new member so appointed, to meet at the time and place so designated, and proceed to complete their organization as a Board. When all the persons so appointed, or a majority of them, including the said newly appointed member, shall have assembled, the said newly appointed member shall take the oath of office hereinbefore prescribed, and the persons so appointed and assembled shall then proceed to organize as a Board of Commissioners for the adjustment of county indebtedness, by the election of one of their number as President, and the appointment of some competent person, who may or may not be one of their number, to act as Clerk of said Board. When so organized, the Board shall proceed to ascertain, adjust, and determine the proportion and amount of the county indebtedness, if any, of either and each of the counties from which any portion of the territory comprised in said new county is taken, and for that purpose may adjourn from time to time and from place to place until their investigations and labors are completed.

SEC. 10. Said Board of Commissioners shall have power to compel, by citation, signed by the President, the attendance of witnesses and the production of books and papers before said Board, and it shall be the duty of the Sheriff of any county in which any witness for whom a citation is issued, or from which it is required that any books or papers shall be produced, to serve all lawful orders and citations required to be served in such county, and for such service the Sheriff shall be entitled to such fees and compensation as are allowed by law for similar services in civil actions, to be paid out of the County Treasury of the county in which such service is rendered; and all witnesses attending before said Board of Commissioners shall be entitled to the same compensation and mileage as is allowed by law to witnesses in civil cases, the same to be paid out of the County Treasury of the county in which their testimony is taken, *provided*, that no witness shall be excused from attendance in obedience to a citation from said Board, by reason of the failure of the officer making service thereof to tender the said witness his fees in advance.

SEC. 11. As soon as practicable after their organization, the said Board shall proceed to ascertain the amount of the county indebtedness of each of the counties from which any portion of the territory embraced in said new county was taken, and to adjust the amount thereof, if any, to be paid by said county, as nearly as practicable, in the manner following, to wit: It shall ascertain, determine, assess, and fix the actual cash value of all the public property belonging to each of the old counties from which any portion of said territory was taken, and if any portion of such public property is situated within the said new county, it shall separately ascertain and fix the amount of the actual cash value of such portion. It shall also ascertain the assessed value of all property in each of said counties, separately, from which any portion of the territory comprised in said new county was taken, according to the last preceding assessment roll of said county, stating separately the assessed value of that part thereof remaining, respectively, in the old and in the new county. They shall then find the amount of the indebtedness, if there be any, of each of the counties from which any portion of the territory embraced in said new county was taken, separately, and in each case find the difference between the amount of the indebtedness of the county and the value of the public property belonging to the same county and still remaining therein; and if such indebtedness exceeds the value of such property belonging to such county, the new county shall pay to the old its due proportion thereof, which shall be the same proportion of the total indebtedness which the assessed value of the property in that part of the territory taken for the new county bears to the total assessed value of all the property in the old county, at and immediately prior to the organization of the new, both ascertained in the manner herein first provided; and the amount so ascertained and determined as the sum to be paid by the new county to any of said former counties, shall be immediately certified by said Board to the Board of Supervisors of each of the counties affected thereby or interested therein. The said Board shall also certify to the said new county, and to each of the old counties from which any portion of the territory embraced in said new county was taken, the value of any public property belonging to said old counties, respectively, and situated in the new county, ascertained and determined as hereinbefore provided, and the sum of such value added to the ascertained proportion of county indebtedness to be paid by the new to the old county, if any, shall be and constitute an indebtedness from the new county to the old; and upon payment of such indebtedness, the said public property so formerly belonging to the old county or counties, respectively, shall be and become the property of the new county. In case said Board of Commissioners find that the value of the public property belonging to any of the old counties from which a portion of the territory of the new was taken, at the time of the organization of

such new county, exceeds the indebtedness of said old county, such excess shall be apportioned between said old and new counties in the proportions aforesaid, viz., in the same proportion which the assessed value in that part of the territory taken for the new county bears to the total assessed value of all the property in the old. And if such excess consists in part of the cash in the treasury, the old county shall at once, upon receiving the certificate of such apportionment, pay over to the new county its proportion of the cash so found in the treasury, and the balance of such excess shall constitute an indebtedness from the old county to the new; and upon payment of such balance, all the public property of said county remaining in said old county shall be and thereafter remain the property of said old county, free from any claim on the part of the new county, *provided, however,* that if it shall have been ascertained that any public property belonging to such old county is situated within the new county, then the value of such public property so situated shall first be deducted from the indebtedness of the old county to the new above mentioned, and only the remainder, if any, shall then constitute the indebtedness from the old county to the new, or, if the indebtedness so first found, from the old county to the new county, is not equal to the value of the public property of the old county so situated in the new county, then the sum of such indebtedness shall be deducted from the value of such property so situated in the new county, and only the remainder of such value shall be or constitute a part of the indebtedness of the new county to the old.

SEC. 12. Any indebtedness found to be due from any one county to another, under the adjustment and determination made as herein provided, shall be and constitute an indebtedness against the whole county against which the same is found, and funds for the payment thereof shall be provided in the same manner as funds are provided by law for the payment of any other indebtedness or obligations of the county, out of the general funds of the county, *provided, however,* that if the indebtedness be from the new county to the old county, provision must be made by the Board of Supervisors for the payment of the same, proportionately as fast as the old county is required to pay its indebtedness under its obligation of its indebtedness existing at the time of the organization of the new county, *and provided further,* that if the indebtedness be from the old county to the new, the Board of Supervisors of such old county shall provide, in such manner as may be necessary and is authorized by law, for the payment of not less than ten per cent thereof in each year, and shall pay not less than ten per cent thereof in each and every year thereafter until the whole amount of such indebtedness is paid.

SEC. 13. The members of the said Board of Commissioners shall each be allowed and paid the sum of five dollars per day for each day of actual attendance upon the sessions of said Board, and also his necessary and actual traveling expenses in going to and from the different places of meeting. Those members of the Board appointed by the respective Boards of Supervisors shall be paid out of the County Treasury of the county from which they were appointed. The Secretary of said Board shall be allowed and paid a reasonable compensation for his services, and expenses for and during the time he is employed as such Secretary; the amount whereof shall be fixed and certified by the said Board, which compensation, together with that of the member or members appointed otherwise than by the Supervisors, shall be paid by the counties, respectively, each county contributing an equal share thereof.

SEC. 14. All moneys due from any of the old counties to the school districts or the road districts included in the territory of the new county, or that may become due by apportionment to such school districts or road districts during the school or fiscal year in which the new county was organized shall, by the proper officers of the old county or counties, be transferred to the Treasurer of the new county, *provided,* that when a new county shall be created between the first day of January and the first day of July, such new county shall be paid by the county or counties from which such new county is made up, the money due such school and road district for the fiscal year next succeeding its organization.

SEC. 15. Delinquent taxes due to the old county or counties at the time of organization of the new county, from persons or in respect of property included in the territory formed into a new county, shall be paid to and collected by the proper officers of the new county, and the Auditor or Auditors of the old county or counties shall certify such delinquent taxes and tax lists, in duplicate, to the Collector and Auditor, respectively, of the new county, also, all taxes collected within the territory taken for such new county, as personal property tax, or State poll tax, in the year any new county is organized, shall be turned over to such new county; *provided,* the petition authorized by section two of this Act shall have been presented to the Governor prior to the commencement of any fiscal year. Such new county shall credit the parties or party paying such tax with the tax so paid, on the assessment roll made up for such year for such new county.

SEC. 16. The Board of Supervisors of the new county so organized are hereby authorized, when they deem it necessary, to provide books and contract with some competent person to transcribe from the records of the old county, or counties, such parts thereof as relate to property situated within the new county, and such records, when so transcribed and certified, shall have the same force and effect as original records. The person so employed shall have access to the records of such old county, or counties, for said purpose of transcribing the same. The officers, respectively, in charge of the original records so transcribed, shall examine the transcript made of records in their respective offices and certify to the correctness thereof, affixing his seal to the same. Compensation for transcribing said records shall be fixed and allowed by the Board of Supervisors of such new county, at a rate not exceeding fifteen cents per folio thereof.

SEC. 17. All actions or special proceedings, whether original or upon appeal; civil or criminal, which shall be pending in the Courts of a county, from which any part of the territory of the new county is taken, at the time of the organization of such new county, jurisdiction whereof would have been in said new county if the same had been organized at the time of the commencement of such action or proceeding, shall be removed for trial and final determination to the proper Court of said new county, on motion of any party interested therein and upon payment to the proper officers of the county from which the case is removed, of the cost and fees then due to them; *provided*, that no action commenced and pending for the collection of licenses shall be so removed.

SEC 18. Notaries Public theretofore appointed, whose commissions have not expired, residing in such new county at the date of its organization, shall hold their offices until the expiration of their respective terms, and during the remainder of their respective terms may act and certify their acts as Notaries Public in and for such new county.

SEC. 19. If the territory taken for organization of such new county is all taken from one Congressional District, or one Senatorial District, or one Assembly District, such new county shall remain and still constitute a part of the same Congressional District, Senatorial District, or Assembly District, as before, but if in the organization of such new county, territory has been taken from two or more Congressional Districts, or Senatorial Districts, or Assembly Districts, then, and in such case, such new county shall, until a new apportionment is made, be attached to and form a part of such Congressional District, or Senatorial District, or Assembly District, as the Governor may by proclamation direct.

SEC. 20. This Act shall take effect and be in force from and after its passage.

Read second time, and ordered printed.

Assembly Bill No. 453.

Mr. Matlock moved that the enacting clause be stricken out.

Carried.

Assembly Bill No. 552—An Act to amend section one thousand one hundred and eight of the Penal Code, relating to evidence in certain criminal trials.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 354—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, ordered engrossed and to a third reading.

Assembly Bill No 168—An Act to forbid the sale or furnishing of tobacco in certain forms to minors under the age of eighteen years.

Read second time.

Substitute as follows, adopted:

An Act to forbid the sale or furnishing of tobacco in certain forms to minors under the age of sixteen years.

The People of the State of California, represented in Senate and Assembly, do enact as follows

SECTION 1. Every person who shall directly or indirectly sell or furnish to any minor under the age of sixteen years, who is not his own child or ward, any cigars, cigarettes, smoking tobacco, or chewing tobacco, or tobacco in any form or combination, intended for chewing or smoking purposes, is guilty of a misdemeanor, and for a first offense is punishable by a fine not exceeding one hundred dollars, and for a second and every subsequent offense is punishable by a fine not less than one hundred dollars and not exceeding five hundred dollars, or by imprisonment not less than ten days nor more than three months, or by both such fine and imprisonment, in the discretion of the Court.

SEC. 2. Any minor under the age of sixteen years found in the act of smoking cigarettes shall be deemed guilty of a misdemeanor.

SEC. 3. This Act shall take effect from and after its passage.

Ordered engrossed and to a third reading.

Assembly Bill No. 262—An Act to amend section eight hundred and sixty-five of the Code of Civil Procedure, relating to arrests in civil actions.

Read second time.

Committee amendments, as follows, adopted:

Amend title of bill by adding after the words "civil actions" the words "in Justices' Courts."

Amend line one by adding thereto before the word "section" the words "section one."

Also, amend line three by adding thereto before the word "the" the words "section eight hundred and sixty-five."

Ordered engrossed and to a third reading.

RESOLUTION.

By Mr. Brusie:

Resolved, That the mail carrier be included in the leave of absence granted the Post Office officials of the Post Office of the Assembly.

Adopted.

Mr. Phillips asked to substitute Assembly Bill No. 506 for Assembly Bill No. 157.

So ordered.

Assembly Bill No. 506—An Act to prohibit discrimination in life insurance contracts.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 357—An Act to amend an Act entitled "An Act to establish a Political Code," by adding thereto a new section, to be numbered section three thousand seven hundred and forty-five, to precede section three thousand seven hundred and forty-six, and by amending section three thousand seven hundred and thirty-one thereof, all relating to the payment of taxes.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 521—An Act to amend sections three thousand four hundred and sixty-two and three thousand four hundred and sixty-three of the Political Code of this State, relating to the filing with County Treasurers and County Recorders of lists of charges assessed by Commissioners of Assessment in reclamation districts, and making said charges a lien upon the lands assessed.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 497—An Act to amend an Act entitled "An Act to reorganize Swamp Land District No. 70, of Sutter County, and to provide for the construction, maintenance, and repairs of levees therein," approved March 27, 1878.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 498—An Act to declare the bridge across Feather River, extending from Fifth Street, at the city of Marysville, in the county of Yuba, to the opposite bank of said river, a free bridge.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 238—An Act to license and define the duties of land surveyors, and to provide for a proper record of surveys.

Read second time.

Committee substitute, as follows, adopted:

SUBSTITUTE FOR ASSEMBLY BILL No. 238.

An Act to define the duties of and to license land surveyors.

The People of the State of California, represented in Senate and Assembly, do enact as follows

SECTION 1. Every person desiring to become a licensed land surveyor in this State must present to the State Surveyor-General of this State a certificate that he is a person of good moral character, also, a certificate signed by three licensed surveyors, or a certificate signed

by the Board of Examining Surveyors, provided for in section five of this Act, which certificate shall set forth that the person named therein is, in the opinion of the person signing the same, a fit and competent person to receive a license as a land surveyor, together with his oath that he will support the Constitution of this State and of the United States, and that he will faithfully discharge the duties of a licensed land surveyor, as defined in this Act.

SEC. 2. Upon receipt of such certificate and oath by the State Surveyor-General, it shall be his duty to forthwith issue to such applicant a license without charge, which license shall set forth the fact that the applicant is a competent surveyor, or that he has had at least two years' experience in the field as a surveyor or assistant surveyor.

SEC. 3. Such license shall contain the full name of the applicant, the technical institution from which he is a graduate (if he be a graduate), or if he is not a graduate, the fact must be stated in the license, his birthplace, age, and to whom issued, the name of the person upon whose certificate the license is issued, and the date of its issuance.

SEC. 4. All papers received by the State Surveyor-General, on application for licenses, shall be kept on file in his office, and a proper index and record thereof shall be kept by him, and a list of all licensed land surveyors shall be kept by him, and he shall monthly transmit to the County Recorder of each county in this State a full and correct list of all persons so licensed, and it is hereby made the duty of such Recorders to keep such lists in their offices in such a way as they may be easily accessible to all persons.

SEC. 5. Within twenty days after the passage of this Act, the Governor shall appoint three surveyors in good standing, members of the Technical Society of the Pacific Coast, and two other surveyors in good standing, not members of such society, as a Board of Examining Surveyors, who shall conduct such examinations and make such inquiries as to them may seem necessary to ascertain the qualifications of applicants for surveyors' licenses.

SEC. 6. A majority of the Board of Examining Surveyors shall meet on the first Friday of each month during their term of office in the rooms of the Technical Society of the Pacific Coast in San Francisco, and at such other times and places as they may select. The members of the Board shall hold office for the term of one year from the date of appointment, and shall serve without compensation.

SEC. 7. Every licensed surveyor shall have a seal of office, the impression of which must contain the name of the surveyor, his principal place of business, and the words "Licensed Surveyor," and all maps and papers signed by him, and to which said seal has been attached, shall be prima facie evidence in all the Courts of this State.

SEC. 8. Surveyors' licenses, issued in accordance with this Act, shall remain in force until revoked for cause as hereinafter provided.

SEC. 9. Every licensed surveyor is authorized to administer and certify oaths when it becomes necessary, to take testimony, to identify or establish old or lost corners, or, if a corner or monument be found in a perishable condition, and it appears desirable that evidence concerning such corner or monument be perpetuated; or whenever the importance of the survey makes it desirable to administer an oath for the faithful performance of duty to his assistants. A record of such oaths shall be preserved as a part of the field notes of the survey.

SEC. 10. Every licensed surveyor is hereby authorized to make surveys relating to the sale or subdivision of lands, the retracing or establishing of property or boundary lines, public roads, streets, alleys, or trails; and it shall be the duty of each surveyor, whenever making such surveys, except those relating to the retracing or subdivision of cemetery or town lots, whether the survey be made for private persons, corporations, cities, or counties, to set permanent and reliable monuments, and such monuments must be permanently marked with the initial of the surveyor setting them.

SEC. 11. Within sixty days after a survey relating to the sale or subdivision of lands, the retracing or establishing of property and boundary lines, public roads or trails, original cemetery or town sites and their subdivisions has been made by a licensed surveyor, he shall file with the Recorder of the county in which such survey or any portion thereof lies, a record of survey. Such record shall be made in a good draughtsman-like manner, on one or more sheets of firm paper of the uniform size of twenty-one by thirty inches. This record of survey shall be either an original plat or a copy thereof, and must contain all the data necessary to enable any competent, practical surveyor to retrace the survey. The record of survey must show: All permanent monuments set, describing their size, kind, and location, with reference to the corners which they are intended to perpetuate; all bearing or witness trees marked in the field, complete outlines of the several tracts or parcels of land surveyed, with courses and lengths of boundary lines; the angles as measured by Vernier readings, which the lines of blocks or lots, if the record relate to an original town site survey, make with each other and with the center lines of adjacent streets, alleys, roads, or lanes, the variations of the magnetic needle with which old lines have been retraced, the scale of the map, the date of survey, a proper connection with one or more points of an original or larger tract of land, and the name of the same; the name of the grant or grants, or of the townships and ranges within which the survey is located, the signature and seal of the surveyor; *provided*, that nothing in this section shall require record to be made of surveys of a preliminary nature where no monuments or corners are established.

SEC. 12. The record of surveys thus filed with the County Recorder of any county must be by him pasted into a stub-book provided for that purpose, and he must keep a proper index of such records, by name of owner, by name of surveyor, by name of grant, city, or town, and by United States subdivisions, and he shall make no charge for filing and indexing such records of surveys.

SEC. 13. Upon the failure of any licensed surveyor to comply with the requirements of this Act and the furnishing of satisfactory proofs of such fact, the State Surveyor-General must revoke his license, and no other license shall be issued to him within one year from such revocation. A violation of section eleven of this Act shall be a misdemeanor, and any person convicted of such violation shall be punished by a fine not to exceed more than one hundred dollars, or imprisonment in the county jail not exceeding thirty days.

SEC 14. In case said Board shall refuse to meet and examine applicants for licenses, as in this Act provided, and issue to such applicants the certificate or certificates mentioned in this Act, if such person be a fit and competent person to receive the same, they may be compelled to do so by mandamus, and if, upon the hearing of such mandamus, it appears that they have willfully and wrongfully refused to examine any applicants or to issue him a certificate when he is entitled to the same, such Board so refusing or failing shall be jointly and severally liable for all cost of said mandamus proceeding, including attorney's fee of five hundred dollars, and shall be so jointly and severally liable to any person aggrieved by such refusal in the sum of five hundred dollars as fixed, settled, and liquidated damages, which may be recovered in any Court in this State, and the judgment (if it be for plaintiff) in mandamus shall be prima facie evidence of such injury and damage in any action which may be brought to recover damages under the provision of this Act.

SEC. 16. All that part of the Code of Civil Procedure of this State relating to mandamus is hereby made applicable to the provisions of this Act, and all proceedings in mandamus under this Act shall be in accordance therewith

SEC. 19. This Act shall take effect on the first day of July, eighteen hundred and ninety-one

Ordered engrossed and to a third reading.

Mr. Weston asked leave to place Assembly Bill No. 594 on the file in place of Assembly Bill No. 386.

So ordered.

Assembly Bill No. 594—An Act declaring Petaluma River a navigable stream.

Read second time.

Committee substitute, as follows, adopted:

An Act to amend section two thousand three hundred and forty-nine of the Political Code of California, relating to public waters and obstructions therein.

The People of the State of California, represented in Senate and Assembly, do enact as follows:

SECTION 1 Section two thousand three hundred and forty-nine of the Political Code of California is hereby amended so as to read as follows:

2349. The following streams and waters are declared public ways:

So much of a slough as lies between Simons Canal, in the town of Alviso, and the bay of San Francisco.

Petaluma River, from its mouth to the southerly line of Washington Street, in the city of Petaluma.

The Sonoma River, between its mouth and a point opposite Fowler's Hotel, in the town of San Luis

The Napa River, between its mouth and the toll bridge.

The Suisun River, between its mouth and the town of Suisun embarcadero.

The Sacramento River, between its mouth and the mouth of Middle Creek.

The Feather River, between its mouth and a point fifty feet below the bridge crossing Feather River, first above the mouth of the Yuba River.

The Yuba River, between its mouth and a point at the mouth of the slough at the foot of F Street in the city of Marysville.

The San Joaquin River, between its mouth and Sycamore Point.

The Stockton Slough, between its mouth and the west line of El Dorado Street, in Stockton

The Mokelumne River, between its mouth and the first falls.

The Tuolumne River, between its mouth and Dickinson's Ferry.

Deer Creek, between the house of Peter Lassen and its mouth.

Big River, three miles from its mouth.

Novo River, three miles from its mouth.

Albion River, three miles from its mouth.

San Antonio Creek, in the county of Alameda, from its mouth to the embarcadero of San Antonio

The Arroyo del Medo, in the county of Alameda, from its mouth to the upper line of the town of New Haven.

Mission Creek, in the county of San Francisco.

That portion of Channel Street in the city of San Francisco, and lying east of and between the easterly line of Harrison Street and the waterfront of the bay of San Francisco, the width thereof to be sixty feet from Harrison to the northeasterly line of

Seventh Street, and one hundred and forty feet from the northeasterly line of Seventh Street to the city front.

That certain creek running through tide land survey numbered sixty-eight, and that swamp and overflowed land survey numbered one hundred and forty-five, from its mouth to the head of tide water therein.

San Leandro Creek from its mouth at San Francisco Bay to Andrews' Landing.

San Lorenzo Creek from its mouth at San Francisco Bay to Roberts' Landing.

Johnson's Creek from its mouth at San Francisco Bay to Simpson's Landing.

The north branch of Alameda Creek from its mouth to Eden's Landing.

San Rafael and Corte Madera Creeks, in Marin County, from their mouths as far as tide water flows therein.

The Neuces Creek from its mouth at Suisun Bay to a point one half mile above the warehouse of George P. Loucks.

Diablo Creek from its junction with the Neuces to a point opposite the warehouse of Frank Such, in Contra Costa County.

The Arroyo de San Antonio, or Keys Creek, in Marin County, from its mouth at Tomales Bay to the warehouses on the point at Keys embarcadero.

All the streams and sloughs emptying into Elk River, and all streams and sloughs south of Eureka, in Humboldt County, which are now or at any time have been used for the purpose of floating logs of timber, and all the sloughs south of Humboldt Point, in said county, that at high water have a depth of two feet of water, and wide enough to float and admit a boat carrying five tons or more freight

Novato Creek or estuary, in Marin County, from its mouth to Sweetzer's Landing.

Salinas River and Elkhorn Slough, or Estero Viejo, in Monterey County, from its mouth as far up as tide water flows.

SEC. 2. This Act shall take effect and be in force from and after its passage.

Ordered engrossed and to a third reading.

Assembly Bill No. 577—An Act to amend section two of an Act entitled "An Act to advance learning, the arts and sciences, and to promote the public welfare by providing for the conveyance, holding, and protection of property and the creation of trusts for the founding, endowment, erection, and maintenance within this State, of universities, colleges, schools, seminaries of learning, mechanical institutes, museums, and galleries of art," approved March 9, 1885.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 441—An Act to amend sections eight, eighteen, twenty-one, and twenty-three of an Act entitled "An Act to incorporate the town of Red Bluff, Tehama County, California," approved March, 1876, and amended March, 1878.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 86.

Read second time.

Committee substitute, as follows, adopted:

An Act to amend sections one thousand nine hundred and seventeen, one thousand nine hundred and fifty-five, one thousand nine hundred and fifty-seven, one thousand nine hundred and fifty-nine, one thousand nine hundred and seventy, one thousand nine hundred and eighty, one thousand nine hundred and ninety, two thousand and twenty-two, two thousand and sixty-five, two thousand and ninety-four, two thousand and ninety-five, and two thousand and ninety-nine of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the National Guard of California.

The People of the State of California, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section one thousand nine hundred and seventeen of said Act is hereby amended to read as follows:

Section 1917. His staff consists of one Adjutant-General, with the rank of Brigadier-General; one Chief Engineer, one Paymaster-General, one Judge-Advocate-General, one Inspector-General of Rifle Practice, one Surgeon-General, with the rank of Colonel, and sixteen Aids-de-Camp, with the rank of Lieutenant-Colonel, appointed by and holding office at the pleasure of the Commander-in-Chief, or until their successors are appointed and qualified.

SEC. 2. Section one thousand nine hundred and fifty-five of said Act is hereby amended to read as follows:

Section 1955. 1. If such company has been organized, and the officers elected in accordance with the provisions of law, orders, and regulations, the company must be listed in

the office of the Adjutant-General as a company of the National Guard; and the officers elected, if commissioned, hold office for the term of two years.

2. All commissioned officers of the National Guard shall be commissioned by the Governor, but he may refuse to issue a commission to any officer elected or appointed, if, in his opinion, the person elected or appointed is in any way unqualified or unworthy to be an officer in the National Guard.

SEC. 3. Section one thousand nine hundred and fifty-seven of said Act is hereby amended to read as follows:

Section 1957. Commanders of batteries, not attached to regiments, and unattached companies, have the same authority with non-commissioned officers as is herein conferred upon commanders of regiments and battalions.

SEC. 4. Section one thousand nine hundered and fifty-nine of said Act is hereby amended to read as follows:

Section 1959. All enlisted men, on entering the National Guard, must join for not less than three years' service.

SEC. 5. Section one thousand nine hundred and seventy of said Act is hereby amended to read as follows:

Section 1970. There must be an annual inspection and muster of all the troops of the National Guard, in the month of March, each year, by brigade, regiment, battalion, or company, as may be deemed advisable by the Brigade Commander, and the commanding officer of each company must take out and certify triplicate muster rolls, showing the names and number of the members of the company, the officers in the order of their rank, and the privates in alphabetical order. He must transmit through the proper military channels, one copy of the roll and list attached to the Major-General, one copy to the Brigadier-General of his brigade, and one copy to the Adjutant-General.

SEC. 6. Section one thousand nine hundred and eighty of said Act is hereby amended to read as follows:

Section 1980. Each Brigadier-General commanding a brigade, with the consent of the Commander-in-Chief, may muster in and attach to it a Signal Corps, consisting of not to exceed ten members for each regiment in his brigade. Said Signal Corps shall be under the direct command of the Signal Officer upon the staff of the Brigadier-General commanding the brigade in which it is organized, and there shall be no other Signal Corps in the National Guard, except as herein provided. Signal Corps mustered in, in accordance herewith, shall be officered as follows:

Where the corps consists of ten men, and less than forty, it shall have one First Lieutenant, two Sergeants, and four Corporals.

In all corps of forty or more members in number, there shall be one Captain, one First Lieutenant, three Sergeants, and six Corporals.

All Captains and Lieutenants in the Signal Corps shall be elected by the members of their respective corps; shall qualify and be commissioned in all respects as other commissioned officers of the line of the National Guard are. All Sergeants and Corporals shall be appointed by their respective Brigade Commanders, upon recommendation of the signal officers in command of the corps.

In Signal Corps, when for drills or in the performance of duty, it shall be mounted in whole or in part, there shall be allowed the same per diem for horses as is or may be allowed for cavalry horses.

In all other respects the provisions of this Code relating to companies shall govern and control said Signal Corps whenever applicable.

SEC. 7. Section one thousand nine hundred and ninety of said Act is hereby amended to read as follows:

Section 1990. The staff of a Colonel and Lieutenant-Colonel, or Major commanding a battalion, consists of one Adjutant with the rank of Captain; one Quartermaster, one Commissary, one Paymaster, one Ordnance Officer, and one Inspector of Rifle Practice, each with the rank of First Lieutenant; one Surgeon, with the rank of Major, one Chaplain, with the rank of Captain; one Sergeant-Major, one Principal Musician, with the rank of Sergeant-Major, one Quartermaster Sergeant, one Commissary Sergeant, one Ordnance Sergeant, one Hospital Steward, two Color Sergeants, one Drum Major, and two general guides; the Color Sergeants and general guides to rank as Sergeants; and all of whom shall be appointed by such commanding officer and hold office at his pleasure, or until their successors are appointed and qualified.

SEC. 8. Section two thousand and twenty-two of said Act is hereby amended to read as follows:

Section 2022. The Commander-in-Chief shall annually order an encampment for discipline and drill, either by division, brigade, regiment, battalion, or unattached company, and every division, brigade, regiment, battalion, or unattached company, assembled or encamped, under order of the Commander-in-Chief, for not less than seven days, shall receive from the State transportation to and from its place of encampment, and, in addition, a sum equal to one dollar and twenty-five cents per day for each officer and man regularly on duty in such camp; *provided*, that the aggregate of such last mentioned allowance, one dollar and twenty-five cents per day, shall not exceed the sum of four hundred dollars per company; *and provided further*, that when a division or brigade is regularly assembled and encamped for discipline and drill, for not less than seven days, then, in addition to the above allowance, each general officer, and staff officer on the general staff, shall receive from the State the sum of one dollar and twenty-five cents per day while regularly on duty in such camp; *and provided further*, that in any camp, held in pursuance of orders from the Commander-in-Chief, all mounted officers and

enlisted men shall likewise receive an additional sum of two dollars per day for each horse necessarily used by them at such encampment.

SEC. 9. Section two thousand and sixty-five of said Act is hereby amended to read as follows:

Section 2065. Officers and privates while on active duty in the service of the State, shall receive the same pay and allowance as the officers and privates in the United States Army of similar grade, serving on the Pacific Coast; *provided*, that said pay shall not be less than two dollars per day, the same to be audited by the Board of Military Auditors upon the payroll, properly made up and signed by such officers; *and provided further*, that no pay shall be allowed to any officer or private when on duty in any camp mentioned in section two thousand and twenty of this Act.

SEC. 10. Section two thousand and ninety-four of said Act is hereby amended to read as follows:

Section 2094. There must be audited and allowed by the Board of Military Auditors, and paid out of the appropriation for military purposes, upon the warrant of the State Controller, to the commanding officer of each infantry or artillery company of the National Guard, the sum of one hundred dollars per month, to the commanding officer of each light battery, having not less than four guns with which they regularly drill and parade, the sum of two hundred dollars per month, and to the commanding officer of each cavalry company the sum of one hundred and fifty dollars per month; the sum so paid to be used for armory rent, care of arms, and proper incidental expenses of the company. There must also be audited, allowed, and paid out of the same appropriation, to the commanding officer of each regiment or battalion, the sum of seven dollars and fifty cents per month for each company in his command, for clerical expenses, stationery, printing, and postage, and if the regiment or battalion has more than four companies, and has attached to it an organized and uniformed band of not less than twelve pieces, the additional sum of thirty-five dollars per month for such band; to each Brigadier-General, five dollars per month for each company in his command, and to the Major-General, six hundred dollars per annum; and to each company, a sum necessary for uniforms, and to keep the same in repair, not to exceed one hundred and fifty dollars per annum; and to the Adjutant-General, three thousand five hundred dollars per annum, to be expended by him in promoting rifle practice.

SEC. 11. Section two thousand and ninety-five of said Act is hereby amended to read as follows:

Section 2095. No claim shall be allowed under the provisions of the preceding section, except upon demands made quarterly in duplicate, signed and sworn to by the officer claiming the same, before any Field Officer of the National Guard, or Notary Public, and transmitted through the regular military channels, with the approval of each commanding officer through whose headquarters they are required to pass, *provided*, that demands for uniforms and promoting rifle practice may be made at any time. One copy of said demands shall be filed in the office of the Adjutant-General, and one copy sent to the Board of Military Auditors.

SEC. 12. Section two thousand and ninety-nine of said Act is hereby amended to read as follows:

Section 2099. The annual sum of two hundred and fifty dollars must be audited by the Board, and paid out of the appropriation for military purposes to each company of the National Guard of fifty members or over, and an amount in proportion to every company of less than fifty members. The amount so audited and allowed must be paid to the commanding officer of such companies for the use thereof.

Amendments to substitute, as follows, adopted:

Section 1973. 1. Any commissioned officer who has become disabled and incapable of longer performing the active duties of his office may, upon his own application, be placed upon the retired list.

2. If an officer, for either of the above reasons, desires to be placed upon the retired list, he shall make application to his brigade commander to appoint a Board of Surgeons, who shall examine him as to his disability, and if such disability has not been incurred by reason of any dereliction, they shall, if they deem proper, recommend that his application be granted, and upon the approval of such application by the brigade commander and the Commander-in-Chief, the Adjutant-General shall issue orders retiring such officer.

3. Any commissioned officer who shall have served as such in the National Guard of this State for a continuous period of seven years, or for a period not continuous of ten years, may, upon his own application, be placed upon the retired list and withdraw from active service and command with the rank held by him at the time such application is made. Upon being officially notified by the brigade commander, attested by the Adjutant-General of the State, the Commander-in-Chief shall cause orders to be issued retiring the officer who makes application therefor, in accordance with the provisions of this section.

4. The officers on the retired list shall only be subject to detail for duty by orders from the Commander-in-Chief, and he shall cause to be issued such orders as he may deem necessary, detailing them for duty upon Boards of Officers for military purposes, Courts-martial, and Courts of Inquiry, and for such other military duties as in his judgment may be advisable. When, however, officers on the retired list are detailed

for active duty other than upon Boards of Officers, Courts-martial, and Courts of Inquiry, they shall only be entitled to the rank which properly belongs to the office, the duties of which they are detailed to perform. When the duty ends, or the detail is canceled, the officer shall again return to the retired list with his former retired rank. A roster of all officers on the retired list shall be kept in the Adjutant-General's office, division headquarters, and at the brigade headquarters.

5. Officers on the retired list shall, on all occasions of duty, and all occasions of ceremony, take rank next to officers of like rank upon the active list.

Also, strike out section two of printed bill.

Also, on line one of section three of printed bill, strike out "3" and insert "2."

Also, on line one of section four of printed bill, strike out "4" and insert "3."

Also, on line one of section five of printed bill, strike out "5" and insert "4."

Also, between sections five and six of printed bill, insert the following section.

"SEC. 5. Section one thousand nine hundred and seventy-three of said Act is hereby amended to read as follows:"

Ordered engrossed and to a third reading.

Assembly Bill No. 95—An Act to amend section two thousand one hundred and sixty-eight of the Civil Code, relating to common carriers.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 96—An Act to amend section five hundred and forty-one of the Civil Code, relating to telegraph corporations.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 97—An Act to amend section two thousand two hundred and nine of the Civil Code, in relation to damages awarded when messages, including telegraphic messages, are refused or postponed.

Read second time, ordered engrossed and to a third reading.

Mr. Steltz was permitted to withdraw Assembly Bill No. 283 and substitute in its place on file Assembly Bill No. 487.

Assembly Bill No. 487 read second time, ordered engrossed and to a third reading.

Assembly Bill No. 531—An Act for the relief of Peter Connolly, his assigns or legal representatives.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 494—An Act entitled "An Act to amend section four hundred and seventy-two of the Political Code," providing for deputies in the office of the Attorney-General, and fixing their salaries.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 495—An Act entitled "An Act to amend section four hundred and seventy-five of the Political Code," providing for clerks and phonographic reporter in the office of the Attorney-General, and fixing their salaries.

Read second time, ordered engrossed and to a third reading.

Mr. Dibble in the chair.

Senate Bill No. 81—An Act to provide for a State Board of Arbitration for the settlement of differences between employers and employés, to define the duties of said Board, and to appropriate the sum of two thousand five hundred dollars therefor.

Read first time, and placed on file for second reading.

Assembly Bill No. 435—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to appeals.

Read second time, ordered engrossed and to a third reading.

Mr. Hail moved to take up Assembly Bill No. 595, and read second time.

Lost.

Assembly Bill No. 433—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the taking of depositions.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 434—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the taking of depositions.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 130—An Act to provide for the issuance and sale of State bonds to create a fund for the construction and furnishing by the Board of State Harbor Commissioners of a general ferry and passenger depot in the City and County of San Francisco; to create a Sinking Fund for the payment of said bonds, and providing for the submission of this Act to a vote of the people.

Read second time.

Committee amendment, as follows, adopted:

Amend section one, printed bill, line nine, after the word "California," strike out "in the denomination of one thousand dollars each," and insert "one thousand bonds of the denomination of one hundred dollars each, five hundred bonds in the denomination of five hundred dollars each, and two hundred and fifty bonds in the denomination of one thousand dollars each."

Ordered engrossed and to a third reading.

Assembly Bill No. 685—An Act to amend sections two thousand six hundred and forty-one, two thousand six hundred and forty-two, two thousand six hundred and forty-three, two thousand six hundred and forty-five, and two thousand six hundred and forty-six, and to repeal section two thousand six hundred and forty-four of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the powers and duties of highway officers, and to provide for the maintenance and improvement of highways by contract.

Read second time.

Amendment by Mr. Matlock, as follows, adopted:

Amend by striking out the word "and" before "2646," inserting after "2646" "and 2652."

Ordered engrossed and to a third reading.

Mr. Galbraith moved to strike out the enacting clause of Assembly Bills Nos. 163, 204, 265, 303, 342, 379, 381, 382, 383, 454, 472, 475, 476, 477, 478, and 479.

Carried.

Mr. Lowe moved that Assembly Bill No. 597 be referred to Committee on Judiciary.

Carried.

Assembly Bill No. 179—An Act to add a new section to the Penal Code, relative to the prohibition and prevention of the use of all acids, or solution of acid, in the manufacture of hermetically sealed tin cans used for canning purposes, to be known as section two hundred and forty-six.

Read second time, ordered engrossed and to a third reading.

Mr. Phillips moved that the vote ordering substitute for Assembly Bill No. 86 to engrossment be reconsidered.

Carried.

Amendment by Mr. Phillips:

Amend title to read as follows:
An Act to amend sections one thousand nine hundred and seventeen, one thousand nine hundred and fifty-seven, one thousand nine hundred and fifty-nine, one thousand nine hundred and seventy, one thousand nine hundred and seventy-three, one thousand nine hundred and eighty, one thousand nine hundred and ninety, two thousand and twenty-two, two thousand and sixty-five, two thousand and ninety-four, two thousand and ninety-five, and two thousand and ninety-nine of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the National Guard of California.

Adopted.

Assembly Bill No. 86, as amended, ordered engrossed and to a third reading.

Assembly Bill No. 587—An Act for the protection of consumers of canned and packed products.

Read second time.

Assembly Bill No. 395 was withdrawn by Mr. Hersey, and Assembly Bill No. 540 put in its place on file.

Assembly Bill No. 540—An Act authorizing certain corporations to act as executor, and in other capacities, and to provide for and regulate the administration of trusts by such corporations.

Read second time, ordered engrossed and to a third reading.

MOTION.

Mr. Dibble moved to take a recess until eleven o'clock and fifty-five minutes P. M.

Carried.

REASSEMBLED.

At eleven o'clock and fifty-five minutes P. M. the House reassembled.

In the absence of the Speaker and Speaker pro tem., Mr. Dibble was called to the chair.

ADJOURNMENT.

At eleven o'clock and fifty-six minutes P. M., on motion of Mr. Bruner, the House adjourned to meet at twelve o'clock and five minutes A. M. to-morrow.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Saturday, February 21, 1891.

The Assembly met pursuant to adjournment.

Speaker pro tem. Young in the chair.

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

Messrs. Alexander, Ames, Arms, Barnard, Baughman, Bledsoe, Bruner, Bryant, Cargill, Carter, Cram, Culver, Cunningham, Dennis, Dibble, Dow, Eakle, Freeman, Galbraith, Garver, Gould, Hail, Harloe, Hersey, Hocking, Jackson, Johnson, Kellogg, Lowe, Lux, Lynch, Marion, Martin, Mathews, Matlock, McCall, Mordecai, Murnan, Phillips, Renfro, Shanahan, Smith of Butte, Smith of Orange, Stabler, Weston, and Young.

Quorum present.

LEAVE OF ABSENCE.

Leave of absence was granted Messrs. Beecher, Brown, Brusie, Doty, Dunn, Durner, Fowler, Glynn, Gordon, Hawley, Hunewill, Lacey, Lewis, Murphy, Rice, Robertson, Steltz, Sturtevant, Tully, Wentworth, Windrow, and Mr. Speaker.

READING OF THE JOURNAL.

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

Approval of Journal deferred.

MOTION.

Mr. Dibble moved that when the House adjourns it adjourn out of respect to the memory of General Wm. T. Sherman.

Carried.

ADJOURNMENT.

At twelve o'clock and ten minutes A. M., on motion of Mr. Dibble, the Assembly adjourned, to meet on Tuesday, February twenty-fourth, at ten o'clock A. M.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Tuesday, February 24, 1891.

The Assembly met pursuant to adjournment.

Speaker pro tem. Young in the chair.

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

Messrs. Alexander, Ames Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Bledsoe, Brown, Bruner, Brusie, Bryant, Cargill, Carter, Clark, Coffey, Cram, Cunningham, Daly, Dennis, Dibble, Doty, Dow, Dunn, Estey, Fowler, Freeman, Galbraith, Garver, Glynn, Gordon, Gould, Hall, Harloe, Hawley, Hayes, Hersey, Hoey, Hunewill, Jackson, Jones, Kellogg, Lacey, Lewis Lux, Lynch, Marion, Martin, Mathews, Matlock, McCall, Murnan, Murphy, Phillips, Rentro, Shanahan, Smith of Orange, Stabler, Sturtevant, Tennis, Tully, Wentworth, Weston, Windrow, and Young.

Quorum present.

LEAVE OF ABSENCE.

The following named members were granted leave of absence for the day: Messrs. Tennis, Daly, Rice, Johnson, Culver, Durner, Smith of Butte, Eakle, Tully, Glynn, Bert, Steltz, Beecher, Mordecai, and Speaker Coombs.

PRAYER.

Prayer by the Chaplain, Rev. A. C. Herrick.

READING OF THE JOURNAL.

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

So ordered.

Journal of Saturday approved.

Journal of Thursday approved.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 20, 1891.

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

Senate Bill No. 601—An Act making an appropriation to pay the Journal Clerk of the Assembly for completing the Journal of the Assembly, twenty-sixth session of the Legislature.

Also: Senate Bill No. 464—An Act to amend sections nine hundred and thirty-six and nine hundred and thirty-seven of an Act entitled "An Act to establish a Political Code," approved March 12, 1872.

Also. On the nineteenth of February, passed the following:

Senate Bill No. 442—An Act to amend section three and section thirteen of an Act entitled "An Act to promote drainage."

Also: Senate Bill No. 384—An Act to increase the number of Judges of the Superior Court of the county of Tulare, and to provide for the appointment of an additional Judge.

Also: On the eighteenth of February, adopted the following:

Senate Constitutional Amendment No. 3—A resolution to propose an amendment to section nine of article one of the Constitution of California, relating to the freedom of speech and of the press.

F. J. BRANDON, Secretary.
By J. C. BOATMAN, Assistant.

Senate message acted upon as follows:

Senate Bill No. 601 referred to Committee on Ways and Means and Appropriations.

Senate Bill No. 464 referred to Committee on Judiciary.

Senate Bill No. 384 referred to Committee on Judiciary.

Senate Bill No. 442 referred to Committee on Irrigation.

Senate Constitutional Amendment No. 3 referred to Committee on Judiciary.

SPECIAL FILE.

Assembly Bill No. 734—An Act to divide the State into legislative districts, as required by section six, article four, of the Constitution, and to provide for the election of Assemblymen and Senators in such districts.

Read second time.

Amendment by Mr. Dibble, as follows, adopted:

Amend section three, subdivision thirty-two, line sixty-seven, printed bill, page twelve, by striking out the word "Mono."

Mr. Dibble moved that Assembly Bill No. 734 be made a special order for to-day, at three o'clock and thirty minutes P. M.

Carried.

Assembly Bill No. 735—An Act to divide the State of California into Congressional districts.

Read second time.

Mr. Dibble moved that Assembly Bill No. 735 be made a special order for to-day, at three o'clock and thirty minutes P. M.

Carried.

Assembly Bill No. 561—An Act making an appropriation for the support of the government of the State of California for the forty-third and forty-fourth fiscal years.

MOTION.

Mr. Dibble moved that the House go into Committee of the Whole, with Speaker pro tem. Young in the chair, for the purpose of considering Assembly Bill No. 561.

Carried.

IN COMMITTEE OF THE WHOLE.

Speaker pro tem. Young in the chair.

Assembly Bill No. 561 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker pro tem. Young in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The Speaker pro tem. stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No 561, and now report progress to the Assembly, and recommend that the committee be allowed to sit again.

Report of committee adopted.

RESOLUTION.

By Mr. Marion:

Resolved, That during the absence of the Sergeant-at-Arms, the Assistant Sergeant-at-Arms be and he is hereby authorized to sign all vouchers and perform such other duties as appertain to the Sergeant-at-Arms.

Adopted.

RECESS.

At twelve o'clock and thirty minutes P. M. the House took a recess.

REASSEMBLED.

At two o'clock P. M. the House reassembled, Speaker pro tem. Young in the chair.

Quorum present.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 24, 1891.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that they have examined the following Assembly Bills and find them correctly engrossed: Nos. 493, substitute for 55, 669, 708, 167, 180, 329. 189, 527, 528, 507, 281, 158, 160. 692, and 449.

WINDROW, Chairman.

SPECIAL ORDER.

Senate Bill No. 385—An Act to authorize the State Board of Prison Directors to pay for certain skilled labor used in the construction of the dam and canal at the Folsom Prison, and making an appropriation therefor.

Read first time, and ordered on the special file of Senate Bills.

SPECIAL FILE OF SENATE BILLS.

Senate Bill No. 176—An Act to ascertain and express the will of the people of the State of California upon the subject of election of United States Senators.

Read second time, and placed on file for third reading.

Senate Bill No. 82—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by adding a new section thereto, to be known as section three thousand two hundred and forty-five and one half, relating to the payment of persons employed under the provisions of section three thousand two hundred and forty-five of said Political Code.

Read second time, and placed on file for third reading.

Senate Joint Resolution No. 7—Relative to coast defense.

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

AYES—Messrs. Alexander, Ames, Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bledsoe, Brown, Bruner, Brusie, Bryant, Cargill, Carter, Clark, Coffey, Cram, Culver, Dennis, Dibble, Doty, Dow, Dunn, Durner, Estey, Fowler, Freeman, Galbraith, Garver, Gordon, Gould, Harloe, Hawley, Hayes, Hersey, Hoey, Hunewill, Jackson, Johnson, Jones, Kellogg, Lacey, Lewis, Lowe, Lynch, Martin, Mathews, Matlock, McCall, Mordecai, Murnan, Murphy, Phillips, Renfro, Robertson, Smith of Butte, Smith of Orange, Stabler, Sturtevant, Tennis, Wentworth, Weston, Windrow, and Young—64.

NOES—Mr. Cunningham—1.

Senate Joint Resolution No. 11—Relative to memorializing Congress to pass an Act forfeiting to the General Government the lands granted to certain railroads, because of non-compliance by them with the Acts of Congress granting said lands.

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

AYES—Messrs. Baughman, Bledsoe, Carter, Cunningham, Doty, Dunn, Fowler, Garver, Gould, Harloe, Hayes, Jackson, Kellogg, Lacey, Martin, Mathews, Matlock, Mordecai, Murnan, Phillips, Renfro, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Sturtevant, and Weston—28.

NOES—Messrs Alexander, Ames, Barnard, Barnett of Sonoma, Beecher, Bert, Brown, Bruner, Brusie, Bryant, Clark, Coffey, Cram, Culver, Daly, Dennis, Dibble, Dow, Durner, Estey, Freeman, Galbraith, Glynn, Gordon, Hersey, Hoey, Hunewill, Johnson, Jones, Lewis, Lux, Lynch, Marion, McCall, Tennis, and Young—36.

Senate Constitutional Amendment No. 11—A resolution to propose an amendment to sections fifteen and nineteen, article five, of the Constitution.

Amendments by Mr. Bruner, as follows, adopted:

Strike out of line four of printed bill the words "he shall be a member of the Board of Examiners"

Also: Strike out of the enacting clause "Resolved by the Assembly, the Senate concurring," and insert "Resolved by the Senate, the Assembly concurring."

Ordered to printer.

Senate Joint Resolution No. 1—Relative to United States Senate Bill No. 8150.

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

AYES—Messrs. Alexander, Ames, Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Bruner, Brusie, Bryant, Cargill, Carter, Clark, Coffey, Cram, Culver, Daly, Dennis, Dibble, Doty, Dow, Dunn, Durner, Estey, Fowler, Freeman, Galbraith, Garver, Glynn, Gordon, Gould, Hail, Hawley, Hayes, Hersey, Hocking, Hoey, Hunewill, Jackson, Johnson, Kellogg, Lacey, Lewis, Lowe, Lux, Lynch, Marion, Martin, Matlock, McCall, Mordecai, Murnan, Murphy, Phillips, Renfro, Robertson, Smith of Butte, Stabler, Steltz, Sturtevant, Tennis, Weston, Windrow, and Young—67.

NOES—None.

Senate Joint Resolution No. 4—Relative to the abolishment of the duty on grain bags, burlaps, gunnys, or gunny cloth.

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

AYES—Messrs. Alexander, Arms, Barnett of San Francisco, Barnett of Sonoma, Baughman, Bert, Brown, Bruner, Brusie, Bryant, Cargill Carter, Clark, Coffey, Cram, Culver, Cunningham, Daly, Dennis, Doty, Dunn, Estey, Fowler, Garver, Gould, Harloe, Hawley, Hayes, Hersey, Hocking, Hunewill, Jackson, Johnson, Kellogg, Lacey, Lewis, Lux, Lynch, Marion, Martin, Matlock, Mordecai, Murnan, Phillips, Renfro, Robertson, Shanahan, Smith of Butte, Stabler, Sturtevant, Tennis, Weston, Windrow, and Young—54.

NOES—Messrs. Beecher, Bledsoe, Dibble, Dow, Durner, Freeman, Galbraith, and McCall—8.

Senate Bill No. 77—An Act to legalize certain acknowledgments.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Brusie, Bryant, Cargill, Carter, Clark, Coffey, Cram, Cunningham, Daly, Dibble, Doty, Durner, Estey, Fowler, Freeman, Galbraith, Garver, Glynn, Gordon, Harloe, Hayes, Hersey, Hocking, Hoey, Hunewill, Jackson, Johnson, Kellogg, Lewis, Lowe, Lux, Lynch, Marion, Martin, Matlock, McCall, Mordecai, Murnan, Murphy, Phillips, Renfro, Robertson, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Tully, Wentworth, Weston, Windrow, and Young—62.

NOES—None.

Title read and approved.

Senate Joint Resolution No. 15—Joint resolution relative to the prevention of the importation of opium.

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

AYES—Messrs. Ames, Barnard, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Brusie, Bryant, Cargill, Clark, Cram, Cunningham, Daly, Dibble, Doty, Estey, Fowler, Freeman, Galbraith, Garver, Glynn, Gordon, Harloe, Hayes, Hersey, Hocking, Hoey, Hunewill, Jackson, Johnson, Jones, Kellogg, Lewis, Lowe, Lux, Lynch, Marion, Martin, Mathews, Matlock, McCall, Mordecai, Murnan, Murphy, Phillips, Renfro, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Sturtevant, Tennis, Tully, Wentworth, Weston, Windrow, and Young—61.

NOES—None.

Senate Bill No. 13—An Act to amend section five hundred and thirty-two of the Penal Code of the State of California, relating to the crime of obtaining money or property by false pretenses.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Ames, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Brusie, Bryant, Cargill, Cram, Culver, Cunningham, Doty, Estey, Fowler, Freeman, Galbraith, Garver, Gordon, Hawley, Hersey, Hocking, Hunewill, Jackson, Johnson, Kellogg, Lacey, Lewis, Lowe, Lynch, Martin, Mathews, Matlock, McCall, Mordecai, Murnan, Murphy, Phillips, Renfro, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Tully, Wentworth, Windrow, and Young—53.

NOES—Messrs. Barnett of San Francisco, Clark, Gould, Harloe, Hayes, and Jones—6.

Title read and approved.

Senate Bill No. 14—An Act to amend section seventy-two of the Penal Code of the State of California, relating to the fraudulent presentation of claims to public officers.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Ames, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Brusie, Bryant, Cargill, Clark, Coffey, Culver, Cunningham, Daly, Doty, Dunn, Durner, Estey, Fowler, Freeman, Galbraith, Garver, Glynn, Gordon, Harloe, Hayes, Hersey, Hocking, Hoey, Hunewill, Jackson, Johnson, Jones, Kellogg, Lacey, Lewis, Lowe, Martin, Mathews, Matlock, McCall, Mordecai, Murnan, Murphy, Phillips, Renfro, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Tully, Wentworth, Weston, and Young—61.

NOES—None.

Title read and approved.

Senate Bill No. 29—An Act to amend section two hundred and twenty-four of an Act entitled "An Act to establish a Civil Code of the State of California," approved March 21, 1872, in relation to the adoption of children.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Brown, Bruner, Brusie, Bryant, Cargill, Coffey, Culver, Daly, Dennis, Dibble, Doty, Dunn, Durner, Estey, Freeman, Galbraith, Garver, Glynn, Gordon, Gould, Harloe, Hawley, Hayes, Hersey, Hoey, Hunewill, Jackson, Johnson, Jones, Kellogg, Lewis, Lowe, Martin, Mathews, Matlock, McCall, Mordecai, Murnan, Murphy, Phillips, Renfro, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Tennis, Tully, Wentworth, Weston, and Young—57.

NOES—Mr. Bledsoe—1

Title read and approved.

Mr. Mordecai was permitted to withdraw Assembly Bill No. 356.

Senate Bill No. 10—An Act to amend sections six hundred and eighty-nine and five hundred and forty-nine of the Code of Civil Procedure of the State of California, relative to the claims by third persons of property levied upon under writs of execution and attachment, as to the procedure upon said claims, and as to the necessary prerequisites to their being received.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Brusie, Bryant, Cargill, Carter, Clark, Coffey, Culver, Cunningham, Daly, Dennis, Dibble, Doty, Dow, Estey, Freeman, Galbraith, Garver, Gould, Harloe, Hawley, Hayes, Hersey, Hunewill, Jackson, Johnson, Jones, Kellogg, Lewis, Lowe, Lux, Martin, Mathews, Matlock, McCall, Mordecai, Murphy, Renfro, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tully, Wentworth, Weston, and Young—56.

NOES—None.

Title read and approved.

SPECIAL ORDERS.

Assembly Bill No. 313—An Act to regulate the practice of veterinary medicine and surgery in the State of California.

Read third time.

Mr. Bruner moved that a select committee of one be appointed to amend as follows:

Strike out of section two, line two, the words "this State" and insert "any city, city or county, or town, in this State having a population of three thousand inhabitants or more."

Amendment by Mr. Shanahan to the amendment, as follows, carried:

Strike out three thousand and insert ten thousand.

MOTIONS.

Mr. Bruner moved that the vote whereby Mr. Shanahan's amendment carried be reconsidered.

Carried.

The ayes and noes were demanded by Messrs. Bruner, Weston, and McCall.

Mr. Dibble moved that Assembly Bills Nos. 734 and 735 be made a special order for to-morrow morning, immediately after the reading of the Journal.

Carried.

At four o'clock and thirty minutes P. M., Mr. Brusie moved that the hour of recess be extended ten minutes.

So ordered.

At four o'clock and forty minutes P. M., Mr. Bruner moved that the hour of recess be extended to five o'clock.

Carried.

The roll was called on Mr. Bruner's motion, and the motion lost by the following vote:

AYES—Messrs. Barnard, Baughman, Beecher, Bledsoe, Carter, Cunningham, Doty, Durner, Freeman, Garver, Glynn, Gordon, Harloe, Hawley, Hocking, Jackson, Kellogg, Martin, Matlock, Murnan, Renfro, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, and Steltz—27.

NOES—Messrs. Arms, Barnett of San Francisco, Barnett of Sonoma, Bert, Bruner, Brusie, Bryant, Cargill, Clark, Coffey, Culver, Dennis, Dibble, Dow, Dunn, Estey, Fowler, Galbraith, Hayes, Hersey, Hunewill, Johnson, Jones, Lacey, Lewis, Lowe, Lux, Lynch, Marion, Mathews, McCall, Mordecai, Phillips, Sturtevant, Tennis, Tully, Wentworth, Weston, and Young—39

Mr. Bruner moved that a select committee of one be appointed to amend Mr. Fowler's amendment, as follows:

Amend by striking out of line seven the words "fifty thousand," and inserting the words "five thousand."

Mr. Fowler moved that the enacting clause of Assembly Bill No. 313 be stricken out.

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

AYES—Messrs. Arms, Barnard, Barnett of San Francisco, Baughman, Beecher, Bert, Bledsoe, Carter, Coffey, Cram, Cunningham, Dennis, Doty, Dunn, Durner, Fowler, Freeman, Garver, Gordon, Harloe, Hocking, Jackson, Kellogg, Lacey, Lewis, Martin, Matlock, Murnan, Phillips, Renfro, Robertson, Shanahan, Smith of Butte, Stabler, and Tully—35.

NOES—Messrs. Ames, Barnett of Sonoma, Bruner, Brusie, Bryant, Cargill, Clark, Culver, Dow, Estey, Galbraith, Glynn, Gould, Hall, Hawley, Hayes, Hersey, Hoey, Hunewill, Johnson, Jones, Lowe, Lux, Lynch, Marion, Mathews, McCall, Mordecai, Smith of Orange, Steltz, Sturtevant, Tennis, Wentworth, Weston, Windrow, and Young—36

RECESS.

At five o clock P. M. the House took a recess.

REASSEMBLED.

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

Speaker pro tem. Young in the chair.

Quorum present.

Mr. Bruner's motion to appoint a select committee carried.

APPOINTMENT OF COMMITTEE.

Mr. Bruner was appointed a committee to make said amendment.

REPORT OF COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, February 24, 1891.

MR. SPEAKER: Your Select Committee, to whom was referred Assembly Bill No. 313, with instructions to amend in accordance with the action of the House, would report that the instructions of the House have been carried out.

BRUNER, Committee.

Report adopted.

MOTION.

Mr. Bledsoe moved that a select committee of one be appointed to amend as follows:

Amend by inserting after the word "Treasury," in line ten of section three, the following words: "All moneys received by said Board as such fees and penalties in excess of the salary and expenses of the Board, shall be annually paid into the State Treasury and become a part of the General Fund of the State."

Carried.

APPOINTMENT OF COMMITTEE.

Mr. Bledsoe was appointed a committee to make said amendment.

REPORT OF COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, February 24, 1891.

MR. SPEAKER: Your Select Committee, to whom was referred Assembly Bill No. 313, with instructions to amend in accordance with the action of the House, would report that the instructions of the House have been carried out.

BLEDSOE, Committee.

Report of committee adopted.

MOTION.

Mr. Hail moved that a select committee of one be appointed to amend as follows:

Strike out of section eight, lines three and four, the words "or who prescribes for or treats sick or injured, or domestic animals, for compensation, directly or indirectly."

Carried.

APPOINTMENT OF COMMITTEE.

Mr. Hail was appointed a committee to make said amendment.

REPORT OF COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, February 20, 1891.

MR SPEAKER: Your Select Committee, to whom was referred Assembly Bill No. 313, with instructions to amend in accordance with the action of the House, would report that the instructions of the House have been carried out.

HAIL, Committee.

Report of committee adopted.

MOTION.

Mr. Jackson moved that a select committee of one be appointed to amend as follows:

Amend section nine by adding the words: "*and provided further*, that nothing in this Act shall prevent any person from practicing veterinary medicine or surgery on any animal belonging to said person."

Carried.

APPOINTMENT OF COMMITTEE.

Mr. Jackson was appointed a committee of one to make said amendment.

REPORT OF COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, February 24, 1891.

MR. SPEAKER: Your Select Committee, to whom was referred Assembly Bill No. 313, with instructions to amend in accordance with the action of the House, would report that the instructions of the House have been carried out.

JACKSON, Committee.

Report of committee adopted.

MOTION.

Mr. Bledsoe moved that a select committee of one be appointed by the Speaker to amend by striking out all of section one.

Carried.

APPOINTMENT OF COMMITTEE.

Mr. Bledsoe was appointed a select committee to make said amendment.

REPORT OF COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, February 24, 1891.

MR. SPEAKER: Your Select Committee, to whom was referred Assembly Bill No. 313, with instructions to amend in accordance with the action of the House, would report that the instructions of the House have been carried out.

BLEDSOE, Committee.

Report of committee adopted.

MOTION.

Mr. Dibble moved that the further consideration of Assembly Bill No. 313 be indefinitely postponed.

The ayes and noes were demanded by Messrs. Bruner, Gould, and Barnett.

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

AYES—Messrs. Ames, Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Beecher, Bledsoe, Carter, Coffey, Cunningham, Dennis, Dibble, Doty, Eakle, Fowler, Freeman, Garver, Gordon, Harloe, Hocking, Jackson, Kellogg, Lacey, Lux, Martin, Murnan, Phillips, Robertson, Shanahan, Stabler, Tully, Wentworth, and Young—53

NOES—Messrs. Baughman, Bruner, Brusie, Bryant, Cargill, Culver, Dow, Durner, Estey, Galbraith, Gould, Hail, Hawley, Hayes, Heisey, Johnson, Jones, Lowe, Lynch, Marion, McCall, Murphy, Steltz, Sturtevant, Tennis, and Weston—26.

RESOLUTION.

By Mr. Steltz:

Resolved, That the attachés and employés who were appointed prior to the third week of the session, be paid in full from the fifth of January to the date of their appointment or election, the same to be payable out of the Contingent Fund of the Assembly

Referred to Committee on Attachés and Employés.

REPORT OF SPECIAL COMMITTEE.

MR. SPEAKER: We, your committee, appointed to investigate the charges of corruption made against the Assembly of the State of California, in accordance with the following resolution, adopted by the Assembly on the thirtieth day of January, 1891, beg leave to submit the following report:

RESOLUTION.

WHEREAS, There has appeared in the San Francisco "Evening Post" of January 29, 1891, the following statement of an interview with Mayor Glascock of the city of Oakland, referring to this Assembly:

"Why," he said, "we were not in it for a moment. Those fellows have got to be paid, or the bill will not be passed. I am satisfied of that. To talk about any other influence with them is the worst sort of nonsense. If we were to enter all of our forces and do our best, we couldn't get that crowd to adopt the Lord's Prayer unless they saw boodle in it;" and

WHEREAS, It has been recently stated in a late paper, that W. W. Camron, of Oakland, has said that no electric bills could be passed without fixing this Legislature, also referring to this Assembly; be it

Resolved, That a committee of three members of this House be appointed, with full power to subpœna witnesses, and to compel their attendance before them, to examine witnesses under oath, and to thoroughly investigate the truth of these charges, as well as any other of a like character in regard to this Assembly. That said Mayor Glascock and said W. W. Camron be summoned to appear before said committee and give what information they have concerning said charges, or any other knowledge they may have in the matter, and to report the result of their investigation at as early a date as possible to this Assembly.

We have met from time to time as it was possible for us to get witnesses before us, being considerably delayed by the fact that most of the witnesses we were called upon to examine resided in Oakland, and found it somewhat difficult to come to Sacramento at the times when we desired to examine them. We have, however, examined the following witnesses: W. W. Camron, William E. Dargie, E. H. Hamilton, John R. Glascock, Fremont Older, George D. Squires, John Choice, Harry R. West, John F. Towle, and Charles H. Spear.

We have been unable to find any person to whom Mr. W. W. Camron made any statement of any character whatever in relation to the use of money, the possibility of its use, or of any corruption of any character existing in this Assembly in relation to the passage of the Electric Bills, or at all.

Mr. Camron specifically denies having made any statement of that character, but on the contrary, states, and is borne out by the Oakland papers, as also by the testimony of John R. Glascock, that he had at all times believed that the Electric Bills would pass, and always had said so.

Mr. Camron testified that he was approached by a party named John Choice on the morning of the twenty-eighth day of January, in the Golden Eagle Hotel, while in company with Mr. Charles H. Spear and John F. Towle, both of Oakland. His testimony is as follows:

"These gentlemen were standing in the Golden Eagle Hotel. While I was talking to them another gentleman came up and tapped me on the shoulder, and I reached over and said: 'If you two gentlemen will stand right where you are—this man means business—and I will tell you more in a little while.' I know the man for several years. He has been here every Legislature I can remember in the capacity of a lobbyist pretending to have votes to sell. He took me off to one corner. These gentlemen stayed and watched the proceedings. He says, 'I understand you are here in the interest of the Electric Bill.' I says, 'Yes, I am, and would be very anxious to have it pass.' 'Well, now,' he says, 'I think I can be of great service.' 'Well,' I says, 'can you be of any service to me?' He says, 'I can.' I says, 'In what way?' 'Well,' he says, 'I will tell you. There is a combine here of thirty members of the lower House. They have fine rooms here, a little north of here, and meet every day—two blocks up the street.'"

Question—*Which way did he indicate?*

Answer—Towards the Capitol. He says, "They meet every day, and they are in session now, so if you desire to meet them, I will be glad to take you up and introduce you." I says, "No, you mistake my business here, sir. I came up here, as I always come to the Legislature, for honest purposes, and no other. You know my record in the Legislature,

and you know what I am. There is no sick in our crowd. None of our people come here in the interest of any railroad or concern of that kind. We have come to this Legislature as the representatives of our city, and we have no business to deal with anybody that is in a combine and send for people to come and see them. I decline to go. I don't care to talk any further on the subject." He says, "If you don't want to go alone, take Glascock with you, they will receive you and Glascock." I says, "You have my answer; I don't care to see Mr. Glascock about the matter; I tell you now that we won't go. I don't want any business with that class of people. We have met the members and we are ready to go home. I went back and told those gentlemen that, too."

He is supported by the testimony of Mr. Spear and Mr. Towle, both of whom saw Mr. Choice at that interview, and positively identify him as the one who had the conversation with Mr. Camron.

While Mr. Choice denied having used any such language as stated by Mr. Camron, and also, that he knew of any combination of any members of the Assembly for any purpose, or of any corruption of any character in the Assembly, we feel satisfied from the tone of his denials, and from the testimony and standing of Mr. Camron, that Mr. Choice did make use of such language to Mr. Camron.

This conclusion is further justified by the testimony of Mr Spear and Mr. Towle, to whom Mr. Camron related the substance of his interview with Mr. Choice immediately upon its termination.

As an illustration of the character of the denials of Mr. Choice, we quote a portion of his testimony, as follows

"Mr. Gould: Did you have any conversation on the twenty-eighth day of January last with Mr. Camron, such as Mr. Camron has detailed? Answer—I don't think I could have had any such conversation, because I did not know anything of the kind

"Q. Well, could you, or did you, or did you not? A. I don't think I did.

"Q. Well, did you, or did you not? A. I don't think I did.

"Q. Do you know? A. The best of my belief, I did not.

"Q. Do you know? A. Well, a man who has been up and down to the city so often on sickness, it is hard to remember these things."

We therefore conclude that Mr. Choice is an irresponsible person, who was endeavoring to extort money from Mr. Camron and his friends by a pretense of knowledge and influence that he never had, and that his denials of making the statements alleged by Mr. Camron (such as they are) are absolutely false, and would respectfully recommend that a resolution be adopted by this House excluding him from all parts of this Capitol within the control of the Assembly, as a disreputable person whose presence is a discredit to any assemblage of respectable men.

JOHN R. GLASCOCK'S STATEMENT.

In relation to the statement published in the "Post" of January twenty-ninth, and contained in the foregoing resolution, the testimony, substantially, is as follows

George D. Squires testified: "I met Mayor Glascock on the evening of the twenty-eighth of January, at the Golden Eagle Hotel. The Mayor seemed despondent, and in a conversation with Mr. Squires stated that there was no money behind the bills that he was in favor of, that he was not here in the interest of any company or corporation, but as a citizen, and that he had a right to come here and explain these bills, and that perhaps thereafter there might be a different view taken of them. The conversation between myself and Mayor Glascock at that time, and which I afterwards discussed with Mr. Older, occupied, probably, three quarters of an hour, and is substantially as related by Mayor Glascock. I did not agree with him in thinking that the bills would pass without the use of money, and there I may say is the basis of the impression formed by newspaper men—the bills having passed the Assembly and then reconsidered right in the presence of Mr. Glascock and Mr. Camron. Then I arose from my seat, and Mr. Older and myself went up the street and had a talk, and we talked quite facetiously. I told him the impression that had been made upon me by the conversation with Mayor Glascock, that is, that these bills could not pass without the use of money, and that, I think, seemed to be well understood all around.

"I said Mayor Glascock seemed to be very much discouraged and thought that the Alameda delegation had but very little influence, and then I said, in the present condition of affairs, if they introduced the Lord's Prayer, they could not pass it. That was about all that was said.

"I was speaking facetiously with Mr. Older, as a man will when he is talking about such matters. I remember I said, that the Lord's Prayer could not pass without money being used, but of course I did not mean by that that the Lord's Prayer could not pass without money.

"I don't think that I said that Mayor Glascock told me that. I said that Mayor Glascock felt very much discouraged. Mr. Glascock said at the end, when the bills will be properly explained—and he spoke about appearing before a committee to explain them—that they would pass.

"I did all I could to discourage that idea. That was my opinion. I used the Lord's Prayer phrase to express my opinion as to the hopelessness of the bill. Whether I said that Mayor Glascock thinks so or not, or whether I said that was the case, I don't know. I think very likely that I did say that Mayor Glascock thinks so, but he did not say so. I don't know whether he thought so or not. So far as Mr. Glascock is concerned, the 'Lord's Prayer' was all my own make up."

Mayor Glascock testified substantially as follows:

"I had a conversation with Mr. Squires on the evening of the twenty-eighth, at the Golden Eagle Hotel I said to him, I would like to know if there is anything on the inside of this—where does this opposition come from—referring to the Electric Bills—and asked if the Omnibus Cable Companies were interested in the matter.

"Mr. Squires said that he did not know; and I asked him what sort of a Legislature this was. My recollection is that he said it was like all Legislatures. Then I said to him, I could not understand where all this opposition came from. I had talked to a number of gentlemen, among them I had mentioned Mr. Sturtevant's name and Mr. Shanahan's name, your name, and Mr Bruner's, and said I had talked with these gentlemen, and have no doubt they are honest in their convictions.

"Now, as nearly as I can recollect, that is substantially the conversation between us on this point. I asked his advice, as a newspaper man as to the composition of the Legislature, and as to whether he was able to get at any opposition to this bill, and he told me that he did not know of anything. I had no reason to believe that money was being used on one side or the other of these bills, and never made to any one any statement of the character published in the 'Post' of January thirtieth."

Mr. Older, who was the correspondent of the "Post," and who contributed the article quoted in the resolution authorizing the appointing of this committee, testified substantially as follows:

"I was sitting in the reading-room of the Golden Eagle Hotel on the afternoon of the twenty-eighth, about four or five o'clock, near Mr Squires and Mr Glascock, who were engaged in conversation When Mr. Glascock got up to go out I joined Mr. Squires, and asked him what he knew about the electric road bill—what the Oakland people thought of it; and I asked him, with a view of getting news, that I might use the same.

"He went on and detailed the conversation between Mr. Glascock and himself, and the matter that is used there in that article, though perhaps not the same language, is the way it was transmitted to me—the intent is about the same, and was my recollection of the conversation when I wrote it, shortly after the conversation with Mr. Squires.

"I had no information upon which I based individually such a statement as made in the paper, unless what I saw and from what I heard around the lobby—the talks of the sack, etc.

"We gained that impression by talking with various people, and the general manner in which everything had been handled all the way through, dating back to the time the vote was taken on the reconsideration of the bill—that gave rise to it in the first place

"This impression did not come from talks with any of the members. It came from people floating around the lobby, and was indefinite in character. I cannot locate a single statement from any individual at all I don't know any one's name that I talked with, and no one said enough to make it a statement.

"Mr. Squires did not tell me in the words published in the 'Post,' but that was the idea that I gathered—the impression I got."

As a conclusion from the testimony, of which the foregoing is a small portion, we, your committee, are satisfied that Mayor Glascock never used the words nor expressed the idea conveyed in the article published in the "Post," and alluded to in the "Resolution" of January thirtieth, but that the impression was designedly communicated to the mind of Mr. Older by Mr. Squires, for the purpose of misleading, possibly for professional reasons.

We consider that Mr. Older was entirely unjustified in attributing these words to Mayor Glascock, upon such a foundation, but if the purpose of Mr Squires was to perpetrate a hoax on Mr Older, the correspondent of the "Post," we can only conclude that his effort was eminently successful.

Respectfully submitted.

GOULD, Chairman.
MURPHY.
STURTEVANT.

COMMUNICATION.

LOS ANGELES, CAL., February 19, 1891.

To the honorable Assembly of the State of California

GENTLEMEN: I am instructed by the Executive Committee of the State Citrus Fair for the Sixth Congressional District, to invite your honorable body to attend said fair as a unit. If the invitation is accepted, please instruct your Clerk to notify me at your earliest possible moment.

Yours respectfully,

H. JAY HANCHETTE,
Superintendent Citrus Fair.

SPECIAL FILE.

Assembly Bill No. 411—An Act making an appropriation to pay the deficiency in the appropriation for payment of costs and expenses of

trials of persons violating the laws for the preservation of fish, for the forty-second fiscal year.

Read second time.

Assembly Bill No. 424—An Act making an appropriation to pay the deficiency in the appropriation for fuel, lights, postage, and incidental expenses of the Board of Railroad Commissioners for the fortieth fiscal year.

Read second time.

Assembly Bill No. 607—An Act making an appropriation to pay the deficiency in the appropriation for the traveling expenses incurred by the Commissioners appointed to select a site for the State Hospital for Insane, to be located in Southern California.

Read second time.

Assembly Bill No. 523—An Act to appropriate money for the payment of the unpaid salary of the Deputy Reporter of the Decisions of the Supreme Court, for three months of the fortieth fiscal year.

Read second time.

Assembly Bill No. 483—An Act to provide for the deficiency in the appropriation for expenses of the Supreme Court, under section forty-seven of the Code of Civil Procedure, for the fortieth fiscal year.

Read second time.

Assembly Bill No. 428—An Act making an appropriation to pay the deficiency in the appropriation for contingent expenses of Commissioner of Bureau of Labor Statistics, for the fortieth, forty-first, and forty-second fiscal years.

Read second time.

Assembly Bill No. 421—An Act making an appropriation to pay the deficiency in the appropriation for salary of Secretary of the State Engineer, for the fortieth, forty-first, and forty-second fiscal years.

Enacting clause stricken out, on motion of Mr. Dibble.

Assembly Bill No. 652—An Act to provide for a deficiency in the appropriation for the expenses of the State Board of Railroad Commissioners.

Read second time.

Recommitted to Committee on Ways and Means and Appropriations.

Assembly Bill No. 417—An Act making an appropriation to pay the deficiency in the appropriation for improvement of State Capitol grounds, for the forty-second fiscal year.

Read second time.

MOTION.

Mr. Shanahan moved that Assembly Bill No. 711 be taken up and read first time.

So ordered.

Assembly Bill No. 711—An Act to add a new section to the Penal Code, to be numbered five hundred and thirty-eight, relating to misrepresentation as to circulation by proprietors of newspapers and periodicals, for the purpose of obtaining patronage.

Read first time, and placed on file for second reading.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, February 23, 1891.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bills Nos. 711 and 732—report the same back, and recommend that they do pass.

BRUNER, Chairman.

ON CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 24, 1891.

MR. SPEAKER: Your Committee on Corporations, to whom was referred Assembly Bill No. 707—An Act relating to the payment of life insurance policies and the payment of premiums thereon—report the same back, and recommend that the same do pass.

LOWE, Chairman.

MOTION.

Mr. Dibble moved that the House go into Committee of the Whole, with the Speaker pro tem. in the chair, for the purpose of considering Assembly Bills Nos. 411, 424, 607, 523, 483, 428, and 417.

Carried.

IN COMMITTEE OF THE WHOLE.

Speaker pro tem. Young in the chair.

Assembly Bills Nos. 411, 424, 607, 523, 483, 428, and 417 were considered in Committee of the Whole.

IN ASSEMBLY.

Speaker pro tem. Young in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Speaker pro tem. stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bills Nos. 411, 424, 607, 523, 483, 428, and 417, and now report the same back to the Assembly, and recommend that the same do pass, except that Assembly Bill No. 417 pass as amended by the committee.

Report of committee adopted.

Assembly Bill No. 417, amended as follows:

Amend by striking out the words "one thousand four hundred and eighty-two and eighty-three one hundredths dollars," after the word "of," in section one, and inserting the words "two thousand three hundred and eighty-two and eighty-eight one hundredths dollars."

MOTIONS.

Mr. Dibble moved that Assembly Bill No. 411 be ordered engrossed and to a third reading.

Carried.

Mr. Dibble moved that Assembly Bill No. 424 be ordered engrossed and to a third reading.

Carried.

Mr. Dibble moved that Assembly Bill No. 607 be ordered engrossed and to a third reading.

Carried.

Mr. Dibble moved that Assembly Bill No. 523 be ordered engrossed and to a third reading.

Carried.

Mr. Dibble moved that Assembly Bill No. 483 be ordered engrossed and to a third reading

Carried.

Mr. Dibble moved that Assembly Bill No. 428 be ordered engrossed and to a third reading.

Carried.

Mr. Dibble moved that Assembly Bill No. 417, as amended, be ordered engrossed and to a third reading.

Carried.

Assembly Bill No. 409—An Act making an appropriation to pay the deficiency in the appropriation for costs and expenses of suits in which the State is a party in interest, for the forty-first fiscal year.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Ames, Barnett of Sonoma, Baughman, Bruner, Brusie, Bryant, Cargill, Carter, Coffey, Dennis, Dibble, Dow, Estey, Fowler, Freeman, Galbraith, Garver, Gordon, Gould, Hail, Harloe, Hersey, Hocking, Hoey, Jackson, Johnson, Lacey, Lowe, Lux, Lynch, Marion, Martin, Mathews, Matlock, McCall, Murnan, Phillips, Shanahan, Steltz, Sturtevant, Tennis, Tully, Weston, Windrow, and Young—45.

NOES—Messrs. Beecher, Bledsoe, and Stabler—3.

Title read and approved.

Assembly Bill No. 709—An Act making an appropriation, to be expended by the State Board of Examiners, to pay deficiencies for support of the government that have occurred prior to the forty-first fiscal year.

Read second time.

MOTION.

Mr. Dibble moved that the House go into Committee of the Whole, with the Speaker pro tem. in the chair, for the purpose of considering Assembly Bill No. 709.

Carried.

IN COMMITTEE OF THE WHOLE.

Speaker pro tem. Young in the chair

Assembly Bill No 709 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker pro tem. Young in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Speaker pro tem. stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 709, and now report the same back to the Assembly, and recommend that the same do pass.

Report of committee adopted.

Ordered engrossed and to a third reading.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON STATE CHARITABLE AND REFORMATORY INSTITUTIONS.

SACRAMENTO, February 24, 1891.

MR. SPEAKER: Your Committee on State Charitable and Reformatory Institutions beg leave to report, and state that we have visited the Mendocino Insane Asylum, at Ukiah; distance to and from said institution, four hundred and ten miles; that the following members, viz.: F. N. Marion, Chairman; C. S. Arms, Geo. A. Sturtevant, and A. Smith, Clerk, constituted said committee, that there is now due to each of said members and said Clerk the sum of forty-one dollars.

We recommend the adoption of the following resolution:

Resolved, That the Controller be and he is hereby directed to draw his warrant in favor of F. N. Marion, Chairman of said Committee on State Charitable and Reformatory Institutions, for the sum of one hundred and sixty-four dollars, for such mileage, and that said warrant be drawn out of the appropriation for the contingent expenses of the Assembly.

MARION, Chairman

Referred to Committee on Mileage.

ON PUBLIC BUILDINGS AND GROUNDS.

SACRAMENTO, February 24, 1891.

MR. SPEAKER: Your Committee on Public Buildings and Grounds beg leave to report, and state that we have visited the Mendocino Insane Asylum, at Ukiah; distance to and from said institution, four hundred and ten miles; that the following members, viz.: J. G. McCall, Chairman sub-Committee, T. H. Barnard, T. J. Dunn, and Louis Montgomery, Clerk, constituted said committee; that there is now due to each of said members and said Clerk the sum of forty-one dollars.

We recommend the adoption of the following resolution:

Resolved, That the Controller be and he is hereby directed to draw his warrant in favor of J. G. McCall, Chairman of said sub-Committee on Public Buildings and Grounds, for the sum of one hundred and sixty-four dollars, for such mileage, and that said warrant be drawn out of the appropriation for the contingent expenses of the Assembly.

McCALL, Chairman sub-Committee.

Referred to Committee on Mileage.

INTRODUCTION OF BILLS—(OUT OF ORDER).

By Mr. Hail: Assembly Joint Resolution No. 17—Relative to the appointment of a horticulturist of California to Chief of the Department of Horticulture at the World's Fair.

Special order for two o'clock to-morrow.

Also: Assembly Bill No. 732—An Act to amend section one thousand seven hundred and fifty-one of the Code of Civil Procedure.

Read first time, and placed on file for second reading.

FIRST READING OF BILLS.

The following bills were read first time, and placed on file for second reading.

Assembly Bill No. 684—An Act authorizing the governing bodies of cities, or cities and counties, to fix the rates to be charged for gas and electricity for lighting.

Assembly Bill No. 636—An Act to amend an Act entitled "An Act to form agricultural districts, to provide for the organization of agricultural associations therein, and for the management and control of the same by the State," approved April 15, 1880, and amended by amendatory Act approved March 6, 1889.

Assembly Bill No. 362—An Act to prohibit the acquiring by individuals and private corporations of large tracts of land.

Assembly Bill No. 689—An Act to authorize the Boards of Supervisors of the several counties of this State to appoint Inspectors of Apiaries, to provide for their compensation, and defining their duties, and for the further protection of bee culture.

Assembly Bill No. 602—An Act to prohibit the coming of Chinese persons into this State, whether subjects of the Chinese Empire or otherwise, and to provide a registration, and fix the status of all Chinese persons now resident of this State.

Assembly Bill No. 661—An Act authorizing persons having claims against the State, or against counties, to prosecute and establish them in the Courts, and providing for the payment of judgments.

Assembly Bill No. 682—An Act to amend section three thousand seven hundred and seventy-nine of the Political Code, relating to lien of State vests in the purchase at tax sale, and how divested.

Assembly Bill No. 697—An Act to amend section one hundred and thirty-seven of the Civil Code of the State of California, relating to alimony, the expense of an action for divorce, and the action for permanent support and maintenance.

Assembly Bill No. 678—An Act amendatory of and supplemental to an Act entitled "An Act amendatory of and supplemental to an Act entitled 'An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes,' approved March 7, 1887, providing for the exclusion of certain lands within any such district," approved February 16, 1889.

MOTION.

Mr. Lynch moved that Assembly Bill No. 678 be rereferred to the Committee on Irrigation, with instructions to report back to-morrow.

Carried, and to retain place on file.

FIRST READING OF BILLS—(RESUMED).

The following bills were read first time, and placed on file for second reading:

Assembly Bill No. 700—An Act to amend section seven hundred and thirty-eight of the Political Code of this State, relating to the salaries of Superior Judges.

Assembly Bill No. 701—An Act to amend section seven hundred and thirty-seven of the Political Code, fixing and providing for the salaries of the Judges of the Superior Courts of the City and County of San Francisco, and of the counties of Alameda, San Joaquin, Los Angeles, Santa Clara, Santa Cruz, San Mateo, Yuba and Sutter combined, Sacramento, Butte, Nevada, Sonoma, Colusa, Monterey, Santa Barbara, San Diego, Tulare, Fresno, Solano, Contra Costa, Amador, San Bernardino, Kern, Placer, Humboldt, Marin, Mendocino, Tehama, El Dorado, Alpine, Stanislaus, and Calaveras.

Assembly Bill No. 665—An Act to empower the Board of State Harbor Commissioners to rectify the alignment of East Street, from Pacific Street to Market Street, in the City and County of San Francisco, and to sell, acquire, and condemn adjacent property.

Assembly Bill No. 666—An Act to extend the jurisdiction of the Board of State Harbor Commissioners over East Street, San Francisco.

Assembly Bill No. 638—An Act authorizing the Attorney-General to dismiss those certain actions pending in the Superior Court of the City and County of San Francisco, and numbered eleven thousand seven hundred and six, eleven thousand nine hundred and twenty-five, and eleven thousand nine hundred and twenty-six, upon payment to him for the use of the State of certain moneys.

Assembly Bill No. 578—An Act to create the office of Attorney for the State Board of Health and the Board of Health of the City and County of San Francisco.

Assembly Bill No. 549—An Act to provide for the appointment of a Board of Election Commissioners for the several counties, cities, cities and counties, towns, and townships, throughout the State of California, and to regulate the registration of voters, and the conduct, control, and management of elections therein.

MOTION.

Mr. Bruner moved to take up Senate Bill No. 41.

So ordered.

Senate Bill No. 41—An Act to amend section four thousand one hundred and sixty-one of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the deposit of public funds.

Read second time.

Amendment by Mr. Brusie:

Add in line twelve, after word "county," the words "located at the county seat."

MOTION.

Mr. Bledsoe moved that further consideration of this bill shall be made a special order for three o'clock and thirty minutes P. M. to-morrow.

Carried.

FIRST READING OF BILLS—(RESUMED).

The following bills were read first time, and placed on file for second reading:

Assembly Bill No. 550—An Act to amend section one thousand one hundred and forty-two of an Act of the Legislature of the State of California entitled "An Act to establish a Political Code," approved March 12, 1872, relating to elections.

Assembly Bill No. 648—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.

Assembly Bill No. 207—An Act making an appropriation for the additional buildings and improvements of the Southern California State Hospital for the Insane.

Referred to Committee on Ways and Means and Appropriations.

Assembly Bill No. 451—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."

Assembly Bill No. 601—An Act to ascertain the amount, and provide for the payment of damages done to the property of J. G. Ziegler, Christina Mangels, and Diedrich Steffens, executor of the last will of Martin Mangels, deceased, Thomas Foley, E. A. Goetze, C. Hilderbandt, H. Schammel, Peter Ginochio, John Dondero, and George Seekamp, whose property has been damaged by reason of the change of grade of Montgomery Avenue, in the City and County of San Francisco, in pursuance of an Act entitled "An Act to change and modify the grades, and to provide for the grading and regrading of certain portions of Montgomery Avenue, and of certain portions of certain streets intersecting Montgomery Avenue, in the City and County of San Francisco," approved April 3, 1876.

Assembly Bill No. 255—An Act to prevent the destruction of young fish in millraces, irrigating ditches, flumes, and canals.

Assembly Bill No. 626—An Act to amend an Act entitled "An Act to provide for the construction, maintenance, and regulation of fishways in streams naturally frequented by salmon, shad, and other migratory fish," approved April 16, 1880.

Assembly Bill No. 147—An Act to provide for the payment of the repairs upon the quarantine launch "Governor Perkins."

Assembly Bill No. 627—An Act to amend an Act approved March 8, A. D. 1872, entitled "An Act to prevent hunting and shooting on private inclosed grounds, and the destruction of growing timber on private grounds, in certain counties of this State."

Assembly Bill No. 664—An Act to amend sections two thousand four hundred and fifty-seven, two thousand four hundred and sixty-four, two thousand four hundred and sixty-five, and two thousand four hundred and sixty-six of the Political Code, relating to pilots and pilot regulations.

Assembly Bill No. 673—An Act to amend section five hundred and forty-nine of the Civil Code, relating to corporations formed to supply water.

Assembly Bill No. 393—An Act to amend an Act entitled "An Act to create a Police Relief, Health, and Life Insurance and Pension Fund in the several counties, cities and counties, cities, and towns of the State," approved March 4, 1889.

Assembly Bill No. 688—An Act to amend section thirty-five of "An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and the construction of sewers within municipalities," approved March 18, 1885, and also section three of an Act amendatory thereof, approved March 14, 1889.

Assembly Bill No. 438—An Act to pay the claim of James W. Rankin, for services in the office of the State Treasurer of California, and appropriate money therefor.

Assembly Bill No. 500—An Act to appropriate money to pay for the services of W. L. Wolfe, assistant at Los Angeles to the Commissioner of the Bureau of Labor Statistics.

Assembly Bill No. 491—An Act to provide a permanent site for the "California State Hospital and Asylum for Miners," to erect suitable buildings thereon, and making an appropriation therefor.

Assembly Bill No. 366—An Act appropriating the sum of fifty thousand ($50,000) dollars for the erection of an additional building for the State Normal School at San José.

Assembly Bill No. 314—An Act to provide for the painting of portraits of R. W. Waterman and H. H. Markham, and appropriating money therefor.

Assembly Bill No. 364—An Act appropriating money to the Historical Society of Southern California.

Assembly Bill No. 599—An Act to encourage the cultivation of ramie in the State of California, to provide a bounty for ramie fiber, and to make an appropriation therefor; to appoint a State Superintendent of Ramie Culture, and make an appropriation for his salary.

Assembly Bill No. 404—An Act making an appropriation for reimbursing the Japanese Government for moneys expended in the extradition of Calvin Pratt, a fugitive from the justice of this State, and to provide for transmitting the same to Japan.

Assembly Bill No. 559—An Act providing for the appointment of a Commission to make arrangements for the proper reception of the American Library Association, and appropriating money to defray the expenses thereof.

Assembly Bill No. 691—An Act to establish law libraries.

Assembly Bill No. 546—An Act for the relief of George Dougherty.

Assembly Bill No. 647—An Act for the relief of Barnaby Dougherty.

Assembly Bill No. 310—An Act to appropriate money for the erection of a monument on the plot of the Sacramento Veterans of the Mexican War, in the City Cemetery of Sacramento.

Assembly Bill No. 307—An Act to provide for the superintendence of State buildings and works, the appointment of a Superintending Engineer, to prescribe his duties and fix his compensation, and to make an appropriation for expenses.

Assembly Bill No. 380—An Act to amend section number two thousand six hundred and forty-three of the Political Code, relating to the duties of highway officers.

Assembly Bill No. 646—An Act to amend section two thousand six hundred and fifty-two of the Political Code, relating to road poll tax.

Assembly Bill No. 650—An Act to amend article three of chapter two of the Political Code, relating to highways.

Assembly Bill No. 624—An Act to amend sections two thousand six hundred and eighteen, two thousand six hundred and twenty-one, and two thousand six hundred an forty-three of the Political Code of the State of California, and to add a new section thereto, to be numbered two thousand six hundred and ninety-seven, all relating to highways.

Assembly Bill No. 651—An Act concerning highways, and to provide penalties to injuries thereto.

Assembly Bill No. 686—An Act entitled an Act relating to the working, rights of way, easement, and drainage of mines in the State of California.

Assembly Bill No. 703—An Act to amend section two thousand four hundred and sixty-eight of the Political Code, relating to pilotage.

Assembly Bill No. 184—An Act to authorize payment for certain

services rendered by Justices of the Peace in counties of the tenth class, as formerly classified and designated by an Act of the Legislature of this State entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883, and amended March 14, 1885, and March 18, 1885, and March 17, 1887, and March 16, 1889, on the basis of the enumeration of population made in the United States census for the year A. D. 1880.

Assembly Bill No. 604—An Act to create and establish the political divisions for Justices of the Peace and Constables in townships, incorporated cities, and towns, in the State of California.

Assembly Bill No. 663—An Act to regulate the sale at retail of spirituous, malt, or fermented liquors, or wine, in the State of California, and to provide for the issuance of licenses.

Assembly Bill No. 154—An Act to amend an Act entitled "An Act to establish a Political Code."

Assembly Bill No. 654—An Act to amend section one thousand six hundred and eleven of the Penal Code, approved February 14, 1872, relating to county jails.

Assembly Bill No. 557—An Act to amend section twenty-five of an Act entitled "An Act to establish a uniform system of county and town governments," approved March 14, 1883, amended March 14, 1885, March 18, 1885, and as amended March 17, 1887, and March 16, 1889, by adding a new subdivision to said section twenty-five, to be known and designated as subdivision thirty-nine.

Assembly Bill No. 621—An Act supplementary to an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, A. D. 1883, and being in relation to the organization of new counties, and the classification thereof.

Assembly Bill No. 656—An Act to provide pensions for teachers of public schools of the State of California.

Assembly Bill No. 722 read first time, and placed on file for second reading.

WITHDRAWAL OF BILLS.

Mr. Baughman was permitted to withdraw Assembly Bill No. 508.

Mr. Bledsoe was permitted to withdraw Assembly Bill No. 203.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, February 24, 1891.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 722—report the same back with amendments, and recommend its passage as amended.

BRUNER, Chairman.

MOTION.

Mr. Lowe moved that Assembly Bill No. 707 be taken up and read first time.

Carried.

Assembly Bill No. 707—An Act regulating the payment of life insurance policies, and the payment of premiums thereon.

Read first time, and placed on file for second reading.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, February 24, 1891.

To the Assembly of the State of California

I have the honor to inform your honorable body that I have approved Assembly Bills Nos. 121 and 211.

H. H. MARKHAM, Governor.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 24, 1891.

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

Senate Bill No. 104—An Act to enable cities of the fifth class to issue bonds for the purpose of raising money to purchase school lots, and for building or purchasing one or more school houses, and supplying the same with furniture, necessary apparatus, and improving the grounds, and for liquidating any indebtedness already incurred for such purposes

Also: On the twenty-fourth day of February, passed the following:

Substitute for Senate Bill No. 278—An Act relating to the sale of intoxicating liquors within a specified distance of certain State institutions.

Also: Senate Bill No. 617—An Act to provide for the payment of funded indebtedness of the State of California, and to contract a funded debt for that purpose.

Also: Assembly Bill No. 60—An Act to add two new sections to article five, of chapter eleven, of title eleven, part three, of the Code of Civil Procedure of California, to be designated as sections one thousand seven hundred and two and one thousand seven hundred and three, and relating to the declination of testamentary trustees and the appointment of persons to fill vacancies resulting from such declination or otherwise.

Also: On the twentieth day of February, amended and passed Assembly Bill No. 79—An Act to amend section three thousand six hundred and fifty-three of an Act entitled 'An Act to establish a Political Code," approved March 12, 1872, relating to the duties of Assessors.

Also: On the twenty-fourth day of February, passed the following:

Senate Bill No. 415—An Act entitled "An Act to amend section four hundred and seventy-two of the Political Code, providing for deputies in the office of the Attorney-General, and fixing their salaries."

Also: Assembly Bill No. 419—An Act making an appropriation to pay the deficiency in the appropriation for construction of granite steps in the State Capitol grounds, for the forty-first and forty-second fiscal years.

Also: Assembly Bill No. 423—An Act making an appropriation to pay the deficiency in the appropriation for the payment of claims incurred under an Act entitled "An Act to promote drainage," approved April 23, 1880.

Also: Assembly Bill No. 427—An Act making an appropriation to pay the deficiency in the appropriation for the purchase of ballot paper, for the forty-second fiscal year.

Also: Assembly Bill No. 42—An Act making an appropriation to pay the deficiency in the appropriation for support of the State Insane Asylum at Stockton, for the forty-first and forty-second fiscal years.

Also: Assembly Bill No. 308—An Act making an appropriation to pay the deficiency in the appropriation for the salary of the Executive Secretary to the Governor, for the forty-first and forty-second fiscal years.

Also: Assembly Bill No. 401—An Act making an appropriation to pay the Journal Clerk of the Senate, twenty-eighth session of the Legislature, and his assistants, for completing the Journal of the Senate.

Also: Assembly Bill No. 408—An Act making an appropriation to pay the deficiency in the appropriation for stationery, supplies, fuel, and lights for Legislature and State officers, for the fortieth fiscal year.

Also: Assembly Bill No. 412—An Act making an appropriation to pay the deficiency in the appropriation for arrest of criminals without the limits of the State, for the fortieth fiscal year.

Also: Assembly Bill No. 418—An Act making an appropriation to pay the deficiency in the appropriation for salary of Commissioner of Bureau of Labor Statistics, for the fortieth fiscal year.

F. J. BRANDON, Secretary
By J. C. BOATMAN, Assistant

Mr. Brusie asked that Assembly Bill No. 679 be substituted for Assembly Bill No. 169.

So ordered.

Assembly Bill No. 679—An Act to amend section six hundred and

fifty-four of the Political Code, relative to the Chairman of the Board of Examiners, and Secretary, and salary.

Read second time, ordered engrossed and to a third reading.

ADJOURNMENT.

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

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Wednesday, February 25, 1891.

The House met pursuant to adjournment.

Speaker pro tem. Young in the chair.

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

Messrs. Alexander, Ames, Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Brusie, Bryant, Cargill, Carter, Clark, Coffey, Cram, Culver, Cunningham, Daly, Dennis, Dibble, Doty, Dow, Dunn, Durner, Eakle, Estey, Fowler Freeman, Galbraith, Garver, Glynn, Gordon, Gould, Hail, Harloe, Hawley, Hayes, Hersey, Hocking, Hoey, Hunewill, Jackson, Johnson, Jones, Kellogg, Lacey, Lowe, Lux, Lynch, Marion, Martin, Mathews, Matlock, McCall, Mordecai, Murnan, Murphy, Phillips, Renfro, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Tully, Wentworth, Weston, Windrow, and Young.

Quorum present.

LEAVE OF ABSENCE.

Leave of absence was granted Messrs. Lewis, Rice, and Speaker Coombs.

PRAYER.

Prayer by the Chaplain, Rev. A. C. Herrick.

READING OF THE JOURNAL.

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

So ordered.

Journal of Friday corrected and approved.

MOTION.

Mr. Dibble moved that the special order to be taken up immediately after the reading of the Journal, be deferred until ten o'clock and thirty minutes A. M.

Carried.

REPORT OF STANDING COMMITTEE.

ON PUBLIC MORALS.

ASSEMBLY CHAMBER, SACRAMENTO, February 25, 1891.

MR. SPEAKER. Your Committee on Public Morals, to whom was referred Assembly Bill No. 714—An Act to add a new section to the Penal Code, to be known and numbered three hundred and ten—report the same back, and recommend that it do pass.

CARGILL, Chairman.

Mr. Dow asked that Assembly Bill No. 714 be taken up.

So ordered.

Assembly Bill No. 714—An Act to add a new section to the Penal Code, to be known and numbered three hundred and ten.

Read first time, and placed on file for second reading.

MOTION.

Mr. Dibble moved that the constitutional rules be suspended, for the purpose of introducing a bill referring to the contingent expenses of the Assembly.

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

AYES—Messrs. Alexander, Ames, Arms, Barnard, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Bruner, Cargill, Carter, Coffey, Culver, Cunningham, Dennis, Dibble, Doty, Dow, Dunn, Eakle, Estey, Fowler, Freeman, Garver, Glynn, Gordon, Gould, Hail, Harloe, Hawley, Hayes, Hersey, Hoey, Hunewill, Jackson, Johnson, Jones, Kellogg, Lacey, Lowe, Lynch, Marion, Martin, Matlock, McCall, Murnan, Murphy, Phillips, Renfro, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Wentworth, Weston, and Young—59.

NOES—None.

INTRODUCTION OF BILL.

By Mr. Dibble: Assembly Bill No. 744—An Act making an appropriation for the contingent expenses of the Assembly.

Read first time, and placed on file for second reading.

MOTIONS.

Mr. Dibble moved that Assembly Bill No. 744 be made a special order for this afternoon at three o'clock.

Carried.

Mr. Gould moved that Assembly Bill No. 192 be taken up and read third time.

Carried.

Assembly Bill No. 192—An Act to provide for the organization and government of levee districts created for the protection of lands from overflow of innavigable running streams of water, and to confine innavigable running streams to a fixed channel.

Read third time.

The roll was called.

Pending the roll call, Mr. Dibble moved that the special order be deferred until Assembly Bill No. 192 be disposed of.

Carried.

Assembly Bill No. 192 was passed by the following vote:

AYES—Messrs. Alexander, Ames, Arms, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Bruner, Bryant, Cargill, Carter, Coffey, Culver, Cunningham, Dennis, Dibble, Doty, Dunn, Durner, Eakle, Estey, Fowler, Freeman, Galbraith, Garver, Glynn,

Gould, Hall, Harloe, Hawley, Hayes, Heisey, Hocking, Hoey, Hunewill, Jackson, Johnson, Jones, Kellogg, Lacey, Lewis, Lowe, Lynch, Marion, Martin, Mathews, Matlock, McCall, Mordecai, Murnan, Murphy, Phillips, Renfro, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Wentworth, Weston, Windrow, and Young—65.

NOES—None.

Title read and approved.

MOTION.

Mr. Marion moved that Assembly Bill No. 192 be immediately transmitted to the Senate.

So ordered.

SPECIAL ORDERS.

Assembly Bill No. 734—An Act to divide the State into legislative districts, as required by section six, article four, of the Constitution, and to provide for the election of Assemblymen and Senators in such districts.

Amendments by Mr. Dibble, as follows, adopted:

1. Strike out of section one, subdivision thirty-five, line eighty-five, the word "of" after the word "Telegraph."

2. Strike out of section one, subdivision thirty-three, lines sixty-eight and sixty-nine, the words "Harrison, Harrison to Twenty-first, Twenty-first," and insert instead the following: "Twentieth, Twentieth to"

3. Strike out of section one, subdivision thirty-four, lines seventy-eight and seventy-nine, the words "Harrison, Harrison to Eleventh," and insert instead the following: "Howard, Howard to Twentieth, Twentieth to Harrison, Harrison to Eleventh"

4. Strike out of section one, subdivision forty-one, line one hundred and thirty-seven, the word "Hyde," and insert instead the following: "Leavenworth"

5. Strike out of section one, subdivision fifty, line two hundred and thirteen, the word "at" after the word "line," and insert instead the word "or."

6. Strike out of section one, subdivision sixty-three, line two hundred and fifty-eight, after the word "sixty," the word "first," and insert instead the word "second."

7. Strike out of section one, subdivision sixty-five, line two hundred and sixty-five, after the word "sixty" the word "third," and insert instead the word "fourth."

8. Strike out of section one, subdivision seventy, line two hundred and seventy-six, the word "sixty-ninth," and insert instead the word "seventieth"

9. Amend section one, subdivision seventy-seven, line three hundred and four, by inserting a comma after the word "Beaumont."

By Mr. Gould:

Strike out from line two hundred and forty-four the word "Merced" and insert "Tuolumne."

Lost.

Also: Strike out of line two hundred and forty-six the word "Tuolumne" and insert the word "Merced."

Lost.

By Mr. Shanahan:

Strike out of section one, lines four to eight inclusive, and insert "the county of Humboldt shall constitute the Second Assembly District"

Lost.

By Mr. Dibble:

Strike out of section one, subdivision fifty, line two hundred and eleven, the word "northeasterly" and insert the word "northwesterly."

Adopted.

By Mr. Shanahan:

Strike out of section one, line nine, the word "Tehama," and insert the word "Shasta."

Lost.

MOTION.

Mr. Dibble moved that Assembly Bill No. 734 be ordered engrossed and to a third reading.

AMENDMENTS.

By Mr. Renfro:

Strike out of section one, line fifteen, the words "counties and Lake," and insert the word "county."

Lost.

By Mr. Shanahan:

Strike out of section one, line ten, the word "Modoc."

Lost.

Also: Strike out of section one, line nine, the word "Trinity," and insert the word "Glenn."

Lost.

PREVIOUS QUESTION.

Mr. Dibble moved the previous question, seconded by Messrs. Weston and Estey.

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

MOTION.

At twelve o'clock and thirty minutes P. M., Mr. Dibble moved that the hour of recess be extended ten minutes.

Carried.

The ayes and noes were demanded by Messrs. Gould, Dibble, and Mathews.

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

AYES—Messrs. Alexander, Ames, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bledsoe, Brown, Bruner, Bryant, Cargill, Carter, Clark, Coffey, Cram, Culver, Dennis, Dibble, Dow, Durner, Estey, Fowler, Freeman, Galbraith, Gordon, Hall, Harloe, Hawley, Haves, Hersey, Hocking, Hoey, Hunewill, Johnson, Jones, Kellogg, Lacey, Lewis, Lowe, Lux, Lynch, Marion, Matlock, McCall, Murphy, Phillips, Smith of Orange, Steltz, Sturtevant, Tennis, Wentworth, Weston, and Young —54.

NOES—Messrs. Arms, Bert, Cunningham, Doty, Dunn, Garver, Gould, Jackson, Martin, Mathews, Mordecai, Renfro, Robertson, Shanahan, and Stabler—15.

The question recurring upon the question, "Shall Assembly Bill No. 734 be ordered engrossed and to third reading?" it was so ordered.

MOTIONS.

Mr. Dibble moved that Assembly Bill No. 734 be made a special order for to-morrow morning immediately after reading the Journal.

Carried.

Mr. Dibble moved that Assembly Bill No. 735 be made a special order for this afternoon, at two o'clock.

Carried.

RECESS.

At twelve o'clock and forty minutes P. M. the House took a recess.

REASSEMBLED.

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

Speaker pro tem. Young in the chair.

Quorum present.

MOTIONS.

Mr. Dibble moved to defer the special order for this hour ten minutes.

Carried.

Mr. Johnson moved that he be allowed to introduce a bill.

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

AYES—Messrs. Alexander, Ames, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Brusie, Bryant, Cargill, Carter, Clark, Coffey, Culver, Cunningham, Dennis, Dibble, Doty, Dow, Durner, Eakle, Estey, Fowler, Galbraith, Garver, Gordon, Gould, Hall, Harloe, Hawley, Hayes, Hocking, Hoey, Hunewill, Jackson, Johnson, Jones, Kellogg, Lacey, Lowe, Lux, Lynch, Marion, Martin, Mathews, Matlock, McCall, Murnan, Murphy, Renfro, Shanahan, Smith of Butte, Smith of Orange, Stablei, Sturtevant, Tennis, Tully, Wentworth, Weston, and Young—62.

NOES—None.

INTRODUCTION OF BILL.

By Mr. Johnson: Assembly Bill No. 745—An Act to amend section two of an Act approved March 19, 1889, entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State, for the construction of waterworks, sewers, and all necessary public improvements, or for any purpose whatever;" and to repeal the Act approved March 9, 1885, entitled "An Act to authorize municipal corporations of the fifth class, containing more than three thousand and less than ten thousand inhabitants, to obtain waterworks;" also, to repeal an Act approved March 15, 1887, entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State."

MOTION.

Mr. Johnson moved that Assembly Bill No. 745 be taken up and read first time.

So ordered.

Assembly Bill No. 745 read first time, and made a special order for to-morrow morning, immediately after reading the Journal.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON CLAIMS.

ASSEMBLY CHAMBER, SACRAMENTO, February 25, 1891.

MR. SPEAKER: Your Committee on Claims, to whom was referred Assembly Bill No. 741—An Act for the relief of Colonel J. D. Stevenson—report the same back, and recommend that it do pass

AMES, Chairman.

SPECIAL ORDER.

Assembly Bill No. 735—An Act to divide the State of California into Congressional districts.

Amendment by Mr. Dibble:

Strike out of section one, line fourteen, all after the words "Hyde to," down to and including the word "road," in line seventeen, and insert "Sacramento to Van Ness Avenue, Van Ness Avenue to Market, Market to Eleventh, Eleventh to Harrison, Harrison to Napa, Napa to Howard, Howard to Army, Army to Precita Avenue, Precita Avenue to Colusa, Colusa to San Bruno Road or Avenue, thence along San Bruno Road or Avenue."

Adopted.

MOTION.

Mr. Dibble moved that the bill, as amended, be made a special order for to-morrow morning, immediately after reading the Journal.

Carried.

RESOLUTION.

By Mr. Marion:

Resolved, That the Chairmen of all committees, except Ways and Means and Appropriations, be directed to return all bills now in their possession to the Assembly at once.

Adopted.

SPECIAL FILE OF SENATE BILLS.

Senate Constitutional Amendment No. 11—A resolution to propose an amendment to sections fifteen (15) and nineteen (19), article five (5), of the Constitution.

Resolved by the Senate, the Assembly concurring, That the Legislature of the State of California, at its twenty-ninth session, commencing January fifth, eighteen hundred and ninety-one, two thirds of all the members elected to each of the two Houses of said Legislature voting in favor thereof, hereby propose that sections fifteen (15), and nineteen (19), article (5), of the Constitution of the State of California, be amended so as to read as follows:

Section 15. A Lieutenant-Governor shall be elected at the same time and place, and in the same manner as the Governor, and his term of office and his qualifications of eligibility 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 all the State institutions, prisons, reformatory schools, asylums, and other institutions supported in whole or in part by 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 result 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 the 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 tem. of the Senate shall act as Governor until the vacancy be filled or 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.

Section 19. Governor, Lieutenant-Governor, Secretary of State, Controller, Treasurer, Attorney-General, Surveyor-General, shall, at stated times during the continuance in office, receive for their services a compensation, 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 ($6,000) dollars per annum, the Attorney-General, *three thousand ($3,000) dollars per annum, the Secretary of State, Controller, Treasurer*, three thousand ($3,000) dollars each per annum, the Surveyor-General, three thousand ($3,000) dollars per annum; and for the following officer for the fractional term and for the two terms next ensuing the fourth day of November, A. D. eighteen hundred and ninety-two, as follows: Lieutenant-Governor, four thousand ($4,000) dollars per annum,

and traveling expenses when he may be employed in visiting and examining State institutions. 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 their 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 sums above the sums hereby fixed by this Constitution. 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 passed by the following vote:

AYES—Messrs. Alexander, Ames, Aims, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner Bryant, Cargill, Carter, Clark, Coffey, Cram, Culver, Cunningham, Dennis, Dibble, Doty, Dunn, Durner, Eakle, Estey, Fowler, Freeman, Galbraith, Garver, Gordon, Gould, Harloe, Hayes, Hocking, Hoey, Jackson, Johnson, Jones, Kellogg, Lewis, Lux, Lynch, Marion, Martin, Mathews, Matlock, McCall, Mordecai, Murnan, Murphy, Phillips, Renfro, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Tennis, Tully, Wentworth, Weston, Windrow, and Young—65.

NOES—Messrs. Dow, Hail, and Hunewill—3.

Senate Bill No. 176—An Act to ascertain and express the will of the people of the State of California upon the subject of election of United States Senators.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Bruner, Brusie, Bryant, Cargill, Carter, Clark, Coffey, Dennis, Doty, Dunn, Estey, Fowler, Freeman, Galbraith, Garver, Gordon, Gould, Hail, Harloe, Hawley, Hayes, Hoey, Jackson, Johnson, Jones, Kellogg, Lacey, Lewis, Lux, Martin, Mathews, Matlock, Murnan, Murphy, Phillips, Renfro, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Tully, Weston, and Young—55.

NOES—Messrs. Cunningham and Dow.

Title read and approved.

Senate Bill No. 82—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by adding a new section thereto, to be known as section three thousand two hundred and forty-five and one half, relating to the payment of persons employed under the provisions of section three thousand two hundred and forty-five of said Political Code.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Aims, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Bert, Bledsoe, Brusie, Bryant, Cargill, Carter, Clark, Coffey, Dennis, Dibble, Doty, Dow, Dunn, Eakle, Estey, Freeman, Galbraith, Garver, Gould, Harloe, Hawley, Hayes, Heisey, Hocking, Hoey, Hunewill, Jackson, Jones, Kellogg, Lacey, Lewis, Lux, Martin, Mathews, Matlock, Murnan, Murphy, Phillips, Robertson, Shanahan, Smith of Butte, Steltz, Sturtevant, Tennis, Tully, Weston, and Young—53.

NOES—Mr. Gordon—1.

Title read and approved.

Senate Bill No. 66—An Act to regulate the sale of olive oil.

Read first time, and placed on file for second reading.

Senate Bill No. 7—An Act to amend an Act entitled "An Act to provide for the completion of all unfinished county, city, city and county, town, and township buildings in the several counties, cities and counties, cities, and towns throughout the State of California," approved March 10, 1887.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Barnett of San Francisco, Barnett of Sonoma, Baughman, Bert, Bledsoe, Bruner, Cargill, Carter, Coffey, Cunningham, Dennis, Dibble, Doty, Dow, Dunn, Eakle, Estey, Fowler, Freeman, Galbraith, Garver, Gordon, Gould, Hail, Hawley, Hayes, Hersey, Hocking, Hunewill, Jackson, Jones, Kellogg, Lacey, Lewis, Lux, Lynch, Martin, Mathews, Matlock, Murnan, Murphy, Phillips, Renfro, Smith of Butte, Stabler, Steltz, Sturtevant, Tennis, Tully, Wentworth, Weston, and Young—53.
NOES—None.

Title read and approved.

Senate Bill No. 84—An Act to regulate the practice of pharmacy and sale of poisons in the State of California.

Read third time.

MOTION.

Mr. Renfro moved that a committee of one be appointed to amend as follows:

That the provisions of this bill shall not take effect until January 1, 1892.

Lost.

PREVIOUS QUESTION.

The previous question was demanded by Mr. Galbraith, seconded by Messrs. Cram and Ames.

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

The question being upon the final passage of the bill.

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

AYES—Messrs. Alexander, Ames, Arms, Barnard, Barnett of San Francisco, Bert, Bruner, Bryant, Cargill, Carter, Coffey, Cram, Culver, Dibble, Estey, Fowler, Galbraith, Glynn, Hawley, Hayes, Hoey, Jones, Lacey, Lewis, Lowe, Lux, Mathews, McCall, Mordecai, Renfro, Robertson, Steltz, Tennis, Tully, Wentworth, Windrow, and Young—37.
NOES—Messrs. Baughman, Beecher, Bledsoe, Brusie, Clark, Cunningham, Dennis, Doty, Dow, Dunn, Eakle, Freeman, Garver, Gould, Hail, Harloe, Hocking, Hunewill, Jackson, Kellogg, Martin, Matlock, Murnan, Phillips, Shanahan, Smith of Butte, Smith of Orange, Stabler, Sturtevant, and Weston—30.

NOTICE OF RECONSIDERATION.

Mr. Brusie gave notice that to-morrow he will move for a reconsideration of the vote whereby Senate Bill No. 84 was lost.

Senate Bill No. 24—An Act to amend section four hundred and one of the Penal Code, relating to the adulteration of candy, and to renumber said section.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Ames, Arms, Barnett of San Francisco, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Brusie, Bryant, Cargill, Carter, Clark, Coffey, Cram, Dennis, Dibble, Doty, Dunn, Eakle, Estey, Fowler, Freeman Galbraith, Garver, Glynn, Gould, Hail, Hawley, Hayes, Hersey, Hocking, Hoey, Hunewill, Jackson, Kellogg, Lacey, Lewis, Martin, Mathews, Matlock, Mordecai, Murnan, Murphy, Phillips, Renfro, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Tully, Wentworth, Weston, and Young—57.
NOES—None.

Title read and approved.

Substitute for Senate Bill No. 92—An Act to provide penalties for failure to pay tolls, by false returns or otherwise, to any Board of State Harbor Commissioners of the State of California.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Ames Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Brusie, Bryant, Cargill, Carter, Clark, Cram, Cunningham, Dennis, Dibble, Eakle, Freeman, Garver, Glynn, Gould, Hail, Harloe, Hayes, Hersey, Hoey, Hunewill, Jackson, Johnson, Kellogg, Lacey, Lewis, Lowe, Martin, Matlock, McCall, Phillips, Shanahan, Smith of Butte Smith of Orange, Steltz, Sturtevant, Tennis, Tully, Weston, Windrow, and Young—48.

NOES—Mr. Stabler—1

Title read and approved.

Senate Bill No. 23—An Act to amend sections four hundred and four hundred and one of the Penal Code, relating to contagious diseases among animals, and to renumber said sections.

Read second time, and placed on file for third reading.

Mr. Shanahan in the chair.

Senate Bill No. 143—An Act authorizing and requiring Boards or Commissions having the management and control of paid police forces to grant the members thereof yearly vacations.

Read second time, and placed on file for third reading.

Senate Bill No. 113—An Act to authorize the establishment of County High Schools, and provide for their support.

Read second time, and placed on file for third reading.

Committee amendments, as follows, adopted:

Strike out of section two, line one, the word "may," and insert the word "shall;" also, strike out of line eight all following the word "no," and all of lines nine, ten, eleven, twelve, and thirteen.

Section three is amended to read as follows

SEC. 3. If the majority of all the votes cast are in the affirmative, it shall be the duty of the Board of Supervisors, within thirty (30) days after canvassing said vote, to locate the school in some suitable and convenient place in said county. The Board of Supervisors shall also estimate the cost of purchasing a suitable lot, erecting a building, and furnishing the same for the accommodation of such school, together with the cost of conducting such school for the next twelve months.

Section four is amended to read as follows:

SEC. 4. When such estimate shall have been made, the Board of Supervisors shall thereupon proceed to levy a special tax upon all of the assessable property of the county, sufficient to raise the amount estimated as necessary for the purchasing of a lot, procuring plans and specifications, erecting a building, furnishing the same, fencing and ornamenting the grounds, and the cost of running said school for the following twelve (12) months. Said tax shall be computed, entered on the tax roll, and collected in the same manner as other taxes are computed, entered, and collected, and the amounts so collected shall be deposited in the County Treasury, and be known and designated as the County High School Fund, and shall be drawn from the Treasury as other moneys so appropriated are drawn

Section five is amended to read as follows:

SEC. 5. When the Board of Supervisors shall have properly provided and completed the building, together with the necessary fencing of the lot so purchased, they shall cause the same to be deeded to the County Board of Education, who shall hold the same in trust for the county.

RESOLUTION.

By Mr. Dibble:

Resolved, That Assembly Bill No. 744 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage

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

AYES—Messrs. Ames, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Bruner, Brusie, Bryant, Carter, Cram, Culver, Cunningham, Dennis, Dibble, Doty, Dow, Dunn, Eakle, Estey, Freeman, Galbraith, Garver, Glynn, Gordon, Gould, Hail, Harloe, Hawley, Hayes, Hersey, Hocking, Hoey, Hunewill, Jack-

son, Johnson, Jones, Kellogg, Lacey, Lewis, Lowe, Lynch, Martin, Matlock, McCall, Mordecai, Murnan, Phillips, Renfro, Shanahan, Smith of Butte, Smith of Orange, Stabler, Tully, Wentworth, Weston, and Young—58.

NOES—None.

Assembly Bill No. 744—An Act making an appropriation for the contingent expenses of the Assembly.

Read second time.

MOTION.

Mr. Dibble moved that the House go into Committee of the Whole, with Mr. Shanahan in the chair, for the purpose of considering Assembly Bill No. 744.

Carried.

IN COMMITTEE OF THE WHOLE.

Mr. Shanahan in the chair.

Assembly Bill No. 744 was considered in Committee of the Whole.

IN ASSEMBLY.

Mr. Shanahan in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Chairman stated the report of the Committee of the Whole as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 744, and now report the same back to the Assembly, and recommend that the same do pass.

Report of committee adopted.

MOTION.

Mr. Dibble moved that Assembly Bill No. 744 be considered engrossed, and be ordered to third reading.

So ordered.

Assembly Bill No. 744—An Act making an appropriation for the contingent expenses of the Assembly.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Ames, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bruner, Bryant, Carter, Clark, Cram, Culver, Cunningham, Dibble, Doty, Dow, Durner, Eakle, Estey, Freeman, Galbraith, Garver, Glynn, Gordon, Gould, Hall, Harloe, Hawley, Hayes, Hersey, Hocking, Hunewill, Jackson, Johnson, Jones, Lacey, Lewis, Lowe, Martin, Mathews, Matlock, McCall, Mordecai, Murnan, Phillips, Renfro, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Tennis, Tully, Weston, and Young—55.

NOES—None.

Title read and approved.

MOTION.

Mr. Dibble moved that the bill be immediately transmitted to the Senate.

So ordered.

Assembly Joint Resolution No. 18—Relating to the World's Columbian Exhibition, to be held at Chicago, in 1893.

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

AYES—Messrs. Ames, Arms, Barnard, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brusie, Bryant, Cargill, Carter, Clark, Cram, Culver, Dennis, Doty, Eakle, Estey, Fowler, Freeman, Galbraith, Garver, Gordon, Gould, Hail, Harloe, Hayes, Hersey, Hunewill, Jackson, Johnson, Jones, Kellogg, Lacey, Lewis, Lynch, Matlock, Mordecai, Murnan, Murphy, Robertson, Shanahan, Smith of Butte, Stabler, Tennis, Tully, Wentworth, Weston, and Young—50.

NOES—None.

MOTION.

Mr. Hail moved that Assembly Joint Resolution No. 18 be immediately transmitted to the Senate.

So ordered.

Senate Bill No. 41—An Act to amend section four thousand one hundred and sixty-one of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the deposit of public funds.

Read second time.

AMENDMENTS.

By Mr. Brusie:

Amend by adding in line twelve, after the second word "county," the words "located at the county seat."

Lost.

By Mr. Renfro:

Strike out of section four thousand one hundred and sixty-one, line twenty-two, the words "said Board of Bank Commissioners," and insert "Board of Supervisors."

Lost.

MOTION.

Mr. Doty moved to strike out the enacting clause of Senate Bill No. 41.

The ayes and noes were demanded by Messrs. Doty, Lynch, and Hunewill.

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

AYES—Messrs. Arms, Bledsoe, Brown, Clark, Cunningham, Dennis, Doty, Dow, Dunn, Durner, Eakle, Garver, Glynn, Gordon, Gould, Hail, Hocking, Jackson, Jones, Kellogg, Lux, Martin, Matlock, Mordecai, Murnan, Renfro, Robertson, Smith of Butte, Stabler, Sturtevant, and Tully—31.

NOES—Messrs. Alexander, Ames, Barnett of San Francisco, Barnett of Sonoma, Beecher, Bert, Bruner, Brusie, Bryant, Cargill, Carter, Coffey, Cram, Culver, Estey, Fowler, Freeman, Galbraith, Harloe, Hawley, Hayes, Hersey, Hoey, Hunewill, Johnson, Lewis, Lynch, Mathews, McCall, Murphy, Phillips, Shanahan, Steltz, Tennis, Wentworth, Weston, Windrow, and Young—37.

AMENDMENTS.

By Mr. Bledsoe:

Amend by adding after the word "bidders," in line thirty-eight, the following words: "*provided*, that no money shall be loaned to any bank by the said Boards of Supervisors or City Councils at a less rate of interest than eight per cent per annum."

Lost.

By Mr. Clark:

Amend in line twenty-two, section one, by striking out after word "assignee," the words "but the said Board of Bank Commissioners," and insert "any Superior Judge of the county."

Also, in line twenty-three strike out the word "they," and insert the word "he."

Lost.

By Mr. Brusie:

Strike out the word "thirty," in line nine, and insert the word "sixty."

Lost.

By Mr. Bruner:

Strike out all after line twenty-six, on page two of printed bill, down to and including line forty-eight on page three.

MOTIONS.

Mr. Bruner moved that the further consideration of this bill be made a special order for to-morrow, at three o'clock and thirty minutes P. M.

Mr. Sturtevant moved to adjourn.

Lost.

At five o'clock P. M. Mr. Dibble moved that the hour of recess be extended ten minutes.

Lost.

RECESS.

At five o'clock P. M. the House took a recess.

REASSEMBLED.

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

Speaker pro tem. Young in the chair.

MOTIONS.

Mr. Baughman moved that further consideration of Senate Bill No. 41 be made a special order for next Wednesday, at three o'clock and thirty minutes P. M.

Carried.

Mr. Cram moved to take up Assembly Bill No. 79.

Carried.

Assembly Bill No. 79—An Act to amend section three thousand six hundred and fifty-three of an Act entitled "An Act to establish a Political Code," relating to the duties of Assessors.

SENATE AMENDMENT.

Amend section one, line three, by inserting after the words "the Assessor," the following: "in counties of the second class."

MOTION.

Mr. Cram moved that the House concur in the Senate amendment.

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

AYES—Mr. Bryant—1.

NOES—Messrs. Barnard, Barnett of Sonoma, Baughman, Beecher, Bledsoe, Brown, Cargill, Carter, Cram, Cunningham, Dibble, Doty, Dow, Dunn, Durner, Eakle, Estey, Fowler, Garvey, Gordon, Gould, Hall, Heisey, Hoey, Hunewill, Jackson, Jones, Lacey, Lewis, Lux, Lynch, Marion, Martin, Mathews, Matlock, McCall, Mordecai, Murman, Murphy, Phillips, Renfro, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Tully, Wentworth, Weston, Windrow, and Young—51.

MOTION.

Mr. Phillips moved to take up Assembly Bill No. 87.

Carried.

Assembly Bill No. 87—An Act to amend sections three thousand six hundred and sixty-five, three thousand six hundred and sixty-six, three thousand six hundred and sixty-seven, three thousand six hundred and sixty-eight, three thousand six hundred and sixty-nine, three thousand six hundred and seventy, three thousand six hundred and seventy-two, three thousand six hundred and ninety-two, three thousand six hundred and ninety-six, three thousand seven hundred and fourteen, three thousand seven hundred and twenty-eight, three thousand seven hundred and thirty-two, three thousand seven hundred and forty-six, three thousand seven hundred and fifty-six, three thousand seven hundred and fifty-eight, and three thousand seven hundred and sixty-four of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to revenue and taxation.

Amendments by Mr. Phillips, as follows, adopted:

AMENDMENT No 1.

Amend section ten of printed bill so as to read as follows:

SEC. 10. Section three thousand seven hundred and fourteen of said Act is hereby amended to read as follows

Section 3714. In counties, or cities and counties, containing a population of over two hundred and fifty thousand inhabitants, the Board of Supervisors must, on the fourth Monday in June fix the rate of county taxes, designating the number of cents on each hundred dollars of property levied for each fund, and must levy the State and county taxes upon the taxable property of the county, *provided*, that it shall not be lawful for any Board of Supervisors of any county in the State to levy, nor shall any tax greater than fifty cents on each one hundred dollars of property be levied and collected in any one year to pay the bonded indebtedness or judgment arising therefrom, of this State, or of any county or municipality in this State In counties, or cities and counties, containing a population of less than two hundred and fifty thousand inhabitants, the Board of Supervisors must, on the fourth Monday of September, fix the rate of county taxes, designating the number of cents on each hundred dollars of property levied for each fund, and must levy the State and county taxes upon the taxable property of the county; *provided*, that it shall not be lawful for any Board of Supervisors of any county in the State to levy, nor shall any tax greater than fifty cents on each one hundred dollars of property be levied and collected in any one year to pay the bonded indebtedness, or judgment arising therefrom, of this State, or of any county or municipality in this State.

AMENDMENT No. 2.

In line four, section eighteen of printed bill, strike out the word "first" and insert the word "last."

AMENDMENT No. 3.

Amend section twenty-one of printed bill so as to read as follows:

SEC. 21. Section three thousand eight hundred and sixteen of said Act is hereby amended to read as follows.

Section 3816. Whenever property sold to the State, pursuant to the provisions of this chapter, shall be redeemed as herein provided, the moneys received on account of such redemption shall be distributed as follows The original tax and the twenty-five per cent and interest paid in redemption shall be apportioned between the State and county, or city and county, in the same proportion that the State tax bears to the county, or city and county tax, the moneys received for delinquencies shall be paid to the county, or city and county. The County Treasurer shall keep an accurate account of all money paid in redemption of property sold to the State, and shall, on the first Monday of February and June of each year, make a detailed report, verified by his affidavit, of each account, year for year, to the Controller of State, in such form as the Controller may desire. Whenever the State shall receive from the Tax Collector any grant of property so sold for taxes, the same shall be recorded, at the request of the County Treasurer, free of charge by the County Recorder, and shall be immediately reported by the County Treasurer to the State Board of Equalization.

AMENDMENT No. 4.

Amend section twenty-two of printed bill, by inserting after the word "funds," in line six, the words "belonging to the State;" also, in line seven, after the word "business," insert the words "on and including the first Monday of the months of December, March, May, and August."

AMENDMENT No. 5.

Amend title to read as follows:

An Act to amend sections three thousand six hundred and sixty-five, three thousand six hundred and sixty-six, three thousand six hundred and sixty-seven, three thousand six hundred and sixty-eight, three thousand six hundred and sixty-nine, three thousand six hundred and seventy, three thousand six hundred and seventy-two, three thousand six hundred and ninety-two, three thousand six hundred and ninety-six, three thousand seven hundred and fourteen, three thousand seven hundred and twenty-eight, three thousand seven hundred and thirty-two, three thousand seven hundred and forty-six, three thousand seven hundred and fifty, three thousand seven hundred and fifty-one, three thousand seven hundred and fifty-six, three thousand seven hundred and fifty-eight, three thousand seven hundred and sixty-four, three thousand seven hundred and ninety-seven, three thousand eight hundred, three thousand eight hundred and sixteen, and three thousand eight hundred and sixty-six of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to revenue and taxation.

Assembly Bill No. 87, as amended, made a special order for next Friday, at three o'clock and thirty minutes P. M., on motion of Mr. Phillips.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON MILEAGE.

ASSEMBLY CHAMBER, SACRAMENTO, February 25, 1891.

MR. SPEAKER: Your Committee on Mileage, to whom was referred the following Assembly resolution,

Resolved, That the Controller be and he is hereby directed to draw his warrant in favor of F. N. Marion, Chairman of the Committee on State Charitable and Reformatory Institutions, for the amount of twenty-eight dollars and eighty cents for such mileage, and that said warrant be drawn out of the appropriation for the contingent expenses of the Assembly.

Report the same back, and recommend its adoption.

Also:

Resolved, That the Controller be and he is hereby directed to draw his warrant in favor of J. G. McCall, Chairman of said sub-Committee on Public Buildings and Grounds, for the sum of one hundred and sixty-four dollars, for such mileage, and that said warrant be drawn out of the appropriation for the contingent expenses of the Assembly.

Report the same back, and recommend its adoption.

Also:

Resolved, That the Controller be and he is hereby directed to draw his warrant in favor of F. N. Marion, Chairman of said Committee on State Charitable and Reformatory Institutions, for the sum of one hundred and sixty-four dollars, for such mileage, and that said warrant be drawn out of the appropriation for the contingent expenses of the Assembly.

Report the same back, and recommend its adoption.

BRYANT, Chairman.

Resolutions adopted.

ON WAYS AND MEANS AND APPROPRIATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 25, 1891.

MR. SPEAKER: Your Committee on Ways and Means and Appropriations, to whom was referred Senate Bill No. 130—report the same back, and respectfully recommend that it do pass.

Also: Assembly Bill No. 516—report the same back, with a substitute, and respectfully recommend that the substitute do pass.

Also: Senate Bills Nos. 478 and 601—report the same back, and respectfully recommend that they do pass.

Also: Assembly Bill No. 704—report the same back, and respectfully recommend that it do not pass.

Also: Assembly Bills Nos. 698 and 699—report the same back, and respectfully recommend that they be referred to the Committee on Judiciary.

Also: The majority and minority reports of the Committee on Elections and Privileges, relative to expenses in the contested election case of J. C. Campbell vs. H. P. Eakle—have had the same under consideration, and report the same back, and respectfully recommend that J. C. Campbell be allowed two thousand five hundred dollars, and that H. P. Eakle be allowed two thousand five hundred dollars, as per the accompanying resolutions.

DIBBLE, Chairman

Resolved, That the sum of two thousand five hundred dollars be and the same is hereby allowed and ordered paid out of the Contingent Fund of the Assembly, to H. P. Eakle, for expenses incurred by him in the contested election case of Campbell vs. Eakle, and the Controller is hereby directed to draw his warrant on the Treasurer in favor of H. P. Eakle for the said amount.

Resolved, That the sum of two thousand five hundred dollars be and the same is hereby allowed and ordered paid out of the Contingent Fund of the Assembly, to J. C. Campbell, for expenses incurred by him in the contested election case of Campbell vs. Eakle, and the Controller is hereby directed to draw his warrant on the Treasurer in favor of J. C. Campbell for the said amount.

MOTION.

Mr. Dibble moved that the reports and resolutions in reference to the contested election contest be printed in the Journal, and lie over for future consideration.

Carried.

REPORT OF SELECT COMMITTEE ON INVESTIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 24, 1891.

MR. SPEAKER: Your Investigating Committee respectfully submit the following expense bill, and recommend the adoption thereof:

Fremont Older, witness fees, two days	$4 00	
One mile	20	
		$4 20
George D. Squires, witness fees, two days	$4 00	
One mile	20	
		4 20
F. W. Stowell, witness fees, two days	$4 00	
One mile	20	
		4 20
Harry R. West, witness fees, two days	$4 00	
One mile	20	
		4 20
John Choice, witness fees, three days	$6 00	
Two miles	40	
		6 40
John R. Glascock, witness fees two days	$4 00	
Mileage from Oakland	18 20	
		22 20
W. W. Camron, witness fees, four days	$8 00	
Mileage from Oakland twice	36 40	
		44 40
J. West Martin, witness fees, two days	$4 00	
Mileage from Oakland	18 20	
		22 20
J. C. McAvoy, witness fees, two days	$4 00	
Mileage from Oakland	18 20	
		22 20
Charles H. Spear, witness fees, two days	$4 00	
Mileage from Oakland	18 20	
		22 20
John F. Towle, witness fees, two days	$4 00	
Mileage from Oakland	18 20	
		22 20
H. J. McKusick, Sergeant-at-Arms, for serving subpœnas, and mileage, as per bill of items rendered		68 80
George E. Shinn, Assistant Sergeant-at-Arms, serving subpœnas	$4 00	
Mileage, four miles	80	
Service by telegraph	1 00	
Four nights attendance on committee	8 00	
		13 80
Luke Kavanaugh, reporting and transcribing testimony, five days at $10 per day	$50 00	
Three hundred and seventy-five folios, at 20 cents	75 00	
		125 00
Total		$386 20

Resolved, That the Controller is hereby directed to draw his warrant in favor of F. H. Gould, Chairman of committee, for the sum of three hundred and eighty-six dollars and twenty cents, being due the above named parties as per statement herewith appended, to be paid out of the Contingent Fund of the Assembly, and the Treasurer is hereby directed to pay the same.

Referred to Committee on Ways and Means and Appropriations.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 25, 1891.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Assembly Bills Nos. 80, 187, 221, 384, 469, and 717—respectfully report the same back, without action, in accordance with the resolution passed by the House this day.

WENTWORTH, Chairman.

ON PUBLIC MORALS.

ASSEMBLY CHAMBER, SACRAMENTO, February 25, 1891.

MR. SPEAKER: Your Committee on Public Morals, to whom was referred Assembly Bill No. 715—An Act to amend sections one thousand nine hundred and fifteen and one thousand nine hundred and seventeen of the Civil Code, relative to the legal rate of interest, and providing a penalty for usury, and to repeal section one thousand nine hundred and eighteen of said Code—report the same back without recommendation.

CARGILL, Chairman.

ON PUBLIC BUILDINGS AND GROUNDS.

ASSEMBLY CHAMBER, SACRAMENTO, February 25, 1891.

MR. SPEAKER: Your Committee on Public Buildings and Grounds, to whom was referred Assembly Bill No. 486—report the same back, without recommendation.

Also: Assembly Bill No. 505—report the same back, and recommend that it do pass, and that the same be referred to the Committee on Ways and Means and Appropriations.

HERSEY, Chairman.

Assembly Bill No. 505 referred to Committee on Ways and Means and Appropriations.

ON MINES AND MINING INTERESTS.

ASSEMBLY CHAMBER, SACRAMENTO, February 25, 1891.

MR. SPEAKER: Your Committee on Mines and Mining Interests, to whom was referred Assembly Bill No. 553—report the same back without recommendation.

HAIL, Chairman.

ON CHINESE IMMIGRATION AND EMIGRATION AND LABOR AND CAPITAL.

ASSEMBLY CHAMBER, SACRAMENTO, February 24, 1891.

MR. SPEAKER: Your Committee on Chinese Immigration and Emigration and Labor and Capital, to whom was referred Assembly Bill No. 719—An Act to prohibit the coming of Chinese persons into the State, whether subjects of the Chinese Empire or otherwise, and to provide for registration and certificates of residence, and determine the status of all Chinese persons now resident of this State, and fixing penalties and punishments for violation of this Act, and providing for deportation of criminals—report the same back, and recommend that it do pass.

Also: Assembly Bill No. 731—report the same back, without recommendation.

STELTZ, Chairman.

ON COMMERCE AND NAVIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 25, 1891.

MR. SPEAKER: Your Committee on Commerce and Navigation, to whom was referred Assembly Bill No. 712—report the same back without recommendation.

PHILLIPS, Chairman

ON MILITARY AFFAIRS.

ASSEMBLY CHAMBER, SACRAMENTO, February 25, 1891.

MR. SPEAKER: Your Committee on Military Affairs, to whom was referred Assembly Bill No. 555—An Act to pay the claim of A. G. Lafferty—report the same back, in accordance with the resolution of this House.

JOHNSON, Chairman

ON COUNTY AND TOWNSHIP GOVERNMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, February 25, 1891.

MR. SPEAKER: Your Committee on County and Township Governments, to whom was referred Assembly Bills Nos. 156, 344, 567, 568, 625, and 668—report the same back, and recommend that they be withdrawn.

Also: Assembly Bills Nos. 177, 371, 716, and 730—report the same back without recommendation.

Also: Assembly Bills Nos. 727 and 728—report the same back, and recommend that they do pass.

BROWN, Chairman.

ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 25, 1891.

MR. SPEAKER: Your Committee on Enrollment beg leave to report that the following Assembly Bills have been correctly enrolled: Nos. 114, 116, 142, and 106—and were presented to the Governor Tuesday, February twenty-fourth, at four o'clock and thirty minutes P. M.

BLEDSOE, Chairman.

ADJOURNMENT.

At eight o'clock and thirty minutes P. M., Mr. Barnard moved that the House adjourn.

Carried.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Thursday, February 26, 1891.

The Assembly met pursuant to adjournment.

Speaker pro tem. Young in the chair.

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

Messrs. Alexander, Ames, Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Bruner, Bryant, Cargill, Carter, Clark, Coffey, Cram, Culver, Cunningham, Daly, Dennis, Dibble, Doty, Dow, Dunn, Dutner, Eakle, Estey, Fowler, Freeman, Galbraith, Gaiver, Glynn, Gordon, Gould, Hall, Harloe, Hawley, Hayes, Hersey, Hocking, Hoey, Hunewill, Johnson, Jones, Kellogg, Lacey, Lowe, Lux, Lynch, Martin, Mathews, Matlock, McCall, Mordecai, Murnan, Murphy, Phillips, Renfro, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Tully, Wentworth, Weston, Windrow, and Young.

Quorum present.

LEAVE OF ABSENCE.

The following members were granted leave of absence for the day: Messrs. Rice, Lewis, Brusie, Marion, and Speaker Coombs.

PRAYER.

Prayer by the Chaplain, Rev. A. C. Herrick.

READING OF THE JOURNAL.

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

So ordered.

Journal of Tuesday corrected and approved.

MOTION.

Mr. Brown moved that he be allowed to introduce a bill.

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

AYES—Messrs. Alexander, Arms, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Cargill, Carter, Clark, Culver, Cunningham, Dennis, Doty, Dow, Dunn, Eakle, Estey, Freeman, Garver, Gordon, Gould, Hail, Hawley, Hayes, Hersey, Hocking, Hunewill, Jackson, Johnson, Jones, Kellogg, Lacey, Lowe, Lux, Lynch, Martin, Mathews, Matlock, McCall, Mordecai, Murnan, Phillips, Renfro, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Weston, and Young—57.

NOES—None.

INTRODUCTION OF BILL.

By Mr. Brown: Assembly Bill No. 746—An Act to establish a uniform system of county and township governments, and to repeal all Acts inconsistent thereto.

MOTION.

Mr. Brown moved that Assembly Bill No. 746 be taken up.

So ordered.

Assembly Bill No. 746—An Act to establish a uniform system of county and township governments, and to repeal all Acts inconsistent thereto.

Read first time.

MOTION TO LAY ON TABLE.

Mr. Bruner moved that the motion pending on adjournment yesterday, to take up Assembly Bills Nos. 2, 3, 27, and 29, be laid on the table.

The ayes and noes were demanded by Messrs. Gould, Jackson, and Shanahan.

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

AYES—Messrs. Alexander, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Brown, Bruner, Brusie, Bryant, Cargill, Carter, Coffey, Crane, Culver, Dibble, Dow, Durner, Estey, Galbraith, Gould, Hail, Harloe, Hawley, Hayes, Hersey, Hocking, Hunewill, Johnson, Jones, Lacey, Lux, Lynch, Matlock, McCall, Murphy, Phillips, Smith of Butte, Smith of Orange, Weston, Windrow, and Young—41.

NOES—Messrs. Arms, Beecher, Bert, Bledsoe, Clark, Cunningham, Dennis, Doty, Dunn, Eakle, Garver, Gordon, Jackson, Kellogg, Lewis, Martin, Mathews, Mordecai, Murnan, Renfro, Robertson, Shanahan, Stabler, Steltz, Sturtevant, and Tennis—26.

RESOLUTION.

By Mr. Dibble:

Resolved, That Assembly Bill No. 741 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

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

AYES—Messrs. Alexander, Ames, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Bryant, Cargill, Carter, Clark, Coffey, Culver, Cunningham, Dennis, Dibble, Doty, Dow, Dunn, Eakle, Estey, Freeman, Galbraith, Garver, Gordon, Gould, Hail, Harloe, Hawley, Hayes, Hersey, Hocking, Hoey, Hunewill, Jackson, Johnson, Kellogg, Lacey, Lewis, Lowe, Lux, Lynch, Martin, Matlock, McCall, Mordecai, Murnan, Murphy, Phillips, Renfro, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Wentworth, Weston, Windrow, and Young—66.
NOES—None.

MOTION.

Mr. Gould moved for a reconsideration of the vote whereby his motion to take up out of order Assembly Bills Nos. 2, 3, 27, and 29, was laid on the table.
Ruled out of order.

REPORTS OF STANDING COMMITTEES.

ON SWAMP AND OVERFLOWED AND PUBLIC LANDS.

ASSEMBLY CHAMBER, SACRAMENTO, February 25, 1891.

MR. SPEAKER: Your Committee on Swamp and Overflowed and Public Lands, having considered Assembly Bill No. 720—report the same back, and recommend that it do pass.

CLARK, Chairman.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, February 25, 1891.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Senate Bill No. 384—report the same back, and recommend that it do pass.
Also: Assembly Bill No. 51—report the same back, and recommend that it do pass as amended.

BRUNER, Chairman.

ON WAYS AND MEANS AND APPROPRIATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 26, 1891.

MR. SPEAKER: Your Committee on Ways and Means and Appropriations, to whom was referred Assembly Bills Nos. 713, 723, 724, and 725—report the same back, and recommend that they do pass.
Also: Assembly Bills Nos. 278 and 447, with substitute—report the same back, and recommend that they do not pass.
Also: Assembly Bill No. 741—An Act for the relief of Colonel Jonathan D. Stevenson—report the same back, and recommend that it do pass.

DIBBLE, Chairman.

MOTIONS.

