

CALIFORNIA LEGISLATURE—ASSEMBLY.

THIRTY-FIRST SESSION.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Monday, January 7, 1895. }

Pursuant to the Constitution, at the hour of twelve o'clock M. the Assembly of the thirty-first session of the Legislature of the State of California was called to order by George W. Peckham, Chief Clerk of the Assembly.

PRAYER.

Prayer was offered by Rev. A. C. Herrick.

RESOLUTION.

By Mr. Pendleton:

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

Adopted.

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. Matt. F. Johnson, Judge of the Superior Court of Sacramento County:

I do solemnly swear that I will support the Constitution of the United States of America and the Constitution of the State of California, and will faithfully discharge the duties of Member of the Assembly of the thirty-first session of the California Legislature to the best of my ability.

First District—Del Norte and Siskiyou: E. S. Tomblin.

Second District—Humboldt: A. J. Bledsoe.

Third District—Humboldt: D. J. Johnson

Fourth District—Trinity and Tehama: D. G. Reid.

Fifth District—Modoc and Shasta: James T. Laird.

Sixth District—Lassen, Plumas, and Sierra: E. V. Spencer.

Seventh District—Butte: F. R. Stansell.

Eighth District—Sutter and Yuba: Wm. M. Cutter.

Ninth District—Mendocino: J. B. Sanford.

Tenth District—Colusa, Glenn, and Lake: William Ash.

Eleventh District—Yolo: H. W. Laugenour.

Twelfth District—Nevada: Richard I. Thomas.

Thirteenth District—Placer: A. P. Hall.

Fourteenth District—El Dorado: Chas. A. Swisler.

Fifteenth District—Amador: James H. Tibbits.

Sixteenth District—Sonoma: Walter F. Price.

Seventeenth District—Sonoma: W. S. Staley.

Eighteenth District—Napa: Owen Wade.

Nineteenth District—Solano: J. M. Bassford.

Twentieth District—Sacramento: Judson Brusie.

Twenty-first District—Sacramento: L. T. Hatfield.
Twenty-second District—Sacramento: John E. Butler.
Twenty-third District—Marin: James H. Wilkins.
Twenty-fourth District—Contra Costa: C. M. Belshaw.
Twenty-fifth District—San Joaquin: Edward Jones.
Twenty-sixth District—San Joaquin: T. A. Nelson.
Twenty-seventh District—Calaveras: Willis Dunbar.
Twenty-eighth District—San Francisco: H. Healey.
Twenty-ninth District—San Francisco: J. D. Coghlín.
Thirtieth District—San Francisco: J. O'Day.
Thirty-first District—San Francisco: J. J. Wilkinson.
Thirty-second District—San Francisco: J. F. Twigg.
Thirty-third District—San Francisco: L. J. Dwyer.
Thirty-fourth District—San Francisco: M. A. Devine.
Thirty-fifth District—San Francisco: Calvin Ewing.
Thirty-sixth District—San Francisco: J. McCarthy.
Thirty-seventh District—San Francisco: Geo. W. Dixon.
Thirty-eighth District—San Francisco: Marcus Lewis.
Thirty-ninth District—San Francisco: H. G. W. Dinkelspiel.
Fortieth District—San Francisco: S. M. Bettman.
Forty-first District—San Francisco: Frank H. Powers.
Forty-second District—San Francisco: Isaac M. Merrill.
Forty-third District—San Francisco: William T. Boothby.
Forty-fourth District—San Francisco: Louis P. Zocchi.
Forty-fifth District—San Francisco: James Devitt.
Forty-sixth District—Alameda: F. R. Fassett.
Forty-seventh District—Alameda: J. A. Waymire.
Forty-eighth District—Alameda: Robert Gay.
Forty-ninth District—Alameda: J. B. McDonald.
Fiftieth District—Alameda: H. H. North.
Fifty-first District—Alameda: C. G. Dodge.
Fifty-second District—San Mateo: T. Guy Phelps.
Fifty-third District—Santa Cruz: B. S. Osborn.
Fifty-fourth District—Santa Clara: Cyrus P. Berry.
Fifty-fifth District—Santa Clara: J. D. Kelsey.
Fifty-sixth District—Santa Clara: Walter A. Meads.
Fifty-eighth District—Tuolumne and Mariposa: Charles A. Holland.
Fifty-ninth District—San Benito: Charles G. Cargill.
Sixtieth District—Alpine, Inyo, and Mono: Cyrus Coleman.
Sixty-first District—Monterey: W. G. Hudson.
Sixty-second District—Fresno: W. F. Rowell.
Sixty-third District—Fresno: N. L. F. Bachman.
Sixty-fourth District—Tulare: J. W. Davis.
Sixty-fifth District—Tulare: D. V. Robinson.
Sixty-sixth District—Kern: R. C. Dale.
Sixty-seventh District—San Luis Obispo: J. H. Glass.
Sixty-eighth District—Santa Barbara: James L. Barker.
Sixty-ninth District—Ventura: Peter Bennett.
Seventieth District—Los Angeles: Henry G. Weyse.
Seventy-first District—Los Angeles: Orlando H. Huber.
Seventy-second District—Los Angeles: Brewster C. Kenyon.
Seventy-third District—Los Angeles: William Llewellyn.
Seventy-fourth District—Los Angeles: Cornelius W. Pendleton.
Seventy-fifth District—Los Angeles: Robert N. Bulla.
Seventy-sixth District—Orange: Charles S. McKelvey.
Seventy-seventh District—Riverside: Edwin W. Freeman.
Seventy-eighth District—San Bernardino: John C. Lynch.
Seventy-ninth District—San Diego: W. R. Guy.
Eightieth District—San Diego: Alfred Keen

CLERKS.

Chief Clerk George W. Peckman, Minute Clerk Isadore Alexander, and Sergeant-at-Arms Thomas E. Healy were present, in accordance with the terms of the statute.

APPOINTMENTS.

The Chief Clerk appointed the following attachés, not included in the list of statutory officers, which were necessary to transact the business of temporary organization:

H. A. Mason, E. J. Pringle, Jr, Myron Yager	Assistant Clerks.
Mrs. R. Elliott	Postmistress.
Lottie Rothschild	Assistant Postmistress.
John Tatum, Alex. McCabe	Assistant Minute Clerks.
Jas. Neil	Engrossing Clerk.
F. B. Mulgrew	Enrolling Clerk.
Frank Anaya	Journal Clerk.
E. L. McAdams	Assistant Journal Clerk.
C. H. McGreevey	Clerk to Sergeant-at-Arms.
M. H. Mead	Bookkeeper to Sergeant-at-Arms.
M. J. O'Donnell	Assistant Sergeant-at-Arms.
John W. Wise	Assistant Sergeant-at-Arms.
A. Beckett	Doorkeeper.
Geo. Dunn, H. H. Johnson, Jos. Devine	Gatekeepers.
H. Thomas, W. Saunders, W. Lynch, L. Walthall	Pages.
John Kofford	Head Porter.
John Cramer	Cloak-Room Porter.
Martin Steinmetz, John H. Ryan, L. C. Robinson	Porters.
John Wilkins	Rear Porter.
John Lea	Gallery Porter.
C. P. Kearney, Charles Lansing, E. P. Beaton, J. Dunnegan	Watchmen.
Franke Hinturs	Mail Carrier.
Wm. Wickes	Gasman.
James Kane	Messenger to State Printer.

RESOLUTION.

By Mr. Brusie:

Resolved, That the standing rules of the thirtieth session, as the same were first adopted, and without the subsequent amendments thereto, be and they are hereby adopted as the rules of this House until otherwise ordered, with the following changes, to wit: the figures "1895" shall be inserted instead of "1893" in the second line of the first rule, and the words "majority vote of the House" shall be inserted instead of the words "vote of the House."

Adopted.

ELECTION OF SPEAKER.

The Chief Clerk announced that nominations for Speaker were in order.

Mr. Brusie nominated Mr. John C. Lynch, of San Bernardino.

Mr. Reid nominated Mr. N. L. F. Bachman, of Fresno.

The roll was called, with the following result:

For Lynch—Messrs. Ash, Bachman, Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Boothby, Brusie, Bulla, Butler, Cargill, Coleman, Cutter, Dale, Davis, Devitt, Dinkelspiel, Dixon, Dodge, Dunbar, Ewing, Fassett, Freeman, Gay, Glass, Guy, Hall, Hatfield, Huber, Hudson, Johnson, Jones, Keen, Kelsey, Kenyon, Laird, Lewis, Llewellyn, Meads, McKelvey, Merrill, Nelson, North, Osborn, Pendleton, Phelps, Powers, Price, Rowell, Staley, Stansell, Spencer, Swisler, Tibbits, Thomas, Tomblin, Wade, Waymire, Weyse, Wilkinson, and Zocchi

For Bachman—Messrs. Devine, Dwyer, Healey, Laugenour, Lynch, McCarthy, McDonald, O'Day, Reid, Robinson, Sanford, Twigg, and Wilkins.

Whole number of votes cast	76
Necessary to a choice	41
Mr. Lynch received	63
Mr. Bachman received	13

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

MOTION.

Mr. Powers moved that a committee of three be appointed to escort Mr. Lynch to the chair.

So ordered.

APPOINTMENT OF COMMITTEE.

The Chief Clerk appointed as such committee Messrs. Powers, Dodge, and Bachman.

OATH OF OFFICE.

Mr. Lynch was escorted to the desk and took the following oath of office, administered by the Chief Clerk:

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 Speaker of the Assembly of the thirty-first session of the California Legislature to the best of my ability.

Speaker Lynch in the chair.

ELECTION OF SPEAKER PRO TEM.

Nominations for Speaker pro tem. were declared in order.

Mr. Phelps nominated Mr. E. V. Spencer, of Lassen.

Mr. Dwyer nominated Mr. M. A. Devine, of San Francisco.

The roll was called, with the following result:

For Spencer—Messrs. Ash, Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Brusie, Bulla, Butler, Cargill, Coleman, Cutter, Dale, Davis, Devitt, Devine, Dinkelspiel, Dixon, Dodge, Dunbar, Ewing, Fassett, Freeman, Gay, Glass, Guy, Hall, Hatfield, Huber, Hudson, Johnson, Jones, Keen, Kelsey, Kenyon, Laird, Lewis, Llewellyn, Meads, McKelvey, Merrill, Nelson, North, Osborn, Pendleton, Phelps, Powers, Price, Rowell, Staley, Stansell, Swisler, Tibbits, Thomas, Tomblin, Wade, Waymire, Weyse, Wilkinson, Zocchi, and Mr. Speaker.

For Devine—Messrs. Bachman, Coghlin, Dwyer, Healey, Holland, Laugenour, McCarthy, McDonald, O'Day, Reid, Sanford, Twigg, and Wilkins.

Whole number of votes cast.....	75
Necessary to a choice	41
Mr. Spencer received	62
Mr. Devine received.....	13

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

APPOINTMENT OF COMMITTEE.

The Speaker appointed Messrs. Phelps, Powers, and Devine a committee to escort the Speaker pro tem. to the desk.

OATH OF OFFICE.

The oath of office was administered to the Speaker pro tem. by the Speaker, as follows:

You do solemnly swear that you will support the Constitution of the United States and the Constitution of the State of California, and will faithfully discharge the duties of Speaker pro tem. of the Assembly of the thirty-first session of the California Legislature to the best of your ability.

ADJOURNMENT.

At one o'clock and forty-five minutes P. M., on motion of Mr. Pendleton, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Tuesday, January 8, 1895.)

The Assembly met pursuant to adjournment.

Speaker Lynch in the chair.

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

Messrs. Ash, Bachman, Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Bledsoe, Bulla, Cargill, Coleman, Coghlin, Cutter, Dale, Davis, Devine, Dinkelspiel, Dixon, Dodge, Dunbar, Dwyer, Ewing, Fassett, Freeman, Gay, Glass, Guy, Hall, Hatfield, Healey, Holland, Huber, Hudson, Johnson, Jones, Keen, Kelsey, Kenyon, Laird, Laugenour, Lewis, Llewellyn, Meads, McCarthy, McDonald, McKelvey, Merrill, Nelson, North, O'Day, Osborn, Pendleton, Phelps, Powers, Price, Reid, Robinson, Rowell, Sanford, Staley, Stansell, Spencer, Swisler, Tibbits, Thomas, Tomblin, Wade, Waymire, Weyse, Wilkinson, Zocchi, and Mr. Speaker.

Quorum present.

PRAYER.

Prayer was offered by Rev. O. Summers.

OATH OF OFFICE.

Mr. L. A. Richards, member-elect from the Fifty-seventh District, appeared and duly qualified by taking the following oath of office, administered by the Speaker:

I do solemnly swear that I will support the Constitution of the United States of America and the Constitution of the State of California, and will faithfully discharge the duties of Member of the Assembly of the thirty-first session of the California Legislature to the best of my ability.

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

ELECTION OF CHIEF CLERK.

Nominations for Chief Clerk were declared in order.

Mr. Dodge nominated S. J. Duckworth, of Monterey.

Mr. Bachman nominated George W. Peckham, of San José.

The roll was called, with the following result:

For Duckworth—Messrs. Ash, Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Brusie, Bulla, Butler, Cargill, Coleman, Dale, Davis, Devitt, Dinkelspiel, Dixon, Dodge, Dunbar, Ewing, Fassett, Freeman, Gay, Glass, Guy, Hall, Hatfield, Huber, Hudson, Johnson, Jones, Kelsey, Kenyon, Laird, Lewis, Llewellyn, Meads, McKelvey, Merrill, Nelson, North, Osborn, Pendleton, Phelps, Powers, Price, Richards, Rowell, Staley, Stansell, Spencer, Swisler, Tibbits, Tomblin, Wade, Waymire, Weyse, Wilkinson, Zocchi, and Mr. Speaker.

For Peckham—Messrs. Bachman, Coghlin, Devine, Dwyer, Healey, Holland, Laugenour, McCarthy, McDonald, O'Day, Reid, Robinson, Sanford, Twigg, and Wilkins.

Whole number of votes cast.....	75
Necessary to a choice.....	38
Mr. Duckworth received.....	60
Mr. Peckham received.....	15

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

ELECTION OF SERGEANT-AT-ARMS.

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

Mr. Dixon nominated George C. Parkinson.

Mr. Bachman nominated Thomas E. Healy.

The roll was called, with the following result:

For Parkinson—Messrs. Ash, Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Boothby, Brusie, Bulla, Butler, Cargill, Coleman, Cutter, Dale, Davis, Devitt, Dinkelspiel, Dixon, Dodge, Dunbar, Ewing, Fassett, Freeman, Gay, Glass, Guy, Hall, Hatfield, Huber, Hudson, Johnson, Jones, Keen, Kelsey, Kenyon, Laird, Lewis, Llewellyn, Meads, McKelvey, Merrill, Nelson, North, Osborn, Pendleton, Phelps, Powers, Price, Richards, Rowell, Staley, Stansell, Spencer, Swisler, Tibbits, Tomblin, Wade, Waymire, Weyse, Wilkinson, Zocchi, and Mr. Speaker.

For Healy—Messrs. Bachman, Coghlin, Devine, Dwyer, Healey, Holland, Laugenour, McCarthy, McDonald, O'Day, Reid, Robinson, Sanford, Twigg, and Wilkins.

Whole number of votes cast.....	78
Necessary to a choice.....	40
Mr. Parkinson received.....	63
Mr. Healy received.....	15

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

ELECTION OF ASSISTANT CLERKS.

Nominations for two Assistant Clerks were declared in order.

Mr. Powers nominated Andrew Branch.

Mr. Meads nominated John Varcoe.

Mr. Bachman nominated Myron Yager and E. J. Pringle, Jr.

The roll was called, with the following result:

For Branch and Varcoe—Messrs. Ash, Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Boothby, Brusie, Bulla, Butler, Cargill, Coleman, Cutter, Dale, Davis, Devitt, Dinkelspiel, Dixon, Dodge, Dunbar, Ewing, Fassett, Freeman, Gay, Glass, Guy, Hall, Hatfield, Huber, Hudson, Johnson, Jones, Keen, Kelsey, Kenyon, Laird, Lewis, Llewellyn, Meads, McKelvey, Merrill, Nelson, North, Osborn, Pendleton, Phelps, Powers, Price, Richards, Rowell, Staley, Stansell, Spencer, Swisler, Tibbits, Thomas, Tomblin, Wade, Waymire, Weyse, Wilkinson, Zocchi, and Mr. Speaker.

For Yager and Pringle—Messrs. Bachman, Coghlin, Devine, Dwyer, Healey, Holland, Laugenour, McCarthy, McDonald, O'Day, Reid, Robinson, Sanford, Twigg, and Wilkins.

Whole number of votes cast.....	79
Necessary to a choice.....	41
Mr. Branch received.....	64
Mr. Varcoe received.....	64
Mr. Yager received.....	15
Mr. Pringle received.....	15

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

ELECTION OF ASSISTANT SERGEANT-AT-ARMS.

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

Mr. Brusie nominated W. N. Lamphrey.

Mr. Bachman nominated J. W. Wise.

The roll was called, with the following result:

For Lamphrey—Messrs. Ash, Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Boothby, Brusie, Bulla, Butler, Cargill, Coleman, Cutter, Dale, Davis, Devitt, Dinkelspiel, Dixon, Dodge, Dunbar, Ewing, Fassett, Freeman, Gay, Glass, Guy, Hall, Hatfield, Huber, Hudson, Johnson, Jones, Keen, Kelsey, Kenyon, Laird, Lewis, Llewellyn, Meads,

McKelvey, Merrill, Nelson, North, Osborn, Pendleton, Phelps, Price, Richards, Rowell, Staley, Stansell, Spencer, Swisler, Tibbits, Tomblin, Wade, Waymire, Weyse, Wilkinson, Zocchi, and Mr. Speaker.

For Wise—Messrs. Bachman, Coghlin, Devine, Dwyer, Healey, Holland, Laugenour, McCarthy, McDonald, O'Day, Reid, Robinson, Sanford, Twigg, and Wilkins.

Whole number of votes cast.....	77
Necessary to a choice.....	39
Mr. Lamphrey received.....	62
Mr. Wise received.....	15

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

ELECTION OF MINUTE CLERK.

Nominations for Minute Clerk were declared in order.

Mr. Bachman nominated Isadore Alexander.

Mr. McKelvey nominated R. Q. Wickham.

The roll was called, with the following result:

For Wickham—Messrs. Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Boothby, Brusie, Bulla, Butler, Cargill, Coleman, Cutter, Dale, Davis, Devitt, Dinkelspiel, Dixon, Dodge, Dunbar, Ewing, Fassett, Freeman, Gay, Glass, Guy, Hatfield, Huber, Hudson, Johnson, Keen, Kelsey, Kenyon, Laird, Lewis, Llewellyn, Meads, McKelvey, Nelson, North, Osborn, Pendleton, Phelps, Powers, Price, Rowell, Staley, Stansell, Spencer, Swisler, Tibbits, Thomas, Tomblin, Wade, Waymire, Weyse, Wilkinson, and Mr. Speaker.

For Alexander—Messrs. Bachman, Coghlin, Devine, Dwyer, Healey, Holland, Laugenour, McCarthy, McDonald, O'Day, Reid, Richards, Robinson, Sanford, Twigg, and Wilkins.

Whole number of votes cast.....	74
Necessary to a choice.....	38
Mr. Wickham received.....	58
Mr. Alexander received.....	16

Mr. Wickham 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. Thomas nominated Arthur L. Fisher.

Mr. Bachman nominated Frank Anaya.

The roll was called, with the following result:

For Fisher—Messrs. Ash, Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Boothby, Brusie, Bulla, Butler, Cargill, Coleman, Dale, Davis, Devitt, Dinkelspiel, Dixon, Dodge, Dunbar, Ewing, Fassett, Freeman, Gay, Glass, Guy, Hall, Hatfield, Huber, Hudson, Johnson, Jones, Keen, Kelsey, Kenyon, Laird, Lewis, Llewellyn, Meads, McKelvey, Merrill, Nelson, North, Osborn, Pendleton, Phelps, Powers, Price, Rowell, Staley, Stansell, Spencer, Swisler, Tibbits, Thomas, Tomblin, Wade, Waymire, Weyse, Wilkinson, Zocchi, and Mr. Speaker.

For Anaya—Messrs. Bachman, Coghlin, Devine, Dwyer, Healey, Holland, Laugenour, McCarthy, McDonald, O'Day, Reid, Robinson, Sanford, Twigg, and Wilkins.

Whole number of votes cast.....	77
Necessary to a choice.....	39
Mr. Fisher received.....	62
Mr. Anaya received.....	15

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

ELECTION OF ENROLLING CLERK.

Nominations for Enrolling Clerk were declared in order.

Mr. Hatfield nominated Herbert A. Kidder.

Mr. Bachman nominated Felix Mulgrew.

The roll was called, with the following result:

For Kidder—Messrs. Ash, Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Brusie, Bulla, Butler, Cargill, Coleman, Dale, Davis, Devitt, Dixon, Dodge, Dunbar, Ewing, Fassett, Freeman, Gay, Glass, Guy, Hall, Hatfield, Huber, Hudson, Johnson, Jones, Keen, Kelsey, Kenyon, Laird, Lewis, Llewellyn, Meads, McKelvey, Merrill, Nelson, North, Osborn, Pendleton, Phelps, Powers, Price, Richards, Rowell, Staley, Stansell, Spencer, Swisler, Tibbits, Thomas, Tomblin, Wade, Waymire, Weyse, Wilkinson, Zocchi, and Mr. Speaker.

For Mulgrew—Messrs. Bachman, Coghlin, Devine, Dwyer, Healey, Holland, Laugenour, McCarthy, McDonald, O'Day, Reid, Robinson, Sanford, Twigg, and Wilkins.

Whole number of votes cast.....	76
Necessary to a choice.....	39
Mr. Kidder received.....	61
Mr. Mulgrew received.....	15

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

ELECTION OF ENGROSSING CLERK.

Nominations for Engrossing Clerk were declared in order.

Mr. Bulla nominated T. E. Atkinson.

Mr. Bachman nominated James Neil.

The roll was called, with the following result:

For Atkinson—Messrs. Ash, Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Boothby, Bulla, Butler, Cargill, Coleman, Dale, Davis, Devitt, Dinkelspiel, Dixon, Dodge, Dunbar, Ewing, Fassett, Freeman, Gay, Glass, Guy, Hall, Hatfield, Huber, Hudson, Johnson, Jones, Keen, Kelsey, Kenyon, Laird, Lewis, Llewellyn, Meads, McKelvey, Merrill, North, Osborn, Pendleton, Phelps, Powers, Price, Richards, Rowell, Staley, Stansell, Spencer, Swisler, Tibbits, Tomblin, Wade, Waymire, Weyse, Wilkinson, Zocchi, and Mr. Speaker.

For Neil—Messrs. Bachman, Coghlin, Devine, Dwyer, Healey, Holland, Laugenour, McCarthy, McDonald, O'Day, Reid, Robinson, Sanford, Twigg, and Wilkins.

Whole number of votes cast.....	75
Necessary to a choice.....	38
Mr. Atkinson received.....	60
Mr. Neil received.....	15

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

ELECTION OF POSTMISTRESS.

Nominations for Postmistress were declared in order.

Mr. Powers nominated Miss Carrie Brown.

Mr. Bachman nominated Mrs. R. Elliot.

The roll was called, with the following result:

For Brown—Messrs. Ash, Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Boothby, Bulla, Butler, Cargill, Coleman, Dale, Davis, Devitt, Dinkelspiel, Dodge, Dunbar, Ewing, Fassett, Freeman, Gay, Glass, Guy, Hall, Hatfield, Huber, Hudson, Johnson, Jones, Kelsey, Kenyon, Laird, Lewis, Llewellyn, Meads, McKelvey, Merrill, North, Osborn, Pendleton, Phelps, Powers, Price, Richards, Rowell, Staley, Spencer, Swisler, Tibbits, Tomblin, Wade, Waymire, Weyse, Wilkinson, Zocchi, and Mr. Speaker.

For Elliot—Messrs. Bachman, Coghlin, Devine, Dwyer, Healey, Holland, Laugenour, McCarthy, McDonald, O'Day, Reid, Robinson, Sanford, Twigg, and Wilkins.

Whole number of votes cast.....	72
Necessary to a choice	37
Miss Brown received	57
Mrs. Elliot received.....	15

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

ELECTION OF ASSISTANT POSTMISTRESS.

Nominations for Assistant Postmistress were declared in order.

Mr. Hall nominated Miss Eva McKay.

Mr. Bachman nominated Miss Lottie Rothschild.

The roll was called, with the following result:

For McKay—Messrs. Ash, Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Brusie, Bulla, Butler, Cargill, Coleman, Dale, Davis, Devitt, Dinkelspiel, Dixon, Dodge, Dunbar, Ewing, Fassett, Freeman, Gay, Glass, Guy, Hall, Hatfield, Huber, Hudson, Johnson, Jones, Kelsey, Kenyon, Laird, Lewis, Meads, McKelvey, Merrill, North, Osborn, Pendleton, Phelps, Powers, Price, Richards, Rowell, Staley, Stansell, Spencer, Swisler, Tibbits, Thomas, Tomblin, Wade, Waymire, Weyse, Zocchi, and Mr. Speaker.

For Rothschild—Messrs. Bachman, Coghlin, Devine, Dwyer, Healey, Holland, Keen, Laugenour, McCarthy, McDonald, O'Day, Reid, Robinson, Sanford, Twigg, and Wilkins.

Whole number of votes cast	73
Necessary to a choice	37
Miss McKay received	57
Miss Rothschild received	16

Miss McKay having received a majority of all the votes cast, was declared elected Assistant Postmistress of the Assembly.

RESOLUTION.

By Mr. Pendleton:

Resolved, That each of the elected officers of the Assembly, as now appears on the records, be and they are hereby requested to appear before the bar of the Assembly and take the oath of office.

Adopted.

OATH OF OFFICE.

The following officers-elect now came forward and took the oath of office, as follows:

We do solemnly swear that we will support the Constitution of the United States of America and the Constitution of the State of California, and that we will faithfully discharge the duties of the office to which we have been elected in the thirty-first session of the Assembly of the California Legislature, according to the best of our ability. So help us God.

S. J. DUCKWORTH, Chief Clerk.
 ANDY BRANCH, Assistant Clerk.
 JOHN VARCOE, Assistant Clerk
 GEO. C. PARKINSON, Sergeant-at-Arms.
 BERT KIDDER, Enrolling Clerk.
 T. E. ATKINSON, Engrossing Clerk.
 ARTHUR L. FISHER, Journal Clerk.
 R. Q. WICKHAM, Minute Clerk.

RESOLUTIONS.

By Mr. Dodge :

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

By Mr. Swisler :

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

J. C. Lynch	.....	Speaker.
E. V. Spencer	.....	Speaker pro tem.
S. J. Duckworth	.....	Chief Clerk.
George C. Parkinson	.....	Sergeant-at-Arms.
W. N. Lamphrey	.....	Assistant Sergeant-at-Arms.
Andrew Branch	.....	Assistant Clerk.
John Varcoe	.....	Assistant Clerk.
R. Q. Wickham	.....	Minute Clerk.
Arthur L. Fisher	.....	Journal Clerk.
Herbert A. Kidder	.....	Enrolling Clerk.
T. E. Atkinson	.....	Engrossing Clerk.
Miss Carrie Brown	.....	Postmistress.
Miss Eva McKay	.....	Assistant Postmistress.

And awaits its pleasure in legislative business.

Adopted.

RECESS.

The hour of recess having arrived, the Speaker declared a recess until two o'clock P. M.

REASSEMBLED.

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

Speaker Lynch in the chair.

Quorum present.

RESOLUTION.

By Mr. Laugenour:

Resolved, That the nominees indorsed by the caucus of Republican Assemblymen and not yet voted on, be now read and indorsed by this Assembly as elected, without further delay of voting.

Adopted.

REPORT OF COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, January 8, 1895.

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

DODGE, Chairman.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, January 8, 1895.

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

Resolved, That the Secretary of the Senate be directed to notify the Assembly that the Senate was organized on Tuesday, January 8, 1895, and is ready to proceed to business with the following officers:

President pro tem.	.....	Thos. Flint, Jr.
Secretary	.....	F. J. Brandon.
Sergeant-at-Arms	.....	Leslie Blackburn.
Assistant Secretaries	.....	E. J. Ensign and Rody Shaw.
Minute Clerk	.....	E. F. Mitchell.
Enrolling Clerk	.....	J. H. Dungan.
Engrossing Clerk	.....	C. R. Mayhew.
Assistant Sergeant-at-Arms	.....	John J. O'Connor.
Journal Clerk	.....	Theodore A. Simpson.
Postmistress	.....	Miss Kittie McHugh.
Assistant Postmistress	.....	Mrs. Annie L. Blanchard.

And awaits your pleasure for legislative business.

F. J. BRANDON, Secretary of the Senate.

RESOLUTIONS.

By Mr. Bledsoe:

Resolved, That a special committee of five members be appointed by the Speaker, with power to send for persons and papers, whose duty it shall be, first, to ascertain what State Commissions, Institutions, or Boards, if any, can be abolished with advantage to the public, in view of a more economical administration of State affairs; second, to ascertain what expenditures and salaries of the various public offices and institutions can be advantageously reduced or discontinued; third, to prepare and report to the Assembly such bills or resolutions as may be required to carry out the recommendations of the committee; the report of said committee to be presented not later than January 20, 1895.

Referred to Committee on Retrenchment.

By Mr. McKelvey:

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

Adopted.

By Mr. Staley:

Resolved, That W. J. Randall be and he is hereby appointed Assistant Minute Clerk, at a per diem the same as paid the Minute Clerk, to be paid out of the appropriation for the contingent expenses of the Assembly.

Referred to Committee on Attachés and Employés.

By Mr. Johnson:

Resolved, That the Secretary of State be authorized to purchase, and pay for out of the contingent expenses of the Assembly, eighty-five copies of the latest pocket edition of the Codes of California, and that one copy be furnished each member of the Assembly.

Referred to Committee on Public Expenditures and Accounts.

By Mr. Pendleton:

Resolved, That the following persons be and they are hereby appointed to the positions set opposite their names, at the per diem now fixed by law; said per diem being payable out of the appropriation for the contingent expenses of the Assembly, and to commence from January 8, 1895:

Clerk to Sergeant-at-Arms.....	J. J. Evans.
Assistant Enrolling Clerk.....	Wm. Rice.
Assistant Engrossing Clerk.....	W. E. Ludlow.
Assistant Clerk.....	Clark Alberti.
Assistant Clerk.....	A. W. North.
Assistant Journal Clerks.....	Jos. Currington and E. S. Gridley.
Assistant Minute Clerks.....	W. H. Dobyns and Robt. Nixon, Jr.

Adopted.

By Mr. Pendleton:

Resolved, That D. B. Bowley be and he is hereby appointed Messenger between the Assembly Clerk's desk and the office of the State Printer; and that O. Summers be and he is hereby appointed Chaplain of the Assembly; and that H. P. Chadbourne be and he is hereby appointed File Clerk of the Assembly, each at a per diem of five dollars; said per diem being payable out of the appropriation for the contingent expenses of the Assembly.

Adopted.

By Mr. Pendleton:

Resolved, That the Speaker of the Assembly be and he is hereby authorized to appoint the following attachés for the Assembly: Two Watchmen, at a per diem of five dollars each; one Mail Carrier, at a per diem of five dollars; one Clerk to Sergeant-at-Arms, at a per diem of eight dollars; one Doorkeeper and three Gatekeepers, at a per diem of five dollars each; eight Porters, at a per diem of four dollars each; one Janitress to Ladies' Waiting Room, at a per diem of five dollars, and eight Pages, at a per diem of

three dollars each; said per diem all to be paid out of the Contingent Fund of the Assembly.

Adopted.

ADJOURNMENT.

At two o'clock and fifty minutes P. M., on motion of Mr. Laugenour, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Wednesday, January 9, 1895. }

The Assembly met pursuant to adjournment.

Speaker Lynch in the chair.

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

Messrs. Ash, Bachman, Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Bledsoe, Boothby, Brusie, Bulla, Butler, Cargill, Coleman, Coghlin, Cutter, Dale, Davis, Devitt, Devine, Dinkelspiel, Dixon, Dodge, Dunbar, Dwyer, Ewing, Fassett, Freeman, Gay, Glass, Guy, Hall, Hatfield, Healey, Holland, Huber, Hudson, Johnson, Jones, Keen, Kelsey, Kenyon, Laird, Laugenour, Lewis, Llewellyn, Meads, McCarthy, McDonald, McKelvey, Merrill, Nelson, North, O'Day, Osborn, Fendleton, Phelps, Powers, Price, Reid, Richards, Robinson, Rowell, Sanford, Staley, Stansell, Spencer, Swisler, Tibbitts, Thomas, Tomblin, Twigg, Wade, Waymire, Weyse, Wilkins, Wilkinson, Zocchi, and Mr. Speaker.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. O. Summers.

READING AND APPROVAL OF THE JOURNAL.

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

So ordered.

Journals of Monday and Tuesday approved.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT, SACRAMENTO, CAL., January 9, 1895.

To the Assembly of the State of California:

I herewith transmit to your honorable body my second biennial message with accompanying documents; also report of the State Capitol Commissioners.

H. H. MARKHAM, Governor.

MOTION.

Mr. Dodge moved that the reading of the Governor's Message be dispensed with, and that one thousand copies be printed.

So ordered.

INTRODUCTION OF BILL.

By Mr. Brusie: Assembly Bill No. 1—An Act to provide for an appropriation for the contingent expenses of the Assembly.

RESOLUTION.

By Mr. Brusie:

Resolved, That Assembly Bill No. 1 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions 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. Ash, Bachman, Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Bledsoe, Boothby, Brusie, Bulla, Butler, Cargill, Coleman, Coghlin, Cutter, Dale, Davis, Devine, Dinkelspiel, Dixon, Dodge, Dunbar, Dwyer, Ewing, Fassett, Freeman, Gay, Glass, Guy, Hall, Hatfield, Healey, Holland, Huber, Hudson, Johnson, Jones, Keen, Kelsey, Kenyon, Laird, Lewis, Llewellyn, Meads, McDonald, McKelvey, Merrill, Nelson, North, O'Day, Osborn, Pendleton, Phelps, Powers, Price, Reid, Richards, Rowell, Sanford, Staley, Stansell, Spencer, Swisler, Tibbits, Thomas, Tomblin, Twigg, Wade, Waymire, Weyse, Wilkins, Wilkinson, Zocchi, and Mr. Speaker—76.

NOES—None.

FIRST AND SECOND READINGS OF THE BILL.

Assembly Bill No. 1—An Act to provide for an appropriation for the contingent expenses of the Assembly.

Read first and second times.

MOTION.

Mr. Brusie moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Assembly Bill No. 1.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Lynch in the chair.

Assembly Bill No. 1 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Lynch in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Speaker stated the report of the Committee of the Whole, as follows:

ASSEMBLY CHAMBER, SACRAMENTO, January 9, 1895.

GENTLEMEN: Your Committee of the Whole have had under consideration Assembly Bill No. 1—An Act to provide for an appropriation for the contingent expenses of the Assembly—and beg leave to report, and recommend that the same do pass.

LYNCH, Chairman.

Assembly Bill No. 1 considered engrossed, and ordered to a third reading.

RESOLUTIONS.

By Mr. Laugenour:

Resolved, That no bills, constitutional amendments, concurrent or joint resolutions, shall be introduced until after the adoption of the report of the Committee on Rules and Regulations.

Adopted.

By Mr. Laugenour:

Resolved, That no person not a member or an employé of this Assembly be allowed on the floor of the Assembly without permission of the Speaker, or by special request of a member.

Adopted.

By Mr. Dodge:

Resolved, That all resolutions providing for additional employés of this Assembly be referred to the Committee on Attachés.

Adopted.

ASSEMBLY CONCURRENT RESOLUTION.

By Mr. Thomas:

ASSEMBLY CONCURRENT RESOLUTION No. 1.

Resolved by the Assembly, the Senate concurring, That the Senate and Assembly meet in joint session, in the Assembly Chamber, at two o'clock in the afternoon of Thursday, the tenth day of January, 1895, for the purpose of opening and publishing the election returns for Governor and Lieutenant-Governor.

Adopted.

RESOLUTIONS.

By Mr. North:

Resolved, That H. T. Smith, of Oakland, be and he is hereby appointed Assistant Sergeant-at-Arms, to be paid at the rate of five dollars per diem, out of the appropriation for the contingent expenses of the Assembly.

Referred to Committee on Attachés and Employés.

By Mr. Johnson:

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

Adopted.

ASSEMBLY CONCURRENT RESOLUTION.

By Mr. Brusie:

ASSEMBLY CONCURRENT RESOLUTION No. 2.

Resolved by the Assembly, the Senate concurring, That a committee of three from each house be appointed, to confer with the Governor-elect, to set the date and make the necessary arrangements for the inaugural ceremonies.

Adopted.

APPOINTMENT OF COMMITTEE.

The Speaker appointed the following committee to carry out the resolution pertaining to inaugural ceremonies: Messrs. Dinkelspiel, Keen, and Laugenour.

RESOLUTIONS.

By Mr. Dinkelspiel:

Resolved, That the Sergeant-at-Arms be and he is hereby instructed and directed to furnish each newspaper representative assigned seats on the floor of the Assembly two copies of any bill, resolution, or other document distributed by the Pages of the Assembly.

Adopted.

By Mr. Laird:

Resolved, That the Secretary of State be authorized to purchase, and pay for out of the contingent expenses of the Assembly, eighty-five copies of the latest pocket edition of the Codes of California, one set to be furnished each member of the Assembly.

Referred to Committee on Public Expenditures and Accounts.

By Mr. Berry:

Resolved, That Frank Hernandez be and he is hereby appointed Bill Clerk of the Assembly, at the per diem of five dollars, payable out of the appropriation for the contingent expenses of the Assembly.

Referred to Committee on Attachés and Employés.

By Mr. Freeman:

Resolved, That a special committee of five be appointed by the Speaker to ascertain and report to the Assembly the amount of mileage due to members for the present session, and also to ascertain the amount due to the temporary officers and attachés upon the organization.

Adopted.

By Mr. Dixon:

Resolved, That Charles Barron be and he is hereby appointed Assistant File Clerk of the Assembly, at a per diem of four dollars, to be paid out of the Contingent Fund of the Assembly.

Referred to Committee on Attachés and Employés.

By Mr. Thomas:

Resolved, That Wm. Jones and W. H. Dillenger are hereby appointed Watchmen in the gallery, at a per diem of four dollars. The Controller is hereby directed to draw his warrant on the Treasurer for the same, payable out of the Contingent Fund of the Assembly.

Referred to Committee on Attachés and Employés.

By Mr. Thomas:

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

Referred to the Committee on Attachés and Employés.

By Mr. Cutter:

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

Adopted.

By Mr. Cutter:

Resolved, That the Sergeant-at-Arms, or Assistant Sergeant-at-Arms, under direction of the Sergeant-at-Arms, be and is hereby directed to superintend the Gatekeepers, Porters, Mail Carriers, Pages, and Bill Clerks, and to assign them to their respective places and duties, and direct them in the discharge of the same, reporting any neglect of duty to the Speaker of the Assembly.

Adopted.

By Mr. Brusie:

Resolved, That John Pieruccini be and is hereby appointed Sergeant-at-Arms to the Judiciary Committee of the Assembly, at four dollars per diem, to be paid out of the Contingent Fund of the Assembly.

Referred to Committee on Attachés and Employés.

By Mr. Swisler:

Resolved, That the Secretary of State be and he is hereby authorized and directed to furnish each member of the Assembly, and the Chief Clerk thereof, a copy of Desty's latest pocket edition of the Constitution of the State of California; said copies to be paid for out of the contingent expenses of the Assembly.

MOTION.

Mr. Swisler moved to suspend the rules to consider the resolution.
The roll was called, and the motion carried by the following vote:

AYES—Messrs. Bachman, Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Boothby, Brusie, Bulla, Butler, Cargill, Coleman, Dale, Davis, Devitt, Devine, Dinkelspiel, Dixon, Dwyer, Ewing, Gay, Glass, Guy, Hall, Hatfield, Holland, Huber, Hudson, Jones, Keen, Kelsey, Kenyon, Laugenour, Lewis, Llewellyn, Meads, McCarthy, McDonald, McKelvey, Merrill, Nelson, North, O'Day, Osborn, Pendleton, Powers, Price, Reid, Richards, Robinson, Sanford, Staley, Stansell, Spencer, Swisler, Tibbits, Thomas, Tomblin, Twigg, Wade, Waymire, Weyse, Wilkins, Wilkinson, Zocchi, and Mr. Speaker—67.
NOES—Messrs. Ash, Bledsoe, Coghlin, Fassett, Freeman, Healey, Johnson, Laird, Phelps, and Rowell—10.

Mr. Bulla moved to amend the resolution by striking out the word "Desty" and inserting "Henning."

Adopted.

Resolution adopted.

RESOLUTIONS.

By Mr. Dinkelspiel:

Resolved, That the Speaker be authorized to appoint a Committee on Rules, to consist of five members, together with the Speaker, who shall be ex officio a member.

Adopted.

By Mr. McKelvey:

Resolved, That the Postmistress be and she is hereby directed and authorized to instruct a Page each day when the Assembly is in session to deliver at the desks of the members all newspapers left with her for that purpose.

Adopted.

By Mr. Merrill:

Resolved, That Mrs. S. P. Carpenter be and she is hereby appointed Assistant File Clerk, at a per diem of five dollars, payable out of the appropriation for the contingent expenses of the Assembly, and to commence from January 9, 1895.

Referred to Committee on Attachés and Employés.

By Mr. Davis:

Resolved, That the Post Office be kept open from nine o'clock A. M. to six o'clock P. M., every day, except Sunday, and at all times when the House is in session.

Adopted.

By Mr. Johnson:

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

Referred to Committee on Public Expenditures and Accounts.

OATH OF OFFICE.

The Postmistress and Assistant Postmistress now came forward and subscribed to the oath of office.

APPOINTMENT OF COMMITTEES.

The Speaker appointed the following committees:

Special Committee on Attachés and Employés—Messrs. Freeman, Meads, Devitt, Holland, and Wilkins.

On Rules—Messrs. Dinkelspiel, Bulla, Kelsey, Laugenour, and Dwyer.

RECESS.

At twelve o'clock M., on motion of Mr. Huber, the Assembly took a recess until two o'clock P. M.

REASSEMBLED.

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

Speaker Lynch in the chair.

Quorum present.

ELECTION CONTEST.

The Speaker announced the receipt of the papers in the matter of the contest by H. M. Collins against J. B. McDonald, to the office of Assemblyman from the Forty-ninth District.

RESOLUTIONS.

By Mr. Pendleton:

Resolved, That the Speaker of the Assembly be and he is authorized to appoint four additional Watchmen, at a per diem of four dollars each; also, to appoint two persons to run the elevator, at a per diem of three dollars, all payable out of the contingent appropriation of the Assembly.

Adopted.

By Mr. Laugenour:

Resolved, That Isadore Alexander be and he is hereby authorized and requested to remain at the Assembly Chamber during the second week of the session of the Assembly, for the purpose of assisting the Minute Clerk of the Assembly. Said Alexander to be paid the sum that is now paid the Minute Clerk of the Assembly; said sum to be paid during the time he serves under this resolution.

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

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

AYES—Messrs. Ash, Bachman, Barker, Bassford, Berry, Bettman, Boothby, Brusie, Bulla, Butler, Coghlin, Dale, Devitt, Devine, Dinkelspiel, Dixon, Dwyer, Gay, Hall, Hatfield, Healey, Holland, Keen, Kelsey, Kenyon, Laugenour, Lewis, Llewellyn, Meads, McDonald, Merrill, Nelson, O'Day, Pendleton, Powers, Price, Reid, Robinson, Sanford, Swisler, Tibbits, Thomas, Twigg, Weyse, Wilkins, Wilkinson, Zocchi, and Mr. Speaker—48.

NOES—Messrs. Belshaw, Bennett, Bledsoe, Coleman, Cutter, Dodge, Ewing, Fassett, Freeman, Glass, Guy, Hudson, Johnson, Jones, Laird, McKelvey, North, Osborn, Phelps, Rowell, Staley, Stansell, Spencer, Wade, and Waymire—25.

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

MOTION.

Mr. Brusie moved the suspension of the rules to consider Assembly Bill No. 1.

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

Ayes—Messrs. Bachman, Bassford, Berry, Bettman, Boothby, Brusie, Coleman, Coghlin, Devitt, Devine, Dinkelspiel, Dixon, Dwyer, Gay, Guy, Hatfield, Healey, Holland, Kelsey, Laugenour, Lewis, Llewellyn, Meads, McCarthy, McDonald, Merrill, O'Day, Pendleton, Powers, Robinson, Sanford, Swisler, Tibbits, Thomas, Tomblin, Twigg, Wade, Weyse, Wilkinson, Zocchi, and Mr. Speaker—41.

Noes—Messrs. Barker, Belshaw, Bennett, Bledsoe, Bulla, Butler, Cargill, Cutter, Dale, Davis, Dodge, Dunbar, Ewing, Fassett, Freeman, Glass, Hall, Huber, Hudson, Johnson, Jones, Keen, Kenyon, Laird, McKelvey, Nelson, North, Osborn, Phelps, Price, Reid, Richards, Rowell, Staley, Stansell, Spencer, Waymire, and Wilkins—38.

RESOLUTIONS.

By Mr. Ash:

Resolved, That George B. Shillig be and he is hereby appointed Bookkeeper for the Sergeant-at-Arms, at a per diem of eight dollars, payable out of the Contingent Fund of the Assembly.

Referred to Committee on Attachés and Employés.

By Mr. Dinkelspiel:

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

Referred to Committee on Attachés and Employés.

By Mr. Richards:

Resolved, That W. H. Bortels and H. W. Cunningham be and are hereby appointed Elevator Men, at a per diem of five dollars each, the same to be paid out of the contingent fund of the Assembly, and that said elevator be kept running from the hours of 8:30 A. M. until 9 P. M., Sundays excepted, and at such other times as this House shall be in session.

Referred to Committee on Attachés and Employés.

By Mr. Dodge:

Resolved, That the Controller of State be and he is hereby requested to inform the Assembly of the amount of money, if any, now in the Contingent Fund of the Assembly, and that this resolution be immediately transmitted to the said Controller.

Adopted.

By Mr. Meads:

Resolved, That John J. Cassidy be and he is hereby appointed Assistant Clerk of the Assembly, at the same per diem as the Chief Clerk, to be paid out of the Contingent Fund of the Assembly.

Referred to Committee on Attachés and Employés.

By Mr. Fassett:

Resolved, That Frank Smith be appointed Assistant File Clerk, at a salary of four dollars per day.

Referred to Committee on Attachés and Employés.

By Mr. Butler:

Resolved, That Charles T. Jones, Jr., be appointed Messenger to the Sergeant-at-Arms, at a compensation of five dollars per diem, payable out of the Contingent Fund of the Assembly.

Referred to Committee on Attachés and Employés.

By Mr. Hatfield:

Resolved, That Ed. Nathan be and is hereby appointed to the position of Assistant Filing Clerk, to receive five dollars per diem, said per diem being made payable out of the appropriation for the contingent expenses of the Assembly.

Referred to Committee on Attachés and Employés.

By Mr. Wilkins:

Resolved, That Frank Mails be appointed Assistant Porter, at a salary of five dollars per diem, payable out of the Contingent Fund of the Assembly.

Referred to Committee on Attachés and Employés.

By Mr. Freeman:

Resolved, That Mrs. Eva Ewing be and she is hereby appointed Assistant Enrolling Clerk of the Assembly, to assume such duty immediately, at the same per diem as is paid other Assistant Enrolling Clerks, said per diem being payable out of the Contingent Fund of the Assembly.

Referred to Committee on Attachés and Employés.

By Mr. Thomas:

Resolved, That the Sergeant-at-Arms be and is hereby authorized to appoint an additional Assistant Sergeant-at-Arms, at the same per diem allowed other assistants, payable out of the appropriation for contingent expenses of the Assembly.

Referred to Committee on Attachés and Employés.

By Mr. Dodge:

Resolved, That Charles A. Tyrrel be and is hereby appointed Assistant Engrossing Clerk, at a per diem of five dollars, to be paid out of the appropriation for the contingent expenses of the Assembly.

Referred to Committee on Attachés and Employés.

By Mr. McKelvey:

Resolved, That Allen Robinette be and he is hereby appointed Assistant Enrolling Clerk, at a per diem the same as paid the Enrolling Clerk, to be paid out of the contingent expenses of the Assembly.

Referred to Committee on Attachés and Employés.

By Mr. McKelvey:

Resolved, That the Superintendent of State Printing be and he hereby is instructed to furnish each member of the Assembly with a sewed copy of the Senate and Assembly Journals every Monday morning; said sewed copy to consist of each day's Journal of both houses for the week preceding such furnishing.

Adopted.

By Mr. Llewellyn:

Resolved, That Arthur O. Jones be and he is hereby appointed an Assistant Engrossing Clerk, at the same per diem as the Engrossing Clerk, payable out of the Contingent Fund of this Assembly.

Referred to Committee on Attachés and Employés.

By Mr. Nelson:

Resolved, That A. S. Visher be and he is hereby appointed Assistant Journal Clerk, at a per diem the same as that paid the Journal Clerk.

Referred to Committee on Attachés and Employés.

By Mr. Brusie:

Resolved, That George Hatton be and is hereby appointed Assistant Clerk, at the same per diem as the Enrolling Clerk, to be paid out of the Contingent Fund of the Assembly.

Referred to Committee on Attachés and Employés.

By Mr. Hatfield:

Resolved, That the Speaker be and he is hereby authorized to appoint an additional Porter, to be known as Rear Porter of the Assembly, at a compensation of four dollars

per diem, to be paid out of any appropriation for the contingent expenses of the Assembly.

Referred to Committee on Attachés and Employés.

By Mr. Davis:

Resolved, That George Y. Vandever be and he is hereby appointed Assistant Enrolling Clerk, at a per diem of five dollars, to be paid out of the Contingent Fund of the Assembly.

Referred to Committee on Attachés and Employés.

By Mr. Holland:

Resolved, That Harry Simpson be and is hereby appointed Assistant Enrolling Clerk, at five dollars per diem, payable out of the Contingent Fund of the Assembly.

Referred to Committee on Attachés and Employés.

By Mr. Johnson:

Resolved, That Wm. Dahle be and is hereby appointed Assistant Engrossing Clerk, at four dollars per day, to be paid out of the contingent expenses of the Assembly.

Referred to Committee on Attachés and Employés.

APPOINTMENTS.

The Speaker announced the following appointments:

Pages—A. W. Murphy, Willie Dorsey, Clarence McLain, Alex. H. Smith, J. J. Bonner, Edgar Stack, John W. O'Day, George W. Meyerderks.

Doorkeeper—Delos Curtis.

Gatekeepers—Richard A. White, W. S. Reyner, W. L. Merriam.

Watchmen—John Oswald, Horace Taylor, Charles Forbes, William Bolles, Michael Coffey (to be supplied).

Mail Carrier—James Kane.

Clerk to Sergeant-at-Arms—Javez Hocking.

Janitress Ladies' Waiting Room—Miss Della F. Barr.

Porters—Gus. Kelly, H. Marks, T. Smith, George Ashley, M. Bushway, J. Todd, and John Massie

Elevator Boys—R. Wolf and Wilhe Lynch.

ADJOURNMENT.

At three o'clock P. M., on motion of Mr. Pendleton, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Thursday, January 10, 1895. }

The Assembly met pursuant to adjournment.

Speaker Lynch in the chair.

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

Messrs. Ash, Bachman, Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Bledsoe, Brusie, Bulla, Butler, Cargill, Coleman, Cutter, Dale, Davis, Devitt, Devine, Dinkelspiel, Dixon, Dodge, Dunbar, Dwyer, Ewing, Fassett, Freeman, Gay, Glass, Guy, Hall, Hatfield, Healey, Holland, Huber, Hudson, Johnson, Jones, Keen, Kelsey, Kenyon, Laird, Laugenour, Lewis, Llewellyn, Meads, McDonald, McKelvey, Merrill, Nelson, North,

O'Day, Osborn, Pendleton, Phelps, Powers, Price, Reid, Richards, Robinson, Rowell, Sanford, Staley, Stansell, Spencer, Swisler, Tibbitts, Thomas, Tomblin, Twigg, Wade, Weyse, Wilkins, Wilkinson, Zocchi, and Mr. Speaker.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. O. Summers.

READING AND APPROVAL OF THE JOURNAL.

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

So ordered.

Journal of Wednesday approved.

REPORTS OF SELECT COMMITTEES.

SACRAMENTO, January 9, 1895.

MR. SPEAKER: Your committee appointed for the purpose of waiting upon the Governor-elect, for the purpose of ascertaining his wishes concerning the time to be set for his inauguration, beg leave to report as follows:

In company with the committee selected from the Senate for the same purpose, we waited upon the Governor-elect and ascertained that Friday, January 11, 1895, is the time designated by him as best suited to his convenience and pleasure.

Respectfully submitted.

DINKELSPIEL, Chairman.

Also:

ASSEMBLY CHAMBER, January 9, 1895.

MR. SPEAKER: Your committee appointed to ascertain and report the amount due as mileage for the members of the Assembly, and the mileage and per diem due to the temporary officers and attachés of this session of the Assembly for services rendered in the organization of the present House, would respectfully report on the same, and recommend the adoption of the resolutions herewith.

FREEMAN, Chairman.

Resolved, That the Controller be and he is hereby authorized to draw his warrant, payable out of the fund appropriated for the contingent expenses 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 officers and attachés of the Assembly, to wit:

Geo. W. Peckham, Chief Clerk, mileage and per diem.....	\$81 60
T. E. Healy, Sergeant-at-Arms, mileage and per diem.....	72 80
I. Alexander, Minute Clerk, mileage and per diem.....	56 80
H. A. Mason, Assistant Clerk, mileage and per diem.....	81 60
E. J. Pringle, Assistant Clerk, mileage and per diem.....	74 20
Myron Yager, Assistant Clerk, mileage and per diem.....	83 00
Mrs. R. Elliott, Postmistress, mileage and per diem.....	28 20
Miss Lottie Rothschild, Assistant Postmistress, mileage and per diem.....	44 80
James Neil, Engrossing Clerk, mileage and per diem.....	72 80
F. B. Mulgrew, Enrolling Clerk, mileage and per diem.....	84 20
Frank Anaya, Journal Clerk, mileage and per diem.....	71 40
E. L. McAdams, Assistant Journal Clerk, mileage and per diem.....	70 60
John Tatum, Assistant Minute Clerk, mileage and per diem.....	90 60
Alexander McCabe, Assistant Minute Clerk, mileage and per diem.....	72 80
John H. Wise, Assistant Sergeant-at-Arms, mileage and per diem.....	58 80
C. H. McGreevey, Clerk to Sergeant-at-Arms, mileage and per diem.....	72 80
M. H. Mead, Bookkeeper to Sergeant-at-Arms, mileage and per diem.....	72 80
M. J. O'Donnell, Assistant Sergeant-at-Arms, mileage and per diem.....	69 60
A. Beckett, Doorkeeper, per diem.....	35 00
Ed J. Smith, Assistant Clerk, per diem.....	56 00
Geo. Dunn, Gatekeeper, per diem.....	35 00
H. H. Johnson, Gatekeeper, per diem.....	35 00
Joseph Devine, Gatekeeper, per diem.....	35 00
John Koford, Head Porter, per diem.....	28 00
John Cramer, Cloak-room Porter, per diem.....	28 00

Martin Steinmetz, Porter, per diem.....	\$28 00
John H. Ryan, Porter, per diem.....	28 00
John Wilkins, Rear Porter, per diem.....	28 00
John Lee, Gallery Porter, per diem.....	28 00
C. P. Kearney, Watchman, per diem.....	28 00
Chas. Lansing, Watchman, per diem.....	28 00
E. P. Beaton, Watchman, per diem.....	28 00
J. Dunnegan, Watchman, per diem.....	28 00
Wm Wicks, Gasman, per diem.....	21 00
James Kane, Messenger to State Printer, per diem.....	35 00
H. Thomas, Page, per diem.....	21 00
W. Saunders, Page, per diem.....	21 00
L. Walthall, Page, per diem.....	21 00
W. C. Lynch, Page, per diem.....	6 00
R. M. Richardson, clerk to this committee, per diem.....	10 00

Also:

Resolved, That Geo W. Peckham, late Chief Clerk, and Isador Alexander, late Minute Clerk, be retained to assist their successors for an additional week, commencing January 14th, at the same per diem as the Chief Clerk and Minute Clerks, the same to be payable out of the Contingent Fund of the Assembly.

Resolved, That the State Controller be and 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:

Dist No	Name.	Counties in District.	Residence.	Miles	Amt.
1	E. S. Tomblin.....	Del Norte and Siskiyou.....	Shasta Springs, Siskiyou County.....	640	\$64 00
2	A. J. Bledsoe.....	Humboldt.....	Eureka.....	624	62 40
3	D. J. Johnson.....	Humboldt.....	Ferndale.....	824	82 40
4	D. G. Reid.....	Tehama and Trinity.....	Weaverville, Trin- ity County.....	454	45 40
5	J. T. Laird.....	Modoc and Shasta.....	Alturas, Modoc County.....	758	75 80
6	E. V. Spencer.....	Lassen, Plumas, and Sierra.....	Susanville, Lassen, County.....	376	37 60
7	F. R. Stansell.....	Butte.....	Nelson.....	166	16 60
8	W. M. Cutter.....	Yuba and Sutter.....	Marysville, Yuba County.....	104	10 40
9	J. B. Sanford.....	Mendocino.....	Ukiah.....	410	41 00
10	William Ash.....	Colusa, Lake, and Glenn.....	Williams, Colusa County.....	200	20 00
11	H. W. Laugenour.....	Yolo.....	Woodland.....	44	4 40
12	R. I. Thomas.....	Nevada.....	Nevada City.....	174	17 40
13	A. P. Hall.....	Placer.....	Auburn.....	74	7 40
14	C. A. Swisler.....	El Dorado.....	Placerville.....	166	16 60
15	J. H. Tibbits.....	Amador.....	Jackson.....	154	15 40
16	W. F. Price.....	Sonoma.....	Forestville.....	314	31 40
17	W. S. Staley.....	Sonoma.....	Glen Ellen.....	310	31 00
18	Owen Wade.....	Napa.....	St. Helena.....	158	15 80
19	J. M. Bassford, Jr.....	Solano.....	Vacaville.....	100	10 00
20	J. C. Brusie.....	Sacramento.....	Sacramento.....	2	20
21	L. T. Hatheld.....	Sacramento.....	Sacramento.....	2	20
22	J. E. Butler.....	Sacramento.....	Half Way House.....	50	5 00
23	J. H. Wilkins.....	Marin.....	San Rafael.....	192	19 20
24	C. M. Belshaw.....	Contra Costa.....	Antioch.....	218	21 80
25	Ed. I. Jones.....	San Joaquin.....	Stockton.....	96	9 60
26	T. A. Nelson.....	San Joaquin.....	Lathrop.....	116	11 60
27	W. R. Dunbar.....	Calaveras.....	San Andreas.....	146	14 60
28	Henry Healey.....	San Francisco.....	San Francisco.....	168	16 80
29	J. D. Coghill.....	San Francisco.....	San Francisco.....	168	16 80
30	John O'Day.....	San Francisco.....	San Francisco.....	168	16 80
31	J. J. Wilkinson.....	San Francisco.....	San Francisco.....	168	16 80
32	John F Twigg.....	San Francisco.....	San Francisco.....	168	16 80
33	L. J. Dwyer.....	San Francisco.....	San Francisco.....	168	16 80
34	M. A. Devine.....	San Francisco.....	San Francisco.....	168	16 80
35	Calvin Ewing.....	San Francisco.....	San Francisco.....	168	16 80
36	John McCarthy.....	San Francisco.....	San Francisco.....	168	16 80
37	G. W. Dixon.....	San Francisco.....	San Francisco.....	168	16 80
38	Marcus Lewis.....	San Francisco.....	San Francisco.....	168	16 80
39	H. G. W. Dinkelspiel.....	San Francisco.....	San Francisco.....	168	16 80

Dist No.	Name.	Counties in District.	Residence.	Miles.	Amt.
40	S. M. Bettman.....	San Francisco.....	San Francisco.....	168	\$16 80
41	F. H. Powers.....	San Francisco.....	San Francisco.....	168	16 80
42	L. M. Merrill.....	San Francisco.....	San Francisco.....	168	16 80
43	W. T. Boothby.....	San Francisco.....	San Francisco.....	168	16 80
44	L. P. Zocchi.....	San Francisco.....	San Francisco.....	168	16 80
45	James Devitt.....	San Francisco.....	San Francisco.....	168	16 80
46	F. R. Fassett.....	Alameda.....	Livermore.....	264	26 40
47	J. A. Waymire.....	Alameda.....	Alameda.....	192	19 20
48	Robert Gay.....	Alameda.....	Oakland.....	182	18 20
49	J. B. McDonald.....	Alameda.....	Oakland.....	182	18 20
50	H. H. North.....	Alameda.....	Oakland.....	182	18 20
51	C. G. Dodge.....	Alameda.....	East Oakland.....	182	18 20
52	T. G. Phelps.....	San Mateo.....	Belmont.....	222	22 20
53	B. S. Osborne.....	Santa Cruz.....	Watsonville.....	450	45 00
54	C. P. Berry.....	Santa Clara.....	Mountain View.....	278	27 80
55	J. D. Kelsey.....	Santa Clara.....	San José.....	256	25 60
56	W. A. Meads.....	Santa Clara.....	Alviso.....	272	27 20
57	L. A. Richards.....	Stanislaus and Merced.....	Grayson, Stanis- laus County.....	190	19 00
58	C. A. Holland.....	Mariposa and Tuolumne.....	Susanville, Tuol- umne County.....	224	22 40
59	C. G. Cargill.....	San Benito.....	San Juan.....	370	37 00
60	Cyrus Coleman.....	Alpine, Inyo, and Mono.....	Markleeville, Al- pine County.....	450	45 00
61	W. G. Hudson.....	Monterey.....	Pajaro.....	434	43 40
62	W. F. Rowell.....	Fresno and Madera.....	Easton, Fresno County.....	358	35 80
63	N. L. F. Bachman.....	Fresno and Madera.....	Fresno City, Fres- no County.....	346	34 60
64	J. W. Davis.....	Kings and Tulare.....	Tulare City, Tu- lare County.....	446	44 60
65	D. V. Robinson.....	Kings and Tulare.....	Visalia, Tulare County.....	422	42 20
66	R. C. Dale.....	Kern.....	Bakersfield.....	556	55 60
67	J. H. Glass.....	San Luis Obispo.....	Paso Robles.....	646	64 60
68	J. L. Barker.....	Santa Barbara.....	Santa Barbara.....	738	73 80
69	Peter Bennett.....	Ventura.....	Ventura.....	784	78 40
70	H. G. Weyse.....	Los Angeles.....	Santa Monica.....	1,000	100 00
71	O. H. Huber.....	Los Angeles.....	Azusa.....	1,006	100 60
72	B. C. Kenyon.....	Los Angeles.....	Long Beach.....	1,020	102 00
73	W. Llewellyn.....	Los Angeles.....	Los Angeles.....	956	95 60
74	C. W. Pendleton.....	Los Angeles.....	Los Angeles.....	956	95 60
75	R. N. Bulla.....	Los Angeles.....	Los Angeles.....	956	95 60
76	C. S. McKelvey.....	Orange.....	Santa Ana.....	1,026	102 60
77	E. W. Freeman.....	Riverside.....	South Riverside.....	1,080	108 00
78	John C. Lynch.....	San Bernardino.....	Ontario.....	1,224	122 40
79	W. R. Guy.....	San Diego.....	San Diego.....	1,234	123 40
80	Alfred Keen.....	San Diego.....	National City.....	1,254	125 40

Adopted.

COMMUNICATION.

CONTROLLER'S DEPARTMENT, STATE OF CALIFORNIA, {
SACRAMENTO, January 9, 1895. }

To the Honorable Assembly, Thirty-first Session, California Legislature:

In reply to the following resolution of even date:

"Resolved, That the Controller of the State be and he is hereby requested to inform the Assembly of the amount of money, if any, now in the Contingent Fund of the Assembly, and that this resolution be immediately transmitted to said Controller."

I beg to state that the amount of money now in the Assembly contingent appropriation is eighteen thousand dollars.

Very respectfully,

E. P. COLGAN, Controller.

RESOLUTION.

By Mr. Bulla:

Resolved, That the Speaker appoint a committee of seven, to which committee the Second Biennial Message of his Excellency H. H. Markham, Governor of the State of California, be and the same is hereby referred, and the said committee is instructed to

segregate and refer the many subjects discussed in said message to the appropriate standing committees to be hereafter appointed, with whatever instructions as to the manner of investigating the said subjects so referred as the committee may determine to be proper in the premises.

Referred to Committee on Rules.

ASSEMBLY CONCURRENT RESOLUTION.

By Mr. Dinkelspiel:

ASSEMBLY CONCURRENT RESOLUTION No. 3.

Resolved by the Assembly, the Senate concurring, That Friday, January 11, 1895, at twelve o'clock m., be the time set for the inaugural ceremonies of James H. Budd, Governor-elect, and that a copy of this resolution be forthwith transmitted to the Senate.

Adopted.

RESOLUTIONS.

By Mr. Devitt:

Resolved, That Thomas Hosking be and he is hereby appointed Watchman of the gallery, 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. Thomas:

Resolved, That Paul Quick be and he is hereby appointed Assistant Bill Clerk, at a per diem of four dollars, to be paid out of the Contingent Fund of the Assembly. The Controller is hereby directed to draw his warrant for the same

Referred to Committee on Attachés and Employés.

Also:

Resolved, That Wm. Getty is hereby appointed Doorkeeper for the gallery, at a per diem of four dollars, payable out of the Contingent Fund of the Assembly. The Controller is hereby directed to draw his warrant for the same.

Referred to Committee on Attachés and Employés.

By Mr. Huber:

Resolved, That J. J. Flannagan be and he is hereby appointed Messenger to the Sergeant-at-Arms of the Assembly, at a per diem of four dollars, said per diem to be paid out of the Contingent Fund of the Assembly.

Referred to Committee on Attachés and Employés.

Also:

Resolved, That Mrs. Roberta Elliot be and she is hereby appointed Folding and Mailing Clerk to the Postmistress, at four dollars per diem, payable out of the Contingent Fund of the Assembly.

Referred to Committee on Attachés and Employés.

By Mr. Bettman:

Resolved, That Miss C. H. Boyden be and she is hereby appointed Assistant Journal Clerk, at a per diem of five dollars, payable out of the Contingent Fund of the Assembly.

Referred to Committee on Attachés and Employés.

By Mr. North:

Resolved, That the Secretary of State be authorized to purchase, and pay for out of the contingent expenses of the Assembly, eighty-five copies of Deering's Supplement to the Codes of California (pocket edition of 1893), and that one copy be furnished each member of the Assembly.

Referred to Committee on Public Expenditures and Accounts.

By Mr. Kenyon:

Resolved, That each member of the Assembly be and he is hereby allowed twenty-five 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 on requisition from the Secretary of State, shall be charged to his account as a part of his allowance hereby made.

Referred to Committee on Public Expenditures and Accounts.

By Mr. Osborn:

Resolved, That A. N. Judd be and he is hereby appointed Assistant Bill Clerk of the Assembly, at a per diem of five dollars, payable out of the appropriation for the contingent expenses of the Assembly.

Referred to Committee on Attachés and Employés.

By Mr. Guy:

Resolved, That Miss E. A. Kelly be and she is hereby appointed Assistant Enrolling Clerk of the Assembly, at the same per diem as the Enrolling Clerk of the Assembly, to be paid out of the fund provided for the contingent expenses of the Assembly, and the Controller is hereby directed to draw his warrant for payment of the same.

Referred to Committee on Attachés and Employés.

By Mr. Hall:

Resolved, That George N. Dyson be and he is hereby appointed Assistant Clerk of the Assembly, at a per diem the same as is paid clerks at the desk, and the Controller is hereby directed to draw his warrant for the same, to be paid out of the Contingent Fund of the Assembly.

Referred to Committee on Attachés and Employés.

By Mr. Dixon:

Resolved, That J. B. Horton be and he is hereby appointed Assistant Engrossing Clerk of the Assembly, at the same per diem as the Engrossing Clerk, payable out of the appropriation for the Contingent Fund of the Assembly.

Referred to Committee on Attachés and Employés.

Also:

Resolved, That John Hynes be and he is hereby appointed Gallery Porter, at the per diem of four dollars, payable out of the appropriation for the contingent expenses of the Assembly.

Referred to Committee on Attachés and Employés.

By Mr. Richards:

Resolved, That W. H. Bortle be and he is hereby appointed Porter to the Judiciary Committee, at a per diem of four dollars, the same to be paid out of the Contingent Fund of the Assembly.

Referred to Committee on Attachés and Employés.

By Mr. Bassford:

Resolved, That D. G. Holt, of Solano, be and he is hereby appointed Assistant Chief Clerk of the Assembly, at a per diem of eight dollars, to be paid out of the Contingent Fund of the Assembly.

Referred to Committee on Attachés and Employés.

By Mr. Lewis:

Resolved, That Howard Thomas be and he is hereby appointed Page, at a per diem of three dollars, payable out of the appropriation for the contingent expenses of the Assembly.

Referred to Committee on Attachés and Employés.

By Mr. Lewis (by request):

Resolved, That Mrs. Garner be and she is hereby appointed Assistant File Clerk, at a per diem of four dollars, said per diem to be paid out of the Contingent Fund of the Assembly.

Referred to Committee on Attachés and Employés.

By Mr. Pendleton:

Resolved, That Amy O'Neil be and she is hereby appointed Assistant File Clerk of the Assembly, at a per diem of four dollars, said per diem to be paid out of the Contingent Fund of the Assembly.

Referred to Committee on Attachés and Employés.

By Mr. Llewellyn:

Resolved, That N. A. Cummings be and she is hereby appointed Assistant Enrolling Clerk, at the same per diem as is paid clerks at the desk, the same to be paid out of the Contingent Fund of the Assembly.

Referred to Committee on Attachés and Employés.

By Mr. Swisler:

Resolved, That Charles F. Irish be and he is hereby appointed Assistant Bookkeeper to the Sergeant-at-Arms, at a per diem of five dollars, payable out of the appropriation for the contingent expenses of the Assembly.

Referred to Committee on Attachés and Employés.

By Mr. Price:

Resolved, That I. D. Ranard be and he is hereby appointed Assistant Enrolling Clerk, at the same per diem as the assistants at the desk, payable out of the appropriation for the contingent expenses of the Assembly.

Referred to Committee on Attachés and Employés.

By Mr. Boothby:

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

Referred to Committee on Attachés and Employés.

By Mr. Rowell:

Resolved, That J. C. Williams, of Fresno, be and he is hereby appointed to the position of Assistant File Clerk, to receive five dollars per diem, being made payable out of the appropriation for the contingent expenses of the Assembly.

Referred to Committee on Attachés and Employés.

By Mr. Boothby:

Resolved, That Miss L. Rothschild be and she is hereby appointed Folding and Mailing Clerk, at a per diem of five dollars.

Referred to Committee on Attachés and Employés.

Also:

Resolved, That Henry Vollers be and he is hereby appointed Registry Clerk, at the same per diem as the other clerks at the desk, payable out of the Contingent Fund of the Assembly.

Referred to Committee on Attachés and Employés.

By Mr. Dinkelspiel:

Resolved, That John Robling be and he is hereby appointed Porter to the Sergeant-at-Arms, at a per diem of five dollars, to be paid out of the Contingent Fund of the Assembly.

Referred to Committee on Attachés and Employés.

By Mr. McKelvey:

Resolved, That Lee Fairchild be and he is hereby appointed Assistant Enrolling Clerk of the Assembly, at the same per diem as the Enrolling Clerk, to be paid out of the Contingent Fund of the Assembly.

Referred to Committee on Attachés and Employés.

By Mr. Merrill:

Resolved, That T. J. Murray be and he is hereby appointed Assistant Enrolling Clerk, at the same per diem as other Enrolling Clerks, same to be paid out of the Contingent Fund of the Assembly.

Referred to Committee on Attachés and Employés.

By Mr. Butler:

Resolved, That Samuel H. Calderwood be and he is hereby appointed Assistant File Clerk, at a per diem of four dollars, payable out of the Contingent Fund of the Assembly.

Referred to Committee on Attachés and Employés.

Also:

Resolved, That G. F. Jones be appointed Assistant Journal Clerk of the Assembly, at a per diem of six dollars, payable out of the Contingent Fund of the Assembly.

Referred to Committee on Attachés and Employés.

By Mr. Kelsey:

Resolved, That L. Finnerman be and he is hereby appointed Watchman, at four dollars per day, to be paid out of the Contingent Fund of the Assembly.

Referred to Committee on Attachés and Employés.

By Mr. Meads:

Resolved, That Miss Ella Wade be and she is hereby appointed Assistant File Clerk, at a per diem of five dollars, to be paid out of the Contingent Fund of the Assembly.

Referred to Committee on Attachés and Employés.

By Mr. Laugenour:

Resolved, That E. N. Jacobs be appointed a Watchman, at a per diem of four dollars, to be paid out of the Contingent Fund of the Assembly.

Referred to Committee on Attachés and Employés.

By Mr. Tomblin:

Resolved, That J. D. Cummings be and he is hereby appointed Assistant Journal Clerk, at a per diem of six dollars, the same to be paid out of the Contingent Fund of the Assembly.

Referred to Committee on Attachés and Employés.

By Mr. Kenyon:

Resolved, That Lizzie W. Avery be and she is hereby appointed Mailing and Folding Clerk, at a per diem of four dollars, said per diem to be paid out of the Contingent Fund of the Assembly.

Referred to Committee on Attachés and Employés.

By Mr. Brusie:

Resolved, That the Sergeant-at-Arms be empowered to appoint a Page in his office.

Referred to Committee on Attachés and Employés.

By Mr. Dinkelspiel:

Resolved, That A. Kane be appointed as Rear Porter of the gallery, at a per diem of four dollars, same to be paid out of the contingent expenses of the Assembly.

Referred to Committee on Attachés and Employés.

By Mr. Dixon:

Resolved, That F. A. Elliott be and he is hereby appointed an Assistant Engrossing Clerk, at the per diem allowed the Assistant Clerk, payable out of the appropriation for the contingent expenses of the Assembly.

Referred to Committee on Attachés and Employés.

MOTION.

By Mr. Bledsoe:

I move that the Speaker appoint a Special Committee of seven members, with power to send for persons and papers, whose duty it shall be to report to this House not later than January 23, 1895, what State Boards, Commissions, Institutions, or Offices can be abolished or consolidated, with a view to a more economical administration of State affairs; and that said committee be instructed to report such bills as may be necessary to carry out its recommendations.

Referred to Committee on Retrenchment.

RESOLUTIONS.

By Mr. Thomas:

WHEREAS, Since the last meeting of this Legislature our State and Nation have experienced a deep loss in the death of United States Senator Leland Stanford; and whereas, we desire to pay a tribute of respect to the memory of that honored statesman and philanthropist; therefore be it

Resolved, That when this Assembly does adjourn it does so out of respect to the memory of Leland Stanford; and be it further

Resolved, That these resolutions be spread upon the Journal of the Assembly.

Adopted by a rising vote.

ASSEMBLY JOINT RESOLUTION.

By Mr. Waymire: Assembly Joint Resolution No. 1—Relative to the navigability of the rivers of the State.

Referred to Committee on Commerce and Navigation.

ASSEMBLY BILL No. 1.

Assembly Bill No. 1 passed on file, on motion of Mr. Brusie.

RECESS.

At twelve o'clock M., on motion of Mr. Powers, the Assembly took a recess until one o'clock and forty-five minutes P. M.

REASSEMBLED.

The Assembly reassembled at one o'clock and forty-five minutes P. M.
Speaker Lynch in the chair.

Quorum present.

MOTION.

Mr. Waymire 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 for the purpose of canvassing the returns of the election for Governor and Lieutenant-Governor.
So ordered.

APPOINTMENT OF COMMITTEE.

The Speaker appointed as such committee Messrs. Waymire, Llewellyn, and Bachman.

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 that 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 were as follows:

IN ASSEMBLY CHAMBER.

The Senate and Assembly met in Joint Convention.

The President of the Senate, the Hon. John B. Reddick, directed the Secretary of the Senate to call the roll of the Senators.

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

Senators Aram, Arms, Androus, Beard, Bert, Biggy, Burke, Denison, Dunn, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, Mathews, McAllister, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, and Withington.

The Speaker of the Assembly, the Hon. J. C. Lynch, directed the Chief Clerk of the Assembly to call the roll of Assemblymen.

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

Messrs. Ash, Bachman, Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Bledsoe, Boothby, Bruse, Bulla, Butler, Cargill, Coghlin, Coleman, Cutter, Dale, Davis, Devitt, Devine, Dinkelspiel, Dixon, Dodge, Dunbar, Dwver, Ewing, Fassett, Freeman, Gay, Glass, Guy, Hall, Hatfield, Healey, Holland, Huber, Hudson, Johnson, Jones, Keen, Kelsey, Kenyon, Laird, Laugenour, Lewis, Llewellyn, Meads, McCarthy, McDonald, McKelvey, Merrill, Nelson, North, O'Day, Osborn, Pendleton, Phelps, Powers, Price, Reid, Richards, Robinson, Rowell, Sanford, Staley, Stansell, Spencer, Swisler, Tibbits, Thomas, Tomblin, Twigg, Wade, Waymire, Weyse, Wilkins, Wilkinson, Zocchi, and Mr. Speaker

Quorum present.

By direction of the President of the Senate, the Secretary read the sections of the Political Code authorizing the Joint Convention.

The President of the Senate appointed as tellers on the part of the Senate, Senators Hart and Mathews.

The Speaker of the Assembly appointed as tellers on the part of the Assembly, Messrs. Bettman and Laugenour.

The Speaker announced that the returns from all the counties in the State had been received.

The tellers announced the vote cast for Governor and Lieutenant-Governor on the sixth day of November, 1894, as follows:

<i>For Governor</i>	
James H. Budd	111,944
Morris M. Estee	110,738
Jonathan V. Webster	51,304
Henry French	10,559
J. J. De Haven	1
Whole number of votes cast for Governor	284,546

The Speaker of the Assembly thereupon declared the result as certified to by the Secretary of State and the tellers of the Convention to be: Total number of votes cast for Governor, 284,546; and that James H. Budd having received the highest number of votes cast for Governor, was duly elected Governor of the State of California for the ensuing term, according to the Constitution and laws of the State of California.

<i>For Lieutenant-Governor.</i>	
Spencer G. Millard.....	120,309
Wm. T. Jeter.....	98,631
A. J. Gregg.....	48,658
C. H. Dunn.....	10,794
Hervey Lindley.....	1
Whole number of votes cast for Lieutenant-Governor.....	278,393

The Speaker of the Assembly thereupon declared the result to be: Total number of votes cast for Lieutenant-Governor, 278,393; and that Spencer G. Millard 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 of California.

RESOLUTION.

By Mr. Pendleton:

Resolved, That the hour of twelve o'clock noon of Friday, January 11th, 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 of this action; that when this Joint Convention adjourns it will adjourn to meet at noon on January 11th, instant.

Adopted.

APPOINTMENT OF COMMITTEE.

The President of the Senate appointed Senators McGowan and Whitehurst as the Senators to inform the Governor, in conformity with the above resolution.

The Speaker of the Assembly appointed Messrs. Pendleton and Reid as the Assemblymen to wait upon the Governor, in conformity with the above resolution.

The minutes of the Joint Convention were then approved.

At three o'clock and forty-five minutes P. M. the President of the Senate declared the Joint Convention adjourned until twelve o'clock M. to-morrow, January 11, 1895.

IN ASSEMBLY.

At three o'clock and forty minutes P. M. the House reassembled.
Speaker Lynch in the chair.

RESOLUTION.

By Mr. Brusie:

Resolved, That a committee of three be appointed to confer with the Secretary of State and make necessary arrangements for the inaugural ceremonies to be held in this

Chamber, and that all employés engaged, and all claims presented to be paid out of the Contingent Fund of the Assembly, be first approved by said committee.

Adopted.

APPOINTMENT OF COMMITTEE.

The Speaker appointed as such committee Messrs. Brusie, Belshaw, and Devine.

By Mr. McKelvey:

Resolved, That Miss Emma Miller be and she is hereby appointed Assistant Folding and Mailing Clerk of the Assembly, to assume such duties immediately, at the same per diem as is paid other Assistant Folding and Mailing Clerks, said per diem being payable out of the Contingent Fund of the Assembly.

Referred to Committee on Attachés and Employés.

By Mr. Wilkinson:

Resolved, That Robert Blakeston be and he is hereby appointed Porter to committee-rooms, at a per diem of four dollars, payable out of the appropriation for the contingent expenses of the Assembly.

Referred to Committee on Attachés and Employés.

By Mr. Lewis:

Resolved, That Daniel Zeimer be and he is hereby appointed Gatekeeper of this Assembly, at the regular per diem, payable out of the Contingent Fund of the Assembly.

Referred to Committee on Attachés and Employés.

ADJOURNMENT.

At four o'clock P. M., on motion of Mr. Dixon, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER, }
Friday, January 11, 1895. }

The Assembly met pursuant to adjournment.

Speaker pro tem. Spencer in the chair.

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

Messrs. Ash, Bachman, Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Bledsoe, Boothby, Brusie, Bulla, Butler, Cargill, Coleman, Coghlin, Cutter, Dale, Davis, Devitt, Devine, Dinkelspiel, Dixon, Dodge, Dunbar, Dwyer, Ewing, Fassett, Freeman, Gay, Glass, Guy, Hall, Hatfield, Healey, Holland, Huber, Hudson, Johnson, Jones, Keen, Kelsey, Kenyon, Laird, Laugenour, Lewis, Llewellyn, Meads, McCarthy, McDonald, McKelvey, Merrill, Nelson, North, O'Day, Osborn, Pendleton, Phelps, Powers, Price, Reid, Richards, Robinson, Rowell, Sanford, Staley, Stansell, Spencer, Swisler, Tibbits, Thomas, Tomblin, Twigg, Wade, Waymire, Weyse, Wilkins, Wilkinson, Zocchi, and Mr. Speaker

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. O. Summers.

READING AND APPROVAL OF THE JOURNAL.

Pending the reading of the Journal of yesterday, Mr. Pendleton moved that the further reading be dispensed with.
So ordered.

MOTION.

On motion of Mr. Pendleton, a recess was taken until twelve o'clock M.

MEETING OF THE SENATE AND ASSEMBLY IN JOINT SESSION.

Pursuant to Assembly Concurrent Resolution No. 3, the Senate and Assembly of the State of California met in joint session in the Assembly Chamber at twelve o'clock M., Friday, January 11, 1895, for the purpose of inaugurating the Governor-elect, Hon. James H. Budd.

The joint session was called to order by the President of the Senate, J. B. Reddick, in conjunction with the Speaker of the Assembly.

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

Senators Aram, Arms, Androus, Beard, Bert, Biggy, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Franck, Gestford, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, Mathews, McAllister, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington.

Quorum present.

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

Messrs. Ash, Bachman, Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Bledsoe, Boothby, Brusie, Bulla, Butler, Cargill, Coleman, Coghlin, Dale, Davis, Devitt, Devine, Dinkelspiel, Dixon, Dodge, Dunbar, Dwyer, Fassett, Freeman, Gay, Glass, Guy, Hall, Hatfield, Healey, Holland, Huber, Hudson, Johnson, Jones, Keen, Kelsey, Kenyon, Laird, Laugenour, Lewis, Llewellyn, Meads, McCarthy, McDonald, McKelvey, Merrill, Nelson, North, O'Day, Osborn, Pendleton, Phelps, Powers, Price, Richards, Robinson, Rowell, Sanford, Staley, Stansell, Spencer, Swisler, Tibbits, Thomas, Tomblin, Twigg, Wade, Waymire, Weyse, Wilkins, Wilkinson, Zocchi, and Mr. Speaker.

Quorum present.

President J. B. Reddick of the Senate and Speaker Lynch of the Assembly presiding.

Senator Langford, 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 H. H. Markham and Hon. James H. Budd, Governor-elect.

Prayer by the Chaplain of the Assembly, Rev. O. Summers.

Speaker Lynch introduced Governor H. H. Markham, who made an address.

Senator Langford and Assemblyman Dinkelspiel, of the Joint Committee, introduced to the President of the Senate and the Speaker of the Assembly, Governor-elect James H. Budd.

The Governor-elect was then introduced to the members of the joint session by the Hon. J. B. Reddick, President of the Senate.

The oath of office was administered by the Hon. F. W. Henshaw, Justice of the Supreme Court of California, to the Governor-elect, as follows:

OATH OF OFFICE.

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 James H. Budd then delivered his inaugural address.

Proceedings of the joint session were read and approved.

On motion of Senator Androus, the joint session adjourned without day or date.

REASSEMBLED.

At one o'clock and thirty minutes p. m. the House reassembled.
Speaker Lynch in the chair.

ADJOURNMENT.

At one o'clock and thirty-five minutes p. m., on motion of Mr. Bettman, the Assembly adjourned to meet at two o'clock p. m. Monday, January 14, 1895.

IN ASSEMBLY.

ASSEMBLY CHAMBER, }
Monday, January 14, 1895. }

The Assembly met pursuant to adjournment, at two o'clock p. m.,
Speaker Lynch in the chair.

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

Messrs. Ash, Bachman, Barker, Bassford, Belshaw, Bennett, Bettman, Bledsoe, Boothby, Brusie, Bulla, Butler, Cargill, Coleman, Coghlin, Cutter, Dale, Davis, Devitt, Devine, Dinkelspiel, Dixon, Dodge, Dunbar, Dwyer, Ewing, Fassett, Freeman, Gay, Glass, Guy, Hall, Hatfield, Healey, Holland, Hudson, Johnson, Jones, Keen, Kelsev, Kenyon, Laird, Laugenour, Lewis, Meads, McCarthy, McDonald, McKelvey, Merrill, Nelson, North, O'Day, Osborn, Pendleton, Phelps, Powers, Price, Reid, Richards, Robinson, Rowell, Sanford, Staley, Stansell, Spencer, Swisler, Tibbits, Thomas, Tomblin, Twigg, Wade, Weyse, Wilkins, Wilkinson, Zocchi, and Mr. Speaker.

Quorum present.

LEAVE OF ABSENCE.

Messrs. Llewellyn and Berry were granted leave of absence for the day.

PRAYER.

Prayer by the Chaplain, Rev. O. Summers.

READING AND APPROVAL OF THE JOURNAL.

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

So ordered.

Journals of Thursday, January 10th, and Friday, January 11th, approved.

APPOINTMENTS.

The Speaker announced that he had appointed Stephen Corscilia a Porter in place of M. Bushway, who was appointed January 9th.

Also, that he had appointed John H. DeNise as Watchman.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT, SACRAMENTO, CAL., January 11, 1895.

To the Assembly of the State of California

I have the honor to inform you that I have appointed E. L. Colnon, of San Joaquin County, State of California, my Private Secretary, through whom all communications from this office will be transmitted to your honorable body.

JAMES H. BUDD, Governor.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, January 9, 1895.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the ninth day of January, 1895, concurred in Assembly Concurrent Resolution No. 1, relative to the election returns for Governor and Lieutenant-Governor.

Also: Concurred in Assembly Concurrent Resolution No. 2 relative to the appointment of a committee to make arrangements for the inaugural ceremonies.

F. J. BRANDON, Secretary.
By R. SHAW, Assistant.

Also:

SENATE CHAMBER, SACRAMENTO, January 10, 1895.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, concurred in Assembly Concurrent Resolution No. 3, relative to the inaugural ceremonies.

R. SHAW, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, January 9, 1895.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, at the request of Governor Markham, herewith transmits to the Assembly the report of the Board of Sutter's Fort Trustees.

F. J. BRANDON, Secretary.
By R. SHAW, Assistant.

Also:

SENATE CHAMBER, SACRAMENTO, January 10, 1895

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, adopted Senate Concurrent Resolution No. 1, relative to appointment of Joint Committee on inaugural ball ceremonies.

R. SHAW, Assistant Secretary.

SENATE CONCURRENT RESOLUTION.

Mr. Dinkelspiel moved that Senate Concurrent Resolution No. 1 be now considered.

So ordered.

Senate Concurrent Resolution No. 1 read and adopted.

MOTION.

Mr. Bledsoe moved "that the Sergeant-at-Arms of the Assembly be instructed by the Speaker to cause the 'well' to be immediately vacated, and the restaurant and saloon now being conducted there to be at once closed and discontinued."

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

Ayes and noes demanded by Messrs. Bledsoe, Spencer, and North.

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

AYES—Messrs. Ash, Bachman, Bassford, Belshaw, Bennett, Bettman, Boothby, Brusie, Butler, Cargill, Coghlin, Cutter, Davis, Devitt, Devine, Dinkelspiel, Dixon, Dunbar, Dwyer, Ewing, Freeman, Gay, Hall, Hatfield, Healey, Huber, Kelsey, Laird, Laugenour, Lewis, Meads, McCarthy, McDonald, Merrill, North, O'Day, Osborn, Pendleton, Phelps, Price, Reid, Richards, Robinson, Staley, Stansell, Spencer, Swisler, Tibbits, Thomas, Tomblin, Twigg, Weyse, Wilkinson, Zocchi, and Mr. Speaker—55.

NOES—Messrs. Barker, Bledsoe, Bulla, Coleman, Dale, Dodge, Fassett, Glass, Guy, Holland, Hudson, Johnson, Jones, Keen, Kenyon, McKelvey, Nelson, Rowell, Sanford, Wade, and Wilkins—21.

PROTEST.

ASSEMBLY CHAMBER, January 14, 1895.

I hereby protest against the action of the House this day taken in the matter of my motion to order the Sergeant-at-Arms to have the "well" vacated, for the following reasons:

First—The action of the House, in laying the motion on the table, admitted of no debate, and therefore I could not have an opportunity to explain the facts or state the law bearing on the facts.

Second—For the reasons stated in the following opinion from the Attorney-General's office, which opinion is hereby made a part of this protest:

STATE OF CALIFORNIA, ATTORNEY-GENERAL'S OFFICE,)
SACRAMENTO January 14, 1895 (

Hon. A. J. BLEDSOE, *Member of the Assembly, District No. 2*

DEAR SIR: In reply to your questions: 1st. Who is the legal custodian of the State Capitol? 2d. Has the custodian of the Capitol, or any other officer, any authority or right to allow the use of the Capitol building for other than State purposes? 3d. Can a restaurant or saloon be legally established, licensed, or maintained during a session of the Legislature or at any other time in any part of the State Capitol? we answer:

First—The Secretary of State is the custodian, and has charge of the State Capitol. (Section 412, Political Code.)

Second—The State Capitol should be used only for State purposes.

Third—A restaurant or saloon where malt, spirituous, or vinous or other liquors are kept or sold cannot be established, licensed, or maintained at any time within the Capitol building, or on the grounds thereof. (Section 172, Penal Code, 61 Cal. 437, 74 Cal. 23.)

Respectfully,

J. C. DALY,
Deputy Attorney-General.

Third—To maintain a restaurant in the Capitol is equally unlawful with a saloon, and the Secretary of State violates the law in permitting the "well" to be operated, no matter what is or is not sold there. I protest against the action of the House, because it precluded debate, and thus prevented the members from gaining the very information which so many of them, in "explaining" their votes, so warmly professed to desire.

A. J. BLEDSOE.

RESOLUTIONS.

By Mr. Belshaw:

Resolved, That Jasper J. Jones be and he is hereby appointed Assistant Engrossing Clerk of the Assembly, at a per diem of eight dollars, to be paid out of the Contingent Fund of the Assembly.

Referred to Committee on Attachés and Employés.

By Mr. Wilkinson:

Resolved, That Sadie L. Cooper be and she is hereby appointed Mailing and Folding Clerk, at a per diem of six dollars, payable out of the Contingent Fund of the Assembly.

Referred to Committee on Attachés and Employés.

By Mr. Devitt:

Resolved, That Sam Bernstein be and he is hereby appointed Porter of the Coat-room of the Assembly, at a per diem of four dollars, to be paid out of the Contingent Fund of the Assembly.

Referred to Committee on Attachés and Employés.

By Mr. Dunbar:

Resolved, That H. R. Bell be and he is hereby appointed Assistant Bill Clerk of the Assembly, at a per diem of five dollars, payable out of the Contingent Fund of the Assembly.

Referred to Committee on Attachés and Employés.

By Mr. Brusie:

Resolved, That Miss Ella Bateman be and she is hereby appointed Assistant Engrossing Clerk, at the same per diem as the Engrossing Clerk, the same to be paid out of the Contingent Fund of the Assembly.

Referred to Committee on Attachés and Employés.

By Mr. Bulla:

Resolved, That John Cramer be and he is hereby appointed Janitor of the Coat-room, at a per diem of five dollars, the same to be paid out of the fund for the contingent expenses of the Assembly.

Referred to Committee on Attachés and Employés.

By Mr. Hudson (by request):

Resolved, That John Kofod be and he is hereby appointed 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. Lewis:

Resolved, That Mrs. G. W. Faylor be and she is hereby appointed an Assistant Enrolling Clerk, at the same per diem as is paid the other Assistant Enrolling Clerks, said per diem being payable out of the appropriation for the contingent expenses of the Assembly.

Referred to Committee on Attachés and Employés.

By Mr. McCarthy:

Resolved, That W. E. Lovejoy be and he is hereby appointed Porter and Messenger to the San Francisco Delegation, at the same per diem as other Porters of the Assembly Chamber, payable out of the appropriation for contingent expenses of the Assembly.

Referred to Committee on Attachés and Employés.

By Mr. Richards:

Resolved, That John M. Crane, of Stanislaus, be and he is hereby appointed Assistant Journal Clerk of the Assembly, at a per diem of six dollars, payable out of the Contingent Fund of the Assembly.

Referred to Committee on Attachés and Employés.

By Mr. Tomblin:

WHEREAS, The engrossment of bills must now be in a printed form, as provided for by the acts of a former session of the Legislature; and whereas, there will be a great many of the bills amended; and whereas, the Superintendent of State Printing will require a clean and clear copy for his compositors, therefore be it

Resolved, That J. C. Kesler be and he is hereby appointed an assistant clerk for the purpose of making such copies, at the same per diem as is paid the assistant clerks at the desk, said per diem being payable out of the appropriation for the contingent expenses of the Assembly

Referred to Committee on Attachés and Employés.

By Mr. Laird:

WHEREAS, A number of members of the Assembly desire more than one copy of the day's Journal; therefore be it

Resolved, That the State Printer be required to furnish not to exceed six copies of the day's Journal when requested by any member of the Assembly, said request to be made through the Sergeant-at-Arms, and by him delivered to said member.

Mr. Laird moved to suspend the rules and consider the resolution.

Lost.

Resolution referred to Committee on Public Printing.

By Mr. Stansell:

Resolved, That W. W. Cohn be and he is hereby appointed Watchman for the State Library during the session of the Legislature, at a per diem of five dollars, payable out of the Contingent Fund of the Assembly.

Referred to Committee on Attachés and Employés.

By Mr. Thomas:

Resolved, That C. B. Jones be and he is hereby appointed Messenger between the State Library and Assembly Chamber, 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. Tibbits:

Resolved, That L. Corrota be and he is hereby appointed Watchman of the gallery, at a per diem of four dollars, payable out of the appropriation for the contingent expenses of the Assembly.

Referred to Committee on Attachés and Employés.

By Mr. Devine:

Resolved, That Mrs. J. V. David be and she is hereby appointed an assistant in the office of the Enrolling Clerk, at the same per diem as is paid the Enrolling Clerk, said per diem being made payable out of the appropriation for the contingent expenses of the Assembly.

Referred to Committee on Attachés and Employés.

By Mr. Freeman:

Resolved, That S. F. King be and he is hereby appointed Assistant Porter, at a per diem of four dollars, and that the same be paid out of the Contingent Fund of the Assembly.

Referred to Committee on Attachés and Employés.

By Mr. Johnson:

Resolved, That Ames S. Johnston be and he is hereby appointed Second Assistant Journal Clerk of this Assembly, at the same per diem as the Journal Clerk, payable out of the contingent expenses of the Assembly.

Referred to Committee on Attachés and Employés.

By Mr. Zocchi:

Resolved, That A. Cantor be and he is hereby appointed a Page of the Assembly, at a per diem of three dollars, to be paid out of the Contingent Fund of the Assembly.

Referred to Committee on Attachés and Employés.

By Mr. Nelson:

Resolved, That A. S. Visser be and he is hereby appointed an Assistant Journal Clerk, at the same per diem as the Journal Clerk, payable out of the Contingent Fund of the Assembly.

Referred to Committee on Attachés and Employés.

By Mr. Thomas:

Resolved, That A. L. Rossi be and he is hereby appointed Assistant Bookkeeper to the Sergeant-at-Arms of the Assembly, at the same per diem as the Bookkeeper, payable out of the Contingent Fund of the Assembly.

Referred to Committee on Attachés and Employés.

By Mr. Butler:

Resolved, That A. D. Catlin be appointed an Assistant Clerk at the desk, to be paid out of the Contingent Fund of the Assembly, at a per diem of six dollars.

Referred to Committee on Attachés and Employés.

By Mr. Ewing:

Resolved, That John Rutherford be and he is hereby appointed Watchman, at four dollars per day.

Referred to Committee on Attachés and Employés.

ADJOURNMENT.

At two o'clock and fifty minutes P. M., on motion of Mr. Laugenour, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Tuesday, January 15, 1895. }

The Assembly met pursuant to adjournment.

Speaker Lynch in the chair.

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

Messrs. Ash, Bachman, Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Bledsoe, Boothby, Brusie, Bulla, Butler, Cargill, Coleman, Coghlin, Cutter, Dale, Davis, Devitt, Devine, Dinkelspiel, Dixon, Dodge, Dunbar, Dwyer, Ewing, Fassett, Freeman, Gay, Glass, Guy, Hall, Hatfield, Holland, Huber, Hudson, Johnson, Jones, Keen, Kelsey, Kenyon, Laird, Laugenour, Lewis, Llewellyn, Meads, McCarthy, McDonald, McKelvey, Merrill, Nelson, North, O'Day, Osborn, Pendleton, Phelps, Powers, Price, Reid, Richards, Robinson, Rowell, Sanford, Staley, Stansell, Spencer, Swisler, Tibbits, Thomas, Tomblin, Wade, Waymire, Weyse, Wilkins, Wilkinson, Zocchi, and Mr. Speaker.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. O. Summers.

READING AND APPROVAL OF THE JOURNAL.

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

So ordered.

Journal of Monday, January 14th, approved.

REPORT OF COMMITTEE ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, CAL., January 15, 1895.

MR. SPEAKER: Your Committee on Rules respectfully report the following standing rules of the Assembly, thirty-first session, and recommend that the same be adopted.

DINKELSPIEL, Chairman.

STANDING RULES OF THE ASSEMBLY—THIRTY-FIRST SESSION.

I.—HOURS OF MEETING.

The sessions of this House shall be daily (Sundays excepted), beginning at nine o'clock and thirty minutes A. M. Until February 1, 1895, adjournment shall be taken at twelve o'clock and thirty minutes P. M., and after said date a recess shall be taken at said hour to one o'clock and thirty minutes P. M., unless otherwise ordered by vote of the House.

II.—ORDER OF BUSINESS.

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

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. It shall then be numbered and read the first time at the Clerk's desk, referred to a standing committee and be printed, and a copy placed upon the desk of each member. 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 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 purposes shall be presented by the Committee on Ways and Means. 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.

VII.—INTRODUCTION OF BILLS BY COMMITTEES.

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

VIII.—DISPOSITION OF SENATE BILLS.

When a Senate bill has been received by the House, with a message announcing that the same has passed the Senate, such bill shall be read the first time by the Clerk and referred to a standing committee; *provided, however*, that when a Senate bill is received, the provisions of which are identical with those of an Assembly bill which has already been considered and reported by a committee of the House, such Senate bill shall be substituted for the Assembly bill (the latter being considered withdrawn), shall take the same place upon the Assembly file, and be considered as having received the same recommendation of the Assembly committee.

IX.—JOINT RESOLUTIONS AND CONSTITUTIONAL AMENDMENTS.

Joint resolutions shall be treated the same as bills; *provided*, that they shall be read but once, and that after they have been reported by a committee; *and provided further*, that the ayes and noes shall not be called upon their adoption unless regularly demanded. Proposed amendments to the Constitution shall be treated the same as bills; *provided*, that they shall be read but once, and that after they shall have been reported by a committee.

X.—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.

XI.—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.

XII.—REFERRING WITH SPECIAL INSTRUCTIONS.

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

XIII.—ORDER OF MAKING FILE.

Upon the introduction of bills, they shall be read and 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 Second Reading File, in the order in which the reports are made, and after the second reading, they shall be placed at the foot of the Third Reading File, in the order of reading, and precedence shall be given in the consideration of bills in the following order: Third Reading File and Second Reading File, 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 and second-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.

XIV.—ORDER MAKING SPECIAL FILE

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

XV.—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, and its position on the file.

XVI.—ENGROSSING AND ENROLLING BILLS.

The Engrossing Clerk and Enrolling Clerk shall engross and enroll the bills 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.

XVII.—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.

DUTIES OF SPEAKER

XVIII.—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.

XIX.—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

XX.—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.

XVI.—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 subpoenas issued by order of the House shall be under his hand, attested by the Clerk.

XXII.—MAY ORDER THE GALLERIES AND LOBBY CLEARED.

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

DUTIES OF THE SERGEANT-AT-ARMS.

XXIII.—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. He shall also have supervision of all the attachés of the House (except the clerks at the desk and the committee attachés), and shall be responsible for the performance of their duties, and shall report to the Speaker any dereliction of duty on the part of any attaché. The Speaker shall have the power to remove any attaché for incompetency or for willful neglect of duty.

XXIV.—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.

XXV.—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.

XXVI.—STANDING COMMITTEES

The standing committees of the House shall be as follows.

1. A Committee on Agriculture, to consist of seven members
2. A Committee on Attachés and Employés, to consist of five members.
3. A Committee on Banks and Banking, to consist of seven members.
4. A Committee on Claims, to consist of seven members
5. A Committee on Constitutional Amendments, 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 nine members.
10. A Committee on Crimes and Penalties, to consist of seven members.
11. A Committee on Contested Elections, to consist of seven members.
12. A Committee on Election Laws, to consist of seven members.
13. A Committee on Education, to consist of nine members.
14. A Committee on Engrossment, to consist of five members.
15. A Committee on Enrollment, to consist of five members.
16. A Committee on Fruit and Vine Interests, to consist of nine members.
17. A Committee on Fish and Game, to consist of seven members.
18. A Committee on Federal Relations, to consist of five members.
19. A Committee on Homestead and Land Monopoly, to consist of seven members.
20. A Committee on Manufactures and Internal Improvements, to consist of five members.
21. A Committee on Irrigation, to consist of nine members.
22. A Committee on Judiciary, to consist of twenty-one members.
23. A Committee on Mileage, to consist of five members.
24. A Committee on Military Affairs, to consist of eleven members.
25. A Committee on Labor and Capital, to consist of nine members.
26. A Committee on Mines and Mining Interests, to consist of nine members.
27. A Committee on Municipal Corporations, to consist of eleven members.
28. A Committee on Public Health and Quarantine, to consist of seven members.
29. A Committee on Public Buildings and Grounds, to consist of eleven members.
30. A Committee on Public Lands, to consist of nine members.
31. A Committee on Public Morals, to consist of seven members.
32. A Committee on Public Printing, to consist of seven members.
33. A Committee on Retrenchment and Public Expenditures, to consist of nine members.
34. A Committee on Roads and Highways, to consist of nine members.
35. A Committee on Rules and Regulations, to consist of five members, together with the Speaker, who shall be ex officio a member.
36. A Committee on State Parks and Forestry, to consist of five members.
37. A Committee on State Hospitals and Asylums, to consist of nine members.
38. A Committee on State Library, to consist of five members.
39. A Committee on State Prisons and Reformatory Institutions, to consist of nine members.
40. A Committee on Swamp and Overflowed Lands, to consist of nine members.
41. A Committee on Ways and Means, to consist of eleven members.

XXVII.—COMMITTEES TO BE APPOINTED BY SPEAKER.

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

DUTIES OF COMMITTEES.

XXVIII.—ON ELECTIONS.

It shall be the duty of the Committee on Contested 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.

XXIX.—ON WAYS AND MEANS.

It shall be the duty of the Committee on Ways and Means to take into consideration all such reports of the Treasury Department, and all such propositions relative to the revenue, as may be referred to them by the House, to inquire into the state of the public debt or the revenue, and of the expenditure, and report from time to time their opinion thereon. All bills for the appropriation of money, which were not at first referred to the Committee on Ways and Means, 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 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 shall from time to time, 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.

XXX.—ON RETRENCHMENT AND PUBLIC EXPENDITURES.

It shall be the duty of the Committee on Retrenchment and Public Expenditures to ascertain what State commissions, institutions, or boards, if any, can be abolished or consolidated with advantage to the public, in view of a more economical administration of State affairs; to ascertain what expenditures and salaries of the various public offices and institutions can be advantageously reduced or discontinued; to prepare and report to the Assembly such bills or resolutions as may be required to carry out the recommendations of the committee.

XXXI.—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 for 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.

XXXII.—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.

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, nor shall any committee 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 of the members thereof.

XXXIV.—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 a vote of the question is taken.

XXXV.—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.

XXXVI.—MOTION TO RISE DECIDED WITHOUT DEBATE.

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

XXXVII.—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.

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.

XII.—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.

XIII.—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

XIV.—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.

XV.—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, also the hour at which the motion was made.

XVI.—PRECEDENCE OF MOTIONS DURING DEBATE.

When a question is under debate, or before the house, no motion shall be received but: to adjourn; to lay on the table; for the previous question; to postpone to a 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.

XVII.—PREVIOUS QUESTION.

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

XVIII.—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

XIX.—PREVIOUS QUESTION DEMANDED.

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

XX.—QUESTION INDEFINITELY POSTPONED.

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

XXI.—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 a motion to add to nor a motion to strike out and insert

XXII.—SUBSTITUTE.

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, except as otherwise provided by Rule VII.

XXIII.—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 OF BILLS.

Five hundred 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.

LIV.—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.

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, shall (unless for special reasons he be excused) declare openly, and without debate, his vote. In taking the ayes and noes, and upon call of the House, the names of the members shall be taken alphabetically, and the Clerk shall enter on the Journal the names of those demanding the ayes and noes.

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 for whom no excuse or insufficient

excuses are made, may, by order of those present, be taken into custody as they appear, or may be sent for and taken into custody by the Sergeant-at-Arms wherever to be found, or by special messenger, to be appointed for that purpose. In the absence of a quorum, a majority of the members present may order a call of the House and compel the attendance of absentees in the manner above provided.

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 VI relating to third reading of bills. A motion or resolution proposing to increase or diminish a standing committee shall not be adopted until the same has been referred to the Committee on Rules and Regulations.

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.—EXTRA PAY.

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

LXXVI.—AUTHOR TO SPEAK LAST

The author of a bill, motion, or resolution shall have the privilege of closing the debate.

Sections one, two, three, four, five, and six, as reported were adopted.

Mr. Brusie moved to amend section seven by inserting after the word "withdrawn," the following:

Provided, any member may object to the withdrawal of any bill, and when such objection is made, such bill may not be withdrawn, but shall be placed upon the file, or retained in its place on the file.

The ayes and noes were demanded by Messrs. Pendleton, Dixon, and Dinkelspiel.

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

AYES—Messrs. Bachman, Barker, Bassford, Belshaw, Bennett, Berry, Bledsoe, Boothby, Brusie, Butler, Cargill, Coleman, Cutter, Dale, Davis, Devine, Dodge, Dunbar, Ewing, Fassett, Gay, Glass, Guy, Hall, Hatfield, Holland, Hudson, Johnson, Keen, Laird, Lewis, McCarthy, McDonald, McKelvey, Merrill, Nelson, North, O'Day, Osborn, Pendleton, Phelps, Powers, Price, Reid, Richards, Robinson, Rowell, Sanford, Staley, Stansell, Spencer, Swisler, Tibbits, Tomblin, Wilkins, and Zocchi—56

NOES—Messrs. Ash, Bettman, Bulla, Coghlin, Dinkelspiel, Dixon, Dwyer, Freeman, Huber, Jones, Kelsey, Kenyon, Laugenour, Llewellyn, Meads, Thomas, Wade, Weyse, Wilkinson, and Mr. Speaker—20.

Mr. Pendleton gave notice that on to-morrow he would move a reconsideration of the vote whereby the amendment was adopted.

Mr. Powers moved to amend the amendment of Mr. Brusie by inserting after the word "file" the following:

Provided further, that the committee shall specifically state the numbers of the bills which are to be replaced by the committee bill, and no bill not so specifically named shall be affected by the action of the committee in any way.

Adopted.

Mr. Reid moved to refer the section back to the committee.

Lost.

Section as amended adopted.

Mr. Wade gave notice that on to-morrow he would move a reconsideration of the vote whereby the amendment of Mr. Powers was adopted.

Pending consideration of section eight, Mr. Brusie moved that the further consideration of the report be made a special order for to-morrow, immediately after the reading of the Journal.

So ordered.

ADJOURNMENT.

At eleven o'clock and forty-five minutes A. M., on motion of Mr. Bulla, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Wednesday, January 16, 1895. }

The Assembly met pursuant to adjournment.

Speaker Lynch in the chair.

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

Messrs. Ash, Bachman, Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Boothby, Brusie, Bulla, Butler, Cargill, Coleman, Cutter, Dale, Davis, Devitt, Devine, Dinkelspiel, Dixon, Dodge, Dunbar, Dwyer, Ewing, Fassett, Freeman, Gay, Glass, Guy, Hall, Hatfield,

Huber, Hudson, Johnson, Jones, Keen, Kelsey, Kenyon, Laird, Laugenour, Lewis, Llewellyn, Meads, McCarthy, McDonald, McKelvey, Merrill, Nelson, North, O'Day, Osborn, Pendleton, Phelps, Powers, Price, Reid, Richards, Robinson, Rowell, Sanford, Staley, Stansell, Spencer, Swisler, Tibbits, Thomas, Tomblin, Wade, Waymire, Weyse, Wilkins, Wilkinson, Zocchi, and Mr. Speaker.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. O. Summers.

READING AND APPROVAL OF JOURNAL.

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

So ordered.

Journal of Tuesday, January 15th, approved.

LEAVE OF ABSENCE.

At the request of Mr. Glass, Mr. Bledsoe was granted leave of absence for the day.

SPECIAL ORDER.

Mr. Pendleton moved to reconsider the vote whereby the amendment of Mr. Brusie to section seven was adopted.

The ayes and noes were demanded by Messrs. Brusie, Cargill, and Wilkins.

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

AYES—Messrs. Ash, Bachman, Bassford, Berry, Bettman, Boothby, Bulla, Coghlin, Dale, Davis, Devitt, Devine, Dinkelspiel, Dixon, Dunbar, Dwyer, Ewing, Freeman, Guy, Hall, Huber, Hudson, Keen, Kelsey, Kenyon, Laugenour, Lewis, Llewellyn, Meads, McCarthy, McDonald, McKelvey, Merrill, O'Day, Osborn, Pendleton, Powers, Reid, Richards, Rowell, Sanford, Staley, Tomblin, Wade, Weyse, Wilkinson, Zocchi, and Mr. Speaker—48.

NOES—Messrs. Barker, Belshaw, Bennett, Brusie, Butler, Cargill, Coleman, Cutter, Dodge, Fassett, Gay, Glass, Hatfield, Holland, Johnson, Jones, Laird, Nelson, North, Phelps, Price, Stansell, Spencer, Swisler, Tibbits, Waymire, and Wilkins—27.

The question recurring on the amendment of Mr. Brusie, it was lost.

Mr. Reid moved to amend as follows:

Amend section seven by inserting after the word "shall," on third line, the following: "by a majority vote of the House."

Adopted.

Section seven as amended adopted.

Mr. Bulla moved to amend as follows:

By striking out of section sixteen, line four, the words: "nor shall any," and inserting the following: "no." Also, insert the word "shall" before the word "demand," in line five.

Adopted.

Section as amended adopted.

Report of the Committee on Rules as amended adopted.

REPORT OF STANDING COMMITTEE.

ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, January 16, 1895.

MR. SPEAKER: Your Committee on Rules respectfully recommend the adoption of the following resolutions.

DINKELSPIEL, Chairman.

Resolved, That under the order of introduction of bills, the Clerk shall place the names of all of the members in a box, and draw therefrom each name separately, and the member whose name is so drawn shall be entitled to introduce such bills as he may desire, and that such drawing be continued until all the names are called.

Adopted.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 16, 1895

MR. SPEAKER: Your Committee on Rules, to whom was referred the resolution relative to the appointment of a committee to consider the Governor's Message, respectfully report the same back with a substitute therefor, and recommend the adoption of the substitute.

DINKELSPIEL, Chairman.

RESOLUTIONS.

By Mr. Bulla:

Resolved, That the Speaker appoint a committee of seven, to which committee the second biennial message of his Excellency H. H. Markham, ex-Governor, and the inaugural message of his Excellency James H. Budd, Governor of the State of California, be and the same are hereby referred, and the said committee is instructed to segregate and refer the many subjects discussed in said messages to the appropriate standing committees, with whatever instructions as to the manner of investigating the said subjects so referred as the committee may determine to be proper in the premises

Adopted.

By Mr. Dinkelspiel:

Resolved, That the Chairman of each Standing Committee of the Assembly, except the Committees on Judiciary and Ways and Means, be and he is hereby granted permission to appoint a Clerk for his committee at the per diem as now fixed by law. That the Chairman of the San Francisco Delegation and the Chairman of the Democratic minority of the House be and they are hereby granted permission to appoint a Clerk for said delegation at the same per diem as is now allowed by law to the Clerk of the standing committees of the Assembly. That the Chairmen of the Committees on Judiciary, Ways and Means, and Appropriations, of the Assembly, be and they are hereby granted permission to appoint two Clerks for each of said committees, at the per diem as now fixed by law. That the per diem by this resolution shall be made payable out of the appropriation for the contingent expenses of the Assembly

Mr. Laugenour moved as a substitute, the following:

Resolved, That the Chairman of each of the following committees be and he is hereby granted permission to appoint a Clerk for his committee, at the per diem as now fixed by law:

1. Committee on Corporations.
2. Committee on State Prisons
3. Committee on Reformatory Institutions
4. Committee on Irrigation
5. Committee on Election Laws.
6. Committee on Counties and County Boundaries
7. Committee on Manufactures and Internal Improvements
8. Committee on Roads and Highways.

That the per diem provided for by this resolution shall be made payable out of the Contingent Fund of the Assembly.

Lost.

Mr. Reid moved to amend as follows:

By inserting after the word law the following: "*provided*, the said committees ask for a clerk by a majority vote of said committee."

Lost.

Resolution adopted.

By Mr. Dinkelspiel:

Resolved, That the Secretary of State be authorized to purchase, and pay for out of the contingent expenses of the Assembly, eighty-five copies of the Index to the California Codes (published under the direction of the State Printer), and that one copy be furnished each member of the Assembly.

Referred to Committee on Retrenchment.

By Mr. Bulla:

Resolved, That the State Librarian be and he is hereby authorized and directed to furnish each member of the Judiciary Committee of the Assembly, thirty-first session, with a copy of the Index to the Laws of California, and the Chairman of said committee is authorized to receive and receipt for the same.

Adopted.

By Mr. Cutter:

Resolved, That the Sergeant-at-Arms of the Assembly be empowered, and he is hereby authorized, to purchase such furniture and supplies as may be needed in the Assembly and committee rooms, the bills for the same to be approved by the Committee on Ways and Means, and by the Assembly, before any liability shall attach to the State.

Adopted.

By Mr. Dinkelspiel:

Resolved, That the State Printer is hereby authorized and directed to print, for the use of the Assembly, one thousand copies of the rules of this House as adopted.

Adopted.

By Mr. Thomas:

WHEREAS, The engrossment of bills must now be in printed form, as provided for by the Acts of the last session of the Legislature; and whereas, there will be a great many of the bills amended; and whereas, the Superintendent of State Printing will require a clean and clear copy for his compositors; therefore, be it

Resolved, That W. C. Guirey be and he is hereby appointed an Assistant Clerk for the purpose of making such copies, at the same per diem as is paid the Assistant Clerks at the desk, said per diem being payable out of the appropriation for the contingent expenses of the Assembly.

Referred to Committee on Attachés and Employés.

By Mr. Swisler:

Resolved, That the Controller be and he is hereby authorized and directed to draw a warrant in favor of the Secretary of State upon the appropriation for the contingent expenses of the Assembly for the sum of two hundred and forty-three dollars (\$243), in payment for eighty-one copies of Henning's Constitution of California, furnished the members and Chief Clerk of this Assembly under the resolution for that purpose, adopted on Wednesday, January 9, 1895.

Adopted.

By Mr. Bulla:

Resolved, That each member of the Assembly be and he is hereby 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 on requisition from the Secretary of State shall be charged to his account as a part of his allowance hereby made.

Adopted.

By Mr. Dodge:

Resolved, That the Speaker of the Assembly be and he is hereby directed to instruct the Assistant Sergeant-at-Arms and the Keeper of the Main Gate of the Assembly not to announce a messenger from the Senate while a member of the Assembly has the floor, without the consent of the Speaker or other presiding officer is first had.

Adopted.

By Mr. Laird:

Resolved, That requisitions on the Secretary of State for stationery be limited to twenty-five dollars each for the Committees on Ways and Means and Judiciary, and ten dollars each for all other standing committees, all requisitions to be signed by the Chairman

Adopted.

By Mr. Holland:

WHEREAS, J. B. Sanford, Member of the Assembly from Mendocino County, received but forty-one dollars for mileage due for attending the present session, when the true amount due is forty-five dollars and eighty cents; therefore,

Resolved, That the Controller be and he is hereby directed to draw his warrant upon the proper fund in favor of J. B. Sanford for four dollars and eighty cents, the same being the balance due him as aforesaid.

Referred to Committee on Mileage.

By Mr. Hatfield:

WHEREAS, It is deemed necessary and essential that there should be a suitable person appointed as Night Watchman for the Engrossing and Enrolling Clerks' offices, be it

Resolved, That W. R. Hall be and he is hereby appointed as Night Watchman for the said offices at a per diem of five dollars, payable out of the appropriation for the contingent expenses of the Assembly.

Referred to Committee on Attachés and Employés.

By Mr. Pendleton:

Resolved, That the Controller of State be and he is hereby authorized to draw his warrant, and the Treasurer is directed to pay the same, payable out of the fund for the contingent expenses of the Assembly, in favor of the Chief Clerk of the Assembly, for the sum of seventy-five dollars for rubber stamps and stencils to be used by the clerks at the desk

Adopted.

By Mr. McKelvey:

WHEREAS, Mr. A. J. Bledsoe, the member from Humboldt County, among other statements made by him in his explanation of his vote on January 14, 1895, on the motion to lay on the table the following motion:

"That the Sergeant-at-Arms of the Assembly be instructed by the Speaker to cause the 'well' to be immediately vacated, and the restaurant and saloon now being conducted there to be at once closed and discontinued."

Stated on the floor of the Assembly Chamber that he had positive evidence that intoxicating liquors were now being sold in the "well"; and whereas, such a condition of affairs, if it exist, is a blot on the fair name of this great State of California and an aspersion on the honor of this Assembly and the custodian of this Capitol building, the Honorable Secretary of State; therefore, be it

Resolved, That the Speaker appoint a special committee of five members to investigate and report on the question as to whether intoxicating liquors are sold in the "well," and also that such committee be given full power to send for persons and papers, and that Mr. Bledsoe be invited to lay before such committee the positive evidence which he now claims to have in his possession.

Laid over one day.

By Mr. Laird:

Resolved, That the Superintendent of State Printing be and he is hereby instructed and directed to print for the use of the members of the Assembly four hundred and eighty copies of each day's Journal of the Assembly, in addition to the number of such Journals now printed under the law

Laid over one day.

By Mr. Laugenour:

Resolved, That the Committee on Rules and Regulations of the Assembly be and it is hereby instructed to hold a joint conference with the Senate committee of like nature, for the purpose of framing and reporting to the Senate and Assembly a set of rules for their joint government

Laid over one day.

By Mr. Bulla:

Resolved, That the Post Office be kept open from nine o'clock A. M. to six o'clock P. M. every day (except on Sunday, when the same shall be open in the morning between the hours of ten and eleven o'clock, and in the afternoon between the hours of two and three o'clock), and at all times when the House is in session

Referred to Committee on Attachés and Employés.

By Mr. Guy:

Resolved, That the State Printer be and he is hereby directed to print one thousand copies of the Governor's inaugural address for distribution in the Assembly.

Laid over one day.

By Mr. Dunbar :

WHEREAS, An error has occurred in ascertaining the amount due to Willis Dunbar for mileage for attending the present session, the amount allowed being fourteen dollars and sixty cents, when the true amount is twenty-five dollars and sixty cents; therefore,

Resolved, That the Controller be and he is hereby directed to draw his warrant upon the proper fund in favor of Willis Dunbar for the sum of eleven dollars, the same being the balance due him as mileage aforesaid.

Referred to Committee on Mileage.

By Mr. Dale :

Resolved, That Chas. F. Maio of Bakersfield be and he is hereby appointed Assistant Sergeant-at-Arms, to be paid at the rate of five dollars per diem, out of the appropriation for the contingent expenses of the Assembly.

Referred to Committee on Attachés and Employés.

By Mr. McKelvey (by request):

Resolved, That James P. Devine be and he is hereby appointed Sergeant-at-Arms to the Committee on Judiciary, at the same per diem as the Assistant Sergeant-at-Arms of the Assembly, payable out of the fund for contingent expenses of the Assembly.

Referred to Committee on Attachés and Employés.

By Mr. Staley:

Resolved, That W. E. Thomas be and he is hereby appointed Assistant Minute Clerk, at the same rate per diem as is paid the other Assistant Minute Clerks, said per diem being payable out of the appropriation for the contingent expenses of the Assembly.

Referred to Committee on Attachés and Employés.

By Mr. North (by request):

Resolved, That Miss Anna Holzhauser be and she is hereby appointed Assistant Mailing Clerk, at a per diem of five dollars, the same to be payable out of the fund for the contingent expenses of the Assembly.

Referred to Committee on Attachés and Employés.

By Mr. Gay:

Resolved, That M. F. Dillon, ex-Assistant Journal and Minute Clerk of the Senate, be and he is hereby appointed Assistant Minute Clerk of the Assembly, vice Mr. I. Alexander, whose term of office expires on Saturday next, at the same per diem as the Minute Clerk, payable out of the Contingent Fund of the Assembly.

Referred to Committee on Attachés and Employés.

By Mr. Devitt:

Resolved, That Ed. J. Smith be and he is hereby appointed an Assistant Clerk of the Assembly to assist the History Clerk, at the same per diem as is paid the other Assistant Clerks at the desk, said per diem being payable out of the appropriation for the contingent expenses of the Assembly.

Referred to Committee on Attachés and Employés.

RECESS.

Mr. Wade moved that the rules be suspended and the Assembly take a recess until two o'clock P. M.

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

AYES—Messrs. Ash, Bachman, Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Boothby, Brusie, Bulla, Butler, Cargill, Coleman, Coghlin, Dale, Davis, Devitt, Devine, Dinkelspiel, Dixon, Dodge, Dunbar, Dwyer, Fassett, Freeman, Glass, Guy, Hall, Hatfield, Holland, Huber, Hudson, Johnson, Jones, Keen, Kelsey, Lewis, Llewellyn, Meads, McCarthy, McDonald, McKelvey, Merrill, Nelson, North, O'Day, Osborn, Pendleton, Phelps, Reid, Richards, Robinson, Rowell, Stansell, Spencer, Swisler, Tibbits, Tomblin, Wade, Waymire, Wilkins, Zocchi, and Mr. Speaker—64.

NOES—Messrs. Ewing, Kenyon, Laird, Laugenour, Powers, Price, Staley, Weyse, and Wilkinson—9.

At twelve o'clock and fifteen minutes P. M. the Assembly took a recess until two o'clock P. M.

REASSEMBLED.

The Assembly reassembled at two o'clock P. M.
Speaker Lynch in the chair.
Quorum present.

APPOINTMENT OF COMMITTEES.

The Speaker appointed the following standing committees:

Judiciary—Messrs. Bulla (Chairman), Dodge, Pendleton, Brusie, Waymire, Spencer, Davis, Dinkelspiel, Hatfield, McKelvey, Swisler, Cutter, Freeman, Weyse, Guy, North, Bledsoe, Bachman, Reid, Powers, Jones.

Attachés and Employés—Messrs. Weyse (Chairman), Nelson, Cargill, Devitt, Devine.
Retrenchment—Messrs. Phelps (Chairman), Spencer, Bennett, Powers, Dunbar, Wade, Bachman, Cutter, Reid.

Contested Elections—Messrs. Huber (Chairman), Swisler, Thomas, Pendleton, Zocchi, Bachman, O'Day.

Ways and Means—Messrs. Brusie (Chairman), Phelps, Merrill, Kelsey, Llewellyn, Belshaw, Swisler, Fassett, Tomblin, Laugenour, Devine.

County and Township Governments—Messrs. Dodge (Chairman), Coleman, Cutter, Freeman, Johnson, Berry, Kenyon, Reid, Ewing.

INTRODUCTION OF BILLS.

The following bills were introduced, read first time, and referred to committees, as follows:

By Mr. Waymire: Assembly Bill No. 2—An Act to provide for the repayment by the State of California of the purchase price of lands when it has been finally determined by a Court of competent jurisdiction that the State had no title to said lands at the time of sale, and to make an appropriation therefor.

Read first time, and referred to Committee on Public Lands.

Also: Assembly Bill No. 3—An Act making an appropriation to pay the claim of James A. Johnson for legal services in the harbor front cases.

Read first time, and referred to Committee on Claims.

Also: Assembly Bill No. 4—An Act to amend section three thousand four hundred and forty of the Civil Code of the State of California, relative to the transfer of personal property.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 5—An Act entitled "An Act to amend section ten hundred and eighty-three of the Political Code of the State of California, defining the qualifications and disabilities of electors."

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 6—An Act appropriating two hundred and fifty thousand dollars for the erection of buildings for the use of affiliated and other departments of the University of California.

Read first time, and referred to Committee on Public Buildings.

Also: Assembly Bill No. 7—An Act to provide for the appointment of Commissioners for the promotion of uniformity of legislation in the United States.

Read first time, and referred to Committee on Federal Relations.

Also: Assembly Bill No. 8—An Act to amend section one thousand eight hundred and eighteen of the Political Code, relative to the levying of county school taxes.

Read first time, and referred to Committee on Ways and Means.

By Mr. Bulla: Assembly Bill No. 9—An Act to amend section three thousand seven hundred and sixty-five, section three thousand seven hundred and seventy-three, section three thousand seven hundred and seventy-eight, section three thousand seven hundred and eighty, section three thousand seven hundred and eighty-one, section three thousand seven hundred and eighty-five, section three thousand seven hundred and eighty-eight, section three thousand eight hundred and sixteen, and section three thousand eight hundred and seventeen, and to repeal section three thousand seven hundred and seventy-four, section three thousand seven hundred and seventy-five, section three thousand seven hundred and seventy-six, section three thousand seven hundred and seventy-seven, section three thousand seven hundred and seventy-nine, section three thousand seven hundred and eighty-two, section three thousand seven hundred and eighty-three, section three thousand seven hundred and eighty-four, and section three thousand eight hundred and eighteen of an Act of the Legislature of the State of California entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the sale of real property for delinquent taxes, and the redemption and re-sale of such property, and to add a new section thereto, to be known and designated as section three thousand eight hundred and one, also relating to the sale of real property for delinquent taxes.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 10—An Act to amend section one thousand two hundred and fourteen of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to the recording of conveyances.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 11—An Act to amend an Act entitled "An Act to authorize the husband and wife, or next of kin, of a deceased

person, to collect and receive of any savings bank any deposit in such bank, when the same does not exceed the sum of three hundred dollars," approved February 18, 1874.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 12—An Act to amend section three thousand and forty-six of the Civil Code of the State of California, relating to vendors' liens, and the transfer and satisfaction thereof.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 13—An Act to amend section three thousand seven hundred and sixty-six of the Political Code, relating to the publication of lists of delinquent state and county taxes.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 14—An Act to amend section three hundred and forty-eight of the Code of Civil Procedure, relating to limitation of actions.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 15—An Act to amend section six of an Act entitled "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 therefor,' approved March 18, 1885, and to provide for Clerks of Police Courts in cities of twenty-six thousand and under fifty thousand inhabitants, approved March 31, 1891, and to provide for Clerks of Police Courts in cities having over fifty thousand and under one hundred thousand inhabitants."

Read first time, and referred to Committee on Municipal Corporations.

Also: Assembly Bill No. 16—An Act appropriating the sum of five thousand dollars for the purchase of furniture and apparatus for the State Normal School at Los Angeles, California.

Read first time, and referred to Committee on Public Buildings.

Also: Assembly Bill No. 17—An Act making an appropriation to pay the deficiency in the appropriation for the support of the State Normal School at Los Angeles for the forty-sixth fiscal year.

Read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No 18.—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, and amended March 31, 1891, by amending section twenty-four thereof, relating to the collection of assessments.

Read first time, and referred to Committee on Irrigation.

Also: Assembly Bill No. 19—An Act appropriating six thousand five hundred dollars to pay for a system of heating and ventilating in the old State Normal School at Los Angeles, California.

Read first time, and referred to Committee on Public Buildings.

Also: Assembly Bill No. 20—An Act to amend section three thousand and fifty-one of the Civil Code of California, relating to liens for services in the care, protection, improvement, safe-keeping, or carriage of personal property, and for caring for, boarding, feeding, or pasturing horses or stock.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 21—An Act for the creation of a commission for the promotion of uniformity of legislation in the United States.

Read first time, and referred to Committee on Federal Relations.

Also: Assembly Bill No. 22—An Act to provide for the organization, incorporation, and government of townships.

Read first time, and referred to Committee on County and Township Governments.

Also: Assembly Bill No. 23—An Act to prevent damage from the overflow of artesian wells.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 24—An Act to amend chapter seven, title nine, of the Political Code of the State of California, relating to the collection of property taxes, by adding a new section thereto, to be known as section three thousand seven hundred and forty-six and one half.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 25—An Act to amend section three hundred and thirty-seven of the Code of Civil Procedure, relating to the time in which actions must be commenced upon any contract, obligation, or liability founded upon an instrument in writing executed in this State.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 26—An Act to amend section six hundred and five of the Civil Code, relating to time allowed for commencing work and completing the same, under rights of way granted by municipal corporations, and providing for a forfeiture in case of failure to commence work or to complete it within the time fixed.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 27—An Act to amend chapter two, part four, title fourteen, of the Civil Code, by adding thereto a new section, to be numbered section three thousand nine hundred and thirty-nine and one half, relating to satisfaction or release of mortgages in this State by foreign execution or administration.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 28—An Act to amend section six hundred and seventy-one of the Code of Civil Procedure, relating to the lien of judgments, their enforcement and revivor.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 29—An Act to amend section six hundred and eighty-five of the Code of Civil Procedure, relating to the enforcement or carrying into execution of judgments after the lapse of five years from the date of entry.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 30—An Act for the protection of the records of the several counties of the State of California, and regulating the business of abstracting in relation thereto.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 31—An Act to amend section one thousand five hundred and thirty-nine of the Code of Civil Procedure, relative to hearing of petitions for order to sell real estate of decedents.

Read first time, and referred to Committee on Judiciary.

By Mr. Llewellyn: Assembly Bill No. 32—An Act to amend section one thousand and ninety-four of the Civil Code, relating to the execution and acknowledging of powers of attorneys by a married woman, and to make valid all powers of attorney formerly executed by married women.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 33—An Act to amend section fifteen hundred and eighty-two of the Code of Civil Procedure, relating to the right of

executors and administrators to sue and be sued to determine title or to recover property.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 34—An Act to amend section fifteen hundred and sixty-one of the Code of Civil Procedure, relating to the confirmation of sales made without an order of Court.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 35—An Act to amend section one hundred and seventy-two of the Civil Code, relating to power of husband and wife over community property.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 36—An Act to add a new section to the Code of Civil Procedure, said section to be designated as section seven hundred and fifty, relating to quieting title to real property as against unknown claimants.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 37—An Act to amend section ten hundred and ninety-three of the Civil Code, relating to the execution of a grant of real property by a married woman, and making valid and binding all instruments made by married women as grants.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 38—An Act to amend section eleven hundred and ninety-one of the Civil Code, relating to the form of acknowledgment by married women.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 39—An Act to amend section twelve hundred and seven of the Civil Code, relating to notice and certified copies of records as evidence.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 40—An Act to amend section twenty-nine hundred and thirty-two of the Civil Code, relating to a power of sale in a mortgage.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 41—An Act to amend section four hundred and sixteen of the Code of Civil Procedure, relating to the acquiring of jurisdiction in actions.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 42—An Act to add a new section to the Code of Civil Procedure, said section to be designated as section three hundred and twenty-nine, relating to the limitation of action to recover real property.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 43—An Act making an appropriation to pay the claim of the "Evening Express" Company of Los Angeles, California.

Read first time, and referred to Committee on Claims.

Also: Assembly Bill No. 44—An Act to amend section twenty-three hundred and twenty-four of the Civil Code, relating to authority to sell real property.

Read first time, and referred to Committee on Judiciary.

By Mr. Rowell: Assembly Bill No. 45—An Act to reduce the number of Judges of the Superior Court of the county of Fresno from three to two.

Read first time, and referred to Committee on County and Township Governments.

Also: Assembly Bill No. 46—An Act making an appropriation to pay Charles Phipps for services rendered as assistant to the Secretary of the State Board of Examiners, from February 15, 1891, to March 21, 1891.

Read first time, and referred to Committee on Claims.

By Mr. Gay: Assembly Bill No. 47—An Act to pay the claim of Mary M. Springer, the widow and heir of Thomas A. Springer, late State Printer, deceased.

Read first time, and referred to Committee on Claims.

By Mr. Spencer: Assembly Bill No. 48—An Act to enfranchise the women citizens of the State, and prescribing their qualifications as electors.

Read first time, and referred to Committee on Election Laws.

Also: Assembly Bill No. 49—An Act to repeal an Act entitled "An Act fixing a bounty on coyote scalps," approved March 31, 1891.

Read first time, and referred to Committee on Retrenchment and Public Expenditures.

Also: Assembly Bill No. 50—An Act to amend section four hundred and thirty-seven of the Code of Civil Procedure, relating to answers.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 51—An Act to amend section three thousand and two of the Civil Code, relating to the giving of notice of sale to a pledgor.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 52—An Act to amend section one thousand six hundred and ninety-nine of the Code of Civil Procedure, relating to settlement of accounts of trustees after distribution of estates, and to compensation of trustees.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 53—An Act to amend section three thousand and ten of the Civil Code, relating to the right of the pledgee to purchase the pledged property when sold at public auction.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 54—An Act to amend section eleven hundred and sixteen of the Code of Civil Procedure, relating to election contests.

Read first time, and referred to Committee on Election Laws.

Also: Assembly Bill No. 55—An Act to amend section one thousand two hundred and twenty-two of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 56—An Act to amend section five hundred and twenty-seven of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872.

Read first time, and referred to Committee on Judiciary.

By Mr. Guy: Assembly Bill No. 57—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved March 24, 1893, by amending section one hundred and sixty-two, relating to the classification of counties, and section two hundred and sixteen, providing for certain deputies and certain fees, and to insert a new section, to be numbered one hundred and seventy and one half, and to create a new class of counties of the eighth and one half class, relating to the government of counties.

Read first time, and referred to Committee on County and Township Governments.

Also: Assembly Bill No. 58—An Act to establish a State Normal School at San Diego.

Read first time, and referred to Committee on Public Buildings and Grounds.

Also: Assembly Bill No. 59—An Act to repeal an Act entitled "An Act to increase the number of Judges of the Superior Court of the county of San Diego, of the State of California, and for the appointment of such additional Judges," approved February 8, 1889; and to provide that after the first Monday after the first day of January, A. D. 1897, there shall be but two Judges of the said Superior Court.

Read first time, and referred to Committee on County and Township Governments.

Also: Assembly Bill No. 60—An Act to add a new section to the Political Code, to be numbered section three thousand eight hundred and eighteen, in relation to the cancellation of tax sales to the State.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 61—An Act to enable cities incorporated and operating under a charter framed under section eight, article eleven, of the Constitution, to abolish and annul such charter.

Read first time, and referred to Committee on Constitutional Amendments.

Also: Assembly Bill No. 62—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 21, 1872, by adding thereto two sections, to be known as sections one thousand eight hundred and eighty-two and one thousand eight hundred and eighty-five, being a part of part four, title two, chapter two, concerning witnesses.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 63—An Act to repeal sections one hundred and fifty-four and one hundred and fifty-five of an Act entitled "An Act to establish a Penal Code of the State of California," approved February 14, 1872.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 64—An Act to amend an Act approved March 26, 1872, entitled "An Act to establish pilots and pilot regulations for the port of San Diego."

Read first time, and referred to Committee on Commerce and Navigation.

Also: Assembly Bill No. 65—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, and Acts amendatory thereto, enabling an irrigation district to dispose of certain rights and property already acquired, for the purpose of thereby securing a water supply for the district; also to jointly, with another irrigation district, persons, company, or private or municipal corporation, develop water for irrigation and other purposes; and also to dispose of water, water rights, or other property acquired in excess of the actual needs of the district.

Read first time, and referred to Committee on Irrigation.

Also: Assembly Bill No. 66—An Act to amend section seven hundred and thirty-eight of the Code of Civil Procedure.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 67—An Act providing for changing the fiscal year of cities in this State operating under a charter framed under section eight, article eleven, of the Constitution.

Read first time, and referred to Committee on Municipal Corporations.

Also: Assembly Bill No. 68—An Act to amend section three thousand seven hundred and seventy-seven of the Political Code of the State of California.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 69—An Act to amend section one of an Act entitled "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," approved March 2, 1891.

Read first time, and referred to Committee on Municipal Corporations.

Also: Assembly Bill No. 70—An Act authorizing municipal corporations to dispose of surplus water along the line of their water supply outside of their corporate limits; to join with other persons, corporations, and irrigation districts in developing water; and empowering the legislative authority of such municipal corporations to execute such powers.

Read first time, and referred to Committee on Municipal Corporations.

Also: Assembly Bill No. 71—An Act to amend section three thousand seven hundred and ninety-four and section three thousand six hundred and eight of the Political Code of this State, relating to assessment and taxation.

Read first time, and referred to Committee on Judiciary.

By Mr. Weyse: Assembly Bill No. 72—An Act to amend section one thousand seven hundred and four of the Political Code, relative to the eligibility of persons to teach in the public schools of this State.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 73—An Act providing for the establishment of a public pound in each county, and for the care of estrays.

Read first time, and referred to Committee on Judiciary.

By Mr. Dale: Assembly Bill No. 74—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 24, 1893.

Read first time, and referred to Committee on County and Township Governments.

By Mr. Glass: Assembly Bill No. 75—An Act to amend section four hundred and eighty-seven of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 76—An Act to provide for the payment for the advertising of the Constitutional Amendments, and to make an appropriation therefor.

Read first time, and referred to Committee on Claims.

Also: Assembly Bill No. 77—An Act to amend an Act entitled "An Act to provide for the classification of municipal corporations," as approved March 2, 1883. (St. 1883, p. 24.)

Read first time, and referred to Committee on Municipal Corporations.

By Mr. Powers: Assembly Bill No. 78—An Act to amend section nine hundred and fifty-four of the Code of Civil Procedure, relating to the dismissal of appeals.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 79—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved March 24, 1893.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 80—An Act to compel commercial banks to publish a sworn statement of all unclaimed deposits.

Read first time, and referred to Committee on Banks and Banking.

Also: Assembly Bill No. 81—An Act to amend section three thousand four hundred and forty-nine and three thousand four hundred and sixty-eight of the Civil Code of the State of California, relating to assignments for the benefit of creditors.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 82—An Act to amend section one thousand one hundred and seven of the Civil Code of the State of California, relating to the effect of transfers of real property.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 83—An Act to amend section three thousand four hundred and forty-two of the Civil Code of the State of California, relating to fraudulent instruments and transfers.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 84—An Act to amend an Act of the Legislature of the State of California 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, by amending sections twenty-four, seven, twelve, thirteen, and fourteen of said Act, relating to the orders of Court to be made, and the proceedings to be had, upon the filing of petitions in insolvency.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 85—An Act to amend an Act of the Legislature of the State of California, 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, by adding a new section to said Insolvent Act, to be known as section sixty-three, relating to the appointment, powers, and duties of receivers.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 86—An Act to amend section one hundred and ninety-two of the Penal Code, relating to homicides.

Read first time, and referred to Committee on Crimes and Penalties.

Also: Assembly Bill No. 87—An Act to amend sections one thousand two hundred and thirteen and one thousand two hundred and fourteen of the Civil Code of the State of California, relating to the effect of recording transfers and conveyances of real property or the want thereof.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 88—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by adding a new section to said Penal Code, to be known and numbered as section two hundred and seventy-six, relating to abortions.

Read first time, and referred to Committee on Crimes and Penalties.

By Mr. Holland: Assembly Bill No. 89—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 first time, and referred to Committee on State Parks and Forestry.

Also: Assembly Bill No. 90—An Act for the protection of miners, and repealing all Acts in conflict therewith.

Read first time, and referred to Committee on Mines and Mining.

By Mr. Brusie: Assembly Bill No. 91—An Act to appropriate the sum of fifteen hundred (\$1,500) dollars to pay the claim of T. Carl Spelling against the State.

Read first time, and referred to Committee on Claims.

Also: Assembly Bill No. 92—An Act to authorize State Agricultural Societies, under the control of the State, to sell or mortgage property held by them in fee, or held by trustees for their use, or in which they may have any interest; to prescribe a course of procedure therefor, to indemnify purchasers at such sale, and to direct how the proceeds shall be applied.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 93—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.

Read first time, and referred to Committee on Municipal Corporations.

Also: Assembly Bill No. 94—An Act to provide for the purchase of a furnished residence for the Governor of California, and to appropriate money therefor.

Read first time, and referred to Committee on Public Buildings.

Also: Assembly Bill No. 95—An Act to pay certain swamp land warrants, and to make appropriations therefor.

Read first time, and referred to Committee on Swamp and Overflowed Lands.

By Mr. Ewing: Assembly Bill No. 96—An Act to declare when a vacancy exists in any elective or appointive office, board, or commission, of any county, city, city and county, township, or municipality, and to provide for filling the same.

Read first time, and referred to Committee on Election Laws.

By Mr. Keen: Assembly Bill No. 97—An Act to repeal an Act entitled "An Act fixing a bounty on coyote scalps," approved March 31, 1891.

Read first time, and referred to Committee on Retrenchment.

Also: Assembly Bill No. 98—An Act to provide against the adulteration of food and drugs.

Read first time, and referred to Committee on Public Health and Quarantine.

Also: Assembly Bill No. 99—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by amending section one hundred and eighty-one of said Act, relative to distances from the county seat of San Diego County.

Read first time, and referred to Committee on County and Township Governments.

Also: Assembly Bill No. 100—An Act to regulate the sale of milk.

Read first time, and referred to Committee on Public Health and Quarantine.

Also: Assembly Bill No. 101—An Act to secure the investigation of orphan asylums and other institutions for the care and maintenance of children receiving State aid, and for the establishment of public schools therein.

Read first time, and referred to Committee on State Hospitals.

Also: Assembly Bill No. 102—An Act to amend section one hundred and fifteen of the Code of Civil Procedure of the State of California, relating to the jurisdiction of Justices' Courts.

Read first time, and referred to Committee on Judiciary.

By Mr. Dixon: Assembly Bill No. 103—An Act entitled "An Act to amend section three hundred and eighty-five of the Political Code of the State of California, relating to the salary of the Private Secretary of the Governor," approved March 4, 1889.

Read first time, and referred to Committee on Retrenchment.

Also: Assembly Bill No. 104—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 in cities and towns, and cities and counties having a population of three thousand inhabitants or over, and to more effectually protect the people against contagious diseases.

Read first time, and referred to Committee on Public Health.

Also: Assembly Bill No. 105—An Act to provide for the better protection and security of life and property, and for the appointment of an Examining Engineer to license engineers of portable and stationary engines and boilers, and to establish the duties and compensation of said engineers.

Read first time, and referred to Committee on Commerce and Navigation.

Also: Assembly Bill No. 106—An Act providing for the selection, condemnation, and purchase of a suitable site, and the erection thereon of a State building, in San Francisco, and making an appropriation therefor.

Read first time, and referred to Committee on Public Buildings.

Also: Assembly Bill No. 107—An Act to amend an Act entitled "An Act amendatory of and supplementary to an Act entitled 'An Act to create a Police Court in and for the City and County of San Francisco, State of California,' approved March 5, 1889, and providing for an additional department, to be known as department number four, and the appointment of a suitable person to act as Judge of said Court," approved February 23, 1893, and relating to the appointment of Assistant District Attorneys thereof, and of certain clerks.

Read first time, and referred to San Francisco Delegation.

Also: Assembly Bill No. 108—An Act to amend an Act of the Legislature of the State of California 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, by amending section forty-nine of said Act, relating to debtors' discharge.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 109—An Act to amend section six hundred and fifty-three of the Civil Code of California, relating to the consolidation of colleges and institutions of higher education.

Read first time, and referred to Committee on Education.

Also: Assembly Bill No. 110—An Act to amend section six hundred and two of the Penal Code of the State of California, relating to trespass.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 111—An Act to amend an Act entitled "An Act to authorize the Justices of the Supreme Court to appoint a Librarian for said Court, and fixing a salary," approved March 11, 1893.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 112—An Act to amend an Act of the Legislature of the State of California 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, by amending sections eight, nine, ten, and eleven of said Act, relating to the filing of creditors' petitions in insolvency, and the orders of Court to be made, and the proceedings to be had thereon; also, by amending sections fifteen, sixteen, seventeen, eighteen, nineteen, twenty-six, twenty-nine, thirty, thirty-two, and thirty-three of said Act, relating to assignees, their election, appointment, rights, powers, duties, and accounts; also, by amending section thirty-five of said Act, relating to insolvency proceedings by or against partnerships and corporations; also, by amending section forty-eight of said Act, relating to debtors' discharge; also, by amending section fifty-five of said Act, relating to fraudulent preferences and transfers; also, by amending section sixty-one of said Act, relating to the time when insolvency proceedings are deemed to be commenced; also, by amending section sixty-four of said Act, relating to contempts; also, by amending section sixty-five of said Act, relating to preferred claims for costs; also, by amending section sixty-seven of said Act, relating to appeals.

Read first time, and referred to Committee on Judiciary.

By Mr. Davis: Assembly Bill No. 113—An Act to provide for the formation of new counties and the appointment and election of officers, the location of county seats thereof, and the adjustment and fulfillment of certain rights and obligations arising between such counties and other counties.

Read first time, and referred to Committee on Counties and County Boundaries.

By Mr. Dodge: Assembly Bill No. 114—An Act to prevent the display of foreign flags on public buildings in this State.

Read first time, and referred to Committee on Public Buildings and Grounds.

Also: Assembly Bill No. 115—An Act to secure independence and promote purity in nominations by political conventions.

Read first time, and referred to Committee on Election Laws.

Also: Assembly Bill No. 116—An Act requiring county officers to file a monthly expense account.

Read first time, and referred to Committee on County and Township Governments.

Also: Assembly Bill No. 117—An Act to amend section seven hundred and twenty-six of the Code of Civil Procedure.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 118—An Act to appropriate money to pay the claim of Henry W. Taylor, assignee of John M. Creed, for the construction of a sewer along Dwight Way, in front of lands of Deaf, Dumb, and Blind Asylum at Berkeley, California.

Read first time, and referred to Committee on Claims.

Also: Assembly Bill No. 119—An Act to provide for the payment of the claim of Fred Becker for meats furnished to the National Guard at West Oakland during the railroad strike in 1894, and to make an appropriation therefor.

Read first time, and referred to Committee on Claims.

Also: Assembly Bill No. 120—An Act to provide for the completion and equipment of the Deaf, Dumb, and Blind Asylum, and to make an appropriation therefor.

Read first time, and referred to Committee on State Hospitals and Asylums.

By Mr. Fassett: Assembly Bill No. 121—An Act entitled an Act to amend section two thousand nine hundred and fifty-five of the Civil Code.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 122—An Act to amend section one thousand eight hundred and sixty-two 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 referred to Committee on Municipal Corporations.

By Mr. Boothby: Assembly Bill No. 123—An Act fixing the compensation for services of bailiffs of Police Courts in cities, and cities and counties, having a population of over one hundred thousand inhabitants.

Read first time, and referred to San Francisco Delegation.

Also: Assembly Bill No. 124—An Act authorizing Justices of the Peace in cities, and cities and counties, having a population of over one hundred thousand inhabitants, to appoint bailiffs.

Read first time, and referred to San Francisco Delegation.

By Mr. O'Day: Assembly Bill No. 125—An Act to appropriate the sum of one thousand and fifty-two dollars to pay the claim of Jerome Deasy.

Read first time, and referred to Committee on Claims.

By Mr. Coleman: Assembly Bill No. 126—An Act giving the consent of the State of California to the reservations in California, created for public uses under Acts of Congress, accepting the provisions made therefor by the United States, and prohibiting the sale of State lands therein.

Read first time, and referred to Committee on State Parks.

By Mr. Kelsey: Assembly Bill No. 127—An Act granting permission to the City of San José to erect a high school and library building upon the grounds of the State Normal School at San José.

Read first time, and referred to Committee on Public Buildings.

Also: Assembly Bill No. 128—An Act to appropriate the sum of five thousand dollars for repairs to the buildings of the State Normal School at San José.

Read first time, and referred to Committee on Public Buildings.

Also: Assembly Bill No. 129—An Act to appropriate five thousand dollars for repairs and improvements upon the grounds of the State Normal School at San José.

Read first time, and referred to Committee on Public Buildings.

By Mr. McKelvey: Assembly Bill No. 130—An Act fixing the fees to be collected by county and township officers, and the fees for mileage and per diem to be allowed to jurors and witnesses, and repealing all Acts and parts of Acts in conflict with the provisions of this Act.

Read first time, and referred to Committee on County and Township Governments.

Also: Assembly Bill No. 131—An Act concerning estray animals, fixing the procedure in estray cases, and repealing all other Acts relating to estray animals.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 132—An Act to provide for the organization and management of county fire insurance companies.

Read first time, and referred to Committee on Corporations.

Also: Assembly Bill No. 133—An Act to pay the claim of Edwin J. Card against the State of California, and to appropriate money therefor.

Read first time, and referred to Committee on Claims.

Also: Assembly Bill No. 134—An Act to repeal section one thousand two hundred and twenty-two of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relative to judgments in contempt proceedings.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 135—An Act to amend section four hundred and sixteen of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relative to the fees to be collected by the Secretary of State for services rendered by him in his official capacity.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 136—An Act to amend sections three hundred and thirty-six, three hundred and thirty-seven, three hundred and thirty-eight, three hundred and thirty-nine, and three hundred and forty of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relative to the time of commencing actions other than for the recovery of real property.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 137—An Act to appropriate the sum of three hundred dollars to pay the claim of A. L. Wood for the capture of Francisco Torres.

Read first time, and referred to Committee on Claims.

Also: Assembly Bill No. 138—An Act to amend section one thousand and thirty of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, in relation to costs when tender is made before suit is brought.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 139—An Act to amend section sixty-eight of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to the solemnizing of marriage.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 140—An Act to amend section three hundred and twenty-four of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to the transfer of shares of stock of corporations engaged in certain business, transferable as appurtenances to real property.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 141—An Act to amend section six hundred and seventy of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, in relation to what papers constitute a judgment roll.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 142—An Act to amend an Act entitled "An Act to establish law libraries," approved March 1, 1891, and to add a

new section thereto, for the purpose of disestablishing such law libraries, such new section to be numbered fourteen and one half.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 143—An Act to amend section one thousand two hundred and sixty-three by adding subdivision five thereto, and sections one thousand two hundred and sixty-four, one thousand two hundred and sixty-seven, and one thousand two hundred and sixty-eight of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to the declaration of homestead, and the rights arising therefrom.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 144—An Act to amend section seventeen hundred and ninety-nine of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the discharge of guardians.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 145—An Act to amend section seven hundred and fifty-two of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relative to the fees to be collected by the Clerk of the Supreme Court of the State of California.

Read first time, and referred to Committee on Judiciary.

By Mr. Cutter: Assembly Bill No. 146—An Act to amend sections six hundred and twenty-six, six hundred and thirty-one, six hundred and thirty-two, six hundred and thirty-three, and six hundred and thirty-four of, and to add three new sections, to be numbered six hundred and twenty-seven, six hundred and twenty-eight, and six hundred and twenty-nine, to an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to fish and game.

Read first time, and referred to Committee on Fish and Game.

Also: Assembly Bill No. 147—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved March 24, 1893, by amending subdivision twenty-nine and one half of section twenty-five thereof, relative to the powers of Boards of Supervisors.

Read first time, and referred to Committee on County and Township Governments.

Also: Assembly Bill No. 148—An Act to create the office of Fish and Game Warden, and to prescribe the powers, duties, and salary of such officer.

Read first time, and referred to Committee on Fish and Game.

Also: Assembly Bill No. 149—An Act to add a new section to the Code of Civil Procedure, to be known as section seven hundred and thirty, relating to actions for foreclosure of mortgages.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 150—An Act to regulate and provide for a day of rest in certain cases.

Read first time, and referred to Committee on Public Morals.

Also: Assembly Bill No. 151—An Act to amend section one hundred and seventy of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 23, 1893, relating to the disqualifications of Judges.

Read first time, and referred to Committee on Judiciary.

By Mr. Johnson: Assembly Bill No. 152—An Act to prevent the sale of short weight in butter.

Read first time, and referred to Committee on Agriculture.

Also: Assembly Bill No. 153—An Act to provide for the appointment and election of one additional Judge for the county of Humboldt.

Read first time, and referred to Committee on County and Township Governments.

Also: Assembly Bill No. 154—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 first time, and referred to Committee on Claims.

By Mr. Dinkelspiel: Assembly Bill No. 155—An Act to pay the claim of Cornelius Lynch against the State of California, and to appropriate money therefor.

Read first time, and referred to Committee on Claims.

Also (by request): Assembly Bill No. 156—An Act to pay the claim of Lawrence Dunnigan against the State of California, and making an appropriation therefor.

Read first time, and referred to Committee on Claims.

Also: Assembly Bill No. 157—An Act authorizing the Judges of the Superior Court in all counties, and cities and counties, having a population of two hundred thousand inhabitants and over, to appoint a Secretary.

Read first time, and referred to San Francisco Delegation.

By Mr. Ash: Assembly Bill No. 158—An Act to amend section fifty-five of the Civil Code of the State of California; to repeal sections seventy-five, seventy-six, and seventy-seven thereof, and to add a new section thereto, to be known as section eighty-one of the Civil Code, relating to marriage, marriage contracts, and the solemnization of marriages.

Read first time, and referred to Committee on Judiciary.

By Mr. Cargill: Assembly Bill No. 159—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved March 24, 1893, by amending section two hundred and three thereof, relating to the compensation of county officers.

Read first time, and referred to Committee on County and Township Governments.

Also: Assembly Bill No. 160—An Act to amend sections one thousand five hundred and fifty-two and one thousand five hundred and fifty-three of the Political Code, relating to the public schools.

Read first time, and referred to Committee on Education.

By Mr. Wilkins: Assembly Bill No. 161—An Act to amend an Act entitled "An Act for the restoration and preservation of fish in the waters of this State," approved April 2, 1870, by adding thereto an additional section, numbered section twelve, relative to the better protection of fish placed in streams for the purpose of propagation.

Read first time, and referred to Committee on Fish and Game.

Also: Assembly Bill No. 162—An Act to appoint a committee to report to the thirty-second session of the Legislature on the laws of the State penal institutions, and on the abolishment of the State Prison at San Quentin.

Read first time, and referred to Committee on Retrenchment and Public Expenditures.

Also: Assembly Bill No. 163—An Act making an appropriation for reimbursing the county of Marin for moneys expended by it for the prosecution of crimes committed within the State Prison at San Quentin, and for inquests held over the bodies of convicts who have died within said prison.

Read first time, and referred to Committee on Crimes and Penalties.

Also: Assembly Bill No. 164—An Act to prevent deception in the manufacture and sale of butter and of cheese, to secure its enforcement, and to appropriate money therefor.

Read first time, and referred to Committee on Agriculture.

By Mr. Laird: Assembly Bill No. 165—An Act for the protection of patients from extortion by dishonest physicians and druggists.

Read first time, and referred to Committee on Public Health and Quarantine.

By Mr. Hatfield: Assembly Bill No. 166—An Act to amend sections one thousand two hundred and forty-five, one thousand two hundred and forty-six, one thousand two hundred and forty-seven, one thousand two hundred and forty-eight, one thousand two hundred and forty-nine, one thousand two hundred and fifty, one thousand two hundred and fifty-one, one thousand two hundred and fifty-two, and one thousand two hundred and fifty-three of the Civil Code, and to repeal sections one thousand two hundred and fifty-four, one thousand two hundred and fifty-five, one thousand two hundred and fifty-six, one thousand two hundred and fifty-seven, and one thousand two hundred and fifty-eight of said Code, relating to homestead exemptions.

Read first time, and referred to Committee on Homesteads and Land Monopoly.

Also: Assembly Bill No. 167—An Act to amend sections five hundred and forty-two, five hundred and forty-three, and five hundred and forty-four of the Code of Civil Procedure of the State of California, concerning attachments.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 168—An Act to amend the Code of Civil Procedure by adding thereto four new sections, to be known as sections five hundred and sixty, five hundred and sixty-one, five hundred and sixty-two, and five hundred and sixty-three, concerning attachments.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 169—An Act to provide for the purchase of a residence for the Governor of California, and to appropriate money therefor.

Read first time, and referred to Committee on Public Buildings and Grounds.

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.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 171—An Act to purchase adjacent land at the Folsom State Prison for the use of the State Prison, and making an appropriation therefor.

Read first time, and referred to Committee on State Prisons and Reformatory Institutions.

Also: Assembly Bill No. 172—An Act making an appropriation to

pay the deficiency in the appropriation for the support of the Folsom State Prison for the forty-sixth fiscal year, ending June 30, 1895.

Read first time, and referred to Committee on State Prisons and Reformatory Institutions.

Also: Assembly Bill No. 173—An Act to provide for certain improvements and repairs at the Folsom State Prison, and making an appropriation therefor.

Read first time, and referred to Committee on State Prisons and Reformatory Institutions.

By Mr. Freeman: Assembly Bill No. 174—An Act to amend sections one thousand eight hundred and fifty-nine and one thousand eight hundred and sixty of the Civil Code, prescribing and limiting the liability of inn keepers, hotel keepers, boarding and lodging house keepers, for personal property of their guests, boarders, and lodgers entrusted to their care.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 175—An Act regulating and fixing the liability of inn keepers, hotel keepers, boarding and lodging house keepers, with respect to the trunks, valises, traveling-bags, bundles, packages, and their contents, and the personal property of guests, boarders, and lodgers, whether temporary or permanent, brought into or kept therein, and amending sections one thousand eight hundred and fifty-nine and one thousand eight hundred and sixty of the Civil Code.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 176—An Act to amend an Act entitled "An Act providing for the sale of railroad and other franchises in municipalities, and relative to granting of franchises," approved March 23, 1893.

Read first time, and referred to Committee on Corporations.

Also: Assembly Bill No. 177—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved March 24, 1893, by amending sections fifty-seven and one hundred and eighty-six, relating to county officers, their appointments, duties, and compensation.

Read first time, and referred to Committee on County and Township Governments.

Also (by request): Assembly Bill No. 178—An Act to amend section three thousand six hundred and twenty-eight of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the time and manner of assessing property.

Read first time, and referred to Committee on County and Township Governments.

Also (by request): Assembly Bill No. 179—An Act to prohibit officers or employes of savings banks from holding office in any national, commercial, or private banks, and to prohibit the location of any savings bank, or its continuance in business, in any building in which the business of a national, State, or commercial bank is conducted.

Read first time, and referred to Committee on Banks and Banking.

Also: Assembly Bill No. 180—An Act to repeal an Act entitled "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," approved March 31, 1891.

Read first time, and referred to Committee on Retrenchment.

By Mr. Freeman (by request): Assembly Bill No. 181—An Act to amend 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, in relation to salary of Secretary.

Read first time, and referred to Committee on Public Buildings and Grounds.

Also: Assembly Bill No. 182—An Act to repeal an Act entitled "An Act to establish and support a Bureau of Labor Statistics," approved March 3, 1889.

Read first time, and referred to Committee on Retrenchment and Public Expenditures.

Also (by request): Assembly Bill No. 183—An Act to make an appropriation to pay the claim of Frank H. Lombard, for services rendered to the Board of Railroad Commissioners of the State of California as shorthand reporter, for the years 1890, 1892, and 1893.

Read first time, and referred to Committee on Claims.

Also (by request): Assembly Bill No. 184—An Act to repeal an Act entitled "An Act fixing a bounty on coyote scalps," approved March 31, 1891.

Read first time, and referred to Committee on Retrenchment.

Also (by request): Assembly Bill No. 185—An Act to repeal 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 7, 1887, providing for the abandonment of operations by irrigation districts, and for their disorganization upon the discharge of all outstanding obligations, and dividing irrigation districts into classes for the purposes of this Act," approved March 25, 1893.

Read first time, and referred to Committee on Irrigation.

Also (by request): Assembly Bill No. 186—An Act making an appropriation for the erection and furnishing of a residence for the Medical Director of the Southern California State Asylum for the Insane and Inebriates.

Read first time, and referred to Committee on Public Buildings and Grounds.

Also: Assembly Bill No. 187—An Act making an appropriation for the erection of additional buildings and improvements for the Southern California State Asylum for the Insane and Inebriates.

Read first time, and referred to Committee on Public Buildings and Grounds.

Also: Assembly Bill No. 188—An Act making an appropriation for the support of the Southern California State Asylum for the Insane and Inebriates for the forty-sixth fiscal year.

Read first time, and referred to Committee on Ways and Means.

By Mr. Bachman: Assembly Bill No. 189—An Act to amend section one thousand eight hundred and eighty of the Code of Civil Procedure of the State of California, relating to witnesses.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 190—An Act to regulate the solemnization, registration, and authentication of marriages.

Read first time, and referred to Committee on Judiciary.

By Mr. North: Assembly Bill No. 191—An Act to amend section

seven hundred and ninety-eight of the Political Code of California, relating to the fees of Notaries Public, and the amendments thereto.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 192—An Act to repeal an Act entitled "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 pending of insolvency proceedings, and before the election of an assignee," approved April 6, 1891.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 193—An Act making an appropriation to pay the deficiencies in the appropriation for costs and expenses of suits in which the State is a party in interest, for the thirty-fifth, thirty-sixth, thirty-seventh, thirty-eighth, thirty-ninth, and fortieth fiscal years.

Read first time, and referred to Committee on Ways and Means.

Also (by request): Assembly Bill No. 194—An Act to authorize the incorporation of mutual associations to transact the business of life or accident insurance on the assessment plan, and to control such corporations of this State and corporations of other States transacting the business of assessment insurance in this State, and providing and fixing the punishment for violation of the provisions hereof.

Read first time, and referred to Committee on Corporations.

By Mr. Stansell: Assembly Bill No. 195—An Act making an appropriation for a fence in front of the grounds of the State Normal School at Chico.

Read first time, and referred to Committee on Public Buildings and Grounds.

Also: Assembly Bill No. 196—An Act making an appropriation for the erection of an additional building for the State Normal School at Chico.

Read first time, and referred to Committee on Public Buildings and Grounds.

Also: Assembly Bill No. 197—An Act making an appropriation for the construction of a cement floor in the basement of the State Normal School building at Chico.

Read first time, and referred to Committee on Public Buildings and Grounds.

By Mr. Jones: Assembly Bill No. 198—An Act to promote the protection of cities, towns, and municipal corporations from overflow by water and the drainage of the same, and for such purposes authorizing the incurring of indebtedness and the issuance of bonds therefor by the same, and providing for the disposition of the proceeds of such bonds and for the supervision of the protective and other works.

Read first time, and referred to Committee on Municipal Corporations.

Also: Assembly Bill No. 199—An Act providing for the judicial establishment of wills, and of the status of testators as related to wills so established, and for the custody and revocation of such wills.

Read first time, and referred to Committee on Judiciary.

By Mr. Barker: Assembly Bill No. 200—An Act to repeal sections two thousand six hundred and fifty-two and two thousand six hundred and seventy-one of the Political Code, relating to road poll tax.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 201—An Act making an appropriation to pay the claim of the Union Mill Company for services in constructing a refrigerator for the Southern California Asylum for the Insane and Inebriates.

Read first time, and referred to Committee on Claims.

Also: Assembly Bill No. 202—An Act to amend section one hundred and forty-two of the Code of Civil Procedure, relating to places of holding courts.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 203—An Act to amend "An Act to establish a uniform system of county and township governments," approved March 24, 1893.

Read first time, and referred to Committee on County and Township Governments.

Also: Assembly Bill No. 204—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 referred to Committee on Fruit and Vine Interests.

Also: Assembly Bill No. 205—An Act to amend sections three thousand seven hundred and sixty-five, three thousand seven hundred and sixty-seven, three thousand seven hundred and seventy-one, three thousand seven hundred and seventy-six, three thousand seven hundred and eighty-three, three thousand seven hundred and eighty-nine, three thousand eight hundred and six, three thousand eight hundred and eleven, three thousand eight hundred and ninety-seven, and three thousand eight hundred and ninety-nine, and to repeal sections three thousand seven hundred and sixty-eight, three thousand seven hundred and seventy-two, three thousand seven hundred and seventy-three, three thousand seven hundred and seventy-four, three thousand seven hundred and seventy-five, three thousand seven hundred and seventy-seven, three thousand seven hundred and seventy-eight, 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-two, 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, three thousand seven hundred and eighty-eight, three thousand eight hundred and three, three thousand eight hundred and thirteen, three thousand eight hundred and fourteen, and three thousand eight hundred and fifteen of the Political Code, all relating to the collection of property taxes.

Read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 206—An Act to amend sections one thousand six hundred and sixty-nine and one thousand six hundred and seventy, and subdivision ten of section one thousand six hundred and seventeen of the Political Code, all in relation to the public schools.

Read first time, and referred to Committee on Education.

By Mr. Butler: Assembly Bill No. 207—An Act to appropriate money for the erection of a monument upon the plot of ground belonging to the Sacramento Association of Veterans of the Mexican War, situated in the City Cemetery of Sacramento, and for the improvement of said grounds.

Read first time, and referred to Committee on Public Buildings and Grounds.

Also: Assembly Bill No. 208—An Act to add a new section to the Code of Civil Procedure, to be known as section fourteen hundred and seventy-one.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 209—An Act to amend section twenty-two hundred and ninety-three of the Political Code of the State of California, relative to the power and duties of the Board of Trustees of the State Library.

Read first time, and referred to Committee on State Library.

Also: Assembly Bill No. 210—An Act to provide for a State Veterinarian and County Veterinarians, and prescribe their duties, and to prevent and suppress contagious and infectious diseases among live stock of the State, and to declare an emergency.

Read first time, and referred to Committee on Agriculture.

Also: Assembly Bill No. 211—An Act to amend section one thousand four hundred and two of the Civil Code, and to add a new section to said Code, to be known as section one thousand four hundred and nine.

Read first time, and referred to Committee on Judiciary.

By Mr. Pendleton: Assembly Bill No. 212—An Act to regulate the practice of architecture.

Read first time, and referred to Committee on Public Buildings.

Also: Assembly Bill No. 213—An Act entitled an Act to amend section two thousand nine hundred and fifty-five of the Civil Code, relative to mortgages on personal property.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 214—An Act to amend section eight hundred and eighty-two 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 referred to Committee on Municipal Corporations.

Also: Assembly Bill No. 215—An Act concerning the government of irrigation districts, and to require certain orders and resolutions of the Boards of Directors of such districts, to be approved by the Board of Supervisors, and to permit certain assessments to be paid in past due bond coupons.

Read first time, and referred to Committee on Irrigation.

Also: Assembly Bill No. 216—An Act to provide for the payment for the advertising of the Constitutional Amendments, and to make an appropriation therefor.

Read first time, and referred to Committee on Ways and Means.

By Mr. Staley (by request): Assembly Bill No. 217—An Act to amend section one thousand six hundred and ninety-one of the Code of Civil Procedure of the State of California, relating to agents for absent, interest parties, discharge of executors or administrators.

Read first time, and referred to Committee on Judiciary.

By Mr. Lynch: Assembly Bill No. 218—An Act authorizing the Controller to refurnish his office, and making an appropriation therefor.

Read first time, and referred to Committee on Ways and Means.

By Mr. Phelps: Assembly Bill No. 219—An Act appropriating two hundred and fifty thousand dollars for the erection of buildings at Berkeley, Alameda County, for the use of the University of California.

Read first time, and referred to Committee on Public Buildings.

Also: Assembly Bill No. 220—An Act appropriating money for the use of the two State forestry stations at Chico and Santa Monica.

Read first time, and referred to Committee on Forestry and Public Parks.

Also: Assembly Bill No. 221—An Act appropriating money for the use of the two State forestry stations, and for the establishment and use of a third forestry station.

Read first time, and referred to Committee on Forestry and Public Parks.

Also: Assembly Bill No. 222—An Act to add a new section to an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, to prevent traveling on railroads without payment of fare.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 223—An Act to amend and add a new section to an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, to prevent able-bodied persons from banding together and obtaining assistance by alms.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 224—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to the confinement and performance of labor by prisoners in county jails.

Read first time, and referred to Committee on Judiciary.

By Mr. Reid: Assembly Bill No. 225—An Act to amend section two thousand nine hundred and twenty-four of an Act of the Legislature of the State of California entitled "An Act to establish a Civil Code," relating to mortgages.

Read first time, and referred to Committee on Judiciary.

By Mr. Sanford: Assembly Bill No. 226—An Act requiring every corporation doing business in this State to pay their employes, and each of them, at least once in each and every month, the wages earned by such employe; to define the duties of the Labor Commissioner and the District Attorneys of the several counties of this State in enforcing this Act; to limit the defenses which may be set up by such corporations to assignments of wages, set-off, or counter-claims, or the absence of such employe at the time of making payment, and in case of such absence the wages are made payable upon demand; to prohibit assignments of wages for the purpose of evading the provisions of this Act, and agreements to accept wages at longer periods than as herein provided as a condition of employment; to fix a penalty for the violation of the provisions of this Act by such corporation, and to provide for the disposition of any fines recovered from corporations violating the same.

Read first time, and referred to Committee on Labor and Capital.

Also: Assembly Bill No. 227—An Act to appropriate one hundred and fifty-nine thousand two hundred and eighty dollars for the erection of an administration building for the use and occupancy of the officers, employes, and patients of the Mendocino Asylum; to purchase furniture and furnish the building so to be erected by the Directors of said asylum; to purchase furniture and furnish wards for two hundred and six additional patients; to construct an electric plant for lighting the asylum buildings and grounds, and purchase the necessary machinery and appliances therefor; to improve the grounds thereof; to purchase live stock to be used for asylum purposes; to construct a stable and a cow barn; to construct a dam; to furnish an additional water supply to

said asylum; for constructing a sewer and drainage system; to purchase an ice plant and cold storage system; to appropriate money therefor and provide for the expenditure of the same.

Read first time, and referred to Committee on Public Buildings and Grounds.

Also: Assembly Bill No. 228—An Act making an appropriation to pay the deficiency in the appropriation for support of the Mendocino Asylum for the forty-fifth and forty-sixth fiscal years.

Read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 229—An Act to amend section two hundred and seventy-six of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 12, 1872, relating to the admission of attorneys and counselors at law to practice in the Courts of record.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 230—An Act to appropriate the surplus moneys in the "Special Mendocino Asylum Fund" in the State Treasury to the uses of the Mendocino Asylum.

Read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 231—An Act to amend sections ten and eleven of an Act entitled "An Act to establish a branch insane asylum for the insane of the State of California at Ukiah, to be known as the Mendocino State Insane Asylum, and appropriating money therefor," approved February 20, 1889, relating to the qualifications, duties, and compensation of the Medical Superintendent of said asylum; and also the appointment, duties, and compensation of the Assistant Physician, and authorizing the Board of Directors, if in their judgment it should become necessary, to elect an additional physician, and providing for his compensation.

Read first time, and referred to Committee on State Hospitals and Asylums.

Also: Assembly Bill No. 232—An Act to amend section four hundred and eighty-seven of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, defining grand larceny.

Read first time, and referred to Committee on Crimes and Penalties.

Also: Assembly Bill No. 233—An Act to amend section six hundred and thirty-three, and to repeal section six hundred and thirty-four of the Code of Civil Procedure of the State of California.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 234—An Act to amend section seven hundred and ninety-two of the Political Code of the State of California, relating to the qualifications of a Notary Public.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 235—An Act to pay the claim of W. P. Lampkin against the State of California, and making an appropriation therefor.

Read first time, and referred to Committee on Claims.

Also: Assembly Bill No. 236—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by adding a new section thereto, relating to percentage to be collected by officers, to be known as section four thousand three hundred and thirty-four.

Read first time, and referred to Committee on Judiciary.

By Mr. Wade: Assembly Bill No. 237—An Act to amend section

eleven hundred and four of the Civil Code of the State of California, relating to transfers of property.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 238—An Act to amend section two thousand two hundred and eighteen of the Political Code of the State of California, relating to the commitment of insane persons.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 239—An Act to amend section one of an Act approved March 17, 1887, entitled "An Act to amend section eight of an Act entitled 'An Act to provide for the future management of the Napa State Asylum for the Insane,' approved March 6, 1876, relating to resident and assistant physicians; to reduce the number of assistant physicians."

Read first time, and referred to Committee on Retrenchment and Public Expenditures.

Also: Assembly Bill No. 240—An Act to repeal an Act entitled "An Act to establish Board of Parole Commissioners for the parole of and government of paroled prisoners," approved March 23, 1893.

Read first time, and referred to Committee on State Prisons and Reformatory Institutions.

Also: Assembly Bill No. 241—An Act to amend section one of an Act approved March 7, 1883, entitled "An Act to provide for the submission of proposed amendments to the Constitution of the State of California to the qualified electors for their approval," approved March 7, 1883, relating to the manner of publishing such proposed amendments, and to include propositions.

Read first time, and referred to Committee on Constitutional Amendments.

Also: Assembly Bill No. 242—An Act to amend section two of an Act entitled "An Act to organize and define the powers of the Board of Railroad Commissioners," approved April 15, 1880, relating to salaries of said Commissioners and of the Secretary and Bailiff of said Board.

Read first time, and referred to Committee on Retrenchment and Public Expenditures.

Also: Assembly Bill No. 243—An Act to repeal an Act entitled "An Act to establish a standard of weights and measures," approved April 6, 1891.

Read first time, and referred to Committee on Commerce and Navigation.

Also: Assembly Bill No. 244—An Act to amend section one of an Act entitled "An Act to amend an Act, approved February 28, 1887, entitled 'An Act to amend an Act to appropriate money for the support of aged persons in indigent circumstances residing in the Home of the Veterans' Home Association,' approved March 7, 1883, providing for an increase in the annual appropriation therefor and changing the time of payment thereof," approved March 23, 1893.

Read first time, and referred to Committee of Ways and Means.

ASSEMBLY JOINT RESOLUTION.

By Mr. Belshaw:

ASSEMBLY JOINT RESOLUTION No. 2.

WHEREAS, The Central Pacific, Western Pacific, and Union Pacific Railroads did receive substantial aid for their construction from the Government of the United States by the issuance of bonds; and whereas, the payment of these bonds was guaranteed to

the Government of the United States by mortgages on said railroads, which mortgages are about to fall due; and whereas, there is now under consideration before Congress a bill, known as the "Reilly Funding Bill," the object of which bill is to refund the above-mentioned bonds for fifty years, thereby entailing a further and unjust tax on the people of California, and permitting the above-mentioned railroads to escape the payment of their just debts to the Government, therefore, be it

Resolved by the Assembly, the Senate concurring, That a memorial be sent to both houses of Congress, from the Legislature of the State of California, protesting against the passage of any and all "Funding Bills" relative to the above-mentioned indebtedness, and that our Representatives in Congress be requested and our Senators be instructed to use all honorable means to prevent the passage of any and all such "Funding Bills," and to provide for the collection of the above-mentioned indebtedness to the Government of the United States, or the foreclosure of the above-mentioned mortgages, to the end that the Government of the United States shall own and operate the above-mentioned railroads.

Referred to Committee on Federal Relations.

ASSEMBLY CONSTITUTIONAL AMENDMENTS.

By Mr. Llewellyn: Assembly Constitutional Amendment No. 1—Relating to amending Constitution of State of California, by repealing sections four and five of article thirteen, and by amending section one of said article.

Referred to Committee on Constitutional Amendments.

By Mr. Guy: Assembly Constitutional Amendment No. 2—Relative to amending the Constitution of the State of California, by repealing sections four and five, of article thirteen, and by amending section one of said article.

Referred to Committee on Constitutional Amendments.

By Mr. McKelvey: Assembly Constitutional Amendment No. 3—Resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, amending section twelve, article thirteen thereof, relative to revenue and taxation, and the collection of State poll tax.

Referred to Committee on Constitutional Amendments.

By Mr. Cutter: Assembly Constitutional Amendment No. 4—Proposed amendment to section one of article thirteen of the Constitution, relative to revenue and taxation.

Referred to Committee on Constitutional Amendments.

Also: Assembly Constitutional Amendment No. 5—Proposed amendment to section five of article two of the Constitution, relative to elections.

Referred to Committee on Constitutional Amendments.

Also: Assembly Constitutional Amendment No. 6—Proposed amendment to section seven of article one of the Constitution, relative to juries.

Referred to Committee on Constitutional Amendments.

By Mr. Hatfield: Assembly Constitutional Amendment No. 7—A resolution proposing an amendment to section seven of article six of the Constitution of the State of California, relative to departments, and providing for additional departments of the Superior Court of the respective counties, and cities and counties, of the State, and to provide for an interchange of Judges among the different counties, and cities and counties, when necessary to dispose of accumulated business.

Referred to Committee on Constitutional Amendments.

By Mr. Barker: Assembly Constitutional Amendment No. 8—A reso-

lution to propose to the people of the State of California an amendment to the Constitution of the State of California.

Referred to Committee on Constitutional Amendments.

Also: Assembly Constitutional Amendment No. 9—A resolution to propose to the people of the State of California an amendment to section one of article thirteen of the Constitution, in relation to revenue and taxation.

Referred to Committee on Constitutional Amendments.

Also: Assembly Constitutional Amendment No. 10—A resolution to propose to the people of the State of California an amendment to article thirteen of the Constitution, section twelve, in relation to revenue and taxation.

Referred to Committee on Constitutional Amendments.

Also: Assembly Constitutional Amendment No. 11—A resolution to propose to the people of the State of California an amendment to article two of the Constitution, section one, in relation to the right of suffrage.

Referred to Committee on Constitutional Amendments.

By Mr. Barker: Assembly Constitutional Amendment No. 12—To amend section eleven of article eleven of the Constitution of the State of California.

Referred to Committee on Constitutional Amendments.

Also: Assembly Constitutional Amendment No. 13—To amend the Constitution of the State of California by inserting a new section in article four, to be designated as section one and one half.

Referred to Committee on Constitutional Amendments.

Also: Assembly Constitutional Amendment No. 14—To amend section one of article four of the Constitution of the State of California.

Referred to Committee on Constitutional Amendments.

Also: Assembly Constitutional Amendment No. 15—To amend section one of article eighteen of the Constitution of the State of California.

Referred to Committee on Constitutional Amendments.

By Mr. Pendleton: Assembly Constitutional Amendment No. 16—Relative to amending Constitution of State of California, by repealing sections four and five of article thirteen, and by amending section one of said article.

Referred to Committee on Constitutional Amendments.

By Mr. Staley: Assembly Constitutional Amendment No. 17—Proposing to the people of the State an amendment to section one of article thirteen of the Constitution, relative to exemptions from taxation.

Referred to Committee on Constitutional Amendments.

By Mr. Wade: Assembly Constitutional Amendment No. 18—A resolution to propose to the people of the State of California an amendment to section five of article eleven of the Constitution of the State of California, relating to the classification of counties.

Referred to Committee on Constitutional Amendments.

RESOLUTIONS.

By Mr. Brusie:

Resolved. That A. Dumas Jones be and he is hereby appointed Assistant Bill Clerk, at a per diem of five dollars, payable out of the appropriation for the contingent expenses of the Assembly.

Referred to Committee on Attachés and Employés.

By Mr. Cutter:

Resolved, That the use of the Assembly Chamber for the evening of Thursday, the 17th instant, be and the same is hereby tendered to the American Pomological Association.

Resolved, That the Chief Clerk be and he is hereby directed to notify the officers of the American Pomological Association of this action of the Assembly.

Adopted.

By Mr. Thomas:

Resolved, That Joe Brooks be and he is hereby appointed Assistant Clerk, at the same per diem as the Chief Clerk, the same to be paid out of the Contingent Fund of the Assembly.

Referred to Committee on Attachés and Employés.

ADJOURNMENT.

At three o'clock and forty-five minutes P. M., on motion of Mr. Lauge-nour, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Thursday, January 17, 1895. }

The Assembly met pursuant to adjournment.

Speaker Lynch in the chair.

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

Messrs. Ash, Bachman, Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Bledsoe, Bulla, Butler, Cargill, Coleman, Coghlin, Cutter, Dale, Davis, Devitt, Devine, Dinkelspiel, Dixon, Dodge, Dunbar, Dwyer, Ewing, Fassett, Freeman, Gay, Glass, Guy, Hall, Hatfield, Healey, Huber, Hudson, Johnson, Jones, Keen, Kelsey, Kenyon, Laird, Laugenour, Lewis, McDonald, McKelvey, Merrill, Nelson, North, O'Day, Osborn, Phelps, Price, Reid, Richards, Robinson, Rowell, Sanford, Staley, Stansell, Spencer, Swisler, Tibbits, Tomblin, Twigg, Wade, Weyse, Wilkins, Wilkinson, Zocchi, and Mr. Speaker.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. O. Summers.

READING AND APPROVAL OF THE JOURNAL.

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

So ordered.

REPORT OF STANDING COMMITTEE.

ON ATTACHES AND EMPLOYES.

ASSEMBLY CHAMBER, SACRAMENTO, January 17, 1895.

MR. SPEAKER: Your Committee on Attachés and Employés beg leave to report that in making the following recommendations for appointments, it has been guided by an endeavor to observe the greatest economy compatible with the best interests of the

work to be done, and the desire to distribute as equitably as possible over the whole State the offices to be filled. These offices are absolutely necessary to the proper expedition of business, and it will be observed that the sum total of the emoluments falls far below that of the last preceding session. We hereby report the following resolution, and recommend its adoption:

Resolved, That the following-named persons be and they are hereby employed for the various offices and at the per diem set opposite their respective names, said per diem to be paid out of the appropriation for the contingent expenses of the Assembly:

G. W. Lewis, San Francisco, Assistant Sergeant-at-Arms.....	\$6 00
J. D. Fredericks, Los Angeles, Clerk to Sergeant-at-Arms.....	5 00
A. O. Jones, San Francisco, Assistant Engrossing Clerk.....	8 00
J. Brooks, San Francisco, Assistant Clerk.....	8 00
Grant Towle, Monterey, Assistant Clerk.....	8 00
G. McElhaine, San Francisco, Bill Clerk.....	5 00
A. S. Vischer, San Joaquin, Assistant Journal Clerk.....	8 00
Florence Jones, Alameda, Assistant Enrolling Clerk.....	8 00
J. Cramer, Marin, Janitor, coat-room.....	5 00
E. D. Hawkins, Alameda, Assistant Bill Clerk.....	4 00
Amy O'Neil, San Francisco, Assistant Enrolling Clerk.....	5 00
W. H. Dullinger, Lassen, Watchman.....	4 00
J. B. Horton, Assistant Engrossing Clerk.....	5 00
D. Williamson, San Francisco, Bill Clerk.....	5 00
George Hatton, Alameda, Assistant Engrossing Clerk.....	5 00
Miss C. H. Boyden, Nevada, Assistant Journal Clerk.....	5 00
S. F. King, Orange, Additional Porter.....	4 00
George E. Schullig, Yuba, Assistant Minute Clerk.....	8 00
Thomas Hoskins, Santa Clara, Watchman, gallery.....	4 00
V. S. Tomblin, Del Norte, Assistant Clerk to Sergeant-at-Arms.....	5 00
T. F. Maloney, Alameda, Doorkeeper, gallery.....	4 00
S. Raphael, Assistant File Clerk.....	4 00
R. Blakeston, Porter of gallery.....	4 00
Lee Fairchild, San Diego, Assistant Enrolling Clerk.....	8 00
J. C. Williams, Fresno, Assistant File Clerk.....	5 00
Walter Howard, Sacramento, Page to Sergeant-at-Arms.....	3 00
Charles S. Bartlett, File Clerk.....	4 00
Lizzie M. Avery, Riverside, Folding Clerk.....	4 00
Ella Bateman, Sacramento, Assistant Engrossing Clerk.....	5 00
G. Y. Vandever, Tulare, Assistant History Clerk.....	5 00
A. A. Friedlander, San Francisco, Assistant Bill Clerk.....	4 00
N. N. Colm, Butte, Watchman to State Library.....	4 00
John C. Kofod, Porter to Sergeant-at-Arms.....	4 00
W. E. Thomas, Sonoma, Assistant File Clerk.....	4 00
L. Corroda, Amador, Watchman, gallery.....	4 00
Mrs. N. A. Cummings, Los Angeles, Assistant Engrossing Clerk.....	4 00
D. G. Holt, Solano, Assistant Clerk at Desk.....	8 00

WEYSE, Chairman.

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

Mr. Dodge moved that action on the report be postponed one day.

Mr. Price moved to amend report by inserting the district opposite the appointee.

So ordered.

Ayes and noes demanded on Mr. Dodge's motion by Messrs. Spencer, Bledsoe, and Dodge.

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

AYES—Messrs. Ash, Bachman, Belshaw, Bennett, Bledsoe, Bulla, Butler, Coleman, Cutter, Dale, Davis, Dodge, Dunbar, Ewing, Fassett, Glass, Guy, Hall, Hatfield, Healey, Holland, Huber, Hudson, Johnson, Jones, Keen, Kenyon, Laird, McDonald, McKelvey, Merrill, North, Osborn, Phelps, Powers, Price, Reid, Rowell, Sanford, Staley, Stansell, Spencer, Swisler, Twigg, Wade, and Waymire—46.

NOES—Messrs. Barker, Bassford, Berry, Bettman, Boothby, Cargill, Coghlin, Devitt, Devine, Dinkelspiel, Dixon, Dwyer, Freeman, Gay, Kelsey, Laugenour, Lewis, Llewellyn, McCarthy, Nelson, O'Day, Pendleton, Robinson, Tibbits, Thomas, Tomblin, Weyse, Wilkins, Wilkinson, Zocchi, and Mr. Speaker—31.

INTRODUCTION OF BILLS.

The following bills were introduced, read first time, and referred to committees, as follows:

By Mr. Phelps: Assembly Bill No. 245—An Act making an appropriation to pay moneys advanced to the State forestry stations by the University of California.

Read first time, and referred to Committee on Claims.

Also: Assembly Bill No. 246—An Act making an appropriation to pay the deficiency in the appropriation for the State forestry stations, for the forty-fifth and forty-sixth fiscal years.

Read first time, and referred to Committee on Ways and Means.

By Mr. Bledsoe: Assembly Bill No. 247—An Act to regulate the rate of interest in this State.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 248—An Act regulating the hours of labor in saw-mills, shake-mills, shingle-mills, and logging-camps.

Read first time, and referred to Committee on Labor and Capital.

By Mr. Ewing: Assembly Bill No. 249—An Act to provide for incorporation, operation, and management of coöperative associations.

Read first time, and referred to Committee on Labor and Capital.

Also: Assembly Bill No. 250—An Act to repeal sections one thousand eight hundred and ninety-seven, one thousand eight hundred and ninety-eight, one thousand eight hundred and ninety-nine, one thousand nine hundred, one thousand nine hundred and one, and one thousand nine hundred and two of the Political Code, all in relation to the State militia.

Read first time, and referred to Committee on Military Affairs.

Also: Assembly Bill No. 251—An Act to repeal section three thousand eight hundred and sixty-two of the Political Code, relating to revenue and taxation.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 252—An Act to provide for holding a joint primary election for all political parties.

Read first time, and referred to Committee on Election Laws.

By Mr. Fassett: Assembly Bill No. 253—An Act requiring School Trustees, School Directors, Boards of Regents of each and every public school, high school, Normal School, University, or any other school that is or may be supported, wholly or in part, by public money, to provide a United States flag, flag pole, and halyards for hoisting the flag, and providing for hoisting and lowering the flag on the public school grounds on every school day.

Read first time, and referred to Committee on Education.

By Mr. Stansell: Assembly Bill No. 254—An Act to appropriate money for the payment of the claim of Chas. A. Hiett for the arrest of William B. Coup, in pursuance of the reward offered therefor by the Governor of the State of California.

Read first time, and referred to Committee on Claims.

By Mr. Devine: Assembly Bill No. 255—An Act to appropriate money to pay the indebtedness incurred by calling the National Guard of California into service, by order of the Governor, to enforce law, in 1893 and 1894.

Read first time, and referred to Committee on Claims.

By Mr. Cutter: Assembly Bill No. 256—An Act providing for the election of a separate Judge of the Superior Court for each of the counties of Yuba and Sutter, and fixing and providing for the payment of the salary of each of said Judges.

Read first time, and referred to Committee on County and Township Governments.

By Mr. Swisler: Assembly Bill No. 257—An Act to appropriate money to pay the claim of George J. Mothersole, for labor performed, expense incurred, and money expended by him in roofing the Napa State Asylum for the Insane.

Read first time, and referred to Committee on Claims.

By Mr. Brusie: Assembly Bill No. 258—An Act to amend an Act entitled "An Act for the more effectual prevention of cruelty to animals," approved March 20, 1874, so as to provide for the disposition of old, maimed, and diseased domestic animals in certain cases, by adding to said Act a section, to be known as section thirteen and one half.

Read first time, and referred to Committee on Judiciary.

ASSEMBLY JOINT RESOLUTIONS.

By Mr. Bledsoe: Assembly Joint Resolution No. 3—Relative to the Pacific Railroads debt.

Read first time, and referred to Committee on Federal Relations.

Also: Assembly Joint Resolution No. 4—Relative to foreign immigration to the United States.

Read first time, and referred to Committee on Federal Relations.

Also: Assembly Joint Resolution No. 5—Relative to a public building at Eureka.

Read first time, and referred to Committee on Federal Relations.

ASSEMBLY CONCURRENT RESOLUTION.

By Mr. O'Day:

ASSEMBLY CONCURRENT RESOLUTION No. 4.

Resolved by the Assembly, the Senate concurring, That the Superintendent of State Printing be and he is hereby instructed and directed to print in all grammar text-books of the public schools, the Declaration of Independence of the United States of America, also the Constitution of the State of California, also the song, "Star-Spangled Banner."

Read first time, and referred to Committee on Education.

RESOLUTIONS.

By Mr. Thomas:

Resolved, That the Speaker of the Assembly be and he is hereby empowered to appoint a committee of three members of the Assembly to inquire into the condition and affairs of the State lands, with power to conduct all necessary investigations, and report to this body; also, that the Chairman of said committee be authorized to appoint a competent clerk and stenographer.

Laid over one day.

By Mr. Bulla:

Resolved, That the Chairman of the Judiciary Committee be and he is hereby authorized to appoint for said committee a Sergeant-at-Arms, at a per diem of five dollars, and a Messenger, at a per diem of four dollars, to be paid out of the fund for contingent expenses of the Assembly

Referred to Committee on Attachés and Employés.

By Mr. North:

WHEREAS, In the interest of retrenchment, the clerks of the standing committees of the Assembly will be unoccupied a considerable portion of the time; and whereas, the statutory officers are in need of further assistance of a clerical nature; therefore, be it

Resolved, That as soon as appointed, the said clerks of the standing committees be instructed to report to the Chief Clerk of the Assembly at nine o'clock each morning (Sundays excepted), to be assigned by him to the performance of such duties as shall be necessary.

Referred to Committee on Attachés and Employés.

By Mr. Hatfield:

WHEREAS, The necessity of the business before the Assembly requires the employment of an additional Assistant Engrossing Clerk; be it

Resolved, That Mrs. Ida Kidder be and she is hereby appointed an Assistant Engrossing Clerk, at a compensation of five dollars per diem, payable out of any money appropriated for the payment of the contingent expenses of the Assembly.

Referred to Committee on Attachés and Employés.

By Mr. Kelsey:

Resolved, That Samuel Bernstein be and he is hereby appointed Night Watchman of the rooms used by the Engrossing and Enrolling Clerks of the Assembly, at a per diem of five dollars, payable out of the Contingent Fund of the Assembly.

Referred to Committee on Attachés and Employés.

By Mr. Zocchi:

Resolved, That the State Printer be and he is hereby directed to bind all bills introduced in the Assembly, and that Melton Berry be and he is hereby appointed Bill Filer for the Assemblymen, for the purpose of having such bills so bound, at a per diem of five dollars, payable out of the fund for the contingent expenses of the Assembly.

Referred to Committee on Attachés and Employés.

By Mr. Merrill:

Resolved, That Frank S. Sheridan be and he is hereby appointed Assistant File Clerk in the Sergeant-at-Arms' office, at the same per diem paid to the other File Clerks, said per diem payable out of the appropriation for contingent expenses of the Assembly.

Referred to Committee on Attachés and Employés.

By Mr. Butler:

Resolved, That the Controller be and he is hereby authorized to draw his warrant, payable out of the Contingent Fund of the Assembly, in favor of C. E. Cunningham, State Capitol engineer, and W. H. Hevener, fireman, for the sum of thirty-five dollars each, the same being the amounts due them for services rendered as temporary attachés of the Assembly, and which was overlooked by the late Chief Clerk in making up his list

Referred to Committee on Attachés and Employés.

By Mr. Thomas:

Resolved, That Daniel Deeble be and he is hereby appointed Watchman to Sergeant-at-Arms, 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. Brusie:

Resolved, That the Chairman of the Ways and Means Committee be and he is hereby permitted to appoint a Messenger, at a per diem of five dollars, a Stenographer, at a per diem of five dollars, and a 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. Laird:

Resolved, That C. W. Anderson be and he is hereby appointed Assistant Engrossing Clerk, at the same per diem as paid the Engrossing Clerk, the same to be paid out of the Contingent Fund of the Assembly.

Referred to Committee on Attachés and Employés.

By Mr. Bettman:

Resolved, That W. J. Featherston be and he is hereby appointed Watchman of the State Library during the present session of the Legislature, 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.

APPOINTMENT OF COMMITTEES.

The Speaker announced the appointment of the following standing committees:

Constitutional Amendments—Messrs. Waymire (Chairman), Powers, Thomas, Hatfield, Wade, Barker, Bachman

Election Laws—Messrs. Spencer (Chairman), Bennett, Phelps, North, Powers, Wade, Dwyer

Also the following committee relative to joint committee conference on the inaugural ball: Messrs. Powers, Reid, and Cutter.

RESOLUTION.

By Mr. McKelvey:

WHEREAS, Mr. A. J. Bledsoe, the member from Humboldt County, among other statements made by him in his explanation of his vote on January 14, 1895, on the motion to lay on the table the following motion.

"That the Sergeant-at-Arms of the Assembly be instructed by the Speaker to cause the 'well' to be immediately vacated, and the restaurant and saloon now being conducted there to be at once closed and discontinued "

Stated on the floor of the Assembly Chamber that he had positive evidence that intoxicating liquors were now being sold in the "well"; and whereas, such a condition of affairs, if it exist, is a blot on the fair name of this great State of California, and an aspersion on the honor of this Assembly and the custodian of this Capitol building, the Honorable Secretary of State, therefore, be it

Resolved, That the Speaker appoint a special committee of five members to investigate and report on the question as to whether intoxicating liquors are sold in the "well," and also that such committee be given full power to send for persons and papers, and that Mr. Bledsoe be invited to lay before such committee the positive evidence which he now claims to have in his possession.

Mr. Dixon moved to indefinitely postpone.

The ayes and noes were demanded by Messrs. McKelvey, Bachman, and Spencer.

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

AYES—Messrs. Ash, Boothby, Brusie, Cargill, Dixon, Dunbar, Ewing, Gay, Hall, McCarthy, Osborn, and Tomblin—12.

NOES—Messrs. Bachman, Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Bledsoe, Bulla, Butler, Coleman, Cutter, Dale, Davis, Devitt, Devine, Dinkelspiel, Dodge, Dwyer, Fassett, Freeman, Glass, Guy, Hatheld, Holland, Huber, Hudson, Johnson, Jones, Keen, Kelsey, Kenyon, Laird, Laugenour, Llewellyn, Meads, McDonald, McKelvey, Merrill, Nelson, North, Pendleton, Phelps, Powers, Price, Reid, Robinson, Rowell, Sanford, Staley, Stansell, Spencer, Swisler, Tibbits, Thomas, Twigg, Wade, Waymire, Weyse, Wilkins, Wilkinson, and Mr. Speaker—62.

Mr. Dinkelspiel moved that the resolution be adopted.

Mr. Dodge requested an explanation from Mr. Bledsoe.

Mr. Pendleton moved that certain remarks made by Mr. Bledsoe be taken down by the clerks at the desk.

So ordered.

MR. BLEDSOE'S REMARKS.

I have no confidence whatever in the ordinary Republican as Chairman of the proposed committee, because I believe that when it became known that the property in the "well" was owned by A. J. Rhoads, the Republican political boss of Sacramento, he would get weak in the knees, and abandon the whole thing.

Previous question called and resolution adopted.

RESOLUTION.

By Mr. Laird:

Resolved, That the Superintendent of State Printing be and he is hereby instructed and directed to print for the use of the members of the Assembly four hundred and eighty copies of each day's Journal of the Assembly, in addition to the number of such Journals now printed under the law.

Mr. Dinkelspiel moved to amend by inserting five hundred in the place of four hundred and eighty.

Lost.

Resolution lost.

By Mr. Guy:

Resolved, That the State Printer be and he is hereby directed to print one thousand copies of the Governor's inaugural address for distribution in the Assembly

Mr. Laugenour moved to amend by inserting one thousand five hundred in place of one thousand.

So ordered.

Resolution adopted.

By Mr. Laugenour:

Resolved. That the Committee on Rules and Regulations of the Assembly be and it is hereby instructed to hold a joint conference with the Senate committee of like nature, for the purpose of framing and reporting to the Senate and Assembly a set of rules for their joint government.

Mr. Laugenour moved its adoption.

So ordered.

ADJOURNMENT.

At ten o'clock and thirty-five minutes A. M., on motion of Mr. Dixon, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER, }
Friday, January 18, 1895. }

The Assembly met pursuant to adjournment.

Speaker Lynch in the chair.

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

Messrs. Ash, Bachman, Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Boothby, Bulla, Butler, Cargill, Coleman, Cutter, Dale, Davis, Devitt, Devine, Dinkelspiel, Dixon, Dodge, Dunbar, Dwyer, Ewing, Fassett, Freeman, Gay, Glass, Guy, Hall, Hatfield,

Holland, Huber, Hudson, Johnson, Jones, Kelsey, Kenyon, Laird, Laugenour, Lewis, Llewellyn, Meads, McCarthy, McDonald, McKelvey, Merrill, Nelson, North, O'Day, Osborn, Pendleton, Phelps, Powers, Price, Reid, Richards, Robinson, Rowell, Sanford, Staley, Stansell, Spencer, Tibbits, Thomas, Tomblyn, Wade, Waymire, Weyse, Wilkins, Wilkinson, Zocchi, and Mr. Speaker.

Quorum present.

LEAVE OF ABSENCE.

Mr. McCarthy was granted leave of absence for the day.

Mr. Swisler was granted leave of absence for the day, by request of Mr. Cargill.

PRAYER.

Prayer by the Chaplain, Rev. O. Summers.

READING AND APPROVAL OF THE JOURNAL.

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

So ordered.

APPROVAL OF JOURNALS.

Journals of January 16th and 17th were approved.

INTRODUCTION OF BILLS.

The following bills were introduced, read first time, and referred to committees, as follows:

By Mr. Freeman: Assembly Bill No. 259—An Act to amend section one thousand four hundred and sixty-nine of an Act of the Legislature of the State of California entitled "An Act to establish a Code of Civil Procedure," relating to the support of families of deceased persons, and the distribution of the estates of deceased persons, where the value of the whole estate does not exceed the sum of fifteen hundred dollars.

Read first time, and referred to Committee on Judiciary.

By Mr. Waymire: Assembly Bill No. 260—An Act to create and establish a permanent standing commission for revising, systematizing, and reforming the laws of this State, for the advancement and welfare of the people thereof; and for the appointment of the members of said commission, to be known as "The Commissioners for the Revision and Reform of the Law," and to prescribe their powers and duties; and to authorize the appointment of a Secretary therefor; and to provide for the compensation and expenses of said commission and Secretary, and to appropriate money therefor.

Read first time, and referred to Committee on Judiciary.

By Mr. McKelvey: Assembly Bill No. 261—An Act entitled an Act to restrain the racing and running, trotting, or pacing of certain animals on race tracks in this State, between certain days, and limiting the period during which it shall be lawful to permit, carry on, or conduct race meetings or speed contests in this State, and making the violation of this Act a felony, and designating the punishment therefor.

Read first time, and referred to Committee on Public Morals.

By Mr. Thomas: Assembly Bill No. 262—An Act to pay the claim of Major José Ramon Pico, and making an appropriation therefor.

Read first time, and referred to Committee on Claims.

By Mr. Price: Assembly Bill No. 263—An Act to create subdivision two and one half of section nineteen of an Act entitled "An Act to promote the purity of elections by regulating the conduct thereof, and to support the privilege of free suffrage by prohibiting certain acts and privileges in relation thereto, and providing for the punishment thereof," approved February 23, 1893.

Read first time, and referred to Committee on Elections.

By Mr. Powers (by request): Assembly Bill No. 264—An Act to amend section eight of an Act entitled "An Act amendatory of and supplemental to an Act entitled 'An Act to create a Police Court in and for the City and County of San Francisco,' which said amendatory and supplemental Act now amended was approved February 23, 1893, and to fix the compensation of the official stenographers of said Police Court."

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 265—An Act to amend section one of an Act entitled "An Act amendatory of and supplemental to an Act entitled 'An Act to create a Police Court in and for the City and County of San Francisco,' which said amendatory and supplemental Act now amended was approved February 23, 1893, and to fix the term of office of the Judges of said Court."

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 266—An Act authorizing persons having claims against counties, cities and counties, or municipal corporations, to prosecute them to judgment.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 267—An Act to amend section one thousand nine hundred and sixteen of the Civil Code of the State of California, and to repeal section one thousand nine hundred and nineteen of the same code, both sections relating to interest.

Read first time, and referred to Committee on Judiciary.

By Mr. Tibbits: Assembly Bill No. 268—An Act to appropriate money for the erection and equipment of additional buildings for the accommodation and care of the inmates of the Preston School of Industry, at Ione, Amador County.

Read first time, and referred to Committee on Public Buildings and Grounds.

Also: Assembly Bill No. 269—An Act to appropriate money for the construction of a settling and distributing reservoir at the Preston School of Industry, at Ione.

Read first time, and referred to Committee on Public Buildings and Grounds.

By Mr. Dinkelspiel: Assembly Bill No. 270—An Act to provide an official stenographic reporter to the Coroner of each county, or city and county, having one hundred thousand or more inhabitants, and providing the mode in which such reporter shall be appointed, and establishing the compensation and prescribing the duties of such reporter.

Read first time, and referred to Committee on County and Township Governments.

Also: Assembly Bill No. 271—An Act to prescribe conditions upon which a certain insurance association known as "Lloyds" may be admitted to transact insurance business in this State.

Read first time, and referred to Committee on Corporations.

Also: Assembly Bill No. 272—An Act to provide for investigation of fires by the Insurance Department, and to make provision for the expenses of the same.

Read first time, and referred to Committee on Corporations.

Also: Assembly Bill No. 273—An Act to prescribe the duty of the Attorney-General and Insurance Commissioner in regard to the admission of insurance corporations, associations, or individuals to do business in this State.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 274—An Act to prescribe conditions upon which certain foreign insurance companies may be permitted to transact insurance business in the State of California.

Read first time, and referred to Committee on Corporations.

Also: Assembly Bill No. 275—An Act entitled "An Act to amend chapter one hundred and seventeen of the Penal Code," concerning vagrants.

Read first time, and referred to Committee on Judiciary.

Also (by request): Assembly Bill No. 276—An Act to add a new section, to be numbered three thousand and thirty-six, to the Political Code.

Read first time, and referred to Committee on Judiciary.

By Mr. Hatfield: Assembly Bill No. 277—An Act to regulate the fees of the County Clerk and ex officio Clerk of the Superior Court in counties of the fifth class.

Read first time, and referred to Committee on County and Township Governments.

Also: Assembly Bill No. 278—An Act to amend section three thousand four hundred and forty-two of the Civil Code, relating to fraudulent judgments and transfers.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 279—An Act to amend section two hundred and thirteen of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 280—An Act to amend section four hundred and sixty-one of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872.

Read first time, and referred to Committee on Judiciary.

By Mr. Bulla: Assembly Bill No. 281—An Act to amend section one thousand three hundred and three, section one thousand three hundred and twenty-three, section one thousand three hundred and sixty-five, section one thousand three hundred and eighty-eight, section one thousand four hundred and thirty-nine, section one thousand five hundred and sixteen, section one thousand five hundred and seventeen, section one thousand five hundred and thirty-six, section one thousand five hundred and forty-five, section one thousand five hundred and forty-seven, section one thousand five hundred and forty-eight, section one thousand five hundred and fifty, section one thousand five hundred and fifty-one, section one thousand five hundred and fifty-two, section one thousand five hundred and fifty-three, section one thousand five hundred and fifty-four, section one thousand five hundred and fifty-seven, section one thousand five hundred and fifty-eight, section one thousand five hundred and sixty-five, section one thousand five hundred

and ninety-two, section one thousand five hundred and ninety-seven, section one thousand five hundred and ninety-eight, section one thousand five hundred and ninety-nine, and section one thousand six hundred and eighteen, and to repeal section one thousand five hundred and eighteen, section one thousand five hundred and nineteen, section one thousand five hundred and twenty-two, section one thousand five hundred and twenty-three, section one thousand five hundred and twenty-four, section one thousand five hundred and twenty-six, section one thousand five hundred and twenty-nine, section one thousand five hundred and thirty, section one thousand five hundred and thirty-one, section one thousand five hundred and thirty-two, section one thousand five hundred and thirty-three, section one thousand five hundred and thirty-seven, section one thousand five hundred and thirty-eight, section one thousand five hundred and thirty-nine, section one thousand five hundred and forty, section one thousand five hundred and forty-one, section one thousand five hundred and forty-two, section one thousand five hundred and forty-three, section one thousand five hundred and forty-four, section one thousand five hundred and forty-nine, and section one thousand five hundred and fifty-six, and to add four new sections, to be known and designated as section one thousand five hundred and forty-six, section one thousand five hundred and fifty-four and one half, section one thousand five hundred and ninety-two, and section one thousand five hundred and ninety-seven and one half 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.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 282—An Act to amend sections one thousand seven hundred and sixty-eight, one thousand seven hundred and seventy, one thousand seven hundred and seventy-seven, one thousand seven hundred and eighty-eight, and one thousand seven hundred and eighty-nine, and repealing sections one thousand seven hundred and seventy-eight, one thousand seven hundred and eighty-one, one thousand seven hundred and eighty-two, one thousand seven hundred and eighty-three, one thousand seven hundred and eighty-four, one thousand seven hundred and eighty-five, one thousand seven hundred and eighty-six, and one thousand seven hundred and eighty-seven 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 the guardianship of the persons and estates of minors and incompetents, and adding a new section to said Code of Civil Procedure, to be known and designated as section one thousand seven hundred and seventy-one and one half, also relating to the guardianship of the persons and estates of minors and incompetents.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 283—An Act to amend sections three, four, five, seven, nine, ten, eleven, thirteen, fourteen, fifteen, sixteen, and twenty-three of an Act entitled "An Act creating a Board of Bank Commissioners, and prescribing their duties and powers," approved March 30, 1878, and as amended by an Act approved March 10, 1887, and to add three new sections thereto, to be numbered twenty-four, twenty-five, and twenty-six.

Read first time, and referred to Committee on Banks and Banking.

By Mr. Dixon: Assembly Bill No. 284—An Act to authorize and empower the Board of State Harbor Commissioners to institute condemnation proceedings against certain property on the corner of Market, Sacramento, and East Streets, in the City and County of San Francisco, and extending their jurisdiction over the same.

Read first time, and referred to Committee on Commerce and Navigation.

Also: Assembly Bill No. 285—An Act authorizing and empowering the Board of State Harbor Commissioners to grant, exchange, or transfer certain property east of the westerly line of East Street, as delineated and located upon the ground between Clay Street and Market Street, in the City and County of San Francisco, to or with the owner or owners of certain property on the triangular corner common to Market, Sacramento, and East Streets.

Read first time, and referred to Committee on Commerce and Navigation.

Also: Assembly Bill No. 286—An Act empowering the Board of State Harbor Commissioners to lay out and improve certain property on the westerly side of East Street, between Clay Street and Market Street, in the City and County of San Francisco, extending their jurisdiction over the same, and rectifying and establishing a line of streets therein.

Read first time, and referred to Committee on Commerce and Navigation.

By Mr. Johnson: Assembly Bill No. 287—An Act to amend article six, section nine, of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 24, 1893.

Read first time, and referred to Committee on County and Township Governments.

By Mr. Sanford: Assembly Bill No. 288—An Act to amend section one thousand eight hundred and fifty-eight of the Political Code, relating to the apportionment of teachers.

Read first time, and referred to Committee on Education.

By Mr. Laird (by request): Assembly Bill No. 289—An Act to provide for certain additions, improvements, and repairs at the Folsom State Prison, for transfer of convicts from San Quentin State Prison, consolidation of State Prisons, and making an appropriation therefor.

Read first time, and referred to Committee on Public Buildings.

CONSTITUTIONAL AMENDMENT.

By Mr. Hatfield: Assembly Constitutional Amendment No. 19—A resolution proposing an amendment to section three of article twelve of the Constitution of the State of California, relative to corporations, for the purpose of limiting the liability of stock or share holders, and fixing the liability of directors or trustees.

Referred to Committee on Constitutional Amendments.

RESOLUTIONS.

By Mr. Bulla:

Resolved, That the Chairman of the Judiciary Committee be and he is hereby authorized to appoint a stenographer for the Judiciary Committee, at a per diem of five dollars, payable out of the fund for the contingent expenses of the Assembly.

Referred to Committee on Attachés and Employés.

By Mr. Ewing: Relative to the appointment of a special committee of the Assembly to investigate abuses existing in the Police Department of the City and County of San Francisco:

WHEREAS, It has been charged and maintained that the Police Department of the City and County of San Francisco is corrupt; that grave abuses exist in said department; that in said city and county the laws for the suppression of crime, and the municipal ordinances and regulations duly enacted for the peace, security, order, and police of said city and county are not strictly enforced by said department, and by the police force acting thereunder; that said laws and ordinances, when enforced, are enforced by said department and said police force with partiality and favoritism, and that such partiality and favoritism are the results of corrupt bargains between offenders against said laws or ordinances on the one hand and said department and police force on the other; that money and promises of services to be rendered are given and paid to public officials by the keepers or proprietors of gaming-houses, disorderly houses, lotteries, or liquor saloons, or others, who have offended, or are offending, against said laws or ordinances, in exchange for promises of immunity from punishment or police interference; and that said department and said police force, by means of threats and otherwise, extort money or other valuable consideration from many persons in said city as the price of such immunity from police interference or punishment from real or supposed violations of said laws and ordinances; and whereas, a strong public sentiment demands of this Assembly a thorough and full investigation of all the matters above mentioned, for the purpose of remedying and preventing such abuses by proper legislation; now, therefore, be it

Resolved by the Assembly of the State of California, That the Speaker of the Assembly be and he is hereby authorized to appoint five members of the Assembly, who shall be a special committee of this Assembly, with power and authority to investigate all and singular the above said matters and charges, and that said committee have full power to prosecute its inquiries in any and every direction in its judgment necessary and proper, to enable it to obtain and report the information required by this resolution; that said committee report to the Assembly, with such recommendations as, in its judgment, the public interests require. Said committee is given authority to send for persons and papers, to employ a stenographer, and such counsel and other assistants as it may deem necessary, and to hold sessions in the City and County of San Francisco and the city of Sacramento. The committee shall conclude its investigations in time to report to the Assembly on or before February 15, 1895, to the end that proper legislation may be enacted to suppress said evils. The Sergeant-at-Arms of the Assembly shall attend such committee and serve all subpoenas issued thereby, and perform all duties as Sergeant-at-Arms of said committee; and be it further

Resolved, That it is the sense of this Assembly that it is contrary to public policy and to the intents of good order, that any person giving evidence before said committee tending to show that he has been a party to the practices above mentioned, should be indicted or prosecuted upon evidence so given or admissions so made by him.

Laid over one day.

By Mr. Laird:

Resolved, That the Superintendent of State Printing be and he is hereby instructed and directed to print for the use of the members of the Assembly, five hundred copies of each day's Journal of the Assembly, an addition only of one hundred and forty to the number of such Journals now printed

Laid over one day.

By Mr. Spencer:

Resolved, That J. A. Waymire, of Alameda, and L. T. Hatfield, of Sacramento, be and they are hereby appointed members of the Committee on Election Laws.

Laid over one day.

By Mr. Tibbits:

Resolved, That the House take immediate action on the resolution put in by Mr. Zocchi, wherein the State Printer be and is hereby directed to bind all bills introduced in the Assembly, and that Melton Berry be and is hereby appointed Bill Filer for the Assemblymen, for the purpose of having such bills so bound, at a per diem of five dollars, payable out of the fund for the contingent expenses of the Assembly.

Referred to Committee on Attachés and Employés.

By Mr. McKelvey (by request):

Resolved, That Miss Ella Wade be and she is hereby appointed Assistant Engrossing Clerk, at the same per diem paid the other Assistant Engrossing Clerks, said per diem to be paid out of the fund for the contingent expenses of the Assembly

Referred to Committee on Attachés and Employés.

By Mr. Thomas:

Resolved, That the State Printer be and he is hereby directed to bind all bills introduced in the Assembly, and that B. F. Mackall be and he is hereby appointed Bill Filer for the Assemblymen, for the purpose of having such bills so bound, at a per diem of five dollars, payable out of the fund for contingent expenses of the Assembly.

Referred to Committee on Attachés and Employés.

By Mr. Dinkelspiel:

Resolved, That the Controller be and he is hereby directed to draw a warrant for the salary of Gus Hartman, Clerk to Committee on Rules of the Assembly, dating from January 9, 1895, being the date he commenced his services, at a per diem of five dollars, to be paid from the Contingent Fund of the Assembly.

Referred to Committee on Attachés and Employés.

By Mr. Bettman:

Resolved, That the Speaker of the Assembly be and he is hereby authorized and requested to select and appoint a clerk for the purpose of assisting the Minute Clerk of the Assembly, as such duties of said Minute Clerk being cumbersome and arduous, it being necessary to have some experienced person to assist any new clerk in such position; such clerk to hold his position at the pleasure of the Speaker. Such clerk so appointed shall receive the same per diem as is paid the Minute Clerk, said per diem being payable out of the appropriation for the contingent expenses of the Assembly.

Referred to Committee on Attachés and Employés.

By Mr. Hatfield:

Resolved, That the State Printer be and he is hereby directed to bind all bills introduced in the Assembly, and that H. T. May be and he is hereby appointed Bill Filer for the Assemblymen, for the purpose of having such bills so bound, at a per diem of five dollars, payable out of the fund for the contingent expenses of the Assembly.