Mr. Dibble moved to take up Assembly Bill No. 741.
Carried.
Assembly Bill No. 741—An Act for the relief of Col. J. D. Stevenson.
Read second time, considered engrossed, and ordered to third reading.
Assembly Bill No. 741—An Act for the relief of Col. J. D. Stevenson.
Read third time.
The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Ames, Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Bryant, Carter, Clark, Coffey, Culver, Cunningham, Dennis, Dibble, Doty, Dow, Dunn, Durner, Eakle, Estey, Freeman, Galbraith, Garver, Gordon, Gould, Hail, Harloe, Hayes, Hersey, Hocking, Hoey, Hunewill, Jackson, Johnson, Kellogg, Lacey, Lewis, Lowe, Lux, Lynch, Martin, Mathews, Matlock, McCall, Mordecai, Murnan, Murphy, Phillips, Renfro, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Wentworth, Weston, and Young—66.
NOES—None.

Title read and approved.

Mr. Shanahan moved that Assembly Bill No. 741 be immediately transmitted to the Senate.

Carried.

Mr. Dibble moved that the special orders be deferred until eleven o'clock and thirty minutes A. M.

Carried.

WITHDRAWAL OF BILL.

Mr. Clark was permitted to withdraw Assembly Bill No. 511, and substitute Assembly Bill No. 720.

Assembly Bill No. 720—An Act to amend section three thousand four hundred and sixty of the Political Code of the State of California, in reference to making assessments on land in swamp land districts.

Read first time, and placed on file for second reading.

MOTION.

Mr. Doty moved that Assembly Bill No. 219 be taken up.

So ordered.

Assembly Bill No. 219—An Act to amend section one thousand two hundred and twenty-two of the Code of Civil Procedure, in relation to judgments and orders in cases of contempt, and providing for appeals therefrom.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Ames, Barnard, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Bruner, Bryant, Cargill, Carter, Clark, Coffey, Cram, Culver, Cunningham, Daly, Dennis, Dibble, Doty, Dow, Durner, Eakle, Estey, Freeman, Galbraith, Garver, Gordon, Gould, Hall, Harloe, Hocking, Hoey, Hunewill, Jackson, Johnson, Kellogg, Lacey, Lewis, Lowe, Lynch, Martin, Mathews, McCall, Murnan, Robertson, Shanahan, Smith of Butte, Stabler, Sturtevant, Tennis, and Weston—52.

NOES—None.

Title read and approved.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON IRRIGATION

ASSEMBLY CHAMBER, SACRAMENTO, February 24, 1891.

MR. SPEAKER: Your Committee on Irrigation, to whom was referred Assembly Bill No. 365—report the same back, and recommend that it do pass.

Also Assembly Bills Nos. 674 and 675—report the same back without recommendation.

Also: Assembly Bill No. 678—report the same back, and recommend that it do not pass.

ALEXANDER, Chairman.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 26, 1891.

MR. SPEAKER: Your Committee on Education, to whom was referred Assembly Bill No 733—An Act to amend section five of 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—report the same back, with amendments, and recommend its passage as amended.

GALBRAITH, Chairman.

MOTIONS.

Mr. Bruner moved that Assembly Bill No. 338 be ordered engrossed and to a third reading.

Carried.

Mr. McCall moved to take up out of order Assembly Bill No. 541.

Carried.

Assembly Bill No. 541—An Act to amend sections two, three, four, five, seven, nine, thirteen, twenty-four, twenty-six, thirty-four, thirty-five and thirty-seven of an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and the construction of sewers within municipalities," approved March 18, 1885, relative to the mode of assessing and otherwise providing for said work.

Read second time.

Amendments by Mr. McCall, as follows, adopted:

1. Amend title of bill by striking out the figures "13" in first line of said title, and insert the words "and an Act amendatory thereof, approved March 14, 1889," after the words "approved March 18, 1885."
2. Also: On page two, printed bill, amend section three, line twenty-seven, by striking out the word "majority," and inserting in lieu thereof the following words: "one half or more."
3. Also: Amend section three by striking out all after the word "done," in line twenty-eight, and up to and including the word "done," in line thirty-two.
4. Also: On page three of printed bill, amend section three, line forty-one, by inserting after the word "sidewalks" the words, "and curbs."
5. Also: On page fifteen, printed bill, amend section thirty-five, line ten, by striking out the word "three;" and inserting in lieu thereof the word "four."

Ordered engrossed and to a third reading.

MOTIONS.

Mr. Lowe moved to take up Assembly Bill No. 301.

Carried.

Assembly Bill No. 301—An Act relating to life, health, accident, and annuity or endowment insurance on the assessment plan, and the conduct of the business of such insurance.

Read third time.

Mr. Shanahan in the chair.

Mr. Barnett moved that Assembly Bill No. 301 be made a special order for to-morrow morning, immediately after reading the Journal.

Carried.

Mr. Dibble moved that the special orders, Assembly Bills Nos. 734 and 735, be made a special order for this day, at seven o'clock and thirty minutes P. M.

Carried.

Mr. Johnson moved that Assembly Bill No. 745 be made a special order for to-day, at three o'clock and thirty minutes P. M.

Carried.

Mr. Smith of Orange moved to take up Assembly Bill No. 333.

Carried.

Assembly Bill No. 333—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, and

also since the passage of the Act entitled "An Act to provide for the classification of municipal corporations," approved March 2, 1883.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bledsoe, Bruner, Bryant, Cargill, Clark, Coffey, Cram, Culver, Cunningham, Dibble, Doty, Dow, Durner, Eakle, Estey, Fowler, Freeman, Garver, Gordon, Gould, Hall, Harloe, Hawley, Hayes, Hersey, Hocking, Hunewill, Johnson, Kellogg, Lacey, Lewis, Lowe, Lynch, Martin, Mathews, Matlock, Mordecai, Murnan, Phillips, Renfro, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Tully, Wentworth, Weston, and Young—54.

NOES—None.

Title read and approved.

MOTION.

Mr. Smith of Orange moved that Assembly Bill No. 333 be immediately transmitted to the Senate.

Carried.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 26, 1891.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that they have examined the following Assembly Bills, and find them correctly engrossed:

Substitutes for Nos. 542, 354, 552, 506, 262, 357, 238, 521, 497, 498, 594, 577, 441, 86, 95, 96, 97, 487, 531, 583, 494, 495, 435, 433, 434, 130, 685, 179, 587 540, 471, 411, 424, 607, 523, 483, 428, 417, 709, and 679.

WINDROW, Chairman.

MOTIONS.

Mr. Gould moved to take up Assembly Bill No. 396.

Carried.

Assembly Bill No. 396—An Act to provide for the redemption of property which has been heretofore sold to irrigation districts for delinquent assessments.

Read third time.

Speaker pro tem. Young in the chair.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Ames, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Bryant, Cargill, Clark, Coffey, Cram, Culver, Dibble, Doty, Estey, Fowler, Galbraith, Garver, Gordon, Gould, Hall, Harloe, Hawley, Hayes, Hersey Hunewill, Jackson, Kellogg, Lacey, Lewis, Lowe, Lux, Lynch, Martin, Mathews, Matlock, McCall, Mordecai, Murphy, Phillips, Renfro, Robertson, Smith of Butte, Smith of Orange, Stabler, Sturtevant, Tennis, Tully, Wentworth, Weston, and Young—56.

NOES—None.

Title read and approved.

Mr. Lowe moved to take up Assembly Bill No. 180.

Carried.

Assembly Bill No. 180—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.

Read third time.

Mr. Baughman moved that a select committee of one be appointed to amend as follows:

Strike out of section two, lines four, five, and six, the words "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."

Lost.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander Ames, Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe Bruner, Bryant, Cargill, Carter, Clark, Coffey, Culver, Cunningham, Daly, Dennis, Dibble, Doty, Dow, Dunn, Durner, Eakle, Estey, Freeman, Galbraith, Garver, Glynn, Gordon, Gould, Hall, Harlow, Hawley, Hayes, Hersey, Hocking, Hoey, Hunewill Jackson, Johnson, Jones, Kellogg, Lacey, Lewis, Lowe, Lux, Lynch, Martin, Mathews, Matlock, McCall, Mordecai, Murman, Murphy, Phillips, Rentro, Shanahan, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Tully, Wentworth, Weston, Windrow, and Young—70

NOES—None.

Title read and approved.

Mr. Lowe moved that Assembly Bill No. 180 be immediately transmitted to the Senate.

Carried.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, February 24, 1891.

To the Assembly of the State of California:

I have the honor to inform your honorable body that I have approved Assembly Bills Nos. 114, 116, and 142.

H. H. MARKHAM, Governor.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 25, 1891.

MR SPEAKER: I am directed to inform your honorable body that the Senate, on the twenty-fourth day of February, passed the following:

Senate Bill No. 120—An Act to an end section one hundred and seventy-two of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to the husband's control and disposition of the community property.

Also: Senate Bill No. 342—An Act to provide for the appointment of a guardian for the Marshall monument and grounds, prescribing his duties, and appropriating money therefor.

Also: Senate Bill No. 135—An Act to amend sections one thousand three hundred and five, one thousand three hundred and seventy-three, one thousand five hundred and fifty-two, one thousand six hundred and thirty-three, and one thousand six hundred and thirty-four 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 estates of deceased persons.

Also: Substitute for Senate Bill No 492—An Act to amend an Act entitled "An Act to provide for the building and furnishing of the Home for Soldiers' Widows and Orphans, and Army Nurses, and for the State to inquire into the management of such institution, by a uniform rule proportioned to the number of inmates in said institution, for the management of the same, and for the support of indigent persons residing in the said Home," approved March 16, 1889

Also: Senate Bill No 431—An Act to amend sections one thousand two hundred and seventeen, one thousand two hundred and twenty, one thousand two hundred and twenty-one, one thousand two hundred and twenty-three, one thousand two hundred and twenty-four, 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 twenty-nine, and one thousand two hundred and thirty of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to execution of judgment of death

Also, Senate Bill No. 34—An Act to amend section three thousand seven hundred and eighty-five of the Political Code, relating to the redemption of property sold for delinquent taxes, and the notices to be given by the purchasers of property at delinquent tax sales before applying for a deed.

Also: Senate Bill No. 295—An Act to provide for the purchase of a portrait of ex-Governor Waterman, by the State Board of Examiners, and to appropriate money therefor.

Also: Adopted Senate Joint Resolution No. 21—Relative to the indebtedness of the Pacific Railroads to the General Government.

Also: Passed Senate Bill No. 119—An Act to amend section one thousand two hundred and one of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the compensation of attorneys.

Also: Adopted Senate Joint Resolution No. 17—Relative to the mining industry in California.

Also: Passed the following:

Assembly Bill No. 138—An Act to provide for the levy and collection of taxes by and for the use of municipal corporations, and cities incorporated under the laws of the State, excepting municipal corporations of the first, second, third, and fourth classes, and cities operating under a charter framed under section eight, article eleven, of the Constitution.

Also: Substitute for Senate Bill No. 252—An Act for the relief of the heirs of Michael Curran, deceased.

Also: Senate Bill No. 117—An Act to provide for, insure, and maintain preference in the appointment, employment, and retention in the public service, and upon public works of the State of California, of honorably discharged ex-Union soldiers, sailors, and marines of the War of the Rebellion.

Also: On the twenty-fifth day of February, passed the following:

Senate Bill No. 454—An Act to amend section two hundred and fifty-six of the Political Code of the State of California, to provide for the printing of the daily Journal of each House of the Legislature, and to repeal section two hundred and fifty-seven of said Code.

Also: Senate Bill No. 455—An Act adding a new section to the Political Code of the State of California, to be known and designated as section five hundred and thirty-nine, relative to the engrossment and enrollment of bills and other documents, and repealing sections two hundred and forty-eight and two hundred and forty-nine of said Code.

Also: Senate Bill No. 200—An Act to add a new section to the Code of Civil Procedure of the State of California, to be known and designated as section one thousand six hundred and seventy, relating to the continuation of administration upon the estates of deceased persons.

Also: Senate Bill No. 391—An Act to provide for the payment of the Controller of State's warrants which have been lost or destroyed previous to payment by the State Treasurer.

Also: Senate Bill No. 326—An Act to amend an Act entitled "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," approved March 15, 1887.

Also: Assembly Bill No. 744—An Act making an appropriation for the contingent expenses of the Assembly.

Also: Senate Bill No. 561—An Act to extend the jurisdiction of the Board of State Harbor Commissioners over East Street, San Francisco.

Also: Senate Bill No. 324—An Act to create a State Board of Funeral Directors, to prescribe its powers and duties, to regulate the practice of undertaking and funeral direction, and to more effectually protect the people against contagious diseases.

Also: Assembly Bill No. 51—An Act relating to District Attorneys, their assistants and clerks, in counties, and cities and counties, having a population of more than one hundred and twenty-five thousand.

Also: Assembly Bill No. 102—An Act to amend section seven hundred and fifty-two of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, and the amendment thereto, approved March 19, 1889.

Also: Adopted Assembly Joint Resolution No. 10—Relating to the fostering of American shipping.

Also: Amended, and passed as amended, the following.

Assembly Bill No. 52—An Act to amend sections fifty-eight and seven hundred and ninety-two of the Political Code, so as to authorize the appointment of women as Notaries Public.

Also: Assembly Bill No. 197—An Act to amend section two thousand six hundred and eighty-four of the Political Code of California.

Also: Amended, and adopted as amended, Assembly Joint Resolution No. 3—Relative to foreign immigration to the United States.

Also: Return for engrossment Assembly Constitutional Amendment No. 5.

F. J. BRANDON, Secretary.
By J. C. BOATMAN, Assistant.

Message from the Senate acted upon as follows:
Senate Bill No. 120 placed on Senate file.
Senate Bill No. 342 placed on Senate file.
Senate Bill No. 135 placed on Senate file.

Substitute for Senate Bill No. 492, and Senate Bills Nos. 34 and 295 placed on Senate file.

Senate Joint Resolution No. 21 placed on Senate file.

Senate Bill No. 119 placed on Senate file.

Assembly Bill No. 138 referred to Committee on Enrollment.

Substitute for Senate Bill No. 252 placed on Senate file.

Senate Bill No. 454 placed on Senate file.

Senate Bill No. 455 placed on Senate file.

Senate Bill No. 200 placed on Senate file.

Senate Bill No. 391 placed on Senate file.

Senate Bill No. 326 referred to Committee on Ways and Means and Appropriations, and Education, jointly.

Senate Bill No. 117 placed on Senate file.

Assembly Bill No. 744 referred to Committee on Enrollment.

Senate Bill No. 561 placed on Senate file.

Assembly Bill No. 51 referred to Committee on Enrollment.

Assembly Joint Resolution No. 10 and Assembly Bill No. 102 referred to Committee on Enrollment.

Assembly Constitutional Amendment No. 5 referred to Committee on Engrossment.

MOTIONS.

Mr. Dibble moved that Assembly Bills Nos. 52 and 197, and Assembly Joint Resolution No. 3, be made a special order for this day at three o'clock and thirty minntes P. M.

Carried.

Mr. Bruner moved to take up Assembly Bill No. 212.

Carried.

Mr. Bruner, at twelve o'clock and twenty-five minutes P. M., moved that the hour of recess be extended fifteen minutes.

Carried.

Assembly Bill No. 212—An Act to repeal section three hundred and thirty-seven of the Penal Code.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Ames, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bruner, Bryant, Carter, Coffey, Cram, Culver, Cunningham, Daly, Dennis, Dibble, Dow, Durnel, Estey, Galbraith, Glynn, Gordon, Gould, Hayes, Hersey, Hocking, Hoey, Hunewill, Jackson, Johnson, Jones, Lowe, Lux, Lynch, Mathews, McCall, Phillips, Shanahan, Smith of Orange, Steltz, Tully, Wentworth, Windrow, and Young—45.

NOES—Messrs. Bledsoe, Cargill, Clark, Doty, Dunn, Eakle, Freeman, Garver, Harloe, Kellogg, Lacey, Martin, Matlock, Mordecai, Murman, Renfro, Robertson, Smith of Butte, Stabler, and Weston—20.

Title read and approved.

MOTION.

Mr. Bruner moved that Assembly Bill No. 212 be immediately transmitted to the Senate.

Carried.

RECESS.

At twelve o'clock and thirty-five minutes P. M. the House took a recess.

REASSEMBLED.

At two o'clock P. M. the House reassembled.
Speaker pro tem. Young in the chair.
Quorum present.

SPECIAL FILE OF SENATE BILLS.

Senate Bill No. 66—An Act to regulate the sale of olive oil.
Read second time, and ordered on file for third reading.
Senate Bill No. 23—An Act to amend sections four hundred and four hundred and one of the Penal Code, relating to contagious diseases among animals, and to renumber said sections.
Read third time.
The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bledsoe, Brown, Bruner, Bryant, Cargill, Carter, Clark, Coffey, Cram, Cunningham, Doty, Dow, Durner, Estey, Freeman, Galbraith, Garver, Glynn, Gould, Hail, Hawley, Hersey, Hocking, Hoey, Jackson, Johnson, Jones, Kellogg, Lacey, Lux, Mathews, Matlock, Murnan, Murphy, Phillips, Renfro, Robertson, Smith of Butte, Smith of Orange, Stabler, Sturtevant, Tennis, Tully, Wentworth, Weston, Windrow, and Young—54.
NOES—None.

Title read and approved.
Mr. Dibble in the chair.
Senate Bill No. 113—An Act to authorize the establishment of County High Schools, and provide for their support.
Passed on file.
Senate Bill No. 143—An Act authorizing and requiring Boards or Commissions having the management and control of paid police forces to grant the members thereof yearly vacations.
Read third time.
The roll was called, and the bill passed by the following vote:

AYES—Messrs Alexander, Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bledsoe, Bruner, Bryant, Cargill, Carter, Clark, Dennis, Dibble, Doty, Dow, Dunn, Durner, Eakle, Estey, Freeman, Galbraith, Garver, Glynn, Hawley, Hayes, Hocking, Hoey, Hunewill, Jackson, Johnson, Jones, Kellogg, Lacey, Lowe, Lux, Lynch, Marion, Mathews, McCall, Murnan, Phillips, Renfro, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Tennis, Tully, Wentworth, Weston, and Windrow—54.
NOES—Mr. Cunningham—1.

Title read and approved.
Senate Bill No. 81—An Act to provide for a State Board of Arbitration for the settlement of differences between employers and employés, to define the duties of said Board, and to appropriate the sum of two thousand five hundred dollars therefor.
Read second time.

MOTION.

Mr. Bruner moved that the House go into Committee of the Whole, with Mr. Dibble in the chair, for the purpose of considering Senate Bill No. 81.
Carried.

IN COMMITTEE OF THE WHOLE.

Mr. Dibble in the chair.
Senate Bill No. 81 was considered in Committee of the Whole.

IN ASSEMBLY.

Mr. Dibble in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The Chairman stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 81, and now report the same back to the Assembly, and recommend that the same do pass.

Report of committee adopted.

Senate Bill No. 81 ordered on file for third reading.

Senate Bill No. 67—An Act to amend section one thousand two hundred and thirty-eight of the Code of Civil Procedure, concerning the right of eminent domain.

Read second time.

Committee amendments as follows, adopted:

Add after subdivision nine, the following: "10. Oil pipe-lines."
After subdivision nine and under the above: "11. Roads for logging or lumbering purposes."

By Mr. Bledsoe:

Strike out of line twenty-one, section one, the words "steam and horse railroads," and insert "steam, electric, and horse railroads."

Adopted.

Ordered on file for third reading.

Senate Bill No. 83—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by amending section three thousand two hundred and forty-five, relating to eight hours being a legal day's work.

Read second time, and ordered on file for third reading.

Senate Bill No. 19—An Act to amend section two thousand nine hundred and fifty-five of an Act entitled "An Act to establish a Civil Code of the State of California," approved March 21, 1872, relating to chattel mortgages.

Read second time.

Amendment by Mr. Mordecai:

Strike out of section eight, line thirteen, the words "fruit crop," and insert "of grain, grapes, or fruit."

Adopted.

Ordered to printer, and on file for third reading.

Substitute for Senate Bills Nos. 18 and 25—An Act to amend section one thousand two hundred and thirty-eight of an Act entitled "An Act to establish a Penal Code of the State of California," approved February 14, 1872, relating to the dismissal of actions and to appeals.

Read second time.

Mr. Bruner moved to strike out the enacting clause.

Carried.

Senate Bill No. 116—An Act to amend section five hundred and thirty of an Act entitled "An Act to establish a Political Code,"

approved March 12, 1872, relating to the office of Superintendent of State Printing, and providing for the election of such officer.

Read second time, and ordered on file for third reading.

Senate Bill No. 154—An Act authorizing school districts, cities, cities and counties, or incorporated towns, in the State of California, to furnish the pupils of their respective public schools with free use of school text-books.

Read second time.

The following amendments were read and adopted:

By Mr. Renfro:

Strike out of section one, line four, the word "shall" and insert "may."

Committee amendments as follows:

Amend by striking out of section ten, line one, the figures "10," and inserting the figures "11."

Also, by inserting after section nine the following:

Section 10. No moneys collected under the provisions of this Act shall be used for the purchase of books other than those of the State series of text-books.

Ordered on file for third reading.

Senate Bill No. 45—An Act to amend section three hundred and thirty of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, to prohibit gaming.

Read first time, and placed on file for second reading.

Senate Bill No. 196—An Act to provide for the improvement of the State Capitol grounds, located at Sacramento, and to appropriate money therefor.

Read second time.

MOTION.

Mr. Doty moved that the House go into Committee of the Whole, with Mr. Dibble in the chair, for the purpose of considering Senate Bill No. 196.

Carried.

IN COMMITTEE OF THE WHOLE.

Mr Dibble in the chair.

Senate Bill No. 196 was considered in Committee of the Whole.

IN ASSEMBLY.

Mr. Dibble in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Chairman stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 196, and now report the same back to the Assembly, and recommend that the same do pass.

Senate Bill No. 196 ordered on file for third reading.

Senate Bill No. 197—An Act to provide for the completion of the ten tiers of granite steps in the State Capitol grounds, located at Sacramento, and to appropriate money therefor.

Read second time.

MOTION.

Mr. Bruner moved that the House go into Committee of the Whole, with Mr. Dibble in the chair, for the purpose of considering Senate Bill No. 197.

Carried.

IN COMMITTEE OF THE WHOLE.

Mr. Dibble in the chair.

Senate Bill No. 197 was considered in Committee of the Whole.

IN ASSEMBLY.

Mr. Dibble in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Chairman stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 197, and now report the same back to the Assembly, and recommend that the same do pass.

Senate Bill No. 197 ordered on file for third reading.

Senate Bill No. 149—An Act to amend section seven hundred and ninety-five of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Read second time.

RESOLUTION.

By Mr. Barnard:

Resolved, That Senate Bill No. 149 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the third time, and placed upon its passage

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

AYES—Messrs. Alexander, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Bruner, Bryant, Cargill, Carter, Coffey, Cunningham, Daly, Dennis, Dibble, Eakle, Estey Freeman, Galbraith, Garver, Glynn, Gordon, Gould, Hawley, Hayes, Hersey, Hocking, Hoey, Hunewill, Jackson, Johnson, Kellogg, Lacey, Lewis, Lowe, Lynch, Marion, Martin, Matlock, McCall, Mordecai, Murnan, Murphy, Phillips, Renfro, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Wentworth, Weston, and Young—57.

NOES—None.

Senate Bill No. 149—An Act to amend section seven hundred and ninety-five of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Ames, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Bert, Bruner, Cargill, Carter, Coffey, Culver, Daly, Dibble, Doty, Dunn, Estey, Freeman, Galbraith, Garver, Gordon, Hawley, Hayes, Hoey, Jackson, Johnson, Kellogg,

Lacey, Lewis, Lowe, Lynch, Marion, Martin, Mathews, Matlock, McCall, Mordecai, Murnan, Murphy, Phillips, Renfro, Shanahan, Smith of Orange, Stabler, Steltz, Sturtevant, Wentworth, Weston, and Young—48.

NOES—None.

Title read and approved.

Senate Bill No. 585—An Act to amend section two thousand six hundred and seven of an Act entitled "An Act to add thirty-four sections to an Act of the Legislature of the State of California, to establish a Political Code, approved March 12, 1872, said sections to be known, numbered, and designated as sections two thousand five hundred and seventy-five, two thousand five hundred and seventy-six, two thousand five hundred and seventy-seven, two thousand five hundred and seventy-eight, two thousand five hundred and seventy-nine, two thousand five hundred and eighty, two thousand five hundred and eighty-one, two thousand five hundred and eighty-two, two thousand five hundred and eighty-three, two thousand five hundred and eighty-four, two thousand five hundred and eighty-five, two thousand five hundred and eighty-six, two thousand five hundred and eighty-seven, two thousand five hundred and eighty-eight, two thousand five hundred and eighty-nine, two thousand five hundred and ninety, two thousand five hundred and ninety-one, two thousand five hundred and ninety-two, two thousand five hundred and ninety-three, two thousand five hundred and ninety-four, two thousand five hundred and ninety-five, two thousand five hundred and ninety-six, two thousand five hundred and ninety-seven, two thousand five hundred and ninety-eight, two thousand five hundred and ninety-nine, two thousand six hundred, two thousand six hundred and one, two thousand six hundred and two, two thousand six hundred and three, two thousand six hundred and four, two thousand six hundred and five, two thousand six hundred and six, two thousand six hundred and seven, and two thousand six hundred and eight, all relating to the establishing of a Board of State Harbor Commissioners for the bay of San Diego," approved March 18, 1889, relative to the salaries and pay of the officers and employés of the Harbor Commissioners of the bay of San Diego.

Read second time, and ordered on file for third reading.

Substitute for Senate Bill No. 331—An Act making an appropriation to pay the deficiency in the appropriation for the salaries of the members and officers of the Board of State Harbor Commissioners for the Bay of San Diego, from the eighteenth day of March, 1889, to the eighteenth day of March, 1891.

Read second time.

MOTION.

Mr. Bruner moved that the House go into Committee of the Whole, with Mr. Dibble in the chair, for the purpose of considering substitute for Senate Bill No. 331.

Carried.

IN COMMITTEE OF THE WHOLE.

Mr. Dibble in the chair.

Substitute for Senate Bill No. 331 was considered in Committee of the Whole.

IN ASSEMBLY.

Mr. Dibble in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Chairman stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration substitute for Senate Bill No. 331, and now report the same back to the Assembly, and recommend that the same do pass.

Substitute for Senate Bill No. 331 ordered on file for third reading.

Senate Bill No. 69—An Act to amend section one thousand three hundred and twenty-nine of the Penal Code of the State of California, relative to the payment of the necessary expenses of witnesses in criminal cases.

Read second time.

Amendment by Mr. Renfro, as follows:

Add after last word, "the provisions of this Act shall not apply to counties of the fortieth class."

Carried.

Ordered on file for third reading.

Substitute for Senate Bill No. 75—An Act to add a new section to the Political Code, to be known and designated as section four thousand three hundred and thirty-four, relating to the duties of officers.

Read second time, and ordered on file for third reading.

Senate Bill No. 227—An Act entitled an Act to add another section to the Code of Civil Procedure of the State of California, relating to incompetent persons.

Read second time, and ordered on file for third reading.

Senate Bill No. 108—An Act to amend the Penal Code of California by adding a new section thereto, to be known as section three hundred and eight, relative to the sale or furnishing of tobacco, or preparations thereof, to persons under sixteen years of age.

Read second time, and ordered on file for third reading.

Senate Bill No. 444—An Act to amend section six hundred and forty-seven of the Penal Code, concerning vagrants.

Mr. Shanahan moved that the enacting clause be stricken out of this bill.

At three o'clock and thirty minutes P. M., Mr. Bruner moved that the special order for this hour be deferred until Senate Bill No. 444 is disposed of.

Carried.

Mr. Robertson moved the previous question, seconded by Messrs. Baughman and Hail.

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

The question being on the motion to strike out the enacting clause of Senate Bill No. 444.

The ayes and noes were demanded by Messrs. Shanahan, Mathews, and Dennis.

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

AYES—Messrs. Arms, Barnett of San Francisco, Bledsoe, Clark, Coffey, Cunningham, Daly, Dennis, Doty, Dunn, Eakle Garver, Gould, Hail, Harloe, Hocking, Hoey, Jackson, Kellogg, Lewis Lowe, Martin, Mathews, McCall, Murnan, Renfro, Robertson, Shanahan, Stabler, Steltz, Sturtevant, Tennis, and Young—33.

NOES—Messrs Ames, Barnard, Barnett of Sonoma, Baughman, Beecher, Belt, Brown, Bruner, Bryant, Cargill, Carter, Cram, Culver, Dibble, Dow, Durner, Estey, Fowler, Freeman, Galbraith, Glynn, Gordon, Hawley, Hayes, Hersey, Hunewill, Johnson, Lacey, Lux, Lynch, Marion, Matlock, Mordecai, Murphy, Phillips, Smith of Butte, Smith of Orange, Wentworth, and Weston—39.

Senate Bill No. 444—An Act to amend section six hundred and forty-seven of the Penal Code, concerning vagrants.

Read second time, and ordered on file for third reading.

MOTION.

Mr. Bruner moved to reconsider the vote whereby Senate Bill No. 41 was made a special order for next Wednesday.

POINT OF ORDER.

Mr. Baughman raised the point of order that no action of the House can be reconsidered without notice on the day said action was taken.

Point of order sustained.

MOTION.

Mr. Wentworth moved that Assembly Bill No. 99 be taken up.

Carried.

Assembly Bill No. 99—An Act requiring corporations and persons doing a banking business in this State to file with the Controller of State statements showing moneys on deposit with them to which no claims have been made within ten years, and authorizing the Attorney-General to institute proceedings to ascertain its ownership.

MOTION.

Mr. Wentworth moved that a select committee of one be appointed to amend as follows:

Amend by striking out of section one, all of lines one, two, three, and four of said bill, and inserting the following

SECTION 1. It shall be the duty of the Controller of this State, within sixty days after the passage of this Act, to examine either in person or by a deputy duly appointed by him, the books of account of every banking corporation, and all persons doing a banking business in this State, and to prepare a written statement under oath showing

Also: Amend bill in line five, of section one, after the word "with," by inserting the following: "said corporation, or person or persons."

Also: Amend subdivision second of section one, by striking out all of said subdivision after the word "made" in line nine thereof.

Also: Amend bill on page two thereof, by changing section two to section four.

Also: Amend said bill by inserting two new sections after section one, to be known and numbered sections two and three, as follows

SEC. 2. It shall be the duty of every such banking corporation, and all persons doing a banking business in this State, upon demand being made, to forthwith allow the Controller or his deputy designated by him, full, free, and complete access to all its or their said books of account, and to furnish all information demanded by the Controller or his said deputy.

SEC. 3. The officers of every such banking corporation, and the person or persons doing a banking business as aforesaid, refusing to comply with the demand of the Controller or his said deputy, and refusing to comply with the provisions of section two of this Act, shall be adjudged guilty of a misdemeanor, and upon conviction shall be fined in a sum not less than five hundred dollars, and by imprisonment in the county jail of the county in which such conviction is made not less than three months, or by both such fine and imprisonment.

Carried.

APPOINTMENT OF COMMITTEE.

Mr. Wentworth was appointed a committee to make said amendment.

REPORT OF COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, February 26, 1891.

MR. SPEAKER: Your Select Committee, to whom was referred Assembly Bill No. 99, with instructions to amend in accordance with the action of the House, would report that the instructions of the House have been carried out.

WENTWORTH, Committee.

Report of committee adopted.

MOTION.

Mr. Dibble moved to take up Senate messages.
Carried.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 26, 1891.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the twenty-sixth day of February, passed the following:

Substitute for Senate Bills Nos. 8, 57, 123, and 369—An Act to amend sections one thousand one hundred and eighty-five, one thousand one hundred and eighty six, one thousand one hundred and eighty-seven, one thousand one hundred and eighty-eight, one thousand one hundred and eighty-nine, one thousand one hundred and ninety, one thousand one hundred and ninety-one, one thousand one hundred and ninety-two, one thousand one hundred and ninety-three, one thousand one hundred and ninety-four, one thousand one hundred and ninety-five, one thousand one hundred and ninety-six, one thousand one hundred and ninety-seven, one thousand one hundred and ninety-eight, one thousand one hundred and ninety-nine, one thousand two hundred, one thousand two hundred and one, one thousand two hundred and two, one thousand two hundred and three, one thousand two hundred and four, one thousand two hundred and five, one thousand two hundred and six, one thousand two hundred and seven, one thousand two hundred and eight, one thousand two hundred and nine, one thousand two hundred and ten, one thousand two hundred and eleven, one thousand two hundred and twelve, one thousand two hundred and fifty-seven, one thousand two hundred and fifty-eight, and one thousand two hundred and fifty-nine of the Political Code, and to add four new sections thereto, to be numbered one thousand two hundred and thirteen, one thousand two hundred and fourteen, one thousand two hundred and fifteen, and one thousand two hundred and sixteen, all in relation to the conduct of elections in this State.

Also: Assembly Bill No. 192—An Act to provide for the organization and government of levee districts created for the protection of lands from overflow of unnavigable running streams of water, and to confine unnavigable running streams to a fixed channel.

Also: That the Senate, on the twenty-fifth day of February, refused to concur in Assembly amendments to Senate Bills Nos. 13, 14, and 74.

Also: Refuse to recede from Senate amendments to Assembly Bill No. 79, and refuse to accept of refusal of passage to Senate Joint Resolution No. 11, and have appointed the following committees on conference:

On Senate Bill No. 74, Senators Dray, Crandall, and Ostrom.

On Assembly Bill No. 79, Senators Dray, Carpenter, and Denison.

On Senate Joint Resolution No. 11, Senators Ostrom, McGowan, and Broderick, and most respectfully request the appointment of like committees from the Assembly.

Also: Have concurred in Assembly amendments to Senate Bills Nos. 29 and 126.

F. J. BRANDON, Secretary.

MOTIONS.

Mr. Dibble moved that substitute for Senate Bills Nos. 8, 57, 123, 369, and Assembly Bills Nos. 2, 3, 27, 29, and 470 be made a special order for next Monday, at eleven o'clock A. M.

Amendment by Mr. Shanahan to make the date to-morrow instead of Monday, lost.

Mr. Dibble's motion was carried.

Mr. Dibble moved that the Clerk be instructed to respectfully inform

the Senate that the action of the Assembly in refusing to concur in Senate Joint Resolution No. 11 was final.

Carried.

APPOINTMENT OF CONFERENCE COMMITTEES.

The Speaker appointed as a Conference Committee on the part of the Assembly, to meet a like committee from the Senate, to consider Assembly Bill No. 79, Messrs. Cram, Galbraith, and Carter.

Also: As a Conference Committee from the Assembly, to meet a like committee from the Senate, to consider Senate Bill No. 74, Messrs. Dibble, Shanahan, and Hocking.

MOTION.

Mr. Dibble moved that the Assembly refuse to recede from its amendments to Senate Bills Nos. 13 and 14, and that a Conference Committee be appointed to meet a like committee, on part of Senate.

Carried.

APPOINTMENT OF CONFERENCE COMMITTEE.

Messrs. Bruner, Gould, and Clark were appointed by the Speaker as such committee.

MOTIONS.

Mr. Bruner moved a reconsideration of the vote whereby Senate Bill No. 84 was lost.

Carried.

Mr. Brown moved that a select committee of one be appointed to amend as follows:

Strike out of section one, line four, the words "to compound and sell any medicines or."

Carried.

APPOINTMENT OF COMMITTEE.

Mr. Brown was appointed a committee to make said amendment.

REPORT OF COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, February 26, 1891.

MR. SPEAKER: Your Select Committee, to whom was referred Senate Bill No. 84, 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.

BROWN, Committee.

Report of committee adopted.

MOTION.

Mr. Gould moved that a select committee of one be appointed to amend Senate Bill No. 84, as follows:

Amend by inserting after the word "medicines," "in any town of more than one thousand inhabitants."

Carried.

APPOINTMENT OF COMMITTEE.

Mr. Gould was appointed a committee to make said amendment.

REPORT OF COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, February 26, 1891.

MR. SPEAKER: Your Select Committee, to whom was referred Senate Bill No. 84, with instructions to amend in accordance with the action of the House, would respectfully report that the instructions of the House have been carried out.

GOULD, Committee.

Report of committee rejected.

Senate Bill No. 84 ordered to printer.

SPECIAL ORDER.

Assembly Bill No. 745—An Act to amend section two of an Act approved March 19, 1889, entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State for the construction of waterworks, sewers, and all necessary public improvements, or for any purpose whatever;" and to repeal an Act approved March 9, 1885, entitled "An Act to authorize municipal corporations of the fifth class, containing more than three thousand and less than ten thousand inhabitants to obtain waterworks;" also, to repeal an Act approved March 15, 1887, entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State."

Read second time, ordered engrossed and to a third reading.

Made a special order for to-morrow morning immediately after reading the Journal, on motion of Mr. Johnson.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT

ASSEMBLY CHAMBER, SACRAMENTO, February 26, 1891

MR. SPEAKER: Your Committee on Engrossment beg leave to report that they have examined the following Assembly Constitutional Amendment, and find it correctly engrossed: Assembly Constitutional Amendment No. 5.

WINDROW, Chairman.

RESOLUTION.

By Mr. Lowe:

Resolved, That Assembly Bill No. 696 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provision of that section, requiring that the bill shall be read on three several days in each House, is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

MOTION.

Mr. Coffey moved that he be allowed to introduce a bill under the provision of the Constitution requiring permission of two thirds of the House.

RECESS.

At four o'clock and forty-five minutes P. M. the House took a recess.

REASSEMBLED.

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

Speaker pro tem. Young in the chair.

MOTIONS.

Mr. Weston moved that Assembly Bill No. 594 be taken up.

Carried.

Mr. Weston moved that Assembly Bill No. 594 be made a special order for to-morrow morning, immediately after reading the Journal.

Carried.

On Mr. Lowe's resolution in reference to Assembly Bill No. 696, the roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Ames, Arms, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Bryant, Cargill, Carter, Clark, Coffey, Cram, Cunningham, Dennis, Dibble, Doty, Dow, Dunn, Durner, Eakle, Estey, Galbraith, Garver, Glynn, Gordon, Gould, Hail, Harloe, Hawley, Hayes, Hoey, Johnson, Jones, Kellogg, Lacey, Lewis, Lowe, Lux, Lynch, Marion, Martin, Matlock, McCall, Murnan, Murphy, Phillips, Renfro, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Tennis, Tully, Wentworth, Weston, Windrow, and Young—62.

NOES—None.

Assembly Bill No. 696—An Act to amend an Act entitled "An Act to reincorporate the city of San José," approved March 17, 1874.

Read second time, considered engrossed, and ordered to third reading.

Assembly Bill No. 696—An Act to amend an Act entitled "An Act to reincorporate the city of San José," approved March 17, 1874.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Ames, Arms, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Bryant, Cargill, Carter, Clark, Coffey, Cram, Cunningham, Dennis, Dibble, Doty, Dow, Dunn, Durner, Eakle, Estey, Galbraith, Garver, Glynn, Gordon, Gould, Hail, Harloe, Hawley, Hayes, Hoey, Johnson, Jones, Kellogg, Lewis, Lowe, Lux, Lynch, Marion, Martin, Mathews, Matlock, McCall, Murnan, Murphy, Phillips, Renfro, Shanahan, Smith of Butte, Smith of Orangre, Stabler, Steltz, Tennis, Tully, Wentworth, Weston, and Young—62.

NOES—None.

Title read and approved.

MOTIONS.

Mr. Lowe moved that the bill be immediately transmitted to the Senate.

Carried.

Mr. Phillips moved to take up Senate messages.

Carried.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 26, 1891.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the twenty-sixth day of February, 1891, passed the following:

Senate Bill No. 443—An Act for the relief of Peter Connolly, his assigns or legal representatives.

F. J. BRANDON, Secretary.

Mr. Phillips moved to take up Senate Bill No. 443.

Carried.

Senate Bill No. 443—An Act for the relief of Peter Connolly, his assigns or legal representatives.

Read first time, and placed on file for second reading.

Mr. Dibble moved that the special order for this hour be deferred ten minutes.

Lost.

SPECIAL ORDER.

Assembly Bill No. 734—An Act to divide the State into legislative districts, as required by section six, article four, of the Constitution, and to provide for the election of Assemblymen and Senators in such districts.

Read third time.

Mr. Arms moved that further consideration of this bill be made a special order for next Monday, immediately after reading the Journal.

The ayes and noes were demanded by Messrs. Jackson, Stabler, and Arms.

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

AYES—Messrs. Arms, Cunningham, Doty, Dunn, Garver, Gould, Jackson, Martin, Mordecai, Murnan, Renfro, Robertson, Shanahan, and Stabler—14.

NOES—Messrs. Alexander, Ames, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Bryant, Cargill, Carter, Clark, Coffey, Cram, Culver, Dennis, Dibble, Dow, Durner, Estey, Freeman, Galbraith, Gordon, Harloe, Hawley, Hayes, Hocking, Hoey, Hunewill, Johnson, Jones, Kellogg, Lacey, Lewis, Lowe, Lux, Lynch, Marion, Matlock, McCall, Murphy, Phillips, Smith of Butte, Smith of Orange, Steltz, Tennis, Tully, Wentworth, Weston, and Young—52.

Mr. Shanahan moved that a select committee of one be appointed by the Speaker to amend as follows:

Insert after the word "Humboldt" the word "Trinity," in section two, line one.

Lost.

Mr. Shanahan moved that a select committee of one be appointed by the Speaker to amend as follows:

Strike out of section three, line three, the words "Lassen and Trinity."

Lost.

Mr Renfro moved that a select committee of one be appointed by the Speaker to amend as follows·

Strike out of section three line eight, the word "Colusa," and insert the word "Lake."

Lost.

Mr. Shanahan moved that a select committee of one be appointed by the Speaker to amend as follows:

Add in section three, line five, before the word "Plumas," the word "Lassen."

Lost.

Mr. Arms moved that a select committee of one be appointed by the Speaker to amend as follows:

Strike out of section seventeen, line twenty-four, the words "twenty-ninth," and insert the words "forty-fifth."

Mr. Arms moved that a select committee of one be appointed by the Speaker to amend as follows:

Strike out of section eighteen, line twenty-seven, the words "thirtieth and thirty-second," and insert the words "twenty-ninth and forty-third."

Lost.

LEAVE OF ABSENCE.

Mr. Ames asked for leave of absence for the rest of the day.

Refused.

MOTION.

Mr. Coffey moved that a select committee of one be appointed by the Speaker to amend as follows:

Strike out "fifty-one, fifty-two, fifty-three, and fifty-four," and insert "all that portion of the City and County of San Francisco bounded as follows: On the north side of Bryant Street, east side of Sixth Street, west side of Fifth Street, to south side of Market Street; thence west side of Mason, east side of Taylor, north side of Market to south side of California, to be known as the Thirtieth Assembly District."

Lost.

Mr. Shanahan moved that a select committee of one be appointed by the Speaker to amend as follows:

Strike out of section three, line eight, after word "Placer," the word "Alpine."

Lost.

Mr. Arms moved that a select committee of one be appointed by the Speaker to amend as follows:

Strike out of section nineteen, line thirty, the words "thirty-third and thirty-fifth," and insert "thirtieth and forty-second."

Lost.

Mr. Shanahan moved that a select committee of one be appointed by the Speaker to amend as follows:

Strike out of section three, line nine, the word "Yolo" and insert the word "Colusa."

MOTION.

Mr. Dibble moved the previous question, seconded by Messrs. Ames and Culver.

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

The ayes and noes were demanded by Messrs. Shanahan, Jackson, and Gould.

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

AYES—Messrs. Alexander, Ames, Barnard, Barnett of Sonoma, Beecher, Bert, Bledsoe, Brown, Bruner, Bryant, Caigill, Carter, Clark, Cram, Culver, Dennis, Dibble, Dow, Durner, Estey, Freeman, Galbraith, Gordon, Hall, Harloe, Hawley, Hayes, Hunewill, Johnson, Lacey, Lewis, Lowe, Lux, Lynch, Marion, Matlock, McCall, Murphy, Phillips, Smith of Butte, Smith of Orange, Steltz, Tennis, Wentworth, Weston, and Young—46.

NOES—Messrs. Arms, Baughman, Coffey, Cunningham, Daly, Doty, Dunn, Eakle, Garver, Glynn, Gould, Hocking, Hoey, Jackson, Jones, Kellogg, Martin, Mordecai, Murman, Renfro, Robertson, Shanahan, Stabler, and Tully—24.

The question being upon the pending motion of Mr. Shanahan, that a select committee be appointed to amend, it was lost.

The question being upon the final passage of Assembly Bill No. 734. The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Ames, Barnard, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Bryant, Cargill, Carter, Clark, Coffey, Cram, Culver, Dennis, Dibble, Dow, Durner, Estey, Freeman, Galbraith, Glynn, Gordon, Hail, Harloe, Hawley, Hayes, Hocking, Hoey, Hunewill, Johnson, Jones, Kellogg, Lacey, Lewis, Lowe, Lux, Lynch, Marion, Matlock, Murphy, Phillips, Smith of Butte, Smith of Orange, Steltz, Tennis, Tully, Wentworth, Weston and Young—53.

NOES—Messrs. Arms, Cunningham, Doty, Dunn, Eakle, Garver, Gould, Jackson, Martin, Mordecai, Murnan, Renfro, Robertson, Shanahan, and Stabler—15.

Title read and approved.

MOTION.

Mr. Dibble moved that Assembly Bill No. 734 be immediately transmitted to the Senate.

So ordered.

RESOLUTION.

By Mr. Lowe:

Resolved, That the Controller be and he is hereby requested and directed to draw his warrant on the twenty-seventh day of February, 1891, on the State Treasurer, and in favor of Mrs. W. H. Hunter, Postmistress of the Assembly, for the sum of thirty dollars, balance due as Postmistress to date, payable out of the Contingent Fund of the Assembly.

Adopted.

Assembly Bill No. 735—An Act to divide the State of California into Congressional districts.

Ordered engrossed and to a third reading.

MOTION.

Mr. Coffey moved that he be allowed to introduce a bill.

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

AYES—Messrs. Alexander, Arms, Barnard, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Bruner, Bryant, Cargill, Carter, Clark, Coffey, Cram, Culver, Cunningham, Daly, Dennis, Dibble, Doty, Dow, Dunn, Durner, Eakle, Estey, Freeman, Galbraith, Garver, Glynn, Gordon, Gould, Hail, Harloe, Hawley, Hayes, Hocking, Hoey, Jackson, Johnson, Jones, Lacey, Lewis, Lowe, Lux, Lynch, Marion, Martin, Matlock, McCall, Mordecai, Murnan, Murphy, Phillips, Renfro, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Tennis, Tully, Wentworth, Weston, Windrow, and Young—68.

NOES—None.

INTRODUCTION OF BILL.

By Mr. Coffey: Assembly Bill No. 747—An Act for the relief of Agnes Lynch, widow of Hugh J. Lynch, for injuries received by said Lynch while in the service of the State, which caused his death.

MOTION.

Mr. Durner moved that Assembly Bill No. 747 be taken up and read first time.

Carried.

Assembly Bill No. 747—An Act for the relief of Agnes Lynch, widow of Hugh J. Lynch, for injuries received by said Lynch while in the services of the State, which caused his death.

Read first time, and placed on file for second reading.

REPORT OF CONFERENCE COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, February 26, 1891.

MR. SPEAKER: Your Committee on Conference, concerning Assembly Bill No. 79—An Act to amend section three thousand six hundred and fifty-three of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the duties of Assessors—report that we have met a like committee of the Senate, consisting of Senators Carpenter, Dray, and Denison, and we report that the Conference Committee agreed upon and recommend the following: Add to section one of said bill, subdivision six, to read as follows:

"This Act shall apply only to counties of the second and third class."

And recommend its passage as amended.

GALBRAITH,
CARTER,
CRAM.
Conference Committee.

MOTION.

Mr. Galbraith moved the adoption of the report.

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

AYES—Messrs. Barnard, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Bruner, Bryant, Cargill, Carter, Clark, Coffey, Cram, Cunningham, Dennis, Dibble, Doty, Dow, Dunn, Durner, Eakle, Estey, Freeman, Galbraith, Garver, Glynn, Gordon, Gould, Hail, Harloe, Hawley, Hocking, Hoey, Johnson, Jones, Lacey, Lewis, Lowe, Lux, Lynch, Marion, Martin, Matlock, McCall, Mordecai, Murnan, Murphy, Phillips, Renfro, Robertson, Smith of Butte, Smith of Orange, Stabler, Tully, Wentworth, Weston, and Young—57.

NOES—None.

MOTIONS.

Mr. Lowe moved that Assembly Bill No. 659 be taken up.

So ordered.

Assembly Bill No. 659—An Act to authorize the State Prison Directors of the State of California to employ any unemployed prisoners to construct roads to the State Prison at San Quentin.

Read second time, ordered engrossed and to a third reading.

Mr. Bledsoe moved that Assembly Bill No. 439 be made a special order for next Saturday morning, immediately after reading the Journal.

Carried.

Mr. Dibble moved that when this House adjourn it do so until eleven o'clock A. M. to-morrow.

Carried.

PROTEST.

We, the undersigned members of the Assembly, do hereby protest against the ordering of the previous question, the shutting off the right to offer amendments and discuss them, in the matter of the Legislative Apportionment Bill, being Assembly Bill No. 734.

Gillis Doty.	F. H. Gould.
Wm. J. Dunn.	T. W. H. Shanahan.
C. S. Arms.	A. J. Jackson.
G. B Robertson.	H. P. Stabler.
N. Martin	F. T. Freeman.
M. Garver	W. S. Cunningham.
G. W. Mordecai.	H. P. Eakle.
E. D. Kellogg.	J. H. Renfro.
T. T. Murnan.	

CALL OF THE HOUSE.

Mr. Gould moved a call of the House, seconded by Messrs. Jackson and Garver.

The roll was called.

Pending roll call, Mr. Wentworth moved that further proceedings under call of the House be dispensed with.

Carried.

ADJOURNMENT.

At ten o'clock P. M., on motion of Mr. Lacey, the House adjourned until eleven o'clock A. M. February twenty-seventh.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Friday, February 27, 1891.

The House met pursuant to adjournment.

Speaker pro tem. Young in the chair.

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

Messrs. Alexander, Ames, Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bledsoe, Brown, Bruner, Bryant, Cargill, Carter, Clark, Coffey, Cram, Culver, Cunningham, Dennis, Dibble, Doty, Dow, Dunn, Durner, Eakle, Estey, Fowler, Freeman, Galbraith, Garver, Glynn, Gordon, Gould, Hail, Harloe, Hawley, Hayes, Hersey, Hocking, Hoey, Hunewill, Jackson, Johnson, Jones, Kellogg, Lacey, Lewis, Lowe, Lux, Lynch, Marion, Martin, Mathews, Matlock, McCall, Mordecai, Murnan, Murphy, Phillips, Renfro, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant Tennis, Tully, Wentworth, Weston, Windrow, and Young.

Quorum present.

LEAVE OF ABSENCE.

Leave of absence was granted Messrs. Rice, Bert, and Speaker Coombs for the day, and Mr. Brusie, indefinitely.

PRAYER.

Prayer by the Chaplain, Rev. A. C. Herrick.

READING OF THE JOURNAL.

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

So ordered.

Journal of Wednesday corrected and approved.

Journal of Thursday corrected and approved.

SPECIAL ORDERS.

Assembly Bill No. 301—An Act relating to life, health, accident, and annuity or endowment insurance on the assessment plan, and the conduct of the business of such insurance.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Ames, Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bledsoe, Brown, Bruner, Bryant, Cargill, Carter, Clark,

Coffey, Cram, Culver, Cunningham, Dennis, Dibble, Doty, Dow, Dunn, Eakle, Estey, Fowler, Freeman, Galbraith, Garver, Glynn, Gordon, Gould, Hail, Harloe, Hawley, Hayes, Hersey, Hocking, Hoey, Jackson, Johnson, Jones, Kellogg, Lewis, Lowe, Lux, Lynch, Marion, Martin, Mathews, Matlock, McCall, Phillips, Renfro, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Tully, Wentworth, Weston, Windrow, and Young—68.

NOES—Messrs. Durner, and Hunewill—2.

Title read and approved.

Assembly Bill No. 745—An Act to amend section two of an Act approved March 19, 1889, entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State for the construction of waterworks, sewers, and all necessary public improvements, or for any purpose whatever;" and to repeal an Act approved March 9, 1885, entitled "An Act to authorize municipal corporations of the fifth class, containing more than three thousand and less than ten thousand inhabitants to obtain waterworks;" also, to repeal an Act approved March 15, 1887, entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State."

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Ames, Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bledsoe, Bryant, Cargill, Carter, Clark, Coffey, Cram, Culver, Dennis, Dibble, Doty, Dow, Dunn, Eakle, Estey, Fowler, Freeman, Garver, Glynn, Gordon, Gould, Hail, Harloe, Hawley, Hayes, Hersey, Hocking, Hoey, Hunewill, Jackson, Johnson, Jones, Kellogg, Lewis, Lowe, Lux, Lynch, Marion, Martin, Mathews, Matlock, McCall, Mordecai, Murnan, Murphy, Phillips, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Wentworth, Weston, and Young—65.

NOES—None.

Title read and approved.

Mr. Johnson moved that Assembly Bill No. 745 be immediately transmitted to the Senate.

So ordered.

Assembly Bill No. 594—An Act to amend section two thousand three hundred and forty-nine of the Political Code of California, relating to public waters and obstructions therein.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Ames, Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bledsoe, Bruner, Bryant, Cargill, Carter, Clark, Coffey, Cram, Culver, Dennis, Dibble, Doty, Dow, Dunn, Eakle, Estey, Freeman, Garver, Glynn, Gordon, Hail, Harloe, Hawley, Hayes, Hocking, Hoey, Hunewill, Jackson, Johnson, Jones, Kellogg, Lacey, Lewis, Lowe, Lux, Lynch, Marion, Martin, Mathews, Matlock, McCall, Mordecai, Murnan, Phillips, Renfro, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Tully, Wentworth, Weston, and Young—68.

NOES—None.

Title read and approved.

Mr. Weston moved that Assembly Bill No. 594 be immediately transmitted to the Senate.

So ordered.

Assembly Bill No. 52—An Act to amend sections fifty-eight and seven hundred and ninety-two of the Political Code, so as to authorize the appointment of women as Notaries Public.

Senate amendment as follows:

Insert the word "such" after the word "not," in line three, section one, of printed bill.

MOTION.

Mr. Dibble moved that the Assembly concur in the Senate amendment.

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

AYES—Messrs. Alexander, Arms, Barnett of San Francisco, Barnett of Sonoma, Beecher, Bledsoe, Bruner, Bryant, Clark, Cram, Culver, Cunningham, Dennis, Dibble, Doty, Dow, Dunn, Eakle, Estey, Freeman, Garver, Glynn, Gordon, Gould, Hail, Harloe, Hawley, Hayes, Hersey, Hocking, Hoey, Hunewill, Jackson, Johnson, Jones, Kellogg, Lacey, Lewis, Lowe, Lux, Lynch, Marion, Martin, Mathews, Matlock, Murnan, Murphy, Phillips, Renfro, Shanahan, Smith of Butte, Smith of Orange, Steltz, Sturtevant, Tennis, Wentworth, Weston, and Young—58.

NOES—Messrs. Ames and Stabler—2.

Assembly Bill No. 197—An Act to amend section two thousand six hundred and eighty-four of the Political Code of California.

Senate amendment as follows:

Amend title of bill by adding after the word "California," the following: "relating to highways, and the appointment of viewers therefor."

MOTION.

Mr. Kellogg moved that the Assembly concur in the Senate amendment.

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

AYES—Messrs. Alexander, Ames, Arms, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bledsoe, Bruner, Bryant, Carter, Clark, Cram, Culver, Dennis, Dibble, Doty, Dow, Dunn, Estey, Freeman, Galbraith, Garver, Gould, Harloe, Hawley, Hayes, Hocking, Hoey, Jackson, Johnson, Jones, Kellogg, Lacey, Lewis, Lux, Lynch, Marion, Martin, Mathews, Matlock, Phillips, Shanahan, Stabler, Steltz, Sturtevant, Tennis, Weston, and Young—49

NOES—None.

Assembly Joint Resolution No. 3—Relative to foreign immigration to the United States.

Senate amendment as follows:

Insert "by telegram" after the word "transmit."

MOTION.

Mr. Bledsoe moved that the Assembly concur in the Senate amendment.

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

AYES—Messrs. Alexander, Baughman, Beecher, Bledsoe, Brown, Cargill, Carter, Clark, Cram, Dennis, Dibble, Doty, Dow, Durner, Estey, Freeman, Garver, Glynn, Gordon, Hail, Hawley, Hayes, Hersey, Hocking, Hoey, Hunewill, Johnson, Kellogg, Lacey, Lewis, Lux, Lynch, Marion, Matlock, Murphy, Phillips, Renfro, Robertson, Smith of Butte, Smith of Orange, Sturtevant, Tennis, Tully, and Young—44.

NOES—Messrs. Ames, Arms, Barnett of San Francisco, Barnett of Sonoma, Bruner, Bryant, Coffey, Culver, Cunningham, Dunn, Eakle, Galbraith, Gould, Jackson, Martin, Mathews, Mordecai, Murnan, Shanahan, Stabler, and Weston—21.

QUESTION OF PRIVILEGE.

Mr. Mathews arose to a question of privilege, and stated that under a misapprehension he voted "aye" when he intended to vote "no," on the passage of Assembly Bill No. 212.

REPORTS OF STANDING COMMITTEES.

ON COMMISSIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 27, 1891.

MR SPEAKER: Your committee, to whom was referred the task of investigating the various Commissions of the State, have had the matter under very careful consideration, and beg leave to make the following report:

The gentlemen holding the various commissionerships were duly notified of the time and place of the meetings of the committee, and appeared and presented their reasons why the said Commissions should or should not be maintained; and, after having given them all, and such others as desired to be heard, a fair and patient hearing and examination, under oath, we submit the following as the conclusions at which we have arrived:

1. As to the Fish Commission, we recommend its abolishment, with the additional recommendation that the statutes relating to violations of the fish laws be so amended as to dispense with the further employment of what is known as the fish patrol, and provide for such liberal rewards as will have a tendency to encourage the various Constables, Sheriffs, and deputies, throughout the State, in making arrests, and the District Attorneys in conducting prosecutions. The reward in each instance to be sufficient to justify the various officers mentioned in securing the necessary evidence to bring about a conviction. We further recommend, in case this Commission should be abolished, that measures be taken to perpetuate the means now in existence for the purpose of hatching and propagating fish at the State hatchery located at Sisson, in the county of Siskiyou.

2. We recommend the abolishment of the State Board of Silk Culture, and that all property, of whatever description, belonging to the State, in the possession of or under the control of said Board, be turned over to the State Agricultural Society.

3. We make the same recommendation with regard to the State Board of Forestry, and the further recommendation that liberal rewards be offered for convictions for violations of any regulations concerning our forests.

4. We recommend that the State Board of Horticulture be consolidated under the control of the State Agricultural Society, and make the same recommendation with reference to the State Board of Viticulture, and further recommend that the number of Directors of said State Agricultural Society be increased from twelve to sixteen, by adding thereto two members engaged in horticulture and two members engaged in viticulture, to be appointed by the Governor.

5. We recommend that the Mining Bureau be maintained by a suitable appropriation for the purpose of keeping up the museum and caring for the effects of said Bureau, the payment of a Superintendent, a competent assayer, a janitor, and such other assistants as may be deemed necessary by the Board of Directors; all to be under the control of said Board, and that no further expense be incurred in said regard.

6. With relation to the Yosemite Valley and Mariposa Big Tree Grove Commission, we would state that those reservations were granted the State by Act of Congress, on condition that the State appoint a Commission to take charge of them, and we hardly like to take the responsibility of recommending that the same be abandoned by the State to the Federal Government, but leave it to the sound discretion of the Legislature to determine whether or not the control of the valley and grove are worth the cost entailed by them upon the State.

7. With reference to the Bureau of Labor Statistics, we recommend that it be maintained, and that a reasonable appropriation be made for its support, the beneficial results of this Bureau being apparent to your committee, and its usefulness to labor fully demonstrated.

8. We recommend that the State Agricultural Society be maintained, and that proper provision be made for the additional expenses incurred by reason of the additional functions herewith recommended to be conferred upon it.

A statement of the expense of the various Commissions to the State is herewith appended, and bills in conformity with the several recommendations are presented with this report.

Cost of Maintaining Commissions One Year.

Viticulture	$17,520 23
Horticulture	17,300 00
Mining Bureau	63,942 53
Forestry	26,314 59
Fish Commission	10,000 00
Total	$135,077 35

Of this amount, over sixty-five thousand dollars is paid out as salaries; over eleven thousand dollars is annually paid out for rent; freight, postage, and expressage on reports amount to something in the neighborhood of seven thousand dollars per year; while Janitor fees, fuel, etc., amount in the aggregate to over five thousand dollars.

In addition to this, it costs the State twenty-one thousand nine hundred and eighty-six dollars and forty-five cents to publish the various reports of various Commissions, as appears in the following statement:

Sundry Boards and Commissions to State Printer, Dr., for forty-second fiscal year.

Mining Bureau	$11,953 50
Board of Horticulture	4,612 70
Board of Viticulture	3,144 75
Silk Culture	Nothing.
Fish Commission	301 00
Board of Forestry (estimated)	1,800 00
Yosemite Valley	174 50
Total	$21,986 45

The above does not include job work.
The Board of Horticulture has another small publication in office, not yet finished.
Respectfully submitted by majority.

BRUSIE, Chairman.
MATLOCK.
SHANAHAN.

MINORITY REPORT OF COMMITTEE ON COMMISSIONS.

MR. SPEAKER: The Mining Bureau represents one of the most important sources of wealth in the State of California—the development and production of the mineral wealth of the State.
The institution is now in good working condition, and during the past two years has done splendid work both in the field and in the laboratory.
I therefore earnestly recommend that the Mining Bureau be maintained as it at present exists, and that a reasonable amount be appropriated to be used in prosecuting geological work in connection therewith.

ROBERTSON.

MINORITY REPORT OF COMMITTEE ON COMMISSIONS.

MR. SPEAKER: We recommend that the State Board of Forestry be consolidated with the State Board of Horticulture, and herewith present a bill for that purpose, which we beg leave to introduce.
We believe that it would be doing an injustice to the vast horticultural and viticultural interests of this State to either abolish their representative Boards, or virtually destroy their usefulness by a consolidation with the State Agricultural Society at Sacramento, and further recommend that liberal appropriations be made for the proper maintenance of the State Boards of Horticulture and Viticulture.
We also oppose the abolishment of the State Board of Fish Commissioners, although we would respectfully recommend that the Act or Acts creating the same be so amended as to make the patrol service connected therewith more effective and economical.

ROBERTSON.
WESTON.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, February 25, 1891.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Senate Bills Nos. 87, 167, 501, 511, 584, and 537, also, Senate Constitutional Amendments Nos. 3, 14, and 17—report the same back, and recommend that they do pass.

BRUNER, Chairman.

Mr. Barnett moved that the Committee on Judiciary be allowed further time to report bills.
Carried.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 26, 1891.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Assembly Bill No. 742—An Act to provide for the compensation of members of Boards of Supervisors, Boards of Education, and Police Commissioners, and Fire Commissions, in cities and counties, and in cities having a population exceeding one hundred thousand inhabitants—report the same back, and recommend the passage of the same.

WENTWORTH, Chairman.

ON STATE CHARITABLE AND REFORMATORY INSTITUTIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 27, 1891.

MR. SPEAKER: Your Committee on State Charitable and Reformatory Institutions, to whom was referred Assembly Bill No. 737—An Act to amend section two thousand one

hundred and thirty-seven of the Political Code, in regard to the powers and duties of the Board of Directors of the Insane Asylum located at Stockton—report the same back, and recommend that it do pass.

MARION, Chairman.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 27, 1891.

MR. SPEAKER: Your Committee on Education, to whom was referred Assembly Bill No. 539—An Act to provide for the payment to Wm. Carey Jones, out of the moneys heretofore appropriated for the compilation of a State series of school text-books, for his services in compiling the elementary book on Civil Government for the State series of text-books—report the same back, and recommend that it do pass.

GALBRAITH, Chairman.

Assembly Bill No. 539 referred to Committee on Ways and Means and Appropriations.

ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 27, 1891.

MR. SPEAKER: Your Committee on Enrollment beg leave to report that the following Assembly Bills have been correctly enrolled: Nos. 401, 42, 308, 408, 412, 418, 419, 423, 427, and 60.

And were presented to the Governor Thursday, February twenty-sixth, at four o'clock P. M.

BLEDSOE, Chairman.

ON FISH AND GAME.

ASSEMBLY CHAMBER, SACRAMENTO, February 26, 1891.

MR. SPEAKER: Your Committee on Fish and Game, to whom was referred Assembly Bills Nos. 256, 446, 464, 466, and 628—report the same back, without recommendation.

LYNCH, Chairman.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 26, 1891.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the twenty-sixth day of February, 1891, passed the following:

Substitute for Senate Bill No. 566—An Act to amend section one thousand three hundred and fifty-two and one thousand seven hundred and fifty-one of an Act entitled "An Act to establish a Code of Civil Procedure of the State of California," approved March 11, 1872, relating to executors and guardians of minors.

Also: On the twenty-fifth day of February, passed the following:

Senate Bill No. 107—An Act to prevent damage from the overflow of artesian wells.

Also: Senate Bill No. 282—An Act to provide for the appointment of a Board of Sutter's Fort Trustees, and for the acquisition of the Sutter's Fort property, and providing for an appropriation for the preservation, protection, and improvement of said property.

F. J. BRANDON, Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, February 27, 1891.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the twenty-seventh day of February, passed the following:

Assembly Bill No. 185—An Act to create the county of Glenn, to establish the boundaries thereof, and to provide for its organization.

F. J. BRANDON, Secretary.

MOTIONS.

Mr. Shanahan moved that he be allowed to introduce a bill under the provision of the Constitution requiring permission of two thirds of the House.

Mr. Wentworth moved that no bill be voted on for introduction until it has been read.

Carried.

Mr. Shanahan moved that when bills were read on introducing them,

they shall be considered read first time, and placed on file for second reading.

Carried.

The roll was called, and Mr. Shanahan was allowed to introduce Assembly Bill No. 748, by the following vote:

AYES—Messrs. Alexander, Ames, Arms, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bryant, Carter, Clark, Coffey, Cram, Cunningham, Dennis, Dibble, Doty, Dow, Dunn, Durner, Eakle, Estey, Fowler, Freeman, Galbraith, Garver, Gordon, Hail, Hawley, Hocking, Hoey, Hunewill, Jackson, Kellogg, Lacey, Lewis, Lowe, Lux, Lynch, Marion, Martin, Mathews, Matlock, McCall, Mordecai, Murnan, Murphy, Phillips, Renfro, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tully, Wentworth, Weston, Windrow, and Young—63.

NOES—None.

INTRODUCTION OF BILL.

Assembly Bill No. 748—An Act to repeal an Act entitled "An Act to establish a State Board of Silk Culture, and to provide moneys for the expenses thereof," approved March 15, 1883, and all Acts and parts of Acts amendatory thereof and supplemental thereto, to abolish said Board, and to provide for the care of the State property under its charge.

Read first time, and placed on file for second reading.

MOTION.

Mr. Shanahan moved that he be allowed to introduce Assembly Bill No. 749 under the provision of the Constitution requiring a two-thirds vote of the House.

The roll was called.

CALL OF THE HOUSE.

Pending the roll call, Mr. Shanahan moved a call of the House, seconded by Messrs. Clark and Gould.

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

Messrs. Alexander, Ames, Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Bryant, Cargill, Carter, Clark, Coffey, Cram, Culver, Cunningham, Dennis, Dibble, Doty, Dow, Dunn, Durner, Eakle, Estey, Fowler, Freeman, Galbraith, Garver, Glynn, Gordon, Gould, Hail, Hawley, Hayes, Hersey, Hocking, Hoey, Hunewill, Jackson, Jones, Kellogg, Lacey, Lewis, Lux, Lynch, Marion, Martin, Mathews, Matlock, McCall, Mordecai, Murnan, Murphy, Phillips, Renfro, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Tully, Wentworth, Weston, Windrow, and Young.

MOTION.

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

Carried.

The interrupted roll call was completed, and the motion prevailed by the following vote:

AYES—Messrs. Alexander, Arms, Barnard, Barnett of San Francisco, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Cargill, Carter, Clark, Cram, Culver, Cunningham, Dennis, Dibble, Doty, Dow, Dunn, Durner, Eakle, Estey, Fowler, Freeman, Garver, Gordon, Hail, Harloe, Hayes, Hersey, Hocking, Hoey, Hunewill, Kellogg, Lacey, Lewis, Lynch, Marion, Martin, Mathews, Matlock, Mordecai, Murnan, Murphy, Phillips, Renfro, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Weston, Windrow, and Young—58.

NOES—Messrs. Ames, Barnett of Sonoma, Bryant, Coffey, Galbraith, Glynn, Gould, Hawley, Jackson, Lux, McCall, Tennis, Tully, and Wentworth—14.

INTRODUCTION OF BILL.

By Committee on Commissions: Assembly Bill No. 749—An Act to repeal sections six hundred and forty-two and six hundred and forty-three of the Political Code, providing for a Board of Fish Commissioners, and all Acts and parts of Acts amendatory thereof and supplemental thereto, to abolish said Board, and to provide for the care of State property under its charge.

Read first time, and placed on file for second reading.

MOTION.

Mr. Dibble moved to make Assembly Bill No. 561 a special order for this day, at two o'clock and thirty minutes P. M.

RECESS.

At twelve o'clock and thirty minutes P. M. the House took a recess.

REASSEMBLED.

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

Speaker pro tem. Young in the chair.

Quorum present.

MOTION.

Mr. Dibble moved that the special order for this hour be deferred until three o'clock and thirty minutes P. M. to-day.

Carried.

SPECIAL FILE OF SENATE BILLS.

Senate Bill No. 66—An Act to regulate the sale of olive oil.

Read third time.

The roll was called, and the bill passed by the following vote.

AYES—Messrs. Alexander, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bledsoe, Brown, Carter, Clark, Coffey, Cram, Cunningham, Dennis, Doty, Dow, Eakle, Estey, Fowler, Freeman, Garver, Glynn, Gordon, Gould, Hail, Hawley, Hayes, Hersey, Hocking, Jackson, Johnson, Jones, Kellogg, Lacey, Lux, Lynch, Marion, Martin, Mathews, Matlock, Mordecai, Murnan, Murphy, Phillips, Renfro, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Tennis, Tully, Wentworth, Weston, Windrow, and Young—56.

NOES—None.

Title read and approved.

Senate Bill No. 113—An Act to authorize the establishment of County High Schools, and provide for their support.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Carter, Clark, Coffey, Cunningham, Dennis, Doty, Dow, Eakle, Estey, Freeman, Galbraith, Garver, Glynn, Gordon, Gould, Hail, Hawley, Hayes, Hersey, Hocking, Hoey, Jackson, Johnson, Jones, Kellogg, Lacey, Lux, Lynch, Marion, Martin, Mathews, Matlock, Mordecai, Murnan, Murphy, Phillips, Robertson, Shanahan, Smith of Butte, Stabler, Tennis, Tully, Wentworth, Weston, and Young—54.

NOES—Messrs. Cram and Renfro—2.

Title read and approved.

Mr. Bruner asked unanimous consent to take up Senate Bill No. 41.

POINT OF ORDER.

Mr. Bledsoe rose to a point of order, stating that the consideration of the Senate file cannot be interrupted.

Point of order sustained.

APPEAL FROM THE DECISION OF THE CHAIR.

Mr. Bruner moved an appeal 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.

Senate Bill No. 81—An Act to provide for a State Board of Arbitration for the settlement of differences between employers and employés, to define the duties of said Board, and to appropriate the sum of two thousand five hundred dollars therefor.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Barnett, of San Francisco, Barnett of Sonoma, Bert, Bledsoe, Bruner, Carter, Clark, Coffey, Culver, Dennis, Dibble, Doty, Dow, Dunn, Durner, Eakle, Estey, Freeman, Garver, Glynn, Gould, Harloe, Hawley, Hayes, Hersey, Hocking, Hoey, Jackson, Johnson, Kellogg, Lacey, Lux, Marion, Martin, Matlock, McCall, Mordecai, Murnan, Murphy, Robertson, Shanahan, Steltz, Sturtevant, Tennis, Weston, and Young—47.

NOES—Messrs Barnard, Baughman, Beecher, Cunningham, Galbraith, Gordon, Hail, Mathews, Phillips, Smith of Butte, Smith of Orange, Stabler, and Tully—13.

Title read and approved.

Senate Bill No. 67—An Act to amend section one thousand two hundred and thirty-eight of the Code of Civil Procedure, concerning the right of eminent domain

Read third time.

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

AYES—Messrs. Alexander, Ames, Barnett of Sonoma, Baughman, Beecher, Bledsoe, Carter, Coffey, Culver, Dennis, Doty, Dow, Estey, Freeman, Galbraith, Garver, Gordon, Gould, Hail, Harloe, Hawley, Hayes, Hersey, Hoey, Johnson, Lewis, Martin, Mathews, Matlock, Mordecai, Murnan, Phillips, Smith of Butte, Smith of Orange, Wentworth, and Young—36.

NOES—Messrs. Arms, Barnard, Barnett of San Francisco, Cunningham, Dunn, Durner, Eakle, Hocking, Jackson, Lacey, Robertson, Shanahan, Stabler, Sturtevant, Tennis, Weston, and Windrow—17.

NOTICE OF RECONSIDERATION.

Mr. Shanahan gave notice that on to-morrow he will move for a reconsideration of the vote whereby Senate Bill No. 67 was lost.

Senate Bill No. 83—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by amending section three thousand two hundred and forty-five, relating to eight hours being a legal day's work.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Bert, Bledsoe, Bruner, Cargill, Clark, Coffey, Cram, Culver, Cunningham, Dennis, Dibble, Doty, Dow, Dunn, Durner, Eakle, Estey, Freeman, Galbraith, Garver, Glynn, Gould, Hail, Hawley, Hayes, Hersey, Hocking, Hoey, Jackson, Johnson, Kellogg, Lacey, Lewis, Lowe, Marion, Martin, Mathews, Matlock, Mordecai, Murnan, Phillips, Renfro, Shanahan, Stabler, Steltz Tennis, Wentworth, Weston, Windrow, and Young—57.

NOES—Messrs. Beecher, Carter, Gordon, Robertson, Smith of Butte, and Smith of Orange—6.

Title read and approved.

Senate Bill No. 19—An Act to amend section two thousand nine hundred and fifty-five of an Act entitled "An Act to establish a Civil Code of the State of California," approved March 21, 1872, relating to chattel mortgages.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Ames, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Bruner, Cargill, Carter, Clark, Coffey, Cram, Culver, Dennis, Doty, Dow, Dunn, Durner, Estey, Freeman, Galbraith, Garver, Gordon, Gould, Hail, Harloe, Hawley, Hersey, Hocking, Hoey, Johnson, Kellogg, Lewis, Martin, Mathews, Matlock, Mordecai, Murnan, Robertson, Shanahan, Smith of Butte, Smith of Orange, Steltz, Tennis, Wentworth, Weston, Windrow, and Young—50.

NOES—Messrs. Cunningham, Jackson, Lacey, Marion, Murphy, and Stabler—6.

Title read and approved.

Senate Bill No. 116—An Act to amend section five hundred and thirty of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the office of Superintendent of State Printing, and providing for the election of such officer.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bledsoe, Bruner, Carter, Clark, Coffey, Cram, Cunningham, Dennis, Dibble, Doty, Dow, Dunn, Eakle, Estey, Freeman, Garver, Gordon, Gould, Hail, Harloe, Hawley, Hayes, Hoey, Jackson, Johnson, Kellogg, Lewis, Lowe, Lux, Marion, Martin, Mathews, Matlock, McCall, Mordecai, Murnan, Phillips, Renfro, Robertson, Shanahan, Smith of Orange, Stabler, Tennis, Weston, Windrow, and Young—53.

NOES—Messrs. Ames, Durner, Galbraith, Hersey, Lacey, Lynch, Murphy, Smith of Butte, and Stuttevant—9.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Marion gave notice that on to-morrow he will move for a reconsideration of the vote whereby Senate Bill No. 116 passed.

LEAVE OF ABSENCE.

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

Senate Bill No. 154—An Act authorizing school districts, cities, cities and counties, or incorporated towns, in the State of California, to furnish the pupils of their respective public schools with free use of school text-books.

Read third time.

MOTIONS.

Mr. Galbraith moved that a select committee of one be appointed to amend as follows:

Strike out of section one, line four, the word "may" and insert the following: "must."

Carried.

At three o'clock and thirty minutes P. M. Mr. Bert moved that the special order for this hour be deferred ten minutes.

Carried.

APPOINTMENT OF COMMITTEE.

Mr. Galbraith was appointed a committee to make said amendment.

REPORT OF COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, February 27, 1891.

MR. SPEAKER: Your Select Committee, to whom was referred Senate Bill No. 154, with instructions to amend in accordance with the action of the House, would report that the instructions of the House have been carried out.

GALBRAITH, Committee.

Senate Bill No. 154 ordered to the printer.

REPORT OF STANDING COMMITTEE.

ON WAYS AND MEANS AND APPROPRIATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 27, 1891.

MR. SPEAKER: Your Committee on Ways and Means and Appropriations respectfully report that the following Assembly Bills, involving appropriations of money, have been introduced and printed:

Assembly Bill No. 6—Folsom Prison	$65,000 00
Assembly Bill No. 7—Claim of Geo. Nelson	3,600 00
Assembly Bill No. 11—Board of Arbitration	2,500 00
Assembly Bill No. 26—Yosemite Wagon Road	75,000 00
Assembly Bill No. 41—Asylum for Insane, Stockton	45,000 00
Assembly Bill No. 42—Deficiency for Insane, Stockton	21,529 00
Assembly Bill No. 47—Normal School, Chico	25,000 00
Assembly Bill No. 69—Orange County Agricultural Society	4,000 00
Assembly Bill No. 73—Claim of Wm. Darby	533 00
Assembly Bill No. 76—Claim of D. Jordan	101,120 00
Assembly Bill No. 78—Claim of G. B. Montgomery	1,500 00
Assembly Bill No. 83—Mendocino Asylum for Insane	184,000 00
Assembly Bill No. 85—Agnews Asylum for Insane	175,000 00
Assembly Bill No. 88—Claim of Geo. Anderson	1,110 00
Assembly Bill No. 106—World's Fair	300,000 00
Assembly Bill No 117—Reform School for Juveniles	173,400 00
Assembly Bill No. 120—Asylum for Deaf, Dumb, and Blind	65,310 00
Assembly Bill No. 141—Deficiency, postage, Adjutant-General	100 00
Assembly Bill No 145—Thornley, claim	2,500 00
Assembly Bill No 146—Thornley, claim	13,722 00
Assembly Bill No. 147—Repairs to quarantine launch	4,034 00
Assembly Bill No. 159—Stenographer for Governor	800 00
Assembly Bill No. 195—Experts for New Zealand to import insects	10,000 00
Assembly Bill No. 90—Purchase of dwellings at San Quentin	800 00
Assembly Bill No. 183—State Board of Arbitration	30,000 00
Assembly Bill No. 161—State Board of Irrigation	20,000 00
Assembly Bill No. 202—Veterinary Surgeon	5,000 00
Assembly Bill No 207—Southern California Hospital for Insane	235,000 00
Assembly Bill No. 220—Claim of Wallace Green	5,000 00
Assembly Bill No. 234—Appropriation for Home for Feeble-Minded	219,302 00
Assembly Bill No. 239—Relief of Emma Kelly	10,000 00
Assembly Bill No. 257—Purchase of land for fish hatcheries	1,500 00
Assembly Bill No 258—For Fish Commission	1,200 00
Assembly Bill No 269—Claim of Geo Fetherstone	800 00
Assembly Bill No. 274—Claim of Cornelius Lynch	5,000 00
Assembly Bill No. 278—Appropriation for San Diego Harbor	195,000 00
Assembly Bill No. 280—Appropriation for State Reform School	15,837 00
Assembly Bill No. 282—Claim of Mary Springer	8,532 00
Assembly Bill No 307—Superintendent of State Buildings and Works	25,000 00
Assembly Bill No. 308—Deficiency in appropriation for Executive Secretary	1,200 00
Assembly Bill No. 310—Monument to Sacramento Veterans of Mexican War	2,000 00
Assembly Bill No. 314—For portraits of Governor Markham and ex-Governor Waterman	1,200 00
Assembly Bill No 319—For State Mining Bureau	100,000 00
Assembly Bill No. 320—Claim of Max Gumpel	500 00
Assembly Bill No. 323—Custodian for Marshall Monument	1,800 00
Assembly Bill No. 237—Board of Sutter Fort Trustees	20,000 00
Assembly Bill No. 364—Historical Society of Southern California	5,000 00
Assembly Bill No. 366—Additional buildings for Normal School, San José	50,000 00

Assembly Bill No. 367—Kitchen and dining-room, Napa Asylum	$17,000 00
Assembly Bill No. 373—Deficiency in State Printing Office	75,000 00
Assembly Bill No. 377—Construction of dam at Folsom	16,925 00
Assembly Bill No. 392—Claim of Wm. Gutenberger	1,645 00
Assembly Bill No. 397—For Examining Commission on Rivers and Harbors	1,215 53
Assembly Bill No. 398—Claim of Jas. A. Kearny	37 00
Assembly Bill No. 399—Claim of Henry Mahler	182 00
Assembly Bill No. 400—Claim of "California Spirit of the Times"	300 00
Assembly Bill No. 401—Claim of Journal Clerk of the Senate, and assistants	640 00
Assembly Bill No. 402—Claim of Henry Hogan	150 00
Assembly Bill No. 403—Claim of C. C. Rochford	603 15
Assembly Bill No. 404—Reimbursing Japanese Government	1,000 00
Assembly Bill No. 405—Service rendered by G. A. Johnson	1,000 00
Assembly Bill No. 408—Deficiency for stationery and supplies for Legislature and State officers for fortieth fiscal year	2,331 00
Assembly Bill No. 409—For costs and expenses in suits for the forty-first fiscal year	10,059 00
Assembly Bill No. 410—For expenses of trials of persons violating fish laws, thirty-ninth, fortieth, and forty-first fiscal years	937 21
Assembly Bill No. 411—Deficiency for trials of persons violating fish laws, for forty-second fiscal year	1,000 00
Assembly Bill No. 412—Deficiency for arrest of criminals	311 00
Deficiency bills from Assembly Bill No. 413 to Assembly Bill No. 428, inclusive	31,414 78
Assembly Bill No. 438—For claim of James W. Rankin	250 00
Assembly Bill No. 448—Claim of William H. Murphy	458 65
Assembly Bill No. 459—Claim of Bartolo Sepulveda, for false imprisonment	15,000 00
Assembly Bill No. 460—Claim of A. B. Dibble	1,000 00
Assembly Bill No. 462—Claim of members of Examining Commission on Rivers and Harbors	957 27
Assembly Bill No. 468—For relief of Benicia F. Vallejo	7,200 00
Assembly Bill No. 483—Supreme Court deficiency	460 16
Assembly Bill No. 484—Supreme Court deficiency	50 18
Assembly Bill No. 486—For monument to General Vallejo	10,000 00
Assembly Bill No. 491—For permanent site for Hospital and Asylum for Miners	100,000 00
Assembly Bill No. 495—For Clerk and Phonographic Reporter in Attorney-General's office	6,800 00
Assembly Bill No. 500—For W. L. Wolfe, Los Angeles Assistant of Labor Bureau	500 00
Assembly Bill No. 505—Extra foundation for the Southern California Hospital for Insane	7,000 00
Assembly Bill No. 508—Claim of Geo. Mothersole, for labor in roofing Napa Asylum under written contract	1,516 59
Assembly Bill No. 509—Claim of Enoch N. Strout, for services as Reclamation Land Commissioner	2,000 00
Assembly Bill No. 516—Relief of A. J. Bourn, for loss of his right arm while in the service of the State	30,000 00
Assembly Bill No. 523—Unpaid salary of Deputy Reporter of Supreme Court for three months, fortieth fiscal year	600 00
Assembly Bill No. 529—State agent for guidance and employment of discharged convicts	13,600 00
Assembly Bill No. 537—For purchase of residence for Governor	70,000 00
Assembly Bill No. 543—For relief of M. J. Maloney	1,500 00
Assembly Bill No. 551—For per diem of members of Constitutional Convention	117,837 00
Assembly Bill No. 555—Claim of G. A. Lafferty	600 00
Assembly Bill No. 569—To receive the American Library Association	3,000 00
Assembly Bill No. 570—For compiling, illustrating, printing, electrotyping, binding, and distributing school text-books	165,000 00
Assembly Bill No. 578—Salary of attorney for State Board of Health	$6,000 00
Assembly Bill No. 561—Appropriations for the support of the State Government for the forty-third and forty-fourth fiscal years	4,012,657 00
Assembly Bill No. 592—An Act directing the State Board of Harbor Commissioners to pay Daniel J. Logan	5,000 00
Assembly Bill No. 593—Creating a Board of Pardon Commissioners, and providing for compensation of members	
Assembly Bill No. 599—To provide bounty for ramie fiber	19,000 00
Assembly Bill No. 600—An Act establishing an Industrial Home of Mechanical Trades	65,000 00
Assembly Bill No. 605—To pay Walter J. Mathews, architect	125 00
Assembly Bill No. 607—To pay deficiencies State Hospital for Insane	1,500 00
Assembly Bill No. 631—To pay the claim of Major Pico	5,000 00
Assembly Bill No. 632—To pay contingent expenses of Assembly	7,000 00
Assembly Bill No. 640—To pay Jos. C. Gorman	720 00
Assembly Bill No. 652—Deficiency in State Board of Railroad Commissioners	700 50

Assembly Bill No. 656—Providing a pension fund for school teachers	
Assembly Bill No. 667—To pay the claim of I. K. Fisher	$500 00
Assembly Bill No. 676—To promote silk culture	10,000 00
Assembly Bill No. 681—Jute machinery for Folsom Prison	150,000 00
Assembly Bill No. 705—Sacramento Foundling Home	5,000 00
Assembly Bill No. 709—Deficiencies prior to the forty-first fiscal year	257 00
Assembly Bill No. 713—For costs of suits wherein the State is a party	1,700 00
Assembly Bill No. 723—Deficiency in appropriations for forty-second fiscal year	500 00
Assembly Bills Nos. 724 and 725—Deficiencies for forty-second fiscal year	850 00
Assembly Bill No. 738—Agnews Asylum, for improvement of grounds and construction of sewers	40,000 00
Assembly Bill No. 741—Relief of Col. J. D. Stevenson	2,675 00
Assembly Bill No. 744—For contingent expenses of the Assembly	9,000 00
Total	$7,287,842 79

Your committee desire to say in submitting this report that all proposed appropriations of money were included for the convenience of members. The report therefore embodies some items that have been rejected, and others that are merged in the General Appropriation Bill.

To arrive at the amount of money necessary to be provided for in the tax levy, the following statement is appended:

General appropriation	$4,260,000 00
Orphans and indigent	780,000 00
State Board of Equalization	10,000 00
Reimbursement to State University	9,570 00
Common schools	3,931,348 00
Interest and Sinking Fund	303,420 00
Mendocino Asylum	175,000 00
State University tax	202,400 00
World's Fair	300,000 00
Total	$9,971,738 00

This is upon the assumption that the Grammar School Course Fund will be abolished, otherwise $150,000 will have to be added

DIBBLE, Chairman.

SENATE FILE—(RESUMED).

Senate Bill No. 45—An Act to amend section three hundred and thirty of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, to prohibit gaming.

Read second time.

Amendment by Mr. Bruner:

Strike out of section one, line eight, the words "and every person who plays or bets at or against any of said prohibited games."

Lost.

MOTION.

Mr. Bruner moved to reconsider the vote by which the amendment was lost.

Lost.

Mr. Bruner moved to amend by inserting after line twelve of printed bill, the following:

And every person who plays or bets at or against any of said prohibited games is guilty of a simple misdemeanor, and shall be punishable by a fine not less than ($10) ten dollars nor more than ($100) one hundred dollars, or by imprisonment in the county jail not exceeding (100) one hundred days, or by both such fine and imprisonment.

Lost.

SPECIAL FILE.

Assembly Bill No. 561—An Act making an appropriation for the support of the government of the State of California for the forty-third and forty-fourth fiscal years.

MOTION.

Mr. Dibble moved that the House go into Committee of the Whole, with the Speaker pro tem. in the chair, for the purpose of considering Assembly Bill No. 561.

Carried.

IN COMMITTEE OF THE WHOLE.

Speaker pro tem. Young in the chair.

Assembly Bill No. 561 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker pro tem. Young in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Speaker pro tem. stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 561, and now report the same back to the Assembly with progress, and recommend that the committee be allowed to sit again.

RECESS.

At four o'clock and thirty minutes P. M. the House took a recess.

REASSEMBLED.

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

Speaker pro tem. Young in the chair.

Quorum present.

RESOLUTION.

By Mr. Shanahan:

Resolved, That the Journal Clerk be allowed to omit from the Journal all that portion of the report of the Committee on Commissions containing the detailed statement of the expenses of the different Commissions, and that the entire report be printed in the Appendix to the Journal, and that the State Printer be instructed to immediately print five hundred copies of the same in pamphlet form, for the use of this Assembly.

Adopted.

NOTICE OF RECONSIDERATION.

Mr. Shanahan gave notice that on to-morrow he will move for a reconsideration of the vote whereby Senate Bill No. 19 passed.

CALL OF THE HOUSE.

Mr. Lacey moved a call of the House, seconded by Messrs. Murphy and Johnson.

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

Messrs. Alexander, Ames, Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Cargill, Carter, Clark, Coffey, Cram, Culver, Cunningham, Dennis, Dibble, Doty, Dow, Dunn, Durner, Eakle,

Estey, Fowler, Freeman, Garver, Glynn, Gordon, Gould, Hall, Harloe, Hawley, Hayes, Hersey, Hoey, Hunewill, Jackson, Johnson, Kellogg, Lacey, Lewis, Lowe, Lux, Lynch, Marion, Martin, Mathews, Matlock, McCall, Murnan, Murphy, Phillips, Renfro, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Weston, and Young

MOTIONS.

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

Lost.

Mr. Gould moved that the House take a recess of three minutes.

Lost.

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

Carried.

Mr. Dibble moved that the House go into Committee of the Whole, with the Speaker pro tem. in the chair, for the purpose of considering Assembly Bill No. 561.

Carried.

IN COMMITTEE OF THE WHOLE.

Speaker pro tem. Young in the chair.

Assembly Bill No. 561 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker pro tem. Young in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Speaker pro tem. stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 561, and now report the same back to the Assembly, with progress, and recommend that the committee be allowed to sit again.

RECESS.

At eight o'clock and ten minutes P. M. Mr. Bruner moved that the House take a recess of twenty minutes.

Carried.

REASSEMBLED.

At eight o'clock and thirty minutes P. M. the House reassembled.

Speaker pro tem. Young in the chair.

Quorum present.

LEAVE OF ABSENCE.

Mr. Doty was granted leave of absence for the rest of the day.

MOTION.

Mr. Dibble moved that the House go into Committee of the Whole, with the Speaker pro tem. in the chair, for the purpose of considering Assembly Bill No. 561.

Carried.

IN COMMITTEE OF THE WHOLE.

Speaker pro tem. Young in the chair.

Assembly Bill No. 561 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker pro tem. Young in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Speaker pro tem. stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 561, and now report the same back to the Assembly, and recommend that the same be passed by the Assembly, as amended.

MOTIONS.

Mr. Dibble moved that Assembly Bill No. 561 be ordered to engrossment and to a third reading.

Carried.

Mr. Dibble moved that Assembly Bill No. 561 be made a special order for Monday next, immediately after reading the Journal.

Carried.

Mr. Dibble moved that the special order, Assembly Bill No. 87, be made special order for to-morrow, immediately after reading the Journal.

Mr. Bledsoe moved, as an amendment, that Assembly Bill No. 87 be taken up immediately.

Lost.

Motion carried.

RECONSIDERATION.

Mr. Hocking moved to reconsider the vote whereby Assembly Bill No. 87 was made a special order.

Lost.

MOTIONS.

Mr. Hunewill moved to adjourn.

Lost.

Mr. Matlock moved to take up for consideration the resolutions in reference to the Campbell and Eakle election contest.

Carried.

Mr. Bledsoe moved to take up the resolution in reference to Mr. Campbell first.

Carried.

RESOLUTION.

Resolved, That the sum of two thousand five hundred dollars be and the same is hereby allowed and ordered paid out of the Contingent Fund of the Assembly, to J. C. Campbell, for expenses incurred by him in the contested election case of Campbell vs. Eakle, and the Controller is hereby directed to draw his warrant on the Treasurer in favor of J. C. Campbell for the said amount.

Amendment by Mr. Bledsoe:

Amend to make the amount "one thousand seven hundred and forty-four dollars and ninety-five cents," instead of "two thousand five hundred dollars."

Lost.

MOTION.

Mr. Dibble moved the adoption of the resolution.
Carried.

RESOLUTION.

Resolved, That the sum of two thousand five hundred dollars be and the same is hereby allowed and ordered paid out of the Contingent Fund of the Assembly, to H. P. Eakle, for expenses incurred by him in the contested election case of Campbell vs. Eakle, and the Controller is hereby directed to draw his warrant on the Treasurer in favor of H. P. Eakle for the said amount.

Amendment by Mr. Bledsoe:

Amend by making the amount "one thousand four hundred and five dollars" instead of "two thousand five hundred dollars"

The ayes and noes were demanded on the amendment by Messrs. Bledsoe, Cram, and Hunewill.

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

AYES—Messrs. Baughman, Bert, Bledsoe, Cram, Garver, Harloe, Hunewill, and Kellogg—8.

NOES—Messrs. Alexander, Ames, Barnett of Sonoma, Beecher, Brown, Bruner, Cargill, Carter, Clark, Coffey, Dennis, Dibble, Dow, Dunn, Durner, Estey, Fowler, Freeman, Galbraith, Glynn, Gould, Hail, Hersey, Hocking, Hoey, Jackson, Johnson, Lacey, Lewis, Lowe, Lux, Lynch, Marion, Martin, Mathews, Matlock, McCall, Mordecai, Murnan, Murphy, Phillips, Renfro, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Wentworth, Weston, and Young—52.

Resolution adopted.

Mr. Bruner was permitted to substitute Assembly Bill No. 679 in the place on file of Assembly Bill No. 169, and withdraw Assembly Bill No. 169.

MOTIONS.

Mr. Shanahan moved to take up Assembly Bill No. 711, and read second time.

Carried.

Assembly Bill No. 711—An Act to add a new section to the Penal Code, to be numbered five hundred and thirty-eight, relating to misrepresentation as to circulation by proprietors of newspapers and periodicals for the purpose of obtaining patronage.

Read second time, ordered engrossed and to a third reading.

Mr. Shanahan moved that further consideration of Assembly Bill No. 711 be made a special order for next Monday, at three o'clock and thirty minutes P. M.

Carried.

Mr. Lacey moved a reconsideration of the vote whereby Assembly Bill No. 711 was made a special order.

Ruled out of order.

REPORT OF STANDING COMMITTEE.

ON CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 26, 1891.

MR. SPEAKER: Your Committee on Corporations, to whom was referred Assembly Bills Nos. 70, 111, 181, 227, 228, 316, 355, 390, 514, 563, 564, 534, 565, 658, 718, 721, 388, 389, 248, 596, 222, 387, 88, and Senate Bill No. 51, also Assembly Joint Resolution No. 9—report the same back, without recommendation.

Also: Assembly Bill No. 695—report the same back, and recommend that it do pass.

LOWE, Chairman.

ADJOURNMENT.

At ten o'clock P. M., on motion of Mr. Wentworth, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Saturday, February 28, 1891.

The House met pursuant to adjournment.

Speaker pro tem. Young in the chair.

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

Messrs. Alexander, Ames, Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Cargill, Carter, Clark, Cofley, Cram, Culver, Cunningham, Daly, Dennis, Dibble, Doty, Dow, Dunn, Durner, Eakle, Estey, Fowler, Freeman, Galbraith, Garvei, Glynn, Gould, Hall, Harloe, Hawley, Hayes, Hersey, Hocking, Hoey, Hunewill, Johnson, Jones, Kellogg, Lacey, Lewis, Lowe, Lux, Lynch, Marion, Martin, Mathews, Matlock, McCall, Murnan, Murphy, Phillips, Renfro, Robertson, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tenms, Tully, Wentworth, Weston, Windrow, and Young.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. A. C. Herrick.

READING OF THE JOURNAL.

Pending the reading of the Journal, on motion of Mr. Barnett of San Francisco, further reading of the Journal was dispensed with.

Journal of Thursday corrected and approved.

Journal of yesterday corrected and approved.

LEAVE OF ABSENCE.

The following named members were granted leave of absence for the day: Messrs. Gordon, Arms, Rice, and Speaker Coombs.

MOTIONS.

Mr. Dibble moved that the vote whereby Assembly Bill No. 561 was ordered to engrossment be now reconsidered.

Carried.

Mr. Dibble moved to take up Assembly Bill No. 561.

Carried.

Assembly Bill No. 561—An Act making appropriations for the support of the government of the State of California for the forty-third and forty-fourth fiscal years.

Committee amendments, as follows, adopted:

1. In line 13 of printed bill, strike out the word "five" and insert the word "seven."

1½. In line 21 of printed bill, strike out the word "three" and insert the word "seven"

2. In line 34 of printed bill, strike out the words "four thousand" and insert the words "five thousand two hundred."

3. In line 36 of printed bill, strike out the words "one thousand eight hundred" and insert the words "two thousand one hundred and sixty."

4. In line 38 of printed bill, strike out the word "one" and insert the word "two."

5. Insert between lines 45 and 46 of printed bill, the words: "For pay of Keeper of Archives, four thousand dollars."

6. In lines 46 and 47 of printed bill, strike out the words "one thousand five hundred" and insert the words "one thousand."

7. Insert between lines 47 and 48 of printed bill, the words: "For salaries of two special clerks in the office of the Secretary of State, under section four hundred and twenty-two of the Political Code, one thousand dollars, to be expended during the forty-fourth fiscal year."

8. In line 54 of printed bill, strike out the words "one thousand" and insert the words "seven hundred."

9. In line 63 of printed bill, strike out the words "four hundred and fifty" and insert the words "six hundred."

10 In line 69 of printed bill, strike out the words "five hundred" and insert the words "seven hundred and fifty."

11. In line 78 of printed bill, strike out the word "two" and insert the word "three."

12. In line 79 of printed bill, strike out the words "eight hundred" and insert the words "one thousand."

13 In line 81 of printed bill, strike out the words "one thousand" and insert the words "six hundred."

14. In line 94 of printed bill, strike out the words "three thousand" and insert the words "two thousand four hundred"

15. In line 97 of printed bill, strike out the words "eighteen hundred" and insert the words "two thousand one hundred and sixty."

16. Strike out line 98 of printed bill.

17. In lines 106 and 107 of printed bill, strike out the words "two hundred and twelve thousand" and insert the words "two hundred and fourteen thousand nine hundred and twenty-seven."

18. Insert in blank in line 108 of printed bill, the words "seventy thousand five hundred and twenty dollars. Not subject to provisions of section four of this Act."

19. Insert between lines 108 and 109 of printed bill, the words "for purchase and repairs of uniforms, National Guard, five thousand dollars."

20 Insert between lines 108 and 109 of printed bill, and following the last amendment, the words: "For target practice, National Guard, seven thousand dollars."

21. In line 123 of printed bill, strike out the words "eighteen hundred" and insert the words "two thousand and forty."

22. Insert between lines 127 and 128 of printed bill, the words: "For salary of stenographer for Railroad Commissioners, one thousand two hundred dollars."

23. Strike out lines 131 and 132 of printed bill.

24. In line 142 of printed bill, strike out the word "forty" and insert the word "fifty."

25. In line 143 of printed bill, strike out the words "three hundred and ninety" and insert the words "four hundred and fifteen."

26 In line 144 of printed bill, strike out the words "three hundred and seventy thousand" and insert the words "four hundred and eight thousand eight hundred."

27. In line 145 of printed bill, strike out the word "eighty" and insert the word "eighty-five"

28. Insert between lines 146 and 147 of printed bill, the words: "For the support of the Whittier Reform School, sixty thousand dollars."

29. In line 148 of printed bill, strike out the word "fifty" and insert the word "thirty-five."

30. In line 149 of printed bill, strike out the words "one hundred and sixteen" and insert the words "two hundred and sixty."

31 In line 150 of printed bill, strike out the words "two hundred and twenty-five" and insert the words "two hundred and forty."

32 In line 151 of printed bill, strike out the word "fifty" and insert the word "forty."

33. In line 152 of printed bill, strike out the words "seventy thousand" and insert the words "eighty thousand five hundred."

34. In line 153 of printed bill, strike out the word "forty" and insert the word "forty-four."

35. In line 154 of printed bill, strike out the word "twenty-seven" and insert the word "forty-one."

36. Insert after line 155 of printed bill, the following words: "For care of grounds State Normal School at San José, three thousand dollars."
37. Insert after line 155 of printed bill, and following the last amendment, the words: "For repairs to State Normal School building at San José, four thousand dollars."
38. Insert after line 156 of printed bill, the words "For care and improvement of grounds State Normal School at Los Angeles, two thousand dollars."
39. In line 157 of printed bill, strike out the words: "For use of Library at Chico Normal School, one thousand." and insert the words: "For use of Library and Museum, State Normal School at Chico, three thousand "
40. Insert after line 157 of printed bill, the words: "For improvement of grounds State Normal School at Chico, two thousand dollars."
41. Insert after line 157 of printed bill, and following the last amendment, the words: "For care of grounds State Normal School at Chico, one thousand dollars."
42. Insert after line 157 of printed bill, and following the last amendment, the words: "For furniture State Normal School at Chico, twelve hundred dollars."
43. Insert after line 157 of printed bill, and following the last amendment, the words: "For scientific apparatus State Normal School at Chico, one thousand dollars."
44. In line 158 of printed bill, strike the words "four thousand eight hundred" and insert the words "six thousand."
45. In line 164 of printed bill, strike out the word "one" and insert the word "three."
46. In line 172 of printed bill, strike out the words "twenty-five" and insert the word "thirty."
47. In line 181 of printed bill, strike out the word "six" and insert the word "five."
48. Insert after line 181 of printed bill, the following words: "For water, State Capitol Grounds, two thousand four hundred dollars."
49. In line 183 of printed bill, strike out the words "five thousand" and insert the words "three thousand five hundred."
50. In line 184 of printed bill, strike out the words "supplies, thirty," and insert the words "salaries, forty."
51. Strike out lines 193 and 194 of printed bill.
52. Insert after line 197 of printed bill, the words "For aid to State Agricultural Society, fifty thousand dollars."
53. In line 198 of printed bill, insert the words "seven thousand dollars."
54. In line 199 of printed bill, insert the words "seven thousand dollars."
55. In line 200 of printed bill, insert the words "five thousand dollars."
56 In line 201 of printed bill, insert the words "six thousand dollars."
57. In line 202 of printed bill, insert the words "six thousand dollars.
58. In line 203 of printed bill, insert the words "six thousand dollars."
59. In line 204 of printed bill, insert the words "three thousand five hundred dollars."
60. In line 205 of printed bill, insert the words "four thousand dollars."
61. In line 206 of printed bill, insert the words "four thousand five hundred dollars."
62. In line 207 of printed bill, insert the words "four thousand five hundred dollars."
63. In line 208 of printed bill, insert the words "four thousand five hundred dollars."
64. In line 209 of printed bill, insert the words "five thousand dollars."
65. In line 210 of printed bill, insert the words "six thousand dollars."
66. In line 211 of printed bill, insert the words "four thousand dollars."
67. In line 212 of printed bill, insert the words "five thousand dollars."
68. In line 213 of printed bill, insert the words "four thousand five hundred dollars."
69. In line 214 of printed bill, insert the words "four thousand dollars."
70. In line 215 of printed bill, insert the words "six thousand dollars."
71. In line 216 of printed bill, insert the words "five thousand dollars."
72. In line 217 of printed bill, insert the words "four thousand five hundred dollars."
73. In line 218 of printed bill, insert the words "five thousand dollars."
74 In line 219 of printed bill, insert the words "four thousand dollars."
75. In line 220 of printed bill, insert the words "three thousand five hundred dollars."
76. In line 221 of printed bill, insert the words "three thousand dollars."
77. In line 222 of printed bill, insert the words "five thousand dollars."
78. In line 223 of printed bill, insert the words "six thousand dollars."
79. In line 224 of printed bill, insert the words "four thousand five hundred dollars."
80. In line 225 of printed bill, insert the words "four thousand five hundred dollars."
81. In line 226 of printed bill, insert the words "three thousand dollars."
82. In line 227 of printed bill, insert the words "four thousand dollars."
83. In line 228 of printed bill, insert the words "four thousand dollars."
84. In line 229 of printed bill, insert the words "three thousand dollars."
85. In line 230 of printed bill, insert the words "three thousand dollars."
86. In line 231 of printed bill, insert the words "four thousand five hundred dollars."
87. In line 232 of printed bill, insert the words "five thousand dollars."
88. In line 233 of printed bill, insert the words "three thousand five hundred dollars."
89. For aid to District Agricultural Society number thirty-seven, three thousand five hundred dollars.
90. *Provided*, that no moneys appropriated for agricultural societies shall be drawn, paid, or used for racing or speed contests.
91. Strike out line 101 of printed bill.
92. Strike out lines 235, 236, and 237 of printed bill.
93. In line 102 of printed bill, strike out the words "nine hundred and sixty" and insert in lieu thereof, "two thousand."

94. Insert between lines 137 and 138 of printed bill, the following: "For care of Yosemite Valley, ten thousand dollars."
95 Insert between lines 137 and 138 of printed bill, the following: "For care of Mariposa Big Tree Grove, five thousand dollars."
96. Add section six to printed bill.
Section 6. No money appropriated in this Act shall be used to renew or pay for the renewal of any insurance on any public building or property, nor to effect or pay for any new insurance on any public building or property.
97. Strike out all marginal numbers in original bill.

Ordered to engrossment and to a third reading.

MOTIONS.

Mr. Hunewill moved that the special order for this hour be deferred until eleven o'clock A. M.

Carried.

Mr. Hunewill moved to take up Assembly Bill No. 317.

Carried.

Assembly Bill No. 317—An Act to amend section one hundred and ninety-seven 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, March 18, 1885, March 17, 1887, and March 16, 1889, relating to the salary of the county officers in the counties of the thirty-fifth class.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Ames, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Cairgill, Carter, Clark, Cram, Culver, Cunningham, Dibble, Doty, Dow, Dunn, Durner, Eakle, Estey, Freeman, Galbraith, Garver, Glynn, Gould, Hail, Hawley, Hayes, Hersey, Hocking, Hoey, Hunewill, Johnson, Kellogg, Lacey, Lux, Lynch, Marion, Martin, Mathews, Matlock, McCall, Mordecai, Murnan, Murphy, Phillips, Renfro Robertson, Smith of Butte, Smith of Orange, Stabler, Sturtevant, Weston, Windrow, and Young—58

NOES—None.

Title read and approved.

Mr. Shanahan in the chair.

Mr. Hunewill moved that Assembly Bill No. 317 be immediately transmitted to the Senate.

So ordered.

Mr. Barnett of Sonoma moved to take up Senate Bill No. 464.

Carried.

Senate Bill No. 464—An Act to amend sections nine hundred and thirty-six and nine hundred and thirty-seven of an Act entitled "An Act to establish a Political Code," approved March 12, 1872.

Read first time.

RESOLUTION.

By Mr. Barnett of Sonoma:

Resolved, That Senate Bill No. 464 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

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

AYES—Messrs. Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Cairgill, Clark, Coffey, Cram, Culver, Cunningham,

Dennis, Doty, Dow, Dunn, Durner, Eakle, Estey, Galbraith, Garver, Hail, Hawley, Hayes, Hersey, Hocking, Hoey, Jackson, Johnson, Kellogg, Lacey, Lewis, Lowe, Lux, Lynch, Marion, Martin, Mathews, Matlock, McCall, Mordecai, Murnan, Murphy, Phillips, Renfro, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Sturtevant, Tennis, Weston, Windrow, and Young—57.

NOES—None.

Mr. Bruner moved to defer the special order until Senate Bill No. 464 be disposed of.

Carried.

Senate Bill No. 464—An Act to amend section nine hundred and thirty-six and nine hundred and thirty-seven of an Act entitled "An Act to establish a Political Code," approved March 12, 1872.

Read second time.

Senate Bill No. 464.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Bruner, Cargill, Clark, Coffey, Cram, Culver, Cunningham, Dennis, Dibble, Dow, Dunn, Durner, Eakle, Estey, Galbraith, Garver, Gould, Hail, Harloe, Hawley, Hayes, Hersey, Hocking, Hoey, Hunewill, Jackson, Johnson, Kellogg, Lacey, Lewis, Lux, Lynch, Martin, Mathews, Matlock, McCall, Mordecai, Murnan, Murphy, Phillips, Renfro, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Weston, and Windrow—59.

NOES—None.

Title read and approved.

Mr. Barnett of Sonoma moved that Senate Bill No. 464 be immediately transmitted to the Senate.

So ordered.

Mr. Beecher moved that the special order for eleven o'clock be deferred ten minutes.

Carried.

Mr. Beecher moved to take up Assembly Bill No. 289.

Carried.

Assembly Bill No. 289—An Act to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, by amending section two thousand five hundred and ninety-four, and repealing section two thousand five hundred and ninety-five, relating to policies of insurance.

Read second time.

Committee amendments, as follows, adopted:

Amend by striking out of section one, line one, the word "nine," and inserting the following: "five."

Amend section one, line three, of printed bill, by inserting after the word "A," the following: "fire insurance."

Also: Amend section one, line four, of printed bill, by inserting after the word "all," the following: "fire insurance."

Also: Amend section one, line eight, of printed bill, by inserting after the word "all," the following: "fire insurance."

Ordered engrossed and to a third reading.

At eleven o'clock and ten minutes A. M. Mr. Dibble moved to defer the special order ten minutes.

Carried.

REPORT OF COMMITTEE ON CONFERENCE.

ASSEMBLY CHAMBER, SACRAMENTO, February 26, 1891.

MR. SPEAKER: Your Committee on Conference concerning Senate Bill No. 74—An Act relative to the non-insurance of property belonging to the State against risk of damage or destruction by fire—report that we have met a like committee of the Senate, consisting of Senators Dray, Crandall, and Ostrom, and we report that the committee agreed upon and recommend the following: Add to section one of said Act the following words: "except the State Printing Office and its contents," and recommend its passage as amended.

DIBBLE,
SHANAHAN,
HOCKING,
Conference Committee.

Report adopted.

MOTIONS.

Mr. Dibble moved to concur in the amendment of the Committee on Conference.

The roll was called, and the amendment concurred in, and the bill finally passed by the following vote:

AYES—Messrs. Alexander, Barnett of Sonoma, Baughman, Beecher, Bledsoe, Bruner, Clark, Coffey, Culver, Cunningham, Dennis, Dibble, Doty, Dow, Durner, Eakle, Estey, Freeman, Galbraith, Garver, Gould, Hail, Hawley, Hayes, Hersey, Hocking, Jackson, Johnson, Kellogg, Lacey, Lewis, Lowe, Lynch, Mathews, Matlock, McCall, Mordecai, Murnan, Murphy, Phillips, Renfre, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Tennis, Wentworth, Weston, Windrow, and Young—50.

NOES—Mr. Martin—1.

Mr. Matlock moved to take up Assembly Bill No. 441.

Carried.

Assembly Bill No. 441—An Act to amend sections eight, eighteen, twenty-one, and twenty-three of an Act entitled "An Act to incorporate the town of Red Bluff, Tehama County, California," approved March, 1876, and amended March, 1878.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Ames, Barnard, Barnett of San Francisco, Baughman, Beecher, Bert, Bledsoe, Bruner, Carter, Coffey Culver, Cunningham, Dennis, Dibble, Doty, Dow, Dunn, Eakle, Estey, Freeman, Galbraith, Gould, Hail, Harloe, Hawley, Hayes, Hersey, Jackson, Johnson, Kellogg, Lacey, Lewis, Lowe, Lynch, Martin, Mathews, Matlock, McCall, Mordecai, Murnan, Murphy, Shanahan, Smith of Butte, Smith of Orange, Stabler, Sturtevant, Tennis, Wentworth, Windrow, and Young—51.

NOES—None.

Title read and approved.

MOTION TO RECONSIDER.

Mr. Shanahan moved a reconsideration of the vote whereby Senate Bill No. 67 was lost.

Carried.

Mr. Wentworth moved to defer special order until eleven o'clock and forty-five minutes A. M.

Carried.

Senate Bill No. 67—An Act to amend section one thousand two hundred and thirty-eight of the Code of Civil Procedure, concerning the right of eminent domain.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Barnett of Sonoma, Baughman, Beecher, Bledsoe, Bruner, Carter, Clark, Coffey, Dibble, Doty, Dow, Durner, Estey, Freeman, Galbraith, Garver, Gould, Hall, Harloe, Hawley, Hayes, Hocking, Hoey, Hunewill, Jackson, Johnson, Kellogg, Lewis, Lowe, Lux, Lynch, Martin, Mathews, Mordecai, Murnan, Renfro, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Wentworth, Weston, and Young—48.
NOES—Messrs. Cargill and Lacey—2.

Title read and approved.

Mr. Bruner moved that Senate Bill No. 67 be immediately transmitted to the Senate.

So ordered.

MOTIONS.

Mr. Wentworth moved to take up Assembly Bill No. 125.

Carried.

Assembly Bill No. 125—An Act to amend section six hundred and thirty-three of the Penal Code, relating to the taking of trout.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Ames, Barnett of Sonoma, Beecher, Bert, Carter, Clark, Coffey, Culver, Cunningham, Dennis, Dibble, Doty, Dow, Durner, Eakle, Estey, Freeman, Galbraith, Garver, Harloe, Hawley, Hocking, Hoey, Hunewill, Jackson, Lowe, Lux, Lynch, Martin, Mathews, Matlock, Mordecai, Murnan, Murphy, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Sturtevant, Tennis, Wentworth, Weston, and Young—45.
NOES—None.

Title read and approved.

Mr. Lux moved to take up Assembly Bill No. 707.

Carried.

Assembly Bill No. 707—An Act relating to the payment of the insurance policies and the payment of premiums thereon.

Read second time, ordered engrossed and to a third reading.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 28, 1891.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the twenty-eighth day of February, adopted the following:

Senate Joint Resolution No. 26—Relative to the passage of the Conger Lard Bill by Congress.

F. J. BRANDON, Secretary.

MOTION.

Mr. Bruner moved to take up Senate Joint Resolution No. 26.

Carried.

Senate Joint Resolution No. 26—Relative to the passage of the Conger Lard Bill by Congress.

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

AYES—Messrs. Barnard, Barnett of Sonoma, Baughman, Bledsoe, Bruner, Cargill, Clark, Coffey, Culver, Dennis, Dibble, Doty, Durner, Eakle, Estey, Freeman, Galbraith, Garver, Hawley, Hayes, Hersey, Hocking, Jackson, Johnson, Kellogg, Lewis, Lowe, Lux, Lynch, Martin, Matlock, McCall, Mordecai, Murnan, Murphy, Renfro, Shanahan, Smith of Butte, Smith of Orange, Stabler, Sturtevant, Tennis, Weston, and Young—44.
NOES—None.

Title read and approved.

Mr. Bruner moved that Senate Joint Resolution No. 26 be immediately transmitted to the Senate.

So ordered.

LEAVE OF ABSENCE.

Mr. Culver was granted leave of absence for one hour, and Mr. Lux for the rest of the day.

SPECIAL ORDER.

Assembly Bill No. 439—An Act to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to the obligations of coterminous owners and others claiming interests or rights in land, and providing for the construction and maintenance of division fences.

Read third time.

MOTION.

Mr. Bruner moved that the hour of recess be extended until one o'clock and thirty minutes P. M., and that when this House adjourns it do so until Monday next, at ten o'clock A. M.

Carried.

The roll was called, and Assembly Bill No. 439 lost by the following vote:

AYES—Messrs. Bruner, Jackson, and Lacey—3.

NOES—Messrs. Alexander, Ames, Barnard, Barnett of San Francisco, Baughman, Bert, Bledsoe, Carter, Clark, Coffey, Culver, Cunningham, Dennis, Doty, Dunn, Durner, Eakle, Estey, Freeman, Galbraith, Garver, Gould, Hail, Hawley, Hayes, Hersey, Hocking, Hoey, Hunewill, Johnson, Kellogg, Lux, Lynch, Marion, Martin, Mathews, Matlock, McCall, Mordecai, Murnan, Phillips, Renfro, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Wentworth, Weston, and Young—52.

MOTION.

Mr. Shanahan moved that he be allowed to introduce Assembly Bills Nos. 750, 751, 752, and 753, by the Committee on Commissions; also, 754 by Mr. Robertson.

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

AYES—Messrs. Alexander, Ames, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Bert, Bledsoe, Bruner, Carter, Clark, Coffey, Culver, Cunningham, Dennis, Dibble, Doty, Durner, Eakle, Estey, Fowler, Freeman, Galbraith, Garver, Gould, Hail, Harloe, Hawley, Hayes, Hersey, Hocking, Hoey, Hunewill, Jackson, Kellogg, Lacey, Lewis, Lynch, Marion, Martin, Mathews, Matlock, McCall, Mordecai, Murnan, Murphy, Phillips, Renfro, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Wentworth, Weston, Windrow, and Young—57.

NOES—None.

INTRODUCTION OF BILLS.

By the Committee on Commissions: Assembly Bill No. 750—An Act supplementary to and amendatory of an Act entitled "An Act to provide for the management and control of the State Agricultural Society by the State," approved April 15, 1880, conferring additional powers and duties on the State Board of Agriculture, and increasing the number of Directors thereof.

Read first time, and placed on special file for second reading.

Also: Assembly Bill No. 751—An Act to transfer to the State Board of Agriculture the jurisdiction, powers, and duties of the State Boards of Horticulture and Viticulture, and to abolish said last named Boards.

Read first time, and placed on special file for second reading.

Also: Assembly Bill No. 752—An Act to increase the number of Directors of the State Board of Agriculture.

Read first time, and placed on special file for second reading.

Also: Assembly Bill No. 753—An Act to repeal an Act entitled "An Act to create a State Board of Forestry, and to provide for the expenses thereof," approved March 30, 1885, and all Acts and parts of Acts amendatory thereof and supplemental thereto; to abolish said Board, and to provide for the care of the State property under its charge.

Read first time, and placed on special file for second reading.

By Mr. Robertson: Assembly Bill No. 754—An Act to transfer to the State Board of Horticulture the jurisdiction, powers, and duties of the State Board of Forestry.

Read first time, and placed on special file for second reading.

REPORT OF STANDING COMMITTEE.

ON WAYS AND MEANS AND APPROPRIATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 28, 1891.

MR. SPEAKER: Your Committee on Ways and Means and Appropriations, to whom was referred Assembly Bills Nos. 328, 298, 405, 555, 631, and 88—report the same back, and recommend that they do not pass

Also. Assembly Bill No. 282—report the same back, and recommend that it do pass as amended by the Committee on Claims

Also: Assembly Bill No. 399—report the same back, and recommend that it do pass.

Also: Assembly Bills Nos. 486 and 605—report the same back, without recommendation.

Also. Assembly Bill No. 78—report the same back, and recommend that it be referred back to Committee on Claims to be reamended.

DIBBLE, Chairman.

Assembly Bill No. 78 referred to Committee on Claims.

RESOLUTIONS.

By Mr. Durner:

Resolved, That B. F. Currier be and he is hereby allowed the sum of one hundred and fifty-six dollars, to be paid out of the appropriation for the contingent expenses of the Assembly, for services as Night Watchman of the Engrossing, Enrolling, and Journal Clerks' offices of the Assembly, from January 21, 1891, to date, inclusive, at a per diem of four dollars, the same as other attachés in similar positions, and the State Controller is hereby authorized and directed to draw his warrant in accordance with this resolution. The State Treasurer is hereby directed to pay the same.

Referred to Committee on Attachés and Employés.

By Mr. Martin:

ASSEMBLY JOINT RESOLUTION No. 19.

Relative to the mining industry of California.

WHEREAS, The discovery of gold in California attracted the attention of the whole world, hundreds and thousands coming, both by sea and land, to seek their fortunes among our rivers, gulches, hills, and mountain sides, bringing forth the hidden treasures of the earth to supply their wants; increasing the circulating medium and energizing the commercial world; aiding our own country in the hour of need; elevating from the pit of poverty to homes of plenty thousands of honest sons of toil; and whereas, the Government encouraged the great industry by allowing the miners to occupy and purchase the mineral lands, and by years of toil and hardship have added more than two billions to the wealth of the world, enabling the Government to collect in revenues from the Pacific Coast not less than ten millions of dollars per annum for the last forty years, amounting to the sum of four hundred millions of dollars over and above the cost of collecting: and whereas, the condition of the miners called forth many other industries to supply their wants; commercial cities and manufacturing towns were built, railroads were constructed, the lands of the valleys were cultivated to bring forth the needed supplies for the gold miners of the mountains, who were building up hundreds of camps and towns along our rivers and mountain sides, to accommodate the tens of thousands

of her working men and their families and whereas, the miners by the natural outlets have sent to the valleys and rivers their debris, intermixed with the wash from the farming and grazing land, thereby creating in some localities an accumulation of debris, causing serious injury to farming and navigation of the rivers; and whereas, mining has been encouraged by congressional and legislative laws until our Courts, by the old English common law, enjoined that mode of mining known as the hydraulic system, thereby closing up most of the mining section of the State, reducing the annual production of gold ten millions per year for the last ten years, leaving within reach more gold than has ever been taken from the mineral belt of the State, thereby depressing, depopulating, and impoverishing hundreds of mining camps and towns, destroying the value of property that has cost millions to develop, cutting off the supply of gold from our country and commercial world, contracting the market of our farming and mechanical industries, reducing to poverty and want thousands of the old pioneers that had encouraged all the industries of the State; and whereas, the Government has for the last two years employed a Board of Civil Engineers to investigate the condition of the rivers and farming lands in localities which have been and are liable to be injured by mining debris, the said Board having recently reported to the Government that it is practical to construct restraining dams to hold back the mining debris in certain localities, with such improvements of the rivers that mining can be continued without injury to any other industry, and whereas, our lately elected Governor, in his inaugural address, called the attention of the Legislature to the condition of the mining section of the State, and recommended that a joint memorial be presented to Congress for such governmental aid as might be required to reopen that great industry which assisted the Government in her hour of need, and added the circulating medium to the commercial wants of the whole world, therefore, be it

Resolved by the Assembly of the State of California, the Senate concurring, That the Congress of the United States be and is hereby requested to appropriate eight to ten per cent of the annual revenues collected from the State of California, to be expended under the directions of a competent Board of Civil Engineers, that mining may be continued without injury to other industries or injury to the river navigation

Resolved, That a copy of this preamble and resolution be forwarded to our Senators and Representatives in Congress by the Governor, under the seal of the State.

MOTION.

Mr. Martin moved that the resolution be printed in the Journal, and referred to the Judiciary Committee.

Carried.

SPECIAL ORDER.

Assembly Bill No. 87—An Act to amend sections three thousand six hundred and sixty-five, three thousand six hundred and sixty-six, three thousand six hundred and sixty-seven, three thousand six hundred and sixty-eight, three thousand six hundred and sixty-nine, three thousand six hundred and seventy, three thousand six hundred and seventy-two, three thousand six hundred and ninety-two, three thousand six hundred and ninety-six, three thousand seven hundred and fourteen, three thousand seven hundred and twenty-eight, three thousand seven hundred and thirty-two, three thousand seven hundred and forty-six, three thousand seven hundred and fifty-six, three thousand seven hundred and fifty-eight, and three thousand seven hundred and sixty-four of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to revenue and taxation.

Read third time

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Bruner, Cargill, Carter, Clark, Coffey, Culver, Dennis, Dibble, Doty, Dow, Durner, Eakle, Estey, Fowler, Freeman, Galbraith, Garver, Glynn, Gould, Hall Harloe, Hayes, Heisey, Hocking, Hoey, Hunewill, Johnson, Kellogg, Lacey, Lewis, Lowe, Lux, Lynch, Marion, Mathews, Matlock, McCall, Mordecai, Murnan, Murphy, Phillips, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Stuitevant, Tennis, Wentworth, Weston, Windrow, and Young—61.

NOES—Messrs. Jackson and Martin—2.

Title read and approved.

Mr. Phillips moved that Assembly Bill No. 87 be immediately transmitted to the Senate.

So ordered.

MOTIONS.

Mr. McCall moved to take up substitute for Assembly Bill No. 28.

Carried.

Substitute for Assembly Bill No. 28—An Act to amend an Act entitled "An Act to establish a Political Code of the State of California."

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Cargill, Carter, Clark, Culver, Durner, Eakle, Estey, Fowler, Freeman, Garver, Glynn, Gould, Hersey, Hocking, Hunewill, Jackson, Johnson, Kellogg, Lacey, Lynch, Martin, Mathews, Matlock, McCall, Mordecai, Murphy, Phillips, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Tennis, Wentworth, Weston, Windrow, and Young—46.

NOES—Mr. Harloe—1.

Title read and approved.

Mr. McCall moved that substitute for Assembly Bill No. 28 be immediately transmitted to the Senate.

So ordered.

Mr. Phillips moved that the hour of recess be extended to two o'clock P. M.

Carried.

Mr. Mathews moved that Assembly Bill No. 692 be taken up and read third time.

Carried.

Assembly Bill No. 692—An Act to amend sections twenty-seven, twenty-eight, twenty-nine, thirty, thirty-one, thirty-two, and thirty-three, the same comprising part second 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, relating to system of street improvement bonds.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Alexander, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Carter, Clark, Coffey, Culver, Cunningham, Dennis, Dibble, Doty, Eakle, Fowler, Freeman, Galbraith, Garver, Gould, Hall, Harloe, Hayes, Hersey, Hoey, Hunewill, Jackson, Johnson, Kellogg, Lacey, Lewis, Lux, Lynch, Marion, Martin, Mathews, Matlock, Mordecai, Murnan, Phillips, Renfro, Shanahan, Smith of Butte, Smith of Orange, Stabler, Tennis, Wentworth, Weston, Windrow, and Young—52.

NOES—None.

Title read and approved.

Mr. Mathews moved that Assembly Bill No. 692 be immediately transmitted to the Senate.

So ordered.

MOTION.

Mr. Dibble moved to take up Senate messages.

Carried.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 27, 1891.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, appointed the following Committee on Conference on Senate Bills Nos. 13 and 14: Senators Carpenter, McGowan, and Gleicher, to act with a like committee appointed this day by your honorable body.

Also: Adopted and concurred in Assembly amendments to Senate Constitutional Amendment No. 11.

Also: On the twenty-sixth day of February, adopted the following reports from Committees on Conference:

SENATE CHAMBER, SACRAMENTO, February 26, 1891.

MR. PRESIDENT: Your Committee on Conference, concerning Senate Bill No. 74—An Act relative to the non-insurance of property belonging to the State against risk of damage or destruction by fire—report that we have met a like committee of the Assembly, consisting of Assemblymen Dibble, Shanahan, and Hocking, and we report that the committee agreed upon and recommend the following:

Add to section one of said Act the following words: "except the State Printing Office and its contents"

And recommend its passage as amended.

DRAY,
CRANDALL,
OSTROM,
Conference Committee.

Also:

SENATE CHAMBER, SACRAMENTO, February 26, 1891.

MR. PRESIDENT: Your Committee on Conference, concerning Assembly Bill No. 79—An Act to amend section three thousand six hundred and fifty-three of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the duties of Assessors—report that we have met a like committee of the Assembly, consisting of Messrs. Galbraith, Carter, and Cram, and we report that the Conference Committee agreed upon and recommend the following

Add to section one of said bill, subdivision six, to read as follows:

This Act shall apply only to counties of the second and third class.

And recommend its passage as amended.

CARPENTER,
DENISON,
DRAY,
Conference Committee.

Also: *On the twenty-sixth day of February, passed the following:*

Assembly Bill No. 413—An Act making an appropriation to pay the deficiency in the appropriation for repairs to State Capitol building and furniture, for the forty-first fiscal year.

Also: Senate Bill No. 545—An Act to define the duties of and to license land surveyors.

Also: Senate Bill No. 599—An Act entitled "An Act relating to the working, rights of way, easement, and drainage of mines in the State of California."

Also: Substitute for Senate Bill No. 588—An Act to divide the State of California into Congressional districts.

Also: *On the nineteenth day of February, passed the following:*

Senate Bill No. 43—An Act to amend section two thousand one hundred and sixty-eight of the Civil Code, relating to common carriers.

Also: On the twenty-seventh day of February, passed the following:

Assembly Bill No. 396—An Act to provide for the redemption of property which has been heretofore sold to irrigation districts for delinquent assessments.

Also: On the twenty-sixth day of February, passed the following:

Assembly Bill No. 53—An Act to amend section two thousand and twenty-four of the Code of Civil Procedure, relative to the manner of taking depositions out of the State.

Also: Assembly Bill No. 54—An Act to amend section eight hundred and forty-nine of the Code of Civil Procedure, relating to the service of summons in actions in Justices' Courts.

Also: Assembly Bill No. 56—An Act to amend section one hundred and twenty-eight of the Civil Code of the State of California, relative to actions in divorce cases.

Also: Assembly Bill No. 58—An Act to amend section one thousand two hundred and five of the Penal Code, relating to fines and imprisonment.

Also: Assembly Bill No. 66—An Act authorizing incorporated cities to acquire, by gift, purchase, or condemnation proceedings, water, water rights, reservoir sites, rights of way, and other appliances for supplying such cities and their inhabitants with water.

Also: Assembly Bill No. 214—An Act to amend section eight hundred and seventy-four of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Also: Assembly Bill No. 215—An Act to amend section seven hundred and seventy-seven of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Also: Amended, and passed as amended, the following:

Assembly Bill No. 34—An Act concerning the costs in civil actions for serving summonses and subpœnas.

Also: Assembly Bill No. 129—An Act to add an additional section to the Penal Code, to be known as section one hundred and fifty-nine and one half, making it a misdemeanor to advertise to obtain a divorce, or to aid therein.

And respectfully request that you concur in said amendments.

Also: On the twenty-fifth day of February, passed the following:

Senate Bill No. 305—An Act making an appropriation to pay the deficiency in the appropriation for payment of costs and expenses of trials of persons violating the law for the preservation of fish, for the thirty-ninth, fortieth, and forty-first fiscal years.

Also: Senate Bill No. 310—An Act making an appropriation to pay the deficiency in the appropriation for postage, expressage, and contingent expenses of the Attorney-General for the fortieth fiscal year.

Also: Senate Bill No. 674—An Act to authorize payment for certain services rendered by Justices of the Peace in counties of the tenth (10th) class, as formerly classified and designated by an Act of the Legislature of this State entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883, and amended March 14, 1885, and March 18, 1885, and March 17, 1887, and March 16, 1889, on the basis of enumeration of population made in the United States census for the year A. D. 1880.

Also: On the twenty-fourth day of February, passed the following:

Senate Bill No. 304—An Act making an appropriation to pay the deficiency in the appropriation for costs and expenses of suits, in which the State is a party in interest, for the forty-first fiscal year.

Also: Senate Bill No. 569—An Act to empower the Board of State Harbor Commissioners to rectify the alignment of East Street, from Pacific Street to Market Street, in the City and County of San Francisco, and to sell, acquire, and condemn adjacent property.

Also: On the twenty-sixth day of February, refused to pass the following:

Assembly Bill No. 20—An Act to amend section four hundred and eight of the Code of Civil Procedure.

Also: On the twenty-eighth day of February, passed the following:

Senate Bill No. 393—An Act authorizing certain corporations to act as executor and in other capacities, and to provide for and regulate the administration of trusts by such corporations.

F. J. BRANDON, Secretary of Senate.

MOTIONS.

Mr. Dibble moved that Senate Bill No. 388 be taken up and read the first time.

Carried.

Senate Bill No. 388—An Act to divide the State of California into Congressional districts.

Read first time.

Mr. Dibble moved that Senate Bill No. 388 be placed at the head of special file.

Carried.

Mr. Dibble was permitted to withdraw Assembly Bill No. 735.

Mr. Shanahan moved to reconsider the vote whereby Senate Bill No. 19 was passed.

Mr. Shanahan moved that Senate Bill No. 19 be made a special order for next Monday, immediately after reading the Journal.

Carried.

Mr. Alexander moved that Assembly Bill No. 161 be taken up and read second time.

Carried.

Assembly Bill No. 161—An Act to create a State Association of Irrigation Districts, and to provide for the creation of a State Board of Irrigation to manage and conduct the affairs of the same, and to define

the powers and prescribe the duties of such association and of such Board, and to appropriate money in support thereof.

Read second time.

Committee amendment, as follows, adopted:

Amend second paragraph of section seven by omitting therefrom the words "and to approve or disapprove of any," the same being on lines seven and eight, page three, of printed copy; also, amend by striking out sections eleven and twelve; also, change the number of section thirteen to eleven.

Read second time, ordered engrossed and to third reading.

Assembly Bill No. 634—An Act to amend sections three thousand eight hundred and sixteen, three thousand eight hundred and ninety-seven, and three thousand eight hundred and ninety-eight of the Political Code, relating to sales of land sold to the State for taxes.

Read second time, ordered engrossed and to a third reading.

Mr. Marion moved that the vote whereby Senate Bill No. 116 passed be now reconsidered.

Mr. Dibble moved that further consideration of Senate Bill No. 116 be made a special order for next Monday, immediately after reading the Journal.

Carried.

Mr. Gould moved to take up substitute for Assembly Bills Nos. 12, 32, 65, 69, 77, and 242.

Carried.

Substitute for Assembly Bills Nos. 12, 32, 65, 69, 77, and 242—An Act to amend section one, to add one new section, to be numbered eight and one half, 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," approved April 15, 1880, amended March 6, 1883, March 9, 1885, amended March 14, 1885, amended March 9, 1887, and amended March 9, 1889, relating to the formation of new districts, and the residence of Directors.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Brown, Bruner, Cargill, Coffey, Culver, Cunningham, Dibble, Doty, Dow, Eakle, Estey, Freeman, Galbraith, Garver, Gould, Hail, Hawley, Hersey, Jackson, Johnson, Lowe, Martin, Mathews, Matlock, Mordecai, Murnan, Murphy, Renfro, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Weston, and Young—43

NOES—None.

Title read and approved.

Mr. Gould moved that substitute for Assembly Bills Nos. 12, 32, 65, 69, 77, and 242 be immediately transmitted to the Senate.

So ordered.

Mr. Bruner moved to take up Senate Bill No. 41.

Carried.

Senate Bill No. 41—An Act to amend section four thousand one hundred and sixty-one of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the deposit of public funds.

Amendments as follows, adopted:

Amend by striking out all after line twenty-six, on page two, of printed bill, down to and including line forty-eight, on page three, of said printed bill.

Also: Amend by inserting after the second word "State," on line five, of printed bill, the words "which have been in existence for at least five years, and have become dividend-paying institutions; also, all private banking institutions that have been in existence for five years or more, and have been during all that time in good standing, and have already incorporated, or shall hereafter incorporate under the laws of the State of California."

Also: Amend by striking out of section one, line seventeen, page two, of printed bill, the word "thirty," and insert the word "forty."

Also: Amend by striking out of section one, line nine, of printed bill, the word "thirty," and insert the word "forty."

Ordered to a third reading.

WITHDRAWAL OF BILL.

Mr. Coffey was permitted to withdraw Assembly Bill No. 150, and substitute in its place on file Assembly Bill No. 458.

MOTIONS.

Mr. Barnard moved to take up Assembly Bill No. 695.

Carried.

Assembly Bill No. 695—An Act in relation to insurance companies, corporations, associations, partnerships, and individuals of foreign Governments doing insurance business in this State.

Read first time, and placed on file for second reading.

Mr. Hersey moved to take up Assembly Bill No. 358.

Carried.

Assembly Bill No. 358—An Act to amend section one thousand three hundred and forty-eight of an Act entitled "An Act to establish a Code of Civil Procedure," adopted March 11, 1872, authorizing certain corporations to act as executor and in other capacities.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 711 read second time, ordered engrossed, and made a special order for Monday, at three o'clock and thirty minutes P. M.

Mr. Renfro moved that Assembly Bill No. 611 be taken up.

Carried.

Assembly Bill No. 611—An Act to amend section one thousand four hundred and thirty-one of the Code of Civil Procedure of California.

Read second time, ordered engrossed and to a third reading.

WITHDRAWAL OF BILL.

Mr. Brown was permitted to withdraw Assembly Bill No. 162, and substitute in its place on file Assembly Bill No. 714.

MOTIONS.

Mr. Sturtevant moved to take up Assembly Bill No. 664.

Carried.

Assembly Bill No. 664—An Act to amend sections two thousand four hundred and fifty-seven, two thousand four hundred and sixty-four, two thousand four hundred and sixty-five, and two thousand four hundred and sixty-six of the Political Code, relating to pilots and pilot regulations.

Read second time, ordered engrossed and to a third reading.

Mr. Stabler moved to take up Assembly Bill No. 671.

Carried.

Assembly Bill No. 671—An Act to provide for funding the indebtedness of Levee District No. 6, of Sutter County, and to provide for the payment of such funded debt

Read second time, ordered engrossed and to a third reading.

Mr. Stabler moved that Assembly Bill No. 671 be made a special order for next Tuesday, at eleven o'clock A. M.

Carried.

Mr. Stabler moved that Assembly Bill No. 670 be taken up.

Carried.

Assembly Bill No. 670—An Act to define the boundary and provide for the government of Levee District No. 6, of Sutter County, California.

Read second time, ordered engrossed and to a third reading.

Made a special order for next Tuesday, at eleven o'clock A. M.

ADJOURNMENT.

At two o'clock and fifteen minutes P. M., on motion of Mr. Shanahan, the House adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Monday, March 2, 1891.

The House met pursuant to adjournment.

Speaker pro tem. Young in the chair.

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

Messrs. Alexander, Arms, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Bryant, Cargill, Carter, Clark, Coffey, Crani, Cunningham, Dennis, Dibble, Doty, Dow, Dunn, Eakle, Estey, Fowler, Freeman, Galbraith, Garver, Glynn, Gordon, Hall, Hawley, Hersey, Hocking, Hoey, Hunewill, Jackson, Kellogg, Lacey, Lewis, Lowe, Lux, Lynch, Marion, Martin, Mathews, Matlock, Mordecai, Murnan, Murphy, Phillips, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Wentworth, Weston, Windrow, and Young.

Quorum present.

LEAVE OF ABSENCE.

The following named members were granted a leave of absence for the day:

Messrs. Barnard, Harloe, Coombs, Ames, Culver, McCall, Johnson, Brown, Gould, and Stabler.

PRAYER.

Prayer by the Chaplain, Rev. A. C. Herrick.

READING OF THE JOURNAL.

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

So ordered.

Approval of Journal deferred.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1891.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that they have examined Assembly Bill No. 561, and find it correctly engrossed:

WINDROW, Chairman.

Speaker Coombs in the chair.

SPECIAL ORDERS.

Assembly Bill No. 561—An Act making an appropriation for the support of the government of the State of California for the forty-third and forty-fourth fiscal years.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Bruner, Bryant, Cargill, Clark, Coffey, Cunningham, Dennis, Dibble, Doty, Dow, Dunn, Eakle, Estey, Fowler, Freeman, Galbraith, Garver, Gordon, Hall, Hawley, Hayes, Hersey, Hocking, Hoey, Hunewill, Jackson, Kellogg, Lewis, Lowe, Lux, Lynch, Marion, Martin, Mathews, Matlock, Mordecai, Murnan, Murphy, Phillips, Renfro, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Wentworth, Weston, Windrow, Young, and Mr. Speaker—60.

NOES—None.

Title read and approved.

Mr. Dibble moved that Assembly Bill No. 561 be immediately transmitted to the Senate.

So ordered.

Senate Bill No. 116—An Act to amend section five hundred and thirty of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the office of Superintendent of State Printing, and providing for the election of such officer.

The question being upon the motion to reconsider.

Lost.

Senate Bill No. 19—An Act to amend section two thousand nine hundred and fifty-five of an Act entitled "An Act to establish a Civil Code of the State of California," approved March 21, 1872, relating to chattel mortgages.

The question being upon the motion to reconsider.

Carried.

Mr. Bert in the chair.

LEAVE OF ABSENCE.

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

MOTION.

Mr. Shanahan moved that a select committee of one be appointed for the purpose of amending as follows:

Amend by inserting in line five, after the word "other," the word "rolling."

Carried.

APPOINTMENT OF COMMITTEE.

Mr. Shanahan was appointed a committee to make said amendment.

REPORT OF COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1891.

MR. SPEAKER: Your Select Committee, to whom was referred Senate 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.

SHANAHAN, Committee.

Report adopted.

MOTION.

Mr. Shanahan moved that Senate Bill No. 19 be made a special order for to-morrow, immediately after reading of the Journal.

Carried.

Substitute for Senate Bills Nos. 8, 57, 123, and 369—An Act to amend sections one thousand one hundred and eighty-five, one thousand one hundred and eighty-six, one thousand one hundred and eighty-seven, one thousand one hundred and eighty-eight, one thousand one hundred and eighty-nine, one thousand one hundred and ninety, one thousand one hundred and ninety-one, one thousand one hundred and ninety-two, one thousand one hundred and ninety-three, one thousand one hundred and ninety-four, one thousand one hundred and ninety-five, one thousand one hundred and ninety-six, one thousand one hundred and ninety-seven, one thousand one hundred and ninety-eight, one thousand one hundred and ninety-nine, one thousand two hundred, one thousand two hundred and one, one thousand two hundred and two, one thousand two hundred and three, one thousand two hundred and four, one thousand two hundred and five, one thousand two hundred and six, one thousand two hundred and seven, one thousand two hundred and eight, one thousand two hundred and nine, one thousand two hundred and ten, one thousand two hundred and eleven, one thousand two hundred and twelve, one thousand two hundred and fifty-seven, one thousand two hundred and fifty-eight, and one thousand two hundred and fifty-nine of the Political Code, and to add four new sections thereto, to be numbered one thousand two hundred and thirteen, one thousand two hundred and fourteen, one thousand two hundred and fifteen, and one thousand two hundred and sixteen, all in relation to the conduct of elections in this State.

Read first time, and placed on file for second reading.

MOTION.

Mr. Dibble moved that substitute for Senate Bills Nos. 8, 57, 123, and 369, and Assembly Bills Nos. 2, 3, 27, 29, and 470, be made a special order for to-morrow morning, at ten o'clock and forty-five minutes.

Carried.

PRESENTATION OF PETITIONS.