Referred to Committee on Attachés and Employés.

At ten o'clock and thirty minutes A. M. the Speaker called Mr. Brusie to the chair.

INTRODUCTION OF BILLS—(OUT OF ORDER).

By Mr. Reid: Assembly Bill No. 290—An Act to create a special commission for the purpose of examining into the revenue laws of this State, and reporting to this session of the Legislature a bill for the revision of such laws, and making an appropriation therefor.

Read first time.

RESOLUTION.

By Mr. Reid:

Resolved, That Assembly Bill No. 290 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill 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.

Mr. Reid moved the adoption of the resolution.

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

AYES—Messrs. Ash, Bachman, Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Brusie, Bulla, Butler, Cargill, Coleman, Coghlin, Cutter, Dale, Devitt, Devine, Dinkelspiel, Dixon, Dunbar, Dwyer, Ewing, Fassett, Freeman, Gay, Glass, Guy, Hall, Hatfield,

Healey, Holland, Huber, Hudson, Johnson, Jones, Keen, Kelsey, Kenyon, Laird, Laugenour, Lewis, Llewellyn, Meads, McCarthy, McDonald, McKelvey, Merrill, Nelson, North, O'Day, Osborn, Pendleton, Phelps, Powers, Price, Reid, Richards, Robinson, Rowell, Sanford, Staley, Stansell, Spencer, Tibbits, Thomas, Tomblin, Twigg, Wade, Waymire, Weyse, Wilkins, Wilkinson, Zocchi, and Mr. Speaker—75.
NOES—Messrs. Bledsoe and Dodge—2

Assembly Bill No. 290 read second time.

MOTION.

Mr. Cutter moved that the Assembly resolve itself into Committee of the Whole, with Mr. Brusie in the chair, for the purpose of considering Assembly Bill No. 290.

So ordered.

IN COMMITTEE OF THE WHOLE.

Mr. Brusie in the chair.

Assembly Bill No. 290 was considered in Committee of the Whole.

IN ASSEMBLY.

Mr. Brusie in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Chair stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 290—An Act to create a special commission for the purpose of examining into the revenue laws of this State, and reporting to this session of the Legislature a bill for the revision of such laws, and making an appropriation therefor—and now report back, and recommend that the same do pass.

Assembly Bill No. 290 read third time.

Mr. Reid moved that the bill be considered engrossed and sent to the printer, and the consideration of same be made a special order for next legislative day.

So ordered.

REPORT OF STANDING COMMITTEE.

ON ATTACHES AND EMPLOYEES.

ASSEMBLY CHAMBER, SACRAMENTO, January 17, 1895.

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

"Resolved, That the Post Office be kept open from nine o'clock A. M. to six o'clock P. M. every day (except on Sunday, when the same shall be open in the morning between the hours of ten and eleven o'clock, and in the afternoon between the hours of two and three o'clock), and at all times when the House is in session."

"Resolved, That the Chairman of the Judiciary Committee be authorized to employ a Sergeant-at-Arms, at a salary of five dollars per day, and a Messenger, at a salary of four dollars per day."

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

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 17, 1895.

MR. SPEAKER: Your Committee on Attachés and Employés beg leave to report that in making the following recommendations for appointments, it has been guided by an endeavor to observe the greatest economy compatible with the best interests of the work to be done, and the desire to distribute as equitably as possible over this whole

State the offices to be filled. These offices are absolutely necessary to the proper expedition of business, and it will be observed that the sum total of the emoluments falls far below that of the last preceding session. We hereby report the following resolution, and recommend its adoption:

Resolved, That the following-named persons be and they are hereby employed for the various offices and at the per diem set opposite their respective names, said per diem to be paid out of the appropriation for the contingent expenses of the Assembly:

G. W. Lewis, San Francisco, Assistant Sergeant-at-Arms.....	\$6 00
J. D. Fredericks, Los Angeles, Clerk to Sergeant-at-Arms.....	5 00
A. O. Jones, San Francisco, Assistant Engrossing Clerk.....	8 00
J. Brooks, San Francisco, Assistant Clerk.....	8 00
Grant Towle, Monterey, Assistant Clerk.....	8 00
G. McElhainey, San Francisco, Bill Clerk.....	5 00
A. S. Vischer, San Joaquin, Assistant Journal Clerk.....	8 00
Florence Jones, Alameda, Assistant Enrolling Clerk.....	8 00
J. Cramer, Marin, Janitor, coat-room.....	5 00
E. D. Hawkins, Alameda, Assistant Bill Clerk.....	4 00
Amy O'Neil, San Francisco, Assistant Enrolling Clerk.....	5 00
W. H. Dillinger, Lassen, Watchman.....	4 00
J. B. Harton, Assistant Engrossing Clerk.....	5 00
D. Williamson, San Francisco, Bill Clerk.....	5 00
George Hatton, Alameda, Assistant Engrossing Clerk.....	5 00
Miss C. H. Boyden, Nevada, Assistant Journal Clerk.....	5 00
S. F. King, Orange, additional Porter.....	4 00
George E. Schillig, Yuba, Assistant Minute Clerk.....	8 00
Thomas Hoskins, Santa Clara, Watchman, gallery.....	4 00
V. S. Tomblin, Del Norte, Assistant Clerk to Sergeant-at-Arms.....	5 00
Chas. S. Tyrrell, Alameda, Doorkeeper, gallery.....	4 00
S. Raphael, Assistant File Clerk.....	4 00
R. Blakeston, Porter of Gallery.....	4 00
Lee Fairchild, San Diego, Assistant Enrolling Clerk.....	8 00
J. C. Williams, Fresno, Assistant File Clerk.....	5 00
Walter Howard, Sacramento, Page to Sergeant-at-Arms.....	3 00
Charles Barron, File Clerk.....	4 00
Lizzie M. Avery, Riverside, Folding Clerk.....	4 00
Ella Bateman, Sacramento, Assistant Engrossing Clerk.....	5 00
G. T. Vandever, Tulare, Assistant History Clerk.....	5 00
A. A. Friedlander, San Francisco, Assistant Bill Clerk.....	4 00
N. N. Colm, Butte, Watchman to State Library.....	4 00
John C. Koiod, Porter to Sergeant-at-Arms.....	4 00
H. G. Thomas, Sonoma, Assistant File Clerk.....	4 00
L. Corroda, Amador, Watchman, gallery.....	4 00
Mrs. N. A. Cummings, Los Angeles, Assistant Engrossing Clerk.....	4 00
D. G. Holt, Solano, Assistant Clerk at Desk.....	8 00

WEYSE, Chairman.

MOTIONS.

Mr. Waymire moved to amend by striking out the name of E. D. Hawkins, and inserting in lieu thereof the name of Mrs. Sue Porter Carpenter, for Assistant Bill Clerk.

Also: By striking out the name of T. F. Maloney, and inserting in lieu thereof the name of Charles Tyrrel, for Doorkeeper of the Gallery. Adopted.

Mr. Bledsoe moved to amend by striking out lines thirty-five, forty-three, and forty-four of said report.

Ayes and noes demanded by Messrs. Bledsoe, Reid, and Belshaw.

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

AYES—Messrs Barker, Belshaw, Bennett, Bledsoe, Glass, Holland, Phelps, Reid, Sanford, Spencer, Twigg, Wade, and Wilkins—13

NOES—Messrs. Ash, Bachman, Bassford, Berry, Bettman, Boothby, Brusie, Bulla, Butler, Cargill, Coleman, Coghlin, Cutter, Dale, Davis, Devitt, Devine, Dinkelspiel, Dixon, Dodge, Dunbar, Dwyer, Ewing, Fassett, Freeman, Gay, Guy, Hall, Hatfield, Healey, Huber, Hudson, Johnson, Jones, Keen, Kelsey, Kenyon, Laird, Laugenour, Lewis, Llewellyn, Meads, McCarthy, McDonald, McKelvey, Merrill, Nelson, North, O'Day, Osborn, Pendleton, Price, Richards, Robinson, Rowell, Staley, Stansell, Tibbits, Thomas, Tomblin, Waymire, Weyse, Wilkinson, Zocchi, and Mr. Speaker—65.

Mr. Bulla moved to amend by striking out the words "four dollars" as the compensation of Mrs. N. A. Cummings as Assistant Engrossing Clerk, and inserting the following: "five dollars."

Adopted.

Mr. Belshaw moved to amend by striking out lines five, fifteen, seventeen, twenty-eight, and thirty-one.

The ayes and noes were demanded by Messrs. Belshaw, Bledsoe, and Spencer.

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

AYES—Messrs. Ash, Barker, Belshaw, Bledsoe, Coleman, Dodge, Dunbar, Ewing, Fassett, Freeman, Glass, Guy, Hall, Holland, Jones, Keen, McDonald, Phelps, Reid, Richards, Rowell, Spencer, Twigg, Wade, and Wilkins—24.

NOES—Messrs. Bachman, Bassford, Bennett, Berry, Bettman, Boothby, Brusie, Bulla, Butler, Cargill, Coghlin, Cutter, Dale, Davis, Devitt, Devine, Dinkelspiel, Dixon, Dwyer, Gay, Hatfield, Healey, Huber, Hudson, Johnson, Kelsey, Kenyon, Laird, Laugenour, Lewis, Llewellyn, Meads, McCarthy, McKelvey, Merrill, Nelson, North, O'Day, Osborn, Pendleton, Powers, Price, Robinson, Sanford, Staley, Stansell, Tibbits, Thomas, Tomblin, Waymire, Weyse, Wilkinson, Zocchi, and Mr. Speaker—54.

Mr. Pendleton moved that the report as amended be adopted.

The ayes and noes were demanded by Messrs. Belshaw, Glass, and Spencer.

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

AYES—Messrs. Ash, Bachman, Bassford, Berry, Bettman, Boothby, Bulla, Butler, Cargill, Coleman, Coghlin, Dale, Davis, Devitt, Devine, Dinkelspiel, Dixon, Dunbar, Dwyer, Ewing, Freeman, Gay, Guy, Hatfield, Healey, Huber, Hudson, Keen, Kelsey, Kenyon, Laugenour, Lewis, Llewellyn, Meads, McCarthy, McDonald, McKelvey, Merrill, O'Day, Osborn, Pendleton, Powers, Price, Richards, Rowell, Sanford, Staley, Stansell, Tibbits, Thomas, Tomblin, Waymire, Weyse, Wilkins, Wilkinson, Zocchi, and Mr. Speaker—57.

NOES—Messrs. Barker, Belshaw, Bennett, Bledsoe, Brusie, Cutter, Dodge, Fassett, Glass, Hall, Holland, Johnson, Jones, Laird, Phelps, Reid, Spencer, Twigg, and Wade—19.

RESOLUTION—(OUT OF ORDER).

By Mr. Bulla:

Resolved, That the Sergeant-at-Arms is hereby authorized to purchase for each member of the Judiciary Committee two file boards, the same to be paid out of the Contingent Fund of the Assembly. This resolution shall have no reference to the twenty-five dollars allowed to the committee or members for contingent expenses.

Adopted.

INTRODUCTION OF BILLS—(OUT OF ORDER).

By Mr. Waymire: Assembly Bill No. 291—An Act to fix the terms of office of certain officers and commissioners, and to vest in the Governor power to appoint such officers and commissioners.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 292—An Act to amend sections eight hundred and fifty-one, eight hundred and fifty-two, and eight hundred and fifty-three 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 referred to Committee on Corporations.

By Mr. Cargill: Assembly Bill No. 293—An Act to amend section two thousand eight hundred of the Political Code, relating to the purchase of toll roads by counties.

Read first time, and referred to Committee on County and Township Governments.

At eleven o'clock and twenty-five minutes A. M., Speaker Lynch resumed the chair.

APPOINTMENT OF COMMITTEES.

The Speaker announced the appointment of the following Standing Committees:

Corporations—Messrs. Pendleton (Chairman), Davis, Hatfield, Dinkelspiel, Freeman, Cutter, Meads, Wilkins, Barker.

Municipal Corporations—Messrs. Guy (Chairman), Dinkelspiel, Dodge, Berry, Jones, Devitt, Brusie, Bulla, Healey, O'Day, Devine.

Public Lands—Messrs. Davis (Chairman), Phelps, Bennett, Jones, Brusie, Wade, Dixon, Dale, Coghlin.

Public Morals—Messrs. Bettman (Chairman), Richards, Dale, Kelsey, Tomblin, Twigg, Devine.

Public Health and Quarantine—Messrs. Glass (Chairman), Cargill, Huber, Lewis, Meads, Richards, McDonald.

Public Buildings and Grounds—Messrs. Berry (Chairman), Guy, Nelson, Bettman, North, Kenyon, Butler, Weyse, Lewis, Sanford, Dwyer.

Swamp and Overflowed Lands—Messrs. Cutter (Chairman), Davis, Dale, Gay, Jones, Waymire, Cargill, Meads, Coghlin.

State Prisons and Reformatory Institutions—Messrs. Laird (Chairman), Thomas, Butler, Llewellyn, Dodge, Pendleton, Devitt, Wilkins, Laugenour.

Agriculture—Messrs. Richards (Chairman), Ash, Price, Butler, Johnson, Holland, Sanford.

Banks and Banking—Messrs. Wade (Chairman), Merrill, Keen, Dixon, Bassford, Belshaw, Dwyer.

Claims—Messrs. Gay (Chairman), Kelsey, Zocchi, Bettman, Huber, Butler, Coghlin, Commerce and Navigation—Messrs. Dixon (Chairman), Keen, Llewellyn, Fassett, Merrill, Price, Stansell, Wilkins, Twigg.

Irrigation—Messrs. McKelvey (Chairman), Dale, Rowell, Pendleton, Richards, Freeman, Waymire, Bachman, Robinson.

Mileage—Messrs. Staley (Chairman), Osborn, Gay, Dunbar, O'Day.

Military Affairs—Messrs. Osborn (Chairman), Spencer, McKelvey, Kenyon, Powers, Laird, Lewis, Healey, Coghlin.

Labor and Capital—Messrs. Jones (Chairman), Bassford, Berry, Belshaw, Guy, Merrill, Bledsoe, Ewing, McCarthy.

Mines and Mining—Messrs. Thomas (Chairman), Tibbits, Tomblin, Dunbar, Hall, Laird, Coleman, Reid, Robinson.

Fruit and Vine Interests—Messrs. Rowell (Chairman), Staley, Hall, Johnson, Ash, Stansell, Nelson, Robinson, Laugenour.

Fish and Game—Messrs. Bassford (Chairman), Llewellyn, Rowell, Swisler, Price, North, Sanford.

Federal Relations—Messrs. Hatfield (Chairman), Bettman, Weyse, Glass, Sanford.

Homesteads and Land Monopolies—Messrs. Bennett (Chairman), Ash, Hudson, Keen, Ewing, Bledsoe, Healey, Thomas.

Manufactures and Internal Improvements—Messrs. Price (Chairman), Ash, Tomblin, Zocchi, Twigg.

Counties and County Boundaries—Messrs. Coleman (Chairman), Weyse, Spencer, Davis, Dale, Laird, Boothby, Stansell, Twigg.

Crimes and Penalties—Messrs. Boothby (Chairman), Hudson, Glass, Gay, Wilkinson, Laird, Healey.

Education—Messrs. Johnson (Chairman), Nelson, Rowell, Belshaw, Hall, Wade, North, Wilkins, Holland.

Engrossment—Messrs. Wilkinson (Chairman), Lewis, Fassett, Robinson, McCarthy.

Enrollment—Messrs. Meads (Chairman), Tibbits, Kenyon, McKelvey, McDonald.

Public Printing—Messrs. Devitt (Chairman), Wilkinson, Price, Osborn, Keen, McCarthy, McDonald.

Roads and Highways—Messrs. Swisler (Chairman), Rowell, Tibbits, Staley, Hall, Hudson, Bledsoe, Barker, Holland.

State Parks and Forestry—Messrs. Tibbits (Chairman), North, Coleman, Dunbar, Holland.

State Hospitals and Asylums—Messrs. Cargill (Chairman), Glass, Huber, Hudson, Gay, Zocchi, Boothby, Ewing, O'Day.

State Library—Messrs. Stansell (Chairman), Osborn, Dixon, Thomas, Laugenour.

RESOLUTION—(OUT OF ORDER).

By Mr. Laugenour:

Resolved, That the State Printer be and he is hereby instructed and directed to print for the use of the members of the House, two hundred copies of the Standing Committees of this House, as soon as announced by the Speaker.

An amendment was offered that the names of the Standing Committees shall be printed in the Book of Rules.

Adopted as amended.

UNFINISHED BUSINESS—RESOLUTION.

By Mr. Thomas:

Resolved, That the Speaker of the Assembly be and he is hereby empowered to appoint a committee of three members of the Assembly to inquire into the condition and affairs of the State lands, with power to conduct all necessary investigations, and report to this body, also, that the Chairman of said committee be authorized to appoint a competent clerk and stenographer.

Mr. Thomas moved the adoption of the resolution.

Mr. Powers offered the following amendment, which was accepted:

Strike out the word "three" in the second line, and insert the word "seven."

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

AYES—Messrs Freeman, North, O'Day, Powers, and Thomas—5.

NOES—Messrs. Ash, Bachman, Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Bledsoe, Brusie, Bulla, Butler, Coleman, Coghlin, Dale, Davis, Devitt, Devine, Dinkelspiel, Dixon, Dodge, Dunbar, Dwyer, Ewing, Fassett, Gay, Glass, Guy, Hall, Hatfield, Healey, Holland, Huber, Hudson, Johnson, Jones, Keen, Kelsey, Kenyon, Laird, Laugenour, Llewellyn, Meads, McDonald, McKelvey, Merrill, Nelson, Osborn, Phelps, Price, Reid, Richards, Robinson, Rowell, Sanford, Staley, Stansell, Spencer, Swisler, Tibbits, Tomblin, Twigg, Wade, Waymire, Weyse, Wilkins, and Mr. Speaker—66

The Speaker announced the appointment of the following Special Committee of Investigation regarding charges against the "well":

Messrs. McKelvey (Chairman), Bettman, Cargill, Swisler, and Laugenour.

RESOLUTION.

By Mr. Laugenour:

Resolved, That the Committee on Homestead and Land Monopoly be and is hereby increased one member, and that the Speaker is hereby instructed to appoint R. I. Thomas as such member

Adopted.

INTRODUCTION OF BILLS—(OUT OF ORDER).

By Mr. Tibbits: Assembly Bill No. 294—An Act to add to part two, division second, 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.

Read first time, and referred to Committee on Mines and Mining.

By Mr. Wade: Assembly Bill No. 295—An Act to amend an Act approved March 1, 1893, entitled an Act to amend section six and section eight of an Act approved March 19, 1889, entitled "An Act author-

izing the incurring of an 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,' relating to the issuance of bonds by municipalities for public improvements.

Read first time, and referred to Committee on Municipal Corporations.

By Mr. Freeman: Assembly Bill No. 296—An Act to amend section three thousand seven hundred and eighty-five of the Political Code, relating to making deeds to property sold for taxes, giving notice thereof, and directing the State Controller to act for the State.

Read first time, and referred to Committee on Judiciary.

By Mr. Reid: Assembly Bill No. 297—An Act to amend section one thousand and fifty-four of the Code of Civil Procedure of the State of California, relating to extending the time within which an act is to be done.

Read first time, and referred to Committee on Judiciary.

By Mr. McKelvey: Assembly Bill No. 298—An Act relating to Treasurers, their deputies and clerks, in counties, and cities and counties, having a population of two hundred thousand inhabitants or over.

Read first time, and referred to Committee on County and Township Governments.

MOTION.

Mr. Brusie moved that when the Assembly adjourn it be to meet Monday, January 21st.

Motion lost.

COMMUNICATION.

The following communication was received from the Hon. L. H. Brown, Secretary of State:

Mr. Speaker, and the Honorable Members of the Assembly:

GENTLEMEN: One of the members of your honorable body having made false and malicious statements relative to the restaurant now conducted in the Capitol, in justice to your honorable body and myself, I have taken the liberty to address you. I am now, and always have been, unalterably opposed to the sale of any liquor in the State Capitol, nor will I permit any to be sold while Secretary of State. Because it was sold, in what is termed the "well," during prior sessions of the Legislature, it follows not that it is now sold there, nor that a restaurant cannot be maintained without it. Am satisfied no liquor has been sold in the building since the present Legislature convened. I have a bond for one thousand dollars, with sureties for double the amount, that no liquor will be sold. Mr. Rhoads has no interest in the restaurant, nor has he had anything to do with the same. The restaurant is a convenience to many, and whatever tends to promote the comfort of the people is in line with laws in general, and the Constitution in particular.

Respectfully yours,

L. H. BROWN, Secretary of State.

Mr. Bledsoe spoke to a question of privilege regarding the communication.

LEAVE OF ABSENCE.

Leave of absence was granted the following members until Monday: Messrs. Powers, Pendleton, Devitt, Dinkelspiel, Bettman, Wilkinson, McCarthy, Barker, Jones, Devine, Wilkins, Coghlin, Zocchi, Dixon, Brusie, Kenyon, Richards, Healey, Stansell, Butler, McDonald, and Lewis.

Mr. Price gave notice that on next legislative day he would move to reconsider the vote by which the report of the Committee on Attachés was adopted.

ADJOURNMENT.

At eleven o'clock and fifty minutes A. M., on motion of Mr. Bulla, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Saturday, January 19, 1895. }

The Assembly met pursuant to adjournment.

Speaker Lynch in the chair.

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

Messrs. Ash, Bachman, Bassford, Belshaw, Bennett, Berry, Bledsoe, Bulla, Butler, Cargill, Coleman, Cutter, Dale, Devine, Dodge, Dunbar, Dwyer, Ewing, Fassett, Freeman, Glass, Guy, Hall, Hatfield, Holland, Huber, Hudson, Johnson, Keen, Kelsey, Laird, Laugenour, Meads, McKelvey, Merrill, Nelson, North, O'Day, Osborn, Phelps, Price, Robinson, Rowell, Sanford, Staley, Spencer, Swisler, Tibbits, Thomas, Tomblin, Wade, Weyse, and Mr. Speaker.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. O. Summers.

READING AND APPROVAL OF THE JOURNAL.

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

So ordered.

REPORTS OF STANDING COMMITTEES.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, January 18, 1895.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 4—An Act to amend section three thousand four hundred and forty of the Civil Code of the State of California, relative to the transfer of personal property.

Also: Assembly Bill No. 9—An Act to amend section three thousand seven hundred and sixty-five, section three thousand seven hundred and seventy-three, section three thousand seven hundred and seventy-eight, section three thousand seven hundred and eighty, section three thousand seven hundred and eighty-one, section three thousand seven hundred and eighty-five, section three thousand seven hundred and eighty-eight, section three thousand eight hundred and thirteen, section three thousand eight hundred and sixteen, and section three thousand eight

hundred and seventeen; and to repeal section three thousand seven hundred and seventy-four, section three thousand seven hundred and seventy-five, section three thousand seven hundred and seventy-six, section three thousand seven hundred and seventy-seven, section three thousand seven hundred and seventy-nine, section three thousand seven hundred and eighty-two, section three thousand seven hundred and eighty-three, section three thousand seven hundred and eighty-four, and section three thousand eight hundred and eighteen of an Act of the Legislature of the State of California entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the sale of real property for delinquent taxes, and the redemption and resale of such property; and to add a new section thereto, to be known and designated as section three thousand eight hundred and one, also relating to the sale of real property for delinquent taxes.

Also: Assembly Bill No. 11—An Act to amend an Act entitled "An Act to authorize the husband or wife, or next of kin, of a deceased person to collect and receive of any savings bank any deposit in such bank, when the same does not exceed the sum of three hundred dollars," approved February 18, 1874.

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

Also: Assembly Bill No. 13—An Act to amend section three thousand seven hundred and sixty-six of the Political Code, relating to the publication of lists of delinquent State and county taxes.

Also: Assembly Bill No. 20—An Act to amend section three thousand and fifty-one of the Civil Code of California, relating to liens for services in the care, protection, improvement, safe-keeping, or carriage of personal property, and for caring for, boarding, feeding, or pasturing horses or stock.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

Also: Assembly Bill No. 10—An Act to amend section one thousand two hundred and fourteen of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to the recording of conveyances.

Also: Assembly Bill No. 14—An Act to amend section three hundred and forty-eight of the Code of Civil Procedure, relating to limitation of actions.

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

BULLA, Chairman.

ON COUNTY AND TOWNSHIP GOVERNMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, January 19, 1895.

MR. SPEAKER: Your Committee on County and Township Governments, to whom was referred Assembly Bill No. 57—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved March 24, 1893, by amending section one hundred and sixty-two, relating to the classification of counties, and section two hundred and sixteen, providing for certain deputies and certain fees, and to insert a new section to be numbered one hundred seventy and one half, and to create a new class of counties of the eighth and one half class, relating to the government of counties—have had the same under consideration, and respectfully report the same back, and recommend that the same do pass as amended.

DODGE, Chairman.

ON RETRENCHMENT AND PUBLIC EXPENDITURES.

ASSEMBLY CHAMBER, SACRAMENTO, January 19, 1895.

MR. SPEAKER: Your Committee on Retrenchment and Public Expenditures, to whom was referred Assembly Bill No. 49—An Act to repeal an Act entitled "An Act fixing a bounty on coyote scalps," approved March 31, 1891—have had the same under consideration, and report the bill back, and recommend its passage.

PHELPS, Chairman.

MOTION.

Mr. Wade moved that the rules be suspended, and the consideration of Assembly Bill No. 49 be taken up out of order.

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

AYES—Messrs. Ash, Bachman, Bassford, Belshaw, Bennett, Berry, Bledsoe, Bulla, Butler, Cargill, Coleman, Cutter, Dale, Devitt, Devine, Dodge, Dunbar, Ewing, Fassett, Freeman, Glass, Guy, Hall, Hatfield, Holland, Huber, Hudson, Johnson, Keen, Kelsey, Laird, Laugenour, Meads, Merrill, Nelson, North, O'Day, Osborn, Phelps, Price, Reid, Robinson, Sanford, Staley, Spencer, Swisler, Tibbits, Thomas, Tomblin, Wade, Weyse, and Mr. Speaker—52

NOES—Mr McKelvey—1.

Assembly Bill No. 49 read second time, and ordered to engrossment and to a third reading.

SPECIAL ORDER.

Assembly Bill No. 290—An Act to create a special commission for the purpose of examining into the revenue laws of this State, and reporting to this session of the Legislature a bill for the revision of such laws, and making an appropriation therefor.

The bill having been read a third time on a previous day, the roll was called and the bill passed by the following vote :

AYES—Messrs. Ash, Bachman, Bassford, Belshaw, Bennett, Berry, Bulla, Cargill, Coleman, Cutter, Dale, Devitt, Devine, Dunbar, Ewing, Fassett, Freeman, Glass, Guy, Hall, Hatheld, Holland, Huber, Johnson, Keen, Kelsey, Laird, Laugenour, Meads, McKelvey, Merrill, North, O'Day, Osborn, Phelps, Reid, Robinson, Sanford, Staley, Spencer, Swisler, Tibbits, Thomas, Tomblin, Weyse, and Mr. Speaker—46.

NOES—Messrs. Bledsoe, Dodge, Hudson, Price, and Wade—5.

Title read and approved.

Mr. Price called for the consideration of his motion of the previous day, for the reconsideration of the vote whereby the report of the Committee on Attachés and Employés was adopted.

Mr. North moved to postpone consideration of same until Monday.

So ordered.

INTRODUCTION OF BILLS.

By Mr. Thomas: Assembly Bill No. 299—An Act to repeal (1) "An Act appropriating money for the erection of a building in the city of San Francisco for the use of the Home for the Care of the Inebriates," approved May 2, 1862; (2) "An Act relating to the Home of the Inebriates of San Francisco, and to prescribe the powers and duties of the Board of Managers and the officers thereof," approved April 1, 1870; and (3) "An Act to provide for the care and maintenance of inebriates and certain insane persons in the City and County of San Francisco." approved April 17, 1876, relating to the Home for the Care of the Inebriates.

Read first time, and referred to Committee on Public Buildings and Grounds.

Also: Assembly Bill No. 300—An Act to add a new section to the Penal Code, to be known as section nine hundred and nineteen and one half, relating to witnesses before grand juries.

Read first time, and referred to Committee on Judiciary.

By Mr. Osborn: Assembly Bill No. 301—An Act to amend section two hundred and ninety-seven of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to articles of incorporation.

Read first time, and referred to Committee on Judiciary.

By Mr. Hatfield: Assembly Bill No. 302—An Act to amend section one hundred and sixty-six of the Code of Civil Procedure, relative to the powers of Judges at chambers.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 303—An Act to amend section five hundred and ninety-three of the Code of Civil Procedure, relative to issues, mode of trial, and postponement.

Read first time, and referred to Committee on Judiciary.

By Mr. Waymire: Assembly Bill No. 304—An Act entitled an Act to amend section fourteen hundred and one of the Civil Code, affecting the disposition of and succession to community property derived by surviving husband upon the death of the wife.

Read first time, and referred to Committee on Judiciary.

By Mr. McKelvey: Assembly Bill No. 305—An Act to amend section one thousand and ninety-six of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, in relation to the registration of voters.

Read first time, and referred to Committee on Election Laws.

Also: Assembly Bill No. 306—An Act fixing a bounty on coyote scalps, and repealing other Acts in relation thereto.

Read first time, and referred to Committee on Retrenchment and Public Expenditures.

By Mr. Fassett: Assembly Bill No. 307—An Act to prohibit the mortgaging of certain personal property.

Read first time, and referred to Committee on Judiciary.

By Mr. Wade: Assembly Bill No. 308—An Act to amend section two thousand five hundred and twenty-one of the Political Code, relating to the State Board of Harbor Commissioners, and to abolish the office of Attorney of the State Board of Harbor Commissioners.

Read first time, and referred to Committee on Retrenchment and Public Expenditures.

Also: Assembly Bill No. 309—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 24, 1893, relating to powers of Boards of Supervisors.

Read first time, and referred to Committee on County and Township Governments.

By Mr. Price: Assembly Bill No. 310—An Act to amend section one of an Act entitled "An Act to promote the purity of elections by regulating the conduct thereof, and to support the privilege of free suffrage by prohibiting certain acts and practices in relation thereto, and providing for the punishment thereof," approved February 23, 1893.

Read first time, and referred to Committee on Election Laws.

By Mr. Merrill: Assembly Bill No. 311—An Act to amend section one thousand three hundred and seventy-nine of the Code of Civil Procedure, relative to the granting of letters of administration to others than those entitled.

Read first time, and referred to Committee on Judiciary.

By Mr. Ewing: Assembly Bill No. 312—An Act to amend section three hundred and forty of the Penal Code of California.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 313—An Act to amend sections one and two of an Act entitled "An Act to define the duties and liabilities of pawnbrokers and pledgers," approved April 17, 1861.

Read first time, and referred to Committee on Judiciary.

By Mr. Dodge (by request): Assembly Bill No. 314—An Act to provide for the payment of the claim of C. S. Merrill for services as stenographer, and professional services performed upon Court of Inquiry, San Francisco, as per Special Orders, Commander-in-Chief, No. 12, dated September 8, 1894.

Read first time, and referred to Committee on Claims.

MOTION.

Mr. Guy moved to take up Senate messages.
So ordered.

SENATE MESSAGES.

* SENATE CHAMBER, SACRAMENTO, January 19, 1895.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the eighteenth day of January, passed Senate Bill No. 197—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved March 24, 1893, by amending section one hundred and sixty-two, relating to the classification of counties, and section two hundred and sixteen, providing for certain deputies and certain fees, and to insert a new section to be numbered one hundred and seventy and one half, and to create a new class of counties of the eighth and one half class, relating to the government of counties.

F. J. BRANDON, Secretary.
By E. J. ENSIGN, Assistant.

Mr. Guy moved that Senate Bill No. 197 be substituted for Assembly Bill No. 57.

So ordered.

Senate Bill No. 197 read first time.

Mr. Laugenour moved that Senate Bill No. 197 be referred to Committee on Judiciary.

Lost.

Mr. Guy moved that the consideration of Senate Bill No. 197 be made a special order for Monday, immediately after the reading of the Journal.

So ordered.

RESOLUTIONS.

By Mr. Brusie:

Resolved, That the Controller be and he is hereby directed to draw his warrant in favor of Judson Brusie, Chairman of the Committee on Inaugural Ceremonies, for the sum of four hundred and fifty-six dollars, being the amount expended by said committee on arrangement, and that said warrant be payable out of the Contingent Fund of the Assembly.

Mr. Brusie moved that the rules be suspended and the resolution adopted.

So ordered.

By Mr. Freeman:

Resolved, That Mr. Robinson be and he is hereby substituted in place of Mr. Holland as a member of the Committee on Agriculture, and that Mr. Holland be and he is hereby substituted in place of Mr. Robinson as a member of the Committee on Mines and Mining.

Mr. Freeman moved its adoption.

So ordered.

SPECIAL ORDERS—RESOLUTIONS.

By Mr. Spencer:

Resolved, That J. A. Waymire, of Alameda, and L. T. Hatfield, of Sacramento, be and they are hereby appointed members of the Committee on Election Laws

Adopted.

By Mr. Laird:

Resolved, That the Superintendent of State Printing be and he is hereby instructed and directed to print for the use of the members of the Assembly, five hundred copies of each day's Journal of the Assembly, an addition only of one hundred and forty to the number of such Journals now printed.

Adopted.

RESOLUTION.

By Mr. Bulla:

WHEREAS, A special committee has been appointed to consider the message of the Governor; and whereas, other special committees are liable from time to time to be appointed; therefore,

Resolved, That H. A. Mason be and he is hereby appointed an Assistant Clerk, whose duty it shall be to act as clerk to such special committee or committees, assist the clerks at the desk, and perform such other duties as may be indicated by the Speaker or Chief Clerk, 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.

INTRODUCTION OF BILLS—(OUT OF ORDER).

By Mr. Waymire: Assembly Bill No. 315—An Act to amend section three thousand four hundred and ninety-one of the Political Code, relating to the election of trustees of reclamation districts.

Read first time, and referred to Committee on Swamp and Overflowed Lands.

RESOLUTIONS.

By Mr. Thomas:

Resolved, That the Secretary of State be requested to have the dome of the State Capitol building lighted on the evening of January 23, 1895, 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 is hereby appropriated out of the Contingent Fund of the Assembly to pay the expenses thereof

Referred to Committee on Inaugural Ball.

By Mr. Butler:

Resolved, That the Controller be hereby ordered to draw his warrant for thirty-five dollars in favor of Frank J. Hinters, for services rendered as Mail Carrier to the Assembly, at a per diem of five dollars, for the first seven days of the present session

Referred to Committee on Attachés and Employés.

By Mr. Sanford :

Resolved, That the name of J. B. Sanford be inserted in place of the name of C. A. Holland on the Committee of Education, and that the name of C. A. Holland be inserted in place of J. B. Sanford on the Committee on Fish and Game.

Mr. Sanford moved its adoption.

So ordered.

UNFINISHED BUSINESS—RESOLUTION.

By Mr. Ewing: Relative to the appointment of a special committee of the Assembly to investigate abuses existing in the Police Department of the City and County of San Francisco:

WHEREAS, It has been charged and maintained that the Police Department of the City and County of San Francisco is corrupt, that grave abuses exist in said department; that in said city and county the laws for the suppression of crime, and the municipal ordinances and regulations duly enacted for the peace, security, order, and police of said city and county, are not strictly enforced by said department, and by the police

force acting thereunder; that said laws and ordinances, when enforced, are enforced by said department and said police force with partiality and favoritism, and that such partiality and favoritism are the results of corrupt bargains between offenders against said laws or ordinances on the one hand and said department and police force on the other; that money and promises of services to be rendered are given and paid to public officials by the keepers or proprietors of gaming houses, disorderly houses, lotteries, or liquor saloons, or others, who have offended, or are offending, against said laws or ordinances, in exchange for promises of immunity from punishment or police interference; and that said department and said police force, by means of threats and otherwise, extort money or other valuable consideration from many persons in said city as the price of such immunity from police interference or punishment from real or supposed violations of said laws and ordinances; and whereas, a strong public sentiment demands of this Assembly a thorough and full investigation of all the matters above mentioned, for the purpose of remedying and preventing such abuses by proper legislation; now therefore, be it

Resolved by the Assembly of the State of California, That the Speaker of the Assembly be and he is hereby authorized to appoint five members of the Assembly, who shall be a special committee of this Assembly, with power and authority to investigate all and singular the above said matters and charges, and that said committee have full power to prosecute its inquiries in any and every direction in its judgment necessary and proper, to enable it to obtain and report the information required by this resolution: that said committee report to the Assembly, with such recommendations as, in its judgment, the public interests require; said committee is given authority to send for persons and papers, to employ a stenographer, and such counsel and other assistants as it may deem necessary, and to hold sessions in the City and County of San Francisco and the city of Sacramento. The committee shall conclude its investigations in time to report to the Assembly on or before February 15, 1895, to the end that proper legislation may be enacted to suppress said evils. The Sergeant-at-Arms of the Assembly shall attend such committee and serve all subpoenas issued thereby, and perform all duties as Sergeant-at-Arms of said committee; and be it further

Resolved, That it is the sense of this Assembly that it is contrary to public policy and to the intents of good order, that any person giving evidence before said committee tending to show that he has been a party to the practices above mentioned, should be indicted or prosecuted upon evidence so given or admission so made by him

Mr. North moved to postpone consideration until Monday.
So ordered.

ADJOURNMENT.

At ten o'clock and forty minutes A. M., on motion of Mr. Laugenour, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER, }
Monday, January 21, 1895. {

The Assembly met pursuant to adjournment.
Speaker Lynch in the chair.

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

Messrs. Ash, Bachman, Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Bledsoe, Boothby, Bulla, Cargill, Coleman, Coghlin, Dale, Davis, Devitt, Devine, Dinkelspiel, Dixon, Dodge, Dunbar, Ewing, Fassett, Freeman, Gay, Glass, Guy, Hall, Hatfield, Healey, Holland, Huber, Hudson, Johnson, Jones, Keen, Kelsey, Kenyon, Laird, Laugenour, Lewis, Llewellyn, Meads, McDonald, McKelvey, Merrill, Nelson, North, O'Day, Osborn, Pendleton, Phelps, Powers, Price, Reid, Richards, Robinson, Rowell, Sanford, Staley, Spencer, Swisler, Tibbits, Thomas, Tomblin, Twigg, Wade, Waymire, Weyse, Wilkins, Wilkinson, Zocchi, and Mr. Speaker.

Quorum present.

LEAVE OF ABSENCE.

Mr. Brusie was granted leave of absence for the day, on motion of Mr. Hatfield.

PRAYER.

Prayer by the Chaplain, Rev. O. Summers.

READING AND APPROVAL OF THE JOURNAL.

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

So ordered.

CORRECTION, AND APPROVAL OF JOURNAL.

Mr. Dixon stated the name of Charles S. Bartlett appeared upon the payroll of the Assembly instead of Charles Barron, File Clerk, whose name appeared upon the original report of Committee on Attachés and Employés. He asked that the matter be rectified.

So ordered.

The Journals of January 18th and 19th were then approved.

SPECIAL ORDER.

Senate Bill No. 197 having been read the first time on a previous day, the Assembly proceeded with its further consideration.

SECOND READING OF BILL.

Senate Bill No. 197—An Act to amend an Act entitled “An Act to establish a uniform system of county and township governments,” approved March 24, 1893, by amending section one hundred and sixty-two, relating to the classification of counties, and section two hundred and sixteen, providing for certain deputies and certain fees, and to insert a new section to be numbered one hundred and seventy and one half, and to create a new class of counties of the eighth and one half class, relating to the government of counties.

Title read.

Mr. Guy moved to amend as follows:

By striking out of the title, line four, printed bill, the word “in” and inserting the following. “and.”

Amendment adopted.

Also:

Amend by striking out of section two, page six, line fifty-six, printed bill, the word “for,” and inserting the following: “where.”

Amendment adopted.

Also:

Amend by striking out of section two, page eleven, line two hundred and twelve, printed bill, the words “for attending Justice’s Court, for each juror sworn to try the cause, per day, two dollars.”

Amendment adopted.

Also:

Amend by striking out of section three, page eleven, line five, printed bill, the word "as," and inserting the following: "or."

Amendment adopted.

Also:

Amend by striking out of section three, page eleven, line nine of printed bill, the word "in," and inserting the following: "by."

Adopted.

Mr. Guy moved that the further consideration of Senate Bill No. 197 be made a special order for Tuesday morning, January 22d, immediately after reading the Journal.

So ordered.

REPORTS OF STANDING COMMITTEES.

ON JUDICIARY

ASSEMBLY CHAMBER, SACRAMENTO, January 19, 1895.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 72—An Act to amend section seventeen hundred and four of the Political Code, relative to the eligibility of persons to teach in the public schools of this State—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to Committee on Education.

BULLA, Chairman.

Assembly Bill No. 72, referred to Committee on Education.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 19, 1895.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 26—An Act to amend section five hundred and two of the Civil Code, relating to time allowed for commencing work and completing the same, under rights of way granted by municipal corporations, and providing for a forfeiture in case of failure to commence work or to complete it within the time fixed.

Also, Assembly Bill No. 27—An Act to amend chapter two, part four, title fourteen, of the Civil Code by adding thereto a new section, to be numbered as section three thousand nine hundred and thirty-nine and one half, relating to satisfactions or releases of mortgages in this State by foreign executors or administrators.

Also: Assembly Bill No. 28—An Act to amend section six hundred and seventy-one of the Code of Civil Procedure, relating to the lien of judgments, their enforcement and revivor.

Also: Assembly Bill No. 35—An Act to amend section one hundred and seventy-two of the Civil Code, relating to power of husband and wife over community property.

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

Also: Assembly Bill No. 29—An Act to amend section six hundred and eighty-five of the Code of Civil Procedure, relating to the enforcement or carrying into execution of judgments after the lapse of five years from the date of entry.

Also: Assembly Bill No. 32—An Act to amend section one thousand and ninety-four of the Civil Code, relating to the execution and acknowledging of powers of attorney by a married woman, and to make valid all powers of attorney formerly executed by married women.

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

Also: Assembly Bill No. 24—An Act to amend chapter seven, part three, title nine, of the Political Code of the State of California, relating to the collection of property taxes, by adding a new section thereto, to be known as section three thousand seven hundred and forty-six and one half.

Also: Assembly Bill No. 30—An Act for the protection of the records of the several counties of the State of California, and regulating the business of abstracting in relation thereto.

Also: Assembly Bill No. 31—An Act to amend section one thousand five hundred and thirty-nine of the Code of Civil Procedure, relative to hearing of petition for order to sell real estate of decedents.

Also: Assembly Bill No. 33—An Act to amend section one thousand five hundred and eighty-two of the Code of Civil Procedure, relating to the right of executors and administrators to sue and be sued to determine title or to recover property.

Also: Assembly Bill No. 34—An Act to amend section one thousand five hundred and sixty-one of the Code of Civil Procedure, relating to the confirmation of sales made without order of Court.

Also: Assembly Bill No. 12—An Act to amend section three thousand and forty-six of the Civil Code of the State of California, relating to vendors' liens, and the transfer and satisfaction thereof.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

BULLA, Chairman.

ON RETRENCHMENT AND PUBLIC EXPENDITURES.

ASSEMBLY CHAMBER, SACRAMENTO, January 21, 1895.

MR. SPEAKER: Your Committee on Retrenchment and Public Expenditures, to whom was referred Assembly resolution by Mr. Laird, relative to the purchase of the Codes of California for the use of members of the Assembly, have had the same under consideration, and respectfully report the same back with an amendment, and recommend its passage as amended.

PHELPS, Chairman.

ON HOMESTEADS AND LAND MONOPOLY.

ASSEMBLY CHAMBER, SACRAMENTO, January 21, 1895.

MR. SPEAKER: Your Committee on Homesteads and Land Monopoly, to whom was referred Mr. Thomas' resolution relative to lieu and State school lands, and appointing a special committee to investigate the same, respectfully report the same back, and ask that the committee substitute for same be adopted

COMMITTEE SUBSTITUTE.

Resolved, That the Committee on Homesteads and Land Monopoly be and are hereby authorized to appoint a special expert, who shall have full power to investigate, inquire into, examine into, and present before said committee, any and all books, records, manuscripts, or documents now in the possession, or in the office of the State Surveyor-General bearing upon the matter presented in said resolution; also to subpoena and require the presence of any and all witnesses deemed necessary; also to fix the pay of said expert at eight dollars per diem, for a period not to exceed seven days, and that the said per diem of said expert shall be paid out of the Contingent Fund of the Assembly.

BENNETT, Chairman

Mr. Thomas moved that the committee substitute be adopted.
So ordered.

INTRODUCTION OF BILLS.

The following bills were introduced, read first time, and referred to committees, as follows:

By Mr. Waymire: Assembly Bill No. 316—An Act to add certain sections to the Political Code, providing for the establishment and maintenance of high schools.

Read first time, and referred to Committee on Education.

By Mr. Pendleton: Assembly Bill No. 317—An Act to provide for holding an annual exhibition in Southern California, to be known as the "Southern California State Fair."

Read first time, and referred to Committee on Agriculture.

By Mr. Richards: Assembly Bill No. 318—An Act to provide for the issue and sale of funding bonds of irrigation districts organized under and in pursuance of an Act of the Legislature of the State of California 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, and to provide for the payment of such funding bonds.

Read first time, and referred to Committee on Irrigation.

By Mr. Powers (by request): Assembly Bill No. 319—An Act to add a new section, to be known as section three thousand four hundred and forty-three of the Civil Code, in regard to the sale or agreement to sell personal property.

Read first time, and referred to Committee on Judiciary.

By Mr. Swisler: Assembly Bill No. 320—An Act to amend chapter one, part two, title nine, of the Penal Code, by adding thereto a new section, to be numbered one thousand two hundred and forty-seven, relating to appeals to the Supreme Court of this State from judgments of conviction in capital cases, and providing for the giving of notice thereof to the Warden of the State Prison where the execution is to take place.

Read first time, and referred to Committee on Crimes and Penalties.

By Mr. Fassett: Assembly Bill No. 321—An Act to amend article three of chapter two of title six of the Political Code, relating to highways.

Read first time, and referred to Committee on Roads and Highways.

By Mr. Wilkins: Assembly Bill No. 322—An Act to amend section five of an Act entitled "An Act regulating the sale of the lands uncovered by the recession or drainage of the waters of inland lakes, and unsegregated swamp and overflowed lands, and validating sales and surveys heretofore made," approved March 24, 1893.

Read first time and referred to Committee on Swamp and Overflowed Lands.

By Mr. Devitt: Assembly Bill No. 323—An Act relating to the sale of wines and liquors, and the maintenance of saloons and places where wines and liquors are sold by retail.

Read first time, and referred to Committee on Public Morals.

By Mr. Glass: Assembly Bill No. 324—An Act to require an inventory of all State property, and directing the State Board of Examiners to keep a record of the same.

Read first time, and referred to Committee on Retrenchment and Public Expenditures.

By Mr. Cargill: Assembly Bill No. 325—An Act to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872.

Read first time, and referred to Committee on Judiciary.

By Mr. Spencer: Assembly Bill No. 326—An Act to regulate and prescribe the rate of interest in the State of California, and to provide penalties for the violation of its provisions.

Read first time, and referred to Committee on Judiciary.

By Mr. Waymire: Assembly Bill No. 327—An Act to give legal standing to and provide for the licensing of public accountants.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 328—An Act to amend sections seven hundred and fifty-one, seven hundred and fifty-two, seven hundred and fifty-four, seven hundred and ninety-six, and eight hundred and 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 referred to Committee on Municipal Corporations.

By Mr. McKelvey (by request): Assembly Bill No. 329—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

three, four, eleven, twelve, thirty-six, and thirty-seven thereof, and by repealing section forty-one thereof.

Read first time, and referred to Committee on Irrigation.

By Mr. McKelvey: Assembly Bill No. 330—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by adding a new section thereto, to be known as section one hundred and seventy-five and one half, relating to legal distances in this State.

Read first time, and referred to Committee on County and Township Governments.

Also, (by request): Assembly Bill No. 331—An Act relating to the trial of actions for a divorce.

Read first time, and referred to Committee on Judiciary.

By Mr. Lynch: Assembly Bill No. 332—An Act to authorize the Board of Trustees of the Southern California State Asylum for the Insane and Inebriates to convey certain water rights.

Read first time, and referred to Committee on State Hospitals.

By Mr. Llewellyn: Assembly Bill No. 333—An Act to provide for the appointment and salary of an elevator attendant, and to make an appropriation therefor.

Read first time, and referred to Committee on Attachés and Employés.

ASSEMBLY JOINT RESOLUTION.

By Mr. Cargill:

ASSEMBLY JOINT RESOLUTION No. 7.

WHEREAS, There is a bill before Congress known as the "Reilly Funding Bill," to extend the time of payment of the debt of the Central and Union Pacific Railroads; and whereas, the passage of said bill would be inimical to the best interests of this State, and is one to which the people of the State of California are unalterably opposed; therefore, be it

Resolved by the Assembly, the Senate concurring, That our Representatives in Congress be and they are requested and our Senators instructed to use their utmost endeavors to oppose the passage of said "Reilly Funding Bill" or any other bill of like import; and further be it

Resolved, That his Excellency Governor James H. Budd be requested to telegraph these resolutions to our delegation in Congress

Read first time, and referred to Committee on Federal Relations.

ASSEMBLY CONCURRENT RESOLUTION.

By Mr. Ewing:

ASSEMBLY CONCURRENT RESOLUTION No. 4.

WHEREAS, The electors of the State of California, when called upon to express their opinion as to the mode of the election of United States Senators by the overwhelming majority of one hundred and fifty thousand votes, declared their preference in favor of the election of United States Senators by the direct vote of the people; be it

Resolved by the Assembly of the State of California, the Senate concurring, That all aspirants for the position of United States Senator appearing before the Legislature be and they are hereby pledged, in the event of their election to the position of United States Senator, to use all efforts to procure the accomplishment of the will of the people by the necessary legislation, to the end that members of the United States Senate may be elected by the direct vote of the people; be it further

Resolved, That all Representatives of the State of California in the Congress of the United States be and they are hereby requested to lend their efforts in the direction above outlined.

Read first time, and referred to Committee on Federal Relations.

ASSEMBLY CONSTITUTIONAL AMENDMENTS.

By Mr. Cutter: Assembly Constitutional Amendment No. 20—Proposed amendment to article four of the Constitution, relating to the legislative department; adding a new section thereto; limiting the contingent expenses of the Senate and Assembly.

Read first time, and referred to Committee on Constitutional Amendments.

By Mr. Laird: Assembly Constitutional Amendment No. 21—A resolution to propose to the people of the State of California 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.

Read first time, and referred to Committee on Constitutional Amendments.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON RETRENCHMENT AND PUBLIC EXPENDITURES.

The resolution of Mr. Laird, as amended by Committee on Retrenchment and Public Expenditures, is as follows:

Resolved, That the Secretary of State be authorized to purchase, and to be paid for out of the contingent expenses of the Assembly, eighty-five copies of the latest pocket edition of the Codes of California, one set to be furnished each member of the Assembly "

Mr. Wade moved the adoption of the resolution as amended.

So ordered.

RESOLUTIONS.

By Mr. Belshaw:

Resolved, That the Sergeant-at-Arms of the Assembly be and he is hereby instructed to detail two of the Pages of the Assembly to be in attendance in the Assembly Chamber every day, except Sunday, from nine o'clock A. M. to five o'clock P. M., during the daily recesses of the Assembly.

Referred to Committee on Attachés and Employés.

By Mr. Bulla:

Resolved, That the Controllor of State be and he is hereby authorized to draw his warrant, and the Treasurer is directed to pay same, payable out of the fund for the contingent expenses of the Assembly, in favor of L. H. Brown, Secretary of State, for the sum of sixty-three dollars, being for forty-two Shannon files for the Judiciary Committee.

Referred to Committee on Ways and Means.

By Mr. Pendleton (by request):

Resolved, That H. T. Smith be and he is hereby appointed Assistant Sergeant-at-Arms, at a per diem of eight dollars, to be paid out of the contingent expenses of the Assembly, whose duties shall be to accompany committees of this House when required, serve subpoenas and other papers, and perform such other duties as required under the direction of the Sergeant-at-Arms of this Assembly.

Referred to Committee on Attachés and Employés.

By Mr. Laugenour:

Resolved, That in allowing the use of the Assembly Chamber for the inaugural ball on the evening of January 28th, it is not the intention of allowing the Inaugural Committee the use of the members' cloak-room, and the Sergeant-at-Arms is hereby instructed to retain said room for the members only, and to have a Porter in said room on said night for the service of the members of this Assembly

Referred to Committee on Attachés and Employés.

By Mr. Glass:

Resolved, That Miss Kate Hogg be and she is hereby appointed Assistant Engrossing Clerk, at the same per diem paid the other Assistant Engrossing Clerks, said per diem to be paid out of the fund for the contingent expenses of the Assembly.

Referred to Committee on Attachés and Employés.

By Mr. Bettman:

Resolved, That Charles McCarthy be and he is hereby appointed Sergeant-at-Arms of the San Francisco Delegation, 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. Cargill:

Resolved, That for and by reason of services rendered the Assembly by Ed. J. Smith as an Assistant Clerk for the week ending January 20, 1895, the State Controller is hereby directed to draw his warrant in the sum of fifty-six dollars for the payment of the same, in favor of said Smith, being payable out of the appropriation for the contingent expenses of the Assembly.

Mr. Price moved to amend by including the name of John W. Cramer, cloak-room attendant, for the sum of thirty-five dollars.

Resolution as amended adopted.

By Mr. Laird:

Resolved, That in view of the fact that a large amount of business will come before the Committee on State Prisons and Reformatory Institutions, that said committee be allowed a stenographer and typewriter, at a per diem not to exceed five dollars, to be paid out of the Contingent Fund of the Assembly.

Referred to Committee on Attachés and Employés.

By Mr. Tibbits:

Resolved, That Frank Mails be appointed Assistant Sergeant-at-Arms, at five dollars per diem, to be paid out of the Contingent Fund of the Assembly.

Referred to Committee on Attachés and Employés.

UNFINISHED BUSINESS.

Assembly resolution relative to the appointment of a special committee to investigate abuses existing in the Police Department of the City and County of San Francisco.

Mr. Ewing moved that consideration of the same be made a special order for Wednesday, January 24th, at eleven o'clock A. M.

So ordered.

ADJOURNMENT.

At eleven o'clock and ten minutes A. M., on motion of Mr. Llewellyn, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Tuesday, January 22, 1895. }

The Assembly met pursuant to adjournment.

Speaker Lynch in the chair.

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

Messrs. Ash, Bachman, Barker, Belshaw, Bennett, Berry, Bettman, Bledsoe, Boothby, Bulla, Butler, Cargill, Coleman, Cutter, Dale, Davis, Devitt, Devine, Dinkelspiel, Dixon, Dodge, Dunbar, Dwyer, Ewing, Fassett, Freeman, Gay, Glass, Guy, Hatfield, Holland, Huber, Hudson, Johnson, Jones, Keen, Kelsey, Kenyon, Laird, Laugenour, Lewis, Llewellyn, McCarthy, McKelvey, Merrill, North, Pendleton, Phelps, Price, Richards, Robinson, Rowell, Sanford, Staley, Stansell, Spencer, Swisler, Tibbits, Tomblin, Wade, Waymire, Weyse, Wilkins, Wilkinson, Zocchi, and Mr. Speaker.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. O. Summers.

READING AND APPROVAL OF THE JOURNAL.

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

So ordered.

Mr. Price requested the privilege of calling up the reconsideration of the vote whereby the report of the Committee on Attachés was adopted.

Mr. Bledsoe moved that Mr. Price be granted the privilege of calling up the question.

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

AYES—Messrs. Bachman, Barker, Belshaw, Bennett, Berry, Bledsoe, Butler, Coleman, Coghlin, Cutter, Dale, Davis, Dodge, Dunbar, Ewing, Fassett, Glass, Guy, Hall, Holland, Huber, Johnson, Jones, Keen, Kenyon, Laird, Phelps, Richards, Robinson, Rowell, Sanford, Staley, Spencer, Swisler, Wade, Waymire, and Wilkins—37.

NOES—Messrs. Ash, Bassford, Bettman, Boothby, Bulla, Cargill, Devitt, Devine, Dinkelspiel, Dixon, Dwyer, Freeman, Gay, Healey, Hudson, Kelsey, Laugenour, Lewis, McCarthy, McDonald, McKelvey, Merrill, Nelson, North, O'Day, Stansell, Tibbits, Thomas, Tomblin, Twigg, Weyse, Wilkinson, Zocchi, and Mr. Speaker—35.

Mr. Thomas spoke to a question of privilege regarding the part he took in the attaché question.

SPECIAL FILE.

Senate Bill No. 197 being under consideration.

THIRD READING OF BILL.

Senate Bill No. 197—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved March 24, 1893, by amending section one hundred and sixty-two, relating to the classification of counties, and section two hundred and sixteen, providing for certain deputies and certain fees, and to insert a new section to be numbered one hundred and seventy and one

half, and to create a new class of counties of the eighth and one half class, relating to the government of counties.

Read third time.

Mr. Bledsoe moved to amend as follows:

By striking out of section two, line six, the words "seven thousand six hundred dollars per annum," and inserting the following: "five thousand dollars per annum."

Lost.

The question being upon the passage of the bill.

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

AYES—Messrs. Ash, Bachman, Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Bledsoe, Bulla, Butler, Cargill, Coleman, Coghlin, Davis, Devitt, Devine, Dixon, Dodge, Dunbar, Dwyer, Ewing, Fassett, Freeman, Gay, Glass, Hall, Hatfield, Healey, Holland, Huber, Hudson, Jones, Keen, Kelsey, Kenyon, Laird, Laugenour, Meads, McDonald, McKelvey, Merrill, Nelson, O'Day, Osborn, Phelps, Powers, Price, Reid, Richards, Robinson, Rowell, Sanford, Staley, Stansell, Swisler, Thomas, Tomblin, Twigg, Wade, Weyse, Wilkins, Wilkinson, Zocchi, and Mr. Speaker—65.

NOES—None.

Title read and approved.

Mr. Guy moved that the bill be immediately transmitted to the Senate.

So ordered.

APPOINTMENT OF COMMITTEES.

The Speaker announced the appointment of Committee on the Governor's Message, as follows: Messrs. Hall, Chairman; Coleman, Spencer, Hatfield, Devine, Reid, and Robinson.

And on Military Affairs (additional): Messrs. Nelson and Zocchi.

REPORTS OF STANDING COMMITTEES.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1895.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 78—An Act to amend section nine hundred and fifty-four of the Code of Civil Procedure, relating to dismissal of appeals.

Also: Assembly Bill No. 135—An Act to amend section four hundred and sixteen of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relative to the fees to be collected by the Secretary of State for services rendered by him in his official capacity.

Also: Assembly Bill No. 144—An Act to amend section one thousand seven hundred and ninety-nine of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the discharge of guardians.

Also: Assembly Bill No. 145—An Act to amend section seven hundred and fifty-two of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relative to the fees to be collected by the Clerk of the Supreme Court of the State of California.

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

Also: Assembly Bill No. 111—An Act to amend an Act entitled "An Act to authorize the Justices of the Supreme Court to appoint a Librarian for said Court, and fixing a salary," approved March 11, 1893—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to the Committee on Retrenchment and Public Expenditures.

So ordered.

Also: Assembly Bill No. 134—An Act to repeal section one thousand two hundred and twenty-two of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relative to judgments in contempt proceedings—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 Bill No. 79—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved March 24, 1893—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to the Committee on County and Township Governments.

So ordered.

Also. Assembly Bill No. 55—An Act to amend section twelve hundred and twenty-two of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872.

Also: Assembly Bill No. 141—An Act to amend section six hundred and seventy of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, in relation to what papers constitute a judgment roll.

Also. Assembly Bill No. 142—An Act to amend an Act entitled "An Act to establish law libraries," approved March 1, 1891, and to add a new section thereto, for the purpose of disestablishing such law libraries, such new section to be numbered fourteen and one half.

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

Also: Assembly Bill No. 62—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, by adding thereto two sections, to be known as sections one thousand eight hundred and eighty-two and one thousand eight hundred and eighty-five, being a part of part four, title two, chapter two, concerning witnesses.

Also: Assembly Bill No. 63—An Act to repeal sections one hundred and fifty-four and one hundred and fifty-five of "An Act to establish a Penal Code of the State of California," approved February 14, 1872.

Also: Assembly Bill No. 138—An Act to amend section one thousand and thirty of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, in relation to costs when tender is made before suit brought.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

BULLA, Chairman.

ON RETRENCHMENT AND PUBLIC EXPENDITURES.

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1895

MR. SPEAKER: Your Committee on Retrenchment and Public Expenditures, to whom was referred Assembly resolution by Mr. Bledsoe, relative to the appointment of a special committee of five, to ascertain what State commissions or boards can be abolished, etc.

Also, resolution by Mr. North, relative to the purchase of the Codes of California for the use of members of the Assembly.

Also, resolution by Mr. Johnson, relative to hiring a box at the Post Office for the use of members of the Assembly.

Also, the motion, in the nature of a resolution, by Mr. Bledsoe, relative to the appointment of a special committee of seven to take into consideration and report to this House, not later than January 27, 1895, what State boards, commissions, institutions, or offices can be abolished or consolidated, with a view to a more economical administration of State affairs, etc.

Have had the same under consideration, and respectfully recommend that they do not pass.

PHELPS, Chairman.

By Mr. Johnson:

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

By Mr. Bledsoe:

Resolved, That a special committee of five members be appointed by the Speaker, with power to send for persons and papers, whose duty it shall be, first, to ascertain what State commissions, institutions, or boards, if any, can be abolished with advantage to the public, in view of a more economical administration of State affairs; second, to ascertain what expenditures and salaries of the various public offices and institutions can be advantageously reduced or discontinued, third, to prepare and report to the Assembly such bills or resolutions as may be required to carry out the recommendations of the committee, the report of said committee to be presented not later than January 20, 1895.

By Mr. Johnson:

Resolved, That the Secretary of State be authorized to purchase, and pay for out of the contingent expenses of the Assembly, eighty-five copies of the latest pocket edition of the Codes of California, and that one copy be furnished each member of the Assembly.

Report of committee adopted.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1895.

MR. SPEAKER Your Committee on Retrenchment and Public Expenditures, to whom was referred a resolution by Mr. Kenyon, relative to the allowance of the sum of twenty-five dollars to each member of the Assembly for contingent expenses—have had the same under consideration, and respectfully report the resolution back, and recommend its passage.

PHELPS, Chairman.

By Mr. North:

Resolved, That the Secretary of State be authorized to purchase, and pay for out of the contingent expenses of the Assembly, eighty-five copies of Deering's Supplement to the Codes of California (pocket edition of 1893), and that one copy be furnished each member of the Assembly.

By Mr. Kenyon:

Resolved, That each member of the Assembly be and he is hereby allowed twenty-five 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 on requisition from the Secretary of State, shall be charged to his account as a part of his allowance hereby made.

Report of committee adopted.

ON ATTACHES AND EMPLOYES.

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1895.

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

Resolved, That Ed. J. Smith be and he is hereby appointed an Assistant Clerk of the Assembly to assist the History Clerk, at the same per diem as is paid the other Assistant Clerks at the desk, said per diem being payable out of the appropriation for the contingent expenses of the Assembly.

WHEREAS. A special committee has been appointed to consider the message of the Governor; and whereas, other special committees are liable from time to time to be appointed; therefore,

Resolved, That H. A. Mason be and he is hereby appointed an Assistant Clerk, whose duty it shall be to act as clerk to such special committee or committees, assist the clerks at the desk, and perform such other duties as may be indicated by the Speaker or Chief Clerk, at the same per diem as the clerks at the desk, payable out of the Contingent Fund of the Assembly.

Resolved, That the Chairman of the Judiciary Committee be and he is hereby authorized to appoint a stenographer for the Judiciary Committee, at a per diem of five dollars, payable out of the fund for the contingent expenses of the Assembly.

Resolved, That the Controller be hereby ordered to draw his warrant for thirty-five dollars in favor of Frank J. Hinters, for services rendered as Mail Carrier to the Assembly, at a per diem of five dollars, for the first seven days of the present session.

Resolved, That the House take immediate action on the resolution put in by Mr. Zocchi, wherein the State Printer be and is hereby directed to bind all bills introduced in the Assembly, and that Melton Berry be and is hereby appointed Bill Filer for the Assemblymen, for the purpose of having such bills so bound, at a per diem of five dollars, payable out of the fund for the contingent expenses of the Assembly.

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

WEYSE, Chairman.

Mr. Wade asked for a division of the question.

So ordered.

Messrs. Bledsoe, Bassford, and Spencer demanded the ayes and noes.

The roll was called upon the adoption of the report in the matter of the election of Ed. J. Smith Assistant Clerk, and carried by the following vote:

AYES—Messrs. Ash, Barker, Bassford, Bennett, Berry, Bettman, Boothby, Bulla, Coleman, Coghlin, Dale, Devitt, Devine, Dinkelspiel, Dixon, Dwyer, Guy, Hatfield, Healey, Holland, Huber, Keen, Kelsey, Kenyon, Laird, Laugenour, Lewis, Meads, McDonald, McKelvey, Merrill, North, O'Day, Osborn, Pendleton, Powers, Reid, Richards, Robinson, Sanford, Staley, Stansell, Swisler, Tibbits, Tomblin, Twigg, Waymire, Weyse, Wilkinson, Zocchi, and Mr. Speaker—52

NOES—Messrs. Bachman, Belshaw, Bledsoe, Butler, Davis, Dodge, Dunbar, Ewing, Freeman, Glass, Hall, Hudson, Johnson, Jones, Nelson, Price, Rowell, Spencer, and Wade—18.

Mr. Hatfield moved to amend paragraph two, and allow the special committee to choose their own clerks.

Mr. Swisler moved to amend the amendment in such a manner that when any special committee requires a clerk, that they call upon one of the Assistant Clerks at the desk.

At this hour—ten o'clock and forty minutes A. M.—the Speaker called Mr. Dodge to the chair.

The vote was taken upon Mr. Swisler's amendment to the amendment, and lost.

The vote was then taken upon the amendment of Mr. Hatfield, and lost.

The question now arising upon the adoption of the paragraph in the matter of the election of H. A. Mason Assistant Clerk.

The ayes and noes were demanded by Messrs. Bledsoe, Belshaw, and Fassett.

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

AYES—Messrs. Barker, Berry, Bettman, Boothby, Brusie, Bulla, Butler, Coghlin, Devitt, Devine, Dinkelspiel, Dixon, Dwyer, Ewing, Gay, Guy, Johnson, Keen, Kelsey, Kenyon, Laugenour, Lewis, Meads, McCarthy, McDonald, McKelvey, Merrill, O'Day, Powers, Thomas, Twigg, Wilkinson, and Zocchi—33

NOES—Messrs. Ash, Bachman, Bassford, Belshaw, Bennett, Bledsoe, Coleman, Cutter, Dale, Davis, Dodge, Dunbar, Fassett, Glass, Hall, Hatfield, Healey, Hudson, Jones, Laird, Nelson, North, Osborn, Phelps, Price, Reid, Richards, Robinson, Rowell, Sanford, Staley, Stansell, Spencer, Swisler, Tomblin, Wade, Waymire, Weyse, and Wilkins—38.

Paragraphs three and four were adopted.

Mr. Powers moved to amend paragraph five as follows:

By striking out "be and is hereby appointed Bill Filer," and insert in lieu thereof "and Clarence Leavey be and they are hereby appointed Bill Filers."

The ayes and noes were demanded by Messrs. Bledsoe, Belshaw, and Fassett.

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

AYES—Messrs. Brusie, Coghlin, Devitt, Devine, Dixon, Lewis, McCarthy, Phelps, Powers, Tibbits, Twigg, Weyse, and Wilkinson—13.

NOES—Messrs. Ash, Bachman, Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Bledsoe, Bulla, Butler, Coleman, Cutter, Davis, Dodge, Dunbar, Dwyer, Ewing, Fassett, Gay, Glass, Guy, Hall, Hatfield, Healey, Holland, Huber, Hudson, Johnson, Jones, Keen, Laird, McDonald, McKelvey, Merrill, Nelson, North, Osborn, Price, Reid, Richards, Rowell, Sanford, Staley, Stansell, Spencer, Swisler, Tomblin, Wade, Waymire, and Wilkins—51.

Paragraph five was then adopted.

Report of committee as amended adopted.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1895.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following bill has been correctly engrossed: Assembly Bill No. 49—An Act to repeal an Act entitled "An Act fixing a bounty on coyote scalps," approved March 31, 1891.

WILKINSON, Chairman.

ON FEDERAL RELATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1895.

MR. SPEAKER: Your Committee on Federal Relations, to whom was referred divers resolutions touching the indebtedness of the Pacific railroads to the United States, respectfully submit the following as a substitute for all such resolutions:

WHEREAS, The people of the United States, at divers times, for the purpose of securing the construction of a system of railroads to the Pacific Coast, granted aid to different companies for different lines; and whereas, the Government loaned its credit for the purpose of aiding in the construction of the Central Pacific, Western Pacific, and Union Pacific lines of road, whereby a large indebtedness has been incurred to the Government, which indebtedness is now about to mature; and whereas, the people of the States along the lines of roads aforesaid believe that such indebtedness should immediately be paid or secured to be paid to the Government, and that further delay and agitation thereon will injure the interests of the people of this State, and whereas, the prevailing sentiment in this State is that the Reilly Funding Bill will be ineffectual and insufficient to bring about an early and satisfactory disposition of the matter in controversy, and that the enactment of such law will not finally and effectually dispose of the matters in controversy, and believing that such matters should be promptly and effectively disposed of; be it

Resolved, That our Representatives in Congress be requested and our Senators be instructed to use all honorable means to prevent the passage of the Reilly Funding Bill, or any other law not so drawn and conditioned as to provide for a prompt, efficient, and decisive disposition of the matter of the indebtedness of such railroads to the United States Government, and all other matters connected therewith, whether by foreclosure of mortgages, or other method of providing for the collection of such indebtedness, the details and final conditions to be on such terms as shall be deemed to be for the best interest of the people at large and of those directly interested in particular

That the Governor be requested to transmit to our Representatives and Senators a copy of this report by telegraph.

HATFIELD, Chairman

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, January 15, 1895.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the fourteenth day of January, 1895, adopted Senate Concurrent Resolution No. 2—Relative to entering the official oath of the Lieutenant-Governor upon the Journal of both houses.

F. J. BRANDON, Secretary.
By R. SHAW, Assistant

RESOLUTION.

Resolved by the Senate, the Assembly concurring, That the certified copy of the official oath of Hon. Spencer G. Millard, Lieutenant-Governor of the State of California, as certified by the Secretary of State, January 14, 1895, be entered in full upon the Journal of each house.

So ordered.

OATH OF OFFICE.

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 Lieutenant-Governor of the State of California according to the best of my ability.

SPENCER G. MILLARD.

Subscribed and sworn to before me, this tenth day of January, A. D. 1895

W. H. CLARK.

Judge of the Superior Court of the County of Los Angeles, State of California

State of California—Department of State.

I, L. H. Brown, Secretary of State of the State of California, do hereby certify that I have carefully compared the annexed copy of the oath of office of Spencer G. Millard as Lieutenant-Governor of the State of California, with the original now on file in my office, and that the same is a correct transcript therefrom, and of the whole thereof. Also, that this authentication is in due form and by the proper officer.

Witness my hand and the Great Seal of State, at office in Sacramento, California, the fourteenth day of January, 1895

[SEAL]

L. H. BROWN, Secretary of State.
By H. T. SENNON, Deputy.

Also:

SENATE CHAMBER, SACRAMENTO, January 18, 1895.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the eighteenth day of January, 1895, adopted Senate Joint Resolution No. 1—Relative to forest reservations.

F. J. BRANDON, Secretary.
By R. SHAW, Assistant.

JOINT RESOLUTION.

By Senator Mathews:

SENATE JOINT RESOLUTION No. 1.

Relating to the passage of H. R. 119, Fifty-third Congress, in the Senate of the United States.

WHEREAS, There is now before a Select Committee on Forest Reservation in the Senate of the United States, a bill to protect public forest reservations and secure favorable conditions of water flow, which, if passed, will add greatly to the wealth of the nation, and particularly to the State of California; therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That we instruct our Senators and urgently request our Representatives in Congress from this State, that they use every means in their power to secure the passage of H. R. 119, pertaining to "the protection of public forest reservations."

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

Mr. Dixon moved that the Assembly concur in Senate Joint Resolution No. 1.

So ordered.

INTRODUCTION OF BILLS.

The following bills were introduced, read first time, and referred to committees, as follows:

By Mr. Powers: Assembly Bill No. 334—An Act to establish a uniform system of primary elections, regulating the conduct and management, and providing for the punishment of the violation thereof.

Read first time, and referred to Committee on Election Laws.

Also: Assembly Bill No. 335—An Act to add a new article to chapter one of title two, part three, of the Political Code of the State of California, to be known and designated as article four, and to add six new sections, to be known and designated as sections one thousand and seventy-five, one thousand and seventy-six, one thousand and seventy-seven, one thousand and seventy-eight, one thousand and seventy-nine, and one thousand and eighty, relative to county, city, and city and county Boards of Election Commissioners.

Read first time, and referred to Committee on Judiciary.

Also (by request): Assembly Bill No. 336—An Act to amend an Act entitled "An Act to establish a Naval Battalion, to be attached to the National Guard of California."

Read first time, and referred to Committee on Military Affairs.

By Mr. Bulla: Assembly Bill No. 337—An Act for the certification of land titles and the simplification of the transfer of real estate.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 338—An Act to provide for prosecuting attorneys of Police Courts, in cities having more than fifty thousand and under one hundred and fifty thousand inhabitants, and prescribing the duties and regulating the compensation of such prosecuting attorneys.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 339—An Act to regulate the sale and manufacture of commercial fertilizers.

Read first time, and referred to Committee on Manufactures and Internal Improvements.

Also: Assembly Bill No. 340—An Act to amend section three hundred and seventy-four of the Penal Code of this State.

Read first time, and referred to Committee on Crimes and Penalties.

Also: Assembly Bill No. 341—An Act entitled an Act to define who are electors.

Read first time, and referred to Committee on Election Laws.

Also: Assembly Bill No. 342—An Act to amend section six hundred and eighty-five of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 21, 1872, in relation to executions after five years.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 343—An Act to amend section three hundred and thirty-six of the Code of Civil Procedure of the State of California, relating to the limitations of actions.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 344—An Act to amend section three hundred and thirty-nine of the Code of Civil Procedure of the State of California, relating to limitations of actions.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 345—An Act to amend section three hundred and thirty-seven of the Code of Civil Procedure of the State of California, relating to the limitations of actions.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 346—An Act to amend section one thousand four hundred and thirty-five of the Penal Code, relating to waiver of trial by jury.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 347—An Act to amend section eight hundred and ninety-six of the Penal Code, relating to the challenge of grand jurors.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 348—An Act to amend sections eight hundred and eleven, eight hundred and twelve, and eight hundred and sixty-four of the Penal Code, relating to the manner of making complaint to a magistrate of the commission of a public offense, and of conducting the examination under such complaint.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 349—An Act to amend section one thousand four hundred and forty-six of the Penal Code, relating to the form of judgment against a defendant in cases where fine and imprisonment are directed.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 350—An Act to amend section two hundred and eighteen of the Penal Code, relating to the punishment for injury to railroad property, or wrecking or robbing railroad trains.

Read first time, and referred to Committee on Crimes and Penalties.

Also: Assembly Bill No. 351—An Act to amend section two hundred and forty-one of the Code of Civil Procedure, relating to the drawing of grand juries.

Read first time, and referred to Committee on Judiciary.

By Mr. Davis: Assembly Bill No. 352—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved March 24, 1893, by amending section one hundred and seventy-three thereof, relating to counties of the eleventh class.

Read first time, and referred to Committee on County and Township Governments.

Also: Assembly Bill No. 353—An Act to reduce the number of Judges of the Superior Court of the county of Tulare from two to one.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 354—An Act to amend sections eight hundred and six and eight hundred and 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 referred to Committee on Municipal Corporations.

Also: Assembly Bill No. 355—An Act to amend section eight hundred and thirty-six of the Code of Civil Procedure of the State of California, relating to the change of place of trial in Justices' Courts.

Read first time, and referred to Committee on Judiciary.

By Mr. Huber (by request): Assembly Bill No. 356—An Act to appoint a committee to locate a penitentiary at some point in San Diego, Riverside, San Bernardino, Orange, Los Angeles, Ventura, Santa Barbara, San Luis Obispo, Tulare, Fresno, Kings, or Kern Counties.

Read first time, and referred to Committee on State Prisons and Reformatory Institutions.

Also: Assembly Bill No. 357—An Act to amend an Act entitled "An Act to establish a State Reform School for Juvenile Offenders, and to make an appropriation therefor," approved March 11, 1889, and the Act amendatory thereto, approved March 23, 1893, by amending sections sixteen and eighteen of said Act, approved March 11, 1889, as amended, relating to the time for which boys and girls may be committed to said school, and the Courts having jurisdiction to commit minors thereto.

Read first time, and referred to Committee on State Prisons and Reformatory Institutions.

Also: Assembly Bill No. 358—An Act making an appropriation to pay the claim of R. B. Young for architect's fees for erection and construction of power and electric plant at the Whittier State School, an indebtedness created by the consent of the State Board of Examiners, and recommended by said Board to be paid.

Read first time, and referred to Committee on Claims.

Also: Assembly Bill No. 359—An Act to amend section two thousand six hundred and fifty-two of the Political Code, relating to road poll taxes.

Read first time, and referred to Committee on Judiciary.

By Mr. Huber: Assembly Bill No. 360—An Act to provide for the improvement of the Whittier State School, at Whittier, California, and make an appropriation for the same.

Read first time, and referred to Committee on Internal Improvements.

By Mr. Thomas: Assembly Bill No. 361—An Act to amend section fourteen hundred and sixteen of the Civil Code of this State, relating to water rights.

Read first time, and referred to Committee on Mines and Mining.

Also: Assembly Bill No. 362—An Act to amend sections seven hundred and seventy-eight and seven hundred and eighty-two of the Political

Code of the State of California, relating to the printing and sale of the reports of the Supreme Court of the said State of California; and to repeal sections seven hundred and seventy-nine, seven hundred and eighty, and seven hundred and eighty-one of said Political Code.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 363—An Act to appropriate money to pay the claim of Enoch N. Strout, for services rendered as Reclamation Commissioner, under "An Act to provide for the funding of the indebtedness of the reclamation and levee districts of the State," approved March 30, 1872.

Read first time, and referred to Committee on Claims.

By Mr. Waymire: Assembly Bill No. 364—An Act to add a new section to the Civil Code, authorizing the issue of bonds by consent of all the stockholders.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 365—An Act to amend section one thousand three hundred and eighty-seven of the Civil Code, relating to heirship of illegitimate children.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 366—An Act to amend sections two hundred and twenty-six and two hundred and twenty-seven, and to repeal section two hundred and thirty of the Civil Code, relating to adoption.

Read first time, and referred to Committee on Judiciary.

By Mr. Bettman (by request): Assembly Bill No. 367—An Act providing, in counties of the first class, for the appointment by the Coroner of a competent physician for the performance of autopsies upon the bodies of deceased persons when inquests are held, and fixing the compensation therefor.

Read first time, and referred to Committee on County and Township Governments.

Also: Assembly Bill No. 368—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved March 24, 1893.

Read first time, and referred to Committee on County and Township Governments.

By Mr. Bachman: Assembly Bill No. 369—An Act to amend sections one thousand nine hundred and twelve, one thousand nine hundred and thirteen, one thousand nine hundred and twenty-three, one thousand nine hundred and twenty-nine, one thousand nine hundred and thirty-two, one thousand nine hundred and thirty-six, one thousand nine hundred and forty-three, one thousand nine hundred and fifty-five, one thousand nine hundred and sixty-two, one thousand nine hundred and seventy, one thousand nine hundred and seventy-four, one thousand nine hundred and eighty, one thousand nine hundred and eighty-four, one thousand nine hundred and eighty-five, one thousand nine hundred and ninety, two thousand and three, two thousand and four, two thousand and six, two thousand and seven, two thousand and twenty-four, two thousand and twenty-seven, two thousand and forty-eight, and two thousand and sixty-three of the Political Code of California, and to add one new section thereto, to be known and numbered as section one thousand nine hundred and ninety-one, relating to the National Guard.

Read first time, and referred to Committee on Military Affairs.

Also: Assembly Bill No. 370—An Act to amend section seven hun-

dred and thirty-one of the Penal Code of the State of California, and to add a new section thereto, to be known as section seven hundred and thirty-four, relating to the suppression of riots, and parading of independent companies.

Read first time, and referred to Committee on Crimes and Penalties.

By Mr. Fassett: Assembly Bill No. 371—An Act to amend an Act entitled "An Act to prevent the sale of intoxicating liquors to persons addicted to the inordinate use of intoxicating liquors," approved March 19, 1889.

Read first time, and referred to Committee on Public Morals.

By Mr. Staley: Assembly Bill No. 372—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, and two thousand six hundred and forty-five, and to add two new sections, to be known as sections two thousand six hundred and forty and two thousand six hundred and forty-four, all of the Political Code of the State of California, and relating to the powers and duties of highway officers.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 373—An Act to amend sections two, five, seven, and ten of an Act entitled "An Act to establish free public libraries and reading-rooms," approved April 20, 1880, to enable the trustees to fix the amount of taxes to be raised therefor, and to provide the manner of levying and collecting the same, to authorize the City Treasurer to pay out the same on order of the trustees, to fix term of office of trustees, and to provide the manner of their election, in cities less than one hundred thousand population.

Read first time, and referred to Committee on Public Libraries.

By Mr. Jones: Assembly Bill No. 374—An Act making an appropriation to pay the deficiency in the appropriation for the support of the State Insane Asylum at Stockton, California, for the forty-fourth and forty-fifth fiscal years.

Read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 375—An Act appropriating money to pay for the repairs, renovation, reflooring, and other improvements on certain buildings of the State Insane Asylum at Stockton, California.

Read first time, and referred to Committee on Ways and Means.

By Mr. Holland: Assembly Bill No. 376—An Act to amend section six hundred and twenty-six of the Penal Code, relating to the preservation of game birds and animals, and providing punishment for the unlawful taking, killing, and transportation thereof.

Read first time, and referred to Committee on Fish and Game.

By Mr. Pendleton: Assembly Bill No. 377—An Act to amend section six hundred and thirty-two of the Code of Civil Procedure of the State of California, relating to the decisions of the Court on questions of fact, and when to be filed.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 378—An Act to amend section three hundred and ninety-eight of the Code of Civil Procedure of the State of California, relating to the transfer of causes where a Judge is disqualified.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 379—An Act to amend section three hun-

dred and ninety-seven of the Code of Civil Procedure of the State of California, relating to the changing of the place of trial.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 380—An Act to amend section nine hundred and fifty of the Code of Civil Procedure of the State of California, relating to appeals from judgment.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 381—An Act to amend section six hundred and sixty of the Code of Civil Procedure of the State of California, relating to new trials.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 382—An Act to amend section six hundred and fifty-nine of the Code of Civil Procedure of the State of California, relating to new trials.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 383—An Act to amend section six hundred and fifty of the Code of Civil Procedure of the State of California, relating to the preparation and settlement of bills of exception.

Read first time, and referred to Committee on Judiciary.

By Mr. Freeman: Assembly Bill No. 384—An Act to amend section four hundred and ninety-nine and five hundred and one of the Civil Code of the State of California, relating to street railroads.

Read first time, and referred to Committee on Corporations.

By Mr. Bassford: Assembly Bill No. 385—An Act to amend section one of an Act approved March 15, 1883, and entitled "An Act to authorize the Common Council, Board of Trustees, or other governing body of any incorporated city or town, other than cities of the first class, to refund its indebtedness, issue bonds therefor, and provide for the payment of the same," as amended March 1, 1893.

Read first time, and referred to Committee on Municipal Corporations.

By Mr. Coghlin: Assembly Bill No. 386—An Act to enable the State of California to purchase the right to make, use, and vend a patented improvement in a composition for protecting piles.

Read first time, and referred to Committee on Commerce and Navigation.

By Mr. Richards: Assembly Bill No. 387—An Act to amend section three hundred and eight of the Penal Code of California, relative to the sale or furnishing of tobacco, or preparations of tobacco, to persons under sixteen years of age.

Read first time, and referred to Committee on Public Morals.

By Mr. Ewing: Assembly Bill No. 388—An Act to amend section one thousand six hundred and sixteen of "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to compensation of executors and administrators of estates of deceased persons.

Read first time, and referred to Committee on Judiciary.

By Mr. Wilkins: Assembly Bill No. 389—An Act to amend sections eight hundred and fifty-one, eight hundred and fifty-two, and eight hundred and fifty-seven, of chapter seven, of "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Read first time, and referred to Committee on Municipal Corporations.

Also: Assembly Bill No. 390—An Act to provide for the construction and maintenance of a fire boat for the protection of shipping.

Read first time, and referred to Committee on Commerce and Navigation.

By Mr. Butler: Assembly Bill No. 391—An Act to create an exempt Firemen's Relief Fund in the several counties, cities and counties, cities, and towns of the State, and relating to the enrollment, formation into fire companies, and services as firemen of such exempt firemen.

Read first time, and referred to Committee on County and Township Governments.

ASSEMBLY CONSTITUTIONAL AMENDMENTS.

By Mr. Hall (by request): Assembly Constitutional Amendment No. 22—A resolution to propose to the people of the State of California an amendment to article twenty of the Constitution of the State of California, by adding thereto a new section, to be numbered twenty-one, relative to the manner of choosing Senators to the Senate of the United States.

Read first time, and referred to Committee on Constitutional Amendments.

Also. Assembly Constitutional Amendment No. 23—A resolution to propose to the people of the State of California an amendment to section seventeen of article twenty of the Constitution of the State of California, relative to the hours of labor.

Read first time, and referred to Committee on Constitutional Amendments.

Also: Assembly Constitutional Amendment No. 24—A resolution to propose to the people of the State of California an amendment to section thirteen of article twenty of the Constitution of the State of California, relative to the mode of voting.

Read first time, and referred to Committee on Constitutional Amendments.

RESOLUTION—(OUT OF ORDER).

By Mr. Butler:

Resolved, That Leon Mooser be appointed Assistant Bill Filer for the Assemblymen, at a per diem of four dollars, and the same be referred to Committee on Attachés.

Referred to Committee on Attachés and Employés.

REQUEST.

Mr. Swisler asked that Assembly Bill No. 320 be referred to Judiciary Committee, in place of Committee on Crimes and Penalties.

So ordered.

SUBSTITUTE.

Mr. Bledsoe offered the following as a substitute for Assembly Joint Resolution No. 2:

WHEREAS, The Central Pacific, Western Pacific, and Union Pacific Railroads did receive substantial aid for their construction from the Government of the United States by the issuance of bonds; and whereas, the payment of these bonds was guaranteed to the Government of the United States by mortgages on said railroads, which mortgages are about to fall due; and whereas, there is now under consideration before Congress a

bill, known as the "Reilly Funding Bill," the object of which bill is to re-fund the above-mentioned bonds for fifty years, and permitting the above-mentioned railroads to escape the payment of their just debts to the Government; therefore, be it

Resolved by the Assembly of the State of California, the Senate concurring, That our Representatives in Congress be requested and our Senators be instructed to use all honorable means to prevent the passage of any and all such "Funding Bills," and to provide for the collection of the above-mentioned indebtedness to the Government of the United States, by the foreclosure of the above-mentioned mortgages, to the end that the Government of the United States shall own and operate the above-mentioned railroads; and be it further

Resolved, That the Governor be and he is hereby requested to immediately transmit by telegraph a copy of these resolutions to each of our Representatives and Senators in Congress.

Mr. Bledsoe moved that his substitute for Assembly Joint Resolution No. 2 be made a special order for to-morrow, immediately after reading of Journal.

So ordered.

RESOLUTION—(OUT OF ORDER).

By Mr. Berry :

Resolved, That the Speaker be and is hereby requested to notify the Chairmen of the various Standing Committees of the Assembly to have a meeting at the close of this morning's session, for the purpose of fixing dates and times of meeting of their respective committees.

The Speaker made said announcement.

Mr. Spencer offered the following "Brief," and moved that the rules be suspended, and the same be printed in full in the Journal.

So ordered.

BRIEF OF LAURA DE FORCE GORDON.

On the constitutional right of the Legislature to enfranchise the women citizens of California by statute

[Prepared by request of the Chairman, for the use of the Committee on Election Laws]

In the matter of Assembly Bill No. 48, being an Act entitled an Act to enfranchise the women citizens of the State, and prescribing their qualifications as electors.

ARGUMENT.

To the honorable E. V. SPENCER, Chairman of the Committee on Election Laws of the Assembly

I have the honor to submit, for the consideration of the members of your committee, and other members of your honorable body, the following points bearing upon the constitutionality of Assembly Bill No. 48, regarding which, you have informed me, your committee are in doubt.

I.

The question of the constitutional right of the Legislature to enfranchise women by statutory law is one of exceeding interest, and involves, perhaps, one of the most delicate points of constitutional law, which still remains (so far as my reading or knowledge extends) *res integra*. For these reasons I do not for a moment presume that what I have to offer will be conclusive in settling this point; but from the interpretation of statutes, where a conflict with the organic law of the State has been contended upon provisions any way similar to the question at issue in this case, I am disposed to claim that the Legislature has the power to enfranchise the women of this State by a statute under the provisions of the Constitution of California, except women who belong to either of those classes interdicted by the concluding paragraph of section one of article two of the Constitution.

ARTICLE II.

SECTION 1. "Every native male citizen of the United States, every male person who shall have acquired the rights of citizenship under or by virtue of the Treaty of Queretaro, and every male naturalized citizen thereof, who shall have become such ninety days prior to any election, or the age of twenty-one years, who shall have been resident of the State one year next preceding the election, and of the county in which he claims his vote ninety days, and in the election precinct thirty days, shall be entitled to vote at all elections which are now or may hereafter be authorized by law; *provided*, no native of China, no idiot, no insane person, no person convicted of any infamous crime, no person

hereafter convicted of the embezzlement or misappropriation of public money, and no person who shall not be able to read the Constitution in the English language and write his name, shall ever exercise the privileges of an elector in this State; *provided*, that the provisions of this amendment relative to an educational qualification 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 and upwards at the time this amendment shall take effect."

The second clause of said section explicitly designates the class or classes who "shall never exercise the privileges of an elector in this State."

Obviously, the Legislature could not exclude any male citizen or person mentioned in the first part of said section from the right, guaranteed to them therein, to vote, except by an amendment to the Constitution; nor could the Legislature extend the right of suffrage to any of those expressly prohibited by the excluding clause in said section, without also amending the organic law.

And now let us inquire if the Legislature has the power to enfranchise women who do not belong to the interdicted classes?

To arrive at a tenable conclusion regarding this question we must first ascertain the rules laid down by the highest authority upon constitutional interpretations. The ablest, perhaps, of all our commentators, Judge Cooley, on *Constitutional Limitations*, p. 206, says: "There is a broad difference between the Constitution of the United States and the Constitution of the States as regards the powers which may be exercised under them. The government of the United States is one of *enumerated* powers; the governments of the States are possessed of all the general powers of legislation. When a law of Congress is assailed as void, we look in the National Constitution to see if the *grant* of specified power is broad enough to embrace it; but when a State law is attacked on the same ground, it is presumably valid in any case, and this presumption is conclusive unless by the Constitution of the United States or of the State it is *prohibited*."

The rule by which the constitutionality of a legislative enactment is to be determined is: "Does the Constitution of the State prohibit it?" If a law of Congress is attacked, the question is: "Does the National Constitution permit or grant it?"

"Congress can pass no laws but such as the Constitution authorizes, either expressly or by clear implication; while the State Legislature has jurisdiction of all subjects on which its legislation is not prohibited."

Cooley on Const. Limitations, p. 206.

That the Legislature has power to enact any measure not actually prohibited by the State Constitution (saving always the National Constitution also), is a principle of law so well established, and so fully recognized in the interpretation of constitutional power, as to make it seem almost superfluous to refer to it at any length.

Story on the Constitution, section five hundred and thirty-four, in contrasting the power of the judicial and legislative branches of the Government, says:

"It" (the judicial) "can do nothing for itself. It must do everything for others. It must obey the laws, and if it corruptly administers them, it is subjected to the power of impeachment. On the other hand, the legislative power, except in the few cases of constitutional prohibition, is unlimited."

To the same point, in *People vs. Draper*, 15 N. Y. 543, the Court say:

"Plenary power in the Legislature for all purposes of civil government, is the rule. A prohibition to exercise a particular power is an exception. In inquiring, therefore, whether a given statute is constitutional, it is for those who question its validity to show that it is forbidden."

II. IMPLIED LIMITATIONS.

Not that every possible limitation upon legislative power must be positively expressed, for there are many implied limitations, but nearly every case in which legislative bodies have been held to have transcended their constitutional authority in passing laws which were not actually prohibited by the Constitution, have been where such measures were a restriction upon the vested rights of citizens, rarely if ever in the extension or enlargement of rights or privileges.

Benson vs. Mayor, etc., of N. Y., 10 Barb. 244.

Cooley on Constitutional Lim., Sec. 4, Chapter 7.

Jackson vs. Wright, 4 John. 79.

Englishbee vs. Helmuth, 3 Conn. 295.

Goshen vs. Stovington, 4 Conn. 225.

Purcell vs. Smith, 21 Iowa, 540.

Implied restrictions upon legislative power seem to be very cautiously determined in judicial decisions, and Cooley on Constitutional Lim., 129, would seem to imply that all limitations should be expressed. He says, and the same language was used in *State ex rel. Gurnes vs. McCann*, 21 Ohio St. 211 and 212:

"Where the power which is exercised is legislative in its character, the Courts can enforce only those limitations which the Constitution imposes, not those implied restrictions which, resting in theory only, the people have been satisfied to leave to the judgment, patriotism, and sense of justice of their representatives."

Trevelt vs. Taylor, 3 Cranch 43.

4 Michigan, 248.

20 Wend. 382.

But independently of these restraints, express or implied, every subject within the scope of civil government is liable to be dealt with by the Legislature.

Sedgewick, on the construction of constitutional law, speaking of the implied or expressed inhibitions against statutory enactments, which have led to their being decided unconstitutional, says:

"It is difficult precisely to classify these objectionable laws, but they will be found generally under the three heads:

"*First*—Where the Legislature has, by a special Act, sought to dispense with a general law in favor of an individual.

"*Second*—Where the Act is one of legislation for a particular case.

"*Third*—Where the Act is in its nature judicial."

To declare an Act unconstitutional, therefore, it must be shown that it is an infringement upon recognized rights by clear implication, or that it is absolutely prohibited.

But we can demonstrate that this proposed Act to enfranchise women is neither to destroy vested rights nor to extend privileges to a proscribed or inhibited class.

Constitution of California, Section 1, Article II.

In the case of the *People vs. Board of Supervisors*, etc., 27 Barb. 593, the Court, in an able and exhaustive review of constitutional limitations upon legislative enactments, say:

"The power of the Legislature is not derived from or conferred by the Constitution. * * * The power is the sovereign power of the people, and in a political and judicial sense it is omnipotent and irresponsible, except when it is expressly restrained by the organic instrument. Whatever the people might do, the Courts cannot prevent their representatives from doing, unless the people have positively and expressly forbidden it. The Constitution (of N. Y.) is to be resorted to, therefore, not to see what powers are conferred upon the Legislature, but what are withheld; not how they are authorized to act, but in what respects they are restrained, or forbidden to exercise power. * * * There is a wide distinction between such an instrument and a grant of limited power like the Constitution of the United States. The same strict construction which demands an express grant of a doubtful power in the latter is bound to furnish an explicit restriction in the former."

See *People vs. Gallagher*, 4 Michigan, pages 249, 250, and 251, and cases cited.

In 5 Michigan, *Sears vs. Cotrell*, page 257, the Court say:

"The purpose and object of a State Constitution are not to make specific grants of power, but to limit that power where it would otherwise be general or unlimited. * * * With the Constitution of the United States the case is directly the reverse. * * * In the one case, therefore, the inquiry is, has the power in question been granted? In the other, has it been prohibited?"

Chancellor Kent says, Com., vol. 1, 448:

"The principle in the English government, that Parliament is omnipotent, does not prevail in the United States. Though if there be no constitutional objection to a statute, it (legislative power) is with us as absolute and uncontrollable as laws flowing from the sovereign power under any other form of government." * * *

Murphy vs. Ramsey, 114 U. S. 43.

Nor has this point remained *res integra* in our own State. In *ex rel Smith vs. Judge*, Twelfth Dist. Court, 17 Cal. 559, the Court say:

"The Legislature can pass such laws as it may judge expedient, subject only to the prohibitions of the Constitution."

Again, in *Ross vs. Whitman*, 6 Cal. 365, the Court say:

"The power of the Legislature is supreme, except where it is expressly restricted."

In *People vs. Glenn County*, 100 Cal. 423, the Court quoted from the able opinion rendered in *Bloom vs. Xenia*, 32 Ohio State, 461, which emphasizes the same rule of construction that in determining the constitutionality of a statute, "the proper question is, whether such exercise of legislative power is clearly *prohibited* by the Constitution." And the same rule has been again and again reiterated by our Supreme Court.

III. "MENTION OF ONE EXCLUDES ALL OTHERS"

And now let us inquire in what manner the words "male citizens," in section one of article two of the Constitution, *supra*, can affect legislation enfranchising women citizens.

It may be urged that the oft-quoted maxim, *expressio unius est exclusio alterius*, will apply herein, and that women are thereby excluded, but the context shows the fallacy of such an application, for the prohibitive clause excludes women from those classes absolutely prohibited from voting, and the maxim, if applicable at all in the case, is applicable to that clause alone.

Again, if "the express mention of one thing implies the exclusion of those not mentioned" should be applied in the interpretation of Constitutions, it would not only lead to a degree of conservative construction never contemplated by the framers of the organic law, but to an entire overthrow of well established rules by which the construction of Constitutions and statutes has been distinguished. Take as an illustration the qualification of *age* for the male citizen in section one, article two, Constitution of California, *supra*, where "twenty-one years of age" is alone mentioned. Should this absurd rule be made to apply in its construction, then *none* but "male citizens twenty-one years of age" could vote—the man twenty-three years old or twenty-five years old, or aged *above* as well as below "twenty-one years," could not exercise the right of suffrage. This posi-

tion cannot be maintained upon any showing of *res adjudicata*. On the contrary, there are many decisions in which this claim has been entirely rejected.

Ex parte Lynch, 16 S. C. 33.

State vs Tate, 22 Iowa, 141.

People vs. Highway Commissioners, 15 Mich. 347.

People vs. Ingham Co., 20 Mich. 95.

Walcut vs People, 17 Mich. 68.

There can be no plainer exposition of this rule than that given in *Purcell vs Smith*, 21 Iowa.

Article one, section twenty-two, of the Constitution of Iowa, provides that *resident foreigners* shall enjoy the same rights in respect to property as native-born citizens. The Legislature of that State passed a statute conferring the same property rights upon *non-resident foreigners*, and the cause went to the Supreme Court on this claim that the "expression of one excludes all others."

The Court say: "The Constitution having provided that resident foreigners shall enjoy certain rights, it becomes a limit or prohibition upon the legislative power to deprive such foreigners of those rights, but it is not a restriction upon the Legislature as to the granting of like rights or privileges to other foreigners than those named."

Now I ask you gentlemen, as lawyers, if you are prepared to entertain the thought that this rule of wise construction does not apply to Assembly Bill No 48? Let the words "male citizens" be substituted for those of "resident foreigners," and those of "female," or "women citizens," for those of "non-resident foreigners," and you will see that the objection that "this bill is unconstitutional" is wholly untenable.

The same view is expressed in *Ex parte Lynch*, 16 S. C., where the Constitution provided for the valuation and assessment of lands, etc., "*every fifth year*" after a certain date. The Legislature made an assessment in advance of the "fifth year," and the contention that it was unconstitutional was overruled by the Court declaring positively that the "expression of one" in a State Constitution does not "exclude all others," unless the thing expressed is followed by words clearly negative of all others.

Again: The absurdity of this proposition becomes more and more apparent as we investigate the provisions of the Constitution further, and particularly those pertaining to suffrage. He who contends for the application of this maxim must, to be consistent, admit that the whole subject is settled by the Constitution, and nothing is left for the Legislature, except it be to regulate and prescribe the manner in which votes are to be cast. But according to the familiar rule which requires all parts of an instrument to be construed together, and such a construction given as will tend to harmonize and give a meaning to every part, what explanation is to be made of the following (Section 24, of Article I, Constitution of California):

"No property qualification shall ever be required for any person to vote or hold office," clearly indicating, as it does, that the Constitution does not settle the qualifications of an elector absolutely: for applying the same maxim, we must acknowledge that the Legislature can prescribe other qualifications for electors than that of a property qualification.

Again, there is a special mention of certain persons who shall, by laws to be enacted, be excluded "from office, and from the right of suffrage."

Sec. 11 (eleven), Art. XX (twenty), Constitution of California.

No person of sense, much less a lawyer, will pretend that the Legislature has no power to pass laws that are not expressly provided for, or ordered by the Constitution.

Again: Section one, article two, and several other sections, Constitution of California, speak of voting as a "right," a "privilege," and section twenty-one of article one of the Constitution of California says: "No special privileges or immunities shall ever be granted which may not be altered, revoked, or repealed by the Legislature; nor shall any citizen or class of citizens be granted privileges or immunities which, upon the same terms, shall not be granted to all citizens." Now, gentlemen, I wish to call your special attention to this *mandatory* provision of the organic law of our State, because it was my good fortune to be told by one of the framers of that instrument, during the Constitutional Convention—a gentleman who ranked with the most distinguished and ablest jurists California ever had—that, "If this provision is adopted by this convention, and the new Constitution is ratified by the people, you have only to secure the passage of a law by the Legislature enfranchising women, and there is not a Court in the country that would not sustain it as constitutional." No one disputes that women are "citizens," or that the right to vote is a "privilege," extended in this instance specially to certain male citizens, therefore the Legislature has a *special power conferred upon it by the Constitution, to "alter, revoke, or repeal" any laws pertaining to suffrage without further aid from the Constitution.*

Sec 21, Art. I, Constitution of California

Minor vs Happersett, 21 Wall. 162

But it is useless to pursue this subject further, as I am convinced that every lawyer who investigates this question of the power of the Legislature to extend the "privileges of an elector" to women will admit it is, without doubt, constitutional.

It may be of interest to know that at least twenty States have passed laws allowing women to vote upon school matters where the Constitutions thereof contain the same special qualifications for electors that the Constitution of California does. We refer you to the general laws of Kansas, page 58, where the right of school suffrage is conferred upon women, although the State Constitution has the word "male" as one of the qualifications for suffrage.

Wheeler vs Brady, 15 Kan. 26.

Belles vs. Burr et al, 76 Mich. 1.

The general laws of Minnesota, page 168, confer the right to vote on educational matters upon women citizens, and section one of article seven of her State Constitution is almost a copy of section one of article two of our State Constitution, except Indians are mentioned in the former and Chinese in the last named.

The right of the Legislature to extend school suffrage and even municipal suffrage to women, has been judiciously determined, and now gentlemen of this committee and others of this honorable body, let me urge upon you the justice and right of conferring upon the women citizens of California the fullest and most sacred privileges of citizenship, that they may no longer be classed politically with idiots, lunatics, criminals, and Chinamen.

Respectfully submitted.

LAURA DE FORCE GORDON.

RESOLUTION.

By Mr. Dixon:

Resolved, That the Sergeant-at-Arms be directed to return to the Controller of State warrant No. 8170, issued by mistake to Charles S. Bartlett, and that the Controller be instructed to cancel said warrant No. 8170, and issue one for like amount to Charles S. Barron for the amount of eight dollars.

The rules were suspended and the resolution adopted.

Mr. Phelps moved that Assembly Bill No. 49 be made a special order for to-morrow at eleven o'clock A. M.

So ordered.

APPROVAL OF JOURNAL.

The Journal of January 21st was approved.

TWELVE O'CLOCK M.—RESOLUTION.

By Mr. Dodge:

WHEREAS, The Hon. Leland Stanford, the Senator in Congress from the State of California, elected for the term of six years, commencing March 4, 1891, died on the twentieth day of June, 1893; and whereas, this House was officially, on the ninth day of January, 1895, 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 now proceed to name by viva voce vote a person for Senator in Congress, from the State of California, to fill the vacancy and unexpired term caused by the said death of Hon. Leland Stanford, 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, 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 received a majority of the whole number of 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 midnight 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 the votes in each house, he shall be declared duly elected Senator. But if the same person has not received a majority of the votes in each house, or if either house has failed to take proceedings as required by this section, the joint assembly shall then proceed to choose, by a viva voce vote of each member present, a person for Senator, and the person who receives a majority of all the votes of the joint assembly, a majority of all the members elected to both houses being present and voting, shall be declared duly elected. If no person receives such majority on the first day, the joint assembly shall meet at twelve o'clock meridian of each succeeding day during the session of the Legislature, and shall take at least one vote until a Senator is elected.

SEC. 16 Whenever, on the meeting of the Legislature of any State, a vacancy exists in the representation of such State in the Senate, the Legislature shall proceed, on the second Tuesday after meeting and organization, to elect a person to fill such vacancy, 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 seal of the State, to the President of the Senate of the United States.

The Speaker declared in order nominations for one United States Senator, to succeed Hon. Geo. C. Perkins.

NOMINATIONS.

Mr. Spencer nominated the Hon. Geo. C. Perkins, of Alameda County.

Mr. Laugenour nominated the Hon. W. W. Foote, of San Francisco.

Mr. Dixon nominated the Hon. M. H. de Young, of San Francisco.

Mr. Bledsoe seconded the nomination of the Hon. Geo. C. Perkins.

Mr. Thomas nominated the Hon. Jacob Hart Neff, of Placer County.

MOTION.

At twelve o'clock and thirty minutes P. M. Mr. Bulla moved that the hour of adjournment be postponed until the business of the Assembly under consideration be disposed of.

So ordered.

NOMINATIONS—(CONTINUED).

Mr. Barker nominated the Hon. Thomas V. Cator.

Mr. Powers nominated the Hon. James B. Stetson.

Mr. Hall seconded the nomination of the Hon. Jacob Hart Neff.

Mr. Bettman seconded the nomination of the Hon. M. H. de Young.

Mr. Cutter seconded the nomination of the Hon. Geo. C. Perkins.

Mr. Staley seconded the nomination of the Hon. Geo. C. Perkins.

Mr. Bachman seconded the nomination of W. W. Foote.

The roll was called, with the following result:

For M. H. de Young—Messrs. Bassford, Bettman, Boothby, Devitt, Dinkelspiel, Dixon, Hatfield, Kelsey, Lewis, Lynch, Wilkinson, and Zocchi.

For Geo. C. Perkins—Messrs. Ash, Belshaw, Bennett, Berry, Bledsoe, Brusie, Bulla, Butler, Cargill, Coleman, Cutter, Davis, Dodge, Dunbar, Ewing, Fassett, Freeman, Glass, Guy, Huber, Hudson, Johnson, Jones, Keen, Kenyon, Laird, Llewellyn, McKelvey, Nelson, North, Osborn, Pendleton, Price, Rowell, Spencer, Staley, Stansell, Swisler, Tibbits, Wade, Waymire, and Weyse.

For W. W. Bowers—Messrs. Dale, Merrill, and Richards.

For John Daggett—Messrs. Coghlin, Dwyer, Healey, McCarthy, O'Day, Twigg, and Wilkins.

For T. V. Cator—Mr. Barker.

For W. W. Foote—Messrs. Bachman, Holland, Laugenour, McDonald, Reid, Robinson, and Sanford.

For J. H. Neff—Messrs. Gay, Hall, Phelps, Thomas, and Tomblin.

For J. B. Stetson—Mr. Powers.

For John H. Wise—Mr. Devine.

For O. A. Hale—Mr. Meads

Whole number of votes cast.....	80
Necessary to a choice.....	41
M. H. de Young received.....	12
Geo. C. Perkins received.....	42
W. W. Bowers received.....	3
John Daggett received.....	7
T. V. Cator received.....	1
W. W. Foote received.....	7
J. H. Neff received.....	5
J. B. Stetson received.....	1
John H. Wise received.....	1
O. A. Hale received.....	1

The Speaker announced the vote, and declared that the Hon. George C. Perkins having received a majority of the votes of the whole Assembly, is the choice of the Assembly of the State of California for United States Senator, for the unexpired term of the Hon. Leland Stanford, deceased.

RESOLUTION.

By Mr. Wade:

Resolved, That the Chief Clerk forthwith inform the Senate of the vote for United States Senator in this Assembly, and that the Assembly will meet with the Senate in the Assembly Chamber to-morrow, Wednesday, January 23, 1895, 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, and pursuant to the provisions of sections fourteen and fifteen of an Act of Congress of the United States entitled "An Act to revise and consolidate the Statutes of the United States in force on the first day of December, Anno Domini 1873," approved January 22, 1874.

Adopted.

ADJOURNMENT.

At twelve o'clock and fifty minutes P. M. the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Wednesday, January 23, 1895. }

The Assembly met pursuant to adjournment.

Speaker Lynch in the chair.

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

Messrs. Ash, Bachman, Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Bledsoe, Bulla, Butler, Cargill, Coleman, Coghlin, Cutter, Dale, Davis, Devitt, Devine, Dinkelspiel, Dixon, Dodge, Dwyer, Ewing, Fassett, Freeman, Gay, Glass, Guy, Hall, Hatfield, Holland, Huber, Hudson, Johnson, Jones, Keen, Kelsey, Kenyon, Lewis, Llewellyn, Meads, McDonald, McKelvey, Merrill, Nelson, North, O'Day, Osborn, Phelps, Powers, Reid, Richards, Robinson, Rowell, Staley, Stansell, Spencer, Swisler, Tibbits, Tomblin, Wade, Weise, Wilkins, Zocchi, and Mr. Speaker.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. O. Summers.

READING AND APPROVAL OF THE JOURNAL.

Pending the reading of the Journal of yesterday, Mr. Staley moved that further reading be dispensed with.
So ordered.

SPECIAL ORDER.

The question under consideration being Mr. Bledsoe's substitute for substitute of Committee on Federal Relations, relative to the Reilly Funding Bill.

SUBSTITUTE OF COMMITTEE.

WHEREAS, The people of the United States, at divers times, for the purpose of securing the construction of a system of railroads to the Pacific Coast, granted aid to different companies for different lines; and whereas, the Government loaned its credit for the purpose of aiding in the construction of the Central Pacific, Western Pacific, and Union Pacific lines of road, whereby a large indebtedness has been incurred to the Government, which indebtedness is now about to mature; and whereas, the people of the States along the lines of roads aforesaid believe that such indebtedness should immediately be paid or secured to be paid to the Government, and that further delay and agitation thereon will injure the interests of the people of this State, and whereas, the prevailing sentiment in this State is that the Reilly Funding Bill will be ineffectual and insufficient to bring about an early and satisfactory disposition of the matter in controversy, and that the enactment of such law will not finally and effectually dispose of the matters in controversy, and believing that such matters should be promptly and effectively disposed of; be it

Resolved, That our Representatives in Congress be requested and our Senators be instructed to use all honorable means to prevent the passage of the Reilly Funding Bill, or any other law not so drawn and conditioned as to provide for a prompt, efficient, and decisive disposition of the matter of the indebtedness of such railroads to the United States Government, and all other matters connected therewith, whether by foreclosure of mortgages, or other method of providing for the collection of such indebtedness, the details and final conditions to be on such terms as shall be deemed to be for the best interest of the people at large and of those directly interested in particular.

BLEDSON'S SUBSTITUTE.

WHEREAS, The Central Pacific, Western Pacific, and Union Pacific Railroads did receive substantial aid for their construction from the Government of the United States by the issuance of bonds; and whereas, the payment of these bonds was guaranteed to the Government of the United States by mortgages on said railroads, which mortgages are about to fall due; and whereas, there is now under consideration before Congress a bill, known as the "Reilly Funding Bill," the object of which bill is to re-fund the above-mentioned bonds for fifty years, and permitting the above-mentioned railroads to escape the payment of their just debts to the Government, therefore, be it

Resolved by the Assembly of the State of California, the Senate concurring, That our Representatives in Congress be requested and our Senators be instructed to use all honorable means to prevent the passage of any and all such "Funding Bills," and to provide for the collection of the above-mentioned indebtedness to the Government of the United States, by the foreclosure of the above-mentioned mortgages, to the end that the Government of the United States shall own and operate the above-mentioned railroads; and be it further

Resolved, That the Governor be and he is hereby requested to immediately transmit by telegraph a copy of these resolutions to each of our Representatives and Senators in Congress.

Mr. Bulla moved to amend as follows:

By inserting after the word "end," on line thirteen, the words "that said indebtedness shall be promptly paid when due, or"

Mr. Bulla moved the adoption of the amendment.

The ayes and noes were demanded by Messrs. Bledsoe, Belshaw, and Waymire.

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

AYES—Messrs. Bettman, Brusie, Bulla, Cargill, Davis, Devitt, Devine, Dinkelspiel, Dixon, Glass, Guy, Hatfield, Huber, Kelsey, Kenyon, Laugenour, Llewellyn, Meads, McCarthy, McKelvey, Merrill, O'Day, Pendleton, Powers, Spencer, Swisler, Thomas, Tomblin, Wade, Waymire, Weyse, Wilkinson, and Mr. Speaker—33

NOES—Messrs. Ash, Bachman, Barker, Bassford, Belshaw, Bennett, Berry, Bledsoe, Butler, Coleman, Coghlin, Cutter, Dale, Dodge, Dunbar, Dwyer, Ewing, Fassett, Freeman, Gay, Hall, Healey, Holland, Hudson, Johnson, Jones, Keen, Laird, McDonald, Nelson, North, Osborn, Phelps, Price, Reid, Richards, Robinson, Rowell, Sanford, Staley, Stansell, Tibbits, Twigg, and Wilkins—44.

Mr. Belshaw moved the previous question, seconded by Mr. Pendleton.

The question being, "Shall the main question be now put?"

So ordered.

The ayes and noes were demanded by Messrs. Bledsoe, Belshaw, and Laird.

The roll was called, and the substitute of Mr. Bledsoe adopted by the following vote:

AYES—Messrs. Ash, Bachman, Barker, Bassford, Belshaw, Bennett, Berry, Bledsoe, Bulla, Cargill, Coleman, Coghlin, Cutter, Dale, Davis, Devine, Dixon, Dodge, Dunbar, Dwyer, Ewing, Fassett, Freeman, Gay, Guy, Hall, Healey, Holland, Huber, Hudson, Johnson, Jones, Keen, Kelsey, Kenyon, Laird, Laugenour, Meads, McCarthy, McDonald, McKelvey, Merrill, Nelson, North, O'Day, Osborn, Pendleton, Phelps, Powers, Price, Reid, Richards, Robinson, Rowell, Sanford, Staley, Stansell, Swisler, Tibbits, Thomas, Tomblin, Twigg, Wade, Waymire, Wilkins, and Mr. Speaker—67

NOES—Messrs. Bettman, Brusie, Butler, Devitt, Dinkelspiel, Glass, Hatfield, Spencer, Weyse—9.

SPECIAL ORDER.

The question under consideration being Mr. Ewing's resolution relative to the appointment of a special committee to investigate abuses existing in the Police Department of the City and County of San Francisco.

Mr. Cutter moved to strike out all after the preamble, and substitute therefor the following:

Resolved, That Messrs. Ewing, Spencer, Reid, Davis, and Guy be and they are hereby appointed a special committee of the Assembly, with full power to investigate said matters and charges; that said committee have authority to send for persons and papers, and to employ a stenographer, Sergeant-at-Arms, and clerk; that its sessions may be held at the Capitol, or in San Francisco, as in its judgment may be most advisable; and that it shall report the fact ascertained by such investigation on or before February 15, 1895.

PETITION.

Mr. Waymire offered the following petition:

To the Assembly of the State of California, and to each individual member thereof:

The Civic Federation of San Francisco, consisting of the organizations named below, in session January 21, 1895, passed unanimously the following resolutions, which are respectfully presented to your honorable body:

WHEREAS, We are credibly informed and believe that grave abuses exist in the Police Department of San Francisco; that the State laws and municipal ordinances for the punishment of crime and for the suppression of vice are not enforced with impartiality and justice in this city, that because of criminal collusion between those who violate the law and those who are charged with its enforcement, gambling houses and other disorderly places are carried on with impunity, and immunity from prosecution; that blackmailing and extortion prevail in said police force to an alarming extent; and whereas, an overwhelming public sentiment in this city demands a thorough and searching investigation of such abuses and corruption; now, therefore, be it

Resolved, That the Civic Federation of San Francisco respectfully urges that your honorable body appoint an investigating committee, to act in conjunction with a similar committee from the Senate, should one be constituted—otherwise to act alone; and that said committee be clothed with all needful powers and authority to make a rigid and thorough investigation of alleged abuses and corruption in the Police Depart-

ment, and other branches of the municipal government of San Francisco under State control, against which tenable charges shall be presented; and especially to ferret out the instigators of the recent election frauds in this city.

Resolved, That we offer no suggestion as to the personnel of the committee, further than to urge that every precaution be taken to exclude from such committee every man whose name has in the slightest degree been connected by public rumor with any questionable proceeding of whatever character, for it is obviously of the last importance that said committee should command the perfect confidence of the people of the city and State in their integrity, and in their zeal in bringing offenders to justice.

To show the representative character of this Federation, and that it speaks for the good citizenship of San Francisco in this memorial, we append the subjoined list of the bodies included in it, and who join in the above action:

Citizens' Defense Association; Good Government Club; Law and Order League; Union for Practical Progress; Committee of Eleven; Builders' Exchange; Federated Trades; Anti-Dive Association; Society for Prevention of Cruelty to Children; Woman's Christian Temperance Union; Golden Gate Union of Christian Endeavor; Epworth League Alliance; Presbyterian Churches, Protestant Episcopal Churches; Congregational Churches; Methodist Episcopal Churches; Unitarian Churches, Baptist Churches; United Presbyterian Churches, and Home Protective League.

Done at a meeting held in San Francisco, January 21, 1895

E. R. DILLE,
WALLACE BRADFORD,
MAURICE V. SAMUELS,
D. HANSON IRWIN,
Committee.

Mr. Pendleton moved that the whole question be referred to the Committee on Public Morals.

The ayes and noes were demanded by Messrs. Reid, Waymire, and Ewing.

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

AYES—Messrs. Ash, Berry, Bettman, Brusie, Bulla, Butler, Dale, Devitt, Devine, Dinkelspiel, Dixon, Hall, Hatfield, Healey, Huber, Kelsey, Kenyon, Lewis, Llewellyn, O'Day, Pendleton, Powers, Richards, Swisler, Tibbits, Thomas, Weyse, Wilkinson, Zocchi, and Mr. Speaker—30.

NOES—Messrs. Bachman, Barker, Bassford, Belshaw, Bennett, Bledsoe, Cargill, Coleman, Coghlin, Cutter, Davis, Dodge, Dunbar, Dwyer, Ewing, Fassett, Freeman, Gay, Glass, Guy, Holland, Hudson, Johnson, Jones, Keen, Laird, Laugenour, Meads, McCarthy, McDonald, McKelvey, Merrill, Nelson, North, Osborn, Phelps, Price, Reid, Robinson, Rowell, Sanford, Staley, Stansell, Tomblin, Wade, and Waymire—45.

Mr. Laugenour gave notice that he would move, on next legislative day, the reconsideration of the vote whereby the Assembly refused to refer Mr. Ewing's resolution to the Committee on Public Morals.

Mr. Waymire moved that the consideration of the question now before the Assembly be continued and made a special order for to-morrow immediately after the reading of the Journal.

So ordered.

MOTION.

Mr. Phelps moved that Senate messages be taken up.

So ordered.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, January 23, 1895.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the twenty-second day of January, 1895, passed Senate Bill No. 18—An Act to repeal an Act entitled "An Act fixing a bounty on coyote scalps," approved March 31, 1891.

F. J. BRANDON, Secretary.
By R. SHAW, Assistant.

Also:

SENATE CHAMBER, SACRAMENTO, January 23, 1895.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the twenty-second day of January, 1895, concurred in the Assembly amendment to Senate Bill No. 197—An Act to amend an Act entitled "An Act to establish a uniform system

of county and township governments," approved March 24, 1893, by amending section one hundred and sixty-two, relating to the classification of counties, and section two hundred and sixteen, providing for certain deputies and certain fees, and to insert a new section to be numbered one hundred and seventy and one half, and to create a new class of counties of the eighth and one half class, relating to the government of counties.

F. J. BRANDON, Secretary.
By R. SHAW, Assistant

Also:

SENATE CHAMBER, SACRAMENTO, January 22, 1895.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the twenty-second day of January, 1895, struck out the enacting clause of Assembly Bill No. 290—An Act to create a special commission for the purpose of examining into the revenue laws of this State, and reporting to this session of the Legislature a bill for the revision of such laws, and making an appropriation therefor

F. J. BRANDON, Secretary.
By E. J. ENSIGN, Assistant

Also:

SENATE CHAMBER, SACRAMENTO, January 22, 1895.

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

Resolved, That the Secretary 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 23, 1895, 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, and pursuant to the provisions of sections fourteen and fifteen of an Act of Congress of the United States entitled "An Act to revise and consolidate the statutes of the United States in force on the first day of December, A. D 1873," approved January 22, 1874.

Pursuant to the above resolution I hereby certify that the Senate has this day voted for a person for United States Senator in Congress from California for the term of two years, to fill the vacancy caused by the death of the Hon. Leland Stanford, with the following result:

Whole number of votes cast	38
Necessary to a choice	20
M. H. de Young received	4
Geo. C. Perkins received	20
John Daggett received	5
J. G. Maguire received	2
J. H. Seawell received	1
B. D. Murphy received	1
J. J. Dwyer received	1
W. W. Foote received	2
A. G. Booth received	1
John Boggs received	1

F. J. BRANDON, Secretary.

SPECIAL ORDERS—(CONTINUED).

Assembly Bill No. 49—An Act to repeal an Act entitled "An Act fixing a bounty on coyote scalps," approved March 31, 1891.

The Speaker announced that under the rules Senate Bill No. 18, being an identical bill with Assembly Bill No. 49, now under consideration, stood substituted therefor.

RESOLUTION.

By Mr. Spencer:

Resolved, That Senate Bill No. 18 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions 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.

Mr. Spencer moved the adoption of the resolution.

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

AYES—Messrs. Ash, Bachman, Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Bledsoe, Brusie, Bulla, Butler, Coleman, Coghlin, Dale, Davis, Devitt, Devine, Dinkelspiel, Dodge, Dunbar, Dwyer, Ewing, Fassett, Freeman, Gay, Glass, Guy, Hall, Hatfield, Healey, Holland, Huber, Hudson, Johnson, Jones, Kenyon, Laird, Laugenour, Meads, McDonald, McKelvey, Merrill, Nelson, North, O'Day, Osborn, Pendleton, Phelps, Price, Reid, Richards, Robinson, Rowell, Sanford, Staley, Stansell, Spencer, Swisler, Tibbits, Thomas, Tomblin, Twigg, Wade, Waymire, Weyse, Wilkinson, Zocchi, and Mr Speaker—69.

NOES—None.

SECOND READING OF BILL.

Senate Bill No. 18—An Act to repeal an Act entitled “An Act fixing a bounty on coyote scalps,” approved March 31, 1891.

Read second time.

Mr. Laird moved to amend as follows:

By striking out the last section of said bill, section two, and inserting the following in lieu thereof. “This Act shall take effect thirty days from and after its approval by the Governor, and requiring the Boards of Supervisors of the various counties to approve and allow all claims presented up to and including the day of the taking effect of this Act

Lost.

Mr. Dale moved to amend as follows:

By adding to section one, line two, printed bill, the words: “This repeal shall not affect nor prejudice the rights of any person to payment for any legal coyote claims already existing, and the rights of such persons to payment and his means of obtaining the same shall not be impaired by this repealing Act”

Lost.

Mr. Laird moved to amend as follows:

By adding thereto the words: “and requiring the Board of Supervisors of the various counties to approve and allow all claims presented for scalps of coyotes killed previous to and including the day of approval by the Governor.”

Lost.

THIRD READING OF BILL.

Senate Bill No. 18 read third time, and placed upon its passage.

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

AYES—Messrs. Ash, Bachman, Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Bledsoe, Boothby, Brusie, Bulla, Butler, Cargill, Coleman, Coghlin, Dale, Davis, Devitt, Devine, Dinkelspiel, Dixon, Dodge, Dunbar, Dwyer, Ewing, Fassett, Freeman, Gay, Glass, Guy, Hall, Hatfield, Healey, Holland, Huber, Hudson, Johnson, Jones, Keen, Kelsey, Kenyon, Laird, Laugenour, Lewis, Meads, McCarthy, McDonald, McKelvey, Merrill, Nelson, North, O'Day, Osborn, Phelps, Powers, Price, Reid, Richards, Robinson, Rowell, Sanford, Staley, Stansell, Spencer, Swisler, Tibbits, Tomblin, Twigg, Wade, Waymire, Weyse, Wilkinson, Zocchi, and Mr. Speaker—75.

NOES—None.

Title read and approved.

APPROVAL OF JOURNAL.

The Journal of January 22d read and approved.

At eleven o'clock and forty-five minutes A. M., the Speaker declared a recess for thirteen minutes.

REASSEMBLED.

At eleven o'clock and fifty-eight minutes A. M. the House reassembled.

Speaker Lynch in the chair.

Mr. Dodge moved that a committee of three be appointed to wait upon the Senate and inform that honorable body that the Assembly was in readiness to receive them in Joint Assembly.

The Speaker appointed Messrs. Dodge, Pendleton, and Reid.

REPORT OF COMMITTEE.

The committee appointed to wait upon the Senate now appeared, and announced that the Senate was ready to meet in Joint Assembly.

IN JOINT ASSEMBLY

WEDNESDAY, January 23, 1895.

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, and pursuant to the provisions of sections fourteen and fifteen of an Act of Congress of the United States entitled "An Act to revise and consolidate the statutes of the United States in force on the first day of December, A. D. 1873," approved January 22, 1874.

President pro tem. of the Senate, Hon. Thomas Flint, Jr., in conjunction with the Hon. John C. Lynch, Speaker of the Assembly, presiding

The President pro tem. of the Senate directed the Secretary of the Senate to call the roll of Senators.

The roll of the Senate was then called, and the following answered to their names:

Senators Aram, Arms, Beard, Bert, Biggy, Burke, Demson, Dunn, Earl, Fay, Flint, Ford, Franck, Gesford, Gleaves, Hart, Henderson, Holloway, Hoyt, Langford, Linder, Mahoney, Martin, Mathews, McAllister, McGowan, Mitchell, Orr, Pedlar, Seawell, Seymour, Shine, Shippee, Simpson, Smith, Toner, Voorheis, Whitehurst, and Withington.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen.

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

Messrs. Ash, Bachman, Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Bledsoe, Boothby, Brusie, Bulla, Butler, Cargill, Coleman, Coghlin, Cutter, Dale, Davis, Devitt, Devine, Dinkelspiel, Dixon, Dodge, Dunbar, Dwyer, Ewing, Fassett, Freeman, Gay, Glass, Guy, Hall, Hatfield, Healey, Holland, Huber, Hudson, Johnson, Jones, Keen, Kelsey, Kenyon, Laird, Laugenour, Lewis, Llewellyn, Meads, McCarthy, McDonald, McKelvey, Merrill, Nelson, North, O'Day, Osborn, Pendleton, Phelps, Powers, Price, Reid, Richards, Robinson, Rowell, Sanford, Staley, Stansell, Spencer, Swisler, Tibbits, Thomas, Tomblin, Twigg, Wade, Waymire, Weyse, Wilkins, Wilkinson, Zocchi, and Mr. Speaker

Quorum of both houses present.

The President pro tem. of the Senate directed the Secretary of the Senate to read the Act of Congress requiring a Joint Assembly to be held this day. It was read as follows:

Title two, chapter one, United States Revised Statutes—An Act to regulate the time and manner of holding elections for Senators in Congress, approved July 25, 1866, and pursuant to the provisions of sections fourteen and fifteen of an Act of Congress of

the United States entitled "An Act to revise and consolidate the statutes of the United States in force on the first day of December, Anno Domini 1873," approved January 22, 1874.

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 received a majority of the whole number of votes cast in each house shall be entered on the Journal of that house by the Clerk or Secretary thereof, or if either of them fails to give such majority to any person on that day, the fact shall be entered on the Journal. At twelve o'clock *m.* 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 the votes in each house, he shall be declared duly elected Senator. But if the same person has not received a majority of the votes of each house, or if either house has failed to take proceedings as required by this section, the joint assembly shall then proceed to choose, by a viva voce vote of each member present, a person for Senator, and the person who receives the majority of all the votes of the joint assembly, a majority of all the members elected to both houses being present and voting, shall be declared duly elected. If no person receives such majority on the first day, the joint assembly shall meet at twelve o'clock *m.* 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 organization of the thirty-first session, as relates to the election of a United States Senator to fill the unexpired term of Hon. Leland Stanford, deceased.

Whereby it appears that thirty-eight Senators were present, and voted each for his choice, and that the

Hon. Geo. C. Perkins received.....	20
M. H. de Young received.....	4
John Daggett received.....	5
J. G. Maguire received.....	2
J. H. Seawell received.....	1
B. D. Murphy received.....	1
J. J. Dwyer received.....	1
W. W. Foote received.....	2
A. G. Booth received.....	1
John Boggs received.....	1

The President pro tem. of the Senate then announced that it appeared from the reading of the Journal of the Senate that the Hon. Geo. C. Perkins had received a majority of the votes of the Senate, and declared him the choice of the Senate for United States Senator to fill the unexpired term of the Hon. Leland Stanford, deceased.

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 thirty-first session, as relates to the election of a United States Senator to fill the unexpired term of Hon. Leland Stanford, deceased.

Whereby it appears that eighty members of the Assembly were present, and voted each for his choice, and that

Hon. George C. Perkins received.....	42
M. H. de Young received.....	12
W. W. Bowers received.....	3
John Daggett received.....	7
T. V. Cator received.....	1
W. W. Foote received.....	7
J. H. Neff received.....	5
J. B. Stetson received.....	1
John H. Wise received.....	1
O. A. Hale received.....	1

The Speaker of the Assembly then announced that it appeared from the reading of the Journal of the Assembly that Hon. George C. Perkins had received a majority of the votes of the whole House, and declared him the choice of the Assembly for United States Senator, to fill the unexpired term of Hon. Leland Stanford, deceased.

The President pro tem. of the Senate, Hon. Thomas Flint, Jr., then declared as follows: It appearing from the Journals of the Senate and Assembly, as read in Joint Assembly, that Hon. George C. Perkins 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. George C. Perkins duly elected United States Senator in the Congress of the United States, from the State of California, to fill the unexpired term of Hon. Leland Stanford, deceased.

RESOLUTION.

By Senator Voorheis:

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, to fill the unexpired term of Hon. Leland Stanford, deceased, 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 pursuant to the provisions of sections fourteen and fifteen of an Act of Congress of the United States entitled "An Act to revise and consolidate the statutes of the United States in force on the first day of December, A. D. 1873," approved January 22, 1874, and that said copy be attested by the President and Secretary of the Senate, and the Speaker and Chief Clerk of the Assembly.

Adopted.

MOTION.

Mr. Dodge moved that in accordance with the usual custom, the Hon. Geo. C. Perkins be requested to address the Joint Assembly, and that a committee of five be appointed to wait upon him for that purpose.

The motion was seconded by Senator Gleaves, and carried.

APPOINTMENT OF COMMITTEE.

The President pro tem. of the Senate then appointed as such committee Messrs. Dodge, Dixon, and Laugenour, and Senators Seymour and Mathews.

The committee appointed to wait upon Hon. George C. Perkins appeared at the bar of the House, and announced the presence of the guest—the distinguished citizen this day elected United States Senator.

President pro tem. Hon. Thomas Flint, Jr., of the Senate, then introduced to the Joint Assembly the United States Senator-elect, Hon.

George C. Perkins, who addressed the members at length, and thanked them for the honor conferred and trust imposed.

The Journal of the proceedings in Joint Assembly was read and approved.

At one o'clock P. M. President pro tem. Thomas Flint, Jr., of the Joint Assembly, announced that both houses having performed their duties regarding the election of a United States Senator, the Joint Assembly stood adjourned.

THOS. FLINT, JR.,
President pro tem. of the Senate.
F. J. BRANDON,
Secretary of the Senate.
JOHN C. LYNCH,
Speaker of the Assembly.
S. J. DUCKWORTH,
Chief Clerk of the Assembly.

IN ASSEMBLY.

Speaker Lynch in the chair.

ADJOURNMENT.

At one o'clock P. M. Speaker Lynch declared the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Thursday, January 24, 1895. }

The Assembly met pursuant to adjournment.

Speaker Lynch in the chair.

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

Messrs Bachman, Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Bledsoe, Boothby, Bulla, Butler, Cargill, Coleman, Coghlin, Dale, Davis, Devine, Dixon, Dodge, Dunbar, Dwyer, Ewing, Fassett, Freeman, Gay, Glass, Guy, Hall, Hatfield, Healey, Holland, Huber, Hudson, Johnson, Jones, Keen, Kelsey, Kenyon, Laird, Laugenour, Lewis, Meads, McCarthy, McDonald, McKelvey, Merrill, Nelson, O'Day, Osborn, Pendleton, Price, Reid, Rowell, Sanford, Staley, Stansell, Spencer, Swisler, Tibbits, Tomblin, Twigg, Wade, Weyse, Wilkinson, Zocchi, and Mr. Speaker

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. O. Summers.

READING AND APPROVAL OF THE JOURNAL.

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

So ordered.

The Speaker announced that he had received the contest papers in the matter of a contest entitled "David C. Smith, contestant, vs. Mark A. Devine, contestee," to be tried before the Assembly of the Legislature of the State of California.

Also the contest papers in the matter of a contest entitled "Edward J. Reynolds, contestant, vs. J. M. Merrill, contestee," to be tried before the Assembly of the State of California.

SPECIAL ORDER.

The question under consideration being Mr. Cutter's substitute for Mr. Ewing's Assembly resolution relative to the appointment of a special committee to investigate abuses existing in the Police Department of the City and County of San Francisco.

Mr. Waymire moved as an amendment, to take place of substitute offered by Mr. Cutter, the following:

Resolved, That the Attorney-General be and he is hereby requested to prepare at once for submission to the Assembly a bill providing for the appointment of a non-partisan commission, with ample power to investigate all violation of law by public officers in any department of the State, and of county or municipal governments, including the misconduct of the police of San Francisco; and also to investigate frauds upon, and violations of, the election laws committed at the last general election, with ample powers to compel the attendance of witnesses with papers, take testimony, and punish for contempt; said commission to pursue its investigations during the session of the Legislature, and subsequently, if necessary, and to report the result of their investigations to the Governor, and to the next session of the Legislature

Mr. Hatfield moved as a substitute for Mr. Waymire's substitute the following:

WHEREAS, It has been represented to this Assembly and the public generally that there is great need for a general investigation of officials' conduct in the city of San Francisco; and whereas, the magnitude of the charges indicates that it would be impossible to have an effective investigation within the time limited for the session of the Legislature, to make a thorough and complete investigation; and whereas, the expense of such investigation will be much greater than should be borne by the contingent account of the Assembly; and believing that the Senate and the Executive should give sanction thereto, therefore, be it

Resolved, the Senate concurring. That the Speaker of the House appoint four members of the Assembly, and the President of the Senate shall appoint three members of the Senate, to constitute a joint committee of seven to make the investigations demanded in San Francisco; that such joint committee be given full authority to make such investigation effectual; and be it further

Resolved, That the Ways and Means Committee of the Assembly be directed to at once frame and report to the Assembly an appropriation bill to appropriate twenty thousand dollars to defray the expense of such investigation, and that such bill be made a matter of urgency; and be it further

Resolved, That the Assembly Judiciary Committee be instructed to at once report a bill to provide for the protection of witnesses who shall willingly testify to matters of public interest, and provide that they shall not be prosecuted or convicted of any offense for which they might otherwise be liable, and that such bill be made a matter of urgency, and for such other power as may be necessary

The previous question was called for by Messrs. Dodge, Bulla, and Huber.

The question being, "Shall the question be now put?"

So ordered.

The question now arising upon the substitute offered by Mr. Hatfield.
Lost.

The question now arising upon the substitute of Mr. Waymire.

The ayes and noes were demanded by Messrs. Price, Bettman, and Spencer.

The roll was called, and the substitute of Mr. Waymire adopted by the following vote:

AYES—Messrs. Ash, Bachman, Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Boothby, Brusie, Bulla, Butler, Cargill, Coleman, Cutter, Dale, Davis, Devitt, Devine, Dinkelspiel, Dixon, Dodge, Dunbar, Dwyer, Ewing, Fassett, Freeman, Gay, Glass, Guy, Hall, Healey, Holland, Hudson, Johnson, Jones, Keen, Kelsey, Kenyon, Laird, Lauge-nour, Lewis, Meads, McCarthy, McDonald, McKelvey, Merrill, Nelson, North, O'Day, Osborn, Pendleton, Phelps, Powers, Price, Reid, Richards, Robinson, Rowell, Sanford, Staley, Stansell, Spencer, Swisler, Tibbits, Tomblin, Twigg, Wade, Waymire, Weyse, Wilkins, Wilkinson, Zocchi, and Mr. Speaker—75

NOES—Messrs. Bledsoe, Coghlin, Hatfield, and Huber—4

REPORTS OF STANDING COMMITTEES.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1895.

MR. SPEAKER Your Committee on Judiciary, to whom was referred Assembly Bill No. 39—An Act to amend section one thousand two hundred and seven of the Civil Code, relating to notice and certified copies of records as evidence—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended

Also: Assembly Bill No. 75—An Act to amend section four hundred and eighty-seven of an Act entitled "An Act to establish a Penal Code," approved February 14 1872—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Assembly Bill No. 38—An Act to amend section one thousand one hundred and ninety-one of the Civil Code, relating to the form of acknowledgment by married women.

Also: Assembly Bill No. 41—An Act to amend section four hundred and sixteen of the Code of Civil Procedure, relating to the acquiring of jurisdiction in actions.

Also: Assembly Bill No. 44—An Act to amend section two thousand three hundred and twenty-four of the Civil Code, relating to authority to sell real property.

Also: Assembly Bill No. 102—An Act to amend section one hundred and fifteen of the Code of Civil Procedure of the State of California, relating to the jurisdiction of Justices' Courts.

Also: Assembly Bill No. 36—An Act to add a new section to the Code of Civil Procedure, said section to be designated as section seven hundred and fifty, relating to quieting title to real property as against unknown claimants.

Also: Assembly Bill No. 37—An Act to amend section one thousand and ninety-three of the Civil Code, relating to the execution of a grant of real property by a married woman, and making valid and binding all instruments made by married women as grants.

Also: Assembly Bill No. 66—An Act to amend section seven hundred and thirty eight of the Code of Civil Procedure.

Also: Assembly Bill No. 202—An Act to amend section one hundred and forty-two of the Code of Civil Procedure, relating to places of holding Courts

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

Also: Assembly Bill No. 174—An Act to amend sections one thousand eight hundred and fifty-nine and one thousand eight hundred and sixty of the Civil Code, prescribing and limiting the liability of innkeepers, hotel-keepers, boarding and lodging house keepers, for personal property of their guests, boarders and lodgers, entrusted to their care

Also: Assembly Bill No. 213—An Act entitled "An Act to amend section two thousand nine hundred and fifty-five of the Civil Code," relative to mortgages on personal property

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

Also: Assembly Bill No. 23—An Act to prevent damage from the overflow of artesian wells—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to the Committee on Swamp and Overflowed Lands

Also: Assembly Bill No. 110—An Act to amend section six hundred and two of the Penal Code of the State of California, relating to trespass—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to the Committee on Fish and Game

Also: Assembly Bill No. 117—An Act to amend section seven hundred and twenty-six of the Code of Civil Procedure, to provide for the making of deeds on foreclosure of mortgages—have had the same under consideration, and respectfully report the same back, and recommend that it do pass

Also: Assembly Bill No. 121—An Act entitled an Act to amend section two thousand nine hundred and fifty-five of the Civil Code—have had the same under consideration, and respectfully report the same back, and recommend that the author be allowed to withdraw the same.

BULLA, Chairman.

Permission granted.

Assembly Bill No. 23 referred to Committee on Swamp and Overflowed Lands.

Assembly Bill No. 110 referred to Committee on Fish and Game.

THE SAN FRANCISCO DELEGATION.

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1895.

MR. SPEAKER: The San Francisco Delegation, to whom was referred Assembly Bill No. 123—An Act fixing the compensation for services of bailiffs of Police Courts in cities and counties having a population of over one hundred thousand inhabitants—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also Assembly Bill No. 157—An Act authorizing the Judges of the Superior Court in all counties, and cities and counties, having a population of two hundred thousand inhabitants and over to appoint a Secretary—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Assembly Bill No. 124—An Act authorizing Justices of the Peace in cities, and cities and counties, having a population of over one hundred thousand inhabitants, to appoint bailiffs—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

POWERS, Chairman.

ON IRRIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, January 24, 1895.

MR. SPEAKER. Your Committee on Irrigation, to whom was referred Assembly Bill No. 18—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, and amended March 31, 1891, by amending section twenty-four thereof, relating to the collection of assessments—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also Assembly Bill No. 65—An Act to 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, and Acts amendatory thereto, enabling an irrigation district to dispose of certain rights and property already acquired, for the purpose of thereby securing a water supply for the district, also to jointly, with another irrigation district, persons, company, or private or municipal corporation, develop water for irrigation and other purposes; and also to dispose of water, water rights, or other property acquired in excess of the actual needs of the district—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

McKELVEY, Chairman.

ON COMMERCE AND NAVIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1895.

MR. SPEAKER: Your Committee on Commerce and Navigation, to whom was referred Assembly Bill No. 64—An Act to amend an Act approved March 26, 1872, entitled "An Act to establish pilots and pilot regulations for the port of San Diego"—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

DIXON, Chairman.

ON CLAIMS.

ASSEMBLY CHAMBER, SACRAMENTO, January 24, 1895.

MR. SPEAKER: Your Committee on Claims, to whom was referred Assembly Bill No. 255—An Act to appropriate money to pay the indebtedness incurred by calling the National Guard of California into service, by order of the Governor, to enforce the law in 1893 and 1894—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also Assembly Bill No. 119—An Act to provide for the payment of Fred Becker for meat furnished to the National Guard. This claim is embodied in the claims now on file with the Board of Military Auditors, and provision for the payment of same having been made in Assembly Bill No. 255, would respectfully request that this bill be withdrawn.

GAY, Chairman.

Assembly Bill No. 255 referred to Committee on Ways and Means.

ON STATE PRISONS, AND REFORMATORY INSTITUTIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 24, 1895

MR. SPEAKER. Your Committee on State Prisons and Reformatory Institutions, to whom was referred Assembly Bill No. 172—An Act making an appropriation to pay the deficiency in the appropriation for the support of the Folsom State Prison for the forty-sixth fiscal year, ending June 30, 1895—have had the same under consideration, and respectfully report the same back, and recommend that it do pass

LAIRD, Chairman.

Assembly Bill No. 172 referred to Committee on Ways and Means.

ON CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 24, 1895.

MR. SPEAKER: Your Committee on Corporations, to whom was referred Assembly Bill No. 274—An Act to prescribe conditions upon which certain foreign insurance companies may be permitted to transact insurance business in the State of California—have had the same under consideration, and respectfully report the same back, with a substitute therefor, and recommend that the substitute do pass, and the author of Assembly Bill No. 274 be allowed to withdraw the same

PENDLETON, Chairman.

Mr. Pendleton moved the adoption of the report.
So ordered.

INTRODUCTION OF BILL.

By Committee on Corporations: Assembly Bill No. 392 (Substitute for Assembly Bill No. 274)—An Act to prescribe conditions upon which certain foreign insurance corporations, associations, partnerships, or individuals may be permitted to transact insurance business in the State of California.

Read first time.

REPORTS OF STANDING COMMITTEES—(CONTINUED).

ON CORPORATIONS

ASSEMBLY CHAMBER, SACRAMENTO, January 24, 1895.

MR. SPEAKER: Your Committee on Corporations, to whom was referred Assembly Bill No. 292—An Act to amend sections eight hundred and fifty-one, eight hundred and fifty-two, and eight hundred and fifty-three of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to Committee on Municipal Corporations.

Also: Assembly Bill No. 176—An Act to amend an Act entitled "An Act providing for the sale of railroad and other franchises in municipalities, and relative to granting of franchises," approved March 23, 1893—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended

Also: Assembly Bill No. 271—An Act to prescribe conditions upon which certain insurance associations known as Lloyds may be admitted to transact insurance business in this State

Also: Assembly Bill No. 272—An Act to provide for investigation of fires by the Insurance Department, and to make provisions for the expenses of the same

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

PENDLETON, Chairman.

ON LABOR AND CAPITAL.

ASSEMBLY CHAMBER, SACRAMENTO, January 24, 1895.

MR. SPEAKER: Your Committee on Labor and Capital, to whom was referred Assembly Bill No. 248—An Act regulating the hours of labor in saw mills, shake mills, shingle mills, and logging camps—have had the same under consideration, and respectfully report the same back, and recommend that it do pass

JONES, Chairman.

ON PUBLIC BUILDINGS AND GROUNDS.

ASSEMBLY CHAMBER, SACRAMENTO, January 24, 1895

MR. SPEAKER: Your Committee on Public Buildings and Grounds, to whom was referred Assembly Bill No. 114—An Act to prevent the display of foreign flags on public buildings in this State—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to the Committee on Crimes and Penalties

Also: Assembly Bill No. 207—An Act to appropriate money for the erection of a monument upon the plot of ground belonging to the Sacramento Association of Veterans of the Mexican War, situate in the City Cemetery of Sacramento, and for the improvement of said grounds—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to the Committee on Ways and Means

BERRY, Chairman.

Assembly Bill No. 114 referred to Committee on Crimes and Penalties.
Assembly Bill No. 207 referred to Committee on Ways and Means.

REPORT OF COMMISSION.

Mr. Bulla asked leave to file report of commission appointed by the California State Legislature, 1893, for the purpose of examining the Torrens Land Transfer Act of Australia.

Report accepted and placed on file.

REPORTS OF STANDING COMMITTEES—(CONTINUED).

ON ELECTION LAWS

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1895.

MR. SPEAKER: Your Committee on Election Laws, to whom was referred Assembly Bill No. 96—An Act to declare when a vacancy exists in any elective or appointive office, board, or commission, etc.—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to the Judiciary Committee.

SPENCER, Chairman

Assembly Bill No. 96 referred to Committee on Judiciary.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, January 23, 1895.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, adopted Senate Concurrent Resolution No. 3—Relative to authorizing the Secretary of State to place at the disposal of the inaugural ball committees the various halls, corridors, and unoccupied chambers in and about the State Capitol, from and after the adjournment of the Legislature on Saturday, January 26, 1895, to the hour of ten o'clock A. M. Tuesday, January 29, 1895.

F. J. BRANDON, Secretary.
By R. SHAW, Assistant

Also:

SENATE CHAMBER, SACRAMENTO, January 23, 1895

MR. SPEAKER. I am directed to inform your honorable body that the Senate, on this day, adopted Senate Joint Resolution No. 10—Relative to the improvement of the Sacramento and San Joaquin Rivers, and asking that each system be placed under contract.

F. J. BRANDON, Secretary
By R. SHAW, Assistant

SENATE CONCURRENT RESOLUTION No. 3.

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 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 Saturday, January 26, 1895, to the hour of ten o'clock A. M. Tuesday, January 29, 1895.

Mr. Laugenour moved to amend as follows:

By striking out of line five the word "Capitol," and inserting the following: "excepting the Sergeant-at-Arm's room of the Assembly."

Adopted.

Senate Concurrent Resolution No. 3 adopted.

INTRODUCTION OF BILLS.

The following bills were introduced, read first time, and referred to committees, as follows:

By Mr. Bettman: Assembly Bill No. 393—An Act to authorize the Board of State Harbor Commissioners to pay the claim of the Pacific Company for wharfage illegally collected.

Read first time, and referred to Committee on Claims.

By Mr. Thomas: Assembly Bill No. 394—An Act to amend section one thousand six hundred and twenty-four of the Civil Code, relating to the manner of creating contracts.

Read first time, and referred to Committee on Judiciary.

By Mr. Coleman: Assembly Bill No. 395—An Act to amend section three thousand nine hundred and thirty-one, part four, title one, of the Political Code of the State of California, relating to the boundary of Alpine County.

Read first time, and referred to Committee on Counties and County Boundaries.

By Mr. Meads: Assembly Bill No. 396—An Act to amend section two hundred and twenty-four of the Civil Code, regarding the adoption of children.

Read first time, and referred to Committee on Judiciary.

By Mr. Guy: Assembly Bill No. 397—An Act to amend section two hundred and seventy-six of the Code of Civil Procedure of the State of California.

Read first time, and referred to Committee on Judiciary.

By Mr. Dixon: Assembly Bill No. 398—An Act appropriating money to pay the claim of W. H. Murray, his heirs or assigns.

Read first time, and referred to Committee on Claims.

By Mr. Berry: Assembly Bill No. 399—An Act to provide for the erection of an additional building for the use of the Woman's Relief Corps Home Association, at their Home for Soldiers' Widows and Orphans, and Army Nurses, at Evergreen, California, and making an appropriation therefor.

Read first time, and referred to Committee on Public Buildings and Grounds.

Also: Assembly Bill No. 400—An Act making an appropriation to pay for the support and maintenance of the inmates of the Woman's Relief Corps Home at Evergreen, in Santa Clara County, for the forty-fifth and forty-sixth fiscal years.

Read first time, and referred to Committee on Ways and Means.

Also (by request): Assembly Bill No. 401—An Act to amend section four hundred and seventeen of the Penal Code of the State of California, relating to deadly weapons.

Read first time, and referred to Committee on Crimes and Penalties.

By Mr. Davis (by request): Assembly Bill No. 402—An Act entitled an Act to appropriate money to pay the claim of Charles E. Cunning-

ham and William C. Rodgers, for the services rendered in running the elevator in the State Capitol.

Read first time, and referred to Committee on Claims.

By Mr. Hatfield: Assembly Bill No. 403—An Act to amend the Civil Code by adding thereto five new sections, to be known as sections one thousand four hundred and twenty-six, one thousand four hundred and twenty-six *a*, one thousand four hundred and twenty-six *b*, one thousand four hundred and twenty-six *c*, and one thousand four hundred and twenty-six *d*, relating to water rights.

Read first time, and referred to Committee on Commerce and Navigation.

By Mr. Bulla: Assembly Bill No. 404—An Act to amend section seven of the Penal Code, relating to certain words and what included in definition.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 405—An Act to amend section seventeen of the Political Code, relative to certain words and what they include.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 406—An Act to amend section fourteen of the Civil Code, relating to certain terms defined.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 407—An Act to amend section seventeen of the Code of Civil Procedure, relating to certain terms defined.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 408—An Act to repeal section one thousand and ninety-three of the Civil Code of the State of California, relating to acknowledgment of grant by married women.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 409—An Act to amend sections three thousand seven hundred and thirty-one, three thousand seven hundred and fifty-three, three thousand eight hundred and sixteen, three thousand eight hundred and twenty-three, three thousand eight hundred and twenty-six, three thousand eight hundred and twenty-nine, three thousand eight hundred and eighty-nine, three thousand eight hundred and ninety-eight, and three thousand nine hundred of the Political Code, respecting the assessment and collection of taxes.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 410—An Act to enfranchise the women citizens of this State, and prescribing their qualification as electors.

Read first time, and referred to Committee on Election Laws.

Also: Assembly Bill No. 411—An Act to enfranchise the women citizens of this State, and prescribing their qualifications as electors.

Read first time, and referred to Committee on Election Laws.

By Mr. Glass: Assembly Bill No. 412—An Act entitled "An Act relating to the duties of the State Board of Examiners," providing for the examination, investigation, and inspection, and inquiry into, by said State Board of Examiners, of the books, vouchers, papers, property, and premises, and the general conduct, management, and affairs of all State institutions, commissions, boards, and offices, and providing for the production of the papers, vouchers, books, and property necessary for such examination, and for the defraying of the expenses thereof of said Board of Examiners.

Read first time, and referred to Committee on Retrenchment and Public Expenditures.

By Mr. Dwyer: Assembly Bill No. 413—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, and an Act amendatory thereof, approved March 21, 1891.

Read first time, and referred to Committee on Public Buildings and Grounds.

By Mr. Devine: Assembly Bill No. 414—An Act to amend an Act entitled "An Act to regulate the practice of pharmacy and sale of poisons in the State of California," approved March 11, 1891.

Read first time, and referred to Committee on Public Health and Quarantine.

By Mr. Keen: Assembly Bill No. 415—An Act to amend section two of an Act entitled "An Act to provide for Police Courts in cities having fifteen thousand and under eighteen thousand inhabitants," approved March 31, 1891.

Read first time, and referred to Committee on Municipal Corporations.

By Mr. O'Day: Assembly Bill No. 416—An Act requiring the employment of flag signalmen by railroad companies.

Read first time, and referred to Committee on Crimes and Penalties.

By Mr. Powers: Assembly Bill No. 417—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by adding thereto a new section, to be numbered and designated as section three thousand eight hundred and sixty-three, relating to percentages and commissions on poll taxes.

Read first time, and referred to Committee on Judiciary.

Also (by request): Assembly Bill No. 418—An Act to appropriate seven thousand five hundred dollars as compensation to Julius A. Hult, a private in Company C, First Regiment Infantry, Second Brigade, N. G. C., for injuries sustained while in active service.

Read first time, and referred to Committee on Claims.

By Mr. Llewellyn: Assembly Bill No. 419—An Act to regulate the manufacture and sale of commercial fertilizers.

Read first time, and referred to Committee on Agriculture.

By Mr. Dodge: Assembly Bill No. 420—An Act prescribing the method of nominating candidates for public office in political conventions.

Read first time, and referred to Committee on Election Laws.

By Mr. Belshaw (by request): Assembly Bill No. 421—An Act to amend section one hundred and seventy of the Code of Civil Procedure of the State of California, relating to the disqualification of Judges.

Read first time, and referred to Committee on Judiciary.

Also (by request): Assembly Bill No. 422—An Act to amend an Act entitled "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."

Read first time, and referred to Committee on County and Township Governments.

By Mr. Phelps: Assembly Bill No. 423—An Act to repeal an Act

entitled "An Act to appropriate money for the support of aged persons in indigent circumstances," approved March 15, 1883.

Read first time, and referred to Committee on Retrenchment and Public Expenditures.

Also: Assembly Bill No. 424—An Act to repeal an Act entitled "An Act to establish a Bureau of Labor Statistics," approved March 3, 1883, and all Acts supplementary thereto or amendatory thereof.

Read first time, and referred to Committee on Retrenchment and Public Expenditures.

By Mr. Bassford (by request): Assembly Bill No. 425—An Act to authorize payment for service rendered in county of tenth class, now of thirteenth class.

Read first time, and referred to Committee on County and Township Governments.

Also: Assembly Bill No. 426—An Act entitled an Act to prevent a person or persons from entering upon the land of others and without their consent, maliciously and willfully mutilating or destroying, or both, fruit trees and vines thereon, and to provide a punishment for the violation of said Act.

Read first time, and referred to Committee on Crimes and Penalties.

By Mr. Dinkelspiel (by request): Assembly Bill No. 427—An Act to provide for the appointment of a State Veterinary Surgeon, to prescribe his duties, and fixing his compensation.

Read first time, and referred to Committee on Agriculture.

Also: Assembly Bill No. 428—An Act to amend section three thousand and two of the Civil Code of the State of California, relative to pledges.

Read first time, and referred to Committee on Judiciary.

By Mr. Stansell (by request): Assembly Bill No. 429—An Act to repeal an Act entitled "An Act to increase the number of clerks for the limited period of six months, commencing in the month of January of each year, in the office of Treasurer of State, and for the appointment of such additional clerk," approved March 16, 1889, and authorizing the Treasurer of State to appoint one clerk at an annual salary of sixteen hundred dollars.

Read first time, and referred to Committee on Ways and Means.

By Mr. Rowell: Assembly Bill No. 430—An Act to add a new section to the Penal Code of the State of California, to be known and designated as section five hundred and two and one half, relating to the severance and removal of fixtures and improvements upon mortgaged property.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 431—An Act to amend section seven hundred and forty-four of the Code of Civil Procedure, relating to mortgages of real property.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 432—An Act to amend section twenty-nine hundred and twenty-six of the Civil Code, relating to mortgage of real property, on what a lien.

Read first time, and referred to Committee on Judiciary.

By Mr. Hall: Assembly Bill No. 433—An Act to authorize the Trustees of the City of Auburn, Placer County, to remove a cemetery, and to donate the land occupied thereby to the public for a park.

Read first time, and referred to Committee on State Parks and Forestry.

By Mr. Tomblin: Assembly Bill No. 434—An Act to repeal an Act entitled "An Act to declare Lake Earl, in Del Norte County, navigable."

Read first time, and referred to Committee on Commerce and Navigation.

By Mr. Freeman: Assembly Bill No. 435—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 section eighteen thereof.

Read first time, and referred to Committee on Irrigation.

By Mr. Laugenour: Assembly Bill No. 436—An Act repealing chapter ninety-six of the Statutes of 1883, entitled "An Act to appropriate money for the support of aged persons in indigent circumstances," approved March 15, 1883.

Read first time, and referred to Committee on Retrenchment and Public Expenditures.

Also: Assembly Bill No. 437—An Act authorizing the State Board of Prison Directors to establish an ice factory at Folsom State Prison, and making an appropriation therefor.

Read first time, and referred to Committee on State Prisons and Reformatory Institutions.

Also: Assembly Bill No. 438—An Act granting homesteads exempt from judicial or other forced sales to the heads of families, and to repeal certain existing laws on the same subject.

Read first time, and referred to Committee on Judiciary.

By Mr. Swisler: Assembly Bill No. 439—An Act to authorize the State of California to secure the title to and right of way for that certain wagon road situated in El Dorado County commencing a short distance easterly from the village of Smith's Flat, in said county, and running thence to Lake Tahoe, and to provide for the appointment, duties, and compensation of a person to be known as and called the "Lake Tahoe Wagon Road Commissioner," and to make an appropriation for the purpose of carrying into effect the provisions of this Act.

Read first time, and referred to Committee on Roads and Highways.

By Mr. Ewing: Assembly Bill No. 440—An Act providing for the sale of salt marsh and tide lands capable of reclamation for agricultural purposes.

Read first time, and referred to Committee on Swamp and Overflowed Lands.

By Mr. Pendleton: Assembly Bill No. 441—An Act to create and administer a Public School Teachers' Annuity and Retirement Fund in the several counties, and cities and counties, of the State.

Read first time, and referred to Committee on Retrenchment and Public Expenditures.

By Mr. McKelvey: Assembly Bill No. 442—An Act to add a new section, to be numbered five hundred and fifteen, to an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to the crime of embezzlement.

Read first time, and referred to Committee on Crimes and Penalties.

Also: Assembly Bill No. 443—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved March 24, 1893, by amending subdivision twenty-nine

and one half of section twenty-five thereof, relative to the powers of Boards of Supervisors.

Read first time, and referred to Committee on County and Township Governments.

By Mr. Sanford: Assembly Bill No. 444—An Act to authorize the Directors of the Mendocino Asylum to purchase additional lands for the use of said asylum.

Read first time, and referred to Committee on Public Highways.

By Mr. Bachman (by request): Assembly Bill No. 445—An Act declaring void all contracts, reserving the right of ownership in the seller of chattel property.

Read first time, and referred to Committee on Judiciary.

Also (by request): Assembly Bill No. 446—An Act to amend section four hundred and seven of the Code of Civil Procedure.

Read first time, and referred to Committee on Judiciary.

Also (by request): Assembly Bill No. 447—An Act to amend section two thousand nine hundred and fifty-five of the Civil Code.

Read first time, and referred to Committee on Judiciary.

By Mr. Reid: Assembly Bill No. 448—An Act to amend sections two thousand five hundred and twenty-one and two thousand five hundred and twenty-two of the Political Code, relating to San Francisco Harbor and State Harbor Commissioners.

Read first time, and referred to Committee on Judiciary.

By Mr. Lynch: Assembly Bill No. 449—An Act to amend 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, 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 March 20, 1891, and amended by an Act approved March 23, 1893, amending section eight, and adding two sections thereto.

Read first time, and referred to Committee on Corporations.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON COUNTY AND TOWNSHIP GOVERNMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1895.

MR. SPEAKER: Your Committee on County and Township Governments, to whom was referred Assembly Bill No. 153—An Act to provide for the appointment and election of one additional Judge for the county of Humboldt—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Assembly Bill No. 116—An Act requiring county officers to file a monthly expense account—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

DODGE, Chairman

. INTRODUCTION OF BILLS—(RESUMED).

By Mr. Brusie: Assembly Bill No. 450—An Act making an appropriation to pay the deficiency in the appropriation for the support of the State Printing Office for the remainder of the forty-sixth fiscal year.

Read first time.

RESOLUTION.

By Mr. Brusie:

Resolved, That Assembly Bill No. 450 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions 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. Barker, Belshaw, Bennett, Berry, Bettman, Brusie, Bulla, Butler, Coleman, Dale, Davis, Devine, Dodge, Dunbar, Dwyer, Fassett, Freeman, Gay, Glass, Guy, Hall, Hatfield, Johnson, Jones, Kelsey, Kenyon, Laird, Laugenour, Llewellyn, Meads, McCarthy, McDonald, McKelvey, Merrill, North, Pendleton, Phelps, Reid, Richards, Stansell, Spencer, Swisler, Tibbits, Thomas, Tomblin, Twigg, Wade, Waymire, Weyse, Wilkins, Zocchi, and Mr. Speaker—55.

NOES—Messrs. Bachman, Bledsoe, Ewing, Nelson, Powers, Robinson, Rowell, and Staley—8.

SECOND READING OF BILL.

Assembly Bill No. 450 read second time.

Mr. Bledsoe moved to amend as follows:

By striking out of section one, line one, the words "fifty thousand" and inserting the following: "thirty thousand."

Lost.

Mr. Brusie moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Assembly Bill No. 450.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Lynch in the chair.

Assembly Bill No. 450 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Lynch 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. 450—An Act making an appropriation to pay the deficiency in the appropriation for the support of the State Printing Office for the remainder of the forty-sixth fiscal year—and now report, and recommend that the same do pass.

Report of committee adopted.

Bill considered engrossed and ordered sent to the printer.

INTRODUCTION OF BILLS—(RESUMED).

By Mr. Brusie: Assembly Bill No. 451—An Act to amend section one thousand six hundred and sixty-eight of the Political Code.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 452—An Act making an appropriation to

pay the deficiency in the appropriation for the transportation of prisoners for the forty-third fiscal year.

Read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 453—An Act entitled an Act to amend section one thousand and ninety-eight of the Penal Code, relating to separate trials of defendants, and to amend section one thousand one hundred and twenty-one of the same Code, relating to the separation of juries.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 454—An Act making an appropriation to pay the deficiency in the appropriation for postage, expressage, and telegraphing, Secretary of State's office, for the forty-fifth and forty-sixth years.

Read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 455—An Act appropriating the sum of six thousand dollars for tiling the first floor of the State Capitol.

Read first time, and referred to Committee on Public Buildings and Grounds.

Also: Assembly Bill No. 456—An Act making an appropriation to pay the deficiency in the appropriation for arresting criminals without the State, for the forty-third and forty-fourth fiscal years.

Read first time, and referred to Committee on Ways and Means.

By Mr. McKelvey: Assembly Bill No. 457—Amendment of an Act entitled "An Act for the better protection of the State Treasury," approved March 30, 1868.

Read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 458—An Act to amend "An Act amendatory of section four hundred and twenty-five of the Political Code," approved March 20, 1889, relating to special policemen for the State Capitol grounds, and to their powers, and the payment of their salaries.

Read first time, and referred to Committee on Judiciary.

ASSEMBLY CONSTITUTIONAL AMENDMENTS.

By Mr. Waymire: Assembly Constitutional Amendment No. 25—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending article six, relative to the "Judicial Department."

Read first time, and referred to Committee on Constitutional Amendments.

By Mr. Hall: Assembly Constitutional Amendment No. 26—A resolution to propose to the people of the State of California an amendment to article twenty of the Constitution of the State of California, by adding a new section thereto, to be numbered section twenty-one, relative to submittal of legislative enactments to a vote of the people.

Read first time, and referred to Committee on Constitutional Amendments.

Also: Assembly Constitutional Amendment No. 27—Proposed amendment to section seven of article one of the Constitution, relative to trial by jury.

Read first time, and referred to Committee on Constitutional Amendments.

By Mr. Bachman: Assembly Constitutional Amendment No. 28—A

resolution proposing to the people of the State of California an amendment to section twenty-two, article twelve, of the Constitution of the State of California.

Read first time, and referred to Committee on Constitutional Amendments.

ASSEMBLY JOINT RESOLUTION.

By Mr. Kenyon:

ASSEMBLY JOINT RESOLUTION No. 7.

Relative to an appropriation by Congress for developing San Pedro Harbor.

WHEREAS, Two Boards of Government Civil Engineers, after careful investigation, have reported in favor of a harbor at San Pedro; and whereas, it is of the greatest importance to Southern California that the harbor at that point be improved at the earliest possible moment; be it

Resolved by the Assembly of the State of California, the Senate concurring, That our Senators and Representatives in Congress be instructed to use every effort to secure adequate appropriation for the purpose of improving the harbor of San Pedro from the present Congress.

Resolved, That the Governor be requested to transmit this resolution immediately by telegraph to our Senators and Representatives in Congress.

Referred to Committee on Federal Relations.

Also:

ASSEMBLY JOINT RESOLUTION No. 8.

Relative to the annexation of the Republic of Hawaii.

WHEREAS, A large majority of the white population of the Republic of Hawaii are desirous of annexing the islands to the United States, and whereas, we deem the acquisition of this territory of great commercial and strategic importance to this Government, which, through dilatory action and British intrigue, may be ever lost to us, be it

Resolved by the Assembly of the State of California, the Senate concurring, That our Representatives in Congress be requested to use all honorable means in their power to expedite the annexation of the territory of the Republic of Hawaii to these United States

Resolved, That his Excellency the Governor be requested to immediately telegraph a copy of these resolutions to each of our Senators and Representatives in Congress.

Referred to Committee on Federal Relations.

RESOLUTIONS.

By Mr. Laird:

Resolved, That five members of the Committee on State Prisons and Reformatory Institutions be granted permission to visit the different State prisons and reformatory institutions throughout the State, in order that they may more intelligently discharge their duties.

Mr. Powers moved to amend as follows:

After the word "State," add: "*Provided,* that they be only allowed their actual traveling expenses in lieu of mileage."

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

AYES—Messrs. Bachman, Barker, Bassford, Belshaw, Bledsoe, Bulla, Butler, Coleman, Cutter, Dale, Dinkelspiel, Dixon, Dodge, Dunbar, Dwyer, Fassett, Freeman, Gay, Glass, Guy, Hall, Hatfield, Healey, Holland, Huber, Hudson, Johnson, Jones, Keen, Kelsey, Kenyon, Laird, Jewell, McKelvey, Nelson, North, O'Day, Osborn, Pendleton, Phelps, Powers, Price, Reid, Robinson, Rowell, Sanford, Staley, Stansell, Spencer, Weyse, Tibbits, Tomblin, Wade, Weyse, Wilkins, and Mr. Speaker—56.

NOES—Messrs. Ash, Devitt, Ewing, Meads, and McCarthy—5.

The question now arising upon the original resolution.

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

AYES—Messrs. Bennett, Berry, Bettman, Boothby, Brusie, Bulla, Coleman, Coghlin, Davis, Devitt, Devine, Dixon, Dwyer, Freeman, Gay, Guy, Hall, Holland, Huber, Keen, Kelsey, Kenyon, Laird, Langenour, Lewis, Llewellyn, Meads, McCarthy, McDonald, McKelvey, Nelson, North, Pendleton, Phelps, Reid, Richards, Robinson, Sanford, Stansell, Spencer, Swisler, Tibbits, Thomas, Tomblin, Twigg, Wade, Waymire, Weyse, Wilkins, Wilkinson, and Zocchi—55.

NOES—Messrs. Ash, Bachman, Barker, Cutter, Dunbar, Ewing, Fassett, Glass, Hatfield, Hudson, Johnson, Jones, Merrill, Osborn, Powers, Price, Rowell, Staley, and Mr. Speaker—20.

By Mr. Berry:

Resolved, That the Committee on Public Buildings and Grounds be and are hereby granted leave of absence from Friday morning, January 25, 1895, to Tuesday morning, January 29, 1895, to visit San Francisco and Berkeley to investigate and ascertain the needs for the appropriations asked for in Assembly Bills Nos. 6, 106, and 219.

Mr. Powers moved to amend by adding the following:

Provided, that they be allowed their actual traveling expenses instead of mileage and any other expenses

The amendment was adopted.

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

AYES—Messrs. Ash, Bennett, Berry, Bettman, Boothby, Brusie, Bulla, Cargill, Coleman, Coghlin, Davis, Devitt, Devine, Dixon, Dwyer, Gay, Guy, Hatfield, Healey, Huber, Keen, Kelsey, Kenyon, Laird, Langenour, Lewis, Llewellyn, Meads, McCarthy, McDonald, McKelvey, North, O'Day, Pendleton, Phelps, Powers, Richards, Robinson, Stansell, Spencer, Tibbits, Thomas, Twigg, Waymire, Wilkins, Wilkinson, Zocchi, and Mr. Speaker—49.

NOES—Messrs. Bachman, Barker, Belshaw, Bledsoe, Cutter, Dale, Dodge, Dunbar, Fassett, Freeman, Glass, Hall, Holland, Hudson, Johnson, Jones, Merrill, Nelson, Osborn, Price, Reid, Rowell, Sanford, Staley, Swisler, Tomblin, Wade, and Weyse—28.

By Mr. Phelps:

Resolved by the Assembly, the Senate concurring, That the Committees on Retrenchment and Public Expenditures of the Senate and Assembly, be and they are hereby authorized to send sub-committees to such public institutions of this State as they may deem necessary, for the investigation of their management, with a view to the curtailment of their expenses, and that said committees, or sub-committees, be authorized to send for persons and papers, to administer oaths, and when making investigations into public expenditures, be authorized to employ a stenographer

Mr. Powers moved to amend by adding the following:

Provided, that they be allowed their actual traveling expenses only, and nothing for board, said traveling expenses being in lieu of mileage

MOTION.

At twelve o'clock and twenty-five minutes P. M. Mr. Bulla moved that the hour of adjournment be postponed until one o'clock P. M.

So ordered.

CONSIDERATION OF MR. PHELPS' RESOLUTION—(RESUMED).

Mr. Powers asked leave to withdraw his amendment.

Granted.

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

AYES—Messrs. Bachman, Bassford, Bennett, Berry, Brusie, Butler, Cargill, Coleman, Dale, Davis, Devine, Dinkelspiel, Dixon, Dunbar, Dwyer, Freeman, Gay, Glass, Guy, Hall,

Hatfield, Healey, Holland, Johnson, Keen, Kelsey, Kenyon, Laird, Laugenour, Llewellyn, Meads, McCarthy, McDonald, McKelvey, Merrill, Nelson, North, O'Day, Osborn, Phelps, Powers, Richards, Robinson, Rowell, Sanford, Stansell, Spencer, Swisler, Tibbits, Thomas, Tomblin, Twigg, Wade, Waymire, Weyse, Wilkinson, Zocchi, and Mr. Speaker—58.
 NOES—Messrs. Ash, Barker, Belshaw, Bettman, Bledsoe, Boothby, Bulla, Coghlin, Cutter, Devitt, Dodge, Ewing, Fassett, Hudson, Jones, Price, and Staley—17.

By Mr. Brusie:

Resolved, That the Controller be and he is hereby authorized to draw his warrant, and the Treasurer instructed to pay the same, for ninety-one dollars and forty cents, in favor of George C. Parkinson, Sergeant-at-Arms of the Assembly, from the Contingent Fund, to pay for articles as per attached voucher:

SACRAMENTO, January 24, 1895.

<i>State of California, Dr, to Geo C. Parkinson, Sergeant-at-Arms, Assembly.</i>	
1,400 pounds ice, at 1 cent.....	\$14 00
1 office desk.....	30 00
1 No. 10 Gate City filter.....	20 00
1 No. 4 brown stone filter.....	16 00
1 mail bag.....	6 00
1 mirror.....	1 85
18 yards crash toweling.....	2 25
6 roller slips.....	30
8 Pages' badges.....	1 00
Total.....	\$91 40

Referred to Committee on Ways and Means.

By Mr. Laird:

Resolved, That the State Printer be ordered to print one hundred extra copies of Assembly Bills from number one up to date, and continue same for the purpose of having them bound in book form.

Laid over one day under the rules.

By Mr. Reid:

Resolved, That the members of any committee appointed to visit any institution of this State, be allowed only their actual expenses while on said visits.

Adopted.

By Mr. North:

Resolved, That the Chairman of the Committee on Public Buildings and Grounds be authorized to appoint a sub-committee of five, chosen from the members of said committee, and that said sub-committee be granted leave of absence from Thursday evening, January 24, 1895, until Tuesday morning, January 29, 1895, for the purpose of visiting the State University at Berkeley and at San Francisco, and to inquire into the needs for a State building at San Francisco, in accordance with Assembly Bills Nos. 6, 106, and 219, referred to said committee; be it further

Resolved, That said committee be allowed their railroad fare and their reasonable expenses.

Mr. Dinkelspiel moved to amend by striking out the word "five" and inserting the word "three," so as to have said sub-committee consist of three members instead of five.

Lost.

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

AYES—Messrs. Ash, Bachman, Bassford, Belshaw, Bennett, Berry, Bettman, Boothby, Brusie, Bulla, Butler, Cargill, Coghlin, Dale, Davis, Devitt, Dixon, Dodge, Dunbar, Dwyer, Ewing, Freeman, Gay, Glass, Guy, Hall, Hatfield, Healey, Holland, Johnson, Keen, Kelsey, Kenyon, Laird, Laugenour, Lewis, Meads, McCarthy, McDonald, McKelvey, Merrill, Nelson, North, O'Day, Osborn, Pendleton, Powers, Reid, Richards, Robinson, Sanford, Stansell, Tibbits, Tomblin, Twigg, Wade, Waymire, Weyse, Wilkinson, Zocchi, and Mr. Speaker—62.

NOES—Messrs. Barker, Bledsoe, Dinkelspiel, Fassett, Hudson, Jones, Price, Rowell, and Swisler—10

By Mr. Weyse:

Resolved, That Mr Llewellyn be and he is hereby substituted in place of Mr Weyse as a member of the Committee on Public Buildings and Grounds, and that Mr. Weyse be and he is hereby substituted in place of Mr. Llewellyn as a member of the Committee on Fish and Game.

So ordered.

By Mr. Guy:

Resolved, That the Sergeant-at-Arms be and he is hereby authorized and directed to immediately purchase, and pay for out of the funds for the contingent expenses of the Assembly, eleven copies of Finlayson's Annotated Street Laws of California, and deliver the same to the Chief Clerk of the Assembly, he to deliver one copy thereof to each member of the Committee on Municipal Corporations.

Referred to Committee on Ways and Means.

Also:

Resolved, That Miss L. Rothschild be and she is hereby appointed Register Clerk of the Assembly, at the per diem of five dollars, to be paid out of the fund provided for the contingent expenses of the Assembly.

Referred to Committee on Attachés and Employés.

By Mr. Hatfield:

WHEREAS, The present Bill Filer, Milton Berry, for the Assemblymen, is unable, on account of the amount of work connected with his position, to attend to the same without assistance; therefore, be it

Resolved, That Howard May be and he is hereby appointed Assistant Bill Filer for the Assemblymen, at a per diem of three dollars, payable out of the fund for the contingent expenses of the Assembly, and that this House take immediate consideration of the above resolution.

Referred to Committee on Attachés and Employés.

By Mr. Dodge:

Resolved, That the State Controller and the State Printer be and they are hereby requested to immediately transmit to the Assembly information showing the amount of money on hand available in the fund for the expense of the State Printing Office, and what appropriation, if any, is now necessary for said office.

Adopted.

By Mr. Reid :

Resolved, That a special committee of three members of the Assembly be appointed by the Speaker to revise the revenue laws of the State, and to report a bill revising said laws not later than the twenty-fourth day of February, 1895, and that said committee be empowered to employ a clerk and stenographer at a compensation of five dollars each per day, payable out of the contingent expenses of the Assembly.

Referred to Committee on Judiciary.

Also :

Resolved, That the Committee on Retrenchment and Public Expenditures be and they are hereby directed to inquire into the affairs of the State Harbor Commissioners, and more particularly into the matter of the reported payment by said Commissioners of the sum of forty thousand dollars for plans and specifications for a ferry depot at San Francisco, and to report to this Assembly the results of said investigation

Referred to Committee on Retrenchment and Public Expenditures.

By Mr. Thomas:

Resolved, That the Committee on Mines and Mining Interests be and is hereby increased one member, and that the Speaker is hereby instructed to appoint C. M. Belshaw as such member.

Referred to Committee on Rules.

By Mr. McKelvey:

Resolved, That the Sergeant-at-Arms of the Assembly be and he is hereby authorized and instructed to keep his office open until eight o'clock P. M. of each legislative day, so that clerks of committees can procure copies of bills for the use of their committees.

Referred to Committee on Attachés and Employés.

By Mr. Laird:

Resolved, That Mrs. T. P. Ford be and is hereby appointed Assistant Enrolling Clerk of the Assembly, at the same per diem paid the other Assistant Enrolling Clerks, said per diem to be paid out of the fund for the contingent expenses of the Assembly.

Referred to Committee on Attachés and Employés.

By Committee on Election Laws:

Resolved, That the Committee on Election Laws be and said committee is hereby authorized to employ a legal assistant to aid said committee in the preparation of a bill to prevent frauds at elections, such assistant to be selected by said committee, and to be paid out of the Contingent Fund of the Assembly, such expense not to exceed one hundred dollars in the aggregate.

Referred to Committee on Attachés and Employés.

By Mr. Dinkelspiel (by request):

Resolved, That H. S. Burdick be and he is hereby appointed Assistant Bill Filer to the Assemblymen, at a per diem of four dollars, payable out of the contingent expenses of the Assembly.

Referred to Committee on Attachés and Employés.

Mr. Staley asked that the name of W. E. Thomas, Assistant File Clerk, be stricken from the payroll, as it was impossible for him to be here.

Granted.

Mr. Ash moved that the name of Ross McAmis be substituted in the place.

There being no objection, it was so ordered.

ADJOURNMENT.

At one o'clock and ten minutes P. M. the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Friday, January 25, 1895. }

The Assembly met pursuant to adjournment.

Speaker Lynch in the chair.

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

Messrs. Ash, Barker, Bassford, Belshaw, Bennett, Bledsoe, Boothby, Bulla, Butler, Cargill, Coleman, Coghlin, Cutter, Dale, Davis, Devine, Dinkelspiel, Dixon, Dodge, Dunbar, Ewing, Fassett, Freeman, Gay, Glass, Guy, Hall, Hatfield, Holland, Huber, Hudson, Johnson, Jones, Keen, Kelsey, Laird, Laugenour, Lewis, Llewellyn, Meads, McDonald, McKelvey, Merrill, Nelson, O'Day, Osborn, Pendleton, Powers, Price, Reid, Richards, Robinson, Rowell, Sanford, Staley, Stansell, Spencer, Swisler, Tibbits, Tomblin, Wade, Waymire, Weyse, Wilkins, Wilkinson, Zocchi, and Mr. Speaker.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. O. Summers.

READING AND APPROVAL OF THE JOURNAL.

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

So ordered.

Journal of January 24th approved.

REPORTS OF STANDING COMMITTEES.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, January 25, 1895.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 52—An Act to amend section sixteen hundred and ninety-nine of the Code of Civil Procedure, relating to settlements of accounts of trustees after distribution of estates, and to compensation of trustees.

Also: Assembly Bill No. 149—An Act to add a new section to the Code of Civil Procedure, to be known as section seven hundred and thirty, relating to actions for foreclosure of mortgages.

Also: Assembly Bill No. 225—An Act to amend section two thousand nine hundred and twenty-four of an Act of the Legislature of the State of California entitled "An Act to establish a Civil Code," relating to mortgages.

Also: Assembly Bill No. 297—An Act to amend section one thousand and fifty-four of the Code of Civil Procedure of the State of California, relating to extending the time within which an act is to be done.

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

Also: Assembly Bill No. 189—An Act to amend section one thousand eight hundred and eighty of the Code of Civil Procedure of the State of California, relating to witnesses—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also: Assembly Bill No. 40—An Act to amend section two thousand nine hundred and thirty-two of the Civil Code, relating to a power of sale in a mortgage—have had the same under consideration, and respectfully report the same back, and recommend as a substitute therefor the bill herewith inclosed, and recommend that such substitute bill do pass.

BULLA, Chairman.

On motion, the report of the committee was adopted, and Assembly Bill No. 459 substituted for Assembly Bill No. 40.

SUBSTITUTE BILL.

By Committee on Judiciary:

ASSEMBLY BILL No. 459.

An Act to repeal section two thousand nine hundred and thirty-two of the Civil Code.

The People of the State of California, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section two thousand nine hundred and thirty-two of the Civil Code is hereby repealed.

SEC. 2. This Act shall take effect from and after its passage.

Read first time, and placed on file for second reading.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, January 25, 1895.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 50—An Act to amend section four hundred and thirty-seven of the Code of Civil Procedure, relating to answers.

Also: Assembly Bill No. 53—An Act to amend section three thousand and ten of the Civil Code, relating to the right of the pledgee to purchase the pledged property when sold at public auction.

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

Also: Assembly Bill No. 273—An Act to prescribe the duty of the Attorney-General and Insurance Commissioner in regard to the admission of insurance corporations, associations, or individuals, to do business in this State—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to Committee on Corporations.

BULLA, Chairman.

So ordered.

ON ATTACHES AND EMPLOYEES.

ASSEMBLY CHAMBER, SACRAMENTO, January 24, 1895.

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

Resolved, That Leon Moses be appointed Assistant Bill Filer for the Assemblymen, at a per diem of four dollars, and the same be referred to Committee on Attachés.

Resolved, That Miss Ella Wade be and she is hereby appointed Assistant Engrossing Clerk, at the same per diem paid the other Assistant Engrossing Clerks, said per diem to be paid out of the fund for the contingent expenses of the Assembly.

Resolved, That the State Printer be and he is hereby directed to bind all bills introduced in the Assembly, and that B. F. Mackall be and he is hereby appointed Bill Filer for the Assemblymen, for the purpose of having such bills so bound, at a per diem of five dollars, payable out of the fund for contingent expenses of the Assembly.

Resolved, That the State Printer be and he is hereby directed to bind all bills introduced in the Assembly, and that H. T. May be and he is hereby appointed Bill Filer for the Assemblymen, for the purpose of having such bills so bound, at a per diem of five dollars, payable out of the fund for the contingent expenses of the Assembly.

Resolved, That the Speaker of the Assembly be and he is hereby authorized and requested to select and appoint a clerk for the purpose of assisting the Minute Clerk of the Assembly, as such duties of said Minute Clerk being cumbersome and arduous, it being necessary to have some experienced person to assist any new clerk in such position, such clerk to hold his position at the pleasure of the Speaker. Such clerk so appointed shall receive the same per diem as is paid the Minute Clerk, said per diem being payable out of the appropriation for the contingent expenses of the Assembly.

Resolved, That Chas. McCarthy be and he is hereby appointed Sergeant-at-Arms of the San Francisco Delegation, at a per diem of five dollars, the same to be paid out of the Contingent Fund of the Assembly.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

Report of committee adopted.

Also:

Resolved, That the Sergeant-at-Arms of the Assembly be and he is hereby instructed to detail two of the Pages of the Assembly to be in attendance in the Assembly Chamber every day, except Sunday, from nine o'clock A. M. to five o'clock P. M., during the daily recesses of the Assembly.

Have had the same under consideration, and respectfully report the same back, and recommend that the same be amended by striking out the words "except Sunday," and that the resolution do pass as amended.

Adopted.

Also:

Resolved, That H. T. Smith be and he is hereby appointed Assistant Sergeant-at-Arms, at a per diem of eight dollars, to be paid out of the contingent expenses of the Assembly, whose duties shall be to accompany committees of this House when required, serve subpoenas and other papers, and perform such other duties as required under the direction of the Sergeant-at-Arms of this Assembly.

Resolved, That in view of the fact that a large amount of business will come before the Committee on State Prisons and Reformatory Institutions, that said committee be allowed a stenographer and typewriter, at a per diem not to exceed five dollars, to be paid out of the Contingent Fund of the Assembly.

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

WEYSE, Chairman.

Mr. Dixon moved to amend as follows:

By striking out the word "eight," and inserting the word "six" in first resolution.

Mr. Tibbits moved to amend as follows :

By striking out the words "six dollars," and inserting the following: "five dollars."

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

The ayes and noes were demanded by Messrs. Price, Belshaw, and Johnson.

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

AYES—Messrs. Ash, Bachman, Bassford, Belshaw, Bennett, Eulla, Coleman, Dalc, Dodge, Dunbar, Ewing, Fassett, Freeman, Gay, Glass, Guy, Hall, Holland, Hudson, Johnson, Jones, Keen, McDonald, O'Day, Osborn, Phelps, Price, Reid, Richards, Sanford, Staley, Stansell, and Tibbits—33.

NOES—Messrs. Boothby, Butler, Cargill, Devine, Dixon, Hatfield, Huber, Kelsey, Laird, Laugenour, Meads, McCarthy, McKelvey, Merrill, Pendleton, Powers, Spencer, Thomas, Tomblin, Twigg, Wade, Weyse, Wilkinson, Zocchi, and Mr. Speaker—25.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 25, 1895.

MR. SPEAKER: Your Committee on Attachés and Employés, to whom was referred the resolution providing for attachés to the Committee on Ways and Means, beg leave to report as follows:

Sergeant-at-Arms, Jas. Devine, at a per diem of	\$5 00
Stenographer, Mrs. A. J. Porter, at a per diem of	5 00
Porter, Wm Mathews, at a per diem of	4 00

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

WEYSE, Chairman.

Report of committee adopted.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 24, 1895

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Assembly Bill No. 15—An Act to amend section six of an Act entitled "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," approved March 31, 1891, and to provide for Clerks of Police Courts in cities having over fifty thousand and under one hundred thousand inhabitants—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Assembly Bill No. 67—An Act providing for changing the fiscal year of cities in this State operating under a charter framed under section eight, article eleven of the Constitution—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Assembly Bill No. 69—An Act to amend section one of an Act entitled "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 nine, of the Constitution," approved March 2, 1891.

Also: Assembly Bill No. 70—An Act authorizing municipal corporations to dispose of surplus water along the line of their water supply outside of their corporate limits; to join with other persons, corporations, and irrigation districts in developing water, and empowering the legislative authority of such municipal corporations to execute such powers

Also: Assembly Bill No. 198—An Act to promote the protection of cities, towns, and municipal corporations from overflow by water and the drainage of the same, and for such purposes authorizing the incurring of indebtedness and the issuance of bonds therefor by the same, and providing for the disposition of the proceeds of such bonds, and for the supervision of the protective and other works

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

GUY, Chairman.

ON COUNTY AND TOWNSHIP GOVERNMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, January 24, 1895.

MR. SPEAKER: Your Committee on County and Township Governments, to whom was referred Assembly Bill No. 45—An Act to reduce the number of Judges of the Superior Court of the county of Fresno from three to two—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

DODGE, Chairman.

ON HOMESTEAD AND LAND MONOPOLY.

ASSEMBLY CHAMBER, SACRAMENTO, January 25, 1895.

MR. SPEAKER: Your Committee on Homestead and Land Monopoly, to whom was referred Assembly Bill No. 166—An Act to amend sections twelve hundred and forty-five, twelve hundred and forty-six, twelve hundred and forty-seven, twelve hundred and forty-eight, twelve hundred and forty-nine, twelve hundred and fifty, twelve hundred and fifty-one, twelve hundred and fifty-two, and twelve hundred and fifty-three of the Civil Code, and to repeal sections twelve hundred and fifty-four, twelve hundred and fifty-five, twelve hundred and fifty-six, twelve hundred and fifty-seven, and twelve hundred and fifty-eight of said Code, relating to homesteads—have had the same under consideration, and at the request of Mr. Hatfield, the author, report the same back, and recommend that it be referred to the Judiciary Committee, also that it do pass.

BENNETT, Chairman.

Referred to the Committee on Judiciary.

SENATE MESSAGE.

SENATE CHAMBER, SACRAMENTO, January 24, 1895.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, adopted Senate Joint Resolution No. 4—Relative to the boundaries of Yosemite National Park.

F. J. BRANDON, Secretary.
By R. SHAW, Assistant.

Senate Joint Resolution No. 4 referred to Committee on Public Parks.

INTRODUCTION OF BILLS.

The following bills were introduced, read first time, and referred to committees, as follows:

By Mr. Bulla: Assembly Bill No. 460—An Act to amend sections two, six, eleven, fifteen, seventeen, and eighteen of an Act entitled "An Act to establish a tax on collateral inheritances, bequests, and devises, to provide for its collection, and to direct the disposition of the proceeds," approved March 23, 1893.

Read first time, and referred to Committee on Judiciary.

By Mr. Bettman: Assembly Bill No. 461—An Act to amend an Act entitled "An Act to establish a Penal Code," relating to the crime of rape.

Read first time, and referred to Committee on Crimes and Penalties.

By Mr. Powers: Assembly Bill No. 462—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 referred to Committee on Judiciary.

By Mr. Wade: Assembly Bill No. 463—An Act to amend sections sixteen hundred and sixteen and sixteen hundred and eighteen of the Code of Civil Procedure of the State of California, relating to allowances and commissions of executors and administrators of estates of deceased persons.

Read first time, and referred to Committee on Judiciary.

By Mr. Kelsey: Assembly Bill No. 464—An Act to repeal section five hundred and thirty-seven of the Penal Code, relating to defrauding the proprietors of inns and boarding houses.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 465—An Act to appropriate five thousand dollars for repairs and improvements upon the grounds of the State Insane Asylum at Agnews.

Read first time, and referred to Committee on State Hospitals.

By Mr. Thomas: Assembly Bill No. 466—An Act to amend section twelve hundred and thirty-eight of the Code of Civil Procedure of the State of California, concerning the right of eminent domain.

Read first time, and referred to Committee on Mines and Mining.

By Mr. Meads: Assembly Bill No. 467—An Act to amend an Act entitled "An Act providing for the removal of human remains from cemeteries in cities having a population of more than five thousand and not exceeding one hundred thousand," approved March 23, 1893.

Read first time, and referred to Committee on Public Health and Quarantine.

By Mr. Brusie: Assembly Bill No. 468—An Act to amend the Code of Civil Procedure, by adding a new section to article three of part three, title eleven, chapter fourteen, to be known as section one thousand seven hundred and sixty-seven.

Read first time, and referred to Committee on Judiciary.

ASSEMBLY CONSTITUTIONAL AMENDMENTS.

By Mr. O'Day: Assembly Constitutional Amendment No. 9—Relative to amending Constitution of the State of California, by amending section one of article thirteen thereof.

Read first time, and referred to Committee on Constitutional Amendments.

RESOLUTIONS.

By Mr. Weyse:

Resolved, That the Assembly make no more appointments of attachés except by a four-fifths vote of the Assembly

Laid over for one day.

By Mr. McCarthy:

Resolved, That Mrs. Nellie Lewis be and she is hereby appointed as Janitress for the Journal, Engrossing, and Enrolling Clerks' rooms, at the same per diem as is paid the Janitress of the ladies' waiting-room of the Assembly.

Referred to Committee on Attachés and Employés.

By Mr. McKelvey:

Resolved, That Assembly Bill No. 297 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions 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, and made a special order immediately after the reading of the Journal on the next legislative day.

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

AYES—Messrs. Ash, Bachman, Barker, Bassford, Belshaw, Bennett, Bledsoe, Boothby, Brusie, Bulla, Butler, Coleman, Coghlin, Cutter, Davis, Devine, Dinkelspiel, Freeman, Glass, Guy, Hall, Hatfield, Holland, Hudson, Johnson, Jones, Keen, Laird, Lewis, Llewellyn, Meads, McDonald, McKelvey, Merrill, O'Day, Osborn, Pendleton, Phelps, Price, Reid, Richards, Rowell, Sanford, Staley, Spencer, Swisler, Tibbits, Thomas, Twigg, Wade, Weyse, Wilkins, Wilkinson, Zocchi, and Mr. Speaker—55.

NOES—Mr. Dodge—1.

Assembly Bill No. 297—An Act to amend section one thousand and fifty-four of the Code of Civil Procedure of the State of California, relating to extending the time within which an act is to be done.

SECOND READING OF BILL.

The following committee amendments were offered:

At section one, line nine, of the printed bill, strike out the word "that."

Adopted.

Also: Section one, lines eleven and twelve, after the word "thereof," strike out the words, "in which case."

Adopted.

Read second time, considered engrossed and sent to printer.

Mr. Thomas moved to make the further consideration of the bill a special order for next legislative day immediately after the reading of the Journal.

So ordered.

The Speaker announced that he had received the contest papers in the matter of a contest entitled Joseph Scheerer, contestant, vs. J. J. McCarthy, contestee.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON AGRICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, January 25, 1895

MR. SPEAKER: Your Committee on Agriculture, to whom was referred Assembly Bill No. 152—An Act to prevent the sale of short weight in butter—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Assembly Bill No. 164—An Act to prevent deception in the manufacture and sale of butter and of cheese, to secure its enforcement, and to appropriate money therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

RICHARDS, Chairman.

ON CLAIMS.

ASSEMBLY CHAMBER, SACRAMENTO, January 25, 1895.

MR. SPEAKER: Your Committee on Claims, to whom was referred Assembly Bill No. 262—An Act to pay the claim of Major José Ramon Pico, and making an appropriation therefor.

Also: Assembly Bill No. 254—An Act to appropriate money for the payment of the claim of Charles A. Hiett, for the arrest of William B. Coup, in pursuance of the reward offered therefor by the Governor of the State of California.

Also: Assembly Bill No. 118—An Act to appropriate money to pay the claim of Henry W. Taylor, assignee of John M. Creed, for the construction of a sewer along Dwight Way, in front of the lands of the Deaf, Dumb, and Blind Asylum.

Also: Assembly Bill No. 91—An Act to pay the claim of T. Carl Spelling.

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

GAY, Chairman.

Assembly Bill No. 91 referred to Committee on Ways and Means.

SPECIAL FILE.

Assembly Bill No. 450—An Act making an appropriation for the support of the State Printing Office for the remainder of the forty-sixth fiscal year.

The bill having been read first, second, and third times on previous days, the Speaker announced the question on final passage.

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

AYES—Messrs. Ash, Barker, Bassford, Bennett, Boothby, Brusie, Bulla, Butler, Coleman, Coghlin, Cutter, Dale, Davis, Devine, Dinkelspiel, Dixon, Dodge, Dunbar, Fassett, Freeman, Gay, Glass, Guy, Hall, Hatfield, Healey, Holland, Huber, Hudson, Johnson,

Jones, Keen, Kelsey, Laird, Laugenour, Lewis, Llewellyn, Meads, McDonald, McKelvey, Merrill, O'Day, Osborn, Phelps, Powers, Price, Reid, Robinson, Rowell, Sanford, Staley, Stansell, Swisler, Tibbits, Thomas, Tomblin, Twigg, Waymire, Weyse, Wilkins, Wilkinson, Zocchi, and Mr. Speaker—63

NOES—Messrs. Bachman, Bledsoe, and Ewing—3.

Title read and approved.

Mr. Brusie moved that the bill be immediately transmitted to the Senate.

So ordered.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON COMMERCE AND NAVIGATION

ASSEMBLY CHAMBER, SACRAMENTO, January 25, 1895

MR. SPEAKER: Your Committee on Commerce and Navigation, to whom was referred Senate Joint Resolution No. 10—Relative to the improvement of the Sacramento and San Joaquin Rivers, and asking that each system be placed under contract, and that one million dollars be appropriated for each—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

DIXON, Chairman.

Mr. Dixon moved that the rules be suspended, and that Senate Joint Resolution No. 10 be now considered.

So ordered.

Senate Joint Resolution No. 10—Relative to the improvement of the Sacramento and San Joaquin Rivers, and asking that each system be placed under contract, and that one million dollars be appropriated for each.

Read and adopted.

MEMORIAL.

Mr. Bledsoe offered a memorial, relative to taxation and assessment, by the Humboldt Chamber of Commerce.

Referred to Committee on Commerce and Navigation.

MOTION.

Mr. Belshaw moved that Senate Joint Resolution No. 4 be withdrawn from its reference to Committee on Public Parks, and be now considered.

So ordered.

SENATE JOINT RESOLUTION No. 4.

Joint Resolution relative to the boundaries of Yosemite National Park.

WHEREAS, There is now pending before the Fifty-third Congress of the United States of America a bill designated as H. R. 7872, "authorizing, in certain cases, the Secretary of the Interior, with the approval of the President, to alter the boundaries of the Yosemite National Park, a forest reservation in California"; and whereas, such bill does not specify the changes in boundary to be made, but leaves them to the discretion of the Secretary of the Interior; and whereas, the reservation, by the Federal Government, of the Yosemite National Park was an act of great benefit to the whole people of the State of California, in that the reservation protects the headwaters of the Tuolumne and Merced Rivers, and preserves the original grandeur of the Yosemite Valley; and whereas, any alteration of the boundary of the Yosemite National Park should be made only after the fullest publicity to the people of the State of California; therefore, be it

Resolved by the Senate and Assembly of the thirty-first session of the Legislature of the State of California, That the Fifty-third Congress be requested and urged not to pass the above described bill; but that any bill looking to the alteration of the boundary of the Yosemite National Park specify the alterations to be made, to the end that such alterations may not nullify the good effects now derived by the existence of the Yosemite National Park; and further be it

Resolved, That his Excellency the Governor be and he hereby is requested to forward to the Secretary of the Interior of the United States and to our Senators and Representatives in Congress a copy of this resolution.

Read and adopted.

RESOLUTION—(OUT OF ORDER).

By Mr. Phelps:

Resolved, That two thousand copies of the Controller's estimate of appropriations necessary for the forty-seventh and forty-eighth fiscal years, and showing the condition of the several funds on the eleventh day of January, 1895, also statement of the State Board of Examiners, showing the claims pending against the different funds on the eleventh day of January, 1895, be ordered printed

Adopted.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON MINES AND MINING.

ASSEMBLY CHAMBER, SACRAMENTO, January 25, 1895.

MR. SPEAKER: Your Committee on Mines and Mining, to whom was referred Assembly Bill No. 361—An Act to amend section one thousand four hundred and sixteen of the Civil Code of the State, relating to water rights—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

THOMAS, Chairman.

Mr. Thomas moved that the rules be suspended, and Assembly Bill No. 361 be read second time.

So ordered.

SECOND READING OF BILL.

Assembly Bill No. 361—An Act to amend section one thousand four hundred and sixteen of the Civil Code of this State, relating to water rights.

Read second time.

Mr. Thomas moved that Assembly Bill No. 361 be made a special order for Tuesday, immediately after reading the Journal.

So ordered.

Mr. Phelps gave notice that he would on next legislative day move to reconsider the vote whereby the report of Committee on Attachés and Employés was laid on the table.

Mr. Pendleton asked that Assembly Bill No. 212 be recalled from the Committee on Public Buildings and Grounds, and referred to Committee on Judiciary.

So ordered.

RESOLUTION.

By Mr. Laird:

Resolved, That the State Printer be ordered to print one hundred extra copies of Assembly Bills from number one up to date, and continue same for the purpose of having them bound in book form.

Mr. Laird moved the adoption of the resolution.

So ordered.

LEAVE OF ABSENCE.

Leave of absence was granted the following members until Tuesday morning: Messrs. Waymire, Dinkelspiel, Fassett, Powers, Merrill, Lewis, O'Day, Wilkins, Coleman, McKelvey, Richards, Laugenour, Lynch,

Keen, Kelsey, McCarthy, Tomblin, Swisler, Devine, Hall, Meads, Brusie, Hatfield, Butler, Wilkinson, Guy, and Pendleton.

RESOLUTION.

Resolved, That the Committee on Commerce and Navigation be granted leave of absence from Friday afternoon, January 25th, until Tuesday morning, January 29th, for the purpose of visiting San Francisco in conjunction with the Senate Committee on Rivers, Harbors, and Coast Defenses, for the purpose of considering Assembly Bills Nos. 284, 285, and 286—relating to the condemnation of lands on East Street, San Francisco, under the jurisdiction of the State Board of Harbor Commissioners.

Adopted.

By Mr. Cargill:

Resolved, That the Committee on State Hospitals and Asylums be granted leave of absence from Friday, January 25th, noon, until next Tuesday morning, for the purpose of visiting the asylums at Berkeley and Stockton, in order that it may investigate reported scandals, and act intelligently upon bills asking for appropriations for said institutions.

Adopted.

REQUEST.

Mr. Laird asked leave of absence from Wednesday, January 30th, until Monday morning, February 4th, for the following named members of the Committee on State Prisons and Reformatory Institutions: Messrs. Laird, Thomas, Pendleton, Llewellyn, and Laugenour, for the purpose of visiting the Whittier State School.

Granted.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON WAYS AND MEANS,

ASSEMBLY CHAMBER, SACRAMENTO, January 24, 1895.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred the resolution authorizing the Sergeant-at-Arms to purchase eleven copies of Finlayson's Annotated Street Laws of California, and deliver them to the Chairman of the Committee on Municipal Corporations—have had the same under consideration, and recommend its passage as amended, as follows: the word "three" to be inserted instead of "eleven."

BRUSIE, Chairman.

Adopted.

RESOLUTION.

By Mr. Glass:

Resolved, That leave of absence be granted to the members of the Committee on Public Health and Quarantine until Monday, two o'clock p. m., January 28, 1895, for the purpose of visiting Stockton, San Francisco, and Oakland, for the purpose of making proper investigation on public health and quarantine.

Mr. Meads moved the adoption of the resolution.

The roll was called, with the following result:

AYES—Messrs. Ash, Brusie, Butler, Cargill, Coghlin, Dale, Devine, Dixon, Fassett, Freeman, Gay, Glass, Healey, Kelsey, Laird, Laugenour, Lewis, McCarthy, McDonald, McKelvey, Merrill, Pendleton, Powers, Robinson, Rowell, Thomas, Waymire, Weyse, Wilkinson, and Zocchi—30.

NOES—Messrs. Barker, Belshaw, Cutter, Dinkelspiel, Hall, Hatfield, Jones, Osborn, Price, Richards, Sanford, Staley, Swisler, Tomblin, and Wilkins—15.

INTRODUCTION OF BILL—(OUT OF ORDER).

By Mr. Belshaw: Assembly Bill No. 469—An Act to amend article three of chapter two of title six of the Political Code, relating to highways.

Read first time, and referred to Committee on Roads and Highways.

MOTION.

Mr. Thomas moved that the Committee on Mines and Mining be granted further time to report on Assembly Bills No. 294 and 290. So ordered.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, January 25, 1895.

MR. SPEAKER: Your Committee on Rules, to whom was referred the resolution increasing the Committee on Mines and Mining by the addition thereto of C. M. Belshaw, beg leave to submit a report, with the recommendation that same be adopted.

DINKELSPIEL, Chairman.

Adopted.

SPECIAL FILE.

Assembly Bill No. 1—An Act to provide for the contingent expenses of the Assembly.

On motion, passed on file.

GENERAL FILE—SECOND READING OF BILLS.

Assembly Bill No. 4—An Act to amend section three thousand four hundred and forty of the Civil Code of the State of California, relative to the transfer of personal property.

The following committee amendments were submitted:

AMENDMENT No. 1.

Amend by striking out of section one, line fifteen, after the word "acknowledged," and inserting the following: "and verified."

Adopted.

AMENDMENT No. 2.

Amend by striking out of section one, line sixteen, commencing with the word "deeds" all to and including the word "estate," on line twenty-three, and inserting the following: "provided for chattel mortgages."

Adopted.

AMENDMENT No. 3.

Amend by striking out of section one, line seventeen, the words after the word "recorded," and inserting the following: "in the book of Miscellaneous Records."

Adopted.

AMENDMENT No. 4.

Amend by striking out of section one, line eighteen, the words after the word "situated," and inserting the following: "and such transfer shall be void, except as to the parties thereto, until such instrument shall have been so filed for record."

Adopted.

AMENDMENT No. 5.

Amend by striking out of section one, last line, the words "this Act shall take effect immediately."

Adopted.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 9—An Act to amend section three thousand seven hundred and sixty-five, section three thousand seven hundred and seventy-three, section three thousand seven hundred and seventy-eight, section three thousand seven hundred and eighty, section three thousand seven hundred and eighty-one, section three thousand seven hundred and eighty-five, section three thousand seven hundred and eighty-eight, section three thousand eight hundred and thirteen, section three thousand eight hundred and sixteen, and section three thousand eight hundred and seventeen; and to repeal section three thousand seven hundred and seventy-four, section three thousand seven hundred and seventy-five, section three thousand seven hundred and seventy-six, section three thousand seven hundred and seventy-seven, section three thousand seven hundred and seventy-nine, section three thousand seven hundred and eighty-two, section three thousand seven hundred and eighty-three, section three thousand seven hundred and eighty-four, and section three thousand eight hundred and eighteen of an Act of the Legislature of the State of California entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the sale of real property for delinquent taxes, and the redemption and resale of such property; and to add a new section thereto, to be known and designated as section three thousand eight hundred and one, also relating to the sale of real property for delinquent taxes.

Committee amendment, as follows:

Amend by striking out of section sixteen, line one, the word "Act," and inserting the following word: "section."

Adopted.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 11—An Act to amend an Act entitled "An Act to authorize the husband or wife, or next of kin, of a deceased person to collect and receive of any savings bank any deposit in such bank, when the same does not exceed the sum of three hundred dollars," approved February 18, 1874.

Committee amendments, as follows:

AMENDMENT No. 1.

Amend by striking out of section one, line one, the words: "Section 1. Section one of said Act is hereby amended to read as follows."

Adopted.

AMENDMENT No. 2.

Amend by striking out of sections one and two, lines five and one, the words: "Section 2. Section two of said Act is hereby amended so as to read as follows."

Adopted.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 10—An Act to amend section one thousand two hundred and fourteen of an Act entitled "An Act to establish a Civil

Code," approved March 21, 1872, relating to the recording of conveyances.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 14—An Act to amend section three hundred and forty-eight of the Code of Civil Procedure, relating to limitation of actions.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 13—An Act to amend section three thousand seven hundred and sixty-six of the Political Code, relating to the publication of lists of delinquent State and county taxes.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 20—An Act to amend section three thousand and fifty-one of the Civil Code of California, relating to liens for services in the care, protection, improvement, safe-keeping, or carriage of personal property ; and for caring for, boarding, feeding, or pasturing horses or stock.

Mr. Reid moved to recommit the bill to the Committee on Judiciary. Lost.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 26—An Act to amend section five hundred and two of the Civil Code, relating to time allowed for commencing work and completing the same, under rights of way granted by municipal corporations; and providing for a forfeiture in case of failure to commence work or to complete it within the time fixed.

Committee amendments, as follows:

AMENDMENT No. 1.

Amend by striking out of section one, line six, the words "corporation" and "granting," and inserting the following: "at the time of."

Adopted.

AMENDMENT No. 2.

Amend by striking out of section one, line seven, the word, "shorten," and inserting the word "fix."

Adopted.

Assembly Bill No. 27—An Act to amend chapter two, part four, title fourteen, of the Civil Code, by adding thereto a new section, to be numbered as section three thousand nine hundred and thirty-nine and one half, relating to satisfactions or releases of mortgages in this State by foreign executors or administrators.

Committee amendments, as follows:

AMENDMENT No. 1.

Amend by striking out in the title of the printed bill, after the words "numbered as section," the figure "3," and inserting the figure "2," so that the number of the section be "2939½."

Adopted.

AMENDMENT No. 2.

Amend by striking out of section one, line four, after the word "section," the figure "3," and inserting the figure "2," so that the number of the section be "2939½."

Adopted.

Mr. Bulla moved to amend by striking out of section one, line two, the word "thirty," and inserting the following: "twenty."

Adopted.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 28—An Act to amend section six hundred and seventy-one of the Code of Civil Procedure, relating to the lien of judgments, their enforcement and revivor.

Committee amendment, as follows:

Amend by striking out of section one, line ten, the words "no judgment shall have priority over subsequently."

Also: All of lines eleven, twelve, and thirteen.

Adopted.

Read second time, ordered engrossed and to a third reading.

Mr. Laugenour moved that the hour of adjournment be extended to one o'clock.

So ordered.

Assembly Bill No. 35—An Act to amend section one hundred and seventy-two of the Civil Code, relating to power of husband and wife over community property.

Committee amendment, as follows:

Amend by striking out of section one, line seven, of the printed bill, the words after the word "wife," and inserting the following: "evidenced by her joining in the conveyance, or by her separate conveyance"

Adopted.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 29—An Act to amend section six hundred and eighty-five of the Code of Civil Procedure, relating to the enforcement or carrying into execution of judgments after the lapse of five years from the date of entry.

Passed on file, to retain its place.

Assembly Bill No. 32—An Act to amend section one thousand and ninety-four of the Civil Code, relating to the execution and acknowledging of powers of attorney by a married woman, and to make valid all powers of attorney formerly executed by married women.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 24—An Act to amend chapter seven, part three, title nine, of the Political Code of the State of California, relating to the collection of property taxes, by adding a new section thereto, to be known as section three thousand seven hundred and forty-six and one half.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 30—An Act for the protection of the records of the several counties of the State of California, and regulating the business of abstracting in relation thereto.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 31—An Act to amend section one thousand five hundred and thirty-nine of the Code of Civil Procedure, relative to hearing of petition for order to sell real estate of decedents.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 33—An Act to amend section one thousand five hundred and eighty-two of the Code of Civil Procedure, relating to the

right of executors and administrators to sue and be sued to determine title or to recover property.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 34—An Act to amend section one thousand five hundred and sixty-one of the Code of Civil Procedure, relating to the confirmation of sales made without order of Court.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 12—An Act to amend section three thousand and forty-six of the Civil Code of the State of California, relating to vendors' liens, and the transfer and satisfaction thereof.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 7—An Act to amend section nine hundred and fifty-four of the Code of Civil Procedure, relating to dismissal of appeals.

Committee amendments, as follows:

Amend by striking out of section one, line ten, the words, "the said sureties," and at section one, line eleven, "to justify before the Clerk of said Court," and inserting the following: "The said bond or undertaking shall be approved by a Justice of the Supreme Court or a Judge of the Superior Court from which the appeal was taken."

Adopted.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 135—An Act to amend section four hundred and sixteen of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relative to the fees to be collected by the Secretary of State for services rendered by him in his official capacity.

Committee amendments, as follows:

AMENDMENT No. 1.

Amend by striking out of section one, line twenty-two, the words "three dollars," and inserting the following words: "one dollar."

Adopted.

AMENDMENT No. 2.

Amend by striking out of section one, line six, the word "twenty," and inserting the word "ten."

Adopted.

AMENDMENT No. 3.

Amend by striking out of section one, line seven, the words "two dollars," and inserting the following: "one dollar."

Adopted.

AMENDMENT No. 4.

Amend by striking out of section one, line ten, the words "three dollars," and inserting the following: "one dollar."

Adopted.

AMENDMENT No. 5.

Amend by striking out of section one, line eighteen, the words "three dollars," and inserting the following: "one dollar."

Adopted.

AMENDMENT No. 6.

Amend by striking out of section one, line twenty-two, the words "three dollars," and inserting the following: "one dollar."

Adopted.

AMENDMENT No. 7.

Amend by striking out of section one, line twenty-four, the words "three dollars," and inserting the following: "one dollar."

Adopted.

AMENDMENT No. 8.

Amend by striking out of section one, line twenty-seven, the word "twenty" and inserting the word "ten."

Adopted.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 144—An Act to amend section one thousand seven hundred and ninety-nine of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the discharge of guardians.

Committee amendment, as follows:

Amend by striking out of section one, line five, the words between the word "person" and the word "whose" and inserting the following: "in."

Assembly Bill No. 145—An Act to amend section seven hundred and fifty-two of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relative to the fees to be collected by the Clerk of the Supreme Court of the State of California.

Committee amendment, as follows:

Amend by striking out of section one, line four, the words "in United States gold coin."

Adopted.

Read second time, ordered engrossed and to a third reading.

MOTION.

Mr. Price moved that when we adjourn, it be until Tuesday at twelve o'clock.

Lost.

LEAVE OF ABSENCE.

The sub-committee of the Committee on Public Buildings and Grounds, Messrs. Berry, Bettman, Dwyer, Kenyon, and North, were granted leave of absence.

MOTIONS.

Mr. Dinkelspiel moved that when we adjourn it be until Tuesday, the 29th, at eleven o'clock and thirty minutes A. M.

So ordered.

Mr. Lynch moved that all special orders be extended for Tuesday morning after reading of Journal.

So ordered.

ADJOURNMENT.

At one o'clock, on motion of Mr. Huber, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Tuesday, January 29, 1895. }

The Assembly met pursuant to adjournment.

Speaker Lynch in the chair.

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

Messrs. Ash, Bachman, Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Bledsoe, Boothby, Brusie, Bulla, Butler, Cargill, Coleman, Coghlin, Cutter, Dale, Davis, Devitt, Devine, Dinkelspiel, Dixon, Dodge, Dunbar, Dwyer, Ewing, Fassett, Freeman, Gay, Glass, Guy, Hall, Hatfield, Holland, Huber, Hudson, Johnson, Jones, Keen, Kelsey, Kenyon, Laird, Laugenour, Llewellyn, McCarthy, McDonald, McKelvey, Merrill, Nelson, North, O'Day, Osborn, Pendleton, Phelps, Powers, Price, Reid, Richards, Robinson, Rowell, Sanford, Staley, Stansell, Spencer, Swisler, Tibbits, Thomas, Tomblin, Twigg, Wade, Waymire, Weyse, Wilkins, Wilkinson, Zocchi, and Mr. Speaker.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. O. Summers.

READING OF THE JOURNAL.

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

So ordered.

LEAVE OF ABSENCE.

Mr. Llewellyn was granted leave of absence for the day, on motion of Mr. Pendleton.

SPECIAL ORDERS.

Assembly Bill No. 297—An Act to amend section ten hundred and fifty-four of the Code of Civil Procedure of the State of California, relating to extending the time within which an Act is to be done.

The Assembly proceeded to the consideration of Assembly Bill No. 297.

THIRD READING OF BILL.

Assembly Bill No. 297 was read third time.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1895.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following bills have been correctly engrossed, viz:

Assembly Bill No. 4—An Act to amend section three thousand four hundred and forty of the Civil Code of the State of California, relative to the transfer of personal property.

Also: Assembly Bill No. 9—An Act to amend section three thousand seven hundred and sixty-five, section three thousand seven hundred and seventy-three, section three thousand seven hundred and seventy-eight, section three thousand seven hundred and

eighty, section three thousand seven hundred and eighty-one, section three thousand seven hundred and eighty-five, section three thousand seven hundred and eighty-eight, section three thousand eight hundred and thirteen, section three thousand eight hundred and sixteen, and section three thousand eight hundred and seventeen; and to repeal section three thousand seven hundred and seventy-four, section three thousand seven hundred and seventy-five, section three thousand seven hundred and seventy-six, section three thousand seven hundred and seventy-seven, section three thousand seven hundred and seventy-nine, section three thousand seven hundred and eighty-two, section three thousand seven hundred and eighty-three, section three thousand seven hundred and eighty-four, and section three thousand eight hundred and eighteen of an Act of the Legislature of the State of California entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the sale of real property for delinquent taxes, and the redemption and resale of such property, and to add a new section thereto, to be known and designated as section three thousand eight hundred and one, also relating to the sale of real property for delinquent taxes.