The following petitions were presented:

By Mr. Bledsoe: From San Francisco, Benicia, and Santa Barbara, in regard to Assembly Bill No. 471.

By Mr. Bruner: Against the passage of the medical bill.

By Mr. Dibble: Against the repeal of the Story law.

By Mr. Mathews: In reference to law library in Los Angeles.

By Mr. Mordecai: In regard to bounty for killing coyotes.

REPORTS OF STANDING COMMITTEES.

ON PUBLIC MORALS.

ASSEMBLY CHAMBER, SACRAMENTO, February 28, 1891.

MR. SPEAKER: Your Committee on Public Morals, to whom was referred Assembly Bill No. 268—An Act to add two new sections to chapter ten of the Penal Code, to be known and numbered as sections three hundred and thirty-seven and three hundred and thirty-eight, relative to the selling of pools on horse races—refer the same back without recommendation.

Also: Assembly Bill No. 136—An Act to provide for additional penalty for the commission of certain offenses—recommend that its author (Mr. Young) be allowed to withdraw the same, and that his substitute take its place, and that the same do pass.

Also: Assembly Bill No. 279—An Act to restrict gaming—refer the same back, and recommend its passage.

Also: Assembly Bill No. 683—An Act to prevent stallions running at large within the State of California—refer the same back with recommendation that it do pass.

Also: Assembly Bill No. 246—An Act to amend section three hundred and twenty-one of the Penal Code, relating to lotteries—refer the same back without recommendation.

Also: Assembly Bill No. 247—An Act to amend section three hundred and twenty-three of the Penal Code, relating to lotteries—refer the same back without recommendation.

Also: Assembly Bill No. 250—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to lotteries, by adding a new section thereto, to be known and numbered as section three hundred and twenty-seven of said Code—refer the same back without recommendation.

CARGILL, Chairman.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 28, 1891.

MR. SPEAKER: Your Committee on Education, to whom was referred Senate Bill No. 326—An Act to amend an Act entitled "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," approved March 15, 1887—report the same back and recommend that it do pass.

GALBRAITH, Chairman.

ON STATE CHARITABLE AND REFORMATORY INSTITUTIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 28, 1891.

MR. SPEAKER: Your Committee on State Charitable and Reformatory Institutions, to whom was referred Assembly Bill No. 738—An Act making an appropriation for improvements at the State Insane Asylum at Agnews—report the same back, and recommend that it do not pass.

MARION, Chairman.

Assembly Bill No. 738 referred to Committee on Ways and Means and Appropriations.

WITHDRAWAL OF NAME.

A. Stewart, for position as Watchman, was withdrawn.

Assembly Bill No. 129.

Senate amendments as follows:

Amend by striking out of section one, line six, the words "or elsewhere."

Also: Strike out all of lines seven and eight of the printed bill.

The roll was called, and the House refused to concur by the following vote:

AYES—None.
NOES—Messrs. Baughman, Bert, Bledsoe, Bryant, Cargill, Carter, Clark, Coffey, Cram, Cunningham, Dennis, Dibble, Doty, Dunn, Eakle, Estey, Freeman, Galbraith, Garver, Gordon, Hail, Hawley, Hayes, Hersey, Hocking, Hoey, Hunewill, Jackson, Kellogg, Lacey, Lowe, Lux, Lynch, Martin, Mathews, Matlock, Mordecai, Murnan, Murphy, Phillips, Renfro, Rice, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Wentworth, Weston, Windrow, and Mr. Speaker—52.

Assembly Bill No. 34.
Senate amendments as follows:

Strike out of section one all after the word "Sheriff," in line two, and insert as follows: "The person so serving shall be allowed by the Court issuing the process such sum as the Court may think proper, not exceeding the amount allowed Sheriffs by law."

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

AYES—Messrs. Baughman, Beecher, Bert, Bledsoe, Bryant, Cargill, Carter, Clark, Coffey, Cunningham, Dibble, Doty, Dow, Dunn, Eakle, Estey, Freeman, Galbraith, Garver, Gordon, Hail, Hawley, Hayes, Hersey, Hocking, Hoey, Jackson, Kellogg, Lacey, Lowe, Lux, Martin, Mathews, Matlock, Mordecai, Murnan, Murphy, Phillips, Rice, Shanahan, Smith of Butte, Stabler, Steltz, Tennis, Wentworth, Weston, and Mr. Speaker —47.
NOES—None.

SPECIAL FILE.

Substitute for Senate Bill No. 388—An Act to divide the State of California into Congressional districts.

Read second time.

Mr. Dibble moved to amend by striking out of section four, line fifteen, the words "Napa, Napa," two last words in line, and inserting the following: "Junction of Napa and Twentieth, thence along Twentieth."

Adopted.

Mr. Shanahan moved to amend as follows: Strike out all after the enacting clause, and insert all that portion of Assembly Bill No. 127 after the enacting clause.

Lost.

RECESS.

At twelve o'clock and thirty minutes P. M. the House took a recess.

REASSEMBLED.

At two o'clock P. M. the House reassembled.
Speaker Coombs in the chair.
Quorum present.

SPECIAL FILE OF SENATE BILLS.

Senate Bill No. 154—An Act authorizing school districts, cities, cities and counties, or incorporated towns, in the State of California, to furnish the pupils of their respective public schools with free use of school text-books.

The roll was called.

Mr. Lacey in the chair.

CALL OF THE HOUSE.

Pending the roll call, a call of the House was demanded by Messrs. Gould, Jackson, and Stabler.

Motion lost.

Mr. Wentworth moved a call of the absentees.

Carried.

The roll call was completed, and the bill lost by the following vote:

AYES—Messrs. Barnett of San Francisco, Baughman, Bert, Bledsoe, Carter, Clark, Cram, Daly, Doty, Dow, Dunn, Eakle, Estey, Freeman, Galbraith, Garver, Gould, Hawley, Hocking, Hoey, Johnson, Kellogg, Lacey, Lewis, Lynch, Martin, Mathews, Matlock, McCall, Murnan, Phillips, Renfro, Rice, Robertson, Shanahan, Tully, Wentworth, Young, and Mr. Speaker—39.

NOES—Messrs. Alexander, Barnard, Barnett of Sonoma, Beecher, Bruner, Bryant, Cargill, Cunningham, Dennis, Dibble, Glynn, Hail, Harloe, Hayes, Hersey, Jackson, Jones, Lowe, Lux, Mordecai, Murphy, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Weston, and Windrow—29.

NOTICE OF RECONSIDERATION.

Mr. Jackson gave notice that on to-morrow he will move for a reconsideration of the vote whereby Senate Bill No. 154 was lost.

MOTION.

Mr. Bert moved that he be allowed to introduce a resolution out of order.

Carried.

RESOLUTION.

By Mr. Bert:

Resolved, That Senate Bill No. 282 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

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

AYES—Messrs. Alexander, Barnard, Barnett of San Francisco, Barnett of Sonoma, Bert, Bruner, Cargill, Clark, Coffey, Cram, Dennis, Dibble, Doty, Dow, Dunn, Durner, Estey, Freeman, Galbraith, Garver, Glynn, Gordon, Gould, Harloe, Hawley, Hayes, Hersey, Hocking, Hoey, Jackson, Johnson, Jones, Lacey, Lewis, Lowe, Lux, Martin, Mathews, Matlock, McCall, Mordecai, Murphy, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Stabler, Steltz, Sturtevant, Tennis, Tully, Wentworth, Weston, Windrow, Young, and Mr. Speaker—57.

NOES—Messrs. Baughman, Beecher, Bledsoe, Bryant, Cunningham, Eakle, Kellogg, Lynch, Murnan, and Smith of Orange—10.

Senate Bill No. 282—An Act to provide for the appointment of a Board of Sutter's Fort Trustees, and for the acquisition of the Sutter's Fort property, and providing for an appropriation for the preservation, protection, and improvement of said property.

Read first time.

Senate Bill No. 282.

Read second time, considered engrossed.

MOTION.

Mr. Coombs moved that the House go into Committee of the Whole, with Mr. Lacey in the chair, for the purpose of considering Senate Bill No. 282.

Carried.

IN COMMITTEE OF THE WHOLE.

Mr. Lacey in the chair.

Senate Bill No. 282 was considered in Committee of the Whole.

IN ASSEMBLY.

Mr. Lacey in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Chairman stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 282—An Act to provide for the appointment of a Board of Sutter's Fort Trustees, and for the acquisition of the Sutter's Fort property, and providing for an appropriation for the preservation, protection, and improvement of said property—and now report the same back to the Assembly and recommend that the same do pass.

Senate Bill No. 282 read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Barnett of San Francisco Barnett of Sonoma, Bert, Bruner, Bryant, Cargill, Carter, Clark, Coffey, Cram, Daly, Dennis, Doty, Dow, Dunn, Durner, Estey, Freeman, Galbraith, Garver, Gould, Hall, Harloe, Hawley, Hersey, Hocking, Hoey, Jackson, Johnson, Jones, Lacey, Lewis, Lowe, Lux, Lynch, Martin, Mathews, Matlock, McCall, Mordecai, Murnan, Murphy, Phillips, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Stabler, Steltz, Sturtevant, Tennis, Tully, Wentworth, Weston, Windrow, Young, and Mr Speaker—58.

NOES—Messrs. Baughman, Beecher, Bledsoe, Cunningham, Eakle, Kellogg, and Smith of Orange—7.

Title read and approved.

MESSAGES FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, March 2, 1891.

To the Assembly of the State of California:

Having been informed of the death of Hon. George Hearst, Senator from this State to the Congress of the United States, I desire to express to you, as a coordinate branch of the State government, my respect for the dead and my sympathy for the bereaved family. He was a well known pioneer, and prominently identified with the early development of the State, when hardship and toil were required from every one, from which he did not shrink. He afterwards attained affluence and became prominent in all matters affecting the interest of the public, and by his energy, upright dealing, and great business capacity became a prominent factor in the commercial and political history of the State. In each and every phase of life, he was the same kind and thoughtful friend. In his capacity as a Senator, he was honest, faithful, and intelligent, and was highly appreciated by his colleagues in the Senate of the United States.

H. H. MARKHAM, Governor.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, March 2, 1891.

To the Assembly of the State of California:

I have the honor to inform your honorable body that I have approved Assembly Bills Nos. 51, 60, 79, 102, 138, 308, 401, 408, 412, 418, 419, 423, and 427.

H. H. MARKHAM, Governor.

RESOLUTION.

By Mr. Shanahan:

Resolved, That a select committee of five members be appointed by the Speaker to report suitable resolutions in respect to the memory of and to consider and report what action should be taken in consideration of the death of Hon. George Hearst, late United States Senator.

Adopted.

The following members were appointed a committee to report resolutions in respect to the memory of Hon. George Hearst, in accordance with the above resolution:

Messrs. Shanahan, Hersey, Lynch, Harloe, and Robertson.

MOTION.

At three o'clock and thirty minutes P. M., Mr. Stabler moved that the consideration of Senate Bills be extended until four o'clock P. M.

Carried.

Senate Bill No. 45—An Act to amend section three hundred and thirty of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, to prohibit gaming.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arms, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bryant, Cargill, Carter, Clark, Coffey, Cram, Dennis, Doty, Dow, Dunn, Durner, Eakle, Freeman, Galbraith, Garver, Glynn, Gould, Harloe, Hawley, Hersey, Johnson, Kellogg, Lacey, Lewis, Marion, Martin, Mathews, Matlock, McCall, Murnan, Murphy, Phillips, Robertson, Shanahan, Smith of Butte, Stabler, Sturtevant, Tennis, Weston, Windrow, Young, and Mr. Speaker—49

NOES—Messrs. Cunningham, Mordecai, Renfro, and Smith of Orange—4.

Title read and approved.

Senate Bill No. 196—An Act to provide for the improvement of the State Capitol grounds, 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. Barnett of San Francisco, Barnett of Sonoma, Baughman, Bert, Bruner, Coffey, Cram, Cunningham, Daly, Dennis, Doty, Dunn, Durner, Estey, Freeman, Galbraith, Garver, Glynn, Hawley, Hayes, Hersey, Hocking, Hoey, Jackson, Johnson, Jones, Kellogg, Lewis, Lowe, Lux, Lynch, Martin, Mathews, Matlock, McCall, Murnan, Murphy, Renfro, Robertson, Shanahan, Stabler, Steltz, Sturtevant, Tennis, Wentworth, Windrow, and Young—47.

NOES—Messrs. Beecher, Bledsoe, Bryant, Carter, Gordon, Harloe, Lacey, Marion, Smith of Butte, Smith of Orange, Weston, and Mr. Speaker—12.

Title read and approved.

Senate Bill No. 197—An Act to provide for the completion of the ten tiers of granite steps in the State Capitol grounds, 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. Barnett of San Francisco, Barnett of Sonoma, Baughman, Bert, Bledsoe, Bruner, Cram, Cunningham, Daly, Dennis, Doty, Dunn, Estey, Fowler, Freeman, Galbraith, Garver, Glynn, Hall, Hawley, Hayes, Hersey, Hocking, Hoey, Jackson, Johnson, Jones, Kellogg, Lewis, Lux, Lynch, Martin, Mathews, Matlock, Mordecai, Murnan,

Renfro, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Tennis, Weston, and Young—49.

NOES—Messrs. Beecher, Bryant, Carter, Gordon, Harloe, Lacey, Murphy, and Mr. Speaker—8.

Title read and approved.

Senate Bill No. 585—An Act to amend section two thousand six hundred and seven of an Act entitled "An Act to add thirty-four sections to an Act of the Legislature of the State of California to establish a Political Code, approved March 12, 1872, said sections to be known, numbered, and designated as sections two thousand five hundred and seventy-five, two thousand five hundred and seventy-six, two thousand five hundred and seventy-seven, two thousand five hundred and seventy-eight, two thousand five hundred and seventy-nine, two thousand five hundred and eighty, two thousand five hundred and eighty-one, two thousand five hundred and eighty-two, two thousand five hundred and eighty-three, two thousand five hundred and eighty-four, two thousand five hundred and eighty-five, two thousand five hundred and eighty-six, two thousand five hundred and eighty-seven, two thousand five hundred and eighty-eight, two thousand five hundred and eighty-nine, two thousand five hundred and ninety, two thousand five hundred and ninety-one, two thousand five hundred and ninety-two, two thousand five hundred and ninety-three, two thousand five hundred and ninety-four, two thousand five hundred and ninety-five, two thousand five hundred and ninety-six, two thousand five hundred and ninety-seven, two thousand five hundred and ninety-eight, two thousand five hundred and ninety-nine, two thousand six hundred, two thousand six hundred and one, two thousand six hundred and two, two thousand six hundred and three, two thousand six hundred and four, two thousand six hundred and five, two thousand six hundred and six, two thousand six hundred and seven, and two thousand six hundred and eight, all relating to the establishing of a Board of State Harbor Commissioners for the bay of San Diego," approved March 18, 1889, relative to the salaries and pay of the officers and employés of the Harbor Commissioners of the bay of San Diego.

Read third time.

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

AYES—Messrs. Barnett of Sonoma, Baughman Beecher, Bert, Bledsoe, Bryant, Carter, Clark, Dibble, Doty, Freeman, Galbraith, Garver, Glynn, Harloe, Hayes, Hocking, Johnson, Lewis, Lowe, Lux, Lynch, Marion, Martin, Matlock, Mordecai, Murphy, Phillips, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Weston, and Mr. Speaker—35.

NOES—Messrs. Arms, Cunningham, Dow, Dunn, Eakle, Fowler, Gould, Kellogg, Lacey, Murnan, Sturtevant, and Young—12.

Substitute for Senate Bill No. 331—An Act making an appropriation to pay the deficiency in the appropriation for the salaries of the members and officers of the Board of State Harbor Commissioners for the bay of San Diego, from the eighteenth day of March, 1889, to the eighteenth day of March, 1891.

Read third time.

Speaker Coombs in the chair.

CALL OF THE HOUSE.

Mr. McCall moved a call of the House, seconded by Messrs. Carter and Bruner.

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

Messrs. Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Bryant, Cargill, Carter, Clark, Cram, Cunningham, Daly, Dennis, Dibble, Doty, Dow, Dunn, Durner, Eakle, Estey, Fowler, Freeman, Galbraith, Garver, Glynn, Gordon, Gould, Hail, Harloe, Hawley, Hayes, Hersey, Hocking, Hoey, Jackson, Johnson, Jones, Kellogg, Lacey, Lewis, Lowe, Lux, Lynch, Marion, Martin, Mathews, Matlock, McCall, Mordecai, Murnan, Murphy, Phillips, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Tully, Weston, Windrow, Young, and Mr. Speaker.

MOTION.

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

Carried.

The roll was called, and substitute for Senate Bill No. 331 passed by the following vote:

AYES—Messrs. Barnard, Barnett of San Francisco, Barnett of Sonoma, Beecher, Bledsoe, Brown, Bruner, Bryant, Carter, Cram, Daly, Dibble, Doty, Dow, Estey, Freeman, Garver, Glynn, Gould, Hail, Harloe, Hawley, Hayes, Hersey, Hoey, Jackson, Johnson, Jones, Kellogg, Lacey, Lewis, Lowe, Lux, Lynch, Marion, Martin, Mathews, Matlock, McCall, Mordecai, Renfro, Rice, Robertson, Shanahan, Steltz, Sturtevant, Tennis, Tully, Weston, Windrow, and Mr. Speaker—51.

NOES—Messrs. Arms, Bert Clark, Cunningham, Dennis, Durner, Eakle, Fowler, Galbraith, Gordon, Hocking, Murnan, Murphy, Smith of Butte, Smith of Orange, and Stabler—16.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Lacey gave notice that to-morrow he will move for a reconsideration of the vote whereby substitute for Senate Bill No. 331 passed, and whereby Senate Bill No. 585 was refused passage.

MOTION.

Mr. Shanahan moved that Assembly Bill No. 711 be made a special order for three o'clock and thirty minutes P. M. to-morrow.

Carried.

Assembly Bill No. 471—An Act to ascertain and express the will of the people of the State of California upon the subject of requiring an educational qualification of voters.

Read third time.

CALL OF THE HOUSE.

Pending roll call, Mr. Bledsoe moved a call of the House.

Lost on division.

The roll call was completed, and the bill passed by the following vote:

AYES—Messrs. Alexander, Beecher, Bert, Bledsoe, Carter, Clark, Cunningham, Daly, Dennis, Dibble, Dow, Dunn, Durner, Eakle, Estey, Fowler, Freeman, Galbraith, Garver, Gordon, Gould, Hail, Harloe, Hawley, Hayes, Hersey, Hocking, Hoey, Jackson, Johnson, Jones, Kellogg, Lacey, Lux, Mathews, Matlock, Mordecai, Murphy, Phillips, Shanahan, Smith of Butte, Smith of Orange, Stabler, Tully, Weston, Windrow, and Young—47.

NOES—Messrs. Arms, Barnett of San Francisco, Barnett of Sonoma, Baughman, Bruner, Bryant, Cargill, Cram, Doty, Glynn, Lewis, Lynch, Martin, Murnan, Rice, Robertson, and Mr. Speaker—17.

Title read and approved.

RECESS.

At four o'clock and thirty minutes P. M. 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 pro tem. Young in the chair.
Quorum present.

LEAVE OF ABSENCE.

Leave of absence was granted Messrs. Murnan, Lynch, and Lowe.

MOTION.

Mr. Wentworth moved to take up Senate messages.
Carried.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 28, 1891.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the twenty-seventh day of February, passed the following:

Senate Bill No. 346—An Act to appropriate the sum of three thousand one hundred dollars to purchase adjacent lands at San Quentin for the use of the State Prison, together with the improvements thereon.

F. J. BRANDON, Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, March 2, 1891.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the twenty-sixth day of February, amended, and passed as amended, the following:

Assembly Bill No. 101—An Act to amend sections three thousand seven hundred and eighty and three thousand seven hundred and eighty-five of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the redemption of land sold at tax sale—and respectfully request that you concur in said amendments.

Also: on the twenty-seventh day of February, passed the following:

Senate Bill No. 42—An Act to amend an Act entitled "An Act to amend section three thousand four hundred and eighty-eight of an Act entitled 'An Act to establish a Political Code,' approved March 12, 1872, and to make sections three thousand four hundred and forty-six, three thousand four hundred and forty-seven, three thousand four hundred and forty-nine, three thousand four hundred and fifty, three thousand four hundred and fifty-two, three thousand four hundred and fifty-three, three thousand four hundred and fifty-four, three thousand four hundred and fifty-five, three thousand four hundred and fifty-six, three thousand four hundred and fifty-seven, three thousand four hundred and fifty-nine, three thousand four hundred and sixty, three thousand four hundred and sixty-one, three thousand four hundred and sixty-two, three thousand four hundred and sixty-three, three thousand four hundred and sixty-five, three thousand four hundred and sixty-six, three thousand four hundred and sixty-seven, three thousand four hundred and sixty-eight, three thousand four hundred and seventy-one, three thousand four hundred and seventy-two, and three thousand four hundred and seventy-three of said Political Code, relating to the reclamation of certain lands within certain municipalities," approved March 19, 1889.

Also: Senate Bill No. 609—An Act to amend section six hundred and eight of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relative to cemetery corporations.

Also Senate Bill No. 335—An Act to appropriate money to pay the claim of William Gutenberger, for the loss of tools and property destroyed at the Branch State Prison at Folsom.

Also: Senate Bill No. 255—An Act to amend section five hundred and ninety-eight of the Civil Code of the State of California, relating to benevolent and religious corporations.

Also: Senate Bill No. 375—An Act authorizing the Attorney-General to dismiss those certain actions pending in the Superior Court of the City and County of San Francisco, and numbered eleven thousand seven hundred and six, eleven thousand nine hundred and twenty-five, and eleven thousand nine hundred and twenty-six, upon payment to him for the use of the State of certain moneys.

Also: On the twenty-eighth day of February, passed the following:

Substitute for Senate Bill No. 259—An Act to appropriate money for the construction and equipment of the Preston School of Industry.

Also: On the second day of March, passed the following:

Senate Bill No. 661—An Act relating to the transfer of moneys now in the State Treasury, in what is known and designated as Estate of Deceased Persons Fund, to the General Fund, as a loan.

Also: Adopted Assembly Joint Resolution No. 18—Relative to the appointment of a horticulturist of this State to position of Chief of the Department of Horticulture at the World's Columbian Exposition at Chicago.

Also: Substitute for Assembly Bill No. 50—An Act to amend section five of an Act approved March 19, 1889, entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State, for the construction of waterworks, sewers, and all necessary public improvements, or for any purpose whatever; and to repeal the Act approved March 9, 1885, entitled 'An Act to authorize municipal corporations of the fifth class, containing more than three thousand and less than ten thousand inhabitants, to obtain waterworks;' also, to repeal an Act approved March 15, 1887, entitled 'An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State,'" approved March 19, 1889.

F. J. BRANDON, Secretary.

Senate messages acted upon as follows:

Substitute for Senate Bill No. 259 placed on Senate special file.

Senate Bill No. 346 placed on Senate special file.

Senate Bill No. 42 placed on Senate special file.

Senate Bill No. 609 placed on Senate special file.

Senate Bill No. 335 placed on Senate special file.

Senate Bill No. 255 placed on Senate special file.

Senate Bill No. 375 placed on Senate special file.

Senate Bill No. 661 placed on Senate special file.

Assembly Joint Resolution No. 18 referred to Committee on Enrollment.

Assembly Bill No. 101 made a special order for to-morrow morning, immediately after reading the Journal, on motion of Mr. Gould.

Substitute for Assembly Bill No. 50 referred to Committee on Enrollment.

MOTION.

Mr. Bruner moved that Senate amendment to Assembly Bill No. 101 be printed in the Journal.

Carried.

Senate amendment to Assembly Bill No. 101:

Amend by striking out all after the word "law," in line twenty-two, and insert the following:

In the case of unoccupied property, if the owner cannot be found, a similar but conspicuous notice shall be posted, and kept posted in a conspicuous place upon the property, during not less than thirty (30) days next before the expiration of the time for the redemption, or thereafter next before the purchaser applies for a deed, which notice must also be published during the same period in a newspaper of general circulation published at the county seat of the county in which said property is situated (or if there be no such newspaper, then in a newspaper published near thereto), in every regular issue of such newspaper during the said period; and no deed of property sold at a delinquent tax sale shall be issued by the Tax Collector, or any officer, to the purchaser of such property, until the notice herein provided for shall have been given, and such purchaser shall have filed with such Tax Collector, or other officer, an affidavit showing that the notice hereinbefore required to be given has been given as herein required, and that due diligence has been used to notify the owner personally, which said affidavit shall be filed and preserved by the Tax Collector as other files, papers, and records kept by him in his office.

Such purchaser shall be entitled to receive the sum of three dollars for the service of said notice and the making of said affidavit, and also a reasonable amount for the cost of publication, when necessary, which sum of three dollars, and cost of publication, shall be paid by the redemptioner at the same time and in the same manner as other

costs, percentages, penalties, and fees are paid; *provided, however*, that if redemption is made within eleven months of the date of sale the purchaser shall not be entitled to the three-dollar fee.

SEC. 3. This Act shall take effect and be in force from and after its passage.

MESSAGES FROM THE SENATE—(RESUMED).

SENATE CHAMBER, SACRAMENTO, March 2, 1891.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the second day of March, amended, and passed as amended, the following:

Assembly Bill No. 39—An Act to amend section three hundred and ninety-four of the Code of Civil Procedure of the State of California, relative to the place of trial of certain actions, where a county or city is a party and a citizen or corporation resident of another county is sued by a county or city.

Also: Assembly Bill No. 271—An Act to amend section two thousand six hundred and eighty-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. 693—An Act entitled "An Act to amend section five hundred and thirty-one of the Political Code of the State of California," approved March 12, 1872, relating to State printing.

Also: Assembly Bill No. 694—An Act to amend sections three hundred and thirty-two, three hundred and thirty-three, and three hundred and thirty-four, and to repeal section three hundred and thirty-five of the Political Code of the State of California, approved March 12, 1872, relating to public reports.

And respectfully request that you concur in said amendments.

Also: On the second day of March, passed the following:

Senate Bill No. 170—An Act making an appropriation to pay the claims of Charles F. Reed, C. E. Grunsky, and J. J. Crawford, for expenses incurred as members of the Examining Commission on Rivers and Harbors, approved March 19, 1889.

Also: Substitute for Senate Bill No. 131—An Act to provide for the erection of additional buildings for the California Home for the Care and Training of Feeble-Minded Children, to complete buildings now being erected, and to appropriate money therefor.

Also: On the twenty-eighth day of February, passed the following:

Senate Bill No. 456—An Act to amend section one thousand and ninety-six of the Political Code of the State of California, in relation to registration of voters.

Also: Senate Bill No. 565—An Act to amend an Act entitled "An Act to reorganize Swamp Land District No. 70, of Sutter County, and to provide for the construction, maintenance, and repairs of levees therein," approved March 27, 1878.

F. J. BRANDON, Secretary.

CONSIDERATION OF SENATE MESSAGES.

Assembly Bill No. 39.
Senate amendment:

Strike out of section one all of lines eight and nine, and insert "on the motion of defendant transferred for trial to a county other than the plaintiff, if the plaintiff be a county, and other than that in which the plaintiff is situated, if the plaintiff be a city."

Mr. Hail moved that the House concur in the Senate amendment.
The roll was called, and the motion carried by the following vote:

AYES—Messrs. Alexander, Barnard, Barnett of Sonoma, Baughman, Bledsoe, Brown, Bruner, Bryant, Carter, Coffey, Cram, Culver, Cunningham, Daly, Dennis, Dibble, Dow, Eakle, Estey, Fowler, Freeman, Galbraith, Garver, Gordon, Gould, Hail, Harloe, Hawley, Hersey, Hocking, Hoey, Jackson, Johnson, Jones, Lewis, Lux, Manon, Martin, Mathews, Matlock, McCall, Mordecai, Murphy, Phillips, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Steltz, Sturtevant, Tennis, Tully, Wentworth, Windrow, and Young—57.

NOES—Messrs. Clark, Doty, and Stabler—3.

Assembly Bill No. 271.
Senate amendments, as follows:

Amend title to read: An Act to amend section two thousand six hundred and eighty-one of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to roads and highways.

Also: Amend by inserting the words immediately after the title: "The People of the State of California, represented in Senate and Assembly, do enact as follows."

Mr. Gould moved that the Assembly concur in the Senate amendments.

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

AYES—Messrs. Alexander, Arms, Barnard, Barnett of Sonoma, Baughman, Bledsoe, Brown, Bruner, Bryant, Cargill, Carter, Clark, Coffey, Cram, Culver, Cunningham, Dennis, Doty, Dow, Dunn, Durner, Eakle, Estey, Freeman, Galbraith, Garver, Gordon, Gould, Hail, Harloe, Hawley, Hersey, Hocking, Hoey, Jackson, Johnson, Jones, Lewis, Lux, Marion, Martin, Mathews, Matlock, Mordecai, Murphy, Phillips, Renfro, Rice, Robertson, Smith of Orange, Stabler, Steltz, Tennis, Tully, Wentworth, Weston, Windrow, and Young—58.

NOES—Messrs. Hunewill and Smith of Butte—2.

Assembly Bill No. 693.

Senate amendment, as follows:

Amend title so as to read: "An Act to amend section five hundred and thirty-one of the Political Code of the State of California, approved March 12, 1872, relating to State printing."

Mr. Bruner moved that the House concur in the Senate amendment.

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

AYES—Messrs. Alexander, Barnard, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Bryant, Cargill, Coffey, Cram, Culver, Cunningham, Daly, Dennis, Dibble, Doty, Dow, Dunn, Durner, Eakle, Estey, Fowler, Freeman, Galbraith, Garver, Glynn, Gordon, Gould, Hail, Hawley, Hersey, Hocking, Jackson, Johnson, Jones, Kellogg, Lewis, Lux, Marion, Martin, Mathews, Matlock, Mordecai, Murphy, Phillips, Renfro, Rice, Robertson, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Tully, Wentworth, Weston, Windrow, and Young—62.

NOES—None.

Assembly Bill No. 694.

Senate amendments, as follows:

Amend title to read as follows: "An Act to amend sections three hundred and thirty-two, three hundred and thirty-three, and three hundred and thirty-four, and to repeal section three hundred and thirty-five of the Political Code of the State of California, approved March 12, 1872, relating to public reports."

Also: Amend by striking out of section one, line six, after the word "ninety," the word "three," and insert in lieu thereof the word "two"

Also: Strike out of same section, line eight, the word "three," and insert the word "two."

Mr. Bruner moved that the House concur in the Senate amendments.

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

AYES—Messrs. Alexander, Barnett of Sonoma, Baughman, Bert, Bruner, Bryant, Coffey, Cram, Culver, Cunningham, Dennis, Doty, Dow, Dunn, Durner, Eakle, Estey, Freeman, Galbraith, Garver, Glynn, Gordon, Harloe, Hawley, Hersey, Hocking, Hoey, Johnson, Jones, Kellogg, Lewis, Marion, Martin, Mathews, Matlock, Mordecai, Murphy, Phillips, Renfro, Rice, Robertson, Smith of Butte, Smith of Orange, Stabler, Steltz, Tennis, Tully, Wentworth, Weston, and Young—50.

NOES—Mr. Sturtevant—1.

Mr. Wentworth moved that Assembly Bill No. 633 be made a special order for next Thursday, immediately after reading the Journal.

Carried.

Mr. Bruner moved that Assembly Bill No. 679 be taken up.

Carried.

Assembly Bill No. 679—An Act to amend section six hundred and fifty-four of the Political Code, relative to the Chairman of the Board of Examiners, and Secretary, and salary.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Barnett of Sonoma, Brown, Bruner, Bryant, Coffey, Culver, Cunningham, Daly, Dibble, Dow, Estey, Freeman, Galbraith, Garver, Glynn, Gould, Hall, Harloe, Hawley, Hersey, Hocking, Hoey, Jackson, Jones, Kellogg, Lewis, Lux, Marion, Martin, Mathews, Matlock, McCall, Mordecai, Murphy, Phillips, Rice, Robertson, Shanahan, Steltz, Tennis, Tully, Weston, Windrow, and Young—45.

NOES—Messrs. Arms, Baughman, Beecher, Bledsoe, Cram, Eakle, Gordon, Hunewill, Smith of Butte, Smith of Orange, Stabler, and Wentworth—12.

Title read and approved.

Mr. Bruner moved that Assembly Bill No. 679 be immediately transmitted to the Senate.

Carried.

Mr. McCall moved to take up Assembly Bill No. 18.

Carried.

Assembly Bill No. 18—An Act to amend an Act entitled "An Act to provide for Police Courts in cities having thirty thousand and under one hundred thousand inhabitants, and to provide for officers thereof," approved March 18, 1885; and to make said Act as amended apply to cities having ten thousand and under one hundred thousand inhabitants.

Read second time.

Committee amendments, as follows, adopted:

Amend title by striking out word "ten," in line six, and insert the word "fifteen" in lieu thereof.

Also, in line six of title, strike out the words "one hundred," and insert "twenty-five."

On page one of said bill, in line one, of section one thereof, amend by striking out the word "ten," in said line, and substituting the word "fifteen" in place thereof.

Also, in line one, on page one, in section one, strike out the word "one," and insert the words "twenty-five."

Also, in line two, of section one, on page one of said bill, strike out the word "hundred."

Also, after section fourteen add a new section, to be numbered section fifteen, as follows:

SEC. 15. No person shall be eligible to the office of Justice of the Peace of any city having a population of fifteen thousand inhabitants or over, unless such person has been regularly admitted to practice law before the Superior Court of the county in which he is elected.

Also, on page four, in line one, of section fifteen, strike out the figures "15" thereof, and substitute the figures "16."

Ordered engrossed and to a third reading.

MOTION.

Mr. Cunningham moved that Senate Bill No. 384 be taken up.

Carried.

Senate Bill No. 384—An Act to increase the number of Judges of the Superior Court of the county of Tulare, and to provide for the appointment of an additional Judge.

Read first time.

RESOLUTION.

By Mr. Cunningham:

Resolved, That Senate Bill No. 384 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

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

AYES—Messrs Alexander, Barnard, Barnett of Sonoma, Baughman, Bledsoe, Bruner, Bryant, Cargill, Carter, Coffey, Culver, Cunningham, Daly, Dennis, Dibble, Doty, Dow, Dunn, Durner, Eakle, Estey, Fowler, Freeman, Galbraith, Garver, Glynn, Gould, Harloe, Hawley, Hersey, Hocking, Hoey, Hunewill, Jackson, Johnson, Jones, Kellogg, Lewis, Lux, Marion, Martin, Mathews, Matlock, McCall, Mordecai, Murphy, Phillips, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Tennis, Wentworth, Weston, Windrow, and Young—60.

NOES—None.

Senate Bill No. 384.

Read second and third times.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Barnard, Barnett of Sonoma, Baughman, Beecher, Bledsoe, Brown, Bruner, Bryant, Cargill, Carter, Coffey, Culver, Cunningham, Daly, Dennis, Dibble, Doty, Dow, Dunn, Durner, Eakle, Estey, Fowler, Garver, Glynn, Gould, Hall, Harloe, Hawley, Hersey, Hoey, Hunewill, Jackson, Johnson, Jones, Kellogg, Lewis, Lux, Marion, Martin, Mathews, Matlock, McCall, Mordecai, Murphy, Phillips, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Tennis, Wentworth, Weston, Windrow, and Young—60.

NOES—None.

Title read and approved.

MOTIONS.

Mr. Bruner moved that Senate Bill No. 384 be immediately transmitted to the Senate.

Carried.

Mr. Coffey moved to take up Assembly Bill No. 747.

Carried.

Assembly Bill No. 747—An Act for the relief of Agnes Lynch, widow of Hugh J. Lynch, for injuries received by said Lynch while in the service of the State, and which caused his death.

Read second time.

Mr. Dibble moved that the House go into Committee of the Whole, with the Speaker pro tem. in the chair, for the purpose of considering Assembly Bill No. 747.

Carried.

IN COMMITTEE OF THE WHOLE.

Speaker pro tem. Young in the chair.

Assembly Bill No. 747 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker pro tem. Young in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Speaker pro tem. stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 747, and now report the same back to the Assembly, and recommend that the same do pass.

MOTIONS.

Mr. Baughman moved that Assembly Bill No. 747 be ordered engrossed and to third reading.

Carried.

Mr. Doty moved to take up substitute for Assembly Bill No. 115.

Carried.

Substitute for Assembly Bill No. 115—An Act to amend an Act entitled "An Act to provide for Police Courts in cities having thirty thousand and under one hundred thousand inhabitants, and to provide for officers thereof," approved March 18, 1885.

Read third time.

Mr. Bruner moved that a select committee of one be appointed to amend, as follows:

Insert after the word "Court," in line one of section six of printed bill, the words: "in all cities having more than twenty-six thousand and less than one hundred thousand inhabitants."

Carried.

APPOINTMENT OF COMMITTEE.

Mr. Bruner was appointed a committee to make said amendment.

REPORT OF COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1891.

MR. SPEAKER: Your Select Committee, to whom was referred substitute for Assembly Bill No. 115, 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.

BRUNER, Committee.

Substitute for Assembly Bill No. 115 ordered to printer.

Mr. Fowler moved to take up Senate Bill No. 43.

Carried.

Senate Bill No. 43—An Act to amend section two thousand one hundred and sixty-eight of the Civil Code, relating to common carriers.

Read first time.

Senate Bill No. 43 was made a special order for next Wednesday, at eleven o'clock A. M., on motion of Mr. Fowler.

WITHDRAWAL OF BILL.

Mr. Brown was permitted to withdraw Assembly Bill No. 162, and substitute in its place on file, Assembly Bill No. 722.

ADJOURNMENT.

At ten o'clock P. M. the House adjourned, on motion of Mr. Shanahan.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Tuesday, March 3, 1891.

The House met pursuant to adjournment.

Speaker pro tem. Young in the chair.

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

Messrs. Alexander, Ames, Arms, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Bryant, Cargill, Carter, Clark, Coffey, Crain, Cunningham, Daly, Dennis, Dibble, Doty, Dow, Dunn, Durner, Eakle, Estey, Fowler, Freeman, Galbraith, Garver, Glynn, Gordon, Gould, Hail, Harloe, Hawley, Hayes, Hersey, Hocking, Hunewill, Jackson, Johnson, Jones, Kellogg, Lacey, Lowe, Lux, Lynch, Martin, Mathews, Matlock, McCall, Mordecai, Murnan, Murphy, Phillips, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Tully, Wentworth, Weston, Young, and Mr. Speaker.

Quorum present.

LEAVE OF ABSENCE.

Leave of absence was granted the following named members for the day: Messrs. Hoey, Fowler, Lewis, and Speaker Coombs.

PRAYER.

Prayer by the Chaplain, Rev. A. C. Herrick.

READING OF THE JOURNAL.

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

So ordered.

CORRECTION OF JOURNAL OF SATURDAY.

Mr. Shanahan asked that the Journal of Saturday be corrected so as to show that Assembly Bill No. 711 was read second time, ordered engrossed and to a third reading, and made a special order for Monday, at three o'clock and thirty minutes P. M.

So ordered.

Journal of Saturday approved, as corrected.

Journal of Monday approved, as corrected.

Speaker Coombs in the chair.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 3, 1891.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that they have examined the following Assembly Bills and find them correctly engrossed: Nos. 735, 541, 338, 659, 711, 289, 654, 161, 671, 670, 611, 358, 664, and 707.

WINDROW, Chairman.

SPECIAL ORDERS.

Senate Bill No. 19—An Act to amend section two thousand nine hundred and fifty-five of an Act entitled "An Act to establish a Civil Code of the State of California," approved March 21, 1872, relating to chattel mortgages.

Mr. Beecher in the chair.

MOTION.

Mr. Shanahan moved that a select committee of one be appointed to amend as follows:

Strike out of section one, line twelve, "and household goods of all kinds," and insert "of hotels and lodging houses" in lieu thereof.

Carried.

APPOINTMENT OF COMMITTEE.

Mr. Shanahan was appointed a committee to make said amendment.

REPORT OF COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, March 3, 1891.

MR SPEAKER: Your Select Committee, to whom was referred Senate 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.

SHANAHAN, Committee.

Report of committee adopted.

MOTION.

Mr. Shanahan moved that a select committee be appointed to amend the amendment as follows:

Amend by adding the words "when mortgaged, to secure the purchase money of the article mortgaged."

Carried.

APPOINTMENT OF COMMITTEE.

Mr. Shanahan was appointed a committee to make said amendment.

REPORT OF COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, March 3, 1891.

MR. SPEAKER: Your Select Committee, to whom was referred Senate 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.

SHANAHAN, Committee.

Report of committee adopted.

MOTION.

Mr. Gould moved that a select committee be appointed to amend as follows:

Insert after the word "contained," in section one, line twenty-one, the words: "*provided*, that no personal property exempt from execution shall be mortgaged."

Carried.

APPOINTMENT OF COMMITTEE.

Mr. Gould was appointed a committee to make said amendment.

REPORT OF COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, March 3, 1891.

MR SPEAKER: Your Select Committee, to whom was referred Senate 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.

GOULD, Committee.

Report of committee adopted.

MOTION.

Mr. Shanahan moved that Senate Bill No. 19 be made a special order for to-morrow, immediately after reading of the Journal.

Carried.

Assembly Bill No. 101—An Act to amend sections three thousand seven hundred and eighty and three thousand seven hundred and eighty-five of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the redemption of land sold at tax sale.

The question being, "Shall the Assembly concur in the Senate amendment as the same was printed in yesterday's Journal?"

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

AYES—None.

NOES—Messrs. Ames, Arms, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Bryant, Clark, Cram. Culver, Cunningham, Dennis, Dibble, Doty, Dow, Dunn, Durner, Eakle, Estey, Freeman, Garver, Glynn, Gordon, Gould, Hail, Hawley, Hayes, Hocking, Hunewill, Jackson, Johnson, Jones, Kellogg, Lacey, Lynch, Martin, Mathews, Matlock, Mordecai, Murnan, Murphy, Phillips, Renfro, Rice, Shanahan, Smith of Butte, Stabler, Steltz, Sturtevant, Tennis, Tully, Wentworth, Weston, Windrow, Young, and Mr. Speaker—60.

RECONSIDERATION OF VOTE.

Mr. Lacey moved to reconsider the vote whereby Senate Bill No. 585 was refused passage.

Carried.

The question being upon the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Ames, Arms, Barnard, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Bruner, Bryant, Cargill, Carter, Clark, Coffey, Cunningham, Daly, Dennis, Dibble, Doty, Dunn, Durner, Estey, Freeman, Galbraith, Garver, Glynn, Gordon, Gould, Hail, Harloe, Hawley, Hayes, Hersey, Hocking, Jackson, Johnson, Jones, Kellogg, Lacey, Lowe, Lynch, Martin, Matlock, McCall, Mordecai, Murnan, Murphy, Phillips, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Stabler, Steltz, Sturtevant, Tennis, Wentworth, Weston, Windrow, Young, and Mr. Speaker—62.

NOES—Messrs. Alexander, Dow, and Eakle—3.

Title read and approved.

REPORTS OF STANDING COMMITTEES.

ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 3, 1891.

MR. SPEAKER: Your Committee on Enrollment beg leave to report that the following Assembly Bills have been correctly enrolled: Nos. 138, 51, 102, and 744.

Also: Assembly Joint Resolution No 10—and were delivered to the Governor on February twenty-seventh, at four o'clock and thirty minutes P. M.

Also: Assembly Bill No 185—and was presented to the Governor on February twenty-seventh, at five o'clock P. M.

Also: Assembly Bill No. 79—and was presented to the Governor on February twenty-eighth, at five o'clock P. M.

Also: Assembly Bills Nos. 52 and 192.

Also: Assembly Joint Resolution No. 3—and were presented to the Governor on March second, at four o'clock P. M.

BLEDSOE, Chairman.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 3, 1891.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that they have examined Assembly Bill No. 747, and find it correctly engrossed.

WINDROW, Chairman.

MOTION.

Mr. Lacey moved to reconsider the vote whereby substitute for Senate Bill No. 331 was passed.

Mr. Bruner moved to indefinitely postpone consideration of substitute for Senate Bill No. 331.

Carried.

SPECIAL ORDERS.

Substitute for Senate Bills Nos. 8, 57, 123, and 369—An Act to amend sections one thousand one hundred and eighty-five, one thousand one hundred and eighty-six, one thousand one hundred and eighty-seven, one thousand one hundred and eighty-eight, one thousand one hundred and eighty-nine, one thousand one hundred and ninety, one thousand one hundred and ninety-one, one thousand one hundred and ninety-two, one thousand one hundred and ninety-three, one thousand one hundred and ninety-four, one thousand one hundred and ninety-five, one thousand one hundred and ninety-six, one thousand one hundred and ninety-seven, one thousand one hundred and ninety-eight, one thousand one hundred and ninety-nine, one thousand two hundred, one thousand two hundred and one, one thousand two hundred and two, one thousand two hundred and three, one thousand two hundred and four, one thousand two hundred and five, one thousand two hundred and six, one thousand two hundred and seven, one thousand two hundred and eight, one thousand two hundred and nine, one thousand two hundred and ten, one thousand two hundred and eleven, one thousand two hundred and twelve, one thousand two hundred and fifty-seven, one thousand two hundred and fifty-eight, and one thousand two hundred and fifty-nine of the Political Code, and to add four new sections thereto, to be numbered one thousand two hundred and thirteen, one thousand two hundred and fourteen, one thousand two hundred and fifteen, and one thousand two hundred and sixteen, all in relation to the conduct of elections in this State.

Read second time.

Mr. Dibble moved that the bill, together with Assembly Bills Nos. 2, 3, 27, 29, and 470, be made a special order for to-morrow, at eleven o'clock A. M.

Carried.

Assembly Bill No. 671—An Act to provide for funding the indebtedness of Levee District No. 6, of Sutter County, and to provide for the payment of such funded debt.

Read third time.

Mr. Stabler moved that a select committee of one be appointed to amend as follows:

Strike out of section eleven, line one, the words "section eleven" and insert "section five."

Also, strike out of section twelve, line one, "section twelve," and insert "section six."

Also, strike out of section fourteen, line one, the words "section fourteen" and insert "section seven"

Also, strike out of section fourteen, line one, the words "section fourteen," and insert "section eight."

Carried.

APPOINTMENT OF COMMITTEE.

Mr. Stabler was appointed a committee to make said amendment.

REPORT OF SELECT COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, March 3, 1891.

MR. SPEAKER: Your Select Committee, to whom was referred Assembly Bill No. 671, 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.

STABLER, Committee.

Report of committee adopted.

MOTION.

Mr. Stabler moved that Assembly Bill No. 671 be made a special order for Thursday, at eleven o'clock A. M.

Carried.

Assembly Bill No. 670—An Act to define the boundary and provide for the government of Levee District No. 6, of Sutter County, California.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Barnard, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Brunei, Bryant, Cargill, Carter, Coffey, Cram, Dennis, Doty, Dunn, Dunner, Eakle, Estey, Galbraith, Garver, Gordon, Gould, Harloe, Hawley, Hayes, Hocking, Jackson, Jones, Kellogg, Lux, Lynch, Martin, Mathews, Matlock, Mordecai, Murnan, Murphy, Phillips, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Sturtevant, Tennis, Tully, Wentworth, Weston, Windrow, Young, and Mr. Speaker—55.

NOES—None.

MOTION.

Mr. Jackson moved to reconsider the vote whereby Senate Bill No. 154 was refused passage.

Carried.

The question being upon the final passage of the bill, it was so ordered.

Senate Bill No. 154—An Act authorizing school districts, cities, cities and counties, or incorporated towns, in the State of California, to fur-

nish the pupils of their respective public schools with free use of school text-books.

The roll was called.

MOTION.

Pending the roll call, Mr. Bruner moved a new roll call.

Lost.

The roll call was completed, and the bill passed by the following vote:

AYES—Messrs. Aims, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Bryant, Cargill, Carter, Clark, Cram, Doty, Dunn, Durner, Eakle, Estey, Freeman Galbraith, Gordon, Gould, Harloe, Hawley, Hersey, Hocking, Hunewill, Jackson, Johnson, Jones, Kellogg, Lacey, Lux, Lynch, Martin, Mathews, Matlock, McCall, Murnan, Murphy, Phillips, Renfro, Rice, Robertson, Shanahan, Smith of Orange, Stabler, Tully, Wentworth, Weston, Windrow, and Mr. Speaker—53.

NOES—Messrs. Alexander, Barnard, Coffey, Daly, Dennis, Dibble, Dow, Garver, Glynn, Hall, Hayes, Mordecai, Smith of Butte, Steltz, Sturtevant, Tennis, and Young—17.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Bruner gave notice that on to-morrow he will move a reconsideration of the vote whereby Senate Bill No. 154 passed.

MOTION.

Mr. Shanahan moved to take up Assembly Bill No. 235.

Carried.

Assembly Bill No. 235—An Act to authorize the Governor and Surveyor-General to sell and convey the State's interest in certain lands.

Read third time.

At twelve o'clock and thirty minutes P. M., Mr. Shanahan moved that the recess hour be deferred until consideration is completed of Assembly Bill No. 235, and the special order for this hour.

Carried.

Mr. Baughman moved that a select committee of one be appointed by the Speaker to amend as follows:

Strike out all of section one, and insert as follows:

SECTION 1. The Governor and Surveyor-General are hereby authorized and directed to convey, release, quitclaim, and confirm all right, title, and interest of the State of California, of, in, and to all that portion of the southeast one quarter of section nineteen, township eleven north, range seven east, Mount Diablo base and meridian, which is not embraced within the exterior boundaries of the lands set apart and heretofore conveyed by the State of California to the Masons and Odd Fellows of Rocklin, Placer County, California, for cemetery purposes, to the respective owners and occupants thereof, as shown by the official map and field notes of survey of said lands, made by William L. Graham, County Surveyor of Placer County, California, now on file in the office of the Recorder of Placer County, upon making and filing with the Surveyor-General an affidavit setting forth that the applicant was, at the date of said survey, in the possession of the portion of said land claimed by him, her, or them, or an actual settler thereon, and upon the payment into the State Treasury of the sum of five dollars per acre, or fraction thereof, as shown by said survey or field notes; *provided*, that the present occupants and claimants shall be preferred purchasers of the respective lots and parcels of said lands for the space of one year from the passage of this Act; *and provided further*, that all rights of way for roads, railroad tracks, and spurs, now existing upon or over said lands, shall be excepted from the title hereby authorized to be conveyed.

SEC. 2. This Act shall be in force from and after its passage.

Motion to appoint a select committee lost on division.

Mr. Baughman moved that the enacting clause be stricken out.

Lost.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arms, Barnett of Sonoma, Baughman, Bert, Brown, Bruner, Bryant, Cargill, Clark, Coffey, Daly, Doty, Dow, Dunn, Eakle, Estey, Freeman, Glynn, Gould, Harloe, Hayes, Hersey, Hocking, Jackson, Johnson, Kellogg, Lowe, Lux, Lynch, Mathews, Matlock, McCall, Mordecai, Murnan, Murphy, Rice, Robertson, Shanahan, Steltz, Sturtevant, Tennis, Wentworth, and Young—43.

NOES—Messrs. Barnett of San Francisco, Beecher, Bledsoe, Carter, Cram, Cunningham, Galbraith, Garver, Gordon, Martin, Phillips, Smith of Butte, Smith of Orange, Stabler, Weston, and Mr. Speaker—16.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Baughman gave notice that on to-morrow he will move for a reconsideration of the vote whereby Assembly Bill No. 235 passed.

RECESS.

At one o'clock P. M. the Assembly took a recess.

REASSEMBLED.

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

Speaker Coombs in the chair.

Quorum present.

SPECIAL ORDER.

Assembly Bill No. 747—An Act for the relief of Agnes Lynch, widow of Hugh J. Lynch, for injuries received by said Lynch while in the service of the State, and which caused his death.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Beecher, Bert, Brown, Bruner, Bryant, Cargill, Coffey, Cunningham, Daly, Dennis, Dibble, Doty, Dow, Dunn, Durner, Eakle, Estey, Freeman, Galbraith, Garver, Glynn, Harloe, Hawley, Hayes, Hersey, Johnson, Jones, Lacey, Lux, Manion, Martin, Mathews, Matlock, McCall, Murnan, Murphy, Phillips, Shanahan, Smith of Butte, Stabler, Steltz, Sturtevant, Tully, Weston, Windrow, and Young—50.

NOES—Messrs Baughman, Bledsoe, Cram, Gordon, Kellogg, Mordecai, Renfro, Smith of Orange, and Mr. Speaker—9.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Bledsoe gave notice that on to-morrow he will move for a reconsideration of the vote whereby Assembly Bill No. 747 passed.

REPORT OF STANDING COMMITTEE.

ON COUNTY AND TOWNSHIP GOVERNMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, March 3, 1891.

MR. SPEAKER: Your Committee on County and Township Governments, to whom was referred Assembly Bill No. 378—report the same back, and recommend that its author be allowed to withdraw the same.

BROWN, Chairman.

Assembly Bill No. 378 withdrawn by the author, Mr. Brown.

MOTION.

Mr. Barnett moved that Assembly Bill No. 61 be ordered engrossed and to a third reading.

Carried.

RESOLUTION.

By Mr. Wentworth:

Resolved, That the bills on the special Senate file be arranged under the following heads. Third Reading, Second Reading, and First Reading.

Adopted.

SPECIAL FILE OF SENATE BILLS.

Senate Bill No. 69—An Act to amend section one thousand three hundred and twenty-nine of the Penal Code of the State of California, relative to the payment of the necessary expenses of witnesses in criminal cases.

Read third time.

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

AYES—Messrs. Bledsoe, Culver, Dow, Glynn, Gould, Harloe, Lacey, Martin, and Murnan—9.

NOES—Messrs. Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Bert, Bruner, Bryant, Cargill, Carter, Clark, Coffey, Cram, Dibble, Doty, Dunn, Durner, Estey, Freeman, Galbraith, Garver, Gordon, Hayes, Hersey, Hunewill, Jackson, Johnson, Kellogg, Lowe, Mathews, Matlock, McCall, Mordecai, Murphy, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Sturtevant, Tully, Wentworth, Weston, Windrow, and Mr. Speaker—44.

MOTION.

Mr. Stabler moved that Senate Bill No. 563 be taken up out of order.

Carried.

RESOLUTION.

By Mr. Stabler:

Resolved, That Senate Bill No. 563 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

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

AYES—Messrs. Barnard, Barnett of San Francisco, Barnett of Sonoma, Bert, Bledsoe, Bruner, Bryant, Cargill, Carter, Clark, Coffey, Cram, Cunningham, Dennis, Dibble, Doty, Dow, Dunn, Eakle, Estey, Freeman, Galbraith, Garver, Gordon, Gould, Hawley, Hayes, Hersey, Hocking, Hunewill, Jackson, Johnson, Kellogg, Lowe, Lux, Lynch, Martin, Mathews, Matlock, McCall, Mordecai, Murnan, Phillips, Rentto, Rice, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Tully, Wentworth, Weston, Young, and Mr. Speaker—55.

NOES—Messrs. Baughman and Sturtevant—2

Senate Bill No. 563—An Act to amend an Act entitled "An Act to reorganize Swamp Land District No. 70, of Sutter County, and to provide for the construction, maintenance, and repairs of levees therein," approved March 27, 1878.

Read first, second, and third times.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Bert, Bledsoe, Bruner, Bryant, Clark, Coffey, Cram, Cunningham, Dennis, Doty,

Dunn, Eakle, Estey, Freeman, Galbraith, Garver, Gould, Harloe, Hawley, Hayes, Hersey, Hocking, Hunewill, Jackson, Johnson, Kellogg, Lacey, Lynch, Martin, Mathews, Matlock, McCall, Mordecai, Murnan, Phillips, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Stuttevant, Tully, Wentworth, Young, and Mr. Speaker—53.

NOES—None.

Title read and approved.

Mr. Stabler moved that Senate Bill No. 563 be immediately transmitted to the Senate.

So ordered.

REPORT OF STANDING COMMITTEE.

ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 3, 1891.

MR. SPEAKER: Your Committee on Enrollment beg leave to report that the following Assembly Bills have been referred to this committee with Senate amendments: Nos. 34, 271, 197, 39, 694, and 693—and beg leave to report the said bills back to the House, with the recommendation that they be referred to the Committee on Engrossment.

BLEDSOE, Chairman.

MOTION.

Mr. Bledsoe moved that Assembly Bills Nos. 34, 271, 197, 39, 694, and 693 be referred to the Committee on Engrossment.

Carried.

SPECIAL FILE OF SENATE BILLS—(RESUMED).

Substitute for Senate Bill No. 75.

Mr. Bruner moved that this bill be passed on file.

Carried.

Senate Bill No. 227—An Act entitled an Act to add another section to the Code of Civil Procedure of the State of California, relating to incompetent persons.

Read third time.

Mr. Bruner moved that a select committee of one be appointed by the Speaker to amend line six, by striking out the word "ignorance."

Carried.

APPOINTMENT OF COMMITTEE.

Mr. Bruner was appointed a committee to make said amendment.

REPORT OF COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, March 3, 1891.

MR. SPEAKER: Your Select Committee, to whom was referred Senate Bill No. 227, 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.

BRUNER, Committee.

Report of committee adopted, and bill ordered to printer.

Senate Bill No. 108—An Act to amend the Penal Code of California by adding a new section thereto, to be known as section three hundred and eight, relative to the sale or furnishing of tobacco, or preparations thereof, to persons under sixteen years of age.

Read third time.

Mr. Renfro moved that a select committee of one be appointed to

amend by striking out of section three hundred and eight, line four, the word "sixteen" and insert the word "eighteen."

Lost.

Mr. Bledsoe moved that a select committee of one be appointed to amend by striking out of section three hundred and eight all after the word "children," in line eight.

Lost.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Bert, Bledsoe, Bruner, Bryant, Cargill, Carter, Clark, Culver, Dennis, Doty, Dunn, Durner, Eakle, Estey, Freeman, Galbraith, Garver, Gould, Hail, Harloe, Hawley, Hayes, Hersey, Hocking, Hunewill, Jackson, Lacey, Lowe, Lynch, Martin, Mathews, McCall, Mordecai, Murnan, Murphy, Phillips, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Sturtevant, Wentworth, Weston, Young, and Mr. Speaker—51.

NOES—Mr. Cunningham—1.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Lacey gave notice that on to-morrow he will move for a reconsideration of the vote whereby Senate Bill No. 108 passed.

Senate Bill No. 444—An Act to amend section six hundred and forty-seven of the Penal Code, concerning vagrants.

Read third time.

MOTION.

Mr. McCall moved that the enacting clause be stricken out.

PREVIOUS QUESTION.

The previous question was demanded by Mr. Hocking, seconded by Messrs. Lynch and Hunewill.

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

The question recurring upon Mr. McCall's motion.

The ayes and noes were demanded by Messrs. Bledsoe, Phillips, and Lynch.

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

AYES—Messrs. Arms, Bledsoe, Clark, Cunningham, Dennis, Doty, Dunn, Eakle, Garver, Gould, Hail, Harloe, Hocking, Jackson, Kellogg, Martin, Mathews, McCall, Murnan, Rice, Robertson, Shanahan, Stabler, Sturtevant, and Tennis—25.

NOES—Messrs. Alexander, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Brown, Bruner, Bryant, Cargill, Carter, Coffey, Cram, Culver, Dow, Durner, Estey, Fowler, Freeman, Galbraith, Glynn, Gordon, Hawley, Hayes, Hersey, Hunewill, Jones, Lacey, Lux, Lynch, Marion, Matlock, Mordecai, Murphy, Phillips, Renfro, Smith of Butte, Smith of Orange, Tully, Wentworth, Weston, Windrow, Young, and Mr. Speaker—45.

The question being upon the final passage of Senate Bill No. 444.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Brown, Bruner, Bryant, Cargill, Carter, Cram, Culver, Dennis, Dow, Durner, Estey, Fowler, Freeman, Galbraith, Glynn, Gordon, Hawley, Hayes, Hersey, Hunewill, Jones, Lacey, Lowe, Lux, Lynch, Matlock, Mordecai, Murphy, Phillips, Renfro, Smith of Butte, Tully, Wentworth, Weston, Windrow, Young, and Mr. Speaker—43.

NOES—Messrs. Arms, Bledsoe, Clark, Coffey, Cunningham, Dibble, Doty, Dunn, Eakle, Garver, Gould, Hall, Harloe, Hocking, Jackson, Kellogg, Marion, Martin, Mathews, McCall, Murnan, Rice, Robertson, Shanahan, Smith of Orange, Stabler, Sturtevant, and Tennis—28.

MOTION.

Mr. Shanahan moved that the special order, Assembly Bill No. 711, be made a special order for to-morrow morning, immediately after the reading of the Journal.

Carried.

NOTICE OF RECONSIDERATION.

Mr. Dennis gave notice that on to-morrow he will move for a reconsideration of the vote whereby Senate Bill No. 444 passed.

MOTIONS.

Mr. Matlock moved to take up Assembly Bill No. 685.

Carried.

At four o'clock and forty-five minutes P. M., Mr. Dibble moved that the hour of recess be extended fifteen minutes.

Carried.

Assembly Bill No. 685—An Act to amend sections two thousand six hundred and forty-one, two thousand six hundred and forty-two, two thousand six hundred and forty-three, two thousand six hundred and forty-five, and two thousand six hundred and forty-six, and to repeal section two thousand six hundred and forty-four of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the powers and duties of highway officers, and to provide for the maintenance and improvement of highways by contract.

Read third time.

Mr. Matlock moved that a select committee of one be appointed to amend, as follows:

1. Strike out of section three, in line sixteen, the word "quarterly."
2. Also: Insert after the words "bids for," in line sixteen, section three, the following: "The construction or."
3. Also: Amend section three, line twenty-nine, by inserting the word "work."
4. Also: Amend section three, in line thirty, by striking out the word "them" and inserting the word "him" in lieu thereof
5. Also: Amend section three, line thirty-five, by striking out the word "they," and inserting in lieu thereof the words "the Board."
6. Also. Amend section five, in line fourteen, by striking out the word "crossways," and inserting in lieu thereof the word "causeways"
7. Also: Amend by inserting a new paragraph after line twenty-two, to read as follows:

"5. When not otherwise provided for by law, he shall receive for his services as such Road Commissioner, twenty cents per mile one way for all distances actually traveled by him in the performance of his duties, *provided*, that he shall not, in any one year, receive more than three hundred dollars"

8 Also: Amend by striking out of section six, in line five, the words "nor have not expired," and inserting in lieu thereof the words "or for the reletting of contracts."
9. Also: Amend by striking out of section six, in line nine, the words "awarding said bids," and inserting in lieu thereof the words "opening said bids and awarding contracts."
10. Also: Amend by striking out of section seven, in line eight, the word "May," and inserting in lieu thereof the word "September."
11. Also Amend by striking out of section seven, in line eleven, the word "pay," and inserting in lieu thereof the words "be collected."

Carried.

APPOINTMENT OF COMMITTEE.

Mr. Matlock was appointed a committee to make said amendments.

REPORT OF COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, March 3, 1891.

MR. SPEAKER: Your Select Committee, to whom was referred Assembly Bill No. 685, 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.

MATLOCK, Committee.

Report of committee adopted.

MOTION.

Mr. Gould moved that further consideration of Assembly Bill No. 685 be postponed, and all proposed amendments be printed in the Journal.

Carried.

The following amendments were proposed:

By Mr. Stabler:

Amend by adding to line twenty-two, section five, "The members of the Board of Supervisors shall be allowed the same per diem as Road Commissioners as they are allowed as Supervisors."

By Mr. Hail:

Strike out of section seven, line twenty-three the word "equally," and insert the following: "from which said road poll tax was collected."

Also: Amend by striking out of section seven, line seventeen, the words "County Assessor on or before the first Monday of March of each year, and said Assessor," and insert the following: "Road Commissioners on or before the first Monday of March of each year, and said Road Commissioner."

Also: Amend by striking out of section seven, line twelve, the words "County Assessor," and insert the following "Road Commissioner."

Also: Amend by striking out of section six, line eighteen, the word "county," and insert the following: "Supervisor district of which the road district forms a part."

Also. Amend by striking out of section six, line fifteen, the word "four," and insert the following: "two."

Also: Amend by striking out of section six, line six, the words "at the county seat," and insert the following. "in the county."

By Mr. Robertson:

Amend by inserting the following subdivision at the end of section five:

6 The Boards of Supervisors of the several counties may, if they deem it to the best interests of their respective counties, appoint one Road Inspector for each such county, and prescribe his duties and compensation, subject to the provisions of this Act; *provided*, that the compensation of such Road Inspector shall not exceed the sum allowed by law as the total compensation of the Road Commissioners of said county. In case such Road Inspector be appointed, no salaries, fees, or compensation shall thereafter be allowed to said Supervisors as Road Commissioners The salary, fees, or compensation of such Road Inspector shall be paid quarterly, from the county road funds, and shall be apportioned, as nearly as possible, among the different road district funds, according to the amount of services rendered by him in the several road districts in the county. Said Road Commissioners may delegate to said Road Inspector all powers conferred upon them by law as such, save that said Road Commissioners shall not delegate to said Road Inspector any power or authority to open or award bids, as provided in this Act, and no such Road Inspector shall be directly or indirectly interested in any such contract.

By Mr. Bledsoe:

Amend by striking out of section eight, line twenty-seven, the words "for his respective road district," and insert the words "in all the road districts in his Supervisor district."

MOTION.

Mr. Bruner moved that Assembly Bill No. 338 be taken up.

Carried.

Assembly Bill No. 338—An Act to authorize Robert C. Ball to sue the State of California.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arms, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bledsoe, Brown, Bruner, Bryant, Cargill, Carter, Clark, Coffey, Cram, Culver, Cunningham, Daly, Dennis, Doty, Dow, Durner, Eakle, Estey, Fowler, Freeman, Galbraith, Gaiver, Gordon, Hail, Harloe, Hayes, Hersey, Hocking, Johnson, Kellogg, Lacey, Lowe, Lux, Lynch, Martin, Mathews, Matlock, McCall, Mordecai, Murnan, Murphy, Phillips, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Wentworth, Weston, and Young—57.

NOES—Messrs. Barnard and Mr. Speaker—2.

Title read and approved.

Mr. Bruner moved that Assembly Bill No. 338 be immediately transmitted to the Senate.

So ordered.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 3, 1891.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that they have examined the following Assembly Bills and find them correctly reëngrossed: Nos. 271, 197, 39, 694, 693, and 34.

WINDROW, Chairman.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 3, 1891.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, appointed as a Committee on Conference, Senators McGowan, Bailey, and Berry, and ask that a similar committee on behalf of the Assembly be appointed to consider Senate amendments to Assembly Bill No. 101—An Act to amend sections three thousand seven hundred and eighty and three thousand seven hundred and eighty-five of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the redemption of land sold at tax sale.

F. J. BRANDON, Secretary.

COMMITTEE ON CONFERENCE.

The following named members were appointed a Committee on Conference on the part of the Assembly, to meet a like committee on the part of the Senate, to consider Senate amendments to Assembly Bill No. 101: Messrs. Kellogg, Hail, and Rice.

MOTION.

Mr. Dibble moved to take up substitute for Senate Bill No. 388.

Carried.

Substitute for Senate Bill No. 388—An Act to divide the State of California into Congressional districts.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Bryant, Cargill, Carter, Clark, Coffey, Cram,

Culver, Daly, Dibble, Dow, Durner, Estey, Fowler, Freeman, Galbraith, Glynn, Gordon, Hail, Harloe, Hayes, Hersey, Hocking, Hunewill, Johnson, Lacey, Lowe, Lux, Lynch, Marion, Matlock, McCall, Murphy, Phillips, Smith of Butte, Smith of Orange, Steltz, Sturtevant, Wentworth, Weston, Young, and Mr. Speaker—50.

Noes—Messrs Cunningham, Doty, Dunn, Eakle, Garver, Gould, Jackson, Kellogg, Martin, Mordecai, Renfro, Rice, Robertson, Shanahan, and Stabler—15.

Title read and approved.

Mr. Dibble moved that substitute for Senate Bill No. 388 be immediately transmitted to the Senate.

So ordered.

APPOINTMENT OF WATCHMAN.

The Speaker appointed E. McCoy as Watchman.

REPORT OF COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, March 3, 1891.

MR. SPEAKER, AND MEMBERS OF THE ASSEMBLY: Your special committee appointed to report resolutions of respect to the memory of the late Senator Hearst, and to consider what action should be taken, respectfully submit the following:

WHEREAS, It has pleased God in His infinite wisdom to remove from His sphere of usefulness that true man and distinguished United States Senator, Hon. George Hearst.

Resolved by the Assembly of California, That in the death of our late Junior Senator, both the Nation and the State have lost the services of a faithful, efficient, and trusted public servant.

That we recognize in the character of the deceased the true type of the California pioneers who have contributed so much to the development and material prosperity of the State.

That we feel an exalted pride in his success and achievements in both private and public life.

That we revere his memory as a pioneer leading the van of those who successfully developed the vast mineral wealth of the State, and a citizen, who, with an abiding confidence in the future of this great Commonwealth, invested his vast wealth in a way to encourage our agricultural industries.

That we cherish his memory as a philanthropist whose unostentatious charity was so often bestowed upon his less fortunate fellow pioneers, and who never refused aid and comfort to deserving objects of charity.

That we fully appreciate the value of his services in the United States Senate, in which distinguished body he was an example of clean politics and unselfish devotion to the interests of the people he so ably represented.

That we tender to the bereaved family and relatives an assurance of our heartfelt sympathy.

That in expressing these sentiments we feel that we are voicing the universal sorrow of the people of the great Commonwealth he loved so well and served with such singular fidelity.

That, as a further evidence of our respect for his memory, when this Assembly adjourns on Wednesday, it stand adjourned until Friday.

That a committee of seven members of this body be appointed by the Speaker to attend the funeral, and that it is the sense of this Assembly that the Speaker should be a member of the committee.

That the Speaker be directed to forward a copy of these resolutions to the family of the deceased.

SHANAHAN.
HARLOE.
ROBERTSON.
LYNCH
HERSEY.

Resolution adopted by a rising vote.

RECESS.

At five o'clock and twenty minutes P. M. the House took a recess until eight o'clock P. M., on motion of Mr. Dibble.

REASSEMBLED.

At eight o'clock and thirty minutes P. M. the House reassembled.
Speaker pro tem. Young in the chair.
Quorum present.

REPORTS OF STANDING COMMITTEES.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, March 3, 1891.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bills Nos. 104, 165, 226, 321, 340, 343, 437, 461, 492, 510, 562, 597, 619, 653, 655, 662, 687, 698, 699, 702, 726, and Assembly Constitutional Amendments Nos. 14, 18, and 20, and Assembly petitions exempting veteran soldiers from poll tax, and Assembly petitions relative to surviving members of Los Angeles Rangers—report the same back without action.

Also, Assembly Constitutional Amendment No. 17—report the same back, and recommend that it do pass.

Also, Assembly Bill No. 191—report the same back, and recommend that it do not pass.

Also: Assembly Bill No. 739—report the same back, and recommend that it do pass.

BRUNER, Chairman.

ON IRRIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1891.

MR. SPEAKER: Your Committee on Irrigation, to whom was referred Assembly Bills Nos. 74, 206, and 231—report the same back without recommendation.

ALEXANDER, Chairman.

ON WAYS AND MEANS AND APPROPRIATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, March 3, 1891.

MR. SPEAKER: Your Committee on Ways and Means and Appropriations, to whom was referred Assembly Bills Nos. 397, 403, 402, 460, 462, 392, and 73—report the same back, and recommend that they do pass.

Also, Assembly Bills Nos. 76, 509, 398, 145, 320, 146, 400, 652, 85, 367, and 41—report the same back, and recommend that they do not pass.

Also, Senate Bill No. 241—report the same back, and recommend that it do not pass.

Also: Assembly Bill No. 47—report the same back, and recommend that it do pass as amended

Also: Assembly Bills Nos. 551, 640, and 543—report the same back without recommendation

Also: Assembly Bill No. 83—report the same back, with a substitute, and recommend that the substitute do pass.

Also: Assembly Bill No. 239, as amended by the Committee on Claims—report the same back, with a substitute, and recommend that the substitute do pass.

Also: Assembly resolution relative to expenses of Investigation Committee—report the same back, and recommend that it do pass.

DIBBLE, Chairman.

RESOLUTION.

Resolved, That the Controller is hereby directed to draw his warrant in favor of F. H. Gould, Chairman of committee, for the sum of three hundred and eighty-six dollars and twenty cents, being due the above named parties as per statement herewith appended, to be paid out of the Contingent Fund of the Assembly, and the Treasurer is hereby directed to pay the same.

Resolution adopted.

ON STATE LIBRARY.

ASSEMBLY CHAMBER, SACRAMENTO, March 3, 1891.

MR. SPEAKER: Your Committee on State Library, to whom was referred Assembly Bill No. 743—have had the same under consideration, and report the same back, with the recommendation that action on the bill be indefinitely postponed.

CARTER, Chairman.
GORDON.
CRAM.
GARVER.
DOTY.
GLYNN.

Mr. Bruner moved that the report be adopted.
Carried.

ON AGRICULTURE AND FORESTRY.

ASSEMBLY CHAMBER, SACRAMENTO, March 3, 1891.

MR. PRESIDENT: Your Committee on Agriculture and Forestry, to whom was referred Assembly Bill No. 710, together with Assembly petition relative to said bill—report the same back, and recommend that it do pass.

STURTEVANT, Chairman

ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 3, 1891.

MR. SPEAKER: Your Committee on Enrollment beg leave to report that the following Assembly Bills have been correctly enrolled: Nos 53, 54, 56, 58, 66, 214, 215, 396, and 413. And were presented to the Governor this day, at four o'clock and thirty minutes P. M.

BLEDSOE, Chairman.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 28, 1891

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the twenty-eighth day of February, passed the following:

Senate Bill No. 647—An Act amending sections one thousand one hundred and eighty-three, one thousand one hundred and eighty-four, and one thousand one hundred and eighty-seven of the Code of Civil Procedure of the State of California, as amended March 15, 1887, and section one thousand one hundred and ninety-five of the said Code of Civil Procedure, as amended March 18, 1885, relating to liens of mechanics and others.

Also, Substitute for Senate Bill No 163—An Act to authorize Boards of Health and Health Officers in towns, cities, counties, and cities and counties, in this State, to appoint Inspectors of Plumbing and Drainage in such towns, cities, counties, and cities and counties, and to provide for the compensation, and to define the duties of such Inspectors.

F. J. BRANDON, Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, March 2, 1891.

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

Senate Bill No. 554—An Act to amend 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, by adding thereto certain new and additional sections to provide the mode of carrying into effect certain provisions of said Act, relative to changing grades.

Also: Senate Bill No. 124—An Act to amend section one hundred and three of the Code of Civil Procedure of the State of California, relating to Justice's Courts.

Also: Senate Bill No. 150—An Act to appropriate money for the completion of the building of the State Normal School at Chico.

Also: Senate Bill No. 222—An Act requiring every person, company, or corporation supplying water to any municipality, or the inhabitants thereof, in the State of California, to construct water mains where, and of the size, designated by the governing body of the municipality, and to furnish water where designated, upon demand and payment of rates, as long as the supply is sufficient, and prescribing a penalty for non-compliance.

Also: Senate Bill No. 479—An Act to provide for the establishment of High Schools in the State of California.

Also: Substitute for Senate Bill No. 152—An Act appropriating the sum of fifty-six thousand dollars for the completion of buildings now being erected for the Mendocino State Asylum for the Insane, and to provide for the expenditure of the same.

F. J. BRANDON, Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, March 3, 1891.

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

Senate Bill No. 530—An Act to provide for payment for private property heretofore taken for public use.

Also: On the twenty-sixth day of February, passed the following:

Senate Bill No. 500—An Act to add an additional section to the Political Code, to be numbered four thousand two hundred and fifty-nine, relating to the qualifications of District Attorney.

Also: On the third day of March amended, and passed as amended, the following:

Assembly Bill No. 741—An Act for the relief of Colonel Jonathan D. Stevenson.

And respectfully request that you concur in said amendments.

Also· Adopted the following:

Assembly Concurrent Resolution No. 4—Relative to extending an invitation to the President of the United States to visit the State of California.

Also. Adopted Senate substitute for Assembly Joint Resolution No. 2—Relating to Sacramento River and adjoining lands.

And respectfully request your concurrence to said substitute.

Also. Adopted Senate Joint Resolution No. 24—Relative to the appointment of the Chief of the Department of Horticulture, Viticulture, and Floriculture of the Columbian Exposition. of some citizen of California.

F. J. BRANDON, Secretary.

Mr. Shanahan in the chair.

Assembly Bill No. 741—An Act for the relief of Colonel Jonathan D. Stevenson.

Senate amendments:

Insert in line three, section two: "*provided further*, that the direction herein to the Controller is exempted from the operation of section six hundred and seventy-two of the Political Code of the State of California."

Also: Add to title, "and to appropriate the sum of two thousand six hundred and seventy-five dollars thereof."

The roll was called, and the amendments concurred in by the following vote:

AYES—Messrs. Alexander, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Bledsoe, Brown, Bruner, Bryant, Cargill, Carter, Cram, Cunningham, Dennis, Dibble, Doty, Dow, Durner, Eakle, Estey, Fowler, Freeman, Galbraith, Garver, Gordon, Gould, Hall, Hawley, Hersey, Hocking, Hunewill, Johnson, Kellogg, Lacey, Lux, Lynch, Martin, Mathews, Matlock, McCall, Mordecai, Murphy, Phillips, Robertson, Shanahan, Smith of Butte, Steltz, Sturtevant, Tennis, Wentworth, Weston, and Windrow—52.

NOES—None.

SPECIAL FILE.

Assembly Bill No. 713—An Act making an appropriation to pay the deficiency in the appropriation for the Attorney-General, for the forty-second fiscal year, for costs and expenses of suits wherein the State is a party in interest.

Read first time, and placed on file for second reading.

Assembly Bill No. 723—An Act making an appropriation to pay the deficiency in the appropriation for expenses that may be incurred by the Attorney-General, for the forty-second fiscal year, in suits in the United States Courts.

Read first time, and placed on file for second reading.

Assembly Bill No. 724—An Act making an appropriation to pay the deficiency in the appropriation for postage, expressage, and contingent expenses of the Attorney-General, for the forty-second fiscal year, including office rent and furniture, and books for San Francisco.

Read first time, and placed on file for second reading.

Assembly Bill No. 725—An Act making an appropriation to pay the deficiency in the appropriation for the traveling expenses of the Attorney-General, for the forty-second fiscal year.

Read first time, and placed on file for second reading.

Assembly Bill No. 411—An Act making an appropriation to pay the deficiency in the appropriation for payment of costs and expenses of trials of persons violating the laws for the preservation of fish, for the forty-second fiscal year.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Brown, Bryant, Carter, Cunningham, Dibble, Doty, Dow, Dunn, Estey,

Fowler, Freeman, Galbraith, Garver Gould, Hail, Harloe, Hawley, Hersey, Hunewill, Johnson, Jones, Lux, Lynch, Marion, Martin, Mathews, Matlock, McCall, Mordecai, Murphy, Phillips, Renfro, Robertson, Shanahan, Smith of Butte, Tennis, Tully, Wentworth, and Young—44.

NOES—Messrs. Bledsoe and Lacey—2.

Title read and approved.

Assembly Bill No. 424—An Act making an appropriation to pay the deficiency in the appropriation for fuel, lights, postage, and incidental expenses of the Board of Railroad Commissioners, for the fortieth fiscal year.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Brown, Bryant, Carter Cram, Cunningham, Dibble, Dow, Estey, Fowler, Freeman, Galbraith, Gould, Hail, Hawley, Hersey, Johnson, Jones, Lacey, Lewis, Lux, Lynch, Marion, Martin, Mathews, Matlock, McCall, Murphy, Phillips, Renfro, Robertson, Smith of Butte, Stabler, Sturtevant, Tennis, Tully, Wentworth, Weston, Windrow, and Young—44.

NOES—Messrs. Bledsoe, Dennis, Doty, Dunn, Durner, Eakle, Garver, Gordon, Harloe, Kellogg, Mordecai, and Shanahan—12.

Title read and approved.

LEAVE OF ABSENCE.

Leave of absence was granted Messrs. Bert, Ames, Smith of Orange, Coffey, Culver, Lowe, and Arms for the rest of the day.

Assembly Bill No. 607—An Act making an appropriation to pay the deficiency in the appropriation for the traveling expenses incurred by the Commissioners appointed to select a site for a State Hospital for Insane, to be located in Southern California.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Brown, Bryant, Carter, Dennis, Dibble, Doty, Dow, Durner, Eakle, Freeman, Galbraith, Garver, Gordon, Gould, Hawley, Hersey, Johnson, Jones, Kellogg, Lacey, Lewis, Lux, Lynch, Martin, Matlock, McCall, Mordecai, Murnan, Murphy, Phillips, Renfro, Robertson, Smith of Butte, Stabler, Sturtevant, Tennis, Tully, Wentworth, Weston, Windrow, and Young—46.

NOES—Messrs. Bledsoe and Shanahan—2.

Title read and approved.

Assembly Bill No. 523—An Act to appropriate money for the payment of the unpaid salary of the Deputy Reporter of the Decisions of the Supreme Court, for three months of the fortieth fiscal year.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Bledsoe, Brown, Bryant, Carter, Cunningham, Dennis, Doty, Dow, Dunn, Eakle, Fowler, Garver, Gordon, Gould, Hail, Harloe, Hawley, Hersey, Hunewill, Johnson, Jones, Kellogg, Lacey, Lewis, Lux, Lynch, Marion, Martin, Mathews, Matlock, McCall, Mordecai, Murnan, Murphy, Phillips, Renfro, Robertson, Shanahan, Stabler, Tennis, Tully, Wentworth, and Young—48.

NOES—None.

Title read and approved.

MOTION.

Mr. Murphy moved to take up Assembly Bill No. 577.

Carried.

Assembly Bill No. 577.

Mr. Murphy moved that a select committee of one be appointed to amend as follows:

Amend title by striking therefrom the last seven words, viz.: "amended so as to read as follows."

Also: Amend the bill by adding thereto immediately after the enacting clause, the following:

SECTION 1. Section two of an Act entitled "An Act to advance learning, the arts and sciences, and to promote the public welfare by providing for the conveyance, holding, and protection of property, and the creation of trusts for the founding, endowment, erection, and maintenance, within this State, of universities, colleges, schools, seminaries of learning, mechanical institutes, museums, and galleries of art," approved March 9, 1885, is hereby amended so as to read as follows.

Carried.

APPOINTMENT OF COMMITTEE.

Mr. Murphy was appointed a committee to make said amendment.

REPORT OF COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, March 3, 1891.

MR. SPEAKER: Your Select Committee, to whom was referred Assembly Bill No. 577, 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.

MURPHY, Committee.

Report adopted.

MOTION.

Mr. Doty moved that Assembly Bill No. 232 be taken up.

Carried.

Assembly Bill No. 232—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, by amending sections fifteen, twenty-two, and twenty-three thereof, relating to irrigation districts.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Bledsoe, Bryant, Cargill, Carter, Cram, Dennis, Dibble, Doty, Dow, Eakle, Estey, Fowler, Galbraith, Garver, Gordon, Gould, Hall, Harloe, Hawley, Hersey, Hunewill, Johnson, Jones, Kellogg, Lacey, Lewis, Lux, Lynch, Marion, Martin, Mathews, Matlock, McCall, Mordecai, Murnan, Murphy, Renfro, Robertson, Shanahan, Smith of Butte, Stabler, Sturtevant, Tennis, Tully, Wentworth, Weston, and Young—52.

NOES—None.

Title read and approved.

MOTION.

Mr. Mordecai moved that Assembly Bill No. 232 be immediately transmitted to the Senate.

Carried.

SPECIAL FILE—(RESUMED).

Assembly Bill No. 483—An Act to provide for the deficiency in the appropriation for expenses of the Supreme Court, under section forty-seven of the Code of Civil Procedure, for the fortieth fiscal year.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Barnard, Barnett of Sonoma, Baughman, Bledsoe, Brown, Bryant, Cargill, Carter, Cunningham, Dibble, Doty, Eakle, Estey, Fowler, Galbraith, Garver, Gordon, Gould, Hail, Harloe, Hawley, Hersey, Hunewill, Johnson, Jones, Kellogg, Lacey, Lewis, Martin, Matlock, Mordecai, Murphy, Phillips, Renfro, Robertson, Shanahan, Smith of Butte, Stabler, Sturtevant, Tennis, Wentworth, Weston, and Young—44.

NOES—None.

Title read and approved.

Assembly Bill No. 428—An Act making an appropriation to pay the deficiency in the appropriation for contingent expenses of Commissioner of Bureau of Labor Statistics, for the fortieth, forty-first, and forty-second fiscal years.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Arms, Barnard, Barnett of Sonoma, Baughman, Beecher, Brown, Bruner, Bryant, Cargill, Carter, Cram, Cunningham, Dennis, Dibble, Doty, Dow, Eakle, Estey, Fowler, Galbraith, Garver, Gordon, Gould, Hail, Harloe, Hawley, Hersey, Hunewill, Johnson, Jones, Lewis, Martin, Mathews, Matlock, McCall, Mordecai, Murphy, Phillips, Renfro, Robertson, Shanahan, Smith of Butte, Stabler, Sturtevant, Tennis, Tully, and Weston—48.

NOES—Mr. Bledsoe—1.

Title read and approved.

Assembly Bill No. 417—An Act making an appropriation to pay the deficiency in the appropriation for improvement of State Capitol grounds, for the forty-second fiscal year.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Arms, Barnard, Baughman, Brown, Bryant, Cargill, Cram, Cunningham, Dennis, Dibble, Doty, Dunn, Eakle, Estey, Fowler, Freeman, Galbraith, Garver, Gordon, Gould, Hail, Hawley, Johnson, Jones, Lux, Lynch, Martin, Mathews, Matlock, McCall, Mordecai, Murnan Murphy, Phillips, Renfro, Shanahan, Smith of Butte, Sturtevant, Tennis, Tully, and Weston—42.

NOES—Messrs. Beecher, Bledsoe, Carter, Harloe, Hunewill, Kellogg, Lacey, and Wentworth—8.

Title read and approved.

Assembly Bill No. 709—An Act making an appropriation, to be expended by the State Board of Examiners, to pay deficiencies for support of the government that have occurred prior to the forty-first fiscal year.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Barnard, Barnett of Sonoma, Baughman, Beecher, Brown, Cargill, Cram, Cunningham, Dibble, Doty, Dunn, Eakle Fowler, Freeman, Galbraith, Garver, Gordon, Gould, Hail, Harloe, Hawley, Hersey, Johnson, Jones, Kellogg, Lewis, Lux, Lynch, Martin, Mathews, Matlock, McCall, Mordecai, Murnan, Murphy, Phillips, Renfro, Robertson, Shanahan, Smith of Butte, Stabler, Sturtevant, Tennis, Tully, and Weston—45.

NOES—Messrs. Bledsoe, Hunewill, Lacey, and Wentworth—4.

Title read and approved.

MOTION.

Mr. Dibble moved that all the Constitutional Amendments be passed on file.

Carried.

Senate Bill No. 130—An Act to authorize and direct the sale of the site and buildings of the California Home for the Care and Training of Feeble-Minded Children, in Santa Clara County.

Read first time, and placed on Senate file for second reading.

MOTION.

Mr. Wentworth moved that Assembly Bills Nos. 748, 749, 750, 751, 752, 753, and 754 be passed on file.

Lost on division.

Assembly Bill No. 748—An Act to repeal an Act entitled "An Act to establish a Board of Silk Culture and to provide moneys for the expenses thereof," approved March 15, 1883, and all Acts and parts of Acts amendatory thereof and supplemental thereto; to abolish said Board, and to provide for the care of the State property under its control.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 749—An Act to repeal sections six hundred and forty-two and six hundred and forty-three of the Political Code, providing for a Board of Fish Commissioners, and all Acts and parts of Acts amendatory thereof and supplemental thereto; to abolish said Board, and to provide for the care of State property under its charge.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 750—An Act supplementary to and amendatory of an Act entitled "An Act to provide for the management and control of the State Agricultural Society by the State," approved April 15, 1880, conferring additional powers and duties on the State Board of Agriculture, and increasing the number of Directors thereof.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 751—An Act to transfer to the State Board of Agriculture, the jurisdiction and duties of the State Boards of Horticulture and Viticulture, and to abolish said last named Boards.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 752—An Act to increase the number of Directors of the State Board of Agriculture.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 753—An Act to repeal an Act entitled "An Act to create a State Board of Forestry, and to provide for the expenses thereof," approved March 3, 1885, and all Acts and parts of Acts amendatory thereto, to abolish said Board, and to provide for the care of the State property under its charge.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 754—An Act to transfer to the State Board of Horticulture the jurisdiction, powers, and duties of the State Board of Forestry.

Read second time, ordered engrossed and to a third reading.

MOTIONS.

Mr. McCall moved to take up Assembly Bill No. 541.

Carried.

Assembly Bill No. 541—An Act to amend sections two, three, four, five, seven, nine, thirteen, twenty-four, twenty-six, thirty-four, thirty-five, and thirty-seven of an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and the construction of sewers within municipalities," approved March 18, 1885, relative to the mode of assessing and otherwise providing for said work.

Read third time.

Mr. McCall moved that further consideration of Assembly Bill No. 541 be made a special order for to-morrow morning, immediately after reading of the Journal.

Carried.

Mr. Phillips moved that he be allowed to take up Assembly Bill No. 740.

Lost.

ADJOURNMENT.

At ten o'clock and twenty-five minutes P. M., on motion of Mr. Gould, the House adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Wednesday, March 4, 1891.

The House met pursuant to adjournment.

Speaker Coombs in the chair.

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

Messrs. Alexander, Ames, Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Bryant, Cargill, Carter, Clark, Cram, Culver, Cunningham, Dennis, Dibble, Doty, Dow, Dunn, Durner, Eakle, Estey, Fowler, Freeman, Galbraith, Garver, Glynn, Gordon, Gould, Hail, Harloe, Hawley, Hayes, Hersey, Hocking, Jackson, Johnson, Jones, Kellogg, Lacey, Lewis, Lux, Lynch, Marion, Martin, Mathews, Matlock, McCall, Mordecai, Murnan, Murphy, Phillips, Renfio, Rice, Robertson, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Tully, Wentworth, Weston, Young, and Mr. Speaker.

Quorum present.

LEAVE OF ABSENCE.

Messrs. Hunewill, Hoey, Coffey, and Cargill were granted leave of absence for the day.

PRAYER.

Prayer by the Chaplain, Rev. A. C. Herrick.

READING OF THE JOURNAL.

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

So ordered.

CORRECTION OF JOURNAL.

Mr. Dibble moved that the Journal be corrected so as to show that the House reassembled at eight o'clock and thirty minutes P. M., with Speaker pro tem. Young in the chair, quorum present, and strike out all after the word "Reassembled," on page fifteen, to "Reports of Standing Committees," on same page.

Pending discussion, Mr. Bruner moved the previous question, seconded by Messrs. Phillips and Galbraith.

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

The question recurring on the motion to correct the Journal, it was carried.

Further correction and approval of Journal deferred.

SPECIAL ORDERS.

Senate Bill No. 19—An Act to amend section two thousand nine hundred and fifty-five of an Act entitled "An Act to establish a Civil Code of the State of California," approved March 21, 1872, relating to chattel mortgages.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bledsoe, Brown, Carter, Clark, Culver, Cunningham, Dennis, Doty, Dow, Dunn, Estey, Freeman, Garver, Gould, Hail, Hawley, Hayes, Hersey, Hocking, Hunewill, Jackson, Johnson, Kellogg, Lewis, Lux, Lynch, Marion, Martin, Mathews, Matlock, McCall, Mordecai, Murnan, Murphy, Phillips, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Steltz, Tennis, Weston, Windrow, and Young—50.

NOES—Messrs. Arms, Durner, Lacey, Renfro, Wentworth, and Mr. Speaker—6.

Title read and approved.

Assembly Bill No. 711—An Act to add a new section to the Penal Code, to be numbered five hundred and thirty-eight, relating to misrepresentation as to circulation by proprietors of newspapers and periodicals for the purpose of obtaining patronage.

Read third time.

Mr. Bledsoe moved that a select committee of one be appointed by the Speaker to amend as follows:

Insert after the word "patronage," in line five, the following words: "Or who shall publish as editorial or news matter any advertisement, or other matter, for which money has been paid and received."

Lost.

Mr. Bledsoe moved to strike out the enacting clause of Assembly Bill No. 711.

Mr. Gould in the chair.

At eleven o'clock A. M. Mr. Shanahan moved that special orders, Assembly Bill No. 541 and substitutes for Senate Bills Nos. 8, 57, 123, and 369, be deferred, to follow the bill under discussion.

Carried.

PREVIOUS QUESTION.

Mr. Steltz moved the previous question, seconded by Messrs. Hocking and Barnett.

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

The question being to strike out the enacting clause.

The ayes and noes were demanded by Mr. Hocking, seconded by Messrs. Dennis and Arms.

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

AYES—Messrs. Alexander, Ames, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bledsoe, Brown, Bryant, Cargill, Clark, Cram, Culver, Daly, Dennis, Dow, Durner, Hail, Hawley, Hayes, Hocking, Jackson, Jones, Kellogg, Lacey, Marion, McCall, Murphy, Phillips, Shanahan, Smith of Butte, Steltz, Tennis, Weston, Windrow, Young, and Mr. Speaker—38.

NOES—Messrs. Arms, Bert, Carter, Cunningham, Dibble, Doty, Dunn, Eakle, Estey, Fowler, Freeman, Garver, Gordon, Gould, Harloe, Hersey, Hunewill, Johnson, Lewis, Martin, Mathews, Matlock, Mordecai, Murnan, Renfro, Rice, Robertson, Smith of Orange, Stabler, and Sturtevant—30.

Speaker Coombs in the chair.

NOTICE OF RECONSIDERATION.

Mr. Shanahan gave notice that on to-morrow, or the next legislative day, he will move a reconsideration of the vote whereby the enacting clause was stricken from Assembly Bill No. 711.

Assembly Bill No. 541—An Act to amend sections two, three, four, five, seven, nine, thirteen, twenty-four, twenty-six, thirty-five, and thirty-seven of an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and the construction of sewers within municipalities," approved March 18, 1885, relative to the mode of assessing and otherwise providing for said work.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Ames, Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bryant, Carter, Clark, Cram, Culver, Cunningham, Daly, Dennis, Dibble, Dow Dunn, Durner, Eakle, Estey, Fowler, Freeman, Garver, Gordon, Gould, Hail, Harloe, Hawley, Hayes, Hersey, Hocking, Hunewill, Jackson, Johnson, Kellogg, Lacey, Lewis, Lynch, Marion, Martin, Mathews, Matlock, McCall, Mordecai, Murnan, Phillips, Rice Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Weston, Windrow, Young, and Mr. Speaker—64.

NOES—None.

Title read and approved.

MOTIONS.

Mr. Steltz moved that Assembly Bill No. 541 be immediately transmitted to the Senate.

Carried.

Mr. Bruner moved to reconsider the vote whereby Senate Bill No. 154 was passed yesterday.

Carried.

Mr. Bruner moved to make Senate Bill No. 154 a special order for Friday, at eleven o'clock A. M.

Carried.

Mr. Dennis moved to reconsider the vote whereby Senate Bill No. 444 passed.

Carried.

Mr. Phillips moved that a committee of one be appointed to amend Senate Bill No. 444, as follows:

Strike out all after the enacting clause, and insert as follows:

SECTION 1. Section six hundred and forty-seven of the Penal Code is hereby amended so as to read as follows:

Section 647. Every person (except a California Indian):

1. Without visible means of living, who has the physical ability to work, and who does not seek employment nor labor, when employment is offered him; or,

2. Every healthy beggar who solicits alms as a business; or,

3. Every person who roams about from place to place, without any lawful business; or,

4. Every person known to be a pickpocket, thief, burglar, or confidence operator, either by his own confession, or by his having been convicted of either of said offenses, and having no visible or lawful means of support, when found loitering around any steamboat landing, railroad depot, banking institution, broker's office, place of public amusement, auction-room, store, shop, or crowded thoroughfare, car or omnibus, or at any public gathering or assembly; or,

5. Every idle or dissolute person or associate of known thieves, who wanders about the streets at late or unusual hours of the night; or,

6. Every person who lodges in any barn, shed, shop, out-house, vessel, or place other than such as is kept for lodging purposes, without the permission of the owner or party entitled to the possession thereof, or,

7. Every lewd or dissolute person, who lives in and about houses of ill-fame; or,

8. Every person who acts as a runner or capper for attorneys in and about Police Courts or city prisons in incorporated cities, or cities and counties; or,

9. Every common prostitute and common drunkard is a vagrant, and is punishable by imprisonment in the county jail not exceeding six months.

SEC. 2. This Act shall take effect from and after its passage.

Carried.

APPOINTMENT OF COMMITTEE.

Mr. Phillips was appointed a committee to make said amendment.

REPORT OF COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1891.

MR. SPEAKER: Your Select Committee, to whom was referred Senate Bill No. 444, 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.

PHILLIPS, Committee.

Report adopted.

MOTION.

Mr. Phillips moved that Senate Bill No. 444 be made a special order for Friday, at three o'clock and thirty minutes P. M.

Carried.

Special orders following No. 582 on file made for this day were deferred until three o'clock and thirty minutes P. M., on motion of Mr. Bledsoe.

REPORTS OF STANDING COMMITTEES.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1891.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that they have examined the following Assembly Bills, and find them correctly engrossed: Nos. 18 and 115.

WINDROW, Chairman.

ON WAYS AND MEANS AND APPROPRIATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1891.

MR. SPEAKER: Your Committee on Ways and Means and Appropriations, to whom was referred Assembly Bills Nos. 377 and 73, and Senate Bill No. 385—report the same back, and recommend that they do pass.

Also: Assembly Bills Nos. 234, 117, 600, 207, 120, 26, 6, 537, and 505—report the same back without recommendation.

Also: Various bills covering appropriations for additional buildings, and improvements to buildings of public institutions. These bills have all been reported back to the House.

Your committee finds that there are Senate Bills on the files covering these appropriations, which have not been referred to this committee owing to the lateness of the session, and the operation of the joint rule providing a special file for Senate Bills.

Your committee, therefore, recommends that the House act upon the Senate Bills.

We recommend, also, that the following amounts be appropriated for buildings and improvements:

Mendocino Insane Asylum	$56,000 00
Chico Normal School	25,000 00
Southern California Insane Asylum	61,500 00
Whittier Reform School	65,000 00
Home for Feeble-Minded	125,000 00
Total	$332,500 00

DIBBLE, Chairman.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 3, 1891.

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

Assembly Bill No. 734—An Act to divide the State into legislative districts, as required by section six, article four, of the Constitution, and to provide for the election of Assemblymen and Senators in such districts.

Also: Senate Bill No. 60—An Act to appropriate money for the survey, location, and construction of a free wagon road from the town of Mariposa, in Mariposa County, to the Yosemite Valley.

F. J. BRANDON, Secretary.

MOTION.

Mr. Dibble moved that he be allowed to introduce a bill under the provision of the Constitution requiring permission of two thirds of the House.

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

AYES—Messrs. Alexander, Ames, Arms, Barnett of San Francisco, Baughman, Bert, Bledsoe, Bruner, Bryant, Carter, Clark, Cram, Culver, Cunningham, Daly, Dennis, Dibble, Doty, Dow, Dunn, Dutner, Eakle, Estey, Fowler, Freeman, Garver, Gordon, Gould, Hall, Harloe, Hawley, Hocking, Hunewill, Jackson, Johnson, Kellogg, Lacey, Lewis, Lux, Lynch, Marion, Martin, Mathews, Matlock, McCall, Mordecai, Murnan, Murphy, Phillips, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Wentworth, Weston, Young, and Mr. Speaker—61.

NOES—Mr. Beecher—1

INTRODUCTION OF BILL.

By Mr. Dibble: Assembly Bill No. 755—An Act to repeal sections four hundred and forty-four, one thousand six hundred and twenty-five, one thousand six hundred and eighty-two, and one thousand six hundred and sixty-nine of the Political Code: 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, and one thousand six hundred and ninety-six of said Code; to abolish the grammar school course in the public schools, and the Grammar School Course Fund; and to authorize and direct the Controller of State to credit to the School Fund any balance which may stand to the credit of the said fund.

Read first time.

MOTION.

Mr. Dibble moved that Assembly Bill No. 755 be placed at the head of the special file.

Carried.

SPECIAL FILE.

Assembly Bill No. 713—An Act making an appropriation to pay the deficiency in the appropriation for the Attorney-General, for the forty-second fiscal year, for costs and expenses of suits wherein the State is a party in interest.

Read second time.

Assembly Bill No. 723—An Act making an appropriation to pay the deficiency in the appropriation for expenses that may be incurred by the Attorney-General, for the forty-second fiscal year, in suits in the United States Courts.

Read second time.

Assembly Bill No. 724—An Act making an appropriation to pay the deficiency in the appropriation for postage, expressage, and contingent expenses of the Attorney-General, for the forty-second fiscal year, including office rent and furniture, and books for San Francisco.

Read second time.

Assembly Bill No. 725—An Act making an appropriation to pay the deficiency in the appropriation for the traveling expenses of the Attorney-General, for the forty-second fiscal year.

Read second time.

MOTION.

Mr. Bruner moved that the House go into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Assembly Bills Nos. 713, 723, 724, and 725.

Carried.

IN COMMITTEE OF THE WHOLE.

Speaker Coombs in the chair.

Assembly Bills Nos. 713, 723, 724, and 725 were considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Coombs in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Speaker stated the report of the Committee of the Whole, as follows

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bills Nos. 713, 723, 724, and 725, and now report the same back to the Assembly, and recommend that the same do pass.

Assembly Bills Nos. 713, 723, 724, and 725 ordered engrossed and to a third reading.

Assembly Constitutional Amendment No. 11—A resolution to propose an amendment to section five of article twenty of the Constitution of the State of California, relative to fiscal year.

At twelve o'clock and thirty minutes P. M., on motion of Mr. Mordecai, the hour of recess was extended ten minutes.

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

AYES—Messrs. Arms, Bledsoe, Bruner, Carter, Cram, Dennis, Doty, Dunn, Eakle, Estey, Freeman, Garver, Harloe, Jackson, Johnson, Kellogg, Lynch, Marion, Martin, Matlock, McCall, Mordecai, Murnan, Rice, Shanahan, and Sturtevant—26.

NOES—Messrs. Alexander, Ames, Barnard, Barnett of San Francisco, Baughman, Beecher, Bert, Brown, Bryant, Dibble, Durner, Fowler, Gordon, Gould, Hail, Hawley, Hayes, Hocking, Lewis, Lux, Mathews, Phillips, Renfro, Smith of Butte, Stabler, Young, and Mr. Speaker—27.

NOTICE OF RECONSIDERATION.

Mr. Renfro gave notice that on to-morrow he will move for a reconsideration of the vote whereby Assembly Constitutional Amendment No. 11 was rejected.

RECESS.

At twelve o'clock and forty minutes P. M. the House took a recess.

REASSEMBLED.

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

Speaker Coombs in the chair.

Quorum present.

SPECIAL FILE OF SENATE BILLS.

Substitute for Senate Bill No. 75—An Act to add a new section to the Political Code, to be known and designated as section four thousand three hundred and thirty-four, relating to the duties of officers.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Ames, Barnard, Barnett of Sonoma, Baughman, Brown, Bryant, Carter, Clark, Daly, Dennis, Dibble, Doty, Dow, Dunn, Durner, Eakle, Estey, Fowler, Freeman, Galbraith, Garver, Glynn, Hail, Harloe, Hawley, Hayes, Hocking, Johnson, Lacey, Lewis, Lux, Lynch, Marion, Mathews, Matlock, McCall, Mordecai, Murphy, Phillips, Renfro, Rice, Shanahan, Smith of Butte, Smith of Orange, Steltz, Sturtevant, Tennis, Weston, Windrow, and Young—50.

NOES—Messrs. Bledsoe, Gould, and Mr. Speaker—3.

Title read and approved.

Senate Joint Resolution No. 24.

Mr. Hail moved that action on Senate Joint Resolution No. 24 be indefinitely postponed.

Carried.

MOTION.

Mr. Bruner moved to take up Senate messages.

Carried.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 4, 1891.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the fourth day of March, concurred in the Assembly amendments to substitute for Senate Bill No. 388—An Act to divide the State of California into Congressional districts.

Also, on the second day of March, passed the following:

Senate Bill No. 516—An Act to enable the Coultervile and Yosemite Turnpike Company, a corporation, to sue the State of California for the loss and damage suffered and sustained by said 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 On the third day of March, adopted the following:

Senate Constitutional Amendment No. 22—To propose to the people of the State an amendment to the Constitution of the State, relative to the exemption of fruit trees and vines under five years of age from taxation.

Also. On the fourth day of March, adopted the following:

Senate Concurrent Resolution No. 2—Relative to the withdrawal of Senate Constitutional Amendment No. 11 from the Governor.

Also: On the second day of March, refused to recede from its amendments to Assembly Bill No. 129, and appointed a Committee on Conference thereon, consisting of Senators Banks, Streeter, and W. H. Williams.

F. J BRANDON, Secretary.
By R. L. THOMAS, Assistant.

The Speaker appointed as a like committee to meet the Senate committee, Messrs. Dibble, Barnett of San Francisco, and Robertson.

MOTION.

Mr. Bruner moved to take up Senate Concurrent Resolution No. 2. Carried.

SENATE CONCURRENT RESOLUTION No. 2.

Relative to the withdrawal of Senate Constitutional Amendment No. 11 from the Governor.

Resolved by the Senate, the Assembly concurring, That his Excellency the Governor be respectfully requested to return to the Senate, Senate Constitutional Amendment No. 11, for the purpose of correcting an error therein.

Adopted.

SPECIAL FILE OF SENATE BILLS—(RESUMED).

Senate Bill No. 227—An Act entitled an Act to add another section to the Code of Civil Procedure of the State of California, relating to incompetent persons.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Ames, Arms, Barnard, Barnett of San Francisco, Baughman, Brown, Bruner, Bryant, Carter, Clark, Cunningham, Daly, Doty, Dow, Durner, Estey, Fowler, Freeman, Galbraith, Garver, Glynn, Gould, Hall, Hayes, Johnson, Jones, Lacey, Lewis, Lowe, Lux, Lynch, Martin, Mathews, Matlock, McCall, Murnan, Murphy, Phillips, Rice, Robertson, Smith of Butte, Stabler, Steltz, Sturtevant, Tennis, Weston, Windrow, Young, and Mr Speaker—49.

NOES—Mr. Bledsoe—1.

Title read and approved.

APPOINTMENT OF COMMITTEE.

The Speaker appointed the following named members a committee to attend the funeral of the late Senator George Hearst, in accordance with memorial resolutions yesterday adopted: Messrs. Shanahan, Dibble, Wentworth, Bruner, Coombs, Robertson, and Gould.

RESOLUTION.

By Mr. Galbraith:

Resolved, That all Committee Clerks are hereby dismissed on and after March 5, 1891, except the Chief Clerks of Committees on Ways and Means, and Judiciary, and the Clerks of the Engrossing, Enrolling County and Township Governments, and Roads and Highways Committees.

MOTION.

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

The ayes and noes were demanded by Messrs. Lacey, Murphy, and Phillips.

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

AYES—Messrs. Ames, Barnard Barnett of San Francisco, Bruner, Bryant, Carter, Daly, Dennis, Doty, Dow, Dunn, Durner, Freeman, Glynn, Hayes, Jones, Lewis, Lowe, Lux, Marion, Martin, McCall, Rice, Steltz, Sturtevant, Tennis, Tully, and Young—28.

NOES—Messrs. Arms, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Clark, Cunningham, Dibble, Eakle, Estey, Fowler, Galbraith, Garver, Gould, Hail, Harloe, Hawley, Jackson, Johnson, Kellogg, Lacey, Lynch, Mathews, Mordecai, Murnan, Murphy, Phillips, Robertson, Shanahan, Smith of Butte, Stabler, Weston, Windrow, and Mr. Speaker—36.

PREVIOUS QUESTION.

The previous question was demanded by Messrs. Lacey, Baughman, and Murphy.

Lost on division.

Amendment by Mr. Lowe:

That the word "Thursday" be stricken out, and the word "Saturday" inserted in lieu thereof.

Carried.

Resolution, as amended, adopted.

MOTION.

At three o'clock P. M. Mr. Bledsoe moved that the special order for this hour be deferred until three o'clock and thirty minutes P. M.

Carried.

SPECIAL FILE OF SENATE BILLS—(RESUMED).

Senate Bill No. 84—An Act to regulate the practice of pharmacy and sale of poisons in the State of California.

Mr. Bledsoe moved that a select committee of one be appointed to amend as follows:

Amend by striking out of line two, in section six, the words "the Governor shall appoint seven competent pharmacists," and insert the words "the Governor shall appoint three competent pharmacists."

Lost.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Ames, Barnett of San Francisco, Bert, Brown, Bruner, Carter, Clark, Cram, Daly, Dennis, Dibble, Dow, Dunn, Durner, Estey, Fowler, Galbraith, Glynn, Hawley, Hayes, Hersey, Hocking, Hunewill, Jones, Lacey, Lewis, Lowe, Lux, Lynch, Mathews, McCall Mordecai, Phillips, Renfro, Robertson, Steltz, Sturtevant, Tennis, Tully, Wentworth, Windrow, Young, and Mr. Speaker—44.

NOES—Messrs. Barnett of Sonoma, Baughman, Beecher, Bledsoe, Bryant, Cunningham, Doty, Eakle, Freeman, Garver, Gould, Harloe, Jackson, Johnson, Kellogg, Martin, Matlock, Murnan, Shanahan, Smith of Butte, Smith of Orange, Stabler, and Weston—23.

Title read and approved.

REPORT OF COMMITTEE ON CONFERENCE.

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1891.

MR. SPEAKER: Your Committee on Conference concerning Senate amendments to Assembly Bill No 101—report that we have met a like committee of the Senate, consisting of Senators McGowan, Bailey, and Berry, and we report that the Conference Committees of the Senate and Assembly are unable to agree upon said amendments, and your committee ask to be excused from further action thereon.

KELLOGG,
HAIL,
RICE,
Conference Committee.

APPOINTMENT OF COMMITTEE ON FREE CONFERENCE.

The Speaker appointed the following named members a Committee on Free Conference to confer with a like committee from the Senate on amendments to Assembly Bill No. 101: Messrs. Bledsoe, Hawley, and Mathews.

SECOND READING OF BILLS.

Senate Bill No. 136—An Act to amend section seven hundred and ninety-seven of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Read second time, and placed on file for third reading.

Senate Bill No. 91—An Act to provide for the issuance and sale of State bonds to create a fund for the construction and furnishing by the Board of State Harbor Commissioners of a general ferry and passenger depot in the City and County of San Francisco; to create a sinking fund for the payment of said bonds, and providing for the submission of this Act to a vote of the people.

Read second time, and placed on file for third reading.

Senate Bill No. 281—An Act to provide for the payment of the wages of mechanics and laborers employed by corporations.

Read second time, and placed on file for third reading.

Senate Bill No. 208—An Act giving the consent of the State of California to the reservation of certain lands by Congress.

Read second time, and placed on file for third reading.

Senate Bill No. 385—An Act to authorize the State Board of Prison Directors to pay for certain skilled labor used in the construction of the dam and canal at the Folsom Prison, and making an appropriation therefor.

Read second time, and placed on file for third reading.

Senate Bill No. 443—An Act for the relief of Peter Connolly, his assigns or legal representatives.

Read second time.

Amendment by Mr. Robertson:

Strike out of section one, line one, "The Board of Supervisors of the City and County of San Francisco are," and insert the following: "Boards of Supervisors of the several counties, or cities and counties, of this State."

Lost.

Bill placed on file for third reading.

MOTION.

Mr. Hawley moved that the House go into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bill No. 385.

Carried.

IN COMMITTEE OF THE WHOLE.

Speaker Coombs in the chair.

Senate Bill No. 385 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Coombs in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Speaker stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 385, and now report the same back to the Assembly, and recommend that the same do pass.

SPECIAL ORDER.

Senate Bill No. 41—An Act to amend section four thousand one hundred and sixty-one of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the deposit of public funds.

Read third time.

Mr. Dibble in the chair.

MOTION.

Mr. Renfro moved that a select committee of one be appointed to amend as follows:

Strike out of section four thousand one hundred and sixty-one, line four, "all National Banks and."

Lost.

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

AYES—Messrs. Ames, Beecher, Bert, Carter, Culver, Estey, Galbraith, Harloe, Hersey, Johnson, Lewis, Lowe, Lynch, Marion, Smith of Orange, Sturtevant, Weston, and Young—18.

NOES—Messrs. Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Bledsoe, Brown, Bruner, Bryant, Clark, Crain, Cunningham, Daly, Dennis, Doty, Dow, Dunn, Durnel, Eakle, Freeman, Garver, Glynn, Hail, Hawley, Hayes, Hocking, Hunewill, Jackson, Jones, Kellogg, Lacey, Lux, Martin, Mathews, Matlock, McCall, Mordecai, Murnan, Murphy, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Stabler, Steltz, Tennis, Tully, Wentworth, Windrow, and Mr. Speaker—51.

NOTICE OF RECONSIDERATION.

Mr. Brown gave notice that on to-morrow, or the next legislative day, he will move for a reconsideration of the vote whereby Senate Bill No. 41 was refused passage.

RECESS.

At four o'clock and thirty minutes P. M. the House took a recess.

REASSEMBLED.

At seven o'clock P. M. the House reassembled.
Speaker Coombs in the chair.
Quorum present.

MOTIONS.

Mr. Dibble moved that substitute for Senate Bills Nos. 8, 57, 123, and 369, and Assembly Bills Nos. 2, 3, 27, 29, and 470, special orders for this hour, be made a special order for next Friday, at two o'clock P. M.

Carried.

Mr. Shanahan moved that all special orders made to come up this week other than special orders made to-night, and all other orders other than ballot reform bills, be made special orders for their respective hours Saturday.

Carried.

ARTICLES OF IMPEACHMENT.

The Speaker announced that he had received articles of impeachment preferred by Amos H. Carpenter of Stockton, California, against A. P. Catlin, Judge of the Superior Court of the county of Sacramento, which he placed in the hands of the Chief Clerk.

MOTION.

Mr. Shanahan moved that they be referred to Committee on Judicary.

Carried.

SPECIAL ORDER.

Assembly Bill No. 685—An Act to amend sections two thousand six hundred and forty-one, two thousand six hundred and forty-two, two thousand six hundred and forty-three, two thousand six hundred and forty-five, and two thousand six hundred and forty-six, and to repeal section two thousand six hundred and forty-four of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the powers and duties of highway officers, and to provide for the maintenance and improvement of highways by contract.

Mr. Stabler moved that a select committee of one be appointed to amend as follows:

Amend by adding to line twenty-two, section five, "The members of the Board of Supervisors shall be allowed the same per diem as Road Commissioners as they are allowed as Supervisors."

Lost.

Mr. Hail moved that a select committee of one be appointed to amend as follows:

Amend by striking out of section six, line six, the words "at the county seat," and insert the following: "in the county."

Strike out of section seven, line twenty-three the word "equally," and insert the following: "from which said road poll tax was collected."
Strike out of section three, line forty-four, the words "right of way or."
Add to line thirty-eight, section three, "for road purposes."
Strike out of section six, line five, the word "nor" and insert "or."

Carried.

APPOINTMENT OF COMMITTEE.

Mr. Hail was appointed a committee to make said amendments.

REPORT OF COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1891.

MR. SPEAKER: Your Select Committee, to whom was referred Assembly Bill No. 685, 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.

HAIL, Committee.

Report of committee adopted.

MOTION.

Mr. Matlock moved that the vote adopting the report of select committee (Mr. Matlock), appointed yesterday to amend Assembly Bill No. 685, be now reconsidered.

Carried.

Mr. Matlock moved that the second amendment in said report be stricken out.

Carried.

Report of committee as amended, adopted.

Mr. Robertson moved that a select committee of one be appointed to amend as follows:

Amend by inserting the following subdivision at the end of section five:

6. The Boards of Supervisors of the several counties may, if they deem it to the best interests of their respective counties, appoint one Road Inspector for each such county, and prescribe his duties and compensation, subject to the provisions of this Act; *provided*, that the compensation of such Road Inspector shall not exceed the sum allowed by law as the total compensation of the Road Commissioners of said county. In case such Road Inspector be appointed, no salaries, fees, or compensation shall thereafter be allowed to said Supervisors as Road Commissioners. The salary, fees, or compensation of such Road Inspector shall be paid quarterly, from the county road funds, and shall be apportioned, as nearly as possible, among the different road district funds, according to the amount of services rendered by him in the several road districts in the county. Said Road Commissioners may delegate to said Road Inspector all powers conferred upon them by law as such, save that said Road Commissioners shall not delegate to said Road Inspector any power or authority to open or award bids, as provided in this Act, and no such Road Inspector shall be directly or indirectly interested in any such contract.

Lost.

MOTIONS.

Mr. Renfro moved a reconsideration of the vote whereby Mr. Robertson's amendment was lost.

Lost.

Mr. Bledsoe moved that a select committee of one be appointed to amend as follows:

Amend by striking out of section eight, line twenty-seven, the words "for his respective road district," and insert the words "in all the road districts in his Supervisor district."

Carried.

APPOINTMENT OF COMMITTEE.

Mr. Bledsoe was appointed a committee to make said amendment.

REPORT OF COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1891.

MR. SPEAKER: Your Select Committee, to whom was referred Assembly Bill No. 685, with instructions to amend in accordance with the action of the House, would respectfully report that the instructions of the House have been carried out.

BLEDSOE, Committee.

Report adopted.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 4, 1891.

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

Senate Bill No. 64—An Act making an appropriation to pay the claim of D. Jordan.

Also: On the third day of March, passed the following:

Substitute for Senate Bill No. 624—An Act appropriating money for the maintenance and support of the Sacramento Foundling Home.

Also: Substitute for Senate Bill No. 528—An Act making an appropriation to pay the claim of John Mullan for his commission on money collected by him from the United States on account of Indian war claims, and paid to the State of California.

Also: Senate Bill No. 44—An Act to provide for certain improvements and repairs at the Folsom State Prison, and making an appropriation therefor.

Also: On the fourth day of March, passed the following.

Senate Bill No. 579—An Act for the relief of Emma Kelly, widow of G. H. Kelly, and appropriating seven thousand five hundred dollars therefor.

Also: Assembly Bill No. 224—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, by amending sections one, two, three, four, eleven, twelve, thirty-five, and forty-two thereof, relating to irrigation districts.

Also: Assembly Bill No. 333—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, and also since the passage of the Act entitled "An Act to provide for the classification of municipal corporations," approved March 2, 1883.

Also: Assembly Bill No. 532—An Act to provide for furnishing assistants to every attorney and counselor, City Attorney, and City and County Attorney, and to each law officer, of whatever official name he may be designated, officially conducting the civil litigation of each city, or city and county, having one hundred thousand or more inhabitants, and providing the mode in which such assistants shall be appointed and designated as officers of each city, or city and county, and establishing the compensation and prescribing the duties of such assistants.

Also: Assembly Bill No. 244—An Act to amend section six hundred and thirty-seven of the Penal Code of the State of California, relating to the construction and repairing of fish ladders on dams and other obstructions in the running waters of this State.

Also: Assembly Bill No. 167—An Act creating a lien in favor of owners, or those in charge of stallions, jacks, and bulls used for propagating purposes, and providing for the operation of such lien.

F. J. BRANDON, Secretary.

ADJOURNMENT.

At nine o'clock P. M., on motion of Mr. Hersey, the House adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Friday, March 6, 1891.

The Assembly met pursuant to adjournment.

Speaker Coombs in the chair.

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

Messrs. Alexander, Ames, Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Bryant, Cargill, Clark, Coffey, Cram, Culver, Cunningham, Dennis, Dibble, Doty, Dow, Dunn, Durner, Eakle, Estey, Fowler, Freeman, Galbraith, Garver, Glynn, Gordon, Gould, Hail, Harloe, Hawley, Hayes, Hersey, Hocking, Hunewill, Jackson, Johnson, Jones, Kellogg, Lacey, Lewis, Lowe, Lux, Lynch, Marion, Martin, Mathews, Matlock, McCall, Mordecai, Murnan, Murphy, Phillips, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Weston, Young, and Mr. Speaker.

Quorum present.

LEAVE OF ABSENCE.

The following named members were granted leave of absence for the day: Messrs. Hoey and Carter; and indefinite leave of absence was granted Mr. Garver.

PRAYER.

Prayer by the Chaplain, Rev. A. C. Herrick.

READING OF THE JOURNAL.

Pending reading of the Journal, Mr. Barnett of San Francisco moved to dispense with further reading.

So ordered.

Journal of Tuesday approved as corrected.

Approval of Journal of Wednesday deferred.

QUESTION OF PRIVILEGE.

Mr. Bruner arose to a question of privilege concerning charges published in the San Francisco "Examiner."

TELEGRAM.

Speaker Coombs presented a telegram from Richard P. Hammond, President of Police Commissioners of San Francisco, as follows:

SAN FRANCISCO, March 5, 1891.

To HON. FRANK L. COOMBS, *Speaker of the Assembly:*

At a special meeting of the Board of Police Commissioners held Thursday night, March fifth, the undersigned was directed to telegraph to the Speaker of the Assembly, and respectfully request the legislative House over which he presides to make a thorough investigation into the scandal caused by the charge published in this morning's "Examiner" against Assemblyman Bruner, in connection with the sale of police appointments in San Francisco.

RICHARD P. HAMMOND,
President Board of Police Commissioners.

Ordered spread upon the minutes.

MOTION.

Mr. Bledsoe moved that the House go into Committee of the Whole, with the Speaker in the chair, for the purpose of hearing testimony in reference to Mr. Bruner's question of privilege.

Carried.

IN COMMITTEE OF THE WHOLE.

Speaker Coombs in the chair.

Mr. Bruner's question of privilege was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Coombs in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Speaker stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration the matter of newspaper charges against Mr. Bruner, a member of the Assembly, have taken testimony, and now report the same back to the Assembly, and recommend that the same matter be referred to a committee for the purpose of investigating said charges.

Report adopted.

MOTIONS.

Mr. Bledsoe moved that a committee of seven members be appointed by the Speaker to investigate the charges concerning Mr. Bruner.

Carried.

Mr. Lowe moved that Assembly Bill No. 659 be now taken up.

Carried.

Assembly Bill No. 659—An Act to authorize the State Prison Directors of the State of California to employ any unemployed prisoners to construct roads to the State Prison at San Quentin.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Ames, Barnard, Barnett of Sonoma, Baughman, Beecher, Bledsoe, Brown, Bruner, Bryant, Cargill, Clark, Coffey, Cram, Culver, Daly, Dibble, Doty, Dow, Durner, Estey, Fowler, Freeman, Galbraith, Glynn, Gordon, Gould, Hall, Hawley, Hayes, Hersey, Hunewill, Jackson, Johnson, Kellogg, Lacey, Lowe, Lux, Lynch, Martin, Matlock, McCall, Mordecai, Renfro, Robertson, Smith of Butte, Smith of Orange, Stuitevant, Tennis, Weston, Young, and Mr. Speaker—51.

NOES—Messrs. Arms, Bert, Cunningham, Dennis, Dunn, Eakle, Lewis, Mathews, Murnan, Phillips, Shanahan, Stabler, and Windrow—13.

Title read and approved.

Mr. Lowe moved that Assembly Bill No. 659 be immediately transmitted to the Senate.

So ordered.

Mr. Mordecai moved to take up Senate messages.

Carried.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 4, 1891.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the fourth day of March, amended and passed the following:

Assembly Bill No. 224—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, by amending sections one, two, three, four, eleven, twelve, thirty-five, and forty-two thereof, relating to irrigation districts.

F. J. BRANDON, Secretary.

Assembly Bill No. 224.

Senate amendment to section three:

Strike out all of line ten after word "offices," and also line eleven, and all of line twelve before the word "said," in line twelve.

Amendment to amendment:

Strike out of line ten of section all after the word "officers;" also, strike out all of lines eleven and twelve to and including the word "district," and insert in lieu thereof the following: "And no action shall be commenced or maintained, or defense made affecting the validity of the organization, unless the same shall have been commenced or made within two years after the making and entering of said order."

MOTION.

Mr. Dibble moved to make Assembly Bill No. 224 a special order for Monday, immediately after reading the Journal.

Carried.

REPORTS OF STANDING COMMITTEES.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1891.

MR SPEAKER: Your Committee on Engrossment beg leave to report that they have examined the following Assembly Bill and find it correctly reëngrossed: No. 741; also, Assembly Concurrent Resolution No. 4.

WINDROW, Chairman.

ON COMMISSIONS.

Mr. Shanahan presented a report of the Committee on Commissions, and asked that it be printed in the Journal, together with a resolution.

So ordered.

STATE OF CALIFORNIA, TO EXPENSE COMMITTEE ON COMMISSIONS, DR.

1891.

February 2—To mileage, Chas. B. Turrill, witness, eighty-four miles	$16 80
February 2—To per diem, two days, Turrill	4 00
February 2—To per diem, two days, Wm. Irelan, Jr.	2 00
February 2—To mileage, Mr. Ayers, witness, ninety-one miles	18 20
February 2—To per diem, two days, Ayers	4 00
February 2—To mileage, Geo. Rice, witness eighty-four miles	16 20
February 2—To per diem, two days, Rice	4 00
February 2—To per diem, one day, S. P. Maslin	2 00
February 2—To mileage of Sergeant-at-Arms, and service of subpœnas, as per itemized bill herewith attached	40 60
	$107 80

TO H. J. M'KUSICK SERGEANT-AT-ARMS, ASSEMBLY, DR.—COMMITTEE ON COMMISSIONS.

1891.

February 2—For service of subpœna at San Francisco on Charles B. Turrill, mileage eighty-four miles	$16 80
February 2—For service	1 00
February 5—For service of Captain William Irelan, Jr.	1 00
February 5—For mileage, one mile	20
February 7—For service on Mr. Ayers, of Oakland	1 00
February 7—For service on George Rice, San Francisco	1 00
February 7—For mileage, ninety-one miles (one mileage)	18 20
February 17—For service on Mr. S. P. Maslin	1 00
February 17—For mileage, two miles	40
	$40 60

TO W. M. CUTTER, STENOGRAPHER, DR.—COMMITTEE ON COMMISSIONS.

1891.	
February 26—To per diem as stenographer from January twenty-sixth to February twenty-fifth, both inclusive, thirty-one days, at $10	$310 00
To transcription of testimony taken by the Commission, eight hundred and eighty-two folios, at 20 cents	176 40
Total	$486 40

T. W. H. SHANAHAN,
Acting Chairman.

Resolved, That the Controller be and he is hereby directed to draw his warrant on the Contingent Fund of the Assembly in favor of T. W. H. Shanahan, Acting Chairman of the Committee on Commissions, for the sum of five hundred and ninety-four dollars and twenty cents, expenses of said committee in conducting the investigation ordered by the House, as shown by the itemized bills hereto annexed.

Referred to Committee on Ways and Means and Appropriations.

APPOINTMENT OF COMMITTEE.

The following named members were appointed by the Speaker the committee to investigate charges against Mr. Bruner: Messrs. Bledsoe, Barnard, Galbraith, McCall, Gould, Mathews, and Arms.

MOTIONS.

Mr. Dibble moved that the testimony taken before the Committee of the Whole be immediately transcribed.

Carried.

Mr. Dibble moved that a stenographer be employed for the committee, and that the committee be empowered to send for persons and papers.

Carried.

REPORT OF COMMITTEE ON CONFERENCE.

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1891.

MR SPEAKER: Your Committee on Free Conference, concerning Assembly Bill No. 101, report that we have met a like committee of the Senate, consisting of Senators McGowan, Berry, and Bailey, and we report that the Conference Committee agreed upon and recommend the following amendment:

1. On line twenty-seven of Senate amendment strike out all after the word "published" down to and including the word "thereto" on line twenty-nine.
2. Insert in lieu thereof the following: "in the county nearest the property."

BLEDSOE,
Chairman Free Conference Committee.

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

AYES—Messrs. Alexander, Ames, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Bryant, Cargill, Clark, Cofley, Cram, Culver, Dibble, Doty, Dunner, Eakle, Fowler, Freeman, Galbraith, Glynn, Gould, Hail, Harloe, Hawley, Hayes, Hersey, Hocking, Hunewill, Jackson, Johnson, Kellogg, Lacey, Lewis, Lowe, Lux, Lynch, Marion, Martin, Mathews, Matlock, McCall, Murphy, Phillips, Renfro, Rice, Robertson, Smith of Butte, Smith of Orange, Stabler, Steltz, Tennis, Weston, Young, and Mr. Speaker—57.

NOES—None.

MOTION.

Mr. Renfro moved to take up Assembly Bill No. 611.

Lost.

RESOLUTION.

By Mr. Young:

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 seventy-eight dollars and ten cents in favor of H. J. McKusick, Sergeant-at-Arms, for the payment of the following bills:

Union Ice Company, for ice for the month of February, as per bill on file	$11 60
C. H. Rave, locksmith, for picking and repairing locks, as per bill on file	10 00
C. T. Leavy, carpenter, for repairing desks and chairs, as per bill on file	41 00
John Breuner, for office stoo. for Chief Clerk	6 00
Mrs. E. Mills, for making and washing towels for the month of February	5 00
Dan. Murphy, for carriage hire by Assistant Sergeant-at-Arms, by order of the House, two trips	4 50.
Total	$78 10

Resolution adopted.

MOTION.

Mr. Weston moved to take up Senate messages.
Carried.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 4, 1891.

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

Senate Bill No. 618—An Act to amend section three thousand eight hundred and sixty-six of the Political Code, relating to the time of settlement of County Treasurers with the State Controller.

Also: Senate Bill No. 619—An Act to amend section three thousand eight hundred and sixty-eight of the Political Code, in relation to the duties of County Auditors in making settlement with the State Controller.

Also: Senate Bill No. 254—An Act to enfranchise the women citizens of the State, and prescribing their qualifications as electors.

F. J. BRANDON, Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, March 5, 1891.

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

Assembly Bill No. 219—An Act to amend section one thousand two hundred and twenty-two of the Code of Civil Procedure, in relation to judgments and orders in cases of contempt, and providing for appeals therefrom.

Also: Assembly Bill No. 679—An Act to amend section six hundred and fifty-four of the Political Code, relative to the Chairman of the Board of Examiners, Secretary, and salary.

Also: Assembly Bill No. 409—An Act making an appropriation to pay the deficiency in the appropriation for costs and expenses of suits in which the State is a party in interest, for the forty-first fiscal year.

Also: Assembly Bill No. 411—An Act making an appropriation to pay the deficiency in the appropriation for payment of costs and expenses of trials of persons violating the laws for the preservation of fish, for the forty-second fiscal year.

Also: Assembly Bill No. 483—An Act to provide for the deficiency in the appropriation for expenses of the Supreme Court, under section forty-seven of the Code of Civil Procedure, for the fortieth fiscal year.

Also: Assembly Bill No. 709—An Act making an appropriation, to be expended by the State Board of Examiners, to pay deficiencies for support of the government that have occurred prior to the forty-first fiscal year.

Also: Assembly Bill No. 745—An Act to amend section two of an Act approved March 19, 1889, entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State for the construction of waterworks, sewers, and all necessary public improvements, or for any purpose whatever, and to repeal the Act approved March 9, 1885, entitled 'An Act to authorize municipal corporations of the fifth class, containing more than three thousand and less than ten thousand inhabitants, to obtain waterworks,' also, to repeal an Act approved March 15, 1887, entitled 'An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State.'"

Also: Assembly Bill No. 424—An Act making an appropriation to pay the deficiency in the appropriation for fuel, lights, postage, and incidental expenses of the Board of Railroad Commissioners, for the fortieth fiscal year.

Also: Assembly Bill No. 523—An Act to appropriate money for the payment of the unpaid salary of the Deputy Reporter of the Decisions of the Supreme Court, for three months of the fortieth fiscal year.

Also: Assembly Bill No. 607—An Act making an appropriation to pay the deficiency in the appropriation for the traveling expenses incurred by the Commissioners appointed to select a site for a State Hospital for Insane, to be located in Southern California

Also: Assembly Bill No. 391—An Act relating to life, health, accident, and annuity or endowment insurance on the assessment plan, and the conduct of the business of such insurance.

Also: Assembly Bill No. 16—An Act to prevent the sale of intoxicating liquors to minor children.

Also: Substitute for Assembly Bill No. 594—An Act to amend section two thousand three hundred and forty-nine of the Political Code of California, relating to public waters and obstructions therein.

Also: Assembly Bill No. 417—An Act to validate and make legal acknowledgments, affidavits, and oaths made before and taken by any person acting as a Notary Public, under appointment by the Governor of the State of California, in certain cases, and to validate and make legal all the acts and transactions of such person while acting as such Notary Public.

Also: Assembly Bill No. 428—An Act to amend sections twenty-seven, twenty-eight, twenty-nine, thirty, thirty-one, thirty-two, and thirty-three, the same comprising part second 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, relative to a system of street improvement certificates.

Also: On the fourth day of March, passed the following

Substitute for Senate Bill No. 290—An Act to provide for the erection of additional buildings for the use of the State Normal School at San José, California, and making an appropriation therefor.

Also: Senate Bill No. 502—An Act to create the office of Attorney for the State Board of Health and the Board of Health of the City and County of San Francisco.

Also: Senate Bill No. 517—An Act relating to the roofing of the public buildings in the State of California.

Also: On the fifth day of March, passed the following:

Senate Bill No. 239—An Act to amend section three thousand and sixty-four of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to Boards of Health.

Also: Substitute for Senate Bill No. 597—An Act authorizing persons having claims against the State, or against counties, or municipal corporations, to prosecute and establish them in the Courts of this State, and providing for the payment of judgments therefor.

F. J. BRANDON, Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, March 6, 1891.

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

Substitute for Senate Bills Nos. 352 and 409—An Act to amend sections one thousand five hundred and twenty-one, one thousand five hundred and thirty-two, one thousand five hundred and thirty-three, one thousand five hundred and forty-three, one thousand five hundred and forty-eight, one thousand five hundred and fifty-one, one thousand five hundred and fifty-two, one thousand five hundred and sixty, one thousand five hundred and sixty-five, one thousand five hundred and seventy-six, one thousand five hundred and eighty-one, one thousand five hundred and eighty-three, one thousand five hundred and ninety-six, one thousand five hundred and ninety-nine, one thousand six hundred and seventeen, one thousand six hundred and forty-nine, one thousand six hundred and fifty, one thousand six hundred and sixty-two, one thousand six hundred and sixty-three, one thousand six hundred and sixty-five, one thousand six hundred and ninety-six, one thousand seven hundred and seventy-one, one thousand seven hundred and seventy-five, one thousand seven hundred and ninety-one, and one thousand seven hundred and ninety-two, and to repeal sections one thousand six hundred and twenty-five, one thousand six hundred and sixty-nine, one thousand six hundred and eighty-two, and four hundred and forty-four of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the public schools.

F. J. BRANDON, Secretary.

RESOLUTION.

By Mr. Dibble:

Resolved: That the rules be suspended, and that on Saturday, March seventh, after the reading of the Journal, the roll be called and each member be allowed to call up one bill of which he is the author, which shall be placed on the special file, *provided*, that if twelve members object, such bill shall not be so taken up, but in that case the member

may call up another bill of which he is the author; *and provided further*, that any member instead of calling up his own bill to be placed upon the special file, may call up a Senate Bill identical with his own bill.

Adopted.

MOTIONS.

Mr. Phillips moved that Senate Bill No. 444 be made a special order for Monday, at three o'clock and thirty minutes P. M.

Carried.

Mr. Fowler moved that the hour of recess be extended five minutes.

Carried.

REPORTS OF STANDING COMMITTEES.

ON ATTACHÉS AND EMPLOYÉS.

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1891.

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

Resolved, That B. F. Currier be and he is hereby allowed the sum of one hundred and fifty-six dollars, to be paid out of the appropriation for the contingent expenses of the Assembly, for services as Night Watchman of the Engrossing, Enrolling, and Journal Clerks' offices of the Assembly, from January 21, 1891, to date, inclusive, at a per diem of four dollars, the same as other attachés in similar positions, and the State Controller is hereby authorized and directed to draw his warrant in accordance with this resolution. The State Treasurer is hereby directed to pay the same.

Report the same back, and recommend that the same be adopted.

LUX, Chairman.

Resolution adopted.

ON CLAIMS.

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1891.

MR. SPEAKER: Your Committee on Claims, to whom was referred Assembly Bill No. 667—An Act to pay the claim of I. K. Fisher—report the same back without recommendation.

AMES, Chairman.

RESOLUTION.

By Mr. Bruner:

Resolved, That the Mail Carrier of the Assembly, Joseph H. Coffey, be allowed seventy dollars for removing mail matter to and from the general Post Office to the Post Office of the Assembly of the twenty-ninth session, the said seventy dollars being the amount paid by him for expressage, and further

Resolved, That the Controller be and he is hereby directed to draw his warrant for seventy dollars on the Contingent Fund of the Assembly, and the Treasurer is hereby directed to pay the same.

Referred to Committee on Attachés and Employés.

RECESS.

At twelve o'clock and forty minutes P. M. the Assembly took a recess.

REASSEMBLED.

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

Speaker Coombs in the chair.

Quorum present.

QUESTION OF PRIVILEGE.

Mr. Arms arose to a question of privilege, and asked to be relieved from service on the committee appointed this day to investigate charges against Mr. Bruner.

Mr. Arms was excused from service on said committee.

Speaker pro tem. Young in the chair.

MOTIONS.

Mr. Shanahan moved a reconsideration of the vote whereby Senate Bill No. 41 was refused passage.

Mr. Matlock moved to indefinitely postpone motion to reconsider Senate Bill No. 41.

Carried.

Mr. Renfro moved to reconsider the vote whereby Assembly Constitutional Amendment No. 11 was rejected.

Carried.

Mr. Renfro moved to make Assembly Constitutional Amendment No. 11 a special order for next Monday, at eleven o'clock A. M.

Carried.

Mr. Hocking moved to reconsider the vote whereby the enacting clause was stricken out of Assembly Bill No. 711.

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

PREVIOUS QUESTION.

The previous question was demanded by Messrs. Lacey, Barnard, and Murphy.

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

The question being on Mr. Hail's motion to indefinitely postpone, it was carried.

SPECIAL ORDER.

Substitute for Senate Bills Nos. 8, 57, 123, and 369—An Act to amend sections one thousand one hundred and eighty-five, one thousand one hundred and eighty-six, one thousand one hundred and eighty-seven, one thousand one hundred and eighty-eight, one thousand one hundred and eighty-nine, one thousand one hundred and ninety, one thousand one hundred and ninety-one, one thousand one hundred and ninety-two, one thousand one hundred and ninety-three, one thousand one hundred and ninety-four, one thousand one hundred and ninety-five, one thousand one hundred and ninety-six, one thousand one hundred and ninety-seven, one thousand one hundred and ninety-eight, one thousand one hundred and ninety-nine, one thousand two hundred, one thousand two hundred and one, one thousand two hundred and two, one thousand two hundred and three, one thousand two hundred and four, one thousand two hundred and five, one thousand two hundred and six, one thousand two hundred and seven, one thousand two hundred and eight, one thousand two hundred and nine, one thousand two hundred and ten, one thousand two hundred and eleven, one thousand two hundred and twelve, one thousand two hundred and fifty-seven, one thousand two hundred and fifty-eight, and one thousand two hundred and fifty-nine of the Political Code, and to add four new sections thereto, to be numbered one thousand two hundred and thirteen, one thousand two hundred and fourteen, one thousand

two hundred and fifteen, and one thousand two hundred and sixteen, all in relation to the conduct of elections in this State.

Read third time.

Mr. Doty in the chair.

MOTIONS.

Mr. Matlock moved that the rule limiting debate to ten minutes be suspended during discussion on this bill.

Carried.

Speaker Coombs in the chair.

At four o'clock and thirty minutes P. M., Mr. Bledsoe moved that the hour of recess be extended thirty minutes.

Mr. Dibble moved as a substitute that the hour of recess be extended until the conclusion of Mr. Shanahan's speech.

Carried.

RECESS.

At four o'clock and thirty-five minutes P. M. the House took a recess.

REASSEMBLED.

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

Speaker Coombs in the chair.

Quorum present.

APPOINTMENT.

The Speaker appointed Mr. Jackson on the Committee of Investigation.

LEAVE OF ABSENCE.

Mr. Lowe was granted indefinite leave of absence.

REPORTS OF STANDING COMMITTEES.

ON PUBLIC MORALS.

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1891.

MR. SPEAKER: Your Committee on Public Morals, to whom was referred Assembly Bill No. 556—An Act to add a new section to the Civil Code, to be numbered one hundred and thirty-one, relative to the divorce of married persons—report the same back without recommendation.

CARGILL, Chairman.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, March 3, 1891.

MR. SPEAKER: Your Committee on Education, to whom was referred Assembly Bills Nos. 548 and 610—report the same back without recommendation.

GALBRAITH, Chairman.

PREVIOUS QUESTION.

The previous question was demanded by Messrs. Sturtevant, Tennis, and Lacey.

CALL OF THE HOUSE.

Mr. Shanahan moved a call of the House, seconded by Messrs. Estey and Martin.

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

Messrs. Alexander, Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Cargill, Carter, Clark, Cram, Cunningham, Dennis, Dibble, Doty, Dunn, Durner, Eakle, Estey, Fowler, Galbraith, Gordon, Gould, Hail, Harloe, Hawley, Hayes, Hersey, Hunewill, Jackson, Johnson, Jones, Kellogg, Lacey, Lewis, Lux, Lynch, Marion, Martin, Mathews, Matlock, McCall, Mordecai, Murnan, Murphy, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Stabler, Steltz, Sturtevant, Tennis, Tully, Weston, Windrow, Young, and Mr. Speaker.

MOTIONS.

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

Lost.

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

Lost.

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

Lost.

Mr. Hersey moved to adjourn.

Lost.

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

Mr. Shanahan moved that the absentees be called.

Carried.

The Sergeant-at-Arms reported that Mr. Phillips was sick and unable to attend, and that he was unable to find Mr. Glynn.

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

Carried.

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

The ayes and noes were demanded by Messrs. Stabler, Gould, and Shanahan.

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

Ayes—Messrs. Alexander, Barnett of San Francisco, Barnett of Sonoma, Bert, Brown, Coffey, Culver, Daly, Durner, Galbraith, Harloe, Hawley, Hayes, Hunewill, Jackson, Jones, Lacey, Lewis, Lux, Marion, Murphy, Steltz, Tully, and Wentworth—24.