Also: Assembly Bill No. 10—An Act to amend section one thousand two hundred and fourteen of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to the recording of conveyances.

Also: Assembly Bill No. 11—An Act to amend an Act entitled "An Act to authorize the husband or wife, or next of kin, of a deceased person to collect and receive of any savings bank any deposit in such bank, when the same does not exceed the sum of three hundred dollars," approved February 18, 1874.

Also: Assembly Bill No. 12—An Act to amend section three thousand and forty-six of the Civil Code of the State of California, relating to vendors' liens, and the transfer and satisfaction thereof.

Also: Assembly Bill No. 14—An Act to amend section three hundred and forty-eight of the Code of Civil Procedure, relating to limitation of actions.

Also: Assembly Bill No. 20—An Act to amend section three thousand and fifty-one of the Civil Code of California, relating to liens for services in the care, protection, improvement, safe-keeping, or carriage of personal property, and for caring for, boarding, feeding, or pasturing horses or stock.

Also: Assembly Bill No. 24—An Act to amend chapter seven, part three, title nine, of the Political Code of the State of California, relating to the collection of property taxes, by adding a new section thereto, to be known as section three thousand seven hundred and forty-six and one half.

WILKINSON, Chairman.

Mr. Reid moved that Assembly Bill No. 297 be continued and made a special order for to-morrow morning immediately after the reading of the Journal.

So ordered.

MOTION.

Mr. Phelps moved the reconsideration of the vote whereby the Assembly, on a previous day, laid the following report of Committee on Attachés and Employés upon the table:

Resolved, That H. T. Smith be and he is hereby appointed Assistant Sergeant-at-Arms, at a per diem of eight dollars, to be paid out of the contingent expenses of the Assembly, whose duties shall be to accompany committees of this House when required, serve subpoenas and other papers, and perform such other duties as required under the direction of the Sergeant-at-Arms of this Assembly.

Resolved, That in view of the fact that a large amount of business will come before the Committee on State Prisons and Reformatory Institutions, that said committee be allowed a stenographer and typewriter, at a per diem not to exceed five dollars, to be paid out of the Contingent Fund of the Assembly.

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

Mr. Price raised the point of order that the report could not be considered until taken from the table.

The Speaker ruled the point well taken.

SPECIAL ORDER—(CONTINUED).

Assembly Bill No. 361—An Act to amend section one thousand four hundred and sixteen of the Civil Code of this State, relating to water rights.

Mr. Thomas moved that the consideration of Assembly Bill No. 361 be continued, and be made a special order for to-morrow morning immediately after the reading of the Journal.

So ordered.

REPORTS OF STANDING COMMITTEES—(CONTINUED).

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1895.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 168—An Act to amend the Code of Civil Procedure by adding thereto four new sections, to be known as sections five hundred and sixty, five hundred and sixty-one, five hundred and sixty-two, and five hundred and sixty-three, concerning attachments.

Also: Assembly Bill No. 212—An Act to regulate the practice of architecture.

Also: Assembly Bill No. 217—An Act to amend section sixteen hundred and ninety-one of the Code of Civil Procedure of the State of California, relating to agents for absent interest parties, discharge of executors or administrators.

Also: Assembly Bill No. 25—An Act to amend section three hundred and thirty-seven of the Code of Civil Procedure, relating to the time in which actions must be commenced upon any contract, obligation, or liability founded upon an instrument in writing, executed in this State.

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

Also: Assembly Bill No. 42—An Act to add a new section to the Code of Civil Procedure, said section to be designated as section three hundred and twenty-nine, relating to the limitation of action to recover real property

Also: Assembly Bill No. 60—An Act to add a new section to the Political Code, to be numbered section three thousand eight hundred and eighteen, in relation to the cancellation of tax sales to the State.

Also: Assembly Bill No. 68—An Act to amend section three thousand seven hundred and seventy-seven of the Political Code of the State of California.

Also: Assembly Bill No. 136—An Act to amend sections three hundred and thirty-six, three hundred and thirty-seven, three hundred and thirty-eight, three hundred and thirty-nine, and three hundred and forty of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relative to the time of commencing actions other than for the recovery of real property

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass

Also: Assembly Bill No. 259—An Act to amend section one thousand four hundred and sixty-nine of an Act of the Legislature of the State of California entitled "An Act to establish a Code of Civil Procedure," relating to the support of families of deceased persons, and the distribution of the estates of deceased persons, where the value of the whole estate does not exceed the sum of one thousand five hundred dollars—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Assembly Bill No. 278—An Act to amend section three thousand four hundred and forty-two of the Civil Code, relating to fraudulent instruments and transfers—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also: Assembly Bill No. 175—An Act regulating and fixing the liability of innkeepers, hotel-keepers, boarding and lodging house keepers, with respect to the trunks, valises, traveling bags, bundles, packages, and their contents, and the personal property of guests, boarders and lodgers, whether temporary or permanent, brought into or kept therein, and amending sections one thousand eight hundred and fifty-nine and one thousand eight hundred and sixty of the Civil Code—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 Bill No. 276—An Act to add a new section, to be numbered three thousand and thirty-six, to the Political Code—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to the Committee on Public Health and Quarantine.

BULLA, Chairman.

Assembly Bill No. 276 referred to Committee on Public Health and Quarantine.

ON ELECTION LAWS—MAJORITY REPORT.

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1895.

MR. SPEAKER. Your Committee on Election Laws, to whom was referred Assembly Bill No. 48—An Act to enfranchise the women citizens of the State, and prescribing their

qualifications as electors—have had the same under consideration, and respectfully report that your committee have prepared a substitute for said bill, and your committee recommend that said substitute do pass.

SPENCER, Chairman.

Assembly Bill No. 470 (Committee Substitute for Assembly Bill No. 48)—An Act to amend section one thousand and eighty-three of the Political Code of the State of California, in relation to the qualification and disabilities of electors.

Read first time, and placed on file.

MINORITY REPORT.

ASSEMBLY CHAMBER, SACRAMENTO, January 26, 1895.

MR. SPEAKER: The minority of your Committee on Election Laws, to whom was referred Assembly Bill No. 48—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass, also, that the substitute for same do not pass, for the reason of unconstitutionality of same.

WADE, Minority.

MOTION.

Mr. Reid moved that Assembly Bill No. 48, and Committee Substitute for Assembly Bill No. 48 (Assembly Bill No. 470), be referred to Committee on Judiciary.

Lost.

REPORTS OF STANDING COMMITTEES—(CONTINUED).

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, January 25, 1895.

MR. SPEAKER: Your Committee on Education, to whom was referred Assembly Bill No. 109—An Act to amend section six hundred and fifty-three of the Civil Code of California, relating to the consolidation of colleges and institutions of higher education—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Assembly Bill No. 160—An Act to amend sections one thousand five hundred and fifty-two and one thousand five hundred and fifty-three of the Political Code, relating to the public schools—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended by committee.

JOHNSON, Chairman.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, January 25, 1895

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Senate Bill No. 368—An Act making an appropriation for the contingent expenses of the Senate for the thirty-first session of the Legislature.

F. J. BRANDON, Secretary.
By R. SHAW, Assistant.

COMMUNICATION.

CONTROLLER'S DEPARTMENT, STATE OF CALIFORNIA, }
SACRAMENTO, January 25, 1895. }

To the honorable Assembly, thirty-first session, California Legislature.

In reply to the following resolution:

Resolved, That the State Controller and the State Printer be and they are hereby requested to immediately transmit to the Assembly, information showing the amount of money on hand available in the fund for the expense of the State Printing Office, and what appropriation, if any, is now necessary for said office."

I beg leave to state that the balance remaining in the appropriation for the support of the State Printing Office for the forty-sixth fiscal year, ending June 30, 1895, is \$28,085 59.

As to what appropriation is now necessary for said office, I am not in a position to state, as I cannot predict what the expense of printing required by the present session of the Legislature will be.

The cost of printing for the session of 1893 was \$67,500.

Respectfully,

E. P. COLGAN, Controller.

INTRODUCTION OF BILLS.

The following bills were introduced, read first time, and referred to committees, as follows:

By Mr. Huber: Assembly Bill No. 471—An Act to amend section one hundred and three of the Code of Civil Procedure of the State of California, relating to Justices' Courts.

Read first time, and referred to Committee on Judiciary.

By Mr. Davis: Assembly Bill No. 472—An Act to amend section seven hundred and twenty-nine of the Code of Civil Procedure, relating to actions for the foreclosure of mortgages, and fixing the fees of Sheriffs and Commissioners for sales thereunder.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 473—An Act to provide for the formation, organization, and classification of new counties, for locating the county seats, for the election and appointment of officers, and for the adjustment and fulfillment of the rights and obligations arising between such new counties and other counties.

Read first time, and referred to Committee on Counties and County Boundaries.

By Mr. Bettman: Assembly Bill No. 474—An Act prohibiting the burial of the dead within the corporate limits of any incorporated city, or city and county, of over one hundred thousand inhabitants, from and after the first day of January, A. D. 1900.

Read first time, and referred to San Francisco Delegation.

By Mr. Thomas: Assembly Bill No. 475—An Act providing for a general primary election within the State of California, and to promote the purity thereof by regulating the conduct thereof, and to support the privilege of free suffrage thereat by prohibiting certain acts and practices in relation thereto, and providing for the punishment thereof.

Read first time, and referred to Committee on Election Laws.

By Mr. Powers: Assembly Bill No. 476—An Act to amend sections one thousand three hundred and six and one thousand three hundred and seven of the Civil Code, relating to wills.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 477—An Act to amend sections two thousand and twenty-one, two thousand and thirty-one, and two thousand and thirty-two of the Code of Civil Procedure, relating to depositions of witnesses in this State.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 478—An Act to amend sections nine hundred and thirty-nine, nine hundred and forty-three, and nine hundred and sixty-three of the Code of Civil Procedure, concerning appeals.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 479—An Act to amend sections ten hundred and ninety-four, ten hundred and ninety-six, eleven hundred and thirteen, eleven hundred and fourteen, eleven hundred and fifteen, and eleven hundred and sixteen of the Political Code of the State of California, relative to registration of voters.

Read first time, and referred to Committee on Election Laws.

By Mr. Staley: Assembly Bill No. 480—An Act to provide for the erection and equipment of a combined laundry, boiler, and power building at the California Home for the Care and Training of Feeble-

Minded Children; to establish an electric light plant therein; to provide accommodations for idiots; to furnish the girls' wing of said institution, and to appropriate money therefor.

Read first time, and referred to Committee on State Hospitals.

By Mr. Dinkelspiel: Assembly Bill No. 481—An Act to amend section five hundred and forty-one, five hundred and forty-two, five hundred and forty-three, and five hundred and forty-six of the Code of Civil Procedure of the State of California, relating to attachments.

Read first time, and referred to Committee on Judiciary.

By Mr. Wade: Assembly Bill No. 482—An Act to repeal an Act entitled "An Act to authorize suits against the State, and regulating the procedure therein," approved February 28, 1893.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 483—An Act to secure independence of voters at town or municipal elections in the State of California, and to secure secrecy of the ballot, a correct count, and providing for the use of automatic ballot cabinets or voting machines.

Read first time, and referred to Committee on Municipal Corporations.

By Mr. Hatfield: Assembly Bill No. 484—An Act to amend section five hundred and forty-eight of the Civil Code, in relation to water and canal corporations.

Read first time, and referred to Committee on Corporations.

MOTION.

At twelve o'clock and twenty-five minutes p. m., Mr. Hatfield moved that the hour of adjournment be postponed until one o'clock.

So ordered.

INTRODUCTION OF BILLS—(CONTINUED).

By Mr. Dixon: Assembly Bill No. 485—An Act to provide for the purchase, for State institutions, of supplies of California production or manufacture; that other supplies shall be of American production or manufacture; that no supplies shall be the product of penal or Chinese labor; and regulating the award of contracts therefor.

Read first time, and referred to Committee on Manufactures.

By Mr. Bulla: Assembly Bill No. 486—An Act to amend section one hundred and ten of the Code of Civil Procedure, relating to terms of office of Justices.

Read first time, and referred to Committee on County and Township Governments.

By Mr. Dodge: Assembly Bill No. 487—An Act for the more effectually prohibiting the keeping, or exposing for sale, selling, giving, or permitting others to take, any vinous, alcoholic, malt, or spirituous liquors within one mile of the land belonging to this State upon which a State Prison or University is situated, and to declare such prohibited acts, and the building or erection, ground or place in or upon which they are carried on, done, continued or exists, a nuisance, and to provide remedies by suit and procedure in equity against such nuisances.

Read first time, and referred to Committee on Judiciary.

By Mr. Tomblin: Assembly Bill No. 488—An Act to amend section seven hundred and thirty-seven of the Political Code, fixing and pro-

viding 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, Calaveras, and Siskiyou.

Read first time, and referred to Committee on County and Township Governments.

By Mr. Waymire: Assembly Bill No. 489—An Act to prescribe conditions upon which certain foreign insurance companies may transact insurance business in the State of California.

Read first time, and referred to Committee on Corporations.

By Mr. Richards: Assembly Bill No. 490—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 24, 1893.

Read first time, and referred to Committee on County and Township Governments.

Also: Assembly Bill No. 491—An Act to prevent waste on mortgaged premises, and providing for the punishment for a violation thereof.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 492—An Act to amend section one hundred and sixty as amended March 15, 1887, of "An Act to establish a Code of Civil Procedure," adopted March 11, 1872, relating to the holding of Superior Court by Superior Judges of other counties, and providing for their actual expenses.

Read first time, and referred to Committee on Judiciary.

By Mr. McKelvey: Assembly Bill No. 493—An Act authorizing the State Board of Prison Directors to establish a cordage factory at the Folsom State Prison, and making an appropriation therefor.

Read first time, and referred to Committee on State Prisons and Reformatory Institutions.

By Mr. Holland: Assembly Bill No. 494—An Act providing for the incorporation of banking corporations, defining the same, and providing for the government, regulation, and control of all such corporations, organized under the laws of this State, or of any other State, Territory, or foreign country, doing business within this State, and of all other corporations, companies, partnership, firms, and individuals doing a banking business within this State.

Read first time, and referred to Committee on Banks and Banking.

By Mr. Laugenour: Assembly Bill No. 495—An Act to prevent the use of the State Capitol building for dancing.

Read first time, and referred to Committee on Public Morals.

By Mr. Phelps: Assembly Bill No. 496—To repeal the following Acts: "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; also, "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 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," approved March 20, 1891; also, "An Act to amend 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, 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 March 20, 1891, by amending sections one, eleven, and twelve," approved March 23, 1893, and to provide for the formation of agricultural, horticultural, viticultural, and citrus districts, and to allow Boards of Supervisors to contribute to the support thereof.

Read first time, and referred to Committee on Retrenchment and Public Expenditures.

By Mr. Ewing: Assembly Bill No. 497—An Act to amend section eleven of an Act entitled "An Act to establish law libraries," approved March 31, 1891.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 498—An Act to require the payment of certain moneys by insurance companies not organized under the laws of this State, but doing business therein, and providing for the disposition of such moneys.

Read first time, and referred to Committee on Corporations.

Also: Assembly Bill No. 499—An Act to add a new section to the Political Code, to be known and designated as section three thousand and twenty-two and one half, relating to the erection, furnishing, maintenance, and government of hospitals and homes for inebriates in counties, and cities and counties, of this State where land has heretofore been reserved and set apart for said purpose; to provide for the commitment of dipsomaniacs and inebriates thereto; and also to repeal an Act entitled "An Act relating to the Home of the Inebriates of San Francisco, and to prescribe the powers and duties of the Board of Managers and the officers thereof," approved April 1, 1870, and all Acts and parts of Acts in conflict with the provisions of this Act.

Read first time, and referred to Committee on State Hospitals.

By Mr. Dwyer: Assembly Bill No. 500—An Act to provide for the erection and construction of a State hospital for the care of indigent sick and disabled persons, residents of the State of California, and to provide for the maintenance thereof.

Read first time, and referred to Committee on State Hospitals.

By Mr. Wilkins: Assembly Bill No. 501—An Act to amend section fifteen hundred and forty-three of "An Act to establish a Political Code," approved March 12, 1872.

Read first time, and referred to Committee on Judiciary.

By Mr. Laird: Assembly Bill No. 502—An Act to amend section four hundred and eighty-seven of the Penal Code.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 503—An Act making an appropriation to pay the unpaid claims for bounty on coyote scalps.

Read first time, and referred to Committee on Ways and Means.

RESOLUTIONS.

By Mr. Spencer:

Resolved, That the Chief Clerk is hereby authorized to appoint an Assistant Clerk, who shall perform such duties as the Chief Clerk shall direct, at the same per diem as the Chief Clerk, payable out of the Contingent Fund of the Assembly.

Mr. Spencer moved that the rules be suspended for the purpose of considering the resolution.

The roll was called, and the rules suspended by the following vote:

AYES—Messrs. Ash, Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Brusie, Bulla, Butler, Coleman, Coghlin, Cutter, Dale, Davis, Devitt, Devine, Dinkelspiel, Dixon, Dodge, Dunbar, Dwyer, Ewing, Fassett, Freeman, Gay, Glass, Guy, Hall, Hatfield, Healey, Holland, Hudson, Johnson, Jones, Keen, Kelsey, Kenyon, Laird, Laugenour, Lewis, Meads, McDonald, McKelvey, Merrill, Nelson, North, O'Day, Osborn, Pendleton, Phelps, Powers, Reid, Richards, Robinson, Rowell, Staley, Spencer, Swisler, Tibbits, Thomas, Tomblin, Twigg, Wade, Waymire, Weyse, Wilkins, Zocchi, and Mr Speaker—68.
NOES—None.

Mr. Spencer moved the adoption of the resolution.

The resolution was adopted.

By Mr. Belshaw:

Resolved, That a special committee of five be appointed to investigate, and report to the Assembly, at the earliest possible time:

1. On how many officers and attachés are necessary for the Assembly to transact its business expeditiously and efficiently
2. What positions should be filled by such officers and attachés, and during what portion of the session.
3. The salaries which should be paid to each officer and attaché
4. The method of election or appointment of such officers and attachés.
5. The number of officers and attachés of the Assembly at the present time, the position and duty of each, their names, and the amounts of their compensation.
6. What officers and attachés of the Assembly, if any, have been derelict in their duties.
7. What officers or attachés of the Assembly, if any, can be dispensed with during the whole or any part of this session.
8. What reduction can be made in the salaries of other officers and attachés, mentioning the same in detail.

Laid over one day.

By Mr. Ash:

Resolved, That the salary of Ross McAmis as Assistant File Clerk of the Assembly be and is hereby increased from four to six dollars per diem, said increase to be paid out of the Contingent Fund of the Assembly.

Referred to Committee on Attachés and Employés.

Also:

Resolved, That each State officer shall receive two copies of each bill, concurrent resolution, and constitutional amendment introduced in the Assembly, except the State Librarian, who shall receive five copies of each, and that Joseph Gratz be and hereby is appointed to deliver the same, and keep the file for each State officer, at a per diem of five dollars, same to be paid out of the Contingent Fund of the Assembly.

Referred to Committee on Attachés and Employés.

APPOINTMENT.

Mr. Duckworth announced that under the authority of the resolution offered by Mr. Spencer, he had appointed Mr. H. A. Mason an Assistant Clerk.

INTRODUCTION OF BILLS—(OUT OF ORDER).

The following bills were introduced, read first time, and referred to committees, as follows:

By Mr. Thomas: Assembly Bill No. 504—An Act to provide for the

formation of new counties, and the appointment and election of officers, the location of county seats thereof, and the adjustment and fulfillment of certain rights and obligations arising between such counties and other counties.

Read first time, and referred to Committee on Counties and County Boundaries.

CONSTITUTIONAL AMENDMENTS.

By Mr. Hatfield: Constitutional Amendment No. 30—A resolution proposing an amendment to section two and section three of article six of the Constitution of the State of California, relative to the organization and management of the business of the Supreme Court.

Read first time, and referred to Committee on Constitutional Amendments.

By Mr. Holland:

CONSTITUTIONAL AMENDMENT No 31.

Resolved by the Assembly, the Senate concurring. That the Legislature of the State of California, at its regular session commencing on the seventh day of January, eighteen hundred and ninety-five, two thirds of all the members of each house concurring, hereby propose that section seven of article four of the Constitution of the State be amended so as to read as follows.

Read first time, and referred to Committee on Constitutional Amendments.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1895.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred the resolution providing for the payment of the sum of ninety-one dollars and forty cents, being the amount expended by the Sergeant-at-Arms for the articles set out in the resolution; also providing for the payment to the Secretary of State of the sum of sixty-three dollars for the purchase of Shannon files for each member of the Judiciary—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

BRUSIE, Chairman.

Report adopted.

Mr. Powers moved to adjourn.

Lost.

RESOLUTION.

By Mr. Ewing:

Resolved, That the Chief Clerk be and is hereby directed to cause the roll of employes and attachés of the Assembly (except Committee Clerks) to be called from the Clerk's desk at nine o'clock A. M. every day except Sundays. The Clerk shall certify daily a list of the absentees at such roll calls to the Sergeant-at-Arms, and the Sergeant-at-Arms is hereby instructed not to allow any such absentee any pay for that day.

Mr. Ewing moved that the rules be suspended for the purpose of considering the resolution.

The roll was called, and the rules suspended by the following vote:

AYES—Messrs. Ash, Bachman, Barker, Bassford, Belshaw, Bennett, Bledsoe, Bulla, Butler, Cargill, Coleman, Coghlin, Cutter, Dale, Davis, Devine, Dinkelspiel, Dixon, Dodge, Dunbar, Dwyer, Ewing, Fassett, Freeman, Glass, Guy, Hall, Hatfield, Healey, Holland, Huber, Hudson, Johnson, Jones, Keen, Kelsey, Kenyon, Laird, Laugenour, Lewis, McDonald, McKelvey, Merrill, Nelson, North, O'Day, Osborn, Pendleton, Phelps, Powers, Price, Reid, Richards, Robinson, Sanford, Staley, Spencer, Swisler, Tibbits, Thomas, Tomblin, Wade, Waymire, Weyse, Wilkins, Wilkinson, Zocchi, and Mr. Speaker—67.

NOES—Messrs. Berry, Bettman, Brusie, Devitt, and Meads—5.

Mr. Ewing moved the adoption of his resolution.
The resolution was adopted.

ADJOURNMENT.

At one o'clock P. M., on motion of Mr. Dixon, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Wednesday, January 30, 1895. }

The Assembly met pursuant to adjournment.

Speaker Lynch in the chair.

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

Messrs. Ash, Bachman, Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Bledsoe, Bulla, Butler, Cargill, Coleman, Coghlin, Cutter, Dale, Davis, Devine, Dinkelspiel, Dixon, Dodge, Dunbar, Ewing, Fassett, Freeman, Gay, Glass, Guy, Hall, Hatfield, Healey, Holland, Huber, Hudson, Johnson, Jones, Keen, Kenyon, Laird, Laugenour, Lewis, Llewellyn, Meads, McCarthy, McDonald, McKelvey, Merrill, Nelson, North, O'Day, Osborn, Pendleton, Phelps, Price, Richards, Robinson, Rowell, Sanford, Staley, Stansell, Spencer, Tibbits, Tomblin, Twigg, Wade, Weyse, Wilkins, Wilkinson, Zocchi, and Mr. Speaker.

Quorum present.

LEAVE OF ABSENCE.

Mr. Kelsey was granted leave of absence for the day, on motion of Mr. Berry.

PRAYER.

Prayer by the Chaplain, Rev. O. Summers.

READING AND APPROVAL OF THE JOURNAL.

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

So ordered.

The Journal of Friday, January 25th, was approved.

SPECIAL ORDERS.

Assembly Bill No. 297—An Act to amend section one thousand and fifty-four of the Code of Civil Procedure of the State of California, relating to extending the time within which an act is to be done.

Passed temporarily on file.

Assembly Bill No. 361—An Act to amend section one thousand four hundred and sixteen of the Civil Code of this State, relating to water rights.

Passed, to retain its place on the file, until to-morrow morning.

REPORTS OF STANDING COMMITTEES.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, January 30, 1895.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 84—An Act to amend an Act of the Legislature of the State of California 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, by amending sections six, seven, twelve, thirteen, and fourteen of said Act, relating to the orders of Court to be made, and the proceedings to be had, upon the filing of petitions in insolvency.

Also: Assembly Bill No. 85—An Act to amend an Act of the Legislature of the State of California 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, by adding a new section to said Insolvent Act, to be known as section sixty-three, relating to the appointment, powers, and duties of receivers.

Also: Assembly Bill No. 108—An Act to amend an Act of the Legislature of the State of California 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, by amending section forty-nine of said Act, relating to debtors' discharge.

Also: Assembly Bill No. 112—An Act to amend an Act of the Legislature of the State of California 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, by amending sections eight, nine, ten, and eleven of said Act, relating to the filing of creditors' petitions in insolvency, and the orders of Court to be made, and the proceedings to be had thereon; also, by amending sections fifteen, sixteen, seventeen, eighteen, nineteen, twenty-six, twenty-nine, thirty, thirty-two, and thirty-three of said Act, relating to assignees, their election, appointment, rights, powers, duties, and accounts; also, by amending section thirty-five of said Act, relating to insolvency proceedings by or against partnerships and corporations; also, by amending section forty-eight of said Act, relating to debtors' discharge; also, by amending section fifty-five of said Act, relating to fraudulent preferences and transfers; also, by amending section sixty-one of said Act, relating to the time when insolvency proceedings are deemed to be commenced; also, by amending section sixty-four of said Act, relating to contempts, also, by amending section sixty-five of said Act, relating to preferred claims for costs, also, by amending section sixty-seven of said Act, relating to appeals.

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.

Also: Assembly Bill No. 192—An Act to repeal an Act entitled "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 pending of insolvency proceedings, and before the election of an assignee," approved April 6, 1891.

Have had the same under consideration, and respectfully report the same back, and recommend as a substitute therefor the bill herewith inclosed, and recommend that such substitute bill do pass.

BULLA, Chairman.

On motion, Assembly Bills Nos. 84, 85, 108, 112, 170, and 192 were ordered stricken from the file.

INTRODUCTION OF BILL.

By Committee on Judiciary: Assembly Bill No. 505 (Committee Substitute for Assembly Bills Nos. 84, 85, 108, 112, 170, and 192)—An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors.

Read first time and placed on file.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, January 30, 1895

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 81—An Act to amend sections three thousand four hundred and forty-nine and three thousand four hundred and sixty-eight of the Civil Code of the State of California,

relating to assignments for the benefit of creditors—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Assembly Bill No. 5—An Act entitled "An Act to amend section ten hundred and eighty-three of the Political Code of the State of California, defining the qualifications and disabilities of electors"—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 Bill No. 372—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, and two thousand six hundred and forty-five, and to add two new sections, to be known as sections two thousand six hundred and forty and two thousand six hundred and forty-four, all of the Political Code of the State of California, and relating to the powers and duties of highway officers—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to the Committee on Roads and Highways.

Also: Assembly Bill No. 191—An Act to amend section seven hundred and ninety-eight of the Political Code of California, relating to the fees of Notaries Public, and the amendments thereto.

Also: Assembly Bill No. 238—An Act to amend section two thousand two hundred and eighteen of the Political Code of the State of California, relating to the commitment of insane persons.

Also: Assembly Bill No. 251—An Act to repeal section three thousand eight hundred and sixty-two of the Political Code, relating to revenue and taxation.

Also: Assembly Bill No. 349—An Act to amend section one thousand four hundred and forty-six of the Penal Code, relating to the form of judgment against a defendant in cases where fine and imprisonment are directed.

Also: Assembly Bill No. 353—An Act to reduce the number of Judges of the Superior Court of the county of Tulare from two to one.

Also: Assembly Bill No. 355—An Act to amend section eight hundred and thirty-six of the Code of Civil Procedure of the State of California, relating to the change of place of trial in Justices' Courts.

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

Also: Assembly Bill No. 151—An Act to amend section one hundred and seventy of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 23, 1893, relating to the disqualifications of Judges.

Also: Assembly Bill No. 346—An Act to amend section one thousand four hundred and thirty-five of the Penal Code, relating to waiver of trial by jury.

Also: Assembly Bill No. 347—An Act to amend section eight hundred and ninety-six of the Penal Code, relating to the challenge of grand jurors.

Also: Assembly Bill No. 348—An Act to amend sections eight hundred and eleven, eight hundred and twelve, and eight hundred and sixty-four of the Penal Code, relating to the manner of making complaint to a magistrate of the commission of a public offense, and of conducting the examination under such complaint.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

BULLA, Chairman.

Assembly Bill No. 372 referred to Committee on Roads and Highways.

Mr. Dodge moved that the Assembly do now take up Senate messages.
So ordered.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, January 29, 1895.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the twenty-fifth day of January, passed Senate Bill No. 286—An Act to amend section one thousand and fifty-four of the Code of Civil Procedure of the State of California, relating to extending the time within which an act is to be done.

Also: Concurred in Assembly Concurrent Resolution No. 6—Relative to the appointment of sub-committees.

F. J. BRANDON, Secretary.
By R. SHAW, Assistant.

Also:

SENATE CHAMBER, SACRAMENTO, January 29, 1895.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the twenty-ninth day of January, 1895, adopted Concurrent Resolution approving four certain amendments to the Charter of the City of Oakland, in Alameda County, California, voted for and ratified by the qualified electors of said city at a special election held therein for that purpose on the twenty-sixth day of January, 1895.

F. J. BRANDON, Secretary.
By E. J. ENSIGN, Assistant.

Also:

SENATE CHAMBER, SACRAMENTO, January 29, 1895.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Senate Concurrent Resolution No. 4, relative to approving certain amendments to the Charter of the City of Oakland.

F. J. BRANDON, Secretary.
By C. L. PARDEE, Assistant.

Mr. Dodge moved that the Assembly do now concur in Senate Concurrent Resolution No. 4—Relative to approving certain amendments to the Charter of the City of Oakland.

The roll was called, and Senate Concurrent Resolution No. 4 adopted by the following vote:

AYES—Messrs. Ash, Bachman, Bassford, Belshaw, Bennett, Berry, Bettman, Bledsoe, Boothby, Bulla, Butler, Cargill, Coleman, Coghlin, Dale, Devine, Dinkelspiel, Dixon, Dodge, Dunbar, Dwyer, Ewing, Fassett, Freeman, Gay, Glass, Guy, Hall, Hatfield, Healey, Holland, Huber, Hudson, Johnson, Keen, Kenyon, Laird, Laugenour, Lewis, Meads, McCarthy, McDonald, McKelvey, Merrill, North, O'Day, Osborn, Pendleton, Price, Reid, Sanford, Staley, Stansell, Spencer, Swisler, Tibbits, Tomblin, Twigg, Wade, Waymire, Weyse, Wilkins, Wilkinson, and Mr. Speaker—64.

NOES—None.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, January 30, 1895.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following bills have been correctly engrossed, viz:

Assembly Bill No. 26—An Act to amend section five hundred and two of the Civil Code, relating to time allowed for commencing work and completing the same, under rights of way granted by municipal corporations, and providing for a forfeiture in case of failure to commence work or to complete it within the time fixed.

Also: Assembly Bill No. 27—An Act to amend chapter two, part four, title fourteen, of the Civil Code, by adding thereto a new section, to be numbered as section three thousand nine hundred and thirty-nine and one half, relating to satisfactions or releases of mortgages in this State by foreign executors or administrators.

Also: Assembly Bill No. 28—An Act to amend section six hundred and seventy-one of the Code of Civil Procedure, relating to the lien of judgments, their enforcement and revivor.

Also: Assembly Bill No. 30—An Act for the protection of the records of the several counties of the State of California, and regulating the business of abstracting in relation thereto.

Also: Assembly Bill No. 31—An Act to amend section one thousand five hundred and thirty-nine of the Code of Civil Procedure, relative to hearing of petition for order to sell real estate of decedents.

Also: Assembly Bill No. 32—An Act to amend section one thousand and ninety-four of the Civil Code, relating to the execution and acknowledging of powers of attorney by a married woman, and to make valid all powers of attorney formerly executed by married women.

Also: Assembly Bill No. 33—An Act to amend section one thousand five hundred and eighty-two of the Code of Civil Procedure, relating to the right of executors and administrators to sue and be sued to determine title, or to recover property.

Also: Assembly Bill No. 34—An Act to amend section one thousand five hundred and sixty-one of the Code of Civil Procedure, relating to the confirmation of sales made without order of Court.

Also: Assembly Bill No. 35—An Act to amend section one hundred and seventy-two of the Civil Code, relating to power of husband and wife over community property.

Also: Assembly Bill No. 78—An Act to amend section nine hundred and fifty-four of the Code of Civil Procedure, relating to dismissal of appeals.

Also: Assembly Bill No. 135—An Act to amend section four hundred and sixteen of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relative to the fees to be collected by the Secretary of State for services rendered by him in his official capacity.

Also: Assembly Bill No. 144—An Act to amend section one thousand seven hundred and ninety-nine of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the discharge of guardians.

Also: Assembly Bill No. 145—An Act to amend section seven hundred and fifty-two of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relative to the fees to be collected by the Clerk of the Supreme Court of the State of California.

Also: Assembly Bill No. 361—An Act to amend section one thousand four hundred and sixteen of the Civil Code of this State, relating to water rights.

Also: Assembly Bill No. 13—An Act to amend section three thousand seven hundred and sixty-six of the Political Code, relating to the publication of lists of delinquent State and county taxes.

WILKINSON, Chairman.

ON CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 30, 1895.

MR. SPEAKER: Your Committee on Corporations, to whom was referred Assembly Bill No. 273—An Act to prescribe the duty of the Attorney-General and Insurance Commissioner in regard to the admission of insurance corporations, associations, or individuals to do business in this State—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Assembly Bill No. 132—An Act to provide for the organization and management of county fire insurance companies.

Also: Assembly Bill No. 449—An Act to amend 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, 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 March 20, 1891, and amended by an Act approved March 23, 1893, amending section eight, and adding two sections thereto.

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

PENDLETON, Chairman.

Mr. Pendleton moved that Assembly Bill No. 449 be now considered.
So ordered.

Assembly Bill No. 449—An Act to amend 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, 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 March 20, 1891, and amended by an Act approved March 23, 1893, amending section eight, and adding two sections thereto.

Read second time.

The following committee amendments were submitted:

AMENDMENT No. 1.

Amend by striking out of last line of title the words "two sections thereto," and inserting the following: "a new section thereto."

Adopted.

AMENDMENT No. 2.

Amend by striking out of section eight, line fifteen, the words after the word "ten," and inserting the following: "and one half."

Adopted.

AMENDMENT No. 3.

Amend by striking out of section eight, lines fifteen and sixteen, the words between lines fifteen and sixteen, and inserting the following: "Section 2. A new section is hereby added to said article, reading as follows."

Adopted.

AMENDMENT No. 4.

Amend by striking out of section eleven, line sixteen, the words in lieu of the figure "11," and inserting the following: "11½" after the word "section."

Adopted.

AMENDMENT No. 5.

Amend line seventy-one, printed bill, by adding to same the following: "Section 3."

Adopted.

AMENDMENT No. 6.

Amend last line of printed bill by striking out the figures "12," and inserting the following: "4."

Adopted.

The bill was ordered engrossed and to third reading.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON CONSTITUTIONAL AMENDMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, January 30, 1895.

MR. SPEAKER: Your Committee on Constitutional Amendments, to whom was referred Assembly Constitutional Amendment No. 4—Proposed amendment to section one of article thirteen of the Constitution, relative to revenue and taxation.

Also: Assembly Constitutional Amendment No. 6—Proposed amendment to section seven of article one of the Constitution, relative to juries.

Have had the same under consideration, and respectfully report the same back, and recommend that they be not adopted.

Also: Assembly Constitutional Amendment No. 5—Proposed amendment to section five of article two of the Constitution, relative to elections—have had the same under consideration, and respectfully report the same back, and recommend that it be adopted as amended.

Also: Assembly Constitutional Amendment No. 3—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, amending section twelve of article thirteen thereof, relative to revenues and taxation, and the collection of the State poll tax.

Also: Assembly Constitutional Amendment No. 11—A resolution to propose to the people of the State of California an amendment to section one of article two of the Constitution, in relation to the right of suffrage.

Have had the same under consideration, and respectfully report the same back, and recommend that they be adopted.

Also: Assembly Bill No. 61—An Act to enable cities incorporated and operating under a charter framed under section eight, article two, of the Constitution, to abolish and amend such charter—have had the same under consideration, and recommend that it be referred to the Committee on Municipal Corporations.

Also: Assembly Bill No. 241—An Act to amend section one of an Act entitled "An Act to provide for the submission of proposed amendments to the Constitution of the State of California to the qualified electors for their approval," approved March 7, 1883, relating to the manner of publishing such proposed amendments and to include propositions—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

WAYMIRE, Chairman.

ON BANKS AND BANKING.

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1895.

MR. SPEAKER: Your Committee on Banks and Banking, to whom was referred Assembly Bill No. 80—have had the same under consideration, and respectfully report the same back with a substitute therefor, and recommend that the substitute do pass.

WADE, Chairman.

On motion, Assembly Bill No. 80 was ordered stricken from the file.

INTRODUCTION OF BILL.

Assembly Bill No. 506 (Committee Substitute for Assembly Bill No. 80)—An Act to amend section one of an Act entitled "An Act to compel savings banks to publish a sworn statement of all unclaimed deposits."

Read first time and placed on file.

MOTION.

Mr. McKelvey moved that Assembly Bill No. 132 be taken up out of order and considered.

So ordered.

Assembly Bill No. 132—An Act to provide for the organization and management of county fire insurance companies.

Read second time.

The following committee amendments were submitted:

AMENDMENT No. 1.

Amend by striking out of section two, line seven, the words "Secretary of State" and inserting the following: "Clerk of the county in which such corporation is proposed to be organized."

Adopted.

AMENDMENT No. 2.

Amend by striking out of section two, line eight, the words after the word "State," and inserting the following: "the certified copies of the"; also "of," before word in line ten, section two, printed bill.

Adopted.

AMENDMENT No. 3.

Amend section fifteen, line two, as follows: After the words "thirty-first day of" insert the word "January."

Adopted.

AMENDMENT No. 4.

Amend by striking out of section seventeen, lines one and two, the words "immediately after the annual meeting in each year," and insert the following: "within thirty days after the first day of January in each year."

Adopted.

Bill ordered engrossed and to a third reading.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON PUBLIC HEALTH AND QUARANTINE.

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1895.

MR. SPEAKER: Your Committee on Public Health and Quarantine, to whom was referred Assembly Bill No. 165—An Act for the protection of patients from extortion by dishonest physicians and druggists—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also: Assembly Bill No. 98—An Act to provide against the adulteration of food and drugs—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Assembly Bill No. 100—An Act to regulate the sale of milk—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

GLASS, Chairman.

MOTION.

Mr. Reid moved that Senate Bill No. 286 be substituted for Assembly Bill No. 297.

So ordered.

RESOLUTION.

By Mr. McKelvey:

Resolved, That Senate Bill No. 286 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions 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 rules suspended by the following vote:

AYES—Messrs. Ash, Bachman, Bassford, Belshaw, Bennett, Berry, Bettman, Bledsoe, Boothby, Bulla, Coleman, Coghlin, Cutter, Dale, Davis, Devine, Dixon, Dunbar, Dwyer, Ewing, Fassett, Freeman, Glass, Hall, Hatfield, Healey, Huber, Hudson, Johnson, Jones, Kenyon, Laird, Laugenour, Meads, McCarthy, McDonald, McKelvey, Merrill, Nelson, North, O'Day, Osborn, Phelps, Powers, Price, Reid, Richards, Robinson, Rowell, Sanford, Staley, Stansell, Swisler, Tibbits, Tomblyn, Waymire, Weyse, Wilkins, Wilkinson, Zocchi, and Mr. Speaker—61.

NOES—None.

Senate Bill No. 286—An Act to amend section one thousand and fifty-four of the Code of Civil Procedure of the State of California, relating to extending the time within which an act is to be done.

FIRST AND SECOND READINGS OF BILL.

Senate Bill No. 286 read first and second times.

THIRD READING OF BILL.

Senate Bill No. 286 read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Bennett, Berry, Bettman, Bledsoe, Brusie, Bulla, Butler, Coleman, Cutter, Davis, Devine, Dinkelspiel, Dixon, Dunbar, Ewing, Fassett, Freeman, Gay, Glass, Guy, Hall, Hatfield, Healey, Holland, Huber, Hudson, Johnson, Jones, Keen, Kenyon, Laird, Laugenour, McDonald, McKelvey, Merrill, Nelson, North, O'Day, Osborn, Pendleton, Phelps, Price, Richards, Robinson, Rowell, Sanford, Stansell, Swisler, Tibbits, Tomblyn, Twigg, Waymire, Weyse, Wilkins, Wilkinson, Zocchi, and Mr. Speaker—61.

NOES—None.

Title read and approved.

SENATE MESSAGES.

SENATE CHAMBER, SACRAMENTO, January 29, 1895.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, refused to concur in Assembly Substitute for Assembly Joint Resolution No. 2, and adopted as a substitute Substitute for Senate Joint Resolution No. 3, relative to the Reilly Bill, and have directed this day that the Secretary of the Senate immediately transmit by telegram a copy of Senate Substitute for Assembly Joint Resolution No. 2 to the Clerk of the House of Representatives, at Washington, D. C.

F. J. BRANDON, Secretary.
By C. L. PARDEE, Assistant.

The question under consideration being Senate Substitute for Assembly Joint Resolution No. 2.

Mr. Cutter moved to lay Senate Substitute for Assembly Joint Resolution No. 2 on the table.

So ordered.

SENATE MESSAGES—(CONTINUED).

SENATE CHAMBER, SACRAMENTO, January 29, 1895

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Assembly Bill No. 450—An Act making an appropriation for the support of the State Printing Office for the remainder of the forty-sixth fiscal year.

F. J. BRANDON, Secretary.
By C. L. PARDEE, Assistant.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, January 30, 1895.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Senate Bill No. 368—An Act making an appropriation for the contingent expenses of the Senate for the thirty-first session of the Legislature—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

BRUSIE, Chairman.

RESOLUTION.

By Mr. Brusie:

Resolved, That Senate Bill No. 368 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions 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 rules suspended by the following vote:

AYES—Messrs. Ash, Bachman, Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Bledsoe, Brusie, Bulla, Butler, Cargill, Coleman, Coghlin, Cutter, Dale, Davis, Devitt, Devine, Dinkelspiel, Dixon, Dunbar, Dwyer, Ewing, Freeman, Gay, Glass, Guy, Hall, Hatfield, Huber, Hudson, Johnson, Jones, Keen, Kelsey, Laird, Laugenour, Meads, McCarthy, McKelvey, Merrill, Nelson, North, O'Day, Osborn, Pendleton, Phelps, Powers, Reid, Richards, Robinson, Rowell, Sanford, Staley, Stansell, Spencer, Swisler, Tibbitts, Thomas, Tomblin, Twigg, Wade, Waymire, Weyse, Wilkins, Wilkinson, and Mr. Speaker—69.

NOES—None.

Senate Bill No. 368—An Act making an appropriation for the contingent expenses of the Senate for the thirty-first session of the Legislature.

FIRST AND SECOND READINGS OF BILL.

Senate Bill No. 368 read first and second times.

MOTION.

Mr. Brusie moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bill No. 368.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Lynch in the chair.

Senate Bill No. 368 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Lynch 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. 368—An Act making an appropriation for the contingent expenses of the Senate for the thirty-first session of the Legislature—and now report progress, and recommend that the same do pass.

THIRD READING OF BILL.

Senate Bill No. 368 read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Bachman, Barker, Belshaw, Bennett, Berry, Bettman, Boothby, Brusie, Bulla, Butler, Cargill, Coleman, Cutter, Davis, Dinkelspiel, Dixon, Dodge, Dunbar, Dwyer, Ewing, Fassett, Freeman, Gay, Glass, Guy, Hall, Hatfield, Healey, Holland, Huber, Hudson, Johnson, Jones, Keen, Kelsey, Kenyon, Laird, Laugenour, Meads, McKelvey, Nelson, North, O'Day, Osborn, Pendleton, Phelps, Price, Reid, Robinson, Rowell, Sanford, Staley, Stansell, Tibbits, Thomas, Tomblin, Twigg, Wade, Waymire, Weyse, Wilkinson, and Mr. Speaker—63.

NOES—None.

Title read and approved.

MOTIONS.

Mr. Brusie moved that Senate Bill No. 368 be immediately transmitted to the Senate.

So ordered.

Mr. Reid moved that Senate Bill No. 286 be immediately transmitted to the Senate.

So ordered.

Mr. Belshaw moved that the rules be suspended, and that he be allowed to introduce a resolution out of order.

The roll was called, and the rules suspended by the following vote:

AYES—Messrs. Ash, Bachman, Barker, Bassford, Belshaw, Bennett, Berry, Bledsoe, Bulla, Butler, Coleman, Coghlin, Cutter, Dinkelspiel, Dixon, Dodge, Dwyer, Fassett, Glass, Guy, Hall, Healey, Holland, Hudson, Johnson, Keen, Kenyon, Laird, Laugenour, Nelson, North, O'Day, Phelps, Price, Reid, Richards, Robinson, Rowell, Sanford, Staley, Spencer, Tibbits, Thomas, Twigg, Wade, Waymire, Weyse, and Wilkins—48.

NOES—Messrs. Bettman, Boothby, Brusie, Cargill, Dunbar, Ewing, Freeman, Hatfield, Huber, McCarthy, McKelvey, Merrill, Osborn, Pendleton, Powers, Tomblin, and Wilkins—17.

ASSEMBLY CONCURRENT RESOLUTION.

By Mr. Belshaw:

ASSEMBLY CONCURRENT RESOLUTION No. 7.

WHEREAS, There is now pending before the Congress of the United States a measure known as the "Reilly Funding Bill," which said bill has for its object the extension of payment of the debts of the Central Pacific, Union Pacific, and Western Pacific Railroad Companies to the Government of the United States, which said debt will soon mature; and whereas, said railroad companies received from the United States Government, through the issuance of bonds, aid and assistance which made possible the construction of said roads; and whereas, any extension of the payment of said debts will impose a further and oppressive debt, and the obligation of paying the same on the people of this State through an unjust and unequitable rate of freights and fares, and afford said railroad companies an opportunity to evade their contracts with the Government; be it therefore

Resolved by the Assembly of the State of California the Senate concurring, We are unalterably opposed to any and all extensions of the payment of said debt, and to the "Reilly Funding Bill," and any other bill of like import, and that we hereby request our Representatives in Congress and instruct our Senators to use all honorable means to defeat said Funding Bill, or any similar measure, and be it further

Resolved, That we demand the immediate collection, on maturity, of said debts from the said railroad company, and the stockholders thereof, and hereby call upon the Federal Government to exhaust every endeavor to recover the legal and equitable assets of said roads, wherever such assets may be found, whether the same be in the possession of private individuals or in the possession of incorporated or other estates of deceased stockholders in said roads, or whether the same be in the possession of corporations, either railroad or otherwise, *provided, however,* that nothing contained herein shall be construed as a legislative declaration of a waiver of rights, under State laws upon the subject of shareholders' liability, and, in the event that said debt cannot

be collected, then that the United States Government assume control, ownership, and operation of said roads, and we hereby memorialize Congress to this effect; and be it further

Resolved, That the Governor be and he is hereby requested to transmit, by telegraph, a copy of the resolutions to each of our Representatives and Senators in Congress.

The question being called by Messrs. Reid, Coleman, and McKelvey, the resolution was adopted.

Mr. Belshaw moved that Assembly Concurrent Resolution No. 7 be immediately transmitted to the Senate.

So ordered.

INTRODUCTION OF BILLS.

The following bills were introduced, read first time, and referred to committees, as follows:

By Mr. Huber: Assembly Bill No. 507—An Act to amend sections seven hundred and fifty-one, seven hundred and fifty-two, seven hundred and fifty-four, seven hundred and ninety-six, and eight hundred and 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 referred to Committee on Corporations.

By Mr. Bettman: Assembly Bill No. 508—An Act to amend an Act entitled "An Act to provide and regulate the manner of receiving and paying fees, commissions, percentages, and other compensation for official services in cities, and cities and counties, having a population of over one hundred thousand inhabitants, and prescribing the duties of officers with reference thereto," approved March 11, 1893, by adding two new sections thereto, to be known and designated as sections fifteen and sixteen, respectively, providing for the appointment of certain clerks, to be known as Fee Clerks, prescribing the duties of such clerks, and regulating and providing for their salary.

Read first time, and referred to San Francisco Delegation.

By Mr. Thomas: Assembly Bill No. 509—An Act to regulate the sale and redemption of transportation tickets.

Read first time, and referred to Committee on Corporations.

By Mr. Powers: Assembly Bill No. 510—An Act to amend sections eighteen hundred and ninety-eight, nineteen hundred, nineteen hundred and two, nineteen hundred and twelve, nineteen hundred and thirteen, nineteen hundred and fifteen, nineteen hundred and eighteen, nineteen hundred and nineteen, nineteen hundred and twenty-three, nineteen hundred and twenty-eight, nineteen hundred and seventy, nineteen hundred and seventy-four, nineteen hundred and eighty, nineteen hundred and eighty-one, nineteen hundred and eighty-five, nineteen hundred and ninety, two thousand and three, two thousand and seven, two thousand and twenty-two, two thousand and thirty-one, two thousand and forty, two thousand and forty-one, two thousand and forty-nine, two thousand and fifty, two thousand and sixty-six, two thousand and seventy-six, two thousand and eighty-two, and two thousand and ninety-four, and to repeal sections two thousand and four, two thousand and five, two thousand and six, two thousand and forty-two, and two thousand and forty-eight of the Political Code of the State of California, relating to the National Guard.

Read first time, and referred to Committee on Military Affairs.

Also: Assembly Bill No. 511—An Act to reform the police of the City and County of San Francisco, State of California, and regulate the procedure thereof.

Read first time, and referred to San Francisco Delegation.

By Mr. Cargill: Assembly Bill No. 512—An Act to provide for payment of the claim of James A. Kearney.

Read first time, and referred to Committee on Claims.

By Mr. North: Assembly Bill No. 513—An Act entitled "An Act to amend section two hundred and four of the Code of Civil Procedure," relating to the selecting and returning of jurors.

Read first time, and referred to Committee on Judiciary.

By Mr. Swisler: Assembly Bill No. 514—An Act to amend chapter nine, part two, title six of the Penal Code, by adding thereto a new section, to be numbered one thousand and fifty-three, relating to postponements of trials of criminal actions.

Read first time, and referred to Committee on Judiciary.

By Mr. Boothby: Assembly Bill No. 515—An Act to pay the claim of Fred Hansted for services as clerk to the committee appointed for the purpose of investigating the Pilot Commissioners.

Read first time, and referred to Committee on Claims.

By Mr. Berry: Assembly Bill No. 516—An Act authorizing and empowering the Board of Supervisors of Santa Clara County to straighten and improve the San Francisco Creek in Santa Clara County, and making an appropriation therefor.

Read first time, and referred to Committee on Ways and Means.

By Mr. Meads: Assembly Bill No. 517—An Act to amend section ten of the Political Code of the State of California, relating to legal holidays and non-judicial days.

Read first time, and referred to Committee on Public Morals.

Also: Assembly Bill No. 518—An Act to amend sections ten and one hundred and thirty-four of the Code of Civil Procedure of the State of California, relating to legal holidays and non-judicial days.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 519—An Act to amend section seven of the Civil Code of the State of California, relating to legal holidays and non-judicial days.

Read first time, and referred to Committee on Judiciary.

By Mr. Waymire: Assembly Bill No. 520—An Act to amend section three thousand four hundred and ninety-three of the Political Code of the State of California, relating to the dissolution of swamp land or reclamation districts.

Read first time, and referred to Committee on Swamp and Overflowed Lands.

Also: Assembly Bill No. 521—An Act to amend section one thousand three hundred and sixty-five of the Code of Civil Procedure, relative to granting letters of administration, and to add a new section to the said Code, relative to the distribution of the estates of deceased persons, who at the time of death were residents of any home for veteran soldiers and sailors.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 522—An Act to amend sections three thousand four hundred and eighty-one and three thousand four hundred

and eighty-two of the Political Code, relating to the division of swamp land districts.

Read first time, and referred to Committee on Swamp and Overflowed Lands.

By Mr. Nelson: Assembly Bill No. 523—An Act to amend section one thousand seven hundred and seventy-five, article sixteen, of the Political Code, relating to the granting of teachers' certificates.

Read first time, and referred to Committee on Education.

By Mr. Sanford: Assembly Bill No. 524—An Act to amend section four thousand one hundred and twenty-one of the Political Code, prohibiting Sheriffs, Clerks, Auditors, Assessors, Records, Treasurers, Tax Collectors, Superintendents of Schools, and Constables, and their deputies, from practicing law, or acting as attorneys or counselors-at-law, and to prohibit such officers from conveyancing, drawing deeds, mortgages, leases, contracts, or any instrument of writing not pertaining strictly to the duties of their respective offices, and forbidding the appointment of such officers to the office of Notary Public.

Read first time, and referred to Committee on County and Township Governments.

By Mr. Kelsey: Assembly Bill No. 525—An Act to add a new section to the Political Code of the State of California, to be numbered one thousand five hundred and ninety-four, relating to school trustees.

Read first time, and referred to Committee on Education.

By Committee on Retrenchment: Assembly Bill No. 526—An Act to provide for fixing the compensation and reducing the number of employes paid out of appropriations made by the State, or moneys that would otherwise go to the State.

Read first time, and placed on file.

By Mr. Lynch: Assembly Bill No. 527—An Act to amend section one thousand three hundred and eighty-seven of the Civil Code, relating to heirship of illegitimate children.

Read first time, and referred to Committee on Judiciary.

APPROVAL OF JOURNAL.

The Journal of January 29th was approved.

RESOLUTIONS.

By Mr. Laird:

WHEREAS, The Committee on State Prisons and Reformatory Institutions are about to investigate the Whittier School, near Los Angeles, and the State Prisons at San Quentin and Folsom; and whereas, it will require the services of a stenographer to expedite the work of said committee in such investigation; therefore, be it

Resolved, That the Chairman of said committee be allowed to appoint a stenographer, at a per diem of five dollars, to be paid out of the Contingent Fund of the Assembly.

Mr. Laird moved that the rules be suspended for the purpose of considering the resolution.

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

AYES—Messrs. Ash, Bachman, Bassford, Bennett, Boothby, Devine, Dinkelspiel, Ewing, Guy, Healey, Holland, Laird, Laugenour, Lewis, McCarthy, McDonald, McKelvey, Merrill O'Day, Osborn, Phelps, Powers, Staley, Thomas, Tomblin, Twigg, Weyse, and Wilkinson—28.

NOES—Messrs Barker, Berry, Bledsoe, Bulla, Cargill, Dixon, Dodge, Dwyer, Fassett, Freeman, Gay, Glass, Hatfield, Johnson, Jones, Kelsey, Kenyon, Meads, Nelson, North, Price, Reid, Richards, Robinson, Rowell. Sanford, Stansell, Swisler, Tibbits, and Mr. Speaker—30.

Resolution referred to Committee on Attachés and Employés.

By Mr. Waymire: Assembly Joint Resolution No. 9—Requesting Congress to so amend the law granting certain arid lands to the States, as to permit the State of California to reclaim such lands, and retain the ownership thereof, for the purpose of constituting a permanent endowment of the public schools and the State University.

Read and referred to Committee on Federal Relations.

MOTION.

Mr. Dixon moved that Assembly Bill No. 64 be taken from the file and re-referred to Committee on Commerce and Navigation.

So ordered.

LEAVE OF ABSENCE.

Mr. Dinkelspiel was granted leave of absence until next Monday.

INTRODUCTION OF BILL—(OUT OF ORDER).

The following bill was introduced, read first time, and referred to committee, as follows:

By Mr. Sanford: Assembly Bill No. 528—An Act to provide for the formation of new counties, and the appointment and election of officers; the location of county seats thereof, and the adjustment and fulfillment of certain rights and obligations arising between such counties and other counties.

Read first time, and referred to Committee on Counties and County Boundaries.

Mr. Wilkins asked that Assembly Bill No. 164 be taken from the file and referred to Committee on Ways and Means.

So ordered.

RESOLUTION.

By Mr. Weyse:

Resolved, That the Assembly make no more appointments of attachés except by a four-fifths vote of the Assembly.

Mr. Weyse asked that the same be now considered, and moved its adoption.

The resolution was adopted.

OATH OF OFFICE.

Mr. H. A. Mason subscribed to the following oath of office:

I do swear that I will support the Constitution of the United States of America and the Constitution of the State of California, and that I will faithfully discharge the duties of the office of Assistant Chief Clerk of the Assembly, thirty-first session, California Legislature, according to the best of my ability. So help me God.

H. A. MASON.

RESOLUTION.

By Mr. Belshaw:

Resolved, That a special committee of five be appointed to investigate, and report to the Assembly, at the earliest possible time:

1. On how many officers and attachés are necessary for the Assembly to transact its business expeditiously and efficiently.

2. What positions should be filled by such officers and attachés, and during what portion of the session.

3. The salaries which should be paid to each officer and attaché

4. The method of election or appointment of such officers and attachés.

5. The number of officers and attachés of the Assembly at the present time, the position and duty of each, their names, and the amounts of their compensation

6. What officers and attachés of the Assembly, if any, have been derelict in their duties.

7. What officers or attachés of the Assembly, if any, can be dispensed with, during the whole or any part of this session.

8. What reduction can be made in the salaries of other officers and attachés, mentioning the same in detail.

Mr. Belshaw asked that the resolution be temporarily passed.

So ordered.

GENERAL FILE—THIRD READING OF BILLS.

Assembly Bill No. 4—An Act to amend section three thousand four hundred and forty of the Civil Code of the State of California, relative to the transfer of personal property.

Mr. Bulla moved that a committee of one be appointed to amend the bill.

So ordered.

Mr. Bulla was appointed as such committee.

REPORT OF COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, January 30, 1895.

MR. SPEAKER: Your special committee of one, to whom was referred Assembly Bill No. 4, with instructions to amend as follows: Insert the figures "3440" at beginning of section—has had the same under consideration, and respectfully reports the same back, amended as per instructions.

BULLA, Committee.

Bill read third time.

Assembly Bill No. 9—An Act to amend section three thousand seven hundred and sixty-five, section three thousand seven hundred and seventy-three, section three thousand seven hundred and seventy-eight, section three thousand seven hundred and eighty, section three thousand seven hundred and eighty-one, section three thousand seven hundred and eighty-five, section three thousand seven hundred and eighty-eight, section three thousand eight hundred and thirteen, section three thousand eight hundred and sixteen, and section three thousand eight hundred and seventeen; and to repeal section three thousand seven hundred and seventy-four, section three thousand seven hundred and seventy-five, section three thousand seven hundred and seventy-six, section three thousand seven hundred and seventy-seven, section three thousand seven hundred and seventy-nine, section three thousand seven hundred and eighty-two, section three thousand seven hundred and eighty-three, section three thousand seven hundred and eighty-four, and section three thousand eight hundred and eighteen of an Act of the Legislature of the State of California entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the sale of real property for delinquent taxes, and the redemption and resale of such

property; and to add a new section thereto, to be known and designated as section three thousand eight hundred and one, also relating to the sale of real property for delinquent taxes.

Passed, to retain its place on file.

Assembly Bill No. 11—An Act to amend an Act entitled “An Act to authorize the husband or wife, or next of kin, of a deceased person to collect and receive of any savings bank any deposit in such bank, when the same does not exceed the sum of three hundred dollars,” approved February 18, 1874.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Bachman, Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Bledsoe, Boothby, Bulla, Butler, Cargill, Coghlin, Cutter, Dale, Davis, Dixon, Dodge, Dunbar, Dwyer, Ewing, Fassett, Gay, Glass, Guy, Hatfield, Healey, Holland, Huber, Hudson, Johnson, Jones, Keen, Kelsey, Kenyon, Laird, Laugenour, McCarthy, McDonald, McKelvey, Merrill, Nelson, North, O’Day, Osborn, Pendleton, Phelps, Powers, Price, Reid, Richards, Sanford, Staley, Stansell, Spencer, Swisler, Tibbits, Tomblin, Twigg, Wade, Waymire, Weyse, Wilkinson, Zocchi, and Mr. Speaker—64.

NOES—Messrs. Lewis and Wilkins—2.

Title read and approved.

Assembly Bill No. 10—An Act to amend section one thousand two hundred and fourteen of an Act entitled “An Act to establish a Civil Code,” approved March 21, 1872, relating to the recording of conveyances.

Passed, to retain its place on file.

Assembly Bill No. 14—An Act to amend section three hundred and forty-eight of the Code of Civil Procedure, relating to limitation of actions.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Bachman, Barker, Bassford, Belshaw, Bennett, Berry, Bledsoe, Boothby, Brunsie, Bulla, Butler, Coleman, Coghlin, Cutter, Dale, Davis, Devine, Dixon, Dodge, Dunbar, Freeman, Glass, Guy, Hall, Hatfield, Healey, Holland, Huber, Hudson, Johnson, Jones, Keen, Kelsey, Kenyon, Laird, Laugenour, McCarthy, McDonald, McKelvey, Merrill, Nelson, North, Osborn, Phelps, Powers, Price, Reid, Robinson, Sanford, Staley, Stansell, Spencer, Swisler, Tibbits, Tomblin, Wade, Waymire, Weyse, Wilkins, Zocchi, and Mr. Speaker—62.

NOES—None.

Title read and approved.

Assembly Bill No. 13—An Act to amend section three thousand seven hundred and sixty-six of the Political Code, relating to the publication of lists of delinquent State and county taxes.

Refused third reading.

Assembly Bill No. 20—An Act to amend section three thousand and fifty-one of the Civil Code of California, relating to liens for services in the care, protection, improvement, safe-keeping, or carriage of personal property; and for caring for, boarding, feeding, or pasturing horses or stock.

Passed, to retain its place on file.

Assembly Bill No. 26—An Act to amend section five hundred and two of the Civil Code, relating to time allowed for commencing work and completing the same, under rights of way granted by municipal

corporations; and providing for a forfeiture in case of failure to commence work or to complete it within the time fixed.

Read third time.

At twelve o'clock and twenty-nine minutes P. M. Mr. Dixon moved that the hour of adjournment be postponed until one o'clock.

So ordered.

At twelve o'clock and thirty minutes P. M. the Speaker called Mr. Pendleton to the chair.

The question being on the final passage of Assembly Bill No. 26.

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

AYES—Messrs. Ash, Bachman, Barker, Bassford, Bennett, Berry, Bettman, Bledsoe, Brusie, Bulla, Butler, Cargill, Coleman, Coghlin, Cutter, Dale, Davis, Devine, Dinkelspiel, Dixon, Dodge, Dwyer, Fassett, Freeman, Glass, Guy, Hall, Hatfield, Healey, Holland, Hudson, Johnson, Jones, Keen, Kenyon, Laugenour, Meads, McCarthy, McDonald, McKelvey, Merrill, Nelson, North, Pendleton, Phelps, Powers, Price, Reid, Richards, Robinson, Rowell, Sanford, Staley, Stansell, Spencer, Swisler, Tibbits, Twigg, Wade, Waymire, and Weyse—61.

NOES—None.

Title read and approved.

Assembly Bill No. 27—An Act to amend chapter two, part four, title fourteen, of the Civil Code, by adding thereto a new section, to be numbered as section three thousand nine hundred and thirty-nine and one half, relating to satisfactions or releases of mortgages in this State by foreign executors or administrators.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Bachman, Barker, Bassford, Bennett, Berry, Bettman, Bledsoe, Brusie, Bulla, Butler, Cargill, Coleman, Coghlin, Cutter, Dale, Davis, Devine, Dinkelspiel, Dixon, Dodge, Dunbar, Dwyer, Ewing, Fassett, Freeman, Gay, Glass, Guy, Hall, Hatfield, Healey, Holland, Huber, Hudson, Johnson, Jones, Keen, Kenyon, Laird, Laugenour, Meads, McCarthy, McDonald, McKelvey, Merrill, North, Osborn, Pendleton, Phelps, Powers, Price, Reid, Richards, Rowell, Staley, Stansell, Spencer, Swisler, Tibbits, Twigg, Wade, Waymire, Weyse, Wilkins, Wilkinson, and Zocchi—67.

NOES—None.

Title read and approved.

RESOLUTION.

By Mr. Laird:

Resolved, That all committees that have not met, or have no bills before them for consideration as yet, be and are hereby required to discharge their clerks, thereby saving to the State an unnecessary and extravagant expense.

Referred to Committee on Attachés and Employés.

ADJOURNMENT.

At twelve o'clock and forty minutes P. M., on motion of Mr. Laugenour, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Thursday, January 31, 1895. }

The Assembly met pursuant to adjournment.

Speaker Lynch in the chair.

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

Messrs. Ash, Bachman, Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Bledsoe, Bulla, Butler, Cargill, Coleman, Coghlin, Cutter, Dale, Davis, Devitt, Devine, Dixon, Dodge, Dunbar, Dwyer, Ewing, Fassett, Freeman, Gay, Glass, Guy, Hall, Hatfield, Holland, Huber, Hudson, Johnson, Jones, Keen, Kenyon, Lewis, McCarthy, McDonald, McKelvey, Merrill, Nelson, North, O'Day, Osborn, Phelps, Price, Richards, Robinson, Rowell, Sanford, Staley, Stansell, Spencer, Swisler, Tibbits, Tomblin, Wade, Weyse, Wilkins, Wilkinson, Zocchi, and Mr. Speaker.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. O. Summers.

READING OF THE JOURNAL.

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

So ordered.

SPECIAL ORDER.

Assembly Bill No. 361—An Act to amend section one thousand four hundred and sixteen of the Civil Code of this State, relating to water rights.

Passed, to take its place at the foot of third reading file.

REPORT OF STANDING COMMITTEE.

ON ATTACHES AND EMPLOYEES.

ASSEMBLY CHAMBER, SACRAMENTO, January 31, 1895.

MR. SPEAKER: Your Committee on Attachés and Employés beg leave to make the following report: The following resolution has been unanimously passed by your committee and we respectfully recommend its adoption:

Resolved, That at this time no additional attachés are needed, and therefore none should be employed, and this committee hereby requests authority to make inquiry into the necessity of retaining in office all the attachés and clerks at present employed; also authority to assign attachés and clerks of committees to perform the duties of such superfluous employés whose discharge shall be recommended.

Report adopted.

Also: Your Committee on Attachés and Employes, to whom was referred the following resolutions:

By Mr. Laird:

Resolved, That Mrs. T. B. Ford be and is hereby appointed Assistant Enrolling Clerk of the Assembly, at the same per diem paid the other Assistant Enrolling Clerks, said per diem to be paid out of the fund for the contingent expenses of the Assembly.

By Committee on Election Laws:

Resolved, That the Committee on Election Laws be and said committee is hereby authorized to employ a legal assistant to aid said committee in the preparation of a

bill to prevent frauds at elections, such assistant to be selected by said committee, and to be paid out of the Contingent Fund of the Assembly, such expense not to exceed one hundred dollars in the aggregate.

By Mr. Dinkelspiel (by request).

Resolved, That H. S. Burdick be and he is hereby appointed Assistant Bill Filer to the Assemblymen, at a per diem of four dollars, payable out of the contingent expenses of the Assembly.

By Mr. McCarthy:

Resolved, That Mrs. Nellie Lewis be and she is hereby appointed as Janitress for the Journal, Engrossing, and Enrolling Clerks' rooms, at the same per diem as is paid the Janitress of the ladies' waiting-room of the Assembly.

By Mr. Ash:

Resolved, That the salary of Ross McAmis as Assistant File Clerk of the Assembly be and is hereby increased from four to six dollars per diem, said increase to be paid out of the Contingent Fund of the Assembly.

Resolved, That each State officer shall receive two copies of each bill, concurrent resolution, and constitutional amendment introduced in the Assembly, except the State Librarian, who shall receive five copies of each, and that Joseph Gratz be and hereby is appointed to deliver the same, and keep the file for each State officer, at a per diem of five dollars, same to be paid out of the Contingent Fund of the Assembly.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

WEYSE, Chairman.

Report adopted.

Mr. Belshaw moved that the Assembly do now take up Senate messages.

So ordered.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, January 30, 1895.

MR. SPEAKER. I am directed to inform your honorable body that the Senate, on this day, passed Assembly Concurrent Resolution No. 7—Relative to the Reilly Funding Bill.

F. J. BRANDON, Secretary.

By C. L. PARDEE, Assistant.

MOTION.

Mr. Belshaw moved that Assembly Concurrent Resolution No. 7—Relative to the Reilly Funding Bill—be immediately transmitted to the Governor, and that he be requested to telegraph the same immediately to the California delegation in Congress.

So ordered.

MESSAGES FROM THE SENATE—(CONTINUED).

SENATE CHAMBER, SACRAMENTO, January 30, 1895.

MR. SPEAKER. I am directed to inform your honorable body that the Senate, on this day, passed Senate Bill No. 22—An Act for the protection of patients from extortion by dishonest physicians and druggists.

F. J. BRANDON, Secretary.

By C. L. PARDEE, Assistant.

Referred to Committee on Public Health and Quarantine.

REPORTS OF STANDING COMMITTEES.

ON SWAMP AND OVERFLOWED LANDS.

ASSEMBLY CHAMBER, SACRAMENTO, January 31, 1895.

MR. SPEAKER: Your Committee on Swamp and Overflowed Lands, to whom was referred Assembly Bill No. 315—An Act to amend section three thousand four hundred and ninety-one of the Political Code, relating to the election of trustees of reclamation districts—have considered the same, and respectfully beg leave to report the same back, without amendment, and recommend its passage.

CUTTER, Chairman.

ON JUDICIARY

ASSEMBLY CHAMBER, SACRAMENTO, January 31, 1895.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 458—An Act to amend an Act amendatory of section four hundred and twenty-five of the Political Code, approved March 20, 1889, relating to special policemen for the State Capitol grounds, and to their powers and the payment of their salaries—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to the Committee on Ways and Means.

Also: Mr Reid's resolution, relative to the appointment of a Commission to revise the revenue laws—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Assembly Bill No. 199—An Act providing for the judicial establishment of wills, and of the status of testators as related to wills so established, and for the custody and revocation of such wills.

Also: Assembly Bill No. 233—An Act to amend section six hundred and thirty-three, and to repeal section six hundred and thirty-four of the Code of Civil Procedure of the State of California.

Also: Assembly Bill No. 229—An Act to amend section two hundred and seventy-six of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 12, 1872, relating to the admission of attorneys and counselors-at-law to practice in the Courts of record.

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

Also: Assembly Bill No. 279—An Act to amend section two hundred and thirteen of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872.

Also: Assembly Bill No. 280—An Act to amend section four hundred and sixty-one of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872.

Also: Assembly Bill No. 312—An Act to amend section three hundred and forty of the Penal Code of California.

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

Also: Assembly Bill No. 51—An Act to amend section three thousand and two of the Civil Code, relating to the giving of notice of sale to a pledger.

Also: Assembly Bill No. 56—An Act to amend section five hundred and twenty-seven of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872.

Also: Assembly Bill No. 388—An Act to amend section one thousand six hundred and sixteen of "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to compensation of executors and administrators of estates of deceased persons.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

Also: Assembly Bill No. 200—An Act to repeal sections two thousand six hundred and fifty-two and two thousand six hundred and seventy-one of the Political Code, relating to road poll tax.

Also: Assembly Bill No. 359—An Act to amend section two thousand six hundred and fifty-two of the Political Code, relating to road poll taxes.

Have had the same under consideration, and respectfully report the same back, and recommend that they be referred to Committee on Roads and Highways.

BULLA, Chairman.

Assembly Bill No. 458 referred to Committee on Ways and Means.

Mr. Reid's resolution referred to Committee on Attachés and Employés.

Assembly Bills Nos. 200 and 359 referred to Committee on Roads and Highways.

ON AGRICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, January 31, 1895.

MR. SPEAKER: Your Committee on Agriculture, to whom was referred Assembly Bill No. 210—An Act to provide for a State Veterinarian and County Veterinarians, and prescribe their duties, and to prevent and suppress contagious and infectious diseases among the live stock of the State, and to declare an emergency—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Assembly Bill No. 427—An Act to provide for the appointment of a State Veterinary Surgeon, to prescribe his duties and fixing his compensation—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also: Assembly Bill No. 419—An Act to regulate the manufacture and sale of com-

mercial fertilizers—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Your committee ask for further time for consideration of Assembly Bill No. 317, referred January 21, 1895.

RICHARDS, Chairman.

The Committee on Agriculture was granted further time to report upon Assembly Bill No. 317.

ON COUNTY AND TOWNSHIP GOVERNMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, January 30, 1895.

MR. SPEAKER: Your Committee on County and Township Governments, to whom was referred Assembly Bills Nos. 99 and 330—have had the same under consideration, and respectfully report the same back, and recommend that they be referred to Committee on Mileage.

DODGE, Chairman.

So ordered.

The Committee on County and Township Governments was granted ten days' further time to report upon certain bills.

The Committee on Roads and Highways was granted further time to report upon all bills before the committee.

ON FEDERAL RELATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 31, 1895.

MR. SPEAKER: Your Committee on Federal Relations, to whom was referred Assembly Bill No. 7—An Act to provide for the appointment of Commissioners for the promotion of uniformity of legislation in the United States—have had the same under consideration, and recommend that it do pass.

Also: Assembly Joint Resolution No. 4—Relative to foreign immigration to the United States.

Also: Assembly Joint Resolution No. 5—Relative to a public building at Eureka, California.

And we recommend the adoption thereof.

Also: Assembly Joint Resolution No. 8—Relative to the annexation of the territory of the Republic of Hawaii—have had the same under consideration, and respectfully report the same back, and recommend the adoption thereof.

Also: Assembly Concurrent Resolution No. 5—Relative to the election of United States Senators by a direct vote of the people—and we do recommend the adoption thereof as amended by the committee.

HATFIELD, Chairman.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 30, 1895.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Assembly Bill No. 354—An Act to amend sections eight hundred and six and eight hundred and 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. 292—An Act to amend sections eight hundred and fifty-one, eight hundred and fifty-two, and eight hundred and fifty-three of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

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

GUY, Chairman.

ON MILEAGE.

ASSEMBLY CHAMBER, SACRAMENTO, January 30, 1895.

MR. SPEAKER: Your Committee on Mileage, to whom was referred the following resolutions:

By Mr. Holland:

WHEREAS, J. B. Sanford, Member of the Assembly from Mendocino County, received but forty-one dollars for mileage due for attending the present session, when the true amount due is forty-five dollars and eighty cents; therefore

Resolved, That the Controller be and he is hereby directed to draw his warrant upon the proper fund in favor of J. B. Sanford for four dollars and eighty cents, the same being the balance due him as aforesaid.

By Mr. Dunbar:

WHEREAS, An error has occurred in ascertaining the amount due to Willis Dunbar for mileage for attending the present session, the amount allowed being fourteen dollars and sixty cents, when the true amount is twenty-five dollars and sixty cents, therefore

Resolved, That the Controller be and he is hereby directed to draw his warrant upon the proper fund in favor of Willis Dunbar for the sum of eleven dollars, the same being the balance due him as mileage aforesaid.

Have had the same under consideration, and respectfully report the same back, and recommend they be adopted.

STALEY, Chairman.

Adopted.

ON IRRIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, January 31, 1895.

MR. SPEAKER: Your Committee on Irrigation, to whom was referred Assembly Bill No. 318—An Act to provide for the issue and sale of funding bonds of irrigation districts organized under and in pursuance of an Act of the Legislature of the State of California 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, and to provide for the payment of such funding bonds—have had the same under consideration, and respectfully report the same back, and recommend that its author be allowed to withdraw this bill.

McKELVEY, Chairman.

So ordered.

ON PUBLIC HEALTH AND QUARANTINE

ASSEMBLY CHAMBER, SACRAMENTO, January 31, 1895.

MR. SPEAKER: Your Committee on Public Health and Quarantine, to whom was referred Assembly Bill No. 414—An Act to amend an Act entitled "An Act to regulate the practice of pharmacy and sale of poisons in the State of California," approved March 11, 1891—have had the same under consideration, and respectfully report the same back, and recommend that the author be allowed to withdraw the same and introduce a substitute therefor.

GLASS, Chairman.

So ordered.

ON JUDICIARY—MINORITY REPORT.

ASSEMBLY CHAMBER, SACRAMENTO, January 31, 1895.

MR. SPEAKER: A minority of your Committee on Judiciary, to whom was referred Assembly Bill No. 56—An Act to amend section five hundred and twenty-seven of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, notwithstanding the majority report that it do not pass.

SPENCER, of Committee.

INTRODUCTION OF BILLS.

The following bills were introduced, read first time, and referred to committees, as follows:

By Mr. Coleman: Assembly Bill No. 529—An Act to amend section three hundred and ninety-four of the Code of Civil Procedure of California, concerning the commencement of actions.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 530—An Act to amend section three thousand five hundred and fifty-five, article six, part three, title eight, of the Political Code of California, concerning the entering and payment of costs in cases of judgment rendered against delinquent purchasers of State lands.

Read first time, and referred to Committee on Judiciary.

By Mr. North (by request): Assembly Bill No. 531—An Act to prohibit football playing.

Read first time, and referred to Committee on Public Morals.

By Mr. Osborn: Assembly Bill No. 532—An Act to establish a naval brigade, to be attached to the National Guard of California.

Read first time, and referred to Committee on Military Affairs.

By Mr. Berry: Assembly Bill No. 533—An Act to provide for the payment of the claim of George H. Tay Company, for the deficiency in the contract price for heating and ventilating the State Normal School building at San José, State of California.

Read first time, and referred to Committee on Claims.

By Mr. Devine: Assembly Bill No. 534—An Act to amend an Act entitled "An Act to regulate the practice of pharmacy and sale of poisons in the State of California," approved March 11, 1891.

Read first time, and referred to Committee on Public Health and Quarantine.

By Mr. Robinson: Assembly Bill No. 535—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 seats by an election, and to determine the portion of the old county debt to be chargeable to such new county.

Read first time, and referred to Committee on Counties and County Boundaries.

By Mr. Bennett: Assembly Bill No. 536—An Act to amend sections one thousand five hundred and fifty-one, one thousand five hundred and seventy-six, one thousand six hundred and seventeen, one thousand six hundred and sixty-nine, one thousand seven hundred and seventy, one thousand eight hundred and thirty, one thousand eight hundred and fifty-eight, one thousand eight hundred and eighty-two, one thousand eight hundred and eighty-four, and one thousand eight hundred and eighty-five of the Political Code, relating to the public schools.

Read first time, and referred to Committee on Education.

By Mr. Hatfield: Assembly Bill No. 537—An Act to appropriate moneys to aid in erecting a monument over the grave of the late Secretary of State, E. G. Waite, and to prescribe the duties of the Controller and Directors of State Burial Grounds in relation thereto.

Read first time, and referred to Committee on Public Buildings and Grounds.

Also: Assembly Bill No. 538—An Act appropriating money for the relief of Mrs. Sarah J. Wing, her heirs or assigns.

Read first time, and referred to Committee on Claims.

By Mr. Dodge (by request): Assembly Bill No. 539—An Act to amend section fourteen of "An Act for the more effectual prevention of cruelty to animals," approved March 20, 1874.

Read first time, and referred to Committee on Judiciary.

By Mr. Kelsey: Assembly Bill No. 540—An Act authorizing the Trustees of the State Normal School at San José to light the grounds by electricity, and making an appropriation therefor.

Read first time, and referred to Committee on Public Buildings and Grounds.

By Mr. Reid: Assembly Bill No. 541—An Act to repeal an Act entitled "An Act to provide and regulate the manner of receiving and paying fees, commissions, percentages, and other compensation for official services in cities, and cities and counties, having a population of over one hundred thousand inhabitants, and prescribing the duties of officers with reference thereto," approved March 11, 1893.

Read first time, and referred to San Francisco Delegation.

MOTION.

Mr. Hatfield moved that Assembly Bill No. 458 be withdrawn from Committee on Ways and Means, and referred to Committee on Retrenchment and Public Expenditures.

So ordered.

INTRODUCTION OF BILLS—(CONTINUED).

By Mr. Bulla: Assembly Bill No. 542—An Act to amend an Act entitled "An Act creating a Board of Commissioners of the Building and Loan Associations, and prescribing their duties and powers," approved March 23, 1893.

Read first time, and referred to Committee on Judiciary.

By Mr. Guy: Assembly Bill No. 543—An Act to amend section six hundred and eighty-nine of the Penal Code of the State of California, relating to the trial by jury of public offenses.

Read first time, and referred to Committee on Judiciary.

By Mr. Lynch: Assembly Bill No. 544—An Act to amend section three hundred and ninety-eight of the Code of Civil Procedure, relating to the place of trial.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 545—An Act to amend section three hundred and ninety-seven of the Code of Civil Procedure, relating to change of place of trial of certain cases.

Read first time, and referred to Committee on Judiciary.

By Mr. Wade (by request): Assembly Bill No. 546—An Act to amend section four, and to repeal sections five, six, and seven of an Act entitled "An Act to provide for fitting up in the basement of the Capitol building a moisture-proof, fire-proof, and burglar-proof vault for storage and care of the archives of the State offices; for the appointment of a Keeper of the Archives, defining his duties, fixing his salary, and appropriating money for the purposes appertaining thereto," approved March 25, 1889.

Read first time, and referred to Committee on Public Buildings and Grounds.

Also (by request): Assembly Bill No. 547—An Act to repeal an Act entitled "An Act to provide for a Board of Arbitration for the settlement of differences between employers and employes, to define the duties of said Board, and to appropriate the sum of twenty-five hundred dollars therefor," approved March 10, 1891.

Read first time, and referred to Committee on Labor and Capital.

APPROVAL OF THE JOURNAL.

The Journal of Wednesday, January 30th, was approved.

RESOLUTION.

By Mr. Berry:

Resolved, That a sub-committee of seven members of Committee on Public Buildings and Grounds, and a sub-committee of five members of Committee on Military Affairs, be granted leave of absence to visit the public institutions in Southern California, for the purpose of inquiring into the needs of apparatus asked for.

Mr. Guy moved that the rules be suspended for the purpose of considering Mr. Berry's resolution.

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

AYES—Messrs. Berry, Bettman, Cargill, Coghlin, Dale, Devitt, Devine, Dixon, Dwyer, Ewing, Fassett, Freeman, Glass, Guy, Healey, Holland, Huber, Keen, Kelsey, Kenyon, Lewis, Meads, McDonald, Merrill, Nelson, North, O'Day, Osborn, Sanford, Twigg, Weyse, Wilkins, Wilkinson, and Zocchi—34.

NOES—Messrs. Ash, Bachman, Barker, Bassford, Belshaw, Bennett, Bledsoe, Bulla, Butler, Coleman, Davis, Dodge, Dunbar, Hall, Hatfield, Johnson, Jones, McKelvey, Phelps, Price, Richards, Robinson, Rowell, Staley, Stansell, Spencer, Swisler, Tomblin, Wade, Waymire, and Mr. Speaker—31.

The resolution was laid over one day.

INTRODUCTION OF BILLS—(CONTINUED).

By Mr. Cargill: Assembly Bill No. 548—An Act to amend section one thousand six hundred and seventy of the Political Code, relating to high schools.

Read first time, and referred to Committee on Education.

RESOLUTION.

By Mr. O'Day:

Resolved, That the members of the Assembly hereby extend an invitation to the Pages of the Assembly to accompany them on their visit to the Folsom State Prison.

Referred to Committee on Attachés and Employés.

UNFINISHED BUSINESS—RESOLUTION.

By Mr. Belshaw:

Resolved, That a special committee of five be appointed to investigate, and report to the Assembly, at the earliest possible time:

1. On how many officers and attachés are necessary for the Assembly to transact its business expeditiously and efficiently.
2. What positions should be filled by such officers and attachés, and during what portion of the session.
3. The salaries which should be paid to each officer and attaché
4. The method of election or appointment of such officers and attachés.
5. The number of officers and attachés of the Assembly at the present time, the position and duty of each, their names, and the amounts of their compensation.
6. What officers and attachés of the Assembly, if any, have been derelict in their duties.
7. What officers or attachés of the Assembly, if any, can be dispensed with, during the whole or any part of this session.
8. What reduction can be made in the salaries of other officers and attachés, mentioning the same in detail.

Temporarily passed.

INTRODUCTION OF BILLS—(CONTINUED).

By Mr. Lynch (by request): Assembly Bill No. 549—An Act to provide for the compensation of the chiefs and captains of police, and police officers, in all municipal corporations of the third and fourth classes in the State of California.

Read first time, and referred to Committee on Municipal Corporations.

SPECIAL FILE.

Assembly Bill No. 1—An Act to provide for the contingent expenses of the Assembly.

Passed, to retain its place on file.

Assembly Constitutional Amendment No. 3—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, amending section twelve of article thirteen thereof, relative to revenue and taxation, and the collection of the State poll tax.

The question being upon the adoption of the resolution.

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

AYES—Messrs. Bachman, Barker, Belshaw, Bennett, Berry, Bettman, Bledsoe, Bulla, Butler, Coleman, Dale, Davis, Devitt, Dixon, Dodge, Dunbar, Ewing, Fassett, Freeman, Gay, Glass, Guy, Hall, Hatfield, Holland, Johnson, Jones, Keen, Kelsey, Kenyon, Meads, McDonald, McKelvey, Merrill, Nelson, North, O'Day, Osborn, Powers, Richards, Robinson, Rowell, Sanford, Staley, Stansell, Spencer, Tibbits, Tomblin, Twigg, Wade, Weyse, and Mr. Speaker—58.

NOES—Messrs. Ash, Devine, Phelps, Price, and Swisler—5.

The following amendment to the title was submitted by Mr. McKelvey:

Amend by striking out of line eight the word "both," and inserting the following: "each."

Adopted.

NOTICE OF RECONSIDERATION.

Mr. Reid gave notice that on to-morrow he would move to reconsider the vote whereby Assembly Constitutional Amendment No. 3 was passed.

SPECIAL FILE—(RESUMED).

Assembly Constitutional Amendment No. 11—A resolution to propose to the people of the State of California an amendment to section one of article two of the Constitution, in relation to the right of suffrage.

Passed, to retain its place on file.

Assembly Constitutional Amendment No. 5—Proposed amendment to section five of article two of the Constitution, relative to elections.

Passed, to retain its place on file.

Assembly Constitutional Amendment No. 6—Proposed amendment to section seven of article one of the Constitution, relative to juries.

Passed, to retain its place on file.

Assembly Constitutional Amendment No. 4—Proposed amendment to section one of article thirteen of the Constitution, relative to revenue and taxation.

Passed, to retain its place on file.

INTRODUCTION OF BILLS—(OUT OF ORDER).

The following bills were introduced, read first time, and referred to committees, as follows:

By Mr. Tibbits: Assembly Bill No. 550—To afford greater security to passengers upon stage coaches, wagons, and other conveyances in or upon which express matter, gold or silver bullion, money, treasure, or other valuable thing or things in the custody or under the control of any express company as a common carrier is usually carried, relating to the duties of express companies, and prohibiting armed guards, agents, or messengers from riding in or upon stage coaches, wagons, and other conveyances engaged in carrying passengers for hire, and provid-

ing penalties for a violation of or failure to comply with the provisions of this Act.

Read first time, and referred to Committee on Corporations.

By Mr. Lynch: Assembly Bill No. 551—An Act to pay the claim of George Miller for damage done by the storm water and sewerage of the Southern California State Asylum for the Insane and Inebriates.

Read first time, and referred to Committee on Claims.

By Mr. Tibbits: Assembly Bill No. 552—An Act to amend the Penal Code by adding two new sections, to be known as one thousand and eighty-nine and one thousand and ninety of the Penal Code of the State of California, relative to substitute jurors.

Read first time, and referred to Committee on Judiciary.

By Mr. Glass: Assembly Bill No. 553—An Act to authorize the State Board of Health to purchase and manufacture diphtheria anti-toxine, and to appropriate six thousand dollars therefor.

Read first time, and referred to Committee on Public Health and Quarantine.

GENERAL FILE—THIRD READING OF BILLS.

Assembly Bill No. 4—An Act to amend section three thousand four hundred and forty of the Civil Code of the State of California, relative to the transfer of personal property.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs Ash, Bachman, Barker, Bassford, Belshaw, Bennett, Berry, Bledsoe, Brusie, Bulla, Butler, Coleman, Coghlin, Davis, Devitt, Dixon, Dodge, Dunbar, Dwyer, Fassett, Freeman, Gay, Glass, Guy, Hall, Hatfield, Huber, Hudson, Johnson, Jones, Keen, Kelsey, Kenyon, Meads, McCarthy, McDonald, McKelvey, Merrill, Nelson, North, Osborn, Phelps, Powers, Price, Reid, Richards, Robinson, Rowell, Sanford Staley, Stausell, Spencer, Swisler, Tibbits, Tomblin, Wade, Waymire, Weyse, Wilkinson, Zocchi, and Mr. Speaker—61

NOES—None

Title read and approved.

Assembly Bill No. 9—An Act to amend section three thousand seven hundred and sixty-five, section three thousand seven hundred and seventy-three, section three thousand seven hundred and seventy-eight, section three thousand seven hundred and eighty, section three thousand seven hundred and eighty-one, section three thousand seven hundred and eighty-five, section three thousand seven hundred and eighty-eight, section three thousand eight hundred and thirteen, section three thousand eight hundred and sixteen, and section three thousand eight hundred and seventeen; and to repeal section three thousand seven hundred and seventy-four, section three thousand seven hundred and seventy-five, section three thousand seven hundred and seventy-six, section three thousand seven hundred and seventy-seven, section three thousand seven hundred and seventy-nine, section three thousand seven hundred and eighty-two, section three thousand seven hundred and eighty-three, section three thousand seven hundred and eighty-four, and section three thousand eight hundred and eighteen of an Act of the Legislature of the State of California entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the sale of real property for delinquent taxes, and the redemption and resale of such property; and to add a new section thereto, to be known and designated as section three

thousand eight hundred and one, also relating to the sale of real property for delinquent taxes.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Bachman, Barker, Bassford, Belshaw, Bennett, Berry, Bledsoe, Brusie, Bulla, Butler, Cargill, Coghlin, Dale, Davis, Devitt, Devine, Dodge, Dunbar, Dwyer, Ewing, Fassett, Freeman, Glass, Guy, Hall, Hatfield, Healey, Holland, Huber, Hudson, Jones, Kelsey, Kenyon, Laird, McCarthy, McKelvey, Merrill, Nelson, North, Osborn, Phelps, Powers, Price, Richards, Robinson, Rowell, Sanford, Stansell, Spencer, Swisler, Wade, Waymire, Weyse, Wilkinson, and Mr. Speaker—56.

NOES—None.

Title read and approved.

MOTION.

Mr. Spencer moved the suspension of the rules, for the purpose of considering Assembly Bill No. 470.

The roll was called, and pending the announcement of the result of the roll call, Mr. Spencer demanded that the names of the absentees be called.

So ordered.

The result of the roll call suspended the rules by the following vote:

AYES—Messrs. Ash, Bachman, Barker, Bassford, Belshaw, Bennett, Bettman, Bledsoe, Brusie, Bulla, Butler, Dale, Davis, Devitt, Dixon, Dodge, Dunbar, Ewing, Freeman, Guy, Hall, Hatfield, Johnson, Keen, Kelsey, Kenyon, McCarthy, McDonald, McKelvey, Osborn, Phelps, Powers, Richards, Robinson, Rowell, Spencer, Tibbits, Waymire, and Weyse—39.

NOES—Messrs. Cargill, Devine, Healey, Holland, Huber, Hudson, Meads, Nelson, Reid, Sanford, Swisler, Wade, Wilkinson, Zocchi, and Mr. Speaker—15.

Mr. Spencer moved that the bill be now read a second time.

Mr. Hatfield moved that consideration of Assembly Bill No. 470 be temporarily passed.

Mr. Reid moved as a substitute that Assembly Bill No. 470 be passed, and be made a special order for Wednesday, immediately after reading the Journal.

Mr. Powers moved the reconsideration of the vote whereby the Assembly decided to suspend the rules for the consideration of Assembly Bill No. 470.

Lost.

The question now recurring upon the motion of Mr. Reid to make the consideration of Assembly Bill No. 470 a special order for Wednesday morning, immediately after the reading of the Journal, the same was adopted.

GENERAL FILE—(CONTINUED)—THIRD READING OF BILLS.

Assembly Bill No. 10—An Act to amend section one thousand two hundred and fourteen of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to the recording of conveyances.

Passed, to retain its place on file.

Assembly Bill No. 20—An Act to amend section three thousand and fifty-one of the Civil Code of California, relating to liens for services in the care, protection, improvement, safe-keeping, or carriage of personal property; and for caring for, boarding, feeding, or pasturing horses or stock.

Mr. Bulla, the author, asked leave to withdraw the bill.

So ordered.

Assembly Bill No. 28—An Act to amend section six hundred and seventy-one of the Code of Civil Procedure, relating to the lien of judgments, their enforcement and revivor.

Ordered returned to the Committee on Engrossment for proper engrossment, and to retain its place on file.

Assembly Bill No. 189—An Act to amend section one thousand eight hundred and eighty of the Code of Civil Procedure of the State of California, relating to witnesses.

Mr. Bachman, the author, asked that he be allowed to withdraw the same.
So ordered.

REPORT OF STANDING COMMITTEE.

ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, January 31, 1895.

MR. SPEAKER: Your Committee on Enrollment beg leave to report that Assembly Bill No. 450—An Act making an appropriation for the support of the State Printing Office for the remainder of the forty-sixth fiscal year—has been correctly enrolled, and was presented to the Governor this day, at eleven o'clock and twenty-five minutes A. M.

MEADS, Chairman.

GENERAL FILE—(CONTINUED)—THIRD READING OF BILLS.

Assembly Bill No. 35—An Act to amend section one hundred and seventy-two of the Civil Code, relating to power of husband and wife over community property.

Read third time.

The question being upon the final passage of the bill.

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

AYES—Messrs. Barker, Bassford, Belshaw, Bennett, Berry, Brusie, Bulla, Butler, Coleman, Cutter, Dale, Dixon, Fassett, Freeman, Gay, Glass, Hall, Hatfield, Huber, Hudson, Johnson, Jones, Keen, Kelsey, Kenyon, McDonald, McKelvey, Merrill, Nelson, North, O'Day, Osborn, Phelps, Price, Richards, Rowell, Stansell, Spencer, Swisler, Tomblin, Wade, Waymire, Weyse, Wilkinson, Zocchi, and Mr. Speaker—46
NOES—Messrs. Ash, Bledsoe, Cargill, Coghlin, Davis, Devitt, Devine, Dodge, Holland, Powers, Reid, Robinson, and Sanford—13

Title read and approved.

INTRODUCTION OF BILLS—(OUT OF ORDER).

The following bills were introduced, read first time, and referred to committees, as follows:

By Mr. Lynch: Assembly Bill No. 554—An Act to provide for a commission to investigate public offices, institutions, and departments of this State, and of the counties, cities and counties, or municipalities thereof; and to inquire into the acts of all public officers, employés, and attachés of such offices, institutions, and departments of this State, and of the counties, cities and counties, and municipalities thereof, and especially to inquire into acts of corruption, misfeasance, and misappropriation of public moneys or public property by such officers, employés, and attachés, and their official misconduct generally; and to investigate violations of the election laws.

Read first time, and referred to Committee on Judiciary.

By Mr. Powers: Assembly Bill No. 555—An Act to amend section nine hundred and fifty-six of the Code of Civil Procedure, relating to appeals in civil cases.

Read first time, and referred to Committee on Judiciary.

GENERAL FILE—(CONTINUED)—THIRD READING OF BILLS.

Assembly Bill No. 29—An Act to amend section six hundred and eighty-five of the Code of Civil Procedure, relating to the enforcement or carrying into execution of judgments after the lapse of five years from the date of entry.

Ordered engrossed and to third reading.

Assembly Bill No. 32—An Act to amend section one thousand and ninety-four of the Civil Code, relating to the execution and acknowledging of powers of attorney by a married woman, and to make valid all powers of attorney formerly executed by married women.

Passed, to retain its place on file.

Assembly Bill No. 24—An Act to amend chapter seven, part three, title nine, of the Political Code of the State of California, relating to the collection of property taxes, by adding a new section thereto, to be known as section three thousand seven hundred and forty-six and one half.

Passed, to retain its place on file.

Assembly Bill No. 30—An Act for the protection of the records of the several counties of the State of California, and regulating the business of abstracting in relation thereto.

Passed, to retain its place on file.

Assembly Bill No. 31—An Act to amend section one thousand five hundred and thirty-nine of the Code of Civil Procedure, relative to hearing of petition for order to sell real estate of decedents.

Passed, to retain its place on file.

Assembly Bill No. 33—An Act to amend section one thousand five hundred and eighty-two of the Code of Civil Procedure, relating to the right of executors and administrators to sue and be sued to determine title or to recover property.

Passed, to retain its place on file.

Assembly Bill No. 34—An Act to amend section one thousand five hundred and sixty-one of the Code of Civil Procedure, relating to the confirmation of sales made without order of Court.

Passed, to retain its place on file.

Assembly Bill No. 12—An Act to amend section three thousand and forty-six of the Civil Code of the State of California, relating to vendors' liens, and the transfer and satisfaction thereof.

Passed, to retain its place on file.

Assembly Bill No. 78—An Act to amend section nine hundred and fifty-four of the Code of Civil Procedure, relating to dismissal of appeals.

Passed, to retain its place on file.

Assembly Bill No. 135—An Act to amend section four hundred and sixteen of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relative to the fees to be collected by the Secretary of State for services rendered by him in his official capacity.

Passed, to retain its place on file.

Assembly Bill No. 144—An Act to amend section one thousand seven

hundred and ninety-nine of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the discharge of guardians.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Bledsoe, Brusie, Bulla, Butler, Cargill, Coleman, Coghlin, Cutter, Dale, Davis, Devitt, Dixon, Dodge, Dunbar, Dwyer, Ewing, Fassett, Glass, Guy, Hall, Healey, Holland, Huber, Hudson, Johnson, Jones, Keen, Kelsey, Kenyon, Meads, McCarthy, McDonald, McKelvey, Merrill, Nelson, North, O'Day, Reid, Richards, Robinson, Rowell, Stansell, Spencer, Swisler, Tibbits, Tomblin, Twigg, Wade, Waymire, Weyse, Wilkinson, and Mr. Speaker—59.

NOES—None.

Title read and approved.

MOTION.

Mr. Waymire moved that Assembly Bill No. 554 be immediately sent to the printer, and that a copy of the printed bill be left upon the desk of each member of the Assembly to-morrow morning.

So ordered.

GENERAL FILE—(CONTINUED)—THIRD READING OF BILLS.

Assembly Bill No. 145—An Act to amend section seven hundred and fifty-two of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relative to the fees to be collected by the Clerk of the Supreme Court of the State of California.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Bachman, Barker, Bassford, Belshaw, Bennett, Berry, Bledsoe, Brusie, Bulla, Butler, Cargill, Coleman, Cutter, Dale, Davis, Devitt, Devine, Dixon, Dodge, Dunbar, Dwyer, Ewing, Fassett, Freeman, Glass, Guy, Hall, Hatfield, Healey, Holland, Huber, Hudson, Johnson, Jones, Keen, Kelsey, Kenyon, Meads, McDonald, McKelvey, Merrill, Nelson, North, O'Day, Powers, Robinson, Rowell, Spencer, Swisler, Tibbits, Tomblin, Twigg, Wade, Weyse, Wilkins, Zocchi, and Mr. Speaker—58.

NOES—None.

Title read and approved.

LEAVE OF ABSENCE.

Mr. Huber was granted leave of absence until next Monday morning.

GENERAL FILE—(CONTINUED)—THIRD READING OF BILLS.

Assembly Bill No. 449—An Act to amend 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, 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 March 20, 1891, and amended by an Act approved March 23, 1893, amending section eight, and adding two sections thereto.

Passed, to retain its place on file.

Assembly Bill No. 132—An Act to provide for the organization and management of county fire insurance companies.

Passed, to retain its place on file.

MOTION.

Mr. Brusie moved the immediate consideration of Assembly Bill No. 1.
So ordered.

Assembly Bill No. 1—An Act to provide for the contingent expenses of the Assembly.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Bachman, Barker, Bassford, Belshaw, Bennett, Berry, Bledsoe, Brusie, Bulla, Butler, Cargill, Coleman, Coghlin, Dale, Davis, Devine, Dixon, Dodge, Dunbar, Dwyer, Ewing, Fassett, Glass, Guy, Hall, Hatfield, Healey, Huber, Hudson, Johnson, Jones, Keen, Kelsey, Kenyon, Meads, McCarthy, McDonald, Merrill, Nelson, O'Day, Osborn, Powers, Price, Richards, Robinson, Rowell, Sanford, Stansell, Swisler, Tibbits, Tomblin, Twigg, Waymire, Weyse, Zocchi, and Mr. Speaker—57.

NOES—None.

Title read and approved.

Mr. Brusie moved that Assembly Bill No. 1 be immediately transmitted to the Senate.

So ordered.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, January 31, 1895.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 193—An Act making an appropriation to pay the deficiencies in the appropriation for costs and expenses of suits in which the State is a party in interest, for the thirty-fifth, thirty-sixth, thirty-seventh, thirty-eighth, thirty-ninth, and fortieth fiscal years—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to Committee on Claims.

BRUSIE, Chairman.

So ordered.

RESOLUTION.

By Mr. Brusie:

Resolved, That the State Controller be and he is hereby directed to draw his warrant in favor of George C. Parkinson, Sergeant-at-Arms of the Assembly, for the sum of one hundred and seventy-seven dollars and ninety-five cents, amount expended by him according to the account herewith presented, and that said warrant be drawn against the Contingent Fund of the Assembly.

SACRAMENTO, January 31, 1895.

State of California, Do., to Geo. C. Parkinson, Sergeant-at-Arms, Assembly.

1 walnut desk.....	\$18 00
1 ten-foot desk.....	25 00
1 oak desk.....	22 50
1 ten-foot desk.....	27 60
1 office desk.....	22 50
1 square table.....	6 50
12 baskets.....	7 20
Repairing chair.....	1 50
1 oak desk.....	22 50
1 six-foot rack.....	1 50
1 two-foot rack.....	75
1 oak desk.....	22 50
Total.....	\$177 95

Resolution adopted.

The Committee on Ways and Means was granted further time in which to report upon Assembly Bills Nos. 8, 17, 205, and 118.

LEAVE OF ABSENCE.

Mr. Guy was granted leave of absence until next Wednesday.

At twelve o'clock and twenty-five minutes P. M., Mr. Guy moved that the hour of adjournment be extended to one o'clock P. M.

So ordered.

RESOLUTIONS.

By Mr. Brusie:

Resolved, That the Controller of the State be and he is hereby directed to draw his warrant in favor of F. E. Foote, for the sum of fifty-six dollars, for services performed for the Committee on Ways and Means during the week of January 7, 1895, said amount to be paid out of the Contingent Fund of the Assembly.

Referred to Committee on Ways and Means.

Also:

WHEREAS, There is now and has been for twenty-five days a vacancy in the office of Supreme Court Commissioner, caused by the resignation of the Hon. Jackson Temple; and whereas, it appears by the non-action of the Justices of the Supreme Court in filling said vacancy, that the fifth Supreme Court Commissioner is not necessary; therefore, be it

Resolved, That the Judiciary Committee be and they are hereby directed to investigate and report as to the necessity of this Legislature making an appropriation for the said fifth Commissioner

Referred to Committee on Judiciary.

INTRODUCTION OF BILLS—(OUT OF ORDER).

The following bills were introduced, read first time, and referred to committees, as follows:

By Mr. Brusie: Assembly Bill No. 556—An Act establishing a commission to revise and compile the laws of the State of California, and to re-codify the several codes thereof, and amendments thereto.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 557—An Act to pay the judgment of E. W. Melvin against the State of California, and making an appropriation therefor.

Read first time, and referred to Committee on Claims.

By Mr. Wilkins: Assembly Bill No. 558—An Act to amend section one thousand five hundred and seventy-five of the Political Code, relating to the public schools.

Read first time, and referred to Committee on Education.

Also: Assembly Bill No. 559—An Act to amend sections two hundred and forty-five and two hundred and forty-six of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the officers and employes of the Legislature.

Read first time, and referred to Committee on Judiciary.

By Mr. Sanford: Assembly Bill No. 560—An Act to amend section one thousand seven hundred and sixty-eight of the Political Code of the State of California, relating to County Boards of Education.

Read first time, and referred to Committee on Education.

Also: Assembly Bill No. 561—An Act to amend section one thousand

six hundred and thirty-six of the Political Code of the State of California, relating to the duties of Census Marshals.

Read first time, and referred to Committee on Judiciary.

By Mr. Cutter: Assembly Bill No. 562—An Act to protect life and property from destruction by electric wires.

Read first time, and referred to Committee on Corporations.

By Mr. Guy: Assembly Bill No. 563—An Act to pay the claim of Samuel J. Black against the State of California, and making an appropriation therefor.

Read first time, and referred to Committee on Claims.

RESOLUTION.

By Mr. Cutter:

Resolved, That each member of the Assembly be and he is hereby allowed twenty-five dollars for contingent expenses, as provided by the Constitution, 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 have drawn on requisition from the Secretary of State, shall be charged to his account, as a part of his allowance hereby made; and that all resolutions on the subject heretofore passed be and are hereby rescinded.

Adopted.

GENERAL FILE—SECOND READING OF BILLS.

Assembly Bill No. 134—An Act to repeal section one thousand two hundred and twenty-two of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relative to judgments in contempt proceedings.

Read second time.

Mr. McKelvey, the author, asked permission to withdraw the bill.

So ordered.

Assembly Bill No. 55—An Act to amend section one thousand two hundred and twenty-two of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872.

Read second time, ordered engrossed and to third reading.

Assembly Bill No. 141—An Act to amend section six hundred and seventy of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, in relation to what papers constitute a judgment roll.

Read second time, ordered engrossed and to third reading.

Assembly Bill No. 142—An Act to amend an Act entitled "An Act to establish law libraries," approved March 1, 1891, and to add a new section thereto, for the purpose of disestablishing such law libraries, such new section to be numbered fourteen and one half.

Read second time, ordered engrossed and to third reading.

Assembly Bill No. 62—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, by adding thereto two sections, to be known as sections one thousand eight hundred and eighty-two and one thousand eight hundred and eighty-five, being a part of part four, title two, chapter two, concerning witnesses.

Read second time, ordered engrossed and to third reading.

Assembly Bill No. 63—An Act to repeal sections one hundred and fifty-four and one hundred and fifty-five of an Act entitled "An Act to

establish a Penal Code of the State of California," approved February 14, 1872.

Refused second reading.

Assembly Bill No. 138—An Act to amend section one thousand and thirty of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, in relation to costs when tender is made before suit brought.

Refused second reading.

Assembly Bill No. 39—An Act to amend section one thousand two hundred and seven of the Civil Code, relating to notice and certified copies of records as evidence.

Read second time.

The following committee amendments were submitted:

Amend by striking out of section one, line four, the word "three," after the word "ninety," and inserting the word "five."

Adopted.

Also: Amend in section one, line eleven, by inserting the word "instrument," between the words "original" and "was."

Adopted.

Ordered to engrossment and to a third reading.

Assembly Bill No. 75—An Act to amend section four hundred and eighty-seven of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872.

Read second time.

Mr. Reid moved to amend as follows:

After the word "another," on line five of section one, insert the following: "3. When the property taken is a horse, mare, gelding, cow, steer, bull, calf, mule, jack, or jenny."

Lost.

Mr. Hatfield moved to amend as follows:

Amend section four hundred and eighty-seven, in line four, by striking out the word "fifty," and inserting the word "twenty."

Lost.

Mr. Swisler moved to amend as follows:

After line five in printed bill, add the following: "When the property taken is a horse, mare, gelding, cow, steer, bull, calf, or mule."

Adopted.

Ordered engrossed and to third reading.

Assembly Bill No. 38—An Act to amend section one thousand one hundred and ninety-one of the Civil Code, relating to the form of acknowledgment by married women.

Read second time, and ordered engrossed and to third reading.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, January 31, 1895.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following bills have been correctly engrossed, viz.:

Assembly Bill No. 449—An Act to amend 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, and to repeal so much of an Act entitled 'An Act to form agricultural districts,' " etc, approved March 20, 1891, and amended by an Act approved March 23, 1893, amending section eight, and adding a new section thereto

Also: Assembly Bill No. 132—An Act to provide for the organization and management of county fire insurance companies.

WILKINSON, Chairman.

Mr. McKelvey moved that Assembly Bills Nos. 449 and 132 be made a special order for to-morrow morning, immediately after reading the Journal.

So ordered.

ADJOURNMENT.

At one o'clock P. M. the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Friday, February 1, 1895. }

The Assembly met pursuant to adjournment.

Speaker Lynch in the chair.

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

Messrs. Ash, Bachman, Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Bledsoe, Bulla, Butler, Cargill, Coleman, Cutter, Dale, Davis, Devine, Dixon, Dodge, Dunbar, Dwyer, Ewing, Fassett, Freeman, Gay, Glass, Hall, Hatfield, Healey, Holland, Hudson, Johnson, Jones, Keen, Kelsey, Kenyon, Lewis, Meads, McDonald, McKelvey, Merrill, Nelson, North, O'Day, Osborn, Phelps, Powers, Price, Reid, Richards, Rowell, Sanford, Staley, Stansell, Spencer, Tibbits, Tomblin, Wade, Waymire, Weyse, Wilkins, Wilkinson, Zocchi, and Mr. Speaker.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. O. Summers.

READING OF THE JOURNAL.

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

So ordered.

LEAVE OF ABSENCE.

Leave of absence of Messrs. Pendleton, Llewellyn, Laird, Laugenour, and Thomas, of the Committee on State Prisons and Reformatory Institutions, on motion of Mr. Bettman, was extended until next Tuesday.

Mr. Dinkelspiel's leave of absence was extended until Tuesday.

Messrs. Hatfield and Butler were granted leave of absence for Saturday.

Messrs. Dwyer, Devine, Belshaw, and Lewis were granted leave of absence until Monday.

Mr. Powers was granted leave of absence until next Tuesday.

Messrs. Berry, Bettman, Dwyer, Guy, Lewis, Nelson, and Sanford, members of Committee on Public Buildings and Grounds, were granted leave of absence.

At nine o'clock and forty-five minutes A. M., the Speaker called Mr. Belshaw to the chair.

SPECIAL ORDERS.

Assembly Bill No. 449—An Act to amend 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, 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 March 20, 1891, and amended by an Act approved March 23, 1893, amending section eight, and adding two sections thereto.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Bachman, Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Bledsoe, Bulla, Butler, Cargill, Coleman, Cutter, Dale, Davis, Devine, Dixon, Dodge, Dunbar, Dwyer, Ewing, Fassett, Freeman, Gay, Glass, Hall, Hatfield, Healey, Holland, Hudson, Johnson, Jones, Keen, Kelsey, Kenyon, Lewis, Meads, McDonald, McKelvey, Nelson, North, O'Day, Osborn, Phelps, Powers, Price, Reid, Richards, Robinson, Rowell, Staley, Stansell, Spencer, Swisler, Tibbits, Tomblin, Wade, Waymire, Weyse, Wilkins, Wilkinson, Zocchi, and Mr. Speaker—64.

NOES—None.

Title read and approved.

At nine o'clock and fifty minutes A. M., Speaker Lynch in the chair.

Assembly Bill No. 132—An Act to provide for the organization and management of county fire insurance companies.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Bachman, Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Bledsoe, Bulla, Cargill, Cutter, Devitt, Devine, Dodge, Dunbar, Dwyer, Ewing, Fassett, Freeman, Gay, Glass, Hall, Hatfield, Healey, Holland, Hudson, Johnson, Jones, Keen, Kelsey, Kenyon, Lewis, McDonald, McKelvey, Merrill, Nelson, North, O'Day, Phelps, Price, Reid, Richards, Robinson, Rowell, Staley, Spencer, Tibbits, Tomblin, Wade, Waymire, Weyse, Wilkinson, Zocchi, and Mr. Speaker—54.

NOES—Mr. Swisler—1.

Title read and approved.

REPORTS OF STANDING COMMITTEES.

ON ATTACHÉS AND EMPLOYÉS.

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1895.

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

By Mr. Reid:

Resolved, That a special committee of three members of the Assembly be appointed by the Speaker to revise the revenue laws of the State, and to report a bill revising said laws not later than the twenty-fourth day of February, 1895, and that said committee be empowered to employ a clerk and stenographer at a compensation of five dollars each per day, payable out of the contingent expenses of the Assembly.

COMMITTEE AMENDMENTS.

From line four strike out the words "clerk and," and from line five the word "each"; and insert in line five after the word "day" and before the word "payable," the words "and an expert at a compensation of ten dollars per day."

Have had the same under consideration, and respectfully report the same back, and recommend that it do pass, as amended by Committee on Judiciary.

WEYSE, Chairman.

Report adopted.

ON LABOR AND CAPITAL.

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1895.

MR. SPEAKER: Your Committee on Labor and Capital, to whom was referred Assembly Bill No. 226—An Act requiring every corporation doing business in this State to pay their employes, and each of them, at least once in each and every month, the wages earned by such employé; to define the duties of the Labor Commissioner, and the District Attorneys of the several counties of this State in enforcing this Act; to limit the defenses which may be set up by such corporation to assignments of wages, set-offs, or counter-claims, or the absence of such employé at the time of making payment, and in case of such absence the wages are payable on demand; to prohibit assignments of wages for the purpose of evading the provisions of this Act, and agreements to accept wages at longer periods than as herein provided, as a condition of employment; to fix a penalty for this violation of the provisions of this Act by such corporation, and to provide for the disposition of any fines recovered from corporations violating the same—have had the same under consideration, and respectfully report the same back, and recommend that the bill prepared by the committee, and which is herewith transmitted, be substituted therefor.

JONES, Chairman.

MOTION.

On motion, Assembly Bill No. 226 was ordered stricken from the file.

INTRODUCTION OF BILL—(OUT OF ORDER).

Assembly Bill No. 564 (Committee Substitute for Assembly Bill No. 226)—An Act requiring every corporation doing business in this State to pay their employes, and each of them, at least once in each and every month, the wages earned by such employé; to define the duties of the District Attorneys of the several counties of this State in enforcing this Act; to limit the defenses which may be set up by such corporations to assignments of wages, set-offs, or counter-claims, or the absence of such employé at the time of making payments, and in case of such absence the wages are payable upon demand; to prohibit assignments of wages for the purpose of evading the provisions of this Act, and agreements to accept wages at longer periods than as herein provided; to fix a penalty for this violation of the provisions of this Act by such corporation, and to provide for the disposition of any fines recovered from corporations violating the same.

Read first time and placed on file.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON COUNTY AND TOWNSHIP GOVERNMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, January 31, 1895.

MR. SPEAKER: Your Committee on County and Township Governments, to whom was referred Assembly Bill No. 422—An Act to amend an Act entitled "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 collections in such districts; the assessment, levy, collection, custody, and disbursement of taxes therein, the issuance and disposal of bonds thereof, and the determination of their validity, and

making provision for the payment of such bonds, and the disposal of their proceeds—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Assembly Bill No. 425—An Act to authorize payment for services rendered in county of tenth class, now of thirteenth class—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to the Committee on Judiciary, to pass upon its constitutionality.

Also: Assembly Bill No. 270—An Act to provide an official stenographic reporter to the Coroner of each county, or city and county, having one hundred thousand or more inhabitants, and providing the mode in which such reporter shall be appointed, and establishing the compensation, and prescribing the duties of such reporter—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

DODGE, Chairman.

Assembly Bill No. 425 referred to Committee on Judiciary.

ON CONSTITUTIONAL AMENDMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, January 31, 1895.

MR. SPEAKER: Your Committee on Constitutional Amendments, to whom was referred Assembly Constitutional Amendment No. 19—A resolution proposing an amendment to section three of article twelve of the Constitution of the State of California, relative to corporations, for the purpose of limiting the liability of stock or share holders, and fixing the liability of directors or trustees—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

WAYMIRE, Chairman.

ON RETRENCHMENT AND PUBLIC EXPENDITURES.

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1895.

MR. SPEAKER: Your Committee on Retrenchment and Public Expenditures, to whom was referred Assembly Bill No. 306—An Act fixing a bounty on coyote scalps, and repealing other Acts in relation thereto—have had the same under consideration, and respectfully report the same back, and recommend that the bill do not pass.

Also: Assembly Bill No. 97—An Act to repeal an Act entitled "An Act fixing a bounty on coyote scalps," approved March 31, 1891.

Also: Assembly Bill No. 184—With same title as Assembly Bill No. 97.

Also: Assembly Bill No. 182—An Act to repeal an Act entitled "An Act to establish and support a Bureau of Labor Statistics," approved March 3, 1889.

Have had the same under consideration, and respectfully report the same back, and recommend that the authors be allowed to withdraw the same.

Also: Assembly Bill No. 103—An Act to amend section three hundred and eighty-five of the Political Code of the State of California, relating to the salary of the Private Secretary of the Governor, approved March 4, 1889.

Also: Assembly Bill No. 180—An Act to repeal an Act entitled "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," approved March 31, 1891.

Also: Assembly Bill No. 308—An Act to amend section two thousand five hundred and twenty-one of the Political Code, relating to the Board of State Harbor Commissioners, and to abolish the office of attorney of said Board.

Also: Assembly Bill No. 424—An Act to repeal an Act entitled "An Act to establish a Bureau of Labor Statistics," approved March 3, 1883, and all Acts supplementary thereto or amendatory thereof.

Have had the same under consideration, and respectfully report the same back, and a majority of the committee recommend the passage of the bills.

PHELPS, Chairman.

MINORITY REPORT.

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1895.

MR. SPEAKER: Your Committee on Retrenchment and Public Expenditures, to whom was referred Assembly Bill No. 103—have had the same under consideration, and respectfully report the same back, and the undersigned member of your committee, as a minority, recommends that it do not pass.

REID.

ON STATE PARKS AND FORESTRY.

ASSEMBLY CHAMBER, SACRAMENTO, January 31, 1895

MR. SPEAKER: Your Committee on State Parks and Forestry, to whom was referred Assembly Bill No. 89—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:

Section one amended to read sixty thousand dollars instead of fifty thousand dollars.
Section three amended to read fourteen thousand five hundred dollars instead of twelve thousand dollars

Section four amended to read fourteen thousand five hundred dollars instead of twelve thousand dollars

Section five amended to read fourteen thousand five hundred dollars instead of twelve thousand dollars.

Section six amended to read fourteen thousand five hundred dollars instead of twelve thousand dollars.

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

Also: Assembly Bill No. 126—An Act giving the consent of the State of California to the reservations in California, created for public uses, under Acts of Congress, accepting the provisions made therefor by the United States, and prohibiting the sale of State lands therein.

Also: Assembly Bill No. 433—An Act to authorize the Trustees of the City of Auburn, Placer County, to remove a cemetery, and to donate the land occupied thereby to the public for a park.

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

Also: Assembly Bill No. 220—An Act appropriating money for the use of the two State Forestry Stations at Chico and Santa Monica—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass, for the reason that the appropriation embodied in Assembly Bill No. 221 covers the whole ground.

Also: Assembly Bill No. 221—An Act appropriating money for the use of the two State Forestry Stations, and for the establishment and use of a third Forestry Station—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

TIBBITS, Chairman.

Assembly Bills Nos. 89, 220, and 221 referred to Committee on Ways and Means.

ON MILITARY AFFAIRS.

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1895.

MR. SPEAKER: Your Committee on Military Affairs, to whom was referred Assembly Bill No. 250—An Act to repeal sections one thousand eight hundred and ninety-seven, one thousand eight hundred and ninety-eight, one thousand eight hundred and ninety-nine, one thousand nine hundred, one thousand nine hundred and one, and one thousand nine hundred and two of the Political Code, all in relation to the State militia—have had the same under consideration, and respectfully report the same back, and recommend that the substitute do pass.

OSBORN, Chairman.

On motion, Assembly Bill No. 250 was ordered stricken from the file.

INTRODUCTION OF BILL—(OUT OF ORDER).

Assembly Bill No. 565 (Committee Substitute for Assembly Bill No. 250)—An Act to amend section one thousand nine hundred and one of the Political Code of the State of California, relating to State Militia.

Read first time, and placed on file.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON MILITARY AFFAIRS.

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1895.

MR. SPEAKER: Your Committee on Military Affairs, to whom was referred Assembly Bill No. 336—An Act to amend an Act entitled "An Act to establish a Naval Battalion, to be attached to the National Guard of California"—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

OSBORN, Chairman.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1895.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 73—An Act providing for the establishment of a public pound in each county, and for the care of estrays.

Also: Assembly Bill No. 131—An Act concerning estray animals, fixing the procedure in estray cases, and repealing all other Acts relating to estray animals.

Have had the same under consideration, and respectfully report the same back, and recommend, as a substitute therefor, the bill herewith inclosed, and recommend that such substitute bill do pass.

BULLA, Chairman.

ON JUDICIARY—A MAJORITY AND A MINORITY REPORT.

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1895.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 237—An Act to amend section one thousand one hundred and four of the Civil Code of the State of California, relating to transfers of property—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

A minority of the committee recommend, however, that the bill do pass as amended.

BULLA, Chairman.

MOTION.

On motion, Assembly Bills Nos. 73 and 131 were ordered stricken from the file.

INTRODUCTION OF BILL—(OUT OF ORDER).

Assembly Bill No. 566 (Committee Substitute for Assembly Bills Nos. 73 and 131)—An Act relating to estrays, and repealing all other Acts and parts of Acts now in force relating to estrays.

Read first time, and placed on file.

REPORTS OF STANDING COMMITTEES—(CONTINUED).

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1895.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 143—An Act to amend section one thousand two hundred and sixty-three, by adding subdivision five thereto, and sections one thousand two hundred and sixty-four, one thousand two hundred and sixty-seven, and one thousand two hundred and sixty-eight of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to the declaration of homestead, and the rights arising therefrom—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also: Assembly Bill No. 448—An Act to amend sections two thousand five hundred and twenty-one and two thousand five hundred and twenty-two of the Political Code, relating to San Francisco Harbor and State Harbor Commissioners—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to Committee on Retrenchment and Public Expenditures.

Also: Assembly Bill No. 258—An Act to amend an Act entitled "An Act for the more effectual prevention of cruelty to animals," approved March 20, 1874, by adding thereto two new sections, regarding the disposition of old, maimed, and diseased animals, and relating to the definition of the word "empowered," to be known, respectively, as sections four and one half and thirteen and one half.

Also: Assembly Bill No. 460—An Act to amend sections two, six, eleven, fifteen, seventeen, and eighteen of an Act entitled "An Act to establish a tax on collateral inheritances, bequests, and devises, to provide for its collection, and to direct the disposition of the proceeds," approved March 23, 1893.

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

Also: Assembly Bill No. 139—An Act to amend section sixty-eight of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to the solemnizing of marriage.

Also: Assembly Bill No. 158—An Act to amend section fifty-five of the Civil Code of the State of California, to repeal sections seventy-five, seventy-six, and seventy-seven thereof, and to add a new section thereto, to be known as section eighty-one of the Civil Code, relating to marriage, marriage contracts, and the solemnization of marriages.

Also: Assembly Bill No. 190—An Act to regulate the solemnization, registration, and authentication of marriages

Have had the same under consideration, and respectfully report the same back, and recommend, as a substitute therefor, the bill herewith inclosed, and recommend that such substitute bill do pass

BULLA, Chairman.

Assembly Bill No. 448 referred to Committee on Retrenchment and Public Expenditures.

MOTION.

On motion, Assembly Bills Nos. 139, 158, and 190 were ordered stricken from the file.

INTRODUCTION OF BILL—(OUT OF ORDER).

Assembly Bill No. 567 (Committee Substitute for Assembly Bills Nos. 139, 158, and 190)—An Act amending sections fifty-five, fifty-seven, and sixty-eight of the Civil Code of the State of California, and repealing section seventy-five of said Code.

Read first time, and placed on file.

REPORTS OF STANDING COMMITTEES—(CONTINUED).

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1895.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 302—An Act to amend section one hundred and sixty-six of the Code of Civil Procedure, relative to the powers of Judges at chambers.

Also: Assembly Bill No. 303—An Act to amend section five hundred and ninety-three of the Code of Civil Procedure, relative to issues, mode of trial, and postponement.

Have had the same under consideration, and respectfully report the same back without recommendation

BULLA, Chairman.

ON CLAIMS.

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1895.

MR. SPEAKER. Your Committee on Claims, to whom was referred Assembly Bill No. 3—An Act to make an appropriation to pay the claim of James A. Johnson, for legal services in the harbor front cases.

Section one of this Act amended to read two thousand instead of three thousand dollars.

Also: Assembly Bill No. 47—An Act to pay the claim of Mary M. Springer, the widow and heir of Thomas A. Springer, late State Printer, deceased.

Amended in so far that section three of this bill is stricken out.

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

Also: Assembly Bill No. 402—An Act to appropriate money to pay the claim of Charles E. Cunningham and William C. Rodgers, for the services rendered in running the elevator in the State Capitol—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

GAY, Chairman.

Assembly Bills Nos. 3, 47, and 402 referred to Committee on Ways and Means.

ON STATE HOSPITALS AND ASYLUMS.

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1895

MR. SPEAKER: Your Committee on State Hospitals and Asylums, to whom was referred Assembly Bill No. 120—An Act to provide for the completion and equipment of the Deaf, Dumb, and Blind Asylum, and to make an appropriation therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

CARGILL, Chairman

Assembly Bill No. 120 referred to Committee on Ways and Means.

ON FISH AND GAME.

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1895.

MR. SPEAKER: Your Committee on Fish and Game, to whom was referred Assembly Bill No. 146—An Act to amend sections six hundred and twenty-six, etc., of the Penal Code—have had the same under consideration, and respectfully report a substitute therefor, and recommend the passage of said substitute.

BASSFORD, Chairman.

MOTION.

On motion, Assembly Bill No. 146 was ordered stricken from the file.

INTRODUCTION OF BILL—(OUT OF ORDER).

Assembly Bill No. 568 (Committee Substitute for Assembly Bill No. 146)—An Act to amend sections six hundred and twenty-six, six hundred and thirty-one, six hundred and thirty-two, six hundred and thirty-three, six hundred and thirty-four, six hundred and thirty-five, and six hundred and thirty-six of, and to add nineteen new sections, to be numbered six hundred and twenty-six *a*, six hundred and twenty-six *b*, six hundred and twenty-six *c*, six hundred and twenty-six *d*, six hundred and twenty-six *e*, six hundred and twenty-six *f*, six hundred and twenty-six *g*, six hundred and twenty-six *h*, six hundred and twenty-six *i*, six hundred and twenty-seven *a*, six hundred and twenty-seven *b*, six hundred and twenty-seven *c*, six hundred and twenty-seven *d*, six hundred and twenty-eight, six hundred and twenty-eight *a*, six hundred and twenty-nine, six hundred and thirty-two *a*, six hundred and thirty-two *b*, to an Act entitled "An Act to establish a Political Code," approved February 14, 1872, relating to fish and game.

Read first time, and placed on file.

REPORTS OF STANDING COMMITTEES—(CONTINUED).

ON EDUCATION

ASSEMBLY CHAMBER, SACRAMENTO, January 31, 1895.

MR. SPEAKER: Your Committee on Education, to whom was referred Assembly Bill No. 72—Amending section one thousand seven hundred and four of the Political Code, relative to the eligibility of persons to teach in the public schools of this State

Also: Assembly Concurrent Resolution No. 4—Relative to printing certain matters in the grammar State text-books.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass

Also: Assembly Bill No. 288—An Act to amend section one thousand eight hundred and fifty-eight of the Political Code, relating to the apportionment of teachers

Also: Assembly Bill No. 206—An Act to amend sections one thousand six hundred and sixty-nine and one thousand six hundred and seventy, and subdivisions of one thousand six hundred and seventeen of the Political Code, in relation to the public schools.

Have had the same under consideration, and respectfully report the same back, and recommend that the authors be allowed to withdraw the same, and that committee substitute herewith be substituted for Assembly Bill No. 288.

JOHNSON, Chairman

MOTION.

On motion, Assembly Bills Nos. 206 and 288 were ordered stricken from the file.

INTRODUCTION OF BILL—(OUT OF ORDER).

Assembly Bill No. 569 (Committee Substitute for Assembly Bill No. 288)—An Act to amend section one thousand eight hundred and fifty-eight of the Political Code, relating to the apportionment of teachers.

Read first time, and placed on file.

REPORTS OF STANDING COMMITTEES—(CONTINUED).

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, January 31, 1895.

MR. SPEAKER: Your Committee on Education, to whom was referred Assembly Bills Nos. 253 and 316—have had the same under consideration, and respectfully report the same back, and recommend that they do pass as amended.

JOHNSON, Chairman.

ON PUBLIC BUILDINGS AND GROUNDS.

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1895.

MR. SPEAKER: Your Committee on Public Buildings and Grounds, to whom was referred Assembly Bill No. 413—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, and an Act amendatory thereof, approved March 31, 1891—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to Committee on Judiciary.

BERRY, Chairman.

Assembly Bill No. 413 referred to Committee on Judiciary.

ON HOSPITALS AND ASYLUMS.

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1895.

MR. SPEAKER: Your Committee on Hospitals and Asylums beg leave to report that in discharge of their duties they have visited the buildings and grounds of the Home for the Adult Blind at Oakland, the Deaf, Dumb, and Blind Institute at Berkeley, and the Insane Asylum at Stockton, and are entitled to mileage, as follows: Cargill, Chairman; Glass, Huber, Hudson, Gay, Zocchi, Boothby, Ewing, and O'Day, each two hundred and thirty miles.

Resolved, That the Controller is hereby directed to draw his warrant, payable to Hon. C. G. Cargill, for the sum of two hundred and seven dollars, and the Treasurer is directed to pay the same out of the Contingent Fund of the Assembly.

CARGILL, Chairman.

Referred to Committee on Mileage.

ON PUBLIC HEALTH AND QUARANTINE.

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1895.

MR. SPEAKER: Your Committee on Public Health and Quarantine beg leave to report that in the discharge of their duties they have visited the buildings and grounds of the Home of the Adult Blind at Oakland, the Deaf, Dumb, and Blind Institute at Berkeley, and the Insane Asylum at Stockton, and are entitled to mileage, as follows: Chairman Glass, Messrs Cargill, Huber, Lewis, Meads, Richards, McDonald, and Clerk Maulsby, each two hundred and thirty miles.

Resolved, That the Controller is hereby directed to draw his warrant, payable to J. H. Glass, for the sum of one hundred and eighty-four dollars, and the Treasurer is directed to pay the same out of the Contingent Fund of the Assembly.

GLASS, Chairman.

Referred to Committee on Mileage.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1895.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred the resolution providing for the payment of work done for the Committee on Ways and Means by F. E. Foote—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Report adopted.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1895.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 8—An Act to amend section one thousand eight hundred and eighteen of the Political Code, relative to the levying of county school taxes—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to Committee on Judiciary.

BRUSIE, Chairman.

Assembly Bill No. 8 referred to Committee on Judiciary.

QUESTION OF PRIVILEGE.

Mr. Powers arose to a question of privilege in reference to his vote on the motion to suspend the rules on the Belshaw resolution, and asked that the following communication be spread upon the Journal:

So ordered.

COMMUNICATION.

SACRAMENTO, February 1, 1895.

MR. SPEAKER: In explanation of my vote against the suspension of the rules on motion of the gentleman from Contra Costa, on Wednesday last, I wish to say that it was not because I wished to prevent or delay the passage of the resolution afterwards introduced by Mr. Belshaw, but in order to give an opportunity to the majority party to look into the wording of the resolution about to be introduced, as the defects in the construction and wording of the resolutions then already introduced had been delaying action in such a way that I feared the impression might be conveyed to Washington that the Legislature was divided in its sentiments against the passage of the Reilly Funding Bill, and other similar bills.

As soon as I had an opportunity to read the Belshaw resolution, I found that it was properly worded, and that it accomplished the object which I desired, and I therefore voted for its passage. Had I been permitted to have seen the language of the Belshaw resolution before voting on the suspension of the rules, I would have voted for the suspension of the rules.

Yours respectfully,

FRANK H. POWERS,
Assemblyman Forty-first District

INTRODUCTION OF BILLS.

The following bills were introduced, read first time, and referred to committees, as follows:

By Mr. Belshaw: Assembly Bill No. 570—An Act to amend section one hundred and forty-three of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 24, 1893, said amended section relating to the duties of County Surveyors.

Read first time, and referred to Committee on County and Township Governments.

Also: Assembly Bill No. 571—An Act to amend section three thousand six hundred and seventy-eight of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the annual preparation of an abstract of all mortgages, deeds of trust, contracts, and other obligations by which any debt is secured.

Read first time, and referred to Committee on Judiciary.

By Mr. Tomblin: Assembly Bill No. 572—An Act to provide for the erection of a suspension bridge over the Klamath River, below tide-water, in Del Norte County, California.

Read first time, and referred to Committee on Commerce and Navigation.

By Mr. Jones: Assembly Bill No. 573—An Act to provide for the

protection of public highways from damage from overflow from natural non-navigable watercourses.

Read first time, and referred to Committee on Roads and Highways.

COMMITTEE APPOINTED.

The Speaker announced the appointment of the special committee on the revision of the revenue laws, as follows: Messrs. Freeman (Chairman) Reid, and Dinkelspiel.

INTRODUCTION OF BILLS—(CONTINUED).

By Mr. Reid: Assembly Bill No. 574—An Act to amend section three thousand eight hundred and twenty of the Political Code of the State of California, and to add a new section thereto, to be numbered section three thousand eight hundred and thirty-one, relating to the duty of Assessors in the collection of revenues.

Read first time, and referred to Committee on Revenue Laws.

Also: Assembly Bill No. 575—An Act to repeal an Act of the Legislature of the State of California entitled "An Act in relation to the assessment and collection of taxes upon personal property in the City and County of San Francisco," approved March 18, 1874, and requiring all counties, and cities and counties, of this State to conform to the requirements of the provisions of the Political Code in relation to the assessment, equalization, levy, and collection of taxes for revenue purposes.

Read first time, and referred to Committee on Revenue Laws.

By Mr. Price: Assembly Bill No. 576—An Act to amend sections five hundred and thirty-one and five hundred and thirty-two of the Political Code, and section ninety-nine of the Penal Code of the State of California, relative to the duties and qualification of the Superintendent of State Printing of said State.

Read first time, and referred to Committee on Public Printing.

By Mr. Waymire: Assembly Bill No. 577—An Act to amend section four hundred and fifty-six of the Civil Code, relating to the borrowing of money, and the issuance of bonds by railroad corporations.

Read first time, and referred to Committee on Corporations.

Also: Assembly Bill No. 578—An Act to amend section nineteen hundred and sixty-two of the Political Code, relating to the National Guard.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 579—An Act to enable any county, city and county, city, or town to lease property to associations of ex-soldiers and sailors.

Read first time, and referred to Committee on Municipal Corporations.

By Mr. Dixon: Assembly Bill No. 580—An Act to amend section three thousand and five of the Political Code, and providing for the appointment of a Board of Health for the City and County of San Francisco.

Read first time, and referred to San Francisco Delegation.

By Mr. Ewing: Assembly Bill No. 581—An Act to amend section three hundred and thirty of the Penal Code, relative to gaming.

Read first time, and referred to Committee on Public Morals.

By Mr. Nelson: Assembly Bill No. 582—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by amending sections one thousand six hundred and seventeen, one thousand six hundred and sixty-two, and one thousand six hundred and sixty-three of said Code; and by adding two new sections to said Code, to be numbered and known as sections one thousand six hundred and seventy-four and one thousand seven hundred and five, relating to the establishment of kindergarten classes in primary schools.

Read first time, and referred to Committee on Education.

Also: Assembly Bill No. 583—An Act to promote the practical study of the sciences in the high schools of California.

Read first time, and referred to Committee on Education.

By Mr. Kelsey: Assembly Bill No. 584—An Act to amend section one thousand four hundred and eighty-nine of the Political Code, relating to State Normal Schools.

Read first time, and referred to Committee on Education.

JOINT RESOLUTION.

By Mr. Hatfield:

ASSEMBLY JOINT RESOLUTION No. 10

WHEREAS, The inland navigable waters of the State of California, susceptible to development by reasonable improvement, are so extended in territorial area as to be practically available to fully one half the population of the State; and whereas, Congress has not in the past at any time made appropriations for the improvement of such waters in sums, or at sufficiently frequent intervals, to produce the result so urgently demanded by the people of the State, and believing that if the full scope of the work could be adequately portrayed to the members of the Congressional Committee on River and Harbor Improvement by an actual inspection thereof by such committee, or a sub-committee thereof; and being informed that Congress hesitates to authorize a personal inspection of such waters by their committee, or a sub-committee thereof, on account of the prevailing stringency in the financial affairs of the nation, and believing that by the expenditure of reasonable sums of money in the improvement of the navigable waters of the State, and particularly the Sacramento, Feather, and San Joaquin Rivers, and the bays, straits, and inlets into which they empty, the people of this State directly, and all the people of all the United States indirectly, will be greatly benefited, and the financial stringency be greatly relieved, therefore, be it

Resolved by the Assembly, the Senate and the Executive, his Excellency JAMES H. BUDD, Governor, concurring, That our Representatives and Senators in Congress be requested to urge upon Congress the immediate provision of ways and means to enable the committee, or a sub-committee from the Committee on River and Harbor Improvement, to visit this State during the coming recess of Congress, for the purpose of personally inspecting the inland navigable waters of the State, and particularly the Sacramento, Feather, and San Joaquin Rivers, and the straits, bays, and inlets into which they flow; and be it further

Resolved, That any boat or vessel owned or controlled by the State of California, adapted to the purpose, be placed at the disposal of such committee, or sub-committee, free of cost; and that all means of transportation at the command of the officers of the State, practicable for the use of such committee in going about the State be placed at the disposal of such committee; and further

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

MOTION.

Mr. Hatfield moved that the rules be suspended, and Assembly Joint Resolution No. 10 be printed in the Journal and made a special order for next Monday.

So ordered.

INTRODUCTION OF BILLS—(CONTINUED).

By Mr. Bassford: Assembly Bill No. 585—An Act concerning municipal corporations.

Read first time, and referred to Committee on Municipal Corporations.

Also: Assembly Bill No. 586—An Act concerning municipal corporations of the sixth class.

Read first time, and referred to Committee on Municipal Corporations.

By Mr. Johnson: Assembly Bill No. 587—An Act making an appropriation from the State School Book Fund for the completion of the revisions and compilation of State school books heretofore authorized and directed to be made, and to provide for the expenditure of the same.

Read first time, and referred to Committee on Ways and Means.

RESOLUTION.

By Mr. Ewing:

WHEREAS, The following resolutions were unanimously carried at a mass meeting of the citizens of San Francisco, held in Metropolitan Temple, January 26, 1895:

Resolved, That we respectfully ask the State Legislature of California to at once provide some means whereby public work can be provided by municipalities for the destitute men of our State who are willing and anxious to work, and cannot find it.

“GEO. T. GADEN, Chairman.”

AND WHEREAS, The above resolution gives evidence of the condition of a large number of people in this State, who have become a care and expense to such an extent in our cities and towns that some kind of work should be provided for them, and means furnished to pay those that are willing to avail themselves of an opportunity to work.

Resolved, That the above resolution of said citizens of San Francisco be referred to the Committee on Labor and Capital, with instructions to report back to the Assembly inside of five days what, in their judgment, is the best and most profitable way to the State and people to employ them.

Referred to Committee on Labor and Capital.

AMENDMENT.

Mr. Bachman moved to amend the resolution so that the people of San Francisco making this request be requested to employ the unemployed men referred to in this resolution in building a competing railroad down through the San Joaquin Valley.

Adopted.

RECONSIDERATION.

Mr. Reid moved to reconsider the vote whereby Assembly Constitutional Amendment No. 3 was on yesterday adopted.

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

AYES—Messrs Ash, Bachman, Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Brusie, Bulla, Butler, Cargill, Coleman, Coghlin, Cutter, Dale, Davis, Devitt, Devine, Dodge, Dunbar, Dwyer, Ewing, Fassett, Freeman, Gay, Glass, Hall, Hatfield, Healey, Holland, Hudson, Johnson, Jones, Kelsey, Kenyon, Meads, McDonald, McKelvey, Merrill, Nelson, North, Powers, Reid, Richards, Robinson, Rowell, Sanford, Staley, Stansell, Spencer, Swisler, Tibbits, Tomblin, Waymire, Weyse, Wilkins, Wilkinson, and Mr. Speaker—61.

NOES—Mr. Bledsoe—1.

Assembly Constitutional Amendment No. 3—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, amending section twelve of article thirteen thereof, relative to revenues and taxation, and the collection of the State poll tax.

Mr. Swisler moved to amend as follows:

After the word “one,” in line three, insert the word “years.”

Adopted.

Also: In line three, strike out the words "of age."

Adopted.

Also: After the word "company," in line six, add the following: "All of said tax shall be paid into the State School Fund."

Adopted.

Mr. Osborn moved to amend as follows:

By adding to section twelve the words: "and all male inhabitants of this State who served in the volunteer army or navy of the United States, for three months or more, between April 16, 1861, and August 30, 1865, and received an honorable discharge therefrom."

Adopted.

Constitutional Amendment No. 3 ordered to be printed as amended.

CONSIDERATION OF RESOLUTION FOR COMMITTEES TO VISIT STATE INSTITUTIONS.

Mr. Berry called for the consideration of his resolution laid over from yesterday, as follows:

Resolved, That a sub-committee of seven members of the Committee on Public Buildings and Grounds, and a sub-committee of five members of the Committee on Military Affairs, be granted leave of absence to visit the public institutions in Southern California, for the purpose of inquiring into the needs of apparatus asked for.

Mr. Reid moved to amend as follows:

By striking out of line one the word "seven," and inserting the following: "five."

Lost.

Also: Amend by striking out of line two the words "and a sub-committee of five members of Committee on Military Affairs."

Lost.

Mr. Wade called for a division of the question.

The question being on the first part of the resolution, relating to the Committee on Public Buildings and Grounds.

Mr. Reid moved that the sub-committee be reduced from seven to three.

Lost.

The ayes and noes were demanded by Messrs. Bledsoe, Spencer, and Reid.

The roll was called, and the first part, relating to Committee on Public Buildings and Grounds, was adopted by the following vote:

AYES—Messrs. Berry, Bettman, Bulla, Butler, Cargill, Coghlin, Davis, Devitt, Devine, Dixon, Dwyer, Ewing, Freeman, Gay, Glass, Hall, Hatheld, Healey, Holland, Hudson, Keen, Kelsey, Kenyon, Lewis, Meads, McDonald, McKelvey, Merrill, Nelson, North, O'Day, Osborn, Powers, Richards, Sanford, Tibbits, Tomblin, Wade, Waymire, Weyse, Wilkins, Wilkinson, and Zocchi—43.

NOES—Messrs. Ash, Bachman, Bassford, Belshaw, Bledsoe, Dale, Dodge, Dunbar, Fassett, Johnson, Jones, Phelps, Reid, Robinson, Rowell, and Spencer—16.

The question then being on the latter part of the resolution, relating to Committee on Military Affairs.

The roll was called, and the same lost by the following vote.

AYES—Messrs. Berry, Bettman, Coghlin, Davis, Devitt, Devine, Dixon, Dwyer, Ewing, Gay, Glass, Healey, Holland, Kelsey, Kenyon, Lewis, McKelvey, O'Day, Richards, Tibbits, Wilkins, Wilkinson, and Zocchi—23.

NOES—Messrs. Ash, Bachman, Bassford, Belshaw, Bennett, Bledsoe, Bulla, Butler, Dale, Dodge, Dunbar, Fassett, Freeman, Hall, Hatfield, Jones, Keen, Meads, McDonald, North, Phelps, Price, Reid, Robinson, Rowell, Staley, Stansell, Spencer, Swisler, Wade, Wayne, and Weyse—32.

Assembly Constitutional Amendment No. 11—A resolution to propose to the people of the State of California an amendment to section one of article two of the Constitution, in relation to the right of suffrage.

Mr. Barker moved that Assembly Constitutional Amendment No. 11 be made a special order for Wednesday next, immediately after the reading of the Journal, and after the consideration of Assembly Bill No. 470, set for said date.

So ordered.

At eleven o'clock and twenty five minutes A. M. Speaker Lynch called Mr. McKelvey to the chair.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON COMMERCE AND NAVIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, January 31, 1895.

MR. SPEAKER: Your Committee on Commerce and Navigation, to whom was referred Assembly Bill No. 243—An Act to repeal an Act entitled "An Act to establish a standard of weights and measures," approved April 6, 1891.

Also: Assembly Bill No. 254—An Act to authorize and empower the Board of State Harbor Commissioners to institute condemnation proceedings against certain property on the corner of Market, Sacramento, and East Streets, in the City and County of San Francisco, and extending their jurisdiction over the same—have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also: Assembly Bill No. 105—An Act to provide for the better protection and security of life and property, and for the appointment of an examining engineer, to license engineers of portable and stationary steam engines and boilers; to establish the duties and compensation of said engineer—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also: Assembly Bill No. 64—An Act to amend an Act approved March 26, 1872, entitled "An Act to establish pilots and pilot regulations for the port of San Diego"—have had the same under consideration, and respectfully report the same back, and recommend that the author be permitted to withdraw the same.

Also: Assembly Joint Resolution No. 1—Joint resolution relative to an appropriation by Congress for the San Joaquin River and the Sacramento River—have had the same under consideration, and respectfully report the same back, and recommend that as Senate Joint Resolution No. 10, relating to the same subject, has already been passed, that the author be permitted to withdraw the same.

Also: Your Committee on Commerce and Navigation, in accordance with the resolution adopted by the Assembly, Friday, January 25, 1895, to wit:

Resolved, That the Committee on Commerce and Navigation be granted leave of absence from Friday afternoon, January 25th, until Tuesday morning, January 29th, for the purpose of visiting San Francisco in conjunction with the Senate Committee on Rivers, Harbors, and Coast Defenses, for the purpose of considering Assembly Bills Nos. 284, 285, and 286—relating to the condemnation of lands on East Street, San Francisco, under the jurisdiction of the State Board of Harbor Commissioners.

Beg leave to report to the Assembly as follows: That the said committee visited San Francisco, and together with the Committee on Harbors, Rivers, and Coast Defenses of the Senate, made a thorough and careful investigation of the property sought to be condemned by the State Board of Harbor Commissioners, for the State of California, and for the purpose of obtaining terminal facilities for the proposed bridge across East Street, in the City and County of San Francisco, and all other points of importance and interest in connection with the information sought to be obtained, and necessary for a proper consideration of said Assembly Bills Nos. 284, 285, and 286. Also, that there is now due the members of your committee, and the clerk thereof, each sixteen dollars and eighty cents for traveling expenses, and we recommend the adoption of the following resolution, viz.:

Resolved, That the Controller be and he is hereby directed to draw his warrant upon the appropriation for the contingent expenses of the Assembly, in favor of Mr. George W. Dixon, for the sum of one hundred and sixty-eight dollars, for the purpose of paying to Messrs. George W. Dixon, Alfred Keen, William Llewellyn, F. R. Fassett, J. M. Merrill, Walter F. Price, F. R. Stansell, James H. Wilkins, J. F. Twigg, and J. W. Disbrow, clerk, each sixteen dollars and eighty cents for traveling expenses due them upon their visit to San Francisco, under the resolution hereinbefore set out.

DIXON, Chairman.

Referred to Committee on Mileage.

Author permitted to withdraw Assembly Joint Resolution No. 1.
Assembly Constitutional Amendment No. 5—Proposed amendment to section five of article two of the Constitution, relative to elections.
Committee amendment submitted as follows:

Amend by striking out all after the word "direct," on line three, section five.

Adopted.

Ordered to be printed.

APPROVAL OF JOURNAL.

The Journal of Thursday, January 31st, was approved.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON SWAMP AND OVERFLOWED LANDS.

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1895.

MR. SPEAKER: Your Committee on Swamp and Overflowed Lands, to whom was referred Assembly Bill No. 95—An Act to pay certain swamp land warrants, and to make appropriations therefor—have had the same under consideration, and report the same back, and respectfully recommend that it be referred to the Committee on Claims.

CUTTER, Chairman.

Assembly Bill No. 95 referred to Committee on Claims.

ON ELECTION LAWS.

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1895.

MR. SPEAKER: Your Committee on Election Laws, to whom was referred Assembly Bill No. 263—An Act to amend section nineteen of an Act entitled "An Act to promote the purity of elections by regulating the conduct thereof, and to support the privilege of free suffrage by prohibiting certain acts and privileges in relation thereto, and providing for the punishment thereof," approved February 23, 1893—have had the same under consideration, and respectfully report the same back, and herewith offer a substitute for said bill, and recommend that said substitute do pass.

SPENCER, Chairman.

INTRODUCTION OF BILLS—(OUT OF ORDER).

The following bills were introduced, read first time, and referred to committees, as follows:

By Mr. Hatfield: Assembly Bill No. 588—An Act to pay the claim of William G. Hall against the State of California, and to make an appropriation therefor.

Read first time, and referred to Committee on Claims.

By Mr. Cutter: Assembly Bill No. 589—An Act to provide for the payment, by municipalities, of claims arising out of the improvement of streets, sidewalks, and sewers therein.

Read first time, and referred to Committee on Judiciary.

By Mr. Freeman: Assembly Bill No. 590—An Act to amend the Civil Code of the State of California, by adding to part four, chapter one, division three, a new section, to be known as section one thousand seven hundred and forty-two, relating to contracts for the sale and future delivery of personal property.

Read first time, and referred to Committee on Judiciary.

CONSTITUTIONAL AMENDMENT.

By Mr. Hall (by request): Assembly Constitutional Amendment No. 32—A resolution to propose to the people of the State of California an amendment to article twenty of the Constitution of the State of California, by adding thereto three new sections, to be numbered twenty-three, twenty-four, and twenty-five, and relating, respectively, the first, to the mode of initiating legislation by petition of a portion of the people; the second, to the mode of superseding any official elected by the people; and the third, to the mode of conveying orders from the people to the officials elected by them, and the penalties for disobedience of such orders.

Read and referred to Committee on Constitutional Amendments.

MOTION.

On motion, Assembly Bill No. 263 was ordered stricken from the file.

INTRODUCTION OF BILLS—(OUT OF ORDER).

By Mr. Price: Assembly Bill No. 591 (Substitute for Assembly Bill No. 263)—An Act to amend section nineteen of an Act entitled "An Act to promote the purity of elections by regulating the conduct thereof, and to support the privilege of free suffrage by prohibiting certain acts and privileges in relation thereto, and providing for the punishment thereof," approved February 23, 1893.

Read first time, and placed on file.

By Mr. Fassett: Assembly Bill No. 592—An Act to amend sections one thousand six hundred and seventy and one thousand six hundred and seventy-one of the Political Code, relating to high schools.

Read first time, and referred to Committee on Education.

Assembly Constitutional Amendment No. 6—Proposed amendment to section seven of article one of the Constitution, relative to juries.

ADJOURNMENT.

Pending the consideration of Assembly Constitutional Amendment No. 6, at twelve o'clock and thirty minutes P. M. the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Saturday, February 2, 1895. }

The Assembly met pursuant to adjournment.

Speaker Lynch in the chair.

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

Messrs. Bachman, Barker, Bassford, Bennett, Bledsoe, Bulla, Cargill, Coleman, Coghlin, Cutter, Dale, Davis, Dixon, Dodge, Dunbar, Ewing, Fassett, Freeman, Gay, Glass, Hall, Healey, Holland, Hudson, Johnson, Jones, Keen, Kelsey, Kenyon, Meads, McCarthy,

McDonald, McKelvey, Merrill, North, Osborn, Price, Richards, Robinson, Rowell, Staley, Stansell, Spencer, Swisler, Tibbits, Tomblin, Twigg, Wade, Waymire, Weyse, Wilkinson, Zocchi, and Mr. Speaker.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. O. Summers.

READING OF THE JOURNAL.

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

So ordered.

LEAVE OF ABSENCE.

Messrs. Ash, Wilkins, Devitt, and Healey were granted leave of absence for the day.

Mr. Reid was granted leave of absence until eleven o'clock.

APPROVAL OF JOURNAL.

The Journal of January 23d was approved.

PETITION.

Mr. Hudson presented the following petition:

To the California Assembly of 1895.

We, the undersigned, citizens of the State, do hereby respectfully call attention to the following facts:

1. The weekly day of rest, the Sabbath, is a benevolent institution appointed for the good of man by the divine Lawgiver who governs the nation.

2. The best interests of the State are conserved by Christian morality, which is inseparably connected with the proper observance of the Sabbath, therefore, to ignore it as a day sacred as a day of rest and worship tends to the subversion of religion and to the relaxation of moral restraints. It follows, therefore, that Legislatures who make good laws in favor of Sabbath observance are the best friends of the State.

3. Nearly all the States of the Union have such laws. It is for California's best interest to have such a law.

Therefore, we, your memorialists, do respectfully ask you to enact such a Sabbath law as will be founded upon and agreeable to the moral law of God, and that will not do wrong to any class of citizens.

(Signed): Rev. W. F. STONE, and many others.

Referred to Committee on Public Morals.

REPORTS OF STANDING COMMITTEES.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, February 2, 1895.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No 208—An Act to add a new section to the Code of Civil Procedure, to be known as section fourteen hundred and seventy-one

Also: Assembly Bill No. 211—An Act to amend section fourteen hundred and two of the Civil Code, and to add a new section to said Code, to be known as section fourteen hundred and nine.

Also: Assembly Bill No 304—An Act entitled an Act to amend section fourteen hundred and one of the Civil Code, affecting the disposition of, and succession to, community property derived by surviving husbands upon the death of the wife.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass

Also: Assembly Bill No. 342—An Act to amend section six hundred and eighty-five of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 21, 1872, in relation to executions after five years.

Also: Assembly Bill No. 343—An Act to amend section three hundred and thirty-six of the Code of Civil Procedure of the State of California, relating to the limitation of actions.

Also: Assembly Bill No. 344—An Act to amend section three hundred and thirty-nine of the Code of Civil Procedure of the State of California, relating to limitation of actions.

Also: Assembly Bill No. 345—An Act to amend section three hundred and thirty-seven of the Code of Civil Procedure of the State of California, relating to the limitation of actions.

Have had the same under consideration, and respectfully report the same back, and recommend that the authors may be allowed to withdraw the same.

Also: Assembly Bill No. 337—An Act for the certification of land titles, and the simplification of the transfer of real estate.

Also: Assembly Bill No. 351—An Act to amend section two hundred and forty-one of the Code of Civil Procedure, relating to the drawing of grand juries.

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

Also: Assembly Bill No. 364—An Act to add a new section to the Civil Code, authorizing the issue of bonds by consent of all stockholders—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

BULLA, Chairman.

ON CONSTITUTIONAL AMENDMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1895.

MR. SPEAKER: Your Committee on Constitutional Amendments, to whom was referred Assembly Constitutional Amendments Nos. 1, 2, and 16—Relative to amending the Constitution of the State of California, by repealing sections four and five of article thirteen, and by amending section one of said article, so as to exempt mortgages and trust deeds from taxation—have had the same under consideration, and respectfully report the same back, and recommend that the accompanying substitute be passed.

WAYMIRE, Chairman.

MOTION.

On motion, Assembly Constitutional Amendments Nos. 1, 2, and 16 were ordered stricken from the file.

CONSTITUTIONAL AMENDMENT.

Assembly Constitutional Amendment No. 33 (Committee Substitute for Assembly Constitutional Amendments Nos. 1, 2, and 16)—Relative to amending the Constitution of the State of California, by repealing sections four and five of article thirteen, and by amending section one of said article.

Read first time, and placed on file.

SENATE MESSAGES.

SENATE CHAMBER, SACRAMENTO, February 1, 1895.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, adopted Senate Concurrent Resolution No. 5—Relative to creating a temporary Joint Commission for the purpose of considering legislation tending to the improvement of the highways of the State.

F. J. BRANDON, Secretary.

MOTION.

Mr. Swisler moved the immediate consideration of Senate Concurrent Resolution No. 5.

So ordered.

Senate Concurrent Resolution No. 5 adopted by unanimous vote.

APPOINTMENTS.

The Speaker announced the appointment of Messrs. Swisler and Fassett as members of the temporary Joint Commission created under Senate Concurrent Resolution No. 5.

SENATE MESSAGES—(RESUMED).

SENATE CHAMBER, SACRAMENTO, January 31, 1895.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, adopted Senate Joint Resolution No. 2—Relative to the free coinage of silver.

F. J. BRANDON, Secretary.
By C. L. PARDEE, Assistant.

Senate Joint Resolution No. 2 referred to Committee on Federal Relations.

INTRODUCTION OF BILLS.

The following bills were introduced, read first time, and referred to committees, as follows:

By Mr. McKelvey: Assembly Bill No. 593—An Act to add one new section to the Political Code of California, to be known and numbered as section one thousand nine hundred and forty-six, relating to the National Guard.

Read first time, and referred to Committee on Military Affairs.

By Mr. Bennett: Assembly Bill No. 594—An Act to amend sections one thousand five hundred and three, one thousand five hundred and seventeen, one thousand five hundred and twenty-one, one thousand seven hundred and thirteen, one thousand seven hundred and seventy, one thousand seven hundred and seventy-three, one thousand seven hundred and seventy-five, and one thousand eight hundred and thirty of the Political Code, relating to the public schools.

Read first time, and referred to Committee on Education.

By Mr. Price: Assembly Bill No. 595—An Act declaring the Petaluma River navigable, and a public way, from and to certain points herein named.

Read first time, and referred to Committee on Manufactures and Internal Improvements.

By Mr. Dodge: Assembly Bill No. 596—An Act to promote safety at railroad grade crossings.

Read first time, and referred to Committee on Judiciary.

By Mr. Ewing: Assembly Bill No. 597—An Act to amend an Act entitled "An Act to provide for furnishing assistants to the Coroner 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, and establishing the compensation and prescribing the duties of such assistants." approved March 23, 1893. and to add new sections thereto, being known and designated as sections four, five, six, seven, and eight.

Read first time, and referred to San Francisco Delegation.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON CONSTITUTIONAL AMENDMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1895.

MR. SPEAKER: Your Committee on Constitutional Amendments, to whom was referred Assembly Constitutional Amendment No. 18—Proposed amendment to article eleven, section five, of the Constitution, relative to the classification of counties—have had the same under consideration, and respectfully report the same back, and recommend that the proposition be amended by adding after the word "them," at the end of the next to the last line in the original, the following: "And for all public and municipal moneys which may be paid to them," and your committee recommend its passage as amended.

Also: Assembly Constitutional Amendment No. 17—To exempt five hundred dollars of personal property—have had the same under consideration, and respectfully report the same back, and recommend that it be amended by striking out the word "taxpayer" in line ten, and inserting in lieu thereof the word "householder," and that it do pass as amended.

Also: Assembly Constitutional Amendment No. 7—Relative to the exchange of Judges of the Superior Court—have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

WAYMIRE, Chairman

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 2, 1895.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following bills have been correctly engrossed, viz:

Assembly Bill No. 29—An Act to amend section six hundred and eighty-five of the Code of Civil Procedure, relating to the enforcement or carrying into execution of judgments after the lapse of five years from the date of entry.

Also Assembly Bill No. 55—An Act to amend section one thousand two hundred and twenty-two of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872.

Also: Assembly Bill No. 141—An Act to amend section six hundred and seventy of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, in relation to what papers constitute a judgment roll.

Also: Assembly Bill No. 142—An Act to amend an Act entitled "An Act to establish law libraries," approved March 1, 1891, and to add a new section thereto, for the purpose of disestablishing such law libraries, such new section to be numbered fourteen and one half.

Also: Assembly Bill No. 62—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, by adding thereto two sections, to be known as sections one thousand eight hundred and eighty-two and one thousand eight hundred and eighty-five, being a part of part four, title two, chapter two, concerning witnesses.

Also: Assembly Bill No. 39—An Act to amend section one thousand two hundred and seven of the Civil Code, relating to notice and certified copies of records as evidence.

Also: Assembly Bill No. 75—An Act to amend section four hundred and eighty-seven of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872.

Also: Assembly Bill No. 38—An Act to amend section one thousand one hundred and ninety-one of the Civil Code, relating to the form of acknowledgment by married women.

WILKINSON, Chairman.

MOTION.

Mr. Bulla moved that the special and general file be passed, and that the Assembly take up the second reading of bills.

So ordered.

SECOND READING OF BILLS.

Assembly Bill No. 41—An Act to amend section four hundred and sixteen of the Code of Civil Procedure, relating to the acquiring of jurisdiction in actions.

Passed, to retain its place on file.

Assembly Bill No. 44—An Act to amend section two thousand three hundred and twenty-four of the Civil Code, relating to authority to sell real property.

Passed, to retain its place on file.

Assembly Bill No. 102—An Act to amend section one hundred and fifteen of the Code of Civil Procedure of the State of California, relating to the jurisdiction of Justices' Courts.

Passed, to retain its place on file.

Assembly Bill No. 36—An Act to add a new section to the Code of Civil Procedure, said section to be designated as section seven hundred and fifty, relating to quieting title to real property as against unknown claimants.

Passed, to retain its place on file.

Assembly Bill No. 37—An Act to amend section one thousand and ninety-three of the Civil Code, relating to the execution of a grant of real property by a married woman, and making valid and binding all instruments made by married women as grants.

Passed, to retain its place on file.

Assembly Bill No. 66—An Act to amend section seven hundred and thirty-eight of the Code of Civil Procedure.

Passed, to retain its place on file.

Assembly Bill No. 202—An Act to amend section one hundred and forty-two of the Code of Civil Procedure, relating to places of holding Courts.

Read second time, ordered engrossed and to third reading.

Assembly Bill No. 174—An Act to amend sections one thousand eight hundred and fifty-nine and one thousand eight hundred and sixty of the Civil Code, prescribing and limiting the liability of innkeepers, hotel-keepers, boarding and lodging house keepers, for personal property of their guests, boarders and lodgers, intrusted to their care.

Read second time.

The following committee amendments were submitted:

Amend section one, line four of the printed bill, by inserting after the word "property" the following: "other than money."

Adopted.

Also:

Amend section two, line five, by inserting after the words "place in the" the following: "office or the."

Adopted.

Also:

Amend by striking out of section two, line eight, the word "negligence," and inserting the following: "acts."

Adopted.

Also:

Amend by striking out of section two, line eleven, the words "made a special agreement in writing to the contrary with," and inserting the following: "given a receipt in writing therefor to."

Adopted.

Ordered engrossed and to third reading.

Assembly Bill No. 213—An Act entitled an Act to amend section two thousand nine hundred and fifty-five of the Civil Code, relative to mortgages on personal property.

Read second time.

The following committee amendments were submitted:

Amend section one, line four, of printed bill, by inserting after the word "other" the word "rolling."

Adopted.

Also:

Amend section one, between line twenty-two and section two, by inserting the following: "Seventeenth—Harvesters, threshing outfits, hay presses, and farming implements."

Adopted.

Ordered engrossed and to third reading.

Assembly Bill No. 117—An Act to amend section seven hundred and twenty-six of the Code of Civil Procedure, to provide for the making of deeds on foreclosure of mortgages.

Read second time, ordered engrossed and to third reading.

Assembly Bill No. 121—An Act entitled an Act to amend section two thousand nine hundred and fifty-five of the Civil Code.

Mr. Fassett, the author, was permitted to withdraw the same.

Assembly Bill No. 123—An Act fixing the compensation for services of bailiffs of Police Courts in cities, and cities and counties, having a population of over one hundred thousand inhabitants.

Passed, to retain its place on file.

Assembly Bill No. 157—An Act authorizing the Judges of the Superior Court in all counties, and cities and counties, having a population of two hundred thousand inhabitants and over, to appoint a Secretary.

Read second time, ordered engrossed and to third reading.

Assembly Bill No. 124—An Act authorizing Justices of the Peace in cities, and cities and counties, having a population of over one hundred thousand inhabitants, to appoint bailiffs.

Passed, to retain its place on file.

Assembly Bill No. 18—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, and amended March 31, 1891, by amending section twenty-four thereof, relating to the collection of assessments.

Passed, to retain its place on file.

Assembly Bill No. 65—Supplemental Act to 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, and Acts amendatory thereto, enabling any irrigation district to dispose of certain rights and property already acquired, for the purpose of thereby securing a water supply for the district; also to jointly, with another irrigation district, persons, company, or private or municipal corporation, develop water for irrigation and other purposes; and also to dispose of water, water rights, or other property acquired in excess of the actual needs of the district.

Read second time.

The following committee amendments were submitted:

Amend section two, line six, by inserting the following: "of such property when authorized so to do, as provided in section three of this Act."

Adopted.

Also:

Amend section three, line five, by inserting the word "the" after the word "by" and before the word "law."

Adopted.

Also:

Amend section three, line seven, by inserting after the word "transaction," the following: "as above provided."

Adopted.

Mr. McKelvey moved to amend as follows:

By striking out of section three, line seven, printed bill, the words "in the same manner as if the cost of, or value, had exceeded the sum of ten thousand dollars "

Adopted.

Mr. Davis moved to amend as follows:

By inserting in section one, line six, in printed bill, after the word "water," where it first occurs, the word "property."

Adopted.

Mr. McKelvey moved to amend as follows:

By striking out of section two, line six, printed bill, the words "provided the costs," etc, to end of section.

Adopted

Ordered engrossed and to third reading.

Assembly Bill No. 119—An Act to provide for the payment of the claim of Fred. Becker for meats furnished to the National Guard at West Oakland during the railroad strikes in 1894, and to make an appropriation therefor.

Mr. Dodge, the author, was permitted to withdraw the same.

Assembly Bill No. 392—An Act to prescribe conditions upon which certain foreign insurance corporations, associations, partnerships, or individuals may be permitted to transact insurance business in the State of California.

Read second time, ordered engrossed and to third reading.

Assembly Bill No. 176—An Act to amend an Act entitled "An Act providing for the sale of railroad and other franchises in municipalities, and relative to granting of franchises," approved March 23, 1893.

Read second time.

The following committee amendment was submitted:

Amend by striking out of last line of printed bill, the figure "3," and inserting the following: the figure "2."

Adopted.

Ordered engrossed and to third reading.

Assembly Bill No. 271—An Act to prescribe conditions upon which certain insurance associations known as Lloyds may be admitted to transact insurance business in this State.

Read second time, ordered engrossed and to third reading.

At ten o'clock and forty minutes A. M. the Speaker called Mr. North to the chair.

Assembly Bill No. 272—An Act to provide for investigation of fires by the Insurance Department, and to make provisions for the expenses of the same.

Read second time, ordered engrossed and to third reading.

Assembly Bill No. 248—An Act regulating the hours of labor in saw mills, shingle mills, shake mills, and logging camps.

Read second time, ordered engrossed and to third reading.

Assembly Bill No. 116—An Act requiring county officers to file a monthly expense account.

Read second time, ordered engrossed and to third reading.

Assembly Bill No. 153—An Act to provide for the appointment and election of one additional Judge for the county of Humboldt.

Read second time.

The following committee amendment was submitted:

Amend by inserting the following: "and at the general election every six years thereafter," after the word "election" on line seven, section one.

Adopted.

Ordered engrossed and to third reading.

Assembly Bill No. 52—An Act to amend section one thousand six hundred and ninety-nine of the Code of Civil Procedure, relating to settlement of accounts of trustees after distribution of estates, and to compensation of trustees.

Read second time.

The following committee amendments were submitted:

Amend by striking out of section one, line eleven, of the printed bill, after the words "Court his," and inserting the following: "verified."

Adopted.

Also:

Amend by striking out of section one, line eleven, after the word "detail," and inserting the following: "together with a verified statement of said trustee, giving the names and post office addresses, if known, of the *cestuis que trust*."

Adopted.

Also:

Amend by striking out of section one, line thirteen, after the word "thereof," and inserting the following: "of not less than ten days."

Adopted.

Ordered engrossed and to third reading.

Assembly Bill No. 149—An Act to add a new section to the Code of Civil Procedure, to be known as section seven hundred and thirty, relating to actions for foreclosure of mortgages.

Read second time.

The following committee amendments were submitted:

Amend by striking out of section one, line eight, after the word "for" and inserting the following: "and shall receive as compensation for his services a sum not exceeding ten dollars."

Adopted.

Ordered engrossed and to third reading.

Assembly Bill No. 225—An Act to amend section two thousand nine hundred and twenty-four of an Act of the Legislature of the State of California entitled "An Act to establish a Civil Code," relating to mortgages.

Read second time.

The following committee amendment was submitted:

In section one, line eight, printed bill, insert the following after the word "subject":
"In the same manner as a mortgage."

Adopted.

Ordered engrossed and to third reading.

Assembly Bill No. 459—An Act to repeal section two thousand nine hundred and thirty-two of the Civil Code.

Read second time, ordered engrossed and to third reading.

Assembly Bill No. 50—An Act to amend section four hundred and thirty-seven of the Code of Civil Procedure, relating to answers.

Read second time, ordered engrossed and to third reading.

Assembly Bill No. 53—An Act to amend section three thousand and ten of the Civil Code, relating to the right of the pledgee to purchase the pledged property when sold at public auction.

Read second time, ordered engrossed and to third reading.

Assembly Bill No. 15—An Act to amend section six of an Act entitled "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,' approved March 31, 1891, 'and to provide for Clerks of Police Courts in cities having over fifty thousand and under one hundred thousand inhabitants.' "

Read second time.

Mr. Bulla moved to amend as follows :

By striking out of section one, line seven, the word "twenty-six " and insert "thirty ", and in line eight the words "less than " and insert "not exceeding"; and in line fourteen the word "process" and insert "processes ", and in line nineteen the word "of" and insert "or"; and in line twenty-five the word "them" and insert "said clerks"; and insert in line twenty-three before the word "Auditor" the word "city."

Adopted.

Mr. Dodge moved to amend as follows :

By striking out of section one, line eleven, the word "eight" and inserting the word "five" in lieu thereof.

Adopted.

Ordered engrossed and to third reading.

Assembly Bill No. 67—An Act providing for changing the fiscal year of cities in this State operating under a charter framed under section eight, article eleven, of the Constitution.

Read second time.

The following committee amendment was submitted:

Amend by striking out of section one, page two of original bill, in lines two, three, four, and five, the words " *provided*, the same shall conform as nearly as the circumstances of the case may permit, to the provisions of the laws of this State in reference to assessment and collection of State and county taxes."

Adopted.

Ordered engrossed and to third reading.

Assembly Bill No. 69—An Act to amend section one of an Act entitled "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," approved March 2, 1891.

Read second time, ordered engrossed and to third reading.

Assembly Bill No. 70—An Act authorizing municipal corporations to dispose of surplus water along the line of their water supply outside of their corporate limits; to join with other persons, corporations, and irrigation districts in developing water; and empowering the legislative authority of such municipal corporations to execute such powers.

Read second time, ordered engrossed and to third reading.

Assembly Bill No. 198—An Act to promote the protection of cities, towns, and municipal corporations from overflow by water and the drainage of the same, and for such purposes authorizing the incurring of indebtedness and the issuance of bonds therefor by the same, and providing for the disposition of the proceeds of such bonds, and for the supervision of the protective and other works.

Read second time, ordered engrossed and to third reading.

Assembly Bill No. 45—An Act to reduce the number of Judges of the Superior Court of the county of Fresno from three to two.

Read second time.

Mr. Rowell moved to amend as follows:

In section two, before line three, insert the following: "the first Monday after," and in section three, line two, after the word "the" insert "the first Monday after."

Adopted.

Ordered engrossed and to third reading.

Assembly Bill No. 152—An Act to prevent the sale of short weight in butter.

Read second time, ordered engrossed and to third reading.

Assembly Bill No. 168—An Act to amend the Code of Civil Procedure by adding thereto four new sections, to be known as sections five hundred and sixty, five hundred and sixty-one, five hundred and sixty-two, and five hundred and sixty-three, concerning attachments.

Read second time.

The following committee amendments were submitted:

Amend by striking out of section one, line five, after the words "mentioned in," the word "this."

Adopted.

Also:

Amend section one, line five, after the word "section," by inserting the following: "five hundred and thirty-seven of this Code."

Adopted.

Also:

Amend by striking out of section one, line five, the words "but no execution shall issue on the."

Adopted.

Also:

Amend by striking out of section one all of lines six, seven, eight, nine, and ten.

Adopted.

Also:

Amend by striking out of section one all of lines sixteen and seventeen.

Adopted.

Also:

Amend by striking out of section one, line eighteen, the figure "5" and inserting the figure "4."

Adopted.

Also:

Amend by striking out of section one, line thirty-four, after the word "eighty," and inserting the following: "But no execution shall issue on the judgment rendered against the defendant on such demand until the maturity thereof, except in cases where the debt sued for was fraudulently contracted on the part of the debtor; in such cases the plaintiff may have execution at once unless stayed by appeal."

Adopted.

Also:

Amend by striking out of section one lines fifty-one and fifty-two.

Adopted.

Also:

Amend section one, line fifty-three, by changing the number of the subdivision from "5" to "4," and reduce the number of each subdivision to line seventy-five by one.

Adopted.

Also:

Amend by striking out of section one, line eighty-two, the word "may," and inserting the word "shall."

Adopted.

Also:

Amend by striking out of section one, line ninety-one, the word "cost," and inserting the word "costs."

Adopted.

Also:

Amend by striking out of section one, line one hundred and five, after the word "appeal," the words "to the Supreme Court"

Adopted.

Also:

Amend by striking out of section one, line one hundred and thirteen, all after the word "Courts," in line one hundred and thirteen, and strike out all of lines one hundred and fourteen and fifteen, the word "Justice" being substituted for the word "Clerk" when the same occurs herein.

Adopted.

Ordered engrossed and to third reading.

Assembly Bill No. 212—An Act to regulate the practice of architecture.

Read second time.

The following committee amendments were submitted:

Amend section fourteen, line one, printed bill, by inserting "or some similar institute or association of architects," after the word "architects."

Adopted.

Also:

Amend section one, line sixteen, printed bill, by inserting the words "or some similar institute or association of architects," after the word "architect."

Adopted.

Also:

Amend by striking out of section one, line thirty-one, printed bill, the phrase "the balance of" after the word "for."

Adopted.

Also:

Amend by striking out of section two, line eight, printed bill, the words "be entitled to," after the word "shall."

Adopted.

Also:

Amend section two, line nine, printed bill, by inserting the words "shall be" after the word "votes."

Adopted.

Also:

Amend by striking out of section three, lines thirty-one and thirty-two, printed bill, the words "in the rooms of the San Francisco Chapter of the American Institute of Architects."

Adopted.

Also:

Amend by striking out of section three, lines thirty-three and thirty-four, printed bill, the words "in the rooms of the Southern California Chapter of the American Institute of Architects."

Adopted.

Also:

Amend section five, line eleven, printed bill, by adding after the word "services," the following: "*provided*, that nothing in this Act shall prevent the recovery of any fee or compensation by an architect residing out of the State of California, whose plans and specifications shall be accepted for a building or other structure within this State.

Adopted.

Ordered engrossed and to third reading.

Assembly Bill No. 217—An Act to amend section sixteen hundred and ninety-one of the Code of Civil Procedure of the State of California, relating to agents for absent interest parties, discharge of executors or administrators.

Read second time.

The following committee amendment was submitted:

Amend by striking out of the title of said Act the word "interest," and inserting after the word "parties" the words "and the."

Adopted.

Ordered engrossed and to third reading.

Assembly Bill No. 25—An Act to amend section three hundred and thirty-seven of the Code of Civil Procedure, relating to the time in which actions must be commenced upon any contract, obligation, or liability founded upon an instrument in writing executed in this State.

Read second time.

The following committee amendment was submitted:

Amend by striking out of section one, lines seven and eight, the phrase "the period prescribed for the same," and inserting the following: "four years."

Adopted.

Ordered engrossed and to third reading.

Assembly Bill No. 42—An Act to add a new section to the Code of Civil Procedure, said section to be designated as section three hundred and twenty-nine, relating to the limitation of action to recover real property.

Passed, to retain its place on file.

Assembly Bill No. 60—An Act to add a new section to the Political Code, to be numbered section three thousand eight hundred and eighteen, in relation to the cancellation of tax sales to the State.

Passed, to retain its place on file.

Assembly Bill No. 68—An Act to amend section three thousand seven hundred and seventy-seven of the Political Code of the State of California.

Passed, to retain its place on file.

Assembly Bill No. 136—An Act to amend sections three hundred and thirty-six, three hundred and thirty-seven, three hundred and thirty-eight, three hundred and thirty-nine, and three hundred and forty of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relative to the time of commencing actions other than for the recovery of real property.

Mr. McKelvey, the author, requested to withdraw the same.

So ordered.

Assembly Bill No. 259—An Act to amend section one thousand four hundred and sixty-nine of an Act of the Legislature of the State of California entitled "An Act to establish a Code of Civil Procedure," relating to the support of families of deceased persons, and the distribution of the estates of deceased persons, where the value of the whole estate does not exceed the sum of one thousand five hundred dollars.

Read second time, ordered engrossed and to third reading.

Assembly Bill No. 278—An Act to amend section three thousand four hundred and forty-two of the Civil Code, relating to fraudulent instruments and transfers.

Passed, to retain its place on file.

Assembly Bill No. 175—An Act regulating and fixing the liability of innkeepers, hotel-keepers, boarding and lodging house keepers, with respect to the trunks, valises, traveling bags, bundles, packages, and their contents, and the personal property of guests, boarders, and lodgers, whether temporary or permanent, brought into or kept therein, and amending sections one thousand eight hundred and fifty-nine and one thousand eight hundred and sixty of the Civil Code.

Mr. Freeman, the author, requested to withdraw the same.

So ordered.

Assembly Bill No. 109—An Act to amend section six hundred and fifty-three of the Civil Code of California, relating to the consolidation of colleges and institutions of higher education.

Read second time, ordered engrossed and to third reading.

Assembly Bill No. 160—An Act to amend sections one thousand five

hundred and fifty-two and one thousand five hundred and fifty-three of the Political Code, relating to the public schools.

Read second time.

The following committee amendments were submitted:

Amend section one as follows: Strike out in lines three and four, in printed bill, the words "who receives an annual salary of one thousand dollars or less." Insert after the word "Supervisors," in fifth line, the words "upon presentation of itemized bill therefor." Strike out lines seven, eight, and nine. Strike out all of sections two and three. Renumber the sections so that section number four shall be section number two

Adopted.

Ordered engrossed and to third reading.

Assembly Bill No. 505—An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors.

Read second time, ordered engrossed and to third reading.

Assembly Bill No. 81—An Act to amend sections three thousand four hundred and forty-nine and three thousand four hundred and sixty-eight of the Civil Code of the State of California, relating to assignments for the benefit of creditors.

Read second time.

The following committee amendments were submitted:

Amend section one, line eighty-eight, by inserting the words "a judge of" after the word "as."

Adopted.

Also:

Amend section one, line eighty-eight, by inserting the words "or city and county" after the word "county."

Adopted.

Ordered engrossed and to third reading.

Assembly Bill No. 5—An Act entitled an Act to amend section one thousand and eighty-three of the Political Code of the State of California, defining the qualifications and disabilities of electors.

Mr. Waymire, the author, requested to withdraw the same.

Assembly Bill No. 191—An Act to amend section seven hundred and ninety-eight of the Political Code of California, relating to the fees of Notaries Public, and the amendments thereto.

Passed, to retain its place on file.

Assembly Bill No. 238—An Act to amend section two thousand two hundred and eighteen of the Political Code of the State of California, relating to the commitment of insane persons.

Passed, to retain its place on file.

Assembly Bill No. 251—An Act to repeal section three thousand eight hundred and sixty-two of the Political Code, relating to revenue and taxation.

MOTIONS.

Mr. Dixon moved that Assembly Bill No. 251 be refused second reading.

Lost.

Assembly Bill No. 251 read second time.

Mr. Reid moved that the enacting clause be stricken from Assembly Bill No. 251.

The ayes and noes were demanded by Messrs. Bledsoe, Barker, and Wade.

The roll was called, and the enacting clause ordered stricken out by the following vote:

AYES—Messrs. Bachman, Brusie, Cargill, Coleman, Cutter, Dale, Dixon, Freeman, Glass, Hall, Hudson, Keen, Kelsey, McCarthy, McDonald, Merrill, O'Day, Price, Reid, Robinson, Staley, Swisler, Twigg, Waymire, and Wilkinson—25.

NOES—Messrs. Barker, Bledsoe, Bulla, Coghlin, Davis, Dodge, Dunbar, Ewing, Fassett, Johnson, Jones, Kenyon, McKelvey, North, Osborn, Richards, Rowell, Stansell, Spencer, Tibbits, Wade, Weyse, and Mr. Speaker—23.

RESOLUTION.

By Mr. Spencer:

Resolved, That the State Printer be and he is hereby instructed to deliver to each member of the Assembly his bound volumes of the bills, in the order in which such bills are received from the members for binding, and that the bound volumes must not be delivered to members at the head of the roll call any faster than to those at the foot of said roll call, unless it be by reason of returning such bills to the persons from whom they were received.

Adopted.

REPORT OF STANDING COMMITTEE.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1895.

MR. SPEAKER. Your Committee on Ways and Means, to whom was referred Assembly Bill No. 205—An Act to amend sections three thousand seven hundred and sixty-five, three thousand seven hundred and sixty-seven, three thousand seven hundred and seventy-one, three thousand seven hundred and seventy-six, three thousand seven hundred and eighty-three, three thousand eight hundred and six, three thousand eight hundred and eleven, three thousand seven hundred and eighty-nine, three thousand eight hundred and ninety-seven, three thousand eight hundred and ninety-nine, and to repeal sections three thousand seven hundred and sixty-eight, three thousand seven hundred and seventy-two, three thousand seven hundred and seventy-three, three thousand seven hundred and seventy-four, three thousand seven hundred and seventy-five, three thousand seven hundred and seventy-seven, three thousand seven hundred and seventy-eight, 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-two, 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, three thousand seven hundred and eighty-eight, three thousand eight hundred and three, three thousand eight hundred and thirteen, three thousand eight hundred and fourteen, three thousand eight hundred and fifteen of the Political Code, all relating to the collection of property taxes—have had the same, under consideration, and respectfully report the same back, and recommend that it be referred to the Committee on Judiciary.

BRUSIE, Chairman.

So ordered.

REQUEST.

The Committee on Ways and Means asked for further time on Assembly Bills Nos. 172, 207, 216, 218, 228, 230, 244, 246, and 255.

So ordered.

INTRODUCTION OF BILLS—(OUT OF ORDER).

The following bills were introduced, read first time, and referred to committees, as follows:

By Mr. Brusie: Assembly Bill No. 598—An Act to repeal an Act entitled "An Act to authorize suits against the State, and regulating the procedure therein," approved February 28, 1893.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 599—An Act making an appropriation to pay the expenses of the funeral and casket for the late Secretary of State, E. G. Waite.

Read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 600—An Act making an appropriation to pay the City and County of San Francisco for expenses incurred in conveying children to the Whittier State School.

Read first time, and referred to Committee on Claims.

Also: Assembly Bill No. 601—An Act making an appropriation to pay the rent of office for the Commissioner of the Bureau of Labor Statistics in San Francisco for the forty-fifth and forty-sixth fiscal years, ending June 30, 1895.

Read first time, and referred to Committee on Ways and Means.

By Mr. Ewing: Assembly Bill No. 602—An Act to amend the Political Code of the State of California, by adding a new section thereto, to be numbered section one thousand two hundred and ninety-eight, relating to certificates of election, and providing for the delivery of possession of office to the persons named in such certificates, and for the punishment for the violation thereof.

Read first time, and referred to Committee on Election Laws.

Also: Assembly Bill No. 603—An Act to amend section two hundred and seventy-four of an Act entitled "An Act to establish a Code of Civil Procedure," relative to the compensation of Court reporters.

Read first time, and referred to Committee on Judiciary.

REQUEST.

The Committee on Commerce and Navigation asked for further time on Assembly Bills Nos. 285 and 286.

Granted.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON ELECTION LAWS.

ASSEMBLY CHAMBER, SACRAMENTO, February 2, 1895.

MR. SPEAKER: Your Committee on Election Laws, to whom was referred Assembly Bill No. 310—An Act to amend section one of an Act entitled "An Act to promote the purity of elections by regulating the conduct thereof, and to support the privilege of free suffrage by prohibiting certain acts and privileges in relation thereto, and providing for the punishment thereof"—have had the same under consideration, and have prepared a substitute therefor, and your committee respectfully report such substitute back, with the recommendation that the substitute do pass.

SPENCER, Chairman.

MOTION.

On motion, Assembly Bill No. 310 was ordered stricken from the file.

INTRODUCTION OF BILL—(OUT OF ORDER).

Assembly Bill No. 604 (Committee Substitute for Assembly Bill No. 310)—An Act to amend section one of an Act entitled "An Act to promote the purity of elections by regulating the conduct thereof, and to support the privilege of free suffrage by prohibiting certain acts and privileges in relation thereto, and providing for the punishment thereof."

Read first time and placed on file.

At twelve o'clock and ten minutes P. M., Speaker Lynch in the chair.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON ELECTION LAWS.

ASSEMBLY CHAMBER, SACRAMENTO, February 2, 1895.

MR. SPEAKER: Your Committee on Election Laws, to whom was referred Assembly Bill No. 115—An Act to secure independence and promote purity in nominations by political conventions—have had the same under consideration, and have amended the same by striking out section two thereof, and respectfully report the same back, and recommend that it do pass as amended.

SPENCER, Chairman.

ON FISH AND GAME.

ASSEMBLY CHAMBER, SACRAMENTO, February 2, 1895.

MR. SPEAKER: Your Committee on Fish and Game, to whom was referred Assembly Bill No. 147—An Act to amend an Act to establish a uniform system of county and township governments.

Also: Assembly Bill No. 148—To create the office of Fish and Game Warden, and to prescribe the powers, duties, and salary of such officer—have had the same under consideration, and respectfully report the same back, and recommend that they do pass as amended.

Also: Assembly Bill No. 110—An Act to amend section six hundred and two of the Penal Code of the State of California, relating to trespass—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also: Assembly Bill No. 376—An Act to amend section six hundred and twenty-six of the Penal Code, relating to the preservation of game birds and animals, and providing punishment for the unlawful taking, killing, and transportation thereof—have had the same under consideration, and respectfully report the same back, and recommend that the author be allowed to withdraw the same.

BASSFORD, Chairman.

SECOND READING OF BILLS—(RESUMED).

Assembly Bill No. 349—An Act to amend section one thousand four hundred and forty-six of the Penal Code, relating to the form of judgment against a defendant in cases where fine and imprisonment are directed.

Read second time, ordered engrossed and to third reading.

Assembly Bill No. 353—An Act to reduce the number of Judges of the Superior Court of the county of Tulare from two to one.

Read second time.

Mr. Davis moved to amend by striking out of section two, line two, the words "ninety-nine," and inserting the words "ninety-eight."

Adopted.

Ordered engrossed and to third reading.

Assembly Bill No. 355—An Act to amend section eight hundred and thirty-six of the Code of Civil Procedure of the State of California, relating to the change of place of trial in Justices' Courts.

Read second time, ordered engrossed and to third reading.

Assembly Bill No. 151—An Act to amend section one hundred and seventy of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 23, 1893, relating to the disqualification of Judges.

Mr. Cutter, the author, requested to withdraw the same.

So ordered.

Assembly Bill No. 346—An Act to amend section one thousand four hundred and thirty-five of the Penal Code, relating to waiver of trial by jury.

Mr. Bulla, the author, requested to withdraw the same.

So ordered.

Assembly Bill No. 347—An Act to amend section eight hundred and ninety-six of the Penal Code, relating to challenge of grand jurors.

Mr. Bulla, the author, requested to withdraw the same.

So ordered.

Assembly Bill No. 348—An Act to amend sections eight hundred and eleven, eight hundred and twelve, and eight hundred and sixty-four of the Penal Code, relating to the manner of making complaint to a magistrate of the commission of a public offense, and of conducting the examination under such complaint.

Mr. Bulla, the author, requested to withdraw the same.

So ordered.

Assembly Bill No. 273—An Act to prescribe the duty of the Attorney-General and Insurance Commissioner in regard to the admission of insurance corporations, associations, or individuals to do business in this State.

Read second time, ordered engrossed and to third reading.

Assembly Bill No. 241—An Act to amend section one of an Act entitled "An Act to provide for the submission of proposed amendments to the Constitution of the State of California to the qualified electors for their approval," approved March 7, 1883, relating to the manner of publishing such proposed amendments, and to include propositions.

Read second time, ordered engrossed and to third reading.

Assembly Bill No. 506—An Act to amend section one of an Act entitled "An Act to compel savings banks to publish a sworn statement of all unclaimed deposits."

Read second time, ordered engrossed and to third reading.

APPROVAL OF JOURNAL.

The Journal of February 1st was approved.

INTRODUCTION OF BILLS—(OUT OF ORDER).

The following bills were introduced, read first time, and referred to committees, as follows:

By Mr. Lynch: Assembly Bill No. 605—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 referred to Committee on Judiciary.

Also: Assembly Bill No. 606—An Act entitled an Act to amend section four hundred and seventy-five of the Political Code, providing for two clerks and a phonographic reporter in the office of the Attorney-General, declaring said clerks and phonographic reporter to be civil executive officers, and fixing their salaries.

Read first time, and referred to Committee on Judiciary.

RESOLUTION.

By Mr. McKelvey:

Resolved, That the Postmistress of the Assembly be authorized to close the Post Office of this Assembly during Sunday, February 3, 1895.

Adopted.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON CRIMES AND PENALTIES.

ASSEMBLY CHAMBER, SACRAMENTO, January 31, 1895.

MR SPEAKER: Your Committee on Crimes and Penalties, to whom was referred Assembly Bill No. 114—An Act to prevent the display of foreign flags on public buildings in this State—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

HUDSON.
GLASS.
GAY.
WILKINSON.

ADJOURNMENT.

At twelve o'clock and twenty minutes P. M., on motion of Mr. Dixon, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Monday, February 4, 1895. }

The Assembly met pursuant to adjournment.

Speaker Lynch in the chair.

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

Messrs. Ash, Bachman, Barker, Bassford, Belshaw, Bennett, Brusie, Bulla, Butler, Cargill, Coleman, Coghlin, Cutter, Dale, Davis, Devitt, Devine, Dinkelspiel, Dixon, Dodge, Dunbar, Ewing, Fassett, Freeman, Gay, Glass, Hall, Hatfield, Holland, Huber, Hudson, Johnson, Jones, Keen, Kelsey, Kenyon, Laird, Laugenour, Meads, McDonald, McKelvey, Merrill, North, O'Day, Osborn, Phelps, Price, Reid, Richards, Robinson, Rowell, Staley, Stansell, Swisler, Tibbits, Thomas, Wade, Waymire, Weyse, Wilkins, Wilkinson, Zocchi, and Mr. Speaker

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. O. Summers.

READING OF THE JOURNAL.

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

So ordered.

SPECIAL ORDERS.

Assembly Joint Resolution No. 10—Relative to the improvement of the Sacramento River.

Assembly Joint Resolution No. 10 was read and adopted.

PETITIONS.

By Mr. Cargill: From citizens of his district, asking the enactment of such a Sabbath law as will be founded upon and agreeable to the moral law of God, and that will not do wrong to any class of citizens.

Referred to Committee on Public Morals.

By Mr. Lynch: From the Merchants' Association of Los Angeles, California, urgently requesting both houses of the Legislature to do all in their power for the passage of the various amendments to the insolvent laws proposed by the Boards of Trade of San Francisco and Los Angeles.

Also: A petition relative to the passage of the bills relating to a change in limitation of actions and of the homestead laws.

Referred to Committee on Judiciary.

By Mr. McKelvey: From several hundred citizens of Orange County protesting against the passage of the "Pendleton Bill," providing for the establishing of a Southern California District Fair at Los Angeles, and urging that the District Agricultural Fair Associations be preserved, as now established by law, and that the usual appropriation be made for their maintenance.

Referred to Committee on Agriculture.

By Mr. Hall: From citizens of his district asking the enactment of such a Sabbath law as will be founded upon and agreeable to the moral law of God, and that will not do wrong to any class of citizens.

Referred to Committee on Public Morals.

LEAVE OF ABSENCE.

Mr. Butler was granted leave of absence for the day, on motion of Mr. Hatfield.

REPORTS OF STANDING COMMITTEES.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, February 4, 1895.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 301—An Act to amend section two hundred and ninety-seven of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to articles of incorporation.

Also: Assembly Bill No. 404—An Act to amend section seven of the Penal Code, relating to certain words and what included in definition.

Also: Assembly Bill No. 405—An Act to amend section seventeen of the Political Code, relating to certain words and what they include.

Also: Assembly Bill No. 406—An Act to amend section fourteen of the Civil Code, relative to certain terms defined.

Also: Assembly Bill No. 407—An Act to amend section seventeen of the Code of Civil Procedure, relating to certain terms defined.

Also: Assembly Bill No. 514—An Act to amend chapter nine, part two, title six, of the Penal Code, by adding thereto a new section, to be numbered one thousand and fifty-three, relating to postponements of trials of criminal actions.

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

Also: Assembly Bill No. 497—An Act to amend section eleven of an Act entitled "An Act to establish law libraries," approved March 31, 1891—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also: Assembly Bill No. 431—An Act to amend section seven hundred and forty-four of the Code of Civil Procedure, relating to mortgages of real property.

Also: Assembly Bill No. 432—An Act to amend section two thousand nine hundred and twenty-six of the Civil Code, relating to mortgage of real property, on what a lien.

Have had the same under consideration, and respectfully report the same back without recommendation.

Also: Assembly Bill No. 472—An Act to amend section seven hundred and twenty-nine of the Code of Civil Procedure, relating to actions for the foreclosure of mortgages, and fixing the fees of Sheriffs and Commissioners for sales thereunder.

Also: Assembly Bill No. 513—An Act entitled an Act to amend section two hundred and four of the Code of Civil Procedure, relating to the selecting and returning of jurors.

Also: Assembly Bill No. 430—An Act to add a new section to the Penal Code of the

State of California, to be known and designated as section five hundred and two and one half, relating to the severance and removal of fixtures and improvements upon mortgaged property.

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

BULLA, Chairman.

ON CRIMES AND PENALTIES.

ASSEMBLY CHAMBER, SACRAMENTO, January 31, 1895.

MR. SPEAKER: Your Committee on Crimes and Penalties, to whom was referred Assembly Bill No 232—An Act to amend section four hundred and eighty-seven of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, defining grand larceny—have had the same under consideration, and respectfully report the same back, and recommend that the author be allowed to withdraw the same, at his own request.

Also: Assembly Bill No. 88—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by adding a new section to Penal Code, to be known and numbered as section two hundred and seventy-six, relating to abortions

Also: Assembly Bill No. 86—An Act to amend section one hundred and ninety-two of the Penal Code, relating to homicide.

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

Also: Assembly Bill No 163—An Act making an appropriation for reimbursing the County of Marin for moneys expended by it for the prosecution of crimes committed within the State Prison at San Quentin, and for inquests held over the bodies of convicts who have died within said prison—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to the Committee on Claims.

Also: Assembly Bill No. 461—An Act to amend an Act entitled "An Act to establish a Penal Code," relating to the crime of rape—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to the Committee on Public Morals, at the request of the author

Also: Assembly Bill No 416—An Act requiring the employment of flag signalmen at railroad crossings—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to the Committee on Municipal Corporations.

Also: Assembly Bill No 370—An Act to amend section seven hundred and thirty-one of the Penal Code of the State of California, and to add a new section thereto, to be known as section seven hundred and thirty-four, relating to the suppression of riots and parading of independent military companies—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

BOOTHBY, Chairman

Assembly Bill No. 232 withdrawn.

Assembly Bill No. 163 re-referred to Committee on Claims.

Assembly Bill No. 461 re-referred to Committee on Public Morals.

Assembly Bill No. 416 re-referred to Committee on Municipal Corporations.

ON MILEAGE.

ASSEMBLY CHAMBER, SACRAMENTO, February 2, 1895.

MR. SPEAKER: Your Committee on Mileage, to whom was referred the following committee reports:

ON HOSPITALS AND ASYLUMS.

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1895.

MR. SPEAKER: Your Committee on Hospitals and Asylums beg leave to report that in discharge of their duties they have visited the buildings and grounds of the Home for the Adult Blind at Oakland, the Deaf, Dumb, and Blind Institute at Berkeley, and the Insane Asylum at Stockton, and are entitled to mileage, as follows: Cargill, Chairman, Glass, Huber, Hudson, Gay, Zocchi, Boothby, Ewing, and O'Day, each two hundred and thirty miles.

Resolved, That the Controller is hereby directed to draw his warrant, payable to Hon. C. G. Cargill, for the sum of two hundred and seven dollars, and the Treasurer is directed to pay the same out of the Contingent Fund of the Assembly.

CARGILL, Chairman.

ON PUBLIC HEALTH AND QUARANTINE.

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1895.

MR. SPEAKER: Your Committee on Public Health and Quarantine beg leave to report that in discharge of their duties they have visited the buildings and grounds of the Home of the Adult Blind at Oakland, the Deaf, Dumb, and Blind Institute at Berkeley,

and the Insane Asylum at Stockton, and are entitled to mileage, as follows: Chairman Glass, Messrs. Cargill, Huber, Lewis, Meads, Richards, McDonald, and Clerk Maulsby, each two hundred and thirty miles.

Resolved, That the Controller is hereby directed to draw his warrant, payable to J. H. Glass, for the sum of one hundred and eighty-four dollars, and the Treasurer is directed to pay the same out of the Contingent Fund of the Assembly.

GLASS, Chairman.

ON COMMERCE AND NAVIGATION

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1895.

MR. SPEAKER: Your Committee on Commerce and Navigation, in accordance with the resolution adopted by the Assembly, Friday, January 25, 1895, to wit:

Resolved, That the Committee on Commerce and Navigation be granted leave of absence from Friday afternoon, January 25th, until Tuesday morning, January 29th, for the purpose of visiting San Francisco in conjunction with the Senate Committee on Rivers, Harbors, and Coast Defenses, for the purpose of considering Assembly Bills Nos. 284, 285, and 286—relating to the condemnation of lands on East Street, San Francisco, under the jurisdiction of the State Board of Harbor Commissioners.

Beg leave to report to the Assembly as follows: That the said committee visited San Francisco, and together with the Committee on Harbors, Rivers, and Coast Defenses of the Senate made a thorough and careful investigation of the property sought to be condemned by the State Board of Harbor Commissioners for the State of California, and for the purpose of obtaining terminal facilities for the proposed bridge across East Street, in the City and County of San Francisco, and all other points of importance and interest in connection with the information sought to be obtained, and necessary for a proper consideration of said Assembly Bills Nos. 284, 285, and 286. Also, that there is now due the members of your committee, and the clerk thereof, each sixteen dollars and eighty cents for traveling expenses, and we recommend the adoption of the following resolution, viz.:

Resolved, That the Controller be and he is hereby directed to draw his warrant upon the appropriation for the contingent expenses of the Assembly, in favor of Mr George W. Dixon, for the sum of one hundred and sixty-eight dollars, for the purpose of paying to Messrs. George W. Dixon, Alfred Keen, William Llewellyn, F. R. Fassett, J. M. Merrill, Walter F. Price, F. R. Stansell, James H. Wilkins, J. F. Twigg, and J. W. Disbrow, clerk, each sixteen dollars and eighty cents for traveling expenses due them upon their visit to San Francisco, under the resolution hereinbefore set out.

DIXON, Chairman.

Have had the same under consideration, and respectfully report the same back, and recommend that said committees be allowed their actual traveling expenses while on said visits.

STALEY, Chairman.

QUESTION OF PRIVILEGE.

Mr. Cargill spoke to a question of privilege and explanation in regard to mileage of Committee on Hospitals and Asylums.

MOTION.

Mr. Staley moved that the report of the Committee on Mileage be adopted.

Mr. Reid moved as an amendment that the report of the Committee on Mileage be referred back, with the request that the committee ascertain the actual amount of mileage due each member of said visiting committees.

Amendment adopted.

INTRODUCTION OF BILLS.

The following bills were introduced, read first time, and referred to committees, as follows:

By Mr. Bachman (by request): Assembly Bill No. 607—An Act to

provide for the letting of contracts for the lighting of streets and public buildings in cities and towns in the State of California.

Read first time, and referred to Committee on Municipal Corporations.

By Mr. North (by request): Assembly Bill No. 608—An Act to amend section two thousand nine hundred and fifty-five of the Civil Code.

Read first time, and referred to Committee on Judiciary.

By Mr. Belshaw: Assembly Bill No. 609—An Act entitled an Act to amend section sixteen of an Act entitled "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," approved March 31, 1891.

Read first time, and referred to Committee on Judiciary.

By Mr. Cutter: Assembly Bill No. 610—An Act to amend section forty-seven of the Code of Civil Procedure, relating to the location of the Supreme Court, and to the time and place of holding the sessions thereof.

Read first time, and referred to Committee on Retrenchment and Public Expenditures.

Also: Assembly Bill No. 611—An Act to amend section twenty-eight of an Act passed March 23, 1893, entitled "An Act amendatory of and supplementary to an Act entitled 'An Act to define the boundary and provide for the government of levee district number two, of Sutter County,' passed March 23, 1876, in relation to the election of officers for said district, funding the floating debt, and refunding the funded debt thereof."

Read first time, and referred to Committee on Swamp and Overflowed Lands.

By Mr. Bulla: Assembly Bill No. 612—An Act to amend section one thousand four hundred and forty-four of the Code of Civil Procedure, in relation to appraisement of estates of deceased persons.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 613—An Act repealing an Act entitled "An Act providing for the sale of railroad and other franchises in municipalities, and relative to granting of franchises," approved March 23, 1893.

Read first time, and referred to Committee on Municipal Corporations.

By Mr. Ewing: Assembly Bill No. 614—An Act for the relief of the unemployed.

Read first time, and referred to Committee on Labor and Capital.

By Mr. Spencer: Assembly Bill No. 615—An Act authorizing the Clerk of the Supreme Court to re-cover old records and fitting proper store for same, and making an appropriation therefor.

Read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 616—An Act authorizing the Clerk of the Supreme Court to furnish his office in San Francisco, Los Angeles, and Sacramento with steel record cases, and making an appropriation therefor.

Read first time, and referred to Committee on Ways and Means.

By Mr. Brusie: Assembly Bill No. 617—An Act making an appropriation for the support of the government of the State of California for the forty-seventh and forty-eighth fiscal years.

Read first time.

RESOLUTION.

By Mr. Brusie:

Resolved, That Assembly Bill No. 617 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions 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. Brusie moved that his urgency resolution be made a special order for Thursday, immediately after reading the Journal.

So ordered.

CONCURRENT RESOLUTIONS.

By Mr. Waymire (by request): Assembly Concurrent Resolution No. 8—Relative to an investigation of alleged frauds in San Francisco, and the working of the Australian ballot law.

Read and referred to Committee on Judiciary.

Also (by request): Assembly Concurrent Resolution No. 9—Relating to the appointment of an investigating committee.

Read and referred to Committee on Judiciary.

PETITION—(OUT OF ORDER).

By Mr. Waymire: From the Union League Club of San Francisco:

WHEREAS, It has been made manifest to the members of this club that gross frauds were perpetrated in counting the ballots cast for State officers in the City and County of San Francisco at the last election, and that in making up, reporting, and canvassing the returns of the same, gross frauds and errors were likewise perpetrated and committed, and whereas, the bold and startling character of such fraudulent practices and unlawful methods are well calculated to corrupt all State and municipal governments, and to paralyze and destroy the elective franchise as well as the inherited rights of our citizens; it is now

Resolved, That the Legislature be and it is hereby requested to take such prompt and patriotic action in the premises as shall result in a thorough and searching investigation into said election, and of and concerning said matters and methods, to the end that the evil may be remedied, and that persons guilty of such crimes and frauds may be punished, and that fair elections, honest counts, and a proper administration of the law shall be had.

Resolved, That a committee of three be appointed by the President of the Union League Club to present a copy of the foregoing preamble and resolution to the Senate and Assembly of California, and to urge their speedy action in the premises.

Read and referred to Committee on Judiciary.

JOINT RESOLUTION.

By Mr. Phelps (by request):

ASSEMBLY JOINT RESOLUTION No. 11.

Resolved by the Assembly, the Senate concurring, That our Senators in Congress be instructed and our Representatives requested to urge upon the Secretary of the Treasury, that the department assume entire control of the Maritime Quarantine Service at the port of San Francisco.

Read and ordered printed.

At ten o'clock and thirty minutes A.M. the Speaker called Mr. Wade to the chair.

MOTION.

Mr. Bulla moved that the special file be passed, and that the Assembly general file be now considered.

So ordered.

GENERAL FILE—THIRD READING OF BILLS.

Assembly Bill No. 10—An Act to amend section one thousand two hundred and fourteen of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to the recording of conveyances.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs Ash, Bachman, Barker, Bassford, Belshaw, Bennett, Brusie, Bulla, Cargill, Coleman, Coghlin, Cutter, Dale, Davis, Dixon, Dodge, Dunbar, Ewing, Fassett, Freeman, Gay, Glass, Hall, Hatfield, Healey, Holland, Hudson, Johnson, Jones, Keen, Kelsey, Kenyon, Meads, McDonald, McKelvey, Merrill, North, Phelps, Price, Richards, Robinson, Staley, Stansell, Spencer, Swisler, Tibbits, Wade, Waymire, Weyse, Wilkins, Zocchi, and Mr. Speaker—52.

NOES—None.

Title read and approved.

Assembly Bill No. 28—An Act to amend section six hundred and seventy-one of the Code of Civil Procedure, relating to the lien of judgments, their enforcement and revivor.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs Ash, Bachman, Barker, Bassford, Belshaw, Bennett, Brusie, Bulla, Coleman, Coghlin, Cutter, Dale, Davis, Dixon, Dodge, Dunbar, Ewing, Fassett, Freeman, Gay, Glass, Hall, Hatfield, Healey, Holland, Hudson, Johnson, Jones, Keen, Kelsey, Kenyon, Meads, McDonald, McKelvey, Merrill, North, Phelps, Price, Reid, Richards, Robinson, Rowell, Staley, Stansell, Spencer, Swisler, Tibbits, Twigg, Wade, Waymire, Weyse, Wilkins, Wilkinson, Zocchi, and Mr. Speaker—55.

NOES—None

Title read and approved.

Assembly Bill No. 29—An Act to amend section six hundred and eighty-five of the Code of Civil Procedure, relating to the enforcement or carrying into execution of judgments after the lapse of five years from the date of entry.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Bachman, Barker, Bassford, Bennett, Brusie, Bulla, Coleman, Coghlin, Cutter, Dale, Davis, Dixon, Dodge, Dunbar, Fassett, Freeman, Glass, Hall, Hatfield, Hudson, Johnson, Jones, Keen, Kelsey, McDonald, McKelvey, Merrill, Osborn, Price, Reid, Richards, Robinson, Rowell, Staley, Stansell, Spencer, Swisler, Tibbits, Thomas, Twigg, Wade, Waymire, Weyse, Wilkins, Wilkinson, and Mr. Speaker—47.

NOES—Mr Phelps—1.

Title read and approved.

Assembly Bill No. 32—An Act to amend section one thousand and ninety-four of the Civil Code, relating to the execution and acknowl-

edging of powers of attorney by a married woman, and to make valid all powers of attorney formerly executed by married women.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Bachman, Barker, Bassford, Belshaw, Bennett, Brusie, Bulla, Coghlin, Cutter, Dale, Davis, Dixon, Dodge, Dunbar, Ewing, Fassett, Freeman, Gay, Glass, Hall, Hatfield, Holland, Hudson, Johnson, Jones, Keen, Kelsey, Laird, Laugenour, McDonald, McKelvey, North, O'Day, Osborn, Pendleton, Phelps, Price, Reid, Robinson, Rowell, Stansell, Spencer, Swisler, Tibbits, Wade, Waymire, Weyse, Wilkinson, and Mr. Speaker—50.

NOES—None.

Title read and approved.

Assembly Bill No. 24—An Act to amend chapter seven, part three, title nine, of the Political Code of the State of California, relating to the collection of property taxes, by adding a new section thereto, to be known as section three thousand seven hundred and forty-six and one half.

Passed, to retain its place on file.

Assembly Bill No. 30—An Act for the protection of the records of the several counties of the State of California, and regulating the business of abstracting in relation thereto.

Passed, to retain its place on file.

Assembly Bill No. 31—An Act to amend section one thousand five hundred and thirty-nine of the Code of Civil Procedure, relative to hearing of petition for order to sell real estate of decedents.

Passed, to retain its place on file.

Assembly Bill No. 33—An Act to amend section one thousand five hundred and eighty-two of the Code of Civil Procedure, relating to the right of executors and administrators to sue and be sued to determine title or to recover property.

Passed, to retain its place on file.

Assembly Bill No. 34—An Act to amend section one thousand five hundred and sixty-one of the Code of Civil Procedure, relating to the confirmation of sales made without order of Court.

Passed, to retain its place on file.

Assembly Bill No. 12—An Act to amend section three thousand and forty-six of the Civil Code of the State of California, relating to vendors' liens, and the transfer and satisfaction thereof.

Passed, to retain its place on file.

Assembly Bill No. 78—An Act to amend section nine hundred and fifty-four of the Code of Civil Procedure, relating to dismissal of appeals.

Passed, to retain its place on file.

Assembly Bill No. 135—An Act to amend section four hundred and sixteen of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relative to the fees to be collected by the Secretary of State for services rendered by him in his official capacity.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Bachman, Barker, Bassford, Belshaw, Bennett, Brusie, Bulla, Cargill, Coghlin, Cutter, Dale, Davis, Devine, Dixon, Dodge, Ewing, Fassett, Freeman, Gay, Glass, Hall, Hatfield, Healey, Holland, Johnson, Jones, Keen, Kelsey, Kenyon,

Laird, Llewellyn, McDonald, McKelvey, North, O'Day, Osborn, Pendleton, Phelps, Price, Richards, Staley, Stansell, Swisler, Tibbits, Wade, Waymire, Weyse, and Wilkinson—49.
NOES—None.

Title read and approved.

Assembly Bill No. 361—An Act to amend section fourteen hundred and sixteen of the Civil Code of this State, relating to water rights.

Read third time.

MOTION.

Mr. Thomas moved that a special committee of one be appointed by the Speaker, to amend Assembly Bill No. 361, as follows:

Strike out of section fourteen hundred and sixteen the words "but in such case the work must be commenced within at least ten years from the posting of the notice."

So ordered.

APPOINTMENT OF COMMITTEE.

Mr. Thomas was appointed such committee to make said amendment.

REPORT OF SPECIAL COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, February 4, 1895.

MR. SPEAKER: Your special committee of one, to whom was referred Assembly Bill No. 361, with instructions to amend—has had the same under consideration, and respectfully reports the same back amended as per instructions.

THOMAS, Committee.

Report adopted and bill ordered to print.

THIRD READING OF BILLS—(RESUMED).

Assembly Bill No. 55—An Act to amend section one thousand two hundred and twenty-two of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872.

Read third time.

MOTION.

Mr. Cutter moved that Assembly Bill No. 55 be re-committed to a special committee of one, with instructions to amend as follows:

By inserting after the word "chambers" on line six of the printed bill, the following: "or where such contempt arises from disobedience to a writ or order of the Court or Judge."

PREVIOUS QUESTION.

Mr. Thomas moved the previous question, seconded by Messrs. Price and McKelvey.

The ayes and noes were demanded by Messrs. Spencer, McKelvey, and Thomas.

The roll was called, and the motion to appoint a special committee lost by the following vote:

AYES—Messrs. Ash, Brusie, Bulla, Butler, Cargill, Cutter, Dale, Hatfield, Holland, Hudson, Jones, Kenyon, Laugenour, Meads, North, Price, Staley, Wade, Weyse, and Wilkins—20.

NOES—Messrs. Bachman, Barker, Bassford, Belshaw, Bennett, Bledsoe, Boothby, Coleman, Coghlin, Davis, Devine, Dinkelspiel, Dixon, Ewing, Fassett, Gay, Glass, Hall, Huber, Johnson, Laird, Llewellyn, McCarthy, McDonald, McKelvey, O'Day, Osborn, Pendleton, Phelps, Reid, Richards, Rowell, Spencer, Swisler, Tibbits, Thomas, Twigg, and Waymire—38.

The question now being on the final passage of the bill.

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

AYES—Messrs. Bachman, Barker, Bassford, Belshaw, Bennett, Bledsoe, Boothby, Bulla, Coleman, Coghlin, Davis, Dinkelspiel, Dixon, Dunbar, Ewing, Fassett, Freeman, Gay, Glass, Hall, Huber, Johnson, Jones, Kenyon, Laird, McCarthy, McDonald, McKelvey, O'Day, Osborn, Phelps, Reid, Richards, Rowell, Spencer, Swisler, Tibbits, Thomas, Twigg, Waymire, Weyse, Zocchi, and Mr. Speaker—43

NOES—Messrs. Ash, Brusie, Butler, Cargill, Cutter, Dale, Hatfield, Healey, Holland, Hudson, Laugenour, Meads, North, Price, Staley, Stansell, Wade, and Wilkins—18.

Title read and approved.

At twelve o'clock and ten minutes P. M. Speaker Lynch resumed the chair.

Assembly Bill No. 141—An Act to amend section six hundred and seventy of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, in relation to what papers constitute a judgment roll.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Bachman, Barker, Bassford, Bennett, Bledsoe, Brusie, Bulla, Cargill, Coleman, Coghlin, Dale, Davis, Dinkelspiel, Dixon, Dodge, Dunbar, Ewing, Fassett, Freeman, Gay, Glass, Hatfield, Healey, Holland, Huber, Hudson, Johnson, Jones, Keen, Kenyon, Laird, Laugenour, Llewellyn, Meads, McCarthy, McDonald, McKelvey, North, Osborn, Pendleton, Phelps, Richards, Robinson, Staley, Swisler, Twigg, Wade, Waymire, Wilkins, Wilkinson, Zocchi, and Mr. Speaker—53.

NOES—None.

Title read and approved.

Assembly Bill No. 142—An Act to amend an Act entitled "An Act to establish law libraries," approved March 1, 1891, and to add a new section thereto, for the purpose of disestablishing such law libraries, such new section to be numbered fourteen and one half.

Read third time.

- The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Bachman, Barker, Bassford, Bennett, Bledsoe, Brusie, Bulla, Butler, Coleman, Coghlin, Dale, Davis, Devine, Dinkelspiel, Dixon, Dodge, Dunbar, Fassett, Freeman, Gay, Glass, Hall, Hatfield, Healey, Holland, Huber, Johnson, Jones, Keen, Kenyon, Laugenour, Llewellyn, Meads, McCarthy, McDonald, McKelvey, Merrill, North, Osborn, Pendleton, Phelps, Reid, Richards, Robinson, Rowell, Staley, Stansell, Spencer, Swisler, Tibbits, Wade, Waymire, Weyse, Wilkins, Wilkinson, Zocchi, and Mr. Speaker—57.

NOES—None.

Title read and approved.

At twelve o'clock and twenty minutes P. M. Mr. McKelvey moved that the hour of recess be extended fifteen minutes.

So ordered.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON ELECTION LAWS.

ASSEMBLY CHAMBER, SACRAMENTO, February 4, 1895.

MR. SPEAKER Your Committee on Election Laws, to whom was referred Assembly Bill No. 54—An Act to amend section one thousand one hundred and sixteen of the Code of Civil Procedure—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Assembly Bill No. 410—An Act to enfranchise the women citizens of this State, and prescribing their qualifications as electors—have had the same under consideration,

and respectfully report the same back, and recommend that it do pass as amended. A minority desired to report back without recommendation.

Also: Assembly Bill No. 411—An Act to enfranchise the women citizens of this State, and prescribing their qualifications as electors—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended. A minority report back without recommendation.

Also: Assembly Bill No. 305—An Act to amend section one thousand and ninety-six of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, in relation to the registration of voters—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also: Assembly Bill No. 341—An Act to define who are electors—have had the same under consideration, and respectfully report the same back, and recommend that the author have permission to withdraw the same.