Noes—Messrs. Ames, Arms, Barnard, Baughman, Beecher, Bledsoe, Bruner, Bryant, Carter, Clark, Cram, Cunningham, Dennis, Dibble, Doty, Dow, Dunn, Eakle, Estey, Fowler, Freeman, Gordon, Gould, Hail, Hersey, Hocking, Johnson, Kellogg, Lynch, Martin, Mathews, Matlock, McCall, Mordecai, Murnan, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Sturtevant, Tennis, Weston, Windrow, Young, and Mr. Speaker—48.

LEAVE OF ABSENCE.

Mr. Lacey was granted leave of absence for the rest of the day.

MOTION.

Mr. Galbraith moved that the further consideration of substitute for Senate Bills Nos. 8, 57, 123, and 369, and Assembly Bills Nos. 2, 3, 27, 29, and 470 be made a special order for to-morrow morning, immediately after the reading of the Journal.

PREVIOUS QUESTION.

The previous question was demanded by Mr. Dennis, and seconded by Messrs. Baughman and Hunewill.

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

The question being, "Shall the bills be made a special order for to-morrow morning, immediately after reading of the Journal?" it was carried, on division.

COMMITTEE FROM THE SENATE.

A committee of three from the Senate appeared, and announced on behalf of the Senate that complaint was prevalent in the Senate to the effect that Senate messages are not promptly considered by the Assembly, and that Senate Bills are not considered as required by the joint rule; and said committee further announced that while the Senate does not assume responsibility for any such charge, yet the Senate deems it appropriate to direct the Assembly's attention to the grounds, if any, upon which such complaints rest.

ADJOURNMENT.

At ten o'clock and fifty-five minutes P. M. the House adjourned, on motion of Mr. Bruner.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Saturday, March 7, 1891.

The Assembly met pursuant to adjournment.

Speaker Coombs in the chair.

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

Messrs. Alexander, Ames, Arms, Barnard, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Bryant, Cargill, Carter, Clark, Coffey, Culver, Cunningham, Daly, Dennis, Dibble, Doty Dunn, Dutner, Estey, Fowler, Freeman, Glynn, Gordon, Gould, Hail, Harloe, Hawley, Hayes, Hunewill, Jackson, Johnson, Kellogg, Lacey, Lewis, Lynch, Marion, Martin, Mathews, Matlock, McCall, Mordecai, Murnan, Murphy, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Tully, Wentworth, Weston, Young, and Mr. Speaker.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. A. C. Herrick.

READING OF THE JOURNAL.

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

So ordered.

LEAVE OF ABSENCE.

Leave of absence was granted Mr. Cargill indefinitely.

MOTIONS.

Mr. Steltz moved that Mr. Hoey be granted leave of absence for the day.

Lost.

Mr. Wentworth moved that Mr. Phillips be granted leave of absence for the day.

The ayes and noes were demanded by Messrs. Shanahan, Dunn, and Gould.

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

AYES—Messrs. Alexander, Ames, Barnard, Barnett of Sonoma, Baughman, Beecher, Bert, Brown, Bruner, Bryant, Carter, Clark, Cram, Culver, Dibble, Estey, Fowler, Freeman, Galbraith, Gordon, Hail, Hawley, Hayes, Hunewill, Johnson, Lynch, Marion, Martin, Matlock, McCall, Murphy, Smith of Orange, Steltz, Tennis, Wentworth, Weston, and Young—37.

NOES—Messrs. Arms, Bledsoe, Cunningham, Dennis, Doty, Dunn, Durner, Gould, Jackson, Mathews, Mordecai, Murnan, Renfro, Robertson, Shanahan, Smith of Butte, Stabler, and Mr. Speaker—18.

Mr. Bert moved that Mr. Lewis be granted leave of absence for the day.

Carried.

Mr. Gould moved to reconsider the vote whereby Mr. Lewis was granted leave of absence.

Mr. Wentworth moved to indefinitely postpone Mr. Gould's motion to reconsider.

Withdrawn.

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

The ayes and noes were demanded by Messrs. Shanahan, Arms, and Stabler.

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

AYES—Messrs. Alexander, Ames, Barnard, Barnett of Sonoma, Bert, Brown, Bruner, Bryant, Carter, Clark, Culver, Dibble, Dow, Durner, Estey, Fowler, Freeman, Galbraith, Gordon, Hail, Hawley, Hayes, Hocking, Hunewill, Johnson, Lacey, Lux, Lynch, Marion, Matlock, Murphy, Smith of Orange, Steltz, Sturtevant, Tennis, Wentworth, Weston, Windrow, and Young—39.

NOES—Messrs. Arms, Baughman, Beecher, Bledsoe, Cunningham, Dennis, Doty, Dunn, Eakle, Gould, Harloe, Jackson, Kellogg, Martin, Mathews, McCall, Mordecai, Murnan, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Stabler, and Mr. Speaker—25.

Mr. Dibble asked that the Journal of Friday be corrected so as to include on page ten, in Mr. Galbraith's motion, after substitute for Senate Bills Nos. 8, 57, 123, and 369, the following: Assembly Bills Nos. 2, 3, 27, 29, and 470.

So ordered.

Approval of the Journals of Thursday and Friday deferred.

Speaker pro tem. Young in the chair.

SPECIAL ORDER.

Substitute for Senate Bills Nos. 8, 57, 123, and 369—An Act to amend sections one thousand one hundred and eighty-five, one thousand one

hundred and eighty-six. one thousand one hundred and eighty-seven, one thousand one hundred and eighty-eight, one thousand one hundred and eighty-nine, one thousand one hundred and ninety, one thousand one hundred and ninety-one, one thousand one hundred and ninety-two, one thousand one hundred and ninety-three, one thousand one hundred and ninety-four, one thousand one hundred and ninety-five, one thousand one hundred and ninety-six, one thousand one hundred and ninety-seven, one thousand one hundred and ninety-eight, one thousand one hundred and ninety-nine, one thousand two hundred, one thousand two hundred and one, one thousand two hundred and two, one thousand two hundred and three, one thousand two hundred and four, one thousand two hundred and five, one thousand two hundred and six, one thousand two hundred and seven, one thousand two hundred and eight, one thousand two hundred and nine, one thousand two hundred and ten, one thousand two hundred and eleven, one thousand two hundred and twelve, one thousand two hundred and fifty-seven, one thousand two hundred and fifty-eight, and one thousand two hundred and fifty-nine of the Political Code, and to add four new sections thereto, to be numbered one thousand two hundred and thirteen, one thousand two hundred and fourteen. one thousand two hundred and fifteen, and one thousand two hundred and sixteen, all in relation to the conduct of elections in this State.

MOTION.

Pending discussion, Mr. Marion moved that Mr. Matlock be allowed to exceed the limit of ten minutes allowed for debate.

Carried.

PREVIOUS QUESTION.

The previous question was demanded by Messrs. Murphy, Lacey, and Arms.

Lost.

MOTIONS.

Mr. Dibble moved that the further consideration of this bill be made a special order for two o'clock P. M.

Carried.

Mr. Dibble moved to take up Senate messages.

Carried.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 7, 1891.

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

Senate Bill No. 691—An Act making an appropriation for the contingent expenses of the Senate, for the twenty-ninth session of the Legislature.

F. J. BRANDON, Secretary.

RESOLUTION.

By Mr. Dibble:

Resolved, That Senate Bill No. 691 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

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

AYES—Messrs. Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Brown, Bruner, Bryant, Carter, Clark, Cram, Culver Cunningham, Dennis, Dibble, Doty, Dow, Durner, Eakle, Estey, Freeman, Galbraith, Gordon, Gould, Hail, Harloe, Hawley, Hayes, Hersey, Jackson, Johnson, Jones, Kellogg, Lux, Lynch, Marion, Martin, Mathews, Matlock, McCall, Murnan, Murphy, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Wentworth, Weston, Windrow, Young, and Mr. Speaker—59.
NOES—None.

Senate Bill No. 691—An Act making an appropriation for the contingent expenses of the Senate for the twenty-ninth session of the Legislature.

Read first and second times.

MOTION.

Mr. Dibble moved that the House go into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bill No. 691.

Carried.

IN COMMITTEE OF THE WHOLE.

Speaker Coombs in the chair.

Senate Bill No. 691 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Coombs in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Speaker stated the report of the Committee of the Whole, as follows:

GENTLEMEN. The Committee of the Whole have had under consideration Senate Bill No. 691, and now report the same back to the Assembly, and recommend that the same do pass

Senate Bill No. 691 read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Ames, Arms, Barnett of San Francisco, Baughman, Brown, Bruner, Bryant, Carter, Clark, Cram, Culver, Cunningham, Dennis, Dibble, Doty, Dow, Durner, Eakle, Estey, Fowler, Freeman, Galbraith, Gordon, Gould, Hail, Harloe, Hayes, Hersey, Hunewill, Jackson, Johnson, Lux, Lynch, Marion, Martin, Mathews, McCall, Mordecai, Murnan, Rice, Robertson, Smith of Butte, Smith of Orange, Stabler, Steltz, Tennis, Wentworth, Weston, Windrow, Young, and Mr. Speaker—52.
NOES—None.

Title read and approved.

Mr. Dibble moved that Senate Bill No. 691 be immediately transmitted to the Senate.

So ordered.

RESOLUTION.

By Mr. Young:

Resolved by the Assembly, That the Enrolling Clerk of the Assembly be requested to return to the Enrolling Committee, and said committee to report to this House, Assembly Bill No. 301, for the purpose of correcting errors therein.

Adopted.

MOTIONS.

Mr. Bruner moved to reconsider the vote whereby Senate Bill No. 154 passed.

Carried.

Mr. Bruner moved that the further consideration of Senate Bill No. 154 be made a special order for Monday, at eleven o'clock A. M.

Carried.

Mr. Lacey moved to grant Mr. Cram leave of absence for the rest of the day.

Carried.

RECESS.

At twelve o'clock and thirty minutes P. M. the House took a recess.

REASSEMBLED.

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

Speaker Coombs in the chair.

Quorum present.

Mr. Shanahan asked that the Journal of Friday be corrected on page four by inserting after resolution and statements of Expense Committee, introduced by Mr. Shanahan, "Referred to Committee on Ways and Means and Appropriations."

So ordered.

Journal of Wednesday approved as corrected.

Journal of Friday approved as corrected.

RESOLUTION.

By Mr. Mordecai:

Resolved, That the State Printer be and he is hereby instructed to print as soon as practicable after the Legislature, and deliver to the Secretary of State, for free distribution, five thousand copies of the District Irrigation Law, known as the Wright Act, as amended, and such decisions of the Supreme Court as the Attorney-General may deem pertinent thereto; and the Attorney-General is hereby requested to furnish copy to the State Printer.

Adopted.

REPORT OF STANDING COMMITTEE.

ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1891.

MR. SPEAKER: Your Committee on Enrollment beg leave to report back Assembly Bill No. 301, as instructed so to do by virtue of a resolution adopted this day.

BLEDSOE, Chairman.

LEAVE OF ABSENCE.

Mr. Dunn moved that Mr. Tully be granted leave of absence.

Lost.

CALL OF THE HOUSE.

Mr. Shanahan moved a call of the House, seconded by Messrs. Bledsoe and McCall.

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

Messrs. Alexander, Ames, Arms, Barnard, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bryant, Carter, Clark, Cunningham, Dennis, Dibble, Doty, Dow, Dunn, Durner, Eakle, Estey, Fowler, Freeman, Galbraith, Gordon, Gould, Hail, Harloe, Hayes, Hersey, Jackson, Johnson, Kellogg, Lacey, Lynch, Marion, Martin, Mathews, Matlock, McCall, Mordecai, Murnan, Murphy, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Sturtevant, Wentworth, Weston, Windrow, Young, and Mr. Speaker.

MOTIONS.

Mr. Shanahan moved that the Sergeant-at-Arms be furnished such assistance as is necessary, and make a thorough search about this city and bring the members before the House, and also that the Speaker be instructed to telegraph a warrant to the Sergeant-at-Arms at Oakland to meet the train and arrest any members thereon who have taken leave without consent of the House, expenses incurred to be paid from the Contingent Fund of the Assembly.

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

The ayes and noes were demanded by Messrs. Bledsoe, Shanahan, and Arms.

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

AYES—Messrs. Alexander, Ames, Barnard, Barnett of Sonoma, Bert, Bruner, Bryant, Carter, Culver, Dibble, Dow, Durner, Estey, Fowler, Freeman, Galbraith, Gordon, Hail, Harloe, Hawley, Hayes, Hersey, Hocking, Johnson, Lacey, Lynch, Marion, Matlock, Murphy, Smith of Orange, Steltz, Sturtevant, Wentworth, Weston, Windrow, and Young—36.

NOES—Messrs Arms, Baughman, Beecher, Bledsoe, Brown, Clark, Cunningham, Dennis, Doty, Dunn, Eakle, Gould, Jackson, Kellogg, Martin, Mathews, McCall, Mordecai, Murnan, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Stabler, and Mr. Speaker—26.

The Sergeant-at-Arms appeared at the bar of the House with Messrs. Hawley and Hocking, arrested under the call of the House, and stated that he was unable to find the other absent members.

Messrs. Hawley and Hocking were excused.

PREVIOUS QUESTION.

The previous question was demanded by Mr. Dibble, seconded by Messrs. Galbraith and Estey.

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

The ayes and noes were demanded by Messrs. Shanahan, Robertson, and Dunn.

CALL OF THE HOUSE.

Pending roll call, a call of the House was demanded by Mr. Shanahan, seconded by Messrs. Robertson and Rice.

The ayes and noes were demanded by Messrs. Barnett, Rice, and Dibble.

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

AYES—Messrs. Arms, Baughman, Beecher, Bledsoe, Brown, Clark, Dennis, Doty, Dunn, Eakle, Fowler, Freeman, Gould, Hawley, Jackson, Kellogg, Martin, Mathews, McCall, Mordecai, Murnan, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Stabler, and Mr. Speaker—28.

NOES—Messrs. Alexander, Ames, Barnard, Barnett of Sonoma, Bert, Bruner, Bryant,

Carter, Culver, Cunningham, Dibble, Dow, Durner, Estey, Galbraith, Gordon, Hail, Harloe, Hayes, Hersey, Hocking, Johnson, Lacey, Lynch, Marion, Matlock, Murphy, Smith of Orange, Steltz, Sturtevant, Wentworth, Weston, Windrow, and Young—34.

The roll call was completed, and the previous question lost by the following vote:

AYES—Messrs. Alexander, Barnard, Barnett of Sonoma, Brown, Bruner, Bryant, Carter, Culver, Dibble, Dow, Durner, Estey, Freeman, Galbraith, Gordon, Hail, Harloe, Hawley, Hayes, Hersey, Hocking, Johnson, Lynch, Marion, Matlock, Murphy, Smith of Orange, Steltz, Sturtevant, Wentworth, and Young—31.

NOES—Messrs. Ames, Arms, Baughman, Beecher, Bert, Bledsoe, Clark, Cunningham, Dennis, Doty, Dunn, Eakle, Fowler, Gould, Jackson, Kellogg, Lacey, Martin, Mathews, McCall, Mordecai, Murnan, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Stabler, Weston, Windrow, and Mr. Speaker—31

MOTIONS.

Mr. Shanahan moved that further consideration of substitute for Senate Bills Nos. 8, 57, 123, and 369, and Assembly Bills Nos. 2, 3, 27, 29, and 470, be made a special order for Monday, at two o'clock P. M.

At four o'clock and thirty minutes P. M. Mr. Arms moved that the hour of recess be extended until this special order is disposed of.

Carried.

PREVIOUS QUESTION.

The previous question was demanded by Mr. Bruner, seconded by Messrs. Galbraith and Sturtevant.

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

The ayes and noes were demanded by Messrs. Shanahan, Dunn, and Robertson.

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

AYES—Messrs. Alexander, Barnard, Barnett of Sonoma, Brown, Bruner, Bryant, Carter, Culver, Dibble, Dow, Durner, Estey, Galbraith, Gordon, Hail, Hawley, Hayes, Hersey, Hocking, Hunewill, Johnson, Lacey, Lynch, Marion, Matlock, Murphy, Steltz, Sturtevant, Wentworth, and Windrow—30.

NOES—Messrs. Ames, Arms, Baughman, Beecher, Bert, Bledsoe, Clark, Cunningham, Dennis, Doty, Dunn, Eakle, Fowler, Freeman, Gould, Harloe, Jackson, Kellogg, Martin, Mathews, McCall, Mordecai, Murnan, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Weston, Young, and Mr. Speaker—33.

ADJOURNMENT.

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

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Monday, March 9, 1891.

The Assembly met pursuant to adjournment.

Speaker Coombs in the chair.

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

Messrs. Alexander, Ames, Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Bruner, Bryant, Carter, Clark, Coffey,

Culver, Cunningham, Daly, Dennis, Dibble, Doty, Dow, Dunn, Durner, Eakle, Estey, Fowler, Freeman, Galbraith, Garver, Glynn, Gordon, Gould, Hail, Hawley, Hayes, Hersey, Hocking, Hunewill, Jackson, Johnson, Kellogg, Lacey, Lewis, Lux, Lynch, Marion, Martin, Mathews, Matlock, McCall, Mordecai, Murnan, Phillips, Renfro, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Sturtevant, Tennis, Tully, Wentworth, Weston, Young, and Mr. Speaker.

Quorum present.

PRAYER.

Prayer by the Rev. A. T. Needham.

READING OF THE JOURNAL.

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

So ordered.

RESOLUTION.

Resolved, That during the balance of this session no member will be allowed more than five minutes' time in discussion of any measure before this Assembly.

MOTION.

Mr. Fowler moved that the rules be suspended, and the resolution considered.

Carried.

Resolution adopted.

LEAVE OF ABSENCE.

Messrs. McCall and Cram were excused for the day.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON FISH AND GAME.

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1891.

MR. SPEAKER: Your Committee on Fish and Game, to whom was referred Senate Bill No. 214—report the same back without recommendation.

LYNCH, Chairman.

SPECIAL ORDERS.

Assembly Bill No. 633—An Act to repeal sections six hundred and thirty-nine, six hundred and forty, six hundred and forty-one, six hundred and forty-two, six hundred and forty-three, six hundred and forty-four, six hundred and forty-five, and six hundred and forty-seven of title sixteen, of part four, division first, of the Civil Code, providing for the formation and government of mutual building and loan associations, and to add seventeen new sections to said Civil Code, to be known and numbered as sections six hundred and thirty-three, six hundred and thirty-four, six hundred and thirty-five, six hundred and thirty-six, six hundred and thirty-seven, six hundred and thirty-eight, six hundred and thirty-nine, six hundred and forty, six hundred and forty-one, six hundred and forty-two, six hundred and forty-three, six hundred and forty-four, six hundred and forty-five, six hundred and forty-six, six hundred and forty-seven, six hundred and forty-eight,

and six hundred and forty-eight and one half, providing for the formation and government of mutual building and loan associations.

Read second time.

Amendment by Mr. Wentworth:

Amend section one, line four, after the word repealed, by adding the following: "*provided, however*, that so far as the said sections relate to and govern building and loan associations heretofore incorporated and doing business under the Civil Code, the said sections shall continue in full force and validity; *provided further*, that the sections by this Act added to the Civil Code, providing for the examination by the Bank Commissioners of this State of all building and loan associations, shall apply to all such corporations, whether organized and doing business before or after the passage of this Act."

Adopted.

Ordered engrossed and to third reading.

MOTIONS.

Mr. Wentworth moved to make Assembly Bill No. 633 a special order for Wednesday, at two o'clock P. M.

Carried.

Mr. Mathews moved to take up Senate messages.

Carried.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 7, 1891.

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

Senate Bill No. 690—An Act to add a new section to be known as section six hundred and eighty-four of the Political Code, in regard to the appointment of and fixing the salary of an assistant to the Secretary of the State Board of Examiners, and to appropriate money for the payment of his salary

F. J. BRANDON, Secretary.

RESOLUTION.

By Mr. Mathews:

Resolved, That Senate Bill No. 690 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times upon one day, and placed upon its passage.

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

AYES—Messrs. Alexander, Ames, Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Beecher, Belt, Clark, Culver, Dibble, Doty, Dow, Dunn, Durner, Eakle, Estey, Fowler, Freeman, Galbraith, Garver, Glynn, Gordon, Hersey, Hocking, Jackson, Johnson, Lewis, Lynch, Marion, Martin Mathews, Matlock, McCall, Mordecai, Robertson, Shanahan, Smith of Butte, Stabler, Steltz, Tennis, Young, and Mr. Speaker—43

NOES—Messrs. Baughman, Bryant, Carter, Hall, Hawley, Hayes, Hunewill, Kellogg, Lacey, Lux, Murnan, Phillips, Renfro, Smith of Orange, Sturtevant, Wentworth, and Weston—17.

SPECIAL ORDER—(RESUMED).

Assembly Bill No. 224—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, by amending sections one, two, three, four, eleven, twelve, thirty-nine, and forty-two thereof, relating to irrigation districts.

Senate amendments as follows:

Amend Assembly Bill No. 224, section three, by striking out all of line ten after the word "offices," and also line eleven, and all of line twelve before the word "said," in said line twelve.

Strike out of line ten of section three all after the word "offices." Also, strike out all of lines eleven and twelve, to and including the word "district," and insert in lieu thereof the following: "and no action shall be commenced or maintained or defense made affecting the validity of the organization, unless the same shall have been commenced or made within two years after the making and entering of said order."

The roll was called, and the amendments concurred in by the following vote:

AYES—Messrs Alexander, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bryant, Carter, Clark, Culver, Dennis, Doty, Dow, Dunn, Eakle, Estey, Fowler, Freeman, Galbraith, Garver, Gordon, Gould, Hail, Hawley, Hayes, Hersey, Hocking, Hunewill, Jackson, Johnson, Kellogg, Lacey, Lewis, Lux, Lynch, Marion, Martin, Mathews, Matlock, McCall, Mordecai, Murnan, Phillips, Renfro, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Tennis, Wentworth, Weston, Young, and Mr. Speaker—55.

NOES—None.

UNFINISHED BUSINESS.

Assembly Bill No. 101—An Act to amend sections three thousand seven hundred and eighty and three thousand seven hundred and eighty-five of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the redemption of land sold at tax sale.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Bryant, Carter, Clark, Culver, Dennis, Dibble, Doty, Dow, Dunn, Durner, Eakle, Estey, Fowler, Freeman, Galbraith, Garver, Gordon, Gould, Hail, Hawley, Hayes, Hersey, Hocking, Hunewill, Jackson, Johnson, Kellogg, Lacey, Lewis, Lux, Lynch, Marion, Martin, Mathews, Matlock, Mordecai, Murnan, Renfro, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Tennis, Weston, Young, and Mr. Speaker—54.

NOES—None.

Title read and approved.

Substitute for Senate Bills Nos. 8, 57, 123, and 369—An Act to amend sections one thousand one hundred and eighty-five, one thousand one hundred and eighty-six, one thousand one hundred and eighty-seven, one thousand one hundred and eighty-eight, one thousand one hundred and eighty-nine, one thousand one hundred and ninety, one thousand one hundred and ninety-one, one thousand one hundred and ninety-two, one thousand one hundred and ninety-three, one thousand one hundred and ninety-four, one thousand one hundred and ninety-five, one thousand one hundred and ninety-six, one thousand one hundred and ninety-seven, one thousand one hundred and ninety-eight, one thousand one hundred and ninety-nine, one thousand two hundred, one thousand two hundred and one, one thousand two hundred and two, one thousand two hundred and three, one thousand two hundred and four, one thousand two hundred and five, one thousand two hundred and six, one thousand two hundred and seven, one thousand two hundred and eight, one thousand two hundred and nine, one thousand two hundred and ten, one thousand two hundred and eleven, one thousand two hundred and twelve, one thousand two hundred and fifty-seven, one thousand two hundred and fifty-eight, and one thousand two hundred and fifty-nine of the Political Code, and to add four new sections thereto, to be numbered one thousand two hundred and thirteen, one

thousand two hundred and fourteen, one thousand two hundred and fifteen, and one thousand two hundred and sixteen, all in relation to the conduct of elections in this State.

MOTION.

Mr. Dibble moved that a select committee of one be appointed by the Speaker, to amend as follows:

Amend section thirteen by inserting after the word "surname," in line thirty-three, the following words: "Except that the names of candidates for the office of Electors for President and Vice-President shall be arranged in groups as presented in the several certificates of nomination, and the voter may vote for the whole of such group by making one mark after such group."

Carried.

APPOINTMENT OF COMMITTEE.

Mr. Dibble was appointed a committee to make said amendment.

REPORT OF COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1891.

MR. SPEAKER: Your Select Committee, to whom was referred Senate substitute for Senate Bills Nos. 8, 57, 123, and 369, 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.

DIBBLE, Committee.

Report of committee adopted.

MOTION.

Mr. Dibble moved that a select committee of one be appointed by the Speaker, to amend as follows:

Amend by striking out the word "three" in line eight, of section four, and insert in lieu thereof the word "five."

Carried.

APPOINTMENT OF COMMITTEE.

Mr. Dibble was appointed a committee to make said amendment.

REPORT OF COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1891.

MR. SPEAKER: Your Select Committee, to whom was referred Senate substitute for Senate Bills Nos. 8, 57, 123, and 369, 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.

DIBBLE, Committee.

Report of committee adopted.

MOTION.

Mr. Dibble moved that a select committee of one be appointed by the Speaker, to amend as follows:

Amend section four by striking out all after the word "made," in line ten, down to and including the word "State," in line eleven.

Carried.

APPOINTMENT OF COMMITTEE.

Mr. Dibble was appointed a committee to make said amendment.

REPORT OF COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1891.

MR. SPEAKER. Your Select Committee, to whom was referred Senate substitute for Senate Bills Nos 8, 57, 123, and 369, 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.

DIBBLE, Committee.

Report of committee adopted.

PREVIOUS QUESTION.

The previous question was demanded by Mr. Young, seconded by Messrs. Durner and Bryant.

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

MOTIONS.

Mr. Dibble moved that further consideration of Senate substitute for Senate Bills Nos. 8, 57, 123, and 369 be made a special order for this day, at three o'clock and thirty minutes P. M.

Carried.

Mr. Dibble moved that the following bills be placed on the general file: Assembly Bills Nos. 2, 3, 27, 29, and 470.

Carried.

Mr. Dibble moved that the following resolution take effect to-morrow morning:

RESOLUTION.

By Mr. Dibble:

Resolved, That the rules be suspended, and that on Tuesday, March tenth, after the reading of the Journal, the roll be called, and each member be allowed to call up one bill, with consent of the author, which shall be placed on the special file; *provided*, that if twelve members object, such bill shall not be so taken up, but in that case the member may call up another bill, with consent of the author; *and provided further*, that any member instead of calling up an Assembly Bill to be placed upon the special file, may call up a Senate Bill identical with such bill.

Adopted.

SPECIAL ORDER.

Assembly Bill No. 671—An Act to provide for funding the indebtedness of Levee District No. 6, of Sutter County, and to provide for the payment of such funded debt.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Ames, Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Bruner, Bryant, Carter, Clark, Coffey, Culver, Cunningham, Dennis, Doty, Dow, Dunn, Durner, Eakle, Estey, Fowler, Freeman, Galbraith, Garver, Gordon, Gould, Hall, Hawley, Hayes, Hersey, Hocking, Hunewill, Jackson, Kellogg, Lacey, Lewis, Lux, Lynch, Martin, Mathews, Matlock, Mordecai, Murnan, Phillips, Renfro, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Tennis, Wentworth, Weston, Young, and Mr. Speaker—59.

NOES—None.

Title read and approved.

Senate Bill No. 43—An Act to amend section two thousand one hundred and sixty-eight of the Civil Code, relating to common carriers.

MOTION.

Mr. Galbraith moved that the enacting clause be stricken out.

PREVIOUS QUESTION.

The previous question was demanded by Messrs. Wentworth, Johnson and Bryant.

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

The question being, "Shall the enacting clause be stricken out?" it was carried.

PRESENTATION OF PETITION.

Mr. Shanahan presented a petition from the residents of Shasta and Trinity Counties, protesting against the passage of Senate Bill No. 43, signed by thirty-seven names.

Ordered printed in the appendix of the Journal.

SPECIAL FILE.

Senate Bill No. 154—An Act authorizing school districts, cities, cities and counties, or incorporated towns, in the State of California, to furnish the pupils of their respective public schools with free use of school textbooks.

Mr. Bruner moved that the enacting clause be stricken out.

Roll call demanded by Messrs. Phillips, Carter, and Wentworth.

The roll was called, and the enacting clause stricken out by the following vote:

AYES—Messrs. Alexander, Ames, Arms, Barnard, Barnett of Sonoma, Beecher, Bruner, Bryant, Clark, Coffey, Culver, Cunningham, Dennis, Dibble, Dow, Dunn, Durner, Estey, Garver, Glynn, Hayes, Hocking, Marion, Matlock, McCall, Mordecai, Murnan, Renfro, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Sturtevant, Tennis, Young, and Mr. Speaker—37.

NOES—Messrs. Barnett of San Francisco, Baughman, Bert, Bledsoe, Carter, Doty, Eakle, Fowler, Freeman, Galbraith, Gordon, Hawley, Hunewill, Jackson, Johnson, Kellogg, Lacey, Lewis, Lux, Martin, Mathews, Phillips, Wentworth, and Weston—24.

Assembly Constitutional Amendment No. 12—Proposed amendment to section five, article twenty, of the Constitution of the State of California, relative to fiscal years.

MOTION.

Mr. Dibble moved that the motion to reconsider be laid on the table. Carried.

PRESENTATION OF PETITIONS.

A petition was presented by Mr. Marion to abolish poll tax.

Also, by Mr. Bledsoe, a petition with twenty-seven signatures opposing the passage of Assembly Bill No. 407.

MESSAGES FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, March 6, 1891.

To the Assembly of the State of California

I have the honor to inform your honorable body that I have approved Assembly Bill No. 106.

H. H. MARKHAM, Governor.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, March 9, 1891.

To the Assembly of the State of California:

I herewith return without my approval Assembly Bill No. 42, entitled "An Act making appropriation for the support of the State Insane Asylum at Stockton for the forty-first and forty-second fiscal years," with the following objections: Of the sum of twenty-one thousand five hundred and twenty-nine dollars and thirty-one cents appropriated by this bill, nine thousand nine hundred and seventy-one dollars and ninety-nine cents is intended to meet the deficiency for the forty-first fiscal year, ending June 30, 1890, the balance, eleven thousand five hundred and fifty-seven dollars and thirty-two cents is intended to meet the deficiency for the fortieth fiscal year, ending June 30, 1889. According to the terms of the bill, however, it appropriated money in payment of a deficiency for the forty-first and forty-second fiscal years, instead of the fortieth and forty-first fiscal years. It will thus be seen that a serious error has been made in that respect and if the bill were approved, the deficiency for the fortieth fiscal year could not be paid out of that portion of the appropriation, to wit: eleven thousand five hundred and fifty-seven dollars and thirty-two cents, intended by this bill for the forty-second fiscal year. There is, however, another very serious objection to the bill, and one that I feel called upon to mention. On March 21, 1889, the Legislature passed an Act making appropriations for the support of the government of the State of California for the forty-first and forty-second fiscal years. Section five of this Act reads as follows:

"SEC. 5. The officers of the various Departments, Boards, Commissions, and Institutions, for whose benefit and support appropriations are made by this Act, are expressly forbidden any expenditure in excess of such appropriations, except the unanimous consent of the State Board of Examiners be first obtained, and a certificate in writing of the unavoidable necessity for such expenditure, duly signed by every member of said Board; and any indebtedness attempted to be created against the State in violation of the provisions of this Act shall be absolutely null and void, *provided*, that any member of any such Department, Board, Commission, or Institution, who shall vote for any expenditure, or create any indebtedness against the State in excess of the respective appropriations made by this Act, except by the unanimous consent of the State Board of Examiners, and the certificate in this section provided for be first obtained, shall be liable on his official bond for the amount of such indebtedness, to be recovered in any Court of competent jurisdiction by the person or persons, firm or corporations, to whom such indebtedness is owing."

In accordance with the provisions of this statute, there is no method by which the two items of deficiency could be legally incurred, except to first obtain the unanimous consent of the State Board of Examiners and a certificate in writing of the unavoidable necessity for such expenditures, duly signed by every member of said Board; and any indebtedness attempted to be created against the State in violation of the provisions of this Act is absolutely null and void. It became my duty, therefore, before approving the bill, to examine the records of the State Board of Examiners upon this point. There is no record in that office or the Executive office authorizing either of the items of expenditure, in accordance with the provisions of the statute of 1889. This fact was immediately communicated to the Board of Directors of that institution, and in response thereto, I was informed by the Secretary that as a matter of fact no such authority was obtained prior to the creation of the indebtedness. Notwithstanding the fact that at a date subsequent to the creation of the debt the Board of Examiners approved the various items composing these claims, their acts could in no way validate a claim made null and void by the statute referred to. In other words, they have no power to change the effect of the statute.

H. H. MARKHAM, Governor.

MOTION.

Mr. Dibble moved that the message from the Governor be printed in the Journal, and further consideration be made a special order, to come up under the head of Messages from the Governor.

Carried.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 7, 1891.

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

Assembly Constitutional Amendment No. 5—To propose to the people of the State of California an amendment to section thirty-four of article four of the Constitution of the State of California.

Also: Senate Bill No. 293—An Act for the relief of John J. Conlin.

Also: Substitute for Senate Bill No. 126—An Act fixing the price at which jute goods shall be sold by the State, and providing the manner of sale thereof

Also: Senate Bill No. 583—An Act to amend section two of an Act entitled "An Act to advance learning, the arts and sciences, and to promote the public welfare by providing for the conveyance, holding, and protection of property and the creation of trusts for the founding, endowment, erection, and maintenance, within this State, of universities, colleges, schools, seminaries of learning, mechanical institutes, museums, and galleries of art," approved March 9, 1885

Also: Senate Bill No. 688—An Act to authorize the Directors of the Veterans' Home Association to exchange certain lands in the City and County of San Francisco for certain other property belonging to said city and county, or for a lease of said property

Also: Refused to read a third time Assembly Bill No. 353—An Act to create the county of San Jacinto, to define the boundaries thereof, to determine the county seat by an election, and to provide for its organization and election of officers, and to classify said county.

Also: Passed Assembly Bill No. 696—An Act to amend an Act entitled "An Act to reincorporate the city of San Jose," approved March 17, 1874.

Also: Substitute for Senate Bill No. 1—An Act appropriating the sum of ninety thousand ($90,000) dollars for the erection of an additional building for the use of the State Insane Asylum at Agnews.

Also: Substitute for Senate Bill No. 600—An Act making an appropriation for additional improvements for the Southern California State Hospital for the Insane.

Also: Senate Bill No. 643—An Act to form agricultural districts, to provide for the formation of agricultural associations therein, and for the management and control of the same by the State, and to repeal so much of an Act entitled "An Act to form agricultural districts, to provide for the formation of agricultural associations therein, and for the management and control of the same by the State," approved April 15, 1880, and of all Acts amendatory thereof as are in conflict herewith

Also: Senate Bill No. 33—An Act to provide buildings and improvements at the Deaf, Dumb, and Blind Asylum, and making an appropriation for the same.

Also: Assembly Bill No. 232—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, by amending sections fifteen, twenty-two, and twenty-three thereof, relating to irrigation districts.

Also: Senate Bill No. 55—An Act to appropriate money to pay the claim of Enoch N. Strout for services rendered as Reclamation Land Commissioner, under "An Act to provide for the funding of the indebtedness of the reclamation and levee districts of this State," approved March 30, 1872

Also: Senate Bill No. 62—An Act for the relief of Patrick Creighton

Also: Senate Bill No. 684—An Act providing for the dissolution and winding up of savings banks, trust companies, and banks of deposit, and providing for the disposition of all funds deposited therein and not claimed within five years after such banks have ceased to do business, or after the commencement of proceedings to dissolve.

Also: Senate Bill No. 581—An Act to amend section one thousand four hundred and thirty-one of the Code of Civil Procedure of California.

Also: On the fifth day of March, passed the following

Senate Bill No. 665—An Act making an appropriation to pay the deficiency in the appropriation for the Attorney-General for the forty-second fiscal year, for costs and expenses of suits wherein the State is a party in interest.

Also: On the fourth day of March, passed the following:

Senate Bill No. 664—An Act making an appropriation to pay the deficiency in the appropriation for expenses that may be incurred by the Attorney-General, for the forty-second fiscal year, in suits in the United States Courts

Also: On the fifth day of March, passed the following:

Senate Bill No. 272—An Act fixing the rate of tax on baled hops.

Also: Senate Bill No. 371—An Act to provide for the erection and furnishing of a Superintendent's residence, for the purchase of laundry machinery, for reflooring the Female Asylum Building, and for the permanent improvement of the walks and driveways on the grounds of the State Asylum for the Insane at Stockton, and to appropriate money therefor.

Also: Senate Bill No. 660—An Act making an appropriation to pay the deficiency in the appropriation for stationery, supplies, fuel, and lights for the Legislature and State officers, for the forty-second fiscal year.

Also: Senate Bill No. 662—An Act making an appropriation to pay the deficiency in

the appropriation for postage, expressage, and contingent expenses of the Attorney-General, for the forty-second fiscal year.

Also: Senate Bill No. 663—An Act making an appropriation to pay the deficiency in the appropriation for the traveling expenses of the Attorney-General, for the forty-second fiscal year.

Also: On the sixth day of March, passed the following:

Senate Bill No. 622—An Act to amend an Act entitled "An Act to regulate and govern the State Prisons of California," approved March 19, 1889.

Also: Senate Bill No. 395—An Act to provide for the payment of the claim of A. B. Dibble, for professional services performed by him in the case of the People, respondent, vs. O. P. Dobbins, appellant, No. 12,106, Department One of the Supreme Court, August 30, 1887.

Also: Senate Bill No. 398—An Act to prohibit the adulteration of beer and other malt liquors.

Also: On the sixth day of March, adopted the following:

Senate Concurrent Resolution No. 3—Relative to attending the funeral of the late Senator George Hearst.

Also: Amended, and passed as amended, the following:

Assembly Bill No. 68—An Act to amend sections three thousand six hundred and sixty-five, three thousand six hundred and sixty-six, three thousand six hundred and sixty-seven, three thousand six hundred and sixty-eight, three thousand six hundred and sixty-nine, three thousand six hundred and seventy, three thousand six hundred and seventy-two, three thousand six hundred and ninety-two, three thousand six hundred and ninety-six, three thousand seven hundred and fourteen, three thousand seven hundred and twenty-eight, three thousand seven hundred and thirty-two, three thousand seven hundred and forty-six, three thousand seven hundred and fifty-six, three thousand seven hundred and fifty-eight, and three thousand seven hundred and sixty-four of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to revenue and taxation.

F. J. BRANDON, Secretary.

REPORT OF STANDING COMMITTEE.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1891.

MR. SPEAKER: Your Select Committee, to whom was referred certain charges against A. P. Catlin, Superior Judge of Sacramento County, have had the same under consideration, and respectfully report the same back, with the recommendation that the accompanying resolution be adopted:

Resolved, That the Assembly dismiss the charges preferred by A. H. Carpenter against A. P. Catlin, Superior Judge of Sacramento County, on the ground that the said charges do not state any facts upon which action can be taken.

BRUNER, Chairman.

Adopted.

Mr. Dibble asked to substitute Senate substitute for Senate Bills Nos. 352 and 499 in the place of Assembly Bill No. 755, on the special file.

So ordered.

RESOLUTION.

By Mr. Dibble:

Resolved, That substitute for Senate Bills Nos. 352 and 499 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

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

AYES—Messrs. Alexander, Ames, Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Bert, Bledsoe, Bruner, Bryant, Carter, Clark, Coffey, Cunningham, Dennis, Dibble, Doty, Dunn, Durnell, Eakle, Estey, Fowler, Galbraith, Garver, Glynn, Gordon, Gould, Hall, Hawley, Hayes, Hocking, Jackson, Johnson, Kellogg, Lewis, Lynch, Marion, Martin, Matlock, McCall, Mordecai, Phillips, Renfro, Rice, Robertson, Shanahan, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Wentworth, Weston, Young, and Mr. Speaker—56.

NOES—Messrs. Harloe and Smith of Butte—2.

MOTION.

At twelve o'clock and thirty minutes P. M. Mr. Dibble moved to defer recess fifteen minutes.

Carried.

Substitute for Senate Bills Nos. 352 and 499—An Act to amend sections one thousand five hundred and twenty-one, one thousand five hundred and thirty-two, one thousand five hundred and thirty-three, one thousand five hundred and forty-three, one thousand five hundred and forty-eight, one thousand five hundred and fifty-one, one thousand five hundred and fifty-two, one thousand five hundred and sixty, one thousand five hundred and sixty-five, one thousand five hundred and seventy-six, one thousand five hundred and eighty-one, one thousand five hundred and eighty-three, one thousand five hundred and ninety-six, one thousand five hundred and ninety-nine, one thousand six hundred and seventeen, one thousand six hundred and forty-nine, one thousand six hundred and fifty, one thousand six hundred and sixty-two, one thousand six hundred and sixty-three, one thousand six hundred and sixty-five, one thousand six hundred and ninety-six, one thousand seven hundred and seventy-one, one thousand seven hundred and seventy-five, one thousand seven hundred and ninety-one, and one thousand seven hundred and ninety-two, and to repeal sections one thousand six hundred and twenty-five, one thousand six hundred and sixty-nine, one thousand six hundred and eighty-two, and four hundred and forty-four of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the public schools.

Read first and second times.

Amendment by Mr. Galbraith:

Strike out of section twenty, line eight, the words "physiology and hygiene, book-keeping and," and changing "these" to "this" in line nine of section twenty; also, changing "subjects" to "subject."

RECESS.

At twelve o'clock and forty-five minutes P. M. the House took a recess.

REASSEMBLED.

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

Speaker Coombs in the chair.

Quorum present.

LEAVE OF ABSENCE.

Mr. Carter was granted leave of absence for the day, and Mr. Hawley, temporarily.

UNFINISHED BUSINESS.

Mr. Baughman in the chair.

The question recurring on Mr. Galbraith's amendment to substitute for Senate Bills Nos. 352 and 499.

The ayes and noes were demanded by Messrs. Shanahan, Murphy, and Phillips.

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

AYES—Messrs. Beecher, Bert, Bledsoe, Bruner, Culver, Doty, Freeman, Galbraith, Gordon, Gould, Hail, Harloe, Hocking, Jackson, Johnson, Lynch, Matlock, Smith of Butte, Stabler, and Mr. Speaker—20.

NOES—Messrs. Alexander, Ames, Arms, Barnard, Barnett of Sonoma, Baughman, Brown, Bryant, Clark, Cunningham, Dennis, Dibble, Dow, Dunn, Durner, Eakle, Estey, Fowler, Garver, Hersey, Jones, Kellogg, Lacey, Marion, Martin, Mathews, Mordecai, Murnan, Phillips, Renfro, Rice, Robertson, Shanahan, Steltz, Sturtevant, Tennis, Wentworth, Weston, Wolfskill, and Young—40.

MOTION.

Mr. Dibble moved to take up Senate messages.

Carried.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 9, 1891.

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

Resolved, That the Assembly be respectfully requested to return to the Senate the engrossed copy of Assembly Bill No. 301, for the purpose of reconsidering the vote by which the bill finally passed the Senate, and to amend the same, and to correct errors therein.

F. J. BRANDON, Secretary.

MOTION.

Mr. Hail moved that the request of the Senate be complied with.

So ordered.

UNFINISHED BUSINESS—(RESUMED).

Mr. Shanahan moved that the vote whereby Mr. Galbraith's amendment was rejected be reconsidered.

PREVIOUS QUESTION.

The previous question was demanded by Mr. Arms, seconded by Messrs. Marion and Dibble.

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

The question recurring on Mr. Shanahan's motion.

The ayes and noes were demanded by Messrs. Shanahan, Gould, and Hail.

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

AYES—Messrs. Ames, Beecher, Bert, Bledsoe, Brown, Bruner, Culver, Doty, Freeman, Galbraith, Gordon, Gould, Hail, Hersey, Hocking, Jackson, Johnson, Lewis, Lynch, Matlock, Murphy, Shanahan, Smith of Butte, Stabler, Wentworth, and Mr. Speaker—26.

NOES—Messrs. Alexander, Arms, Barnard, Barnett, of San Francisco, Barnett of Sonoma, Baughman, Bryant, Clark, Coffey, Cunningham, Dennis, Dibble, Dow, Dunn, Durner, Eakle, Estey, Fowler, Garver, Glynn, Hayes, Jones, Kellogg, Lacey, Lux, Marion, Martin, Mathews, Mordecai, Murnan, Phillips, Renfro, Rice, Robertson, Smith of Orange, Steltz, Sturtevant, Tennis, Weston, Wolfskill, and Young—41.

Speaker Coombs in the chair.

Amendment by Mr. Galbraith:

Insert the following in line thirteen, of section twenty, after the word "bookkeeping:" "physiology and hygiene."

PREVIOUS QUESTION.

The previous question was demanded by Mr. Dibble, seconded by Messrs. Arms and Murphy.

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

The question recurring on the amendment.

The ayes and noes were demanded by Messrs. Shanahan, Galbraith, and Culver.

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

AYES—Messrs. Ames, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Bryant, Culver, Doty, Freeman, Galbraith, Gordon, Gould, Hail, Harloe, Hersey, Hocking, Jackson, Lewis, Lynch, Marion, Matlock, Murphy, Shanahan, Smith of Butte, Stabler, Wentworth, and Mr. Speaker—29.

NOES—Messrs. Alexander, Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Clark, Cunningham, Dennis, Dibble, Dow, Dunn, Durner, Eakle, Estey, Fowler, Garver, Hayes, Hunewill, Johnson, Jones, Lacey, Lux, Martin, Mathews, Mordecai, Murnan, Renfro, Rice, Robertson, Steltz, Sturtevant, Tennis, Weston, and Wolfskill—34.

Substitute for Senate Bills Nos. 352 and 499.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Ames, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Bert, Bledsoe, Brown, Bruner, Bryant, Clark, Cunningham, Dennis, Dibble, Dow, Dunn, Durner, Eakle, Estey, Fowler, Galbraith, Garver, Glynn, Gordon, Hail, Hayes, Hocking, Hunewill, Jackson, Kellogg, Lewis, Lux, Lynch, Marion, Martin, Mathews, Mordecai, Murnan, Phillips, Renfro, Rice, Robertson, Shanahan, Smith of Orange, Stabler, Steltz, Sturtevant, Wentworth, Weston, Wolfskill, and Mr. Speaker—52.

NOES—Messrs. Beecher, Doty, Freeman, Harloe, Hersey, Johnson, Jones, Smith of Butte, and Tennis—9.

Title read and approved.

WITHDRAWAL OF BILL.

Mr. Dibble was permitted to withdraw Assembly Bill No. 755.

Assembly Bill No. 68.

Senate amendments as follows:

1. Amend by inserting the following on page two, line thirty-six, after the word "otherwise:" "*provided*, that any license taxes collected under a city ordinance shall be collected by the City or Town Marshal, and paid into the City or Town Treasury for the use of the city or town in which it is collected."

2. Also: Amend by striking out of section nine the last sentence of the section.

3. Also: Amend the title by inserting after the word "amend," "section eight hundred and sixty-two of." Also, by striking out the word "that" in line one, and insert in lieu thereof the words "section one."

4. Also: Amend on page three, line fifty-one, after the word "streets." by adding the following: "and the construction and maintenance of telegraph and telephone lines therein."

The roll was called, and the Senate amendments concurred in by the following vote:

AYES—Messrs. Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Bert, Bledsoe, Bruner, Bryant, Clark, Coffey, Dennis, Dibble, Doty, Dow, Dunn, Durner, Eakle, Estey, Fowler, Freeman, Galbraith, Garver, Glynn, Gordon, Gould, Hail, Harloe, Hayes, Hersey, Hocking, Jackson, Johnson, Kellogg, Lewis, Lynch, Marion, Martin, Matlock, McCall, Mordecai, Murnan, Murphy, Renfro, Rice, Robertson, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Wentworth, Weston, Young, and Mr. Speaker—55.

NOES—None.

MOTIONS.

Mr. Dibble moved that Senate Bills Nos. 661, 617, and 130 be placed at the head of the special file.

Carried.

Mr. Barnett of San Francisco moved that a select committee be appointed to inform the Senate, in answer to their complaint that the Assembly had not kept faith in the joint rule which requires each branch of the Legislature shall take one and one half hours each day for the consideration of the other's bills, that the Assembly has at all times acted in good faith in observing such rule, and that the House had occupied the last three days in the consideration of Senate Bills.

Carried.

APPOINTMENT OF COMMITTEE.

The Speaker appointed as such select committee, Messrs. Barnett of San Francisco, Gould, and Harloe.

MOTION.

Mr. Johnson moved that he be allowed to introduce a bill under the provision of the Constitution requiring the consent of two thirds of the members.

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

AYES—Messrs. Alexander, Ames, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bryant, Coffey, Culver, Cunningham, Dennis, Dibble, Doty, Dow, Eakle, Estey, Fowler, Freeman, Galbraith, Garver, Glynn, Gordon, Gould, Hall, Harloe, Hayes, Hersey, Hocking, Jackson, Johnson, Jones, Kellogg, Lacey, Lewis, Lux, Lynch, Marion, Martin, Mathews, Matlock, McCall, Mordecai, Murnan, Murphy, Phillips, Rentro, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Wentworth, Weston, Young, and Mr. Speaker—63.

NOES—None.

INTRODUCTION OF BILL.

By Mr. Johnson: Assembly Bill No. 756—An Act making an appropriation to pay the deficiency in the appropriation for the support of the Insane Asylum at Stockton, for the fortieth fiscal year.

Read first time, and made a special order for to-morrow, immediately after reading of the Journal, on motion of Mr. Johnson.

REPORT OF STANDING COMMITTEE.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, March 9, 1891.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Joint Resolution No. 19—have had the same under consideration, and report the same back, with the recommendation that it do not pass.

BRUNER, Chairman.

MOTION.

Mr. Lynch moved to take up Assembly Bill No. 230.

Carried.

Assembly Bill No. 230—An Act to amend section one hundred and fifty-eight of the Code of Civil Procedure of the State of California, relating to the residence of Judges of the Superior Court.

Amendment by Mr. Lynch:

Amend by striking out the word "that" after the word "more" in the engrossed bill, and substituting the word "than," to correspond with the wording in section one, line six, of the printed bill

Adopted.

MOTION.

Mr. Young moved to take up Senate messages.
Carried.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 9, 1891.

MR. SPEAKER. I am directed to inform your honorable body that the Senate, on this day, amended, and passed as amended, the following:

Assembly Bill No. 301—An Act relating to life, health, accident, and annuity or endowment insurance on the assessment plan, and the conduct of the business of such insurance.

F. J. BRANDON, Secretary.

MOTION.

Mr. Young moved to take up Assembly Bill No. 301.
Carried.

Assembly Bill No. 301—An Act relating to life, health, accident, and annuity or endowment insurance on the assessment plan, and the conduct of the business of such insurance.

Senate amendments, as follows:

1. Amend by striking out of section two, line twenty-five, engrossed bill, the word "ten," and insert in lieu thereof the word "five."
2. Also: Amend by striking out of section two, line twenty-six, engrossed bill, the figures "10,000," and insert in lieu thereof the figures "5,000."
3. Also: Amend by striking out of section six, line five, engrossed bill, the word "county," and insert in lieu thereof the word "country."
4. Also: Amend by striking out of section six, line fifty-three, engrossed bill, the word "county," and insert in lieu thereof the word "country."
5. Also: Amend by striking out of section six, line seventy, engrossed bill, the word "of," and insert in lieu thereof the word "in."
6. Also: Amend by striking out of section six, line one hundred and seventeen, engrossed bill, the word "county," and insert in lieu thereof the word "country."
7. Also: Amend by striking out of section six, line one hundred and thirty-one, engrossed bill, the word "county," and insert in lieu thereof the word "country."

The roll was called, and the Senate amendments concurred in by the following vote:

AYES—Messrs. Alexander, Ames, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Brown, Bruner, Bryant, Clark, Culver, Cunningham, Dibble, Doty, Dow, Eakle, Estey, Fowler, Freeman, Galbraith, Garver, Glynn, Gordon, Gould, Hall, Hawley, Hayes, Hersey, Hocking, Jackson, Johnson, Kellogg, Lacey, Lewis, Marion, Martin, Mathews, Matlock, Mordecai, Murnan, Murphy, Phillips, Renfro, Robertson, Shanahan, Smith of Butte, Stabler, Steltz, Sturtevant, Tennis, Wentworth, Weston, Young, and Mr. Speaker—56.

NOES—None.

Ordered to enrollment.

Substitute for Senate Bills Nos. 8, 57, 123, and 369—An Act to amend sections one thousand one hundred and eighty-five, one thousand one hundred and eighty-six, one thousand one hundred and eighty-seven, one thousand one hundred and eighty-eight, one thousand one hundred and eighty-nine, one thousand one hundred and ninety, one thousand one hundred and ninety-one, one thousand one hundred and ninety-two, one thousand one hundred and ninety-three, one thousand one

hundred and ninety-four, one thousand one hundred and ninety-five, one thousand one hundred and ninety-six, one thousand one hundred and ninety-seven, one thousand one hundred and ninety-eight, one thousand one hundred and ninety-nine, one thousand two hundred, one thousand two hundred and one, one thousand two hundred and two, one thousand two hundred and three, one thousand two hundred and four, one thousand two hundred and five, one thousand two hundred and six, one thousand two hundred and seven, one thousand two hundred and eight, one thousand two hundred and nine, one thousand two hundred and ten, one thousand two hundred and eleven, one thousand two hundred and twelve, one thousand two hundred and fifty-seven, one thousand two hundred and fifty-eight, and one thousand two hundred and fifty-nine of the Political Code, and to add four new sections thereto, to be numbered one thousand two hundred and thirteen, one thousand two hundred and fourteen, one thousand two hundred and fifteen, and one thousand two hundred and sixteen, all in relation to the conduct of elections in this State.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Ames, Arms, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bryant, Clark, Coffey, Culver, Cunningham, Dennis, Doty, Dow, Dunn, Durner, Eakle, Estey, Fowler, Freeman, Galbraith, Garver, Glynn, Gordon, Gould, Hail, Harloe, Hawley, Hayes, Hersey, Hocking, Jackson, Johnson, Jones, Kellogg, Lacey, Lewis, Lux, Lynch, Marion, Martin, Mathews, Matlock, McCall, Mordecai, Murnan, Murphy, Phillips, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Stabler, Steltz, Sturtevant, Tennis, Wentworth, Weston, Woltskill, Young and Mr Speaker—66

NOES—Messrs. Barnard, Bruner, and Dibble—3.

Title read and approved.

MOTION.

Mr. Hail moved that substitute for Senate Bills Nos. 8, 57, 123, and 369 be immediately transmitted to the Senate.

So ordered.

Senate Bill No. 444—An Act to amend section six hundred and forty-seven of the Penal Code, concerning vagrants.

The roll was called, and the bill passed by the following vote.

AYES—Messrs. Alexander, Ames, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bruner, Bryant, Coffey, Culver, Dow, Durner, Estey, Fowler, Galbraith, Glynn, Gordon, Harloe, Hawley, Hayes, Hersey, Hocking, Hunewill, Johnson, Jones, Lacey, Lewis, Lynch, Marion, Matlock, Mordecai, Murphy, Phillips, Shanahan, Smith of Butte, Smith of Orange, Tennis, Wentworth, Weston, Young, and Mr. Speaker—43.

NOES—Messrs. Arms, Brown, Clark, Cunningham, Dennis, Dibble, Doty, Dunn, Eakle, Freeman, Garver, Gould, Hail, Jackson, Kellogg, Martin, Mathews, McCall, Murnan, Renfro, Rice, Robertson, Stabler, and Wolfskill—24

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Shanahan gave notice that on to-morrow he will move for a reconsideration of the vote whereby Senate Bill No. 444 passed.

MOTION.

Mr. Bruner moved that the bill be immediately transmitted to the Senate.

Lost on division.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1891.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that they have examined the following Assembly Bills and find them correctly engrossed: Nos. 61, 748, 749, 750, 751, 752, 753, 754, 713, 723, 724, and 725.

ALEXANDER, Chairman pro tem.

RESOLUTION.

By Mr. Hail:

Resolved, That Senate Bill No. 643 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

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

AYES—Messrs. Alexander, Ames, Arms, Barnett of Sonoma, Bert, Bledsoe, Brown, Bruner, Bryant, Clark, Coffey, Culver, Cunningham, Dennis, Dibble, Doty, Dow, Dunn, Durner, Eakle, Estey, Fowler, Freeman, Garver, Glynn, Gordon, Gould, Hail, Hawley, Hayes, Hersey, Hocking, Hunewill, Jackson, Johnson, Jones, Kellogg, Lynch, Marion, Martin, Mathews, Matlock, Mordecai, Murphy, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Wentworth, Weston, Wolfskill, Young, and Mr Speaker—58.

NOES—Messrs. Baughman and Lacey—2.

CASE OF URGENCY.

Senate Bill No. 643—An Act to form agricultural districts, to provide for the formation of agricultural associations therein, and for the management and control of the same by the State, and to repeal so much of an Act entitled "An Act to form agricultural districts, to provide for the formation of agricultural associations therein, and for the management and control of the same by the State," approved April 15, 1880, and of all Acts amendatory thereof as are in conflict herewith.

Read first, second, and third times.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander Ames, Barnard, Barnett of Sonoma, Beecher, Bert, Bledsoe, Brown, Coffey, Dibble, Estey, Freeman, Galbraith, Garver, Gould, Hail, Harloe, Hawley, Hayes, Hersey, Hocking, Jackson, Johnson, Kellogg, Lux, Lynch, Marion, Martin, Mathews, Matlock, Mordecai, Murnan, Murphy, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Tennis, Wentworth, Weston, Young, and Mr. Speaker—46.

NOES—Messrs. Baughman, Cunningham, Eakle, and Lacey—4.

Title read and approved.

MOTIONS.

Mr. Jackson moved that Senate Bill No. 643 be immediately transmitted to the Senate.

Carried.

Mr. Matlock moved that Assembly Bill No. 685 be taken up.

Carried.

Assembly Bill No. 685—An Act to amend sections two thousand six hundred and forty-one, two thousand six hundred and forty-two, two thousand six hundred and forty-three, two thousand six hundred and forty-five, and two thousand six hundred and forty-six, and to repeal

section two thousand six hundred and forty-four of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the powers and duties of highway officers, and to provide for the construction, maintenance, and improvement of highways by contract let out to the lowest bidder.

Mr. Robertson moved that a select committee of one be appointed to amend as follows:

Amend by inserting the following subdivision at the end of section five

5. The Boards of Supervisors of each of the several counties may, if they deem it to the best interests of their respective counties, appoint one Road Inspector for each such county, and prescribe his duties and compensation, subject to the provisions of this Act; *provided*, that the compensation of such Road Inspector shall not exceed the sum allowed by law as the total compensation of the Road Commissioner of such county. In case such Road Inspector be appointed, no salary, fees, or compensation shall thereafter be allowed to said Supervisors as Road Commissioners during the time that such Road Inspector is serving as such. The salary, fees, or compensation of such Road Inspector shall be paid from the county road funds, and shall be as nearly as possible apportioned among and paid from the road district funds according to the amount of service performed by him in the several road districts of the county. Said Boards of Supervisors may delegate to said Road Inspector all powers conferred upon them by law as Road Commissioners, save that said Boards of Supervisors shall not delegate to said Road Inspector any power or authority to open bids, or to award contracts, as provided in this Act, and no Road Inspector shall be directly or indirectly interested in any such contract.

Carried.

APPOINTMENT OF COMMITTEE.

Mr. Robertson was appointed a committee to make said amendment.

REPORT OF COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1891.

MR. SPEAKER: Your Select Committee, to whom was refered Assembly Bill No. 685, with instructions to amend in accordance with the action of the House, would report that the instructions of the House have been carried out.

ROBERTSON, Committee

Report of committee adopted.

MOTION.

Mr. Hail moved that a select committee of one be appointed to amend as follows:

Amend by inserting in line seventeen, section three, after the word "provided:" "*provided*, that the Board of Supervisors, in their discretion, may exclude from such contracts the repairing of any or all bridges."

Carried.

APPOINTMENT OF COMMITTEE.

Mr. Hail was appointed a committee to make said amendment.

REPORT OF COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1891.

MR SPEAKER: Your Select Committee, to whom was referred Assembly Bill No. 685, 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.

HAIL, Committee.

Report of committee adopted.

MOTION.

Mr. Eakle moved that a select committee of one be appointed by the Speaker to amend as follows.

Strike out of section five, line eleven, the words ' at least a year," and insert "in the months of July or August of each year."

Carried.

APPOINTMENT OF COMMITTEE.

Mr. Eakle was appointed a committee to make said amendment.

REPORT OF COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1891.

MR. SPEAKER: Your Select Committee, to whom was referred Assembly Bill No. 685, 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.

EAKLE, Committee.

Report of committee adopted.

MOTION.

Mr. Brown moved that a select committee of one be appointed by the Speaker to amend as follows:

Amend line sixteen, section five, by striking out the word "quarterly."

Carried.

APPOINTMENT OF COMMITTEE.

Mr. Brown was appointed a committee to make said amendment.

REPORT OF COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1891.

MR. SPEAKER: Your Select Committee, to whom was referred Assembly Bill No. 685, 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.

BROWN, Committee.

Report of committee adopted.

MOTION.

Mr. Hail moved that a select committee of one be appointed by the Speaker to amend as follows:

SEC. 3. Sub. 15. For the purpose of watering roads in any part of the county the Supervisors may erect, maintain waterworks, and for such purpose may purchase or lease real or personal property. The costs for such waterworks and the watering of said roads may be charged to the General County Fund, the General Road Fund, and the District Fund of the district or districts benefited thereby.

Carried.

APPOINTMENT OF COMMITTEE.

Mr. Hail was appointed a committee to make said amendment.

REPORT OF COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1891.

MR. SPEAKER: Your Select Committee, to whom was referred Assembly Bill No. 685, 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.

HAIL, Committee.

Report of committee adopted.

REPORT OF STANDING COMMITTEE.

ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1891.

MR. SPEAKER: Your Committee on Enrollment beg leave to report that the following Assembly Bills have been correctly enrolled: Nos. 34, 39, and 50, and were presented to the Governor on March fourth, at four o'clock and thirty minutes P. M.

Also, that the following bills have been correctly enrolled: Assembly Bills Nos. 197, 734, 271, 694, 693, and Assembly Joint Resolution No. 18, and were presented to the Governor on March sixth, at four o'clock P. M.

Also, that the following bills have been correctly enrolled: Assembly Bills Nos. 594, 745, 432, 167, 607, 483, 709, 417, 424, 428, 244, 333, 409, 16, 219, 679, 411, 741, 523, and Assembly Concurrent Resolution No. 4, and were presented to the Governor this day, at three o'clock and thirty minutes P. M.

BLEDSOE, Chairman

BILL OF CHARGES.

SACRAMENTO, March 9, 1891

JUDICIARY COMMITTEE TO GEORGE E. SHINN, ASSISTANT SERGEANT-AT-ARMS, DR

Services of A. H. Carpenter $1, and mileage 20 cents	$1 20
Services of A. P. Catlin $1, and mileage 20 cents	1 20
Services of Wm. J. Davis $1, and mileage 20 cents	1 20
Services of D. M. Vance $1, and mileage 20 cents	1 20
Services of Wm. Crawford	1 00
Mileage to Stockton and return, fifty miles	10 00
Notifying Crawford by telegraph of the termination of the case—cost	1 00
Release of Crawford $1, mileage 20 cents	1 20
Total	$18 00

Resolved, That the Controller be directed to draw his warrant in favor of G. E. Shinn, Assistant Sergeant-at-Arms of the Assembly, for the sum of eighteen dollars, payable out of the Contingent Fund of the Assembly, for fees and mileage in the matter of the charges of A. H. Carpenter vs. A. P. Catlin, Judge of the Superior Court of Sacramento County, as appears from the accompanying bill.

BRUNER, Chairman.

Adopted.

ASSEMBLY CONCURRENT RESOLUTION.

By Mr. Renfro:

Resolved by the Assembly, the Senate concurring, That the twenty-ninth session of the Legislature of the State of California adjourn *sine die* on Friday, March thirteenth, eighteen hundred and ninety-one, at twelve o'clock midnight.

MOTIONS.

Mr. Hail moved that the resolution be laid on the table.

Carried.

At four o'clock and forty minutes P. M., Mr. Renfro moved that when the House take a recess, it do so until eight o'clock P. M.

ADJOURNMENT.

Mr. Shanahan moved to adjourn at four o'clock and forty-one minutes P. M.

Carried.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Tuesday, March 10, 1891.

The House met pursuant to adjournment.

Speaker Coombs in the chair.

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

Messrs. Alexander, Ames, Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Bryant, Carter, Clark, Coffey, Cram, Culver, Cunningham, Daly, Dennis, Dibble, Doty, Dow, Durner, Estey, Fowler, Freeman, Galbraith, Gaver, Glynn, Gordon, Gould, Hail, Hawley, Hayes, Hersey, Hocking, Hoey, Hunewill, Jackson, Johnson, Jones, Kellogg, Lacey, Lowe, Lux, Lynch, Manon, Martin, Mathews, Matlock, McCall, Mordecai, Murnan, Murphy, Phillips, Renfro, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Tully, Wentworth, Weston, Young, and Mr. Speaker.

Quorum present.

LEAVE OF ABSENCE.

Mr. Wolfskill was granted indefinite leave of absence.

PRAYER.

Prayer by the Chaplain, Rev. A. C. Herrick.

READING AND APPROVAL OF JOURNAL.

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

Journal of Saturday approved.

Approval of Journal of yesterday deferred.

MOTIONS.

Mr. Phillips moved that the rules be suspended, and substitute for Assembly Bill No. 86 taken up out of order.

Carried.

Substitute for Assembly Bill No. 86—An Act to amend sections one thousand nine hundred and eighteen, one thousand nine hundred and fifty-five, one thousand nine hundred and fifty-seven, one thousand nine hundred and fifty-nine, one thousand nine hundred and seventy, one thousand nine hundred and eighty, one thousand nine hundred and ninety, two thousand and twenty-two, two thousand and sixty-five, two thousand and ninety-four, two thousand and ninety-five, and two thousand and ninety-nine, and to add a new section, to be known as section two thousand and eight, to an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the National Guard of California.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Arms, Barnard, Barnett of Sonoma, Baughman, Brown, Bruner, Clark, Coffey, Culver, Dibble, Doty, Dow, Estey, Freeman Galbraith, Hail,

Harloe, Hawley, Hayes, Hersey, Hocking, Hoey, Jackson, Jones, Kellogg, Lewis, Lowe, Lynch, Marion, Martin, Mathews, Matlock, McCall, Mordecai, Mutnan, Murphy, Phillips, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Wentworth, Weston, Young, and Mr. Speaker—48.

Noes—Mr. Bledsoe—1.

Title read and approved.

Mr. Phillips moved that the rules be suspended, and the bill be immediately transmitted to the Senate.

So ordered.

Mr. Sturtevant moved that the names of the members be called by lot, and each member call up a bill for consideration, in accordance with a resolution yesterday adopted.

Mr. Hail moved as an amendment that the roll be called, and that each bill, as taken up, retain the same relative position on the special file as they now have on the general file.

Mr. Dibble moved as a substitute that the names be drawn by lot, and that the member whose name is so drawn may select a bill to be placed on the special file, in accordance with yesterday's resolution.

Carried.

Mr. Baughman moved that the names be drawn by the Clerk.

Carried.

Mr. Fowler in the chair.

DRAWING OF NAMES.

The following names were drawn, and bills selected for the special file, as follows:

Mr. Tully, Senate Bill No. 62.
Mr. Bert, Senate Bill No. 502.
Mr. Steltz, Senate Bill No. 293.
Mr. Ames, Senate Bill No. 33.
Mr. Fowler, Assembly Bill No. 559.
Mr Sturtevant, substitute for Senate Bill No. 132.
Mr. Martin, Assembly Bill No. 216.

MOTION.

Mr. McCall moved that substitute for Senate Bills Nos. 8, 57, 123, and 369 be recalled from the Senate for correction.

Carried.

DRAWING OF NAMES—(RESUMED).

Mr. Jones, Assembly Bill No. 391 (not on file).
Mr. Murphy, Assembly Bill No. 455.
Mr. Coffey, Assembly Bill No. 588.
Mr. Hayes, Assembly Bill No. 708.
Mr. Hersey, Assembly Bill No. 500.
Mr. Barnett of San Francisco, Senate Bill No. 530.
Mr. Galbraith, Senate Bill No. 326.
Mr. Cram, Assembly Bill No 4.
Mr. Hoey, Assembly Bill No. 281.
Mr. Hail, Senate Bill No. 479.
Mr. Durner, Assembly Bill No. 348.
Mr. Glynn, Assembly Bill No. 306.

Mr. Alexander, substitute for Senate Bill No. 252.
Mr. Mathews, Assembly Bill No. 691.
Mr. Beecher, Assembly Bill No. 289.
Mr. Doty, Assembly Bill No. 640.
Mr. Lowe, substitute for Senate Bill No. 290.
Mr. Mordecai, Senate Bill No. 442.
Mr. Johnson, Senate Bill No. 371.

MOTIONS.

At eleven o'clock A. M. Mr. Phillips moved that the special order for this hour be deferred until drawing of names is concluded.

Carried.

Mr. Bruner moved that Mr. Doty be permitted to name a bill when Mr. Brusie's name is called.

Carried.

DRAWING OF NAMES—(RESUMED).

Mr. Eakle, Senate Bill No. 566.
Mr. Young, Assembly Bill No. 18.
Mr. Hocking, substitute for Assembly Bill No. 336.
Mr. Marion, Assembly Bill No. 117.
Mr. Culver, substitute for Assembly Bill No. 115.
Mr. Cunningham, Assembly Bill No. 586.
Mr. Brusie, Assembly Bill No. 310.
Mr. Rice, Assembly Bill No 710.
Mr. McCall, Senate Bill No. 255.
Mr. Clark, Assembly Bill No. 512.
Mr. Dunn, substitute for Senate Bill No. 163.
Mr. Shanahan, by Mr. Clark, Assembly Bill No. 583.
Mr. Smith of Butte, substitute for Senate Bill No. 542.
Mr. Robertson, Senate Bill No. 599.
Mr. Matlock, Assembly Bill No. 729.

Objection was made by eighteen members to the bringing forward of Assembly Bill No. 729.

Mr. Murnan, Senate Bill No 305.
Mr. Arms, Senate Bill No. 304.
Mr. Coombs, Assembly Bill No. 59.
Mr. Baughman, Senate Bill No. 517.
Mr. Hunewill, Senate Bill No. 60.
Mr. Phillips, Assembly Bill No. 288.
Mr. Smith of Orange, Senate Bill No. 104.
Mr. Lewis, Assembly Bill No. 663.
Mr. Lynch, Assembly Bill No. 576.
Mr. Bledsoe, Senate Bill No. 684.
Mr. Wentworth, Assembly Bill No. 132.
Mr. Bruner, Assembly Bill No. 617.
Mr. Harloe, Assembly Bill No. 187.
Mr. Lacey, Assembly Bill No. 507.
Mr. Weston, Assembly Bill No. 654.
Mr. Matlock, Assembly Bill No. 552.
Mr. Lux, Assembly Bill No. 282.
Mr. Barnard, Senate Bill No. 150.

Mr. Freeman, substitute for Assembly Bill No. 259.
Mr. Kellogg, Assembly Bill No. 555.
Mr. Tennis, Assembly Bill No. 208.
Mr. Brown, Assembly Bill No. 703.
Mr. Hawley, Assembly Bill No. 195.
Mr. Bryant, Senate Bill No. 516.
Mr. Daly, Assembly Bill No. 554.
Mr. Jackson, Assembly Bill No. 736.
Mr. Gould, Assembly Bill No. 329.
Mr. Carter, Senate Bill No. 638.
Mr. Estey, Senate Bill No. 346.
Mr. Dow, Senate Bill No. 545.
Mr. Stabler, Assembly Bill No. 498.
Mr. Renfro, Assembly Bill No. 612.
Mr. Barnett of Sonoma, Assembly Bill No. 577.
Mr. Gordon, Assembly Bill No. 501.
Mr. Dennis, Senate Bill No. 64.

Mr. Estey was permitted to withdraw Senate Bill No. 346 from this file, and asked that the bill remain on the Senate special file.

So ordered

SPECIAL ORDERS.

Assembly Bill No. 756—An Act making an appropriation to pay the deficiency in the appropriation for support of Insane Asylum at Stockton, for the fortieth fiscal year.

Read second time.

MOTION.

Mr. Johnson moved that the House go into Committee of the Whole, with Mr. Fowler in the chair, for the purpose of considering Assembly Bill No. 756.

Carried.

IN COMMITTEE OF THE WHOLE.

Mr. Fowler in the chair.

Assembly Bill No. 756 was considered in Committee of the Whole.

IN ASSEMBLY.

Mr. Fowler in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Chairman stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 756, and now report the same back to the Assembly, and recommend that the same do pass.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 10, 1891.

MR. SPEAKER: I am directed to inform your honorable body that in accordance with a resolution passed by your honorable body, this day, the Senate herewith returns substitute for Senate Bills Nos. 8, 57, 123, and 369.

F. J. BRANDON, Secretary.

MOTIONS.

Mr. Shanahan moved that substitute for Senate Bills Nos. 8, 57, 123, and 369 be taken up.

Carried.

Mr. Shanahan moved that the rule be suspended requiring a day's notice of reconsideration.

Carried.

Mr. Shanahan moved that the vote whereby substitute for Senate Bills Nos. 8, 57, 123, and 369 passed be now reconsidered.

Carried.

Mr. Shanahan moved that a select committee of one be appointed by the Speaker to amend as follows:

Amend substitute for Senate Bills Nos. 8, 57, 123, and 369 as follows:
Add to section one thousand two hundred and fifteen, page sixteen, printed copy: "No person shall solicit a vote or speak to a voter on the subject of marking his ticket within one hundred feet of the polling place."

Carried.

APPOINTMENT OF COMMITTEE.

Mr. Shanahan was appointed a select committee to make said amendment.

REPORT OF COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1891.

MR. SPEAKER: Your Select Committee, to whom was referred substitute for Senate Bills Nos. 8, 57, 123, and 369, with instructions to amend in accordance with the action of the House, would report that the instructions of the House have been carried out.

SHANAHAN, Committee.

Report of committee adopted.

Speaker Coombs in the chair.

RESOLUTION.

By Mr. Lowe:

WHEREAS, The Hon. George Hearst, the Senator in Congress from the State of California, elected for the term of six years, commencing March 4, 1887, died on the twenty-eighth day of February, 1891; and whereas, this House was officially, on the second day of March, one thousand eight hundred and ninety-one, by the Governor of this State, through his message transmitted to the Assembly, duly notified of said death; now, therefore, be it

Resolved, That the Assembly do proceed to name, by viva voce vote, a person for Senator in Congress from the State of California, to fill the vacancy and the unexpired term caused by the said death of the Hon. George Hearst, 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.

ELECTION OF UNITED STATES SENATOR.

The Assembly, at twelve o'clock M., proceeded to the election of one United States Senator, to succeed Hon. George Hearst, 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 the votes cast in each House, shall be entered on the Journal of that House by the Clerk or Secretary thereof, or if either House fails to give such majority to any person on that day, the fact shall be entered on the Journal. At twelve o'clock meridian, of the day following that on which proceedings are required to take place as aforesaid, the members of the two Houses shall convene in joint assembly, and the Journal of each House shall then be read, and if the same person has received a majority of all 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 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 in the manner prescribed in the preceding section for the election of a Senator for a full term.

SEC. 17. Whenever, during the session of the Legislature of any State, a vacancy occurs in the representation of such State in the Senate, similar proceedings to fill such vacancy shall be had on the second Tuesday after the Legislature is organized and has notice of such vacancy.

SEC 18. It shall be the duty of the Executive of the State from which any Senator has been chosen, to certify his election, under the seal of the State, to the President of the Senate of the United States

NOMINATIONS FOR UNITED STATES SENATOR.

Mr. Bert nominated Hon. M. M. Estee.
Mr. Bledsoe nominated Hon. Nestor A. Young.
Mr. Baughman nominated Hon. George G. Blanchard.
Mr. Cram nominated Hon. George C. Perkins.
Mr. Gould nominated Senator D. A. Ostrom.
Mr. Fowler nominated Charles A. Wetmore.
Mr. Young nominated Hon. Chas. N. Felton.
Mr. Bruner nominated Hon. Wm. Johnston.
Mr. Clark nominated Hon. W. W. Morrow.
Mr. Dibble nominated Hon. M. H. De Young.
Mr. Wentworth in the chair.
Mr. Matlock nominated Gen. N. P. Chipman.
Mr. Sturtevant seconded the nomination of Hon. M. M. Estee.
Mr. Coombs seconded the nomination of Hon. M. M. Estee.
Speaker Coombs in the chair.
Mr. Hersey seconded the nomination of Hon. Chas. N. Felton.
Mr. Freeman seconded the nomination of Hon. George G. Blanchard.
Mr. Marion seconded the nomination of Hon. M. H. De Young.
Mr. Galbraith seconded the nomination of Hon. Chas. N. Felton.
Mr. McCall seconded the nomination of Hon. Wm. Johnston.
Mr. Doty seconded the nomination of Hon. D. A. Ostrom.
Mr. Hail seconded the nomination of General N. P. Chipman.

MOTION.

Mr. Lowe moved that the nominations now close.
Carried.

The roll was called, with the following result:

For Estee—Messrs. Barnett of Sonoma, Bert, Dunner, Estey, Harloe, Hawley, Lewis, Murphy, Smith of Butte, Smith of Orange, Sturtevant, Weston, and Mr. Speaker.
For Young—Messrs Bledsoe and Kellogg.
For Blanchard—Messrs Alexander, Barnard, Baughman, Brown, Freeman, Hocking, Hunewill, Johnson, and Lynch
For Perkins—Messrs. Ames, Cram, and Culver.
For Ostrom—Messrs. Arms, Cunningham, Doty, Eakle, Garver, Gould, Jackson, Mathews, Mordecai, Murnan, Renfro, Rice, Robertson, Shanahan, and Stabler.
For Wetmore—Mr. Fowler
For Felton—Messrs. Carter, Galbraith, Gordon, Hersey, Lacey, and Young.
For Johnston—Messrs Beecher, Bruner, Bryant, and McCall.
For Morrow—Mr. Clark.
For De Young—Messrs. Barnett of San Francisco, Coffey, Daly, Dennis, Dibble, Dow, Glynn, Hayes, Hoey, Jones, Lowe, Lux, Marion, Phillips, Steltz, Tennis, Tully, and Windrow.
For Chipman—Messrs Hall and Matlock.
For Coleman—Mr. Dunn.
For Swift—Mr. Wentworth

Total number of votes cast	76
Necessary to a choice	39
Mr. Estee received	13
Mr. Young received	2
Mr. Blanchard received	9
Mr. Perkins received	3
Mr. Ostrom received	15
Mr. Wetmore received	1
Mr. Felton received	6
Mr. Johnston received	4
Mr. Morrow received	1
Mr. De Young received	18
Mr. Chipman received	2
Mr. Coleman received	1
Mr. Swift received	1

The Speaker announced the vote, and declared that no nominee had received a majority of the votes of the whole House.

RESOLUTION.

By Mr. Lowe:

Resolved, That the Clerk forthwith inform the Senate of the vote for United States Senator in this House, to fill the vacancy caused by the death of the Hon. George Hearst, the Senator in Congress from the State of California, and that the Senate be requested to meet in the Assembly Chamber to-morrow, Wednesday, March eleventh, at twelve o'clock M., in joint assembly, for the purpose of electing a United States Senator to fill said vacancy, 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.

RECESS.

At one o'clock and fifteen minutes P. M. the House took a recess until two o'clock and forty-five minutes P. M., on motion of Mr. Dibble.

REASSEMBLED.

At two o'clock and forty-five minutes P. M. the House reassembled.
Speaker Coombs in the chair.
Quorum present.

SPECIAL FILE OF SENATE BILLS.

Senate Bill No. 136—An Act to amend section seven hundred and ninety-seven of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.
Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Barnard, Barnett of Sonoma, Beecher, Bert, Bryant, Clark, Coffey, Cram, Daly, Doty, Dunn, Eakle, Estey, Fowler, Freeman, Galbraith, Garver, Gordon, Hail, Harloe, Hawley, Hayes, Hocking, Hoey, Hunewill, Jackson, Johnson, Jones, Lacey, Lewis, Lowe, Lux, Lynch, Marion, Martin, Mathews, Matlock, Mordecai, Murnan, Murphy, Renfro, Rice, Smith of Butte, Tennis, Tully, Wentworth, Weston, and Mr. Speaker—49.

NOES—None.

Title read and approved.

Mr. Bryant moved that Senate Bill No. 136 be immediately transmitted to the Senate.

So ordered.

Senate Bill No. 91—An Act to provide for the issuance and sale of State bonds to create a fund for the construction and furnishing by the Board of State Harbor Commissioners of a general ferry and passenger depot in the City and County of San Francisco; to create a sinking fund for the payment of said bonds, and providing for the submission of this Act to a vote of the people.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Barnett of Sonoma, Baughman, Bert, Bledsoe, Bryant, Clark, Cram, Culver, Daly, Dennis, Dibble, Doty, Estey, Fowler, Freeman, Galbraith, Garver, Glynn, Gordon, Gould, Hail, Harloe, Hawley, Hayes, Hersey, Hocking, Jackson, Johnson, Jones, Kellogg, Lacey, Lewis, Lowe, Lux, Lynch, Marion, Martin, Mathews, Matlock, Mordecai, Murphy, Phillips, Rice, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Tully, Wentworth, and Weston—53

NOES—Messrs. Beecher, Eakle, and Mr. Speaker—3.

Title read and approved.

Mr. Phillips moved that Senate Bill No. 91 be immediately transmitted to the Senate.

So ordered.

Senate Bill No. 281 was passed on file, on motion of Mr. Dibble.

Senate Bill No. 208—An Act giving the consent of the State of California to the reservation of certain lands by Congress.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Ames, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bryant, Clark, Cram, Culver, Daly, Dennis, Dibble, Doty, Dow, Eakle, Estey, Fowler, Freeman, Galbraith, Garver, Glynn, Gordon, Hail, Harloe, Hayes, Hocking, Hunewill, Jackson, Johnson, Lewis, Lowe, Lynch, Marion, Martin, Mathews, Matlock, Mordecai, Murnan, Murphy, Phillips, Rice, Robertson, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Tully, Wentworth, Weston, Young, and Mr. Speaker—55.

NOES—Mr. Hersey—1

Title read and approved.

Mr. Cram moved that Senate Bill No. 208 be immediately transmitted to the Senate.

So ordered.

RESOLUTION.

By Mr. Johnson:

Resolved, That Assembly Bill No. 756 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be considered engrossed and read the third time, and placed upon its passage.

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

AYES—Messrs. Alexander, Ames, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bryant, Clark, Cram, Culver, Cunningham, Daly, Dennis, Dibble, Doty, Dow, Dunn, Durner, Estey, Fowler, Freeman, Galbraith, Garver, Glynn, Gordon, Hail, Harloe, Hawley, Hayes, Hersey, Hocking, Hunewill, Jackson, Johnson, Jones, Kellogg, Lacey, Lewis, Lowe, Lux, Lynch, Marion, Martin, Mathews, Matlock, Mordecai, Murnan, Murphy, Phillips, Renfro, Rice, Robertson, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Tully, Wentworth, Weston, Young, and Mr. Speaker—65

NOES—Mr. Eakle—1.

Assembly Bill No. 756—An Act making an appropriation to pay the deficiency in the appropriation for the support of the Insane Asylum at Stockton, for the fortieth fiscal year.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Ames, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bryant, Clark, Cram, Culver, Cunningham, Daly, Dennis, Dibble, Doty, Dow, Estey, Fowler, Freeman, Galbraith, Garver, Glynn, Gordon, Gould, Hail, Harloe, Hayes, Hersey, Hunewill, Jackson, Johnson, Jones, Kellogg, Lacey, Lewis, Lowe, Lux, Lynch, Marion, Martin, Mathews, Matlock, Mordecai, Murnan, Murphy, Phillips, Rice, Robertson, Smith of Butte, Smith of Orange, Stabler, Sturtevant, Tennis, Tully, Young, and Mr. Speaker—60

NOES—None.

Title read and approved.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 10, 1891

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

Resolved, That the Secretary forthwith inform the Assembly of the vote for United States Senator in this House, to fill the vacancy caused by the death of the Hon George Hearst, the Senator in Congress from the State of California, and that the Senate will meet with the Assembly in the Assembly Chamber to-morrow, Wednesday, March eleventh, at twelve o'clock M., in joint assembly, for the purpose of electing a United States Senator to fill said vacancy 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.

That the result of said vote taken this day in the Senate was as follows:

Total number of votes cast, forty, of which number—

M. H. De Young received	4 votes.
Geo. G. Blanchard received	3 votes.
Chas. N. Felton received	7 votes.
Wm. Johnston received	2 votes.
Morris M. Estee received	12 votes.
D. A. Ostrom received	10 votes.
G. G. Goucher received	1 vote
Jas. V. Coleman received	1 vote.

F. J. BRANDON, Secretary.

SPECIAL FILE OF SENATE BILLS—(RESUMED).

Senate Bill No. 385—An Act to authorize the State Board of Prison Directors to pay for certain skilled labor used in the construction of the dam and canal at the Folsom Prison, and making an appropriation therefor.

Read third time.

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

AYES—Messrs. Alexander, Ames, Arms, Barnard, Bert, Brown, Bryant, Carter, Culver, Daly, Dennis, Doty, Dunn, Estey, Galbraith, Garver, Hail, Harloe, Hawley, Hersey, Hunewill, Johnson, Lewis, Lowe, Lux, Lynch, Marion, Martin, Mordecai, Renfro, Steltz, Sturtevant, Tennis, Weston, Windrow, and Young—36

NOES—Messrs. Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bledsoe, Clark, Cram, Cunningham, Dibble, Dow, Durner, Eakle, Fowler, Freeman,

Glynn, Hayes, Hocking, Jones, Kellogg, Lacey, Matlock, Murnan, Murphy, Phillips, Robertson, Smith of Butte, Smith of Orange, Stabler, Tully, Wentworth, and Mr. Speaker—31.

Mr. Smith of Butte gave notice that on to-morrow he will move for a reconsideration of the vote whereby Senate Bill No. 385 was refused passage.

Assembly Bill No. 230—An Act to amend section one hundred and fifty-eight of the Code of Civil Procedure of the State of California, relating to the residence of Judges of the Superior Court.

Read third time

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Ames, Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Belt, Bledsoe, Byrant, Carter, Clark, Cram, Culver, Cunningham, Dibble, Dow, Durner, Eakle, Estey, Fowler, Freeman, Galbraith, Garver, Gordon, Hail, Harloe, Hawley, Hayes, Hersey, Hocking, Hunewill, Johnson, Kellogg, Lacey, Lewis, Lowe, Lynch, Martin, Matlock, Mordecai, Murnan, Murphy, Phillips, Renfro, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Tully, Wentworth, Windrow, Young, and Mr. Speaker—58

NOES—None.

Title read and approved.

Mr. Shanahan moved to take up substitute for Senate Bills Nos. 8, 57, 123, and 369.

Carried.

Substitute for Senate Bills Nos. 8, 57, 123, and 369—An Act to amend sections one thousand one hundred and eighty-five, one thousand one hundred and eighty-six, one thousand one hundred and eighty-seven, one thousand one hundred and eighty-eight, one thousand one hundred and eighty-nine, one thousand one hundred and ninety, one thousand one hundred and ninety-one, one thousand one hundred and ninety-two, one thousand one hundred and ninety-three, one thousand one hundred and ninety-four, one thousand one hundred and ninety-five, one thousand one hundred and ninety-six, one thousand one hundred and ninety-seven, one thousand one hundred and ninety-eight, one thousand one hundred and ninety-nine, one thousand two hundred, one thousand two hundred and one, one thousand two hundred and two, one thousand two hundred and three, one thousand two hundred and four, one thousand two hundred and five, one thousand two hundred and six, one thousand two hundred and seven, one thousand two hundred and eight, one thousand two hundred and nine, one thousand two hundred and ten, one thousand two hundred and eleven, one thousand two hundred and twelve, one thousand two hundred and fifty-seven, one thousand two hundred and fifty-eight, and one thousand two hundred and fifty-nine of the Political Code, and to add four new sections thereto, to be numbered one thousand two hundred and thirteen, one thousand two hundred and fourteen, one thousand two hundred and fifteen, and one thousand two hundred and sixteen, all in relation to the conduct of elections in this State.

MOTION.

Mr. Shanahan moved that a select committee of one be appointed by the Speaker to amend as follows:

Strike out of section one, line six, page two, engrossed copy, after the word "printing," the word "of," being in line seven, section one, printed copy.

Carried.

APPOINTMENT OF COMMITTEE.

Mr. Shanahan was appointed a committee to make said amendment.

REPORT OF COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1891.

MR SPEAKER: Your Select Committee, to whom was referred substitute for Senate Bills Nos. 8, 57, 123, and 369, with instructions to amend in accordance with the action of the House, would report that the instructions of the House have been carried out.

SHANAHAN, Committee.

Report of committee adopted.

MOTION.

Mr. Shanahan moved that a select committee of one be appointed by the Speaker to amend as follows:

Amend by striking out of section thirteen, line thirty-one of printed copy, the word "organizations," and inserting after the word "political," and before the word "the," the word "designation"

Carried.

APPOINTMENT OF COMMITTEE.

Mr. Shanahan was appointed a committee to make said amendment.

REPORT OF COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1891.

MR. SPEAKER: Your Select Committee, to whom was referred substitute for Senate Bills Nos. 8, 57, 123, and 369, with instructions to amend in accordance with the action of the House, would report that the instructions of the House have been carried out.

SHANAHAN, Committee.

Report of committee adopted.

MOTION.

Mr. Shanahan moved that a select committee of one be appointed by the Speaker to amend as follows:

Strike out of section twenty-eight, lines one and two, after line eight, page fourteen, of printed bill, and insert the following:

"SEC. 29. Section one thousand two hundred and fifty-seven of the Political Code is hereby amended to read as follows."

Carried.

APPOINTMENT OF COMMITTEE.

Mr. Shanahan was appointed a committee of one to make said amendment.

REPORT OF COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1891.

MR. SPEAKER: Your Select Committee, to whom was referred substitute for Senate Bills Nos. 8, 57, 123, and 369, with instructions to amend in accordance with the action of the House, would report that the instructions of the House have been carried out.

SHANAHAN, Committee.

Report of committee adopted.

MOTION.

Mr. Shanahan moved that a select committee of one be appointed by the Speaker to amend as follows:

Amend by inserting in line four of section twenty-nine of engrossed copy, being line three, page fourteen, printed bill, before the word "after" insert the word and figures "Section 1257."

Carried.

APPOINTMENT OF COMMITTEE.

Mr. Shanahan was appointed a committee of one to make said amendment.

REPORT OF COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1891.

MR. SPEAKER. Your Select Committee, to whom was referred substitute for Senate Bills Nos. 8, 57, 123, and 369, with instructions to amend in accordance with the action of the House, would report that the instructions of the House have been carried out.

SHANAHAN, Committee.

Report of committee adopted.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 9, 1891.

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

Senate Bill No. 638—An Act to amend section seven hundred and thirty-seven of the Political Code, fixing and providing for the salaries of the Judges of the Superior Courts of the City and County of San Francisco, and of the counties of Alameda, San Joaquin, Los Angeles, Santa Clara, Santa Cruz, San Mateo, Yuba and Sutter combined, Sacramento, Butte, Nevada, Sonoma, Colusa, Monterey, Santa Barbara, San Diego, Tulare, Fresno, Solano, Contra Costa, Amador, San Bernardino, Kern, Placer, Humboldt, Marin, Mendocino, Tehama, El Dorado, Alpine, Stanislaus, Yolo, and Calaveras

Also. Substitute for Assembly Bill No. 280—An Act making an appropriation for the Reform School for Juvenile Offenders, at Whittier

Also: Assembly Bill No. 441—An Act to amend sections eight, eighteen, twenty-one, and twenty-three of an Act entitled "An Act to incorporate the town of Red Bluff, Tehama County, California," approved March, 1876, and amended March, 1878.

F. J. BRANDON, Secretary.

Also:

SENATE CHAMBER, SACRAMENTO. March 10, 1891.

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

Assembly Bill No. 125—An Act to amend section six hundred and thirty-three of the Penal Code, relating to the taking of trout.

Also. Substitute for Assembly Bill No 317—An Act to amend section one hundred and ninety-seven 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, March 18, 1885, March 17, 1887, and March 16, 1889, relating to the salary of the county officers in the counties of the thirty-fifth class

Also: Amended, and passed as amended, substitute for Assembly Bill No. 28—An Act to amend section three thousand six hundred and thirty-six of an Act to establish a Political Code, so as to provide for a list of transfers of real property, and relating to assessments of the same

Also: On the seventh day of March, passed the following:

Senate Bill No. 482—An Act to amend section seven hundred and thirty-nine of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the salaries of officers of the Supreme Court.

Also: On this day, amended, and passed as amended, the following:

Assembly Bill No. 692—An Act to amend an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for construction of sewers within municipalities," approved March 18, 1885, by adding thereto an additional part, numbered four, consisting of sections thirty-eight, thirty-nine, forty, forty-one, forty-two, forty-three, and forty-four, relative to a system of street improvement bonds.

Also: Passed Assembly Bill No. 338—An Act to authorize Robert C. Ball to sue the State of California.

Also: On the seventh day of March, passed the following:

Senate Bill No. 414—An Act entitled "An Act to amend section four hundred and seventy-five of the Political Code," providing for clerks and a phonographic reporter in the office of the Attorney-General, and fixing their salaries.

Also: Senate Bill No. 463—An Act to establish a naval battalion, to be attached to the National Guard of California.

Also: On the ninth day of March, passed the following:

Substitute for Senate Bill No. 27—An Act to provide for the improvement of the Reform School at Whittier, California, for Juvenile Offenders, and make an appropriation for the same.

Also: Senate Bill No. 409—An Act to appropriate money for the erection of monuments in Golden Gate Park, in the City and County of San Francisco, in memory of the late General M. G. Vallejo and General E. D. Baker.

Also: Senate Bill No. 652—An Act to prohibit the coming of Chinese persons into the State, whether subjects of the Chinese Empire or otherwise, and to provide for registration and certificates of residence, and determine the status of all Chinese persons now resident of this State, and fixing penalties and punishments for violation of this Act, and providing for deportation of criminals.

F. J. BRANDON, Secretary.

Senate messages acted upon as follows:

Substitute for Assembly Bill No. 28 passed on file, to come up under the head of Unfinished Business.

Assembly Bill No. 692—An Act to amend sections twenty-seven, twenty-eight, twenty-nine, thirty, thirty-one, thirty-two, and thirty-three, the same comprising part second 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, relative to a system of street improvement bonds.

Senate amendments, as follows:

Amend by striking out the title of the printed bill, and insert in lieu thereof the following: "An Act to amend 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, by adding thereto an additional part, numbered four, consisting of sections thirty-eight, thirty-nine, forty, forty-one, forty-two, forty-three, and forty-four, relative to a system of street improvement bonds."

Also: Strike out section one of the printed bill, and insert in lieu thereof:

"SECTION 1. The above entitled Act is hereby amended by adding part four thereto, consisting of sections thirty-eight, thirty-nine, forty, forty-one, forty-two, forty-three, and forty-four."

Also: Amend by striking out of the printed bill the word and figures "Part II," immediately following section one, and insert in lieu thereof the word and figures: "Part IV."

Also: Amend by striking out of part two, line one of printed bill, the figures "27," and insert in lieu thereof the figures "38."

Also: Amend printed bill by striking out the words and figures on page two: "Section 2. Section twenty-eight of said Act is hereby amended to read as follows."

Also: By striking out of section two, line two, the figures "28," and insert in lieu thereof the figures "39."

Also: Amend printed bill by striking out the words and figures on page two: "Section 3. Section twenty-nine of said Act is hereby amended to read as follows."

Also: By striking out of section three, line two, the figures "29," and insert in lieu thereof the figures "40."

Also: Amend printed bill by striking out the words and figures on page four: "Section 4. Section thirty of said Act is hereby amended to read as follows."

Also: By striking out of section four, the figures "30," on line two, and insert in lieu thereof the figures "41."

Also: Amend printed bill, page five, by striking out the words and figures, "Section 5. Section thirty-one of said Act is hereby amended to read as follows."

Also: Amend section five by striking out of line two the figures "31," and insert in lieu thereof the figures "42."

Also: Amend printed bill, page five, by striking out the words and figures: "Section 6. Section thirty-two of said Act is hereby amended to read as follows."

Also: By striking out of section six, line two the figures "32," and insert in lieu thereof the figures "43."

Also: Amend by striking out of the printed bill, page seven, the words and figures: "Section 7. Section thirty-three of said Act is hereby amended to read as follows."

Also: By striking out of section seven the figures "33," on line two, and insert in lieu thereof the figures "44."

Also: Strike out all the words in said section of printed bill, after the word "passage," on line two.

The roll was called, and the Senate amendments concurred in by the following vote:

AYES—Messrs. Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Bert, Bledsoe, Bryant, Carter, Clark, Coffey, Cram, Culver, Cunningham, Daly, Dennis, Dibble, Dow, Durner, Eakle, Estey, Fowler, Freeman, Galbraith, Glynn, Gould, Hall, Harloe, Hawley, Hayes, Hersey, Hocking, Hunewill, Jackson, Johnson, Jones, Kellogg, Lewis, Lowe, Lux, Lynch, Martin, Mathews, Matlock, Mordecai, Murnan, Murphy, Phillips, Rice, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Tennis, Tully, Wentworth, Weston, Young, and Mr. Speaker—60.

NOES—None

MESSAGES FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, March 10, 1891.

To the Assembly of the State of California:

I have the honor to inform your honorable body that I have approved Assembly Bills Nos. 52, 192, 53, 54, 58, 56, 413, 396, 215, 214, 34, 39, 271, 197, 694, 693, and 697.

H. H. MARKHAM, *Governor.*

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, March 10, 1891.

To the Assembly of the State of California

I herewith return to your honorable body, without my approval, Assembly Bill No. 741—An Act for the relief of Col. Jonathan D. Stevenson.

The language of the bill discloses the fact that the work was performed by Col. Stevenson in the year 1849, prior to the admission of the State into the Union, and cannot, therefore, be a charge against the State. It is likewise a fact that if the work was performed at all, it was upon a navigable stream, the property of the Federal Government, and not against the State of California. The allowance of this claim would, in my judgment, establish a dangerous precedent, and one that would pave the way for the payment of a vast number of questionable claims. I have examined every feature of the claim very carefully, having had my attention first called to it when it was being pressed as a claim against the Federal Government, while I was a Representative in Congress, and since its introduction into the Assembly, I have read very carefully the history of the claim as detailed by Gen. Sherman in his Memoirs, and by other writers on the early history of California. I am informed that Col. Stevenson is now ninety-two years of age that he is without means of support, that the Federal Government has rejected his claim, and that he has no one upon whom he can rely for assistance, save those who are charitably inclined. It is also well known that he was one of the early pioneers of this coast, and in the early settlement and development of the Territory, and afterwards of the State, he did, in a general way, perform services which have been and which will continue to be of vast benefit to our people. It was undoubtedly these facts that actuated your honorable body to vote for this claim, and I am heartily in accord with the sentiment with which you are actuated. Notwithstanding my sympathies for Col. Stevenson, in view of all the facts stated, I know it is my duty to withhold my approval. If it be your desire to recognize the services of Col. Stevenson to this State, and to provide for his actual necessities, I suggest that your honorable body pass an Act setting apart an amount not exceeding $2,675, which shall be paid to him in monthly installments as long as he may live, or until that sum be exhausted. I am informed that this bill passed both Houses almost unanimously, and I have therefore returned it at once in order to give your honorable body time in which to express your will by further enactment upon this subject, if you so desire. Aside from the constitutional questions which may arise, there are objections which can be urged against carrying out the suggestions herein made. And I desire to say that they are made only in view of the peculiar force with which the claim of Col. Stevenson appeals to the sympathies of the people of this State, and are not intended to apply to any other case.

H. H. MARKHAM, Governor.

The question being, "Shall the bill become the law notwithstanding the objection of the Governor?"

MOTIONS.

Mr. Baughman moved that Assembly Bill No. 741 be passed, and come up again to-morrow under the head of Messages from the Governor.

Carried.

Mr. Dibble moved that all bills on first reading Senate file be now taken up.

Carried.

Mr. Barnett of Sonoma moved that substitute for Senate Bill No. 131 be substituted on file in place of Senate Bill No. 264.

Carried.

Substitute for Senate Bill No. 131 read first time, and placed on file for second reading.

FIRST READING OF BILLS.

The following bills were read first time, and placed on file for second reading:

Senate Bill No. 264—An Act to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, by adding a new section to said Civil Code, to be known as section eighteen hundred and sixty-four and one half, to give a lien to the breeders of thoroughbred cattle, horses, and other domestic animals.

Senate Bill No. 134—An Act to amend sections one thousand one hundred and eighty-seven and one thousand one hundred and eighty-nine, and to repeal sections one thousand one hundred and eighty-six and one thousand one hundred and ninety-one of the Civil Code of the State of California, relating to the recording and the acknowledgment of transfers.

Senate Bill No. 238—An Act to amend sections seven hundred and ninety-nine and eight hundred of the Penal Code, relating to the limitation of time within which prosecution for murder, the embezzlement of public moneys, and the falsifications of public records must be commenced, and providing the time within which informations may be filed, or indictments found, for other felonies.

Senate Bill No. 76—An Act to amend section one thousand one hundred and eighty-one of the Civil Code of the State of California, as amended April 3, 1880, relating to the proof and acknowledgment of instruments.

Senate Bill No. 70—An Act to add a new section to the Penal Code of the State of California, to be numbered section eight hundred and thirty, relative to the service of warrants of arrest and other process in criminal cases.

Senate Bill No. 71—An Act prescribing the competency and for the protection of witnesses testifying as to crimes against the elective franchise, to be added as a new section under title four of the Penal Code of the State of California, and to constitute section sixty-four of said Penal Code.

Senate Bill No. 9—An Act to provide for the payment of the repairs upon the quarantine launch "Governor Perkins."

Senate Bill No. 72—An Act regulating the form of requisitions for stationery made by the members of the Legislature, and the officers and employés thereof, upon the Secretary of State.

Senate Bill No. 88—An Act to pay the claim of James W Rankin,

for services in the office of the State Treasurer of California, and appropriate money therefor.

Senate Bill No. 215—An Act to authorize the Board of Fish Commissioners of this State to purchase the land on which the State Fish Hatcheries at Sisson and Lake Tahoe are now situated, and appropriating money therefor.

Senate Bill No. 54—An Act to appropriate money to pay the claim of George J. Mothersole, for labor performed and expenses incurred in roofing the Napa State Asylum for the Insane, under a written contract.

Senate Bill No. 90—An Act to amend an Act entitled "An Act to amend section six of an Act entitled '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.

Senate Bill No. 133—An Act to amend an Act entitled "An Act to amend an Act entitled 'An Act to protect and promote horticultural interests of the State,' " approved March 19, 1889.

Senate Bill No. 151—An Act amendatory of an Act entitled an Act to amend an Act entitled "An Act to protect and promote the horticultural interests of the State," approved March 14, 1881, approved March 19, 1889.

Senate Bill No. 564—An Act to declare the bridge across Feather River, extending from Fifth Street, at the city of Marysville, in the county of Yuba, to the opposite bank of said river, a free bridge.

Senate Bill No. 3—An Act to amend section two thousand six hundred and eighty-eight of the Political Code of the State of California, concerning the hearing of the reports of viewers of public highways by Boards of Supervisors, and the manner, time, and place of hearing such report, and the method of giving notice of such time and place to non-consenting land owners, and concerning damages to be awarded on such hearing.

Senate Bill No. 4—An Act to amend section two thousand six hundred and eighty-two of the Political Code of the State of California, in relation to the character of petitions to be presented for the purpose of altering, laying out, or constructing, or discontinuing, or abandoning of any public highway.

Senate Bill No. 5—An Act to add a new section to the Political Code, to be numbered section two thousand six hundred and twenty-three, in relation to vacating public roads.

Senate Bill No. 442—An Act to amend section three and section thirteen of an Act entitled "An Act to promote drainage."

Substitute for Senate Bill No. 278—An Act relating to the sale of intoxicating liquors within a specified distance of certain State institutions.

Senate Bill No. 104—An Act to enable cities of the fifth class to issue bonds for the purpose of raising money to purchase school lots, and for building or purchasing one or more school houses, and supplying the same with furniture, necessary apparatus, and improving the grounds, and for liquidating any indebtedness already incurred for such purposes.

Senate Bill No. 415—An Act entitled an Act to amend section four hundred and seventy-two of the Political Code, providing for deputies in the office of the Attorney-General, and fixing their salaries.

Senate Bill No. 478—An Act making an appropriation to pay the

Assistant Journal Clerks of the Senate (twenty-sixth session of the Legislature) for completing the Journal of the Senate.

Senate Bill No. 601—An Act making an appropriation to pay the Journal Clerk of the Assembly for completing the Journal of the Assembly (twenty-sixth session of the Legislature).

Senate Bill No. 120—An Act to amend section one hundred and seventy-two of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to the husband's control and disposition of the community property.

Senate Bill No. 342—An Act to provide for the appointment of a guardian for the Marshall monument and grounds, prescribing his duties, and appropriating money therefor.

Senate Bill No. 135—An Act to amend sections one thousand three hundred and five, one thousand three hundred and seventy-three, one thousand five hundred and fifty-two, one thousand six hundred and thirty-three, and one thousand six hundred and thirty-four 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 estates of deceased persons.

Substitute for Senate Bill No. 492—An Act to amend an Act entitled "An Act to provide for the building and furnishing of the Home for Soldiers' Widows and Orphans, and Army Nurses, and for the State to inquire into the management of such institution, by a uniform rule proportioned to the number of inmates in said institution, for the management of the same, and for the support of indigent persons residing in the said Home," approved March 16, 1889.

Senate Bill No. 431—An Act to amend sections one thousand two hundred and seventeen, one thousand two hundred and twenty, one thousand two hundred and twenty-one, one thousand two hundred and twenty-three, one thousand two hundred and twenty-four, 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 twenty-nine, and one thousand two hundred and thirty of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to execution of judgment of death.

Senate Bill No. 34—An Act to amend section three thousand seven hundred and eighty-five of the Political Code, relating to the redemption of property sold for delinquent taxes, and the notices to be given by the purchasers of property at delinquent tax sales before applying for a deed.

Senate Bill No. 295—An Act to provide for the purchase of a portrait of ex-Governor Waterman, by the State Board of Examiners, and to appropriate money therefor.

Senate Bill No. 119—An Act to amend section one thousand two hundred and one of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the compensation of attorneys.

Substitute for Senate Bill No. 252—An Act for the relief of the heirs of Michael Curran, deceased.

Senate Bill No. 454—An Act to amend section two hundred and fifty-six of the Political Code of the State of California, to provide for the printing of the daily Journal of each House of the Legislature, and to repeal section two hundred and fifty-seven of said Code.

Senate Bill No. 455—An Act adding a new section to the Political

Code of the State of California, to be known and designated as section five hundred and thirty-nine, relative to the engrossment and enrollment of bills and other documents, and repealing sections two hundred and forty-eight and two hundred and forty-nine of said Code.

Senate Bill No. 200—An Act to add a new section to the Code of Civil Procedure of the State of California, to be known and designated as section one thousand six hundred and seventy, relating to the continuation of administration upon the estates of deceased persons.

Senate Bill No. 391—An Act to provide for the payment of the Controller of State's warrants which have been lost or destroyed previous to payment by the State Treasurer.

Senate Bill No. 117—An Act to provide for, insure, and maintain preference in the appointment, employment, and retention in the public service, and upon public works of the State of California, of honorably discharged ex-Union soldiers, sailors, and marines of the War of the Rebellion.

Senate Bill No. 561—An Act to extend the jurisdiction of the Board of State Harbor Commissioners over East Street, San Francisco.

Senate Bill No. 324—An Act to create a State Board of Funeral Directors, to prescribe its powers and duties, to regulate the practice of undertaking and funeral direction, and to more effectually protect the people against contagious diseases.

Mr. Barnett of San Francisco in the chair.

Senate Bill No. 87—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by adding to chapter eight, title thirteen, part one, one section, numbered five hundred and thirty-eight, relating to the punishment of fortune telling.

Senate Bill No. 167—An Act to make train wrecking a capital offense.

Senate Bill No. 501—An Act to amend section one thousand five hundred and five of an Act entitled "An Act to establish a Penal Code," approved February 14, A. D 1872, the same being in relation to writs of habeas corpus.

Senate Bill No. 511—An Act to amend sections two hundred and seventy-six and two hundred and seventy-seven of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, in relation to the admission of attorneys and counselors at law.

Senate Bill No. 584—An Act to amend section one thousand two hundred and forty-three of the Penal Code of the State of California, relative to the stay of the execution of the judgment in criminal cases, pending an appeal to the Supreme Court.

Senate Bill No. 537—An Act to amend section fifty-two of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, in relation to the appellate jurisdiction of the Supreme Court.

Senate Bill No. 566—An Act to amend sections one thousand three hundred and fifty-two and one thousand seven hundred and fifty-one of an Act entitled "An Act to establish a Code of Civil Procedure of the State of California," approved March 11, 1872, relating to executors and guardians of minors

Senate Bill No. 107—An Act to prevent damage from the overflow of artesian wells.

Senate Bill No. 51—An Act to amend an Act entitled "An Act to authorize the reincorporation of rural cemetery associations," approved April 28, 1859.

Senate Bill No. 545—An Act to define the duties of and to license land surveyors.

Senate Bill No. 599—An Act entitled an Act relating to the working, rights of way easement, and drainage of mines in the State of California.

Senate Bill No. 305—An Act making an appropriation to pay the deficiency in the appropriation for payment of costs and expenses of trials of persons violating the law for the preservation of fish, for the thirty-ninth, fortieth, and forty-first fiscal years.

Senate Bill No. 310—An Act making an appropriation to pay the deficiency in the appropriation for postage, expressage, and contingent expenses of the Attorney-General, for the fortieth fiscal year.

Senate Bill No. 674—An Act to authorize payment for certain services rendered by Justices of the Peace in counties of the tenth (10th) class, as formerly classified and designated by an Act of the Legislature of this State entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883, and amended March 14, 1885, and March 18, 1885, and March 17, 1887, and March 16, 1889, on the basis of the enumeration of population made in the United States census for the year A. D. 1880.

Senate Bill No. 304—An Act making an appropriation to pay the deficiency in the appropriation for costs and expenses of suits, in which the State is a party in interest, for the forty-first fiscal year.

Senate Bill No. 569—An Act to empower the Board of State Harbor Commissioners to rectify the alignment of East Street, from Pacific Street to Market Street, in the City and County of San Francisco, and to sell, acquire, and condemn adjacent property.

Senate Bill No. 393—An Act authorizing certain corporations to act as executor and in other capacities, and to provide for and regulate the administration of trusts by such corporations.

Senate Bill No 326—An Act to amend an Act entitled "An Act to provide for compiling, illustrating, electrotyping, printing, binding, copyrighting, and distributing certain books of a State series of school textbooks, and appropriating money therefor," approved March 15, 1887.

Substitute for Senate Bill No. 259—An Act to appropriate money for the construction and equipment of the Preston School of Industry.

Senate Bill No 346—An Act to appropriate the sum of three thousand one hundred dollars to purchase adjacent lands at San Quentin for the use of the State Prison, together with the improvements thereon.

Senate Bill No. 42—An Act to amend an Act entitled "An Act to amend section three thousand four hundred and eighty-eight of an Act entitled 'An Act to establish a Political Code,' approved March 12, 1872, and to make sections three thousand four hundred and forty-six, three thousand four hundred and forty-seven, three thousand four hundred and forty-nine, three thousand four hundred and fifty, three thousand four hundred and fifty-two, three thousand four hundred and fifty-three, three thousand four hundred and fifty-four, three thousand four hundred and fifty-five, three thousand four hundred and fifty-six, three thousand four hundred and fifty-seven, three thousand four hundred and fifty-nine, three thousand four hundred and sixty, three thousand four hundred and sixty-one, three thousand four hundred and sixty-two, three thousand four hundred and sixty-three, three thousand four hundred and sixty-five, three thousand four hundred and sixty-six,

three thousand four hundred and sixty-seven, three thousand four hundred and sixty-eight, three thousand four hundred and seventy-one, three thousand four hundred and seventy-two. and three thousand four hundred and seventy-three of said Political Code, relating to the reclamation of certain lands within certain municipalities," approved March 19, 1889.

Senate Bill No. 609—An Act to amend section six hundred and eight of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relative to cemetery corporations.

Senate Bill No. 335—An Act to appropriate money to pay the claim of William Gutenberger, for the loss of tools and property destroyed at the Branch State Prison at Folsom.

Senate Bill No. 255—An Act to amend section five hundred and ninety-eight of the Civil Code of the State of California, relating to benevolent and religious corporations.

Senate Bill No. 375—An Act authorizing the Attorney-General to dismiss those certain actions pending in the Superior Court of the City and County of San Francisco, and numbered eleven thousand seven hundred and six, eleven thousand nine hundred and twenty-five, and eleven thousand nine hundred and twenty-six, upon payment to him for the use of the State of certain moneys.

Senate Bill No. 170—An Act making an appropriation to pay the claims of Charles F. Reed, C. E. Grunsky, and J. J. Crawford, for expenses incurred as members of the Examining Commission on Rivers and Harbors, approved March 19, 1889.

Substitute for Senate Bill No. 131—An Act to provide for the erection of additional buildings for the California Home for the Care and Training of Feeble-Minded Children, to complete buildings now being erected, and to appropriate money therefor.

Senate Bill No. 456—An Act to amend section one thousand and ninety-six of the Political Code of the State of California, in relation to registration of voters.

Senate Bill No. 241—An Act to appropriate money for the erection of a State Hospital for lepers.

Senate Bill No. 647—An Act amending sections one thousand one hundred and eighty-three, one thousand one hundred and eighty-four, and one thousand one hundred and eighty-seven of the Code of Civil Procedure of the State of California, as amended March 15, 1887; and section one thousand one hundred and ninety-five of the said Code of Civil Procedure, as amended March 18, 1885, relating to the liens of mechanics and others.

Substitute for Senate Bill No. 163—An Act to authorize Boards of Health and Health Officers in towns, cities, counties, and cities and counties, in this State, to appoint Inspectors of Plumbing and Drainage in such towns, cities, counties, and cities and counties, and to provide for the compensation, and to define the duties of such Inspectors.

Senate Bill No. 530—An Act to provide for payment for private property heretofore taken for public use.

Senate Bill No. 500—An Act to add an additional section to the Political Code, to be numbered four thousand two hundred and fifty-nine, relating to the qualifications of District Attorney.

Senate Bill No. 124—An Act to amend section one hundred and three

of the Code of Civil Procedure of the State of California, relating to Justice's Courts.

Senate Bill No. 150—An Act to appropriate money for the completion of the building of the State Normal School at Chico.

Senate Bill No. 222—An Act requiring every person, company, or corporation supplying water to any municipality, or the inhabitants thereof, in the State of California, to construct water mains where, and of the size, designated by the governing body of the municipality, and to furnish water where designated, upon demand and payment of rates, as long as the supply is sufficient, and prescribing a penalty for non-compliance.

Senate Bill No. 479—An Act to provide for the establishment of High Schools in the State of California.

Substitute for Senate Bill No. 132—An Act appropriating the sum of fifty-six thousand dollars for the completion of buildings now being erected for the Mendocino State Asylum for the Insane, and to provide for the expenditure of the same.

Senate Bill No. 554—An Act to amend 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, by adding thereto certain new and additional sections to provide the mode of carrying into effect certain provisions of said Act, relative to changing grades.

Senate Bill No. 60—An Act to appropriate money for the survey, location, and construction of a free wagon road from the town of Mariposa, in Mariposa County, to the Yosemite Valley.

Senate Bill No. 516—An Act to enable the Coulterville and Yosemite Turnpike Company, a corporation, to sue the State of California for the loss and damage suffered and sustained by said 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.

Senate Bill No. 64—An Act making an appropriation to pay the claim of D. Jordan.

Substitute for Senate Bill No. 624—An Act appropriating money for the maintenance and support of the Sacramento Foundling Home.

Substitute for Senate Bill No. 528—An Act making an appropriation to pay the claim of John Mullan, for his commissions on money collected by him from the United States on account of Indian war claims, and paid to the State of California.

Senate Bill No. 44—An Act to provide for certain improvements and repairs at the Folsom State Prison, and making an appropriation therefor.

Senate Bill No. 579—An Act for the relief of Emma Kelly, widow of G. H. Kelly, and appropriating seven thousand five hundred dollars therefor.

Substitute for Senate Bill No. 290—An Act to provide for the erection of additional buildings for the use of the State Normal School at San José, California, and making an appropriation therefor.

Senate Bill No. 502—An Act to create the office of Attorney for the

State Board of Health and the Board of Health of the City and County of San Francisco.

Senate Bill No. 517—An Act relating to the roofing of public buildings in the State of California.

Senate Bill No. 618—An Act to amend section three thousand eight hundred and sixty-six of the Political Code, relating to the time of settlement of County Treasurers with the State Controller.

Senate Bill No. 619—An Act to amend section three thousand eight hundred and sixty-eight of the Political Code, in relation to the duties of County Auditors in making settlement with the State Controller.

Senate Bill No. 239—An Act to amend section three thousand and sixty-four of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to Boards of Health.

Substitute for Senate Bill No. 297—An Act authorizing persons having claims against the State, or against counties, or municipal corporations, to prosecute and establish them in the Courts of this State, and providing for the payment of judgments therefor.

Senate Bill No. 254—An Act to enfranchise the women citizens of the State, and prescribing their qualifications as electors.

Senate Bill No. 214—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to the preservation of fish and game.

Senate Bill No. 690—An Act to add a new section, to be known as section six hundred and eighty-four of the Political Code, in regard to the appointment of and fixing the salary of an assistant to the Secretary of the State Board of Examiners, and to appropriate money for the payment of his salary.

Senate Bill No. 126—An Act fixing the price at which jute goods shall be sold by the State, and providing the manner of sale thereof.

Senate Bill No. 583—An Act to amend section two of an Act entitled "An Act to advance learning, the arts and sciences, and to promote the public welfare by providing for the conveyance, holding, and protection of property and the creation of trusts for the founding, endowment, erection, and maintenance, within this State, of universities, colleges, schools, seminaries of learning, mechanical institutes, museums, and galleries of art," approved March 9, 1885.

Senate Bill No. 688—An Act to authorize the Directors of the Veterans' Home Association to exchange certain lands in the City and County of San Francisco for certain other property belonging to said city and county, or for a lease of said property.

Senate Bill No. 293—An Act for the relief of John J. Conlin.

Substitute for Senate Bill No. 1—An Act appropriating the sum of ninety thousand ($90,000) dollars for the erection of an additional building for the use of the State Insane Asylum at Agnews.

Senate Bill No. 600—An Act making an appropriation for additional improvements for the Southern California State Hospital for the Insane.

Senate Bill No. 33—An Act to provide buildings and improvements at the Deaf and Dumb and Blind Asylum, and making an appropriation for the same.

Senate Bill No. 55—An Act to appropriate money to pay the claim of Enoch N. Strout, for services rendered as Reclamation Land Commissioner under "An Act to provide for the funding of the indebtedness of the reclamation and levee districts of this State," approved March 30, 1872.

Senate Bill No. 62—An Act for the relief of Patrick Creighton.

Senate Bill No. 684—An Act providing for the dissolution and winding up of savings banks, trust companies, and banks of deposit, and providing for the disposition of all funds deposited therein and not claimed within five years after such banks have ceased to do business, or after the commencement of proceedings to dissolve.

Senate Bill No 581—An Act to amend section one thousand four hundred and thirty-one of the Code of Civil Procedure of California.

Senate Bill No. 665—An Act making an appropriation to pay the deficiency in the appropriation for the Attorney-General for the forty-second fiscal year, for costs and expenses of suits wherein the State is a party in interest.

Senate Bill No. 664—An Act making an appropriation to pay the deficiency in the appropriation for expenses that may be incurred by the Attorney-General, for the forty-second fiscal year, in suits in the United States Courts.

Senate Bill No. 272—An Act fixing the rate of tare on baled hops.

Senate Bill No. 371—An Act to provide for the erection and furnishing of a Superintendent's residence, for the purchase of laundry machinery, for reflooring the Female Asylum Building, and for the permanent improvement of the walks and driveways on the grounds of the State Asylum for the Insane at Stockton, and to appropriate money therefor.

Senate Bill No. 660—An Act making an appropriation to pay the deficiency in the appropriation for stationery, supplies, fuel, and lights for the Legislature and State officers, for the forty-second fiscal year.

Senate Bill No. 662—An Act making an appropriation to pay the deficiency in the appropriation for postage, expressage, and contingent expenses of the Attorney-General, for the forty-second fiscal year.

Senate Bill No. 663—An Act making an appropriation to pay the deficiency in the appropriation for the traveling expenses of the Attorney-General, for the forty-second fiscal year.

Senate Bill No. 622—An Act to amend an Act entitled "An Act to regulate and govern the State Prisons of California," approved March 19, 1889.

Senate Bill No. 395—An Act to provide for the payment of the claim of A. B. Dibble, for professional services performed by him in the case of the People, respondent, vs. O. P. Dobbins, appellant, No. 12,106, Department One of the Supreme Court, August 30, 1887.

Senate Bill No. 398—An Act to prohibit the adulteration of beer and other malt liquors.

MOTIONS.

Mr. Young moved that Senate Bill No. 652 be taken up.

Carried.

Senate Bill No. 652—An Act to prohibit the coming of Chinese persons into the State, whether subjects of the Chinese Empire or otherwise, and to provide for registration and certificates of residence, and determine the status of all Chinese persons now resident of this State, and fixing penalties and punishments for violation of this Act, and providing for deportation of criminals.

Read first time, and made a special order for Thursday, at eleven o'clock A. M.

Mr. Clark moved to take up Senate Bill No. 414.

Carried.

Senate Bill No. 414—An Act entitled an Act to amend section four hundred and seventy-five of the Political Code, providing for clerks and a phonographic reporter in the office of the Attorney-General, and fixing their salaries.

Read first time.

Mr. Shanahan moved to suspend the rules, and take up substitute for Senate Bills Nos. 8, 57, 123, and 369.

Carried.

Mr. Shanahan moved to make substitute for Senate Bills Nos. 8, 57, 123, and 369 a special order for to-morrow morning, immediately after the reading of the Journal.

Carried.

RECESS.

At four o'clock and fifty minutes P. M. the House took a recess.

REASSEMBLED.

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

Speaker Coombs in the chair.

Quorum present.

MOTION.

Mr. Wentworth moved that Senate Bill No. 214 be placed at the head of Senate Bills.

Lost.

SPECIAL FILE.

Senate Bill No. 130—An Act to authorize and direct the sale of the site and buildings of the California Home for the Care and Training of Feeble-Minded Children, in Santa Clara County.

Read second time, and ordered to a third reading.

FIRST READING OF BILLS.

The following bills were read first time, and placed on file for second reading:

Senate Bill No. 617—An Act to provide for the payment of funded indebtedness of the State of California, and to contract a funded debt for that purpose.

Senate Bill No. 661—An Act relating to the transfer of moneys now in the State Treasury, in what is known and designated as Estate of Deceased Persons Fund, to the General Fund, as a loan.

CALL OF THE HOUSE.

Mr. Hail moved a call of the House, seconded by Messrs. Lynch and Baughman.

Lost.

MOTIONS.

Mr. Alexander moved to take up Assembly Joint Resolution No. 17.

Carried.

Assembly Joint Resolution No 17—Relating to the compensation of the enumerators who took the population of the State of California for the eleventh census of the United States.

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

AYES—Messrs Alexander. Ames, Arms, Barnett of San Francisco, Baughman, Beecher, Brown, Bryant, Clark, Coffey, Crain, Culver, Daly, Dennis, Dibble, Doty, Dunn, Eakle, Estey Freeman, Garver, Glynn, Hall. Harloe, Hawley, Hersey, Hocking. Jackson, Johnson, Jones, Kellogg, Lacey Lowe. Lynch, Marion, Martin. Matlock, Mordecai, Murnan. Murphy, Phillips, Renfro. Rowe. Robertson. Smith of Butte, Smith of Orange, Stabler, Sturtevant, Tennis Wentworth, Weston, and Mr. Speaker—53.

NOES—None

Mr. Hocking moved that substitute for Assembly Bill No. 336 be ordered engrossed, and to a third reading.

So ordered.

Mr. Culver moved to take up substitute for Assembly Bill No. 542.

Carried.

Substitute for Assembly Bill No. 542—An Act to provide for the formation, organization, and government of sanitary districts, and to provide for the laying and maintaining of sewers therein, the issuing of bonds therefor, and the levying and collection of taxes therein.

Amendments by Mr. Culver, as follows, adopted:

Amend by striking out of section one, line one, the word "fifty," and inserting the following: "twenty-five."

Also: Amend section two, line four, after the word "district," by inserting the following. "which boundaries shall be such as the Board of Supervisors of such county shall determine and may exclude any part of the territory described in such petition, but shall not include any territory not within the boundaries set forth in such petition."

Also: Amend section one, line two. after the word "Supervisors," by inserting the following: "if such county"

Also: Amend section four, line fifteen, after the word "district," by inserting the following. "the Board shall by order so declare."

Also: Amend by striking out of section four, line sixteen, the words "two years," and inserting the following: "one year"

Also: Amend section five, line twelve, after the word "same," by inserting the following: "and the cost of laying and the expense of maintaining any sewer or sewers that may be constructed subsequent to the issuance of said bonds or any lawful claims against said district."

Also: Amend section five, line twenty-eight, after the word "owners," by inserting the following: "within the district."

Also Amend by striking out of section eight, line one, the words "once a year, at such times as may be prescribed by the Sanitary Board," and inserting the following: "before the first Monday in July of each year"

Also: Amend section eight, line five, after the word "Board," by inserting the following: "and such matters as shall be necessary to make or conform to the provisions of the general laws of the State of California."

Also: Amend by striking out of section eight, line ten, the words "at such times as shall be directed by the Board," and inserting the following: "on the first Monday in July of each year, or as soon thereafter as is practicable."

Also: Amend by striking out of section eleven, line one, the words "at such times as it may prescribe by order entered on its minutes," and inserting the following: 'as soon as it receives the Assessor's list, or as soon thereafter as practicable."

Also Amend by striking out of section eleven, line seventeen, the word "has," and inserting the following. "shall have."

Also: Amend by striking out of section eleven, line eighteen, the word "has," and inserting the following: "shall have."

Also: Amend section twelve, line one. after the words "section twelve," by inserting the following: "on or before the first Monday in July of each year."

Also: Amend section twelve, line fifteen. after the word "attorney," by inserting the following: "under this Act."

Also: Amend section thirteen. line nineteen, after the word "bond," by inserting the following "shall be liable"

Also: Amend section twenty-one, line eight. after the word "town," by adding the following: "*provided, however*, that if at the time of such election to dissolve such district, there be any outstanding bonded indebtedness of such district, then in such event the vote to dissolve such district shall dissolve the same for all purposes excepting only the levy and collection of taxes for the payment of such indebtedness. And from the time such district is thus dissolved, until such bonded indebtedness with the interest thereon is

fully paid, satisfied, and discharged, the legislative authority of said incorporated city, or town, or the Board of Supervisors, if there be no such incorporated city, or town, is hereby constituted ex officio the Sanitary Board of such district. And it is hereby made obligatory upon such Board to levy such taxes, and perform such other acts as may be necessary in order to raise money for the payment of such indebtedness, and the interest thereon, as herein provided."

Also: Amend by adding three new sections, to be numbered twenty-two, twenty-three, and twenty-four, to read as follows:

SEC. 22. The Sanitary Board shall have power at any time after main sewers, or other sewers are laid, to order and contract for the construction of a sewer in any street of the district where a sewer is not already constructed, and to provide by such order that the cost thereof shall be borne by the property fronting along the line of the sewer so ordered; and in case such order is made, the said cost shall be assessed on the lots and lands fronting on such sewer, according to the provisions of the general law of the State in relation to street improvements in incorporated cities and towns, in force at the time such assessment is made, so far as the same shall be applicable, and the lien of the assessment so made shall be enforced by action to be brought by the District Attorney of the county, in the name of the sanitary district, *provided*, that nothing in this section contained shall be construed to take away or impair the power of the Board to provide that the expenses of the sewers above provided for shall be borne by the whole district, as in other cases.

SEC. 23. All Acts and parts of Acts in conflict with this Act, or any portion thereof, are hereby repealed.

SEC 24. This Act shall take effect immediately.

SPECIAL FILE.

Assembly Bill No. 713—An Act making an appropriation to pay the deficiency in the appropriation for the Attorney-General, for the forty-second fiscal year, for costs and expenses of suits wherein the State is a party in interest.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Ames, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Brown, Bryant, Clark, Coffey, Cram, Culver, Daly, Dibble, Doty, Dunn, Estey, Fowler, Freeman, Garver, Glynn, Gordon, Hall, Harloe, Hawley, Hersey, Hocking, Johnson, Jones, Kellogg, Lacey, Lowe, Lynch, Marion, Martin, Matlock, Murphy, Phillips, Renfro, Rice, Robertson, Smith of Butte, Smith of Orange, Stabler, Steltz, Tennis, Wentworth, Weston, Young, and Mr. Speaker—50.

NOES—Messrs Arms and Mordecai—2

Title read and approved.

Assembly Bill No. 723—An Act making an appropriation to pay the deficiency in the appropriation for expenses that may be incurred by the Attorney-General, for the forty-second fiscal year, in suits in the United States Courts.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Alexander, Ames, Barnett of Sonoma, Beecher, Bert, Brown, Bryant, Coffey, Cram, Dennis, Dibble, Doty, Dunn, Durner, Estey, Fowler, Freeman, Garver, Gordon, Harloe, Hawley, Hersey, Hocking, Johnson, Jones, Kellogg, Lowe, Lynch, Marion, Martin, Matlock, Murnan, Renfro, Rice, Robertson, Smith of Butte, Smith of Orange, Steltz, Sturtevant, Tennis, Wentworth, and Young—42.

NOES—Messrs. Arms, Barnett of San Francisco, Baughman, Clark, Eakle, Glynn, Lacey, Mordecai, Murphy, Phillips, Weston, and Mr. Speaker—12.

Title read and approved.

Assembly Bill No. 724—An Act making an appropriation to pay the deficiency in the appropriation for postage, expressage, and contingent expenses of the Attorney-General for the forty-second fiscal year, including office rent and furniture, and books for San Francisco.

Read third time.

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

AYES—Messrs. Alexander, Ames, Barnett of Sonoma, Baughman, Beecher, Bert, Brown, Bryant, Clark, Cram, Culver, Dennis, Dibble, Doty, Dunn, Eakle, Estey, Fowler, Free-

man, Garver, Hail, Harloe, Hersey, Hocking, Johnson, Lowe, Lynch, Marion, Martin, Robertson, Shanahan, Smith of Orange, Stabler, Sturtevant, Wentworth, Weston, and Young—37.

NOES—Messrs. Arms, Coffey, Daly, Dunner, Glynn, Gordon, Jones, Kellogg, Lacey, Lux, Mordecai, Murphy, Phillips, Rice, Steltz, Tennis, and Mr. Speaker—17.

Assembly Bill No. 725—An Act making an appropriation to pay the deficiency in the appropriation for the traveling expenses of the Attorney-General, for the forty-second fiscal year.

Read third time.

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

AYES—Messrs. Alexander, Ames, Barnett of Sonoma, Baughman, Bert, Brown, Bryant, Carter, Cram, Dennis, Dibble, Doty, Dow, Dunn, Durner, Eakle, Estey, Fowler, Freeman, Garver, Hail, Harloe, Hersey, Hocking, Johnson, Lowe, Lynch, Marion, Martin, Matlock, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Sturtevant, and Young—38.

NOES—Messrs. Arms, Barnett of San Francisco, Clark, Coffey, Daly, Glynn, Gordon, Jones, Kellogg, Lacey, Lux, Mordecai, Murphy, Phillips, Tennis, Tully, Wentworth, Weston, and Mr. Speaker—19.

Mr. Dibble was permitted to withdraw Assembly Constitutional Amendment No. 4.

MOTIONS.

Mr. Dibble moved to take up Assembly Bill No. 493.

Carried.

Assembly Bill No. 493—An Act to amend section two hundred and ninety of the Civil Code, relative to articles of incorporation.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Ames, Arms, Barnett of San Francisco, Baughman, Bert, Brown, Bryant, Carter, Clark, Coffey, Culver, Daly, Dennis, Dibble, Doty, Dow, Dunn, Durner, Eakle, Estey, Fowler, Freeman, Garver, Glynn, Gordon, Hail, Harloe, Hersey, Hocking, Johnson, Jones, Kellogg, Lewis, Lowe, Lux, Lynch, Marion, Martin, Matlock, Mordecai, Murnan, Murphy, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Tully, Wentworth, Weston, Windrow, Young, and Mr. Speaker—58.

NOES—Mr. Lacey—1.

Title read and approved.

Mr. Young was permitted to withdraw Assembly Constitutional Amendment No. 16.

Mr. Young moved to take up Assembly Bill No. 603.

Carried.

Assembly Bill No. 603—An Act to prevent the placing, or keeping, or leaving of married women in houses of prostitution, and to punish persons therefor.

Read second time, ordered engrossed and to a third reading.

THIRD READING OF BILLS.

Assembly Bill No. 44 refused third reading.

Assembly Joint Resolution No. 12—Relative to the removal of Chinese patients from all the asylums for the insane in this State.

Adopted by unanimous vote.

Assembly Bill No. 292—An Act authorizing the Controller and Treasurer to transfer to the General Fund all moneys now in the State Drainage Construction Fund, and also from time to time to transfer to

the General Fund all moneys that may hereafter be paid into the State Drainage Construction Fund.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Ames, Arms, Barnett of San Francisco, Baughman, Beecher, Bert, Bryant, Carter, Clark, Culver, Eakle, Estey, Fowler, Freeman, Garver, Glynn, Hail, Harloe, Hawley, Johnson, Jones, Lewis, Lowe, Lynch, Marion, Martin, Matlock, Mordecai, Murphy, Phillips, Renfro, Rice, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Tully, Wentworth, Weston, Young, and Mr. Speaker—43.

NOES—None.

Title read and approved.

Assembly Bill No. 293—An Act authorizing the Controller and Treasurer to transfer to the General Fund all moneys to the credit of the Construction Fund of Drainage District No. 1, and also from time to time to transfer to the General Fund all moneys that may hereafter be paid into said Construction Fund of Drainage District No. 1.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Ames, Arms, Barnett of San Francisco, Baughman, Beecher, Bert, Bryant, Carter, Coffey, Culver, Daly, Doty, Dunn, Eakle, Estey, Fowler, Freeman, Garver, Glynn, Hail, Harloe, Hawley, Jones, Kellogg, Lewis, Lowe, Marion, Martin, Mathews, Matlock, Mordecai, Murnan, Murphy, Phillips, Renfro, Rice, Smith of Butte, Smith of Orange, Stabler, Steltz, Tennis, Tully, Wentworth, Weston, Young, and Mr. Speaker—47.

NOES—None.

Title read and approved.

NAME WITHDRAWN.

The Speaker withdrew the name of William Guiery, Assistant Engrossing Clerk.

THIRD READING OF BILLS—(RESUMED).

Assembly Bill No. 294—An Act providing for the payment of all moneys in the State Treasury to the credit of Swamp Land District Funds, to the treasuries of the counties wherein the said swamp land districts are situated, and to provide for the control of the same by the Auditor and Treasurer of said counties, and prescribing the duties of the Controller and Treasurer in relation thereto.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Ames, Arms, Barnard, Baughman, Beecher, Bryant, Clark, Coffey, Culver, Dennis, Doty, Dow, Dunn, Durner, Estey, Fowler, Freeman, Garver, Glynn, Hail, Harloe, Hawley, Johnson, Jones, Kellogg, Lewis, Lowe, Marion, Matlock, Murnan, Murphy, Phillips, Renfro, Rice, Smith of Butte, Steltz, Sturtevant, Tennis, Tully, Wentworth, Weston, Young, and Mr. Speaker—43.

NOES—Mr. Stabler—1.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Clark gave notice that on to-morrow he will move for a reconsideration of the vote whereby Assembly Bill No. 294 passed.

Assembly Bill No. 295—An Act providing for the cancellation of certain receipts which were directed by law to be received as cash by the State Treasurer, and authorizing the Controller and Treasurer to make the proper entries in the books of their respective offices.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Ames, Barnett of Sonoma, Baughman, Beecher, Bryant, Coffey, Culver, Dennis, Dunn, Eakle, Estey, Fowler, Freeman, Garver, Hail, Harloe, Hawley, Hocking, Hoey, Johnson, Jones, Kellogg Lewis, Lynch, Marion, Martin, Matlock, Mordecai, Murnan, Murphy, Phillips, Renfro, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Tully, Weston, Young, and Mr. Speaker—46.

NOES—Mr. Lacey—1.

Title read and approved.

MOTIONS.

At nine o'clock P. M. Mr. Lynch moved to adjourn.

Lost.

Mr. Wentworth moved that Assembly Bill No. 193 be restored at the foot of first reading file.

At nine o'clock and twenty minutes P. M., Mr. Marion moved to adjourn.

Lost.

The question being, "Shall Assembly Bill No. 193 be restored to the first reading file?" it was so ordered.

ADJOURNMENT.

At nine o'clock and twenty-five minutes P. M., Mr. Hail moved to adjourn.

Carried, on division.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Wednesday, March 11, 1891.

The Assembly met pursuant to adjournment.

Speaker pro tem. Young in the chair.

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

Messrs Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Bryant, Cargill, Carter, Clark, Coffey, Culver, Cunningham, Daly, Dennis, Dibble, Doty, Dow, Durner, Eakle, Estey, Freeman, Galbraith, Garver, Glynn, Gordon, Gould, Hail, Harloe, Hawley, Hayes, Hersey, Hocking, Hoey, Jackson, Johnson, Jones, Kellogg, Lacey, Lowe, Lux, Lynch, Marion, Martin, Mathews, Matlock, McCall, Mordecai, Murnan, Murphy, Phillips, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Tully, Wentworth, Weston, Young, and Mr. Speaker.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. A. C. Herrick.

READING OF THE JOURNAL.

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

So ordered.

Journal of Monday corrected and approved.

Journal of yesterday corrected and approved.

SPECIAL ORDERS.

Substitute for Senate Bills Nos. 8, 57, 123, and 369—An Act to amend sections one thousand one hundred and eighty-five, one thousand one hundred and eighty-six, one thousand one hundred and eighty-seven, one thousand one hundred and eighty-eight, one thousand one hundred and eighty-nine, one thousand one hundred and ninety, one thousand one hundred and ninety-one, one thousand one hundred and ninety-two, one thousand one hundred and ninety-three, one thousand one hundred and ninety-four, one thousand one hundred and ninety-five, one thousand one hundred and ninety-six, one thousand one hundred and ninety-seven, one thousand one hundred and ninety-eight, one thousand one hundred and ninety-nine, one thousand two hundred, one thousand two hundred and one, one thousand two hundred and two, one thousand two hundred and three, one thousand two hundred and four, one thousand two hundred and five, one thousand two hundred and six, one thousand two hundred and seven, one thousand two hundred and eight, one thousand two hundred and nine, one thousand two hundred and ten, one thousand two hundred and eleven, one thousand two hundred and twelve, one thousand two hundred and fifty-seven, one thousand two hundred and fifty-eight, and one thousand two hundred and fifty-nine of the Political Code, and to add four new sections thereto, to be numbered one thousand two hundred and thirteen, one thousand two hundred and fourteen, one thousand two hundred and fifteen, and one thousand two hundred and sixteen, all in relation to the conduct of elections in this State.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Barnett of Sonoma, Baughman, Beecher, Bert, Brown, Bryant, Cargill, Carter, Clark, Coffey, Culver, Cunningham, Dennis, Doty, Dow, Dunn, Durner, Eakle, Estey, Fowler, Freeman, Galbraith, Garver, Glynn, Gordon, Gould, Hail, Harloe, Hawley, Hayes, Hocking, Hoey, Johnson, Jones, Kellogg, Lacey, Lowe, Lux, Lynch, Marion, Martin, Mathews, Matlock, McCall, Mordecai, Murnan, Murphy, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Tennis, Tully, Wentworth, Weston, Young, and Mr. Speaker—61.

NOES—Messrs. Bruner and Dibble—2.

Title read and approved.

Mr. McCall moved that the rules be suspended, and substitute for Senate Bills Nos. 8, 57, 123, and 369 be immediately transmitted to the Senate.

So ordered.

SUBSTITUTION OF BILL.

Mr. Mathews was permitted to withdraw Assembly Bill No. 33, and substitute in its place on file Assembly Bill No. 544.

Assembly Bill No. 633—An Act to repeal sections six hundred and thirty-nine, six hundred and forty, six hundred and forty-one, six hundred and forty-two, six hundred and forty-three, six hundred and forty-four, six hundred and forty-five, and six hundred and forty-seven of title sixteen of part four, division first, of the Civil Code, providing for the formation and government of mutual building and loan associations, and add seventeen new sections to said Civil Code, to be known and numbered as sections six hundred and thirty-three, six hundred and thirty-four, six hundred and thirty-five, six hundred and thirty-six, six hundred and thirty-seven, six hundred and thirty-eight, six hundred and thirty-nine, six hundred and forty, six hundred and forty-one, six hundred and forty-two, six hundred and forty-three, six hundred and forty-four, six hundred and forty-five, six hundred and forty-six, six hundred and forty-seven, six hundred and forty-eight, and six hundred and forty-eight and one half, providing for the formation and government of mutual building and loan associations.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Ames, Barnett of Sonoma, Beecher, Bledsoe, Brown, Bruner, Bryant, Clark, Coffey, Culver, Dennis, Dibble, Doty, Durner, Estey, Fowler, Freeman, Galbraith, Garver, Glynn, Gould, Hail, Harloe, Hawley, Hayes, Hersey, Hocking, Hoey, Jones, Kellogg, Lacey, Lewis, Lowe, Lux, Lynch, Marion, Martin, Mathews, Matlock, Murphy, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Tennis, Tully, Wentworth, Weston, and Young—58.

NOES—Mr. Dunn—1.

Title read and approved.

Mr. Wentworth moved that the rules be suspended, and Assembly Bill No. 633 be immediately transmitted to the Senate.

So ordered.

WITHDRAWAL OF BILL.

Mr. Young was permitted to withdraw Assembly Bill No. 42.

ACTION ON MESSAGE FROM THE GOVERNOR.

Assembly Bill No. 42—An Act making appropriation for the support of the State Insane Asylum at Stockton for the forty-first and forty-second fiscal years.

The question being, "Shall the bill become a law, notwithstanding the objections of the Governor?"

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

AYES—None.

NOES—Messrs. Alexander, Ames, Baughman, Beecher, Bledsoe, Brown, Bruner, Bryant, Cargill, Clark, Coffey, Cram, Culver, Cunningham, Dennis, Dibble, Dow, Dunn, Eakle, Estey, Fowler, Freeman, Galbraith, Garver, Gordon, Gould, Hail, Harloe, Hawley, Hayes, Hersey, Hocking, Hoey, Jackson, Johnson, Kellogg, Lacey, Lewis, Lowe, Lux, Lynch, Marion, Martin, Mathews, Matlock, Mordecai, Murphy, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Tully, Wentworth, Weston, Windrow, Young, and Mr. Speaker—63.

INCREASE OF COMMITTEE.

The name of Mr. Fowler was added to the Memorial Committee appointed to attend the funeral of the late Senator George Hearst.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 11, 1891.

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

Resolved, That the Assembly be respectfully requested to return Assembly Bill No. 280 to the Senate for amendment.

F. J. BRANDON, Secretary.

MOTION.

Mr. Dibble moved that Assembly Bill No. 280 be immediately recalled from the Enrolling Clerk, and transmitted to the Senate.

Carried.

ACTION ON MESSAGE FROM THE GOVERNOR.

Assembly Bill No. 741—An Act for the relief of Col. Jonathan D. Stevenson.

The question being, "Shall the bill become a law, notwithstanding the objections of the Governor?"

Mr. Wentworth moved a call of the House, seconded by Messrs. Coffey and Hocking.

Lost.

The roll was called.

Pending roll call, a call of the House was demanded by Mr. Lowe, seconded by Messrs. Wentworth and Dibble.

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

Messrs. Alexander, Ames, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Bryant, Cargill, Carter, Clark, Coffey, Cram, Culver, Cunningham, Daly, Dennis, Dibble, Doty, Dow, Dunn, Durner, Eakle, Estey, Fowler, Freeman, Galbraith, Garver, Glynn, Gordon, Hail, Harloe, Hawley, Hayes, Hersey, Hocking, Hoey, Hunewill, Johnson, Kellogg, Lacey, Lewis, Lowe, Lux, Lynch, Marion, Martin, Mathews, Matlock, McCall, Mordecai, Murnan, Murphy, Phillips, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Tully, Wentworth, Weston, Windrow, Young, and Mr. Speaker.

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

Carried.

The interrupted roll call was completed, and the bill carried by the following vote:

AYES—Messrs. Alexander, Ames, Barnard, Barnett of San Francisco, Barnett of Sonoma, Beecher, Bruner, Bryant, Clark, Coffey, Culver, Cunningham, Daly, Dibble, Doty, Dow, Eakle, Estey, Fowler, Galbraith, Garver, Glynn, Gordon, Hail, Harloe, Hawley, Hayes, Hoey, Hunewill, Johnson, Jones, Lewis, Lowe, Lux, Marion, Martin, Mathews, Matlock, McCall, Mordecai, Murnan, Phillips, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Stabler, Steltz, Tennis, Tully, Wentworth, Weston, Windrow, and Young—55.

NOES—Messrs. Baughman, Bert, Bledsoe, Brown, Cargill, Carter, Cram, Dennis, Dunn, Durner, Freeman, Hersey, Hocking, Kellogg, Lacey, Lynch, Smith of Orange, Sturtevant, and Mr. Speaker—19.

Mr. Wentworth moved that Assembly Bill No. 741 be immediately transmitted to the Senate.

So ordered.

MOTION.

Mr. Bruner moved that the vote whereby Senate Bill No. 385 was lost, be now reconsidered.

Lost on division.

Mr. Hail in the chair.

SPECIAL ORDER.

Senate Bill No. 652—An Act to prohibit the coming of Chinese persons into the State, whether subjects of the Chinese Empire or otherwise, and to provide for registration and certificates of residence, and determine the status of all Chinese persons now resident of this State, and fixing penalties and punishments for violation of this Act, and providing for deportation of criminals.

Read second time, and placed on file for third reading.

UNFINISHED BUSINESS.

Assembly Bill No. 28—An Act to amend an Act entitled "An Act to establish a Political Code of the State of California."

Senate amendments, as follows:

Amend by striking out the present title and inserting the following title in lieu thereof: "An Act to amend section three thousand six hundred and thirty-six of an Act to establish a Political Code, so as to provide for a list of transfers of real property, and relating to assessments of the same."

Also Amend by inserting in line one, section one, after the words "thirty-six," the words "of the Political Code of the State of California."

Speaker Coombs in the chair.

The roll was called, and Senate amendments concurred in by the following vote:

AYES—Messrs. Ames, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bryant, Cargill, Carter, Clark, Coffey, Culver, Cunningham, Daly, Dibble, Doty, Dow Dunner, Eakle, Estey, Fowler, Galbraith, Garvey, Glynn, Gould, Hail, Harloe, Hayes, Hocking, Hoey, Johnson, Jones, Kellogg, Lewis, Lowe, Lux, Marion, Martin, Mathews, Matlock, McCall, Murnan, Murphy, Phillips, Renfro, Smith of Butte, Smith of Orange, Stabler, Sturtevant, Tennis, Tully, Weston, Windrow, Young, and Mr. Speaker—58

NOES—None.

MOTION.

Mr. Lowe moved that a committee be appointed to inform the Senate that the Assembly is ready to receive them in Joint Assembly.

Carried.

APPOINTMENT OF COMMITTEE.

The Speaker appointed as such committee, Messrs. Lowe, Murnan, and Barnett of Sonoma.

REPORT OF COMMITTEE.

The committee appointed to wait upon the Senate appeared at the bar of the House, and announced that the Senate was ready to meet the Assembly in Joint Assembly.

IN JOINT ASSEMBLY.

The hour of twelve o'clock meridian having arrived, the Sergeant-at-Arms of the Assembly 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.

Hon. J. B. Reddick, President of the Senate, in conjunction with Hon. F. L. Coombs, Speaker of the Assembly, presiding.

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

Messrs. Bailey, Banks, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denson, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Langford, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Seawell, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson.

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

Messrs. Alexander, Ames, Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Brunei, Bryant, Cargill, Carter, Clark, Coffey, Cram, Culver, Cunningham, Daly, Dennis, Dibble, Doty, Dow, Dunn, Durner, Eakle, Estey, Fowler, Freeman, Galbraith, Garver, Glynn, Gordon, Gould, Hail, Harloe, Hayes, Hersey, Hocking, Hoey, Hunewill, Jackson, Johnson, Jones, Kellogg, Lacey, Lewis, Lowe, Lux, Lynch, Marion, Martin, Mathews, Matlock, McCall, Mordecai, Murnan, Murphy, Phillips, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Tully, Wentworth, Weston, Young, and Mr. Speaker.

Quorum of both Houses of the Legislature present.

The President of the Senate announced that the two Houses of the Legislature are met in Joint Assembly for the purpose of electing a United States Senator to fill the vacancy caused by the death of Senator George Hearst.

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 the votes cast in each House, shall be entered on the Journal of that House by the Clerk or Secretary thereof, or, if either House fails to give such majority to any person on that day, the fact shall be entered on the Journal. At twelve o'clock meridian of the day following that on which proceedings are required to take place as aforesaid, the members of the two Houses shall convene in joint assembly, and the Journal of each House shall then be read, and if the same person has received a majority of all 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 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, in the manner prescribed in the preceding section for the election of a Senator for a full term.

SEC 17. Whenever, during the session of the Legislature of any State, a vacancy occurs in the representation of such State in the Senate, similar proceedings to fill such vacancy shall be had on the second Tuesday after the Legislature is organized and has notice of such vacancy.

SEC. 18. It shall be the duty of the Executive of the State from which any Senator has been chosen, to certify his election, under the seal of the State, to the President of the Senate of the United States.

SEC. 19. The certificate mentioned in the preceding section shall be countersigned by the Secretary of State of the State

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 notice of the death of Senator George Hearst, as relates to the election of a United States Senator to fill the unexpired term of Senator George Hearst, whereby it appears that forty Senators were present and voted, each for his choice, and that the result of said vote taken in the Senate was as follows:

Total number of votes cast, forty; of which number—

M. H. De Young received	4
Geo. G. Blanchard received	3
Chas. N. Felton received	7
Wm. Johnston received	2
Morris M. Estee received	12
D. A. Ostrom received	10
G. G. Goucher received	1
Jas. V. Coleman received	1

The Chief Clerk of the Assembly then read so much of the Journal of the Assembly of yesterday as relates to the proceedings of that body in reference to the election of a United States Senator, held in accordance with the Act of Congress above recited, whereby it appears that seventy-six members were present and voted, each for his choice, and that the

Total number of votes cast was	76
Necessary to a choice	39
Mr. Estee received	13
Mr. Young received	2
Mr. Blanchard received	9
Mr. Perkins received	3
Mr. Ostrom received	15
Mr. Wetmore received	1
Mr. Felton received	6
Mr. Johnston received	4
Mr. Morrow received	1
Mr. De Young received	18
Mr. Chipman received	2
Mr. Coleman received	1
Mr. Swift received	1

The Speaker of the Assembly announced that it appearing by the Journals of the Senate and the Assembly, that in the proceedings of yesterday pertaining to the election of a United States Senator in Congress from California, to fill the unexpired term caused by the death of Hon. George Hearst, that both the Senate and Assembly failed to express, by a majority of votes cast, a choice for United States Senator to fill the unexpired term, that it is now the duty of, and it is now in order for this Joint Assembly to elect a Senator in Congress from California to fill such vacancy.

NOMINATIONS FOR UNITED STATES SENATOR.

Mr. Coombs nominated M. M. Estee.
Mr. Bledsoe nominated Nestor A. Young.
Senator Fraser nominated Geo. G. Blanchard.

Mr. Dibble nominated M. H. De Young.
Mr. Galbraith nominated C. N. Felton.
Mr. Bruner nominated Wm. Johnston.
Mr. Fowler nominated Chas. A. Wetmore.
Mr. Gould nominated G. G. Goucher.
Mr. Matlock nominated N. P. Chipman.

MOTION.

Mr. Clark moved that the nominations close.
Carried.

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 Blanchard—Messrs. Fraser, Preston, and Voorhies.
For Coleman—Mr. W. H. Williams.
For De Young—Messrs. Broderick, Dargie, Maher, and G. H. Williams.
For Estee—Messrs. Bailey, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Flint, Heacock, McComas, McGowan, Ragsdale, Shippee, and Sprague.
For Felton—Messrs. Banks, Crandall, De Long, Everett, Mahoney, Simpson, and Streeter.
For Goucher—Messrs. Britt, Hamill, Harp, Langford, Mead, Ostrom, Seawell, Welch, and Wilson.
For Johnston—Messrs. Denison and Dray.
For Gould—Mr. Goucher.

Total number of votes cast	39
Mr. Blanchard received	3
Mr. Coleman received	1
Mr. De Young received	4
Mr. Estee received	12
Mr. Felton received	7
Mr. Goucher received	9
Mr. Johnston received	2
Mr. Gould received	1

Pending the roll call, Senator Ostrom announced that Senator Berry requested that his vote be recorded for G. G. Goucher.

The President of the Senate announced that the request could not be complied with.

The Clerk of the Assembly called the roll of the House, and each member present voted for his choice for Senator, as follows:

For Blanchard—Messrs Barnard, Baughman, Brown, Freeman, Hocking, Hunewill, and Lynch
For Chipman—Messrs Hall and Matlock.
For Coleman—Mr. Dunn.
For De Young—Messrs. Alexander, Barnett of San Francisco, Coffey, Daly, Dennis, Dibble, Dow, Glynn, Hayes, Hoey, Johnson, Jones, Lowe, Lux, Marion, Phillips, Steltz, Tennis, Tully, and Windrow.
For Estee—Messrs Ames, Barnett of Sonoma, Bert, Bryant, Cargill, Culver, Durner, Estey, Harloe, Hawley, Lewis, Murphy, Smith of Butte, Smith of Orange, Sturtevant, Weston, and Mr. Speaker.
For Felton—Messrs. Carter, Galbraith, Gordon, Hersey, Lacey, and Young.
For Goucher—Messrs. Arms, Cunningham, Doty, Eakle, Garver, Gould, Jackson, Martin, Mathews, Mordecai, Murnan, Rentro, Rice, Robertson, Shanahan, and Stabler.
For Johnston—Messrs. Beecher, Bruner, and McCall.
For Morrow—Messrs. Clark and Wentworth.
For Perkins—Mr. Cram
For Wetmore—Mr. Fowler.
For Young—Messrs. Bledsoe and Kellogg.

Whole number of votes cast	78
Mr. Blanchard received	7
Mr. Chipman received	2
Mr. Coleman received	1

Mr. De Young received	20
Mr. Estee received	17
Mr. Felton received	6
Mr. Goucher received	16
Mr. Johnston received	3
Mr. Morrow received	2
Mr. Perkins received	1
Mr. Wetmore received	1
Mr. Young received	2

The President of the Senate announced the result of the ballot as follows:

Whole number of votes cast	117
Geo. G. Blanchard received	10
N. P. Chipman received	2
Jas. V. Coleman received	2
M. H. De Young received	24
M. M. Estee received	29
Chas. N. Felton received	13
G. G. Goucher received	25
Wm. Johnston received	5
W. W. Morrow received	2
Geo. C Perkins received	1
Chas. A. Wetmore received	1
Nestor A. Young received	2
Frank H. Gould received	1

The President of the Senate announced that the total number of votes cast was one hundred and seventeen; necessary to a choice, fifty-nine; that no nominee had received the number of votes necessary for a choice.

ADJOURNMENT.

Mr. Dibble moved that this Joint Assembly do now adjourn until twelve o'clock M. to-morrow.

Carried.

IN ASSEMBLY.

Speaker Coombs in the chair.

Mr. Dibble moved that the Assembly take a recess until three o'clock P. M. to-day.

Carried.

REASSEMBLED.

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

Speaker Coombs in the chair.

NOTICE OF RECONSIDERATION.

Mr. Wentworth gave notice that on to-morrow he will move for a reconsideration of the vote whereby Assembly Bill No. 741 was passed, notwithstanding the veto of the Governor.

SPECIAL FILE OF SENATE BILLS—SECOND READING.

Substitute for Senate Bill No. 131—An Act to provide for the erection of additional buildings for the California Home for the Care and Training of Feeble-Minded Children, to complete buildings now being erected, and to appropriate money therefor.

Read second time.

MOTION.

Mr. Bruner moved that the House go into Committee of the Whole, with the Speaker in the chair, for the purpose of considering substitute for Senate Bill No. 131.

Carried.

IN COMMITTEE OF THE WHOLE.

Speaker Coombs in the chair.

Substitute for Senate Bill No. 131 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Coombs in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Speaker stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration substitute for Senate Bill No. 131, and now report the same back to the Assembly, and recommend that the same do pass.

Ordered to third reading.

Senate Bill No. 134—An Act to amend sections one thousand one hundred and eighty-seven and one thousand one hundred and eighty-nine, and to repeal sections one thousand one hundred and eighty-six and one thousand one hundred and ninety-one of the Civil Code of the State of California, relating to the recording and acknowledgment of transfers.

Read second time, and placed on file for third reading.

Senate Bill No. 238—An Act to amend sections seven hundred and ninety-nine and eight hundred of the Penal Code, relating to the limitation of time within which prosecution for murder, the embezzlement of public moneys, and the falsifications of public records must be commenced, and providing the time within which informations may be filed, or indictments found, for other felonies.

Read second time, and placed on file for third reading.

Senate Bill No. 76—An Act to amend section one thousand one hundred and eighty-one of the Civil Code of the State of California, as amended April 3, 1880, relating to the proof and acknowledgment of instruments.

Read second time, and placed on file for third reading.

Senate Bill No. 70—An Act to add a new section to the Penal Code of the State of California, to be numbered section eight hundred and thirty, relative to the service of warrants of arrest and other process in criminal cases.

Read second time, and placed on file for third reading.

Mr. Bruner moved that the enacting clause be stricken out of Senate Bill No. 70.

Carried.

Senate Bill No. 71—An Act prescribing the competency and for the protection of witnesses testifying as to crimes against the elective fran-

chise, to be added as a new section under title four of the Penal Code of the State of California, and to constitute section sixty-four of said Penal Code.

Read second time, and placed on file for third reading.

Senate Bill No. 9—An Act to provide for the payment of the repairs upon the quarantine launch "Governor Perkins."

Read second time.

MOTION.

Mr. Matlock moved that the House go into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bill No. 9.

Carried.

IN COMMITTEE OF THE WHOLE.

Speaker Coombs in the chair.

Senate Bill No. 9 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Coombs in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Speaker stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 9, and now report the same back to the Assembly with progress, and recommend that the committee be allowed to sit again.

Senate Bill No. 72—An Act regulating the form of requisitions for stationery made by the members of the Legislature, and the officers and employés thereof, upon the Secretary of State.

Read second time, and placed on file for third reading.

Senate Bill No. 88—An Act to pay the claim of James W. Rankin, for services in the office of the State Treasurer of California, and appropriate money therefor.

Read second time.

Mr. Hocking moved that the enacting clause be striken out of Senate Bill No. 88.

Lost on division.

MOTION.

Mr. Garver moved that the House go into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bill No. 88.

Carried.

IN COMMITTEE OF THE WHOLE.

Speaker Coombs in the chair.

Senate Bill No. 88 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Coombs in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Speaker stated the report of the Committee of the Whole, as follows:

GENTLEMEN The Committee of the Whole have had under consideration Senate Bill No. 88, and now report the same back to the Assembly, and recommend that the same do not pass

REPORT OF STANDING COMMITTEE.

ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1891.

MR. SPEAKER Your Committee on Enrollment beg leave to report that the following Assembly Bills have been correctly enrolled: Nos. 301 and 696; also, Assembly Constitutional Amendment No. 5—and were presented to the Governor Tuesday, March tenth, at three o'clock and thirty minutes P. M.

Also: Assembly Bill No. 280—An Act making an appropriation for the Reform School for Juvenile Offenders at Whittier—report the same back to the Assembly, in accordance with instructions.

BLEDSOE, Chairman.

MOTIONS.

Mr. Mathews moved that Assembly Bill No. 280 be immediately transmitted to the Senate.

Carried.

At three o'clock and thirty minutes P. M. Mr. McCall moved to continue consideration of the Senate special file until four o'clock.

Carried.

Senate Bill No. 281—An Act to provide for the payment of the wages of mechanics and laborers employed by corporations.

PREVIOUS QUESTION.

The previous question was demanded by Mr. Arms, seconded by Messrs. Murnan and Sturtevant.

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

The question being the third reading of Senate Bill No. 281, it was so ordered.

Senate Bill No. 281 read third time.

The previous question was demanded by Mr. Doty, seconded by Messrs. Baughman and Beecher.

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

The question being the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arms, Barnard, Beecher, Bert, Bledsoe, Carter, Dennis, Doty, Dunn, Durner, Eakle, Fowler, Freeman, Garvey, Glynn, Gould, Harloe, Hawley, Hayes, Hoey, Hunewill, Jackson, Johnson, Kellogg, Lacey, Lewis, Lynch, Marion, Martin, Mathews, Matlock, McCall, Murnan, Murphy, Phillips, Renfro, Rice, Robertson, Smith of Butte, Steltz, Sturtevant, Tennis, Weston, Windrow, and Young—45.

NOES—Messrs. Alexander, Ames, Barnett of San Francisco, Barnett of Sonoma, Baughman, Bryant, Cargill, Clark, Cram, Culver, Cunningham, Dibble, Dow, Estey, Galbraith, Gordon, Hail, Hersey, Hocking, Jones, Lux, Mordecai, Shanahan, Smith of Orange, Stabler, and Mr. Speaker—26.

Title read and approved.

RECESS.

At four o'clock and thirty minutes P. M. the House took a recess.

REASSEMBLED.

At seven o'clock P. M. the House reassembled. Speaker Coombs in the chair.

RESOLUTION.

By Mr. Lacey:

Resolved, That Geo. E. Shinn, Assistant Sergeant-at-Arms of the Assembly, be and he is hereby allowed forty dollars for mileage in going after delinquent members of the Assembly under the various calls of the Assembly, from January 5, 1891, up to March 9, 1891, payable out of the appropriation for contingent expenses of the Assembly. The Controller is hereby instructed to issue his warrant in favor of said Geo. E. Shinn for the sum of forty dollars.

Referred to Committee on Mileage.

LEAVE OF ABSENCE.

Mr. Barnett was granted leave of absence for the rest of the day.

RESOLUTION.

By Mr. Wentworth:

WHEREAS, We have learned with profound sorrow and regret of the death of Hon. John F. Swift, Envoy Extraordinary and Minister Plenipotentiary of the United States to Japan, whose eminent services, superior abilities, purity of life, and irreproachable character have added luster and renown to the name of the State of California; therefore, be it

Resolved, by the Assembly of the State of California, That recognizing the great loss our State has sustained in the death of our distinguished fellow citizen, and as a fit and just tribute to his memory, that when the Assembly adjourns on this day, it do so out of respect to the memory of Hon. John F. Swift

Adopted by a rising vote.

MOTION.

Mr. Wentworth moved that the resolution be spread upon the minutes.

Carried.

RESOLUTION.

By Mr. Barnard:

Resolved, That the business of this evening be devoted to the first reading of bills on the special file.

Adopted.

MESSAGES FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, March 11, 1891.

To the Assembly of the State of California

I hereby inform your honorable body that I have signed Assembly Bill No. 185—An Act to create Glenn County, to establish the boundaries thereof, and to provide for its organization.

H. H. MARKHAM, Governor.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, March 10, 1891.

To the Assembly of the State of California:

I have the honor to inform your honorable body that I have approved Assembly Bill No. 734.

H. H. MARKHAM, Governor.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, March 11, 1891.

To the Assembly of the State of California:

I have the honor to inform your honorable body that I have approved Assembly Bills Nos. 333, 167, 16, 50, 745, 696, 244, and 594.

H. H. MARKHAM, Governor.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 10, 1891.

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

Senate Bill No. 234—An Act to establish a standard of weights and measures.

F. J. BRANDON, Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, March 11, 1891.

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

Senate Bill No. 364—An Act making an appropriation to pay the claim of "The California Spirit of the Times" for advertising the election proclamation.

Also, Concurred in all of the Assembly amendments to substitute for Senate Bills Nos. 8, 57, 123, and 369.

Also: On the ninth day of March, struck out the enacting clause of Assembly Bill No. 180—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.

F. J. BRANDON, Secretary.

Mr. Cargill was permitted to call up Assembly Bill No. 78, and have the same placed on special file.

SPECIAL FILE.

The following bills were read first time, and placed on file for second reading.

Assembly Bill No. 391—An Act for the relief of George Nightingale, Michael Ryan, Joseph Rosa, Bridget Davis, Bernard Ward, Ellen Burdett, John Wrixon, Michael O'Neill, 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 J. 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.

Assembly Bill No. 640—An Act to pay the claim of Joseph C. Gorman for services rendered as member of the Constitutional Convention, and appropriating money to pay the same.

Substitute for Assembly Bill No. 115—An Act to amend an Act entitled "An Act to provide for Police Courts in cities having thirty thousand and under one hundred thousand inhabitants, and to provide for officers thereof," approved March 18, 1885.

Assembly Bill No. 710—An Act authorizing the Boards of Supervisors of the several counties of this State to eradicate and prevent the spread of wild morning-glories, cockleburs, and other noxious and injurious weeds and plants in their respective counties.

Assembly Bill No. 187—An Act to regulate the collection and disposition of all garbage, offal, ashes, and other refuse matter in towns, cities, and cities and counties.

Assembly Bill No. 282—Ar Act to pay the claim of Mary M. Springer, the widow and heir of Thomas A. Springer, late State Printer, deceased.

Assembly Bill No. 555—An Act to pay the claim of A. G. Lafferty against the State of California, for supplies furnished in fitting out Company A, First Battalion of Mountaineers.

Senate Bill No. 638—An Act to amend section seven hundred and thirty-seven of the Political Code, fixing and providing for the salaries of the Judges of the Superior Courts of the City and County of San Francisco, and of the counties of Alameda, San Joaquin, Los Angeles, Santa Clara, Santa Cruz, San Mateo, Yuba and Sutter combined, Sacramento, Butte, Nevada, Sonoma, Colusa, Monterey, Santa Barbara, San Diego, Tulare, Fresno, Solano, Contra Costa, Amador, San Bernardino, Kern, Placer, Humboldt, Marin, Mendocino, Tehama, El Dorado, Alpine, Stanislaus, Yolo, and Calaveras.

Assembly Bill No. 78—An Act to provide compensation to G. B. Montgomery for professional services rendered the State of California, at the request of the Attorney-General.

SPECIAL FILE OF SENATE BILLS.

The following bills were read first time, and placed on file for second reading:

Substitute for Senate Bill No. 27—An Act to provide for the improvement of the Reform School at Whittier, California, for juvenile offenders, and make an appropriation for the same.

Senate Bill No. 409—An Act to appropriate money for the erection of monuments in Golden Gate Park, in the city of San Francisco, in memory of the late General M. G. Vallejo and General E. D. Baker.

Senate Bill No. 463—An Act to establish a naval battalion, to be attached to the National Guard of California.

Senate Bill No. 482—An Act to form Riverside County, classify it, define its boundaries, provide for its organization, and the appointment and election of officers, the location of county seat by election, and the adjustment and fulfillment of certain rights and obligations arising between such county and certain other counties.

MOTION.

Mr. Dibble moved that the rules be suspended, and Assembly Bill No. 296 be taken up.

So ordered.

Assembly Bill No. 296—An Act authorizing the Controller to charge the sum of three thousand three hundred and six dollars and seventy-two cents against the General Fund, to adjust a discrepancy existing between the books in his office and those of the office of the State Treasurer, because of payments of warrants from the General Fund

which had been drawn against the State Drainage Construction Fund and Construction Fund of Drainage District No. 1.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Ames, Arms, Baughman, Beecher, Bert, Bryant, Cargill, Carter, Clark, Cram, Culver, Cunningham, Dennis, Dibble, Doty, Dow, Dunn, Durner, Eakle, Estey, Fowler, Freeman, Garver, Gordon, Hail, Harloe, Hawley, Hocking, Hoey, Johnson, Kellogg, Lewis, Lowe, Lux, Lynch, Martin, Matlock, Mordecai, Murphy, Phillips, Renfro, Robertson, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Tully, Wentworth, Weston, Young, and Mr. Speaker—54.

NOES—None.

Title read and approved.

CORRECTION OF JOURNAL.

Mr. Dibble moved that the vote ordering the correction of the Journal of yesterday be reconsidered.

Carried.

Mr. Dibble moved that all on page twenty-nine of Journal of yesterday, from Assembly Bill No. 296, be stricken out of the Journal.

Carried.

Journal of yesterday approved.

MOTIONS.

Mr. Lowe moved that Assembly Bill No. 737 be taken up.

Carried.

Assembly Bill No. 737—An Act to amend section two thousand one hundred and thirty-seven of the Political Code, in regard to the powers and duties of the Board of Directors of the Insane Asylum located at Stockton.

Read first time, and placed on the special file, on motion of Mr. Lowe.

Mr. Young moved that he be allowed to take up Assembly Bill No. 18.

Carried.

Assembly Bill No. 18—An Act to amend an Act entitled "An Act to provide for Police Courts in cities having thirty thousand and under one hundred thousand inhabitants, and to provide for officers thereof," approved March 18, 1885, and to make said Act as amended apply to cities having ten thousand and under one hundred thousand inhabitants.

Mr. Young moved that a select committee of one be appointed by the Speaker to amend as follows:

Amend by striking out of section six, line one, the words "thirty thousand," and insert the following: "twenty-six thousand."

Carried

APPOINTMENT OF COMMITTEE.

Mr. Young was appointed a committee to make said amendment.

REPORT OF COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1891.

MR. SPEAKER: Your Select Committee, to whom was referred Assembly Bill No. 18, with instructions to amend in accordance with the action of the House, would respectfully report that the instructions of the House have been carried out.

YOUNG, Committee.

Report of committee adopted.

MOTION.

Mr. Young moved that a select committee of one be appointed by the Speaker to amend as follows:

Amend by striking out of section two, line one, the word "exclusive."

Carried.

APPOINTMENT OF COMMITTEE.

Mr. Young was appointed a committee to make said amendment.

REPORT OF COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1891.

MR. SPEAKER: Your Select Committee, to whom was referred Assembly Bill No. 18, with instructions to amend in accordance with the action of the House, would respectfully report that the instructions of the House have been carried out.

YOUNG, Committee.

Report of committee adopted.

MOTION.

Mr. Young moved that Assembly Bill No. 18 be made a special order for to-morrow, at eleven o'clock A. M.

Carried.

REPORT OF STANDING COMMITTEE.

ON WAYS AND MEANS AND APPROPRIATIONS

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1891.

MR. SPEAKER. Your Committee on Ways and Means and Appropriations, to whom was referred Assembly Bills Nos. 7, 459, 220, 705, and 448—report the same back without action.

Also Senate Bill No. 172—report the same back, and respectfully recommend that it do pass.

DIBBLE, Chairman.

SPECIAL FILE.

Senate Bill No. 130—An Act to authorize and direct the sale of the site and buildings of the California Home for the Care and Training of Feeble-Minded Children, in Santa Clara County.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Ames, Arms, Barnett of Sonoma, Baughman, Beecher, Bert, Bryant, Cargill, Carter, Clark Clam, Culver, Cunningham, Dennis, Dibble, Doty, Eakle, Estey, Fowler, Freeman, Gordon, Hall, Harloe, Hawley, Hayes, Hoey, Johnson, Kellogg, Lewis, Lynch, Martin, Matlock, Mordecai, Murphy, Phillips, Rice, Robertson, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Wentworth, Weston, Windrow, Young, and Mr. Speaker—48

NOES—Messrs. Dow and Lowe—2.

Title read and approved.

Senate Bill No. 617—An Act to provide for the payment of the funded indebtedness of the State of California, and to contract a funded debt for that purpose.

Read second time, and placed on file for third reading.

Senate Bill No. 661—An Act relating to the transfer of moneys now

in the State Treasury, in what is known and designated as Estate of Deceased Persons Fund, to the General Fund, as a loan.

Read second time, and placed on file for third reading.

Assembly Bill No. 669—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, amended March 14, 1885, March 18, 1885, March 17, 1887, and March 16, 1889, relating to the power of Boards of Supervisors.

Read third time.

Mr. Lacey in the chair.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Baughman, Beecher, Bert, Bryant, Cargill, Carter, Clark, Culver, Cunningham, Dibble, Doty, Dow, Dunn, Durner, Estey, Fowler, Freeman, Gordon,, Hall, Harloe, Hawley, Hayes, Hoey, Johnson, Kellogg, Lowe, Lynch, Matlock Mordecai, Murphy, Phillips, Renfro, Rice, Shanahan, Smith of Butte, Smith of Orange' Stabler, Steltz, Sturtevant, Wentworth, Weston, and Young—42.

NOES—Messrs. Garver and Martin—2.

Title read and approved.

Senate Bill No. 62—An Act for the relief of Patrick Creighton.

Read second time, and placed on file for third reading.

Senate Bill No. 502—An Act to create the office of Attorney for the State Board of Health and the Board of Health of the City and County of San Francisco.

Read second time, and placed on file for third reading.

Senate Bill No. 293—An Act for the relief of John J. Conlin.

Read second time, and placed on file for third reading.

Senate Bill No. 33—An Act to provide buildings and improvements at the Deaf and Dumb and Blind Asylum, and making an appropriation for the same.

Read second time.

MOTION.

Mr. Sturtevant moved that the House go into Committee of the Whole, with Mr. Lacey in the chair, for the purpose of considering Senate Bill No. 33.

Carried.

IN COMMITTEE OF THE WHOLE.

Mr. Lacey in the chair.

Senate Bill No. 33 was considered in Committee of the Whole.

IN ASSEMBLY.

Mr. Lacey in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Chairman stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 33, and now report the same back to the Assembly, and recommend that the same do pass.

Placed on file for third reading.

Assembly Bill No. 559—An Act providing for the appointment of a Commission to make arrangements for the proper reception of the

American Library Association, and appropriating money to defray the expenses thereof.

Read second time.

MOTION.

Mr. Fowler moved that the House go into Committee of the Whole, with Mr. Lacey in the chair, for the purpose of considering Assembly Bill No. 559.

Carried.

IN COMMITTEE OF THE WHOLE.

Mr. Lacey in the chair.

Assembly Bill No. 559 was considered in Committee of the Whole.

IN ASSEMBLY.

Mr. Lacey in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Chairman stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 559, and now report the same back to the Assembly, and recommend that the same do not pass.

Assembly Bill No. 559 refused engrossment.

Substitute for Senate Bill No. 132—An Act appropriating the sum of fifty-six thousand dollars for the completion of buildings now being erected for the Mendocino State Asylum for the Insane, and to provide for the expenditure of the same.

Read second time.

MOTION.

Mr. Sturtevant moved that the House go into Committee of the Whole, with Mr. Lacey in the chair, for the purpose of considering substitute for Senate Bill No. 132.

Carried.

IN COMMITTEE OF THE WHOLE.

Mr. Lacey in the chair.

Substitute for Senate Bill No. 132 was considered in Committee of the Whole.

IN ASSEMBLY.

Mr. Lacey in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Chairman stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration substitute for Senate Bill No. 132, and now report the same back to the Assembly, and recommend that the same do pass.

Placed on file for third reading.

Assembly Bill No. 216—An Act to determine that lands of this State are swamp and overflowed when returned as such by the United States Surveyor-General.

Read second time.

Committee amendment, as follows, adopted:

At end of last line add: "*provided*, that nothing in this Act shall be construed to prejudice the rights of any settler now or hereafter located upon said lands to perfect title to the same, if permitted under existing laws."

Ordered engrossed and to a third reading.

MOTION.

Mr. Dibble moved that no bills on third reading be considered this day.

Carried.

SPECIAL FILE—(RESUMED).

Assembly Bill No. 500—An Act to appropriate money to pay for the services of W. L. Wolfe, assistant at Los Angeles to the Commissioner of the Bureau of Labor Statistics.

Read second time.

MOTION.

Mr. Dibble moved that the House go into Committee of the Whole, with Mr. Lacey in the chair, for the purpose of considering Assembly Bill No. 500.

Carried.

IN COMMITTEE OF THE WHOLE.

Mr. Lacey in the chair.

Assembly Bill No. 500 was considered in Committee of the Whole.

IN ASSEMBLY.

Mr. Lacey in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Chairman stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 500, and now report the same back to the Assembly, and recommend that the same do pass as amended by the committee.

Amendments, as follows, adopted. Amend by adding:

SEC. 2. The Controller of State is hereby directed to draw his warrant upon the State Treasurer in favor of said W. L. Wolfe for said sum of five hundred dollars, and the State Treasurer is hereby authorized and directed to pay the same.

SEC. 3. This Act shall be deemed exempt from the provisions of section six hundred and seventy-two of the Political Code

SEC. 4. This Act shall take effect immediately.

Ordered engrossed, and to a third reading.

Senate Bill No. 530—An Act to provide for payment for private property heretofore taken for public use.

Read second time, and placed on file for third reading.

Senate Bill No. 326—An Act to amend an Act entitled "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," approved March 15, 1887.

Read second time, and placed on file for third reading.

MOTION.

At nine o'clock and ten minutes P. M. Mr. Carter moved to adjourn. Lost.

SPECIAL FILE—(RESUMED).

Assembly Bill No. 4—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-six, one thousand one hundred and eighty-seven, one thousand one hundred and ninety-three, one thousand one hundred and ninety-four, one thousand one hundred and ninety-five, and one thousand two hundred, and to repeal section one thousand one hundred and eighty-eight, and to add a new section, to be numbered one thousand two hundred and three, of an Act of the Legislature of the State of California entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, all relating to liens of mechanics and others.

Read second time.

Committee substitute, as follows, adopted:

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-six, one thousand one hundred and eighty-seven, one thousand one hundred and ninety-three, one thousand one hundred and ninety-four, one thousand one hundred and ninety-five, and one thousand two hundred, and to repeal section one thousand one hundred and eighty-eight, and to add a new section, to be numbered one thousand two hundred and three, of an Act of the Legislature of the State of California entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, all relating to liens of mechanics and others.

The People of the State of California, represented in Senate and Assembly, do enact as follows

SECTION 1. Section one thousand one hundred and eighty-three of the Code of Civil Procedure of the State of California is hereby amended so as to read as follows:

1183. Every mechanic, material man, contractor, sub-contractor, builder, machinist, miner, architect, artisan, workman, laborer, or other person who shall hereafter perform labor upon or furnish materials to be used in the erection, construction, alteration, or repair, either in whole or in part, of any building, wharf, bridge, flume, aqueduct, reservoir, tunnel, fence, machinery, railroad, wagon road, or other improvement or structure, shall have a lien upon the property upon which such labor has been performed, or materials have been furnished, whether at the instance of the owner, or by any other person acting by his authority, or under him as contractor or otherwise; and any person who performs labor in any mining claim or claims has a lien upon the same, and the works owned and used by the owners for reducing the ores from such mining claim or claims, for the work or labor done or materials furnished by each, respectively, whether done or furnished at the instance of the owner of the building or other improvement, or his agent; and every contractor, sub-contractor, architect, builder, or other person having charge of any mining or of the construction, alteration, addition to, or repair, either in whole or in part, of any building or other improvement as aforesaid, shall be held to be the agent of the owner for the purposes of this chapter. Such lien shall extend to and include all the right, title, and interest of the owner in such property at the time when such labor commenced to be performed, or when such materials commenced to be furnished, or both. In case of a contract between the reputed owner and his original contractor, the aggregate of all the liens hereby authorized shall extend to and include, but shall not exceed, the price stipulated in such contract, unless payments be made to the original contractor, or his order in violation of the rights and interests of other persons intended to be benefited by this chapter, *provided*, if it shall appear to the Court that the owner and contractor conspired together for the purpose of defrauding sub-contractors or other persons performing work or furnishing material to be used in the erection, construction, alteration, addition to, or

repair of any building, improvement, or structure, fixed an unreasonably low price in their original contract, then the Court shall ascertain how much of a difference exists between a fair and reasonable price for such labor and materials performed and used and such contract price; said difference shall be considered a part of the contract and be subject to the liens of all persons other than the original contractor.

All such contracts shall be in writing when the amount agreed to be paid thereunder exceeds one thousand dollars, and shall be subscribed by the parties thereto; and the said contract, or a brief statement or memorandum thereof, setting forth the names of all the parties to the contract; a description of the property to be affected thereby, together with a statement of the general character of the work to be done, the total amount to be paid thereunder, and the amount of all partial payments, together with the times when such payments shall be due and payable, shall, before the work is commenced, be filed in the office of the County Recorder of the county, or city and county, where the property is situated, otherwise such contracts shall be wholly void, and no recovery shall be had thereon by either party thereto; and in such case the labor done and materials furnished by all persons aforesaid, except the contractor, shall be deemed to be done and furnished at the personal instance and request of the owner, and all such persons shall have a lien for the value thereof. The cost of filing such contracts shall be the sum of one dollar each.

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 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, in one payment on the completion of the whole work; *provided*, that such contract price shall either in whole or in part be paid, or be considered due and payable, until the contractor's statement, as required by section one thousand two hundred and three, shall first be made as therein provided. 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 lien, such payment shall be deemed as if not made, and shall be applicable to such lien, notwithstanding that the contractor to whom it was paid may thereafter abandon his contract, or become indebted to the owner or the reputed owner in any amount for damages, or otherwise, for the 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 any subsequent indebtedness, offset, or counter claim, 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 chapter, 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 person mentioned in section one thousand one hundred and eighty-three, except the contractor, may at any time give to the owner or reputed owner, a written notice that he has performed labor or furnished materials, or both, to the contractor or other person acting by authority of such owner, or that he has agreed to do so, stating in general terms the kind of labor or materials, or both, 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 owner, or 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 architect, or by leaving it at such architect's residence or place of business, with some person in charge, or by posting it in a conspicuous place upon the building, improvement, or structure, or mining claim. No such notice shall be invalid by reason of any defect in form; *provided*, it is sufficient to inform the owner, or 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 owner, or the reputed owner, to, and he shall withhold from his contractor, or from any other person acting under such owner, sufficient of such 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 the provisions of this chapter, including counsel fees not exceeding one hundred dollars in each case, besides reasonable costs provided for in this chapter.

SEC. 4. Section one thousand one hundred and eighty-seven is hereby amended so as to read as follows:

1187. All persons who contract directly with the owner to perform work, or furnish materials, or both, to be used in the erection and construction of the whole or any part of the same building, improvement, or structure, or in the alteration, addition to, or repair thereof, are original contractors within the meaning of the provisions of this chapter, whether such persons be styled original contractors, contractors, or otherwise; and all other persons who perform work, or furnish materials, or both, for or at the

personal instance or request of any original contractor in the erection and construction of such building, improvement, or structure, are sub-contractors within the meaning of the provisions of this chapter, whether styled sub-contractors, material men, mechanics, or laborers, or otherwise.

Every original contractor, within sixty days after the completion of any building, improvement, or structure, and every person, except the original contractor claiming the benefits of this chapter, must, within thirty days after the completion of such building, improvement, or structure, or after the completion of the alteration, addition to, or repair thereof, or the performance of any work in any mining claim, file for record with the County Recorder of the county, or city and county, in which such property or some part thereof is situated, a claim containing a general statement of his demand after deducting all just credits and offsets; also, the name of the owner or reputed owner, if known, the name of the person by whom he was employed or to whom he furnished materials; with a statement of the terms, time given and conditions of his contract; a description of the property sought to be charged with his lien sufficient for identification, such claim must be verified by the oath of himself, or by that of some other person.

Any trivial or slight imperfection in the said work, or in the construction of any building, improvement, or structure, or of the alteration, addition to, or repair thereof, shall not be deemed such a lack of completion as to exempt the same from any valid claim or lien.

In case of contracts the occupation or use of the building, improvement, or structure, by the owner or his representative, or the acceptance of the same by such owner or his agent, shall be deemed, as against such owner, evidence of completion, if the terms of such contracts have been substantially complied with; and cessation from work for thirty days upon any unfinished building, improvement, or structure, or the alteration, addition to, or repair thereof, shall be deemed equivalent to a completion thereof for all the purposes of this chapter.

SEC. 5. Section one thousand one hundred and ninety-three of the Code of Civil Procedure is hereby amended so as to read as follows:

1193. The contractor shall be entitled to recover on a lien filed by him only such amount as may be due to him according to the terms of his contract, after deducting all just claims of other persons for work performed or materials furnished as aforesaid; and the Court, in rendering judgment in favor of such contractor, must allow him, as part of his costs, the money paid for verifying and filing his lien for record in the office of said County Recorder, together with reasonable counsel fees in the Superior and Supreme Courts.

SEC. 6. Section one thousand one hundred and ninety-four of the Code of Civil Procedure is hereby amended so as to read as follows:

1194. Upon questions arising between different persons having liens under this chapter, no preference shall be given to him whose contract was first made, or to him who first commenced to perform work, or furnish materials, or both. The Court shall ascertain the amount due each claimant, and in rendering judgment, shall direct the application of the proceeds of sales to be made to each in proportion to the total amount due. In case there is not a sufficient amount of money due to the original contractor to pay persons so entitled in full, the same shall be divided and paid to such persons pro rata, in proportion to the amounts due them, respectively. And whenever, in the sale of any property subject to a lien, there is a deficiency of proceeds, judgment may be docketed for the deficiency in like manner and with like effect as in action for the foreclosure of mortgages.

SEC. 7. Section one thousand one hundred and ninety-five of the Code of Civil Procedure is hereby amended so as to read as follows:

1195. Any number of persons claiming liens under the provisions of this chapter may join in the same action, and when separate actions have been commenced the Court may consolidate them for the purpose of trial. All costs and expenses incurred by any lien holder who has performed work for, or furnished materials to, the original contractor, in bringing an action to enforce his lien, and of prosecuting it to a final termination, shall be paid by such original contractor in case he has not substantially complied with the terms of his contract, and when by reason thereof the owner has refused and withheld the payment of money otherwise due to such contractor.

In case the original contractor has substantially complied with the terms of his contract with such owner, and the owner neglects, refuses, or fails to pay such contractor within a reasonable time not exceeding fifteen days after the completion of the building, improvement, or structure, and by reason of such neglect, refusal, or failure, the contractor, and any or all persons performing work for or furnishing materials to such contractor thereupon or therefor, shall find it necessary to and shall file a lien or liens upon such building, improvement, or structure, then such owner shall be liable to any such person or persons to the extent of, and he shall pay the entire costs and expenses of any or all suits to enforce such lien or liens, including all the money paid for verifying and filing such lien or liens for record in the office of said County Recorder, together with reasonable counsel fees in the Superior and Supreme Courts.

SEC. 8. Section one thousand two hundred of the Code of Civil Procedure is hereby amended so as to read as follows:

1200. In case the owner of any building, improvement, or structure shall fail to perform his part of the contract entered into between him and his contractor, and by reason thereof such contractor, without his own default, has been prevented from performing

his part of such contract, he shall be entitled to a reasonable compensation for as much thereof as he has performed, in proportion to the price stipulated for the whole, and the Court shall adjust his claim accordingly.

In case the contractor shall fail to perform his part of the contract in full, or shall abandon the work thereunder before the same is completed, the portion of the contract price applicable to the liens of all other persons than the contractor shall be fixed as follows From the value of the work and materials already performed and furnished at the time of such failure or abandonment, including materials then actually delivered, or on the premises, which shall thereupon belong to the owner, estimated as near as may be by the standard of the whole contract price, shall be deducted the payments then due and actually paid, according to the terms of the contract and the provisions of sections one thousand one hundred and eighty-three and one thousand one hundred and eighty-four, and the remainder shall be deemed the portion of the contract price applicable to such liens.

SEC. 9. A new section is hereby added to said Act, to be numbered one thousand two hundred and three:

1203 The original contractor shall, three days before any payment of money shall become due and payable from the owner on such contract, make out and give to the owner a written statement under oath of the name of every sub-contractor, mechanic, material man, or laborer performing work for or furnishing materials to such contractor; and how much, if anything, is due or to become due to them, or any one of them, for work performed, or materials furnished, or both; and the owner may retain, out of any money then due or to become due to the original contractor, an amount sufficient to pay all demands that are due or are to become due to such sub-contractors, mechanics, material men, or laborers, as shown by the contract or statement, and pay the same to each and all persons according to their respective rights; and all payments so made shall, as between such owner and contractor, be considered as if paid to such contractor. Until such statement is made, in manner as herein provided for, the contractor shall have no right of action or lien against the owner on account of such contract; and any payment made by the owner before such statement is made, or without retaining sufficient money, if that amount is due or to become due, to pay the sub-contractors, mechanics, and material men, and laborers, as shown by such statement, shall be considered as made in violation of the rights of persons intended to be benefited by this chapter, and the rights of such sub-contractors, mechanics, material men, and laborers to a lien shall not be affected thereby. The owner of the building, improvement, or structure may demand of the contractor the statement herein provided for after such building, improvement, or structure is completed; and if the contractor neglect to furnish such owner the same within ten days thereafter, he shall forfeit to such owner the sum of one hundred dollars for such offense, which may be recovered in any action before any Justice of the Peace.

SEC. 10. Section one thousand one hundred and eighty-eight of the Code of Civil Procedure is hereby repealed.

SEC. 11. This Act shall take effect from and after its passage.

Amendments to substitute, as follows, adopted:

Renumber section four as section three.
Renumber section five as section four.
Renumber section six as section five.
Renumber section seven as section six.
Renumber section eight as section seven.
Renumber section nine as section eight.
Renumber section ten as section nine.
Renumber section eleven as section ten.

Committee substitute to Assembly Bill No. 4 ordered engrossed and to a third reading.

Assembly Bill No. 281—An Act establishing a committee for the revision of the laws.

Mr. Wentworth moved that Assembly Bill No. 281 be made a special order for to-morrow morning, immediately after reading the Journal.

Carried.

Senate Bill No. 479—An Act to provide for the establishment of High Schools in the State of California.

Read second time, and placed on file for third reading.

ADJOURNMENT.

At nine o'clock and twenty minutes P. M., on motion of Mr. Lynch, the House adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Thursday, March 12, 1891.

The Assembly met pursuant to adjournment.

Speaker pro tem. Young in the chair.

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

Messrs Alexander, Ames, Arms, Barnard, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Bryant, Cargill, Carter, Clark, Culver, Cunningham, Dennis, Dibble, Doty, Dow, Dunn, Durner, Eakle, Estey, Fowler, Freeman, Galbraith, Garver, Gordon, Gould, Hall, Harloe, Hawley, Hayes, Hersey, Hocking, Hoey, Hunewill, Jackson, Johnson, Jones, Kellogg, Lacey, Lowe, Lux, Lynch, Marion, Martin, Mathews, Matlock, McCall, Mordecai, Murnan, Murphy, Phillips, Renfro, Robertson, Shanahan, Smith of Butte, Smith of Orange, Steltz, Sturtevant, Tennis, Wentworth, Weston, Young, and Mr. Speaker.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. A. C. Herrick.

READING OF THE JOURNAL.

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

So ordered.

Approval of Journal deferred.

SPECIAL ORDERS.

Assembly Bill No. 281—An Act establishing a committee for the revision of the laws.

Amendment by Mr. Wentworth, as follows, adopted:

Amend by striking out of section four, line one, the words "thirty-first," and insert the word "thirtieth."

Mr. Bledsoe in the chair.

Amendments by Mr. Dibble, as follows, adopted:

Amend by inserting the words "and the general statutes of the State" after the word "procedure," in line four, section one.

Also: Strike out all of section six.

Amendment by Mr. Cunningham, as follows:

Amend by striking out of section one, line one, the words "members of the legal profession and attorneys of the Supreme Court," and insert the following: "one member of the legal profession, one member of the Supreme Court of California, and one member or Professor of Political Economy."

Lost.

Mr. Dibble moved that the vote adopting his amendment striking out section six be reconsidered.

Carried.

Amendment by Mr. Dibble, as follows:

Strike out section six and insert the following:
"SEC. 6. The Secretary of the committee shall receive for his services the sum of one hundred and fifty dollars per month."

Adopted.

MOTION.

Mr. Wentworth moved that Assembly Bill No. 281 be made a special order for three o'clock and thirty minutes P. M. this day.
Carried.

REPORT OF STANDING COMMITTEE.

ON WAYS AND MEANS AND APPROPRIATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1891.

MR. SPEAKER: Your Committee on Ways and Means and Appropriations, to whom was referred Assembly Bills Nos. 539 and 738—report the same back without recommendation.
Also: Assembly Bills Nos. 274 and 391—report the same back without recommendation.
Also: Assembly memorandum, relative to expenses of Committee on Commissions—report the same back, and recommend that it do pass

DIBBLE, Chairman.

RESOLUTIONS.

Resolved, That the Controller be and he is hereby directed to draw his warrant on the Contingent Fund of the Assembly in favor of T. W. H. Shanahan, Acting Chairman of the Committee on Commissions, for the sum of five hundred and ninety-four dollars and twenty cents, expenses of said committee in conducting the investigation ordered by the House.

Adopted.
By Mr. Fowler:

Resolved, That a committee of three be appointed for the purpose of obtaining and offering a fitting floral testimonial at the obsequies of the lamented Senator Hearst, and that the expenses attendant thereto be paid out of the contingent expenses of the Assembly.

Adopted.

APPOINTMENT OF COMMITTEE.

The Speaker appointed, in accordance with the above resolution, the following named members: Messrs. Fowler, Garver, and Bruner.

MOTION.

Mr. Dibble moved that he be allowed, on behalf of the Committee on Ways and Means and Appropriations, to introduce a bill under the provision of the Constitution requiring the consent of two thirds of the members.
The roll was called, and the motion carried by the following vote:

AYES—Messrs. Alexander, Arms, Barnard, Barnett of Sonoma, Baughman, Beecher, Bert, Brown, Bruner, Cargill, Carter, Clark, Coffey, Cunningham, Daly, Dennis, Dibble, Doty, Dow, Dunn, Durner, Eakle, Estey, Fowler, Garver, Glynn, Gould, Harloe, Hawley, Hocking, Hoey, Jackson, Johnson, Jones, Kellogg, Lacey, Lux, Lynch, Martin, Mathews, Matlock, Mordecai, Murman, Murphy, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Wentworth, Weston, Windrow, Young, and Mr. Speaker—59.
NOES—None.

INTRODUCTION OF BILL—(OUT OF ORDER).

By Mr. Dibble: Assembly Bill No. 757—An Act making an appropriation to pay the contingent expenses of the Assembly.

RESOLUTION.

By Mr. Dibble:

Resolved, That Assembly Bill No 757 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the first and second times, considered engrossed, read third time, and placed upon its passage.

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

AYES—Messrs. Alexander, Barnard, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Cargill, Carter, Clark, Coffey, Cunningham, Daly, Dennis, Dibble, Doty, Dow, Dunn, Durner, Eakle, Estey, Fowler, Freeman, Garver, Glynn, Gould, Harloe, Hayes, Hersey, Hocking, Hoey, Jackson, Johnson Kellogg, Lacey, Lowe, Lynch, Martin, Mathews, Matlock, Mordecai, Murnan, Phillips, Rice, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Stuntevant, Weston, Windrow, Young, and Mr. Speaker—27.

NOES—None.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 12, 1891.

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

Resolved, That the Assembly be respectfully requested to return to the Senate, Senate Concurrent Resolution No. 3—Relating to the obsequies of the late United States Senator George Hearst.

F. J. BRANDON, Secretary.

MOTION.

Mr. Gould moved that the Assembly return to the Senate, Senate Concurrent Resolution No. 3.

Carried.

CASE OF URGENCY.

Assembly Bill No. 757—An Act making an appropriation to pay the contingent expenses of the Assembly.

Read first and second times.

MOTION.

Mr. Gould moved that the House go into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Assembly Bill No. 757.

Carried.

IN COMMITTEE OF THE WHOLE.

Speaker Coombs in the chair.

Assembly Bill No. 757 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Coombs in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Speaker stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 757, and now report the same back to the Assembly, and recommend that the same do pass.

Assembly Bill No. 757 read third time.
Ordered to the printer.

MOTION.

Mr. Young moved that Assembly Bill No. 18 be made a special order for this day, at three o'clock and thirty minutes P. M.
Carried.
Mr. Baughman in the chair.

RESOLUTION.

By Mr. Beecher:

Resolved, That the State Printer be and he is hereby instructed to print five thousand copies of the ballot law, being the substitute for Senate Bills Nos. 8, 57, 123, and 369, in pamphlet form; also, that he be and is instructed to print three thousand municipal tickets in form, showing the form to be used in the City and County of San Francisco; also, five thousand copies of general tickets in form, as the same will be used outside of the City and County of San Francisco, placing on such general and municipal tickets, respectively, the names of the Republican, Democratic, and Prohibition candidates voted for at the last general election.

Adopted.

MOTION.

Mr. Dibble moved that a committee of three be appointed to arrange a ballot for the printer.
Carried.

APPOINTMENT OF COMMITTEE.

The Speaker appointed as such committee Messrs. Dibble, Shanahan, and Carter.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1891.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that they have examined the following Assembly Bills and find them correctly engrossed: Nos 336 and 603.

WINDROW, Chairman.

MOTIONS.

Mr. Gould moved that all bills on second reading on special file be taken up.
Carried.
Mr. Clark moved that Assembly Bill No. 216 be recalled from the Committee on Engrossment.
Carried.
Mr. Mathews moved that Assembly Bill No. 692 be recalled from the Committee on Enrollment.
Carried.

SPECIAL FILE.

Assembly Bill No. 391—An Act for the relief of George Nightingale, Michael Ryan, Joseph Rosa, Bridget Davis, Bernard Ward, Ellen Burdett, John Wrixon, Michael O'Neill, 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 J. 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 second time, ordered engrossed and to a third reading.

Assembly Bill No. 216—An Act to determine that lands of this State are swamp and overflowed when returned as such by the United States Surveyor-General.

Amendments by Mr. Clark:

Amend section one by striking out the word "therefore" after the word "issued," and insert the word "therefor."

Also. Amend section two by striking out the same, and inserting the following in lieu thereof:

"SEC. 2. This Act shall take effect from and after its passage."

Adopted.

Ordered engrossed and to a third reading.

Assembly Bill No. 306—An Act for the relief of G. Raisch.

Read second time, ordered engrossed and to a third reading.

Substitute for Senate Bill No. 252—An Act for the relief of the heirs of Michael Curran.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 691—An Act to establish law libraries.

Read second time.

Assembly Bill No. 640—An Act to pay the claim of Joseph C. Gorman, for services rendered as member of the Constitutional Convention, and appropriating money to pay the same.

Read second time.

MOTION.

Mr. Doty moved that the House go into Committee of the Whole, with Mr. Baughman in the chair, for the purpose of considering Assembly Bill No. 640.

Carried.

IN COMMITTEE OF THE WHOLE.

Mr. Baughman in the chair.

Assembly Bill No. 640 was considered in Committee of the Whole.

IN ASSEMBLY.

Mr. Baughman in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Chairman stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 640, and now report the same back to the Assembly, and recommend that the same do pass.

Assembly Bill No. 640 ordered engrossed and to a third reading.

Substitute for Senate Bill No. 290—An Act to provide for the erection of additional buildings for the use of the State Normal School at San José, California, and making an appropriation therefor.

Read second time.

MOTION.

Mr. Gould moved that the House go into Committee of the Whole, with Mr. Baughman in the chair, for the purpose of considering substitute for Senate Bill No. 290.

Carried.

IN COMMITTEE OF THE WHOLE.

Mr. Baughman in the chair.

Substitute for Senate Bill No. 290 was considered in Committee of the Whole.

IN ASSEMBLY.

Mr. Baughman in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Chairman stated the report of the Committee of the Whole, as follows:

GENTLEMEN. The Committee of the Whole have had under consideration substitute for Senate Bill No. 290, and now report the same back to the Assembly, and recommend that the same do pass.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 12, 1891.

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

Resolved, That the Assembly be respectfully requested to return to the Senate Assembly Bill No. 692, for amendment.

F. J. BRANDON, Secretary.

MOTION.

Mr. Gould moved that Assembly Bill No. 692 be returned to the Senate.

Carried.

SPECIAL FILE—(RESUMED).

Senate Bill No. 442—An Act to amend section three and section thirteen of an Act entitled "An Act to promote drainage."

Read second time.

Amendment by Mr. Mordecai, as follows, adopted:

Amend title to Senate Bill No. 442, by adding the words and figures, "approved March 18, 1885"

IN JOINT ASSEMBLY.

The hour of twelve o'clock meridian having arrived, the Sergeant-at-Arms of the Assembly 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.

Hon. J. B. Reddick, President of the Senate, in conjunction with Hon. F. L. Coombs, Speaker of the Assembly, presiding.

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

Messrs. Bailey, Banks, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Langford, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Seawell, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.).

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

Messrs. Alexander, Ames, Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Bryant, Cargill, Carter, Clark, Coffey, Cram, Culver Cunningham, Daly, Dennis, Dibble, Doty, Dow, Dunn, Durner, Eakle, Estey, Fowler, Freeman, Galbraith, Garver, Glynn, Gordon, Gould, Hail, Harloe, Hawley, Hayes, Hersey, Hocking, Hoey, Hunewill, Jackson, Johnson Jones, Kellogg, Lacey, Lewis, Lowe, Lux, Lynch, Marion, Martin, Mathews, Matlock, McCall, Mordecai, Murnan, Murphy, Phillips, Rentro, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Tully, Wentworth, Weston, Windrow, Young, and Mr. Speaker

Quorum of both Houses of the Legislature present.

READING OF THE JOURNAL.

The Journal of yesterday's proceedings in Joint Assembly was read by the Secretary of the Senate.

Journal approved.

Senator Heacock announced that Senator Shippee was absent on account of sickness, but if present his vote would be cast for M. M. Estee.

NAMES WITHDRAWN.

Hon. N. P. Chipman's name was withdrawn as a candidate for United States Senator, by Mr. Matlock.

Hon. W. W. Morrow's name was withdrawn as a candidate for United States Senator.

NOMINATIONS.

Senator Goucher nominated Hon. J. V. Coleman as a candidate for United States Senator.

ROLL CALL.

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 Blanchard—Messrs. Fraser, Preston, and Voorhies.
For Coleman—Messrs. Britt, Goucher, Hamill, Harp, Langford, Mead, Ostrom, Seawell, Welch, and Williams (Wm. H.).
For De Young—Messrs. Broderick, Dargie, Maher, and Williams (Geo. H.)
For Estee—Messrs. Bailey, Byrnes, Campbell of Siskiyou, Carpenter, Flint, Heacock, McComas, McGowan, Ragsdale, and Sprague.

For Felton—Messrs. Banks, Campbell of Solano, Crandall, De Long, Everett, Mahoney, Simpson, and Streeter.
For Johnston—Messrs. Denison and Dray.

Whole number of votes cast	37
Mr. Blanchard received	3
Mr. Coleman received	10
Mr. De Young received	4
Mr. Estee received	10
Mr. Felton received	8
Mr. Johnston received	2

The Clerk of the Assembly called the roll of the House, and each member present voted for his choice for Senator, as follows:

For Blanchard—Messrs. Barnard, Baughman, Beecher, Bledsoe, Brown, Freeman, Hocking, Kellogg, and Lynch.
For Coleman—Messrs. Arms, Cunningham, Doty, Dunn, Eakle, Garver, Gould, Jackson, Martin, Mathews, Mordecai, Murman, Renfro, Rice, Robertson, Shanahan, and Stabler.
For De Young—Messrs. Alexander, Barnett of San Francisco, Coffey, Daly, Dennis, Dibble, Dow, Glynn, Hayes, Hoey, Johnson, Jones, Lowe, Lux, Marion, Phillips, Steltz, Tennis, Tully, and Windrow.
For Estee—Messrs. Ames, Barnett of Sonoma, Bert, Bryant, Cargill, Clark, Cram, Culver, Durner, Estey, Hall, Hawley, Hunewill, Lewis, Matlock, Murphy, Smith of Butte, Smith of Orange, Sturtevant, Weston, and Mr. Speaker.
For Felton—Messrs. Carter, Galbraith, Gordon, Harloe, Hersey, Lacey, Wentworth, and Young.
For Johnston—Messrs. Bruner and McCall.
For Wetmore—Mr. Fowler.

Whole number of votes cast	78
Mr. Blanchard received	9
Mr. Coleman received	17
Mr. De Young received	20
Mr. Estee received	21
Mr. Felton received	8
Mr. Johnston received	2
Mr. Wetmore received	1

ANNOUNCEMENT OF JOINT BALLOT.

The President of the Senate announced the vote on joint ballot, as follows:

Whole number of votes cast, one hundred and fifteen.

Necessary to a choice, fifty-eight.

Geo. G. Blanchard received	12
Jas. V. Coleman received	27
M. H. De Young received	24
M. M. Estee received	31
Chas. N. Felton received	16
Wm. Johnston received	4
Chas. A. Wetmore received	1

That no person had received the number of votes necessary to a choice for United States Senator.

MOTION.

Mr. Bruner moved that the Joint Assembly adjourn until twelve o'clock M. to-morrow.

A roll call was demanded by Messrs. Bledsoe, Gould, and Marion.

The roll of Senators was called by the Secretary, with the following result:

AYES—Messrs. Bailey, Broderick, Byrnes, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Hamill, Maher, Mahoney, Ostrom, Preston, Simpson, Strecter, Voorhies, and Welch—21.

NOES—Messrs. Banks, Britt, Campbell of Siskiyou, Goucher, Harp, Heacock, Langford, McComas, McGowan, Mead, Ragsdale, Seawell, and Williams (Wm. H.)—13.

The roll of the Assembly was called by the Chief Clerk, with the following result:

AYES—Messrs. Alexander, Ames, Barnard, Barnett of San Francisco, Baughman, Bledsoe, Brown, Bruner, Bryant, Cargill, Carter, Clark, Coffey, Cram, Culver, Daly, Dennis, Dibble, Dow, Durner, Fowler, Galbraith, Glynn, Gordon, Harloe, Hayes, Hersey, Hocking, Hoey, Hunewill, Johnson, Jones, Kellogg, Lowe, Lux, Lynch, Marion, McCall, Phillips, Stabler, Steltz, Sturtevant, Tennis, Tully, Windrow, and Young—46.

NOES—Messrs. Arms, Barnett of Sonoma, Beecher, Bert, Cunningham, Doty, Dunn, Eakle, Estey, Freeman, Garver, Hail, Hawley, Jackson, Lacey, Lewis, Martin, Mathews, Matlock, Mordecai, Murnan, Murphy, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Wentworth, Weston, and Mr. Speaker—31.

AYES:		
Senate	21	
Assembly	46	
		— 67
NOES:		
Senate	13	
Assembly	31	
		— 44
Total		111

Motion carried.

IN ASSEMBLY.

Speaker Coombs in the chair.

MOTION.

Mr. Dibble moved that the House take a recess until two o'clock and thirty minutes P. M.

Carried.

REASSEMBLED.

At two o'clock and thirty minutes P. M. the House reassembled.

Speaker Coombs in the chair.

Senate Bill No. 443—An Act for the relief of Peter Connolly, his assigns or legal representatives.

Read third time.

MOTION.

Mr. Shanahan moved that Mr. Robertson be allowed time to finish his remarks on Senate Bill No. 443.

Carried.

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

AYES—Messrs. Ames, Brown, Carter, Culver, Dow, Hunewill, Martin, and Tennis—8

NOES—Messrs. Arms, Barnard, Barnett of Sonoma, Baughman, Beecher, Bledsoe, Bryant, Cargill, Clark, Dennis, Dibble, Doty, Dunn, Durner, Eakle, Estey, Fowler, Freeman, Galbraith, Garver, Gordon, Gould, Hawley, Hayes, Hocking, Hoey, Jackson, Johnson, Jones, Kellogg, Lacey, Lowe, Lynch, Mathews, Matlock, McCall, Mordecai, Murnan, Murphy, Phillips, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tully, Weston, Young, and Mr. Speaker—53.

Senate Joint Resolution No. 21—A resolution relative to the indebtedness of the Pacific Railroads to the General Government.

Mr. Dibble moved to indefinitely postpone Senate Joint Resolution No. 21.

The previous question was demanded by Mr. Baughman, seconded by Messrs. Hail and Barnett.

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

The ayes and noes were demanded by Messrs. Bledsoe, Shanahan, and Garver.

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

AYES—Messrs. Ames, Barnett of San Francisco, Barnett of Sonoma, Bryant, Clark, Culver, Daly, Dennis, Dibble, Dow, Estey, Galbraith, Glynn, Hail, Hayes, Hersey, Hoey, Lewis, Lowe, Lux, McCall, Steltz, Sturtevant, Tennis, and Young—25.

NOES—Messrs. Arms, Baughman, Beecher, Bledsoe, Brown, Cargill, Cunningham, Doty, Dunn, Durner, Eakle, Fowler, Freeman, Garver, Gould, Harloe, Hawley, Hunewill, Jackson, Johnson, Kellogg, Lacey, Lynch, Martin, Mathews, Matlock, Mordecai, Murnan, Murphy, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Weston, and Mr. Speaker—38.

Pending roll call on passage of Senate Joint Resolution No. 21, a call of the House was demanded by Messrs. Bledsoe, Shanahan, and Gould.

The roll call was ordered.

Pending roll call on call of the House, Mr. Dibble moved to dispense with further proceedings under call of the House.

Lost on division.

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

Messrs. Alexander, Ames, Arms, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bledsoe, Brown, Bryant, Cargill, Carter, Clark, Cram, Culver, Cunningham, Daly, Dennis, Dibble, Doty, Dow, Dunn, Durner, Eakle, Estey, Fowler, Freeman, Galbraith, Garver, Glynn, Gordon, Gould, Hail, Harloe, Hawley, Hayes, Hersey, Hocking, Hoey, Hunewill, Jackson, Johnson, Jones, Kellogg, Lacey, Lowe, Lux, Lynch, Martin, Matlock, McCall, Mordecai, Murnan, Murphy, Phillips, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Tully, Weston, Windrow, Young, and Mr. Speaker

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

Carried.

The roll call was completed, and Senate Joint Resolution No. 21 was adopted by the following vote:

AYES—Messrs. Arms, Baughman, Beecher, Bledsoe, Brown, Cargill, Carter, Cunningham, Dibble, Doty, Dunn, Durner, Eakle, Fowler, Freeman, Garver, Gould, Harloe, Hawley, Hunewill, Jackson, Johnson, Kellogg, Lacey, Lynch, Martin, Mathews, Matlock, Mordecai, Murnan, Murphy, Phillips, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Sturtevant, Weston, and Mr. Speaker—42.

NOES—Messrs. Alexander, Ames, Barnard, Barnett of San Francisco, Barnett of Sonoma, Bert Bryant, Clark, Cram, Culver, Daly, Dennis, Dow, Estey, Galbraith, Glynn, Gordon, Hail, Hayes, Hersey, Hoey, Jones, Lewis, Lowe, Lux, McCall, Steltz, Tennis, Tully, Windrow, and Young—31.

NOTICE OF RECONSIDERATION.

Mr. Dibble gave notice that on to-morrow he will move for a reconsideration of the vote whereby Senate Joint Resolution No. 21 was adopted.

Assembly Bill No. 18—An Act to amend an Act entitled "An Act to provide for Police Courts in cities having thirty thousand and under one hundred thousand inhabitants, and to provide for officers thereof," approved March 18, 1885, and to make said Act as amended apply to cities having ten thousand and under one hundred thousand inhabitants.

Read third time.

Mr. Shanahan in the chair.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bledsoe, Bryant, Cargill, Clark, Cram, Cunningham, Doty, Durner, Eakle, Estey, Fowler, Freeman, Galbraith, Garver, Gordon, Gould, Harloe, Hawley, Hersey,

Hocking, Hoey, Hunewill, Jackson, Johnson, Kellogg, Lacey, Lewis, Lux, Lynch, Mathews, Matlock, Mordecai, Murnan, Murphy, Rice, Shanahan, Stabler, Sturtevant, Tennis, Wentworth, Weston, and Young—47.

NOES—None.

Title read and approved.

Mr. Young moved that the rules be suspended, and Assembly Bill No. 18 be immediately transmitted to the Senate.

Carried.

Assembly Bill No. 757—An Act to provide for an appropriation for the contingent expenses of the Assembly.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bledsoe, Bryant, Clark, Cram, Cunningham, Dibble, Doty, Eakle, Estey, Fowler, Freeman, Galbraith, Garver, Gordon, Hawley, Hersey, Hocking, Hoey, Kellogg, Lacey, Lewis, Lowe, Lux, Lynch, Martin, Mathews, Matlock, McCall, Mordecai, Murnan, Murphy, Phillips, Renfro, Shanahan, Stabler, Sturtevant, Tennis, Wentworth, Weston, and Young—44.

NOES—None.

Title read and approved.

Mr. Dibble moved that the rules be suspended, and Assembly Bill No. 757 immediately transmitted to the Senate.

Carried.

SPECIAL ORDERS.

Assembly Bill No. 281—An Act establishing a committee for the revision of the laws.

Read third time.

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

AYES—Messrs. Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bryant, Carter, Clark, Dibble, Estey, Freeman, Galbraith, Garver, Gordon, Hail, Harloe, Hawley, Hersey, Lacey, Lewis, Lux, Lynch, McCall, Mordecai, Robertson, Steltz, Sturtevant, Tennis, and Young—28.

NOES—Messrs. Ames, Arms, Barnard, Bledsoe, Cargill, Cram, Cunningham, Doty, Dunn, Eakle, Hocking, Kellogg, Lowe, Martin, Mathews, Matlock, Murnan, Murphy, Phillips, Renfro, Shanahan, Smith of Butte, Stabler Wentworth, Weston, and Windrow —26.

NOTICE OF RECONSIDERATION.

Mr. Wentworth gave notice that on to-morrow he will move for a reconsideration of the vote whereby Assembly Bill No. 281 was lost.

MOTION.

Mr. Doty moved that the special file be now taken up.

Carried.

Senate Bill No. 371—An Act to provide for the erection and furnishing of a Superintendent's residence, for the purchase of laundry machinery, for reflooring the Female Asylum Building, and for the permanent improvement of the walks and driveways on the grounds of the State Asylum for the Insane at Stockton, and to appropriate money therefor.

Read second time.

MOTION.

Mr. Galbraith moved that the House go into Committee of the Whole, with Mr. Shanahan in the chair, for the purpose of considering Senate Bill No. 371.

Carried.

IN COMMITTEE OF THE WHOLE.

Mr. Shanahan in the chair.

Senate Bill No. 371 was considered in Committee of the Whole.

IN ASSEMBLY.

Mr. Shanahan in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Chairman stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 371, and now report the same back to the Assembly, and recommend that the same do pass.

MOTION.

Mr. Baughman moved that the hour of recess be extended fifteen minutes.

Carried.

Senate Bill No. 566—An Act to amend sections one thousand three hundred and fifty-two and one thousand seven hundred and fifty-one of an Act entitled "An Act to establish a Code of Civil Procedure of the State of California," approved March 11, 1872, relating to executors and guardians of minors.

Read second time, and placed on file for third reading.

Assembly Bill No. 310—An Act to appropriate money for the erection of a monument on the plot of the Sacramento Veterans of the Mexican War, in the City Cemetery of Sacramento.

Read second time.

MOTION.

Mr. Mathews moved that the House go into Committee of the Whole, with Mr. Shanahan in the chair, for the purpose of considering Assembly Bill No. 310.

Carried.

IN COMMITTEE OF THE WHOLE.

Mr. Shanahan in the chair.

Assembly Bill No. 310 was considered in Committee of the Whole.

IN ASSEMBLY.

Mr. Shanahan in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Chairman stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No 310, and now report the same back to the Assembly without recommendation.

Refused engrossment.

Assembly Bill No. 710—An Act authorizing the Boards of Supervisors of the several counties of this State to eradicate and prevent the spread of wild morning-glories, cockleburs, and other noxious and injurious weeds and plants in their respective counties.

Read second time, ordered engrossed and to a third reading.

NOTICE OF RECONSIDERATION.

Mr. Martin gave notice that on to-morrow he will move for a reconsideration of the vote whereby Assembly Bill No. 310 was refused engrossment and third reading.

MOTION.

Mr. Young moved that the rules be suspended, and Senate Bill No. 652 be taken up out of order.

Carried.

Senate Bill No. 652—An Act to prohibit the coming of Chinese persons into the State, whether subjects of the Chinese Empire or otherwise, and to provide for registration and certificates of residence, and determine the status of all Chinese persons now resident of this State, and fixing penalties and punishments for violation of this Act, and providing for deportation of criminals.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Ames, Barnard, Barnett of San Francisco, Barnett of Sonoma, Beecher, Bledsoe, Brown, Carter, Clark, Culver, Daly, Dennis, Doty, Dow, Dunn, Eakle, Estey, Freeman, Garvey, Glynn, Gould, Hall, Harloe, Hayes, Hersey, Hocking, Hoey, Hunewill, Jackson, Johnson, Kellogg, Lewis, Lux, Martin, Mathews, McCall, Mordecai, Murman, Murphy, Rice Robertson, Shanahan, Smith of Butte, Stabler, Steltz, Stuitevant, Tennis, Wentworth, Windrow, and Young—50.

NOES—Messrs. Baughman, Bryant, Cram, and Fowler—4.

Title read and approved.

RECESS.

At four o'clock and forty-five minutes P. M. 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 pro tem. Young in the chair.

ADJOURNMENT.

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

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Friday, March 13, 1891.

The Assembly met pursuant to adjournment.

Speaker Coombs in the chair.

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

Messrs. Alexander, Ames, Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Bryant, Cargill, Carter, Clark, Culver, Cunningham, Dennis, Dibble, Doty, Dow, Dunn, Durner, Eakle, Estey, Fowler, Freeman, Galbraith, Garver, Glynn, Gordon, Gould, Hail, Harloe, Hawley, Hayes, Hersey, Hocking, Hoey, Hunewill, Jackson, Jones, Kellogg, Lacey, Lewis, Lowe, Lux, Lynch, Marion, Martin, Mathews, Matlock, Mordecai, Murnan, Murphy, Phillips, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Wentworth, Weston, Windrow, Young, and Mr. Speaker.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. A. C. Herrick.

READING OF THE JOURNAL.

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

So ordered.

Journal of Wednesday approved.

Approval of Journal of yesterday deferred.

MOTION.

Mr. Garver moved to take up Senate Bill No. 395.

Carried.

Senate Bill No. 395—An Act to provide for the payment of the claim of A. B. Dibble for professional services performed by him in the case of the People, respondent, vs. O. P. Dobbins, appellant, No. 12,106, Department One of the Supreme Court, August 30, 1887.

Read second time.

MOTION.

Mr. Garver moved that the House go into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bill No. 395.

Carried.

IN COMMITTEE OF THE WHOLE.

Speaker Coombs in the chair.

Senate Bill No. 395 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Coombs in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Speaker stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 395, and now report the same back to the Assembly, and recommend that the same do pass.

Report of committee adopted.

Senate Bill No. 395 was made a special order for Monday next, at three o'clock and thirty minutes P. M., on motion of Mr. Garver.

MOTION.

Mr. Matlock moved to take up Assembly Bill No. 685.

Carried.

Assembly Bill No. 685—An Act to amend sections two thousand six hundred and forty-one, two thousand six hundred and forty-two, two thousand six hundred and forty-three, two thousand six hundred and forty-five, and two thousand six hundred and forty-six, and to repeal section two thousand six hundred and forty-four of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the powers and duties of highway officers, and to provide for the maintenance and improvement of highways by contract.

Mr. Dow moved that a select committee of one be appointed to amend as follows:

Add to section five, line nineteen, the following: "*provided*, that the system of compulsory contracts shall not apply to counties of the fourth class"

Lost.

Mr. Hawley in the chair.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Arms, Barnett of San Francisco, Baughman, Bert, Bledsoe, Bryant, Cargill, Carter, Clark, Culver, Cunningham, Dennis, Dibble, Doty, Durner, Eakle, Estey, Freeman, Galbraith, Garver, Gordon, Gould, Hail, Harloe, Hawley, Hayes, Hoey, Jackson, Kellogg, Lacey, Lewis, Lux, Lynch, Marion, Mathews, Matlock, Mordecai, Murnan, Murphy, Phillips, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Sturtevant, Tennis, Wentworth, Weston, Windrow, Young, and Mr. Speaker—54.

NOES—Messrs. Barnett of Sonoma, Dow, Dunn, Fowler, Glynn, Hersey, Jones, Lowe, Martin, Renfro, and Steltz—11.

Title read and approved.

Mr. Matlock moved that Assembly Bill No. 685 be immediately transmitted to the Senate.

Carried.

Mr. Shanahan in the chair.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 11, 1891.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, adopted the report of the Committee of Free Conference, and adopted the amendment as reported by said committee on Assembly Bill No. 101—An Act to amend sections three thousand seven hundred and eighty-three and three thousand seven hundred and eighty-five of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the redemption of land sold at tax sale.

Also: On this day passed the following:

Substitute for Assembly Bill No. 86—An Act to amend sections one thousand nine hundred and seventeen, one thousand nine hundred and fifty-seven, one thousand nine hundred and fifty-nine, one thousand nine hundred and seventy, one thousand nine hundred and seventy-three, one thousand nine hundred and eighty, one thousand nine hundred and ninety, two thousand and twenty-two, two thousand and sixty-five, two thousand and ninety-four, two thousand and ninety-five, and two thousand and ninety-nine of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the National Guard of California.

F. J. BRANDON, Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, March 12, 1891.

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

Senate Bill No. 251—An Act entitled an Act to prohibit the publication in any newspaper, periodical, publication, or pamphlet, of any list, or partial list, of numbers of tickets, checks, or coupons, entitled to prizes resulting from the drawing of any lottery, or to publish any account of any person having drawn a prize in any lottery, and to provide a penalty for violating this Act.

Also: Substitute for Senate Bill No. 340—An Act to repeal sections six hundred and thirty-nine, six hundred and forty, six hundred and forty-one, six hundred and forty-two, six hundred and forty-three, six hundred and forty-four, six hundred and forty-five, and six hundred and forty-seven, of title sixteen, of part four, division first of the Civil Code, and to add seventeen new sections to said Civil Code, to be known and numbered as sections six hundred and thirty-three, six hundred and thirty-four, six hundred and thirty-five, six hundred and thirty-six, six hundred and thirty-seven, six hundred and thirty-eight, six hundred and thirty-nine, six hundred and forty, six hundred and forty-one, six hundred and forty-two, six hundred and forty-three, six hundred and forty-four, six hundred and forty-five, six hundred and forty-six, six hundred and forty-seven, six hundred and forty-eight, and six hundred and forty-eight and one half, providing for the formation and government of mutual building and loan associations.

Also: On the tenth day of March, passed the following

Assembly Bill No. 471—An Act to ascertain and express the will of the people of the State of California upon the subject of requiring an additional qualification of voters.

Also: On the eleventh day of March, passed the following:

Senate Bill No. 341—An Act to amend section three of "An Act to regulate contracts on behalf of the State, in relation to erections and buildings," approved March 23, 1876.

Also: Senate Bill No. 552—An Act to provide for increasing the efficiency of paid fire departments within municipalities in the State of California.

Also: Senate Bill No. 692—An Act to appropriate money to pay the claim of William M. Pierson and Robert B. Mitchell for moneys disbursed by them in certain legal proceedings brought on behalf of the State of California under the employment of the Attorney-General.

Also: On this day amended, and passed as amended, the following:

Assembly Bill No. 110—An Act to amend sections nine and ten of an Act entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State for the construction of waterworks, sewers, and all necessary public improvements, or for any purpose whatever; and to repeal the Act approved March 9, 1885, entitled 'An Act to authorize municipal corporations of the fifth class, containing more than three thousand and less than ten thousand inhabitants, to obtain waterworks,' also, to repeal an Act approved March 15, 1887, entitled 'An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State,'" approved March 19, 1889.

Also: Substitute for Assembly Bill No. 280—An Act making an appropriation for the Reform School for Juvenile Offenders at Whittier.

Also: On this day passed the following:

Senate Bill No. 63—An Act to fix the compensation for gas supplied by persons, companies, or corporations, to any city, or any incorporated city and county, of more than one hundred thousand inhabitants, or to the inhabitants thereof, and to provide a penalty for collecting or attempting to collect illegal gas rates.

Also: Senate Bill No. 330—An Act to amend sections one, nine, and seventeen of "An Act to provide for the erection and management of a State Hospital for the Insane, to be located in Southern California," approved March 11, 1889.

Also: On the twelfth day of March, amended, and passed as amended, the following

Assembly Bill No. 692—An Act to amend an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for construction of sewers within municipalities," approved March 18, 1885, by adding thereto an additional part, numbered four, consisting of sections thirty-eight, thirty-nine, forty, forty-one, forty-two, forty-three, and forty-four, relative to a system of street improvement bonds.

F. J. BRANDON, Secretary.

Assembly Bill No. 692.
Senate amendment, as follows:

Strike out the word "not," between the words "Act" and "to," occurring in line seventy-three of printed bill.

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

AYES—Messrs. Arms, Barnett of San Francisco, Barnett of Sonoma, Baughman, Bert, Bledsoe, Cargill, Carter, Clark, Cram, Cunningham, Dibble, Doty, Dow, Dunn, Eakle, Estey, Fowler, Freeman, Galbraith, Garver, Gordon, Gould, Hail, Hawley, Hayes, Hoey, Jackson, Kellogg, Lewis, Lynch, Marion, Martin, Mathews, Matlock, Mordecai, Murman, Murphy, Phillips, Renfro, Shanahan, Smith of Butte, Smith of Orange, Steltz, Tennis, Weston, and Young—47.
NOES—None.

Assembly Bill No. 110.
Senate amendment, as follows:

Amend first line of the title by adding after the words "to amend," the following: "sections nine and ten of;" also, on line three of section one, by adding the words "section nine;" also, on line two of section two, the words "section ten."

The roll was called, and the Senate amendment concurred in by the following vote:

AYES—Messrs. Ames, Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Bert, Bledsoe, Bryant, Cargill, Carter, Clark, Doty, Dunn, Eakle, Estey, Galbraith, Garver, Glynn, Gould, Hawley, Hayes, Hoey, Jackson, Johnson, Kellogg, Lacey, Lewis, Lynch, Martin, Mordecai, Murman, Murphy, Phillips, Renfro, Rice, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Tennis, and Young—43.
NOES—None.

Substitute for Assembly Bill No. 280.
Senate amendments, as follows:

Strike out of section one line one, the words "twelve thousand five hundred and ninety-seven," and insert in lieu thereof "ten thousand."
Also: On line two, the figures "12,597," and insert in lieu thereof the figures "$10,000."
Also: Strike out all after the word "ninety-one," on lines six and seven in section one.
Also: On line four, strike out the words following the word "there," as follows: "ten thousand dollars."

The roll was called, and the amendments concurred in by the following vote:

AYES—Messrs. Ames, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Bert, Bryant, Cargill, Carter, Clark, Culver, Doty, Dunn, Eakle, Estey, Freeman, Garver, Glynn, Gould, Harloe, Hawley, Hayes, Jackson, Johnson, Jones, Lewis, Lynch, Martin, Mathews, Mordecai, Phillips, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Tennis, and Young—41.
NOES—None.

MOTION.

Mr. Martin moved to reconsider the vote whereby Assembly Bill No. 310 was refused engrossment and third reading.

PREVIOUS QUESTION.

The previous question was demanded by Mr. Arms, seconded by Messrs. Baughman and Hawley.
The question being, "Shall the main question be now put?" it was so ordered.

The question being, "Shall the vote whereby Assembly Bill No. 310 was refused engrossment be reconsidered?" it was carried.

The question being, "Shall Assembly Bill No. 310 be ordered engrossed and to a third reading?" it was so ordered.

MOTION.

Mr. Hawley moved to take up the special file.

Carried.

SPECIAL FILE.

Mr. Hersey moved to substitute Substitute for Senate Bill No. 27 in the place of Assembly Bill No. 117.

Carried.

Substitute for Senate Bill No. 27—An Act to provide for the improvement of the Reform School at Whittier, California, for juvenile offenders, and make an appropriation for the same.

Read second time.

MOTION.

Mr. Mathews moved that the House go into Committee of the Whole, with Mr. Shanahan in the chair, for the purpose of considering substitute for Senate Bill No. 27.

Carried.

IN COMMITTEE OF THE WHOLE.

Mr. Shanahan in the chair.

Substitute for Senate Bill No. 27 was considered in Committee of the Whole.

IN ASSEMBLY.

Mr. Shanahan in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Chairman stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration substitute for Senate Bill No. 27, and now report the same back to the Assembly, with progress, and ask leave to sit again.

MOTION.

Mr. Dibble moved that the vote whereby Senate Joint Resolution No. 21 was yesterday adopted be now reconsidered.

PREVIOUS QUESTION.

The previous question was demanded by Messrs. Hawley, seconded by Messrs. Bert and Galbraith.

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

The question being on Mr. Dibble's motion to reconsider.

The ayes and noes were demanded by Messrs. Dibble, Bledsoe, and Baughman.

The roll was called.

CALL OF THE HOUSE.

Pending roll call, Mr. Dibble moved a call of the House.

Lost.

The roll call was completed, and the motion to reconsider lost by the following vote:

AYES—Messrs. Alexander, Ames, Barnett of San Francisco, Barnett of Sonoma, Bert, Bryant, Carter, Clark, Cram, Culver, Daly, Dennis, Dibble, Dow, Estey, Galbraith, Gordon, Hall, Hayes, Hersey, Hoey, Johnson, Jones, Lewis, Lowe, Lux, Matlock, Phillips, Steltz, Tennis, Windrow, and Young—32.

NOES—Messrs. Arms, Barnard, Baughman, Beecher, Bledsoe, Brown, Cargill, Cunningham, Doty, Dunn, Durner, Eakle, Freeman, Garver, Gould, Harloe, Hawley, Hunewill, Jackson, Kellogg, Lacey, Lynch, Martin, Mordecai, Murnan, Murphy, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Sturtevant, and Weston—35.

SPECIAL FILE—(RESUMED).

Senate Bill No. 255—An Act to amend section five hundred and ninety-eight of the Civil Code of the State of California, relating to benevolent and religious corporations.

Read second time, and placed on file for third reading.

Assembly Bill No. 512—An Act to amend section three thousand four hundred and sixty-six of the Political Code, relating to the collection of assessments made by Commissioners of Assessment in reclamation districts of this State.

Read second time, ordered engrossed and to third reading.

MOTION.

Mr. Wentworth moved that the vote whereby Assembly Bill No. 281 was refused passage be now reconsidered.

Lost on division.

Substitute for Senate Bill No. 163—An Act to authorize Boards of Health and Health Officers in towns, cities, counties, and cities and counties, in this State, to appoint Inspectors of Plumbing and Drainage in such towns, cities, counties, and cities and counties, and to provide for the compensation, and to define the duties of such Inspectors.

Read second time.

Mr. Hawley moved that the enacting clause be stricken out.

Lost on division, and ordered on file for third reading.

Senate Bill No. 599—An Act entitled an Act relating to the working, rights of way, easement, and drainage of mines in the State of California.

Read second time, and placed on file for third reading.

Senate Bill No. 305—An Act making an appropriation to pay the deficiency in the appropriation for payment of costs and expenses of trials of persons violating the law for the preservation of fish, for the thirty-ninth, fortieth, and forty-first fiscal years.

Read second time, and placed on file for third reading.

Senate Bill No. 304—An Act making an appropriation to pay the deficiency in the appropriation for costs and expenses of suits in which the State is a party in interest, for the forty-first fiscal year.

Read second time.

MOTION.

Mr. Dibble moved that the House go into Committee of the Whole, with Mr. Shanahan in the chair, for the purpose of considering Senate Bills Nos. 305 and 304.

Carried.

IN COMMITTEE OF THE WHOLE.

Mr. Shanahan in the chair.

Senate Bills Nos. 305 and 304 were considered in Committee of the Whole.

IN ASSEMBLY.

Mr. Shanahan in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Chairman stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bills Nos. 305 and 304, and now report the same back to the Assembly, and recommend that they do pass.

MOTION.

Mr. Clark moved that Senate Bill No. 415 be now taken up.

Lost on division.

SPECIAL FILE—(RESUMED).

Senate Bill No. 60—An Act to appropriate money for the survey, location, and construction of a free wagon road from the town of Mariposa, in Mariposa County, to the Yosemite Valley.

Read second time.

MOTION.

Mr. Gould moved that the House go into Committee of the Whole, with Mr. Shanahan in the chair, for the purpose of considering Senate Bill No. 60.

Carried.

IN COMMITTEE OF THE WHOLE.

Mr. Shanahan in the chair.

Senate Bill No. 60 was considered in Committee of the Whole.

IN ASSEMBLY.

Mr. Shanahan in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Chairman stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 60, and now report the same back to the Assembly, and recommend that the same do pass.

Senate Bill No. 517—An Act relating to the roofing of public buildings in the State of California.

Read second time, and placed on file for third reading.

Assembly Bill No. 288—An Act entitled "An Act to amend an Act to create a Police Court in and for the City and County of San Francisco, State of California," approved March 5, 1889.

Read second time, ordered engrossed and to a third reading.

IN JOINT ASSEMBLY.

The hour of twelve o'clock meridian having arrived, the Sergeant-at-Arms of the Assembly 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.

Hon. Thomas Fraser, President pro tem. of the Senate, in conjunction with Hon. F. L. Coombs, Speaker of the Assembly, presiding.

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

Messrs. Bailey, Banks, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Langford, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Seawell, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.).

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

Messrs. Alexander, Ames, Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Bryant, Cargill, Carter, Clark, Coffey, Cram, Culver, Cunningham, Daly, Dennis, Dibble, Doty, Dow, Dunn, Durner, Eakle, Estey, Fowler, Freeman, Galbraith, Garver, Glynn, Gordon, Gould, Hall, Harloe, Hawley, Hayes, Hersey, Hocking, Hoey, Hunewill, Jackson, Johnson, Jones, Kellogg, Lacey, Lewis, Lowe, Lux, Lynch, Marion, Martin, Mathews, Matlock, McCall, Mordecai, Murnan, Murphy, Phillips, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Tully, Wentworth, Weston, Windrow, Young, and Mr. Speaker.

Quorum of both Houses of the Legislature present.

READING OF THE JOURNAL.

The Journal of yesterday's proceedings in Joint Assembly was read by the Secretary of the Senate.

Journal approved.

The President pro tem. of the Senate announced that nominations were now in order for United States Senator. .

Senator Seawell nominated T. W. H. Shanahan.

ROLL CALL.

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, with the following result:

For Blanchard—Messrs. Fraser, Preston, and Voorhies.
For De Young—Messrs. Broderick, Dargie, Maher, and Williams (Geo. H.).

For Estee—Messrs. Bailey, Byrnes, Campbell of Siskiyou, Carpenter, Flint, Heacock, McComas, McGowan, Ragsdale, Shippee, and Sprague.
For Felton—Messrs. Banks, Campbell of Solano, Crandall, De Long, Everett, Mahoney, Simpson, and Streeter.
For Johnston—Messrs. Denison and Dray.
For Shanahan—Messrs Britt, Goucher, Hamill, Harp, Langford, Mead, Ostrom, Seawell, Welch, and Williams (Wm. H).

Whole number of votes cast	38
Mr. Blanchard received	3
Mr. De Young received	4
Mr. Estee received	11
Mr. Felton received	8
Mr. Johnston received	2
Mr. Shanahan received	10

The Clerk of the Assembly called the roll of the House, and each member present voted for his choice for Senator, as follows:

For Blanchard—Messrs. Barnard, Baughman, Bledsoe, Brown, Freeman, Hocking, Hunewill, and Lynch.
For De Young—Messrs. Alexander, Barnett of San Francisco, Coffey, Daly, Dennis, Dibble, Dow, Glynn, Hayes, Hoey, Johnson, Jones, Lowe, Lux, Marion, Phillips, Steltz, Tennis, Tully, and Windrow.
For Estee—Messrs. Ames, Barnett of Sonoma Beecher, Bert, Bryant, Cargill, Clark, Cram, Culver, Durner, Estey, Hall, Harloe, Hawley, Kellogg, Lewis, Matlock, Murphy, Smith of Butte, Smith of Orange, Sturtevant, Weston, and Mr. Speaker.
For Felton—Messrs Carter, Galbraith, Gordon, Hersey, Lacey, Wentworth, and Young.
For Johnston—Messrs. Bruner and McCall.
For Wetmore—Mr. Fowler.
For Shanahan—Messrs. Arms, Cunningham, Doty, Dunn, Eakle, Garver, Gould, Jackson, Martin, Mathews, Mordecai, Murnan, Renfro, Rice, Robertson, and Stabler.
For English—Mr. Shanahan.

Whole number of votes cast	78
Mr. Blanchard received	8
Mr. De Young received	20
Mr Estee received	23
Mr. Felton received	7
Mr. Johnston received	2
Mr. Wetmore received	1
Mr. Shanahan received	16
Mr. English received	1

ANNOUNCEMENT OF JOINT BALLOT.

The President pro tem. of the Senate then announced the vote on joint ballot, as follows: Whole number of votes cast, one hundred and sixteen; necessary for a choice, fifty-nine; that

Geo. G. Blanchard received	11
T. W. H Shanahan received	26
M. H. De Young received	24
M. M. Estee received	34
Chas. N. Felton received	15
Wm. Johnston received	4
Chas. A. Wetmore received	1
W. D. English received	1

And that no person had received the number of votes necessary to a choice for United States Senator.

MOTIONS.

Mr. Dibble moved that the Joint Assembly do now adjourn until to-morrow at twelve o'clock M.

Senator McGowan moved as a substitute that a recess of five minutes be taken.

The ayes and noes were demanded by Messrs. Dibble, Bruner, and Lux.

The roll of Senators was called by the Secretary, with the following result:

AYES—Messrs. Bailey, Byrnes, Flint, Harp, Heacock, McComas, McGowan, Shippee, Sprague, and Welch—10.

NOES—Messrs. Banks, Britt, Broderick, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Fraser, Goucher, Hamill, Maher, Mahoney, Mead, Ostrom, Preston, Seawell, Simpson, Strecter, Voorhies, Williams (Wm. H.), and Williams (Geo. H.)—25.

The roll of the Assembly was called by the Chief Clerk, with the following result:

AYES—Messrs. Ames, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Cargill, Cram, Durner, Estey, Freeman, Hail, Harloe, Hawley, Kellogg, Lacey, Lewis, Mordecai, Murphy, Smith of Butte, Smith of Orange, Sturtevant, Weston, and Mr. Speaker—24.

NOES—Messrs. Alexander, Arms, Barnard, Barnett of San Francisco, Brown, Bruner, Bryant, Carter, Clark, Coffey, Culver, Cunningham, Daly, Dennis, Dibble, Doty, Dow, Dunn, Eakle, Fowler, Galbraith, Garver, Glynn, Gordon, Gould, Hayes, Hersey, Hocking, Hoey, Hunewill, Jackson, Johnson Jones, Lowe, Lux, Lynch, Marion, Martin, Mathews, Matlock, McCall, Mulnan, Phillips, Renfro, Rice, Robertson, Shanahan, Stabler, Steltz, Tennis, Tully, Wentworth, Windrow, and Young—54.

AYES:		
Senate	10	
Assembly	24	
		— 34
NOES		
Senate	25	
Assembly	54	
		— 79
Total		113

ANNOUNCEMENT OF VOTE.

The President pro tem. of the Senate declared the substitute lost.
Motion to adjourn until twelve o'clock M. to-morrow carried.

IN ASSEMBLY.

Speaker Coombs in the chair.

RECESS.

At twelve o'clock and forty-five minutes P. M., the House took a recess until two o'clock and thirty minutes P. M., on motion of Mr. Dibble.

REASSEMBLED.

The House reassembled at two o'clock and thirty minutes P. M.
Speaker Coombs in the chair.
Quorum present.

MOTION.

Mr. Lowe moved that the Assembly attend in a body, as a committee, the funeral of Senator Hearst.
Carried.

QUESTION OF PRIVILEGE.

Mr. Barnett of San Francisco arose to a question of privilege, referring to statements published in the San Francisco "Chronicle" and

"Call," whereby he was reported as voting "no" on final passage of Senate Bill No. 652, while in fact he voted "aye," as shown in the Journal of that day.

SPECIAL FILE OF SENATE BILLS—THIRD READING.

Senate Joint Resolution No. 17—Relative to the mining industry in California.

Mr. Martin offered Assemby Joint Resolution No. 19 as a substitute. Lost.

The ayes and noes were demanded by Messrs. Ames, Barnard, and Baughman.

The roll was called, and Senate Joint Resolution No. 17 adopted by the following vote:

AYES—Messrs. Alexander, Ames, Barnett of San Francisco, Baughman, Beecher, Bert, Bledsoe, Brown, Bryant, Cargill, Carter, Coffey, Culver, Daly, Dennis, Dibble, Dow, Fowler, Freeman, Galbraith, Garver, Glynn, Hail, Harloe, Hawley, Hayes, Hersey, Hocking, Jackson, Kellogg, Lacey, Lewis, Lux, Lynch, Marion, Martin, Mathews, Matlock, McCall, Mordecai, Murnan, Murphy, Phillips, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Steltz, Sturtevant, Tennis, Tully, Wentworth, Weston, Windrow, Young, and Mr. Speaker—57

NOES—Messrs. Barnard, Barnett of Sonoma, Clark, Doty, and Stabler—5.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 13, 1891.

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

Resolved, That the Assembly be requested to return to the Senate Senate Bill No. 340.

F. J. BRANDON, Secretary.

MOTION.

Mr. Fowler moved that Senate Bill No. 340 be returned to the Senate. Carried.

REPORTS OF STANDING COMMITTEES.

ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1891.

MR. SPEAKER: Your Committee on Enrollment beg leave to report that the following Assembly Bills have been returned, with Senate amendments:

Assembly Bills Nos. 110 and 280—and respectfully recommend that they be referred to the Committee on Engrossment.

Also: That the following Assembly Bills have been correctly enrolled: Nos. 224, 232, 441, 338, 68, and 317.

And were presented to the Governor on March twelfth.

Also: That the following Assembly Bills have been correctly enrolled: Nos. 301 and 696.

Also: Assembly Constitutional Amendment No. 5.

And were presented to the Governor on March tenth, at three o'clock and thirty minutes P. M.

BLEDSOE, Chairman.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1891.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that they have examined the following Assembly Bills and find them correctly engrossed: Nos. 216, 500, 391, 306, 691, 640, and 710.

WINDROW, Chairman.
By COFFEY.

MOTION.

Mr. Dibble moved that Senate Bill No. 688 be taken up out of order. Carried.

RESOLUTION.

By Mr. Dibble:

Resolved, That Senate Bill No. 688 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

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

AYES—Messrs. Alexander, Ames, Barnard, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Cargill, Carter, Clark, Coffey, Cram, Culver, Cunningham, Daly, Dibble, Doty, Dow, Dunn, Eakle, Fowler, Freeman, Galbraith, Garver, Gordon, Hall, Hawley, Hayes, Hersey, Hocking, Hoey, Jackson, Johnson, Kellogg, Lacey, Lux, Lynch, Marion, Martin, Mathews, McCall, Murnan, Murphy, Phillips, Shanahan, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Wentworth, Windrow, and Mr. Speaker—55.
NOES—None.

Senate Bill No. 688—An Act to authorize the Directors of the Veterans' Home Association to exchange certain lands in the City and County of San Francisco for certain other property belonging to said city and county, or for a lease of said property.

Read second and third times.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Arms, Barnard, Barnett of Sonoma, Baughman, Beecher, Bert, Brown, Cargill, Carter, Clark, Coffey, Cram, Cunningham, Daly, Dennis, Dibble, Doty, Dow, Dunn, Durner, Eakle, Estey, Fowler, Freeman, Galbraith, Garver, Glynn, Gordon, Gould, Harloe, Hawley, Hayes, Hersey, Hocking, Jackson, Johnson, Lewis, Lowe, Lynch, Marion, Martin, Matlock, Mordecai, Murnan, Murphy, Phillips, Robertson, Smith of Orange, Stabler, Steltz, Tennis, Tully, Wentworth, Weston, and Mr. Speaker—56
NOES—None.

Title read and approved.

Mr. Dibble in the chair.

Substitute for Senate Bill No. 131—An Act to provide for the erection of additional buildings for the California Home for the Care and Training of Feeble-Minded Children, to complete buildings now being erected, and to appropriate money therefor.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Alexander, Arms, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Brown, Cargill, Carter, Coffey, Cram, Culver, Cunningham, Dibble, Doty, Dow, Dunn, Estey, Fowler, Freeman, Galbraith, Garver, Glynn, Gould, Harloe, Hawley, Hayes, Hersey, Hocking, Hoey, Jackson, Johnson, Jones, Lewis, Lux, Lynch, Martin, Mathews, Matlock, Murnan, Murphy, Rice, Shanahan, Stabler, Steltz, Sturtevant, Tennis, Tully, Wentworth, Weston, Windrow, and Young—55.
NOES—Messrs. Bledsoe, Clark, Dennis, Marion, Mordecai, and Smith of Orange—6.

Title read and approved.

Mr. Bert moved that substitute for Senate Bill No. 131 be immediately transmitted to the Senate.

So ordered.

QUESTION OF PRIVILEGE.

Mr. Galbraith arose to a question of privilege, and corrected statements made in the "Examiner" of to-day by referring to the Journal of March eleventh, wherein it was shown that he voted for the ballot reform bill and not against it.

Senate Bill No. 134—An Act to amend sections one thousand one

hundred and eighty-seven and one thousand one hundred and eighty-nine, and to repeal sections one thousand one hundred and eighty-six and one thousand one hundred and ninety-one of the Civil Code of the State of California, relating to the recording and the acknowledgment of transfers.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Ames, Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Bryant, Carter, Clark, Coffey, Cram, Culver, Dennis, Dow, Dunn, Durner, Fowler, Galbraith, Garver, Glynn, Gould, Hail, Hawley, Hayes, Hersey, Hocking, Hoey, Jackson, Lowe, Lux, Lynch, Mathews, McCall, Phillips, Renfro, Rice, Shanahan, Steltz, Sturtevant, Tennis, Tully, Wentworth, Weston, Windrow, and Young—45.

NOES—Messrs. Beecher, Bert, Bledsoe, Brown, Cargill, Cunningham, Dibble, Doty, Eakle, Estey, Freeman, Gordon, Harloe, Hunewill, Johnson, Kellogg, Lewis, Marion, Martin, Matlock, Mordecai, Murphy, Robertson, Smith of Orange, and Stabler—24.

Title read and approved.

MOTIONS.

Mr. Hayes moved that Assembly Bill No. 708 be taken up.

Carried.

Assembly Bill No. 708—An Act to add a new section to the Political Code, to be numbered two thousand five hundred and fifty-five, relating to the leasing of wharves, docks, and landings under control of the Harbor Commissioners.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Beecher, Bert, Bledsoe, Brown, Carter, Clark, Coffey, Cunningham, Daly, Dennis, Dibble, Doty, Dow, Dunn, Durner, Eakle, Estey, Fowler, Freeman, Galbraith, Garver, Glynn, Gordon, Gould, Hail, Hawley, Hayes, Hersey, Hunewill, Jackson, Johnson, Jones, Kellogg, Lewis, Lowe, Lux, Lynch, Marion, Martin, Mathews, Matlock, Mordecai, Murphy, Phillips, Robertson, Shanahan, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Tully, Wentworth, Weston, Windrow, and Mr. Speaker—60.

NOES—Messrs. Cram, Culver, Harloe, McCall, and Smith of Butte—5.

Title read and approved.

Mr. Hayes moved that Assembly Bill No. 708 be immediately transmitted to the Senate.

So ordered.

Mr. Clark moved that Senate Bill No. 415 be taken up.

Carried.

Senate Bill No. 415—An Act entitled an Act to amend section four hundred and seventy-two of the Political Code, providing for deputies in the office of the Attorney-General, and fixing their salaries.

Read second time.

Mr. Clark moved that Senate Bill No. 415 be made a special order for to-morrow morning, immediately after the reading of the Journal.

The ayes and noes were demanded by Messrs. Fowler, Hawley, and Phillips.

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

AYES—Messrs Arms, Barnett of Sonoma, Baughman, Beecher, Bert, Bryant, Clark, Culver, Cunningham, Doty, Dow, Dunn, Estey, Freeman, Garver, Gordon, Harloe, Hersey, Hocking, Lynch, Martin, Mathews, Matlock, McCall, Mordecai, Murphy, Renfro, Robertson, Shanahan, Smith of Butte, Stabler, Sturtevant, Wentworth, Weston, Windrow, and Young—36.

NOES—Messrs. Bledsoe, Coffey, Cram, Eakle, Glynn, Johnson, Jones, Lux, Phillips, Smith of Orange, Steltz, Tennis, and Tully—12

Mr. Renfro moved to take up Assembly Bill No. 611.

Carried.

At four o'clock and thirty minutes P. M., Mr. Dibble moved that the hour of recess be extended fifteen minutes.

Carried.

Assembly Bill No. 611—An Act to amend section one thousand four hundred and thirty-one of the Code of Civil Procedure of California.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Ames, Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Bert, Bryant, Carter, Clark, Coffey, Cram, Cunningham, Dennis, Dibble, Doty, Dow, Dunn, Eakle, Estey, Freeman, Galbraith, Garver, Glynn, Gordon, Gould, Harloe, Hersey, Hocking, Jackson, Johnson, Kellogg, Lewis, Lynch, Martin, Matlock, McCall, Mordecai, Murnan, Murphy, Phillips, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Wentworth, Weston, and Young—54.

NOES—None.

Title read and approved.

Mr. Gould moved to take up Assembly Bill No. 208.

Carried.

Assembly Bill No. 208—An Act to amend an Act entitled "An Act to create a Police Relief, Health, and Life Insurance and Pension Fund in the several counties, cities and counties, cities, and towns of the State.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Brown, Bryant, Cargill, Carter, Clark, Coffey, Cram, Cunningham, Dennis, Doty, Dunn, Eakle, Estey, Fowler, Freeman, Galbraith, Garver, Gordon, Gould, Hall, Harloe, Hawley, Hersey, Hocking, Jackson, Kellogg, Lacey, Lewis, Lux, Martin, Mathews, Matlock, Murnan, Murphy, Phillips, Robertson, Shanahan, Smith of Butte, Stabler, Steltz, Tennis, Wentworth, Weston, and Young—52.

NOES—Messrs. Marion and Smith of Orange—2.

Title read and approved.

Mr. Dibble moved that Assembly Bill No. 208 be immediately transmitted to the Senate.

So ordered.

RESOLUTIONS.

By Mr. Fowler:

Resolved, That to-night we take up the Assembly special file, and limit our consideration of bills to that order.

Adopted.

By Mr. Dibble:

Resolved, That the Controller be directed to draw his warrant in favor of H. J. McKusick, Sergeant-at-Arms of the Assembly, for the sum of twenty-four dollars, for services of extra night watchman, for six nights, from February twenty-fifth to March second, inclusive, the same payable out of the Contingent Fund of the Assembly.

Adopted.

RECESS.

At four o'clock and forty-five minutes P. M., the House took a recess until seven o'clock and thirty minutes P. M., on motion of Mr. Dibble.

REASSEMBLED.

At seven o'clock and thirty minutes P. M. the House reassembled.
Speaker Coombs in the chair.
Quorum present.

MOTIONS.

Mr. Barnard moved to take up Senate Bill No. 150.
Carried.
Senate Bill No. 150—An Act to appropriate money for the completion of the building of the State Normal School at Chico.
Read second time.
Mr. Barnard moved that the House go into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bill No. 150.
Carried.

IN COMMITTEE OF THE WHOLE.

Speaker Coombs in the chair.
Senate Bill No. 150 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Coombs in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Speaker stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 150, and now report the same back to the Assembly, and recommend that the same do pass.

Ordered to a third reading.

MOTION.

Mr. Kellogg moved that Senate Bill No. 172 be taken up.
Carried.

WITHDRAWAL OF BILL.

Mr. Kellogg was permitted to withdraw Assembly Constitutional Amendment No. 18.
Senate Bill No. 172—An Act to appropriate the sum of four hundred and fifty-eight dollars and sixty-five cents, to pay the claim of William H. Murphy, for money illegally paid the State of California.
Read first time, and placed on file for second reading.

MOTION.

Mr. Carter moved to take up Senate Bill No. 609.
Carried.
Senate Bill No. 609—An Act to amend section six hundred and eight

of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relative to cemetery corporations.

Read second time, and placed on file for third reading.

Made a special order for Monday, immediately after reading the Journal.

RECONSIDERATION.

Mr. Dibble moved that the vote whereby the resolution referring to proceedings this evening was adopted be reconsidered.

Carried.

MOTION.

Mr. Young moved to continue with consideration of bills, commencing with Senate Bill No. 104 (No. 66 on the file).

PREVIOUS QUESTION.

The previous question was demanded by Mr. Steltz, seconded by Messrs. Cargill and Weston.

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

The question being on Mr. Young's motion to begin with Senate Bill No. 104, it was so ordered.

Senate Bill No. 104—An Act to enable cities of the fifth class to issue bonds for the purpose of raising money to purchase school lots, and for building or purchasing one or more school houses, and supplying the same with furniture, necessary apparatus, and improving the grounds, and for liquidating any indebtedness already incurred for such purposes.

Read second time, and ordered to a third reading.

Assembly Bill No. 663—An Act to regulate the sale at retail of spirituous, malt, or fermented liquors, or wine, in the State of California, and to provide for the issuance of licenses.

Read second time.

MOTION.

Mr. Shanahan moved to strike out the enacting clause.

PREVIOUS QUESTION.

The previous question was demanded by Mr. Sturtevant, seconded by Messrs. Weston and Arms.

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

The question being on Mr. Shanahan's motion to strike out the enacting clause, it was carried.

Assembly Bill No. 576—An Act to amend sections one thousand five hundred and seventy-seven, one thousand five hundred and seventy-eight, and one thousand five hundred and seventy-nine of the Code of Civil Procedure, relating to mortgages and leases in certain cases.

Read second time, ordered engrossed and to third reading.

Senate Bill No. 684—An Act providing for the dissolution and winding up of savings banks, trust companies, and banks of deposit, and

providing for the disposition of all funds deposited therein and not claimed within five years after such banks have ceased to do business, or after the commencement of proceedings to dissolve.

Read second time, and ordered to a third reading.

Assembly Bill No. 617—An Act to protect the owners of bottles, boxes, siphons, and kegs used in the sale of soda waters, mineral or aerated waters, porter, ale, cider, ginger ale, milk, cream, small beer, lager beer, weiss beer, beer, white beer, or other beverages.

Read second time, ordered engrossed and to a third reading.

MOTION.

Mr. Windrow moved that he be allowed to substitute Senate Bill No. 554 on the file in the place of Assembly Bill No. 187, and withdraw Assembly Bill No. 187.

Carried.

Senate Bill No. 554—An Act to amend 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, by adding thereto certain new and additional sections to provide the mode of carrying into effect certain provisions of said Act, relative to changing grades.

Read second time.

Amendments, as follows, adopted:

By Mr. Phillips:

By striking out of section forty-seven, line six, the word "if" at end of line.

Also: All of line seven, page five, of section forty-seven, up to the word "or," at end of line.

Ordered engrossed and to a third reading.

Assembly Bill No. 654—An Act to amend section one thousand six hundred and eleven of the Penal Code, approved February 14, 1872, relating to county jails.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 282—An Act to pay the claim of Mary M. Springer, the widow and heir of Thomas A. Springer, late State Printer, deceased.

Read second time.

MOTION.

Mr. Young moved that the House go into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Assembly Bill No. 282.

Carried.

IN COMMITTEE OF THE WHOLE.

Speaker Coombs in the chair.

Assembly Bill No. 282 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Coombs in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Speaker stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 282, and now report the same back to the Assembly, and recommend that the same do pass as amended.

Committee amendments, as follows, adopted:

Amend section one, line two, beginning with the words "with legal interest;" strike out all and up to and including the words "one thousand eight hundred and seventy-three," in line three.
Also: Amend section two, lines two and three, to read "for the sum of $7,500."
Also: Amend section three to read:
"SEC. 3. This Act shall be deemed exempt from the provisions of section six hundred and seventy-two of the Political Code."
SEC. 4. This Act shall take effect immediately.

Assembly Bill No. 282 ordered engrossed and to third reading.

Substitute for Senate Bill No. 259—An Act to appropriate money for the construction and equipment of the Preston School of Industry.

Read second time.

Assembly Bill No. 555—An Act to pay the claim of A. G. Lafferty against the State of California, for supplies furnished in fitting out Company A, First Battalion of Mountaineers.

Read second time.

Assembly Bill No. 195—An Act to appropriate ten thousand dollars for the purpose of sending an expert to Australia, New Zealand, and adjacent countries, to collect and import into this State parasites and predaceous insects.

Read second time.

MOTION.

Mr. Dibble moved that the House go into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Assembly Bills Nos. 555, 195, and substitute for Senate Bill No. 259.

Carried.

IN COMMITTEE OF THE WHOLE.

Speaker Coombs in the chair.

Substitute for Senate Bill No. 259, and Assembly Bills Nos. 555 and 195 were considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Coombs in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Speaker stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration substitute for Senate Bill No. 259, also Assembly Bills Nos. 555 and 195, and now report the same back to the Assembly, and recommend that substitute for Senate Bill No. 559 and Assembly Bill No. 195, with an amendment to Assembly Bill No. 195, do pass; and with the recommendation that Assembly Bill No. 555 do not pass.

Amendment to Assembly Bill No. 195:

Amend section one by striking out the words "ten thousand" and insert in lieu thereof in line one the words "five thousand."

Adopted.

Assembly Bill No. 195 ordered engrossed and to a third reading.

Assembly Bill No. 555 ordered engrossed and to a third reading.

Assembly Bill No. 703—An Act to amend section two thousand four hundred and sixty-eight of the Political Code, relating to pilotage.

Read second time, ordered engrossed and to a third reading.

MOTION.

Mr. Brown moved that Assembly Bill No. 703 be made a special order for to-morrow, at eleven o'clock A. M.

Carried.

Assembly Bill No. 554—An Act to amend section fifty-three of the Code of Civil Procedure, approved March 11, 1872, relating to powers on appealed cases.

Read second time, ordered engrossed and to a third reading.

Senate Bill No. 516—An Act to enable the Coulterville and Yosemite Turnpike Company, a corporation, to sue the State of California for the loss and damage suffered and sustained by said 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.

Read second time.

Amendments by Mr. Bryant, as follows, adopted:

Amend section four by striking out after the word "interpose," in line eight, and insert "in beginning this action, it is expressly understood that said Coulterville and Yosemite Turnpike Company shall file with the Superior Court of the county of Sacramento, a bond in sufficient sum to cover the cost of Court, such as may be deemed sufficient, and approved by said Court, and an additional bond in the sum of five hundred dollars, to be paid as fees for counsel employed by the State in the defense of the case, but in the event the judgment is in favor of said Coulterville and Yosemite Turnpike Company, it shall in no manner be responsible, and its bondsmen shall be released from all liability."

Also. Amend section five by striking out all after the words "Supreme Court," in line three, and insert the following: "then the plaintiff in said action shall file a certified copy of said judgment with the Governor of the State, and it is hereby made the duty of the Governor, by message, to inform the Legislature of the existence of said judgment against the State."

Also: Strike out all of section six, and insert as follows:

"SEC. 6. This Act shall take effect from and after its passage."

Senate Bill No. 516 ordered to printer.

Assembly Bill No. 736—An Act to amend an Act entitled "An Act to establish a Penal Code," approved March 12, 1885, by amending section six hundred and twenty-six of the Penal Code, relating to the laws for the preservation of game birds and animals.

Read second time, ordered engrossed and to a third reading.

MOTION.

Mr. Beecher moved that Assembly Bill No. 736 be made a special order for Monday, immediately after the reading of the Journal.

Carried.

Mr. Lowe in the chair.

Senate Bill No. 638—An Act to amend section seven hundred and thirty-seven of the Political Code, fixing and providing for the salaries of the Judges of the Superior Courts of the City and County of San Francisco, and of the counties of Alameda, San Joaquin, Los Angeles, Santa Clara, Santa Cruz, San Mateo, Yuba and Sutter combined, Sacramento, Butte, Nevada, Sonoma, Colusa, Monterey, Santa Barbara, San Diego, Tulare, Fresno, Solano, Contra Costa, Amador, San Bernardino, Kern, Placer, Humboldt, Marin, Mendocino, Tehama, El Dorado, Alpine, Stanislaus, Yolo, and Calaveras.

Read second time, and placed on file for third reading.

Senate Bill No. 545—An Act to define the duties of and to license land surveyors.

Read second time, and placed on file for third reading.

Assembly Bill No. 612—An Act concerning municipal bonds of municipalities of the sixth class.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 501—An Act to amend an Act to establish a Civil Code, approved March 21, 1872, by adding two new sections thereto, to be numbered one thousand eight hundred and fifty-six and one thousand eight hundred and fifty-seven, relating to the lien of depositaries for hire.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 78—An Act to provide compensation to G. B. Montgomery for professional services rendered the State of California, at the request of the Attorney-General.

Read second time.

Senate Bill No. 64—An Act making an appropriation to pay the claim of D. Jordan.

Read second time.

MOTION.

Mr. Young moved that the House go into Committee of the Whole, with Mr. Lowe in the chair, for the purpose of considering Assembly Bill No. 78 and Senate Bill No. 64.

Carried.

IN COMMITTEE OF THE WHOLE.

Mr. Lowe in the chair.

Assembly Bill No. 78 and Senate Bill No. 64 were considered in Committee of the Whole.

IN ASSEMBLY.

Mr. Lowe in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Chairman stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No 64 and Assembly Bill No. 78, and now report the same back to the Assembly, and recommend that the same do pass.

Assembly Bill No. 78 ordered engrossed and to a third reading.

Assembly Bill No. 737—An Act to amend section two thousand one hundred and thirty-seven of the Political Code, in regard to the powers and duties of the Board of Directors of the Insane Asylum located at Stockton.

Read second time, ordered engrossed and to a third reading.

MOTION.

Mr. Young moved that Senate Bill No. 64 be made a special order for Saturday, immediately after reading of the Journal.

Carried.

Mr. Dibble moved to reconsider the vote making Senate Bill No. 64 a special order.

Lost on division.

PRESENTATION OF PETITIONS.

Messrs. Hersey and Lowe presented Woman Suffrage memorials from the residents of Santa Clara County, with four thousand two hundred and seventy-nine signatures.

MOTION.

Mr. Doty moved to take up Senate Bill No. 42.

Carried.

Senate Bill No. 42—An Act to amend an Act entitled "An Act to amend sections three thousand four hundred and eighty-eight of an Act entitled 'An Act to establish a Political Code,' approved March 12, 1872, and to make sections three thousand four hundred and forty-six, three thousand four hundred and forty-seven, three thousand four hundred and forty-nine, three thousand four hundred and fifty, three thousand four hundred and fifty-two, three thousand four hundred and fifty-three, three thousand four hundred and fifty-four, three thousand four hundred and fifty-five, three thousand four hundred and fifty-six, three thousand four hundred and fifty-seven, three thousand four hundred and fifty-nine, three thousand four hundred and sixty, three thousand four hundred and sixty-one, three thousand four hundred and sixty-two, three thousand four hundred and sixty-three, three thousand four hundred and sixty-five, three thousand four hundred and sixty-six, three thousand four hundred and sixty-seven, three thousand four hundred and sixty-eight, three thousand four hundred and seventy-one, three thousand four hundred and seventy-two, and three thousand four hundred and seventy-three of said Political Code, relating to the reclamation of certain lands within certain municipalities," approved March 19, 1889.

Read second time.

Senate Bill No. 42 made a special order for Monday, immediately after reading the Journal.

ADJOURNMENT.

At nine o'clock and fifteen minutes P. M., on motion of Mr. Hail, the House adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Saturday, March 14, 1891.

The Assembly met pursuant to adjournment.

Speaker Coombs in the chair.

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

Messrs. Alexander, Ames, Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Bryant, Cargill, Carter, Clark, Coffey, Cram, Culver, Cunningham, Dennis, Dibble, Doty, Dow, Dunn, Durner, Eakle, Estey, Fowler, Freeman, Garver, Glynn, Gordon, Gould, Hail, Harloe, Hawley, Hayes, Hersey, Hoey, Hunewill, Johnson, Kellogg, Lacey, Lewis, Lowe, Lux, Lynch, Marion, Martin, Mathews, Matlock, McCall, Mordecai, Murnan, Murphy, Phillips, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Weston, Young, and Mr. Speaker.

Quorum present.

LEAVE OF ABSENCE.

Leave of absence was granted the following named members for the day: Messrs. Wentworth, Jackson, and Renfro, and Mr. Eakle until Tuesday, and Mr. Clark indefinitely.

PRAYER.

Prayer by the Chaplain, Rev. A. C. Herrick.

READING OF THE JOURNAL.

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

So ordered.

Journal of Thursday approved.

Approval of Journal of yesterday deferred.

SPECIAL ORDERS.

Senate Bill No. 415—An Act entitled an Act to amend section four hundred and seventy-two of the Political Code, providing for deputies in the office of the Attorney-General, and fixing their salaries.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Ames, Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Brown, Bruner, Bryant, Cargill, Clark, Culver, Cunningham, Dennis, Dibble, Doty, Dow, Dunn, Durner, Estey, Fowler, Freeman, Garver, Glynn, Hail, Harloe, Hawley, Hersey, Hoey, Hunewill, Johnson, Kellogg, Lewis, Lowe, Lux, Lynch, Marion, Mathews, Matlock, McCall, Murnan, Murphy, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Sturtevant, Tennis, Weston, Young, and Mr. Speaker—55.

NOES—Messrs. Lacey and Mordecai—2.

Title read and approved.

MOTION.

Mr. Shanahan moved that the rules be suspended and the bill immediately transmitted to the Senate.

So ordered.

PRESENTATION OF PETITIONS.

Petitions were presented favoring the passage of the Woman Suffrage Bill, by Messrs. Hawley, Smith of Orange, Marion, Matlock, Arms, Sturtevant, Gould, Murnan, Doty, McCall, Young, Weston, Lynch, Lacey, Baughman, Beecher, Mathews, Bledsoe, and Galbraith.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1891.

MR SPEAKER: Your Committee on Engrossment beg leave to report that they have examined the following Assembly Bills and find them correctly engrossed: No. 703, also, substitute for Assembly Bills Nos. 280 and 110 reengrossed correctly, with Senate amendments.

WINDROW, Chairman.

MOTION.

Mr. Phillips moved that Assembly Bill No. 740 be substituted for Assembly Bill No. 288, and the latter recalled from the Committee on Engrossment.

Carried.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 13, 1891.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Assembly Bill No. 541—An Act to amend sections two, three, four, five, seven, nine, twenty-four, twenty-six, thirty-four, thirty-five, and thirty-seven of an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and the construction of sewers within municipalities," approved March 18, 1885, and an Act amendatory thereof, approved March 14, 1889, relative to the mode of assessing and otherwise providing for said work.

Also: On the twelfth day of March ordered stricken from the Senate file committee substitute for Assembly Bills Nos. 12, 32, 65, 69, 77, and 242—An Act to amend section one (1), to add one new section, to be numbered eight and one half (8½), 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," approved April 15, 1880, amended March 6, 1883, March 9, 1885, amended March 14, 1885, amended March 9, 1887, and amended March 9, 1889, relating to the formation of new districts and the residence of Directors.

Also: Passed Senate Bill No. 471—An Act expressing assent of the State of California to the Act of Congress approved August 30, 1890, entitled "An Act to apply a portion of the proceeds of the public lands to the more complete endowment and support of the colleges for the benefit of agriculture and the mechanic arts established under the provisions of an Act of Congress, approved July 2, 1862, and to the purposes of the grants of moneys authorized thereby, and to all the provisions thereof."

Also: Assembly Bill No. 747—An Act for the relief of Agnes Lynch, widow of Hugh J. Lynch, for injuries received by said Lynch while in the service of the State, which caused his death.

Also: Assembly Bill No. 757—An Act to provide for an appropriation for the contingent expenses of the Assembly.

F. J. BRANDON, Secretary

SPECIAL FILE.

Senate Bill No. 617—An Act to provide for the payment of funded indebtedness of the State of California, and to contract a funded debt for that purpose.

Read third time.

Mr. Bruner in the chair.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Barnard, Barnett of San Francisco, Baughman, Beecher, Bledsoe, Brown, Bruner, Bryant, Coffey, Culver, Cunningham, Dibble, Doty, Dow, Dunn,

Durner, Estey, Fowler, Galbraith, Garver, Gordon, Gould, Hail, Harloe, Hayes, Johnson, Jones, Kellogg, Lux, Lynch, Martin, Matlock, McCall, Mordecai, Murnan, Murphy, Phillips, Rice, Robertson, Smith of Orange, Steltz, Sturtevant, Tennis, Weston, and Young—45.

NOES—None.

Title read and approved.

RESOLUTION.

By Mr. Fowler:

Resolved, That the resolution of condolence relative to the decease of the late Senator Hearst, as offered by Mr. Shanahan, be engrossed upon parchment, and be conveyed to the mourning relatives.

Adopted.

MOTION.

Mr. Dibble moved that at the conclusion of the Joint Assembly to-day, the Assembly adjourn until Monday, at ten o'clock A. M.

Carried.

Senate Bill No. 661—An Act relating to the transfer of moneys now in the State Treasury, in what is known and designated as Estate of Deceased Persons Fund, to the General Fund, as a loan.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Ames, Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Bryant, Cargill, Coffey, Culver, Cunningham, Dennis, Dibble, Doty, Dow, Durner, Estey, Fowler, Galbraith, Garver, Gordon, Gould, Hail, Harloe, Hawley, Hersey, Johnson, Jones, Kellogg, Lewis, Lowe, Lux, Lynch, Marion, Martin, Mathews, Matlock, McCall, Mordecai, Murnan, Murphy, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Steltz, Sturtevant, Tennis, Weston, and Young—56.

NOES—None.

Title read and approved.

WITHDRAWAL OF BILL.

Mr. Mathews was permitted to withdraw Assembly Constitutional Amendment No. 1, and substitute in its place on file substitute for Senate Bill No. 27—An Act to provide for the improvement of the Reform School at Whittier, California, for juvenile offenders, and make an appropriation for the same.

MOTION.

Mr Gould moved that the House go into Committee of the Whole, with Mr. Bruner in the chair, for the purpose of considering substitute for Senate Bill No. 27.

Carried.

IN COMMITTEE OF THE WHOLE.

Mr. Bruner in the chair.

Substitute for Senate Bill No. 27 was considered in Committee of the Whole.

IN ASSEMBLY.

Mr. Bruner in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Chairman stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration substitute for Senate Bill No. 27, and now report the same back to the Assembly, and recommend that the same do pass.

Substitute for Senate Bill No. 27.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Ames, Arms, Barnett of Sonoma, Baughman, Beecher, Bert, Brown, Bruner, Bryant, Cargill, Carter, Coffey, Cram, Culver, Cunningham, Dennis, Dibble, Doty, Dow, Dunn, Estey, Fowler, Galbraith, Garver, Gordon, Gould, Hail, Harloe, Hawley, Hersey, Hocking, Hoey, Johnson, Jones, Kellogg, Lacey, Lewis, Lowe, Lux, Lynch, Marion, Martin, Mathews, Matlock, McCall, Mordecai, Murnan, Murphy, Rice, Robertson, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Weston, Young, and Mr. Speaker—60.

NOES—Mr. Bledsoe—1.

Title read and approved.

MOTION.

Mr. Gould moved that substitute for Senate Bill No. 27 be immediately transmitted to the Senate.

Carried.

Assembly Bill No. 703—An Act to amend section two thousand four hundred and sixty-eight of the Political Code, relating to pilotage.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Ames, Arms, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Bryant, Cargill, Carter, Cram, Culver, Daly, Dennis, Doty, Dow, Dunn, Durner, Estey, Fowler, Freeman, Garver, Gordon, Gould, Hail, Harloe, Hawley, Hayes, Hersey, Hocking, Hoey, Johnson, Jones, Lacey, Lewis, Lowe, Lux, Lynch, Marion, Martin, Mathews, Matlock, McCall, Mordecai, Murphy, Phillips, Rice, Robertson, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Weston, Windrow, and Young—60.

NOES—None.

Title read and approved.

Mr. Brown moved that Assembly Bill No. 703 be immediately transmitted to the Senate.

So ordered.

Senate Bill No. 64—An Act making an appropriation to pay the claim of D. Jordan.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Ames, Barnett of Sonoma, Bert, Brown, Bruner, Bryant, Coffey, Culver, Daly, Dennis, Doty, Dow, Dunn, Durner, Estey, Fowler, Freeman, Garver, Gordon, Gould, Harloe, Hayes, Hersey, Hocking, Hoey, Hunewill, Johnson, Jones, Lacey, Lewis, Lux, Lynch, Marion, Martin, Mathews Matlock, McCall, Murphy, Robertson, Shanahan, Steltz, Sturtevant, Tennis, Windrow, and Young—46.

NOES—Messrs. Baughman, Beecher, Bledsoe, Cram, Cunningham, Dibble, Glynn, Hawley, Kellogg, Mordecai, Phillips, Smith of Butte, Smith of Orange, Stabler, and Mr. Speaker—15.

Title read and approved.

Mr. Young moved that Senate Bill No. 64 be immediately transmitted to the Senate.

Carried.

Senate Bill No. 566—An Act to amend sections one thousand three hundred and fifty-two and one thousand seven hundred and fifty-one of an Act entitled "An Act to establish a Code of Civil Procedure of the State of California," approved March 11, 1872, relating to executors and guardians of minors.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Ames, Barnard, Barnett of Sonoma, Baughman, Beecher, Bert, Brown, Bruner, Bryant, Coffey, Cram, Culver, Cunningham, Daly, Dennis, Dibble, Dunn, Estey, Fowler, Freeman, Galbraith, Garver, Glynn, Hail, Hawley, Hayes, Hocking, Hoey, Lacey, Lowe, Lux, Lynch, Marion, Martin, Matlock, McCall, Shanahan, Smith of Butte, Smith of Orange, Steltz, Sturtevant, Tennis, Weston, Young, and Mr. Speaker—45.

NOES—Messrs. Bledsoe and Mordecai—2.

Title read and approved.

RESOLUTION.

By Mr. Phillips:

Resolved, That the clerks of the following committees be discharged on and after Saturday, March 14, 1891: Roads and Highways, County and Township Governments, and Judiciary.

Adopted.

MOTIONS.

Mr. Barnard moved to take up Senate Bill No. 150.

Carried.

Senate Bill No. 150—An Act to appropriate money for the completion of the building of the State Normal School at Chico.

Read third time.

Speaker pro tem. Young in the chair.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Alexander, Ames, Barnard, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Bryant, Cargill, Coffey, Cram, Culver, Cunningham, Dennis, Dibble, Estey, Freeman, Galbraith, Garver, Gordon, Gould, Hail, Hawley, Hayes, Hocking, Hoey, Johnson, Kellogg, Lacey, Lowe, Lynch, Marion, Matlock, McCall, Mordecai, Murnan, Murphy, Phillips, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Weston, and Young—51.

NOES—Mr. Speaker—1.

Title read and approved.

Mr. Bruner moved to take up Assembly Bill No. 588.

Carried.

Assembly Bill No. 588—An Act to amend section one thousand nine hundred and sixty-two of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, to be known as subdivision eight, relating to what are deemed conclusive presumptions.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Barnett of San Francisco, Baughman, Bert, Brown, Bruner, Bryant, Coffey, Culver, Cunningham, Daly, Doty, Dunner, Estey, Freeman, Galbraith, Garver, Glynn, Gordon, Gould, Hail, Hayes, Hersey, Hoey, Johnson, Jones, Kellogg, Lowe, Lux, Lynch, Marion, Mathews, Matlock, McCall, Murnan, Murphy, Phillips, Rice, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Tully, Weston, Windrow, Young, and Mr. Speaker—49.

NOES—Mr. Lacey—1.

Title read and approved.

Mr. Bruner moved that Assembly Bill No. 588 be immediately transmitted to the Senate.

Carried.

MOTION.

Mr. Hail moved to take up messages from the Governor.

Carried.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, March 14, 1891.

To the Assembly of the State of California:

I have the honor to inform your honorable body that I have approved Assembly Bills Nos. 66, 523, 409, 607, 483, 709, 417, 411, 424, 317, 28, and 757

H. H. MARKHAM, Governor.

MOTIONS.

Mr. Shanahan moved that the rules be suspended, and that Senate Bill No. 566 be immediately transmitted to the Senate.

Carried.

Mr. Bert moved to take up Senate Bill No. 502.

Carried.

Senate Bill No. 502—An Act to create the office of Attorney for the State Board of Health and the Board of Health of the City and County of San Francisco.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Ames, Arms, Barnard, Barnett of Sonoma, Baughman, Bert, Brown, Bruner, Bryant, Cram, Culver, Dennis, Dibble, Doty, Dow, Dunn, Durner, Fowler, Freeman, Garver, Gordon, Hail, Harloe, Hawley, Hayes, Hocking, Johnson, Lewis, Lux, Lynch, Marion, Martin, Mathews, McCall, Murphy, Rice, Robertson, Shanahan, Smith of Butte, Steltz, Sturtevant, Tennis, Windrow, and Young—45.

NOES—Messrs Barnett of San Francisco, Beecher, Bledsoe, Cargill, Carter, Coffey, Daly, Estey, Galbraith, Hersey, Hoey, Jones, Kellogg, Lacey, Matlock, Mordecai, Murnan, Phillips, Smith of Orange, Stabler, Tully, Weston, and Mr. Speaker—23.

Title read and approved.

Mr. Bert moved that Senate Bill No. 502 be immediately transmitted to the Senate.

So ordered.

IN JOINT ASSEMBLY.

The hour of twelve o'clock meridian having arrived, the Sergeant-at-Arms of the Assembly 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.

Hon. Thomas Fraser, President pro tem. of the Senate, in conjunction with Hon. F. L. Coombs, Speaker of the Assembly, presiding.

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

Messrs. Bailey, Banks, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denson, Dray, Everett, Flint, Fraser,

Goucher, Hamill, Harp, Heacock, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Seawell, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.).

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

Messrs. Alexander, Ames, Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Bryant, Cargill, Carter, Coffey, Cram, Culver, Cunningham, Daly, Dennis, Dibble, Doty, Dow, Dunn, Durner, Eakle, Estey, Fowler, Freeman, Gilbraith, Garver, Glynn, Gordon, Gould, Hail, Harloe, Hawley, Hayes, Hersey, Hocking, Hoey, Hunewill, Johnson, Jones, Kellogg, Lacey, Lewis, Lowe, Lux, Lynch, Marion, Martin, Mathews, Matlock, McCall, Mordecai, Murnan, Murphy, Phillips, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Tully, Weston, Windrow, Young, and Mr. Speaker.

Quorum of both branches of the Legislature present.

READING OF THE JOURNAL.

The Journal of yesterday's proceedings in Joint Assembly was read by the Secretary of the Senate.

Journal approved.

The President pro tem. of the Senate then announced that nominations for United States Senator were in order.

NOMINATION.

Mr. Doty nominated W. D. English.

ROLL CALL.

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 Blanchard—Messrs. Fraser, Preston, and Voorhies.
For De Young—Messrs. Broderick, Dargie, Maher, and Williams (Geo. H.).
For Estee—Messrs. Bailey, Byrnes, Campbell of Siskiyou, Carpenter, Flint, Heacock, McComas, McGowan, Ragsdale, Shippee, Simpson, and Sprague.
For Felton—Messrs. Banks, Campbell of Solano, Crandall, De Long, Everett, Mahoney, and Streeter.
For Johnston—Messrs. Denison and Dray.
For English—Messrs. Brutt, Goucher, Hamill, Harp, Mead, Ostrom, Seawell, Welch, and Williams (Wm. H.).

Whole number of votes cast	37
Mr. Blanchard received	3
Mr. English received	9
Mr. De Young received	4
Mr. Estee received	12
Mr. Felton received	7
Mr. Johnston received	2

The Clerk of the Assembly called the roll of the House, and each member present voted for his choice for Senator, as follows:

For Blanchard—Messrs. Barnard, Baughman, Bledsoe, Brown, Freeman, Hocking, Hunewill, Johnson, and Lynch.
For De Young—Messrs. Alexander, Barnett of San Francisco, Coffey, Daly, Dennis, Dibble, Dow, Glynn, Hayes, Hoey, Jones, Lowe, Lux, Marion, Phillips, Steltz, Tennis, Tully, and Windrow.
For Estee—Messrs. Ames, Barnett of Sonoma, Beecher, Bert, Bryant, Cargill, Cram, Culver, Durner, Estey, Hail, Harloe, Hawley, Kellogg, Lewis, Matlock, Murphy, Smith of Butte, Smith of Orange, Sturtevant, Weston, and Mr. Speaker.

For Felton—Messrs. Carter, Galbraith, Gordon, Hersey, Lacey, and Young.
For Johnston—Messrs. Bruner and McCall.
For Wetmore—Mr. Fowler.
For English—Messrs Arms, Cunningham, Doty, Dunn, Garver, Gould, Martin, Mathews, Mordecai, Murnan, Rice, Robertson, Shanahan, and Stabler.

During the roll call, Mr. Matlock announced the absence of Mr. Clark, and stated that Mr. Clark would have voted for M. M. Estee were he present.

Mr. Hersey announced the absence of Mr. Wentworth, and stated that Mr. Wentworth would have voted for C. N. Felton were he present.

Mr. Gould announced the absence of Mr. Jackson, and stated that Mr. Jackson would have voted for W. D. English were he present.

Whole number of votes cast	73
Mr. Blanchard received	9
Mr. English received	14
Mr. De Young received	19
Mr. Estee received	22
Mr. Felton received	6
Mr. Johnston received	2
Mr. Wetmore received	1

ANNOUNCEMENT OF VOTE.

The President pro tem. of the Senate then announced the whole number of votes cast to be one hundred and ten; necessary for a choice, fifty-six; and that

Geo. G. Blanchard received	12
M. H. De Young received	23
M. M. Estee received	34
Chas. N. Felton received	13
Wm. Johnston received	4
W. D. English received	23
Chas. A. Wetmore received	1

Mr. Dibble moved that the Joint Assembly do now adjourn until twelve o'clock M. Monday.

Carried.

IN ASSEMBLY.

Speaker Coombs in the chair.

ADJOURNMENT.

At twelve o'clock and thirty minutes P. M. Mr. Dibble moved that the Assembly do now adjourn.

Carried.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Monday, March 16, 1891.

The Assembly met pursuant to adjournment.

Speaker Coombs in the chair.

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

Messrs. Alexander, Ames, Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bledsoe, Brown, Bruner, Bryant, Cargill, Carter, Clark, Culver, Cunningham, Dennis, Dibble, Doty, Dow, Dunn, Durner, Estey, Freeman, Galbraith, Garver, Gordon, Gould, Hail, Harloe, Hayes, Hersey, Hunewill, Kellogg, Lacey, Lowe, Lynch, Marion, Martin, Mathews, Matlock, Mordecai, Murnan, Murphy, Phillips, Renfro, Rice, Smith of Orange, Tennis, Wentworth, Weston, Windrow, Young, and Mr. Speaker.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. A. C. Herrick.

READING OF THE JOURNAL.

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

So ordered.

Journal of Friday approved.

Approval of Journal of Saturday deferred.

LEAVE OF ABSENCE.

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

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1891.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that they have examined the following Assembly Bills, and find them correctly engrossed. Nos. 736 and 195.

WINDROW, Chairman.

MOTION.

Mr. Culver moved to take up substitute for Assembly Bill No. 542.

Carried.

Substitute for Assembly Bill No. 542—An Act to provide for the formation, organization, and government of sanitary districts, and to provide for the laying and maintaining of sewers therein, the issuing of bonds therefor, and the levying and collection of taxes therein.

Mr. Culver moved that a select committee of one be appointed by the Speaker to amend as follows:

Amend, after the title and before section one, by inserting the following:

"The People of the State of California, represented in Senate and Assembly, do enact as follows."

Also: Amend by striking out of section two, line four, the words: "which boundaries shall be such as the Boards of Supervisors of such county shall determine, and may

exclude any part of the territory described in such petition, but shall not include any territory not within the boundaries set forth in such petition."

Also: Amend by striking out of section four, line fifteen, the words: "the Board shall, by order, so declare," and inserting the following in line sixteen, after the word "district:" "the Board shall, by order, so declare."

Also: Amend by striking out of section eight, line six, the word "or," and inserting the following: "such list."

Also: Amend by striking out of section eleven, line eleven, the words "sixty-five cents," and inserting the following: "fifteen cents."