Also: Assembly Bill No. 420—An Act prescribing the method of nominating candidates for public office in political conventions—have had the same under consideration, and respectfully report the same back, and recommend that the author of the bill have permission to withdraw the same.

SPENCER, Chairman.

LEAVE OF ABSENCE.

Mr. Tomblin was granted leave of absence for the day, on motion of Mr. Reid.

APPROVAL OF JOURNAL.

The Journal of February 2, 1895, was approved.

INTRODUCTION OF BILLS—(OUT OF ORDER).

The following bills were introduced, read first time, and referred to committees, as follows:

By Mr. McKelvey: Assembly Bill No. 618—An Act to amend sections one thousand nine hundred and twelve, one thousand nine hundred and thirteen, one thousand nine hundred and fourteen, one thousand nine hundred and fifteen, one thousand nine hundred and seventeen, one thousand nine hundred and eighteen, one thousand nine hundred and nineteen, one thousand nine hundred and twenty-three, one thousand nine hundred and twenty-nine, one thousand nine hundred and thirty-two, one thousand nine hundred and thirty-six, one thousand nine hundred and forty-two, one thousand nine hundred and fifty-two, one thousand nine hundred and fifty-five, one thousand nine hundred and sixty-two, one thousand nine hundred and seventy, one thousand nine hundred and seventy-four, one thousand nine hundred and eighty, one thousand nine hundred and eighty-two, one thousand nine hundred and eighty-three, one thousand nine hundred and eighty-four, one thousand nine hundred and eighty-five, one thousand nine hundred and ninety, two thousand and three, two thousand and seven, two thousand and twenty-four, two thousand and twenty-seven, two thousand and forty, two thousand and forty-one, two thousand and forty-two, two thousand and forty-eight, two thousand and forty-nine, two thousand and fifty, two thousand and seventy-six, and two thousand and eighty-two, and to repeal sections one thousand nine hundred and eighty-seven, one thousand nine hundred and eighty-eight, one thousand nine hundred and eighty-nine, two thousand and four, two thousand and five, and two thousand and six, all of the Political Code, and to add one new section thereto, to be known and numbered as section one thousand and ninety-one, relating to the National Guard, and to provide for the retirement and disposition of certain officers thereof.

Read first time, and referred to Committee on Military Affairs.

By Mr. Weyse: Assembly Bill No. 619—An Act to amend section nine hundred and seven of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relative to the time in which the oaths of office shall be taken, subscribed, and filed.

Read first time, and referred to Committee on Judiciary.

By Mr. Healey: Assembly Bill No. 620—An Act authorizing the State Board of Prison Directors to establish a cordage factory at the Folsom State Prison, and making appropriation therefor.

Read first time, and referred to Committee on State Prisons and Reformatory Institutions.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 4, 1895.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following have been correctly engrossed, viz.:

Assembly Constitutional Amendment No. 3—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, amending section twelve of article thirteen thereof, relative to revenues and taxation, and the collection of the State poll tax.

Also: Assembly Constitutional Amendment No. 5—Proposed amendment to section five of article two of the Constitution, relative to elections.

WILKINSON, Chairman.

ADJOURNMENT.

At twelve o'clock and twenty minutes P. M., on motion of Mr. Wade, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Tuesday, February 5, 1895. }

The Assembly met pursuant to adjournment.

Speaker Lynch in the chair.

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

Messrs. Ash, Bachman, Barker, Bassford, Belshaw, Bennett, Bledsoe, Boothby, Bulla, Butler, Cargill, Coleman, Cogblin, Cutter, Dale, Davis, Devitt, Devine, Dinkelspiel, Dixon, Dodge, Dunbar, Ewing, Fassett, Freeman, Gay, Glass, Hall, Hatfield, Holland, Huber, Hudson, Johnson, Jones, Keen, Kelsey, Kenyon, Laird, Laugenour, Llewellyn, Meads, McCarthy, McDonald, McKelvey, Merrill, North, Osborn, Pendleton, Phelps, Powers, Price, Reid, Richards, Robinson, Rowell, Staley, Stansell, Spencer, Swisler, Tibbits, Wade, Weyse, Wilkins, Wilkinson, Zocchi, and Mr. Speaker.

Quorum present.

LEAVE OF ABSENCE.

Mr. O'Day was granted leave of absence for the day, on motion of Mr. Barker.

Mr. Tomblin was granted leave of absence for the day.

PRAYER.

Prayer by the Chaplain, Rev. O. Summers.

READING OF THE JOURNAL.

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

So ordered.

REPORTS OF STANDING COMMITTEES.

ON ATTACHES AND EMPLOYEES.

ASSEMBLY CHAMBER, SACRAMENTO, February 5, 1895.

MR. SPEAKER: Your Committee on Attachés and Employés, to whom was referred Assembly Bill No. 333—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

WEYSE, Chairman.

ON MILEAGE.

ASSEMBLY CHAMBER, SACRAMENTO, February 5, 1895.

MR. SPEAKER: Your Committee on Mileage, to whom was referred committee reports as follows:

ON PUBLIC HEALTH AND QUARANTINE.

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1895.

MR. SPEAKER: Your Committee on Public Health and Quarantine beg leave to report that in discharge of their duties they have visited the buildings and grounds of the Home of the Adult Blind at Oakland, the Deaf, Dumb, and Blind Institute at Berkeley, and the Insane Asylum at Stockton, and are entitled to mileage, as follows: Messrs. Lewis, Meads, Richards, McDonald, and Clerk Maulsby, each two hundred and thirty miles.

Resolved. That the Controller is hereby directed to draw his warrant, payable to J. H. Glass, for the sum of one hundred and eighty-four dollars, and the Treasurer is directed to pay the same out of the Contingent Fund of the Assembly.

GLASS, Chairman.

ON HOSPITALS AND ASYLUMS.

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1895.

MR. SPEAKER: Your Committee on Hospitals and Asylums beg leave to report that in discharge of their duties they have visited the buildings and grounds of the Home for the Adult Blind at Oakland, the Deaf, Dumb, and Blind Institute at Berkeley, and the Insane Asylum at Stockton, and are entitled to mileage, as follows: Cargill, Chairman; Glass, Huber, Hudson, Gay, Zocchi, Boothby, Ewing, and O'Day, each two hundred and thirty miles.

Resolved. That the Controller is hereby directed to draw his warrant, payable to Hon. C. G. Cargill, for the sum of two hundred and seven dollars, and the Treasurer is directed to pay the same out of the Contingent Fund of the Assembly.

CARGILL, Chairman.

ON COMMERCE AND NAVIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1895.

MR. SPEAKER. Your Committee on Commerce and Navigation, in accordance with the resolution adopted by the Assembly, Friday, January 25, 1895, to wit:

Resolved. That the Committee on Commerce and Navigation be granted leave of absence from Friday afternoon, January 25th, until Tuesday morning, January 29th, for the purpose of visiting San Francisco in conjunction with the Senate Committee on Rivers, Harbors, and Coast Defenses, for the purpose of considering Assembly Bills Nos. 284, 285, and 286, relating to the condemnation of lands on East Street, San Francisco, under the jurisdiction of the State Board of Harbor Commissioners.

Beg leave to report to the Assembly as follows: That the said committee visited San Francisco, and together with the Committee on Harbors, Rivers, and Coast Defenses of the Senate, made a thorough and careful investigation of the property sought to be

condemned by the State Board of Harbor Commissioners, for the State of California, and for the purpose of obtaining terminal facilities for the proposed bridge across East Street, in the City and County of San Francisco, and all other points of importance and interest in connection with the information sought to be obtained, and necessary for a proper consideration of said Assembly Bills Nos. 234, 255, and 286. Also, that there is now due the members of your committee, and the clerk thereof, each sixteen dollars and eighty cents for traveling expenses, and we recommend the adoption of the following resolution, viz :

Resolved, That the Controller be and he is hereby directed to draw his warrant upon the appropriation for the contingent expenses of the Assembly, in favor of Mr. George W. Dixon, for the sum of one hundred and sixty-eight dollars, for the purpose of paying to Messrs. George W. Dixon, Alfred Keen, William Llewellyn, F. R. Fassett, I. M. Merrill, Walter F. Price, F. R. Stansell, James H. Wilkins, J. F. Twigg, and J. W. Disbrow, clerk, each sixteen dollars and eighty cents for traveling expenses due them upon their visit to San Francisco, under the resolution hereinbefore set out

DIXON, Chairman.

Have had the same under consideration, and respectfully report the same back, and recommend that they receive the sum as to bill hereto attached, and the Controller is hereby directed to draw his warrants in favor of said members for the same, as follows:

Committee on Hospitals and Asylums: Cargill, \$20; Huber, \$20; Hudson, \$20; Gay, \$20; Zocchi, \$20; Boothby, \$20; Ewing, \$20; O'Day, \$20.

Committee on Public Health and Quarantine: Glass, \$20; Lewis, \$20; Meads, \$20; Richards, \$20; McDonald, \$20; and Clerk Maulsby, \$20.

Committee on Commerce and Navigation: Dixon, \$15, Keen, \$15; Llewellyn, \$15, Fassett, \$15; Merrill, \$15; Price, \$15, Stansell, \$15; Wilkins, \$15; Twigg, \$15, and Clerk J. W. Disbrow, \$15

STALEY, Chairman.

Report adopted.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, February 5, 1895.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No 408—An Act to repeal section one thousand and ninety-three of the Civil Code of the State of California, relating to acknowledgment of grant by married women—have had the same under consideration, and respectfully report the same back, and recommend that it do pass

Also: Assembly Bill No. 428—An Act to amend section three thousand and two of the Civil Code of the State of California, relating to pledge—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended

Also: Assembly Bill No. 338—An Act to provide for prosecuting attorneys of Police Courts in cities having more than fifty thousand and under one hundred and fifty thousand inhabitants, and prescribing the duties and regulating the compensation of such prosecuting attorneys—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to the Committee on Municipal Corporations

Also: Assembly Bill No. 166—An Act to amend sections one thousand two hundred and forty-five, one thousand two hundred and forty-six, one thousand two hundred and forty-seven, one thousand two hundred and forty-eight, one thousand two hundred and forty-nine, one thousand two hundred and fifty, one thousand two hundred and fifty-one, one thousand two hundred and fifty-two, and one thousand two hundred and fifty-three of the Civil Code, and to repeal sections one thousand two hundred and fifty-four, one thousand two hundred and fifty-five, one thousand two hundred and fifty-six, one thousand two hundred and fifty-seven, and one thousand two hundred and fifty-eight of said Code, relating to homestead exemptions.

Also: Assembly Bill No. 307—An Act to prohibit the mortgaging of certain personal property.

Also: Assembly Bill No. 327—An Act to give legal standing to and provide for the licensing of public accountants.

Also: Assembly Bill No. 421—An Act to amend section one hundred and seventy of the Code of Civil Procedure of the State of California, relating to the disqualification of Judges.

Also: Assembly Bill No. 447—An Act to amend section two thousand nine hundred and fifty-five of the Civil Code.

Also: Assembly Bill No. 471—An Act to amend section one hundred and three of the Code of Civil Procedure of the State of California, relating to Justices' Courts.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass

Also: Assembly Bill No. 501—An Act to amend section one thousand five hundred and forty-three of "An Act to establish a Political Code," approved March 12, 1872.

Also: Assembly Bill No. 561—An Act to amend section one thousand six hundred and thirty-six of the Political Code of the State of California, relating to the duties of Census Marshals.

Also: Assembly Bill No. 451—An Act to amend section one thousand six hundred and sixty-eight of the Political Code.

Have had the same under consideration, and respectfully report the same back, and recommend that they be referred to the Committee on Education.

BULLA, Chairman.

Assembly Bill No. 338 re-referred to Committee on Municipal Corporations.

Assembly Bills Nos. 501, 561, and 451 re-referred to Committee on Education.

ON RETRENCHMENT AND PUBLIC EXPENDITURES.

ASSEMBLY CHAMBER, SACRAMENTO, February 5, 1895.

MR. SPEAKER: Your Committee on Retrenchment and Public Expenditures, to whom was referred Assembly Bill No. 162—An Act to appoint a committee to report to the thirty-second session of the Legislature on the laws of the State penal institutions, and on the abolishment of the State Prison at San Quentin—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also: Assembly Bill No. 423—An Act to repeal an Act entitled "An Act to appropriate money for the support of aged persons in indigent circumstances," approved March 15, 1883—have had the same under consideration, and respectfully report the same back, and recommend that the same be amended and that the same do pass as amended. Amend section one, line two, by inserting after the word "circumstances" the words "approved March 15, 1883."

Also: Assembly Bill No. 441—An Act to create and administer a teachers' annuity and retirement fund in the several counties, and cities and counties, of this State

Also: Assembly Bill No. 458—An Act to amend an Act amendatory of section four hundred and twenty-five of the Political Code, approved March 20, 1889, relating to special policemen for the State Capitol grounds, and to their powers, and to the payment of their salaries

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

PHELPS, Chairman.

ON CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 5, 1895

MR. SPEAKER: Your Committee on Corporations, to whom was referred Assembly Bill No. 509—An Act to regulate the sale and redemption of transportation tickets.

Also: Assembly Bill No. 484—An Act to amend section five hundred and forty-eight of the Civil Code, in relation to water and canal corporations

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

PENDLETON, Chairman.

ON ROADS AND HIGHWAYS.

ASSEMBLY CHAMBER, SACRAMENTO, February 5, 1895.

MR. SPEAKER: Your Committee on Roads and Highways, to whom was referred Assembly Bill No. 439—An Act to authorize the State of California to secure the title to and right of way for that certain wagon road situated in El Dorado County, commencing a short distance easterly from the village of Smith's Flat, in said county, and running thence to Lake Tahoe, and to provide for the appointment, duties, and compensation of a person to be known as and called the "Lake Tahoe Wagon Road Commissioner," and to make an appropriation for the purpose of carrying into effect the provisions of this Act—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

SWISLER, Chairman.

Assembly Bill No. 439 re-referred to Committee on Ways and Means.

ON PUBLIC HEALTH AND QUARANTINE

ASSEMBLY CHAMBER, SACRAMENTO, February 5, 1895.

MR. SPEAKER: Your Committee on Public Health and Quarantine, to whom was referred Senate Bill No. 22—An Act for the protection of patients from extortion by dishonest physicians and druggists—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also: Assembly Bill No. 467—An Act to amend an Act entitled "An Act providing for the removal of human remains from cemeteries in cities having a population

of more than five thousand and not exceeding one hundred thousand," approved March 23, 1893.

Also: Assembly Bill No. 276—An Act to add a new section, to be numbered three thousand and thirty-six, to the Political Code.

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

GLASS, Chairman.

INTRODUCTION OF BILLS.

The following bills were introduced, read first time, and referred to committees, as follows:

By Mr. Jones: Assembly Bill No. 621—An Act to amend sections five and seven of an Act entitled "An Act to establish free public libraries and reading-rooms," approved April 26, 1880.

Read first time, and referred to Committee on Municipal Corporations.

By Mr. Hudson: Assembly Bill No. 622—An Act to add a new section to the Political Code, to be known as section two thousand six hundred and fifty-six, relating to roads and highways.

Read first time, and referred to Committee on Roads and Highways.

By Mr. Freeman (by request): Assembly Bill No. 623—An Act making an appropriation for the purchase of furniture for the new ward building of the Southern California State Asylum for the Insane and Inebriates.

Read first time, and referred to Committee on State Hospitals and Asylums.

Also (by request): Assembly Bill No. 624—An Act making an appropriation for the support of the Southern California State Asylum for the Insane and Inebriates for the remainder of the forty-sixth fiscal year.

Read first time, and referred to Committee on State Hospitals and Asylums.

By Mr. Bulla: Assembly Bill No. 625—An Act to amend an Act entitled "An Act to regulate the practice of veterinary medicine and surgery in the State of California," approved March 23, 1893.

Read first time, and referred to Committee on Agriculture.

By Mr. Belshaw: Assembly Bill No. 626—An Act for the appointment of a guardian for Sutter's Fort property, prescribing his duties, and appropriating money therefor.

Read first time, and referred to Committee on Public Buildings and Grounds.

By Committee on Retrenchment and Public Expenditures: Assembly Bill No. 627—An Act to amend sections three thousand and nine and three thousand and ten, and to repeal sections three thousand and four, three thousand and thirteen, three thousand and fourteen, three thousand and fifteen, three thousand and sixteen, three thousand and seventeen, three thousand and eighteen, three thousand and nineteen, three thousand and twenty, and three thousand and twenty-nine of the Political Code of California, relating to quarantine at the port of San Francisco.

Read first time, and placed on file.

By Mr. Kelsey: Assembly Bill No. 628—An Act prohibiting the use of barbed wire fence in public lanes, streets, alleys, roads, or highways.

Read first time, and referred to Committee on Agriculture.

Also: Assembly Bill No. 629—An Act entitled an Act to prevent deception in the sale of cheese.

Read first time, and referred to Committee on Agriculture.

By Mr. Wilkinson: Assembly Bill No. 630—An Act to amend sections

two thousand two hundred and twelve and two thousand two hundred and eighteen of the Political Code of the State of California, relating to the examination and committal of insane persons.

Read first time, and referred to Committee on Public Health and Quarantine.

By Mr. Boothby: Assembly Bill No. 631—An Act to amend section one thousand six hundred and sixteen of the Political Code.

Read first time, and referred to Committee on Judiciary.

By Mr. Laird: Assembly Bill No. 632—An Act to provide for the organization of county agricultural associations, and for the encouragement of same by the State.

Read first time, and referred to Committee on Agriculture.

By Mr. Bassford (by request): Assembly Bill No. 633—An Act entitled "An Act to provide a more general and thorough instruction in the practical sciences in the high schools."

Read first time, and referred to Committee on Education.

By Mr. Dixon: Assembly Bill No. 634—Providing for the relief of John J. Conlin, directing the Board of Supervisors of the City and County of San Francisco to order paid to said Conlin, his assigns or legal representatives, the sum of sixty-one thousand five hundred and seventy-seven dollars, and directing the Auditor of said city and county to audit the demand of said Conlin for said sum, and issue his warrant therefor, and the Treasurer of said city and county to pay said warrant.

Read first time, and referred to Committee on Claims.

By Mr. Brusie: Assembly Bill No. 635—An Act making an appropriation for elevator attendant's salary for last four months of forty-sixth fiscal year.

Read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 636—An Act requiring the payment into the State Treasury of all moneys belonging to the State, received by the various State institutions, and directing the disposition of same.

Read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 637—An Act regulating the charges of telephone companies, and of corporations and individuals operating telephones and telephone lines.

Read first time, and referred to Committee on Corporations.

Also: Assembly Bill No. 638—An Act to appropriate money to pay the claim of D. Jordan, for the partial construction by him of the Branch State Prison at Folsom, California.

Read first time, and referred to Committee on Claims.

Also: Assembly Bill No. 639—An Act providing for the payment of the claim of William Saunders, for services rendered to the State, and to repeal an Act entitled "An Act for the relief of William Saunders," approved April 1, 1876.

Read first time, and referred to Committee on Claims.

Also: Assembly Bill No. 640—An Act to provide for the payment of the per diem of the members and attachés of the Constitutional Convention, held in the year eighteen hundred and seventy-nine.

Read first time, and referred to Committee on Claims.

Also: Assembly Bill No. 641—An Act to amend section one thousand seven hundred and thirty-six of the Code of Civil Procedure, relating to semi-annual returns by the Public Administrator, so as to make the cost of publishing such returns a charge against the county.

Read first time, and referred to Committee on Judiciary.

By Mr. Butler: Assembly Bill No. 642—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 fifty-two of the Political Code, and to add a new section thereto, to be known as section two thousand six hundred and forty-four of the Political Code, relating to highways, and the powers and duties of highway officers.

Read first time, and referred to Committee on Roads and Highways.

Also: Assembly Bill No. 643—An Act to prevent the imposition of a license or head tax on any class of live stock in transit through any county or city in California, or from one point to another in the same city, or city and county, in this State.

Read first time, and referred to Committee on County and Township Governments.

JOINT RESOLUTION.

By Mr. Coleman:

ASSEMBLY JOINT RESOLUTION No. 12.

Joint resolution relative to mines and mining claims situated within the boundaries of the Yosemite National Park.

WHEREAS, The Government of the United States has set aside certain portions of the State of California for a National Park, known as Yosemite National Park, and whereas, within the limits of said park are various mines and mining claims, said mines and mining claims having been discovered, held, and worked according to the laws of the United States, prior to the formation of such park, many of the owners thereof holding the same by virtue of patents granted by the Government, thus securing vested rights therein, and others by reason of having performed the annual assessment work and other requirements prescribed by the mining laws of the United States; and whereas, the owners of such mines and mining claims are now prohibited from working and operating the same under rulings of the Interior Department, under pain of being arrested as trespassers and subjected to trial; therefore, be it

Resolved by the Assembly of the State of California, the Senate concurring, That we instruct our Senators and request our Representatives in Congress from this State to advocate such legislation or modifications of the rulings of the Interior Department, as shall permit the owners of said mines and mining claims to enjoy the same privileges now that they had prior to the formation of said Yosemite National Park.

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

Referred to Committee on State Parks and Forestry.

CONSTITUTIONAL AMENDMENTS.

By Mr. Belshaw: Assembly Constitutional Amendment No. 34—Constitutional amendment relative to amending the Constitution of the State of California by repealing sections twenty-two, twenty-three, and twenty-four of article twelve.

Read and referred to Committee on Constitutional Amendments.

By Mr. Barker: Assembly Constitutional Amendment No. 35—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, relative to revenue and taxation.

Read and referred to Committee on Constitutional Amendments.

By Mr. Hatfield: Assembly Constitutional Amendment No. 36—A resolution proposing to amend section seventeen of article one of the Constitution of the State of California, relative to ownership of property by aliens.

Read and referred to Committee on Constitutional Amendments.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON BANKS AND BANKING.

ASSEMBLY CHAMBER, SACRAMENTO, February 4, 1895.

MR. SPEAKER: Your Committee on Banks and Banking, to whom was referred Assembly Bill No. 179—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also: Assembly Bill No 283—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

WADE, Chairman.

RESOLUTIONS.

By Mr. Laugenour:

Resolved, That committee clerks be paid their per diem for the actual number of days they work, and the Chairman of the different committees are hereby instructed to report to the Assembly the actual number of days for which the clerks are entitled to pay under this resolution.

Laid over one day.

By Mr. Holland:

WHEREAS, It appears that certain parties have constructed dams in the Stanislaus River at Knight's Ferry, and in the Tuolumne River near La Grange, and by reason of such obstruction, the salmon in said rivers are unable to reach the headwaters of the Stanislaus and Tuolumne Rivers; therefore, be it

Resolved, That the Fish Commissioners are hereby directed to notify the owners of said dams to immediately comply with the law by placing fish ladders on said dams, to the end that the salmon in said rivers may reach their natural spawning ground unmolested.

Referred to Committee on Fish and Game.

PETITION.

By Mr. Waymire: A petition for laws to protect the singing birds of California—the meadow lark, thrush, oriole, wild canary, goldfinch, vireo, humming-bird, ring dove, and mocking-bird.

Referred to Committee on Fish and Game.

QUESTION OF PRIVILEGE.

Mr. Laugenour spoke to a question of privilege regarding his inability to secure his file of printed bills.

RESOLUTION.

By Mr. Phelps (on behalf of the Committee on Retrenchment and Public Expenditures):

Resolved, That the pay of Lee Fairchild, Assistant Enrolling Clerk, be reduced from eight dollars per day to five dollars per day; and that the services of the following attachés of the Assembly be dispensed with, viz: C. A. Tyrrel, Doorkeeper; J. Currington, Assistant Journal Clerk; John Massie, Porter; T. J. Smith, Porter; A. S. Vischer, Assistant Journal Clerk; Miss C. H. Hayden, Assistant Journal Clerk; George Hatton, Assistant Engrossing Clerk; Thomas Haskins, Watchman; L. W. Avery, Folding Clerk; J. B. Horton, Assistant Engrossing Clerk; G. Y. Vandever, Assistant History Clerk; W. W. Colm, Watchman; D. G. Holt, Assistant Clerk; Miss C. H. Boyden, Assistant Journal Clerk; W. Rice, Assistant Enrolling Clerk; L. B. Corotto, Watchman; Horace Howard, Page to Sergeant-at-Arms; J. Brooks, Assistant Clerk.

Laid over for one day.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1895.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 457—An Act to amend an Act entitled "An Act for the better protection of the State Treasury," approved March 30, 1868—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Assembly Bill No. 452—An Act making an appropriation to pay the deficiency in the appropriation for the transportation of prisoners for the forty-third fiscal year.

Also: Assembly Bill No. 374—An Act making an appropriation to pay the deficiency in the appropriation for the support of the State Insane Asylum at Stockton, California, for the forty-fourth and forty-fifth fiscal years.

Also: Assembly Bill No. 454—An Act making an appropriation to pay the deficiency in the appropriation for postage, expressage, and telegraphing, Secretary of State's office, for the forty-fifth and forty-sixth fiscal years.

Also: Assembly Bill No. 17—An Act making an appropriation to pay the deficiency in the appropriation for the support of the State Normal School at Los Angeles for the forty-sixth fiscal year.

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

Also: Assembly Bill No. 188—An Act making an appropriation for support of the Southern California State Asylum for the Insane and Inebriates for the forty-sixth fiscal year—have had the same under consideration, and respectfully recommend that the author be allowed to withdraw the same.

Also: Assembly Bill No. 456—An Act making an appropriation to pay the deficiency in the appropriation for arresting criminals without the State for the forty-third and forty-fourth fiscal years—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

BRUSIE, Chairman.

RESOLUTION.

By Mr. Laugenour:

Resolved, That those employed in the engrossing room be and they are hereby excused from answering roll call at nine o'clock in the morning.

Laid over one day.

INTRODUCTION OF BILLS—(OUT OF ORDER).

The following bills were introduced, read first time, and referred to committees, as follows:

By Mr. Reid: Assembly Bill No. 644—An Act to regulate the salaries of certain officers in State institutions.

Read first time, and referred to Committee on Retrenchment and Public Expenditures.

By Mr. Meads: Assembly Bill No. 645—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved March 24, 1893, by amending section one hundred and sixty-six, relating to county officers, their appointment, duties, and compensation.

Read first time, and referred to Committee on County and Township Governments.

By Mr. North (by request): Assembly Bill No. 646—An Act to amend section six hundred and forty-nine of the Civil Code of the State of California, relating to the incorporation of colleges and seminaries of learning.

Read first time, and referred to Committee on Education.

SPECIAL FILE.

Assembly Constitutional Amendment No. 3—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, amending section twelve of article thirteen thereof, relative to revenues and taxation, and the collection of the State poll tax.

The question being on the adoption of Assembly Constitutional Amendment No. 3.

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

AYES—Messrs. Ash, Bachman, Barker, Bassford, Belshaw, Bennett, Bledsoe, Brusie, Bulla, Butler, Cargill, Coleman, Cutter, Dale, Davis, Devitt, Devine, Dinkelspiel, Dixon, Dodge, Dunbar, Fassett, Freeman, Gay, Glass, Hall, Hatfield, Holland, Huber, Hudson, Johnson, Jones, Keen, Kenyon, Laird, Laugenour, Llewellyn, Meads, McDonald, McKelvey, Merrill, North, Osborn, Pendleton, Phelps, Powers, Richards, Robinson, Rowell, Staley, Stansell, Swisler, Tibbits, Waymire, Weyse, Wilkins, Wilkinson, and Mr. Speaker—58.

NOES—None.

Mr. McKelvey moved that Assembly Constitutional Amendment No. 3 be immediately transmitted to the Senate.

So ordered.

Assembly Constitutional Amendment No. 5—Proposed amendment to section five of article two of the Constitution, relative to elections.

The question being on the adoption of Assembly Constitutional Amendment No. 5.

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

AYES—Messrs. Ash, Bachman, Barker, Bassford, Belshaw, Bennett, Brusie, Bulla, Butler, Cargill, Coghlin, Cutter, Dale, Davis, Devitt, Devine, Dinkelspiel, Dixon, Dodge, Dunbar, Fassett, Freeman, Glass, Hall, Hatfield, Huber, Hudson, Jones, Keen, Kenyon, Laird, Laugenour, Llewellyn, McDonald, McKelvey, Merrill, North, Powers, Price, Reid, Richards, Robinson, Rowell, Staley, Stansell, Swisler, Tibbits, Wade, Waymire, Weyse, Wilkins, Wilkinson, Zocchi, and Mr. Speaker—54.

NOES—Mr. Bledsoe—1.

Assembly Constitutional Amendment No. 6—Proposed amendment to section seven of article one of the Constitution, relative to juries.

Passed, to retain its place on file.

Assembly Constitutional Amendment No. 4—Proposed amendment to section one of article thirteen of the Constitution, relative to revenue and taxation.

Passed, to retain its place on file.

At ten o'clock and forty minutes A. M. the Speaker called Mr. Bledsoe to the chair.

Assembly Constitutional Amendment No. 19—A resolution proposing an amendment to section three of article twelve of the Constitution of the State of California, relative to corporations, for the purpose of limiting the liability of stock or share holders, and fixing the liability of Directors or Trustees.

The question being on the adoption of Assembly Constitutional Amendment No. 19.

CALL OF THE HOUSE.

The roll was called, and pending the announcement of the result of the vote, Mr. Hatfield moved a call of the House, seconded by Messrs. Laugenour and Pendleton.

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

Messrs. Ash, Bachman, Barker, Bassford, Belshaw, Bennett, Bledsoe, Boothby, Brusie, Bulla, Butler, Cargill, Coleman, Coghlin, Cutter, Dale, Davis, Devitt, Devine, Dinkelspiel, Dixon, Dodge, Dunbar, Ewing, Fassett, Freeman, Gay, Glass, Hall, Hatfield, Healey, Holland, Huber, Hudson, Johnson, Jones, Keen, Kenyon, Laird, Laugenour, Llewellyn, Meads, McCarthy, McDonald, McKelvey, Merrill, North, Osborn, Pendleton, Phelps, Powers, Price, Reid, Richards, Robinson, Rowell, Staley, Stansell, Spencer, Swisler, Tibbits, Twigg, Wade, Waymire, Weyse, Wilkins, Wilkinson, Zocchi, and Mr. Speaker.

The absentees were called, and pending the announcement of the result, Mr. Lynch moved that further proceedings under the call of the House be dispensed with.

So ordered.

The result of the roll call showed that Assembly Constitutional Amendment No. 19 passed by the following vote:

AYES—Messrs. Ash, Bachman, Bassford, Belshaw, Bennett, Bledsoe, Boothby, Brusie, Butler, Cargill, Coghlin, Cutter, Davis, Devitt, Devine, Dinkelspiel, Dixon, Dunbar, Fassett, Freeman, Gay, Glass, Hall, Hatfield, Healey, Holland, Hudson, Johnson, Keen, Kenyon, Laird, Laugenour, Llewellyn, Meads, McCarthy, McDonald, McKelvey, Merrill, North, Pendleton, Phelps, Powers, Price, Reid, Richards, Robinson, Rowell, Staley, Spencer, Swisler, Tibbits, Wade, Waymire, Weyse, Wilkins, Wilkinson, Zocchi, and Mr. Speaker—58.

NOES—Messrs. Barker, Bulla, Dale, Dodge, Ewing, Huber, Jones, Osborn, and Stansell—9.

NOTICE OF RECONSIDERATION.

Mr. Reid gave notice that on to-morrow he would move to reconsider the vote whereby Assembly Constitutional Amendment No. 19 passed.

LEAVE OF ABSENCE.

Mr. Thomas was granted leave of absence for the day, on motion of Mr. Pendleton.

INTRODUCTION OF BILLS—(OUT OF ORDER).

The following bills were introduced, read first time, and referred to committees, as follows:

By Mr. Bennett: Assembly Bill No. 647—An Act relating to the proof and recording of maps of real estate.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 648—An Act to amend sections one thousand four hundred and twenty-six, one thousand four hundred and twenty-seven, and one thousand four hundred and fifty-two of an Act entitled "An Act to establish a Penal Code," adopted February 14, 1872, relating to the manner of commencing actions before a Justice or Police Court for a public offense.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 649—An Act to amend section nine hundred and forty-four of an Act entitled "An Act to establish a Penal Code," adopted February 14, 1872, relating to indictments for offenses triable in Justices' or Police Courts.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 650—An Act to amend section seven hundred and seventeen of an Act entitled "An Act to establish a Civil

Code," approved March 21, 1872, relating to leases of agricultural lands.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 651—An Act to repeal an Act entitled "An Act to authorize suits against the State, and regulating the procedure therein," approved February 28, 1893.

Read first time, and referred to Committee on Judiciary.

SPECIAL FILE—(RESUMED).

Assembly Constitutional Amendment No. 33—Relative to amending the Constitution of the State of California by repealing sections four and five of article thirteen, and by amending section one of said article.

Mr. Powers moved to amend as follows:

Insert the words "free public" after the word "and," and before the word "museums."

Adopted.

Mr. Barker moved to amend as follows:

By striking out the word "credits" in fourth line of first page.

The ayes and noes were demanded by Messrs. Pendleton, Barker, and Powers.

The roll was called, and Mr. Barker's amendment lost by the following vote:

AYES—Mr. Barker—1.

NOES—Messrs. Ash, Bachman, Bassford, Belshaw, Bennett, Bledsoe, Brusie, Bulla, Butler, Coleman, Coghlin, Dale, Davis, Dinkelspiel, Dixon, Dodge, Dunbar, Ewing, Freeman, Glass, Hall, Healey, Holland, Huber, Hudson, Johnson, Jones, Keen, Kenyon, Laird, Laugenour, Meads, McCarthy, McDonald, McKelvey, Merrill, Osborn, Pendleton, Powers, Reid, Rowell, Staley, Stansell, Swisler, Tibbits, Twigg, Wade, Waymire, Weyse, and Wilkins—50.

Mr. Powers moved to make Assembly Constitutional Amendment No. 33 a special order for Friday, immediately after reading the Journal.

So ordered.

Assembly Constitutional Amendment No. 18—A resolution to propose to the people of the State of California an amendment to section five of article eleven of the Constitution of the State of California, relating to the classification of counties.

Passed, to retain its place on file.

Assembly Constitutional Amendment No. 17—Constitutional amendment proposing to the people of the State an amendment to section one of article thirteen of the Constitution, relative to exemptions from taxation.

Passed, to retain its place on file.

Assembly Constitutional Amendment No. 7—A resolution proposing an amendment to section seven, article six, of the Constitution of the State of California, relative to departments, and providing for additional departments of the Superior Courts of the respective counties, and cities and counties, of the State, and to provide for an interchange of Judges among the different counties, and cities and counties, when necessary to dispose of accumulated business.

Passed, to retain its place on file.

GENERAL FILE—THIRD READING OF BILLS.

Assembly Bill No. 24—An Act to amend chapter seven, part third, title nine, of the Political Code of the State of California, relating to the collection of property taxes, by adding a new section thereto, to be known as section three thousand seven hundred and forty-six and one half.

Passed, to retain its place on file.

Assembly Bill No. 30—An Act for the protection of the records of the several counties of the State of California, and regulating the business of abstracting in relation thereto.

Passed, to retain its place on file.

Assembly Bill No. 31—An Act to amend section one thousand five hundred and thirty-nine of the Code of Civil Procedure, relative to hearing of petition for order to sell real estate of decedents.

Passed, to retain its place on file.

Assembly Bill No. 33—An Act to amend section one thousand five hundred and eighty-two of the Code of Civil Procedure, relating to the right of executors and administrators to sue and be sued to determine title or to recover property.

Passed, to retain its place on file.

Assembly Bill No. 34—An Act to amend section one thousand five hundred and sixty-one of the Code of Civil Procedure, relating to the confirmation of sales made without order of Court.

Passed, to retain its place on file.

Assembly Bill No. 12—An Act to amend section three thousand and forty-six of the Civil Code of the State of California, relating to vendors' liens, and the transfer and satisfaction thereof.

Passed, to retain its place on file.

Assembly Bill No. 78—An Act to amend section nine hundred and fifty-four of the Code of Civil Procedure, relating to dismissal of appeals.

Passed, to retain its place on file.

Assembly Bill No. 361—An Act to amend section one thousand four hundred and sixteen of the Civil Code of this State, relating to water rights.

Passed, to retain its place on file.

Assembly Bill No. 62—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 21, 1872, by adding thereto two sections, to be known as sections one thousand eight hundred and eighty-two and one thousand eight hundred and eighty-five, being a part of part four, title two, chapter two, concerning witnesses.

Passed, to retain its place on file.

Assembly Bill No. 39—An Act to amend section one thousand two hundred and seven of the Civil Code, relating to notice and certified copies of records as evidence.

Passed, to retain its place on file.

Assembly Bill No. 75—An Act to amend section four hundred and eighty-seven of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Barker, Bassford, Belshaw, Bennett, Bledsoe, Bulla, Butler, Cargill, Coleman, Coghlin, Dale, Devitt, Devine, Dinkelspiel, Dixon, Dodge, Ewing, Fassett, Freeman, Glass, Hall, Hatfield, Healey, Holland, Huber, Hudson, Johnson, Jones, Keen, Kelsey, Kenyon, Laird, Laugenour, Meads, McDonald, Merrill, Osborn, Pendleton, Price, Reid, Staley, Stansell, Swisler, Tibbits, Wade, Waymire, Weyse, Wilkins, and Wilkin-son—50.

NOES—Mr. Boothby—1.

Title read and approved.

Assembly Bill No. 38—An Act to amend section one thousand one hundred and ninety-one of the Civil Code, relating to the form of acknowledgment by married women.

Passed, to retain its place on file.

APPROVAL OF JOURNAL.

The Journal of February 4th was approved.

MOTION.

Mr. Bulla moved to take up the second-reading file.

So ordered.

SECOND READING OF BILLS.

Assembly Bill No. 41—An Act to amend section four hundred and sixteen of the Code of Civil Procedure, relating to the acquiring of jurisdiction in actions.

Passed, to retain its place on file.

Assembly Bill No. 44—An Act to amend section two thousand three hundred and twenty-four of the Civil Code, relating to authority to sell real property.

Passed, to retain its place on file.

Assembly Bill No. 102—An Act to amend section one hundred and fifteen of the Code of Civil Procedure of the State of California, relating to the jurisdiction of Justices' Courts.

Refused second reading.

Assembly Bill No. 36—An Act to add a new section to the Code of Civil Procedure, said section to be designated as section seven hundred and fifty, relating to quieting title to real property as against unknown claimants.

Passed, to retain its place on file.

Assembly Bill No. 37—An Act to amend section one thousand and ninety-three of the Civil Code, relating to the execution of a grant of real property by a married woman, and making valid and binding all instruments made by married women as grants.

Passed, to retain its place on file.

Assembly Bill No. 66—An Act to amend section seven hundred and thirty-eight of the Code of Civil Procedure.

Passed, to retain its place on file.

Assembly Bill No. 123—An Act fixing the compensation for services of bailiffs of Police Courts in cities, and cities and counties, having a population of over one hundred thousand inhabitants.

Refused second reading.

Assembly Bill No. 124—An Act authorizing Justices of the Peace in cities, and cities and counties, having a population of over one hundred thousand inhabitants, to appoint bailiffs.

Refused second reading.

Assembly Bill No. 18—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, and amended March 31, 1891, by amending section twenty-four thereof, relating to the collection of assessments.

Passed, to retain its place on file.

Assembly Bill No. 42—An Act to add a new section to the Code of Civil Procedure, said section to be designated as section three hundred and twenty-nine, relating to the limitation of action to recover real property.

Passed, to retain its place on file.

Assembly Bill No. 60—An Act to add a new section to the Political Code, to be numbered section three thousand eight hundred and eighteen, in relation to the cancellation of tax sales to the State.

Passed, to retain its place on file.

Assembly Bill No. 68—An Act to amend section three thousand seven hundred and seventy-seven of the Political Code of the State of California.

Passed, to retain its place on file.

Assembly Bill No. 278—An Act to amend section three thousand four hundred and forty-two of the Civil Code, relating to fraudulent instruments and transfers.

Mr. Hatfield, the author, requested to withdraw the same.

So ordered.

Assembly Bill No. 191—An Act to amend section seven hundred and ninety-eight of the Political Code of California, relating to the fees of Notaries Public, and the amendments thereto.

Read second time.

Mr. Davis moved to amend by striking out section two.

So ordered.

Mr. Reid moved to amend as follows:

By inserting after the word "cents," on line twelve of section one, the following: "There shall be no fee charged for administering an oath for affidavits on claims against the State that are to be passed by the State Board of Examiners"

Lost.

Mr. Dinkelspiel moved to amend as follows:

By striking out of section one, lines ten and eleven, the words "the first," and "and for each additional signature twenty-five cents," and inserting after the word "for" in line ten, the word "each."

Lost.

Ordered to engrossment and third reading.

At eleven o'clock and fifty minutes A. M. Speaker Lynch resumed the chair.

Assembly Bill No. 238—An Act to amend section two thousand two hundred and eighteen of the Political Code of the State of California, relating to the commitment of insane persons.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 165—An Act for the protection of patients from extortion by dishonest physicians and druggists.

Refused second reading.

Assembly Bill No. 98—An Act to provide against the adulteration of food and drugs.

Read second time.

Mr. Swisler moved to amend as follows:

By striking out of section five, line two, the words "and whoever," and inserting in place thereof the word "or."

Adopted.

Ordered to engrossment and third reading.

Assembly Bill No. 100—An Act to regulate the sale of milk.

Read second time.

The following committee amendment was submitted:

Amend by striking out of section one, printed bill, the word "workhouse" and inserting "county jail."

Lost.

MOTION TO RECONSIDER.

Mr. Pendleton moved to reconsider the vote whereby committee amendment to Assembly Bill No. 100 was lost.

So ordered.

The question recurring on adoption of Committee Amendment No. 1.

Said amendment was adopted.

Ordered to engrossment and third reading.

Assembly Bill No. 526—An Act to provide for fixing the compensation and reducing the number of employes paid out of appropriations made by the State, or moneys that would otherwise go to the State.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 315—An Act to amend section three thousand four hundred and ninety-one of the Political Code, relating to the election of trustees of reclamation districts.

Read second time, ordered to engrossment and third reading.

FURTHER TIME GRANTED.

Mr. Brusie, Chairman of the Committee on Ways and Means, asked that further time be granted said committee to report on Assembly Bills Nos. 262, 375, and 400.

So ordered.

ADJOURNMENT.

At twelve o'clock and twenty minutes P. M., on motion of Mr. Huber, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Wednesday, February 6, 1895. }

The Assembly met pursuant to adjournment.

Speaker Lynch in the chair.

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

Messrs. Ash, Bachman, Barker, Bassford, Belshaw, Bennett, Bledsoe, Bulla, Butler, Cargill, Coleman, Coghlin, Cutter, Dale, Davis, Devitt, Devine, Dinkelspiel, Dixon, Dodge, Dunbar, Ewing, Fassett, Gay, Glass, Hall, Hathfield, Holland, Huber, Hudson, Johnson, Jones, Keen, Kelsey, Kenyon, Llewellyn, Meads, McCarthy, McDonald, McKelvey, Merrill, North, Osborn, Pendleton, Phelps, Reid, Richards, Robinson, Rowell, Staley, Stansell, Spencer, Swisler, Tibbits, Tomblin, Twigg, Wade, Waymire, Weyse, Wilkinson, Zocchi, and Mr. Speaker.

Quorum present.

LEAVE OF ABSENCE.

Mr. O'Day was granted leave of absence for the day, on motion of Mr. Barker.

Mr. Thomas was granted leave of absence for the day, on motion of Mr. Pendleton.

PRAYER.

Prayer by the Chaplain, Rev. O. Summers.

READING OF THE JOURNAL.

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

So ordered.

Mr. Hatfield, Chairman of Committee on Federal Relations, was granted the privilege, by unanimous consent, of submitting report out of order.

REPORT OF STANDING COMMITTEE —(OUT OF ORDER).

ON FEDERAL RELATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 6, 1895.

MR. SPEAKER: Your Committee on Federal Relations, to whom was referred Senate Joint Resolution No 2—Relative to the free coinage of silver—have had the same under consideration, and return the same herewith, together with a substitute therefor, and recommend that it be adopted and immediately transmitted to the Senate

HATFIELD, Chairman.

MOTION.

Mr. Hatfield moved that the rules be suspended for the purpose of considering Assembly Substitute for Senate Joint Resolution No. 2, relative to the free coinage of silver.

So ordered.

JOINT RESOLUTION No. 13.

Assembly Substitute for Senate Joint Resolution No. 2, relative to the free coinage of silver.

WHEREAS, We recognize the fact that by the demonetization of silver, and by refusal to give it equal standing in the coinage system of the United States, the material interest of the nation is dangerously impaired; and whereas, it is recognized to be a fact that the opposition to silver coinage emanates from speculative syndicates and moneyed classes who seek to embarrass the people of the nation for the advancement of their own selfish ends; and whereas, we entertain the firm belief that the full measure of national prosperity will never be restored until the coinage of silver is resumed in accordance with the true intent and spirit of the Constitution of the United States; and having unbounded faith in the power and ability of this nation to restore and maintain silver in its proper position alongside of gold, and whereas, we believe that the issue of United States bonds for the purpose of maintaining a single gold standard, or any standard that does not contemplate the free and unlimited coinage of silver, is a practice fraught with the greatest danger to the stability of our institutions and the maintenance of national credit; therefore, be it

Resolved, That our Senators in Congress be instructed and our Representatives be requested to earnestly and urgently advocate the immediate enactment of such laws as may be necessary to provide for the immediate resumption of the free and unlimited coinage of silver in the ratio of sixteen to one; and be it further

Resolved, That our Senators be instructed and our Representatives be requested to actively advocate the enactment of such laws as may be necessary to prevent the issue of United States bonds for the sole purpose of maintaining a single gold standard of money; and be it further

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

Resolution adopted.

MOTION.

Mr. Hatfield moved that Assembly Substitute for Senate Joint Resolution No. 2 be immediately transmitted to the Senate.

So ordered.

At ten o'clock and forty minutes A. M. the Speaker called Mr. Pendleton to the chair.

SPECIAL ORDERS.

Assembly Bill No. 470—An Act to amend section one thousand and eighty-three of the Political Code of the State of California, in relation to the qualifications and disabilities of electors.

Read second time.

Mr. Reid moved to amend by striking out section one, lines three to fifteen, inclusive, and inserting the following:

Section 1083. Every native male citizen of the United States, every male person who shall have acquired the rights of citizenship under or by virtue of the treaty of Queretaro, and every naturalized male citizen thereof, who shall have become such ninety days prior to any election, of the age of twenty-one years, who shall have been a resident of this State one year next preceding the election, and of the county in which he claims his vote ninety days, and in the election precinct thirty days, and whose name shall be enrolled on the Great Register of such county, and who is able to read the Constitution of this State in the English language and write his name (except those persons mentioned in section one thousand and eighty-four of this Code), shall be an elector entitled to vote at all elections which are now or may hereafter be authorized by law, *provided*, that the educational qualification shall not apply to any one who had the right to vote on the sixth day of November, eighteen hundred and ninety-four, or who was sixty years of age and upwards on that day, nor to any person prevented by a physical disability from complying with the requirements of this section.

PREVIOUS QUESTION.

Mr. Laugenour moved the previous question, seconded by Messrs. Cargill and Dixon.

The question being, "Shall the main question be now put?"

Lost.

At eleven o'clock and thirty minutes A. M. Speaker Lynch resumed the chair.

At twelve o'clock and fifteen minutes P. M. Mr. Davis moved that the hour of adjournment be postponed until one o'clock.

So ordered.

MOTIONS.

Mr. Pendleton moved that the question under consideration be continued and made a special order for to-morrow night at eight o'clock.

Mr. Hatfield moved to amend by extending the time of adjournment until one o'clock and thirty minutes.

So ordered.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 5, 1895.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following bills have been correctly engrossed, viz.:

Assembly Bill No. 202—An Act to amend section one hundred and forty-two of the Code of Civil Procedure, relating to places of holding Courts

Also: Assembly Bill No. 174—An Act to amend sections one thousand eight hundred and fifty-nine and one thousand eight hundred and sixty of the Civil Code, prescribing and limiting the liability of innkeepers, hotel-keepers, boarding and lodging house keepers, for personal property of their guests, boarders, and lodgers, intrusted to their care.

Also: Assembly Bill No. 225—An Act to amend section two thousand nine hundred and twenty-four of an Act of the Legislature of the State of California entitled "An Act to establish a Civil Code," relating to mortgages.

Also: Assembly Bill No. 459—An Act to repeal section two thousand nine hundred and thirty-two of the Civil Code.

Also: Assembly Bill No. 50—An Act to amend section four hundred and thirty-seven of the Code of Civil Procedure, relating to answers.

Also: Assembly Bill No. 53—An Act to amend section three thousand and ten of the Civil Code, relating to the right of the pledgee to purchase the pledged property when sold at public auction.

Also: Assembly Bill No. 15—An Act to amend section six of an Act entitled "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,' approved March 31, 1891, 'and to provide for clerks of Police Courts in cities having over fifty thousand and under one hundred thousand inhabitants.'"

Also: Assembly Bill No. 67—An Act providing for changing the fiscal year of cities in this State operating under a charter framed under section eight, article eleven, of the Constitution.

Also: Assembly Bill No. 69—An Act to amend section one of an Act entitled "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," approved March 2, 1891.

Also: Assembly Bill No. 70—An Act authorizing municipal corporations to dispose of surplus water along the line of their water supply outside of their corporate limits, to join with other persons, corporations, and irrigation districts in developing water; and empowering the legislative authority of such municipal corporations to execute such powers.

Also: Assembly Bill No. 198—An Act to promote the protection of cities, towns, and municipal corporations from overflow by water and the drainage of the same, and for such purposes authorizing the incurring of indebtedness and the issuance of bonds therefor by the same, and providing for the disposition of the proceeds of such bonds, and for the supervision of the protective and other works.

Also: Assembly Bill No. 45—An Act to reduce the number of Judges of the Superior Court of the county of Fresno from three to two

Also: Assembly Bill No. 152—An Act to prevent the sale of short weight in butter.

Also: Assembly Bill No. 168—An Act to amend the Code of Civil Procedure by adding thereto four new sections, to be known as sections five hundred and sixty, five hundred and sixty-one, five hundred and sixty-two, and five hundred and sixty-three, concerning attachments.

Also: Assembly Bill No. 212—An Act to regulate the practice of architecture.

Also: Assembly Bill No. 217—An Act to amend section one thousand six hundred and ninety-one of the Code of Civil Procedure of the State of California, relating to agents for absent interest parties, discharge of executors or administrators.

Also: Assembly Bill No. 25—An Act to amend section three hundred and thirty-seven of the Code of Civil Procedure, relating to the time in which actions must be commenced upon any contract, obligation, or liability founded upon an instrument in writing, executed in this State.

Also: Assembly Bill No. 259—An Act to amend section one thousand four hundred and sixty-nine of an Act of the Legislature of the State of California entitled "An Act to establish a Code of Civil Procedure," relating to the support of families of deceased persons, and the distribution of the estates of deceased persons, where the value of the whole estate does not exceed the sum of one thousand five hundred dollars.

Also: Assembly Bill No. 109—An Act to amend section six hundred and fifty-three of the Civil Code of California, relating to the consolidation of colleges and institutions of higher education.

Also: Assembly Bill No. 160—An Act to amend sections one thousand five hundred and fifty-two and one thousand five hundred and fifty-three of the Political Code, relating to the public schools.

Also: Assembly Bill No. 505—An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors.

Also: Assembly Bill No. 81—An Act to amend sections three thousand four hundred and forty-nine and three thousand four hundred and sixty-eight of the Civil Code of the State of California, relating to assignments for the benefit of creditors.

Also: Assembly Bill No. 349—An Act to amend section one thousand four hundred and forty-six of the Penal Code, relating to the form of judgment against a defendant in cases where fine and imprisonment are directed.

Also: Assembly Bill No. 353—An Act to reduce the number of Judges of the Superior Court of the county of Tulare from two to one.

Also: Assembly Bill No. 355—An Act to amend section eight hundred and thirty-six of the Code of Civil Procedure of the State of California, relating to the change of place of trial in Justices' Courts.

Also: Assembly Bill No. 273—An Act to prescribe the duty of the Attorney-General and Insurance Commissioner in regard to the admission of insurance corporations, associations, or individuals, to do business in this State.

Also: Assembly Bill No. 241—An Act to amend section one of an Act entitled "An Act to provide for the submission of proposed amendments to the Constitution of the State of California to the qualified electors for their approval," approved March 7, 1883, relating to the manner of publishing such proposed amendments, and to include propositions.

Also: Assembly Bill No. 506—An Act to amend section one of an Act entitled "An Act to compel savings banks to publish a sworn statement of all unclaimed deposits."

Also: Assembly Bill No. 361—An Act to amend section one thousand four hundred and sixteen of the Civil Code of this State, relating to water rights.

Also: Assembly Bill No. 213—An Act entitled an Act to amend section two thousand nine hundred and fifty-five of the Civil Code, relative to mortgages on personal property.

Also: Assembly Bill No. 117—An Act to amend section seven hundred and twenty-six of the Code of Civil Procedure, to provide for the making of deeds on foreclosure of mortgages.

Also: Assembly Bill No. 157—An Act authorizing the Judges of the Superior Court in all counties, and cities and counties, having a population of two hundred thousand inhabitants and over, to appoint a Secretary.

Also: Assembly Bill No. 65—Supplemental Act to 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, and Acts amendatory thereto, enabling any irrigation district to dispose of certain rights and property already acquired, for the purpose of thereby securing a water supply for the district; also to jointly, with another irrigation district, persons, company, or private or municipal corporation, develop water for irrigation and other purposes, and also to dispose of water, water rights, or other property acquired in excess of the actual needs of the district.

Also: Assembly Bill No. 392—An Act to prescribe conditions upon which certain foreign insurance corporations, associations, partnerships, or individuals may be permitted to transact insurance business in the State of California.

Also: Assembly Bill No. 176—An Act to amend an Act entitled "An Act providing for the sale of railroad and other franchises in municipalities, and relative to granting of franchises," approved March 23, 1893.

Also: Assembly Bill No. 271—An Act to prescribe conditions upon which certain insurance associations known as Lloyds may be admitted to transact insurance business in this State.

Also: Assembly Bill No. 272—An Act to provide for investigation of fires by the Insurance Department, and to make provisions for the expenses of the same.

Also: Assembly Bill No. 248—An Act regulating the hours of labor in saw mills, shingle mills, shake mills, and logging camps.

Also: Assembly Bill No. 116—An Act requiring county officers to file a monthly expense account

Also: Assembly Bill No. 153—An Act to provide for the appointment and election of one additional Judge for the county of Humboldt.

Also: Assembly Bill No. 52—An Act to amend section one thousand six hundred and ninety-nine of the Code of Civil Procedure, relating to settlement of accounts of trustees after distribution of estates, and to compensation of trustees.

Also: Assembly Bill No. 149—An Act to add a new section to the Code of Civil Procedure, to be known as section seven hundred and thirty, relating to actions for foreclosure of mortgages.

WILKINSON, Chairman.

ADJOURNMENT.

Pending the consideration of Assembly Bill No. 470, at one o'clock and seventeen minutes P. M., on motion of Mr. Zocchi, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Thursday, February 7, 1895. }

The Assembly met pursuant to adjournment.

Speaker Lynch in the chair.

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

Messrs. Ash, Barker, Bassford, Belshaw, Bennett, Bledsoe, Brusie, Bulla, Butler, Cargill, Coleman, Coghlin, Cutter, Dale, Davis, Dinkelspiel, Dodge, Dunbar, Ewing, Fassett, Gay, Glass, Hall, Hatfield, Healey, Huber, Hudson, Johnson, Jones, Keen, Kenyon, Laugenour, Llewellyn, McKelvey, Merrill, North, Osborn, Phelps, Richards, Robinson, Rowell, Staley, Spencer, Swisler, Tibbits, Tomblin, Wade, Weyse, Wilkinson, Zocchi, and Mr. Speaker

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. O. Summers.

READING OF THE JOURNAL.

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

So ordered.

MOTION.

Mr. Laugenour moved that Assembly Bill No. 617, now on special order file, be re-referred to Committee on Ways and Means.

Motion lost.

At nine o'clock and forty-five minutes A. M. the Speaker called Mr. Belshaw to the chair.

SPECIAL ORDERS.

Resolution declaring Assembly Bill No. 617—An Act making appropriations for the support of the government of California for the forty-seventh and forty-eighth fiscal years—a case of urgency.

Mr. Bledsoe moved to postpone the further consideration of Assembly Bill No. 617 at this time, and make the same a special order for next Monday morning immediately after reading the Journal.

Mr. Reid moved to amend, and make the same a special order for Friday morning at eleven o'clock.

So ordered.

RESOLUTION.

By Mr. Brusie:

Resolved, That the State Printer be and is hereby directed to print out of order for distribution, not later than to-morrow morning, two hundred and fifty statements of the appropriation bill.

Adopted.

At ten o'clock and five minutes A. M. Speaker Lynch resumed the chair.

MOTIONS.

Mr. Spencer moved that Assembly Bill No. 470 be made a special order for next Monday evening at seven o'clock and thirty minutes.

So ordered.

Mr. Bledsoe moved that the Assembly do now take up Senate messages.

So ordered.

APPROVAL OF JOURNALS.

The Journals of Tuesday, February 5th, and Wednesday, February 6th, were approved.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 6, 1895.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the fourth day of February, 1895, adopted Senate Concurrent Resolution No. 6—Relative to the charter of the City of Eureka, Humboldt County, California.

Also: On February 5, 1895, passed Assembly Bill No. 1—An Act to provide for an appropriation for the contingent expenses of the Assembly.

F. J. BRANDON, Secretary.
By R. SHAW, Assistant

MOTION.

Mr. Bledsoe moved that the Assembly now take up the consideration of Senate Concurrent Resolution No. 6.

So ordered.

Senate Concurrent Resolution No. 6—Relative to the charter of the City of Eureka, Humboldt County, California—was read.

The question being on the passage of the resolution.

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

AYES—Messrs Ash, Bachman, Barker, Bassford, Belshaw, Bennett, Bledsoe, Brusie, Bulla, Butler, Cargill, Coleman, Coghlin, Cutter, Dale, Davis, Dinkelspiel, Dixon, Dodge, Dunbar, Fassett, Freeman, Gay, Glass, Hall, Hatfield, Healey, Huber, Hudson, Johnson, Jones, Keen, Kelsey, Kenyon, Laugenour, Llewellyn, Meads, McDonald, Merrill, North, O'Day, Price, Reid, Richards, Robinson, Stansell, Swisler, Tibbits, Wade, Waymire, Weyse, Wilkinson, and Mr. Speaker—53
NOES—None.

MOTION TO AMEND RULES.

Mr. Bulla moved to amend the rules as follows:

By striking out of section one, line two, the words "nine o'clock and thirty minutes," and insert the following: "ten o'clock."

Referred to Committee on Rules.

SENATE MESSAGES—(RESUMED).

SENATE CHAMBER, SACRAMENTO, February 6, 1895.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Senate Bill No 373—An Act repealing chapter ninety-six of the Statutes of 1883, entitled "An Act to appropriate money for the support of aged persons in indigent circumstances," approved March 15, 1883.

F J BRANDON, Secretary.
By R. SHAW, Assistant.

SUBSTITUTION.

Assembly Bills Nos. 428 and 186 were withdrawn from the file, and Senate Bill No. 373 substituted therefor.

MESSAGES FROM THE SENATE—(RESUMED).

SENATE CHAMBER, SACRAMENTO, February 7, 1895.

MR. SPEAKER I am directed to inform your honorable body that the Senate, on the sixth day of February, 1895, passed Senate Bill No. 28—An Act to amend section one of an Act authorizing the appointment of an interpreter of the Italian language and dialects in criminal proceedings in cities, and cities and counties, of one hundred thousand inhabitants and over, approved March 12, 1885.

Also: Senate Bill No. 198—An Act to reduce the number of Judges of the Superior Court of San Diego County to two.

Also: Senate Bill No 122—An Act to amend section four hundred and eighty-seven of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, defining grand larceny.

Also: Senate Bill No 1—An Act to amend section five hundred and eighty-one of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the dismissal of civil actions.

Also: Senate Bill No 51—An Act to amend section two thousand two hundred and eighteen of the Political Code of the State of California, relating to the commitment of insane persons.

Also: Senate Bill No. 226—An Act to provide for the appointment and election of one additional Judge for the county of Humboldt.

Also: Senate Bill No. 207—An Act to regulate the sale of milk

Also: Senate Bill No. 310—An Act to amend sections two, six, eleven, fifteen, seventeen, and eighteen of an Act entitled "An Act to establish a tax on collateral inheritances, bequests, and devises, to provide for its collection, and to direct the disposition of the proceeds," approved March 23, 1893.

Also: Senate Bill No. 228—An Act to amend section two hundred and ninety-seven of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to articles of incorporation

Also: Senate Bill No 182—An Act to amend section one thousand seven hundred and thirty-nine of the Code of Civil Procedure, relating to the account with the County Clerk, as to the disbursement of money and property of estates.

Also: Senate Bill No. 155—An Act to add a new section to the Code of Civil Procedure, said section to be designated as section one thousand seven hundred and forty-four, relating to a penalty for Public Administrators who do not file reports of estates in their charge

Also: Senate Bill No 225—An Act to amend section ninety-four of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relative to the fees of Court reporters and the misconduct of judicial officers.

Also: Senate Bill No. 55—An Act to amend the Penal Code of the State of California by adding a new section thereto, to be known and numbered as section four hundred and two, relating to the manufacture, sale, or other disposition of cigarettes

Also: Senate Bill No 230—An Act to amend section six hundred and fifty-three of the

Civil Code of California, relating to the consolidation of colleges and institutions of higher education.

Also: Senate Bill No. 196—An Act to amend section two hundred and twenty-four of the Civil Code, regarding the adoption of children.

F. J. BRANDON, Secretary.
By R. SHAW, Assistant.

SUBSTITUTION.

Mr. Wade moved that Senate Bill No. 51 be substituted for Assembly Bill No. 238, number sixty-nine on file.

So ordered.

PETITIONS.

By Mr. Waymire: From the citizens of Oakland, for laws to protect the living birds of California—the meadow lark, thrush, oriole, wild canary, goldfinch, vireo, ring dove, and mocking-bird.

Referred to Committee on Fish and Game.

Also: From the citizens of San Francisco, for laws to protect the living birds of California—the meadow lark, oriole, wild canary, robin, goldfinch, vireo, ring dove, and mocking-bird.

Referred to Committee on Fish and Game.

Also: From the Republican Veteran Club of Alameda, indorsing the Assembly bill for appointment of an investigation committee.

Read and referred to Committee on Judiciary.

Also: From Citizens' Defense Association in favor of Assembly bill relative to investigation commission.

Read and referred to Committee on Judiciary.

Also: From members of the Civic Federation of San Francisco, indorsing the bill drafted by the Attorney-General, providing for the appointment of a non-partisan commission to investigate violations of law by public officials in the various departments of the State and of county and municipal governments, the police of San Francisco, and frauds upon and the violations of the election laws committed at the last general election.

Read and referred to Committee on Judiciary.

By Mr. Thomas: To the members of the California Legislature in session, from citizens of Truckee, protesting against the bill appropriating one hundred and sixty thousand dollars for the establishment of an artificial ice plant at the Folsom State Prison.

Read and referred to Committee on State Prisons and Reformatory Institutions.

Also: From the citizens of Truckee, Nevada County, protesting against the bill establishing an artificial ice plant at the Folsom State Prison.

Referred to Committee on State Prisons and Reformatory Institutions.

By Mr. Pendleton: From the citizens of Los Angeles, remonstrating against the passage of the Uniform Law License Bill.

Read and referred to Committee on Public Morals.

REPORTS OF STANDING COMMITTEES.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, February 7, 1895

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 205—An Act to amend sections three thousand seven hundred and sixty-five, three thousand seven hundred and sixty-seven, three thousand seven hundred and seventy-

one, three thousand seven hundred and seventy-six, three thousand seven hundred and eighty-three, three thousand eight hundred and six, three thousand eight hundred and eleven, three thousand seven hundred and eighty-nine, three thousand eight hundred and ninety-seven, three thousand eight hundred and ninety-nine, and to repeal sections three thousand seven hundred and sixty-eight, three thousand seven hundred and seventy-two, three thousand seven hundred and seventy-three, three thousand seven hundred and seventy-four, three thousand seven hundred and seventy-five, three thousand seven hundred and seventy-seven, three thousand seven hundred and seventy-eight, 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-two, 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, three thousand seven hundred and eighty-eight, three thousand eight hundred and three, three thousand eight hundred and thirteen, three thousand eight hundred and fourteen, and three thousand eight hundred and fifteen of the Political Code, all relating to the collection of property taxes.

Also: Assembly Bill No. 544—An Act to amend section three hundred and ninety-eight of the Code of Civil Procedure, relating to the place of trial.

Also: Assembly Bill No. 545—An Act to amend section three hundred and ninety-seven of the Code of Civil Procedure, relating to change of place of trial of certain cases.

Also: Assembly Bill No. 598—An Act to repeal an Act entitled "An Act to authorize suits against the State, and regulating the procedure therein," approved February 28, 1893.

Have had the same under consideration, and respectfully report the same back, and recommend that the authors be allowed to withdraw them.

Also: Assembly Bill No. 394—An Act to amend section one thousand six hundred and twenty-four of the Civil Code, relating to the manner of creating contracts.

Also: Assembly Bill No. 559—An Act to amend sections two hundred and forty-five and two hundred and forty-six of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the officers and employees of the Legislature.

Also: Assembly Bill No. 603—An Act to amend section two hundred and seventy-four of an Act entitled "An Act to establish a Code of Civil Procedure," relative to the compensation of Court reporters.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

Also: Assembly Bill No. 264—An Act to amend section eight of an Act entitled "An Act amendatory of and supplemental to an Act entitled 'An Act to create a Police Court in and for the City and County of San Francisco,'" which said amendatory and supplemental Act now amended was approved February 23, 1893, and to fix the compensation of the official stenographers of said Police Court.

Also: Assembly Bill No. 265—An Act to amend section one of an Act entitled "An Act amendatory of and supplemental to an Act entitled 'An Act to create a Police Court in and for the City and County of San Francisco,'" which said amendatory and supplemental Act now amended was approved February 23, 1893, and to fix the term of office of the Judges of said Police Court.

Have had the same under consideration, and respectfully report the same back, and recommend that they be referred to the San Francisco Delegation.

Also: Assembly Bill No. 482—An Act to repeal an Act entitled "An Act to authorize suits against the State, and regulating the procedure therein," approved February 28, 1893.

Also: Assembly Bill No. 542—An Act to amend an Act entitled "An Act creating a Board of Commissioners of the Building and Loan Associations, and prescribing their duties and powers," approved March 23, 1893.

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

Also: Assembly Bill No. 247—An Act to regulate the rate of interest in this State.

Also: Assembly Bill No. 326—An Act to regulate and prescribe the rate of interest in the State of California, and to provide penalties for the violation of its provisions.

Have had the same consideration, and respectfully report the same back, and recommend as a substitute therefor the bill herewith inclosed, and a majority of your committee recommend that such substitute bill do pass, and a minority that it do not pass.

BULLA, Chairman.

Assembly Bills Nos. 264 and 265 referred to San Francisco Delegation.

WITHDRAWAL AND SUBSTITUTION OF BILLS.

Assembly Bills Nos. 247 and 326 withdrawn.

INTRODUCTION OF BILL—(OUT OF ORDER).

By Judiciary Committee: Assembly Bill No. 652 (Committee Substitute for Assembly Bills Nos. 247 and 326)—An Act to amend sections one thousand nine hundred and seventeen, one thousand nine hundred

and eighteen, and one thousand nine hundred and nineteen, and to repeal section one thousand nine hundred and twenty of the Civil Code, all relating to the rate of interest.

Read first time, and placed on file.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, February 6, 1895.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No 578—An Act to amend section one thousand nine hundred and sixty-two of the Political Code, relating to the National Guard—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to the Committee on Military Affairs.

Also: Assembly Bill No. 606—An Act entitled an Act to amend section four hundred and seventy-five of the Political Code, providing for two clerks and a phonographic reporter in the office of the Attorney-General, declaring said clerks and phonographic reporter to be civil executive officers, and fixing their salaries—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to the Committee on Retrenchment and Public Expenditures.

Also: Assembly Bill No 605—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—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, and that it be referred to Committee on Retrenchment and Public Expenditures.

Also: Assembly Bill No. 83—An Act to amend section three thousand four hundred and forty-two of the Civil Code of the State of California, relating to fraudulent instruments and transfers.

Also: Assembly Bill No 377—An Act to amend section six hundred and thirty-two of the Code of Civil Procedure of the State of California, relating to the decision of the Court on questions of fact, and when to be filed.

Also: Assembly Bill No 378—An Act to amend section three hundred and ninety-eight of the Code of Civil Procedure of the State of California, relating to the transfer of causes where a Judge is disqualified.

Also: Assembly Bill No. 453—An Act entitled an Act to amend section one thousand and ninety-eight of the Penal Code, relating to separate trials of defendants, and to amend section one thousand one hundred and twenty-one of the same Code, relating to the separation of juries.

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

Also: Assembly Bill No 82—An Act to amend section one thousand one hundred and seven of the Civil Code of the State of California, relating to the effect of transfers of real property.

Also: Assembly Bill No. 379—An Act to amend section three hundred and ninety-seven of the Code of Civil Procedure of the State of California, relating to the changing of the place of trial.

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

Also: Assembly Bill No. 96—An Act to declare when a vacancy exists in any elective or appointive office, Board, or Commission of any county, city, city and county, township, or municipality, and to provide for filling the same.

Also: Assembly Bill No. 291—An Act to fix the terms of office of certain officers and commissioners, and to vest in the Governor power to appoint such officers and commissioners.

Have had the same under consideration, and respectfully report the same back, and recommend as a substitute therefor the bill herewith inclosed, and recommend that such substitute bill do pass.

BULLA, Chairman.

Assembly Bill No. 578 referred to Committee on Military Affairs.

Assembly Bills Nos. 605 and 606 referred to Committee on Retrenchment and Public Expenditures.

WITHDRAWAL OF BILLS.

Assembly Bills Nos. 96 and 291 were withdrawn.

INTRODUCTION OF BILL—(OUT OF ORDER).

By Committee on Judiciary: Assembly Bill No. 653 (Committee Substitute for Assembly Bills Nos. 96 and 291)—An Act to amend section nine hundred and ninety-six of the Political Code, to declare when a vacancy exists in any elective or appointive office, Board, or Commission, of any county, city, city and county, township, or municipality, and also to amend section nine hundred and ninety-nine of the Political Code, to provide for the filling of vacancies in office.

Read first time, and placed on file.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, February 6, 1895.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 37—An Act to amend sections one thousand two hundred and thirteen and one thousand two hundred and fourteen of the Civil Code of the State of California, relating to the effect of recording transfers and conveyances of real property, or the want thereof.

Also: Assembly Bill No. 380—An Act to amend section nine hundred and fifty of the Code of Civil Procedure of the State of California, relating to appeals from judgment.

Also: Assembly Bill No. 381—An Act to amend section six hundred and sixty of the Code of Civil Procedure of the State of California, relating to new trials.

Also: Assembly Bill No. 382—An Act to amend section six hundred and fifty-nine of the Code of Civil Procedure of the State of California, relating to new trials.

Also: Assembly Bill No. 383—An Act to amend section six hundred and fifty of the Code of Civil Procedure of the State of California, relating to the preparation and settlement of bills of exception.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

BULLA, Chairman.

ON LABOR AND CAPITAL

ASSEMBLY CHAMBER, SACRAMENTO, February 6, 1895.

MR. SPEAKER: Your Committee on Labor and Capital, to whom was referred Assembly Bill No. 249—An Act to provide for incorporation, operation, and management of cooperative associations—respectfully report the same back, and recommend that it be referred to the Committee on Corporations.

Also: Assembly Bill No. 547—An Act to repeal an Act entitled "An Act to provide for a Board of Arbitration for the settlement of differences between employers and employes, to define the duties of said Board, and to appropriate the sum of twenty-five hundred dollars therefor," approved March 10, 1891—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

In respect to the resolution offered by Mr. Ewing, referred to your committee with instructions to report back to the Assembly within five days as to what, in the judgment of the committee, is the best and most profitable way for municipalities to provide public work for the destitute. Your committee herewith return said resolution, and report that it has under consideration and preparation a bill designed to meet, in some measure, the situation set forth in the resolution, and requests to be allowed such further time as may be necessary to perfect such bill.

JONES, Chairman.

Assembly Bill No. 249 referred to Committee on Corporations.
Further time granted on resolution.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 6, 1895.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Assembly Bill No. 338—An Act to provide for prosecuting attorneys of Police Courts in cities having more than fifty thousand and under one hundred and fifty thousand inhabitants, and prescribing the duties and regulating the compensation of such prosecuting attorneys—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

GUY, Chairman.

SAN FRANCISCO DELEGATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 5, 1895.

MR. SPEAKER: The San Francisco Delegation, to whom was referred Assembly Bill No. 597—An Act to amend an Act entitled "An Act to provide for furnishing assistants to the Coroner 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, and establishing the compensation and prescribing the duties of such assistants," approved March 23, 1893, and to add new sections thereto, being known and designated as sections four, five, six, seven, and eight—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also: Assembly Bill No. 488—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, Calaveras, and Siskiyou—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to Committee on County and Township Governments.

POWERS, Chairman.

SAN FRANCISCO DELEGATION—MAJORITY REPORT.

ASSEMBLY CHAMBER, SACRAMENTO, February 5, 1895.

MR. SPEAKER: The San Francisco Delegation, to whom was referred Assembly Bill No. 580—An Act to amend section three thousand and five of the Political Code, and providing for the appointment of a Board of Health for the City and County of San Francisco—have had the same under consideration, and respectfully report the same back, and a majority recommend that it do pass.

POWERS, Chairman

SAN FRANCISCO DELEGATION—MINORITY REPORT.

ASSEMBLY CHAMBER, SACRAMENTO, February 6, 1895.

MR. SPEAKER: The San Francisco Delegation, to whom was referred Assembly Bill No. 580—An Act to amend section three thousand and five of the Political Code, and providing for the appointment of a Board of Health for the City and County of San Francisco—have had the same under consideration, and the following minority of the committee report the same back, and recommend that the same do not pass

TWIGG.
HEALEY.
COGHLIN.

ON ENGROSSMENT

ASSEMBLY CHAMBER, SACRAMENTO, February 7, 1895.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following bills have been correctly engrossed, viz :

Assembly Bill No. 191—An Act to amend section seven hundred and ninety-eight of the Political Code of the State of California, relating to the fees of Notaries Public, and the amendments thereto.

Also: Assembly Bill No. 238—An Act to amend section two thousand two hundred and eighteen of the Political Code of the State of California, relating to the commitment of insane persons

Also: Assembly Bill No. 98—An Act to provide against the adulteration of food and drugs.

Also: Assembly Bill No. 100—An Act to regulate the sale of milk.

Also: Assembly Bill No. 526—An Act to provide for fixing the compensation and reducing the number of employes paid out of appropriations made by the State, or moneys that would otherwise go to the State.

Also: Assembly Bill No. 315—An Act to amend section three thousand four hundred and ninety-one of the Political Code, relating to the election of trustees of reclamation districts.

Also: Assembly Constitutional Amendment No. 19—A resolution proposing an amendment to section three of article twelve of the Constitution of the State of California, relative to corporations, for the purpose of limiting the liability of stock or share holders, and fixing the liability of Directors or Trustees.

WILKINSON, Chairman.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 6, 1895.

MR. SPEAKER: Your Committee on Education, to whom was referred Assembly Bills Nos. 525 and 558—have had the same under consideration, and respectfully report the same back, and recommend that they do pass

JOHNSON, Chairman.

ON FEDERAL RELATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 6, 1895.

MR. SPEAKER: Your Committee on Federal Relations, to whom was referred Assembly Bill No. 21—An Act for the creation of a commission for the promotion of uniformity of legislation in the United States—have had the same under consideration, and respectfully report the same back without recommendation

Also: Assembly Joint Resolution No. 7—Relative to an appropriation by Congress for developing San Pedro Harbor—have had the same under consideration, and respectfully report back a substitute for the same, and report back the original without recommendation.

HATFIELD, Chairman.

MOTION.

Mr. Hatfield moved that Assembly Joint Resolution No. 14 be substituted for Assembly Joint Resolution No. 7, and the same be now considered.

So ordered.

ASSEMBLY JOINT RESOLUTION No. 14—(COMMITTEE SUBSTITUTE FOR ASSEMBLY JOINT RESOLUTION No. 7).

Joint resolution relative to an appropriation by Congress for the construction of a deep-sea harbor for Los Angeles County

WHEREAS, The great and rapid growth of Southern California demands better deep-sea harbor facilities to accommodate and encourage the increasing commerce of that section; therefore, be it

Resolved by the Assembly of the State of California, the Senate concurring, That our Representatives in Congress be urgently requested and our Senators instructed to make every effort, and use all honorable endeavors to immediately secure an adequate and liberal appropriation from the present Congress for the purpose of constructing a deep-sea harbor in the county of Los Angeles, as selected, or hereafter to be selected, by the Government.

Resolved, That the Governor be requested to transmit a copy of this resolution immediately to each of our Senators and Representatives in Congress

Adopted.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON FEDERAL RELATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 6, 1895.

MR. SPEAKER: Your Committee on Federal Relations, to whom was referred Assembly Joint Resolution No. 9—Relative to requesting Congress to so amend the laws granting certain arid lands to the State of California, to reclaim such lands, and retain the ownership thereof, for the purpose of constituting a permanent endowment of the public schools and the State University—have had the same under consideration, and respectfully report the same back, and recommend the adoption thereof.

HATFIELD, Chairman.

ON COUNTY AND TOWNSHIP GOVERNMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, February 5, 1895.

MR. SPEAKER: Your Committee on County and Township Governments, to whom was referred Assembly Bill No. 22—An Act to provide for the organization and government of townships—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Assembly Bill No. 367—An Act providing in counties of the first class for the appointment by the Coroner of a competent physician for the performance of autopsies upon the bodies of deceased persons when inquests are held, and fixing the compensation therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also: Assembly Bills Nos. 159, 256, and 309—have had the same under consideration, and respectfully report the same back, and recommend that the authors be allowed to withdraw the same.

Also: Assembly Bill No. 524—An Act to amend section four thousand one hundred and twenty-one of the Political Code, prohibiting Sheriffs, Clerks, Auditors, Assessors, Recorders, Treasurers, Tax Collectors, Superintendents of Schools, and Constables, and their deputies, from practicing law, or acting as attorneys or counselors-at-law, and to prohibit such officers from conveyancing, drawing deeds, mortgages, leases, contracts, or any instruments of writing not pertaining strictly to the duties of their respective offices, and forbidding the appointment of such officers to the office of Notary Public—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also: Assembly Bill No. 90—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 24, 1893—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 Bill No. 293—An Act to amend section two thousand eight hundred of the Political Code, relating to the purchase of toll roads by counties—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

DODGE, Chairman.

ON CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 7, 1895.

MR. SPEAKER: Your Committee on Corporations, to whom was referred Assembly Bill No. 507—An Act to amend sections seven hundred and fifty-one, seven hundred and fifty-two, seven hundred and fifty-four, seven hundred and ninety-six, and eight hundred and four of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to Committee on Municipal Corporations.

Also: Assembly Bill No. 550—An Act to afford greater security to passengers upon stage coaches, wagons, and other conveyances in or upon which express matter, gold or silver bullion, money, treasure, or other valuable thing or things in the custody or under the control of any express company as a common carrier is usually carried, relating to the duties of express companies, and prohibiting armed guards, agents, or messengers from riding in or upon stage coaches, wagons, and other conveyances engaged in carrying passengers for hire, and providing penalties for a violation of, or failure to comply with, the provisions of this Act—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also: Assembly Bill No. 194—An Act to authorize the incorporation of mutual associations to transact the business of life or accident insurance on the assessment plan, and to control such corporations of this State and corporations of other States transacting the business of assessment insurance in this State, and providing and fixing the punishment for violation of the provisions hereof—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

PENDLETON, Chairman.

Assembly Bill No. 507 referred to Committee on Municipal Corporations.

ON MANUFACTURES AND INTERNAL IMPROVEMENTS

ASSEMBLY CHAMBER, SACRAMENTO, February 6, 1895.

MR. SPEAKER: Your Committee on Manufactures and Internal Improvements, to whom was referred Assembly Bill No. 595—An Act declaring the Petaluma River navigable and a public highway from and to certain points herein named—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

PRICE, Chairman.

JOINT COMMITTEE ON STATE HOSPITALS AND ASYLUMS, AND PUBLIC HEALTH AND QUARANTINE.

ASSEMBLY CHAMBER, SACRAMENTO, February 7, 1895.

MR. SPEAKER: Your Committees on State Hospitals and Asylums and Public Health and Quarantine beg leave to report that they visited the Insane Asylum of the State of California at Stockton on January twenty-seventh and twenty-eighth. Our visit being

unsuspected by them, we took them by surprise, and found them in every-day garb. We did not examine the institution in a body, but separated and proceeded, some with guides and some without, to a thorough examination and investigation of the institution and its management. We found over fifteen hundred inmates, more than two thirds of whom are males. We found the management excellent. The Superintendent and his competent corps of physicians are surely doing all that can be done for these poor unfortunates. Sanitary conditions are as good as can be under existing circumstances, owing to location. We found the buildings lighted and heated by natural gas found on the premises. The water supply is also developed on the premises, and as a protection from fire they have connection with the city waterworks. We visited the stables, shops, and outhouses, and found all judiciously managed and in excellent condition. One shed on the exercising grounds should be rebuilt, and the old brick building, which should have been replaced by a new one, but as past Legislatures have expended five thousand dollars in repairing the same, and as the Directors are now asking for an appropriation of fifteen thousand dollars for further repairs, we respectfully submit that said amount is absolutely necessary, and request that the appropriation be granted. They have their own shops, tools, and mechanics, and the money will be expended only for raw materials. The Directors are evidently working in harmony with themselves and their Superintendents and assistants for the best good of the institution, the inmates, and the State. The absolute control which the management has over the inmates is proof conclusive that sympathy, kindness, and good judgment constitute the controlling power.

On January twenty-sixth we visited the California Institution for the Education of the Deaf and Dumb and Blind, at Berkeley, and were shown through the well-kept buildings and grounds by the excellent Principal, Prof. Warring Wilkinson, and his assistants. Nothing but words of praise can be said of this institution and its management. We found two hundred and eight pupils enrolled, and the touching manner in which they all greeted Professor Wilkinson, whenever he came near, and the truly wonderful results accomplished in the school, are proof abundant of his eminent fitness for the position he so ably fills. Sanitary conditions are excellent, and the system of plumbing now in use in these buildings is the most perfect we have ever seen. The water supply is inadequate, and we recommend the appropriation of necessary funds for further water development on the premises. While a hospital, certain street improvements, concrete walls, etc., would be a convenience, and provisions must eventually be made for the same, yet they can be postponed without serious inconvenience, and we recommend that Assembly Bill No. 120 do pass as amended.

January twenty-fifth we visited the Industrial Home of Mechanical Trades for the Adult Blind at Oakland, and we regret the fact that we cannot make the same commendatory report of this institution that we have of the others visited. In this case, as in the others, we took the management by surprise, and our investigation was as thorough as we could possibly make it within the limited time allotted. We separated as before, and made personal inspection of all buildings, sheds, outhouses, grounds, stocks, supplies, tools, appliances, etc., and investigated the management. We found the kitchen clean, the stores of provisions were of good quality, and under the supervision of Mrs. Sanders. The dining tables were abundantly supplied with wholesome victuals. The female dormitories were well kept. The lawns and trees showed skillful attention. The old wooden building, in which brooms are made, and in which valuable stores are kept, is open, cold, and a disagreeable place to work, and there is constant danger of heavy loss to the State by fire. A visit to the male dormitories revealed the fact that while there were some beds that were clean, there were others that were absolutely filthy. The bath and toilet rooms were mostly in fair condition, but one bath tub was so unclean as to be a disgusting sight, and the men's public toilet was in a similar condition to that of a public toilet at a railroad station. The smoking-room is a disgrace to the State. It has a cement floor which could not be seen for the filth, and while the claim is made by the management that this room is "hosed" out at least once each week, yet the evidence would indicate that it had not been cleaned for many weeks. Coal for fuel was piled upon the floor, and the seats were in a dilapidated and filthy condition. Many of the inmates seen in the buildings and about the grounds were wretchedly clothed, and were so filthy in appearance as to be absolutely nauseating and repulsive. The lowest depraved inmates of the Stockton Asylum, incapable of self-control, with drool oozing from their mouths and noses, were clean compared to some of these. There can be no possible explanation for this condition of things other than bad management. Discontent reigns supreme among the inmates in regard to the management. The atmosphere was rife with petty jealousies, and a system of espionage, which we are convinced does exist, on the part of the Superintendent, was generally complained of. Practical discipline seemed to be absolutely wanting. But little attention was paid to the ordinary complaints and murmurings of individuals, but a large number of the inmates, including practically all of the women, were for some reason or other absolutely afraid to talk to members of the committee, stating that spies were on the alert, and that many times they had been harshly treated for speaking the truth. We found the blind Superintendent, Mr. Sanders, an active man of unusual intelligence, with a knowledge of the business entrusted to him that is truly wonderful, yet he seems to have incurred the ill will of nearly all, and terrorized many of the inmates. We also found inharmony among the members of the Board of Directors, which has existed for years and appears to be irreconcilable. Reports of inharmony, discontent, and bad management come to

us from all quarters outside of the institution as well as within, and from members of the Board of Directors themselves. As previously stated, we have given no credence to the many individual complaints made to us by inmates and others, concerning the Superintendent, or management, and it is the unanimous opinion of your committees that Professor Sanders is a good and efficient instructor of the blind, that many blind persons are indebted to him for their ability to be self-supporting, and that his knowledge of business methods is invaluable to an institution of this kind; yet, under the existing circumstances, we seriously doubt the advisability of allowing him to remain in full possession and control of the duties and responsibilities now entrusted to him; but as we regard this a matter entirely in the hands of the Board of Directors, we refrain from further comment in this direction; yet, in view of the practically unlimited evidence of inharmony now existing, from the head to the foot of this institution, we do recommend that all of the members of the present Board of Directors be removed from said Board, and that a new Board of Directors be appointed. We also recommend that the request of the Board of Directors to buy more land adjacent to the present location be not granted, and that no more buildings be erected on the present site. John P. Irish, President of said Board, acknowledged to us that the advisability of granting such a request was questionable. He also acknowledged to us that he made a wrong statement in the public press concerning the length of time we were visiting and investigating this institution, and he offered to make public acknowledgment to that effect. We were on the premises fully three and a half hours, and have not been dilatory in our search for the truth from that day to this.

We further recommend that the State of California purchase a suitable tract of land outside the limits of any city or town, where land can be had cheap, where transportation facilities are good, where the location will be healthful, pleasant, and convenient for the transaction of business, and that suitable and necessary buildings and improvements be erected thereon; that the present grounds, buildings, and improvements belonging to the institution be sold now, or in the near future, to the highest bidder for cash, and the inmates removed to the new location. The estimated value of the present grounds and buildings is from seventy-five thousand dollars to one hundred thousand dollars, a sum which, if judiciously expended, would purchase and equip an institution of this kind in a good location, that would answer all purposes in its line for many years to come, and would remove the inmates from all undue political or disturbing influences. No selfish or personal interests have been considered in this report, and our best efforts have been to further the best interests of the institution, its inmates, and the State, and we are convinced that if the entire Legislature should make the same thorough investigation of this institution and its management that we have they would reach practically the same conclusions. If the suggestions and recommendations which we have already made should be accepted, we will have saved the State at least twenty thousand dollars, and if the recommendations herein contained are accepted, we are of the unanimous opinion that it will result in lasting benefits to the institution, the inmates, and the State.

All of which is most respectfully submitted.

C. G. CARGILL,
Chairman Committee on State Hospitals and Asylums.
J. H. GLASS,
Chairman Committee on Public Health and Quarantine.

ON GOVERNOR'S MESSAGE

MR. SPEAKER: Your Committee on Governor's Message, to whom was referred the message of his Excellency Governor H. H. Markman, upon retiring from office, respectfully report that they have carefully considered the same, and your committee recommend that said message be referred to the different committees of the Assembly, as follows:

First—Those portions of said message referring to the biennial reports of the different departments of State government, and the different commissions and the officers of the State, and to the Superintendent of Public Printing—pages number three, four, eight, and twelve—be referred to the Committee on Public Printing. (So ordered.)

Second—Those portions of said message referring to State institutions, to uniform system of accounts and reports, to bounty for coyote scalps, to extradition, to report of State Board of Examiners, and to care of unfortunate—pages five, nineteen, twenty-two, and twenty-three—be referred to Committee on Retrenchment and Public Expenditures. (So ordered.)

Third—Those portions of said message referring to Deaf, Dumb, and Blind Institution, to Adult Blind, to Home for Feeble-Minded Children, to the Preston School of Industry, and Whittier State School, and to Insane Asylums—pages five, six, and seven—to the Committee on State Hospitals and Asylums. (So ordered.)

Fourth—That portion of said message referring to State Prisons, to pardons and commutations, to parole law, and to capital punishment—page seven—to the Committee on State Prisons and Reformatory Institutions. (So ordered.)

Fifth—Those portions of said message referring to Normal Schools, and to Superintendent of Public Instruction—pages eight and twelve—to the Committee on Education.

Sixth—Those portions of said message referring to State University, to Capitol Commissioners, to Santa Clara Feeble-Minded Home, and to the Governor's mansion—pages

eight, seventeen, nineteen, and twenty-three—to the Committee on Public Buildings and Grounds (So ordered.)

Seventh—Those portions of said message referring to the Secretary of State, to Keeper of the Archives, and to the fifty-cent limit—pages nine, nineteen, and twenty-eight—to the Committee on Ways and Means. (So ordered.)

Eighth—That portion of said message referring to the Adjutant-General—page thirteen—to the Committee on Military Affairs. (So ordered.)

Ninth—Those portions of said message referring to the Controller's report, to the Surveyor-General, and to the Code Commission—pages ten, eleven, and twenty—to the Judiciary Committee (So ordered.)

Tenth—That portion of said message referring to the Attorney-General—page eleven—to the Committee on Constitutional Amendments. (So ordered.)

Eleventh—That portion of said message referring to Yosemite Valley and Mariposa Big Tree Grove—page thirteen—to the Committee on State Parks and Forestry (So ordered.)

Twelfth—Those portions of said message referring to the World's Fair Commission, to Resources of California, to State Library—pages fourteen and sixteen—be referred to the Committee on State Library. (So ordered.)

Thirteenth—That portion of said message referring to Fish Commission—page fifteen—be referred to the Committee on Fish and Game. (So ordered.)

Fourteenth—That portion of said message referring to horticulture and viticulture—page fifteen—be referred to the Committee on Fruit and Vine Interests (So ordered.)

Fifteenth—Those portions of said message referring to State Mining Bureau, and Mineral Cabinet—page fifteen—be referred to the Committee on Mines and Mining. (So ordered.)

Sixteenth—That portion of said message referring to district agricultural societies—page fifteen—be referred to the Committee on Agriculture. (So ordered.)

Seventeenth—That portion of said message referring to State Board of Health—page sixteen—be referred to the Committee on Public Health and Quarantine (So ordered.)

Eighteenth—Those portions of said message referring to Bank Commission, building and loan associations—page sixteen—be referred to the Committee on Banks and Banking (So ordered.)

Nineteenth—Those portions of said message referring to Board of Public Works, draining and protection of overflowed lands—page seventeen—be referred to the Committee on Swamp and Overflowed Lands. (So ordered.)

Twentieth—Those portions of said message referring to navigable streams, to shipping of California—pages eighteen and twenty-four—be referred to the Committee on Commerce and Navigation (So ordered.)

Twenty-first—Those portions of said message referring to primary election law, and Santa Monica Soldiers' Home—pages eighteen and twenty—be referred to Committee on Election Laws. (So ordered.)

Twenty-second—That portion of said message referring to pardons and commutations—page twenty-one—be referred to the Committee on Crimes and Penalties. (So ordered.)

Twenty-third—That portion of said message referring to Torrens Land Commission—page twenty-five—be referred to Committee on Homestead and Land Monopoly. (Referred to Committee on Judiciary.)

Twenty-fourth—That portion of said message referring to good roads—page twenty-five—be referred to the Committee on Roads and Highways. (So ordered.)

Twenty-fifth—That portion of said message referring to the Nicaragua Canal—page eighteen—be referred to the Committee on Federal Relations. (So ordered.)

Also: Your Committee on Messages from the Governor, have segregated and carefully considered the inaugural address of his Excellency Governor James H. Budd, and your committee respectfully recommend that said inaugural address be referred to the different committees of the Assembly as follows:

First—Those portions of said inaugural address referring to the comparative cost of agriculture fairs, and the "comparative cost of the Judiciary," and the State commissions, and the "two large leaks," and the "redundant officials," and what the "Controller says," and to "in conclusion"—pages eight, eleven, twelve, thirteen, and seventeen—be referred to the Committee on Retrenchment and Public Expenditures (So ordered.)

Second—That portion of said inaugural address referring to the State Lunatic Asylums—page nine—be referred to the Committee on State Hospitals and Asylums. (So ordered.)

Third—That portion of said inaugural address referring to the State Prisons—page ten—be referred to the Committee on State Prisons and Reformatory Institutions. (So ordered.)

Fourth—That portion of said inaugural address referring to city and county governments—page thirteen—be referred to the Committee on County and Township Governments. (So ordered.)

Fifth—That portion of said inaugural address referring to constitutional amendments—page fourteen—be referred to the Committee on Constitutional Amendments. (So ordered.)

Sixth—Those portions of said inaugural address referring to probate reform, to collecting taxes, and to hampering the executive—pages fifteen, sixteen, and seventeen—be referred to the Committee on Judiciary. (So ordered.)

Seventh—That portion of said inaugural address referring to ballot reform—page fifteen—be referred to the Committee on Election Laws (So ordered.)

Eighth—That portion of said inaugural address referring to the railroad refunding bill—page sixteen—be referred to the Committee on Federal Relations. (So ordered.)

Ninth—That portion of said inaugural address referring to banking—page sixteen—be referred to the Committee on Banks and Banking. (So ordered.)

HALL, Chairman.

ON COUNTIES AND COUNTY BOUNDARIES.

ASSEMBLY CHAMBER, SACRAMENTO, February 5, 1895.

MR. SPEAKER: Your Committee on Counties and County Boundaries, to whom was referred Assembly Bill No. 113—An Act to provide for the formation of new counties, and the appointment and election of officers, the location of county seats thereof, and the adjustment and fulfillment of certain rights and obligations arising between such counties and other counties—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 Bill No. 473—An Act to provide for the formation, organization, and classification of new counties, for locating the county seats, for the election and appointment of officers, and for the adjustment and fulfillment of the rights and obligations arising between such new counties and other counties—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

COLEMAN, Chairman.

Mr. Davis asked leave to withdraw Assembly Bill No. 113.

Granted.

ON PUBLIC PRINTING.

ASSEMBLY CHAMBER, SACRAMENTO, February 6, 1895.

MR. SPEAKER: Your Committee on Public Printing, to whom was referred Assembly Bill No. 576—An Act to amend sections five hundred and thirty-one and five hundred and thirty-two of the Political Code, and section ninety-nine of the Penal Code of the State of California, relative to the duties and qualifications of the Superintendent of State Printing of said State—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

DEVITT, Chairman.

ON RETRENCHMENT AND PUBLIC EXPENDITURES

ASSEMBLY CHAMBER, SACRAMENTO, February 6, 1895.

MR. SPEAKER: Your Committee on Retrenchment and Public Expenditures, to whom was referred Assembly Bill No. 496—An Act to repeal the following Acts: "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; also, "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 as much of 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," approved March 20, 1891, also, "An Act to amend 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," 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 March 30, 1893, and to provide for the formation of agricultural, horticultural, viticultural, and citrus districts, and to allow Boards of Supervisors to contribute to the support thereof—have had the same under consideration, and respectfully report the same back with amendments; the majority recommending the passage of the bill as amended, and a minority that the bill do not pass.

Also: Assembly Bill No. 448—An Act to amend sections two thousand five hundred and twenty-one and two thousand five hundred and twenty-two of the Political Code, relating to San Francisco harbor and State Harbor Commissioners—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also: Assembly Bill No. 111—An Act to amend "An Act to authorize the Justices of the Supreme Court to appoint a Librarian to said Court, and fixing a salary," approved March 11, 1893—have had the same under consideration, and respectfully report the same back, the majority recommending that it do not pass and a minority that it do pass.

Also: Assembly Bill No. 324—An Act to require an inventory of all State property, and

directing the State Board of Examiners to keep a record of the same—have had the same under consideration, and respectfully report the same back, and recommend that the bill be amended by inserting in line two of printed bill, the word “verified” before the word “inventory,” and that it do pass as amended.

PHELPS, Chairman.

ON CLAIMS.

ASSEMBLY CHAMBER, SACRAMENTO, February 7, 1895.

MR. SPEAKER: Your Committee on Claims, to whom was referred Assembly Bill No. 393—An Act to authorize the Board of State Harbor Commissioners to pay the claim of the Pacific Transfer Company for wharfage illegally collected—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Assembly Bill No 193—An Act making an appropriation to pay the deficiencies in the appropriation for costs and expenses of suits in which the State is a party in interest for the thirty-fifth, thirty-sixth, thirty-seventh, thirty-eighth, thirty-ninth, and fortieth fiscal years. Section one of this bill was amended to read, two thousand dollars instead of three thousand dollars—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Assembly Bill No 43—An Act making an appropriation to pay the claim of the Evening Express Company—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Assembly Bill No 515—An Act to pay the claim of Fred. Hansted for services as clerk to the committee appointed for the purpose of investigating the Pilot Commissioners—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

GAY, Chairman.

Assembly Bills Nos. 43, 393, and 515 referred to Committee on Ways and Means.

WITHDRAWAL OF BILL.

Mr. Wade asked leave to withdraw Assembly Bill No. 309.

Granted.

REPORT OF SPECIAL COMMITTEE.

Mr. Laird moved that the reading be dispensed with, and that the report be printed in full in the Journal.

So ordered.

ASSEMBLY CHAMBER, SACRAMENTO, February 7, 1895.

MR. SPEAKER: Five of the members of your Committee on State Prisons and Reformatory Institutions, having obtained leave of absence to visit the Whittier School, located in Los Angeles County, after a careful and thorough investigation of the school and its surroundings, beg leave to submit the following report.

We arrived at the Whittier School on the morning of February first, paying every department of that institution a visit, giving it our closest attention, and we are unanimous in the praise of the management of this school. Mr. Coffin, the Superintendent, and his most estimable wife, are well fitted for the positions they occupy. The girls' department is located about three quarters of a mile from the main buildings where the boys are kept, and is under the care of Miss Olmstead, who appears to be thoroughly conversant with the duties devolving upon her. Fifty-seven girls are now being cared for, and the accommodations are ample for the girls in the building now occupied by them. Last session an appropriation was made for the erection of an additional cottage to accommodate fifty more. The reason given was they desired to separate the more innocent from the rude and unchaste girls. This no doubt was a good move, yet the outlay was large, and now there is another appropriation of three thousand five hundred dollars asked for to complete said building. This we report favorably upon. When said building is completed it will no doubt meet the requirements for several years.

In the boys' department at present there are three hundred and forty-six boys. They are somewhat crowded there, but when the building now being constructed for kitchen, dining-room, bakery, and commissary department is completed, and these taken from the main building, there will then be sufficient room for accommodations in the future for some time to come.

Our attention was called to the fact from observation that several inmates there do not possess a juvenile appearance, but have reached the estate of manhood and are being retained in the institution. We therefore recommend that attention be more closely given as to the age of those committed. This is not the fault of the Superintendent, as the age of the offender is certified to him at time of

commitment. Therefore, we recommend that boys after reaching the age of eighteen years should not be retained; also girls after reaching the age of twenty-one years. The reason for this request is, we consider that boys after reaching that age are capable of full comprehension and able to shape their future course, and if not able to control themselves in the proper way should be subjected to the restrictions of more severe institutions. Regarding the cannery and drier, the appropriation asked for we don't deem it advisable at present to allow, as this is not a necessity, at the present time, and should it become one the matter can be brought before the next Legislature. During the meantime we think the surplus fruit can be dried or disposed of in some other way. The hospital is, without a doubt, a necessity, as there should be means provided to separate the sick from the others. At present there is no way of accomplishing this end. Therefore we strongly favor this appropriation to construct a hospital building.

We deem it advisable to improve the grounds around the girls' new building, but the erection of a barn upon any part of the grounds is a needless expense, and we are opposed to it. A tinning and plumbing shop, bookbindery, and cylinder press are not necessary adjuncts to the institution at present. We therefore recommend their omission. For appropriations asked, and those we deem as necessary, we submit the following summary:

	Appropriation Asked.	Granted.
Cannery and drier	\$2,000 00	.....
Hospital building	6,000 00	\$6,000 00
Two cottages for boys	40,000 00	.....
Enlargement trades building	12,000 00	12,000 00
Completion attic, administration building.....	600 00	600 00
For library	3,000 00	2,000 00
Add horses, cows, hogs, agricultural implements.....	2,000 00	2,000 00
Completion building boys' department for kitchen, etc.....	4,000 00	4,000 00
Completion girls' cottage building, in course of erection.....	3,500 00	3,500 00
Complete outfit of tools, etc.....	10,000 00	7,000 00
Machinery for laundry	1,800 00	1,800 00
Boiler for power-house, in place	1,750 00	1,750 00
For purchase of land for vegetables, vineyard, and alfalfa.....	28,000 00	10,000 00
For purchase of water and necessary piping	8,000 00	8,000 00
Quarters for drill and exercise, etc.....	3,500 00	3,500 00
Work on ground only, girls' building.....	1,000 00	1,000 00
Fees for architect and superintendent of construction	2,000 00	.....
Maintenance 500 children two years.....	300,000 00	250,000 00
Totals.	\$429,150 00	\$313,150 00

Without a doubt this institution is a credit to the State of California, and has been the means of placing many boys and girls upon a far better course in life, causing them to become honorable and upright citizens, who otherwise would have become a part and parcel of the vicious element our State has constantly to contend with. We deem it advisable to the efficiency of the working of the institution to appeal against any further reductions of the appropriation above recommended, as it would very materially cripple the efficiency of the institution in many of its branches where a great amount of good is accomplished.

These recommendations are made after a careful and conscientious study and examination was made of the entire situation and needs of the institution.

Also the following:

ASSEMBLY CHAMBER, SACRAMENTO, February 7, 1895.

MR. SPEAKER: The Committee on State Prisons and Reformatory Institutions, appointed to investigate and report upon the needs of the Whittier State School at Whittier, Los Angeles County, having visited the said school and reported back the result of their investigation to the Assembly, now present their account for expenses, as follows:

Jas. T. Laird.....	\$94 50
H. W. Laugenour.....	94 50
C. W. Pendleton.....	94 50
R. I. Thomas.....	94 50
Wm. Llewellyn.....	94 50
J. C. Kesler, clerk.....	94 50

Total..... \$567 00

Resolved, That the Controller be and he is hereby directed to draw his warrant in favor of James T. Laird, Chairman of said committee, for the sum of five hundred and sixty-seven dollars as per above statement, said warrant to be so drawn upon the fund for the contingent expenses of the Assembly, and the Treasurer is directed to pay the same.

LAIRD, Chairman.

REPORT OF SPECIAL COMMITTEE.

MR. SPEAKER: Your Special Committee on Inaugural Ball respectfully report that they met jointly with a like committee of the Senate and citizens of Sacramento, and agreed to provide for the cleaning of the hall and decoration thereof, and music in the rotunda, and recommend the passage of the following resolution, viz :

Resolved. That the Controller be and he is hereby instructed to draw his warrant for the sum of two hundred and fifty dollars, payable to Frank H. Powers, for the purpose of defraying a portion of the expenses of the inaugural ball, the same being made payable out of the Contingent Fund of the Assembly

POWERS, Chairman.
D. G. REID,
Member of Committee.
W. M. CUTTER,
Member of Committee.

Referred to Committee on Ways and Means.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 7, 1895.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, authorized the Senate Committee on State Library and Rules to confer with the same committee of the Assembly to report on joint rules, and would ask your compliance therewith.

F. J. BRANDON, Secretary
By R. SHAW, Assistant.

Also:

SENATE CHAMBER, SACRAMENTO, February 7, 1895

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the sixth day of February, 1895, adopted Senate Constitutional Amendment No. 8—Relative to the manner of voting

Also: Adopted Senate Constitutional Amendment No. 3—Relative to revenue and taxation.

Also: Adopted Committee Substitute for Senate Constitutional Amendment No. 16—Relative to exemption from taxation.

F. J. BRANDON, Secretary.
By C. L. PARDEE, Assistant.

REFERENCE OF SENATE BILLS.

Senate Bill No. 28 referred to San Francisco Delegation.

Senate Bill No. 198 referred to Committee on County and Township Governments.

Senate Bill No. 122 referred to Committee on Judiciary.

Senate Bill No. 1 referred to Committee on Judiciary.

Senate Bill No. 51 substituted for Assembly Bill No. 279.

Senate Bill No. 226 referred to Committee on County and Township Governments.

Senate Bill No. 207 referred to Committee on Agriculture.

Senate Bills Nos. 310, 228, 182, 155, 225, 55, and 196 referred to Committee on Judiciary.

Senate Constitutional Amendments Nos. 8, 3, and 16 referred to Committee on Constitutional Amendments.

Senate Bill No. 230 substituted for Assembly Bill No. 109, number fifty-eight on file.

INTRODUCTION OF BILLS.

The following bills were introduced, read first time, and referred to committees, as follows:

By Mr. Laugenour: Assembly Bill No. 654—An Act to create the Sacramento Valley Drainage District, and defining its boundaries, and

to provide for the government and management thereof; for the appointment of officers, and prescribing their compensation; for the issuance of bonds, for selling and paying the same; for assessments, and equalizing same; for collection of assessments; for sale of property and providing a mode for judicially examining, approving, and confirming proceedings for issue of bonds; for the levy, equalization, and collection of assessments; for sale of property for non-payment of assessments; for the appointment of commissioners to fix assessments; for the construction and maintenance of canals, waterways, and other drainage works to drain the lands of said district and secure the same from overflow; conferring powers and imposing duties upon the Commissioner of Public Works in relation to said district; and providing for the judicial examination of the organization of the district, and prescribing a statute of limitations.

Read first time, and referred to Committee on Swamp and Overflowed Lands.

By Mr. Thomas: Assembly Bill No. 655—An Act to add a new section to the Penal Code, to be known and numbered as section six hundred and fifty-five, relating to dealing in options.

Read first time, and referred to Committee on Corporations.

Also: Assembly Bill No. 656—An Act making an appropriation to pay the salary of the Debris Commissioner for the remainder of the forty-sixth fiscal year.

Read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 657—An Act making an appropriation to pay the salary of the Secretary of the Debris Commissioner for the remainder of the forty-sixth fiscal year.

Read first time, and referred to Committee on Ways and Means.

By Mr. Merrill: Assembly Bill No. 658—An Act authorizing the State Board of Prison Directors to establish the working of the granite quarries at the Folsom State Prison, and the sale of the granite to the general public.

Read first time, and referred to Committee on State Prisons and Reformatory Institutions.