Also, Amend section eleven, line twelve, after the word "year," by inserting the following: "besides what shall be required for the payment of the principal and interest of such year upon outstanding bonds."

Also: Amend section eleven, line twenty-one, after the word "apply," by inserting the following: "but no more than seventy-five thousand dollars of bonds shall be voted for or issued at any one time, nor shall the bonded indebtedness of the district ever exceed the sum of seventy-five thousand dollars at any one period, whether it be made up of one issue of bonds or of several issues."

Carried.

APPOINTMENT OF COMMITTEE.

The Speaker appointed Mr. Culver a committee to make said amendments.

REPORT OF COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1891.

MR. SPEAKER: Your Select Committee, to whom was referred substitute for Assembly Bill No. 542, with instructions to amend in accordance with the action of the House, would report that the instructions of the House have been carried out.

CULVER, Committee.

Report of committee adopted.

Substitute for Assembly Bill No. 542 ordered to printer.

Mr. Phillips in the chair.

SPECIAL ORDERS.

Senate Bill No. 609—An Act to amend section six hundred and eight of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relative to cemetery corporations.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Ames, Arms, Barnett of Sonoma, Baughman, Beecher, Brown, Bruner, Carter, Clark, Culver, Dennis, Dibble, Doty, Dow, Durner, Estey, Fowler, Freeman, Garver, Gordon, Hail, Harloe, Hayes, Hersey, Hunewill, Johnson, Kellogg, Lacey, Lowe, Lynch, Marion, Martin, Mathews, Matlock, McCall, Mordecai, Murnan, Murphy, Phillips, Renfro, Rice, Robertson, Shanahan, Tennis, Wentworth, Weston, Windrow, and Young—49.

NOES—None.

Title read and approved.

Assembly Bill No. 736—An Act to amend an Act entitled "An Act to establish a Penal Code," approved March 12, 1885, by amending section six hundred and twenty-six of the Penal Code, relating to the laws for the preservation of game birds and animals.

Read third time.

Mr. Beecher moved that a select committee of one be appointed by the Speaker to amend Assembly Bill No. 736, as follows:

On page two, and before the words "This Act shall take effect and be in force from and after its passage," at the bottom of the page, by inserting the following: "Section 3."

Also: Amend said bill on page two thereof, and before the words "All laws or parts of laws in conflict with this Act are hereby repealed," by inserting the following: "Section 2."

Carried.

APPOINTMENT OF COMMITTEE.

Mr. Beecher was appointed a committee to make said amendments.

REPORT OF COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1891.

MR. SPEAKER: Your Select Committee, to whom was referred Assembly Bill No. 736, 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.

BEECHER, Committee.

Report of committee adopted.

Mr. Wentworth moved that Assembly Bill No. 736 be made a special order for this day, at four o'clock P. M.

Carried.

Senate Bill No 42—An Act to amend an Act entitled "An Act to amend section three thousand four hundred and eighty-eight of an Act entitled 'An Act to establish a Political Code,' approved March 12, 1872, and to make sections three thousand four hundred and forty-six, three thousand four hundred and forty-seven, three thousand four hundred and forty-nine, three thousand four hundred and fifty, three thousand four hundred and fifty-two, three thousand four hundred and fifty-three, three thousand four hundred and fifty-four, three thousand four hundred and fifty-five, three thousand four hundred and fifty-six, three thousand four hundred and fifty-seven, three thousand four hundred and fifty-nine, three thousand four hundred and sixty, three thousand four hundred and sixty-one, three thousand four hundred and sixty-two, three thousand four hundred and sixty-three, three thousand four hundred and sixty-five, three thousand four hundred and sixty-six, three thousand four hundred and sixty-seven, three thousand four hundred and sixty-eight, three thousand four hundred and seventy-one, three thousand four hundred and seventy-two, and three thousand four hundred and seventy-three of said Political Code, relating to the reclamation of certain lands within certain municipalities," approved March 19, 1889.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Ames, Arms, Barnett of Sonoma, Baughman, Beecher, Bruner, Bryant, Clark, Cram, Culver, Cunningham, Dennis, Doty, Dow, Dunn, Durner, Estey, Freeman, Galbraith, Garver, Gordon, Gould, Harloe, Hayes, Hersey, Johnson, Kellogg, Lacey, Lewis, Lowe, Lux, Lynch, Marion, Martin, Matlock, Mordecai, Murnan, Murphy, Phillips, Renfro, Rice, Robertson, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Wentworth, Weston, Windrow, Young, and Mr. Speaker—53.

NOES—None.

Title read and approved.

MOTIONS.

Mr. Bruner moved that Senate Bill No. 42 be immediately transmitted to the Senate.

Carried.

Mr. Shanahan moved that Assembly Bill No. 403 be taken up.

Carried.

Assembly Bill No. 403—An Act making an appropriation to pay the claim of C. C. Rochford, ex-Sheriff of Modoc County, for expenses incurred in the capture and arrest of J. R. Franklin, a murderer.

Read first time, and ordered on the special file.

PRESENTATION OF PETITIONS.

Mr. Clark presented a petition from residents of Yolo County favoring the passage of the Woman Suffrage Bill.

The following was also presented:

OFFICE OF BOARD OF TRUSTEES,
SACRAMENTO, February 24, 1891.

A communication was received from Wm. Beatty and E. M. Wanerholt, committee of the unemployed, asking this Board to indorse the action of the San Francisco Board of Supervisors in petitioning the Legislature to pass an "Urgent Necessity Fund Bill."

The request was granted, and it was so ordered.

E. H. McKEE,
Clerk of Board of Trustees, City of Sacramento.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 14, 1891.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the thirteenth day of March, adopted Senate Constitutional Amendment No. 23—Providing to have submitted to the people an amendment to article thirteen of the Constitution, section one, in relation to revenue and taxation.

Also: Senate Bill No. 590—An Act to protect the owners of bottles, boxes, siphons, and kegs used in the sale of soda waters, mineral or aerated waters, porter, ale, cider, ginger ale, milk, cream, small beer, lager beer, weiss beer, beer, white beer, or other beverages.

Also. Senate Bill No. 610—An Act to amend an Act entitled "An Act amendatory of and supplemental to an Act entitled 'An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes,'" approved March 7, 1887, providing for the exclusion of certain lands within any such districts, by amending sections three, eight, and thirteen thereof.

Also: On this day, passed the following:

Senate Bill No. 589—An Act to provide for the appointment of Health Inspectors and Market Inspectors in each municipality of this State having fifty thousand inhabitants and over that number, providing how such Inspectors shall be appointed and designated as officers of such municipality, and prescribing the duties and fixing the compensation of such Inspectors.

F. J. BRANDON, Secretary.

MOTION.

Mr. Dibble moved that the author of any Assembly Bill on the general file may withdraw the same by sending the number to the Clerk's desk, and thereupon the Clerk shall enter the withdrawal of such bill, and such bill shall be considered as indefinitely postponed.

Carried.

SPECIAL FILE.

Assembly Bill No. 603—An Act to prevent the placing, or keeping, or leaving of married women in houses of prostitution, and to punish persons therefor.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Ames, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Brown, Bryant, Cargill, Carter, Clark, Cram, Culver, Cunningham, Dibble, Doty, Dow, Dunn, Durner, Estey, Freeman, Galbraith, Garvey, Gordon, Harloe, Hayes, Hersey, Hocking, Johnson, Kellogg, Lacey, Lewis, Lowe, Lynch, Marion, Martin, Mathews, Matlock, McCall, Mordecai, Murnan, Murphy, Phillips, Rice, Robertson, Shanahan, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Wentworth, Weston, Windrow, and Young—54.

NOES—None.

Title read and approved.

MOTION.

Mr. Gould moved that Senate Bill No. 60 be substituted for Senate Constitutional Amendment No. 3.

Ruled out of order.

APPEAL FROM DECISION OF THE CHAIR.

Mr. Gould appealed from the decision of the Chair.

The question being, "Shall the ruling of the Chair stand as the decision of the House?"

Lost on division.

Senate Bill No. 60—An Act to appropriate money for the survey, location, and construction of a free wagon road from the town of Mariposa, in Mariposa County, to the Yosemite Valley.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arms, Barnett of San Francisco, Brown, Bruner, Cargill, Carter, Cram, Cunningham, Dennis, Doty, Dunn, Durner, Estey, Fowler, Freeman, Galbraith, Garver, Glynn, Gordon, Gould, Hall, Hayes, Hunewill, Jones, Kellogg, Lewis, Lowe, Lux, Lynch, Marion, Martin, Mathews, Matlock, Mordecai, Murnan, Murphy, Rice, Robertson, Shanahan, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Weston, and Young—46.

NOES—Messrs. Ames, Barnett of Sonoma, Baughman, Beecher, Bledsoe, Bryant, Clark, Hersey, Hocking, Lacey, Phillips, Renfro, Smith of Butte, and Mr. Speaker—14.

Title read and approved.

Speaker Coombs in the chair.

Mr. Gould moved that the rules be suspended, and Senate Bill No. 60 immediately transmitted to the Senate.

Carried.

Senate Constitutional Amendment No. 14—Proposed amendment to article eleven of the Constitution, relative to the framing and adoption of charters by cities containing more than three thousand five hundred inhabitants.

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

AYES—Messrs. Ames, Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Bledsoe, Brown, Bruner, Bryant, Cargill, Carter, Cram, Culver, Doty, Dunn, Durner, Estey, Fowler, Freeman, Galbraith, Garver, Gordon, Gould, Hall, Hersey, Hocking, Hunewill, Johnson, Jones, Kellogg, Lacey, Lowe, Lux, Lynch, Marion, Mathews, Matlock, Mordecai, Murnan, Murphy, Phillips, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Wentworth, Weston, Windrow, Young, and Mr. Speaker—56.

NOES—Mr. Renfro—1.

SENATE CONSTITUTIONAL AMENDMENT No. 14.

A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending section eight of article eleven thereof, relative to the framing and adoption of charters by cities containing more than three thousand five hundred inhabitants.

Resolved by the Senate, the Assembly concurring, That the Legislature of the State of California, at its regular session, commencing on the fifth day of January, A. D. eighteen hundred and ninety-one, two thirds of all the members elected to each House concurring, hereby proposes that section eight of article eleven of the Constitution of said State be amended so as to read as follows

Section 8. Any city containing a population of more than three thousand five hundred 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 to the Mayor thereof, or other chief executive officer of such city, and the other to the Recorder of the county. Such proposed charter shall then be published in two daily newspapers 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, *provided*, that in cities containing a population of not more than ten thousand inhabitants such proposed charter shall be published in one such daily newspaper; 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. Such approval may be made by concurrent resolution, 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 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, after the approval of such charter by the Legislature, 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 forty days after the publication of such proposals for twenty days in a daily newspaper of general circulation in such city, 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 amendments 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.

MOTION.

Mr. Johnson moved that Senate Bill No. 371 be taken up.

Lost.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1891.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that they have examined the following Assembly Bills and find them correctly engrossed: Nos. 512, 576, 617, 654, 282, 555, 554, 612, 501, 78, 737, and 310; also, Assembly Bill No. 288 recalled from engrossment, by order of the House.

WINDROW, Chairman.

SPECIAL FILE—(RESUMED).

Senate Bill No. 172—An Act to appropriate the sum of four hundred and fifty-eight dollars and sixty-five cents, to pay the claim of William H. Murphy for money illegally paid the State of California.

Read second time.

MOTION.

Mr. Kellogg moved that the House go into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bill No. 172.

Carried.

IN COMMITTEE OF THE WHOLE.

Speaker Coombs in the chair.

Senate Bill No. 172 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Coombs in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Speaker stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 172, and now report the same back to the Assembly, and recommend that the same do pass.

Ordered to third reading.

MOTION.

Mr. Sturtevant moved to withdraw Assembly Constitutional Amendment No. 14, and substitute in its place on file substitute for Senate Bill No. 132.

Carried.

Substitute for Senate Bill No 132—An Act appropriating the sum of fifty-six thousand dollars for the completion of buildings now being erected for the Mendocino State Asylum for the Insane, 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. Ames, Arms, Barnett of San Francisco, Barnett of Sonoma, Beecher, Bledsoe, Bryant, Carter, Clark, Culver, Cunningham, Dennis, Dibble, Doty, Dow, Dunn, Durner, Estey, Fowler, Freeman, Galbraith, Garver, Glynn, Gould, Hail, Harloe, Hayes, Hersey, Hocking, Hunewill, Jones, Kellogg, Lewis, Lowe, Lux, Lynch, Marion, Martin, Mathews, Matlock, Murnan, Murphy, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Weston, Windrow, and Young—55.

NOES—Messrs. Baughman, Gordon, Wentworth, and Mr. Speaker—4.

Title read and approved.

WITHDRAWAL OF BILLS.

By Mr. Estey: Assembly Bill No. 190.

By Mr. Dibble: Assembly Bills Nos. 130, 57, 133, 297, 519, 598, 129, 549, 550, 2, and 548.

By Mr. Coffey: Assembly Bills Nos. 95, 96, 77, and Assembly Joint Resolution No. 9.

By Mr. Daly: Assembly Bill No. 174.

By Mr. Dow: Assembly Bill No. 673.

IN JOINT ASSEMBLY.

On Monday, March 16, 1891, at twelve o'clock M., the Senate and Assembly met in 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.

Hon. Thomas Fraser, President pro tem. of the Senate, in conjunction with Hon. F. L. Coombs, Speaker of the Assembly, presiding.

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

Messrs. Bailey, Banks, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Hamill, Harp, Heacock, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Shippee, Simpson, Sprague, Streeter, Voorhies, and Williams (Geo. H.)

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

Messrs. Alexander, Ames, Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Bryant, Cargill, Carter, Clark, Cram, Culver, Cunningham, Daly, Dennis, Dibble, Doty, Dow, Dunn, Durner, Estey, Fowler, Freeman, Galbraith, Garver, Glynn, Gordon, Gould, Hail, Harloe, Hawley, Hayes, Hersey, Hocking, Hunewill, Johnson, Jones, Kellogg, Lacey, Lewis, Lowe, Lux, Lynch, Marion, Martin, Mathews, Matlock, McCall, Mordecai, Murnan, Murphy, Phillips, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Tully, Wentworth, Weston, Windrow, Young, and Mr. Speaker.

Quorum of both branches of the Legislature present.

READING OF THE JOURNAL.

The Journal of yesterday's proceedings in Joint Assembly was read by the Secretary of the Senate.

Journal approved.

The President pro tem. of the Senate then announced that nominations for United States Senator were in order.

NOMINATION.

Senator Mead nominated Hon. John P. Irish.

ROLL CALL.

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 Blanchard—Messrs. Fraser, Preston, and Voorhies.
For De Young—Messrs. Broderick, Dargie, Denison, Maher, and Williams (Geo. H.).
For Estee—Messrs. Bailey, Byrnes, Campbell of Siskiyou, Carpenter, Dray, Flint, Heacock, McComas, McGowan, Ragsdale, Shippee, Simpson, and Sprague.
For Felton—Messrs. Banks, Campbell of Solano, Crandall, De Long, Everett, Mahoney, and Streeter.
For Irish—Messrs. Britt, Hamill, Harp, Mead, Ostrom, Seawell, and Welch.

Whole number of votes cast	35
Mr. Blanchard received	3
Mr. Irish received	7
Mr. De Young received	5
Mr. Estee received	13
Mr. Felton received	7

The Clerk of the Assembly called the roll of the House, and each member present voted for his choice for Senator, as follows:

For Blanchard—Messrs. Barnard, Baughman, Bledsoe, Brown, Bruner, Hocking, Hunewill, and Johnson.
For De Young—Messrs. Alexander, Barnett of San Francisco, Coffey, Daly, Dennis, Dibble, Dow, Glynn, Hayes, Jones, Lowe, Lux, Lynch, Marion, Phillips, Steltz, Tennis, Tully, and Windrow.
For Estee—Messrs. Ames, Barnett of Sonoma, Bert, Bryant, Cargill, Clark, Culver, Durner, Estey, Freeman, Hail, Harloe, Hawley, Kellogg, Lacey, Lewis, Matlock, McCall, Murphy, Smith of Butte, Smith of Orange, Sturtevant, Weston, and Mr. Speaker.
For Felton—Messrs. Beecher, Carter, Galbraith, Gordon, Hersey, Wentworth, and Young.
For Perkins—Mr. Cram.
For Wetmore—Mr. Fowler.
For Irish—Messrs. Arms, Cunningham, Doty, Dunn, Garver, Gould, Martin, Mathews, Mordecai, Murnan, Renfro, Rice, Robertson, Shanahan, and Stabler.

Mr. Barnett of San Francisco announced the absence of Mr. Hoey, and stated that Mr. Hoey would have voted for M. H. De Young, were he present.

Whole number of votes cast	75
Mr. Blanchard received	8
Mr. Irish received	15
Mr. De Young received	19
Mr. Estee received	24
Mr. Felton received	7
Mr. Wetmore received	1
Mr. Perkins received	1

The President pro tem. of the Senate then announced the whole number of votes cast to be one hundred and ten; necessary for a choice, fifty-six; and that

Geo. G. Blanchard received	11
M. H. De Young received	24
M. M. Estee received	37
Chas. N. Felton received	14
John P. Irish received	22
Chas. A. Wetmore received	1
Geo. C. Perkins received	1

MOTION.

Senator Voorhies moved that the Joint Assembly do now adjourn until to-morrow, at twelve o'clock M.

Carried.

IN ASSEMBLY.

Speaker Coombs in the chair.

RECESS.

The Assembly took a recess until two o'clock and thirty minutes P. M., on motion of Mr. Galbraith.

REASSEMBLED.

At two o'clock and thirty minutes P. M. the House reassembled. Speaker Coombs in the chair.

LEAVE OF ABSENCE.

Mr. Brown was granted leave of absence for the rest of the day.

WITHDRAWAL OF BILLS.

By Mr. Galbraith: Assembly Bills Nos. 407, 570, 569, 380, and 656.
By Mr. Windrow: Assembly Bills Nos. 188 and 302.
By Mr. Barnard: Assembly Bill No. 47.

MOTIONS.

Mr. Mathews moved to substitute Assembly Bill No. 691 for Assembly Constitutional Amendment No. 20, and withdraw the latter.

Carried.

Mr. Mathews moved to take up Assembly Bill No. 691.

Carried.

Assembly Bill No. 691—An Act to establish law libraries.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Brown, Bryant, Cargill, Carter, Clark, Culver, Dennis, Doty, Fowler, Freeman, Galbraith, Glynn, Gordon, Gould, Hail, Harloe, Hawley, Hersey, Johnson, Lewis, Lowe, Lux, Lynch, Marion, Martin, Mathews, Matlock, McCall, Mordecai, Murnan, Murphy, Rice, Robertson, Smith of Butte, Smith of Orange, Stabler, Steltz, Wentworth, Weston, and Young—45.

NOES—Mr. Speaker—1.

Title read and approved.

Mr. Lux moved to take up Assembly Bill No. 282.

Carried.

Assembly Bill No. 282—An Act to pay the claim of Mary M. Springer, the widow and heir of Thomas A. Springer, late State Printer, deceased.

Mr. Lux moved that a select committee of one be appointed by the Speaker to amend as follows:

Amend by striking out of section one, line two, the words "with legal interest."

Also: Amend section two by striking out of line two the word "seven" and inserting in lieu thereof the word "eight."

Also: By adding at the end of line two, after the word "hundred," the words "thirty-two and thirty-three one hundredths."

Carried.

APPOINTMENT OF COMMITTEE.

Mr. Lux was appointed by the Speaker a committee to make said amendments.

REPORT OF COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1891.

MR. SPEAKER: Your Select Committee, to whom was referred Assembly Bill No. 282, with instructions to amend in accordance with the action of the House, would report that the instructions of the House have been carried out.

LUX, Committee.

Report of committee adopted.

MOTION.

Mr. Freeman moved to take up substitute for Senate Bill No. 259.

Carried.

Substitute for Senate Bill No. 259—An Act to appropriate money for the construction and equipment of the Preston School of Industry.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Ames, Barnett of San Francisco, Barnett of Sonoma, Beecher, Bert, Brown, Bryant, Cargill, Carter, Culver, Cunningham, Daly, Doty, Durner, Estey, Freeman, Galbraith, Garver, Glynn, Gordon, Gould, Hail, Harloe, Hersey, Johnson, Kellogg, Lewis, Lowe, Lynch, Martin, Mathews, Matlock, McCall, Murnan, Murphy, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Stuntevant, Tennis, and Weston—47.

NOES—Messrs. Baughman, Clark, Lux, Mordecai, Wentworth, and Mr. Speaker—6.

Title read and approved.

MOTIONS.

Mr. Mathews moved that Assembly Bill No. 691 be immediately transmitted to the Senate.

Carried.

Mr. Freeman moved that substitute for Senate Bill No. 259 be immediately transmitted to the Senate.

Carried.

Mr. Hawley moved to take up Assembly Bill No. 195.

Carried.

Assembly Bill No. 195—An Act to appropriate ten thousand dollars for the purpose of sending an expert to Australia, New Zealand, and adjacent countries, to collect and import into this State parasites and predaceous insects.

Amendment as follows:

Amend the title of Assembly Bill No. 195 by striking out the figures $10,000 and inserting in lieu thereof the figures $5,000.

Adopted.

Assembly Bill No. 195 ordered engrossed, and to a third reading.

MOTION TO RECONSIDER.

Mr. Gould moved that the vote ordering Senate Bill No. 60 transmitted to the Senate be reconsidered.

Carried.

Mr. Gould moved to take up Senate Bill No. 60.

Carried.

Senate Bill No. 60.

Mr. Gould moved that a select committee of one be appointed by the Speaker to amend as follows:

Amend the title by inserting the words "in Mariposa" between the words "Mariposa" and "county."

Carried.

APPOINTMENT OF COMMITTEE.

Mr. Gould was appointed a committee to make said amendment.

REPORT OF COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1891.

MR. SPEAKER: Your Select Committee, to whom was referred Senate Bill No. 60, with instructions to amend in accordance with the action of the House, would respectfully report that the instructions of the House have been carried out.

GOULD, Committee.

Report of committee adopted.

Senate Bill No. 60 ordered to printer.

MOTIONS.

Mr. Ames moved to take up Senate Bill No. 33.

Carried on division.

Senate Bill No. 33—An Act to provide buildings and improvements

at the Deaf and Dumb and Blind Asylum, and making an appropriation for the same.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Ames, Arms, Barnett of San Francisco, Barnett of Sonoma, Beecher, Bert, Bryant, Cargill, Carter, Clark, Cram, Culver, Cunningham, Daly, Dennis, Doty, Dow, Dunn, Durner, Estey, Fowler, Freeman, Garver, Glynn, Gordon, Gould, Harloe, Hersey, Hocking, Kellogg, Lewis, Lowe, Lux, Lynch, Marion, Martin, Mathews, Matlock, McCall, Mordecai, Murnan, Murphy, Renfro, Rice, Robertson, Smith of Butte, Stabler, Steltz, Sturtevant, Tennis, Weston, and Young—53.

NOES—Mr. Baughman and Mr. Speaker—2.

Title read and approved.

Senate Bill No. 33 ordered immediately transmitted to the Senate.

Mr. Shanahan moved to take up Assembly Bill No. 520.

Carried.

Assembly Bill No. 520—An Act to create and establish a State Board of Insurance, prescribe its powers and duties, and to provide for cheap and safe insurance in this State against losses by fire.

Read third time.

Mr. Fowler moved that a select committee of one be appointed by the Speaker to amend as follows:

Strike out of section one, line two, the words "and one from the State at large."

Carried.

APPOINTMENT OF COMMITTEE.

Mr. Fowler was appointed a committee to make said amendment.

REPORT OF COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1891.

MR. SPEAKER: Your Select Committee, to whom was referred Assembly Bill No. 520, 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.

FOWLER, Committee.

Report of committee adopted.

Ordered on special file on its return from the printer, on motion of Mr. Shanahan.

MOTIONS.

Mr. Durner moved to take up Assembly Bill No. 576.

Carried.

Assembly Bill No. 576—An Act to amend sections one thousand five hundred and seventy-seven, one thousand five hundred and seventy-eight, and one thousand five hundred and seventy-nine of the Code of Civil Procedure, relating to mortgages and leases in certain cases.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Ames, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Bert, Brown, Bruner, Bryant, Cargill, Carter, Clark, Cram, Culver, Dennis, Dibble, Doty, Dow, Dunn, Durner, Estey, Fowler, Freeman, Garver, Glynn, Gordon, Harloe, Hocking, Johnson, Kellogg, Lewis, Lynch, Marion, Martin, Mathews, Matlock, Murphy, Rice, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Wentworth, Weston, and Mr. Speaker—48.

NOES—None.

Title read and approved.

Mr. Renfro in the chair.

Mr. Durner moved that Assembly Bill No. 576 be immediately transmitted to the Senate.

Carried.

Senate Bill No. 395—An Act to provide for the payment of the claim of A. B. Dibble for professional services performed by him in the case of the People, respondent, vs. O. P. Dobbins, appellant, No. 12,106, Department One of the Supreme Court, August 30, 1887.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Ames, Barnard, Barnett of Sonoma, Baughman, Beecher, Brown, Bruner, Bryant, Cargill, Carter, Clark, Culver, Cunningham, Dibble, Doty, Dow, Dunn, Estey, Freeman, Garver, Gould, Hail, Harloe, Johnson, Lowe, Lynch, Martin, Mathews, Matlock, Mordecai, Murnan, Murphy, Renfro, Robertson, Shanahan, Smith of Butte, Steltz, Sturtevant, Wentworth, Weston, and Young—42.

NOES—None.

Title read and approved.

Immediately transmitted to the Senate, on motion of Mr. Garver.

Mr. Wentworth moved to take up Assembly Bill No. 736.

Carried.

Assembly Bill No. 736—An Act to amend an Act entitled "An Act to establish a Penal Code," approved March 12, 1885, by amending section six hundred and twenty-six of the Penal Code, relating to the laws for the preservation of game birds and animals.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Ames, Arms, Barnard, Barnett of Sonoma, Beecher, Bert, Bruner, Bryant, Cargill, Carter, Clark, Cram, Culver, Cunningham, Dennis, Doty, Dunn, Estey, Galbraith, Garver, Gordon, Gould, Hersey, Hocking, Hunewill, Johnson, Lacey, Lewis, Lowe, Lynch, Marion, Matlock, McCall, Mordecai, Murnan, Murphy, Robertson, Stabler, Steltz, Tennis, Wentworth, Weston, and Young—44.

NOES—Messrs. Brown, Durner, Freeman, Glynn, Kellogg, Martin, Renfro, Smith of Butte, Smith of Orange, and Sturtevant—10.

Title read and approved.

Transmitted to Senate, on motion of Mr. Beecher.

Mr. Clark moved to dispense with the Senate special file for five minutes.

Lost.

Mr. Hail moved that the Assembly devote one half hour to the consideration of the Senate special file.

Carried.

SPECIAL FILE OF SENATE BILLS—THIRD READING.

Senate Bill No. 238—An Act to amend sections seven hundred and ninety-nine and eight hundred of the Penal Code, relating to the limitation of time within which prosecution for murder, the embezzlement of public moneys, and the falsifications of public records must be commenced, and providing the time within which informations may be filed, or indictments found, for other felonies.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Brown, Bruner, Bryant, Cargill, Clark, Cunningham, Dennis, Doty, Dunn, Durner, Estey, Freeman, Galbraith, Garver, Glynn, Gordon, Gould, Harloe, Hawley, Hersey, Hocking, Hunewill, Johnson, Lacey, Lynch, Marion, Martin, Matlock, McCall, Murnan, Murphy, Renfro, Rice, Robertson, Smith of Butte, Smith of Orange, Sturtevant, Tully, and Weston—45.

NOES—None.

Title read and approved.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1891.

MR. SPEAKER. Your Committee on Engrossment beg leave to report that they have examined the following Assembly Bills and find them correctly reengrossed: Nos. 195 and 282.

WINDROW, Chairman.
By ALEXANDER.

SPECIAL FILE OF SENATE BILLS—(RESUMED).

Senate Bill No. 76—An Act to amend section one thousand one hundred and eighty-one of the Civil Code of the State of California, as amended April 3, 1880, relating to the proof and acknowledgment of instruments.

Read third time.

Speaker Coombs in the chair.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Ames, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Brown, Bryant, Cargill, Clark, Cunningham, Dennis, Doty, Dunn, Estey, Freeman, Galbraith, Garver, Glynn, Gordon, Gould, Hawley, Hersey, Hocking, Hunewill, Johnson, Kellogg, Lowe, Lynch, Martin, Mathews, Matlock, McCall, Mordecai, Murphy, Rice, Robertson, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tully, Wentworth, Weston, Young, and Mr. Speaker—47.

NOES—None.

Title read and approved.

Senate Bill No. 71—An Act prescribing the competency and for the protection of witnesses testifying as to crimes against the elective franchise, to be added as a new section under title four of the Penal Code of the State of California, and to constitute section sixty-four of said Penal Code.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Ames, Barnett of San Francisco, Baughman, Bryant, Cargill, Carter, Clark, Cunningham, Dennis, Dibble, Doty, Dunn, Durner, Estey, Freeman, Galbraith, Garver, Glynn, Gould, Hersey, Hocking, Hunewill, Johnson, Kellogg, Lacey, Lowe, Lynch, Marion, Mathews, Matlock, McCall, Mordecai, Murphy, Phillips, Rice, Robertson, Smith of Butte, Stabler, Steltz, Tully, Wentworth, Weston, Young, and Mr. Speaker—44.

NOES—Messrs. Martin and Smith of Orange—2.

Title read and approved.

Mr. Galbraith moved to substitute Senate Bill No. 579 in the place on file of Senate Bill No. 72, and the latter withdrawn.

Carried.

Senate Bill No. 579—An Act for the relief of Emma Kelly, widow of G. H. Kelly, and appropriating seven thousand five hundred dollars therefor.

Read second time.

MOTION.

Mr. Galbraith moved that the House go into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bill No. 579

Carried.

IN COMMITTEE OF THE WHOLE.

Speaker Coombs in the chair.

Senate Bill No. 579 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Coombs in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Speaker stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 579, and now report the same back to the Assembly, and recommend that the same do pass.

MOTIONS.

Mr. Doty moved to take up Assembly Bill No. 617.

Carried.

Assembly Bill No. 617—An Act to protect the owners of bottles, boxes, siphons, and kegs used in the sale of soda waters, mineral or aerated waters, porter, ale, cider, ginger ale, milk, cream, small beer, lager beer, weiss beer, beer, white beer, or other beverages.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Barnard, Barnett of San Francisco, Baughman, Bledsoe, Brown, Bruner, Bryant, Cargill, Clark, Cunningham, Daly, Dennis, Dibble, Doty, Eakle, Estey, Fowler, Garver, Glynn, Gould, Hail, Harloe, Hawley, Hersey, Hocking, Kellogg, Lacey, Lux, Mathews, Matlock, McCall, Mordecai, Murphy, Renfro, Rice, Shanahan, Smith of Butte, Stabler, Steltz, Tennis, Tully, Wentworth, Weston, Young, and Mr. Speaker—46.

NOES—None.

Title read and approved.

Mr. Gould moved to take up Senate Bill No. 690.

Carried.

Senate Bill No. 690—An Act to add a new section, to be known as section six hundred and eighty-four of the Political Code, in regard to the appointment of and fixing the salary of an assistant to the Secretary of the State Board of Examiners, and to appropriate money for the payment of his salary.

Read second time.

Mr. Gould moved that the House go into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bill No. 690.

Carried.

IN COMMITTEE OF THE WHOLE.

Speaker Coombs in the chair.

Senate Bill No. 690 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Coombs in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Speaker stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 690, and now report the same back to the Assembly, and recommend that the same do pass.

MOTIONS.

Mr. Gould moved that Senate Bill No. 690 be made a special order for to-morrow, at three o'clock and thirty minutes P. M.

Carried.

Mr. Hersey moved that Senate Bill No. 393 be taken up.

Lost on division.

At four o'clock and thirty minutes P. M., Mr. Bruner moved that the hour of recess be extended until five o'clock.

Lost.

RECESS.

At four o'clock and thirty minutes P. M. 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 Coombs in the chair.

Quorum present.

MOTIONS.

Mr. Wentworth moved that Senate Bill No. 234 be taken up.

Carried.

Senate Bill No. 234—An Act to establish a standard of weights and measures.

Read first time, and made a special order for to-morrow morning, immediately after reading of the Journal, on motion of Mr. Wentworth.

Mr. Hersey moved that Assembly Bill No. 393 be taken up.

Carried.

Senate Bill No. 393—An Act authorizing certain corporations to act as executor and in other capacities, and to provide for and regulate the administration of trusts by such corporations.

Mr. Hail in the chair.

Read second time.

Mr. Hersey moved to make Senate Bill No 393 a special order for to-morrow, at three o'clock and thirty minutes P. M.

Carried.

Mr. Clark moved to take up substitute for Senate Bill No. 252.

Carried.

Substitute for Senate Bill No. 252—An Act for the relief of the heirs of Michael Curran, deceased.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Ames, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Belt, Brown, Bryant, Cargill, Carter, Clark, Cram, Culver,

Cunningham, Daly, Dennis, Doty, Dow, Estey, Freeman, Garver, Glynn, Hail, Harloe, Hersey, Hocking, Hunewill, Johnson, Jones, Kellogg, Lowe, Lynch, Marion, Martin, Mordecai, Murnan, Murphy, Renfro, Robertson, Smith of Orange, Steltz, Sturtevant, Tennis, Wentworth, Weston, Windrow, Young, and Mr. Speaker—49.

NOES—Mr. Smith of Butte—1.

Title read and approved.

BILLS WITHDRAWN.

By Mr. Phillips: Assembly Bills Nos. 285, 286, 287, and 531.

MOTIONS.

Mr. Clark moved that Senate Bill No. 414 be taken up.

Carried.

Senate Bill No. 414—An Act entitled an Act to amend section four hundred and seventy-five of the Political Code, providing for clerks and a phonographic reporter in the office of the Attorney-General, and fixing their salaries.

Read second time.

Made a special order for to-morrow morning, immediately after reading the Journal, on motion of Mr. Clark.

Mr. Dow moved to take up substitute for Senate Bill No. 1.

Carried.

Speaker Coombs in the chair.

Substitute for Senate Bill No. 1—An Act appropriating the sum of ninety thousand dollars for the erection of an additional building for the use of the State Insane Asylum at Agnews.

Mr. Dow moved that the House go into Committee of the Whole, with the Speaker in the chair, for the purpose of considering substitute for Senate Bill No. 1.

Carried.

IN COMMITTEE OF THE WHOLE.

Speaker Coombs in the chair.

Substitute for Senate Bill No. 1 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Coombs in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Speaker stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration substitute for Senate Bill No. 1, and now report the same back to the Assembly, and recommend that the same do not pass.

MOTIONS.

Mr. Clark moved that the enacting clause be stricken out of substitute for Senate Bill No. 1.

Carried.

Mr. Bruner moved the reconsideration of the vote whereby Assembly Bill No. 617 was finally passed.

Carried.

Mr. Bruner to moved take up Senate Bill No. 590, and substitute it in place of Assembly Bill No. 617.

Carried.

Senate Bill No. 590—An Act to protect the owners of bottles, boxes, siphons, and kegs used in the sale of soda waters, mineral or aerated waters, porter, ale, cider, ginger ale, milk, cream, small beer, lager beer, weiss beer, beer, white beer, or other beverages.

Read first time.

Made a special order for to-morrow morning, immediately after reading of the Journal, on motion of Mr. Bruner.

Mr. Baughman moved that the Assembly proceed to the consideration of the special file.

Carried.

SPECIAL FILE.

Senate Constitutional Amendment No. 22—To propose to the people of the State an amendment to the Constitution of the State, relative to the exemption of fruit trees and vines under five years of age from taxation.

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

AYES—Messrs. Alexander, Barnard, Baughman, Beecher, Bert, Brown, Bruner, Clark, Daly, Dow, Fowler, Freeman, Garver, Glynn, Gordon, Harloe, Hersey, Hocking, Hunewill, Johnson, Jones, Lacey, Lewis, Lowe, Lynch, Marion, Martin, Matlock, Murphy, Phillips, Renfro, Rice, Robertson, Smith of Butte, Smith of Orange, Steltz, Windrow, Young, and Mr. Speaker—39.

NOES—Messrs. Arms, Barnett of Sonoma, Bryant, Cargill, Carter, Cram, Culver, Cunningham, Dennis, Dibble, Dunn, Durner, Eakle, Estey, Hail, Kellogg, Mordecai, Murnan, Shanahan, Stabler, Sturtevant, Tennis, Wentworth, and Weston—24.

Mr. Lowe in the chair.

NOTICE OF RECONSIDERATION.

Mr. Shanahan gave notice that on to-morrow he will move for a reconsideration of the vote whereby Senate Constitutional Amendment No. 22 was rejected.

SPECIAL FILE—(RESUMED).

Senate Bill No. 62—An Act for the relief of Patrick Creighton.

Mr. Dibble moved that Senate Bill No. 62 be referred to the Committee of the San Francisco Delegation.

Carried.

Senate Bill No. 293—An Act for the relief of John J. Conlin.

Refused third reading.

Assembly Bill No. 216—An Act to determine that lands in this State are swamp and overflowed when returned as such by the United States Surveyor-General.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Ames, Arms, Barnett of Sonoma, Baughman, Bert, Bruner, Bryant, Cargill, Clark, Culver, Cunningham, Dennis, Dunn, Estey, Fowler, Freeman, Garver, Harloe, Hersey, Hocking, Hunewill, Johnson, Kellogg, Lewis, Lowe, Lux, Lynch, Mar-

tin, Matlock, Mordecai, Murnan, Murphy, Robertson, Smith of Butte, Smith of Orange, Stabler, Steltz, Wentworth, Weston, Windrow, and Young—41.
NOES—Mr. Renfro—1.

Title read and approved.

MOTION TO RECONSIDER.

Mr. Dibble moved that the vote whereby Senate Bill No. 293 was refused third reading be now reconsidered.
Carried.
Mr. Dibble moved that Senate Bill No. 293 and Assembly Bill No. 391 be referred to the Committee of the San Francisco Delegation.
Carried.

SPECIAL FILE—(RESUMED).

Assembly Bill No. 455—An Act to provide for, insure, and maintain preference in the appointment, employment, and retention in the public service, and upon public works of the State of California, of honorably discharged ex-Union soldiers, sailors, and marines of the War of the Rebellion.
Read third time.
The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Ames, Barnett of Sonoma, Baughman, Beecher, Bert, Brown, Bruner, Bryant, Cargill, Carter, Clark, Cram, Culver, Cunningham, Dunner, Eakle, Estey, Fowler, Freeman, Garver, Gordon, Harloe, Hersey, Hocking, Johnson, Kellogg, Lacey, Lewis, Lowe, Lux, Martin, Matlock, Murnan, Murphy, Phillips, Robertson, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Wentworth, Weston, Young, and Mr. Speaker—46.
NOES—None.

Title read and approved.
Assembly Bill No. 500—An Act to appropriate money to pay for the services of W. L. Wolfe, assistant at Los Angeles to the Commissioner of the Bureau of Labor Statistics.
Read third time.
The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Arms, Barnett of Sonoma, Beecher, Bert, Bruner, Bryant, Cargill, Carter, Clark, Cram, Culver, Dibble, Dunn, Estey, Fowler, Freeman, Garver, Gordon, Harloe, Hersey, Hocking, Johnson, Lewis, Lowe, Lux, Marion, Martin, Matlock, Murphy, Renfro, Robertson, Shanahan, Smith of Butte, Stabler, Sturtevant, Tully, Wentworth, Weston, Windrow, Young, and Mr. Speaker—42.
NOES—Mr. Eakle—1.

Title read and approved.
Senate Bill No. 530—An Act to provide for payment for private property heretofore taken for public use.
Read third time.
Speaker Coombs in the chair.
The roll was called, and the bill lost by the following vote:

AYES—Messrs. Alexander, Ames, Arms, Barnett of Sonoma, Beecher, Bert, Bruner, Bryant, Cargill, Clark, Culver, Cunningham, Dennis, Dibble, Dow, Dunn, Dunner, Fowler, Freeman, Garver, Harloe, Hersey, Johnson, Kellogg, Lowe, Lux, Lynch, Marion, Martin, Matlock, Mordecai, Murnan, Murphy, Phillips, Robertson, Smith of Butte, Sturtevant, Tennis, and Young—39.
NOES—Messrs. Carter, Eakle, Hall, Shanahan, Stabler, Wentworth, Windrow, and Mr. Speaker—8.

NOTICE OF RECONSIDERATION.

Mr. Shanahan gave notice that to-morrow he will move to reconsider the vote whereby Senate Bill No. 530 was lost.

Senate Bill No. 326—An Act to amend an Act entitled "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," approved March 15, 1887.

Amendment offered by Mr. Renfro.

Mr. Shanahan moved to strike out the enacting clause.

Mr. Bruner moved that Senate Bill No. 326 be made a special order for to-morrow morning, at eleven o'clock.

Mr. Dibble moved as an amendment that the bill be passed on the file.

Carried.

Assembly Bill No. 4—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-six, one thousand one hundred and eighty-seven, one thousand one hundred and ninety-three, one thousand one hundred and ninety-four, one thousand one hundred and ninety-five, and one thousand two hundred, and to repeal section one thousand one hundred and eighty-eight, and to add a new section, to be numbered one thousand two hundred and three of an Act of the Legislature of the State of California, entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, all relating to liens of mechanics and others.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Ames, Arms, Baughman, Beecher, Brown, Bruner, Bryant, Cargill, Cram, Culver, Cunningham, Dennis, Dibble, Doty, Dow, Dunn, Eakle, Estey, Fowler, Freeman, Garver, Glynn, Gordon, Hall, Harloe, Hocking, Johnson, Kellogg, Lowe, Lux, Lynch, Marion, Martin, Mordecai, Murnan, Murphy, Phillips, Renfro, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Wentworth, Weston, Windrow, Young, and Mr. Speaker—52.

NOES—None.

Title read and approved.

MOTION.

At nine o'clock and twenty minutes P. M. Mr. Lacey moved to adjourn.

Lost.

Senate Bill No. 479—An Act to provide for the establishment of high schools in the State of California.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Ames, Arms, Barnett of Sonoma, Baughman, Beecher, Brown, Bruner, Bryant, Cram, Culver, Daly, Dennis, Dibble, Doty, Dow, Eakle, Estey, Fowler, Freeman, Garver, Glynn, Hall, Harloe, Hersey, Hocking, Johnson, Kellogg, Lux, Lynch, Marion, Martin, Matlock, Mordecai, Murnan, Murphy, Phillips, Renfro, Robertson, Shanahan, Smith of Butte, Stabler, Steltz, Sturtevant, Tennis, Wentworth, Weston, Young, and Mr. Speaker—49.

NOES—None.

Title read and approved.

Mr. Mordecai in the chair.

Assembly Bill No. 348—An Act to amend section ninety-two of the Civil Code, and to add a new section to the Civil Code, to be designated as section one hundred and eight, concerning divorces.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Ames, Baughman, Beecher, Brown, Bruner, Culver, Cunningham, Daly, Dibble, Doty, Dow, Estey, Fowler, Freeman, Garver, Glynn, Hail, Harloe, Hersey, Hocking, Hunewill, Johnson, Kellogg, Lowe, Lynch, Manon, Martin, Matlock, Mordecai, Murnan, Murphy, Phillips, Renfro, Robertson, Shanahan, Smith of Butte, Stabler, Steltz, Sturtevant, Tennis, Tully, Weston, and Windrow—44

NOES—Messrs. Bryant, Cargill Durner, and Eakle—4.

Title read and approved.

MOTION.

At nine o'clock and thirty minutes P. M. Mr. Hail moved to adjourn. Lost.

RESOLUTIONS.

By Mr. Renfro:

Resolved by the Assembly, the Senate concurring, That the twenty-ninth session of the Legislature of the State of California adjourn *sine die* on Wednesday, March 18, 1891, at twelve o'clock midnight.

Rejected.

By Mr. Lowe:

Resolved, That all members of the Committee of the Assembly who attended the obsequies of George Hearst, late United States Senator, at San Francisco, on Sunday, March 15, 1891, be and they are hereby allowed mileage for one hundred and sixty-eight miles, amounting to sixteen dollars and eighty cents each. The Controller of State is hereby directed to draw his warrant in favor of such members of said committee for said sum of sixteen dollars and eighty cents each, payable out of the appropriation for the contingent expenses of the Assembly; said warrants to be issued upon presentation of a certificate of such attendance issued by the Chief Clerk of the Assembly.

Referred to Committee on Judiciary.

SPECIAL FILE—(RESUMED).

Assembly Bill No. 306—An Act for the relief of G. Raisch.

Referred to the San Francisco Delegation, on motion of Mr. Phillips.

ADJOURNMENT.

At nine o'clock and forty minutes P. M. Mr. Hocking moved to adjourn Carried.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Tuesday, March 17, 1891.

The Assembly met pursuant to adjournment.

Speaker Coombs in the chair.

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

Messrs. Alexander, Ames, Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Bryant, Clark, Culver, Cunningham, Dennis, Dibble, Doty, Dow, Dunn, Durner, Eakle, Estey, Fowler, Freeman, Galbraith, Garver, Gordon, Hail, Harloe, Hawley, Hayes, Hersey, Hoey, Hunewill, Jackson, Johnson, Kellogg, Lacey, Lewis, Lowe, Lux, Lynch, Marion, Martin, Mathews, Matlock, Mordecai, Murnan, Murphy, Phillips, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Wentworth, Weston, Windrow, Young, and Mr. Speaker.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. A. C. Herrick.

READING OF THE JOURNAL.

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

So ordered.

Journal of Saturday approved.

Approval of Journal of yesterday deferred.

LEAVE OF ABSENCE.

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

SPECIAL ORDERS.

Senate Bill No. 234—An Act to establish a standard of weights and measures.

Read second time.

Mr. Wentworth moved that Senate Bill No. 234 be made a special order for to-morrow morning immediately after reading the Journal.

So ordered.

RECONSIDERATION OF VOTE.

Mr. Shanahan moved that the vote whereby Senate Bill No. 530 was refused passage be now reconsidered.

Carried.

Senate Bill No. 530—An Act to provide for the payment of private property heretofore taken for public use.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Brown, Bruner, Bryant, Clark, Culver, Cunningham, Dennis, Dibble, Doty, Dow, Dunn, Estey, Freeman, Garver, Gordon, Gould, Harloe, Hawley, Hayes, Hersey, Hunewill, Jackson, Johnson, Kellogg, Lacey, Lewis, Lowe,

Lux, Lynch, Martin, Mathews, Matlock, Mordecai, Murnan, Murphy, Phillips, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Stabler, Steltz, Sturtevant, Wentworth, Weston, Windrow, and Young—55.

NOES—Messrs. Eakle, Smith of Orange, and Mr. Speaker—3.

Title read and approved.

MOTIONS.

Mr. Phillips moved that Senate Bill No. 580 be immediately transmitted to the Senate.

So ordered.

Mr. Culver moved to take up substitute for Assembly Bill No. 542.

Carried.

Substitute for Assembly Bill No. 542—An Act to provide for the formation, organization, and government of sanitary districts, and to provide for the laying and maintaining of sewers therein, the issuing of bonds therefor, and the levying and collection of taxes therein.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bruner, Bryant, Cargill, Clark, Cram, Culver, Dennis, Dibble, Doty, Dow, Dunn, Durner, Estey, Fowler, Freeman, Galbraith, Garver, Gordon, Gould, Hail, Harloe, Hawley, Hayes, Hersey, Hunewill, Jackson, Johnson, Kellogg, Lacey, Lewis, Lux, Lynch, Mathews, McCall, Mordecai, Murnan, Murphy, Phillips, Renfro, Rice, Smith of Butte, Smith of Orange, Stabler, Steltz, Wentworth, Weston, Windrow, Young, and Mr. Speaker—55.

NOES—None.

Title read and approved.

Mr. Culver moved that the rules be suspended, and substitute for Assembly Bill No. 542 be immediately transmitted to the Senate.

Carried.

Senate Bill No. 414—An Act entitled an Act to amend section four hundred and seventy-five of the Political Code, providing for clerks and a phonographic reporter in the office of the Attorney-General, and fixing their salaries.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Arms, Barnard, Barnett of Sonoma, Baughman, Beecher, Bruner, Bryant, Cargill, Carter, Clark, Cram, Culver, Cunningham, Dennis, Dibble, Doty, Dow, Dunn, Durner, Eakle, Estey, Fowler, Galbraith, Garver, Gordon, Gould, Hail, Harloe, Hawley, Hayes, Hersey, Jackson, Jones, Kellogg, Lacey, Lewis, Lowe, Martin, Mathews, Matlock, McCall, Mordecai, Murnan, Murphy, Phillips, Renfro, Rice, Shanahan, Smith of Butte, Stabler, Steltz, Wentworth, Weston, Windrow, Young, and Mr Speaker—57.

NOES—None.

Title read and approved.

Mr. Bruner moved that the rules be suspended, and Senate Bill No. 414 be immediately transmitted to the Senate.

So ordered.

Senate Bill No. 590—An Act to protect the owners of bottles, boxes, siphons, and kegs used in the sale of soda waters, mineral or aerated waters, porter, ale, cider, ginger ale, milk, cream, small beer, lager beer, weiss beer, beer, white beer, or other beverages.

Read second time.

Mr. Hail in the chair.

Mr. Bruner moved that Senate Bill No. 590 be made a special order for to-morrow morning, immediately after reading the Journal.

So ordered.

Mr. Dibble moved that Senate Bill No. 696 be taken up.

Carried.

Senate Bill No. 696—An Act authorizing the Governor, Secretary of State, and the Attorney-General of the State of California, constituting the State Board of Examiners, to receive and receipt for, on behalf of the State of California, the moneys due the State from the United States Government, under an Act of Congress known as the "Direct Tax Bill," and authorizing the Governor, Secretary of State, and Attorney-General to execute, upon the part of the State of California, a release in full satisfaction of all claims against the United States on account of the levy and collection of the direct tax.

Read first time.

Mr. Dibble moved that Senate Bill No. 696 be placed at the head of the special file.

Carried.

Mr. Dow moved to take up Senate Bill No. 545.

Carried.

Senate Bill No. 545—An Act to define the duties of and to license land surveyors.

Read third time.

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

AYES—Messrs. Alexander, Ames, Arms, Barnard, Barnett of Sonoma, Bruner, Brusie, Dibble, Dow, Dunn, Fowler, Galbraith, Garver, Gordon, Gould, Hail, Harloe, Hawley, Hersey, Hocking, Hunewill, Lacey, Lewis, Lowe, Lux, Marion, Martin, Matlock, McCall, Mordecai, Stabler, Wentworth, Weston, and Young—34.

NOES—Messrs. Barnett of San Francisco, Carter, Clark, Cram, Cunningham, Dennis, Doty, Eakle, Estey, Freeman, Hayes, Jackson, Johnson, Kellogg, Lynch, Murnan, Murphy, Phillips, Renfro, Rice, Robertson, Smith of Butte, Smith of Orange, and Steltz—24.

NOTICE OF RECONSIDERATION.

Mr. Clark gave notice that on to-morrow he will move for a reconsideration of the vote whereby Senate Bill No. 545 was refused passage.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 17, 1891.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, ordered returned to your honorable body Assembly Bill No. 671 for reengrossment.

Also: On the thirteenth day of March, passed the following:

Senate Bill No. 694—An Act to amend section one thousand five hundred and ninety-nine of an Act entitled "An Act to establish a Political Code," providing for certain exceptions in school elections

Also: On the fourteenth day of March, passed the following:

Senate Bill No. 697—An Act to authorize the use of the ballot paper now the property of the State.

Also: Senate Bill No. 695—An Act for the relief of A. J. Bourn, for personal injuries received by him while in the service of the State.

Also: Amended, and passed as amended, the following:

Assembly Bill No. 235—An Act to authorize the Governor and Surveyor-General to sell and convey the State's interest in certain land.

Also: Senate Bill No. 696—An Act authorizing the Governor, Secretary of State, and the Attorney-General of the State of California, constituting the State Board of Examiners, to receive and receipt for, on behalf of the State of California, the moneys due the State from the United States Government, under an Act of Congress known as the "Direct Tax Bill," and authorizing the Governor, Secretary of State, and Attorney-General to execute, upon the part of the State of California, a release in full satisfaction of all claims against the United States on account of the levy and collection of the direct tax.

F. J. BRANDON, Secretary.

Senate amendments to Assembly Bill No. 235:

Amend the enacting clause by inserting after the word "California" the word "represented."

Amend section one to read as follows:

SECTION 1. The Governor and Surveyor-General are hereby authorized and directed to convey, release, quitclaim, and confirm all right, title, and interest of the State of California of, in, and to all that portion of the southeast one quarter of section nineteen, township eleven north, range seven (7) east, Mount Diablo meridian, which is not embraced within the exterior boundaries of the lands set apart and heretofore conveyed by the State of California to the Masons and Odd Fellows of Rocklin, Placer County, California, for cemetery purposes to the respective claimants and occupants thereof, as shown by the official map and field notes of survey of said lands made by W S Graham, County Surveyor of Placer County, California, now on file in office of the Recorder of Placer County, upon making and filing with the Surveyor-General proof by affidavit, setting forth that the applicant was at the date of said survey in the possession of the portion of said land claimed by him, her, or them, or an actual settler thereon, and upon the payment into the State Treasury of the sum of five dollars per acre or fraction thereof, as shown by said survey and field notes; *provided*, that the present occupants and claimants shall be preferred purchasers of the respective lots and parcels of said lands claimed and occupied by them for the space of one year from the passage of this Act; *and provided further*, that all rights of way for roads, railroad tracks, and spurs now existing upon or over said lands, shall be excepted from the title hereby authorized to be conveyed.

The roll was called, and the amendments concurred in by the following vote:

AYES—Messrs. Alexander, Ames, Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Brusie, Bryant, Carter, Clark, Cram, Culver, Cunningham, Doty, Dow, Dunn, Durner, Fowler, Freeman, Galbraith, Garver, Gould, Hail, Harloe, Hawley, Hayes, Hersey, Hocking, Hunewill, Jackson, Lacey, Lewis, Lowe, Lux, Lynch, Martin, Mathews, Matlock, Mordecai, Murnan, Phillips, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Wentworth, Weston, and Young—52.

NOES—None.

MOTION.

Mr. Dibble moved to take up Assembly Bill No. 404.

Carried.

Assembly Bill No. 404—An Act making an appropriation for reimbursing the Japanese Government for moneys expended in the extradition of Calvin Pratt, a fugitive from the justice of this State, and to provide for transmitting the same to Japan.

Read second time.

Mr. Dibble moved that the House go into Committee of the Whole, with Mr. Hail in the chair, for the purpose of considering Assembly Bill No. 404.

Carried.

IN COMMITTEE OF THE WHOLE.

Mr. Hail in the chair.

Assembly Bill No. 404 was considered in Committee of the Whole.

IN ASSEMBLY.

Mr. Hail in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Chairman stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 404, and now report the same back to the Assembly, and recommend that the same do pass.

Ordered engrossed.

Made a special order for to-morrow morning immediately after reading of the Journal, on motion of Mr. Dibble.

RESOLUTION.

By Mr. Hersey:

Resolved, That on reassembling after noon recess to-day, that we take up the special file of Senate Bills and devote one hour and a half to the consideration of the same, and that we proceed in regular order and no bill taken up out of order.

PREVIOUS QUESTION.

The previous question was demanded by Mr. Bruner, seconded by Messrs. Baughman and Barnett.

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

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

MOTIONS.

Mr. Murnan moved to take up out of order Senate Bill No. 305.

Carried.

Senate Bill No. 305—An Act making an appropriation to pay the deficiency in the appropriation for payment of costs and expenses of trials of persons violating the law for the preservation of fish, for the thirty-ninth, fortieth, and forty-first fiscal years.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Alexander, Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Bert, Brusie, Bryant, Cargill, Carter, Coffey, Culver, Cunningham, Daly, Dennis, Doty, Dow, Dunn, Eakle, Estey, Fowler, Freeman, Galbraith, Garver, Glynn, Gordon, Gould, Harloe, Hawley, Hayes, Hersey, Jackson, Johnson, Lewis, Lowe, Lynch, Martin, Mathews, McCall, Mordecai, Murnan, Murphy, Phillips, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Stabler, Steltz, Sturtevant, Tennis, Wentworth, and Young—54.

NOES—Messrs Baughman, Beecher, Bledsoe, Clark, Kellogg, Matlock, Smith of Orange, and Mr. Speaker—8.

Title read and approved.

Transmitted immediately to the Senate, on motion of Mr. Murnan.

Mr. Shanahan in the chair.

Mr. McCall moved to take up Senate Bill No. 255.

Carried.

Senate Bill No. 255—An Act to amend section five hundred and ninety-eight of the Civil Code of the State of California, relating to benevolent and religious corporations.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Beecher, Bryant, Cargill, Carter, Clark, Coffey, Culver, Cunningham, Daly, Dennis, Doty, Dunn, Durner, Eakle, Estey, Freeman, Galbraith, Garver, Gordon, Gould, Harloe, Hayes, Hersey, Hocking, Hoey, Johnson, Lewis, Lowe, Lynch, Martin, Mathews, Matlock, McCall, Mordecai, Murnan, Murphy, Phillips, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Wentworth, Weston, and Young—51.

NOES—None.

Title read and approved.

Transmitted immediately to the Senate, on motion of Mr. McCall.

Mr. Doty moved to take up Senate Bill No. 695.

Carried.

Senate Bill No. 695—An Act for the relief of A. J. Bourn, for personal injuries received by him while in the service of the State.

Read first time, and placed on file for second reading.

Mr. Durner moved to take up Assembly Bill No. 99.

Carried.

Assembly Bill No. 99—An Act requiring corporations and persons doing a banking business in this State to file with the Controller of State statements showing moneys on deposit with them to which no claims have been made within ten years, and authorizing the Attorney-General to institute proceedings to ascertain its ownership.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Ames, Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Bruner, Brusie, Bryant, Cargill, Carter, Coffey, Cram, Culver, Daly, Doty, Dunn, Durner, Eakle, Estey, Fowler, Freeman, Galbraith, Garver, Gordon, Gould, Harloe, Hocking, Hoey, Jackson, Lewis, Lowe, Marion, Martin, Mathews, Matlock, Murphy, Phillips, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tully, Wentworth, Weston, Windrow, and Young—51.

NOES—Mr. Renfro—1.

Title read and approved.

Mr. Wentworth moved that Assembly Bill No. 99 be immediately transmitted to the Senate.

Carried.

Mr. Gould moved to take up Senate Bill No. 60.

Carried.

Senate Bill No. 60—An Act to appropriate money for the survey, location, and construction of a free wagon road from the town of Mariposa, in Mariposa County, to the Yosemite Valley.

The roll was called, and the bill, as amended, passed by the following vote:

AYES—Messrs. Ames, Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Bruner, Brusie, Bryant, Cargill, Coffey, Cram, Culver, Doty, Dunn, Durner, Estey, Fowler, Freeman, Galbraith, Garver, Gordon, Gould, Harloe, Hawley, Hayes, Hersey, Jackson, Johnson, Kellogg, Lowe, Lynch, Martin, Matlock, Mordecai, Murphy, Phillips, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Tully, Weston, and Young—47.

NOES—None.

Title read and approved.

Transmitted immediately to the Senate, on motion of Mr. Gould.

Mr. Arms moved to take up Senate Bill No. 304.

Carried.

Senate Bill No. 304—An Act making an appropriation to pay the deficiency in the appropriation for costs and expenses of suits, in which the State is a party in interest, for the forty-first fiscal year.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Ames, Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Brown, Bruner, Bryant, Cargill, Coffey, Cram, Culver, Cunningham, Daly, Dow, Dunn, Durner, Eakle, Estey, Fowler, Freeman, Garver, Gordon, Gould, Hawley, Hayes, Hersey, Hocking, Jackson, Johnson, Jones, Lewis, Lux, Lynch, Marion, Martin, Mathews, Matlock, Mordecai, Murman, Murphy, Phillips, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Stabler, Steltz, Weston, Windrow, and Young—53.

NOES—Mr. Smith of Orange—1.

Title read and approved.

IN JOINT ASSEMBLY.

On Tuesday, March 17, 1891, at twelve o'clock M., the Senate and Assembly met in 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.

Hon. Thomas Fraser, President pro tem. of the Senate, in conjunction with Hon. F. L. Coombs, Speaker of the Assembly, presiding.

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

Messrs. Bailey, Banks, Britt, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Langford, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Seawell, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.).

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

Messrs. Alexander, Ames, Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Brusie, Bryant, Cargill, Carter, Clark, Coffey, Cram, Culver, Cunningham, Daly, Dennis, Dibble, Doty, Dow, Dunn, Durner, Eakle, Estey, Fowler, Freeman, Galbraith, Garver, Gordon, Gould, Hall, Harloe, Hawley, Hayes, Hersey, Hocking, Hoey, Hunewill, Jackson, Johnson, Jones, Kellogg, Lacey, Lewis, Lowe, Lux, Lynch, Marion, Martin, Mathews, Matlock, McCall, Mordecai, Murnan, Murphy, Phillips, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Tully, Wentworth, Weston, Windrow, Young, and Mr. Speaker.

Quorum of both branches of the Legislature present.

READING OF THE JOURNAL.

The Journal of yesterday's proceedings in Joint Assembly was read by the Secretary of the Senate.

Journal approved.

The President pro tem. of the Senate then announced that nominations for United States Senator were in order.

NOMINATIONS.

Mr. Robertson nominated Hon. Stephen M. White.

Mr. Dibble withdrew the name of M. H. De Young.

Mr. Fowler withdrew the name of Charles A. Wetmore.

Mr. Brusie seconded the nomination of Hon. Wm. Johnston.

ROLL CALL.

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 Blanchard—Mr. Fraser.

For Estee—Messrs. Bailey, Byrnes, Campbell of Siskiyou, Carpenter, Flint, Heacock, McComas, McGowan, Preston, Ragsdale, Shippee, Simpson, Sprague, and Voorhies.

For Felton—Messrs. Banks, Broderick, Campbell of Solano, Crandall, Dargie, De Long, Everett, Maher, Mahoney, Streeter, and Williams (Geo. H.).

For Johnston—Messrs. Denison and Dray.

For White—Messrs. Britt, Goucher, Hamill, Mead, Ostrom, Seawell, and Welch.

Whole number of votes cast	35
Mr. Blanchard received	1
Mr. White received	7
Mr. Estee received	14
Mr. Felton received	11
Mr. Johnston received	2

The Clerk of the Assembly called the roll of the House, and each member present voted for his choice for Senator, as follows:

For Blanchard—Mr. Lacey.

For Estee—Messrs. Ames, Barnard, Barnett of Sonoma, Baughman, Bert, Bledsoe, Brown, Bryant, Cargill, Clark, Culver, Durner, Estey, Fowler, Freeman, Hail, Harloe, Hawley, Hocking, Hunewill, Johnson, Kellogg, Lewis, Matlock, McCall, Murphy, Smith of Butte, Smith of Orange, Sturtevant, Weston, and Mr. Speaker.

For Felton—Messrs. Alexander, Barnett of San Francisco, Beecher, Carter, Coffey, Daly, Dennis, Dibble, Dow, Galbraith, Glynn, Gordon, Hayes, Hersey, Hoey, Jones, Lowe, Lux, Lynch, Marion, Phillips, Steltz, Tennis, Tully, Wentworth, Windrow, and Young.

For Johnston—Messrs. Bruner and Brusie.

For Perkins—Mr. Cram.

For White—Messrs. Arms, Cunningham, Doty, Dunn, Eakle, Garver, Gould, Jackson, Martin, Mathews, Mordecai, Murnan, Renfro, Rice, Robertson, Shanahan, and Stabler.

Whole number of votes cast	79
Mr. Blanchard received	1
Mr. White received	17
Mr. Estee received	31
Mr. Felton received	27
Mr. Perkins received	1
Mr. Johnston received	2

The President pro tem. of the Senate then announced the whole number of votes cast to be one hundred and fourteen; necessary for a choice, fifty-eight; and that

Geo. G. Blanchard received	2
M. M. Estee received	45
Chas. N. Felton received	38
Stephen M. White received	24
Geo. C. Perkins received	1
Wm. Johnston received	4

ADJOURNMENT.

Senator Heacock moved that the Joint Assembly do now adjourn until to-morrow at twelve o'clock M.

Carried.

IN ASSEMBLY.

Speaker Coombs in the chair.

RECESS.

At twelve o'clock and thirty minutes P. M. the Assembly took a recess until two o'clock and thirty minutes P. M., on motion of Mr. Hawley.

REASSEMBLED.

At two o'clock and thirty minutes P. M. the House reassembled.

Speaker Coombs in the chair.

Quorum present.

APPOINTMENT.

The Speaker withdrew the name of Robert H. Williams, Watchman, and substituted W. T. Fitzgerald.

MOTION.

Mr. Baughman moved that two hours be devoted to the Senate special file, and the Speaker requested not to recognize any member for the purpose of taking up any bill out of order.

Amendment by Mr. Wentworth, to make the time one and one half hours, adopted.

Motion, as amended, carried.

MOTION.

Mr. Shanahan moved to reconsider the vote whereby Senate amendments to Assembly Bill No. 235 were this morning concurred in.

Carried.

The roll was called, and the House refused to concur in the Senate amendments by the following vote:

AYES—Messrs. Barnett of San Francisco, Baughman, Beecher, Bert, Clark, Daly, Dow, Freeman, Lacey, Phillips, Smith of Butte, and Mr. Speaker—12.

NOES—Messrs. Arms, Barnard, Barnett of Sonoma, Brown, Cargill, Coffey, Dunn, Estey, Galbraith, Garver, Gordon, Gould, Harloe, Hersey, Hocking, Hunewill, Jackson, Johnson, Kellogg, Lowe, Lynch, Martin, Mathews, Matlock, Mordecai, Rice, Robertson, Shanahan, Stabler, Steltz, Tennis, Tully, Weston, and Windrow—34

SPECIAL FILE OF SENATE BILLS.

Senate Bill No. 579—An Act for the relief of Emma Kelly, widow of G. H. Kelly, and appropriating seven thousand five hundred dollars therefor.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Ames, Arms, Barnett of San Francisco, Barnett of Sonoma, Bert, Brown, Brusie, Bryant, Cargill, Carter, Clark, Coffey, Culver, Cunningham, Daly, Dennis, Dibble, Doty, Dow, Dunn, Estey, Fowler, Freeman, Galbraith, Garver, Glynn, Gordon, Gould, Harloe, Hawley, Hersey, Hocking, Hoey, Lacey, Lewis, Lowe, Lux, Lynch, Martin, Mathews, Mordecai, Murnan, Murphy, Rice, Shanahan, Smith of Butte, Steltz, Sturtevant, Tennis, Wentworth, Weston, Windrow, and Young—54.

NOES—Messrs. Baughman, Durner, Eakle, Jackson, Matlock, Stabler, and Mr. Speaker—7.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Clark gave notice that on to-morrow he will move for a reconsideration of the vote whereby Senate Bill No. 579 was passed.

MOTION.

Mr. McCall moved that the rules be suspended, and Senate Bill No. 579 be immediately transmitted to the Senate.

So ordered.

Senate Bill No. 88—An Act to pay the claim of James W. Rankin, for services in the office of the State Treasurer of California, and appropriate money therefor.

Read third time.

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

AYES—Messrs. Alexander, Ames, Beecher, Bert, Brown, Bruner, Brusie, Coffey, Culver, Cunningham, Doty, Dow, Dunn, Fowler, Freeman, Galbraith, Garver, Gould, Harloe, Hawley, Hersey, Hocking, Hoey, Lewis, Lowe, Lux, Lynch, Marion, Martin, Mathews, McCall, Murnan, Murphy, Rice, Robertson, Shanahan, Sturtevant, Weston, and Young—39.

NOES—Messrs. Barnard, Barnett of Sonoma, Baughman, Bryant, Cargill, Clark, Dennis, Durner, Estey, Gordon, Jackson, Matlock, Mordecai, Phillips, Renfro, Smith of Butte, Stabler, Steltz, and Mr Speaker—19.

NOTICE OF RECONSIDERATION.

Mr. Steltz gave notice that on to-morrow he will move for a reconsideration of the vote whereby Senate Bill No. 88 was refused passage.

Mr. Lowe in the chair.

Senate Bill No. 690—An Act to add a new section, to be known as section six hundred and eighty-four of the Political Code, in regard to the appointment of and fixing the salary of an assistant to the Secretary of the State Board of Examiners, and to appropriate money for the payment of his salary.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Ames, Barnett of Sonoma, Beecher, Bert, Bryant, Clark, Coffey, Culver, Cunningham, Daly, Dennis, Dibble, Doty, Dow, Dunn, Durner, Estey, Fowler, Freeman, Galbraith, Garver, Gordon, Gould, Harloe, Hawley, Hersey, Hocking, Jackson, Johnson, Kellogg, Lewis, Lowe, Lynch, Marion, Martin, Mathews, Matlock, McCall, Mordecai, Murnan, Murphy, Phillips, Rice, Robertson, Shanahan, Smith of Butte, Stabler, Steltz, Sturtevant, Wentworth, Weston, and Young—52.

NOES—Messrs. Baughman and Lacey—2.

Title read and approved.

Mr. Shanahan moved that the rules be suspended, and the bill immediately transmitted to the Senate.

So ordered.

Senate Bill No. 393—An Act authorizing certain corporations to act as executor and in other capacities, and to provide for and regulate the administration of trusts by such corporations.

Read third time.

Mr. Mordecai moved that further consideration of Senate Bill No. 393 be made a special order for to-morrow, at three o'clock and thirty minutes P. M.

Carried.

SECOND READING OF BILLS.

Senate Bill No. 9—An Act to provide for the payment of the repairs upon the quarantine launch "Governor Perkins."

MOTION.

Mr. Phillips moved that the House go into Committee of the Whole, with Mr. Lowe in the chair, for the purpose of considering Senate Bill No. 9.

Carried.

IN COMMITTEE OF THE WHOLE.

Mr. Lowe in the chair.

Senate Bill No. 9 was considered in Committee of the Whole.

IN ASSEMBLY.

Mr. Lowe in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Chairman stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 9, and now report the same back to the Assembly, and recommend that the same do pass.

Senate Bill No. 9 read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Ames, Barnett of San Francisco, Baughman, Beecher, Bruner, Bryant, Cargill, Coffey, Culver, Daly, Dennis, Dibble, Doty, Dunn, Durner, Estey, Freeman, Galbraith, Garver, Gould, Hail, Harloe, Hawley, Hocking, Johnson, Kellogg, Lowe, Lux, Lynch, Marion, Martin, McCall, Mordecai, Phillips, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Stabler, Steltz, Sturtevant, Tully, Wentworth, Weston, Windrow, and Mr. Speaker—48.

NOES—Messrs. Barnett of Sonoma, Clark, and Murphy—3.

Title read and approved.

MOTIONS.

Mr. Phillips moved that the rules be suspended, and Senate Bill No. 9 be immediately transmitted to the Senate.

Carried.

Senate Bill No. 215—An Act to authorize the Board of Fish Commissioners of this State to purchase the land on which the State fish hatcheries at Sisson and Lake Tahoe are now situated, and appropriating money therefor.

Read second time.

Mr. Wentworth moved that the House go into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bill No. 215.

Carried.

IN COMMITTEE OF THE WHOLE.

Speaker Coombs in the chair.

Senate Bill No. 215 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Coombs in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Speaker stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 215, and now report the same back to the Assembly with amendments, and recommend that the same pass as amended.

Committee amendments, as follows, adopted:

Amend by striking out of section one, line three, the words "and Lake Tahoe."

Also: Strike out of section one, line four, the words "one thousand."

Also: Amend by striking out of section two, line one, the words "one thousand."
Also: Amend title by striking out the words "and Lake Tahoe."

Ordered to printer.

MOTIONS.

Mr. Shanahan moved that the vote whereby Senate Constitutional Amendment No. 22 was rejected be now reconsidered.

Carried.

Mr. Shanahan moved that further consideration of Senate Constitutional Amendment No. 22 be made a special order for to-morrow, at eleven o'clock A. M.

Carried.

REQUEST.

Mr. Dibble moved that he be allowed to introduce a bill under the provision of the Constitution requiring the consent of two thirds of the members.

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

AYES—Messrs. Alexander, Ames, Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bledsoe, Bruner, Bryant, Carter, Clark, Coffey, Culver, Cunningham, Dennis, Dibble, Doty, Dow, Durner, Eakle, Estey, Fowler, Freeman, Galbraith, Garver, Gould, Hail, Harloe, Hersey, Hocking, Jackson, Johnson, Kellogg, Lacey, Lowe, Lynch, Martin, Mathews, Matlock, McCall, Mordecai, Murnan, Murphy, Phillips, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Stabler, Steltz, Sturtevant, Tully, Wentworth, Weston, Young, and Mr. Speaker—58.

NOES—None.

INTRODUCTION OF BILL.

By Mr. Dibble: Assembly Bill No. 758—An Act making an appropriation for the deficiency in the appropriation for the pay of officers and clerks of the Assembly for the twenty-ninth session of the Legislature.

Read first time.

MOTIONS.

Mr. Dibble moved that Assembly Bill No. 758 be made a special order for to-morrow morning, immediately after reading the Journal.

Carried.

Mr. Dibble moved that the hour of recess be extended until five o'clock P. M.

Carried.

REPORT OF SPECIAL COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1891.

MR. SPEAKER: Your Special Committee appointed to investigate the charges of the San Francisco "Examiner" against Hon. Elwood Bruner, beg leave to report the following expense account for per diem of witnesses, mileage, and services of Sergeant-at-Arms, Bailiff, Clerk, and Stenographer, viz.:

H. J. McKusick, subpœnas and mileage	$78 80
Geo. E Shinn, subpœnas and mileage	27 60
A. B. Henderson, witness	18 80
J. M. Ward, witness	18 80
A. M. Lawrence, witness	4 00
D. Jones, witness	18 80
L. Jones, witness	18 80
O. B. Fogel, witness	18 80
R. P. Hammond, witness	18 80
Wm. Alvord, witness	18 80
R. Tobin, witness	18 80
P. Crowley, witness	18 80
T. O'Meara, witness	22 80
R. Beleau, witness	4 00
I. Alexander, witness	6 00
J. B. Reddick, witness	$2 00
C. J. Stillwell, witness	22 80
G. W. Cox, witness	22 80
C. M. Palmer, witness	18 80
W. F. Bogart, witness	18 80
W. E. Gerber, witness	2 00
W. E Hall, witness	2 00
F. Older, witness	2 00
J. K. Beede, witness	4 00
F. W. Stowell, witness	4 00
Geo. Senf, witness	6 00
J. McMullen, witness	4 00
J. A Sheehan, witness	4 00
G. W. Barbee, witness	20 80
Jos. Franklin, witness	20 80
W. S. Leake, witness	4 00
W. S. Kendall, witness	2 00
J. Cominsky, witness	20 80
E. Moran, witness	20 80
J. H. Mackey, witness	20 80
T. C. Maher, witness	4 00
E. B. Reed, witness	20 80
H. A. Melvin, witness	18 80
J. E. Marks, witness	20 80
J. W. Armstrong, witness	2 00
W. H. Govan, witness	2 00
E. Booth, witness	18 80
A. J. Johnston, witness	2 00
A. J. Brunei, witness	2 00
F. S. Sprague, witness	2 00
E. S. Hadley, witness	2 00
R. Alexander, witness	2 00
Chas. Michelson, witness	2 00
Elwood Bruner, witness	2 00
R. P. Roper, Bailiff	55 00
James T. Cousins, carriage hire	2 00
Aaron Smith, clerk	88 00
W. M. Cutter, stenographer	636 20
B. Ebert, type-writing	10 00
Aaron Smith, telegrams	1 20
I. Sanford, type-writing	10 00
Total	$1,439 20

And your committee recommend the adoption of the following resolution, viz.:

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant in favor of A J Bledsoe, Chairman, for the sum of one thousand four hundred and thirty-nine dollars and twenty cents, to be paid out of the Contingent Fund of the Assembly.

BLEDSOE, Chairman.

Referred to Committee on Ways and Means and Appropriations.

ADJOURNMENT.

At four o'clock and forty-five minutes P. M., on motion of Mr. Ames, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Wednesday, March 18, 1891.

The Assembly met pursuant to adjournment.

Speaker pro tem. Young in the chair.

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

Messrs. Alexander, Ames, Arms, Barnard, Barnett of Sonoma, Baughman, Beecher, Bert, Bruner, Bryant, Cargill, Carter, Clark, Coffey, Cram, Culver, Cunningham, Dennis, Dibble, Doty, Dunn, Durner, Eakle, Estey, Freeman, Galbraith, Garver, Gordon, Gould, Hail, Harloe, Hawley, Hayes, Hersey, Hoey, Hunewill, Jackson, Johnson, Kellogg, Lacey, Lowe, Lux, Lynch, Martin, Mathews, Matlock, McCall, Mordecai, Murnan, Murphy, Phillips, Renfro, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Wentworth, Weston, Windrow, Young, and Mr. Speaker.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. A. C. Herrick.

READING OF THE JOURNAL.

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

So ordered.

Journal of March sixteenth approved as corrected.

SPECIAL ORDERS.

Senate Bill No. 234—An Act to establish a standard of weights and measures.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Ames, Arms, Barnett of San Francisco, Barnett of Sonoma, Beecher, Bert, Bruner, Bryant, Coffey, Cunningham, Dennis, Doty, Dow, Dunn, Durner, Estey, Fowler, Freeman, Garver, Harloe, Hawley, Hayes, Hoey, Hunewill, Jackson, Jones, Kellogg, Lacey, Lowe, Lynch, Mathews, Matlock, Mordecai, Murnan, Rice, Robertson, Shanahan, Stabler, Steltz, Sturtevant, Wentworth, Weston, and Young—43.

NOES—Messrs Baughman, Carter, Clark, Eakle, Hail, Martin, Renfro, Smith of Butte, and Smith of Orange—9.

Title read and approved.

Senate Bill No. 590—An Act to protect the owners of bottles, boxes, siphons, and kegs used in the sale of soda waters, mineral or aerated waters, porter, ale, cider, ginger ale, milk, cream, small beer, lager beer, weiss beer, beer, white beer, or other beverages.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bruner, Clark, Coffey, Culver, Cunningham, Dennis, Dibble, Doty, Dow, Dunn, Durner, Eakle, Estey, Fowler, Freeman, Galbraith, Garver, Hail, Harloe, Hawley, Hayes, Hoey, Jackson, Johnson, Jones, Kellogg, Lacey, Lowe, Lux, Lynch, Mathews, Mordecai, Murnan, Murphy, Phillips, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Stabler, Sturtevant, Wentworth, Weston, Young, and Mr. Speaker—52.

NOES—Messrs. Hunewill and Martin—2.

Title read and approved.

Mr. Bruner moved that the rules be suspended, and Senate Bill No. 590 be immediately transmitted to the Senate.

Carried.

Speaker Coombs in the chair.

Assembly Bill No. 404—An Act making an appropriation for reimbursing the Japanese Government for moneys expended in the extradition of Calvin Pratt, a fugitive from the justice of this State, and to provide for transmitting the same to Japan.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Ames, Barnard, Barnett of San Francisco, Barnett of Sonoma, Beecher, Bruner, Bryant, Cargill, Clark, Coffey, Culver, Cunningham, Dennis, Dibble, Doty, Dow, Dunn, Durner, Eakle, Estey, Fowler, Freeman, Galbraith, Garver, Gordon, Harloe, Hawley, Hayes, Hersey, Hoey, Hunewill, Jackson, Johnson, Jones, Kellogg, Lacey, Lowe, Lux, Lynch, Martin, Matlock, Mordecai, Murnan, Murphy, Phillips, Renfro, Rice, Robertson, Smith of Orange, Stabler, Steltz, Sturtevant, Wentworth, Weston, Young, and Mr. Speaker—56.

NOES—None.

Title read and approved.

Assembly Bill No. 758—An Act making an appropriation for the deficiency in the appropriation for the pay of officers and clerks of the Assembly, for the twenty-ninth session of the Legislature.

Read second time.

MOTION.

Mr. Dibble moved that the House go into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Assembly Bill No. 758.

Carried.

IN COMMITTEE OF THE WHOLE.

Speaker Coombs in the chair.

Assembly Bill No. 758 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Coombs in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Speaker stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 758, and now report the same back to the Assembly, and recommend that the same do pass.

Assembly Bill No. 758 ordered engrossed and made a special order for to-morrow morning, immediately after the reading of the Journal, on motion of Mr. Dibble.

Mr. Bruner moved that Senate Bill No. 44 be taken up.

Carried.

Senate Bill No. 44—An Act to provide for certain improvements and repairs at the Folsom State Prison, and making an appropriation therefor.

Read second time.

Senate Bill No. 600—An Act making an appropriation for additional improvements for the Southern California State Hospital for the Insane.

Read second time.

Senate Bill No. 335—An Act to appropriate money to pay the claim of William Gutenberger, for the loss of tools and property destroyed at the Branch State Prison at Folsom.

Read second time.

Assembly Bill No. 366—An Act appropriating the sum of fifty thousand ($50,000) dollars for the erection of an additional building for the State Normal School at San José.

Read second time.

MOTION.

Mr. Bruner moved that the House go into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Assembly Bill No. 366 and Senate Bills Nos. 44, 600, and 335.

Carried.

IN COMMITTEE OF THE WHOLE.

Speaker Coombs in the chair.

Assembly Bill No. 366 and Senate Bills Nos. 44, 600, and 335 were considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Coombs in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Speaker stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bills Nos. 44, 600, and 335, and Assembly Bill No 366, and now report the same back to the Assembly, and recommend that the same do pass, except Assembly Bill No. 366, and that it do not pass.

Assembly Bill No. 366 ordered engrossed and to a third reading.

MOTION.

Mr. Bruner moved that Senate Bill No. 44 be made a special order for to-morrow morning, immediately after reading the Journal.

Mr. Hail moved as a substitute that the bill go on the special file.

Lost.

Motion to make a special order carried.

WITHDRAWAL OF RESOLUTION.

Mr. Lowe asked the privilege of withdrawing a resolution relative to mileage of members attending the funeral of the late Senator Hearst.

So ordered.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1891.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that they have examined the following Assembly Bill and find it correctly engrossed: No. 404.

COFFEY, Chairman pro tem.

RECONSIDERATION OF VOTE.

Mr. Shanahan moved to reconsider the vote whereby Senate Constitutional Amendment No. 22 was refused adoption.

Carried.

Senate Constitutional Amendment No. 22—To propose to the people of the State an amendment to the Constitution of the State, relative to the exemption of fruit trees and vines under five years of age from taxation.

Amendment by Mr. Jackson:

Amend by inserting after the word "age," line five: "cattle and horses under the age of two years, sheep and hogs under the age of one year."

Adopted.

By Mr. Barnard:

Amend by exempting wheat for one year.

Lost.

Mr. Gould moved for a reconsideration of the vote on Mr. Jackson's amendment.

Carried.

Mr. Jackson's amendment adopted.

Mr. Barnard moved to reconsider the vote whereby his amendment was lost.

Carried.

Amendment by Mr. Barnard adopted.

Mr. Steltz moved that the vote whereby Senate Bill No. 88 was refused passage be now reconsidered.

Carried.

Mr. Wentworth in the chair.

Senate Bill No. 88—An Act to pay the claim of James W. Rankin, for services in the office of the State Treasurer of California, and appropriate money therefor.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Ames, Arms, Barnett of San Francisco, Beecher, Brown, Brusie, Bryant, Coffey, Culver, Cunningham, Dennis, Dibble, Doty, Dow, Dunn, Estey, Fowler, Freeman, Galbraith, Garver, Gould, Hawley, Hersey, Hocking, Hunewill, Johnson, Jones, Kellogg, Lowe, Lux, Lynch, Martin, Mathews, McCall, Mordecai, Murnan, Murphy, Rice, Shanahan, Stabler, Steltz, Tully, Wentworth, Weston, and Young—46.

NOES—Messrs. Baughman, Cargill, Durner, Gordon, Harloe, Jackson, Renfro, Smith of Butte, and Smith of Orange—9.

Title read and approved.

MOTION.

Mr. Baughman moved that the Speaker be directed to proceed with the regular order, and recognize no member for the purpose of taking up bills out of order.

Carried.

REPORT OF STANDING COMMITTEE.

ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1891.

MR. SPEAKER: Your Committee on Enrollment beg leave to report that the following Assembly Bills have been correctly enrolled:

Assembly Bill No. 125, and was presented to the Governor on March twelfth, at three o'clock and thirty minutes P. M.

Also: Assembly Bills Nos. 28 and 757, and were presented to the Governor on March thirteenth, at four o'clock P. M.

Also: Assembly Bills No. 692. 471, 86, 280. 110, and 747, and were presented to the Governor on March sixteenth, at three o'clock and thirty minutes P. M.

BLEDSOE, Chairman.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, March 17, 1891.

To the Assembly of the State of California.

I have the honor to inform your honorable body that I have approved Assembly Bills Nos. 86, 692. 471, 125, and 441.

H. H. MARKHAM, Governor.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO March 17, 1891.

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

Senate Bill No. 256—An Act to add a new section to an Act entitled "An Act to establish a Political Code of the State of California," to be called section two thousand nine hundred and eighty-four, relative to the appointment of a State Sanitary Inspector.

Also Senate Bill No. 658—An Act to amend the Code of Civil Procedure by adding a new section thereto, to be known as section two thousand one hundred, relating to official publications.

Also: On the sixteenth day of March, passed the following:

Substitute for Senate Bill No. 177—An Act to amend an Act entitled "An Act to provide for Police Courts in cities having thirty thousand and under one hundred thousand inhabitants, and to provide for officers thereof," approved March 18, 1885.

F. J. BRANDON, Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, March 18, 1891.

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

Senate Bill No. 348—An Act making an appropriation to pay the claim of William Darby.

Also: On the sixteenth day of March, passed the following:

Senate Bill No. 683—An Act to cede jurisdiction to the United States over certain lands.

Also: On this day, March eighteenth, concurred in Assembly amendment to Senate Bill No. 60.

Also: Refused to recede from Senate amendments to Assembly Bill No. 235, and appointed as a Committee of Conference, Senators Seawell, Shippee, and Ragsdale, and respectfully request your honorable body to appoint a like committee.

Also: Refused to pass Assembly Bill No. 741, notwithstanding the objections of the Governor thereto.

Also: Adopted Concurrent Resolution No. 5—Relative to appointing a committee of investigation in the matter of documentary evidence pertaining to the Legislature.

F. J. BRANDON, Secretary.

APPOINTMENT OF COMMITTEE OF CONFERENCE.

The Speaker appointed as a Committee of Conference, to confer with a like committee of the Senate, to consider Assembly Bill No. 235, Messrs. Shanahan, Baughman, and Bryant.

MOTIONS.

Mr. Dibble moved to take up Senate Concurrent Resolution No. 5.

Carried.

Senate Concurrent Resolution No. 5—Relative to appointing a committee of investigation in the matter of documentary evidence pertaining to the Legislature.

Mr. Young moved to amend the resolution by making the committee appointed by the Speaker of the Assembly five instead of three.

Carried.

Resolution as amended, adopted.

SPECIAL FILE.

Senate Bill No. 696—An Act authorizing the Governor, Secretary of State, and the Attorney-General of the State of California, constituting the State Board of Examiners, to receive and receipt for, on behalf of the State of California, the moneys due the State from the United States Government under an Act of Congress known as the "Direct Tax Bill," and authorizing the Governor, Secretary of State, and Attorney-General to execute, upon the part of the State of California, a release in full satisfaction of all claims against the United States on account of the levy and collection of the direct tax.

Read second time.

Amendments by Mr. Dibble, as follows, adopted:

Amend section one by inserting after the word "bill," in line five of said section, the following words: "approved March 2, 1891; and that the State of California hereby agrees to and does hereby accept the sum of money appropriated in said Act for the State of California, and the trusts imposed in said Act, in full satisfaction of all claims of the State of California against the United States on account of the levy and collection of said tax mentioned in said Act of Congress."

Also: Add to the end of section two the following: "and pay the same out to the persons entitled thereto under the provisions of said Act of Congress, upon demands against said fund allowed and approved by the State Board of Examiners, and upon warrants issued by the State Controller therefor."

The hour of twelve o'clock meridian having arrived, the Sergeant-at-Arms of the Assembly announced that the members of the Senate were at the bar of the House.

IN JOINT ASSEMBLY.

On Wednesday, March 18, 1891, at twelve o'clock M., the Senate and Assembly met in 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.

Hon. J. B. Reddick, President of the Senate, in conjunction with Hon. F. L Coombs, Speaker of the Assembly, presiding.

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

Messrs. Bailey, Banks, Berry, Britt, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.).

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

Messrs. Alexander, Ames, Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Brusie, Bryant, Cargill, Carter, Clark, Coffey, Cram, Culver, Cunningham, Daly, Dennis, Dibble, Doty, Dow, Dunn, Durner, Eakle, Estey, Fowler, Freeman, Galbraith, Garver, Gordon, Gould, Hail, Harloe, Hawley, Hayes, Hersey, Hocking, Hoey, Hunewill, Jackson, Johnson, Jones, Kellogg, Lacey, Lewis, Lowe, Lux, Lynch, Marion, Martin, Mathews, Matlock, McCall, Mordecai, Murnan, Murphy, Phillips, Renfro Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Tully, Wentworth, Weston, Windrow, Young, and Mr. Speaker.

Quorum of both branches of the Legislature present.

READING OF THE JOURNAL.

The Journal of yesterday's proceedings in Joint Assembly was read by the Secretary of the Senate.

Journal corrected and approved.

The President of the Senate then announced that nominations for United States Senator were in order.

ROLL CALL.

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 Blanchard—Mr. Fraser.
For White—Messrs. Berry, Britt, Goucher, Hamill, Mead, Ostrom, Seawell, and Welch.
For Estee—Messrs. Bailey, Byrnes, Campbell of Siskiyou, Carpenter, Dray, Flint, Heacock, McComas, McGowan, Preston, Ragsdale, Shippee, Simpson, Sprague, Streeter, and Voorhies.
For Felton—Messrs. Banks, Broderick, Crandall, Dargie, De Long, Everett, Maher, Mahoney, Williams (Geo. H.).
For Johnston—Mr. Denison.

Whole number of votes cast	35
Mr. Blanchard received	1
Mr. White received	8
Mr. Johnston received	1
Mr. Estee received	16
Mr. Felton received	9

The Clerk of the Assembly called the roll of the House, and each member present voted for his choice for Senator, as follows:

For Blanchard—Mr. Baughman.
For Estee—Messrs. Ames, Barnard, Barnett of Sonoma, Beecher, Bert, Brown, Bryant, Cargill, Clark, Culver, Durner, Estey, Fowler, Freeman, Hail, Harloe, Hawley, Hocking, Hunewill, Johnson, Kellogg, Lacey, Lewis, Matlock, McCall, Murphy, Smith of Butte, Smith of Orange, Sturtevant, Weston, and Mr Speaker.
For Felton—Messrs. Alexander, Barnett of San Francisco, Carter, Coffey, Daly, Dennis, Dibble, Dow, Galbraith, Glynn, Gordon, Hayes, Hersey, Hoey, Jones, Lowe, Lux, Lynch, Marion, Phillips, Steltz, Tennis, Tully, Wentworth, Windrow, and Young
For Johnston—Messrs. Bruner and Brusie.
For Perkins—Mr. Cram.
For White—Messrs. Arms, Doty, Dunn, Eakle, Garver, Gould, Jackson, Martin, Mathews, Mordecai, Murnan, Renfro, Rice, Robertson, Shanahan, and Stabler.
For Irish—Mr. Cunningham.

Whole number of votes cast	78
Mr. Blanchard received	1
Mr. Irish received	1
Mr. Estee received	31
Mr. Felton received	26
Mr. White received	16
Mr. Perkins received	1
Mr. Johnston received	2

ANNOUNCEMENT OF VOTE.

The President of the Senate then announced the whole number of votes cast to be one hundred and thirteen; necessary for a choice, fifty-seven; and that

Geo. G. Blanchard received	2
S. M. White received	24
M. M. Estee received	47
Chas. N. Felton received	35
John P. Irish received	1
Geo. C. Perkins received	1
Wm. Johnston received	3

MOTION.

Senator Crandall moved that the Joint Assembly do now adjourn until to-morrow at twelve o'clock M.

The ayes and noes were demanded by Messrs. Brusie, Matlock, and Galbraith.

The roll of the Senate was called by the Secretary, with the following result:

AYES—Messrs. Bailey, Banks, Berry, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Heacock, Maher, Mahoney, McGowan, Ostrom, Seawell, Streeter, Welch, Williams (Wm. H.), and Williams (Geo. H.)—24.

NOES—Messrs. Britt, Byrnes, Goucher, Hamill, Harp, McComas, Mead, Preston, Ragsdale, and Sprague—10.

The roll of the Assembly was called by the Chief Clerk, with the following result:

AYES—Messrs. Alexander, Barnett of San Francisco, Baughman, Bruner, Cargill, Carter, Coffey, Cram, Daly, Dennis, Dibble, Dow, Fowler, Galbraith, Glynn, Gordon, Hawley, Hayes, Hersey, Hoey, Johnson, Jones, Kellogg, Lowe, Lux, Lynch, Marion, Mathews, Phillips, Renfro, Smith of Orange, Steltz, Tennis, Tully, Wentworth, Windrow, Young, and Mr. Speaker—38.

NOES—Messrs. Ames, Arms, Barnard, Barnett of Sonoma, Beecher, Bert, Bledsoe, Brown, Brusie, Bryant, Clark, Culver, Doty, Dunn, Burner, Eakle, Estey, Freeman, Garver, Gould, Hail, Harloe, Hocking, Hunewill, Jackson, Lacey, Lewis, Martin, Matlock, McCall, Mordecai, Murnan, Murphy, Rice, Robertson, Shanahan, Smith of Butte, Stabler, Sturtevant, and Weston—40.

ADJOURNMENT.

Whereupon, at twelve o'clock and thirty-six minutes P. M., the Joint Assembly was declared adjourned, to meet at twelve o'clock M. to-morrow.

IN ASSEMBLY.

Speaker Coombs in the chair.

RECESS.

At twelve o'clock and forty minutes P. M. the Assembly took a recess until two o'clock and thirty minutes P. M., on motion of Mr. Hawley.

REASSEMBLED.

At two o'clock and thirty minutes P. M. the House reassembled. Speaker pro tem. Young in the chair.

SPECIAL FILE OF SENATE BILLS.

Senate Bill No. 215—An Act to authorize the Board of Fish Commissioners of this State to purchase the land on which the State fish hatcheries at Sisson and Lake Tahoe are now situated, and appropriating money therefor.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Ames, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bryant, Cargill, Daly, Dibble, Doty, Dow, Dunn, Fowler, Galbraith, Garver, Gordon, Hail, Harloe, Heisey, Johnson, Kellogg, Lacey, Lewis, Lowe, Lynch, Martin, Mathews, McCall, Mordecai, Murnan, Murphy, Rice, Shanahan, Smith of Butte, Stabler, Steltz, Tully, Wentworth, Weston, and Young—42.

NOES—Messrs. Bledsoe, Carter, Clark, Dennis, Durner, Eakle, Estey, Freeman, Hawley, Hunewill, Jackson, Phillips, Smith of Orange, Sturtevant, and Mr. Speaker—15.

Title read and approved.

Mr. Robertson moved that the rules be suspended, and Senate Bill No. 215 be immediately transmitted to the Senate.

So ordered.

Senate Bill No. 54—An Act to appropriate money to pay the claim of George J. Mothersole for labor performed and expenses incurred in roofing the Napa State Asylum for the Insane, under a written contract.

Read second time.

MOTION.

Mr. Baughman moved that the House go into Committee of the Whole, with the Speaker pro tem. in the chair, for the purpose of considering Senate Bill No. 54.

Carried.

IN COMMITTEE OF THE WHOLE.

Speaker pro tem. Young in the chair.

Senate Bill No. 54 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker pro tem. Young in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Speaker pro tem. stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 54, and now report the same back to the Assembly, and recommend that the same do not pass.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 18, 1891.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, concurred in Assembly amendments to Senate Concurrent Resolution No. 5.

F. J. BRANDON, Secretary.

APPOINTMENT OF COMMITTEE.

The Speaker appointed as the committee in accordance with Senate Constitutional Resolution No. 5, this day adopted, the following members: Messrs. Freeman, Cram, Wentworth, Stabler, and Rice.

SPECIAL FILE OF SENATE BILLS—(RESUMED).

Senate Bill No. 90—An Act to amend an Act entitled "An Act to amend section six of an Act entitled '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.

Read second time, and placed on file for third reading.

Senate Bill No. 133—An Act to amend an Act entitled "An Act to amend an Act entitled 'An Act to protect and promote horticultural interests of the State,'" approved March 19, 1889.

Read second time, and placed on file for third reading.

Senate Bill No. 151—An Act amendatory of an Act entitled "An Act to amend an Act entitled 'An Act to protect and promote the horticultural interests of the State,' approved March 14, 1881," approved March 19, 1889.

Read second time.

Amendment by Mr. Smith of Orange adopted, as follows:

Amend by striking out of section two, lines thirty-one to thirty-seven, inclusive, and inserting the following: "and premises, which action to foreclose all such liens shall be brought in the proper Court by the District Attorney of the county, in the name and for the benefit of the county making such payment or payments, and when the property is sold, enough of the proceeds shall be paid into the County Treasury of such county to satisfy the liens and costs, and the overplus, if any there be, shall be paid to the owner of the property, if he be known, and if not, into the Court for his use when ascertained."

Also. Amend by striking out of section two, page two, lines one to seven, inclusive, called section five.

Placed on file for third reading.

Senate Bill No. 564—An Act to declare the bridge across Feather River, extending from Fifth Street, at the city of Marysville, in the county of Yuba, to the opposite bank of said river, a free bridge.

Read second time, and placed on file for third reading.

Senate Bill No. 3—An Act to amend section two thousand six hundred and eighty-eight of the Political Code of the State of California, concerning the hearing of the reports of viewers of public highways by Boards of Supervisors, and the manner, time, and place of hearing such report, and the method of giving notice of such time and place to non-consenting land owners, and concerning damages to be awarded on such hearing.

Read second time, and placed on file for third reading.

Senate Bill No. 4—An Act to amend section two thousand six hundred and eighty-two of the Political Code of the State of California, in relation to the character of petitions to be presented for the purpose of altering, laying out, or constructing, or discontinuing, or abandoning of any public highway.

Read second time, and placed on file for third reading.

Senate Bill No. 5—An Act to add a new section to the Political Code, to be numbered section two thousand six hundred and twenty-three, in relation to vacating public roads.

Read second time, and placed on file for third reading.

Substitute for Senate Bill No. 278—Relating to the sale of intoxicating liquors within a specified distance of certain State institutions.

Read second time, and placed on file for third reading.

Senate Bill No. 478—An Act making an appropriation to pay the Assistant Journal Clerks of the Senate (twenty-sixth session of the Legislature) for completing the Journal of the Senate.

Read second time.

Senate Bill No. 601—An Act making an appropriation to pay the Journal Clerk of the Assembly for completing the Journal of the Assembly (twenty-sixth session of the Legislature).

Read second time.

MOTION.

Mr. Phillips moved that the House go into Committee of the Whole, with the Speaker pro tem. in the chair, for the purpose of considering Senate Bills Nos. 478 and 601.

Carried.

IN COMMITTEE OF THE WHOLE.

Speaker pro tem. Young in the chair.

Senate Bills Nos. 478 and 601 were considered in Committee of the Whole.

IN ASSEMBLY.

Speaker pro tem. Young in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Speaker pro tem. stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bills Nos. 478 and 601, and now report the same back to the Assembly, and recommend that the same do pass.

Senate Bill No. 342—An Act to provide for the appointment of a guardian for the Marshall monument and grounds, prescribing his duties, and appropriating money therefor.

Read second time.

MOTION.

Mr. Baughman moved that the House go into Committee of the Whole, with the Speaker pro tem. in the chair, for the purpose of considering Senate Bill No. 342.

Carried.

IN COMMITTEE OF THE WHOLE.

Speaker pro tem. Young in the chair.

Senate Bill No. 342 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker pro tem. Young in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Speaker pro tem. stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 342, and now report the same back to the Assembly, and recommend that the same do pass.

Senate Bill No. 120—An Act to amend section one hundred and seventy-two of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to the husband's control and disposition of the community property.

Read second time, and placed on file for third reading.

Senate Bill No. 135—An Act to amend sections one thousand three hundred and five, one thousand three hundred and seventy-three, one thousand five hundred and fifty-two, one thousand six hundred and thirty-three, and one thousand six hundred and thirty-four 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 estates of deceased persons.

Read second time, and placed on file for third reading.

Substitute for Senate Bill No. 492—An Act to amend an Act entitled "An Act to provide for the building and furnishing of the Home for Soldiers' Widows and Orphans, and Army Nurses, and for the State to inquire into the management of such institution, by a uniform rule proportioned to the number of inmates in said institution, for the management of the same, and for the support of indigent persons residing in the said Home," approved March 16, 1889.

Read second time, and placed on file for third reading.

Senate Bill No. 431—An Act to amend sections one thousand two hundred and seventeen, one thousand two hundred and twenty, one thousand two hundred and twenty-one, one thousand two hundred and twenty-three, one thousand two hundred and twenty-four, 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 twenty-nine, and one thousand two hundred and thirty of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to execution of judgment of death.

Read second time, and placed on file for third reading.

Mr. McCall moved to substitute Senate Bill No. 375 in place on file of Senate Bill No. 34, and the latter withdrawn.

Lost.

Senate Bill No. 34—An Act to amend section three thousand seven hundred and eighty-five of the Political Code, relating to the redemption of property sold for delinquent taxes, and the notices to be given by the purchasers of property at delinquent tax sales before applying for a deed.

Read second time.

Mr. Bruner moved to substitute Senate Bill No. 375 for Senate Bill No. 34, and withdraw Senate Bill No. 34.

Carried.

Senate Bill No. 375—An Act authorizing the Attorney-General to dismiss those certain actions pending in the Superior Court of the City

and County of San Francisco, and numbered eleven thousand seven hundred and six, eleven thousand nine hundred and twenty-five, and eleven thousand nine hundred and twenty-six, upon payment to him for the use of the State of certain moneys.

Read second time, and placed on file for third reading.

Senate Bill No. 295—An Act to provide for the purchase of a portrait of ex-Governor Waterman, by the State Board of Examiners, and to appropriate money therefor.

Read second time.

MOTION.

Mr. Bruner moved that the House go into Committee of the Whole, with the Speaker pro tem. in the chair, for the purpose of considering Senate Bill No. 295.

Carried.

IN COMMITTEE OF THE WHOLE.

Speaker pro tem. Young in the chair.

Senate Bill No. 295 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker pro tem. Young in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Speaker pro tem. stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 295, and now report the same back to the Assembly, and recommend that the same do pass.

Senate Bill No. 119—An Act to amend section one thousand two hundred and one of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the compensation of attorneys.

Read second time, and placed on file for third reading.

Senate Bill No. 454—An Act to amend section two hundred and fifty-six of the Political Code of the State of California, to provide for the printing of the daily Journal of each House of the Legislature, and to repeal section two hundred and fifty-seven of said Code.

Read second time, and placed on file for third reading.

Senate Bill No. 455—An Act adding a new section to the Political Code of the State of California, to be known and designated as section five hundred and thirty-nine, relative to the engrossment and enrollment of bills and other documents, and repealing sections two hundred and forty-eight and two hundred and forty-nine of said Code.

Read second time, and placed on file for third reading.

Senate Bill No. 200—An Act to add a new section to the Code of Civil Procedure of the State of California, to be known and designated as section one thousand six hundred and seventy, relating to the continuance of administration upon the estates of deceased persons.

Read second time, and placed on file for third reading.

Senate Bill No. 391—An Act to provide for the payment of the Con-

troller of State's warrants which have been lost or destroyed previous to payment by the State Treasurer.

Read second time, and placed on file for third reading.

Speaker Coombs in the chair.

Senate Bill No. 117—An Act to provide for, insure, and maintain preference in the appointment, employment, and retention in the public service, and upon public works of the State of California, of honorably discharged ex-Union soldiers, sailors, and marines of the War of the Rebellion.

Read second time.

Mr. Murphy was permitted to withdraw Senate Bill No. 117.

Senate Bill No. 561—An Act to extend the jurisdiction of the Board of State Harbor Commissioners over East Street, San Francisco.

Read second time, and placed on file for third reading.

Senate Bill No. 324—An Act to create a State Board of Funeral Directors, to prescribe its powers and duties, to regulate the practice of undertaking and funeral direction, and to more effectually protect the people against contagious diseases.

Read second time.

MOTION.

Mr. Freeman moved to strike out the enacting clause.

Carried.

NOTICE OF RECONSIDERATION.

Mr. Bruner gave notice that on to-morrow he will move for a reconsideration of the vote striking out the enacting clause from Senate Bill No. 324.

SPECIAL ORDER.

Senate Bill No. 393—An Act authorizing certain corporations to act as executor and in other capacities, and to provide for and regulate the administration of trusts by such corporations.

The roll was called.

CALL OF THE HOUSE.

Pending the roll call, a call of the House was demanded by Mr. McCall, seconded by Messrs. Fowler and Gordon.

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

Messrs. Ames, Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bruner, Bryant, Cargill, Carter, Clark, Coffey, Cram, Culver, Cunningham, Daly, Dennis, Dibble, Doty, Dow, Dunn, Durner, Eakle, Estey, Fowler, Freeman, Garver, Glynn, Gordon, Hall, Hawley, Hayes, Hersey, Hocking, Hoey, Hunewill, Jackson, Johnson, Jones, Kellogg, Lacey, Lewis, Lowe, Lynch, Martin, Mathews, McCall, Mordecai, Murnan, Murphy, Phillips, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tully, Wentworth, Weston, Young, and Mr. Speaker.

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

Carried.

The interrupted roll call was completed, and the bill passed by the following vote:

AYES—Messrs. Ames, Barnard, Barnett of Sonoma, Baughman, Beecher, Bruner, Bryant, Cargill, Carter, Coffey, Cram, Culver, Cunningham, Daly, Dibble, Doty, Dow, Durner, Estey, Fowler, Freeman, Glynn, Hawley Hayes, Hersey, Hocking, Hoey, Johnson, Kellogg, Lowe. Lynch, Mathews, McCall, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Sturtevant, Wentworth, Weston, Young, and Mr. Speaker—43.

NOES—Messrs. Arms, Barnett of San Francisco, Bert, Clark, Dennis, Eakle, Garver, Gordon, Hail, Jackson, Jones, Lacey, Lewis, Lux, Martin, Mordecai, Murnan, Murphy, Phillips, Renfro, Stabler, and Tully—22.

Title read and approved.

MOTION.

Mr. Young moved that he be allowed to introduce a bill under the provision of the Constitution requiring the consent of two thirds of the members.

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

AYES—Messrs. Ames, Arms, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bruner, Brusie, Bryant, Cargill, Coffey, Culver, Cunningham, Daly, Doty, Dow, Dunn, Durner, Estey, Fowler, Freeman, Garver, Glynn, Gordon, Hawley, Hayes, Hersey, Hocking, Hoey, Hunewill, Jackson, Johnson, Kellogg, Lewis, Lowe, Lux, Martin, Mathews, McCall, Mordecai, Murnan, Murphy, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Tully, Wentworth, Weston, Young. and Mr. Speaker—55.

NOES—None.

INTRODUCTION OF BILL.

By Mr. Young: Assembly Bill No. 759—An Act to appropriate the sum of five thousand dollars for the benefit of the sufferers from the Tia Juana flood of the twenty-second of February, 1891, and to provide for its payment.

Read first time, and made a special order for to-morrow morning, immediately after reading of the Journal.

MOTION.

Mr. Shanahan moved that he be allowed to introduce a bill under the provision of the Constitution requiring the consent of two thirds of the members.

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

AYES—Messrs. Arms, Barnett of San Francisco, Barnett of Sonoma, Baughman, Bert, Brusie, Bryant, Carter, Coffey, Culver, Daly, Dibble, Doty, Estey, Fowler, Garver, Hawley, Hayes, Hersey, Jackson, Johnson, Kellogg, Lewis, Lux, Lynch, Martin, Mathews, McCall, Murphy, Robertson, Shanahan, Smith of Orange, Steltz, Young, and Mr. Speaker—35.

NOES—Messrs. Cargill, Cunningham, Durner, Eakle, Hocking, Mordecai, Murnan, Renfro, Smith of Butte, and Weston—10.

MOTIONS.

Mr. Renfro moved to take up Senate Bill No. 272.

Lost.

Mr. Brusie moved that Senate Bill No. 695 be taken up.

Lost.

Mr. Mathews moved to substitute Assembly Bill No. 501 in place of Assembly Constitutional Amendment No. 19, on file, the latter withdrawn.

Carried.

Assembly Bill No. 501—An Act to amend an Act to establish a Civil Code, approved March 21, 1872, by adding two new sections thereto, to

be numbered one thousand eight hundred and fifty-six and one thousand eight hundred and fifty-seven, relating to the lien of depositaries for hire.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Ames, Baughman, Beecher, Bert, Bruner, Brusie, Bryant, Cargill, Carter, Clark, Coffey, Culver, Daly, Dennis, Doty, Galbraith, Garver, Glynn, Gould, Hail, Harloe, Hawley, Hayes, Hersey, Hocking, Hoey, Jackson, Johnson, Kellogg, Lewis, Lux, Lynch, Martin, Mathews, Matlock, McCall, Mordecai, Phillips, Shanahan, Smith of Butte, Smith of Orange, Steltz, Sturtevant, Weston, Young, and Mr. Speaker. —45.

NOES—Mr. Eakle—1.

Title read and approved.

RESOLUTION.

By Mr. Clark:

Resolved, That Martin Steinmetz be allowed two dollars and fifty cents per night, from January 6 to March 3, 1891, for lighting and attending to the gas in the Assembly Chamber. The Controller is hereby authorized to draw his warrant for the same, and the Treasurer is hereby directed to pay the same out of the appropriation for the contingent expenses of the Assembly.

Referred to Committee on Attachés and Employés.

Senate Bill No. 172—An Act to appropriate the sum of four hundred and fifty-eight dollars and sixty-five cents, to pay the claim of William H. Murphy, for money illegally paid the State of California.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Ames, Barnett of Sonoma, Bruner, Brusie, Bryant, Carter, Coffey, Culver, Cunningham, Dennis, Dibble, Doty, Dunn, Eakle, Fowler, Freeman, Galbraith, Garver, Hail, Harloe, Hayes, Hersey, Hocking, Hoey, Jackson, Kellogg, Lewis, Lowe, Lynch, Martin, Mathews, Matlock, McCall, Mordecai, Murnan, Renfro, Shanahan, Smith of Butte, Smith of Orange, Steltz, Sturtevant, Weston, Young, and Mr. Speaker —44.

NOES—Messrs. Baughman, Clark, and Gould—3.

Title read and approved.

Hour of recess deferred until five o'clock P. M.

Assembly Bill No. 748—An Act to repeal an Act entitled "An Act to establish a Board of Silk Culture and to provide moneys for the expenses thereof," approved March 15, 1883, and all Acts and parts of Acts amendatory thereof and supplemental thereto; to abolish said Board, and to provide for the care of the State property under its control.

Mr. Galbraith in the chair.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Ames, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Bert, Bledsoe, Bruner, Brusie, Bryant, Clark, Coffey, Culver, Cunningham, Doty, Dennis, Dunn, Eakle, Fowler, Galbraith, Garver, Gould, Hail, Harloe, Hersey, Hocking, Jackson, Kellogg, Lacey, Lewis, Lowe, Lynch, Martin, Mathews, Matlock, McCall, Murnan, Murphy, Phillips, Renfro, Robertson, Shanahan, Smith of Butte, Smith of Orange, Sturtevant, Weston, and Mr. Speaker—47.

NOES—Messrs Beecher, Cargill, and Young—3.

Title read and approved.

Mr. Clark moved that the rules be suspended, and Assembly Bill No. 748 be immediately transmitted to the Senate.

Carried.

BILLS WITHDRAWN.

By Mr. Barnett of San Francisco: Assembly Bills Nos. 566, 143, and 226.

By Mr. Baughman: Assembly Bills Nos. 323, 553, and 509.

MOTION.

At five o'clock P. M. Mr. Bruner moved that the House do now take a recess until eight o'clock P. M.

Mr. Clark offered as an amendment that the hour of recess be deferred until six o'clock.

Mr. Mathews moved to adjourn.

Lost.

ASSEMBLY CONCURRENT RESOLUTION.

By Mr. Freeman:

Resolved by the Assembly, the Senate concurring, That said Joint Committee of Investigation shall have power to subpœna and examine witnesses in connection with said papers, and upon the subject-matters therein mentioned and referred to.

Adopted.

RECESS.

Mr. Clark's amendment was lost, and the motion to take a recess until eight o'clock carried.

REASSEMBLED.

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

Speaker pro tem. Young in the chair.

MOTIONS.

Mr. Wentworth moved that Assembly Bills Nos. 749, 750, 751, 752, 753, and 754 be made a special order for to-morrow, at eleven o'clock A. M.

Carried.

Mr. Phillips moved that the Speaker be requested not to recognize any member for the purpose of taking up any bills out of order.

Carried.

Mr. Bruner moved to take up Senate Bill No. 124 out of order.

Carried.

Senate Bill No. 124—An Act to amend section one hundred and three of the Code of Civil Procedure of the State of California, relating to Justice's Courts.

Read second time, and placed on file for third reading.

Mr. Ames moved to take up Assembly Bill No. 653 out of order.

Lost.

Assembly Bill No. 640—An Act to pay the claim of Joseph C. Gorman for services rendered as member of the Constitutional Convention, and appropriating money to pay the same.

Read third time.

Substitute for Senate Bill No. 290—An Act to provide for the erection of additional buildings for the use of the State Normal School at San José, California, and making an appropriation therefor.

Read third time.

Senate Bill No. 442—An Act to amend section three and section thirteen of an Act entitled "An Act to promote drainage."

Read third time.

Senate Bill No. 371—An Act to provide for the erection and furnishing of a Superintendent's residence, for the purchase of laundry machinery, for reflooring the Female Asylum Building, and for the permanent improvement of the walks and driveways on the grounds of the State Asylum for the Insane at Stockton, and to appropriate money therefor.

Read third time.

Mr. Clark moved to strike out the enacting clause.

Lost.

Assembly Bill No. 336—An Act to provide for the division of existing counties, and for the creation and organization of new counties and names therefor; to determine the location of county seat by an election; to declare the manner of providing officers; to provide for the support of such new counties by the issuance of bonds; and to determine what portion of old county debt is chargeable to such new county.

Read third time.

MOTION.

Mr. Hocking moved to make further consideration of Assembly Bill No. 336 a special order for to-morrow, at four o'clock P. M.

Carried.

Substitute for Assembly Bill No. 115—An Act to amend an Act entitled "An Act to provide for Police Courts in cities having thirty thousand and under one hundred thousand inhabitants, and to provide for officers thereof," approved March 18, 1885.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Ames, Barnett of Sonoma, Baughman, Beecher, Brown, Bruner, Brusie, Bryant, Cargill, Carter, Clark, Coffey, Culver, Cunningham, Dennis, Dibble, Doty, Dow, Dunn, Durner, Estey, Fowler, Garver, Gordon, Harloe, Hawley, Hayes, Hersey, Hocking, Hunewill, Lacey, Lewis, Lowe, Lux, Lynch, Martin, Matlock, Mordecai, Murnan, Murphy, Phillips, Renfro, Robertson, Smith of Butte, Smith of Orange, Tennis, Tully, Weston, Windrow, Young, and Mr. Speaker—52.

NOES—None.

Title read and approved.

Mr. Culver moved that the rules be suspended, and substitute for Assembly Bill No. 115 be immediately transmitted to the Senate.

Carried.

Assembly Bill No. 586—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, for the distribution of water thereby for irrigation purposes," approved March 7, 1887, by amending sections eighteen, twenty-four, twenty-five, and twenty-six thereof, relating to the assessment of property and the collection of such assessments.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Ames, Arms, Barnett of Sonoma, Baughman, Beecher, Brown, Bruner, Brusie, Bryant, Cargill, Carter, Clark, Coffey, Culver, Cunningham, Dennis, Dibble, Doty, Dow, Dunn, Durner, Eakle, Estey, Fowler, Garver, Gordon, Harloe, Hawley, Hayes, Hersey, Hocking, Hunewill, Kellogg, Lacey, Lewis, Lowe, Lynch, Martin, Matlock, Mordecai, Murnan, Murphy, Phillips, Renfro, Robertson,

Smith of Butte, Smith of Orange, Tennis, Weston, Windrow, Young, and Mr. Speaker—53.
NOES—None.

Title read and approved.

Assembly Bill No. 512—An Act to amend section three thousand four hundred and sixty-six of the Political Code, relating to the collection of assessments made by Commissioners of Assessment, in reclamation districts of this State.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Arms, Barnett of Sonoma, Baughman, Beecher, Brown, Bruner, Brusie, Bryant, Cargill, Carter, Clark, Coffey, Culver, Cunningham, Dibble, Doty, Dow, Dunn, Durner, Estey, Fowler, Garver, Gordon, Harloe, Hawley, Hayes, Hersey, Hocking, Hunewill, Jones, Lacey, Lowe, Lynch, Martin, Matlock, Mordecai, Murnan, Murphy, Renfro, Robertson, Smith of Butte, Smith of Orange, Tully, Weston, Windrow, and Young—47.
NOES—None.

Title read and approved.

MOTION.

Mr. Lacey moved to take up Assembly Bill No. 507.

Carried.

Assembly Bill No. 507—An Act to prevent destruction by fire of contiguous owners.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Ames, Barnett of Sonoma, Baughman, Beecher, Brown, Bruner, Brusie, Bryant, Cargill, Carter, Clark, Coffey, Culver, Cunningham, Dunn, Durner, Eakle, Estey, Fowler, Garver, Glynn, Gordon, Harloe, Hawley, Hayes, Hocking, Hunewill, Jones, Kellogg, Lacey, Lewis, Lowe, Lynch, Martin, Matlock, Mordecai, Murnan, Phillips, Renfro, Robertson, Smith of Butte, Weston, Windrow, and Young—45.
NOES—None.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Clark gave notice that on to-morrow he will move for a reconsideration of the vote whereby Assembly Bill No. 507 was passed.

Assembly Bill No. 583—An Act repealing sections seven hundred and seventy-eight, seven hundred and seventy-nine, seven hundred and eighty, seven hundred and eighty-one, and seven hundred and eighty-two of the Political Code, relating to the printing of reports of decisions of the Supreme Court.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Ames, Barnett of Sonoma, Baughman, Beecher, Brown, Bruner, Brusie, Bryant, Cargill, Carter, Clark, Coffey, Culver, Cunningham, Dennis, Dibble, Dunn, Eakle, Estey, Fowler, Garver, Gordon, Harloe, Hawley, Hocking, Hunewill, Jones, Kellogg, Lacey, Lewis, Lowe, Martin, Matlock, Mordecai, Renfro, Robertson, Smith of Butte, Smith of Orange, Steltz, Tennis, Tully, Weston, Windrow, Young, and Mr. Speaker—46.
NOES—None.

Title read and approved.

Senate Bill No. 599—An Act entitled an Act relating to the working, rights of way, easement, and drainage of mines in the State of California.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Ames, Barnett of Sonoma, Baughman, Beecher, Bert, Brown, Bruner, Brusie, Bryant, Cargill, Carter, Clark, Coffey, Culver, Cunningham, Dennis, Dibble, Doty, Dow, Dunn, Eakle, Estey, Fowler, Garver, Glynn, Gordon, Harloe, Hawley, Hocking, Hunewill, Jones, Kellogg, Lacey, Lewis, Lowe, Lynch, Martin, Matlock, Mordecai, Murphy, Phillips, Renfro, Robertson, Shanahan, Smith of Butte, Smith of Orange, Steltz, Tennis, Tully, Weston, Windrow, and Young—52.

NOES—None.

Title read and approved.

Mr. Brusie moved to take up Senate Bill No. 695 out of order.

Carried.

Senate Bill No. 695—An Act for the relief of A. J. Bourn, for personal injuries received by him while in the service of the State.

Read second time.

MOTION.

Mr. Brusie moved that the House go into Committee of the Whole, with the Speaker pro tem. in the chair, for the purpose of considering Senate Bill No. 695.

Carried.

IN COMMITTEE OF THE WHOLE.

Speaker pro tem. Young in the chair.

Senate Bill No. 695 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker pro tem. Young in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Speaker pro tem. stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 695, and now report the same back to the Assembly, and recommend that the same do pass.

MOTIONS.

Mr. Brusie moved to make Senate Bill No. 695 a special order for to-morrow morning, immediately after reading of the Journal.

Carried.

Mr. Doty moved to take up out of order substitute for Senate Bill No. 624.

Carried.

Substitute for Senate Bill No. 624—An Act appropriating money for the maintenance and support of the Sacramento Foundling Home.

Read second time.

Mr. Doty moved that the House go into Committee of the Whole,

with the Speaker pro tem. in the chair, for the purpose of considering substitute for Senate Bill No. 624.

Carried.

IN COMMITTEE OF THE WHOLE.

Speaker pro tem. Young in the chair.

Substitute for Senate Bill No. 624 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker pro tem. Young in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Speaker pro tem. stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration substitute for Senate Bill No. 624, and now report the same back to the Assembly, and recommend that the same do pass.

MOTIONS.

Mr. Doty moved to make substitute for Senate Bill No. 624 a special order for to-morrow, at four o'clock P. M.

Carried.

Mr. Bruner moved to take up out of order Assembly Bill No. 554.

Carried.

Assembly Bill No. 554—An Act to amend section fifty-three of the Code of Civil Procedure, approved March 11, 1872, relating to powers on appealed cases.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Ames, Arms, Barnett of Sonoma, Beecher, Bert, Brown, Bruner, Brusie, Bryant, Cargill, Carter, Clark, Coffey, Culver, Cunningham, Dennis, Doty, Dow, Dunn, Eakle, Estey, Fowler, Garver, Glynn, Gould, Hail, Harloe, Hersey, Hunewill, Kellogg, Lacey, Lewis, Lowe, Lux, Lynch, Martin, Matlock, McCall, Murnan, Murphy, Robertson, Shanahan, Smith of Butte, Steltz, Tennis, Weston, Windrow, Young, and Mr. Speaker—50.

NOES—Messrs. Baughman and Phillips—2.

Title read and approved.

Mr. Windrow moved to take up Assembly Bill No. 193.

Carried.

Assembly Bill No. 193—An Act to amend section six, and to repeal section sixty-three of an Act entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors," approved April 16, 1880, relating to the appointment of receivers, and the care and disposition of the property of insolvent debtors during the pendency of insolvency proceedings, and before the election of an assignee.

Read first time.

Mr. Cargill moved to take up Assembly Bill No. 78.

Carried.

Assembly Bill No. 78—An Act to provide compensation to G. B. Montgomery for professional services rendered the State of California, at the request of the Attorney-General.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Ames, Arms, Barnard, Barnett of Sonoma, Beecher, Bert, Bruner, Brusie, Bryant, Cargill, Carter, Coffey, Culver, Dennis, Dibble, Doty, Dow, Dunn, Fowler, Garver, Glynn, Gordon, Gould, Hail, Harloe, Hersey, Hocking, Hunewill, Lewis, Lux, Lynch, Martin, Matlock, Mordecai, Robertson, Shanahan, Smith of Butte, Steltz, Tennis, Weston, Windrow, and Young—43.

NOES—Messrs. Baughman, Clark, Cunningham, Eakle, Estey, Murnan, Phillips, and Renfro—8.

Title read and approved.

ADJOURNMENT.

At nine o'clock and forty-five minutes P. M., on motion of Mr. Dennis, the House adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Thursday, March 19, 1891.

The House met pursuant to adjournment.

Speaker pro tem. Young in the chair.

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

Messrs. Alexander, Ames, Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Brusie, Bryant, Cargill, Carter, Clark, Coffey, Cram, Culver, Cunningham, Daly, Dennis, Dibble, Doty, Dow, Dunn, Durner, Eakle, Estey, Fowler, Freeman, Galbraith, Garver, Glynn, Gordon, Gould, Hail, Harloe, Hawley, Hayes, Hersey, Hocking, Hoey, Hunewill, Jackson, Johnson, Jones, Kellogg, Lacey, Lewis, Lowe, Lux, Lynch, Marion, Martin, Mathews, Matlock, McCall, Mordecai, Murnan, Murphy, Phillips, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Tully, Wentworth, Weston, Windrow, Young, and Mr. Speaker.

Quorum present.

Speaker Coombs in the chair.

PRAYER.

Prayer by the Chaplain, Rev. A. C. Herrick.

READING OF THE JOURNAL.

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

So ordered.

Journal of Tuesday approved.

Approval of Journal of yesterday deferred.

LEAVE OF ABSENCE.

Leave of absence was granted the investigating committee—Messrs. Freeman, Rice, Cram, Wentworth, Stabler, and Culver—until eleven o'clock.

MOTIONS.

Mr. Mathews moved that three hundred copies of Assembly Bill No. 692 be printed by the State Printer in the same form as enrolled bills.

Carried.

Mr. Smith of Orange moved to recall Assembly Bill No. 68 from the Governor, for correction.

Carried.

REPORTS OF STANDING COMMITTEES.

ON ELECTIONS AND PRIVILEGES.

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1891.

MR. SPEAKER: Your Committee on Elections and Privileges, to whom were referred the contested election cases of Campbell vs. Eakle and Brown vs. Daly—have had the same under consideration, and report that the evidence in said cases is in its possession, and respectfully transmit the same to the House.

A. T. BARNETT, Chairman.

The documentary evidence of the contested election cases above referred to received, and placed in the hands of the Chief Clerk.

ON PUBLIC PRINTING.

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1891.

MR. SPEAKER: Your Committee on Public Printing, to whom was referred Assembly resolution relative to the manufacture of text-books, beg leave to submit the following report, prepared by its expert.

JONES, Chairman.

Report ordered printed in appendix to the Journal.

SPECIAL ORDERS.

Senate Bill No. 44—An Act to provide for certain improvements and repairs at the Folsom State Prison, and making an appropriation therefor.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Barnard, Barnett of San Francisco, Baughman, Beecher, Bert, Bruner, Bryant, Clark, Dennis, Dibble, Dow, Dunn, Estey, Fowler, Galbraith, Glynn, Gordon, Gould, Hall, Hawley, Hayes, Hunewill, Jackson, Johnson, Lacey, Lynch, Martin, Mathews, Matlock, McCall, Mordecai, Murnan, Murphy, Phillips, Renfro, Robertson, Shanahan, Smith of Orange, Sturtevant, Tennis, Weston, and Young—43.

NOES—Messrs. Bledsoe, Eakle, Harloe, Smith of Butte, and Mr. Speaker—5.

Title read and approved.

Mr. Bruner moved that the rules be suspended, and Senate Bill No. 44 be immediately transmitted to the Senate.

Carried.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1891.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that they have examined Assembly Bill No. 758, and find it correctly engrossed.

WINDROW, Chairman.
By DUNN.

SPECIAL ORDERS—(RESUMED).

Assembly Bill No. 758—An Act making an appropriation for the deficiency in the appropriation for the pay of officers and clerks of the Assembly, for the twenty-ninth session of the Legislature.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Arms, Barnard, Barnett of San Francisco, Baughman, Beecher, Bledsoe, Bruner, Bryant, Cargill, Culver, Cunningham, Dennis, Dibble, Dow, Dunn, Eakle, Estey, Galbraith, Garver, Glynn, Gordon, Gould, Hail, Harloe, Hawley, Hayes, Hersey, Hunewill, Jackson, Johnson, Kellogg, Lacey, Lewis, Lynch, Martin, Mathews, Matlock, McCall, Mordecai, Murnan, Murphy, Phillips, Robertson, Shanahan, Smith of Butte, Smith of Orange, Steltz, Sturtevant, Tennis, Weston, Young, and Mr. Speaker—53.

NOES—None.

Title read and approved, and ordered transmitted to the Senate.

Assembly Bill No. 695—An Act for the relief of A. J. Bourn, for personal injuries received by him while in the service of the State.

Read third time.

Speaker pro tem. Young in the chair.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Ames, Arms, Barnett of San Francisco, Barnett of Sonoma, Beecher, Bert, Brown, Bruner, Brusie, Bryant, Cofley, Culver, Dennis, Dibble, Doty, Dow, Dunn, Eakle, Fowler, Galbraith, Garver, Glynn, Gordon, Gould, Harloe, Hawley, Hayes, Hersey, Jackson, Johnson, Jones, Lewis, Lowe, Lux, Lynch, Martin, McCall, Murnan, Murphy, Phillips, Renfro, Robertson, Steltz, Sturtevant, Tennis, Weston, Windrow, and Young—48.

NOES—Messrs. Baughman, Bledsoe, Clark, Matlock, Shanahan, Smith of Butte, Smith of Orange, and Mr. Speaker—8.

Title read and approved.

MOTION.

Mr. Beecher moved that Senate Bill No. 126 be taken up out of order.

Carried.

Senate Bill No. 126—An Act fixing the price at which jute goods shall be sold by the State, and providing the manner of sale thereof.

Read second time.

REPORT OF STANDING COMMITTEE.

ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1891.

MR. SPEAKER: Your Committee on Enrollment beg leave to report that Assembly Bill No. 68 has been returned to this committee by the Governor as being incorrectly engrossed, and we respectfully recommend that the bill be referred back to the Committee on Engrossment.

BLEDSOE, Chairman.

Assembly Bill No. 68 referred to Committee on Engrossment.

SPECIAL ORDERS—(RESUMED).

Assembly Bill No. 759—An Act to appropriate the sum of five thousand dollars for the benefit of the sufferers from the Tia Juana flood of the twenty-second of February, 1891, and to provide for its payment.

Read second time.

MOTION.

Mr. Phillips moved that the House go into Committee of the Whole, with the Speaker pro tem. in the chair, for the purpose of considering Assembly Bill No. 759.

Carried.

IN COMMITTEE OF THE WHOLE.

Speaker pro tem. Young in the chair.

Assembly Bill No. 759 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker pro tem. Young in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Speaker pro tem. stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 759, and now report the same back to the Assembly, and recommend that the same do pass.

Assembly Bill No. 759 ordered engrossed and to a third reading.

Assembly Bill No. 759 made a special order for to-morrow morning, immediately after reading of the Journal, on motion of Mr. Phillips.

MOTION.

Mr. Bruner moved a reconsideration of the vote whereby the enacting clause was stricken out of Senate Bill No. 324.

Carried.

Senate Bill No. 324—An Act to create a State Board of Funeral Directors, to prescribe its powers and duties, to regulate the practice of undertaking and funeral direction, and to more effectually protect the people against contagious diseases.

Amendments by Mr. Bruner, as follows, adopted:

Amend by striking out of section three, line three, the words "this State," and inserting the following: "any city, or city and county, in this State having a population exceeding ten thousand inhabitants."

Also: Amend by striking out of section four, line four, the words "this State," and inserting the following: "any city, or city and county, in this State having a population exceeding ten thousand inhabitants."

Also: Amend by striking out of section five, line three, the words "this State," and inserting the following: "any city, or city and county, in this State having a population exceeding ten thousand inhabitants."

Also: Amend by striking out of section six, line two, the words "this State," and inserting the following: "any city, or city and county, in this State having a population exceeding ten thousand inhabitants."

SPECIAL ORDER.

Assembly Bill No. 749—An Act to repeal sections six hundred and orty-two and six hundred and forty-three of the Political Code, providing for a Board of Fish Commissioners, and all Acts and parts of Acts amendatory thereof and supplemental thereto; to abolish said Board, and to provide for the care of State property under its charge.

MOTION.

Mr. Wentworth moved to strike out the enacting clause.

The ayes and noes were demanded by Messrs. Bledsoe, Kellogg, and Smith of Orange.

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

AYES—Messrs. Alexander, Ames, Arms, Barnett of Sonoma, Beecher, Bert, Bruner, Bryant, Coffey, Culver, Cunningham, Dibble, Galbraith, Glynn, Gordon, Gould, Hail, Harloe, Hawley, Hayes, Jackson, Lewis, Lux, Mathews, McCall, Murnan, Robertson, Smith of Butte, Stabler, Steltz, Tennis, and Wentworth—32.

NOES—Messrs. Baughman, Bledsoe, Brusie, Carter, Clark, Doty, Dow, Dunn, Eakle, Garver, Hocking, Kellogg, Lacey, Martin, Matlock, Phillips, Shanahan, Smith of Orange, Weston, Young, and Mr. Speaker—21.

Assembly Bill No. 750—An Act supplementary to and amendatory of an Act entitled "An Act to provide for the management and control of the State Agricultural Society by the State," approved April 15, 1880, conferring additional powers and duties on the State Board of Agriculture, and increasing the number of Directors thereof.

Refused third reading.

Assembly Bill No. 751—An Act to transfer to the State Board of Agriculture the jurisdiction and duties of the State Boards of Horticulture and Viticulture, and to abolish said last named Boards.

Refused third reading.

The hour of twelve o'clock meridian having arrived, the Sergeant-at-Arms of the Assembly announced that the members of the Senate were at the bar of the House.

IN JOINT ASSEMBLY.

On Thursday, March 19, 1891, at twelve o'clock M., the Senate and Assembly met in 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.

Hon. J. B. Reddick, President of the Senate, in conjunction with Hon. F. L. Coombs, Speaker of the Assembly, presiding.

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

Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Langford, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Seawell, Shippee, Simpson, Sprague, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.).

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

Messrs. Alexander, Ames, Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Brusie, Bryant, Cargill, Carter, Clark, Coffey, Cram, Culver, Cunningham, Daly, Dennis, Dibble, Doty, Dow, Dunn, Durner, Eakle, Estey, Fowler, Freeman, Galbraith, Garver, Glynn, Gordon, Gould, Hail, Harloe, Hawley, Hayes, Hersey, Hocking, Hoey, Hunewill, Jackson, Johnson, Jones, Kellogg, Lacey, Lewis, Lowe, Lux, Lynch, Marion, Martin, Mathews, Matlock, McCall, Mordecai, Murnan, Murphy, Phillips, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Tully, Wentworth, Weston, Windrow, Young, and Mr. Speaker.

Quorum of both branches of the Legislature present.

READING OF THE JOURNAL.

The Journal of yesterday's proceedings in Joint Assembly was read by the Secretary of the Senate.

Journal approved.

The President of the Senate then announced that nominations for United States Senator were in order.

ROLL CALL.

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 Estee—Messrs. Campbell of Siskiyou, Carpenter, Dray, Heacock, McComas, McGowan, and Sprague.

For Felton—Messrs. Bailey, Banks, Broderick, Byrnes, Campbell of Solano, Crandall, Dargie, De Long, Denison, Everett, Flint, Fraser, Maher, Mahoney, Preston, Ragsdale, Shippee, Simpson, Streeter, Voorhies, and Williams (Geo. H.).

For White—Messrs. Berry, Britt, Goucher, Hamill, Harp, Langford, Mead, Ostrom, Seawell, Welch, and Williams (Wm. H.).

Whole number of votes cast	39
Mr. White received	11
Mr. Estee received	7
Mr. Felton received	21

The Clerk of the Assembly called the roll of the House, and each member present voted for his choice for Senator, as follows:

For Estee—Messrs. Bert, Cargill, Clark, Hawley, Kellogg, Matlock, Smith of Orange, and Mr. Speaker.

For Felton—Messrs. Alexander, Ames, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Brown, Bruner, Bryant, Carter, Coffey, Culver, Daly, Dennis, Dibble, Dow, Durner, Estey, Fowler, Freeman, Galbraith, Glynn, Gordon, Hall, Harloe, Hayes, Hersey, Hocking, Hoey, Hunewill, Johnson, Jones, Lacey, Lewis, Lowe, Lux, Lynch, Marion, McCall, Murphy, Phillips, Smith of Butte, Steltz, Sturtevant, Tennis, Tully, Wentworth, Weston, Windrow, and Young.

For Johnston—Mr. Brusie.

For Perkins—Mr. Cram.

For White—Messrs. Arms, Cunningham, Doty, Dunn, Eakle, Garver, Gould, Jackson, Martin, Mathews, Mordecai, Murnan, Renfro, Rice, Robertson, Shanahan, and Stabler

For Heacock—Mr. Bledsoe.

Whole number of votes cast	79
Mr. Estee received	8
Mr. Felton received	51
Mr. White received	17
Mr. Perkins received	1
Mr. Johnston received	1
Mr. Heacock received	1

The President of the Senate then announced the whole number of votes cast to be one hundred and eighteen; necessary for a choice, sixty; and that

S. M. White received	28
M. M. Estee received	15
Chas. N. Felton received	72
Geo. C. Perkins received	1
Wm. Johnston received	1
E. H. Heacock received	1

The Speaker of the Assembly announced the vote, and declared that Hon. Charles N. Felton having received a majority of all the votes cast by the members of both Houses of the Legislature present and voting in Joint Assembly, was duly elected to represent the State of

California in the Senate of the United States, to fill the unexpired term caused by the death of Senator Hearst.

READING OF THE MINUTES.

The minutes of the Joint Assembly were read and approved.

Whereupon, at twelve o'clock and fifty minutes P. M., the President of the Senate announced that both Houses having performed their duties regarding the election of a United States Senator, are now dissolved.

J. B. REDDICK,
President of the Senate.
FRANK L. COOMBS,
Speaker of the Assembly.

IN ASSEMBLY.

Speaker Coombs in the chair.

RECESS.

At twelve o'clock and fifty minutes P. M., on motion of Mr. Dibble, the Assembly took a recess until two o'clock and thirty minutes P. M.

REASSEMBLED.

At two o'clock and thirty minutes P. M. the House reassembled.

RESOLUTION.

By Mr. Young:

Resolved, That the hour and a half which is to be devoted to the Senate file, be exclusively confined to finishing up the second reading of bills on that file.

MOTIONS.

Mr. Lynch moved to lay on the table.

Lost.

Mr. Dibble moved to proceed with the Senate special file, and devote the evening session to second reading of bills.

Resolution rejected.

RESOLUTION.

By Mr. Hail:

Resolved, That five hundred copies of the report of the expert on the text-book question be printed in pamphlet form for the use of the Assembly.

Adopted.

Assembly Bill No. 752—An Act to increase the number of Directors of the State Board of Agriculture.

Refused third reading.

Assembly Bill No. 753—An Act to repeal an Act entitled "An Act to create a State Board of Forestry, and to provide for the expenses thereof," approved March 3, 1885, and all Acts and parts of Acts amendatory thereto, to abolish said Board, and to provide for the care of the State property under its charge.

Refused third reading.

WITHDRAWAL OF BILL.

Mr. Robertson was permitted to withdraw Assembly Bill No. 754.

UNFINISHED BUSINESS.

Senate Bill No. 371.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Ames, Barnard, Barnett of San Francisco, Barnett of Sonoma, Beecher, Bert, Brown, Bruner, Brusie, Bryant, Cargill, Carter, Coffey, Culver, Cunningham, Dibble, Doty, Dow, Dunn, Durner, Estey, Fowler, Galbraith, Garver, Glynn, Gordon, Gould, Hawley, Hunewill, Jackson, Johnson, Jones, Kellogg, Lewis, Lowe, Lux, Lynch, Martin, Mathews, Matlock, Mordecai, Murnan, Phillips, Renfro, Robertson, Shanahan, Steltz, Tennis, Tully, Weston, Windrow, and Young—53.

NOES—Messrs. Baughman, Harloe, Smith of Butte, and Smith of Orange—4.

Title read and approved.

Senate Bill No. 371 immediately transmitted to the Senate, on motion of Mr. Johnson.

MOTION.

Mr. Mordecai moved to take up Senate Bill No. 442 out of order.

Lost.

SPECIAL FILE OF SENATE BILLS.

Senate Bill No. 600—An Act making an appropriation for additional improvements for the Southern California State Hospital for the Insane.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Ames, Barnett of Sonoma, Bert, Bledsoe, Brown, Bruner, Brusie, Bryant, Carter, Coffey, Culver, Daly, Dibble, Doty, Dow, Dunn, Durner, Estey, Fowler, Garver, Glynn, Gordon, Gould, Hail, Hoey, Hunewill, Jackson, Johnson, Kellogg, Lowe, Lux, Lynch, Martin, Mathews, Matlock, Mordecai, Murnan, Murphy, Renfro, Robertson, Shanahan, Smith of Orange, Stabler, Steltz, Tennis, Tully, Weston, Windrow, Young, and Mr. Speaker—52.

NOES—Messrs. Baughman, Beecher, Dennis, Eakle, Harloe, and Smith of Butte—6.

Title read and approved.

REPORT OF COMMITTEE OF CONFERENCE.

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1891.

MR. SPEAKER: Your Committee of Conference concerning Assembly Bill No. 235, report that we have met a like committee of the Senate, consisting of Senators Ragsdale, Shippee, and Seawell, and we report that the Conference Committee are unable to agree upon the amendments pertaining to said bill, and we ask a free conference on said bill.

SHANAHAN,
BAUGHMAN,
BRYANT,
Conference Committee.

APPOINTMENT OF COMMITTEE.

The Speaker appointed as a Free Conference Committee to confer with a like committee from the Senate, on amendments to Assembly Bill No. 235, Messrs. Shanahan, Baughman, and Bryant.

MOTION.

Mr. Gould moved that Assembly Bill No. 555 be now taken up out of order.

Carried.

Assembly Bill No. 555—An Act to pay the claim of A. G. Lafferty against the State of California, for supplies furnished in fitting out Company A, First Battalion of Mountaineers.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Ames, Arms, Barnard, Barnett of Sonoma, Barnett of San Francisco, Beecher, Bert, Bledsoe, Brown, Brusie, Bryant, Cargill, Carter, Coffey, Dennis, Doty, Dow, Dunn, Durner, Eakle, Estey, Fowler, Garver, Glynn, Gould, Hail, Harloe, Hawley, Hocking, Jackson, Johnson, Kellogg, Lacey, Lux, Lynch, Martin, Mathews, Mordecai, Murnan, Murphy, Renfro, Robertson, Shanahan, Smith of Butte, Smith of Orange, Steltz, Wentworth, Weston, Young, and Mr. Speaker—51.

NOES—Messrs. Baughman, Clark, Gordon, and Phillips—4.

Title read and approved.

MOTION.

Mr. Durner moved that the rules be suspended, and Assembly Bill No. 555 be immediately transmitted to the Senate.

Carried.

RESOLUTION.

By Mr. Hail:

Resolved by the Assembly, the Senate concurring, That this Legislature do adjourn sine die on Tuesday, March 24, 1891, at twelve o'clock and thirty minutes P. M.

Amendment by Mr. Shanahan:

Strike out the words "Tuesday, March 24, 1891, at twelve o'clock and thirty minutes P. M.," and insert in lieu thereof the words "Saturday, March twenty-first, at twelve o'clock midnight."

Lost.

RECESS.

At four o'clock and thirty minutes P. M. the Assembly took a recess of ten minutes, on motion of Mr. Gould.

REASSEMBLED.

At four o'clock and forty minutes P. M. the House reassembled.

Speaker Coombs in the chair.

Mr. Bert in the chair.

Amendment by Mr. Shanahan:

Resolved by the Assembly, the Senate concurring, That the twenty-ninth session of the Legislature of the State of California adjourn sine die on Monday, March twenty-third, 1891, at twelve o'clock midnight.

Lost.

Resolution by Mr. Hail adopted.

REPORTS OF STANDING COMMITTEES.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1891.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that they have examined the following Assembly Bills and find them correctly engrossed: Nos. 759 and 366, and No. 68 correctly reengrossed.

WINDROW, Chairman.

SAN FRANCISCO DELEGATION.

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1891.

MR. SPEAKER: The San Francisco Delegation (a Select Committee of this House), to whom was referred Senate Bills Nos. 62 and 293, and Assembly Bills Nos. 306 and 391—respectfully report the same back without action.

WENTWORTH, Chairman.

MOTIONS.

Mr. Coffey moved that Assembly Bill No. 193 be taken up out of order.

Carried.

Assembly Bill No. 193—An Act to amend section six, and to repeal section sixty-three of an Act entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors," approved April 16, 1880, relating to the appointment of receivers, and the care and disposition of the property of insolvent debtors during the pendency of insolvency proceedings, and before the election of an assignee.

Read second time, ordered engrossed and to a third reading.

Mr. Coffey moved to make Assembly Bill No. 193 a special order for eleven o'clock A. M. to-morrow.

Carried.

Mr. Harloe moved to make Senate Bill No. 293 a special order for to-morrow, at eleven o'clock A. M.

Carried.

Assembly Bill No. 336—An Act to provide for the division of existing counties, and for the creation and organization of new counties and names therefor; to determine the location of county seat by an election; to declare the manner of providing officers; to provide for the support of such new counties by the issuance of bonds, and to determine what portion of old county debt is chargeable to such new county.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Alexander, Barnard, Barnett of San Francisco, Barnett of Sonoma, Beecher, Bert, Bledsoe, Brown, Bruner, Bryant, Cargill, Carter, Clark, Coffey, Cunningham, Daly, Doty, Durner, Estey, Fowler, Freeman, Garver, Glynn, Gordon, Hail, Hayes, Hersey, Hocking, Hunewill, Jackson Johnson, Jones, Lacey, Lux, Lynch, Martin, Mathews, Murphy, Smith of Butte, Smith of Orange, Steltz, Sturtevant, Tennis, Tully, Weston, Windrow, and Mr. Speaker—47.

NOES—Messrs. Gould, Harloe, Hawley, Matlock, Mordecai, Murnan, Robertson, and Shanahan—8.

Title read and approved.

Mr. Clark moved that the rules be suspended, and Assembly Bill No. 336 be immediately transmitted to the Senate.

Carried.

At four o'clock and thirty minutes P. M. the hour of recess was extended until five o'clock P. M., on motion of Mr. Brusie.

Substitute for Senate Bill No. 624—An Act appropriating money for the maintenance and support of the Sacramento Foundling Home.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Arms, Barnett of San Francisco, Barnett of Sonoma, Beecher, Bert, Bruner, Brusie, Bryant, Cargill, Carter, Coffey, Culver, Daly, Dibble, Doty, Dow, Dunn, Durner, Eakle, Estey, Fowler, Galbraith, Garver, Glynn, Gould, Hail, Harloe, Hawley, Hayes, Hersey, Jackson, Lewis, Lowe, Lux, Lynch, Martin, Mordecai, Murnan, Murphy, Renfro, Robertson, Smith of Butte, Smith of Orange, Steltz, Sturtevant, Tennis, Tully, Weston, Windrow, and Young—51.

NOES—Mr. Lacey—1.

Title read and approved.

RESOLUTION.

By Mr. Brusie:

Resolved, That Assembly Bill No. 377 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

PREVIOUS QUESTION.

The previous question was demanded by Messrs. Bledsoe, Bryant, and Barnett.

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

The question being upon the adoption of the resolution, the roll was called, and the resolution lost by the following vote:

AYES—Messrs. Alexander, Ames, Barnard, Barnett of Sonoma, Beecher, Brown, Bruner, Brusie, Bryant, Carter, Culver, Doty, Estey, Fowler, Galbraith, Garver, Gordon, Gould, Hall, Hawley, Hersey, Hocking, Hunewill, Jackson, Lewis, Lux, Lynch, Martin, Mathews, Murnan, Robertson, Smith of Orange, Sturtevant, and Young—34.

NOES—Messrs. Arms, Baughman, Bledsoe, Clark, Coffey, Dunn, Eakle, Harloe, Kellogg, Lacey, Mordecai, Phillips, and Mr. Speaker—13.

Assembly Bill No. 377 made a special order for to-morrow, at eleven o'clock A. M.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 13, 1891.

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

Assembly Bill No. 659—An Act to authorize the State Prison Directors of the State of California to employ any unemployed prisoners to construct roads to the State Prison at San Quentin.

Also: Assembly Bill No. 670—An Act to define the boundary and provide for the government of Levee District No. 6, of Sutter County, California.

Also: Assembly Bill No. 756—An Act making an appropriation to pay the deficiency in the appropriation for support of Insane Asylum at Stockton, for the fortieth fiscal year, ending June 30, A. D 1889.

Also: On this day, adopted Assembly Joint Resolution No. 12—Relative to removing Chinese patients from insane asylums.

Also: Assembly Joint Resolution No 17—Relating to the compensation of the enumerators who took the population of the State of California for the eleventh census of the United States.

F. J. BRANDON, Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, March 18, 1891.

MR SPEAKER. I am directed to inform your honorable body that the Senate, on this day, passed Senate Bill No 700—An Act appropriating money to pay the salary of phonographic reporter in the Attorney-General's office, from the first of April to the first of July, 1891.

Also: Senate Bill No 701—An Act making an appropriation to pay the deficiency in the appropriation for pay of officers and clerks of the Senate, for the twenty-ninth session.

F. J. BRANDON, Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, March 19, 1891.

MR SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Assembly Bill No. 216—An Act to determine that lands of this State are swamp and overflowed when returned as such by the United States Surveyor-General.

Also: Assembly Bill No. 404—An Act making an appropriation for reimbursing the Japanese Government for moneys expended in the extradition of Calvin Pratt, a fugitive from the justice of this State, and to provide for transmitting the same to Japan.

Also: Substitute for Assembly Bill No 542—An Act to provide for the formation, government, operation, and dissolution of sanitary districts in any part of the State, for the construction of sewers and other sanitary purposes; the acquisition of property thereby; the calling and conducting of elections in such districts, the assessment, levy, collection,

custody, and disbursement of taxes therein; the issuance and disposal of the bonds thereof, and the determination of their validity, and making provision for the payment of such bonds, and the disposal of their proceeds.

F. J. BRANDON, Secretary.

NOTICE OF RECONSIDERATION.

Mr. Dibble gave notice that he will move to reconsider the vote whereby Assembly concurrent resolution, relative to adjournment, was adopted.

Mr. Dibble moved to recall Assembly concurrent resolution, relative to adjournment, from the Senate.

Carried.

ADJOURNMENT.

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

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Friday, March 20, 1891.

The House met pursuant to adjournment.

Speaker pro tem. Young in the chair.

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

Messrs. Alexander, Ames, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Bryant, Clark, Cram, Cunningham, Dennis, Dibble, Doty, Dow, Dunn, Estey, Fowler, Freeman, Galbraith, Garver, Gordon, Gould, Hail, Harloe, Hawley, Hersey, Hunewill, Jackson, Johnson, Kellogg, Lacey, Lewis, Lowe, Lynch, Martin, Mathews, Matlock, McCall, Mordecai, Murnan, Murphy, Phillips, Renfro, Rice, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Tennis, Wentworth, Young, and Mr. Speaker.

Quorum present.

LEAVE OF ABSENCE.

Leave of absence was granted Investigating Committee for the day.

Speaker Coombs in the chair.

PRAYER.

Prayer by the Chaplain, Rev. A. C. Herrick.

READING OF THE JOURNAL.

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

So ordered.

Journal of Wednesday approved.

Approval of Journal of yesterday deferred.

RECONSIDERATION.

Mr. Dibble moved to reconsider the vote whereby Assembly concurrent resolution, relative to adjournment, was adopted.

PREVIOUS QUESTION.

The previous question was demanded by Mr. Dibble, seconded by Messrs. Brown and Bruner.

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

The question being on the reconsideration of the vote whereby the resolution was adopted, it was carried.

Mr. Hail was permitted to withdraw the resolution.

RESOLUTION.

By Mr. Dibble:

Resolved, That Senate Bill No. 701 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

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

AYES—Messrs. Alexander, Barnard, Barnett of San Francisco, Barnett of Sonoma, Bert, Bledsoe, Brown, Bruner, Bryant, Clark, Cunningham, Dennis, Dibble, Doty, Dow, Dunn, Durner, Eakle, Estey, Fowler, Garver, Gordon, Gould, Hail, Hawley, Hayes, Hersey, Hunewill, Jackson, Johnson, Jones, Kellogg, Lacey, Lowe, Lynch, Marion, Martin, Mathews, Matlock, McCall, Mordecai, Murnan, Murphy, Phillips, Renfro, Rice, Robertson, Smith of Butte, Smith of Orange, Steltz, Tennis, Weston, Young, and Mr. Speaker—54.

NOES—None.

CASE OF URGENCY.

Senate Bill No. 701—An Act making an appropriation to pay the deficiency in the appropriation for pay of officers and clerks of the Senate, twenty-ninth session.

Read first and second times.

MOTION.

Mr. Dibble moved that the House go into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bill No. 701.

Carried.

IN COMMITTEE OF THE WHOLE.

Speaker Coombs in the chair.

Senate Bill No. 701 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Coombs in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Speaker stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 701, and now report the same back to the Assembly, and recommend that the same do pass.

Senate Bill No. 701 read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Ames, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Bert, Brown, Bruner, Brusie, Bryant, Clark, Dennis, Dibble, Doty, Dunn, Durner, Eakle, Estey, Fowler, Gordon, Gould, Hail, Harloe, Hawley, Hayes, Hersey, Jackson, Johnson, Jones, Kellogg, Lacey, Lynch, Marion, Martin, Matlock, McCall, Mordecai, Murphy, Phillips, Renfro, Robertson, Smith of Butte, Smith of Orange, Steltz, Tennis, Weston, Windrow, and Mr. Speaker—48

NOES—None.

Title read and approved.

SPECIAL ORDERS.

Assembly Bill No. 759—An Act to appropriate the sum of five thousand dollars for the benefit of the sufferers from the Tia Juana flood of the twenty-second of February, 1891, and to provide for its payment.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Bert, Bledsoe, Brown, Bruner, Brusie, Bryant, Cargill, Clark, Cunningham, Doty, Dunn, Durner, Eakle, Estey, Fowler, Gordon, Hail, Hawley, Hayes, Hersey, Hunewill, Johnson, Jones, Lewis, Lowe, Lynch, Marion, Martin, Mathews, Matlock, McCall, Mordecai, Murnan, Murphy, Phillips, Robertson, Shanahan, Smith of Orange, Steltz, Weston, Windrow, and Young—46

NOES—Mr. Speaker—1.

Title read and approved.

Mr. Young moved that the rules be suspended, and Assembly Bill No. 759 be immediately transmitted to the Senate.

Carried.

Mr. Jones moved to take up Senate Bill No. 51.

Carried.

Senate Bill No. 51—An Act to amend an Act entitled "An Act to authorize the incorporation of rural cemetery associations," approved April 28, 1859, and to authorize the owners of lots in such cemeteries to transfer them by deed.

Read second time, and made a special order for to-morrow morning, immediately after the reading of the Journal.

Mr. Clark moved to take up Assembly Bill No. 589.

Carried.

Assembly Bill No. 589—An Act to amend sections three thousand four hundred and fifty-four and three thousand four hundred and fifty-five of the Political Code of this State, relating to the powers and duties of Boards of Trustees of reclamation districts formed for the reclamation of swamp and overflowed lands.

Read second time, and made a special order for to-morrow morning, immediately after reading of the Journal, on motion of Mr. Clark.

Mr. Hawley moved to take up Assembly Bill No. 195.

Carried.

Assembly Bill No. 195—An Act to appropriate ten thousand dollars for the purpose of sending an expert to Australia, New Zealand, and adjacent countries, to collect and import into this State parasites and predaceous insects.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Ames, Barnett of San Francisco, Barnett of Sonoma, Bert, Brown, Bruner, Bryant, Cargill, Carter, Clark, Coffey, Dennis, Dibble, Doty,

Durner, Estey, Galbraith, Garver, Gordon, Harloe, Hawley, Hersey, Johnson, Lacey, Lewis, Lowe, Lynch, Marron, Martin, Mathews, Matlock, McCall, Mordecai, Murphy, Phillips, Renfro, Smith of Butte, Smith of Orange, Tennis, Tully, Weston, Windrow, Young, and Mr Speaker—44

NOES—Mr. Eakle—1

Title read and approved, as heretofore amended.

MOTIONS.

Mr. Hawley moved that the rules be suspended, and the bill be immediately transmitted to the Senate.

Carried.

Mr. Durner moved to take up Senate Bill No. 463.

Carried.

Senate Bill No. 463—An Act to establish a naval battalion, to be attached to the National Guard of California.

Read second time.

Made a special order for to-morrow morning, immediately after reading the Journal.

Mr. Carter moved to take up Senate Bill No. 638.

Carried.

Senate Bill No. 638—An Act to amend section seven hundred and thirty-seven of the Political Code, fixing and providing for the salaries of the Judges of the Superior Courts of the City and County of San Francisco, and of the counties of Alameda, San Joaquin, Los Angeles, Santa Clara, Santa Cruz, San Mateo, Yuba and Sutter combined, Sacramento, Butte, Nevada, Sonoma, Colusa, Monterey, Santa Barbara, San Diego, Tulare, Fresno, Solano, Contra Costa, Amador, San Bernardino, Kern, Placer, Humboldt, Marin, Mendocino, Tehama, El Dorado, Alpine, Stanislaus, Yolo, and Calaveras.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Barnard, Barnett of San Francisco, Baughman, Beecher, Bledsoe, Brusie, Bryant, Cargill, Carter, Clark, Coffey, Daly, Estey, Fowler, Galbraith, Garver, Gordon, Hall, Harloe, Hawley, Haves, Hersey, Hoey, Hunewill, Jackson, Johnson, Jones, Kellogg, Lacey, Lewis, Lowe, Martin, Mathews, Matlock, Mordecai, Phillips, Robertson, Smith of Butte, Smith of Orange, Steltz, Tennis, Tully, Windrow, and Young —45.

NOES—Messrs. Bert, Cunningham, and Mr. Speaker—3.

Title read and approved.

MOTION.

Mr. Baughman moved that the Speaker be requested not to recognize any member for the purpose of taking up bills out of order.

Carried on division.

Senate Bill No. 293—An Act for the relief of John J. Conlin.

Read third time.

The roll was called.

CALL OF THE HOUSE.

Pending the roll call, Mr. Coffey moved a call of the House, seconded by Messrs. Steltz and Harloe.

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

Messrs. Alexander, Ames, Barnard, Barnett of San Francisco, Barnett of Sonoma, Bert, Bledsoe, Brown, Bruner, Brusie, Bryant, Cargill, Clark, Coffey, Cram, Culver, Cunningham, Daly, Dennis, Doty, Dow, Dunn, Durner, Eakle, Estey, Fowler, Freeman, Galbraith, Garver, Gordon, Hail, Harloe, Hayes, Hersey, Hoey, Hunewill, Jackson, Johnson, Jones, Kellogg, Lacey, Lewis, Lowe, Lux, Lynch, Marion, Martin, Mathews, Matlock, Mordecai, Murnan, Phillips, Renfro, Robertson, Smith of Butte, Smith of Orange, Stabler, Steltz, Tennis, Tully, Wentworth, Weston, Windrow, Young, and Mr. Speaker.

MOTIONS.

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

Lost.

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

Carried.

The interrupted roll call was completed, and the bill passed by the following vote:

AYES—Messrs. Alexander, Ames, Barnard, Barnett of San Francisco, Barnett of Sonoma, Beecher, Bruner, Brusie, Bryant, Clark, Coffey, Culver, Cunningham, Daly, Dennis, Doty, Dow, Dunn, Durner, Eakle, Estey, Fowler, Garver, Gould, Harloe, Hayes, Hoey, Hunewill, Jackson, Kellogg, Lewis, Lowe, Lux, Lynch, Marion, Martin, Mathews, McCall, Mordecai, Murnan, Rice, Smith of Butte, Steltz, Tennis, Tully, Wentworth, and Young—47.

NOES—Messrs Bledsoe, Cargill, Freeman, Galbraith, Gordon, Hail, Hersey, Matlock, Phillips, Renfro, Robertson, Smith of Orange, Stabler, Weston, and Mr. Speaker—15.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Dennis gave notice that on to-morrow he will move to reconsider the vote whereby Senate Bill No. 293 passed.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1891.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that they have examined the following Assembly Bill, and find it correctly engrossed No. 193

WINDROW, Chairman.

Assembly Bill No. 193—An Act to amend section six, and to repeal section sixty-three of an Act entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors," approved April 16, 1880, relating to the appointment of receivers, and the care and disposition of the property of insolvent debtors during the pendency of insolvency proceedings, and before the election of an assignee.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Ames, Barnard, Barnett of San Francisco, Barnett of Sonoma, Beecher, Bruner, Brusie, Bryant, Cargill, Coffey, Culver, Daly, Dennis, Doty, Dow, Durner, Fowler, Galbraith, Harloe, Hersey, Hoey, Hunewill, Jones, Lacey, Lux, Marion, Mathews, Matlock, Mordecai, Murphy, Phillips, Rice, Robertson, Smith of Butte, Smith of Orange, Steltz, Tennis, Tully, Wentworth, Weston, Windrow, and Young—43.

NOES—Messrs Clark, Cunningham, Dunn, Garver, Gordon, Hail, Jackson, Martin, Murnan, Stabler, and Mr. Speaker—11

Title read and approved.

Mr. Coffey moved that the rules be suspended, and Assembly Bill No. 193 be immediately transmitted to the Senate.

Carried.

Assembly Bill No. 377—An Act to authorize the State Board of Prison Directors to pay for certain skilled labor used in the construction of the dam and canal at the Folsom Prison, and making an appropriation therefor.

Read first time, and placed on file for second reading.

MOTION.

Mr. Brusie moved that Assembly Bill No. 377 be made a special order for to-morrow, immediately after reading of the Journal.

Carried.

REPORT OF SPECIAL COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1891.

MR. SPEAKER: Your Committee appointed to investigate the charges of the San Francisco "Examiner" against Hon Elwood Bruner, would respectfully report that the following additional expense has been incurred, viz.:

For typewriting and making report, one day and a half, I Sanford, fifteen dollars; and recommend the adoption of the following

Resolved, That the Controller is hereby authorized and directed to draw his warrant in favor of I. Sanford for the sum of fifteen dollars, for services in the Bruner investigation, to be paid out of the Contingent Fund of the Assembly.

Referred to Committee on Ways and Means and Appropriations.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1891

MR. SPEAKER: Your committee appointed to investigate the charges of the San Francisco "Examiner" against Hon. Elwood Bruner, beg leave to report the following additional expense bill, viz :

For witness, A. C. Wagstaff, two dollars; and recommend the adoption of the following resolution

Resolved, That the Controller is directed to draw his warrant in favor of A. C. Wagstaff for the sum of two dollars, for witness in the Bruner investigation, to be paid out of the Contingent Fund of the Assembly.

Referred to Committee on Ways and Means and Appropriations.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, March 20, 1891.

To the Assembly of the State of California.

I have the honor to inform your honorable body that I have approved Assembly Bills Nos. 301, 110, 101, 224, and 232, and substitute for Assembly Bill No. 280.

H. H. MARKHAM, Governor.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 19, 1891.

MR SPEAKER: I am directed to inform your honorable body that the Senate, on the eighteenth day of March, passed the following Senate Bill No. 432—An Act fixing a bounty on coyote scalps.

Also: On this day, passed Assembly Bill No. 296—An Act authorizing the Controller to charge the sum of three thousand three hundred and six dollars and seventy-two cents against the General Fund, to adjust a discrepancy existing between the books in his office and those of the office of the State Treasurer, because of payments of warrants from the General Fund which had been drawn against the State Drainage Construction Fund and Construction Fund of Drainage District No. 1.

Also: Assembly Bill No. 671—An Act to provide for funding the indebtedness of Levee District No. 6, of Sutter County, and to provide for the payment of such funded debt.

Also: On this day, adopted Senate Joint Resolution No. 27—An Act relative to surveying and establishing the eastern boundary line of the State of California.

Also: Passed Senate Bill No. 699—An Act to provide a salary for the Keeper of the Archives in the office of the Secretary of State for the balance of the forty-second fiscal year.

F. J. BRANDON, Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, March 20, 1891.

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

Substitute for Senate Bill No. 334—An Act to encourage the cultivation and production of ramie fiber in the State of California, and making an appropriation therefor.

Also: Senate Bill No. 399—An Act to amend section one thousand and ninety-four of "An Act to establish a Political Code," approved March 12, 1872, approved March 20, 1889, relating to elections.

Also: Adopted Senate Concurrent Resolution No. 6—Requesting the Governor to forward each member of the Legislature two bound volumes of the State Engineer's Reports.

Also: Passed Senate Bill No. 703—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 of such Court in said county, and to provide for the payment of salary therefor.

Also: On the eighteenth day of March, passed Assembly Bill No. 212—An Act to repeal section three hundred and thirty-seven of the Penal Code.

Also: On this day, passed Assembly Bill No. 758—An Act making an appropriation to provide for the deficiency in the appropriation for the pay of officers and clerks of the Assembly for the twenty-ninth session of the Legislature.

Also: At the request of the Assembly the Senate herewith returns Assembly Concurrent Resolution No. 6—Relative to adjournment of the twenty-ninth session sine die.

F. J. BRANDON, Secretary.

SENATE CONCURRENT RESOLUTION No. 6.

Resolved, That the Senate and Assembly concurring, the Governor be and is hereby requested and authorized to forward to each member of the Legislature, after adjournment, two bound volumes of the past and present State Engineer's reports, with the accompanying maps.

Adopted.

REPORT OF STANDING COMMITTEE.

ON MILEAGE.

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1891.

MR. SPEAKER: Your Committee on Mileage, to whom was referred the following Assembly resolution:

Resolved, That Geo. E. Shinn, Assistant Sergeant-at-Arms of the Assembly, be and he is hereby allowed forty dollars for mileage in going after delinquent members of the Assembly, under the various calls of the Assembly, from January 5, 1891, up to March 9, 1891, payable out of the appropriation for contingent expenses of the Assembly. The Controller is hereby instructed to draw his warrant in favor of said Geo. E. Shinn for the sum of forty dollars.

Report the following substitute:

Resolved, That Geo. E. Shinn, Assistant Sergeant-at-Arms of the Assembly, be and he is hereby allowed thirty-nine dollars and five cents for mileage and expenses in going after delinquent members of the Assembly, under the various calls of the Assembly, from January 5, 1891, to March 16, 1891, to wit:

Three hundred and sixty-three miles, at ten cents per mile	$36 30
Cash paid, as per receipt, for hack hire	2 50
Cash paid for car fare	25
Total	$39 05

And recommend the adoption of the above substitute.

BRYANT, Chairman.

Referred to Committee on Judiciary.

SPECIAL FILE.

Senate Bill No. 696—An Act authorizing the Governor, Secretary of State, and the Attorney-General of the State of California, constituting

the State Board of Examiners, to receive and receipt for, on behalf of the State of California, the moneys due the State from the United States Government, under an Act of Congress known as the "Direct Tax Bill," and authorizing the Governor, Secretary of State, and Attorney-General to execute, upon the part of the State of California, a release in full satisfaction of all claims against the United States on account of the levy and collection of the direct tax.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Ames, Barnard, Barnett of San Francisco, Barnett of Sonoma, Beecher, Bert, Bledsoe, Brown, Brusie, Bryant, Carter, Clark, Cram, Culver, Daly, Dennis, Dibble, Doty, Dow, Dunn, Estey, Fowler, Freeman, Garver, Gordon, Hail, Hayes, Hersey, Jackson, Johnson, Jones, Kellogg, Lewis, Lowe, Lynch, Mathews, Matlock, Mordecai, Murnan, Murphy, Phillips, Renfro, Rice, Robertson, Shanahan, Smith of Orange, Steltz, Tennis, Wentworth, Weston, and Mr. Speaker—51.

NOES—None.

Title read and approved.

MOTION.

Mr. Dibble moved that the rules be suspended, and Senate Bill No. 696 be immediately transmitted to the Senate.

Carried.

Senate Constitutional Amendment No. 23—An Act providing to have submitted to the people an amendment to article thirteen of the Constitution, section one, in relation to revenue and taxation.

Amendment as follows, by Mr. Dibble:

Amend by striking out the words "fruit trees and vines under five years of age," in line nine.

The ayes and noes were demanded by Messrs. Robertson, Dibble, and Martin.

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

AYES—Messrs. Alexander, Ames, Barnett of San Francisco, Barnett of Sonoma, Bert, Bryant, Cargill, Coffey, Cram, Culver, Dennis, Dibble, Eakle, Gordon, Hail, Hayes, Jackson, Kellogg, Lewis, Lowe, Phillips, Rice, Stabler, Steltz, Sturtevant, Tennis, Tully, Wentworth, and Weston—29.

NOES—Messrs. Barnard, Beecher, Bledsoe, Brown, Brusie, Carter, Clark, Cunningham, Doty, Dow, Dunn, Durnet, Estey, Fowler, Freeman, Garver, Gould, Harloe, Hersey, Hunewill, Johnson, Jones, Lacey, Lynch, Marion, Martin, Mathews, Matlock, McCall, Mordecai, Murnan, Murphy, Renfro, Robertson, Shanahan, Smith of Butte, Smith of Orange, Young, and Mr. Speaker—39.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, March 19, 1891.

To the Assembly of the State of California.

I herewith return to your honorable body, without my approval, Assembly Bill No. 219, for the following reasons:

It will be observed that the proposed amendment is very far-reaching in its character, and would embrace every conceivable case of contempt. Did contempt proceedings, provided for in section one thousand two hundred and twenty-two of the Code of Civil Procedure, involve entirely personal questions between the Court and the offending party, and did not involve the rights of litigants, there could be little room for objection. The intention of the law, as it now stands, is, it seems to me, to enable the Court to protect the property of litigants, which otherwise would be put in serious peril, if not destroyed and lost. In equity cases, for instance, the relief adjudged in favor of the successful party largely depends upon the power of the Court to enforce its decrees. This can be done only by proceeding against the offending party as for contempt, as there is no other way provided by the law for enforcing the orders and decrees of Courts of

equity. If the judgment of contempt can be stayed by appeal, the injury sought to be prevented would, in most cases, be completed and accomplished before the appeal could be heard or decided. Again, if judgments and orders in contempt cases could be thus appealed from and stayed, the Court would be powerless, except at the end of long and dangerous delay, to compel a dishonest administrator or executor, without bonds, to perform his duties, or restrain him from robbing an estate, or require him to account for and pay over moneys or property already embezzled. The restraining influence of the Court upon the individual representatives of large corporations would be practically removed. It might also have a tendency to remove the barriers in the way of corporations passing over and through lands of individuals, without first obtaining consent or making proper reparation. A recalcitrant juror, refusing to attend upon the Court, or a witness refusing to attend or to testify, could not be compelled or enforced, and parties would be safe in tampering with the witnesses of the adverse party and keeping them away from the trial. In all these cases an appeal bond, conditioned to pay the cost of appeal, would accomplish all the purposes of an unscrupulous party or attorney. The present statute has been a law of this State since its early history, and experience demonstrates that such a provision is necessary to enable Courts to administer justice and to protect the personal and property rights of the citizens.

H. H MARKHAM, Governor.

MOTION.

Mr. Dibble moved that consideration of the Governor's message lie over until to-morrow.

Carried.

RECESS.

At twelve o'clock and thirty minutes P. M. the House took a recess.

REASSEMBLED.

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

Speaker Coombs in the chair.

UNFINISHED BUSINESS.

Senate Constitutional Amendment No. 23.

Amendment by Mr. Jackson:

Amend by striking out the words "fruit trees and" after the word "that."

Declared out of order.

Also: By adding after the word "age" the words "horses and cattle under the age of two years, sheep and hogs under the age of one year."

MOTION.

Mr. Lynch moved that the matter of Senate Constitutional Amendment No. 23, with amendments, be laid on the table.

Carried.

REPORT OF INVESTIGATING COMMITTEE.

Mr. Bledsoe presented a majority report of the Bruner Investigating Committee, and moved that it be received.

MOTIONS.

Mr. Durner moved that the majority report of the investigating committee be laid on the table until the minority report is handed in.

Mr. Hail moved that the reception of the report of the committee be deferred until to-morrow morning.

The question being on the shortest time.
Mr. Bledsoe's motion was lost.
Mr. Hail's motion was carried.

SPECIAL FILE OF SENATE BILLS—THIRD READING.

Senate Bill No. 335—An Act to appropriate money to pay the claim of William Gutenberger, for the loss of tools and property destroyed at the Branch State Prison at Folsom.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Ames, Arms, Barnett of San Francisco, Barnett of Sonoma, Beecher, Brown, Bruner, Brusie, Bryant, Clark, Culver, Cunningham, Daly, Dennis, Dibble, Doty, Dow, Dunn, Eakle, Estey, Fowler, Freeman, Galbraith, Garver, Glynn, Gould, Hail, Harloe, Hawley, Hunewill, Jackson, Lowe, Lux, Lynch, Martin, Mathews, McCall, Mordecai, Murnan, Renfro, Rice, Robertson, Smith of Butte, Stabler, Sturtevant, Tennis, and Young—47.

NOES—Messrs. Cram, Durner, Gordon, Johnson, Kellogg, Matlock, Murphy, Wentworth, and Mr. Speaker—9.

Title read and approved.

MOTION.

Mr. Young moved that the rules be suspended, and Senate Bill No. 335 be immediately transmitted to the Senate.

Carried.

Senate Bill No. 54—An Act to appropriate money to pay the claim of George J. Mothersole, for labor performed and expenses incurred in roofing the Napa State Asylum for the Insane, under a written contract.

Read third time.

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

AYES—Messrs. Alexander, Beecher, Bert, Brown, Bruner, Brusie, Bryant, Cram, Daly, Fowler, Hunewill, Jackson, Lewis, Lux, Martin, McCall, Rice, Robertson, Shanahan, Smith of Butte, Sturtevant, and Tennis—22.

NOES—Messrs. Barnard, Barnett of San Francisco, Barnett of Sonoma, Bledsoe, Cargill, Carter, Clark, Cunningham, Dennis, Doty, Dow, Dunn, Durner, Eakle, Estey, Freeman, Garver, Glynn, Gordon, Gould, Harloe, Hawley, Hayes, Hersey, Johnson, Kellogg, Lacey, Matlock, Mordecai, Murnan, Renfro, Smith of Orange, Stabler, Wentworth, and Mr. Speaker—35.

NOTICE OF RECONSIDERATION.

Mr. Gould gave notice that on to-morrow he will move to reconsider the vote whereby Senate Bill No. 54 was lost.

Senate Bill No. 90—An Act to amend an Act entitled "An Act to amend section six of an Act entitled '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.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Barnard, Barnett of San Francisco, Beecher, Bert, Brown, Bruner, Brusie, Bryant, Carter, Daly, Dennis, Doty, Dow, Dunn, Durner, Estey, Fowler, Garver, Gordon, Gould, Harloe, Hawley, Hayes, Johnson, Kellogg, Lewis, Lux, Martin, Matlock, McCall, Mordecai, Murnan, Phillips, Renfro, Rice, Robertson, Smith of Butte, Smith of Orange, Stabler, Sturtevant, Tennis, Wentworth, Windrow, Young, and Mr. Speaker—46.

NOES—None.

Title read and approved.

MOTION

Mr. Phillips moved that the rules be suspended, and Senate Bill No. 90 be immediately transmitted to the Senate.

Carried.

LEAVE OF ABSENCE.

Leave of absence was granted Messrs. Hail and Baughman for the day.

Senate Bill No. 133—An Act to amend an Act entitled "An Act to amend an Act entitled 'An Act to protect and promote horticultural interests of the State,'" approved March 19, 1889.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Barnard, Barnett of Sonoma, Beecher, Bert, Brown, Brunet, Brusie, Bryant, Cargill, Carter, Cram, Culver, Daly, Dennis, Dibble, Doty, Dunn, Durner, Estey, Fowler, Freeman, Gordon, Gould, Hawley, Hunewill, Jackson, Johnson, Lacey, Lux, Lynch, Martin, Matlock, McCall, Murphy, Renfro, Smith of Butte, Stabler, Sturtevant, Wentworth, Weston, Windrow, and Young—44.

NOES—Messrs. Clark, Cunningham, Dow, Eakle, Garver, Harloe, Kellogg, Mathews, Mordecai, Murnan, Phillips, Rice, Robertson, Shanahan, Smith of Orange, Steltz, and Mr. Speaker—17.

Title read and approved.

Mr. Brusie in the chair.

Senate Bill No. 326—An Act to amend an Act entitled "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," approved March 15, 1887.

The pending motion being to strike out the enacting clause.

Mr. Sturtevant moved to withdraw Senate Bill No. 326 and substitute Senate Bill No. 539.

Ruled out of order.

LEAVE OF ABSENCE.

Mr. Gould was granted leave of absence for to-morrow and Monday.

On the motion to strike out the enacting clause, the ayes and noes were demanded by Messrs. Phillips, Renfro, and Weston.

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

AYES—Messrs. Alexander, Barnard, Barnett of Sonoma, Beecher, Clark, Culver, Dennis, Doty, Dunn, Durner, Eakle, Estey, Fowler, Garver, Harloe, Hersey, Kellogg, Lynch, Martin, Mathews, Matlock, McCall, Murnan, Shanahan, Smith of Butte, Steltz, and Mr. Speaker—27.

NOES—Messrs. Barnett of San Francisco, Bert, Brown, Brusie, Bryant, Cargill, Carter, Dibble, Dow, Freeman, Galbraith, Gordon, Hawley, Lacey, Lewis, Mordecai, Phillips, Renfro, Smith of Orange, Sturtevant, Wentworth, Weston, and Young—23.

MOTION.

Mr. Beecher moved to substitute on file Senate Bill No. 126 for Senate Bill No. 289.

So ordered.

Senate Bill No. 126—An Act fixing the price at which jute goods shall be sold by the State, and providing the manner of sale thereof.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Barnard, Beecher, Bert, Bledsoe, Brown, Brusie, Bryant, Cargill, Carter, Clark, Cram, Cunningham, Dibble, Doty, Dow, Dunn, Durner, Eakle, Estey, Fowler, Freeman, Galbraith, Garver, Gordon, Harloe, Jackson, Johnson, Lowe, Lux, Lynch, Mathews, Matlock, Mordecai, Murnan, Murphy, Rentro, Rice, Smith of Butte, Sturtevant, Weston, and Young—42.
NOES—None.

Title read and approved.

Mr. Beecher moved that the rules be suspended, and Senate Bill No. 126 be immediately transmitted to the Senate.

Carried.

Assembly Bill No. 640—An Act to pay the claim of Joseph C. Gorman, for services rendered as member of the Constitutional Convention, and appropriating money to pay the same.

Mr. Clark moved to strike out the enacting clause.

The ayes and noes were demanded by Messrs. Doty, Durner, and McCall.

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

AYES—Messrs. Arms, Barnett of San Francisco, Barnett of Sonoma, Bert, Bledsoe, Bryant, Cargill, Carter, Clark, Cram, Dennis, Dibble, Eakle, Fowler, Freeman, Galbraith, Garver, Gordon, Harloe, Hersey, Hunewill, Johnson, Lacey, Matlock, Murphy, Phillips, Robertson, Smith of Butte, Smith of Orange, Wentworth, and Mr. Speaker—31.
NOES—Messrs. Alexander, Brown, Bruner, Brusie, Cunningham, Doty, Dow, Dunn, Durner, Estey, Jackson, Lux, Martin, Mathews, McCall, Mordecai, Murnan, Rice, Shanahan, Stabler, Tennis, Weston, Windrow, and Young—24.

MOTION.

At four o'clock and thirty minutes P. M. Mr. Shanahan moved that the hour of recess be extended until the matter under discussion is disposed of, and Senate messages are taken up.

Carried.

Substitute for Senate Bill No. 290—An Act to provide for the erection of additional buildings for the use of the State Normal School at San José, California, and making an appropriation therefor.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Ames, Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Beecher, Bledsoe, Bruner, Brusie, Bryant, Cargill, Carter, Clark, Culver, Dennis, Dibble, Doty, Dow, Dunn, Durner, Eakle, Estey, Fowler, Galbraith, Garver, Gordon, Harloe, Hersey, Hunewill, Jackson, Johnson, Kellogg, Lacey, Lewis, Lowe, Lux, Lynch, Martin, Matlock, McCall, Mordecai, Murnan, Murphy, Phillips, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Weston, Windrow, Young, and Mr. Speaker—59.
NOES—None.

Title read and approved.

MOTION.

Mr. Lowe moved that the rules be suspended, and Senate Bill No. 290 be immediately transmitted to the Senate.

Carried.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 20, 1891.

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

Senate Substitute for Assembly Bill No. 87—An Act to amend sections three thousand six hundred and sixty-five, three thousand six hundred and sixty-six, three thousand six hundred and sixty-seven, three thousand six hundred and sixty-eight, three thou-

sand six hundred and sixty-nine, three thousand six hundred and seventy, three thousand six hundred and seventy-two, three thousand six hundred and ninety-two, three thousand six hundred and ninety-six, three thousand seven hundred and fourteen, three thousand seven hundred and twenty-eight, three thousand seven hundred and thirty-two, three thousand seven hundred and forty-six, three thousand seven hundred and fifty, three thousand seven hundred and fifty-one, three thousand seven hundred and fifty-six, three thousand seven hundred and fifty-eight, three thousand seven hundred and sixty-four, three thousand seven hundred and ninety-seven, three thousand eight hundred, three thousand eight hundred and sixteen, and three thousand eight hundred and sixty-six of an Act entitled "An Act to establish a Political Code" approved March 12, 1872, relating to revenue and taxation.

Also: Assembly Bill No 723—An Act making an appropriation to pay the deficiency in the appropriation for expenses that may be incurred by the Attorney-General, for the forty-second fiscal year, in suits in the United States Courts.

Also: Assembly Bill No 294—An Act providing for the payment of all moneys in the State Treasury to the credit of Swamp Land District Funds, to the Treasurers of the counties wherein the said swamp land districts are situated, and to provide for the control of the same by the Auditor and Treasurer of said counties, and prescribing the duties of the Controller and Treasurer in relation thereto.

Also: Assembly Bill No. 292—An Act authorizing the Controller and Treasurer to transfer to the General Fund all moneys now in the State Drainage Construction Fund, and also from time to time to transfer to the General Fund all moneys that may hereafter be paid into the State Drainage Construction Fund.

Also: Assembly Bill No 703—An Act to amend section two thousand four hundred and sixty-eight of the Political Code, relating to pilotage.

Also: Assembly Bill No. 230—An Act to amend section one hundred and fifty-eight of the Code of Civil Procedure of the State of California, relating to the residence of Judges of the Superior Court.

Also: Assembly Bill No. 586—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, by amending sections eighteen, twenty-four, twenty-five, and twenty-six thereof, relating to the assessment of property and the collection of such assessments.

Also: Senate Constitutional Amendment No 8—To propose to the people of the State of California an amendment to the Constitution of the State, amending section one of article seven thereof, relative to the pardoning power.

Also: Senate Constitutional Amendment No. 19—A resolution to propose to the people of the State of California an amendment to section three of article eleven of the Constitution of the State of California.

Also: Senate Bill No. 551—An Act to amend section seven hundred and fifty-one of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the duties of the Clerk of the Supreme Court.

Also: Senate Bill No 666—An Act to amend section five of 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.

Also: Senate Bill No. 243—An Act to pay the claim of Mary M. Springer, the widow and heir of Thomas A. Springer, late State Printer, deceased.

Also: Senate Bill No. 693—An Act ceding to the United States of America jurisdiction over lands in this State ceded to the United States.

Also: Senate Bill No. 702—An Act for the relief of Colonel Jonathan D. Stevenson, and to appropriate money therefor

Also: Assembly Bill No. 685—An Act to amend sections two thousand six hundred and forty-one, two thousand six hundred and forty-two, two thousand six hundred and forty-three, two thousand six hundred and forty-five, two thousand six hundred and forty-six, and two thousand six hundred and fifty-two, and to repeal section two thousand six hundred and forty-four of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the powers and duties of highway officers, and to provide for the construction, maintenance, and improvements of highways by contract let out to the lowest bidder

Also: Amended, and passed as amended, Assembly Bill No. 633—An Act to repeal sections six hundred and thirty-nine, six hundred and forty, six hundred and forty-one, six hundred and forty-two, six hundred and forty-three, six hundred and forty-four, six hundred and forty-five, and six hundred and forty-seven of title sixteen of part four, division first of the Civil Code, and to add seventeen new sections to said Civil Code, to be known and numbered as sections six hundred and thirty-three, six hundred and thirty-four, six hundred and thirty-five six hundred and thirty-six, six hundred and thirty-seven, six hundred and thirty-eight, six hundred and thirty-nine, six hundred and forty, six hundred and forty-one, six hundred and forty-two, six hundred and forty-three, six hundred and forty-four, six hundred and forty-five, six hundred and forty-six, six hundred and forty-seven, six hundred and forty-eight, and six hundred and forty-eight and one half, providing for the formation and government of mutual building and loan associations.

F. J BRANDON, Secretary.

Assembly Bill No. 633—Senate amendments, as follows:

Strike out of title, line two, after the words "Civil Code," the words "providing for the formation and government of mutual building and loan associations."

Also: Insert in section two, line forty-six, after the word "association," the words "*provided*, that building and loan associations heretofore incorporated may continue to charge and dispose of such entrance and transfer fees as are prescribed by the by-laws of such corporation"

The question being, "Shall the Assembly concur in the Senate amendments?"

The roll was called, and the Senate amendments concurred in by the following vote:

AYES—Messrs. Alexander, Ames, Arms, Barnett of Sonoma, Bruner, Brusie, Bryant, Cargill, Carter, Clark, Cram, Culver, Cunningham, Dibble, Dotv, Dow, Dunn, Durner, Eakle, Estey, Fowler, Garver, Gordon, Hayes, Hersey, Hunewill, Jackson, Johnson, Lewis, Lux, Lynch, Martin, McCall, Mordecai, Phillips, Renfro, Rice, Shanahan, Smith of Butte, Smith of Orange, Steltz, Tennis, Wentworth, Weston, Young, and Mr. Speaker—46.

NOES—Mr. Freeman—1.

MOTION.

Mr. Wentworth moved that the rules be suspended, and Assembly Bill No. 633 be immediately transmitted to the Senate.

Carried.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 20, 1891.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, adopted the report of the Committee of Free Conference, appointed to consider the Senate amendments to Assembly Bill No. 235.

F. J. BRANDON, Secretary.

REPORT OF COMMITTEE OF FREE CONFERENCE.

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1891.

MR. SPEAKER: Your Committee of Free Conference concerning Assembly Bill No. 235, report that we have met a like committee of the Senate, consisting of Senators Seawell, Shippee, and Ragsdale, and we report that the Free Conference Committee agreed upon and recommend the following be adopted as a substitute for all after the enacting clause of said bill:

"SECTION 1. The Governor and Surveyor-General are hereby authorized and directed to convey, release, quitclaim, and confirm all right, title, and interest of the State of California of, in, and to all that portion of the southeast quarter of section nineteen, township eleven north, range seven east, Mount Diablo meridian, which is not embraced within the exterior boundaries of the lands set apart and heretofore conveyed by the State of California to the Masons and Odd Fellows of Rocklin, Placer County, California, for cemetery purposes, to the respective claimants and occupants thereof, as shown by the official map and field notes of survey of said lands, made by W. S. Graham, County Surveyor of Placer County, California, now on file in the office of the Recorder of Placer County, upon making and filing with the Surveyor-General proof, by affidavit, setting forth that the applicant was, at the date of said survey, in possession of the portion of said land claimed by him, her, or them, or an actual settler thereon, and upon the payment into the State Treasury of the sum of five dollars per acre or fraction thereof, as shown by said survey and field notes; *provided*, that the present occupants and claimants shall be preferred purchasers of the respective lots and parcels of said lands claimed and occupied by them for the space of one year from the passage of this Act; *and provided further*, that all rights of way for all roads, railroads, tracks, and spurs now existing upon or over said lands shall be excepted from the title hereby authorized to be conveyed."

SHANAHAN.
BAUGHMAN.
BRYANT.

Report of committee adopted.

MOTION.

Mr. Shanahan moved that the consideration of Assembly Bill No. 235 be made a special order for to-morrow morning, immediately after the reading of the Journal.

Carried.

Assembly Bill No. 87.

The question being, "Shall the Assembly concur in the Senate amendment in the form of a substitute for the bill?"

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

AYES—Messrs. Jackson, Johnson, Kellogg, and Smith of Butte—4.

NOES—Messrs. Alexander, Barnard, Bryant, Carter, Clark, Cram, Culver, Dibble, Doty, Dow, Durner, Eakle, Estey, Fowler, Freeman, Galbraith, Garver, Gordon, Hersey, Hunewill, Lacey, Lowe, Lux, Lynch, Martin, Mathews, Mordecai, Murphy, Phillips, Renfro, Rice, Robertson, Shanahan, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Wentworth, Weston, and Mr. Speaker—41.

SUBSTITUTION.

Senate Bill No. 243 was substituted in place of Assembly Bill No. 282, and the latter withdrawn, by request of Mr. Fowler.

RECESS.

At five o'clock P. M. Mr. Dibble moved to take a recess until eight o'clock P. M.

Carried.

REASSEMBLED.

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

Speaker Coombs in the chair.

Quorum present.

MOTIONS.

Mr. Young moved to take up Assembly Bill No. 623.

Carried.

Assembly Bill No. 623—An Act to amend sections three thousand nine hundred and sixteen and three thousand nine hundred and twenty-two of the Political Code of the State of California, relating to county boundaries.

Read second time.

Amendments by Mr. Barnard, as follows, adopted:

Amend by striking out of title the last letter "s" in the word "sections." Also, the words "three thousand nine hundred and sixteen;" and also strike out section one of said Act; also, change the number of "section two" to "section one."

Ordered engrossed and to a third reading, and made a special order for three o'clock P. M. to-morrow, on motion of Mr. Barnard.

Mr. Renfro moved to take up substitute for Senate Bill No. 528.

Carried.

Substitute for Senate Bill No. 528—An Act making an appropriation to pay the claim of John Mullan, for his commissions on money collected by him from the United States on account of Indian war claims, and paid to the State of California.

Read second time.

Mr. Renfro moved that the House go into Committee of the Whole, with the Speaker in the chair, for the purpose of considering substitute for Senate Bill No. 528.

Carried.

IN COMMITTEE OF THE WHOLE.

Speaker Coombs in the chair.

Substitute for Senate Bill No. 528 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Coombs in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Speaker stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration substitute for Senate Bill No. 528, and now report the same back to the Assembly, and recommend that the same do pass.

Substitute for Senate Bill No. 528 made a special order for to-morrow at four o'clock P. M., on motion of Mr. Renfro.

MOTIONS.

Mr. Estey moved to take up Senate Bill No. 346.

Carried.

Senate Bill No. 346—An Act to appropriate the sum of three thousand one hundred dollars to purchase adjacent lands at San Quentin for the use of the State Prison, together with the improvements thereon.

Read second time.

Mr. Dibble moved that the House go into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bill No. 346.

Carried.

IN COMMITTEE OF THE WHOLE.

Speaker Coombs in the chair.

Senate Bill No. 346 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Coombs in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Speaker stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 346, and now report the same back to the Assembly, and recommend that the same do pass.

MOTIONS.

Mr. Dibble moved that Senate Bill No. 346 be made a special order for Monday, at two o'clock P. M.

Carried.

Mr. Steltz moved to take up Assembly Bill No. 260.

Carried.

Assembly Bill No. 260—An Act to add a section to the Political Code, to be known as section two thousand nine hundred and eighty-three, relating to public asylums and hospitals.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Alexander, Barnett of Sonoma, Beecher, Bert, Bruner, Brusie, Bryant, Carter, Clark, Cram, Culver, Cunningham, Dennis, Dibble, Doty, Dow, Dunn, Durner, Fowler, Freeman, Garver, Gordon, Hawley, Hersey, Jackson, Johnson, Kellogg, Lacey, Lowe, Lux, Lynch, Martin, Mathews, Matlock, Murphy, Phillips, Rice, Robertson, Smith of Orange, Steltz, Tennis, Wentworth, Weston, and Young—44.

NOES—Messrs. Bledsoe, Stabler, and Mr. Speaker—3.

Title read and approved.

Mr. Bruner moved that the rules be suspended, and Assembly Bill No. 260 be immediately transmitted to the Senate.

Carried.

Mr. Dennis moved to take up out of order Senate Bill No. 647.

Lost.

RESOLUTION—(OUT OF ORDER).

Mr. Young presented a resolution relative to rules.

Objected to.

MOTION.

Mr. Phillips moved that the resolution be read.

Lost.

SPECIAL FILE.

Senate Bill No. 442—An Act to amend section three and section thirteen of an Act entitled "An Act to promote drainage."

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Barnett of Sonoma, Beecher, Bert, Bledsoe, Bruner, Brusie, Bryant, Clark, Coffey, Cram, Culver, Cunningham, Dibble, Dow, Dunn, Durner, Estey, Fowler, Freeman, Garver, Gordon, Harloe, Hawley, Hersey, Jackson, Johnson, Kellogg, Lacey, Lux, Lynch, Martin, Mathews, Matlock, McCall, Mordecai, Murphy, Phillips, Rice, Robertson, Shanahan, Smith of Orange, Stabler, Sturtevant, Tennis, Wentworth, Weston, Young, and Mr. Speaker—48.

NOES—Messrs. Dennis and Doty—2.

Title read and approved.

MOTIONS.

Mr. Bruner moved to substitute Substitute for Senate Bill No. 597 for Assembly Constitutional Amendment No. 17.

Carried.

Substitute for Senate Bill No. 597—An Act authorizing persons having claims against the State, or against counties or municipal corporations, to prosecute and establish them in the Courts of this State, and providing for the payment of judgments therefor.

Read second time.

Mr. Bruner moved to make substitute for Senate Bill No. 597 a special order for to-morrow, immediately after the reading of the Journal.

Carried.

Assembly Bill No. 710—An Act authorizing the Boards of Supervisors of the several counties of this State to eradicate and prevent the spread of wild morning-glories, cockle-burs, and other noxious and injurious weeds and plants in their respective counties.

Read third time.

PREVIOUS QUESTION.

The previous question was demanded by Messrs. Arms, Robertson, and Rice.

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

The question being on the passage of the bill.

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

AYES—Messrs. Alexander, Beecher, Brown, Dunn, Hawley, Hersey, Jackson, Kellogg, Lacey, Lynch, Mathews, Matlock, Rice, Robertson, Shanahan, Smith of Orange, Stabler, Tennis, Weston, Young, and Mr. Speaker—21.

NOES—Messrs. Arms, Barnett of San Francisco, Barnett of Sonoma, Bert, Brusie, Bryant, Cargill, Clark, Coffey, Culver, Cunningham, Daly, Dennis, Doty, Dow, Durner, Estey, Fowler, Garver, Gordon, Hunewill, Johnson, Martin, Phillips, Renfro, Smith of Butte, Steltz, and Sturtevant—28.

NOTICE OF RECONSIDERATION.

Mr. Lynch gave notice that he will, on to-morrow, move to reconsider the vote whereby the enacting clause was stricken out of Senate Bill No. 326.

Mr. Lacey in the chair.

Substitute for Senate Bill No. 163—An Act to authorize Boards of Health and Health Officers in towns, cities, counties, and cities and counties, in this State, to appoint Inspectors of Plumbing and Drainage in such towns, cities, counties, and cities and counties, and to provide for the compensation, and to define the duties of such Inspectors.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Arms, Barnett of San Francisco, Beecher, Bledsoe, Brown, Bruner, Brusie, Clark, Coffey, Culver, Daly, Dennis, Doty, Dow, Dunn, Durner, Eakle, Estey, Fowler, Garver, Glynn, Harloe, Hersey, Hunewill, Jackson, Kellogg, Lowe, Lynch, Martin, Mathews, Matlock, Mordecai, Murphy, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Steltz, Sturtevant, and Tennis—43

NOES—Messrs. Bryant, Cargill, Gordon, Hawley, Lacey, Phillips, Weston, and Mr. Speaker—8.

Title read and approved.

Senate Bill No. 517—An Act relating to the roofing of public buildings in the State of California.

Read third time.

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

AYES—Messrs. Alexander, Brusie, Cunningham, Dennis, Doty, Dunn, Durner, Eakle, Harloe, Martin, Smith of Butte, and Young—12.

NOES—Messrs. Arms, Barnett of San Francisco, Barnett of Sonoma, Beecher, Bert, Bryant, Cargill, Carter, Clark, Culver, Dow, Estey, Fowler, Garver, Gordon, Hawley, Hunewill, Jackson, Lacey, Lynch, Mathews, Matlock, Murphy, Renfro, Robertson, Shanahan, Smith of Orange, Stabler, Sturtevant, and Weston—30.

NOTICE OF RECONSIDERATION.

Mr. Beecher gave notice that he will, on to-morrow, move to reconsider the vote whereby Senate Bill No. 517 was refused passage.

ADJOURNMENT.

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

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Saturday, March 21, 1891.

The House met pursuant to adjournment.

Speaker Coombs in the chair.

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

Messrs. Alexander, Ames, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Brusie, Bryant, Cargill, Carter, Clark, Cunningham, Dennis, Dibble, Doty, Dunn, Durner, Estey, Fowler, Galbraith, Garver, Gordon, Hail, Harloe, Hawley, Heisey, Hoey, Hunewill, Jackson, Johnson, Kellogg, Lacey, Lewis, Lux, Lynch, Martin, Mathews, Matlock, McCall, Mordecai, Murnan, Murphy, Phillips, Rentro, Robertson, Smith of Butte, Smith of Orange, Stabler, Tennis, Wentworth, Weston, Young, and Mr. Speaker.

Quorum present.

LEAVE OF ABSENCE.

Leave of absence for the day was granted Messrs. Culver and Hail.

PRAYER.

Prayer by the Chaplain, Rev. A. C. Herrick.

READING OF THE JOURNAL.

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

So ordered.

Journal of Thursday approved.

Approval of Journal of yesterday deferred.

REPORT OF SPECIAL COMMITTEE.

Mr. Bledsoe presented the report of the Bruner investigating committee.

MOTION.

Mr. Dibble moved that he be allowed to introduce a bill under the provision of the Constitution requiring the consent of two thirds of the members.

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

AYES—Messrs. Alexander, Ames, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Brown, Bruner, Brusie, Bryant, Clark, Coffey, Cunningham, Dennis, Dibble, Doty, Dow, Dunn, Durner, Estey, Fowler, Garver, Gordon, Harloe, Hawley, Hayes, Hersey, Hoey, Hunewill, Jackson, Johnson, Kellogg, Lacey, Lewis, Lux, Lynch, Marion, Martin, Mathews, Matlock, Mordecai, Murnan, Murphy, Phillips, Renfro, Robertson, Smith of Butte, Smith of Orange, Stabler, Steltz, Tennis, Weston, Young, and Mr. Speaker—55.
NOES—None.

INTRODUCTION OF BILL.

By Mr. Dibble: Assembly Bill No. 760—An Act to amend sections three thousand seven hundred and thirteen and three thousand seven hundred and ninety-six of the Political Code, relating to the levy of taxes.

Mr. Shanahan in the chair.

RESOLUTION.

By Mr. Dibble:

Resolved, That Assembly Bill No. 760 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the first and second times.

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

AYES—Messrs. Alexander, Ames, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Brown, Brusie, Bryant, Cargill, Clark, Cunningham, Dennis, Dibble, Doty, Dow, Dunn, Durner, Estey, Fowler, Galbraith, Garver, Gordon, Harloe, Hawley, Hayes, Hersey, Hoey, Hunewill, Jackson, Johnson, Kellogg, Lacey, Lewis, Lux, Lynch, Marion, Martin, Mathews, Matlock, Mordecai, Murnan, Murphy, Phillips, Renfro, Shanahan, Smith of Butte, Smith of Orange, Steltz, Tennis, Wentworth, Weston, and Mr. Speaker—55.
NOES—None.

Assembly Bill No. 760—An Act to amend sections three thousand seven hundred and thirteen and three thousand seven hundred and ninety-six of the Political Code, relating to the levy of taxes.

Read first and second times.

MOTION.

Mr. Dibble moved that the House go into Committee of the Whole, with Mr. Shanahan in the chair, for the purpose of considering Assembly Bill No. 760.

Carried.

IN COMMITTEE OF THE WHOLE.

Mr. Shanahan in the chair.

Assembly Bill No. 760 was considered in Committee of the Whole.

IN ASSEMBLY.

Mr. Shanahan in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Chairman stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 760, and now report progress, and ask that the committee be allowed to sit again.

Report adopted.

MOTION.

Mr. Dibble moved that further consideration of Assembly Bill No. 760 be made a special order for Monday morning, immediately after reading of the Journal.

Carried.

RESOLUTION.

By Mr. Wentworth:

Resolved, That Senate Bill No. 702 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

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

AYES—Messrs. Alexander, Ames, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Brown, Brusie, Bryant, Clark, Cunningham, Dennis, Dibble, Doty, Dow, Dunn, Durner, Estey, Fowler, Galbraith, Garver, Gordon, Hawley, Hayes, Hersey, Hocking, Hoey, Hunewill, Jackson, Johnson, Lacey, Lewis, Lowe, Lux, Lynch, Marion, Martin, Mathews, Matlock, McCall, Mordecai, Murnan, Murphy, Phillips, Rentro, Shanahan, Smith of Butte, Smith of Orange, Steltz, Tennis, Wentworth, Weston, Young, and Mr. Speaker—55.

NOES—None.

Senate Bill No. 702—An Act for the relief of Jonathan D. Stevenson, and to appropriate money therefor.

Read first and second times.

MOTION.

Mr. Wentworth moved that the House go into Committee of the Whole, with Mr. Shanahan in the chair, for the purpose of considering Senate Bill No. 702.

Carried.

IN COMMITTEE OF THE WHOLE.

Mr. Shanahan in the chair.

Senate Bill No. 702 was considered in Committee of the Whole.

IN ASSEMBLY.

Mr. Shanahan in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Chairman stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 702, and now report the same back to the Assembly, and recommend that the same do pass.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Brown, Brusie, Bryant, Cargill, Clark, Cunningham, Dennis, Dibble, Dow, Durner, Estey, Fowler, Galbraith, Garver, Gordon, Hawley, Hayes, Hersey, Hocking, Hoey, Hunewill, Jackson, Johnson, Lacey, Lewis, Lux, Lynch, Marion, Martin, Mathews, Matlock, McCall, Mordecai, Murnan, Murphy, Phillips, Renfro, Shanahan, Smith of Butte, Smith of Orange, Steltz, Sturtevant, Tennis, Weston, Young, and Mr. Speaker—53.

NOES—None.

Title read and approved.

MOTIONS.

Mr. Wentworth moved that the rules be suspended, and Senate Bill No. 702 be immediately transmitted to the Senate.

Carried.

Mr. Alexander moved to take up Senate Bill No. 531.

Carried.

Senate Bill No. 531—An Act to amend section seven hundred and fifty-one of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the duties of the Clerk of the Supreme Court.

Read first time, and placed on file for second reading.

Mr. Alexander moved that Senate Bill No. 531 be made a special order for Monday, immediately after reading of the Journal.

Carried.

Mr. Matlock moved to take up Senate Bill No. 700.

Carried.

Senate Bill No. 700—An Act appropriating money to pay the salary of phonographic reporter in the Attorney-General's office, from the first of April to the first of July, 1891.

Read first time, and placed on file for second reading.

Mr. Mordecai moved to withdraw Assembly Bill No. 444 and substitute Senate Bill No. 610.

Carried on division.

Senate Bill No. 610—An Act to amend an Act entitled "An Act amendatory of and supplemental to an Act entitled 'An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes,' approved March 7, 1887, providing for the exclusion of certain lands within any such districts," by amending sections three, eight, and thirteen thereof.

Read first time, and placed on file for second reading.

SPECIAL ORDERS.

Senate Bill No. 51—An Act to amend an Act entitled "An Act to authorize reincorporation of rural cemetery associations," approved April 28, 1859.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Ames, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Brown, Bruner, Brusie, Bryant, Carter, Clark, Dibble, Doty, Dow, Dunn, Durner, Estey, Garver, Gordon, Harloe, Hayes, Hersey, Jackson, Kellogg, Lewis, Lux, Marion, Martin, Matlock, McCall, Mordecai, Murnan, Murphy, Phillips, Renfro, Smith of Butte, Smith of Orange, Sturtevant, Tennis, Weston, Young, and Mr. Speaker—44.

NOES—Mr Dennis—1.

Title read and approved.

Mr. Phillips moved that the rules be suspended, and Senate Bill No. 51 be immediately transmitted to the Senate.

Carried.

Senate Bill No. 463—An Act to establish a naval battalion, to be attached to the National Guard of California.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Ames, Barnard, Barnett of Sonoma, Bert, Bruner, Brusie, Bryant, Carter, Daly, Dennis, Dibble, Doty, Dow, Dunn, Durner, Estey, Fowler, Garver, Gordon, Hawley, Hayes, Hersey, Hoey, Hunewill, Jackson, Johnson, Kellogg, Lacey, Lewis, Lowe, Lux, Lynch, Martin, Mathews, Matlock, Mordecai, Murphy, Phillips, Renfro, Robertson, Smith of Butte, Smith of Orange, Stabler, Sturtevant, Tennis, Young, and Mr. Speaker—46.

NOES—Messrs. Baughman, Cunningham, and Murnan—3.

Title read and approved.

Mr. Johnson moved that the rules be suspended, and Senate Bill No. 463 be immediately transmitted to the Senate.

Carried.

Assembly Bill No. 377—An Act to authorize the State Board of Prison Directors to pay for certain skilled labor used in the construction of the dam and canal at the Folsom Prison, and making an appropriation therefor.

Read second time.

MOTION.

Mr. Brusie moved that the House go into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Assembly Bill No. 377.

Carried.

IN COMMITTEE OF THE WHOLE.

Speaker Coombs in the chair.

Assembly Bill No. 377 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Coombs in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Speaker stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 377, and now report the same back to the Assembly, and recommend that the same do pass.

Ordered engrossed and to a third reading.

MOTION.

Mr. Brusie moved that Assembly Bill No. 377 be made a special order for Monday, immediately after the reading of the Journal.

Carried.

Assembly Bill No. 235—An Act to authorize the Governor and Surveyor-General to sell and convey the State's interest in certain lands.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Barnard, Barnett of Sonoma, Baughman, Bert, Bledsoe, Brown, Bruner, Brusie, Bryant, Cargill, Carter, Clark, Coffey, Daly, Doty, Dow, Durner, Estey, Fowler, Freeman, Garver, Gordon, Harloe, Hawley, Hersey, Hunewill, Jackson, Kellogg, Lacey, Lewis, Lynch, Martin, Mathews, Mordecai, Murnan, Phillips, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Steltz, Tennis, Wentworth, Weston, Young, and Mr. Speaker—48.
NOES—None.

Title read and approved.

UNFINISHED BUSINESS.

Senate Constitutional Amendment No. 22—To propose to the people of the State an amendment to the Constitution of the State, relative to the exemption of fruit trees and vines under five years of age from taxation.

MOTION.

Mr. Dibble moved to indefinitely postpone consideration of Senate Constitutional Amendment No. 22.
Carried on division.

REPORT OF STANDING COMMITTEE.

ON WAYS AND MEANS AND APPROPRIATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1891.

MR. SPEAKER: Your Committee on Ways and Means and Appropriations, to whom was referred Assembly Bills Nos. 426, 425, 420, 415, and 416—report them back, respectfully recommending that they do not pass, as one bill has been introduced embracing all the amounts involved in these bills.
Also: Assembly resolution relative to expenses of the investigation of charges against Hon. Elwood Bruner, report the same back, and recommend that it do pass.

DIBBLE, Chairman.

MOTIONS.

Mr. Dibble moved that further consideration of Assembly Bill No. 426 be indefinitely postponed.
Carried.
Mr. Dibble moved that further consideration of Assembly Bill No. 425 be indefinitely postponed.
Carried.
Mr. Dibble moved that further consideration of Assembly Bill No. 420 be indefinitely postponed.
Carried.
Mr. Dibble moved that further consideration of Assembly Bill No. 415 be indefinitely postponed.
Carried.
Mr. Dibble moved that further consideration of Assembly Bill No. 416 be indefinitely postponed.
Carried.

RESOLUTION.

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant in favor of A. J. Bledsoe, Chairman, for the sum of one thousand four hundred and thirty-nine dollars and twenty cents, to be paid out of the Contingent Fund of the Assembly.

Adopted.

REPORT OF STANDING COMMITTEE.

ON ATTACHÉS AND EMPLOYÉS.

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1891.

MR. SPEAKER: Your Committee on Attachés and Employés have had under consideration the following bill, viz.:

SACRAMENTO, March 9, 1891.

State of California to John P. Hughes, Dr.

To pigeonholes in Assembly (1 day's carpenter work)	$5 00
To lumber bill for same	3 90
Total	$8 90

And report and recommend the adoption of the following:

Resolved, That the above be paid by the Controller drawing his warrant for said amount, in favor of John P. Hughes, upon the appropriation for the contingent expenses of the Assembly, and the Controller is hereby directed to draw his warrant as above stated.

Also, the following resolution, viz.:

Resolved, That Martin Steinmetz be allowed two dollars and fifty cents per night, from January 6 to March 3, 1891, for lighting and attending to the gas in the Assembly Chamber. The Controller is hereby authorized to draw his warrant for the same, and the Treasurer is hereby directed to pay the same out of the appropriation for the contingent expenses of the Assembly.

Have had the same under consideration, and report the same back, and recommend its adoption.

LUX, Chairman.

MOTION.

Mr. Dibble moved that Assembly Bill No. 129 be sent to the Senate with the names of the conference committee, Messrs. Dibble, Robertson, and Clark, and request the Senate to appoint a like committee.

Carried.

MESSAGE FROM THE GOVERNOR.

Assembly Bill No. 219.

The question being, "Shall the bill become a law, notwithstanding the objections of the Governor?"

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

AYES—Messrs. Barnett of San Francisco, Brusie, and Hunewill—3.

NOES—Messrs. Alexander, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bryant, Cargill, Carter, Clark, Cunningham, Dennis, Dibble, Doty, Dow, Dunn, Estey, Fowler, Freeman, Garver, Gordon, Harloe, Hawley, Hayes, Hersey, Jackson, Johnson, Kellogg, Lacey, Lewis, Lowe, Lux, Lynch, Marion, Martin, Mordecai, Murnan, Phillips, Renfro, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Sturtevant, Wentworth, Weston, Young, and Mr. Speaker—50.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 21, 1891.

MR SPEAKER: I am directed to inform your honorable body that the Senate, on the twenty-first day of March, passed the following

Concurrent Resolution No. 7—Relative to notifying the Governor of the election of Chas. N. Felton to the Senate of the United States.

Also: Respectfully request that your honorable body return to the Senate Assembly Bill No. 685.

Also: On the twentieth day of March passed Assembly Bill No. 576—An Act to amend sections one thousand five hundred and seventy-seven, one thousand five hundred and seventy-eight, and one thousand five hundred and seventy-nine of the Code of Civil Procedure, relating to mortgages and leases in certain cases.

Also: Assembly Bill No. 713—An Act making an appropriation to pay the deficiency in the appropriation for the Attorney-General, for the forty-second fiscal year, for costs and expenses of suits wherein the State is a party in interest.

F. J. BRANDON, Secretary.

Assembly Bill No. 230—An Act to amend section one hundred and fifty-eight of the Code of Civil Procedure of the State of California, relating to the residence of Judges of the Superior Court.

Senate amendments:

Strike out of section one, line eight, the word "two" and insert "three;" also add to end of section the words "*provided*, that one Judge shall reside within two miles of the Court House."

Also: "*provided further*, this Act shall not apply to counties of the fifty-third class."

The roll was called, and the amendments rejected by the following vote:

AYES—Messrs. Arms, Baughman, Beecher, and Dow—4.

NOES—Messrs. Alexander, Barnett of San Francisco, Bert, Brusie, Bryant, Cargill, Carter, Dibble, Doty, Dunn, Estey, Fowler, Freeman, Garver, Glynn, Gordon, Hail, Hawley, Hersey, Hunewill, Jackson, Johnson, Kellogg, Lacey, Lewis, Lux, Lynch, Marion, Martin, Matlock, Mordecai, Murnan, Murphy, Robertson, Smith of Butte, Smith of Orange, Stabler, Sturtevant, Tennis, Wentworth, Weston, Young, and Mr. Speaker—41.

MOTION.

Mr. Dibble moved to recall Assembly Bill No. 685 from the Enrolling Committee.

Carried.

REPORT OF STANDING COMMITTEE.

ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1891.

MR. SPEAKER: Your Committee on Enrollment beg leave to report that Assembly Bill No. 685 is hereby returned to the Assembly in accordance with its instructions.

BLEDSOE, Chairman.

MOTION.

Mr. Dibble moved that Assembly Bill No. 685 be returned to the Senate in accordance with their request.

Carried.

REPORT OF SPECIAL COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1891.

MR. SPEAKER: Your Special Committee on Funeral Decorations, to whom was referred the matter of selecting an appropriate floral piece for the obsequies of Senator Hearst, beg leave to report that the committee have carried out the orders of the Assembly, and that the following bill was contracted by your committee in the performance of its duties, viz.:

SACRAMENTO, March 14, 1891.

Members Assembly, California Legislature, to Bell Conservatory, Dr.

To floral piece	$35 00
Box and packing arch	2 00
Box and packing pillow	2 00
Time of florist in San Francisco, one day	3 50
Railroad car fare	5 00
Express charges	1 40
Telephone to San Francisco	50
Transfer charges, San Francisco	2 00
Board, etc., San Francisco	1 50
Total	$52 90
Carriage hire (Fowler)	3 00
Total	$55 90

And we recommend the adoption of the following resolution, viz.

Resolved, That the Controller draw his warrant upon the Contingent Fund of the Assembly, in favor of Mr. Fowler, for the sum of fifty-five dollars and ninety cents, for the purpose of paying the bill herewith reported.

FOWLER, Chairman.

Resolution adopted.

Senate Concurrent Resolution No. 7—Relative to notifying the Governor of the election of Charles N. Felton to the Senate of the United States.

Adopted.

WITHDRAWAL OF BILLS.

Mr. Mordecai was permitted to withdraw Assembly Bills Nos. 223 and 662.

Senate Bill No. 561—An Act to extend the jurisdiction of the Board of State Harbor Commissioners over East Street, San Francisco.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Ames, Arms, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Brusie, Bryant, Cargill, Carter, Clark, Crani, Cunningham, Dennis, Dibble, Doty, Dow, Estey, Fowler, Garver, Gordon, Harloe, Hawley, Hersey, Jackson, Johnson, Kellogg, Lewis, Lux, Lynch, Martin, Mathews, Matlock, Mordecai, Murnan, Murphy, Phillips, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Sturtevant, Tennis, Wentworth, Young, and Mr Speaker—48.

NOES—None.

Title read and approved.

MOTIONS.

Mr. Phillips moved that the rules be suspended, and Senate Bill No. 561 be immediately transmitted to the Senate.

Carried.

Senate Bill No. 569—An Act to empower the Board of State Harbor Commissioners to rectify the alignment of East Street, from Pacific Street to Market Street, in the City and County of San Francisco, and to sell, acquire, and condemn adjacent property.

Read second time.

Mr. Phillips moved that the bill be made a special order for Monday, at three o'clock and thirty minutes P. M.

Carried.

Mr. Smith moved that Senate Bill No. 104 be taken up out of order.

Carried.

Senate Bill No. 104—An Act to enable cities of the fifth class to issue bonds for the purpose of raising money to purchase schools lots, and for building or purchasing one or more school houses, and supplying the same with furniture, necessary apparatus, and improving the grounds, and for liquidating any indebtedness already incurred for such purposes.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Ames, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bledsoe, Brown, Brusie, Bryant, Carter, Clark, Cunningham, Dibble, Doty, Dunn, Durner, Eakle, Estey, Freeman, Garver, Gordon, Hail, Harloe, Hawley, Hersey, Hunewill, Jackson, Johnson, Kellogg, Lacey, Lewis, Lowe, Lux, Lynch, Martin, Mathews, Matlock, Mordecai, Murnan, Phillips, Renfro, Shanahan, Smith of Orange, Stabler, Sturtevant, Tennis, Wentworth, Weston, and Young—50.

NOES—None.

Title read and approved.

MOTION.

Mr. Eakle moved to take up Senate Bill No. 432.

Carried.

Senate Bill No. 432—An Act fixing a bounty on coyote scalps.

Read first time.

REPORT OF SELECT COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1891.

MR. SPEAKER: Your committee, to whom was referred the charges of the San Francisco "Examiner" against Elwood Bruner, beg leave to report the following additional expense bill:

To I. Sanford, for typewriting	$15 00
To J. E. Wagstaff, witness	2 00
Total	$17 00

And recommend the adoption of the following resolution:

Resolved, That the Controller be directed to draw his warrant for the sum of seventeen dollars to the order of A. J. Bledsoe, Chairman, for expenses in the Bruner investigation, and that the same be paid out of the Contingent Fund of the Assembly.

BLEDSOE, Chairman

Resolution adopted.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 21, 1891.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, amended and passed as amended Assembly Bill No. 561—An Act making appropriations for the support of the government of the State of California for the forty-third and forty-fourth fiscal years.

F. J. BRANDON, Secretary.

Senate amendments to Assembly Bill No. 561 were taken up.

The roll was called, and the amendments not concurred in by the following vote:

AYES—None.

NOES—Messrs. Alexander, Ames, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bryant, Carter, Clark, Coffey, Daly, Dennis, Dibble, Estey, Fowler, Garver, Gordon, Hail, Hawley, Hoey, Jackson, Lacey, Lewis, Lux, Lynch, Martin, Mathews, Matlock, Mordecai, Murnan, Murphy, Phillips, Renfro, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Tennis, Wentworth, Weston, Windrow, Young, and Mr. Speaker—43.

MOTIONS.

Mr. Dibble moved that Assembly Bill No. 561 be returned to the Senate, with the message that the Assembly respectfully refuse to concur in Senate amendments.

Carried.

Mr. Dibble moved that the hour of recess be extended until one o'clock P. M.

Carried.

RESOLUTION.

By Mr. Wentworth:

Resolved, That Senate Bill No. 693 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

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

AYES—Messrs. Alexander, Ames, Arms, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Brown, Bruse, Bryant, Cargill, Carter, Cunningham, Daly, Doty, Dow, Dunn, Eakle, Estey, Fowler, Freeman, Garver, Gordon, Hail, Hayes, Hersey, Hoey, Hunewill, Jackson, Johnson, Lacey, Lowe, Lynch, Martin, Mathews, Matlock, Mordecai, Murnan, Murphy, Phillips, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Wentworth, Weston, Windrow, Young, and Mr. Speaker—55.

NOES—None.

Senate Bill No. 693—An Act ceding to the United States of America jurisdiction over lands in this State ceded to the United States.

Read first, second, and third times.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Ames, Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Beecher, Bert, Bryant, Carter, Cunningham, Dennis, Dibble, Doty, Estey, Freeman, Garver, Gordon, Hail, Hersey, Hoey, Hunewill, Jackson, Lacey, Lowe, Lynch, Martin, Mathews, Matlock, Murnan, Murphy, Phillips, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Sturtevant, Wentworth, Weston, Young, and Mr. Speaker—42.

NOES—None.

Title read and approved.

MOTION.

Mr. Wentworth moved that the rules be suspended, and Senate Bill No. 693 be immediately transmitted to the Senate.

Carried.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 21, 1891.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, refused to recede from Senate amendments to Assembly Bill No. 561; and appointed the following Committee on Conference: Senators De Long, Crandall, Dray, Langford, and Hamill, and respectfully ask that your honorable body appoint a like committee.

F. J. BRANDON, Secretary.

APPOINTMENT OF COMMITTEE.

The Speaker appointed Messrs. Dibble, Hail, Phillips, Shanahan, and Mathews a Committee on Conference to confer with a like committee from the Senate on Senate amendments to Assembly Bill No. 561.

MOTIONS.

Mr. Baughman moved to reconsider the vote whereby Senate Bill No. 517 was refused passage.

Lost.

Mr. Robertson moved that neither the majority nor minority reports of the Bruner Investigating Committee be printed in the Journal.

Carried.

RESOLUTION.

By Mr. Coffey:

Resolved, That the sum of one thousand dollars is hereby appropriated to John F. Brown, for expenses incurred for attorney's fees, witness fees, and incidental expenses in the election contest of Brown vs. Daly, in the Twenty-ninth Assembly District, and that the Controller be and is hereby directed to draw his warrant on the Treasurer for the sum of one thousand dollars in favor of John F. Brown, and the Treasurer is hereby instructed to pay the same, payable out of the Contingent Fund of the Assembly.

Referred to Committee on Ways and Means and Appropriations.

RECESS.

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

REASSEMBLED.

At two o'clock P. M. the House reassembled.
Speaker Coombs in the chair.
Quorum present.

MOTIONS.

Mr. Phillips moved that the vote whereby the enacting clause of Senate Bill No. 326 was stricken out be now reconsidered.

Mr. Phillips moved that the motion to reconsider be made a special order for Monday, at three o'clock and thirty minutes P. M.

Carried.

RESOLUTION.

By Mr. Brusie:

WHEREAS, The mail to the Assembly at nine o'clock and thirty minutes A. M. and eleven o'clock and forty minutes A. M. averages in weight from ninety to one hundred and thirty pounds, and at times has been as much as two hundred pounds at a single mail, being more than the Mail Carrier can possibly carry; be it

Resolved, That the Mail Carrier, Joseph H. Coffey, of the Assembly, be allowed the sum of forty-five dollars, money paid by him for expressage in removing mail matter from the general Post Office to the Post Office of the Assembly, and the Controller is hereby authorized and directed to draw his warrant for the said amount in favor of the said Joseph H Coffey, and the Treasurer is hereby directed to pay the same

Resolution adopted.

LEAVE OF ABSENCE.

The following named members were granted leave of absence for the day: Messrs. Cram, Bert, and Lux.

SPECIAL FILE OF SENATE BILLS.

Senate Bill No. 151—An Act amendatory of an Act entitled "An Act to amend an Act entitled 'An Act to protect and promote the horticultural interests of the State,' approved March 14, 1881," approved March 19, 1889.

Read third time.

Made a special order for Monday, immediately after reading the Journal, on motion of Mr. Stabler.

Senate Bill No. 3—An Act to amend section two thousand six hundred and eighty-eight of the Political Code of the State of California, concerning the hearing of the reports of viewers of public highways by Boards of Supervisors, and the manner, time, and place of hearing such report, and the method of giving notice of such time and place to non-consenting land owners, and concerning damages to be awarded on such hearing.

Read third time.

CALL OF THE HOUSE.

Mr. Brusie moved a call of the House, seconded by Messrs. Renfro and Mathews.

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

Messrs. Alexander, Ames, Arms, Barnett of San Francisco, Baughman, Beecher, Brown, Bruner, Brusie, Bryant, Cargill, Clark, Coffey, Cunningham, Daly, Dennis, Dibble, Dow, Dunn, Durner, Estey, Fowler, Freeman, Galbraith, Garver, Hawley, Hersey, Jackson, Johnson, Kellogg, Lacey, Lowe, Lynch, Martin, Mathews, Matlock, McCall, Mordecai, Murnan, Phillips, Renfro, Stabler, Sturtevant, Wentworth, Windrow, Young, and Mr. Speaker.

MOTIONS.

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

Lost.

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

Lost on division.

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

Lost.

ADJOURNMENT.

At two o'clock and thirty minutes P. M. Mr. Robertson moved to adjourn.

Carried.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Monday, March 23, 1891.

The House met pursuant to adjournment.

Speaker Coombs in the chair.

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

Messrs. Alexander, Ames, Barnard, Baughman, Beecher, Brown, Bruner, Brusie, Bryant, Cargill, Clark, Cunningham, Dennis, Dibble, Doty, Dow, Dunn, Durner, Eakle, Estey, Fowler, Freeman, Galbraith, Garver, Gould, Hail, Harloe, Hawley, Hayes, Hersey, Hocking, Hoey, Kellogg, Lacey, Lewis, Lowe, Lux, Lynch, Marion, Martin, Mathews, Matlock, Mordecai, Murnan, Murphy, Phillips, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Sturtevant, Tennis, Tully, Wentworth, Weston, Windrow, Young, and Mr. Speaker.

LEAVE OF ABSENCE.

Leave of absence for the day was granted Messrs. Bert, Gordon, and McCall.

PRAYER.

Prayer by the Chaplain, Rev. A. C. Herrick.

READING OF THE JOURNAL.

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

So ordered.

MOTION.

Mr. Barnard moved that Assembly Bill No. 623 be taken up.

Carried.

Assembly Bill No. 623—An Act to amend sections three thousand nine hundred and sixteen and three thousand nine hundred and twenty-two of the Political Code of the State of California, relating to county boundaries.

Amendment by Mr. Barnard, as follows, adopted:

Amend by adding another section, to be known as section two, as follows:
SEC. 2. This Act shall take effect July 1, 1891.

APPROVAL OF JOURNAL.

Journal of Friday corrected and approved.

Approval of Journal of Saturday deferred.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1891.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that they have examined the following Assembly Bills and find them correctly engrossed: Nos. 589, 623, and 377.

ALEXANDER, Chairman pro tem.

MOTION.

Mr. Dibble moved that the House go into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Assembly Bill No. 760.

Carried.

IN COMMITTEE OF THE WHOLE.

Speaker Coombs in the chair.

Assembly Bill No. 760 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Coombs in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Speaker stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 760, and now report the same back to the Assembly, and recommend that the same pass with amendments, as reported.

Assembly Bill No. 760—An Act to amend sections three thousand seven hundred and thirteen and three thousand six hundred and ninety-six of the Political Code, relating to the levy of taxes.

Committee amendments, as follows, adopted.

Amend section one, line eight, by inserting in the blank after the word "fund," the words "two million five hundred and one thousand two hundred and eighty-six dollars."

Amend section six, line five, by inserting in the blank after the word "fund," the words "two million five hundred and one thousand two hundred and eighty-six dollars."

Assembly Bill No. 760 ordered engrossed and to a third reading.

MOTION

Mr. Dibble moved that Assembly Bill No. 760 be made a special order for this afternoon at two o'clock.

Carried.

SPECIAL ORDERS.

Assembly Bill No. 589—An Act to amend sections three thousand four hundred and fifty-four and three thousand four hundred and fifty-five of the Political Code of this State, relating to the powers and duties of Boards of Trustees of reclamation districts formed for the reclamation of swamp and overflowed lands.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Ames, Barnett of San Francisco, Baughman, Beecher, Brown, Bruner, Brusie, Bryant, Cargill, Clark, Cunningham, Dennis, Dibble, Doty, Dow, Dunn, Durner, Estey, Fowler, Freeman, Galbraith, Garver, Hail, Harloe, Hersey, Hoey, Johnson, Kellogg, Lacey, Lewis, Lowe, Lux, Lynch, Marion, Martin, Mathews, Matlock, Mordecai, Murnan, Murphy, Phillips, Rice, Shanahan, Smith of Orange, Sturtevant, Tennis, Wentworth, Weston, Young, and Mr. Speaker—51.

NOES—None.

Title read and approved.

MOTION.

Mr. Clark moved that the rules be suspended, and Assembly Bill No. 589 be immediately transmitted to the Senate.

Carried.

REPORT OF SPECIAL COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1891.

MR. SPEAKER: Your committee appointed to investigate the charges of the San Francisco "Examiner" against Hon. Elwood Bruner, beg leave to report the following additional expense bill: For making minority report, to I. Sanford ten dollars; and recommend the adoption of the following:

Resolved, That the Controller be and he is hereby directed to draw his warrant in favor of I. Sanford for ten dollars, for services in Bruner investigation, and that the same be drawn from the Contingent Fund of the Assembly.

BLEDSOE, Chairman.

Adopted.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1891.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that they have examined the following Assembly Bill, and find it correctly reengrossed as amended: No. 623.

ALEXANDER, Chairman pro tem.

SPECIAL ORDERS—(RESUMED).

Senate Bill No. 531—An Act to amend section seven hundred and fifty-one of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the duties of the Clerk of the Supreme Court.

Read second time, and made a special order for to-morrow morning, immediately after reading of the Journal.

Assembly Bill No. 377—An Act to authorize the State Board of Prison Directors to pay for certain skilled labor used in the construction of the dam and canal at the Folsom Prison, and making an appropriation therefor.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Ames, Barnard, Beecher, Brown, Bruner, Brusie, Bryant, Cargill, Culver, Cunningham, Daly, Doty, Estey, Fowler, Freeman, Galbraith, Garver, Glynn, Gordon, Gould, Hail, Hawley, Hayes, Hersey, Hocking, Hoey, Kellogg, Lewis, Lowe, Lux, Lynch, Marion, Martin, Mathews, Matlock, Murnan, Phillips, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Steltz, Sturtevant, Tennis, Wentworth, Weston, and Young—50.

NOES—Messrs. Barnett of San Francisco, Baughman, Bledsoe, Dennis, Dow, Dunn, Eakle, Harloe, Lacey, Mordecai, Murphy, Stabler, and Mr. Speaker—13.

Title read and approved.

MOTIONS.

Mr. Brusie moved that the rules be suspended, and Assembly Bill No. 377 be immediately transmitted to the Senate.

Carried.

Mr. Dibble moved that he be permitted to introduce a Conference Committee report.

Carried.

REPORT OF COMMITTEE ON CONFERENCE.

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1891.

MR. SPEAKER. Your Committee on Conference concerning Assembly Bill No. 561—An Act making appropriations for the support of the government of the State of California for the forty-third and forty-fourth fiscal years—report that we have met a like committee of the Senate, consisting of Senators De Long, Crandall, Dray, Langford, and Hamill, and we further report that the Conference Committee of the Senate and Assembly at such meeting agreed upon and recommend that the following Senate amendments to said bill be concurred in by the Assembly, viz:

The said following amendments of the Senate to said Assembly Bill No. 561 are enumerated and referred to as printed in the bill printed by the Assembly on the twenty-eighth day of February, A. D. eighteen hundred and ninety-one:

SENATE AMENDMENT No. 1.

Lines thirteen and fourteen, section one, page one, change "two hundred and eighty-seven" to "two hundred and ninety-one."

SENATE AMENDMENT No. 2.

In line twenty-eight, section one, page two, change the word "stenographer" to the words "phonographic reporter."

SENATE AMENDMENT No. 3.

Line thirty-one, section one, page two, at end of line add: "For postage and contingent expenses, Supreme Court Commissioners, two hundred dollars."

SENATE AMENDMENT No. 5.

Line thirty-seven, section one, page two, insert after the words "secret service" the following, viz: "Exempt from provisions of section six hundred and seventy-two of the Political Code."

SENATE AMENDMENT No. 6.

Line thirty-eight, page two, section one, strike out the word "and."

Also: Insert after the word "telegraphing" the words "and contingent expenses."

SENATE AMENDMENT No. 7.

Line thirty-nine, section one, page two, change "three thousand six" to "four thousand eight."

SENATE AMENDMENT No. 8.

Line forty, section one, page two strike out the word "and;" also, insert in its place the words: "telegraphing and contingent expenses;" also, in the same line, change the word "two" to "five."

SENATE AMENDMENT No. 9.

Line forty, section one, page two, add: "For salary Assistant Secretary State Board of Examiners, three thousand six hundred dollars."

SENATE AMENDMENT No. 10.

Line forty-seven, section one, page two, change the word "one" to "two."

SENATE AMENDMENT No. 11.

Line fifty-seven, section one, page three, change the words "seven hundred" to "one thousand."

SENATE AMENDMENT No. 12.

Line fifty-eight, section one, page three, change "seven hundred and fifty" to "one thousand five hundred."

SENATE AMENDMENT No 13

Lines seventy-one and seventy-two, change the words "seven hundred and fifty" to the words "one thousand."

SENATE AMENDMENT No. 13½.

After line sixty-seven add: "For salary of deputies to Attorney-General, fourteen thousand four hundred dollars."
Also: Strike out line sixty-eight

SENATE AMENDMENT No. 14.

Line seventy-two and just preceding line seventy-three add: "For pay and expenses for stenographer to Attorney-General, three thousand six hundred dollars."

SENATE AMENDMENT No 15.

Section one, page three, line seventy-three, add: "For office rent for Attorney-General in San Francisco, nine hundred and sixty dollars."

SENATE AMENDMENT No. 16.

Line seventy-four, section one, page three, change the word "five" to the word "six."

SENATE AMENDMENT No. 17.

Line seventy-five, section one, page three, add: "For expenses of Attorney-General in tax suits and other suits in United States Courts, two thousand five hundred dollars."

SENATE AMENDMENT No. 18.

Line seventy-eight, section one, page three, add after the word "General" the words "and Register of the State Land Office."

SENATE AMENDMENT No. 19.

Line eighty, section one, page three, add after the word "postage" the word "telegraphing."
Also: On same line change the words "seven hundred" to "one thousand."

SENATE AMENDMENT No. 20.

Line eighty-one, section one, page three, change the word "three" to "five."

SENATE AMENDMENT No. 21.

Line eighty-two, section one, page three, change the word "one" to "two."

SENATE AMENDMENT No. 22.

Line eighty-four, section one, page four, change the word "and" to "or."
Also: On same line, after the words "United States," add "and individuals."
Also: On same line change the words "six hundred" to "one thousand."

SENATE AMENDMENT No. 23.

Line one hundred and four, section one, page four, change the words "two thousand" to "two thousand four hundred."

SENATE AMENDMENT No. 24.

Line one hundred and seven, section one, page four, change the words "fifteen hundred" to "two thousand."

SENATE AMENDMENT No. 25.

Line one hundred and twenty, section one, page five, add: "For pay of employés, and for stock and material for State School Text-Book Department, forty thousand dollars, exempt from the provisions of section four of this Act."

SENATE AMENDMENT No. 25½.

Add before line one hundred and twenty-one, section one, page five, the following: "For compiling of State school text-books, five thousand dollars."

SENATE AMENDMENT No. 26.

Line one hundred and twenty-four, section one, page five, add the following: "For traveling and legal expenses of Deputy Insurance Commissioner, under provision of sections five hundred and ninety-five and six hundred and seventeen of the Political Code, three thousand dollars."

SENATE AMENDMENT No 27.

Line one hundred and thirty-nine, section one, page five, change the words "one thousand" to "five hundred."

SENATE AMENDMENT No. 28.

Line one hundred and forty-three, section one, page five, change the word "ten" to "twenty."

SENATE AMENDMENT No. 29.

Line one hundred and forty-eight, section one, page five, change the words "education and care of deaf, dumb, and blind" to "the support of the Deaf, Dumb, and Blind Asylum at Berkeley."

SENATE AMENDMENT No. 29½.

Line one hundred and forty-eight, section one, page five, change the words "eighty-five" to "one hundred and seven."

SENATE AMENDMENT No. 31.

Line one hundred and fifty-five, section one, page six, add: "For support and maintenance of Preston School of Industry, thirty thousand dollars."

SENATE AMENDMENT No. 31½.

Line one hundred and fifty-five, section one, page six, just before line one hundred and fifty-six, add: "For care and improvement of grounds at Preston School of Industry, seven thousand dollars."

SENATE AMENDMENT No. 32.

Line one hundred and fifty-six, page six, section one, change the words "one hundred and seventy" to "two hundred and fifty."

SENATE AMENDMENT No. 33½.

Ahead of and before line one hundred and fifty-seven, section one, page six, add: "For care and improvement of grounds at Insane Asylum at Agnews, five thousand dollars."

SENATE AMENDMENT No. 35.

Line one hundred and fifty-eight, section one, page six, change the words "two hundred and sixty" to "three hundred and twenty."

SENATE AMENDMENT No. 37.

Line one hundred and sixty-one, section one, page six, change "eighty thousand five hundred" to "eighty-one thousand five hundred."

SENATE AMENDMENT No. 38.

Line one hundred and sixty-four, section one, page six, change "one" to "two."

AMENDMENT No. 40.

Line one hundred and eighty-one, page six, section one, change "three" to "nine."

AMENDMENT No. 41.

After line one hundred and eighty-one, section one, page six, add: "For support of Home for Soldiers' Widows and Orphans, and Army Nurses, fifteen thousand dollars."

AMENDMENT No. 42.

Line one hundred and eighty-eight, section one, page seven, change the word "twenty" to "thirty."

AMENDMENT No. 45.

Line two hundred and two, section one, page seven, change "forty" to "fifty."

AMENDMENT No. 45½.

Line two hundred and two, section one, page seven, add: "sixty per cent of said sum to be expended for geological field work and scientific research."

AMENDMENT No. 46.

After line two hundred and two, section one, page seven, add: "For use of Trustees Mineral Cabinet, five hundred dollars."

AMENDMENT No. 47.

Line two hundred and four, section one, page seven, change "five" to "twenty-five."

AMENDMENT No. 48.

Line two hundred and six, section one, page seven, insert after the word "stationery" the word "supplies."

AMENDMENT No. 48½.

Line two hundred and six, page seven, section seven, change "fifteen" to "twenty."

AMENDMENT No. 50.

Line two hundred and twelve, page seven, section one, change the word "two" to "eight."

AMENDMENT No. 51.

After line two hundred and twelve, section one, page seven, add: "For salary of guardian Marshall monument and grounds, one thousand two hundred dollars."

AMENDMENT No. 51½.

Line two hundred and fourteen, page seven, change the word "fifty" to "forty."

AMENDMENT No. 53.

Add after the word "dollars," on line two hundred and sixty-one, page nine: "For aid to District Agricultural Society No 38, four thousand dollars."

AMENDMENT No. 53½.

Add at the end of section one, page nine, line two hundred and sixty-six, the following: "The sum of fifteen hundred dollars is hereby appropriated, to be expended by the State Board of Examiners, to pay deficiencies that may arise in any of the departments of the State government, not to exceed one hundred dollars against any of the appropriations provided for in this Act."

AMENDMENT No. 54.

Line three, section six, page ten, after the word "property," add: "Except the State Printing Office and its contents."

And we do further report and respectfully represent to the Assembly that we do not concur in the following Senate amendments to said bill, and that we respectfully recommend that the Senate do recede from said amendments, viz.:

AMENDMENT No. 4.

Line thirty-six, section one, page two, change the words "two thousand one hundred and sixty" to "two thousand four hundred."

AMENDMENT No. 30.

Line one hundred and fifty, section one, page five, change the word "fifteen" to "forty."

AMENDMENT No. 33.

After line one hundred and fifty-six, section one, page six, add: "For construction of sewer three miles long, at Insane Asylum at Agnews, twenty thousand dollars."

AMENDMENT No. 34.

Line one hundred and fifty-seven, section one, page six, change "thirty-five" to "sixty."

AMENDMENT No. 36.

Line one hundred and sixty, section one, page six, change "forty" to "fifty-five."

AMENDMENT No. 39.

Line one hundred and sixty-six, section one, page six, change "four" to "six."

AMENDMENT No. 43.

Line one hundred and ninety-eight, section one, page seven, change "five" to "ten."

AMENDMENT No. 44.

Line two hundred and one, section one, page seven, change "three thousand five hundred" to "five thousand."

AMENDMENT No. 49.

Line two hundred and eight, section one, page seven, change the word "two" to "four."

AMENDMENT No. 52.

Line two hundred and thirty-four, section one, page eight, change the words "four thousand" to "four thousand five hundred."

AMENDMENT No. 53¾.

Line two hundred and fifty-eight, section one, page nine, change the words "three thousand five hundred" to "five thousand."

DIBBLE.
SHANAHAN.
HAIL.
MATHEWS.
PHILLIPS.

The roll was called, and the amendments recommended by the committee were adopted by the following vote:

AYES—Messrs. Ames, Barnard, Barnett of San Francisco, Baughman, Beecher, Brown, Bruner, Brusie, Bryant, Cargill, Clark, Cunningham, Daly, Dibble, Doty, Dow, Eakle, Estey, Fowler, Freeman, Garver, Glynn, Hail, Harloe, Hersey, Hocking, Hoey, Hunewill, Johnson, Kellogg, Lacey, Lewis, Lowe, Lux, Lynch, Martin, Mathews, Matlock, Murnan, Murphy, Renfro, Rice, Smith of Butte, Smith of Orange, Stabler, Weston, Young, and Mr. Speaker—48.

NOES—None.

Assembly Bill No. 561 was made a special order for to-day, at four o'clock P. M., on motion of Mr. Dibble.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 23, 1891.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Senate Bill No. 678—An Act to establish a uniform system of county and township governments.

Also: On this day, concurred in Assembly amendments to Senate Bill No. 442.

And refuse to recede from Senate amendments to Assembly Bill No. 87, and appointed a Committee of Conference, consisting of Senators Carpenter, Crandall, and Berry, and respectfully request your honorable body to appoint a like committee.

F. J. BRANDON, Secretary.

APPOINTMENT OF COMMITTEE.

The Speaker appointed as a Conference Committee, to confer with a like committee from the Senate on amendments to Assembly Bill No. 87, as follows: Messrs. Phillips, Gould, and Clark.

RESOLUTION.

By Mr. Brown:

Resolved, That Senate Bill No. 678 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

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

AYES—Messrs. Alexander, Ames, Barnard, Barnett of San Francisco, Baughman, Beecher, Brown, Bruner, Brusie, Bryant, Cargill, Clark, Culver, Cunningham, Dennis, Dibble, Doty, Dunn, Eakle, Estey, Fowler, Freeman, Garver, Gould, Hail, Harloe, Hawley, Hersey, Hocking, Hoey, Hunewill, Johnson, Kellogg, Lacey, Lewis, Lowe, Lux, Lynch, Martin, Mathews, Matlock, Mordecai, Murnan, Phillips, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Wentworth, Weston, Windrow, Young, and Mr. Speaker—56.

NOES—None.

Senate Bill No. 678—An Act to establish a uniform system of county and township governments.

Read first and second times.

AMENDMENTS.

By Mr. Hocking:

Amend after the word "Board," in line twenty-four of section one hundred and eighty, by inserting the following: "In criminal proceedings before the Superior Court, necessary and material witnesses duly subpœnaed shall have their traveling expenses paid by the county, on the order of the Superior Judge before whom the case is tried."

Lost.

Mr. Hocking moved that further consideration of amendments be indefinitely postponed.

Lost.

Mr. Renfro moved that the amendment of Mr. Hocking, just rejected, be reconsidered.

Carried.

Amendment adopted.

By Mr. Baughman:

Insert in section one hundred and ninety-nine, line forty-seven, after the words "ninety-four," the following: "and every four years thereafter."

Adopted.

By Mr. Lynch:

Strike out of section one hundred and seventy-two, line four, the words "forty-five hundred" and insert the following: "seven thousand."

Adopted.

By Mr. Smith of Butte:

Strike out of section one hundred and seventy-eight, line two hundred and forty-two, the word "five," so as to read "twenty" instead of "twenty-five."

Also: Strike out in line two hundred and fifty, "is subpœnaed to;" and also strike out the word "serve" and insert the word "serves" instead.

Also: Strike out the word "five," on line two hundred and fifty-two.

Adopted.

By Mr. Rice:

Strike out of section one hundred and ninety-four, line sixteen, the words "one thousand eight hundred" and insert the following: "one thousand."

Also: Amend paragraph fifteen, section one hundred and ninety-four, page one hundred and twelve, by inserting the following: "and five hundred dollars per annum as Road Commissioners."

Adopted.

Also: Amend paragraph fifteen, section one hundred and ninety-seven, by inserting the following: "and as Road Commissioners, five hundred dollars per annum."

Adopted.

By Mr. Baughman:

Strike out of section twenty-five, line two hundred and twenty-three, the words "in detail."

Adopted.

Also: Amend section one hundred and ninety-nine, page one hundred and twenty, by inserting the following: "and three hundred dollars per annum as Road Commissioner."

Adopted.

By Mr. Marion:

Amend section one hundred and sixty-four, line forty-three, printed bill, by adding after the word "report" the following: "all Deputy Constables must reside in the townships for which their principals are elected."

Adopted.

Also: Amend section one hundred and sixty-four, line one hundred and twenty-nine, by adding the word "each" after the word "month."

Also: Amend section one hundred and sixty-four, line one hundred and forty-eight, by adding the word "each" after the word "month."

Adopted.

By Mr. Johnson:

Amend section one hundred and seventy-one, page sixty, of printed bill, by inserting the following: "and three hundred dollars per annum as Road Commissioners."

Adopted.

Also: Amend section one hundred and seventy-one by inserting after the word "witness," line fifty-five, page sixty-three, the following:

In counties of the ninth class the County Clerk and County Recorder shall collect and pay into the County Treasury, for the benefit of the county, the following prescribed fees, to wit:

COUNTY CLERK.

For services performed by him on the commencement of an action or proceeding (except probate and insolvency proceedings) up to the time of trial or to the rendition of judgment, if the sum is entered by default, to be paid by plaintiff, five dollars.

For services performed by him on the trial of causes before the Court sitting without a jury, including swearing jury, witnesses, and other services, up to judgment, to be paid by the plaintiff, five dollars.

For services performed by him on the trial of causes before the Court sitting without a jury, to be paid by plaintiff, two dollars.

For entering judgment by default or otherwise, including docketing, making up roll, and all other necessary entries, three dollars.

For filing demurrer and all necessary services up to filing answer, one dollar and fifty cents.

For filing intervenor, and all necessary services up to trial, one dollar and fifty cents.

For filing answer, and all necessary services up to trial, one dollar and fifty cents.

For issuing execution, including filing same on return and entering credit or satisfaction, and other necessary entries, one dollar and twenty-five cents.

For issuing alias execution, same as for issuing execution.

For filing notice of appeal and bond, one dollar.

For filing papers on appeal from Justice's Court, including all necessary services up to trial, three dollars.

For filing transcripts of judgment from Justice's Courts, docketing the same, issuing execution, filing same, and entering credit or satisfaction, one dollar.

For receiving and filing remittitur, including filing cost bill, and making the other necessary entries, one dollar.

For entering dismissal or nonsuit, fifty cents.

For entering satisfaction or credit on margin of judgment, fifty cents.

For filing and entering satisfaction of judgment, seventy-five cents.

For filing papers on transfer from other Courts, including all services up to trial, three dollars.

For transferring files to other Courts, including all services, two dollars.

For issuing any writ or process under seal, where the fee is not herein provided, fifty cents.

For any certificate under seal, fifty cents.

For administering and certifying oaths, except oaths administered at the trial of causes, for each name, fifty cents; *provided*, that nothing in this Act of the Legislature permitting County Clerks to take and certify affidavits for United States pension claimants.

For taking depositions, per folio, twenty-five cents.

For certifying the same, one dollar.

For taking acknowledgments, for each name, fifty cents.

For taking and justifying sureties, each name, fifty cents.

For taking and writing testimony of surety, per folio, twenty-five cents.

For writing and certifying copy of any record in his office, including comparing (exclusive of certificate), per folio, twenty-five cents.

For comparing a copy of any record in his office (when written by the party), per folio, five cents.

For certificate to copy of any record in his office, fifty cents.

For filing and indexing articles of incorporation, two dollars.

For filing any paper or instrument where the fee is not otherwise provided by law, twenty-five cents.

For recording any instrument not included in any action or proceeding, per folio, twenty-five cents.

For filing and indexing certificate of copartnership, one dollar.

For issuing marriage license, including the fee of the Recorder for same, two dollars.

For filing any bond, and oath of office attached thereto, twenty-five cents.

For filing appointment of deputy, twenty-five cents.

For issuing each commission to take testimony, one dollar.

For registering dental certificate, one dollar.

PROBATE.

For filing petition for probate of will, or letters of administration with will annexed, including all services up to filing inventory, eight dollars.

For filing petition for letters of administration, general or special, including all services up to filing inventory, five dollars.

For filing petition for letters of guardianship, and all services up to final discharge of guardian, five dollars.

For filing and entering final discharge of guardian, one dollar and fifty cents.

For all services in estates of deceased persons from filing of inventory, including final discharge of executor or administrator, the following fees, to wit:

In any estate of the value of two thousand five hundred dollars or less, as shown by the inventory, two dollars.

In any estate, the value of which is over two thousand five hundred dollars and less than twenty-five thousand dollars, as shown by the inventory, the sum of one dollar for each one thousand dollars or fraction thereof.

In any estate of the value of twenty-five thousand dollars and less than fifty thousand dollars, the sum of one dollar for each thousand up to twenty-five thousand dollars, and fifty cents for each additional thousand or fraction thereof.

In any estate of the value of fifty thousand dollars or more, the sum of thirty-seven dollars and fifty cents for the first fifty thousand dollars, and twenty-five cents for each additional thousand or fraction thereof.

INSOLVENCY.

For filing petition by debtor and all services up to final discharge of debtor, including filing claims, excepting mailing notices to creditors, fifteen dollars.

For filing and entering certificate of final discharge of insolvent, one dollar and fifty cents.

For filing creditor's petition, and other services up to the appointment of receiver or assignee, three dollars.

For filing and entering order appointing receiver or assignee in insolvency, including all services up to final discharge, five dollars.

For filing and entering final discharge of receiver or assignee in insolvency, two dollars.

For any services not herein enumerated, such fees as are now or may hereafter be provided by law.

COUNTY RECORDER.

For recording every instrument, paper, or notice, for each folio, fifteen cents.

For indexing every instrument, paper, or notice, for each name indexed, ten cents.

For copy of any record or paper, per folio, ten cents.

For comparing any copy of any record or paper in his office, when written by the party, per folio, five cents.

For filing any instrument for record, and making the necessary entries thereon, twenty-five cents.

For each certificate under seal, fifty cents.

For every entry of discharge of mortgage, or other instrument, on margin of record, or for entering credit thereon, or witnessing and indexing same, fifty cents.

For searching records or files of his office, for each year, when required, fifty cents.

For abstract of title, for each conveyance or incumbrance certified, fifty cents

For recording every plat or map, for each course, ten cents.

For figures and letters on plat or maps, per folio, fifty cents; *provided*, the fees for recording any town plat shall not exceed one hundred dollars.

For taking acknowledgments, including seal, for each signature, fifty 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, seventy-five cents.

For administering oath or affirmation, twenty-five cents.

For certifying same, twenty-five cents

For filing and keeping each paper not by law required to be recorded, fifty cents.

For recording mining claims and water rights, the same as are allowed for recording any other instrument.

For all services not herein enumerated, the same fees as are allowed the Clerk of the Superior Court for like services.

All Acts and parts of Acts in conflict with the provisions of this Act are hereby repealed.

This Act shall take effect and be in force from and after its passage.

Adopted.

Mr. Mordecai moved to amend as follows:

Amend section one hundred and seventy, page fifty-seven, by inserting the following: "and three hundred dollars per annum as Road Commissioners."

Adopted.

Mr. Brown moved to amend as follows:

Amend by inserting after the word "days," in line twelve, section two hundred, page one hundred and twenty, the following: "in any one year."

Adopted.

Also: Amend section two hundred, page one hundred and twenty-one, by inserting the following: "and as Road Commissioners, three hundred dollars per annum."

Adopted.

Mr. Cunningham moved to amend as follows:

Amend section one hundred and seventy-three, page sixty-three, by inserting the following: "and as Road Commissioners, three hundred dollars per annum."

Adopted.

Mr. Clark moved to amend as follows:

Amend section one hundred and eighty-nine, page ninety-nine, by inserting the following: "and as Road Commissioners, two hundred and fifty dollars per annum."

Adopted.

Mr. Coombs moved to amend as follows:

Amend section one hundred and eighty-one, page eighty-eight, of printed bill, after the word "Board," line twenty-two, by inserting the following: "and as Road Commissioners, five hundred dollars per annum."

Adopted

Senate Bill No. 678, with amendments, rereferred to Committee on County and Township Governments.

Substitute for Senate Bill No. 597—An Act authorizing persons having claims against the State, or against counties or municipal corporations, to prosecute and establish them in the Courts of this State, and providing for the payment of judgments therefor.

Read third time.

Made a special order for three o'clock and thirty minutes P. M. this day, on motion of Mr. Bruner.

MOTION.

At twelve o'clock and thirty minutes P. M. Mr. Brusie moved that the hour of recess be extended ten minutes.

Carried.

Senate Bill No. 151—An Act amendatory of an Act entitled "An Act to amend an Act entitled 'An Act to protect and promote the horticultural interests of the State,' approved March 14, 1881," approved March 19, 1889.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Ames, Barnard, Barnett of San Francisco, Barnett of Sonoma, Beecher, Brown, Bruner, Brusie, Bryant, Cargill, Clark, Culver, Cunningham, Daly, Dibble, Doty, Estey, Fowler, Garver, Gould, Hall, Harloe, Hayes, Hocking, Hunewill, Johnson, Kellogg, Lowe, Lux, Lynch, Marion, Martin, Mathews, Matlock, Mordecai, Murnan, Murphy, Renfro, Rice Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Weston, and Young—46.

NOES—Messrs. Baughman, Dennis, Dow, Dunn, Eakle, Phillips, and Mr. Speaker—7.

Title read and approved.

Mr. Stabler moved that the rules be suspended, and Senate Bill No. 151 be immediately transmitted to the Senate.

Carried.

Mr. Shanahan moved to take up out of order Senate Bill No. 456.

Carried.

Senate Bill No. 456—An Act to amend section one thousand and ninety-six of the Political Code of the State of California, in relation to registration of voters.

Read second time.

Amendments by Mr. Shanahan, as follows, adopted:

Strike out of section one, line thirteen, the figure "6" and insert the figures "11."
Also: Amend by inserting after line fourteen the following: "12. The Post Office address at date of entry of each person."

MOTIONS.

Mr. Shanahan moved that Senate Bill No. 456 be made a special order for to-morrow, immediately after the reading of the Journal.

Carried.

Mr. Dibble moved to take up Senate Bill No. 167.

Carried.

Senate Bill No. 167—An Act to make train wrecking a capital offense.

Read second time.

Mr. Dibble moved that Senate Bill No. 167 be made a special order for to-morrow, immediately after the reading of the Journal.

Carried.

Mr. Brusie moved to take up Senate Bill No. 684.

Carried.

Senate Bill No. 684—An Act providing for the dissolution and winding up of savings banks, trust companies, and banks of deposit, and providing for the disposition of all funds deposited therein and not claimed within five years after such banks have ceased to do business, or after the commencement of proceedings to dissolve.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Ames, Barnard, Barnett of San Francisco, Barnett of Sonoma, Beecher, Brusie, Bryant, Carter, Clark, Culver, Daly, Doty, Dow, Dunn, Eakle, Estey, Fowler, Garver, Hall, Harloe, Hersey, Hocking, Jackson, Johnson, Lowe, Lux, Lynch, Marion, Martin, Mathews, Matlock, Mordecai, Murnan, Murphy, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Weston, Young, and Mr. Speaker—44.
NOES—Mr. Renfro—1.

Title read and approved.

Mr. Brusie moved that the rules be suspended, and Senate Bill No. 684 be immediately transmitted to the Senate.

Carried.

RECESS.

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

REASSEMBLED.

At two o'clock and thirty minutes P. M. the House reassembled. Speaker Coombs in the chair.

RESOLUTION.

By Mr. Smith of Butte:

Resolved, That substitute for Senate Bill No 334 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

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

AYES—Messrs. Alexander, Arms, Barnard, Barnett of San Francisco, Baughman, Beecher, Brown, Bruner, Brusie, Bryant, Cargill, Carter, Clark, Dennis, Dibble, Doty, Dow, Dunn, Durner, Estey, Fowler, Glynn, Gould, Harloe, Hawley, Hayes, Hersey, Hocking, Hunewill, Jackson, Johnson, Jones, Kellogg, Lacey, Lewis, Lowe, Lux, Lynch, Marion, Martin, Mathews, Matlock, Mordecai, Murnan, Murphy, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Weston, Windrow, Young, and Mr. Speaker—57.

NOES—Messrs. Cunningham, Eakle, Garver, Hail, and Renfro—5.

Substitute for Senate Bill No. 334—An Act to encourage the cultivation of ramie in the State of California, to provide a bounty for ramie fiber, and to make an appropriation therefor; to appoint a State Superintendent of Ramie Culture, and make an appropriation for his salary.

Read first and second times.

MOTION.

Mr. Doty moved that the House go into Committee of the Whole, with the Speaker in the chair, for the purpose of considering substitute for Senate Bill No. 334.

Carried.

IN COMMITTEE OF THE WHOLE.

Speaker Coombs in the chair.

Substitute for Senate Bill No. 334 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Coombs in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Speaker stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration substitute for Senate Bill No. 334, and now report the same back to the Assembly, and recommend that the same do pass as amended.

Committee amendment, as follows, adopted:

Amend by inserting after the title as follows: ' The People of the State of California, represented in Senate and Assembly, do enact as follows."

MOTION.

Mr. Dibble moved that the House go into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Assembly Bill No. 760.

Carried.

IN COMMITTEE OF THE WHOLE.

Speaker Coombs in the chair.
Assembly Bill No. 760 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Coombs in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Speaker stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 760—An Act to amend sections three thousand seven hundred and thirteen and three thousand six hundred and ninety-six of the Political Code, relating to the levy of taxes—and now report the same back to the Assembly, and recommend that the same pass as amended.

Committee amendments, as follows, adopted:

Strike out of section one, line eight, all after the word "fund" on said line, and insert the following: "two million five hundred and fifty-one thousand two hundred and eighty-six dollars."
Also: Strike out of section one, line fifteen, all after the word "fund" on said line, and insert "two million five hundred and fifty-one thousand two hundred and eighty-six dollars."

RESOLUTION.

By Mr. Fowler:

Resolved, That Senate Bill No. 243 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

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

AYES—Messrs. Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Beecher, Brown, Bruner, Brusie, Bryant, Cargill, Clark, Cunningham, Daly, Dibble, Doty, Dow, Dunn, Durner, Eakle, Estey, Fowler, Freeman, Galbraith, Glynn, Gould, Hall, Harloe, Hawley, Hayes, Hersey, Hocking, Jackson, Johnson, Jones, Kellogg, Lewis, Lowe, Lux, Lynch, Marion, Martin, Mathews, Matlock, Murman, Murphy, Rice, Robertson, Smith of Butte, Stabler, Steltz, Sturtevant, Tennis, Weston, and Young—54.
NOES—Messrs. Baughman, Bledsoe, Dennis, Hunewill, Lacey, Mordecai, Phillips, Renfro, Smith of Orange, Wentworth, and Mr. Speaker—11.

Senate Bill No. 243—An Act to pay the claim of Mary M. Springer, the widow and heir of Thomas A. Springer, late State Printer, deceased.
Read first and second times.

MOTION.

Mr. Fowler moved that the House go into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bill No. 243.
Carried.

IN COMMITTEE OF THE WHOLE.

Speaker Coombs in the chair.
Senate Bill No. 243 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Coombs in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Speaker stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 243—An Act to pay the claim of Mary M. Springer, the widow and heir of Thomas A. Springer, late State Printer, deceased—and now report the same back to the Assembly, and recommend that the same do pass.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Barnard, Barnett of San Francisco, Barnett of Sonoma, Beecher, Brown, Bruner, Brusie, Bryant, Clark, Cunningham, Daly, Dennis, Doty, Dow, Dunn, Durner, Eakle, Estey, Fowler, Freeman, Galbraith, Glynn, Hail, Harloe, Hawley, Hersey, Hocking, Johnson, Jones, Lewis, Lux. Lynch, Marion, Martin, Mathews, Matlock, Murnan, Murphy, Rice, Robertson, Smith of Butte, Stabler, Steltz, Tennis, Weston, and Young—47.

NOES—Messrs. Baughman, Cargill, Lacey, Shanahan, Smith of Orange, and Mr. Speaker—6.

Title read and approved.

MOTIONS.

Mr. Fowler moved that the rules be suspended, and Senate Bill No. 243 be immediately transmitted to the Senate.

Carried.

Senate Bill No. 346—An Act to appropriate the sum of three thousand one hundred dollars to purchase adjacent lands at San Quentin for the use of the State Prison, together with the improvements thereon.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Barnett of San Francisco, Barnett of Sonoma, Beecher, Bledsoe, Bruner, Brusie, Carter, Clark, Cunningham, Daly, Dennis, Doty, Dow, Dunn, Durner, Estey, Fowler, Galbraith, Garver, Glynn, Gould, Hail, Harloe, Hersey, Jackson, Jones, Lacey, Lux, Lynch, Martin, Mathews, Mordecai, Matlock, Murnan, Murphy, Renfro, Rice, Robertson, Shanahan, Smith of Orange, Stabler, Steltz, Weston, Young, and Mr. Speaker—45.

NOES—Messrs. Baughman and Wentworth—2.

Title read and approved.

Mr. Estey moved that the rules be suspended, and Senate Bill No. 346 be immediately transmitted to the Senate.

Carried.

Assembly Bill No. 623—An Act to amend sections three thousand nine hundred and sixteen and three thousand nine hundred and twenty-two of the Political Code of the State of California, relating to county boundaries.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Barnard, Barnett of Sonoma, Baughman, Beecher, Bledsoe, Brown, Bruner, Brusie, Bryant, Cargill, Durner, Eakle, Estey, Fowler, Garver, Gould, Hail, Harloe, Hawley, Hersey, Hunewill, Jackson, Johnson, Jones, Kellogg, Lacey, Lux, Lynch, Martin, Matlock, Murphy, Phillips, Robertson, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Wentworth, Weston, Young, and Mr. Speaker—45.

NOES—Messrs. Arms, Clark, Cunningham, Doty, Dunn, Freeman, Marion, Mathews, Mordecai, Murnan, Renfro, Rice, and Shanahan—13.

Title read and approved.

Mr. Barnard moved that the rules be suspended, and Assembly Bill No. 623 be immediately transmitted to the Senate.

Carried.

NOTICE OF RECONSIDERATION.

Mr. Eakle gave notice that on to-morrow he will move for a reconsideration of the vote whereby Assembly Bill No. 623 passed.

Senate Bill No. 569—An Act to empower the Board of State Harbor Commissioners to rectify the alignment of East Street, from Pacific Street to Market Street, in the City and County of San Francisco, and to sell, acquire, and condemn adjacent property.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Brown, Bruner, Brusie, Bryant, Cargill, Carter, Clark, Cunningham, Dennis, Dibble, Doty, Dow, Dunn, Durner, Estey, Fowler, Freeman, Garver, Gould, Hail, Harloe, Hersey, Hunewill, Jackson, Johnson, Jones, Kellogg, Lacey, Lewis, Lowe, Lux, Lynch, Marion, Mathews, Matlock, Mordecai, Murphy, Phillips, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Sturtevant, Stabler, Tennis, Wentworth, Weston, Young, and Mr. Speaker—56.

NOES—None.

Title read and approved.

Mr. Phillips moved that the rules be suspended, and Senate Bill No. 569 be immediately transmitted to the Senate.

Carried.

Mr. Hail in the chair.

Substitute for Senate Bill No. 597—An Act authorizing persons having claims against the State, or against counties, or municipal corporations, to prosecute and establish them in the Courts of this State, and providing for the payment of judgments therefor.

Read third time.

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

AYES—Messrs. Alexander, Ames, Arms, Barnett of San Francisco, Brusie, Bryant, Clark, Dibble, Eakle, Fowler, Garver, Harloe, Hayes, Lowe, Lux, Martin, Smith of Butte, and Sturtevant—18.

NOES—Messrs. Barnett of Sonoma, Baughman, Beecher, Bledsoe, Brown, Bruner, Cargill, Carter, Cunningham, Doty, Dow, Dunn, Durner, Estey, Freeman, Galbraith, Gould, Hail, Hersey, Hocking, Jackson, Jones, Kellogg, Lacey, Lynch, Mathews, Matlock, Mordecai, Murnan, Murphy, Phillips, Renfro, Rice, Shanahan, Smith of Orange, Stabler, Tennis, Wentworth, Weston, Young, and Mr. Speaker—41.

NOTICE OF RECONSIDERATION.

Mr. Bruner gave notice that on to-morrow he will move for a reconsideration of the vote whereby substitute for Senate Bill No. 597 was refused passage.

SPECIAL ORDER.

Assembly Bill No. 760—An Act to amend sections three thousand seven hundred and thirteen and three thousand six hundred and ninety-six of the Political Code, relating to the levy of taxes.

Read third time.

MOTIONS.

At four o'clock and thirty minutes P. M. Mr. Barnett moved that the hour of recess be extended until five o'clock P. M.

Carried.

Speaker Coombs in the chair.

Mr. Shanahan moved that a select committee of one be appointed by the Speaker to amend as follows:

Amend by striking out of section one, line nine, the words "thirty-three" and inserting the following: "sixty-six."

Lost.

At five o'clock P. M. Mr. Dibble moved to extend the hour of recess fifteen minutes.

Carried.

At five o'clock and fifteen minutes P. M. the hour of recess was extended fifteen minutes, on motion of Mr. Young.

The roll was called, and Assembly Bill No. 760 passed by the following vote:

AYES—Messrs. Alexander, Ames, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Brown, Bruner, Brusie, Bryant, Cargill, Carter, Culver, Cunningham, Dennis, Dibble, Doty, Dow, Dunn, Durner, Eakle, Estey, Fowler, Freeman, Garver, Hail, Harloe, Hawley, Hayes, Hersey, Hocking, Hunewill, Jackson, Johnson, Kellogg, Lewis, Lowe, Lux, Lynch, Marion, Martin, Mathews, Matlock, Mordecai, Murphy, Rentro, Rice, Shanahan, Smith of Orange, Stabler, Wentworth, Weston, Young, and Mr. Speaker—55.

NOES—Mr. Arms—1.

Title read and approved.

Mr. Dibble moved that the rules be suspended, and Assembly Bill No. 760 be immediately transmitted to the Senate.

Carried.

RECESS.

At five o'clock and forty-five minutes P. M., on motion of Mr. Baughman, 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 Coombs in the chair.

Quorum present.

RESOLUTION.

By Mr. Doty:

Resolved, That the sum of ten dollars be and is hereby appropriated out of the General Fund of the Assembly not otherwise appropriated, to pay the claim of B. C. Brier, for services as shorthand reporter in taking the statement of Franklin P. Bull.

Adopted.

REPORT OF COMMITTEE ON INVESTIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1891.

MR. SPEAKER: Your Committee on Investigation beg leave to report that it desires to be relieved of the custody of the exhibits and transcripts of testimony in the Bruner case, and hereby asks permission to deliver the same into the custody of the Chief Clerk of the Assembly.

BLEDSOE, Chairman.

Transcripts of testimony, exhibits, etc., were placed in the hands of the Chief Clerk.

REPORT OF COMMITTEE OF CONFERENCE.

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1891.

MR. SPEAKER: Your Committee of Conference concerning Assembly Bill No. 87 report that we have met a like committee of the Senate, consisting of Senators Carpenter, Crandall, and Berry, and we report that the Conference Committee cannot agree, and recommend the appointment of a committee of Free Conference.

PHILLIPS,
GOULD,
CLARK,
Conference Committee.

APPOINTMENT OF COMMITTEE.

The Speaker appointed as a Committee of Free Conference to confer with a like committee from the Senate, concerning Assembly Bill No. 87, Messrs. Phillips, Gould, and Clark.

Substitute for Senate Bill No. 528—An Act making an appropriation to pay the claim of John Mullan, for his commissions on money collected by him from the United States on account of Indian war claims, and paid to the State of California.

Read third time.

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

AYES—Messrs. Arms, Barnard, Barnett of Sonoma, Beecher, Bruner, Brusie, Bryant, Culver, Doty, Eakle, Estey, Heisey, Lynch, Marion, Martin, Mathews, Mordecai, Renfro, Shanahan, Stabler, Steltz, Tennis, Young, and Mr. Speaker—24.

NOES—Messrs. Alexander, Baughman, Bledsoe, Brown, Cargill, Daly, Dow, Durner, Galbraith, Garver, Harloe, Hocking, Hunewill, Jones, Kellogg, Lacey, Matlock, Murman, Phillips, Robertson, Smith of Butte, Smith of Orange, Sturtevant, Weston, and Windrow —26.

NOTICE OF RECONSIDERATION.

Mr. Matlock gave notice that on to-morrow he will move for a reconsideration of the vote whereby substitute for Senate Bill No. 528 was refused passage.

Senate Bill No. 326—An Act to amend an Act entitled "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," approved March 15, 1887.

MOTIONS.

Mr. Phillips moved to indefinitely postpone consideration of Senate Bill No. 326.

Carried.

Mr. Harloe moved to take up Assembly Bill No. 631.

Carried.

Assembly Bill No. 631—An Act making an appropriation to pay the claim of Major José Ramon Pico, for expenses incurred in recruiting and maintaining military companies.

Read first time.

Mr. Beecher moved to take up substitute for Senate Bill No. 334.

Carried.

Substitute for Senate Bill No. 334—An Act to encourage the cultivation of ramie in the State of California, to provide a bounty for ramie

fiber, and to make an appropriation therefor; to appoint a State Superintendent of Ramie Culture, and make an appropriation for his salary.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Arms, Barnard, Barnett of Sonoma, Baughman, Beecher, Brown, Bruner, Brusie, Bryant, Clark, Culver, Dennis, Doty, Dow, Durner, Estey, Galbraith, Gould, Harloe, Hawley, Hayes, Hersey, Johnson, Jones, Lowe, Lux, Lynch, Marion, Martin, Mathews, Matlock, Murman, Robertson, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Weston, Windrow, Young, and Mr. Speaker—45.

NOES—Messrs. Bledsoe, Cunningham, Dunn, Eakle, Garver, Hall, Hocking, Hunewill, Jackson, Kellogg, Lacey, Phillips, and Renfro—13.

Title read and approved.

Senate Bill No. 678—An Act to establish a uniform system of county and township governments.

MOTIONS.

Mr. Brown moved that the vote whereby amendment number one was this morning adopted, be now reconsidered.

Carried.

Also, amendment number two.

Carried.

Also, amendment number three.

Carried.

Also, amendment number four.

Carried.

Also, amendment number five.

Carried.

Also, amendment number six.

Carried.

Also, amendment number seven.

Carried.

Also, amendment number eight.

Carried.

Also, amendment number nine.

Carried.

Also, amendment number ten.

Carried.

Also, amendment number eleven.

Carried.

Also, amendment number twelve.

Carried.

Also, amendment number thirteen.

Carried.

Also, amendment number fourteen.

Carried.

Also, amendment number fifteen.

Carried.

Also, amendment number sixteen.

Carried.

Also, amendment number seventeen.

Carried.

Also, amendment number eighteen.

Carried.

The said several amendments were then voted upon and lost.

On the final passage of Senate Bill No. 678 the roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Beecher, Bledsoe, Brown, Brusie, Cargill, Carter, Culver, Cunningham, Daly, Dennis, Dibble, Doty, Dow, Dunn, Durner, Eakle, Estey, Fowler, Garver, Hail, Harloe, Hawley, Hayes, Hersey, Hocking, Hoey, Hunewill, Johnson, Jones, Kellogg, Lacey, Lowe, Lux, Lynch, Marion, Mathews, Matlock, Murnan, Murphy, Phillips, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Tully, Weston, Windrow, and Mr. Speaker—55.

NOES—Messrs. Bruner, Bryant, Gould, Martin, Mordecai, Robertson, Shanahan, and Young—7.

Title read and approved.

MOTION.

Mr. Brown moved that the rules be suspended, and Senate Bill No. 678 be immediately transmitted to the Senate.

Carried.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 23, 1891.

MR SPEAKER: I am directed to inform your honorable body that the Senate, on this day, receded from Senate amendments to Assembly Bill No. 561, as agreed upon by Committee of Conference.

F. J. BRANDON, Secretary.

CONSIDERATION OF SENATE AMENDMENTS.

The roll was called, and the committee amendments, as printed, to Assembly Bill No. 561 adopted, and the bill finally passed by the following vote:

AYES—Messrs. Alexander, Baughman, Beecher, Bruner, Brusie, Bryant, Cargill, Clark, Culver, Cunningham, Dennis, Dibble, Dow, Dunn, Durner, Eakle, Estey, Fowler, Garver, Hail, Harloe, Hayes, Hersey, Hocking, Hoey, Hunewill, Johnson, Jones, Kellogg, Lacey, Lewis, Lowe, Lux, Lynch, Marion, Martin, Mathews, Matlock, Murnan, Murphy, Phillips, Smith of Butte, Smith of Orange, Stabler, Steltz, Tennis, Tully, Weston, Windrow, and Mr. Speaker—50.

NOES—None.

Title read and approved.

MESSAGES FROM THE SENATE—(RESUMED).

SENATE CHAMBER, SACRAMENTO, March 23, 1891.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Assembly Bill No. 377—An Act to authorize the State Board of Prison Directors to pay for certain skilled labor used in the construction of the dam and canal at the Folsom Prison, and making an appropriation therefor.

Also: Senate Bill No. 689—An Act to appropriate the sum of one thousand two hundred and eighty dollars to pay the claim of S. V. Treadway and David Kettleman, assignees of Mary Treadway, Sarah E. Trotter, Richard Trotter, Mary J. Furber, and Elbridge G. Furber, for money illegally paid the State of California.

Also: On this day, concurred in Assembly amendment to Senate Bill No. 151.

Also: On this day, passed Assembly Bill No. 588—An Act to amend section one thousand nine hundred and sixty-two of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, to be known as subdivision eight, relating to what are deemed conclusive presumptions.

Also: Assembly Bill No. 90—An Act to add a new section to the Code of Civil Procedure, said section to be designated as section seven hundred and forty-nine, relating to the quieting of title to real property.

Also: On this day, passed Senate Bill No. 627—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by amending section seven hundred and ninety-one of said Code, relating to the appointment and number of Notaries

Public in the several counties of this State, and to repeal section seven hundred and ninety-three of said Code, relating to the term of office of Notaries Public, approved March 19, 1889.

Also: Assembly Bill No. 293—An Act authorizing the Controller and Treasurer to transfer to the General Fund all moneys to the credit of the Construction Fund of Drainage District No. 1, and also from time to time to transfer to the General Fund all moneys that may hereafter be paid into said Construction Fund of Drainage District No. 1.

Also: Assembly Bill No. 295—An Act providing for the cancellation of certain receipts which were directed by law to be received as cash by the State Treasurer, and authorizing the Controller and Treasurer to make the proper entries in the books of their respective offices.

Also: Passed as amended Substitute for Assembly Bill No. 115—An Act to amend an Act entitled "An Act to provide for Police Courts in cities having thirty thousand and under one hundred thousand inhabitants, and to provide for officers thereof," approved March 18, 1885, and to provide for clerks of Police Courts in cities of twenty-six thousand and under fifty thousand inhabitants.

Also: Ordered stricken from Senate File Assembly Bill No. 669—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, amended March 14, 1885, March 18, 1885, March 17, 1887, and March 16, 1889, relative to the power of Boards of Supervisors.

Also: On the twentieth day of March, passed Senate Bill No. 270—An Act to amend section one thousand two hundred and forty-six of the Penal Code of the State of California, relating to the cost of appeals in criminal cases.

Also. On the twenty-third day of March, passed Assembly Bill No. 195—An Act to appropriate five thousand dollars for the purpose of sending an expert to Australia, New Zealand, and adjacent countries, to collect and import into this State parasites and predaceous insects.

Also: Assembly Bill No. 554—An Act to amend section fifty-three of the Code of Civil Procedure, approved March 11, 1872, relating to powers on appealed cases.

Also. Senate Bill No. 306—An Act making an appropriation to pay the deficiency in the appropriation for payment of costs and expenses of trials of persons violating the laws for the preservation of fish, for the forty-second fiscal year.

Also: Senate Bill No. 484—An Act to provide for the payment to Wm. Carey Jones, out of the moneys heretofore appropriated for the compilation of a State series of school text-books, for his services in compiling the elementary book on Civil Government for the State series of school text-books, as provided in an Act approved March 19, 1889, and in accordance with an agreement made with said Jones by C. W. Childs, as a committee of the State Board of Education, to whom said matter was referred.

Also: Senate Bill No. 685—An Act authorizing the State Board of Examiners to sell old furniture and all material belonging to the State and not required for public use.

Also: Senate Concurrent Resolution No. 7:

Resolved by the Senate, the Assembly concurring, That the Legislature, in twenty-ninth session assembled, adjourn sine die Wednesday, March 25, 1891, at twelve o'clock P. M. of said day.

Also: Senate Concurrent Resolution No. 9—Relative to authorizing the Governor to receive moneys levied by the direct tax levied by Congress.

Also Receded from Senate amendments to Assembly Bill No. 230.

Also On this day, appointed Committee of Conference on Senate amendments to Assembly Bill No. 129, consisting of Senators McGowan, McComas, and Mead, and respectfully request your honorable body to appoint a like committee.

F. J. BRANDON, Secretary.

Senate Concurrent Resolution No. 7 was made a special order for to-morrow, at eleven o'clock A. M.

Assembly Bill No. 115.

Senate amendments as follows.

Amend the title by adding after the figures "1885." in the last line of the title, the following: "and to provide for clerks of Police Courts in cities of twenty-six thousand and under fifty thousand inhabitants."

Also: Strike out of section six, line two, the words "one hundred" and insert "fifty."

The roll was called, and the amendments concurred in by the following vote:

AYES—Messrs. Ames, Arms, Barnett of Sonoma, Baughman, Brown, Bruner, Brusie, Bryant, Carter, Clark, Culver, Cunningham, Daly, Dennis, Doty, Dow, Dunn, Durner, Eakle, Estey, Fowler, Galbraith, Garver, Glynn, Gould, Hall, Harloe, Hersey, Hoey, Hunewill, Johnson, Jones, Lacey, Lewis, Lowe, Lux, Lynch, Marion, Martin, Mathews, Matlock, Mordecai, Murnan, Murphy, Phillips, Renfro, Robertson, Shanahan, Smith of Orange, Stabler, Tennis, Weston, Windrow, Young, and Mr. Speaker—54.

NOES—None.

Senate Concurrent Resolution No. 9—Relative to authorizing the Governor to receive moneys levied by the direct tax levied by Congress.

Adopted.

SPECIAL ORDERS.

Senate Bill No. 324—An Act to create a State Board of Funeral Directors, to prescribe its powers and duties, to regulate the practice of undertaking and funeral direction, and to more effectually protect the people against contagious diseases.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Ames, Arms, Barnard, Barnett of Sonoma, Beecher, Bruner, Bryant, Cargill, Carter, Clark, Culver, Daly, Doty, Dow, Dunn, Durner, Estey, Galbraith, Gould, Hail, Hayes, Hunewill, Jackson, Johnson, Jones, Lewis, Lowe, Lux, Lynch, Marion, Mathews, McCall, Mordecai, Murphy, Renfro, Robertson, Shanahan, Steltz, Sturtevant, Tennis, Weston, and Young—43.

NOES—Messrs. Baughman, Bledsoe, Brown, Cunningham, Eakle, Garver, Harloe, Hocking, Kellogg, Lacey, Martin, Matlock, Murnan, Phillips, Smith of Butte, Smith of Orange, Stabler, and Mr. Speaker—18.

Title read and approved.

Mr. Bruner moved that the rules be suspended, and Senate Bill No. 324 be immediately transmitted to the Senate.

Carried.

Mr. Shanahan in the chair.

Senate Bill No. 375—An Act authorizing the Attorney-General to dismiss those certain actions pending in the Superior Court of the City and County of San Francisco, and numbered eleven thousand seven hundred and six, eleven thousand nine hundred and twenty-five, and eleven thousand nine hundred and twenty-six, upon payment to him for the use of the State of certain moneys.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Ames, Barnard, Barnett of Sonoma, Baughman, Bledsoe, Brown, Bryant, Cargill, Carter, Clark, Culver, Daly, Dennis, Dow, Estey, Fowler, Galbraith, Garver, Gould, Hail, Harloe, Hersey, Hocking, Hunewill, Jackson, Kellogg, Lewis, Lux, Lynch, Marion, Martin, Mathews, Matlock, McCall, Murnan, Murphy, Phillips, Renfro, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Tully, Weston, and Young—49.

NOES—None.

Title read and approved.

RECESS.

At nine o'clock P. M. Mr. Dibble moved that the House take a recess of fifteen minutes.

Carried.

REASSEMBLED.

Mr. Shanahan in the chair.

MOTIONS.

Mr. Dibble moved to take up Senate Bill No. 554.

Carried.

Senate Bill No. 554—An Act to amend 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, by adding thereto certain new and additional sections to provide the mode of carrying into effect certain provisions of said Act, relative to changing grades.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Ames, Arms, Barnett of Sonoma, Baughman, Beecher, Brown, Bryant, Cargill, Carter, Clark, Culver, Daly, Dennis, Dibble, Doty, Dow, Dunn, Durner, Eakle, Estey, Fowler, Freeman, Garver, Glynn, Gould, Hail, Harloe, Hersey, Hocking, Hoey, Johnson, Jones, Kellogg, Lacey, Lewis, Lowe, Lynch, Marion, Martin, Mathews, McCall, Mordecai, Murphy, Phillips, Renfro, Shanahan, Smith of Butte, Stabler, Steltz, Sturtevant, Tennis, Wentworth, Weston, and Windrow—55.

NOES—None.

Title read and approved.

Mr. Dibble moved that the rules be suspended, and Senate Bill No. 554 be immediately transmitted to the Senate.

Carried.

Mr. Renfro moved to take up Senate Bill No. 432.

Carried.

Senate Bill No. 432—An Act fixing a bounty on coyote scalps

Read second time.

Made a special order for to-morrow morning, immediately after reading of the Journal, on motion of Mr. Renfro.

Assembly Bill No. 740—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the duties of the State Controller.

Read second time, ordered engrossed and to a third reading.

Mr. Phillips moved to make Assembly Bill No. 740 a special order for to-morrow morning, immediately after reading of the Journal.

Carried.

Senate Bill No. 431—An Act to amend sections one thousand two hundred and seventeen, one thousand two hundred and twenty, one thousand two hundred and twenty-one, one thousand two hundred and twenty-three, one thousand two hundred and twenty-four, 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 twenty-nine, and one thousand two hundred and thirty of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to execution of judgment of death.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Arms, Barnard, Barnett of Sonoma, Baughman, Beecher, Bruner, Bryant, Cargill, Carter Clark, Culver, Dibble, Doty, Dow, Durner, Eakle, Estey, Fowler, Freeman, Galbraith, Garver, Glynn, Gould, Hail, Hersey, Hocking, Jackson, Johnson, Jones, Kellogg Lacey, Lowe Lux, Mathews, Matlock, McCall, Murphy, Phillips, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Tully, Weston, Windrow, and Young—50.

NOES—Messrs. Martin and Mordecai—2.

Title read and approved.

Senate Bill No. 516—An Act to enable the Coulterville and Yosemite Turnpike Company, a corporation, to sue the State of California for the loss and damage suffered and sustained by said 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.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Barnard, Barnett of Sonoma, Beecher, Bledsoe, Bruner, Bryant, Cargill, Carter, Clark, Culver, Dibble, Doty, Dow, Durner, Eakle, Fowler, Freeman, Galbraith, Garver, Glynn, Gould, Hersey, Hocking, Hunewill, Jackson, Johnson, Jones, Kellogg, Lacey, Lowe, Lux, Lynch, Marion, Martin, Mathews, Matlock, McCall, Mordecai, Murphy, Robertson, Smith of Butte, Stabler, Steltz, Sturtevant, Tully, Weston, Windrow, and Young—48.

NOES—Mr. Shanahan—1.

Title read and approved.

Mr. Bruner moved that the rules be suspended, and Senate Bill No. 516 be immediately transmitted to the Senate.

Carried.

Mr. Mathews moved to take up Senate Bill No. 699.

Carried.

Senate Bill No. 699—An Act to provide a salary for the Keeper of the Archives in the office of the Secretary of State, for the balance of the forty-second fiscal year.

Read first time.

Made a special order for to-morrow morning, immediately after reading of the Journal.

RESOLUTION.

By Mr. Hocking:

Resolved, That the sum of three hundred dollars be and is hereby directed to be paid to the Chief Clerk of the Assembly out of the appropriation for the contingent expenses of the Assembly, and the Controller is hereby directed to draw his warrant for said sum upon the appropriation for the contingent expenses of the Assembly. Said sum to be distributed by said Chief Clerk to himself and to such persons who have performed and are now performing labor and rendering services in compiling the Weekly History of Assembly Bills, Constitutional Amendments, and Joint Resolutions, be it further

Resolved, That the person having such history in charge be and he is hereby directed and instructed to remain over at the State Capitol after adjournment of the twenty-ninth session of the Legislature sine die for a period of ten days, for the purpose of making a complete and final copy of the Assembly Weekly History, and after the same is finally printed he shall mail to each member of the Assembly and Senate five copies thereof—one of which shall be bound in pasteboard cover.

For the purpose of carrying out the requirements of this resolution, the Superintendent of State Printing is hereby directed to print eight hundred copies of such final history, one hundred and fifty copies of which shall be bound in pasteboard covers.

The Controller of State is hereby directed to draw his warrant for the sum of thirty ($30) dollars in favor of said Chief Clerk, payable out of the appropriation for the contingent expenses of the Assembly, for the purpose of paying the necessary postage upon such final history.

Referred to Committee on Ways and Means and Appropriations.

SPECIAL FILE OF SENATE BILLS.

Senate Bill No. 564—An Act to declare the bridge across Feather River, extending from Fifth Street, at the city of Marysville, in the county of Yuba, to the opposite bank of said river, a free bridge.

Read third time.

The roll was called, and the bill passed by the following vote.

AYES—Messrs. Arms, Barnett of Sonoma, Beecher, Bledsoe, Bruner, Bryant, Cargill, Carter, Clark, Culver, Dibble, Doty, Dow, Dunn, Eakle, Estey, Fowler, Freeman, Galbraith, Garver, Glynn, Gould, Hall, Hersey, Hocking, Hunewill, Jackson, Johnson, Jones, Kellogg, Lacey, Lowe, Lux, Lynch, Martin, Mathews, Matlock, McCall, Mordecai, Mur-

phy, Phillips, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Tennis, Tully, Weston, and Young—53.
NOES—None.

Title read and approved.

MOTIONS.

Mr. Stabler moved that the rules be suspended, and Senate Bill No. 564 be immediately transmitted to the Senate.

Carried.

Mr. Gould moved to take up Senate Bill No. 700.

Carried.

Senate Bill No. 700—An Act appropriating money to pay the salary of phonographic reporter in the Attorney-General's office, from the first of April to the first of July, 1891.

Read second time.

MOTION.

Mr. Gould moved that the House go into Committee of the Whole, with Mr. Shanahan in the chair, for the purpose of considering Senate Bill No. 700.

Carried.

IN COMMITTEE OF THE WHOLE.

Mr. Shanahan in the chair.

Senate Bill No. 700 was considered in Committee of the Whole.

IN ASSEMBLY.

Mr. Shanahan in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Chairman stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 700, and now report the same back to the Assembly, and recommend that the same do pass.

Senate Bill No. 700 made a special order for to-morrow morning, immediately after reading of the Journal.

MOTIONS.

Mr. Bruner moved to take up Senate Bill No. 295.

Carried.

Senate Bill No. 295—An Act to provide for the purchase of a portrait of ex-Governor Waterman, by the State Board of Examiners, and to appropriate money therefor.

Read third time.

Mr. Bruner moved that Senate Bill No. 295 be made a special order for to-morrow morning, immediately after the reading of the Journal.

Carried.

REPORT OF STANDING COMMITTEE.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1891.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred the accompanying resolution, report the same back, and recommend that it do pass.

BRUNER, Chairman.

Resolved, That Geo. E. Shinn, Assistant Sergeant-at-Arms of the Assembly, be and he is hereby allowed forty dollars for mileage in going after delinquent members of the Assembly under the various calls of the Assembly, from January fifth, eighteen hundred and ninety-one, up to March ninth, eighteen hundred and ninety-one, payable out of the appropriation for contingent expenses of the Assembly. The Controller is hereby instructed to issue his warrant in favor of said Geo. E. Shinn for the sum of forty dollars.

Resolution referred to Committee on Ways and Means and Appropriations.

ADJOURNMENT.

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

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Tuesday, March 24, 1891.

The House met pursuant to adjournment.

Speaker Coombs in the chair.

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

Messrs. Alexander, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Bryant, Cargill, Clark, Cunningham, Dennis, Dibble, Doty, Dow, Dunn, Eakle, Estey, Fowler, Freeman, Galbraith, Garver, Gordon, Hail, Harloe, Hawley, Hersey, Hunewill, Jackson, Johnson, Kellogg, Lacey, Lewis, Lux, Lynch, Marion, Martin, Mathews, Matlock, McCall, Mordecai, Murnan, Murphy, Phillips, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Tennis, Wentworth, Weston, Young, and Mr. Speaker.

Quorum present.

LEAVE OF ABSENCE.

Messrs. Johnson and Carter were granted leave of absence.

PRAYER.

Prayer by the Chaplain, Rev. A. C. Herrick.

READING OF THE JOURNAL.

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

So ordered.

Approval of Journal deferred.

RESOLUTION.

By Mr. Bruner:

Resolved, That Assembly Bill No. 720 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

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

AYES—Messrs. Alexander, Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Bruner, Bryant, Cargill, Clark, Culver, Cunningham, Dennis, Dibble, Doty, Dow, Dunn, Eakle, Estey, Freeman, Galbraith, Gordon, Hail, Hawley, Hersey, Hocking, Hunewill, Jackson, Jones, Kellogg, Lacey, Lux, Lynch, Marion, Martin, Mathews, Matlock, McCall, Mordecai, Murnan, Murphy, Renfro, Rice, Robertson, Shanahan, Smith of Orange, Stabler, Steltz, Weston, Young, and Mr. Speaker —54.

NOES—None.

Assembly Bill No. 720—An Act to amend section three thousand four hundred and sixty of the Political Code of the State of California, in reference to making assessments on land in swamp land districts.

Read second and third times.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bruner, Bryant, Cargill, Clark, Culver, Cunningham, Dennis, Doty, Dow, Dunn, Estey, Galbraith, Garver, Gordon, Hail, Hawley, Hersey, Hocking, Hoey, Hunewill, Jackson, Jones, Kellogg, Lacey, Lux, Lynch, Marion, Martin, Mathews, Matlock, Mordecai, Murnan, Murphy, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Tennis, Weston, Young, and Mr. Speaker—49.

NOES—None.

Title read and approved.

MOTION.

Mr. Bruner moved that the rules be suspended, and Assembly Bill No. 720 be immediately transmitted to the Senate.

Carried.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1891

MR. SPEAKER: Your Committee on Engrossment beg leave to report that they have examined the following Assembly Bill, and find it correctly engrossed: No. 740.

ALEXANDER, Chairman pro tem.

MOTIONS.

Mr. Bruner moved to reconsider the vote whereby Senate Bill No. 597 was yesterday refused passage.

Carried.

Mr. Bruner moved that a select committee of one be appointed to amend as follows:

SUBSTITUTE FOR SENATE BILL No. 597.

An Act authorizing persons having claims against the State, to prosecute and establish them in the Courts of this State.

The People of the State of California, represented in Senate and Assembly, do enact as follows

SECTION 1. All persons who have, or shall hereafter have, claims against the State, are hereby authorized to bring suit in any of the Courts of this State having competent jurisdiction, and prosecute the same to final judgment.

SEC. 2. Suit must be brought on all claims now existing, within two years after the passage of this Act, and on all other causes of action that shall hereafter arise, within two years after the same shall have accrued, or they shall be barred No costs or attorney's fees shall be recovered in any action against this State.

SEC. 3. This Act shall take effect immediately.

Carried.

APPOINTMENT OF COMMITTEE.

Mr. Bruner was appointed a committee to make said amendments.

REPORT OF COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1891

MR. SPEAKER: Your Select Committee, to whom was referred Senate Bill No. 597, 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.

BRUNER, Committee

Report of committee adopted.

Made a special order for two o'clock P. M., on motion of Mr. Bruner.

REPORT OF COMMITTEE OF FREE CONFERENCE.

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1891.

MR. SPEAKER. Your Committee of Free Conference concerning Assembly Bill No. 87—An Act to amend sections three thousand six hundred and sixty-five, three thousand six hundred and sixty-six, three thousand six hundred and sixty-seven, three thousand six hundred and sixty-eight, three thousand six hundred and sixty-nine, three thousand six hundred and seventy, three thousand six hundred and seventy-two, three thousand six hundred and ninety-two, three thousand six hundred and ninety-six, three thousand seven hundred and fourteen, three thousand seven hundred and twenty-eight, three thousand seven hundred and thirty-two, three thousand seven hundred and forty-six, three thousand seven hundred and fifty, three thousand seven hundred and fifty-one, three thousand seven hundred and fifty-six, three thousand seven hundred and fifty-eight, three thousand seven hundred and sixty-four, three thousand seven hundred and ninety-seven, three thousand eight hundred, three thousand eight hundred and sixteen, and three thousand eight hundred and sixty-six of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to revenue and taxation—report that we have met a like committee of the Senate, consisting of Senators Carpenter, Berry, and Crandall, and we report that the Free Conference Committee agreed upon and recommend the adoption of the accompanying substitute for said bill, and all amendments thereto.

PHILLIPS,
GOULD,
CLARK,
Free Conference Committee

Adopted.

SUBSTITUTE FOR ASSEMBLY BILL No. 87.

An Act to amend sections three thousand six hundred and sixty-five, three thousand six hundred and sixty-six, three thousand six hundred and sixty-seven, three thousand six hundred and sixty-eight, three thousand six hundred and sixty-nine, three thousand six hundred and seventy, three thousand six hundred and seventy-two, three thousand six hundred and ninety-two, three thousand six hundred and ninety-six, three thousand seven hundred and fourteen, three thousand seven hundred and twenty-eight, three thousand seven hundred and thirty-two, three thousand seven hundred and forty-six, three thousand seven hundred and fifty, three thousand seven hundred and fifty-one, three thousand seven hundred and fifty-six, three thousand seven hundred and fifty-eight, three thousand seven hundred and sixty-four, three thousand seven hundred and ninety-seven, three thousand eight hundred, three thousand eight hundred and sixteen, and three thousand eight hundred and sixty-six of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to revenue and taxation.

The People of the State of California, represented in Senate and Assembly, do enact as follows

SECTION 1. Section three thousand six hundred and sixty-five of said Act is hereby amended to read as follows:

Section 3665. The State Board of Equalization must meet at the State Capitol on the third Monday in July, and continue in open session from day to day, Sundays excepted,

until the first Monday in August. At such meeting the Board must assess the franchise, roadway, roadbed, rails, and rolling stock of all railroads operated in more than one county, but franchises derived from the United States shall not be assessed. Assessments must be made to the corporation, person, or association of persons owning the same. The depots, stations, shops, and buildings erected upon the space covered by the right of way, and all other property owned by such person, corporation, or association of persons, are assessed by the Assessor of the county wherein they are situate. Within twenty days after the first Monday of August, the Board must apportion the total assessment of the franchise, roadway, roadbed, rails, and rolling stock of each railway to the counties, or cities and counties, in which such railway is located, in proportion to the number of miles of railway laid in such counties, and cities and counties. The Board must also, within said time, transmit by mail to the County Auditor of each county, or city and county, to which such apportionment shall have been made, a statement showing the length of the main track of such railway within the county, or city and county, with a description of the said track within the county, or city and county, including the right of way, by metes and bounds, or other description sufficient for identification, the assessed value per mile of the same, as fixed by a pro rata distribution per mile of the assessed value of the whole franchise, roadway, roadbed, rails, and rolling stock of such railway within the State, and the amount apportioned to the county, or city and county. The Auditor must enter the statement on the assessment roll or book of the county, or city and county, and where the county is divided into assessorial townships or districts, then on the roll or book of any township or district he may select, and enter the amount of the assessment apportioned to the county, or city and county, in the column of the assessment book or roll as aforesaid, which shows the total value of all property for taxation, either of the county, city and county, or such township or district. On the fourth Monday in September, the Board of Supervisors must make, and cause to be entered in the proper record book, an order stating and declaring the length of main track of the railway assessed by the State Board of Equalization within the county, the assessed value per mile of such railway, the number of miles of track, and the assessed value of such railway lying in each city, town, township, school and road district, or lesser taxation district in the county, or city and county, through which such railway runs, as fixed by the State Board of Equalization, which shall constitute the assessment value of said property for taxable purposes in such city, town, township, school, road, or other district; and the Clerk of the Board of Supervisors must transmit a copy of each order or equalization to the City Council, or Trustees, or other legislative body of incorporated cities or towns, the Trustees of each school district, and the authorized authorities of other taxation districts through which such railway runs. All such railway property shall be taxable upon said assessment at the same rates, by the same officers, and for the same purposes, as the property of individuals within such city, town, township, school, road, and lesser taxation districts, respectively. If the owner of a railway assessed by the State Board of Equalization is dissatisfied with the assessment made by the Board, such owner may, at the meeting of the Board, under the provisions of section three thousand six hundred and ninety-two of the Political Code, between the first Monday in August and the first Monday in September, apply to the Board to have the same corrected in any particular, and the Board may correct and increase or lower the assessment made by it so as to equalize the same with the assessment of other property in the State. If the Board shall increase or lower any assessment previously made by it, it must make a statement to the County Auditor of the county affected by the change in the assessment of the change made, and the Auditor must note such change upon the assessment book or roll of the county, as directed by the Board.

SEC. 2. Section three thousand six hundred and sixty-six of said Act is hereby amended to read as follows:

Section 3666. The State Board of Equalization must prepare each year a book, to be called "Record of Assessments of Railways," in which must be entered each assessment made by the Board, either in writing or by both writing and printing. Each assessment so entered must be signed by the Chairman and Clerk. The record of the apportionment of the assessments made by the Board to the counties, and cities and counties, must be made in a separate book, to be called "Record of Apportionment of Railway Assessments." In such last described book must be entered the names of the railways assessed by the Board, the names of the corporation to which, or the name of the person or association to whom, each railway was assessed, the whole number of miles of the railway in the State, the number of miles thereof in each county, or city and county, the total assessment of the franchise, roadway, roadbed, rails, and rolling stock, for purposes of State taxation, and the amount of the apportionment of such total assessment to each county, and city and county, for county, and city and county, taxation. Before the third Monday of September of each year, the Clerk of the State Board of Equalization must prepare and transmit to the Controller of State duplicates of the "record of assessment of railways," and "record of apportionment of railway assessments," each certified by the Chairman and Clerk of the Board, and to be known, respectively, as "duplicate record of assessment of railways," and "duplicate record of apportionment of railway assessments." In the last named duplicate, two columns must be added, in one of which the Controller must enter the State taxes due the State upon the whole assessment by each corporation, person, or association, and in the other the county, or city and county, taxes due upon the assessment apportioned to each county, or city and county, by each corporation, person, or association. The two

duplicates constitute the warrant for the Controller to collect the State and county, and city and county, taxes levied upon such property assessed by the Board, and the amount of the apportionment of the assessment to each county, and city and county, respectively.

SEC. 3. Section three thousand six hundred and sixty-seven of said Act is hereby amended to read as follows

Section 3667. When the Board of Supervisors of each county, and city and county, to which the State Board of Equalization has apportioned the assessment of railways, shall have fixed the rate of county, or city and county, taxation, the Clerk of the Board of Supervisors must forthwith, by mail, postage paid, transmit to the Controller a statement of the rate of taxation levied by the Board of Supervisors for county, or city and county, taxation. If the Clerk fails to transmit such statement, the Controller must obtain the information as to such rate of taxation from other sources On or before the second Monday of October, the Controller must compute and enter in separate money columns in the "duplicate record of apportionment of railway assessments," the respective sums, in dollars and cents, rejecting fractions of a cent, to be paid by the corporation, person, or association liable therefor, as the State tax upon the total amount of the assessment, and the county, or city and county, tax upon the apportionment of the assessment to each county, and city and county, of the property assessed to such corporation, person, or association named in said duplicate record.

SEC. 4. Section three thousand six hundred and sixty-eight of said Act is hereby amended to read as follows.

Section 3668. Within ten days after the second Monday in October, the Controller must publish a notice for two weeks in one daily newspaper of general circulation at the State capital, and in two daily newspapers of general circulation published in the city of San Francisco, specifying:

1. That he has received from the State Board of Equalization the "duplicate record of assessments of railways," "duplicate record of apportionment of railway assessments."

2. That the taxes on all personal property and one half of the taxes on all real property are now payable, and will be delinquent on the last Monday in November next, at six o'clock P. M., and that unless paid to the State Treasurer at the Capitol prior thereto, five per cent will be added to the amount thereof, and unless so paid on or before the last Monday in April next, at six o'clock P. M., an additional five per cent will be added to the amount thereof That the remaining one half of the taxes on all real property will be due and payable at any time after the first Monday in January next, and will be delinquent on the last Monday in April next, at six o'clock P. M., and that unless paid to the State Treasurer, at the Capitol, prior thereto, five per cent will be added to the amount thereof. On the last Monday in April of each year, at six o'clock P. M., all unpaid taxes are delinquent, and thereafter there must be collected by the State Treasurer, or other proper officer, an addition of ten per centum upon those taxes which became delinquent the preceding November, and have not been paid prior to the said time on the last Monday in April of each year, and an addition of five per centum upon all taxes for the preceding year which became delinquent on the said last Monday in April, which sum, when collected, must be set aside by the Treasurer as a fund with which to pay the contingent expenses of actions against any delinquents, the said expenses to be audited by the Board of Examiners, and any surplus remaining shall go into the General School Fund of the State. When any taxes are paid to the State Treasurer, by order of the Controller, upon assessments made and apportioned by the State Board of Equalization, the Controller must forthwith notify the Auditor and Treasurer, respectively, of each county, and city and county, that such taxes have been paid, and of the amount thereof to which each county, and city and county, interested is entitled. The State's portion of taxes must be distributed by the Treasurer to each fund entitled thereto, and the portion belonging to the counties, and cities and counties, must be placed in a fund, to be called "Railway Tax Fund" to the credit of each county, and city and county, entitled thereto. When any taxes are placed in the "Railway Tax Fund" to the credit of a county, or city and county, the Controller, at the next settlement with the Controller by the Treasurer of such county, or city and county, must draw and deliver to such Treasurer his warrant upon the State Treasurer for the amount in the fund to the credit of such county, or city and county.

SEC. 5. Section three thousand six hundred and sixty-nine of said Act is hereby amended to read as follows.

Section 3669. Each corporation, person, or association assessed by the State Board of Equalization must pay to the State Treasurer, upon the order of the Controller, as other moneys are required to be paid into the Treasury, the State and county, and city and county, taxes each year levied upon the property so assessed to it or him by said Board. Any corporation, person, or association dissatisfied with the assessment made by the Board, upon the payment of the taxes due upon the assessment complained of, and the percentage added, if to be added, on or before the first Monday in June, and the filing of notice with the Controller of intention to begin an action, may, not later than the first Monday in June, bring an action against the State Treasurer for the recovery of the amount of taxes and the percentage so paid to the Treasurer, or any part thereof, and in the complaint may allege any fact tending to show the illegality of the tax, or of the assessment upon which the taxes are levied, in whole or in part. A copy of the complaint and of the summons must be served upon the Treasurer within ten days after the complaint has been filed, and the Treasurer has thirty days within which

to demur or answer. At the time the Treasurer demurs or answers, he may demand that the action be tried in the Superior Court of the county of Sacramento. The Attorney-General must defend the action. The provisions of the Code of Civil Procedure relating to pleadings, proofs, trials, and appeals are applicable to the proceedings herein provided for. If the final judgment be against the Treasurer, upon presentation of a certified copy of such judgment to the Controller, he shall draw his warrant upon the State Treasurer, who must pay to the plaintiff the amount of the taxes so declared to have been illegally collected, and the cost of such action, audited by the Board of Examiners, must be paid out of any money in the General Fund of the Treasury, which is hereby appropriated, and the Controller may demand and receive from the county, or city and county interested, the proportion of such costs, or may deduct such proportion from any money then or to become due to said county, or city and county. Such action must be begun on or before the first Monday in June of the year succeeding the year in which the taxes were levied, and a failure to begin such action is deemed a waiver of the rights of action.

SEC. 6. Section three thousand six hundred and seventy of said Act is hereby amended to read as follows:

Section 3670. After the first Monday of June of each year the Controller must begin an action in the proper Court, in the name of the People of the State of California, to collect the delinquent taxes upon the property assessed by the State Board of Equalization; such suit must be for the taxes due the State, and all the counties, and cities and counties, upon property assessed by the Board of Equalization, and appearing delinquent upon the "duplicate record of apportionment of railway assessments." The demands for State and county, and city and county, taxes may be united in one action. In such action a complaint in the following form is sufficient:

(Title of Court.)

The People of the State of California

vs

(Naming the defendant).

Plaintiff avers that on the —— day of ——, in the year (naming the year), the State Board of Equalization assessed the franchise, roadway, roadbed, rails, and rolling stock of the defendant, at the sum of (naming it) dollars. That the Board apportioned the said assessment as follows: To the county of (naming it) the sum of (naming it) dollars (and so on, naming each county).

That the defendant is indebted to plaintiff for State and county taxes for the year eighteen ——, in the following sums: For State taxes, in the sum of (naming it) dollars; for county taxes of the county of (naming it), in the sum of (naming it) dollars, etc., with five or ten per cent added for non-payment of taxes. Plaintiff demands payment for said several sums, and prays that an attachment may issue in form as prescribed in section five hundred and forty of the Code of Civil Procedure.

(Signed by the Controller or his attorney).

On the filing of such complaint, the Clerk must issue the writ of attachment prayed for, and such proceedings shall be had as under writs of attachment issued in civil actions, no bond nor affidavit previous to the issuing of the attachment is required. If in such action the plaintiff recover judgment, there shall be included in the judgment as counsel fees, and in case of judgment of taxes, after suit brought but before judgment, the defendant must pay as counsel fees such sum as the Court may determine to be reasonable and just. Payment of the taxes or the amount of the judgment in the case must be made to the State Treasurer. In such actions the "duplicate record of assessments of railways" and the "duplicate record of apportionment of railway assessments," or a copy of them, certified by the Controller, showing unpaid taxes against any corporation, person, or association, for property assessed by the State Board of Equalization, is prima facie evidence of the assessment, the property assessed, the delinquency, the amount of the taxes due and unpaid to the State, and counties, or cities and counties, therein named, and that the corporation, person, or association is indebted to the people of the State of California in the amount of taxes, State and county, and city and county, therein appearing unpaid, and that all the forms of law in relation to the assessment and levy of such taxes have been complied with.

SEC. 7. Section three thousand six hundred and seventy-two of said Act is hereby amended to read as follows:

Section 3672. The Board of Supervisors of each county must meet on the first Monday of July in each year to examine the assessment book and equalize the assessment of property in the county. It must continue in session for that purpose from time to time until the business of equalization is disposed of, but not later than the third Monday in July.

SEC. 8. Section three thousand six hundred and ninety-two of said Act is hereby amended to read as follows:

Section 3692. The powers and duties of the State Board of Equalization are as follows:

1. To prescribe rules for its own government, and for the transaction of its business.

2. To prescribe rules and regulations, not in conflict with the Constitution and laws of the State, to govern Supervisors when equalizing, and Assessors when assessing.

3. To make out, prepare, and enforce the use of forms in relation to the assessment of property.

4. To hold regular meetings at the State Capitol on the second Monday in each month, and such special meetings as the Chairman may direct.

5. To annually assess the franchise, roadway, roadbed, rails, and rolling stock of all

railroads operated in more than one county in this State, at their actual value, on the first Monday in March, at twelve o'clock M., and to apportion such assessment to the counties, and cities and counties, in which such railroads are located, in proportion to the number of miles of railway laid in such counties, and cities and counties, in the manner provided for in section three thousand six hundred and sixty-four of said Code.

6. To equalize the assessment of each mortgage, deed of trust, contract, or other obligation by which a debt is secured, and which affects property situate in two or more counties, and to apportion the assessment thereof to each of said counties.

7. To transmit to the Assessor of each county, or city and county, its apportionment of the assessments made by said Board upon the franchises, roadways, roadbeds, rails, and rolling stock of railroads, and also its apportionment of the assessments made by such Board upon mortgages, deeds of trust, contracts, and other obligations by which debts are secured, in the manner provided for in section three thousand six hundred and sixty-four of said Code.

8. To meet at the State Capitol on the first Monday in August, and remain in session from day to day (Sundays excepted) until the first Monday in September.

9. At such meeting to equalize the valuation of the taxable property of the several counties in this State, for the purpose of taxation, and to that end, under such rules of notice to the Clerk of the Board of Supervisors of the county affected thereby as it may prescribe, to increase or lower the entire assessment roll, or any assessment contained therein, so as to equalize the assessment of the property contained in said roll, and make the assessment conform to the true value in money of the property assessed, and to fix the rate of State taxation, and to do the things provided in section three thousand six hundred and ninety-three of said Code.

10. To visit as a Board, or by the individual members thereof, whenever deemed necessary, the several counties of the State, for the purpose of inspecting the property and learning the value thereof.

11. To call before it, or any member thereof, on such visit, any officers of the county, and to require them to produce any public records in their custody.

12. To issue subpœnas for the attendance of witnesses, or the production of books before the Board, or any member thereof; which subpœnas must be signed by a member of the Board, and may be served by any person.

13. To appoint a clerk, prescribe and enforce his duties. The clerk shall hold his office during the pleasure of the Board.

14. To report to the Governor, annually, a statement showing:

First—The acreage of each county in the State that is assessed.

Second—The amount assessed per acre.

Third—The aggregate value of all town and city lots.

Fourth—The aggregate value of all real estate in the State.

Fifth—The kinds of personal property in each county, and the value of each kind.

Sixth—The aggregate value of all personal property in the State.

Seventh—Any information relative to the assessment of property and the collection of revenue.

Eighth—Such further suggestions as it shall deem proper.

15. To keep a record of all its proceedings.

SEC. 9. Section three thousand six hundred and ninety-six of said Act is hereby amended to read as follows:

Section 3696. Between the first and second Mondays in September of each year, the Board must determine the rate of State tax to be levied and collected upon the assessed valuation of the property of the State, which, after allowing nine and one half per cent for delinquencies in, and costs of collection of taxes, must be sufficient to raise the specific amount of revenue directed to be raised by the Legislature for State purposes. The Board must immediately thereafter transmit to the Board of Supervisors and County Auditor of each county a statement of such rate, and upon its receipt the Clerk of said Board and County Auditor must each, in writing, notify the State Board of Equalization thereof.

SEC. 10. Section three thousand seven hundred and fourteen of said Act is hereby amended to read as follows:

Section 3714. The Board of Supervisors of each county must, on the fourth Monday of September, fix the rate of county taxes, designating the number of cents on each hundred dollars of property levied for each fund, and must levy the State and county taxes upon the taxable property of the county, *provided*, that it shall not be lawful for any Board of Supervisors of any county in the State to levy, nor shall any tax greater than fifty cents on each one hundred dollars of property be levied and collected in any one year to pay the bonded indebtedness, or judgment arising therefrom, of this State, or of any county or municipality in this State, *and provided further*, that in counties, or cities and counties, containing a population of over two hundred and fifty thousand inhabitants, the Board of Supervisors must, on the fourth Monday of June, fix the rate of county taxes, designating the number of cents on each one hundred dollars of property levied for each fund, and must levy the State and county taxes upon the taxable property of the county.

SEC. 11. Section three thousand seven hundred and twenty-eight of said Act is hereby amended to read as follows:

Section 3728. The Auditor must, on or before the second Monday in August of each year, prepare from the assessment book of such year, as corrected by the Board of Supervisors, duplicate statements, showing in separate columns:

1. The total value of all property.
2. The value of real estate
3. The value of the improvements thereon.
4. The value of personal property, exclusive of money.
5. The amount of money.
6. The number of acres of land.

SEC. 12. Section three thousand seven hundred and thirty-two of said Act is hereby amended to read as follows:

Section 3732 On or before the first Monday of October, he must deliver a copy of the corrected assessment book, to be styled "Duplicate Assessment Book," to the Tax Collector, with an affidavit attached thereto, and by him subscribed as follows: I, ——, Auditor of the county of ——, do swear that I received the assessment book of the taxable property of the county from the Clerk of the Board of Supervisors, with his affidavit thereto affixed, and that I have corrected it and made it conform to the requirements of the State Board of Equalization; that I have reckoned the respective sums due as taxes, and have added up the columns of valuation, taxes, and acreage, as required by law, and that the copy to which this affidavit is affixed is a full, true, and correct copy thereof, made in the manner prescribed by law

SEC. 13. Section three thousand seven hundred and forty-six of said Act is hereby amended to read as follows.

Section 3746 Within ten days after the receipt of the "Duplicate Assessment Book," the Tax Collector must publish a notice specifying:

1. That the taxes on all personal property secured by real property and one half of the taxes on all real property will be due and payable on the first Monday in October, and will be delinquent on the last Monday in November next thereafter, at six o'clock P. M., and that unless paid prior thereto, fifteen per cent will be added to the amount thereof, and that if said one half be not paid before the last Monday in April next, at six o'clock P. M., an additional five per cent will be added thereto. That the remaining one half of the taxes on all real property will be payable on and after the first Monday in January next, and will be delinquent on the last Monday in April next thereafter, at six o'clock P. M., and that unless paid prior thereto, five per cent will be added to the amount thereof, *provided*, that in counties, or cities and counties, containing a population of over two hundred and fifty thousand inhabitants, within ten days after the receipt of the "Duplicate Assessment Book," the Tax Collector must publish a notice specifying That the taxes on all personal property secured by real property and one half of the taxes on all real property will be due and payable on the first Monday in October, and will be delinquent on the last Monday in November next thereafter, at six o'clock P. M., and that unless paid prior thereto, fifteen per cent will be added to the amount thereof, and that if said one half be not paid before the last Monday in February next, at six o'clock P. M., an additional five per cent will be added thereto. That the remaining one half of the taxes on all real property will be payable on and after the first Monday in January next, and will be delinquent on the last Monday in February next thereafter, at six o'clock P. M., and that unless paid prior thereto, five per cent will be added to the amount thereof.

2. That all taxes may be paid at the time the first installment as herein provided is due and payable.

3. The times and places at which payment of taxes may be made.

SEC. 14 Section three thousand seven hundred and fifty of said Act is hereby amended to read as follows:

Section 3750. The Tax Collector must mark the date of payment of any tax, or of the several partial payments, as the case may be, in the assessment book, opposite the name of the person paying.

SEC. 15 Section three thousand seven hundred and fifty-one of said Act is hereby amended to read as follows:

Section 3751 He must give a receipt to the person paying any tax, or any part of any tax, specifying the amount of the assessment and the tax, or part of tax, paid, and the amount remaining unpaid, if any, with a description of the property assessed, *provided*, that the receipt for the last installment of taxes may refer by number or any other intelligent manner to the receipt given for the first installment of taxes in lieu of a description of the property assessed.

SEC. 16. Section three thousand seven hundred and fifty-six of said Act is hereby amended to read as follows:

3756. On the last Monday in November of each year, at six o'clock P. M., all taxes then unpaid, except the last installment of the real property taxes, are delinquent, and thereafter the Tax Collector must collect, for the use of the county, or city and county, an addition of fifteen per cent thereon, *provided*, that if they be not paid before the last Monday in April next succeeding, at six o'clock P. M., he shall collect an addition of five per cent thereon On the last Monday of April of each year, at six o'clock P. M., all the unpaid portion of the remaining one half of the taxes on all real property are delinquent, and thereafter the Tax Collector must collect, for the use of the county, or city and county, an addition of five per cent thereon, *provided*, that in counties, or cities and counties, containing a population of over two hundred and fifty thousand inhabitants, on the last Monday in November of each year, at six o'clock P. M., all the unpaid portion of the personal property taxes and the unpaid portion of one half the taxes on all real property are delinquent, and thereafter the Tax Collector must collect, for the use of the county, or city and county, an addition of five per cent thereon, *provided*, that if they be

not paid before the last Monday in February next succeeding, at six o'clock P. M., he shall collect an addition of five per cent thereon. On the last Monday of February of each year, at six o'clock P. M., all the unpaid portion of the remaining one half of the taxes on all real property are delinquent, and thereafter the Tax Collector must collect, for the use of the county, or city and county, an addition of five per cent thereon; *and provided further*, that the entire tax on any real property may be paid at the time the first installment as above provided is due and payable, *and provided further*, that the taxes on all personal property, unsecured by real property, shall be due and payable immediately after the assessment of said personal property is made.

SEC. 17. Section three thousand seven hundred and fifty-eight of said Act is hereby amended to read as follows:

3758. On the third Monday in December and May of each year, in each of the counties, and cities and counties of the State, the Tax Collector must attend at the office of the Auditor, with the duplicate assessment book, and carefully compare the duplicate with the original assessment book, and every item marked "paid" in the former must be marked "paid" in the latter; *provided*, that in all counties, or cities and counties, containing a population of over two hundred and fifty thousand inhabitants, on the first Monday in June of each year, the Tax Collector must attend at the office of the Auditor, with the duplicate assessment book, and carefully compare the duplicate with the original assessment book, and every item marked "paid" in the former must be marked "paid" in the latter.

SEC. 18. Section three thousand seven hundred and sixty-four of said Act is hereby amended to read as follows:

3764. 1. On or within five days before or after the first Monday in June of each year, the Tax Collector must publish the delinquent list, which must contain the names of the persons and a description of the property delinquent, and the amount of taxes and costs due, opposite each name and description, with the taxes due on personal property added to the taxes on real estate, where the real estate is liable therefor, or the several taxes are due from the same person. The expense of the publication to be a charge against the county, or city and county; *provided*, that in counties, or cities and counties, containing a population of over two hundred and fifty thousand inhabitants, on or before the last Monday of April of each year, the Tax Collector must publish the delinquent list, which must contain the names of the persons and a description of the property delinquent, and the amount of taxes and costs due, opposite each name and description, with the taxes due on personal property added to the taxes on real estate, where the real estate is liable therefor, or the several taxes are due from the same person. The expense of the publication to be a charge against the county, or city and county.

SEC. 19. Section three thousand seven hundred and ninety-seven of said Act is hereby amended to read as follows:

3797. 1. The Tax Collector must, on the third Monday of February and June in each year, attend at the office of the Auditor with the delinquent list, and the Auditor must then carefully compare the list with the assessment of persons and property not marked "paid" on the assessment book, and when taxes have been paid, must note the fact in the appropriate column in the assessment book; *provided*, that in counties, or cities and counties, containing a population of over two hundred and fifty thousand inhabitants, the Tax Collector must, on the first Monday of June in each year, attend at the office of the Auditor with the delinquent list, and the Auditor must then carefully compare the list with the assessment of persons and property not marked "paid" on the assessment book, and when taxes have been paid, must note the fact in the appropriate column in the assessment book.

SEC. 20. Section three thousand eight hundred of said Act is hereby amended to read as follows:

Section 3800. At the times mentioned in section three thousand seven hundred and sixty-four, the Tax Collector must make an affidavit, indorsed on the list, that the taxes not marked "paid" have not been paid, and that he has not been able to discover any property belonging to or in possession of the persons liable to pay the same whereof to collect them.

SEC. 21. Section three thousand eight hundred and sixteen of said Act is hereby amended to read as follows:

Section 3816. Whenever property sold to the State, pursuant to the provisions of this chapter, shall be redeemed as herein provided, the moneys received on account of such redemption shall be distributed as follows: The original tax and the twenty-five per cent and interest paid in redemption shall be apportioned between the State and county, or city and county, in the same proportion that the State tax bears to the county, or city and county, tax, the moneys received for delinquencies shall be paid to the county, or city and county. The County Treasurer shall keep an accurate account of all money paid in redemption of property sold to the State, and shall, on the first Monday of February and June in each year, make a detailed report, verified by his affidavit, of each account, year for year, to the Controller of State, in such form as the Controller may desire. Whenever the State shall receive from the Tax Collector any grant or property so sold for taxes, the same shall be recorded, at the request of the County Treasurer, free of charge, by the County Recorder, and shall be immediately reported by the County Treasurer to the State Board of Equalization.

SEC. 22. Section three thousand eight hundred and sixty-six of said Act is hereby amended to read as follows:

Section 3866. The Treasurers of all the counties, or cities and counties, of this State must, between the fifteenth and thirtieth days of December, March, May, and August of

each year, proceed to the State Capitol and settle in full with the Controller of State, and pay over in cash, to the Treasurer of State, all funds belonging to the State which have come into their hands, as County Treasurer, before the close of business on and including the first Monday of the months of December, March, May, and August, at the end of the previous month. If, in the opinion of the Controller of State, it appears from the report of the County Auditor that sufficient property has not been collected to make it for the interest of the State that a settlement should be made, the Controller shall defer the settlement until the next regular settlement. No mileage, fees, or commissions shall be allowed any officer for any deferred settlement; *provided*, that in case any settlement is so deferred, that the County Auditor, in his next report to the Controller of State, shall include therein all moneys required to be reported since the date of his last report upon which a settlement was made.

SEC. 23. This Act shall take effect and be in force from the first Monday in July, A. D. eighteen hundred and ninety-one.

Made a special order for two o'clock P. M.

SPECIAL ORDERS.

Senate Bill No. 456—An Act to amend section one thousand and ninety-six of the Political Code of the State of California, in relation to registration of voters.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Bledsoe, Bryant, Clark, Culver, Cunningham, Dennis, Dibble, Doty, Dow, Durner, Eakle, Estey, Fowler, Galbraith, Garver, Gordon, Gould, Hawley, Hersey, Hocking, Jackson, Kellogg, Lacey, Lux, Lynch, Marion, Mathews, Matlock, McCall, Mordecai, Murnan, Murphy, Phillips, Renfro, Rice, Shanahan, Smith of Butte, Smith of Orange, Stabler, Tennis, Weston, Young, and Mr. Speaker—48

NOES—Mr. Martin—1.

Title read and approved.

Senate Bill No. 167—An Act to make train wrecking a capital offense.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bledsoe, Bryant, Cargill, Clark, Culver, Cunningham, Dennis, Dibble, Doty, Dow, Dunn, Eakle, Estey, Fowler, Galbraith, Garver, Glynn, Gordon, Gould, Hall, Harloe, Hayes, Hersey, Hocking, Hoey, Jackson, Lacey, Lewis, Lux, Marion, Martin, Matlock, McCall, Mordecai, Murnan, Renfro, Rice, Robertson, Smith of Butte, Smith of Orange, Stabler, Steltz, Tennis, Weston, Young, and Mr. Speaker—53.

NOES—Mr. Murphy—1.

Title read and approved.

REPORT OF SPECIAL COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1891.

MR. SPEAKER: Your Committee on Resolutions, relative to the obsequies upon the death of Senator Hearst, respectfully report and recommend that the following bill, viz:

SAN FRANCISCO, March 23, 1891.

The Assembly to S. Thors, Dr.

Engrossing resolutions, highly illuminated, to the memory of the late Hon. George Hearst, Senator $75 00

Be paid, and that the Controller be directed to draw his warrant upon the appropriation for the contingent expenses of the Assembly in favor of F. L. Fowler for said sum of seventy-five dollars, for the purpose of paying said bill, and the Treasurer is hereby directed to pay the same.

FOWLER, Chairman.

Resolution adopted.

SPECIAL ORDERS—(RESUMED).

Senate Bill No. 531—An Act to amend section seven hundred and fifty-one of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the duties of the Clerk of the Supreme Court.

Amendments by Mr. Dibble, as follows, adopted:

Amend title by adding the following: "and to appropriate money to pay the salary of additional deputy."

Also: Amend section two so as to read: "The sum of four thousand and fifty dollars is hereby appropriated out of any moneys in the State Treasury not otherwise appropriated, to pay the salary of the additional deputy at Los Angeles for the forty-second and forty-third and forty-fourth fiscal years.

Also: Add to the bill:

SEC. 3 This Act shall take effect from and after its passage.

MOTION.

Mr. Dibble moved that the House go into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bill No. 483.

Carried.

IN COMMITTEE OF THE WHOLE.

Speaker Coombs in the chair.

Senate Bill No. 483 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Coombs in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Speaker stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 483, and now report the same back to the Assembly, and recommend that the same pass as amended by the committee.

Made a special order for two o'clock P. M. to-day, on motion of Mr. Dibble.

Assembly Bill No. 740—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the duties of the State Controller.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bruner, Bryant, Cargill, Clark, Cunningham, Dibble, Doty, Dow, Dunn, Eakle, Estey, Galbraith, Garver, Gordon, Gould, Hail, Hersey, Hocking, Hunewill, Jackson, Johnson, Lewis, Lux, Lynch, Marion, Martin, Mathews, Matlock, Mordecai, Murnan, Murphy, Phillips, Renfro, Robertson, Smith of Butte, Smith of Orange, Stabler, Tennis, Wentworth, Young, and Mr. Speaker—47.

NOES—None.

Title read and approved.

Senate Bill No. 432—An Act fixing a bounty on coyote scalps.

Read third time.

PREVIOUS QUESTION.

The previous question was demanded by Mr. Lacey, seconded by Messrs. Cargill and Baughman.

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

MOTION.

Mr. Wentworth moved that a select committee of one be appointed by the Speaker to amend as follows:

Amend by striking out of section one, line two, the words "five dollars" and inserting the following: "fifty cents."

Also: Amend by striking out of section one, line three, the word "State" and inserting the following: "county."

Also: Amend line three of said section by inserting after the word "Treasury," in said line, the words: "of the county in which said coyotes are killed."

Also: Amend by striking out of section three, line one, the word "quarterly" and inserting the following: "monthly."

Also: Amend by striking out of section three, line six, the words "Controller of State" and inserting the following: "Auditor of the county."

Also: Amend line six, section three, by striking out the word "State" and inserting the following: "county."

Also: Amend by striking out of section five, line one, the words "three months" and inserting the following: "ten days."

Lost.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Arms, Barnard, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Brusie, Bryant, Clark, Cram, Culver, Doty, Dow, Dunn, Durner, Eakle, Estey, Fowler, Freeman, Glynn, Gould, Hail, Harloe, Hersey, Hocking, Hoey, Hunewill, Jackson, Jones, Kellogg, Lacey, Lewis, Lowe, Lynch, Marion, Martin, Mathews, Matlock, McCall, Mordecai Murnan, Murphy, Renfro, Rice, Shanahan, Smith of Butte, Smith of Orange, Steltz, Sturtevant, Tennis, Weston, Windrow, Young, and Mr. Speaker—57.

NOES—Messrs. Barnett of San Francisco, Cargill, Dennis, Dibble, Garver, Gordon, Lux, Phillips, and Wentworth—9.

Mr. Wentworth moved to amend title by striking out the words "a bounty on."

Lost.

Title read and approved.

REPORT OF SPECIAL COMMITTEE.

SACRAMENTO, March 23, 1891.

MR. SPEAKER: Your Special Committee, appointed to investigate and put together the scraps found in the State Librarian's office on the seventeenth day of March, 1891, and to take testimony thereon, beg leave to report the following expense account for per diem of witnesses, mileage, and services of experts, clerk, bailiff, and stenographers, viz.:

E. M. Preston, witness	$2 00
M. M. Estee, witness	2 00
H. C. Dibble, witness	2 00
S. C. Evans, witness	2 00
W. S. Leake, witness	2 00
Dana Perkins, witness	2 00
F. A. Miller, witness	2 00
E. H. Heacock, witness	2 00
Frank McGowan, witness	2 00
Johanna O'Hare, witness	2 00
C. N. Felton, witness	2 00
F. N. Marion, witness	2 00
C. D. Perkins, witness	2 00
E. H. Tucker, witness	2 00

W. H. McKenzie, witness	$35 80
A. D. Barling, witness	35 80
Edward Cushing, witness	18 80
O. B. Fogel, witness	18 80
S. B. Solomon, witness	2 00
G. T. Clark, witness	2 00
J. E. T. Pike, witness	2 00
F. P. Kelly, expert	15 00
J. C. Stedman, expert	15 00
N. King, bailiff	30 00
C. W. Freeman, clerk	56 00
W. M Cutter, for taking and transcribing testimony	376 00
A. Betz, for taking and transcribing testimony	86 80
Western Union Telegraph Co., telegrams	27 50
C. S. Laumeister, Sheriff's fees	6 00
J M. Hensley, Sheriff's fees	1 30
	$756 80

And your committee recommend the adoption of the following resolution, viz.:

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant in favor of Hon. E. A. Freeman, Chairman, for the sum of three hundred and seventy-eight dollars and forty cents, being one half of the above amount, to be paid out of the Contingent Fund of the Assembly.

FREEMAN, Chairman.

Adopted.

Senate Bill No. 699—An Act to provide a salary for the Keeper of the Archives in the office of the Secretary of State for the balance of the forty-second fiscal year.

Read second time.

MOTION.

Mr. Mathews moved that the House go into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bill No. 699.

Carried.

IN COMMITTEE OF THE WHOLE.

Speaker Coombs in the chair.

Senate Bill No. 699 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Coombs in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Speaker stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 699, and now report the same back to the Assembly, and recommend that the same do pass.

RESOLUTION.

By Mr. Mathews:

Resolved, That Senate Bills Nos. 699, 365, and 256 present cases of urgency, as that term is used in section fifteen of article four of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bills be read the first, second, and third times, and placed upon their passage.

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

AYES—Messrs. Alexander, Barnard, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Brusie, Bryant, Cargill, Clark, Culver, Cunningham, Dennis,

Dibble, Doty, Dow, Dunn, Durner, Estey, Fowler, Freeman, Garver, Gordon, Hail, Harloe, Hawley, Hayes, Hersey, Hoey, Jackson, Johnson, Jones, Lewis, Lux, Lynch, Marion, Martin, Mathews, Matlock, McCall, Mordecai, Murnan, Murphy, Phillips, Renfro, Rice, Robertson, Shanahan, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Windrow, Young, and Mr. Speaker—59.

NOES—Messrs. Hocking, Hunewill, and Lacey—3.

CASES OF URGENCY.

Senate Bill No. 699—An Act to provide a salary for the Keeper of the Archives in the office of the Secretary of State for the balance of the forty-second fiscal year.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Brown, Bruner, Brusie, Bryant, Cargill, Clark, Cram, Culver, Daly, Dibble, Doty, Dunn, Durner, Estey, Fowler, Galbraith, Garver, Gordon, Hail, Harloe, Hawley, Hayes, Hocking, Jackson, Jones, Lowe, Lux, Marion, Martin, Mathews, Matlock, McCall, Mordecai, Phillips, Renfro, Rice, Robertson, Shanahan, Smith of Orange, Stabler, Sturtevant, Tennis, Weston, and Mr. Speaker—50.

NOES—Mr. Freeman—1.

Title read and approved.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 23, 1891.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Senate Bill No. 365—An Act making an appropriation to pay the claim of Henry Mahler for services superintending the improvement of the grounds around the Marshall monument.

Also: Senate Bill No. 655—An Act to provide for the publication and distribution of a State Blue Book or Roster.

F. J. BRANDON, Secretary.

Senate Concurrent Resolution No. 11—Relative to adjournment sine die of the twenty-ninth session of the Legislature at twelve o'clock P. M., Wednesday, March 25, 1891.

Adopted.

Senate Bill No. 365—An Act making an appropriation to pay the claim of Henry Mahler for services superintending the improvement of the grounds around the Marshall monument.

Read first and second times.

MOTION.

Mr. Shanahan moved that the House go into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bill No. 365.

Carried.

IN COMMITTEE OF THE WHOLE.

Speaker Coombs in the chair.

Senate Bill No. 365 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Coombs in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Speaker stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 365, and now report the same back to the Assembly, and recommend that the same do pass.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Brusie, Bryant, Cargill, Clark, Cram, Culver, Daly, Dennis, Dow, Dunn, Estey, Fowler, Galbraith, Garver, Gordon, Gould, Hail, Hersey, Hocking, Hunewill, Jackson, Johnson, Lacey, Lewis, Lux, Marion, Martin, Mathews, Matlock, Mordecai, Murnan, Renfio, Shanahan, Smith of Orange, Sturtevant, Tennis, Weston, Windrow, Young, and Mr. Speaker—47.

NOES—None.

Title read and approved.

RESOLUTION.

By Mr. Galbraith:

Resolved, That the Controller is hereby directed to draw his warrant for the sum of twelve dollars, to the order of B. Ebert, for copy of minority report of Bruner investigation, to be paid out of the Contingent Fund of the Assembly.

Adopted.

CASES OF URGENCY—(RESUMED).

Senate Bill No. 256—An Act to add a new section to an Act entitled "An Act to establish a Political Code of the State of California," to be called section two thousand nine hundred and eighty-four, relative to the appointment of a State Sanitary Inspector.

Read first, second, and third times.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Barnett of San Francisco, Barnett of Sonoma, Baughman, Bert, Brown, Brusie, Bryant, Cargill, Clark, Cram, Culver, Cunningham, Daly, Dennis, Dow, Estey, Fowler, Freeman, Galbraith, Garver, Glynn, Gordon, Hail, Hawley, Hayes, Hersey, Hunewill, Jackson, Jones, Lewis, Lux, Marion, Martin, Matlock, McCall, Mordecai, Murnan, Stabler, Sturtevant, Tennis, Weston, Windrow, and Young—44.

NOES—Messrs. Harloe, Lacey, Smith of Butte, and Mr. Speaker—4.

Title read and approved.

SPECIAL ORDER.

Senate Bill No. 700—An Act appropriating money to pay the salary of phonographic reporter in the Attorney-General's office, from the first of April to the first of July, 1891.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Barnett of Sonoma, Baughman, Bert, Brown, Brusie, Bryant, Cargill, Clark, Culver, Cunningham, Doty, Dow, Durner, Eakle, Estey, Fowler, Freeman, Garver, Gordon, Hail, Harloe, Hawley, Hersey, Hocking, Hunewill, Jackson, Johnson, Lewis, Lowe Marion, Martin, Matlock, Mordecai, Murnan, Murphy, Robertson, Shanahan, Smith of Butte, Stabler, Tennis, Weston, Young, and Mr. Speaker—44.

NOES—Messrs. Daly and Glynn—2.

Title read and approved.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 23, 1891.

MR. SPEAKER: I am directed to inform your honorable body that the Committee on Conference to Senate amendments to Assembly Bill No. 87, have reported a disagreement, and asked for a Committee on Free Conference. And in accordance therewith, the Senate, on this day, appointed as such committee, Senators Carpenter, Crandall, and Berry, to confer with a like committee appointed by your honorable body.

F. J. BRANDON, Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, March 24, 1891.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day passed Assembly Bill No. 455—An Act to provide for, insure, and maintain preference in the appointment, employment, and retention in the public service, and upon public works of the State of California, of honorably discharged ex-Union soldiers, sailors, and marines of the War of the Rebellion.

Also: Assembly Bill No. 493—An Act to amend section two hundred and ninety of the Civil Code, relative to articles of incorporation.

Also Senate Bill No. 125—An Act to amend section three thousand nine hundred and twenty-six of the Political Code, relating to the boundary of Sutter County.

Also: Senate Bill No. 261—An Act regulating the sale of the lands uncovered by the recession of the waters of inland lakes.

Also: On the twenty-third day of March, concurred in Assembly amendments to substitute for Senate Bill No 334.

Also: Passed Assembly Bill No. 208—An Act to amend section seven of an Act entitled "An Act to create a Police Relief, Health, and Life Insurance and Pension Fund in the several counties, cities and counties, cities, and towns of the State."

Also: Assembly Bill No. 512—An Act to amend section three thousand four hundred and sixty-six of the Political Code, relating to the collection of assessments made by Commissioners of Assessment, in reclamation districts of this State.

Also: Senate Bill No. 329—An Act to amend an Act entitled "An Act to create a Police Relief, Health, and Life Insurance and Pension Fund in the several counties, cities and counties, cities, and towns of the State," approved March 4, 1889.

Also: Assembly Bill No. 644—An Act authorizing the Attorney-General to settle and dismiss a certain action entitled "The People of the State of California, ex rel. John P. Dunn, State Controller, plaintiff, vs. Frank W. Gross, John Martin, and John Landers, defendants," wherein judgment was obtained against defendants in the Superior Court of the City and County of San Francisco, on the thirteenth day of December, 1889, which action is numbered 12,902 in said Court (now on appeal to the Supreme Court), upon payment to him for the use of the State of such moneys as he may deem advisable to accept.

Also: Concurred in Assembly amendments to Senate Bills Nos. 516 and 554.

Also: Adopted the following resolution:

Resolved, That the Assembly be requested to take final action upon all Senate Bills now upon the third reading file of the Assembly under the joint rule.

Also: Concurred in Assembly amendments to Senate Bill No. 456.

Also: Passed, as amended, Assembly Bill No. 685—An Act to amend sections two thousand six hundred and forty-one, two thousand six hundred and forty-two, two thousand six hundred and forty-three, two thousand six hundred and forty-five, two thousand six hundred and forty-six, and two thousand six hundred and fifty-two, and to repeal section two thousand six hundred and forty-four of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the powers and duties of highway officers, and to provide for the construction, maintenance, and improvement of highways by contract let out to the lowest bidder.

F. J. BRANDON, Secretary.

Assembly Bill No. 685, with amendment, ordered returned to the Senate for correction of the printed bill to conform to the text.

SPECIAL ORDER.

Senate Bill No. 295—An Act to provide for the purchase of a portrait of ex-Governor Waterman, by the State Board of Examiners, and to appropriate money therefor.

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

AYES—Messrs. Barnett of San Francisco, Barnett of Sonoma, Brusie, Bryant, Cargill, Culver, Dennis, Doty, Dunn, Eakle, Galbraith, Gould, Harloe, Hayes, Hersey, Hunewill, Jackson, Johnson, Lynch, Phillips, Stabler, and Young—22.

NOES—Messrs. Beecher, Bledsoe, Clark, Cunningham, Daly, Durner, Estey, Fowler, Freeman, Garver, Gordon, Hawley, Hocking, Jones, Kellogg, Lacey, Marion, Mathews, Matlock, Mordecai, Murnan, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Sturtevant, and Tennis—28.

NOTICE OF RECONSIDERATION.

Mr. Robertson gave notice that on to-morrow he will move for a reconsideration of the vote whereby Senate Bill No. 295 was lost.

The hour of recess was extended fifteen minutes, on motion of Mr. Barnett.

MINORITY REPORT OF COMMITTEE.

Mr. Galbraith presented the report of the minority of the committee on the Bruner investigation, which was read.

MOTION.

Mr. Brusie moved the adoption of the report.

The ayes and noes were demanded by Mr. Jackson, seconded by Messrs. Bledsoe and Mordecai.

The roll was called, and the report adopted by the following vote

AYES—Messrs. Alexander, Barnard, Barnett of San Francisco, Barnett of Sonoma, Beecher, Brown, Brusie, Bryant, Cargill, Clark, Culver, Cunningham, Daly, Dennis, Dibble, Dow, Durner, Estey, Galbraith, Glynn, Hawley, Hayes, Hocking, Hoey, Johnson, Jones, Lewis, Lowe, Lux, Lynch, Marion, Matlock, McCall, Murphy, Phillips, Smith of Butte, Steltz, Sturtevant, Tennis, Weston, and Young—41.

NOES—Messrs. Aims, Baughman, Bledsoe, Dunn, Freeman, Garver, Gordon, Gould, Hunewill, Jackson, Kellogg, Martin, Mathews, Mordecai, Murnan, Renfro, Rice, Robertson, Shanahan, Smith of Orange, and Stabler—21.

RECESS.

At twelve o'clock and forty-five minutes P. M. the House took a recess.

REASSEMBLED.

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

Speaker Coombs in the chair.

Quorum present.

APPROVAL OF JOURNALS.

Journal of Saturday corrected and approved.

Journal of Monday approved.

THIRD READING OF BILLS.

Substitute for Senate Bill No. 597—An Act authorizing persons having claims against the State to prosecute and establish them in the Courts of this State.

Read third time.

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

AYES—Messrs. Barnard, Bert, Bruner, Brusie, Bryant, Clark, Culver, Dibble, Gordon, Hunewill, Johnson, Lewis, Lowe, Martin, Sturtevant, and Weston—16.

NOES—Messrs. Alexander, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bledsoe, Brown, Cargill, Cunningham, Dennis, Doty, Dow, Dunn, Durner, Eakle, Estey, Fowler, Galbraith, Garver, Hall, Harloe, Hawley, Hocking, Jackson, Kellogg, Lacey, Lynch, Marion, Matlock, Mordecai, Murnan, Murphy, Phillips, Renfro, Robertson, Shanahan, Smith of Butte, Young, and Mr. Speaker—39.

Senate Bill No. 531—An Act to amend section seven hundred and fifty-one of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the duties of the Clerk of the Supreme Court.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Ames Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Brusie, Bryant, Cargill, Clark, Cunningham, Dennis, Dibble, Doty, Dow, Dunn, Durner, Eakle, Estey, Fowler, Galbraith, Garver, Gordon, Harloe, Hawley, Hersey, Jackson, Johnson, Kellogg, Lewis, Lynch, Marion, Martin, Mathews, Matlock, Mordecai, Murnan, Murphy, Phillips, Renfro, Robertson, Smith of Butte, Sturtevant, Young, and Mr. Speaker—48.

NOES—None.

Title read and approved.

MOTION.

Mr. Dow moved to take up substitute for Assembly Bill No. 238.

Carried.

Substitute for Assembly Bill No. 238—An Act to license and define the duties of land surveyors, and to provide for a proper record of surveys.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Ames, Barnett of Sonoma, Brown, Bruner, Brusie, Bryant, Clark, Daly, Dennis, Dibble, Doty, Dow, Dunn, Durner, Estey, Fowler, Galbraith, Glynn, Gould, Hawley, Hayes, Hersey, Hocking, Huncwill, Johnson, Jones, Lacey, Lowe, Lux, Lynch, Marion, Matlock, McCall, Murphy, Smith of Butte, Steltz, Sturtevant, Tennis, Weston, Windrow, and Young—41

NOES—Messrs. Baughman, Beecher, Bert, Bledsoe, Cunningham, Garver, Gordon, Hall, Harloe, Jackson, Kellogg, Lewis, Martin, Mathews, Mordecai, Murnan, Phillips, Renfro, Robertson, Shanahan, and Mr. Speaker—21.

Title read and approved.

QUESTION OF PRIVILEGE.

Mr. Bruner arose to a question of privilege, and filed affidavits with the Chief Clerk, concerning the investigation of charges of the San Francisco "Examiner" against himself.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 24, 1891.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, adopted the report of the Committee on Free Conference concerning amendments to substitute for Assembly Bill No. 87.

Also: Refused to read a third time Substitute for Assembly Bill No. 4—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-six, one thousand one hundred and eighty-seven, one thousand one hundred and ninety-three, one thousand one hundred and ninety-four, one thousand one hundred and ninety-five, and one thousand two hundred, and to repeal section one thousand one hundred and eighty-eight, and to add a new section, to be numbered one thousand two hundred and three, of an Act of the Legislature of the State of California entitled 'An Act to establish a Code of Civil Procedure," approved March 11, 1872, all relating to liens of mechanics and others.

Also, Struck out the enacting clause to Assembly Bill No. 348—An Act to amend section ninety-two of the Civil Code, and to add a new section to the Civil Code, to be designated as section one hundred and eight, concerning divorces.

Also: Passed Assembly Bill No. 56—An Act to add an additional section to the Political Code, to be numbered four thousand two hundred and fifty-nine, relating to the qualifications of District Attorney.

Also: Passed, as amended, Assembly Bill No. 691— An Act to establish law libraries

Also: Assembly Bill No. 720—An Act to amend section three thousand four hundred and sixty of the Political Code of the State of California, in reference to making assessments on land in swamp land districts.

Also: On the twenty-third day of March, passed as amended Assembly Bill No. 18— An Act to amend an Act entitled "An Act to provide for Police Courts in cities having thirty thousand and under one hundred thousand inhabitants, and to provide for officers thereof," approved March 18, 1885, and to make said Act as amended apply to cities having fifteen thousand and under twenty-five thousand inhabitants.

Also: Assembly Bill No. 603—An Act to prevent the placing or keeping or leaving of married women in houses of prostitution, and to punish persons therefor.

Also: Assembly Bill No. 611—An Act to amend section one thousand four hundred and thirty-one of the Code of Civil Procedure of California, relating to proceedings pending in the Superior Court in relation to and for the settlement of estates of deceased persons.

Also: Adopted the report of the Committee on Conference to Assembly Bill No. 129.

F. J. BRANDON, Secretary.

Assembly Bill No. 18.

Senate amendments, as follows:

Strike out of section one, lines one and two, the words "twenty-five" and insert "eighteen;" also, insert in section two, after the word "Court," the following: "any such city;" also, strike out section six and renumber the sections from section five; also, amend the title by striking out the whole thereof and insert the following: "An Act to provide for Police Courts in cities having fifteen thousand and under eighteen thousand inhabitants."

The roll was called, and amendments concurred in by the following vote:

AYES—Messrs. Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Brown, Bruner, Brusie, Bryant, Cargill, Clark, Cunningham, Dennis, Doty, Eakle, Estey, Fowler, Galbraith, Garver, Glynn, Gordon, Hersey, Hocking, Hunewill, Jackson, Johnson, Jones, Kellogg, Lacey, Lewis, Lowe, Lux, Marion, Martin, Mathews, Matlock, McCall, Mordecai, Murnan, Murphy, Renfro, Robertson, Smith of Butte, Sturtevant, Tennis, Tully, Weston, Young, and Mr. Speaker—48.

NOES—None.

Assembly Bill No. 691.

Senate amendment, as follows:

Amend section fourteen of said bill, in line five thereof, after the word "governed," in said section fourteen, line five, by inserting the following: "*and provided further*, that it shall be discretionary with the Board of Supervisors of any county to provide, by ordinance, for the application of the provisions of this Act to such county."

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

AYES—Messrs. Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Brusie, Bryant, Clark, Culver, Cunningham, Daly, Dennis, Doty, Dow, Dunn, Durner, Eakle, Estey, Fowler, Galbraith, Garver, Glynn, Gordon, Hall, Hocking, Hoey, Hunewill, Jackson, Johnson, Jones, Lacey, Lewis, Lux, Lynch, Marion, Martin, Mathews, McCall, Mordecai, Murnan, Murphy, Renfro, Robertson, Shanahan, Smith of Butte, Sturtevant, Tennis, Tully, Weston, Windrow, and Mr. Speaker—51.

NOES—None.

Assembly Bill No. 611.

Senate amendments, as follows:

Amend title, to read as follows:

"An Act to amend section one thousand four hundred and thirty-one of the Code of Civil Procedure of California, relating to proceedings pending in the Superior Court in relation to and for the settlement of estates of deceased persons."

Also: Amend by striking out of section one, line seven, the words "to transferment," and insert the following: "transfer must."

The roll was called, and the amendments concurred in by the following vote:

AYES—Messrs. Barnett of San Francisco, Brown, Brusie, Bryant, Culver, Dennis, Dibble, Doty, Dow, Dunn, Durner, Eakle, Estey, Galbraith, Garver, Glynn, Gordon, Hail, Harloe, Hawley, Hayes, Hersey, Hocking, Hunewill Jackson, Johnson, Jones, Kellogg, Lewis, Lynch, Martin, McCall, Mordecai, Murphy, Phillips, Rentro, Robertson, Smith of Butte, Sturtevant, Tennis, Tully, Weston, Windrow, Young, and Mr. Speaker—45.
NOES—Mr Ames—1.

MOTION.

Mr. Gould moved that he be allowed to introduce a bill under the provision of the Constitution requiring the consent of two thirds of the members.
Lost.

REPORT OF STANDING COMMITTEE.

ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1891

MR. SPEAKER: Your Committee on Enrollment beg leave to report that the following Assembly Bills have been correctly enrolled. Nos. 577, 576, 235, and 633.
And were presented to the Governor this day at three o'clock P. M.

BLEDSOE, Chairman.

MOTION.

Mr. Hail moved that one hour and a half be devoted to the consideration of Senate messages, to the exclusion of all other business.
Carried.

RESOLUTIONS.

By Mr. Lowe:

WHEREAS, B. F. Currier has been employed as a Special Night Watchman for the offices of the Enrolling, Engrossing, and Journal Clerks, therefore, be it
Resolved, That the Controller be and he is hereby directed to draw his warrant in favor of said B. F. Currier, for services as said Night Watchman, at four dollars per day, from and including the first day of March to and including the last day of the session of the Legislature, payable out of the appropriation for the contingent expenses of the Assembly, and the Treasurer is directed to pay the same.

Referred to Committee on Ways and Means and Appropriations.
By Mr. McCall:

Resolved, That the Minute Clerk and his assistants be and they are hereby allowed the sum of fifty-six dollars each, to be paid out of the Contingent Fund of the Assembly, for services to be rendered after the adjournment of this Assembly, in clearing up the work at the desk, and the Controller is hereby directed to draw his warrants in favor of said clerks for the above amount, and the Treasurer is hereby directed to pay the same.

Referred to Committee on Ways and Means and Appropriations.
By Mr. Lowe:

Resolved, That the following named officers and attachés of the Assembly viz.: H. J. McKusick, Sergeant-at-Arms, R. P. Roper and F. X Hernandez, Clerks to Sergeant-at-Arms; A. E. Post and Jas. Hodge, Assistants, be and they are hereby employed for the term of three days after the adjournment of the Assembly, for the purpose of finishing up the business of their office, and that they each be paid the same per diem that they now receive, and the Controller be and he is hereby directed to draw his warrants on the Treasurer for the several amounts due under this resolution, and the Treasurer be directed to pay the same out of the Contingent Fund of the Assembly.

Referred to Committee on Ways and Means and Appropriations.
Also:

WHEREAS, It is impossible for the Journal Clerk and his assistants to complete the Journal of the Assembly until several days after the final adjournment; therefore, be it
Resolved, That A. F. Chapman, Journal Clerk, and A. Friedlander, Mrs. S. Burns, and J. J. McCarthy, Assistant Journal Clerks, are ordered and directed, and they are hereby

employed, to remain after the final adjournment of the Legislature, for the purpose of completing the writing, ruling, and comparing the Journal of the Assembly. That when so completed, he shall turn the same, together with the original minutes, and all papers in his office, over to the Secretary of State, who is hereby directed to receipt for the same; that upon the presentation of said receipt to the State Controller, the Controller shall, and he is hereby directed to draw his warrant in favor of the Journal Clerk and each of the assistants named for seven days' pay, at the regular per diem paid said officers, payable out of the appropriation for the contingent expenses of the Assembly, said amount to be in full payment for completing said work, and the Treasurer is directed to pay the same.

Referred to Committee on Ways and Means and Appropriations.

By Mr. Young:

Resolved, That the Postmistress be and she is hereby authorized to remain at the Capitol for five days after the adjournment of the House, for the purpose of caring for the mail and sending the same to members and others, and that she be allowed a per diem of five dollars therefor.

Referred to Committee on Ways and Means and Appropriations.

By Mr. Beecher:

Resolved, That George A. Beecher be allowed two dollars and fifty cents per night from March 3, 1891, to the final adjournment of the twenty-ninth session of this Assembly, for lighting and attending to the gas in the Assembly Chamber. The Controller is hereby authorized to draw his warrant for the same, and the Treasurer is hereby directed to pay the same out of the appropriation for the contingent expenses of the Assembly.

Referred to Committee on Ways and Means and Appropriations.

By Mr. Daly:

Resolved, That each of the attachés of the Assembly, save and except the clerks of the desk, Sergeant-at-Arms and clerks, and assistant to the Sergeant-at-Arms, be and they are hereby allowed one week's pay, payable out of the appropriation for the contingent expenses of the Assembly. The Controller is hereby directed to draw his warrant in favor of each of the said attachés for the respective amounts hereby allowed them, and the Treasurer is hereby directed to pay the same.

By Mr. Dibble:

Resolved, That the State Controller is hereby directed to draw his warrant on the contingent appropriation of the Assembly for the sum of one hundred and sixty-one dollars, to pay the unpaid portion of the per diem of Hugh M. Burke as Chief Clerk of the Committee on Ways and Means and Appropriations as per Act of the Legislature approved by the Governor January 27, 1891, and the State Treasurer is hereby authorized to pay the same.

Referred to Committee on Ways and Means and Appropriations.

By Mr. McCall:

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 thirty-six dollars and twenty-five cents, in favor of H. J. McKusick, Sergeant-at-Arms, for the payment of the following bills

Union Ice Co., from March first to March twenty-fifth	$12 50
C. T. Seavey, repairing desk, chairs, etc.	5 00
C. H. Rave, repairing locks	2 25
Jas. T. Cousins, hack hire	4 00
Pacific Stables, hack hire	2 50
Dan. Murphy, hack hire	2 00
M. G. Hall, cash paid for hack hire	2 50
Mrs. E. Mills, washing for March	3 00
Geo. E. Shinn, for hack hire under a call of the House	2 50
Total	$36 25

Referred to Committee on Ways and Means and Appropriations.

SPECIAL FILE OF SENATE BILLS—THIRD READING.

Senate Bill No. 3—An Act to amend section two thousand six hundred and eighty-eight of the Political Code of the State of California, concerning the hearing of the reports of viewers of public highways by Boards of Supervisors, and the manner, time, and place of hearing such report, and the method of giving notice of such time and place to non-consenting land owners, and concerning damages to be awarded on such hearing.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Ames, Barnett of San Francisco, Barnett of Sonoma, Baughman, Bert, Brown, Brusie, Bryant, Clark, Culver, Cunningham, Daly, Dennis, Doty, Dow, Dunn, Durner, Eakle, Estey, Fowler, Galbraith, Garver, Glynn, Gordon, Hail, Harloe, Hawley, Hersey, Hocking, Jackson, Johnson, Jones, Lewis, Lynch, Martin, Matlock, McCall, Mordecai, Murnan, Murphy, Phillips, Renfro, Rice Shanahan, Smith of Butte, Tully, Weston, Young, and Mr. Speaker—49.

NOES—None.

Title read and approved.

SPECIAL ORDER.

Substitute for Assembly Bill No. 87—An Act to amend sections three thousand six hundred and sixty-five, three thousand six hundred and sixty-six, three thousand six hundred and sixty-seven, three thousand six hundred and sixty-eight, three thousand six hundred and sixty-nine, three thousand six hundred and seventy, three thousand six hundred and seventy-two, three thousand six hundred and ninety-two, three thousand six hundred and ninety-six, three thousand seven hundred and fourteen, three thousand seven hundred and twenty-eight, three thousand seven hundred and thirty-two, three thousand seven hundred and forty-six, three thousand seven hundred and fifty, three thousand seven hundred and fifty-one, three thousand seven hundred and fifty-six, three thousand seven hundred and fifty-eight, three thousand seven hundred and sixty-four, three thousand seven hundred and ninety-seven, three thousand eight hundred, three thousand eight hundred and sixteen, and three thousand eight hundred and sixty-six of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to revenue and taxation.

The roll was called, and the bill finally passed, as amended by the Conference Committee, by the following vote:

AYES—Messrs. Barnett of San Francisco, Barnett of Sonoma, Baughman, Brown, Bruner, Brusie, Bryant, Cargill, Clark, Cunningham, Dennis, Dibble, Doty, Dunn, Eakle, Estey, Fowler, Galbraith, Garver, Glynn, Gordon, Gould, Hail, Hawley, Hersey, Hocking, Jackson, Johnson, Jones, Lewis, Lowe, Lux, Lynch, Marion, Mathews, Matlock, McCall, Murnan, Murphy, Phillips, Shanahan, Tully, Weston, Young, and Mr. Speaker—45.

NOES—Mr. Martin—1.

Title read and approved.

SPECIAL FILE OF SENATE BILLS—(RESUMED).

Senate Bill No. 4—An Act to amend section two thousand six hundred and eighty-two of the Political Code of the State of California, in relation to the character of petitions to be presented for the purpose of

altering, laying out, or constructing, or discontinuing, or abandoning of any public highway.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Ames, Barnett of Sonoma, Baughman, Beecher, Bert, Brown, Brusie, Clark, Cunningham, Dennis, Doty, Dow, Durner, Eakle, Estey, Fowler, Garver, Gould, Hail, Hawley, Hayes, Hersey, Hocking, Jackson, Johnson, Jones, Lewis, Lowe, Lux, Martin, Mathews, Matlock, McCall, Mordecai, Murnan, Murphy, Phillips, Shanahan, Tully, Weston, Young, and Mr. Speaker—42.

NOES—None.

Title read and approved.

Senate Bill No. 5—An Act to add a new section to the Political Code, to be numbered section two thousand six hundred and twenty-three, in relation to vacating public roads.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Brown, Bruner, Brusie, Bryant, Clark, Cunningham, Daly, Dennis, Dibble, Doty, Dow, Dunn, Durner, Eakle, Estey, Fowler, Galbraith, Garver, Hail, Harloe, Hayes, Hersey, Hocking, Jackson, Johnson, Jones, Lewis, Lux, Marion, Martin, Mathews, McCall, Mordecai, Murnan, Murphy, Phillips, Shanahan, Tennis, Tully, Weston, Young, and Mr. Speaker—47

NOES—None.

Title read and approved.

Substitute for Senate Bill No. 278—Relating to the sale of intoxicating liquors within a specified distance of certain State institutions.

Read third time.

MOTION.

Mr. Brusie moved to strike out the enacting clause.

Carried.

Mr. Brusie in the chair.

Senate Bill No. 478—An Act making an appropriation to pay the Assistant Journal Clerks of the Senate, twenty-sixth session of the Legislature, for completing the Journal of the Senate.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Ames, Arms, Barnett of Sonoma, Bruner, Brusie, Bryant, Cargill, Culver, Cunningham, Daly, Doty, Dow, Dunn, Durner, Estey, Fowler, Galbraith, Garver, Gordon, Gould, Hail, Harloe, Hawley, Hersey, Hocking, Hunewill, Johnson, Kellogg, Lowe, Lux, Lynch, Martin, Mathews, Matlock, McCall, Mordecai, Murnan, Murphy, Shanahan, Sturtevant, Tennis, Tully, Wentworth, and Young—44.

NOES—Messrs. Barnett of San Francisco, Beecher, Clark, Dennis, Eakle, Hayes, Jackson, Jones, Marion, Phillips, and Mr. Speaker—11.

Title read and approved.

Senate Bill No. 601—An Act making an appropriation to pay the Journal Clerk of the Assembly for completing the Journal of the Assembly, twenty-sixth session of the Legislature.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Ames, Barnett of Sonoma, Beecher, Bert, Bruner, Brusie, Bryant, Cargill, Clark, Culver, Cunningham, Daly, Doty, Dow, Dunn, Eakle, Fowler, Galbraith, Garver, Gordon, Hail, Harloe, Hawley, Hersey, Hocking, Johnson, Lynch, Marion, Martin, Mathews, Matlock, McCall, Mordecai, Murnan, Murphy, Phillips, Shanahan, Sturtevant, Tennis, Tully, Weston, and Young—42.

NOES—Messrs. Barnett of San Francisco, Dennis, Durner, Jackson, and Smith of Butte—5.

Title read and approved.

Senate Bill No. 120—An Act to amend section one hundred and seventy-two of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to the husband's control and disposition of the community property.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Ames, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bruner, Brusie, Cargill, Clark Dennis, Dibble, Eakle, Estey, Fowler, Freeman, Galbraith, Garver, Gordon, Hail, Hersey, Hocking, Hunewill, Jackson, Johnson, Jones, Kellogg, Lowe, Lynch, Marion, Martin, Matlock, McCall, Mordecai, Murnan, Murphy, Phillips, Robertson, Shanahan, Smith of Butte, Stabler, Sturtevant, Wentworth, Weston, Young, and Mr. Speaker—46.

NOES—Mr. Renfro—1.

Title read and approved.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, March 24, 1891.

To the Assembly of the State of California

I have the honor to inform your honorable body that I have approved Assembly Bill No. 358.

H. H. MARKHAM, Governor.

Senate Bill No. 342—An Act to provide for the appointment of a guardian for the Marshall monument and grounds, prescribing his duties, and appropriating money therefor.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Ames, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bruner, Brusie, Bryant, Clark, Daly, Dibble, Dow, Dunn, Estey, Fowler, Garver, Hail, Harloe, Hayes, Hersey, Hocking, Jackson, Johnson, Jones, Lowe, Lux, Lynch, Marion, Martin, Mathews, Matlock, Mordecai, Phillips, Renfro, Robertson, Shanahan, Stabler, Steltz, Sturtevant, and Young—41.

NOES—Messrs. Bledsoe, Cargill, Cunningham, Durner, Eakle, Kellogg, Murnan, Murphy, Smith of Butte, and Wentworth—10.

Title read and approved.

REPORT OF SPECIAL COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1891.

MR. SPEAKER: Your Committee on Conference concerning Assembly Bill No. 129—An Act to add an additional section to the Penal Code, to be known as section one hundred and fifty-nine and one half, making it a misdemeanor to advertise to obtain a divorce, or to aid therein—report that we have met a like committee of the Senate, consisting of Senators McGowan, McComas, and Mead, and we report that the Conference Committee agreed upon and recommend that the Senate recede from its amendments to said bill.

DIBBLE,
CLARK,
ROBERTSON,
Committee on Conference.

Adopted.

CORRECTION OF JOURNAL.

The vote by which the Journal of March sixteenth was approved was reconsidered, on motion of Mr. Dibble.

Journal of March sixteenth corrected so as to strike out that Assembly Bill No. 129 was withdrawn.

On motion of Mr. Dibble, the Journal of March sixteenth was approved as corrected.

SPECIAL FILE OF SENATE BILLS—(RESUMED).

Senate Bill No. 135—An Act to amend sections one thousand three hundred and five, one thousand three hundred and seventy-three, one thousand five hundred and fifty-two, one thousand six hundred and thirty-three, and one thousand six hundred and thirty-four 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 estates of deceased persons.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Ames, Arms, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bruner, Brusie, Bryant, Cargill, Culver, Cunningham, Dennis, Dow, Durner, Eakle, Fowler, Galbraith, Garver, Hail, Harloe, Hersey, Hocking, Jackson, Johnson, Lowe, Lux, Lynch, Martin, Mathews, Matlock, McCall, Murnan, Murphy, Renfro, Shanahan, Sturtevant, Weston, Young, and Mr Speaker—42.

NOES—Messrs. Clark, Estey, Kellogg, Mordecai, and Smith of Butte—5.

Title read and approved.

Substitute for Senate Bill No. 492—An Act to amend an Act entitled "An Act to provide for the building and furnishing of the Home for Soldiers' Widows, Orphans, and Army Nurses, and for the State to inquire into the management of such institution, by a uniform rule proportioned to the number of inmates in said institution, for the management of the same, and for the support of indigent persons residing in the said Home," approved March 16, 1889.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Brusie, Bryant, Culver, Durner, Estey, Galbraith, Garver, Glynn, Hail, Harloe, Hawley, Hersey, Hocking, Hunewill, Jackson, Johnson, Jones, Lacey, Lewis, Lux, Marion, Martin, Mathews, Matlock, McCall, Mordecai, Murnan, Murphy, Robertson, Shanahan, Steltz, Sturtevant, Weston, Young, and Mr. Speaker—41.

NOES—Messrs. Clark, Cunningham, Dennis, Eakle, Kellogg, Renfro, and Smith of Butte—7

Title read and approved.

Senate Bill No. 119—An Act to amend section one thousand two hundred and one of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the compensation of attorneys.

Read third time.

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

AYES—Messrs. Barnett of San Francisco, Baughman, Beecher, Bert, Bledsoe, Brusie, Clark, Estey, Galbraith, Garver, Hayes, Hersey, Hunewill, Johnson, Kellogg, Lacey, Lewis, Lux, Lynch, Marion, Martin, Mathews, Matlock, Murphy, Phillips, Robertson, Shanahan, and Young—28.

NOES—Messrs Bryant, Culver, Dennis, Dibble, Dunn, Eakle, Hocking, Jackson, McCall, Mordecai, Renfro, Smith of Butte, Smith of Orange, Sturtevant, and Weston—15.

Senate Bill No. 454—An Act to amend section two hundred and fifty-six of the Political Code of the State of California, to provide for the

printing of the daily Journal of each House of the Legislature, and to repeal section two hundred and fifty-seven of said Code.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bledsoe Brown, Bruner, Brusie, Clark, Dow, Eakle, Estey Fowler, Freeman, Garver, Gordon, Hail, Harloe, Hawley, Hocking, Hunewill, Jackson, Johnson, Kellogg, Lewis, Lowe, Lux, Lynch, Marion, Martin, Mathews, Matlock, Mordecai, Phillips, Renfro, Rice, Shanahan, Smith of Butte, Sturtevant, and Wentworth—41

NOES—Messrs. Bert, Bryant, Cargill, Culver, Cunningham, Dennis, Durner, Hayes, Lacey, McCall, Murnan, Murphy, Stabler, Steltz, Weston, Windrow, and Young—17.

Title read and approved.

Senate Bill No. 455—An Act adding a new section to the Political Code of the State of California, to be known and designated as section five hundred and thirty-nine, relative to the engrossment and enrollment of bills and other documents, and repealing sections two hundred and forty-eight and two hundred and forty-nine of said Code.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Barnett of San Francisco, Barnett of Sonoma, Baughman, Bert, Bledsoe, Brown, Bruner, Brusie, Cram, Dennis, Doty, Dunn, Durner, Eakle, Estey, Freeman, Garver, Gordon, Harloe, Hawley, Hersey, Hocking, Hunewill, Jackson, Johnson, Lacey, Lux, Martin, Matlock, Mordecai, Murphy, Phillips, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Sturtevant, Wentworth, Weston, Young, and Mr. Speaker—43.

NOES—Messrs. Beecher, Bryant, Cargill, Culver, Cunningham, Dibble, Galbraith, Glynn, Hail, Hayes, Kellogg, Lewis, Lowe, Lynch, Marion, Mathews, McCall, Murnan, Stabler, Steltz, and Windrow—21.

Title read and approved.

Senate Bill No. 200—An Act to add a new section to the Code of Civil Procedure of the State of California, to be known and designated as section one thousand six hundred and seventy, relating to the continuation of administration upon the estates of deceased persons.

Read third time.

Mr. Galbraith moved to strike out the enacting clause.

Lost.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Arms, Barnett of San Francisco, Baughman, Beecher, Bert, Brown, Bruner, Brusie, Cargill, Dennis, Dibble, Doty, Dow, Dunn, Estey, Freeman, Garver, Glynn, Gordon, Hail, Harloe, Hawley, Hersey, Hocking, Johnson, Lewis, Lowe, Lux, Lynch, Marion, Martin, Mathews, McCall, Robertson, Smith of Butte, Steltz, Sturtevant, Tennis, Weston, Windrow, Young, and Mr. Speaker—42.

NOES—Messrs. Ames, Barnett of Sonoma, Bryant, Culver, Durner, Eakle, Fowler, Galbraith, Hunewill, Jackson, Kellogg, Lacey, Matlock, Mordecai, Murnan, Phillips, Renfro, Rice, Shanahan, and Stabler—20

Title read and approved.

Senate Bill No. 391—An Act to provide for the payment of the Controller of State's warrants which have been lost or destroyed previous to payment by the State Treasurer.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Ames, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Brown, Bruner, Brusie, Bryant, Cargill, Cram, Culver, Dennis, Dibble, Doty, Dow, Dunn, Durner, Estey, Fowler, Galbraith, Garver, Glynn, Gordon, Hail, Harloe, Hawley, Hersey, Hocking, Hunewill, Johnson, Lacey, Lewis, Lowe, Lux, Lynch, Marion, Martin, Mathews, Matlock, McCall, Murnan, Murphy, Phillips, Renfro,

Robertson, Shanahan, Smith of Butte, Steltz, Sturtevant, Tennis, Wentworth, Weston, Windrow, Young, and Mr. Speaker—57.
NOES—Messrs. Eakle and Freeman—2.

Title read and approved.

Senate Bill No. 124—An Act to amend section one hundred and three of the Code of Civil Procedure of the State of California, relating to Justice's Courts.

Read third time.

MOTIONS.

At five o'clock and thirty minutes P. M., Mr. Phillips moved to extend the hour of recess until six o'clock.

Lost.

Mr. Brusie moved to extend the hour of recess five minutes.

Carried.

The roll was called, and Senate Bill No. 124 passed by the following vote:

AYES—Messrs. Alexander, Anies, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Belt, Bruner, Brusie, Bryant, Cargill, Cram, Culver, Dibble, Doty, Dow, Dunn, Durner, Eakle, Estey, Fowler, Galbraith, Garver, Glynn, Gordon, Hall, Harloe, Hawley, Hersey, Hocking, Hunewill, Jackson, Johnson, Lacey, Lowe, Lux, Lynch, Marion, Martin, Mathews, Matlock, McCall, Mordecai, Murnan, Murphy, Phillips, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Stabler, Tully, Wentworth, Weston, Windrow, Young, and Mr Speaker—58.
NOES—Mr. Freeman—1.

Title read and approved.

MOTION TO RECONSIDER.

Mr. Shanahan moved to reconsider the vote whereby substitute for Senate Bill No. 528 was refused passage.

Carried.

Mr. Shanahan moved that substitute for Senate Bill No. 528 be made a special order for to-morrow morning, immediately after reading of the Journal.

Carried.

REPORT OF COMMITTEE.

Mr. Freeman presented a report of the investigating committee appointed in accordance with Senate Concurrent Resolution No. 5.

RESOLUTION.

By Mr. Galbraith:

WHEREAS, Upon the second day of March, 1891, this Legislature received official notice from the Governor of the death of the Hon George Hearst, late United States Senator from California; and whereas, it was incumbent upon the Legislature to elect his successor on the second Tuesday following said notification, therefore, be it

Resolved, That the Controller be directed to draw his warrants upon the Contingent Fund of the Assembly in favor of the Assemblymen of this Legislature for eight days as their lawful per diem while engaged in electing a United States Senator.

Referred to Committee on Ways and Means and Appropriations.

ADJOURNMENT.

At five o'clock and thirty minutes P. M. Mr. McCall moved to adjourn.

Carried.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Wednesday, March 25, 1891.

The House met pursuant to adjournment.

Speaker Coombs in the chair.

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

Messrs. Alexander, Ames, Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Brusie, Bryant, Cargill, Carter, Clark, Coffey, Cram, Culver, Cunningham, Daly, Dennis, Dibble, Doty, Dow, Dunn, Durner, Eakle, Estey, Fowler, Freeman, Galbraith, Garver, Glynn, Gordon, Hail, Harloe, Hawley, Hayes, Hersey, Hocking, Hoey, Hunewill, Jackson, Johnson, Jones, Kellogg, Lacey, Lewis, Lowe, Lux, Lynch, Marion, Martin, Mathews, Matlock, McCall, Mordecai, Murnan, Murphy, Phillips, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Tully, Wentworth, Weston, Windrow, Young, and Mr. Speaker.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. A. C. Herrick.

READING OF THE JOURNAL.

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

So ordered.

Approval of Journal deferred.

SPECIAL ORDER.

Mr. Shanahan called up his motion to reconsider substitute for Senate Bill No. 528.

PREVIOUS QUESTION.

The previous question was demanded by Mr. Lacey, seconded by Messrs. Brusie and Hocking.

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

The question being on the motion to reconsider substitute for Senate Bill No. 528, it was carried.

MOTION.

Mr. Young moved that an Assistant Enrolling Clerk be appointed by the Speaker to assist the Enrolling Clerk for this day only, at a per diem of eight dollars.

Carried.

APPOINTMENT.

The Speaker appointed as Assistant Enrolling Clerk for this day C. W. Freeman.

SPECIAL ORDER (RESUMED).

Substitute for Senate Bill No. 528—An Act making an appropriation to pay the claim of John Mullan, for his commissions on money collected by him from the United States on account of Indian war claims, and paid to the State of California.

The roll was called and the bill passed by the following vote:

AYES—Messrs. Alexander, Ames, Barnard, Barnett of Sonoma, Beecher, Brusie, Bryant, Cargill, Culver, Doty, Dow, Dunn, Durner, Eakle, Estey, Fowler, Garver, Harloe, Hawley, Hersey, Hocking, Hoey, Hunewill, Jackson, Lynch, Marion, Martin, Mathews, Matlock, McCall, Mulnan, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Stabler, Steltz, Sturtevant, Weston, Young, and Mr. Speaker—42.

NOES—Messrs. Barnett of San Francisco, Baughman, Bert, Brown, Clark, Coffey, Cram, Dennis, Dibble, Freeman, Gordon, Hall, Hayes, Jones, Lacey, Murphy, Phillips, Smith of Orange, Tennis, and Wentworth—19.

Title read and approved.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 24, 1891.

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

Senate Bill No. 567—An Act to amend section three hundred and nine of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to declaring dividends by Directors of corporations, and repealing section three hundred and nine of said Code.

Also: Concurred in Assembly amendment to Senate Bill No. 531.

Also: Passed Senate Bill No. 198—An Act to regulate the sale of commercial fertilizers, or materials used for manurial purposes.

Also: Senate Bill No. 670—An Act to amend an Act entitled "An Act to establish a Penal Code of the State of California," approved March 12, 1872, relating to lotteries.

Also: Substitute for Assembly Bill No. 238—An Act to define the duties of and to license land surveyors.

Also: Senate Bill No. 686—An Act to legalize conveyances made to or by homestead associations and homestead corporations after the expiration of the period for which such associations and corporations were formed, and to give surviving Directors power to settle the affairs of such corporations.

Also: Senate Bill No. 704—An Act entitled an Act to provide for the employment of destitute citizens, commonly known as tramps, and making appropriations therefor.

Also: Assembly Bill No. 78—An Act to provide compensation to G. B. Montgomery, for professional services rendered the State of California at the request of the Attorney-General.

Also: Assembly Bill No. 500—An Act to appropriate money to pay for the services of W. L. Wolfe, Assistant at Los Angeles to the Commissioner of the Bureau of Labor Statistics.

Also: Assembly Bill No 583—An Act repealing sections seven hundred and seventy-eight, seven hundred and seventy-nine, seven hundred and eighty, seven hundred and eighty-one, and seven hundred and eighty-two of the Political Code, relating to the printing of reports of decisions of the Supreme Court.

Also: Refused to read a third time Assembly Bill No. 99—An Act requiring corporations and persons doing a banking business in this State to file with the Controller of State statements showing moneys on deposit with them to which no claims have been made within ten years, and authorizing the Attorney-General to institute proceedings to ascertain its ownership.

Also: Refused to pass Assembly Bill No. 748—An Act to repeal an Act entitled "An Act to establish a State Board of Silk Culture, and to provide moneys for the expenses thereof," approved March 15, 1883, and all Acts and parts of Acts amendatory thereof and supplemental thereto, to abolish said Board, and to provide for the care of the State property under its charge.

F. J. BRANDON, Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, March 25, 1891.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the twenty-fourth day of March, passed Assembly Bill No. 193—An Act to amend section six, and to repeal section sixty-three, of an Act entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors," approved April 26, 1880, relating to the appointment of receivers, and the care and disposition of the property of insolvent debtors, during the pendency of insolvency proceedings, and before the election of an assignee.

F. J. BRANDON, Secretary.

RESOLUTION.

By Mr. Martin:

Resolved, That Senate Bill No. 55 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

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

AYES—Messrs. Alexander, Ames, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Brown, Brusie, Bryant, Cargill, Clark, Coffey, Culver, Dennis, Dibble, Doty, Dow, Durner, Eakle, Estey, Fowler, Freeman, Garver, Glynn, Gordon, Hail, Harloe, Hayes, Hersey, Hocking, Hoey, Hunewill, Jackson, Lacey, Lux, Lynch, Marion, Martin, Mathews, Matlock, McCall, Murnan, Murphy, Renfro, Rice, Robertson, Shanahan, Smith of Orange, Stabler, Tennis, Wentworth, Weston, Young, and Mr. Speaker—54.
NOES—None.

Senate Bill No. 55—An Act to appropriate money to pay the claim of Enoch N. Strout for services rendered as Reclamation Land Commissioner, under "An Act to provide for the funding of the indebtedness of the reclamation and levee districts of this State," approved March 30, 1872.

Read second time.

MOTION.

Mr. Martin moved that the House go into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bill No. 55.

Carried.

IN COMMITTEE OF THE WHOLE.

Speaker Coombs in the chair.

Senate Bill No. 55 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Coombs in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Speaker stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 55, and now report the same back to the Assembly, and recommend that the same do pass.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Ames, Barnett of San Francisco, Baughman, Beecher, Bert, Brown, Brusie, Bryant, Cargill, Cram, Culver, Daly, Dennis, Dibble, Doty, Dow, Dunn, Estey, Fowler, Freeman, Garver, Gordon, Hersey, Hoey, Hunewill, Jackson, Jones, Lux, Lynch, Marion, Martin, Mathews, Matlock, McCall, Murnan, Murphy, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, and Weston—46.
NOES—Messrs. Durner, Eakle, Hail, Harloe, Hocking, Lacey, Wentworth, and Mr. Speaker—8.

Title read and approved.

REPORT OF STANDING COMMITTEE.

ON PUBLIC PRINTING.

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1891.

MR SPEAKER: Your Committee on Public Printing, to whom was referred Assembly Bill No. 373—report the same back without recommendation.

JONES, Chairman.

RESOLUTION.

By Mr. Marion:

Resolved, That the Secretary of State be and is hereby instructed to furnish a complete file of all bills passed by the twenty-ninth session of the California Legislature which receive the Governor's signature, to each member of this Assembly, immediately after adjournment.

Adopted.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 25, 1891.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day passed, as amended, Assembly Bill No. 685—An Act to amend sections two thousand six hundred and forty-one, two thousand six hundred and forty-two, two thousand six hundred and forty-three, two thousand six hundred and forty-five, two thousand six hundred and forty-six, and two thousand six hundred and fifty-two, and to repeal section two thousand six hundred and forty-four of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the powers and duties of highway officers, and to provide for the construction, maintenance, and improvements of highways by contract let out to the lowest bidder.

F. J. BRANDON, Secretary.

Senate amendment to Assembly Bill No. 685, as follows:

Strike out of section five, line thirty-two, the word "Commissioner" and insert the following: "Commissioners."

The roll was called, and Senate amendment concurred in by the following vote:

AYES—Messrs. Alexander, Ames, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Brown, Brusie, Bryant, Clark, Daly, Dibble, Doty, Dunn, Durner, Eakle, Estey, Freeman, Galbraith, Garver, Hall, Harloe, Hersey, Hocking, Hunewill, Jackson, Jones, Lacey, Lux, Lynch, Martin, Mathews, Matlock, McCall, Renfro, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Stuitevant, Tennis, Tully, Weston, Windrow, and Mr. Speaker—48.

NOES—None.

Also:

SENATE CHAMBER, SACRAMENTO, March 25, 1891.

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

Assembly Bill No. 507—An Act to prevent destruction by fire of property of contiguous owners.

Also: Assembly Bill No. 589—An Act to amend sections three thousand four hundred and fifty-four and three thousand four hundred and fifty-five of the Political Code of this State, relating to the powers and duties of Boards of Trustees of reclamation districts formed for the reclamation of swamp and overflowed lands.

Also: Passed as amended, Assembly Bill No. 736—An Act to amend an Act entitled "An Act to establish a Penal Code," approved March 12, 1885, by amending section six hundred and twenty-six of the Penal Code, relating to the laws for the preservation of game birds and animals.

F. J. BRANDON, Secretary.

ACTION ON SENATE MESSAGE.

Assembly Bill No. 736—An Act to amend an Act entitled "An Act to establish a Penal Code," approved March 12, 1885, by amending section

six hundred and twenty-six of the Political Code, relating to the laws for the preservation of game birds and animals.

Senate amendments, as follows:

Strike out of section one, line fourteen, the word "six," and insert the word "two."

Also: Strike out of section one, line four, the words "tenth day of September," and insert "the first day of October."

Also: Strike out of section one, line eighteen, the word "six," and insert the word "two."

The roll was called, and amendments concurred in by the following vote:

AYES—Messrs. Alexander, Barnett of San Francisco, Baughman, Beecher, Bert, Brown, Brusie, Cargill, Clark, Daly, Dennis, Dow, Durner, Fowler, Freeman, Galbraith, Garver, Gordon, Harloe, Hawley, Hersey, Hocking, Hoey, Hunewill, Jackson, Lacey, Lux, Lynch, Martin, Mathews, Matlock, McCall, Murphy Phillips, Renfro, Robertson, Smith of Butte, Smith of Orange, Stabler, Sturtevant, Tennis, Tully, Wentworth, Weston, Young, and Mr. Speaker—46.

NOES—Messrs. Doty and Estey—2.

RESOLUTIONS.

By Mr. Renfro:

Resolved, That Senate Bills Nos. 272, 567, 655, 533, 330, 685, 666, 644, 170, 329, 125, 471, 341, 610, 697, 704, and 662 present a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provision of that section requiring that the bills shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bills be read the first, second, and third times, and placed upon their passage, *provided*, that any of said bills having been read shall be read the number of times only required to make three readings.

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

AYES—Messrs. Alexander, Barnett of San Francisco, Baughman, Beecher, Brown, Brusie, Cargill, Clark, Cram, Dennis, Dibble, Doty, Dow, Dunn, Durner, Eakle, Estey, Freeman, Galbraith, Garver, Gordon, Hall, Harloe, Hawley, Hersey, Hocking, Hoey, Hunewill, Jackson, Jones, Kellogg, Lacey, Lux, Lynch, Martin, Mathews, Matlock, McCall, Murnan, Murphy, Phillips Renfro, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Tully, Wentworth, Weston, and Mr. Speaker—55.

NOES—None.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 25, 1891.

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

Resolved by the Senate, the Assembly concurring, That the Legislature of the State of California does most heartily indorse the action of the Hon. Leland Stanford, Senator of the State of California, in the Congress of the United States, in his support of Senate Bill No. 4675, during the second session of the Fifty-first Congress, a copy of which bill is hereunto attached.

F. J. BRANDON, Secretary of the Senate.

The question being upon the adoption of the Senate concurrent resolution indorsing the action of Hon. Leland Stanford in his support of Senate Bill No. 4675—An Act to provide a unit of value, and for the coinage of gold and silver, and for other purposes—as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the date of the passage of this Act, the unit of value in the United States shall be the dollar, and the same may be coined of four hundred and twelve and one half grains of standard silver, or of twenty-five and eight one hundredths grains of standard gold; and the said coin shall be legal tender for all debts, public and private. That hereafter, any owner of silver or gold bullion may deposit the same at any mint of the United States, to be formed into standard dollars or bars for his benefit and without charge; but it shall be lawful to refuse any deposit of less value than one hundred dollars, or any bullion so base as to be unsuitable for the operations of the mint.

SEC. 2. That the provision of section three of "An Act to authorize the coinage of the standard silver dollar and to restore its legal-tender character," which became a law February twenty-eighth, eighteen hundred and seventy-eight, is hereby made applicable to the coinage in this Act provided for.

SEC. 3. That the certificates provided for in the second section of this Act shall be of denominations of not less than one nor more than one hundred dollars, and such certificates shall be redeemable in coin of standard value. A sufficient sum to carry out the provisions of this Act is hereby appropriated out of any money in the Treasury not otherwise appropriated. So much of the Act of July fourteenth, eighteen hundred and ninety, entitled "An Act directing the purchase of silver bullion and the issue of Treasury notes thereon, and for other purposes," as requires the purchase of four million five hundred thousand ounces of silver bullion per month, be and the same is hereby repealed.

SEC. 4. That the certificates provided for in this Act, and all silver and gold certificates already issued, shall be receivable for all taxes and dues to the United States of every description, and shall be a legal tender for the payment of all debts, public and private.

SEC. 5 That the owners of bullion deposited for coinage shall have the option to receive coin or its equivalent in the certificates provided for in this Act, and such bullion shall be subsequently coined.

MOTIONS.

Mr. Shanahan moved to amend by inserting the following after last word of resolution: "Also, his action in opposing the so called Force Bill."

Mr. Dibble moved to lay Mr. Shanahan's amendment on the table.

Lost.

Mr. Dibble moved to indefinitely postpone the amendment.

PREVIOUS QUESTION.

The previous question was demanded by Mr. Brusie, seconded by Messrs. Young and McCall.

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

The question being to indefinitely postpone, it was carried, on division.

MOTION.

Mr. Dibble moved that the motion to indefinitely postpone Mr. Shanahan's amendment to Senate concurrent resolution indorsing the action of Hon. Leland Stanford be now reconsidered.

The ayes and noes were demanded by Messrs. Murphy, Galbraith, and McCall.

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

AYES—Messrs. Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bryant, Cargill, Coffey, Culver, Daly, Dibble, Dow, Estey, Fowler, Galbraith, Gordon, Harloe, Hersey, Hocking, Hoey, Lux, Lynch, Marion, Matlock, McCall, Murphy, Phillips, Smith of Butte, Weston, Young, and Mr. Speaker—31.

NOES—Messrs. Doty, Dunn, Durner, Eakle, Garver, Jackson, Martin, Mathews, Munnan, Renfro, Rice, Robertson, Shanahan, Stabler, and Sturtevant—15.

PREVIOUS QUESTION.

The previous question was demanded by Mr. Dibble, seconded by Messrs. Dow and Dennis.

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

The question being to indefinitely postpone, it was lost.

The question recurring on Mr. Shanahan's amendment, it was lost.

The question recurring upon the adoption of the resolution, it was carried, on division.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 25, 1891.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Assembly Bill No. 555—An Act to pay the claim of A. G. Lafferty against the State of California, for supplies furnished in fitting out Company A, First Battalion of Mountaineers.

Also: Assembly Bill No. 759—An Act to appropriate the sum of five thousand dollars for the benefit of the sufferers from the Tia Juana flood of the twenty-second of February, 1891, and to provide for its payment to the Board of Supervisors of San Diego County, and its distribution to the sufferers.

Also: Passed as amended Assembly Bill No. 760—An Act to amend sections three thousand seven hundred and thirteen and three thousand six hundred and ninety-six of the Political Code, relating to the levy of taxes.

F. J. BRANDON, Secretary.

Senate Bill No. 272—An Act fixing the rate of tare on baled hops. Read second time.

RECESS.

At twelve o'clock and thirty minutes P. M. the House took a recess.

REASSEMBLED.

At two o'clock P. M. the House reassembled.
Speaker Coombs in the chair.

MOTION.

Mr. Dibble moved to take up Assembly Bill No. 760.
Carried.

Assembly Bill No. 760—An Act to amend sections three thousand seven hundred and thirteen and three thousand six hundred and ninety-six of the Political Code, relating to the levy of taxes.

Senate amendments, as follows:

Amend section one, line eight, by striking out the words "two million five hundred thousand and eighty-six dollars," and insert in place thereof "two million six hundred and ninety-seven thousand six hundred and seventy-four dollars."

Also Strike out of section one, line nine, the words "one million nine hundred and thirty-three thousand one hundred and seventy-four dollars," and insert in place thereof "one million nine hundred and sixty-six thousand one hundred and seventy-four dollars."

Also: Strike out of section one, line fifteen, the words "two million five hundred and one thousand two hundred and eighty-six dollars," and insert "two million eight hundred and thirty-one thousand nine hundred and sixty-four dollars."

Also: Strike out of section one, line eight, the words "two million six hundred and ninety-seven thousand six hundred and seventy-four dollars," and insert the words "two million six hundred and twenty-two thousand six hundred and seventy-four dollars."

Also. Strike out of section one, line twelve, "Assylum," in printed bill, and insert in lieu thereof the word "Asylum"

Also: Strike out of section one, line fifteen, the words "two million eight hundred and thirty-one thousand nine hundred and sixty-four dollars," and insert the following: "two million seven hundred and fifty-six thousand nine hundred and sixty-four dollars."

The roll was called, and Senate amendments concurred in by the following vote:

AYES—Messrs. Alexander, Ames, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Brusie, Bryant, Cargill, Clark, Coffey, Cram, Culver, Dennis, Dibble, Doty, Dow, Dunn, Durner, Eakle, Estey, Freeman, Galbraith, Garver, Gordon, Hail, Hersey, Jackson, Johnson, Kellogg, Lacey, Lewis, Lux, Lynch, Marion, Martin, Mordecai, Murman, Murphy, Phillips, Robertson, Shanahan, Smith of Butte, Stabler, Weston, Young, and Mr. Speaker—48.

NOES—None.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 24, 1891.

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

Assembly Bill No. 740—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the duties of the State Controller.

F. J. BRANDON, Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, March 25, 1891.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the twenty-third day of March, passed the following:

Senate Bill No. 354—An Act for the regulation of the practice of medicine and surgery in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation.

Also: On this day, finally passed substitute for Assembly Bill No. 87—An Act to amend sections three thousand six hundred and sixty-five, three thousand six hundred and sixty-six, three thousand six hundred and sixty-seven, three thousand six hundred and sixty-eight, three thousand six hundred and sixty-nine, three thousand six hundred and seventy, three thousand six hundred and seventy-two, three thousand six hundred and ninety-two, three thousand six hundred and ninety-six, three thousand seven hundred and fourteen, three thousand seven hundred and twenty-eight, three thousand seven hundred and thirty-two, three thousand seven hundred and forty-six, three thousand seven hundred and fifty, three thousand seven hundred and fifty-one, three thousand seven hundred and fifty-six, three thousand seven hundred and fifty-eight, three thousand seven hundred and sixty-four, three thousand seven hundred and ninety-seven, three thousand eight hundred, three thousand eight hundred and sixteen, and three thousand eight hundred and sixty-six, and to add a new section, to be numbered section three thousand seven hundred and fifty-seven, of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to revenue and taxation, as reported by the Committee of Free Conference.

F. J. BRANDON, Secretary.

THIRD READING OF BILL.

Senate Bill No. 272—An Act fixing the rate of tare on baled hops.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Ames, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Brusie, Bryant, Cargill, Clark, Coffey, Cram, Culver, Daly, Dennis, Dibble, Dow, Durner, Estey, Fowler, Freeman, Galbraith, Garver, Gordon, Hall, Hayes, Hersey, Hunewill, Jackson, Johnson, Kellogg, Lewis, Lux, Marion, Martin, Mathews, Mordecai, Murphy, Phillips, Renfro, Robertson, Shanahan, Smith of Butte, Stabler, Sturtevant, Tennis, Tully, Weston, Windrow, Young, and Mr. Speaker—51.

NOES—None.

Title read and approved.

RESOLUTION.

By Mr. Shanahan:

Resolved, That all bills sent to enrollment shall be enrolled in the order in which they pass this Assembly.

Adopted.

Senate Bill No. 655—An Act to provide for the publication and distribution of a State Blue Book or Roster.

Read first, second, and third times.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Ames, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Brown, Bryant, Clark, Coffey, Cram, Daly, Dennis, Doty, Dow, Durner, Eakle, Estey, Fowler, Freeman, Galbraith, Garver, Hailce, Hersey, Hunewill, Jackson, Johnson, Kellogg, Lux, Marion, Martin, McCall, Mordecai, Murphy, Phillips, Renfro, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Sturtevant, Weston, Windrow, and Mr Speaker—45.

NOES—Mr. Brusie—1.

Title read and approved.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 25, 1891

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

Assembly Bill No. 501—An Act to amend "An Act to establish a Civil Code," approved March 21, 1872, by adding two new sections thereto, to be numbered one thousand eight hundred and fifty-six and one thousand eight hundred and fifty-seven, relating to the lien of depositaries for hire.

Senate Bill No. 465—An Act to appropriate money for the payment of the unpaid salary of the Deputy Reporter of the Decisions of the Supreme Court, for three months of the fortieth fiscal year.

F. J. BRANDON, Secretary.

Senate Bill No. 583—An Act to amend section two of an Act entitled "An Act to advance learning, the arts and sciences, and to promote the public welfare by providing for the conveyance, holding, and protection of property and the creation of trusts for the founding, endowment, erection, and maintenance, within this State, of universities, colleges, schools, seminaries of learning, mechanical institutes, museums, and galleries of art," approved March 9, 1885.

Read second and third times.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Ames, Barnett of Sonoma, Baughman, Beecher, Bert, Brown, Brusie, Bryant, Cargill, Clark, Coffey, Cram, Culver, Daly, Dennis, Dibble, Doty, Dow, Dunn, Durner, Eakle, Estey, Fowler, Freeman, Galbraith, Garver, Gordon, Hall, Harloe, Hersey, Hunewill, Jackson, Kellogg, Lacey, Lewis, Lux, Lynch, Marion, Martin, Mathews, McCall, Murphy, Phillips, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Sturtevant, Weston, Young, and Mr. Speaker—53.

NOES—None.

Title read and approved.

Senate Bill No. 330—An Act to amend sections one, nine, and seventeen of "An Act to provide for the erection and management of a State Hospital for the Insane, to be located in Southern California," approved March 11, 1889.

Read first and second times.

MOTION.

Mr. Dibble moved that the House go into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bill No. 330.

Carried.

IN COMMITTEE OF THE WHOLE.

Speaker Coombs in the chair.

Senate Bill No. 330 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Coombs in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Speaker stated the report of the Committee of the Whole, as follows:

GENTLEMEN. The Committee of the Whole have had under consideration Senate Bill No. 330, and now report the same back with amendments, and recommend that the same pass as amended.

Committee amendment, as follows, adopted:

Amend by adding to section three the following words: "*provided*, that this Act shall not be held to appropriate any money."

Senate Bill No. 685—An Act authorizing the State Board of Examiners to sell old furniture and all material belonging to the State and not required for public use.

Read first, second, and third times.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Ames, Barnett of Sonoma, Baughman, Beecher, Bert, Brusie, Bryant, Cargill, Clark, Coffey, Cram, Culver, Daly, Dennis, Dibble, Doty, Eakle, Estey, Fowler, Galbraith, Garver, Hail, Harloe, Hersey, Hunewill, Lux, Lynch, Marion, Martin, Mathews, McCall, Mordecai, Murnan, Murphy, Phillips, Smith of Orange, Sturtevant, Weston, Young, and Mr. Speaker—41.

NOES—Messrs. Dow, Freeman, Gordon, Jackson, and Smith of Butte—5.

Title read and approved.

Senate Bill No. 567—An Act to amend section three hundred and nine of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to declaring dividends by Directors of corporations, and repealing section three hundred and nine of said Code.

Read first and second times.

Amendment to Senate Bill No. 567, as follows, adopted.

Amend by inserting after the word "thereof," in line four, printed bill, the following: "Nor must they divide, withdraw, or pay to the stockholders, or any of them, any part of the capital stock."

Mr. Lacey in the chair.

Senate Bill No. 666—An Act to amend section five of an Act entitled "An Act to provide for compiling, illustrating, electrotyping, printing, binding, copyrighting, and distributing a State series of school textbooks, and appropriating money therefor," approved February 26, 1885.

Read first, second, and third times.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Barnett of Sonoma, Baughman, Beecher, Bert, Brown, Brusie, Bryant, Cargill, Clark, Coffey, Cram, Culver, Daly, Dennis, Dibble, Doty, Dunn, Durner, Fowler, Freeman, Galbraith, Garver, Gordon, Hail, Harloe, Hawley, Hayes, Hersey, Hocking, Jackson, Lacey, Lux, Marion, Martin, McCall, Murnan, Phillips, Robertson, Shanahan, Smith of Orange, Stabler, Sturtevant, Weston, Young, and Mr Speaker—46.

NOES—None.

Title read and approved.

Senate Bill No. 644—An Act authorizing the Attorney-General to settle and dismiss a certain action entitled "The People of the State of California ex rel. John P. Dunn, State Controller, plaintiff, vs. Frank W. Gross, John Martin, and John Landers, defendants," wherein judgment was obtained against said defendants in the Superior Court of the City and County of San Francisco, on the thirteenth day of December, 1889, which action is numbered 12,902 in said Court, now on appeal to the Supreme Court, upon payment to him for the use of the State of such money as he may deem advisable to accept.

Read first, second, and third times.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Ames, Arms, Barnett of San Francisco, Barnett of Sonoma, Bert, Brown, Brusie, Bryant, Cargill, Clark, Coffey, Culver, Daly, Dennis, Dibble, Doty,

Dunn, Durner, Eakle, Fowler, Freeman, Galbraith, Garver, Hail, Harloe, Hocking, Hunewill, Jackson, Lacey, Marion, Martin, Matlock, McCall, Mordecai, Renfro, Smith of Orange, Stabler, Steltz, Sturtevant, Wentworth, and Weston—41.
NOES—Messrs. Dow and Gordon—2.

Title read and approved.

Senate Bill No. 170—An Act making an appropriation to pay the claims of Charles F. Reed, C. E. Grunsky, and J. J Crawford, for expenses incurred as members of the Examining Commission on Rivers and Harbors, approved March 19, 1889.

Read second time.

MOTION.

Mr. Dibble moved that the House go into Committee of the Whole, with Mr. Lacey in the chair, for the purpose of considering Senate Bill No. 170.

Carried.

IN COMMITTEE OF THE WHOLE.

Mr. Lacey in the chair.

Senate Bill No. 170 was considered in Committee of the Whole.

IN ASSEMBLY.

Mr. Lacey in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Chairman stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 170, and now report the same back to the Assembly, and recommend that the same do pass.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Ames, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Brown, Brusie, Bryant, Cargill, Clark, Coffey, Culver, Dibble, Dow, Freeman, Galbraith, Garver, Gordon, Hail, Hawley, Hersey, Hocking, Hunewill, Jackson, Lacey, Lux, Marion, Martin, Matlock, McCall, Murphy, Phillips, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Weston, and Young—42.
NOES—Messrs. Dunn and Eakle—2.

Title read and approved.

Senate Bill No. 329—An Act to amend an Act entitled "An Act to create a Police Relief, Health, and Life Insurance and Pension Fund in the several counties, cities and counties, cities, and towns of the State," approved March 4, 1889.

Read first, second, and third times.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Ames, Barnett of San Francisco, Barnett of Sonoma, Baughman, Brusie, Bryant, Cargill, Coffey, Cram, Culver, Daly, Dennis, Dibble, Doty, Dow, Dunn, Durner, Eakle, Estey, Freeman, Galbraith, Gordon, Hail, Hayes, Hersey, Hocking, Hunewill, Jackson, Johnson, Lewis, Lux, Marion, Martin, Mathews, Matlock, McCall, Murnan, Phillips, Renfro, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Weston, and Young—48.
NOES—Messrs. Beecher, Garver, and Lacey—3.

Title read and approved.

Senate Bill No. 125—An Act to amend section three thousand nine hundred and twenty-six of the Political Code, relating to the bounding of Sutter County.

Read first, second, and third times.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Ames, Barnett of San Francisco, Barnett of Sonoma, Beecher, Bert, Brusie, Bryant, Coffey, Culver, Daly, Dennis, Dibble, Doty, Dow, Dunn, Durner, Eakle, Estey, Fowler, Freeman, Garvei, Gordon, Hayes, Hersey, Hunewill, Jackson, Lacey, Lux, Lynch, Marion, Martin, Mathews, Matlock, McCall, Murnan, Phillips, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, and Young—44.

NOES—Mr. Harloe—1.

Title read and approved.

Senate Bill No. 471—An Act expressing assent of the State of California to the Act of Congress approved August 30, 1890, entitled "An Act to apply a portion of the proceeds of the public lands to the more complete endowment and support of the colleges for the benefit of agriculture and the mechanic arts, established under the provisions of an Act of Congress approved July 2, 1862," and to the purposes of the grants of moneys authorized thereby, and to all the provisions thereof.

Read first, second, and third times.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Ames, Arms, Barnett of San Francisco, Baughman, Beecher, Bert, Brusie, Bryant, Cargill, Clark, Coffey, Cram, Culver, Dennis, Dibble, Doty, Dunn, Durner, Eakle, Estey, Freeman, Garvei, Gordon, Hall, Harloe, Hawley, Hersey, Hocking, Hunewill, Jackson, Kellogg, Lacey, Lux, Lynch, Martin, Mathews, Matlock, McCall, Mordecai, Murnan, Phillips, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Wentworth, Weston, and Young—51.

NOES—None.

Title read and approved.

Senate Bill No. 341—An Act to amend section three of "An Act to regulate contracts on behalf of the State in relation to erections and buildings," approved March 23, 1876.

Read first, second, and third times.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Ames, Arms, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Brusie, Bryant, Cargill, Clark, Coffey, Cram, Dennis, Dibble, Dow, Dunn, Durner, Eakle, Estey, Fowler, Freeman, Galbraith, Garver, Gordon, Hall, Harloe, Hawley, Hersey, Hocking, Lacey, Lewis, Lux, Lynch, Marion, Martin, Mathews, Murphy, Phillips, Smith of Butte, Stabler, Steltz, Sturtevant, Wentworth, Weston, Windrow, and Young—46.

NOES—None.

Title read and approved.

Senate Bill No. 610—An Act to amend an Act entitled "An Act amendatory of and supplemental to an Act entitled 'An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes,' approved March 7, 1887, providing for the exclusion of certain lands within any such districts," by amending sections three, eight, and thirteen thereof.

Read second and third times.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Barnett of San Francisco, Baughman, Beecher, Brown, Brusie, Bryant, Cargill, Clark, Coffey, Cram, Dennis, Dibble, Doty, Dunn, Durner, Eakle,

Estey, Fowler, Freeman, Galbraith, Garver, Gordon, Hawley, Hersey, Hocking, Lacey, Lux, Martin, Mathews, Matlock, McCall, Mordecai, Murnan, Phillips, Robertson, Smith of Butte, Smith of Orange, Stabler, Sturtevant, Wentworth, Weston, and Windrow—44.
NOES—None.

Title read and approved.

Senate Bill No. 697—An Act to authorize the use of the ballot paper now the property of the State.

Read first, second, and third times.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Barnett of San Francisco, Baughman, Beecher, Bert, Brown, Brusie, Bryant, Cargill, Clark, Coffey, Cram, Dennis, Dibble, Dow, Durner, Estey, Fowler, Galbraith, Garver, Gordon, Hail, Hersey, Hocking, Hunewill, Kellogg, Lacey, Lux, Martin, Matlock, McCall, Phillips, Robertson, Smith of Butte, Smith of Orange, Steltz, Sturtevant, Wentworth, Weston, Windrow, Young, and Mr. Speaker—41.
NOES—Messrs. Mordecai, Murnan, and Stabler—3.

Title read and approved.

Senate Bill No. 704—An Act appropriating money for the payment of salary from March 24, 1891, to July 1, 1891, of the Deputy Attorney-General.

Read first and second times.

MOTION.

Mr. Clark moved that the House go into Committee of the Whole, with Mr. Lacey in the chair, for the purpose of considering Senate Bill No. 704.

Carried.

IN COMMITTEE OF THE WHOLE.

Mr. Lacey in the chair.

Senate Bill No. 704 was considered in Committee of the Whole.

IN ASSEMBLY.

Mr. Lacey in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Chairman stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 704, and now report the same back to the Assembly, and recommend that the same do pass.

Speaker Coombs in the chair.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Alexander, Ames, Barnett of San Francisco, Baughman, Beecher, Bert, Brusie, Clark, Coffey, Cram, Dibble, Doty, Dow, Dunn, Durner, Eakle, Estey, Fowler, Galbraith, Garver, Hail, Harloe, Hayes, Hersey, Hocking, Hunewill, Jackson, Lacey, Lynch, Marion, Martin, Mathews, Matlock, McCall, Mordecai, Murnan, Murphy, Phillips, Robertson, Shanahan, Smith of Orange, Stabler, Steltz, Wentworth, Weston, Windrow, Young, and Mr. Speaker—49.
NOES—None.

Title read and approved.

Senate Bill No. 662—An Act making an appropriation to pay the

deficiency in the appropriation for postage, expressage, and contingent expenses of the Attorney-General, for the forty-second fiscal year.

Read second time.

MOTION.

Mr. Dibble moved that the House go into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bill No. 662.

Carried.

IN COMMITTEE OF THE WHOLE.

Speaker Coombs in the chair.

Senate Bill No. 662 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Coombs in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Speaker stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 662, and now report the same back to the Assembly, and recommend that the same do pass.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Ames, Barnett of San Francisco, Beecher, Brusie, Bryant, Cargill, Clark, Coffey, Culver, Dennis, Dibble, Doty, Dunn, Estey, Fowler, Garver, Hail, Harloe, Hayes, Heisey, Hunewill, Jackson, Lacey, Lux, Marion, Martin, Matlock, McCall, Mordecai, Murphy, Phillips, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Sturtevant, Wentworth, Weston, Windrow, Young, and Mr. Speaker—43.

NOES—None.

Title read and approved.

REPORTS OF STANDING COMMITTEES.

ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1891.

MR. SPEAKER: Your Committee on Enrollment beg leave to report that the following Assembly Bills have been correctly enrolled: Nos. 129, 588.230, 195, 293, 90, and 554—and were presented to the Governor this day at three o'clock P. M.

Also: Assembly Bills Nos. 603, 36, 720, 115, 561, 295, 493, 512, 208, and 455—and were presented to the Governor this day at four o'clock P. M.

BLEDSOE, Chairman.

ON WAYS AND MEANS AND APPROPRIATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1891.

MR. SPEAKER: Your Committee on Ways and Means and Appropriations, to whom was referred the following resolution, viz.:

Resolved, That the sum of three hundred dollars be and is hereby directed to be paid to the Chief Clerk of the Assembly out of the appropriation for the contingent expenses of the Assembly, and the Controller is hereby directed to draw his warrant for said sum upon the appropriation for the contingent expenses of the Assembly in favor of said Chief Clerk. Said sum to be distributed by said Chief Clerk to himself and to such persons who have performed and are now performing labor and rendering services in compiling the Weekly History of Assembly Bills, Constitutional Amendments, and Joint Resolutions; be it further

Resolved, That the person having such history in charge be and he is hereby directed and instructed to remain over at the State Capitol, after adjournment of the twenty-ninth session of the Legislature sine die, for a period of ten days, for the purpose of making a complete and final copy of the Assembly Weekly History, and after the same is finally printed he shall mail to each member of the Assembly and Senate five copies thereof—one of which shall be bound in pasteboard cover. For the purpose of carrying out the requirements of this resolution, the Superintendent of State Printing is hereby directed to print eight hundred copies of such final history, one hundred and fifty copies of which shall be bound in pasteboard covers. The Controller of State is hereby directed to draw his warrant for the sum of thirty ($30) dollars in favor of said Chief Clerk, payable out of the appropriation for the contingent expenses of the Assembly, for the purpose of paying the necessary postage upon such final history

Have had the same under consideration, and report the same back, and recommend that it be adopted.

DIBBLE, Chairman.

Resolution adopted.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1891.

MR. SPEAKER: Your Committee on Ways and Means and Appropriations, to whom was referred the following resolution:

Resolved, That the Minute Clerk and his assistants be and they are hereby allowed the sum of fifty-six dollars each, to be paid out of the Contingent Fund of the Assembly, for services to be rendered after the adjournment of this Assembly, in clearing up the work at the desk; and the Controller is hereby directed to draw his warrants in favor of said clerks for the above amount and the Treasurer is hereby directed to pay the same.

Report the same back, and recommend that the resolution be adopted.

DIBBLE, Chairman.

Resolution adopted.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1891.

MR SPEAKER: Your Committee on Ways and Means and Appropriations, 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 thirty-six dollars and twenty-five cents, in favor of H. J. McKusick, Sergeant-at-Arms, for the payment of the following bills:

Union Ice Co., from March first to March twenty-fifth	$12 50
C. T. Seavey, repairing desk, chairs, etc.	5 00
C. H. Rave, repairing locks	2 25
Jas. T. Cousins, hack hire	4 00
Pacific Stables, hack hire	2 50
Dan. Murphy, hack hire	2 00
M. G. Hall, cash paid for hack hire	2 50
Mrs E. Mills, washing for March	3 00
Geo. E. Shinn, for hack hire under a call of the House	2 50
Total	$36 25

Report the same back, and recommend that the resolution be adopted.

DIBBLE, Chairman.

Resolution adopted.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1891

MR SPEAKER: Your Committee on Ways and Means and Appropriations, to whom was referred the following resolution:

Resolved, That each of the attachés of the Assembly, save and except the clerks at the desk, Sergeant-at-Arms and clerks, and assistant to the Sergeant-at-Arms, be and they are hereby allowed one week's pay, payable out of the appropriation for the contingent expenses of the Assembly The Controller is hereby directed to draw his warrant in favor of each of the said attachés for the respective amounts hereby allowed them, and the Treasurer is hereby directed to pay the same.

Report the same back, and recommend that the resolution be not adopted.

DIBBLE, Chairman.

Resolution rejected.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1891.

MR. SPEAKER: Your Committee on Ways and Means and Appropriations, to whom was referred a resolution relative to the expenses incurred by John F. Brown, in the contested election case of Brown vs. Daly, as follows:

Resolved, That the sum of one thousand dollars is hereby appropriated to John F. Brown, for expenses incurred for attorney's fees, witness fees, and incidental expenses in the election contest of Brown vs. Daly, in the Twenty-ninth Assembly District, and that the Controller be and is hereby directed to draw his warrant on the Treasurer for the sum of one thousand dollars in favor of John F. Brown, and the Treasurer is hereby instructed to pay the same, payable out of the Contingent Fund of the Assembly.

Report the same back and recommend that the resolution be adopted.

DIBBLE, Chairman.

The ayes and noes were demanded by Mr. Hail, seconded by Messrs. Gordon and Baughman.

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

AYES—Messrs. Alexander, Ames, Arms, Barnett of San Francisco, Barnett of Sonoma, Beecher, Bert, Brusie, Bryant, Coffey, Culver, Daly, Dibble, Doty, Dow, Dunn, Durner, Eakle, Estey, Freeman, Galbraith, Garver, Hayes, Hersey, Johnson, Lacey, Lewis, Lux, Lynch, Marion, Martin, McCall, Mordecai, Murnan, Phillips, Robertson, Shanahan, Stabler, Steltz, Wentworth, Windrow, and Young—42.

NOES—Messrs. Baughman, Bledsoe, Gordon, Hail, Jackson, Kellogg, Smith of Orange, and Mr. Speaker—8.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1891.

MR SPEAKER: Your Committee on Ways and Means and Appropriations report the the following resolution:

Resolved, That Felix Dunn, the expert appointed February 19, 1891, on the "Text-book Question," be allowed eight days' pay in addition to the twelve days already allowed, payable out of the appropriation for contingent expenses of the Assembly.

And recommend that the resolution be adopted.

DIBBLE, Chairman.

Resolution adopted.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1891.

MR. SPEAKER: Your Committee on Ways and Means and Appropriations, to whom was referred the following resolution:

Resolved, That the Postmistress be and she is hereby authorized to remain at the Capitol for five days after the adjournment of the House, for the purpose of caring for the mail and sending the same to members and others, and that she be allowed a per diem of five dollars therefor.

Report the same back, and recommend that the resolution be adopted.

DIBBLE, Chairman.

Resolution adopted.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1891.

MR. SPEAKER: Your Committee on Ways and Means and Appropriations, to whom was referred the following resolution:

Resolved, That George A. Beecher be allowed two dollars and fifty cents per night from March 3, 1891, to the final adjournment of the twenty-ninth session of this Assembly, for lighting and attending to the gas in the Assembly Chamber. The Controller is hereby authorized to draw his warrant for the same, and the Treasurer is hereby directed to pay the same out of the appropriation for the contingent expenses of the Assembly.

Report the same back, and recommend that the resolution be adopted.

DIBBLE, Chairman.

Resolution adopted.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1891.

MR. SPEAKER: Your Committee on Ways and Means and Appropriations, to whom was referred the following resolution:

Resolved, That the State Controller is hereby directed to draw his warrant on the contingent appropriation of the Assembly for the sum of one hundred and sixty-one dollars, to pay the unpaid portion of the per diem of Hugh M. Burke, as Chief Clerk of the Committee on Ways and Means and Appropriations, as per Act of the Legislature approved by the Governor January 27, 1891, and the State Treasurer is hereby authorized to pay the same.

Report the same back, and recommend that the resolution be adopted.

DIBBLE, Chairman.

Resolution adopted.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1891.

MR. SPEAKER: Your Committee on Ways and Means and Appropriations, to whom was referred the following resolution:

Resolved, That the following named officers and attachés of the Assembly, viz.: H. J. McKusick, Sergeant-at-Arms R. P. Roper and F. X. Hernandez, Clerks to Sergeant-at-Arms; A. E. Post and Jas. Hodge, Assistants, be and they are hereby employed for the term of three days after the adjournment of the Assembly, for the purpose of finishing up the business of their office, and that they each be paid the same per diem that they now receive, and the Controller be and he is hereby directed to draw his warrants on the Treasurer for the several amounts due under this resolution, and the Treasurer be directed to pay the same out of the Contingent Fund of the Assembly.

Report the same back, and recommend that the resolution be adopted.

DIBBLE, Chairman.

Resolution adopted.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1891.

MR. SPEAKER: Your Committee on Ways and Means and Appropriations, to whom was referred the following resolution:

WHEREAS, It is impossible for the Journal Clerk and his assistants to complete the Journal of the Assembly until several days after the final adjournment: therefore, be it

Resolved, That A. F. Chapman, Journal Clerk, and A. Friedlander, Mrs. S. Burns, and J. J. McCarthy, Assistant Journal Clerks, are ordered and directed, and they are hereby employed to remain after the final adjournment of the Legislature, for the purpose of completing the writing, ruling, and comparing the Journal of the Assembly. That when so completed, he shall turn the same, together with the original minutes, and all papers in his office, over to the Secretary of State, who is hereby directed to receipt for the same; that upon the presentation of said receipt to the State Controller, the Controller shall, and he is hereby directed to draw his warrant in favor of the Journal Clerk and each of the assistants named for seven days' pay, at the regular per diem paid said officers, payable out of the appropriation for the contingent expenses of the Assembly, said amount to be in full payment for completing said work, and the Treasurer is directed to pay the same.

Report the same back, and recommend that the resolution be adopted.

DIBBLE, Chairman.

Resolution adopted.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1891.

MR. SPEAKER: Your Committee on Ways and Means and Appropriations, to whom was referred the following resolution:

WHEREAS, B. F. Currier has been employed as a Special Night Watchman for the offices of the Enrolling, Engrossing, and Journal Clerks; therefore, be it

Resolved, That the Controller be and he is hereby directed to draw his warrant in favor of said B. F. Currier, for services as said Night Watchman, at four dollars per day, from and including the first day of March to and including the last day of the session of the Legislature, payable out of the Contingent Fund of the Assembly, and the Treasurer is directed to pay the same.

Report the same back, and recommend that the resolution be adopted.

DIBBLE, Chairman.

Resolution adopted.

RESOLUTIONS.

By Mr. Phillips:

Resolved, That Mrs. W. H. Hunter, Postmistress, be and is hereby allowed the sum of fifty-six dollars, for fifty-six days from January twenty-eighth to March twenty-fifth inclusive, at one dollar per day, as per Act increasing salaries of officers and attachés of the Assembly; and the Controller is hereby directed to draw his warrant for the same, payable out of the Contingent Fund of the Assembly.

Adopted.

By Mr. Tennis:

Resolved, That the following named officers and attachés of the Assembly, viz.: H. Schwannecke, E. Diamond, M. Hale, H. S. Chappalear, E. McCoy, W. T. Fitzgerald, R. W. Scoville, J. H. Burrows, I. M. Terril, Thomas Duffy, Lewis De Vote, William Sampson, and W. P. Johnson, be and they are hereby employed for the term of three days after the adjournment of the Assembly, for the purpose of cleaning up the Assembly chamber and committee rooms, and placing them in proper condition, and that they each

be paid the same per diem that they now receive; and that the Controller be and he is hereby directed to draw his warrant on the Treasurer for the several amounts due under this resolution, and the Treasurer be directed to pay the same out of the Contingent Fund of the Assembly.

Laid on the table, on motion of Mr. Hail.

By Mr. Phillips:

Resolved, That a vote of thanks be given to George E. Shinn, the Assistant Sergeant-at-Arms of this Assembly, for the gentlemanly and efficient manner in which he has discharged the duties of his office during this session of the Legislature.

Adopted.

By Mr. Brusie:

Resolved, That the Controller is hereby directed to draw his warrant upon the Contingent Fund of the Assembly in favor of Mr. J. C. Brusie, Chairman of the Commissions Committee, in the sum of fifteen dollars, for typewriting and reporting in investigating the Commissions.

Adopted.

MOTION.

Mr. Dibble moved to take up Senate Bill No. 567.

Carried.

Senate Bill No. 567—An Act to amend section three hundred and nine of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to declaring dividends by Directors of corporations, and repealing section three hundred and nine of said Code.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Ames, Barnett of Sonoma, Baughman, Beecher, Brusie, Cargill, Coffey, Culver, Daly, Dennis, Dibble, Doty, Dow, Dunn, Durner, Eakle, Estey, Fowler, Galbraith, Garver, Hail, Harloe, Hawley, Hayes, Hersey, Hocking, Jackson, Johnson, Lewis, Lowe, Lynch, Marion, Martin, Mathews, McCall, Mordecai, Murnan, Murphy, Phillips, Robertson, Shanahan, Smith of Orange, Stabler, Windrow, Young, and Mr. Speaker—47.

NOES—Messrs. Bryant, Clark, Freeman, Gordon, Kellogg, and Smith of Butte—6.

Title read and approved.

RESOLUTIONS.

By Mr. Brusie:

Resolved, That Senate Bill No. 261 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

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

AYES—Messrs. Alexander, Ames, Barnett of Sonoma, Baughman, Beecher, Bert, Brown, Brusie, Cargill, Clark, Coffey, Cram, Culver, Daly, Dibble, Doty, Dow, Durner, Estey, Fowler, Freeman, Galbraith, Garver, Harloe, Hawley, Hayes, Hersey, Hocking, Jackson, Johnson, Lacey, Lewis, Lowe, Lux, Martin, McCall, Murnan, Shanahan, Smith of Butte, Sturtevant, Weston, Windrow, Young, and Mr. Speaker—42.

NOES—Messrs. Bryant, Hunewill, Kellogg, Lynch, Mordecai, Murphy, Robertson, Smith of Orange, and Stabler—9.

By Mr. Shanahan:

Resolved, That Hon. Frank Coombs, Speaker of this Assembly, is, upon the dissolution of this twenty-ninth session of the Legislature of the State of California, entitled to the commendation of this Assembly, for the able, honorable, and impartial manner in which he has discharged the onerous duties of Speaker of this Assembly; and further,

that he be and is hereby presented with the gavel he has wielded so efficiently and impartially during the session.

Adopted.

RECESS.

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

REASSEMBLED.

At ten o'clock P. M. the House reassembled.
Speaker Coombs in the chair.
Quorum present.

THIRD READING OF BILL.

Senate Bill No. 330—An Act to amend sections one, nine, and seventeen of "An Act to provide for the erection and management of a State Hospital for the Insane, to be located in Southern California," approved March 11, 1889.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Barnard, Barnett of San Francisco, Barnett of Sonoma, Beecher, Bert, Bledsoe, Brown, Bruner, Brusie, Cargill, Coffey, Cram, Culver, Daly, Dennis, Dibble, Doty, Dunn, Durner, Eakle, Estey, Freeman, Galbraith, Garver, Glynn, Harloe, Hawley, Hersey, Hocking, Hunewill, Jackson, Johnson, Kellogg, Lacey, Lewis, Lowe, Lux, Lynch, Marion, Martin, Matlock, Mordecai, Renfro, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Weston, Young, and Mr. Speaker—54.

NOES—Messrs. Bryant, Fowler, Hail, Phillips, and Wentworth—5.

Title read and approved.

RESOLUTION.

By Mr. Bledsoe:

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant in favor of William Hall, Clerk of the Board of Police Commissioners of San Francisco, for the sum of sixteen dollars and eighty cents, mileage, to be paid out of the Contingent Fund of the Assembly.

Adopted.

APPROVAL OF JOURNAL.

Journal of yesterday corrected and approved.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 25, 1891.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, concurred in Assembly amendments to Senate Bill No. 567.

F. J. BRANDON, Secretary.

MOTION.

Mr. Young moved to take up Senate Bill No. 62—An Act for the relief of Patrick Creighton.

Lost, on division.

MOTION TO RECONSIDER.

Mr. Robertson moved to reconsider the vote whereby Senate Bill No. 295 was lost.

PREVIOUS QUESTION.

Pending discussion, the previous question was demanded by Mr. Hail, seconded by Messrs. Bruner and Robertson.

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

The question being upon the motion to reconsider.

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

AYES—Messrs. Ames, Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Bert, Brown, Bruner, Brusie, Bryant, Cargill, Coffey, Culver, Daly, Dennis, Dibble, Doty, Dow, Dunn, Eakle, Galbraith, Hail, Harloe, Hawley, Hersey, Hocking, Hoey, Jackson, Johnson, Lacey, Lewis, Lowe, Lux, Lynch, Martin, Murphy, Robertson, Smith of Butte, Stabler, Weston, Windrow, Young, and Mr. Speaker—43.

NOES—Messrs. Baughman, Beecher, Bledsoe, Cram, Durner, Estey, Fowler, Freeman, Kellogg, Matlock, Mordecai, Shanahan, and Sturtevant—13.

Mr. Shanahan in the chair.

Senate Bill No. 295—An Act to provide for the purchase of a portrait of ex-Governor Waterman by the State Board of Examiners, and to appropriate money therefor.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alexander, Ames, Arms, Barnett of San Francisco, Barnett of Sonoma, Bert, Brown, Bruner, Brusie, Bryant, Cargill, Coffey, Culver, Daly, Dennis, Dibble, Doty, Dow, Dunn, Eakle, Galbraith, Hail, Harloe, Hawley, Hersey, Hocking, Hoey, Hunewill, Jackson, Johnson, Lacey, Lowe, Lux, Lynch, Martin, McCall, Robertson, Smith of Butte, Stabler, Steltz, Wentworth, Weston, Windrow, Young, and Mr. Speaker—45.

NOES—Messrs. Baughman, Beecher, Bledsoe, Durner, Estey, Fowler, Freeman, Matlock, Mordecai, Shanahan, and Sturtevant—11.

Title read and approved.

RESOLUTIONS.

By Mr. Coombs:

Resolved, That A. L. Rossi be and he is hereby allowed four dollars for half day's pay as assistant in Enrolling Clerk's office.

Adopted.

By Mr. Clark:

Resolved, That the members of this Assembly, and the attachés thereof, hereby tender to Rev. A. C. Herrick, the Chaplain of this body, their most sincere thanks and well wishes for the sincere and Christian-like manner with which he has discharged the duties of Chaplain to this body.

Adopted.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 25, 1891.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, concurred in Assembly amendments to Senate Bill No. 330.

F. J. BRANDON, Secretary.

REPORTS OF STANDING COMMITTEES.

ON WAYS AND MEANS AND APPROPRIATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1891.

MR. SPEAKER: Your Committee on Ways and Means and Appropriations have had the following resolution under consideration, and report and recommend that the same be adopted, viz.:

WHEREAS, Section two hundred and sixty-one of the Political Code requires the Chief

Clerk and Assistant Clerks of the Assembly, at the close of each session of the Legislature, to mark, label, and arrange all bills and papers of the Assembly, and deliver them, together with all of the books and archives of the Assembly, to the Secretary of State, who must certify to the reception of the same, and whereas, section two hundred and sixty-nine of said Political Code provides that each of said officers shall receive a compensation of fifty dollars for said services; and whereas, the appropriation for the pay of officers provides for the payment of three of said clerks; therefore, be it

Resolved, That the Controller be and he is hereby directed and authorized to draw his warrant for the sum of fifty dollars in favor of Ed. J. Smith, Assistant Clerk, and the Treasurer is hereby directed to pay the same, said warrant to be drawn upon and payable out of the appropriation for the contingent expenses of the Assembly.

DIBBLE, Chairman.

Resolution adopted.

ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1891.

MR. SPEAKER: Your Committee on Enrollment beg leave to report that the following Assembly Bills have been correctly enrolled: Nos. 87, 18, 759, 583, 611, 78, 193, 589, 500, 555, 691, 736, 507, 501, 740, and 760—and were presented to the Governor this day.

BLEDSOE, Chairman.

FINAL REPORT OF COMMITTEE ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1891.

MR. SPEAKER: Your Committee on Enrollment beg leave to make their final report, and hereby report that the following Assembly Bills have been correctly enrolled: Nos. 238 and 685—and were presented to the Governor this day.

BLEDSOE, Chairman.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 25, 1891.

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

Resolved by the Senate, the Assembly concurring, That a committee of three be appointed by the Senate to act with a like committee from the Assembly to wait upon the Governor and ask if there be any message which the Executive desires to communicate to the Legislature prior to its adjournment sine die.

F. J. BRANDON, Secretary.

Resolution adopted.

APPOINTMENT OF COMMITTEE.

The Speaker appointed as such committee, in accordance with above resolution, Messrs. Phillips, Shanahan, and Baughman.

RESOLUTION.

By Mr. Hail:

Resolved, That the thanks of the House be extended to the Sergeant-at-Arms, Assistant Sergeant-at-Arms, and their clerks, the Chief Clerk and the clerks at the desk and Assistants, and the Journal Clerk and assistants, for the efficient manner in which they have discharged their duties and for the courtesy they have extended the members.

Adopted.

REPORT OF SPECIAL COMMITTEE.

MR. SPEAKER: Your committee appointed to wait upon the Governor and ascertain if he had any further communication to make to this body, in accordance with Senate Concurrent Resolution, beg leave to report that, together with a like committee from the Senate, they waited upon the Governor, who said he desired to thank the members of this body for their uniform courtesy during the session, and that he had no further communication to make.

PHILLIPS,
BAUGHMAN,
SHANAHAN,
Committee.

MOTION.

Mr. Galbraith moved that a committee of three be appointed by the Speaker to wait upon the Senate and state that the Assembly is ready to adjourn, and ask if the Senate has any further communication to make to the Assembly.

Carried.

APPOINTMENT OF COMMITTEE.

The Speaker appointed as a committee in accordance with above motion, Messrs. Galbraith, Murnan, and Kelliogg.

COMMITTEE FROM SENATE.

A committee, consisting of Senators Fraser, Britt, and Ragsdale, appeared at the bar of the House and stated that the Senate was ready to adjourn, and asked if the Assembly had any further communication to make to that body.

REPORT OF ASSEMBLY COMMITTEE.

The committee, consisting of Messrs. Galbraith, Murnan, and Kellogg, appeared at the bar of the House and stated that they had waited upon the Senate; that the Senate had no further message to the Assembly, and that the Senate now stands adjourned.

READING OF THE JOURNAL.

The Journal of to-day was read and approved.

ADJOURNMENT SINE DIE.

At twelve o'clock P. M. the Speaker delivered a valedictory; and after a benediction by the Chaplain, declared the Assembly adjourned sine die.

CLOSING ADDRESS OF THE SPEAKER.

GENTLEMEN OF THE HOUSE: This Legislature convened at a time when the country was undergoing a political revolution. This was evidenced in the formation of new parties, upon new and distinct platforms. These revolutions of political sentiment arise from good causes, and make the people more critical with reference to the acts of their servants. Hence, this Legislature has had to deal with public questions at a time when the anticipations of the people were aroused to an unusual degree, and when their judgment was unusually critical. The life of this Legislature will be written in the Statute Books, and will become a part of the history of the commonwealth. In the absence of bad and in the presence of good laws, it will compare favorably with any Legislature which has met for many years. It has given the State an entirely new ballot law, which has been demanded by the people. It is as perfect, perhaps, as any radical change could be. Its operation will disclose its defects, should it have any, and the future will remedy them. It is hoped that it will lead to great political reforms. It has enacted a new road law which should save the several counties thousands of dollars annually, and place the care and management of our public highways in the hands of those most interested. It has given the State a new tax law whereby the people are enabled to pay their taxes semi-annually, rendering it easier for the taxpayer, and relieving the stringency in the money market brought about under the present system. This Legislature has failed in abolishing useless Commissions. It is not to be wondered at, as the tendency of the times is to create more Commissions. This Legislature battled with the question, and it is to be hoped that its efforts may attract public attention to the matter, and that future Legislatures may succeed in doing away with appurtenances that are costly and of no good to the Government. All reforms come from the people, and from this source only can this

reform be accomplished. There is something radically wrong about our system. The different agents of the State are vested with too much power in managing the affairs pertaining to their several offices. Deficiency bills are founded upon a wrong principle, and generally rise from the fact that the officers of the State have exceeded their authority. This Legislature has submitted to the people a proposed constitutional amendment which, if adopted, will, in a measure, check some of the extravagance brought about by careless public servants. Gentlemen, the Legislature has been economically managed. It would have been difficult to have made a further reduction in the force of its attachés. The reform in this line is manifest in the contingent expenses of the Assembly. The growing needs of the country require larger amounts for the support of the Government. Notwithstanding this, the present Legislature has been more economical than its predecessors, and has kept within the fifty-cent limit. In all these things it can go to the people with the expectation of being supported, and after awhile, when it will be judged with reference to the questions which were before the people at the last election, it will in the end be commended. I now declare this House adjourned sine die.

FRANK L. COOMBS,
Speaker.

H. A. MASON,
Chief Clerk.

W. J. RANDALL,
Minute Clerk.

A. F. CHAPMAN,
Journal Clerk.