By Mr. Davis: Assembly Bill No. 659—An Act in relation to proceedings of Courts of justice in civil cases, being an Act to amend sections two hundred and sixty-nine, six hundred and thirty-two, section 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, six hundred and forty-nine, six hundred and fifty, six hundred and fifty-one, six hundred and fifty-two, six hundred and fifty-eight, six hundred and fifty-nine, six hundred and sixty, six hundred and sixty-one, six hundred and seventy, nine hundred and fifty, nine hundred and fifty-one, nine hundred and fifty-two, nine hundred and fifty-three, nine hundred and fifty-nine, nine hundred and sixty, nine hundred and sixty-one, nine hundred and sixty-two of the Code of Civil Procedure of the State of California, and to repeal sections six hundred and thirty-three, six hundred and thirty-four, and six hundred and fifty-six of said Code of Civil Procedure, and to add four new sections to said Code of Civil Procedure, to be known and designated, respectively, as sections nine hundred and fifty-one *a*, nine hundred and fifty-three *a*, nine hundred and sixty-two *a*, and nine hundred and sixty-two *b*.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 660—An Act to amend sections two hundred and seventy-two, two hundred and seventy-three, and two hundred and seventy-four of the Code of Civil Procedure of the State of California.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 661—An Act to amend section eight hundred and forty-four of the Code of Civil Procedure of the State of California, relating to the issuance, directing, and contents of summons in Justices' Courts.

Read first time, and referred to Committee on Judiciary.

By Mr. North: Assembly Bill No. 662—An Act entitled an Act to amend section two hundred and seventy-six of the Code of Civil Procedure, relating to the examination of applicants for admission to practice law.

Read first time, and referred to Committee on Judiciary.

By Mr. Meads: Assembly Bill No. 663—An Act to amend section three hundred and ninety-seven of the Code of Civil Procedure of the State of California, relating to certain cases when the place of trial may be changed.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 664—An Act to add a new section to the Civil Code, to be designated as section six hundred and sixteen, authorizing corporations organized to establish and maintain or to improve cemeteries, to take and hold property bequeathed, granted, or given to them upon trust, to apply the same, or the proceeds or income thereof, to the improvement or embellishment of cemeteries, or of any lot therein, or to the erection or maintenance of any monument, structure, or improvement therein.

Read first time, and referred to Committee on Corporations.

By Mr. Bennett: Assembly Bill No. 665—An Act to provide the office of the Attorney-General with such law books as may be required by him for the conduct of the business of his office, and requiring the State Librarian to provide and furnish the same.

Read first time, and referred to Committee on State Library.

By Mr. Tomblin: Assembly Bill No. 666—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved March 24, 1893, by amending section one hundred and ninety thereof, relating to county officers of the twenty-eighth class, their salaries, fees, and expenses.

Read first time, and referred to Committee on County and Township Governments.

Also: Assembly Bill No. 667—An Act to amend section two thousand six hundred and forty-one of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the powers and duties of highway officers.

Read first time, and referred to Committee on Judiciary.

By Mr. Dinkelspiel: Assembly Bill No. 668—An Act to amend sections one thousand eight hundred and ninety-eight, one thousand nine hundred, one thousand nine hundred and twelve, one thousand nine hundred and fifteen, one thousand nine hundred and sixteen, one thousand nine hundred and seventeen, one thousand nine hundred and eighteen, one thousand nine hundred and nineteen, one thousand nine hundred and twenty-three, one thousand nine hundred and twenty-

eight, one thousand nine hundred and thirty-seven, one thousand nine hundred and forty-five, one thousand nine hundred and sixty-two, one thousand nine hundred and sixty-five, one thousand nine hundred and sixty-eight, one thousand nine hundred and seventy, one thousand nine hundred and eighty, one thousand nine hundred and eighty-one, one thousand nine hundred and ninety, two thousand and three, two thousand and seven, two thousand and twenty, two thousand and twenty-two, two thousand and twenty-three, two thousand and twenty-nine, two thousand and thirty, two thousand and thirty-one, two thousand and forty, two thousand and forty-one, two thousand and forty-two, two thousand and forty-nine, two thousand and fifty, two thousand and seventy-six, two thousand and eighty-two, two thousand and ninety-four, two thousand one hundred and five of the Political Code of the State of California, and in relation to the National Guard of California; to amend sections seven hundred and twenty-eight and seven hundred and twenty-nine of the Penal Code of the State of California, all in relation to the National Guard of California; to repeal sections one thousand nine hundred and two, one thousand nine hundred and thirteen, one thousand nine hundred and thirty-eight, one thousand nine hundred and eighty-three, one thousand nine hundred and eighty-seven, one thousand nine hundred and eighty-eight, one thousand nine hundred and eighty-nine, two thousand and four, two thousand and five, two thousand and six, two thousand and forty-eight, two thousand one hundred and one, two thousand one hundred and nine, two thousand one hundred and ten of the Political Code of the State of California, and in relation to the National Guard of California; to add one new section, to be known as section two thousand one hundred and two of the Political Code of the State of California, and relating to the National Guard of California.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 669—An Act prescribing how judgments which may be recovered against any city and county of over one hundred thousand population shall be paid.

Read first time, and referred to San Francisco Delegation.

Also: Assembly Bill No. 670—An Act to amend section four hundred and seven of the Code of Civil Procedure, relating to manner of commencing civil actions.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 671—An Act to amend section eight hundred and forty-four of the Code of Civil Procedure, relating to the manner of commencing actions in Justices' Courts.

Read first time, and referred to Committee on Judiciary.

By Mr. Powers (by request): Assembly Bill No. 672—An Act to provide for furnishing clerks and copyists to the County Clerks of each city and county having one hundred thousand or more inhabitants, and providing the mode in which such clerks and copyists shall be appointed and designated as officers of the city and county, and establishing the compensation of such clerks and copyists.

Read first time, and referred to San Francisco Delegation.

By Mr. Belshaw: Assembly Bill No. 673—An Act to regulate the sale of intoxicating liquors and wine.

Read first time, and referred to Committee on Public Morals.

By Mr. Llewellyn: Assembly Bill No. 674—An Act to amend section

one hundred and three of the Code of Civil Procedure of the State of California, relating to Justices' Courts.

Read first time, and referred to Committee on Judiciary.

By Mr. Huber: Assembly Bill No. 675—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 referred to Committee on Corporations.

By Mr. Kelsey: Assembly Bill No. 676—An Act making an appropriation to pay the deficiency in the appropriation to pay for the system of heating and ventilating established in the Training Department of the State Normal School at San José, California.

Read first time, and referred to Committee on Public Buildings and Grounds.

By Mr. Laird: Assembly Bill No. 677—An Act fixing a bounty on rabbit scalps, and making an appropriation of money therefor.

Read first time, and referred to Committee on Retrenchment and Public Expenditures.

By Mr. Richards: Assembly Bill No. 678—An Act to appropriate money for the purchase of the Coulterville and Yosemite Toll Road, and to make the same a free public road and highway to the Yosemite Valley.

Read first time, and referred to Committee on State Parks and Forestry.

By Mr. Glass: Assembly Bill No. 679—An Act to amend section one thousand eight hundred and fifty-four of the Civil Code of California, relating to the duties of depositaries.

Read first time, and referred to Committee on Agriculture.

By Mr. McKelvey: Assembly Bill No. 680—An Act to amend sections three thousand eight hundred and forty, three thousand eight hundred and forty-six, three thousand eight hundred and fifty-one, and three thousand eight hundred and fifty-four of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the collection of poll tax.

Read first time, and referred to Committee on Judiciary.

By Committee on County and Township Governments: Assembly Bill No. 681—An Act to establish the fees of county, township, and other officers, and of jurors and witnesses, in this State.

Read first time, and placed on file.

By Mr. Hatfield: Assembly Bill No. 682—An Act authorizing the State Capitol Commissioners to improve certain streets in the city of Sacramento, to wit: L Street from the east line of Tenth Street to the west line of Fifteenth Street, and Fifteenth Street from the north line of L Street to the south line of N Street, and N Street from the east line of Tenth Street to the west line of Fifteenth Street; also to reconstruct Tenth Street from the center line of L Street to the center line of N Street, and to appropriate money therefor.

Read first time, and referred to Committee on Public Buildings and Grounds.

By Mr. Wade: Assembly Bill No. 683—An Act to amend sections two hundred and four, two hundred and five, and two hundred and eight of the Code of Civil Procedure, relating to trial and grand jurors.

Read first time, and referred to Committee on Judiciary.

By Mr. Stansell: Assembly Bill No. 684—An Act to amend an Act

entitled an Act to establish a Civil Code of the State of California, by adding a new section thereto, to be numbered section one thousand four hundred and twenty-three, defining water measurements.

Read first time, and referred to Committee on Irrigation.

By Mr. Barker: Assembly Bill No. 685—An Act to prevent the use of fraudulent marks on merchandise.

Read first time, and referred to Committee on Commerce and Navigation.

Also: Assembly Bill No. 686—An Act making an appropriation for the payment of R. J. Broughton for conveyance of Anna Campbell, an insane person, to the Napa Insane Asylum.

Read first time, and referred to Committee on Claims.

By Mr. Waymire: Assembly Bill No. 687—An Act to amend section three thousand eight hundred and eighty-one of the Political Code, relating to error, etc., on assessment roll, and the correction thereof.

Read first time, and referred to Committee on Judiciary.

By Mr. Bulla: Assembly Bill No. 688—An Act entitled an Act to amend section nine hundred and forty-six of the Code of Civil Procedure of the State of California.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 689—An Act to amend sections six hundred and sixty-eight and six hundred and seventy-one of an Act entitled "An Act to establish a Code of Civil Procedure," adopted March 11, 1872, relating to the lien of judgments of Federal Courts.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 690—An Act to amend section four thousand two hundred and thirty-five of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the lien of judgments of Federal Courts.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 691—An Act to amend section five hundred and twenty-six of the Code of Civil Procedure, relating to injunctions.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 692—An Act to add a new section to the Civil Code of California, in relation to the remedial powers of Courts of justice, and the terms and conditions of which relief may be granted, to be known and numbered as section three thousand two hundred and seventy-six of said Civil Code.

Read first time, and referred to Committee on Judiciary.

By Mr. Pendleton: Assembly Bill No. 693—An Act to create a State Board of Public Charities and Correction, and defining their powers and duties.

Read first time, and referred to Committee on Public Morals.

By Mr. Brusie: Assembly Bill No. 694—An Act appropriating money to pay the claim of the State Agricultural Society.

Read first time, and referred to Committee on Ways and Means.

By Mr. Coleman: Assembly Bill No. 695—An Act to amend section three thousand three hundred and ninety-eight of the Political Code, appointing the Surveyor-General locating agent in the United States Land Offices, and declaring the effect of selections accepted by the United States.

Read first time, and referred to Committee on Public Parks and Forestry.

By Mr. Dinkelspiel: Assembly Bill No. 696—An Act to pay the claim of Philip Bauer against the State of California, and to make an appropriation therefor.

Read first time, and referred to Committee on Claims.

JOINT RESOLUTIONS—(OUT OF ORDER).

By Mr. Merrill: Assembly Joint Resolution No. 15—Relative to the employment of the prisoners at the Folsom State Prison.

Read, and referred to Committee on State Prisons and Reformatory Institutions.

By Mr. Dinkelspiel:

ASSEMBLY JOINT RESOLUTION No. 16.

Relative to the proposed Pacific cable.

WHEREAS, The increasing necessity and great importance to the people of the United States, and particularly to the people of the State of California, is apparent, that the proposed "Pacific cable" between the United States of America and the Republic of Hawaii be undertaken, assisted and laid, without delay of our Government, if necessary; therefore, be it

Resolved, That our Senators and Representatives in Congress be earnestly requested to use their united efforts to secure the laying of said cable, and that the Governor be requested to transmit to each of said Senators and Representatives in Congress a copy of this resolution.

Read, and referred to Committee on Federal Relations.

INTRODUCTION OF BILLS—(RESUMED).

By Mr. Lynch: Assembly Bill No. 697—An Act to authorize the Treasurer of any county, or of any city and county of this State, to receive and disburse certain moneys.

Read first time, and referred to Committee on County and Township Governments.

Also: Assembly Bill No. 698—An Act to amend section one thousand two hundred and twenty-eight of the Code of Civil Procedure.

Read first time, and referred to Committee on Corporations.

Also: Assembly Bill No. 699—An Act to legalize certain acknowledgments.

Read first time, and referred to Committee on Judiciary.

By Mr. Brusie: Assembly Bill No. 700—An Act to provide for payment of a deficiency in the appropriation for aid to State Agricultural Society for the forty-sixth fiscal year.

Read first time, and referred to Committee on Ways and Means.

By Mr. Lynch: Assembly Bill No. 701—An Act to amend section sixteen of 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, 1887, relating to the powers and duties of the trustees of said hospital, also known as the Southern California State Asylum for the Insane and Inebriates.

Read first time, and referred to Committee on State Hospitals and Asylums.

CONSTITUTIONAL AMENDMENTS.

By Mr. Bledsoe: Assembly Constitutional Amendment No. 37—Proposed amendment to section one of article four of the Constitution, relating to legislation.

Read, and referred to Committee on Constitutional Amendments.

Also: Assembly Constitutional Amendment No. 38—To amend section one of article eighteen of the Constitution, relative to amendments.

Read, and referred to Committee on Constitutional Amendments.

Also: Assembly Constitutional Amendment No. 39—Proposed amendment to article four of the Constitution, by inserting section one and one half, relating to legislation.

Read, and referred to Committee on Constitutional Amendments.

By Mr. Cutter: Assembly Constitutional Amendment No. 40—A resolution to propose to the people of the State of California an amendment to section one of article eleven of the Constitution of the State of California.

Read, and referred to Committee on Constitutional Amendments.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON STATE PRISONS AND REFORMATORY INSTITUTIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 6, 1895.

MR. SPEAKER: Your Committee on State Prisons and Reformatory Institutions, to whom was referred Assembly Bill No. 240—An Act to repeal an Act entitled "An Act to establish Board of Parole Commissioners for the parole of and government of paroled prisoners," approved March 23, 1893—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also: Assembly Bill No. 357—An Act to amend an Act entitled "An Act to establish a State Reform School for Juvenile Offenders, and to make an appropriation therefor," approved March 11, 1889, and the Act amendatory thereto, approved March 23, 1893, by amending sections sixteen and eighteen of said Act, approved March 11, 1889, as amended, relating to the time for which boys and girls may be committed to said school, and the Courts having jurisdiction to commit minors thereto—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

LAIRD, Chairman.

RESOLUTION—(OUT OF ORDER).

By Mr. Brusie:

Resolved, That the Controller be and is hereby directed to draw his warrant against the Contingent Fund of the Assembly in favor of George C. Parkinson, Sergeant-at-Arms of the Assembly, for the sum of one hundred and ninety-five dollars, as per voucher hereto attached:

SACRAMENTO, CAL., February 6, 1895.

State of California, Dr., to Geo. C. Parkinson, Sergeant-at-Arms, Assembly:

130 yards matting, at 60 cents.....	\$78 00
Laying 130 yards matting, at 5 cents.....	6 50
2 door mats, at \$10.....	20 00
1 desk.....	22 50
Repairing two chairs, at \$1 50.....	3 00
1,400 pounds ice, at 1 cent.....	14 00
4 electric portables complete.....	40 00
4 electric sockets.....	2 00
25 feet twin wires.....	2 50
25 feet electric wires.....	1 50
Labor, fitting up portables.....	5 00
Total	\$195 00

Adopted.

MOTION.

Mr. Price moved to suspend the rules for the purpose of considering Assembly Bill No. 595.

Lost.

PETITION—(OUT OF ORDER).

Mr. Laird offered the following petition, and moved that the same be printed in full in the Journal.

So ordered.

Hon. JAMES T. LAIRD, Assemblyman from Modoc County, State of California

DEAR SIR: As requested by you to be informed of what changes in the laws of this State your constituents wished made, we beg leave to call your attention to the following:

1st—Repeal the coyote law

The unlimited supply in the adjacent States of Oregon, Nevada, Arizona, and Mexico is sufficient to seriously impair the finances of as great a State as California. The boundary lines between this State and the States named are not sufficiently well defined to prevent the unscrupulous and ignorant from either willfully or ignorantly violating the laws

The coyote is the enemy of the rabbit—a greater evil.

2d—Repeal the present road law.

It is more expensive and less beneficial than the old law. It is destructive to the political reputations of Supervisors, and if continued in force may result in no honorable man seeking this office

3d—Amend the law so as to compel all owners of artesian wells to limit the flow, except during the irrigation season, to what is absolutely necessary for domestic uses. The large wells in the lowest parts of our mountain valleys will soon exhaust the supply of all wells on higher ground.

We admit that the aristocracy of intellect is the only genuine aristocracy in a republican form of government, but we insist that its compensation should be reduced proportionately to that made in all kinds of physical labor during periods of retrenchment and reform, we therefore ask that

4th—The mileage of all members of Boards of Supervisors, for all except regular sessions, be cut down to one half the present allowance.

5th—The per diem of members of County Boards of Education be reduced to four dollars, and the mileage to thirty cents a mile one way, and the regular sessions be limited to eight days

6th—A horizontal reduction of from ten to twenty-five per cent be made in the salaries of all State and county officers.

Of course this does not include the per diem of Senators and Assemblymen. Their terms are short. If this cannot be done, then have Modoc put in a lower class of counties.

7th—Limit the number of Agricultural District Fairs and the appropriation therefor. As conducted at present they have degenerated into horse racing, and the days of the horse are past; other means of motion and power have destroyed his value.

8th—Reduce the per diem of witnesses in all civil suits to two dollars.

Many persons of moderate means resort to violence to redress their grievances because of the expenses of litigation.

9th—Either repeal the present aged indigent laws, or compel the counties to pay one half the expenses of maintaining these indigents.

The latter method will make Boards of Supervisors more careful in imposing this burden on taxpayers

10th—Exempt from taxation for a period of five years all railroads and depots constructed in counties not now penetrated by railroads

Modoc County wants a railroad more than anything else.

Lastly—Introduce and press to passage a resolution instructing our United States Senators and Congressmen to use all honorable methods to secure the remonetization of the silver dollar, and to make silver coin of the United States a legal tender in all private debts to the amount of fifty dollars, and in all public debts to one half the amount of the debt, with the privilege to the public creditor to receive silver certificates redeemable only in silver. To the extent that the volume of our coin currency or money is increased to that proportionate extent is the value of all property enhanced in value. This is the surest, safest, quickest, and most patriotic method to secure a return to prosperity, and insure employment to the great army of unemployed; and your petitioners will ever pray.

(Signed:) A. C. Young, John W. Taylor, Joseph Gonters, A. L. Org, T. H. Johnstone, John H. Bonner, Dwight Roys, Wm. T. Cressler, Gassom Baih, O. R. Whitaker, P. E. Weston, F. O. Monchamp, John A. Dyke, G. F. Hill, J. H. Hawkins, Jesse M. Allwood, Isaac Addington, O. R. Kistler, George P. Bissell, E. R. Wilson, Joseph D. Benet, A. J. Kistler, S. H. Claspill, A. L. Atwood, W. R. Smith, I. W. Cratty, O. W. Ward, John Page, A. M. Ward, Wm. Mullins, R. P. Jackey, I. M. Allenwood, William Dronillard, R. H.

Stanley, John Stewart, James Wylie, S. K. Dronillard, V. L. Smith, C. R. Suggeto, T. H. Garrett, G. W. Wilson, John Wheeler, J. R. Cook, Wm Milton, J. W. Mikel, H. W. Long, David Holton, Z. W. Reynolds, S. J. Vernon, W. S. Jacobs, D. J. Daugherty, Gideon Sherman, Mart Harris, J. E. Dees, J. M. Thompson, W. B. King, F. S. Heard, P. K. Heard, I. N. Jacobs.

MOTION.

Mr. Dixon moved that the use of the Assembly Chamber be granted the ladies advocating the Woman Suffrage Bill, to-morrow evening.

Ayes and noes demanded by Messrs. Spencer, Dinkelspiel, and Powers.

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

AYES—Messrs Bachman, Barker, Bassford, Belshaw, Bennett, Bledsoe, Boothby, Brusie, Bulla, Butler, Coleman, Cutter, Dale, Davis, Dinkenspiel, Dixon, Dodge, Dunbar, Ewing, Fassett, Freeman, Gav, Glass, Hall, Huber, Hudson, Johnson, Jones, Keen, Kelsey, Kenyon, Laird, Meads, McKelvey, Merrill, North, Osborn, Phelps, Powers, Price, Richards, Rowell, Staley, Spencer, Tibbits, Tomblin, Wade, Waymire, Weyse, Wilkinson, Zocchi, and Mr. Speaker—52.

NOES—Messrs. Ash, Cargill, Coghlin, Devitt, Devine, Healey, Holland, McCarthy, Reid, Robinson, and Twigg—11.

EXPENSE BILL.

By Mr. North: Bill of Expense—In the matter of the contest by H. M. Collins of the right of J. B. McDonald to hold the office of Assemblyman in Forty-ninth Assembly District.

Read, and referred to Committee on Contested Elections.

UNFINISHED BUSINESS—RESOLUTION.

By Mr. Laugenour:

Resolved, That committee clerks be paid their per diem for the actual number of days they work, and the Chairmen of the different committees are hereby instructed to report to the Assembly the actual number of days for which the clerks are entitled to pay under this resolution.

Mr. Laugenour moved the adoption of the resolution.

Mr. Dinkelspiel moved that the consideration of the resolution be indefinitely postponed.

ADJOURNMENT.

Pending the consideration of the motion, at twelve o'clock and twenty minutes P. M., on motion of Mr. Boothby, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Friday, February 8, 1895. }

The Assembly met pursuant to adjournment.

Speaker Lynch in the chair.

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

Messrs. Ash, Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Bledsoe, Bulla, Butler, Cargill, Coghlin, Cutter, Dale, Davis, Devitt, Devine, Dinkelspiel, Dixon, Dodge, Dunbar, Ewing, Freeman, Gay, Glass, Guy, Hall, Hatfield, Holland, Huber, Hudson, Johnson,

Jones, Keen, Kelsey, Kenyon, Laird, Laugenour, Lewis, Llewellyn, Meads, McKelvey, Merrill, Nelson, North, O'Day, Osborn, Phelps, Powers, Price, Reid, Richards, Robinson, Rowell, Sanford, Staley, Stansell, Spencer, Swisler, Tibbits, Tomblin, Wade, Weyse, Wilkinson, Zocchi, and Mr. Speaker

Quorum present.

LEAVE OF ABSENCE.

Messrs. McDonald, Dwyer, Powers, Richards, Dinkelspiel, and Gay were granted leave of absence until Monday. Mr. Fassett was granted leave of absence for the day.

The Committee on State Prisons and Reformatory Institutions was granted leave of absence until Monday.

Mr. Wilkins was granted leave of absence by the Speaker, on account of sickness.

PRAYER.

Prayer by the Chaplain, Rev. O. Summers.

READING OF THE JOURNAL.

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

So ordered.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 8, 1895.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following has been correctly engrossed: Assembly Constitutional Amendment No. 33—Relative to amending the Constitution of the State of California by repealing sections four and five of article thirteen, and by amending section one of said article

WILKINSON, Chairman.

SPECIAL ORDER.

Assembly Constitutional Amendment No. 33—Relative to amending the Constitution of the State of California by repealing sections four and five of article thirteen, and by amending section one of said article.

Mr. Davis moved to amend as follows:

By inserting in section one, line seven, the words "irrigation district" after word "county."

Lost.

The question being on the adoption of the amendment.

The roll was called, and Assembly Constitutional Amendment No. 33 was lost by the following vote:

AYES—Messrs. Bachman, Bassford, Belshaw, Bennett, Berry, Bettman, Brusie, Bulla, Butler, Devine, Dinkelspiel, Dixon, Freeman, Gay, Glass, Guy, Hall, Hatfield, Holland, Huber, Keen, Kelsey, Kenyon, Laird, Merrill, North, O'Day, Osborn, Price, Reid, Robinson, Rowell, Sanford, Staley, Swisler, Tibbits, Thomas, Tomblin, Waymire, Weyse, and Mr. Speaker—41.

NOES—Messrs. Ash, Barker, Bledsoe, Boothby, Cargill, Coghlin, Dale, Davis, Devitt, Dodge, Dunbar, Ewing, Hudson, Johnson, Jones, Laugenour, Lewis, Meads, Nelson, Pendleton, Phelps, Powers, Richards, Stansell, Spencer, Wade, Wilkinson, and Zocchi—28.

NOTICE OF RECONSIDERATION.

Mr. Pendleton gave notice that on next legislative day he would move to reconsider the vote whereby Assembly Constitutional Amendment No. 33 was defeated in the Assembly.

REPORTS OF STANDING COMMITTEES.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, February 8, 1895.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 140—An Act to amend section three hundred and twenty-four of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to the transfer of shares of stock of corporations, and making the shares of corporations engaged in certain business transferable as appurtenances to real property.

Also: Assembly Bill No. 396—An Act to amend section two hundred and twenty-four of the Civil Code, regarding the adoption of children.

Also: Assembly Bill No. 476—An Act to amend sections one thousand three hundred and six and one thousand three hundred and seven of the Civil Code, relating to wills.

Also: Assembly Bill No. 478—An Act to amend sections nine hundred and thirty-nine, nine hundred and forty-three, and nine hundred and sixty-three of the Code of Civil Procedure, concerning appeals

Also: Assembly Bill No. 518—An Act to amend sections ten and one hundred and thirty-four of the Code of Civil Procedure of the State of California, relating to legal holidays and non-judicial days

Also: Assembly Bill No. 519—An Act to amend section seven of the Civil Code of the State of California, relating to legal holidays and non-judicial days.

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

Also: Assembly Bill No. 477—An Act to amend sections two thousand and twenty-one, two thousand and thirty-one, and two thousand and thirty-two of the Code of Civil Procedure, relating to depositions of witnesses in this State—have had the same under consideration, and a majority of your committee respectfully report the same back, and recommend that it do pass as amended, and a minority recommend that it do not pass.

Also: Assembly Bill No. 71—An Act to amend section three thousand seven hundred and ninety-four and section three thousand six hundred and eight of the Political Code of this State, relating to assessment and taxation.

Also: Assembly Bill No. 530—An Act to amend section three thousand five hundred and fifty-five, article six, part three, title eight, of the Political Code of California, concerning the entering and payment of costs in cases of judgment rendered against delinquent purchasers of State land.

Also: Assembly Bill No. 296—An Act to amend section three thousand seven hundred and eighty-five of the Political Code, relating to making deeds to property sold for taxes, giving notice thereof, and directing the State Controller to act for the State.

Have had the same under consideration, and respectfully report the same back, and recommend that they be referred to the Sub-Committee on Revenue and Taxation.

Also: Assembly Bill No. 529—An Act to amend section three hundred and ninety-four of the Code of Civil Procedure of California, concerning the commencement of actions—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended

Also: Assembly Bill No. 596—An Act to promote safety at railroad grade crossings—have had the same under consideration, and respectfully report the same back, and a majority recommend that it do not pass, and a minority recommend that it do pass.

Also: Assembly Bill No. 313—An Act to amend sections one and two of an Act entitled "An Act to define the duties and liabilities of pawnbrokers and pledges," approved April 17, 1861

Also: Assembly Bill No. 555—An Act to amend section nine hundred and fifty-six of the Code of Civil Procedure, relating to appeals in civil cases

Have had the same under consideration, and respectfully report the same back without recommendation.

Also: Assembly Bill No. 491—An Act to prevent waste on mortgaged premises, and providing for the punishment for a violation thereof.

Also: Assembly Bill No. 651—An Act to repeal an Act entitled "An Act to authorize suits against the State, and regulating the procedure therein," approved February 28, 1893.

Have had the same under consideration, and respectfully report the same back, and recommend that the authors be allowed to withdraw them

Also: Assembly Bill No. 492—An Act to amend section one hundred and sixty as amended March 15, 1887, of "An Act to establish a Code of Civil Procedure," adopted

March 11, 1872, relating to the holding of Superior Court by Superior Judges of other counties, and providing for their actual expenses.

Also: Assembly Bill No. 539—An Act to amend section fourteen of "An Act for the more effectual prevention of cruelty to animals," approved March 20, 1874.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

BULLA, Chairman.

Assembly Bills Nos. 71, 530, and 296 referred to Sub-Committee on Revenue and Taxation.

ON COMMERCE AND NAVIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 7, 1895.

MR. SPEAKER: Your Committee on Commerce and Navigation, to whom was referred Assembly Bill No. 386—An Act to enable the State of California to purchase the right to make, use, and vend a patented improvement in a composition for protecting piles—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 Bill No. 434—An Act to repeal an Act entitled an Act to declare Lake Earl, in Del Norte County, navigable—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Assembly Bill No. 572—An Act to provide for the erection of a suspension bridge over the Klamath River, below tide water, in Del Norte County, California—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

DIXON, Chairman.

ON CONSTITUTIONAL AMENDMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, February 7, 1895.

MR. SPEAKER: Your Committee on Constitutional Amendments, to whom was referred Assembly Constitutional Amendment No. 35—Proposed amendment to the Constitution, relative to revenue and taxation.

Also: Assembly Constitutional Amendment No. 36—Proposed amendment to section seventeen of article one of the Constitution, relative to ownership of property by aliens.

Also: Senate Constitutional Amendment No. 8—Proposed constitutional amendment to section five of article two, relative to the manner of voting.

Have had the same under consideration, and respectfully report the same back, and recommend that they be adopted.

Also: Assembly Constitutional Amendment No. 8—Proposed amendment to article thirteen of the Constitution, relative to revenue and taxation—have had the same under consideration, and respectfully report the same back, and recommend that the author be permitted to withdraw the same.

WAYMIRE, Chairman.

ON CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 8, 1895

MR. SPEAKER: Your Committee on Corporations, to whom was referred Assembly Bill No. 384—An Act to amend sections four hundred and ninety-nine and five hundred and one of the Civil Code of the State of California, relating to street railroads—have had the same under consideration, and respectfully report the same back, with a substitute therefor, and recommend that the substitute do pass.

PENDLETON, Chairman.

WITHDRAWAL OF BILL.

Assembly Bill No. 384 was withdrawn.

INTRODUCTION OF BILL—(OUT OF ORDER).

By Committee on Corporations: Assembly Bill No. 702 (Committee Substitute for Assembly Bill No. 384)—An Act to amend sections four hundred and ninety-nine and five hundred and one of the Civil Code of the State of California, relating to street railroads, and to repeal an Act entitled "An Act to limit and fix the rates of fares on street

railroads in cities and towns of more than one hundred thousand inhabitants," approved January 1, 1878.

Read first time, and placed on file.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON MINES AND MINING.

ASSEMBLY CHAMBER, SACRAMENTO, February 8, 1895.

MR. SPEAKER: Your Committee on Mines and Mining to whom was referred Assembly Bill No. 90—have had the same under consideration, and respectfully report the same back, and recommend that same do pass as amended

THOMAS, Chairman.

ON MILEAGE.

ASSEMBLY CHAMBER, SACRAMENTO, February 7, 1895.

MR. SPEAKER. Your Committee on Mileage, to whom was referred Assembly Bill No. 330—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

STALEY, Chairman.

ON FISH AND GAME.

ASSEMBLY CHAMBER, SACRAMENTO, February 4, 1895.

MR. SPEAKER: Your Committee on Fish and Game, to whom was referred Assembly Bill No. 161—An Act to amend an Act to provide for the restoration and preservation of fish in the waters of this State," approved April 2, 1870, by adding thereto an additional section, numbered section twelve, relative to the preservation of fish placed in streams for the purpose of propagation—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

BASSFORD, Chairman.

At ten o'clock and seven minutes A. M. the Speaker called Mr. Pendleton to the chair.

ON COUNTY AND TOWNSHIP GOVERNMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, February 8, 1895.

MR. SPEAKER: Your Committee on County and Township Governments, to whom was referred Senate Bill No. 226—An Act to provide for the appointment and election of an additional Judge for the county of Humboldt—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

DODGE, Chairman.

WITHDRAWAL AND SUBSTITUTION OF BILL.

Mr. Dodge moved that Assembly Bill No. 226 be withdrawn, and Senate Bill No. 159 be substituted therefor.

So ordered.

SENATE MESSAGES.

SENATE CHAMBER, SACRAMENTO, February 8, 1895.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the seventh day of February, 1895, passed Senate Bill No. 429—An Act making an appropriation for the purchase of furniture for the new ward building of the Southern California State Asylum for the Insane and Inebriates.

F. J. BRANDON, Secretary.
By E. J. ENSIGN, Assistant.

RESOLUTION.

By Mr. Lynch:

Resolved, That Senate Bill No. 429 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions 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. Ash, Bachman, Bassford, Belshaw, Bennett, Berry, Bettman, Bledsoe, Boothby, Brusie, Bulla, Butler, Coleman, Coghlin, Dale, Davis, Devitt, Dinkelspiel, Dixon, Dodge, Dunbar, Ewing, Freeman, Gay, Glass, Guy, Hall, Hatfield, Holland, Huber, Hudson, Johnson, Jones, Keen, Kelsey, Kenyon, Laird, Laugenour, Lewis, Meads, McKelvey, Merrill, Nelson, North, O'Day, Osborn, Pendleton, Phelps, Powers, Price, Richards, Robinson, Rowell, Sanford, Staley, Stansell, Spencer, Swisler, Tibbits, Tomblin, Wade, Waymire, Weyse, Wilkinson, and Mr. Speaker—65
NOES—None.

Senate Bill No. 429—An Act making an appropriation for the purchase of furniture for the new ward building of the Southern California State Asylum for the Insane and Inebriates.

Read first and second times.

MOTION.

Mr. Lynch moved that the Assembly resolve itself into Committee of the Whole, with Mr. Pendleton in the chair, for the purpose of considering Senate Bill No. 429.

So ordered.

IN COMMITTEE OF THE WHOLE.

Mr. Pendleton in the chair.

Senate Bill No. 429 was considered in Committee of the Whole.

IN ASSEMBLY.

Mr. Pendleton in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 429—An Act making an appropriation for the purchase of furniture for the new ward building of the Southern California State Asylum for the Insane and Inebriates—and now report and recommend that the same do pass.

PENDLETON, Chairman.

Bill considered engrossed and ordered to third reading.

THIRD READING OF BILL.

Senate Bill No. 429—An Act making an appropriation for the purchase of furniture for the new ward building of the Southern California State Asylum for the Insane and Inebriates.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Bachman, Bassford, Belshaw, Bennett, Berry, Bettman, Bledsoe, Boothby, Brusie, Bulla, Butler, Coleman, Cutter, Dale, Davis, Devine, Dixon, Dodge, Dunbar, Ewing, Freeman, Gay, Glass, Guy, Hall, Hatfield, Holland, Huber, Hudson,

Johnson, Jones, Keen, Kelsey, Kenyon, Laird, Laugenour, Lewis, Meads, McKelvey, Nelson, North, Osborn, Pendleton, Phelps, Powers, Richards, Rowell, Staley, Stansell, Swister, Tibbits, Tomblin, Wade, Waymire, Weyse, Zocchi, and Mr. Speaker—58.
Nones—None.

Title read and approved.

Mr. Lynch moved that Senate Bill No. 429 be immediately transmitted to the Senate.

So ordered.

At ten o'clock and twenty-five minutes A. M. Speaker Lynch resumed the chair.

INTRODUCTION OF BILLS.

The following bills were introduced, read first time, and referred to committees, as follows:

By Mr. Huber: Assembly Bill No. 703—An Act to regulate the employment of laborers and mechanics on public works.

Read first time, and referred to Committee on Labor and Capital.

By Mr. Dixon: Assembly Bill No. 704—An Act to amend section one thousand and forty-three of the Political Code, relating to special elections.

Read first time, and referred to Committee on Election Laws.

Also: Assembly Bill No. 705—An Act to regulate the granting of franchises to lay down railroad tracks upon streets and avenues in cities, or cities and counties, having one hundred thousand or more inhabitants.

Read first time, and referred to San Francisco Delegation.

By Mr. Meads: Assembly Bill No. 706—An Act to provide for the formation of protection districts in the various counties of this State, for the improvement and rectification of the channels of unnavigable streams, for the prevention of the overflow thereof, by widening, deepening, and straightening, and otherwise improving the same, and to authorize the Board of Supervisors to levy and collect assessments from the property benefited to pay the expenses of the same.

Read first time, and referred to Committee on Swamp and Overflowed Lands.

By Mr. Freeman: Assembly Bill No. 707—An Act making an appropriation to pay the deficiency in the appropriation for the support of the Southern California State Asylum for the Insane and Inebriates for the forty-fifth and forty-sixth fiscal years.

Read first time, and referred to Committee on State Hospitals and Asylums.

Also: Assembly Bill No. 708—An Act making an appropriation to pay the deficiency in the appropriation for the erection of additional buildings and improvements for the Southern California State Asylum for the Insane and Inebriates.

Read first time, and referred to Committee on State Hospitals and Asylums.

Also: Assembly Bill No. 709—An Act making an appropriation to pay the indebtedness incurred by the Board of Trustees of the Southern California State Asylum for the Insane and Inebriates, in providing a refrigerator for said asylum.

Read first time, and referred to Committee on State Hospitals and Asylums.

By Mr. Hatfield: Assembly Bill No. 710—An Act making an appropriation to pay the deficiency in the appropriation for the transportation of insane for the forty-fourth fiscal year.

Read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 711—An Act making an appropriation to pay the deficiency in the appropriation for payment of transportation of children to the State Reform School for Juvenile Offenders for the forty-third and forty-fourth fiscal years.

Read first time, and referred to Committee on Ways and Means.

By Mr. Waymire: Assembly Bill No. 712—An Act for the relief of Prof. John C. Pelton, and to appropriate money therefor.

Read first time, and referred to Committee on Ways and Means.

By Mr. Dodge: Assembly Bill No. 713—An Act relating to certain contracts for the conditional sale, lease, or hire of railroad and street railway equipment and rolling stock, and providing for the recording thereof.

Read first time, and referred to Committee on Corporations.

By Mr. Cutter: Assembly Bill No. 714—An Act to provide for the organization and government of drainage districts, for the drainage of agricultural lands other than swamp and overflowed lands.

Read first time, and referred to Committee on Swamp and Overflowed Lands.

By Mr. Merrill: Assembly Bill No. 715—An Act to amend section one thousand and forty-three of the Political Code of the State of California, concerning special elections.

Read first time, and referred to Committee on Election Laws.

By Mr. McKelvey: Assembly Bill No. 716—An Act entitled an Act to amend the Political Code by adding a new section thereto, to be known as section three thousand nine hundred and fifty-nine, relating to the fixing of the boundaries of Orange County.

Read first time, and referred to Committee on Counties and County Boundaries.

By Mr. Belshaw: Assembly Bill No. 717—An Act to repeal an Act entitled "An Act creating a Commissioner of Public Works, defining his duties and powers, prescribing his compensation, and making appropriation," approved March 24, 1893.

Read first time, and referred to Committee on Retrenchment and Public Expenditures.

By Mr. Price (by request): Assembly Bill No. 718—An Act to amend section one hundred and forty-three of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 24, 1893, said amended section relating to the duties of County Surveyors.

Read first time, and referred to Committee on County and Township Governments.

Also (by request): Assembly Bill No. 719—An Act to amend section one hundred and forty-three of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 24, 1893, said amended section relating to the duties of County Surveyors.

Read first time, and referred to Committee on County and Township Governments.

Also (by request): Assembly Bill No. 720—An Act to amend section three thousand six hundred and fifty-eight of an Act entitled "An Act

to establish a Political Code," approved March 12, 1872, relating to the furnishing of the County Assessor with maps.

Read first time, and referred to Committee on County and Township Governments.

Also (by request): Assembly Bill No. 721—An Act to amend section three thousand six hundred and fifty-eight of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the furnishing of the County Assessor with maps.

Read first time, and referred to Committee on County and Township Governments.

Also (by request): Assembly Bill No. 722—An Act to amend section three thousand six hundred and seventy-eight of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the annual preparation of an abstract of all mortgages, deeds of trust, contracts, and other obligations by which any debt is secured.

Read first time, and referred to Committee on County and Township Governments.

Also: Assembly Bill No. 723—An Act to amend section three thousand six hundred and seventy-eight of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the annual preparation of an abstract of all mortgages, deeds of trust, contracts, and other obligations by which any debt is secured.

Read first time, and referred to Committee on County and Township Governments.

By Mr. Laugenour (by request): Assembly Bill No. 724—An Act relating to the qualifications of persons to hold office, and of deputies under them, and of attachés of the Legislature other than Senators or Assemblymen.

Read first time, and referred to Committee on Attachés and Employés.

By Mr. Brusie: Assembly Bill No. 725—An Act making an appropriation to pay the deficiency in the appropriation for salary of Secretary of State Board of Examiners, for the forty-fourth fiscal year.

Read first time, and referred to Committee on Ways and Means.

By Mr. Belshaw: Assembly Bill No. 726—An Act to repeal an Act entitled "An Act to provide for the appointment, duties, and compensation of a Debris Commissioner, and to make an appropriation to be expended under his direction in the discharge of his duties as such Commissioner," approved March 24, 1893.

Read first time, and referred to Committee on Retrenchment and Public Expenditures.

RESOLUTION.

By Mr. Pendleton :

Resolved, That the State Controller be and he is hereby directed to draw his warrant for twenty dollars and ninety-five cents in favor of R. M. Richardson, for service rendered the Committee on Retrenchment and Public Expenditures, as stenographer, said warrant to be payable from the appropriation for the contingent expenses of the Assembly.

Adopted.

PETITIONS.

By Mr. Spencer: Petition by citizens of the State asking for the enactment of a Sabbath law.

Referred to Committee on Public Morals.

By Mr. Tomblin: A petition from Gazelle, Siskiyou County, California, praying the Legislature to give full suffrage to women.

Referred to Committee on Election Laws.

By Mr. Glass: From the citizens of Santa Maria Valley, asking the appropriation of twenty-five thousand dollars for the construction, under the superintendence of a State engineer, of a bulkhead wingdam at the confluence of the Santa Maria and Sisquoc Rivers, and of other wingdams along the Santa Maria River, to keep said river in its proper channel.

Referred to Committee on Commerce and Navigation.

By Mr. Tibbits: From a large number of citizens of the State of California, asking the passage of such a Sabbath law as will be founded upon and agreeable to the moral law of God, and that will not do wrong to any class of citizens.

Referred to Committee on Public Morals.

BILL OF EXPENSE.

By Mr. North: Of J. B. McDonald, in the matter of election contest of H. M. Collins versus J. B. McDonald.

Referred to Committee on Contested Elections.

PETITIONS.

By Mr. Price: From the citizens of Sonoma County, asking the enactment of such a Sabbath law as will be founded upon and agreeable to the moral law of God, and that will not do wrong to any class of citizens.

Referred to Committee on Public Morals.

By Mr. Bledsoe: From citizens of Humboldt County, California, protesting against the passage of a bill abolishing the District Fairs.

Referred to Committee on Agriculture.

RESOLUTION.

By Mr. Laird:

Resolved, That the Controller of State be and he is hereby authorized to draw his warrant, and the Treasurer is directed to pay same, payable out of the fund for the contingent expenses of the Assembly, in favor of L. H. Brown, Secretary of State, for the sum of nine hundred and fifty-six dollars and twenty-five cents, being for eighty-five sets pocket Codes, authorized by resolution of January 21, 1895, which was as follows:

Resolved, That the Secretary of State be authorized to purchase, and to be paid for out of the contingent expenses of the Assembly, eighty-five copies of the latest pocket edition of the Codes of California, one set to be furnished each member of the Assembly."

Referred to Committee on Ways and Means.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON COUNTIES AND COUNTY BOUNDARIES—MINORITY REPORT.

ASSEMBLY CHAMBER, SACRAMENTO, February 7, 1895.

MR. SPEAKER: Your Committee on Counties and County Boundaries, to whom was referred Assembly Bill No 504—An Act to provide for the formation of new counties, and the appointment and election of officers, the location of county seats thereof, and the adjustment and fulfillment of certain rights and obligations arising between such counties and other counties.

Also: Assembly Bill No. 473—An Act to provide for the formation, organization, and classification of new counties, for locating the county seats, for the election and appointment of officers, and for the adjustment and fulfillment of the rights and obligations arising between such new counties and other counties

Have had the same under consideration, and the following minority report the same back, and recommend that Assembly Bill No. 473 do not pass, and that Assembly Bill No. 504 do pass.

TWIGG.
STANSELL.
DALE.
BOOTHBY.

SPECIAL ORDER POSTPONED.

At eleven o'clock A. M. Mr. Brusie moved that Assembly Bill No. 617, special order for this hour, be postponed till eleven o'clock and thirty minutes.

So ordered.

UNFINISHED BUSINESS.

Mr. Bledsoe moved that the Assembly do now proceed to consider Mr. Phelps' resolution.

So ordered.

RESOLUTION.

By Mr. Phelps (on behalf of the Committee on Retrenchment and Public Expenditures):

Resolved, That the pay of Lee Fairchild, Assistant Enrolling Clerk, be reduced from eight dollars per day to five dollars per day; and that the services of the following attachés of the Assembly be dispensed with, viz.: C. A. Tyrrel, Doorkeeper; J. Currington, Assistant Journal Clerk; John Massie, Porter; T. J. Smith, Porter; A. S. Vischer, Assistant Journal Clerk; Miss C. H. Hayden, Assistant Journal Clerk; George Hatton, Assistant Engrossing Clerk; Thomas Haskins, Watchman; L. W. Avery, Folding Clerk; J. B. Horton, Assistant Engrossing Clerk; G. V. Vandever, Assistant History Clerk; W. W. Colm, Watchman; D. G. Holt, Assistant Clerk; Miss C. H. Boyden, Assistant Journal Clerk; W. Rice, Assistant Enrolling Clerk; L. B. Corotto, Watchman; Horace Howard, Page to Sergeant-at-Arms; J. Brooks, Assistant Clerk.

Mr. Pendleton moved that the resolution be referred to Committee on Attachés and Employés.

So ordered.

Mr. Laugenour asked the consideration of his resolution.

So ordered.

RESOLUTION.

By Mr. Laugenour:

Resolved, That those employed in the engrossing-room be and they are hereby excused from answering roll call at nine o'clock in the morning.

Lost.

INTRODUCTION OF BILLS—(OUT OF ORDER).

The following bills were introduced, read first time, and referred to committees, as follows:

By Mr. McCarthy: Assembly Bill No. 727—An Act prohibiting the storage of inflammable and combustible material within the fire limits of cities, and cities and counties.

Read first time, and referred to Committee on Municipal Corporations.

By Mr. Waymire: Assembly Bill No. 728—An Act to amend section six hundred and ninety of an Act entitled "An Act to establish a Code of Civil Procedure," adopted March 11, 1872, by adding a new article,

exempting seamen's and fishermen's wages from execution on attachment.

Read first time, and referred to Committee on Judiciary.

By Mr. Dinkelspiel: Assembly Bill No. 729—An Act to amend section three hundred and forty of the Code of Civil Procedure, relative to the time of commencing actions.

Read first time, and referred to Committee on Judiciary.

CONSTITUTIONAL AMENDMENT.

By Mr. Waymire: Assembly Constitutional Amendment No. 41—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending section six of article nine thereof, relative to the public school system.

Read, and referred to Committee on Constitutional Amendments.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, February 8, 1895.

MR. SPEAKER: Your Committee on Rules, to whom was referred the following amendment to the rules submitted by Mr. Bulla, by striking out of section one the words "nine o'clock and thirty minutes" and inserting the following: "ten o'clock"—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

DINKELSPIEL, Chairman.

Adopted.

RE-REFERENCE OF BILLS.

Assembly Bill No. 335 was recalled from Judiciary Committee and referred to Committee on Election Laws.

Assembly Bill No. 133 was ordered re-referred to Committee on Commerce and Navigation.

Assembly Bill No. 30 was re-referred to Committee on Judiciary.

Assembly Bill No. 441 was re-referred to Committee on Education.

SPECIAL FILE.

Assembly Bill No. 452—An Act making an appropriation to pay the deficiency in the appropriation for the transportation of prisoners for the forty-third fiscal year.

Read second time.

Assembly Bill No. 374—An Act making an appropriation to pay the deficiency in the appropriation for the support of the State Insane Asylum at Stockton, California, for the forty-fourth and forty-fifth fiscal years.

Read second time.

Assembly Bill No. 454—An Act making an appropriation to pay the deficiency in the appropriation for postage, expressage, and telegraphing, Secretary of State's office, for the forty-fifth and forty-sixth fiscal years.

Read second time.

Assembly Bill No. 17—An Act making an appropriation to pay the

deficiency in the appropriation for the support of the State Normal School at Los Angeles for the forty-sixth fiscal year.

Read second time.

Assembly Bill No. 188—An Act making an appropriation for support of the Southern California State Asylum for the Insane and Inebriates for the forty-sixth fiscal year.

Passed, to retain its place on file.

Assembly Bill No. 456—An Act making an appropriation to pay the deficiency in the appropriation for arresting criminals without the State for the forty-third and forty-fourth fiscal years.

Read second time.

MOTION.

Mr. Brusie moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Assembly Bills Nos. 452, 374, 454, 17, and 456.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Lynch in the chair.

Assembly Bills Nos. 452, 374, 454, 17, and 456 were considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Lynch 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 following, viz.:

Assembly Bill No. 452—An Act making an appropriation to pay the deficiency in the appropriation for the transportation of prisoners for the forty-third fiscal year.

Also: Assembly Bill No. 374—An Act making an appropriation to pay the deficiency in the appropriation for the support of the State Insane Asylum at Stockton, California, for the forty-fourth and forty-fifth fiscal years.

Also: Assembly Bill No. 454—An Act making an appropriation to pay the deficiency in the appropriation for postage, expressage, and telegraphing, Secretary of State's office, for the forty-fifth and forty-sixth fiscal years.

Also: Assembly Bill No. 17—An Act making an appropriation to pay the deficiency in the appropriation for the support of the State Normal School at Los Angeles for the forty-sixth fiscal year.

Also: Assembly Bill No. 456—An Act making an appropriation to pay the deficiency in the appropriation for arresting criminals without the State for the forty-third and forty-fourth fiscal years.

And now report, and recommend that the same do pass.

LYNCH, Chairman.

Assembly Bills Nos. 452, 374, 454, 17, and 456 ordered engrossed and to third reading.

SPECIAL FILE—(RESUMED).

Assembly Constitutional Amendment No. 6—Proposed amendment to section seven of article one of the Constitution, relative to juries.

Passed, to retain its place on file.

Assembly Constitutional Amendment No. 4—Proposed amendment

to section one of article thirteen of the Constitution, relative to revenue and taxation.

Passed, to retain its place on file.

Assembly Constitutional Amendment No. 18—A resolution to propose to the people of the State of California an amendment to section five of article eleven of the Constitution of the State of California, relating to the classification of counties.

Passed, to retain its place on file.

Assembly Constitutional Amendment No. 17—Constitutional amendment proposing to the people of the State an amendment to section one of article thirteen of the Constitution, relative to exemptions from taxation.

Passed, to retain its place on file.

Assembly Constitutional Amendment No. 7—A resolution proposing an amendment to section seven, article six, of the Constitution of the State of California, relative to departments, and providing for additional departments of the Superior Courts of the respective counties, and cities and counties, of the State, and to provide for an interchange of Judges among the different counties, when necessary to dispose of accumulated business.

Passed, to retain its place on file.

Assembly Constitutional Amendment No. 11—A resolution to propose to the people of the State of California an amendment to section one of article two of the Constitution, in relation to the right of suffrage.

Passed, to retain its place on file.

MOTION.

Mr. Bledsoe moved that the Assembly do now take up the third-reading file.

So ordered.

GENERAL FILE—THIRD READING OF BILLS.

Assembly Bill No. 24—An Act to amend chapter seven, part three, title nine, of the Political Code of the State of California, relating to the collection of property taxes, by adding a new section thereto, to be known as section three thousand seven hundred and forty-six and one half.

Passed, to retain its place on file.

Assembly Bill No. 30—An Act for the protection of the records of the several counties of the State of California, and regulating the business of abstracting in relation thereto.

Re-referred to Committee on Judiciary.

Assembly Bill No. 31—An Act to amend section one thousand five hundred and thirty-nine of the Code of Civil Procedure, relative to hearing of petition for order to sell real estate of decedents.

Mr. Bulla, the author, requested to withdraw the same.

So ordered.

Assembly Bill No. 33—An Act to amend section one thousand five hundred and eighty-two of the Code of Civil Procedure, relating to the right of executors and administrators to sue and be sued to determine title or to recover property.

Mr. Bulla, for the author, requested to withdraw the same.
So ordered.

Assembly Bill No. 34—An Act to amend section one thousand five hundred and sixty-one of the Code of Civil Procedure, relating to the confirmation of sales made without order of Court.

Mr. Bulla, for the author, requested to withdraw the same.
So ordered.

Assembly Bill No. 12—An Act to amend section three thousand and forty-six of the Civil Code of the State of California, relating to vendors' liens, and the transfer and satisfaction thereof.

Passed, to retain its place on file.

Assembly Bill No. 78—An Act to amend section nine hundred and fifty-four of the Code of Civil Procedure, relating to dismissal of appeals.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Barker, Bassford, Bennett, Berry, Bettman, Bledsoe, Brusie, Bulla, Butler, Cargill, Coghlin, Dale, Davis, Devitt, Dinkelspiel, Dixon, Dunbar, Ewing, Freeman, Glass, Guy, Hall, Hatfield, Healey, Holland, Huber, Hudson, Johnson, Jones, Keen, Kenyon, Laird, Laugenour, McCarthy, McKelvey, Nelson, O'Day, Osborn, Pendleton, Phelps, Powers, Price, Sanford, Staley, Swisler, Tibbits, Tomblin, Wade, Waymire, and Weyse—51.

NOES—None.

Title read and approved.

Assembly Bill No. 361—An Act to amend section one thousand four hundred and sixteen of the Civil Code of this State, relating to water rights.

Passed, to retain its place on file.

Assembly Bill No. 62—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 21, 1872, by adding thereto two sections, to be known as sections one thousand eight hundred and eighty-two and one thousand eight hundred and eighty-five, being a part of part four, title two, chapter two, concerning witnesses.

Passed, to retain its place on file.

Assembly Bill No. 39—An Act to amend section one thousand two hundred and seven of the Civil Code, relating to notice and certified copies of records as evidence.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Barker, Bassford, Bennett, Berry, Bettman, Bledsoe, Bulla, Butler, Cargill, Dale, Davis, Dinkelspiel, Dixon, Dodge, Dunbar, Glass, Guy, Hatfield, Holland, Huber, Hudson, Jones, Keen, Kelsey, Kenyon, Laird, Laugenour, McCarthy, McKelvey, Nelson, North, O'Day, Osborn, Phelps, Powers, Reid, Rowell, Sanford, Staley, Swisler, Tibbits, Wade, Waymire, Weyse, and Mr. Speaker—46.

NOES—None.

Title read and approved.

Assembly Bill No. 38—An Act to amend section one thousand one hundred and ninety-one of the Civil Code, relating to the form of acknowledgment by married women.

Mr. Bulla, for the author, requested to withdraw the same.

So ordered.

Assembly Bill No. 202—An Act to amend section one hundred and

forty-two of the Code of Civil Procedure, relating to places of holding courts.

Passed, to retain its place on file.

Assembly Bill No. 174—An Act to amend sections one thousand eight hundred and fifty-nine and one thousand eight hundred and sixty of the Civil Code, prescribing and limiting the liability of innkeepers, hotel-keepers, boarding and lodging house keepers, for personal property of their guests, boarders, and lodgers, intrusted to their care.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Bachman, Barker, Bassford, Bennett, Berry, Bettman, Bulla, Butler, Cargill, Cutter, Dale, Davis, Dinkelspiel, Dixon, Dunbar, Freeman, Gay, Glass, Guy, Hall, Hatfield, Holland, Huber, Hudson, Johnson, Jones, Keen, Kelsey, Kenyon, Laird, Laugenour, Lewis, Meads, Merrill, Nelson, North, Osborn, Pendleton, Phelps, Powers, Price, Reid, Rowell, Sanford, Staley, Spencer, Swisler, Twigg, Wade, Waymire, Weyse, Wilkinson, and Mr. Speaker—54.

NOES—Mr. Dodge—1.

Title read and approved.

Mr. Freeman moved that Assembly Bill No. 174 be immediately transmitted to the Senate.

So ordered.

SPECIAL ORDER POSTPONED.

Mr. Pendleton moved to postpone the special order fifteen minutes.

So ordered.

Assembly Bill No. 213—An Act entitled an Act to amend section two thousand nine hundred and fifty-five of the Civil Code, relative to mortgages on personal property.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Bachman, Barker, Bassford, Bennett, Berry, Bettman, Bledsoe, Cargill, Coleman, Cutter, Dale, Davis, Dinkelspiel, Dixon, Dodge, Ewing, Freeman, Gay, Glass, Guy, Hall, Hatfield, Holland, Huber, Hudson, Johnson, Jones, Keen, Kelsey, Kenyon, Laird, Laugenour, Meads, McKelvey, Nelson, North, Osborn, Pendleton, Phelps, Price, Robinson, Rowell, Sanford, Staley, Stansell, Spencer, Tibbits, Tomblin, Wade, and Weyse—51.

NOES—Mr. Powers—1.

Title read and approved.

Mr. Pendleton moved that Assembly Bill No. 213 be immediately transmitted to the Senate.

So ordered.

MOTION.

Mr. Pendleton moved that the rules be suspended, and that we proceed with special orders.

The roll was called, and the rules suspended by the following vote:

AYES—Messrs. Ash, Barker, Bassford, Bennett, Berry, Bettman, Bledsoe, Brusie, Bulla, Butler, Cargill, Coleman, Cutter, Dale, Davis, Devitt, Dixon, Dodge, Dunbar, Ewing, Freeman, Gay, Glass, Guy, Hall, Hatfield, Johnson, Jones, Keen, Kelsey, Kenyon, Laird, Laugenour, Lewis, Meads, McCarthy, Nelson, North, O'Day, Osborn, Pendleton, Powers, Reid, Robinson, Staley, Stansell, Spencer, Swisler, Tibbits, Tomblin, Twigg, Wade, Waymire, Weyse, Wilkinson, and Zocchi—56.

NOES—Messrs. Dinkelspiel, Healey, Huber, McKelvey, and Rowell—5.

SPECIAL ORDER.

Assembly Bill No. 617—An Act making appropriations for the support of the government of the State of California for the forty-seventh and forty-eighth fiscal years.

MOTION.

Mr. Brusie moved that the Assembly resolve itself into Committee of the Whole, with Mr. Powers in the chair, for the purpose of considering Assembly Bill No. 617.

So ordered.

IN COMMITTEE OF THE WHOLE.

Mr. Powers in the chair.

Assembly Bill No. 617 was considered in Committee of the Whole.

IN ASSEMBLY.

Mr. Powers in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

Mr. Powers stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 617—An Act making appropriations for the support of the government of the State of California for the forty-seventh and forty-eighth fiscal years—and now report progress and recommend that the committee sit again.

Mr. Brusie moved that Assembly Bill No. 617 be made a special order for Monday morning, immediately after reading the Journal.

So ordered.

APPROVAL OF JOURNAL.

The Journal of February 7th was approved.

Mr. Dodge asked that should report of Committee on State Hospitals and Asylums be submitted to-morrow, the consideration of same go over until Monday.

So ordered.

ADJOURNMENT.

At twelve o'clock and thirty minutes P. M., on motion of Mr. Meads, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Saturday, February 9, 1895. }

The Assembly met pursuant to adjournment.

Speaker Lynch in the chair.

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

Messrs. Bachman, Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Bledsoe, Boothby, Brusie, Bulla, Butler, Cargill, Coleman, Cutter, Dale, Davis, Devine, Dixon, Dunbar, Ewing, Fassett, Freeman, Glass, Guy, Hall, Hatfield, Holland, Huber, Hudson,

Johnson, Jones, Keen, Kelsey, Kenyon, Meads, McCarthy, McKelvey, Merrill, Nelson, North, O'Day, Osborn, Phelps, Price, Reid, Robinson, Sanford, Staley, Stansell, Spencer, Swisler, Tibbits, Tomblin, Twigg, Wade, Waymire, Weyse, Wilkinson, Zocchi, and Mr. Speaker.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. O. Summers.

READING OF THE JOURNAL.

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

So ordered.

LEAVE OF ABSENCE.

Messrs. Ash, Rowell, and Llewellyn were granted leave of absence for the day.

Mr. Cargill was granted leave of absence for the day.

PETITIONS.

By Mr. Bulla: Petition several yards long, containing several thousand names of citizens of the State, in favor of granting full suffrage to women.

Referred to Committee on Election Laws.

Also: From several hundred citizens of Los Angeles, protesting against the passage of the Uniform Low License Bill.

Referred to Committee on Public Morals.

By Mr. Price: Petition from a large number of citizens and taxpayers of Sonoma County, for the passage of a bill for the relief of Capt. P. N. Stofen.

Referred to Committee on Claims.

REPORTS OF STANDING COMMITTEES.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, February 9, 1895.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 590—An Act to amend the Civil Code of the State of California, by adding to part four, chapter one, division three, a new section, to be known as section one thousand seven hundred and forty-two, relating to contracts for the sale and future delivery of personal property.

Also: Assembly Bill No. 650—An Act to amend section seven hundred and seventeen of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to leases of agricultural lands

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

Also: Assembly Bill No. 609—An Act entitled an Act to amend section sixteen of an Act entitled "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 provisions for the payment of such bonds, and the disposal of their proceeds," approved March 31, 1891—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to the Committee on County and Township Governments.

Also: Assembly Bill No. 608—An Act to amend section two thousand nine hundred and fifty-five of the Civil Code—have had the same under consideration, and respectfully report the same back, and recommend that the author be allowed to withdraw it.

Also: Assembly Bill No. 571—An Act to amend section three thousand six hundred and seventy-eight of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the annual preparation of an abstract of all mortgages, deeds of trust, contracts, and other obligations by which any debt is secured—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to the Special Committee on Revenue and Taxation Revision.

Also: Assembly Bill No. 222—An Act to add a new section to an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, to prevent traveling on railroads without payment of fare—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also: Assembly Bill No. 223—An Act to amend and add a new section to an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, to prevent able-bodied persons from banding together and obtaining subsistence by alms.

Also: Assembly Bill No. 224—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to the confinement and performance of labor by prisoners in county jails.

Also: Assembly Bill No. 446—An Act to amend section four hundred and seven of the Code of Civil Procedure.

Also: Assembly Bill No. 612—An Act to amend section one thousand four hundred and forty-four of the Code of Civil Procedure, in relation to appraisements of estates of deceased persons.

Also: Assembly Bill No. 619—An Act to amend section nine hundred and seven of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relative to the time in which the oath of office shall be taken, subscribed, and filed.

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

Also: Senate Bill No. 228—An Act to amend section two hundred and ninety-seven of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to articles of incorporation—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, and be substituted for Assembly Bill No. 301, the provisions being identical.

BULLA, Chairman.

Assembly Bill No. 571 referred to Special Committee on Revenue and Taxation Revision.

Assembly Bill No. 609 referred to Committee on County and Township Governments.

WITHDRAWAL AND SUBSTITUTION OF BILL.

Assembly Bill No. 301 was withdrawn, and Senate Bill No. 228 substituted therefor.

Senate Bill No. 228 ordered on file.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, February 9, 1895.

MR SPEAKER: Your Committee on Judiciary, to whom was referred Senate Bill No. 196—An Act to amend section two hundred and twenty-four of the Civil Code, regarding the adoption of children—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, and be substituted for Assembly Bill No. 396, the provisions being identical.

BULLA, Chairman.

WITHDRAWAL AND SUBSTITUTION OF BILL.

Assembly Bill No. 396 was withdrawn, and Senate Bill No. 196 substituted therefor.

Senate Bill No. 196 ordered on file.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, February 9, 1895.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Senate Bill No. 310—An Act to amend sections two, six, eleven, fifteen, seventeen, and eighteen of an Act entitled "An Act to establish a tax on collateral inheritances, bequests, and devises, to provide for its collection, and to direct the disposition of the proceeds," approved March 23, 1893—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, and be substituted for Assembly Bill No. 460, the provisions being identical.

BULLA, Chairman.

WITHDRAWAL AND SUBSTITUTION OF BILL.

Assembly Bill No. 460 was withdrawn, and Senate Bill No. 310 was substituted therefor.

Senate Bill No. 310 ordered on file.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, February 9, 1895

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Senate Bill No. 225—An Act to amend section ninety-four of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relative to the fees of Court reporters and the misconduct of judicial officers.

Also: Senate Bill No. 122—An Act to amend section four hundred and eighty-seven of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, defining grand larceny—have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

BULLA, Chairman.

ON PUBLIC BUILDINGS AND GROUNDS.

ASSEMBLY CHAMBER, SACRAMENTO, February 9, 1895.

MR. SPEAKER: Your Committee on Public Buildings and Grounds, to whom was referred Assembly Bill No. 186—An Act making an appropriation for the erection and furnishing of a residence for the Medical Director of the Southern California State Asylum for the Insane and Inebriates—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also: Assembly Bill No. 58—An Act to establish a State Normal School at San Diego, California.

Also: Assembly Bill No. 106—An Act providing for the selection, condemnation, and purchase of a suitable site, and the erection thereon of a State building in San Francisco, and making an appropriation therefor.

Also: Assembly Bill No. 187—An Act making an appropriation for the erection of additional buildings and improvements for the Southern California State Asylum for the Insane and Inebriates

Also: Assembly Bill No. 219—An Act appropriating two hundred and fifty thousand dollars for the erection of buildings at Berkeley, Alameda County, for the use of the University of California.

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

Also: Assembly Bill No. 6—An Act appropriating two hundred and fifty thousand dollars for the erection of buildings for the use of affiliated and other departments of the University of California—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

BERRY, Chairman.

Assembly Bills Nos. 58, 106, 187, 219, 6, and 186 referred to Committee on Ways and Means.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 8, 1895.

MR. SPEAKER: Your Committee on Education, to whom was referred Assembly Bill No. 560—An Act to amend section one thousand seven hundred and sixty-eight of the Political Code of the State of California, relating to County Boards of Education—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

JOHNSON, Chairman.

At ten o'clock and seventeen minutes A. M. the Speaker called Mr. McKelvey to the chair.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, February 9, 1895.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 3—An Act making an appropriation to pay the claim of James A. Johnson, for legal services in the harbor front cases—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Assembly Bill No. 193—An Act making an appropriation to pay the deficiencies in the appropriation for costs and expenses of suits in which the State is a party in interest, for the thirty-fifth, thirty-sixth, thirty-seventh, thirty-eighth, thirty-ninth, and fortieth fiscal years—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Assembly Bill No. 220—An Act appropriating money for the use of the two State Forestry Stations at Chico and Santa Monica—have had the same under consideration, and respectfully report the same back, and recommend that the author be permitted to withdraw the same.

Also: Resolution providing for the payment of expenses incurred by Inaugural Ball Committee—have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

BRUSIE, Chairman.

MOTION.

Mr. Brusie moved that the report upon the resolution providing for the expenses incurred by the Inaugural Ball Committee be adopted.

So ordered.

ON STATE LIBRARY.

ASSEMBLY CHAMBER, SACRAMENTO, February 9, 1895.

MR. SPEAKER: Your Committee on State Library, to whom was referred Assembly Bill No. 373—have had the same under consideration, and respectfully report the same back, and recommend that while they see no objection to the bill, it be referred to the Ways and Means Committee, where in their judgment it properly belongs.

STANSELL, Chairman.

Assembly Bill No. 373 referred to Committee on Ways and Means.

MESSAGE FROM THE GOVERNOR.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
SACRAMENTO, February 8, 1895. }

To the Assembly of the State of California.

I have the honor to inform your honorable body that I have approved Assembly Bill No. 1—An Act to provide for an appropriation for the contingent expenses of the Assembly.

JAMES H. BUDD, Governor.

SENATE MESSAGES.

SENATE CHAMBER, SACRAMENTO, February 9, 1895.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the eighth day of February, 1895, passed Senate Bill No. 46—An Act to amend section seven hundred and thirty-seven of the Political Code of the State of California, relating to salaries of Judges of Superior Courts.

F. J. BRANDON, Secretary.
By R. SHAW, Assistant.

Senate Bill No. 46 referred to Committee on Judiciary.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 9, 1895.

MR. SPEAKER. Your Committee on Engrossment beg leave to report that the following bills have been correctly engrossed, viz :

Assembly Bill No. 452—An Act making an appropriation to pay the deficiency in the appropriation for the transportation of prisoners for the forty-third fiscal year.

Also: Assembly Bill No. 374—An Act making an appropriation to pay the deficiency in the appropriation for the support of the State Insane Asylum at Stockton, California, for the forty-fourth and forty-fifth fiscal years.

Also: Assembly Bill No. 454—An Act making an appropriation to pay the deficiency in the appropriation for postage, expressage, and telegraphing, Secretary of State's office, for the forty-fifth and forty-sixth fiscal years.

Also: Assembly Bill No. 17—An Act making an appropriation to pay the deficiency in the appropriation for the support of the State Normal School at Los Angeles for the forty-sixth fiscal year.

Also: Assembly Bill No. 456—An Act making an appropriation to pay the deficiency in the appropriation for arresting criminals without the State for the forty-third and forty-fourth fiscal years.

WILKINSON, Chairman.

INTRODUCTION OF BILLS.

The following bills were introduced, read first time, and referred to committees, as follows:

By Mr. Bulla: Assembly Bill No. 730—An Act appropriating the sum of five thousand dollars for the care and improvement of grounds, library and museum, and purchase of books, maps, globes, Sloyd tools, etc, for the use of the Normal School at Los Angeles, California.

Read first time, and referred to Committee on Public Buildings and Grounds.

By Mr. Dixon: Assembly Bill No. 731—An Act to provide for the change of grade, and for regrading and improving, in conformity with such change, the streets, lanes, alleys, courts, and places within municipalities.

Read first time, and referred to Committee on Municipal Corporations.

Also: Assembly Bill No. 732—An Act to amend sections six hundred and thirty-three, six hundred and thirty-four, six hundred and thirty-five, six hundred and thirty-seven, six hundred and thirty-eight, and six hundred and forty-one of the Civil Code, relating to mutual building and loan associations.

Read first time, and referred to Committee on Judiciary.

By Mr. Weyse: Assembly Bill No. 733—An Act to amend section two hundred and three of the Civil Code of California, relating to parent and child.

Read first time, and referred to Committee on Judiciary.

By Mr. Robinson: Assembly Bill No. 734—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 7, 1887, providing for the destruction of all or any part of the bonds of any irrigation district remaining unsold after the completion of their irrigation system.

Read first time, and referred to Committee on Irrigation.

By Mr. Staley (by request): Assembly Bill No. 735—An Act providing for the relief of the County Treasurer of Sonoma County, and his

sureties on his official bond, on account of money of which he was forcibly robbed.

Read first time, and referred to Committee on Claims.

By Mr. Ewing: Assembly Bill No. 736—An Act to create and administer a public school teachers' annuity and retirement fund in the several counties, and cities and counties, of the State.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 737—An Act for the relief of Charles F. Wells; and to appropriate money therefor.

Read first time, and referred to Committee on Claims.

By Mr. Wilkinson: Assembly Bill No. 738—An Act to provide for a schedule and description of articles pledged, and the description of the pledger.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 739—An Act authorizing an increase of the police force of the cities of the State having a population of over one hundred thousand population.

Read first time, and referred to San Francisco Delegation.

By Mr. Hatfield (by request): Assembly Bill No. 740—An Act to prevent Sabbath desecration, and to secure a weekly day of rest.

Read first time, and referred to Committee on Public Morals.

By Mr. Keen: Assembly Bill No. 741—An Act to provide for the fixing of boundaries of lands.

Read first time, and referred to Committee on Judiciary.

By Mr. Barker: Assembly Bill No. 742—An Act to provide for the organization and government of road districts.

Read first time, and referred to Committee on Roads and Highways.

By Mr. Waymire: Assembly Bill No. 743—An Act to amend section one thousand eight hundred and eighty of the Political Code of the State of California, relating to public schools.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 744—An Act to regulate the civil service of officers in the employ of the State of California.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 745—An Act to provide for a commission to investigate public officers, institutions, and departments of this State, and of the counties, cities and counties, or municipalities thereof; and to inquire into the acts of all public officers, employés, and attachés of such offices, institutions, and departments of this State, and of the counties, cities and counties, and municipalities thereof, and especially to inquire into acts of corruption, misfeasance, and misappropriation of public moneys or public property by such officers, employés, and attachés, and their official conduct generally, and to investigate violations of the election laws, and frauds and errors alleged to have been committed in the last election, and to count the ballots cast for State officers.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 746—An Act to regulate the civil service of cities in the State of California.

Read first time, and referred to Committee on Judiciary.

By Mr. Belshaw: Assembly Bill No. 747—An Act to amend section six 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, and as amended by an Act approved March 15, 1887.

Read first time, and referred to Committee on Education.

By Mr. Brusie: Assembly Bill No. 748—An Act to provide for the appointment and salary of an electrician and fireman.

Read first time, and referred to Committee on Ways and Means.

CONTEST PAPERS—BILLS OF EXPENSE.

Mr. Brusie submitted verified memoranda of costs in the matter of a contest—David C. Smith vs. Mark A. Devine.

Also: Verified memoranda of costs in the matter of a contest—Joseph Scherrer vs. John McCarthy.

Also: Verified memoranda of costs in the matter of a contest—Edward Reynolds vs. Isaac M. Merrill.

MOTION.

Mr. Brusie moved that the bills of expense in the contest matter submitted by him be published in full in the Journal.

So ordered.

IN THE ASSEMBLY OF THE LEGISLATURE OF THE STATE OF CALIFORNIA.

In the matter of the contest of the election of MARK A. DEVINE as a member of the Assembly from the Thirty-fourth Assembly District, in the City and County of San Francisco, State of California, by DAVID C. SMITH, contestant.

MEMORANDA OF COSTS.

Sheriff's fees—service of statement and notice of contest.....	\$1 50
Sheriff's fees—serving of subpoenas, thirty witnesses at \$1.....	30 00
Clerk's fees—filing statement.....	7 50
Reporter's fees, including transcribing testimony.....	530 50
Notary's fees.....	5 50
One half Commissioner's fees.....	40 00
Witness fees—	
Six witnesses, 4 days each, at \$2 per day.....	48 00
Seven witnesses, 3 days each, at \$2 per day.....	42 00
Four witnesses, 2 days each, at \$2 per day.....	16 00
Thirteen witnesses, 1 day each, at \$2 per day.....	26 00
Attorney's fees—H. N. Clement.....	1,000 00
Attorney's fees—J. N. Chretien.....	1,000 00
Incidental expenses.....	52 00
Total costs.....	\$2,799 00

STATE OF CALIFORNIA, }
City of Sacramento. } ss.

J. M. Chretien being first duly sworn, deposes and says that he is one of the attorneys for the contestant above mentioned, and as such is better informed as to the items charged in the foregoing memoranda than such contestant. That to the best of his knowledge and belief the foregoing items of cost and disbursement in this contest are correct, and that the said disbursement has been necessarily incurred in such contest.

JOHN M. CHRETIEN.

Subscribed and sworn to before me, this eighth day of February, A. D. 1895.

[SEAL.]

SALLIE W. EARTHART,
Notary Public in and for Sacramento County.

IN THE ASSEMBLY OF THE LEGISLATURE OF THE STATE OF CALIFORNIA.

In the matter of the contest of the election of JOHN MCCARTHY as a member of the Assembly from the Thirty-sixth Assembly District, in the City and County of San Francisco, State of California, by JOSEPH SCHREFFER, contestant.

MEMORANDA OF COSTS.

Sheriff's fees—serving of statement and notice of contest	\$1 50
Sheriff's fees—serving 25 subpoenas	25 00
Clerk's fees—filing statement	7 50
Reporter's fees, including transcribing testimony	240 00
Notary's fees	4 00
One half Commissioner's fees	40 00
Witness fees—	
Two witnesses, 4 days, at \$2 per day each	16 00
Seven witnesses, 2 days, at \$2 per day each	28 00
Ten witnesses, 3 days, at \$2 per day each	60 00
Six witnesses, 1 day, at \$2 per day each	12 00
Incidental expenses, including one trip to Sacramento	46 00
Attorneys' fees—Frank I. Kingwell, J. N. Young, J. M. Chretien	2,000 00
Total costs	\$2,480 00

STATE OF CALIFORNIA, }
City of Sacramento. } ss.

J. M. Chretien being first duly sworn, deposes and says that he is one of the attorneys for the contestant above mentioned, and as such is better informed as to the items charged in the foregoing memoranda than such contestant. That to the best of his knowledge and belief the foregoing items of cost and disbursement in this contest are correct, and that the said disbursement has been necessarily incurred in such contest.

JOHN M. CHRETIEN.

Subscribed and sworn to before me, this eighth day of February, A. D. 1895.

[SEAL.]

SALLIE W. EANHART,
Notary Public in and for Sacramento County, Cal.

IN THE ASSEMBLY OF THE LEGISLATURE OF THE STATE OF CALIFORNIA.

In the matter of the contest of the election of ISAAC M. MERRILL as a member of the Assembly from the Forty-second Assembly District, in the City and County of San Francisco, State of California, by EDWARD REYNOLDS, contestant.

MEMORANDA OF COSTS.

Witness fees—	
Twenty-four witnesses, 6 days, at \$2 per day	\$288 00
Fourteen witnesses, 5 days, at \$2 per day	140 00
Ten witnesses, 4 days, at \$2 per day	80 00
Twelve witnesses, 3 days, at \$2 per day	72 00
Eight witnesses, 2 days, at \$2 per day	32 00
Sixteen witnesses, 1 day, at \$2 per day	32 00
One half Commissioner's fees	60 00
Notary's fees	6 50
Ben Heath, hunting witnesses, and mileage, including two trips to Santa Clara, and investigating testimony	160 00
Robert Merrill, serving witnesses, and detective work, and three trips to Temescal	125 00
Frank Baum, subpoenaing witnesses	50 00
Incidental expenses, including three trips to Sacramento	97 00
Attorney's fees—	
H. M. Clement	1,500 00
J. M. Chretien	1,500 00
Certified copies and amount paid County Clerk	4 50
Reporter's fees, including transcribing testimony	610 00
Total costs	\$4,757 00

STATE OF CALIFORNIA, }
City of Sacramento. } ss.

J. M. Chretien being first duly sworn, deposes and says that he is one of the attorneys for the contestee, J. M. Merrill, above mentioned, and as such is better informed as to the items charged in the foregoing memoranda than such contestee. That to the best of his knowledge and belief the foregoing items of cost and disbursements in this contest are correct, and that the said disbursement has been necessarily incurred in such contest.

JOHN M. CHRETIEN.

Subscribed and sworn to before me, this eighth day of February, A. D. 1895.

[SEAL.]

SALLIE W. EARHART,
Notary Public in and for Sacramento County.

CONTEST PAPERS—BILLS OF EXPENSE.

Mr. Huber submitted bills of expense in the matter of a contest, H. M. Collins vs. J. B. McDonald, and moved that the same be printed in the Journal.

So ordered.

BILLS OF EXPENSE.

SACRAMENTO, CAL., February 6, 1895.

In the matter of the contest by H. M. COLLINS to the right of J. B. McDONALD to hold office of Assemblyman from Forty-ninth Assembly District:

EXPENSES OF J. B. McDONALD.

Paid shorthand reporter for transcribing 300 folios testimony, at 20 cents folio..	\$60 00
To per diem, one day.....	10 00
Paid Justice James Larue for taking deposition and testimony.....	45 00
Paid Justice E. H. Shaw for taking deposition and testimony.....	45 00
Paid for serving subpoenas on two witnesses in San Francisco.....	4 00
Paid witness fee, two witnesses.....	4 00
Incidental expenses, searching for witnesses.....	20 00
Expenses of attorney coming to Sacramento upon call of Committee on Contested Elections on the 30th of January, 1895, and also on the 6th day of February, 1895.....	25 00
Attorney's fees in contest attending Justice's Court in Alameda County, and taking depositions and examining witnesses for five days and attendance before Committee on Contested Elections.....	1,500 00
Total.....	\$1,713 00

Respectfully submitted.

THOS. F. GARRITY,
Attorney for J. B. McDonald.

OAKLAND, CAL., January 7, 1895.

In the Justice's Court of the Township of Oakland, State of California.

In the matter of the contest made by H. M. COLLINS to the right of J. B. McDONALD to the office of Assemblyman of the Forty-ninth District of the State of California.

J. B. McDonald, Dr., to Frank P. Thwaites, Shorthand Reporter.

To reporting and transcribing testimony in the above entitled matter January 2, 1895—one day, at \$10, and 300 folios, at 20 cents..... \$70 00
Received payment.

FRANK P. THWAITES.

In the Justice's Court of the Township of Oakland, County of Alameda, State of California

In the matter of the contest made by H. M. COLLINS to the right of J. B. McDONALD to the office of Assemblyman of the Forty-ninth Assembly District of the State of California December 27, 1894, to January 4, 1895

E. H. Shaw and James Larue, Justices of the Peace of Alameda County, presiding.

J. B. McDonald, Dr., to James Larue.

To taking depositions of witnesses in the above-entitled matter, 300 folios, at 15 cents per folio..... \$45 00
Received payment.

JAMES LARUE.

In the Justice's Court of the Township of Oakland, County of Alameda, State of California.

In the matter of the contest made by H. M. COLLINS to the right of J. B. McDONALD to the office of Assemblyman of the Forty-ninth Assembly District of the State of California. December 27, 1894, to January 4, 1895.

E. H. Shaw and James Larue, Justices of the Peace of Alameda County, presiding.

J. B. McDonald, Dr., to E. H. Shaw:

To taking depositions of witnesses in the above-entitled matter, 300 folios, at 15 cents per folio..... \$45 00
Received payment.

E. H. SHAW.

SACRAMENTO, CAL., February 6, 1895.

In the matter of the contest by H. M. COLLINS of the right of J. B. McDONALD to hold the office of Assemblyman in the Forty-ninth Assembly District.

EXPENSES OF H. M. COLLINS.

To fees paid County Clerk for filing contest.....	\$4 50
To fees paid Sheriff for serving notice of contest.....	2 60
Paid shorthand reporter for taking and transcribing testimony, 5 days, at \$10 per day, and transcribing 1,073 folios, at 20 cents per folio.....	264 60
Paid Justice Larue for taking depositions and testimony for 5 days, and 1,073 folios, at 15 cents per folio.....	160 95
Paid Justice Shaw for taking depositions and testimony for 5 days, and 1,073 folios, at 15 cents per folio.....	160 95
Paid John F. Teague for services as a detective in searching for witnesses and obtaining information in the matter of the contest from November 12, 1894, to January 6, 1895.....	300 00
Paid Constable Keating for serving subpoenas on 23 witnesses.....	25 80
Paid witnesses as per exhibit hereunto annexed, marked Exhibit "A".....	131 80
Expenses of attorney coming to Sacramento from Oakland, Alameda County, upon call of Committee on Contested Elections, on January 30, 1895, and February 5, 1895.....	25 00
Attorney's fee on contest attending Justice's Court, Alameda County, Cal., 6 days; in taking depositions and examining witnesses, preparing papers on contest, and attending before Committee on Contested Elections on two occasions at Sacramento, to wit: January 30, 1895, and February 5, 1895, etc.....	1,000 00
Total.....	\$2,076 20

Respectfully submitted.

REID & NUSBAUMER,
Attorneys for H. M. Collins.

VOUCHERS.

OAKLAND, CAL., January 5, 1895.

Mr. Collins to W. J. Keating, Constable, Dr.:

To serving twenty-three subpoenas in contest of Collins vs. McDonald..... \$25 80
Received payment.

W. J. KEATING, Constable.

OAKLAND, CAL., January 10, 1895.

H. M. Collins to John F. Teague, Dr.:

To services rendered in election contest of H. M. Collins vs. J. B. McDonald, in looking up witnesses and testimony from November 12, 1894, to January 6, 1895... \$300 00
Received payment.

JOHN F. TEAGUE.

In the Justice's Court of the Township of Oakland, County of Alameda, State of California

In the matter of the contest made by H. M. COLLINS to the right of J. B. McDONALD to the office of Assemblyman of the Forty-ninth Assembly District of the State of California. December 27, 1894, to January 4, 1895.

E. H. Shaw and James Larue, Justices of the Peace of Alameda County, presiding.

H. M. Collins, Dr., to James Larue

To taking depositions of witnesses in the above-entitled matter at 15 cents per folio, 1,073 folios..... \$160 95
Received payment.

JAMES LARUE.

In the Justice's Court of the Township of Oakland, County of Alameda, State of California.

In the matter of the contest made by H. M. COLLINS to the right of J. B. McDONALD to the office of Assemblyman of the Forty-ninth Assembly District of the State of California. December 27, 1894, to January 4, 1895.

E. H. Shaw and James Larue, Justices of the Peace of Alameda County, presiding.

H. M. Collins, Dr., to E. H. Shaw.

To taking depositions of witnesses in the above-entitled matter at 15 cents per folio, 1,073 folios..... \$160 95

Received payment.

E. H. SHAW.

OAKLAND, CAL., January 7, 1895.

In the Justice's Court of the Township of Oakland, County of Alameda, State of California.

In the matter of the contest made by H. M. COLLINS to the right of J. B. McDONALD to the office of Assemblyman of the Forty-ninth District of the State of California.

H. M. Collins, Dr., to Frank P. Thwaites, Shorthand Reporter.

To reporting and transcribing testimony in the above-entitled matter, December 27, 1894, to January 3, 1895—5 days at \$10 per day, and 1,073 folios, at 20 cents per folio..... \$264 60

Received payment

FRANK P. THWAITES.

OAKLAND, CAL., December 27, 1894.

LIST OF WITNESSES PAID IN COLLINS' CASE BY PLAINTIFF—EXHIBIT "A."

1894.			
Dec. 27—	C. Engelbretzen.....	\$3 20	
	F. O. Brien.....	3 20	
	Ed. Schmidt.....	3 20	
	Ed. Kehoe.....	3 20	
	M. Martenez.....	3 20	
	M. Gilmore.....	3 20	
	John Huges.....	3 20	
	Michael Curtis.....	3 20	
	S. J. Davis.....	2 80	
	J. O. Keefe.....	3 20	
	Don Miller.....	2 80	
	Tim Curley.....	3 20	
	R. Stevenson.....	2 80	
	Mr. Williams.....	2 80	
	Fawcett.....	2 80	
	Pat. Boyle.....	3 20	
			\$49 20
1895.			
Jan. 2—	H. E. Fawcett.....	\$2 00	
	Ed. Schmidt.....	2 00	
	O. Keefe.....	2 00	
	— Kauffman.....	3 20	
			9 20
1894.			
Dec. 31—	Henry Pain.....	\$3 20	
	Ed. Schmidt.....	2 00	
	Fawcett.....	2 00	
	Williams.....	2 00	
	S. J. Davis.....	2 00	
	Nusbaumer Co.....	2 00	
	Don Miller.....	2 00	
	Chris. Engelbretzen.....	2 00	
			17 20
Dec. 29—			
	Chris. Engelbretzen.....	\$2 00	
	Ed. Schmidt.....	2 00	
	Ed. Kehoe.....	2 00	
	John Hughes.....	2 00	
	M. Curtis (\$1 extra for team).....	3 00	
	S. J. Davis.....	2 00	
	Tim Curley.....	2 00	
	Williams.....	2 00	
	Fawcett.....	2 00	
	P. Boyle.....	2 00	
	Chas. Schenelle.....	3 20	
	F. O. Brien.....	2 00	

Dec. 29—M. R. Slevendon.....	\$2 00	
M. Gilmore	2 00	
Nusbaumer	2 00	
		\$32 20
Dec. 28—C. Engelbretzen.....	\$2 00	
Ed. Schmidt.....	2 00	
Ed. Kehoe.....	2 00	
John Hughes.....	2 00	
M. Curtis.....	2 00	
S. J. Davis.....	2 00	
Tim Curley.....	2 00	
Williams.....	2 00	
Fawcett.....	2 00	
P. Boyle.....	2 00	
F. O. Brien.....	2 00	
Don Miller.....	2 00	
		24 00
Total.....		<u>\$131 80</u>

To fees paid by H. M. Collins, contestant, to County Clerk, for filing contest..... \$4 50
 To fees paid by H. M. Collins, contestant, to Sheriff Alameda County, for serving
 notice of contest, etc..... 2 60
 Received payment.

REID & NUSBAUMER.

APPROVAL OF JOURNAL.

Journal of February 8th was approved.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 8, 1895.

MR. SPEAKER. Your Committee on Enrollment have examined and found correctly enrolled Assembly Bill No. 1—An Act to provide for an appropriation for the contingent expenses of the Assembly—and presented the same to the Governor on this day, at twelve o'clock and forty minutes P. M.

MEADS, Chairman.

ON PUBLIC LANDS.

ASSEMBLY CHAMBER, SACRAMENTO, February 8, 1895.

MR. SPEAKER: Your Committee on Public Lands, to whom was referred Assembly Bill No. 2—An Act to provide for the repayment, by the State of California, of the purchase price of lands, when it has been finally determined by a Court of competent jurisdiction that the State had no title to said lands at the time of sale, and to make an appropriation therefor—have had the same under consideration, and respectfully report the same back, with a substitute therefor, and recommend that the substitute do pass.

DAVIS, Chairman.

WITHDRAWAL OF BILL.

Assembly Bill No. 2 was withdrawn.

INTRODUCTION OF BILL—(OUT OF ORDER).

Assembly Bill No. 749 (Committee Substitute for Assembly Bill No. 2)—An Act to provide for the repayment by the State of California of the purchase price of salt marsh lands, when it has been finally determined by a Court of competent jurisdiction that the State had no title to said lands at the time of the sale, because and by reason of the lands being included within the limits of a Mexican grant, as finally surveyed and patented by the United States Government, and to make an appropriation therefor.

Read first time, and referred to Committee on Ways and Means.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON FEDERAL RELATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 9, 1895.

MR. SPEAKER: Your Committee on Federal Relations, having had Assembly Joint Resolution No. 11 under advisement, do recommend that it be adopted.

HATFIELD, Chairman.
WEYSE.
BETTMAN.
SANFORD.
GLASS.

MOTION.

Mr. Hatfield moved that the rules be suspended for the purpose of considering Assembly Joint Resolution No. 11.

So ordered.

ASSEMBLY JOINT RESOLUTION No. 11.

Joint resolution relative to the control of the maritime quarantine service at the port of San Francisco.

Resolved by the Assembly, the Senate concurring, That our Senators in Congress be instructed, and our Representatives requested, to urge upon the Secretary of the Treasury that the department assume entire control of the maritime quarantine service at the port of San Francisco.

Read and adopted.

ASSEMBLY JOINT RESOLUTION.

Mr. Hatfield submitted Assembly Joint Resolution No. 17, and asked that it be printed in the Journal.

So ordered.

ASSEMBLY JOINT RESOLUTION No. 17.

WHEREAS, In the progress and development of our political system, it has become the settled policy of the people to quadriennially meet in their respective party National Conventions, to confer together touching the lines of policy to be pursued in campaigns preceding National elections; and whereas, by reason of the immense geographical area of our country, and the great diversity of interest, it is inevitable that vast numbers of the citizens of the Nation are unfamiliar with the conditions existing throughout the Union: and believing that the holding of National Conventions in different places from time to time will be highly beneficial to the representatives of the people attending such conventions, and also beneficial to the people in the territory adjacent to the location of such conventions, by tending to impress upon all the magnitude of our country and the importance of close attention to the duties of citizenship, and thereby stimulate general interest and strengthen our patriotic instincts, and whereas, by reason of topographical conditions, the States and Territories lying west of the Rocky Mountains are to a certain extent withdrawn from intimate association with the remainder of the Nation; and in view of the fact that no National Convention of either of the leading political parties of the Nation has ever been held west of the Rocky Mountains; and believing that by reason of expanse of territory, number of inhabitants, and volume of commerce, we are justified in asking the managers of the National Political Committees of the leading political parties to hold their conventions for the nomination of candidates for the offices of President and Vice-President in 1896 at some point in some of the Pacific Coast States; and whereas, we desire to cooperate with, and to receive the cooperation of, our sister States and Territories in this connection; and believing that the representatives of the respective parties can reach the principal cities of the Pacific Coast with reasonable convenience and cost, and realizing the importance of immediate and effective action, be it

Resolved by the Assembly, the Senate concurring, That the Governor be requested to at once communicate with the Governors of the States of Oregon, Washington, Idaho, Montana, and Nevada, and the Territories of Arizona, Utah, and New Mexico, requesting them to cooperate in uniting their influence with our own to secure early action by the National Committees of the Republican and Democratic parties, respectively, to the end that the National Convention of each of said parties shall be held at the most convenient place within the territory west of the Rocky Mountains; and that the Governor

be requested to appoint at least three citizens of this State, and that he suggest to the Governors of such other States and Territories the feasibility of their appointing a similar number of their citizens, to constitute delegates to a preliminary convention, to meet at a seasonable time in the city of San Francisco, or the city of Sacramento, for the purpose of organizing and adopting a definite plan of action, for the purpose of securing the holding of such conventions on the Pacific Coast in 1896, and be it further

Resolved, That on behalf of California, we earnestly invite the respective National Committees to hold their conventions within this State, in the year 1896; and be it further

Resolved, That a copy of these resolutions be transmitted to each of the Governors of the States and Territories named, and to any others the Governor may deem advisable; and that a copy be transmitted to the Chairmen of the National Republican and National Democratic Committees.

RESOLUTION.

By Mr. Berry:

Resolved, That a sub-committee of three members from the Committee on Public Buildings be and is hereby granted leave of absence till Tuesday, February 12th, for the purpose of visiting public buildings at San José; and also a sub-committee of three members of said committee be granted leave of absence for same time, for purpose of visiting public buildings at Chico.

MOTION.

Mr. North moved that the rules be suspended, for the purpose of considering the resolution.

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

AYES—Messrs. Bachman, Barker, Bassford, Bennett, Berry, Bettman, Boothby, Brusie, Bulla, Coleman, Dale, Davis, Devine, Dunbar, Ewing, Freeman, Glass, Guy, Hall, Hatfield, Holland, Johnson, Jones, Keen, Kelsey, Kenyon, Meads, McCarthy, McKelvey, Nelson, North, O'Day, Osborn, Spencer, Swisler, Tibbits, Wade, Waymire, Weyse, Wilkinson, and Zocchi—41.

NOES—Messrs. Bledsoe, Fassett, Phelps, Price, Robinson, and Stansell—6.

The question now recurring upon the adoption of the resolution.

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

AYES—Messrs. Bassford, Bennett, Berry, Bettman, Boothby, Brusie, Bulla, Coleman, Davis, Dixon, Ewing, Freeman, Glass, Guy, Hall, Hatfield, Holland, Huber, Hudson, Johnson, Keen, Kelsey, Kenyon, Meads, McCarthy, McKelvey, Nelson, North, O'Day, Sanford, Stansell, Spencer, Swisler, Tibbits, Tomblin, Twigg, Wade, Waymire, Weyse, Wilkinson, and Zocchi—41.

NOES—Messrs. Belshaw, Bledsoe, Cutter, Dale, Dunbar, Fassett, Jones, Price, and Staley—9.

The following sub-committees from Committee on Public Buildings and Grounds were granted leave of absence till Tuesday, February 12, 1895:

To visit San José—Messrs. Berry, Butler, and Kenyon.

To visit Chico—Messrs. Guy, North, and Nelson.

MOTION.

Mr. Guy moved that the notice of reconsideration, given by Mr. Pen-dleton on yesterday, be postponed until next legislative day.

So ordered.

LEAVE OF ABSENCE.

Mr. Brusie was granted leave of absence for the day.

RESOLUTION.

By Mr. Boothby:

Resolved, That the attachés of the Assembly who have heretofore been compelled to answer roll call at nine o'clock A. M. be excused hereafter from so doing.

Referred to Committee on Attachés and Employés.

Mr. Cutter moved to reconsider the order by which the resolution was referred to committee.

So ordered.

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

Lost.

Mr. Boothby moved the adoption.

Mr. Boothby moved the previous question, seconded by Messrs. Bettman and Price.

The Speaker announced: "Shall the main question be now put?"

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

AYES—Messrs. Bettman, Boothby, Cutter, Devine, Hudson, McCarthy, McKelvey, O'Day, Price, Waymire, Wilkinson, and Zocchi—12.

NOES—Messrs. Bachman, Barker, Belshaw, Bennett, Berry, Bledsoe, Bulla, Butler, Coleman, Dale, Davis, Dixon, Dunbar, Ewing, Fassett, Freeman, Glass, Guy, Hall, Hatfield, Holland, Johnson, Jones, Keen, Kelsey, Kenyon, Meads, Merrill, North, Osborn, Phelps, Robinson, Sanford, Staley, Stansell, Spencer, Swisler, Tibbits, Tomblin, Wade, and Weyse—41.

MOTION.

Mr. Wade moved to amend the rules, and make the hour of roll call for attachés nine o'clock and thirty minutes A. M.

Consideration laid over one day.

RESOLUTIONS.

By Mr. Dixon:

Resolved, That those employed in the engrossing-room be and they are hereby excused from answering roll call in the morning.

Laid over one day.

By Mr. Hatfield:

Resolved, That the Committee on Rules be instructed to bring in a rule to the effect that hereafter, if any member of the Assembly brings up the matter of the employment or discharge of attachés as a whole, or any class thereof, or any considerable number thereof, that such member be docked at least one day's pay, and for each recurring offense he be docked double the amount first deducted.

Referred to Committee on Attachés and Employés.

At eleven o'clock and five minutes A. M. the Speaker resumed the chair.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON MUNICIPAL CORPORATIONS

ASSEMBLY CHAMBER, SACRAMENTO, February 8, 1895.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Assembly Bill No. 385—An Act to amend section one of an Act approved March 15, 1883, and entitled "An Act to authorize the Common Council, Board of Trustees, or other governing body of any incorporated city or town, other than cities of the first class, to re-fund its indebtedness, issue bonds therefor, and provide for the payment of the same," as amended March 1, 1893—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Assembly Bill No. 536—An Act concerning municipal corporations of the sixth class—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

GUY, Chairman.

INTRODUCTION OF BILLS—(OUT OF ORDER).

The following bills were introduced, read first time, and referred to committees, as follows:

By Mr. Boothby: Assembly Bill No. 750—An Act to amend section

two thousand two hundred and eleven of the Political Code, relating to the committal of insane persons; to amend section two thousand two hundred and seventeen of the Political Code, relating to the committal of insane persons; to amend section two thousand two hundred and twenty of the Political Code, relating to the committal, admission, detention, and discharge of idiots, imbeciles, certain insane persons, etc.; and to add a new section to the Political Code, to be known and designated as section two thousand two hundred and twenty-three of the Political Code, relating to the examination of insane persons after commitment.

Read first time, and referred to Committee on Judiciary.

By Mr. Spencer (by request): Assembly Bill No. 751—An Act providing for a general primary election within the State of California, and to promote the purity thereof by regulating the conduct thereof, and to support the privilege of free suffrage thereat by prohibiting certain acts and practices in relation thereto, and providing for the punishment thereof.

Read first time, and referred to Committee on Election Laws.

By Mr. Huber (by request): Assembly Bill No. 752—An Act to pay the claim of Ida M. Smith, Violet E. Smith, and Ida Bernice Smith.

Read first time, and referred to Committee on Claims.

JOINT RESOLUTION.

By Mr. Berry: Assembly Joint Resolution No. 18—Relative to the construction of a ditch or canal along the swamp lands of Fremont and Alviso townships, in the county of Santa Clara, State of California.

Read, and referred to Committee on Swamp and Overflowed Lands.

LEAVE OF ABSENCE—MOTION.

Messrs. Bettman, McCarthy, and Zocchi were granted leave of absence for the day.

Mr. Bulla moved that the Assembly do now take up third-reading file.
So ordered.

GENERAL FILE—THIRD READING OF BILLS.

Assembly Bill No. 24—An Act to amend chapter seven, part three, title nine, of the Political Code of the State of California, relating to the collection of property taxes, by adding a new section thereto, to be known as section three thousand seven hundred and forty-six and one half.

Passed, to retain its place on file.

Assembly Bill No. 30—An Act for the protection of the records of the several counties of the State of California, and regulating the business of abstracting in relation thereto.

Passed, to retain its place on file.

Assembly Bill No. 12—An Act to amend section three thousand and forty-six of the Civil Code of the State of California, relating to vendors' liens, and the transfer and satisfaction thereof.

Mr. Bulla, the author, requested to withdraw the same and have substituted therefor Assembly Bill No. 41.

So ordered.

Assembly Bill No. 361—An Act to amend section one thousand four hundred and sixteen of the Civil Code of this State, relating to water rights.

Passed, to retain its place on file.

Assembly Bill No. 62—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 21, 1872, by adding thereto two sections, to be known as sections one thousand eight hundred and eighty-two and one thousand eight hundred and eighty-five, being a part of part four, title two, chapter two, concerning witnesses.

Passed, to retain its place on file.

Assembly Bill No. 202—An Act to amend section one hundred and forty-two of the Code of Civil Procedure, relating to places of holding courts.

Passed, to retain its place on file.

Assembly Bill No. 117—An Act to amend section seven hundred and twenty-six of the Code of Civil Procedure, to provide for the making of deeds on foreclosure of mortgages.

Passed, to retain its place on file.

Assembly Bill No. 157—An Act authorizing the Judges of the Superior Court in all counties, and cities and counties, having a population of two hundred thousand inhabitants and over, to appoint a Secretary.

Passed, to retain its place on file.

Assembly Bill No. 65—Supplemental Act to "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, and Acts amendatory thereto, enabling any irrigation district to dispose of certain rights and property already acquired, for the purpose of thereby securing a water supply for the district; also to jointly, with another irrigation district, persons, company, or private or municipal corporation, develop water for irrigation and other purposes; and also to dispose of water, water rights, or other property acquired in excess of the actual needs of the district.

Re-referred to Committee on Irrigation, and to retain its place on file.

Assembly Bill No. 392—An Act to prescribe conditions upon which certain foreign insurance corporations, associations, partnerships, or individuals may be permitted to transact insurance business in the State of California.

Passed, to retain its place on file.

Assembly Bill No. 176—An Act to amend an Act entitled "An Act providing for the sale of railroad and other franchises in municipalities, and relative to granting of franchises," approved March 23, 1893.

Passed, to retain its place on file.

Assembly Bill No. 271—An Act to prescribe conditions upon which certain insurance associations known as Lloyds may be admitted to transact insurance business in this State.

Passed, to retain its place on file.

Assembly Bill No. 272—An Act to provide for investigation of fires by the Insurance Department, and to make provisions for the expenses of the same.

Passed, to retain its place on file.

Mr. Devine moved that the Assembly do now adjourn.

Lost.

Assembly Bill No. 248—An Act regulating the hours of labor in saw mills, shingle mills, shake mills, and logging camps.

Read third time.

Mr. Swisler moved to appoint a committee of one, with instructions to amend as follows:

By renumbering sections five and six as sections four and five, respectively.

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. Bachman, Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Bledsoe, Boothby, Bulla, Butler, Cargill, Coleman, Cutter, Davis, Devine, Dixon, Dunbar, Ewing, Fassett, Freeman, Glass, Guy, Hall, Hatheld, Holland, Huber, Hudson, Johnson, Jones, Keen, Kenyon, Meads, McCarthy, McKelvey, Merrill, Nelson, North, O'Day, Osborn, Phelps, Price, Reid, Robinson, Sanford, Staley, Stansell, Spencer, Swisler, Tibbits, Tomblin, Wade, Waymire, Weyse, Wilkinson, Zocchi, and Mr. Speaker—56.

NOES—None.

Title read and approved.

Mr. Bledsoe moved that Assembly Bill No. 248 be immediately transmitted to the Senate.

So ordered.

At twelve o'clock and ten minutes P. M. Mr. Reid moved to adjourn.

Lost.

Assembly Bill No. 116—An Act requiring county officers to file a monthly expense account.

Passed, to retain its place on file.

Senate Bill No. 226—An Act to provide for the appointment and election of one additional Judge for the county of Humboldt.

Passed, to retain its place on file.

Assembly Bill No. 52—An Act to amend section one thousand six hundred and ninety-nine of the Code of Civil Procedure, relating to settlement of accounts of trustees after distribution of estates, and to compensation of trustees.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Bachman, Barker, Bassford, Belshaw, Bennett, Berry, Bledsoe, Bulla, Butler, Cargill, Coleman, Cutter, Dale, Davis, Dixon, Dunbar, Ewing, Fassett, Glass, Guy, Hall, Hatheld, Hudson, Johnson, Jones, Kelsey, Kenyon, Meads, McKelvey, Merrill, Nelson, Osborn, Phelps, Price, Sanford, Staley, Stansell, Spencer, Swisler, Tibbits, Tomblin, Twigg, Wade, Weyse, Wilkinson, and Mr. Speaker—46.

NOES—Messrs. Freeman and Reid—2.

Title read and approved.

ADJOURNMENT.

At twelve o'clock and twenty-five minutes P. M., on motion of Mr. Wade, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Monday, February 11, 1895. }

The Assembly met pursuant to adjournment.

Speaker Lynch in the chair.

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

Messrs Barker, Bassford, Belshaw, Bennett, Bettman, Bledsoe, Boothby, Brusie, Bulla, Cargill, Coleman, Coghlin, Cutter, Dale, Davis, Devitt, Devine, Dinkelspiel, Dodge, Dunbar, Dwyer, Ewing, Fassett, Freeman, Gay, Glass, Guy, Hall, Hathfield, Healey, Holland, Huber, Hudson, Johnson, Jones, Keen, Kelsey, Laird, Laugenour, Lewis, Llewellyn, Meads, McCarthy, McDonald, McKelvey, Merrill, Nelson, North, O'Day, Osborn, Pendleton, Phelps, Powers, Price, Reid, Richards, Robinson, Rowell, Sanford, Staley, Stansell, Spencer, Swisler, Tibbits, Thomas, Tomblin, Twigg, Wade, Waymire, Weyse, Wilkinson, Zocchi, and Mr Speaker.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. O. Summers.

READING OF THE JOURNAL.

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

So ordered.

LEAVE OF ABSENCE.

Messrs. Staley, Ash, Rowell, and Dixon were granted leave of absence for the day.

SPECIAL ORDER.

The special order—Assembly Bill No. 617—was temporarily passed.

PETITIONS.

By Mr. Lynch: Protest of Board of Directors of Building and Loan Association of Ontario, California, against the abolishment of Board of Building and Loan Commissioners.

Referred to Committee on Retrenchment and Public Expenditures.

By Mr. Thomas: From the citizens of Nevada County, protesting against the bill providing for the appropriation of one hundred and sixty thousand dollars for the establishing of an artificial ice plant at the Folsom State Prison.

Referred to Committee on State Prisons and Reformatory Institutions.

Also: Petition of residents of Nevada County, California, asking for legislation to protect the rivers of the State from the dumping of sawdust, shavings, blocks, slabs, edgings, lime, lye, and refuse from factories; also, to protect the fish industry of the State.

Referred to Committee on Manufactures and Internal Improvements.

Also: From the citizens of Nevada County, protesting against the pas-

sage of the bill appropriating one hundred and sixty thousand dollars for the establishing of an artificial ice plant at the Folsom State Prison.

Referred to Committee on State Prisons and Reformatory Institutions.

REPORTS OF STANDING COMMITTEES.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, February 9, 1895

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Senate Bill No 1—An Act to amend section five hundred and eighty-one of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the dismissal of civil actions

Also: Senate Bill No 55—An Act to amend the Penal Code of the State of California, by adding a new section thereto, to be known and numbered as section four hundred and two, relating to the manufacture, sale, or other disposition of cigarettes.

Also: Senate Bill No. 155—An Act to add a new section to the Code of Civil Procedure, said section to be designated as section one thousand seven hundred and forty-four, relating to a penalty for Public Administrators who do not file reports of estates in their charge.

Also: Senate Bill No. 182—An Act to amend section one thousand seven hundred and thirty-nine of the Code of Civil Procedure, relating to the account with the County Clerk as to the disbursement of money and property of estates.

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

Also: Assembly Bill No. 552—An Act to amend the Penal Code by adding two new sections, to be known as one thousand and eighty-nine and one thousand and ninety of the Penal Code of the State of California, relative to substitute jurors—have had the same under consideration, and respectfully report the same back, with the recommendation that the author be allowed to withdraw the same and to substitute the inclosed bill therefor, which said substitute the committee reports without recommendation

BULLA, Chairman.

WITHDRAWAL OF BILL.

Assembly Bill No. 552 was withdrawn.

INTRODUCTION OF BILL—(OUT OF ORDER).

By Mr. Tibbits: Assembly Bill No. 753—An Act to amend the Penal Code by adding a new section, to be known as section one thousand and eighty-nine of the Penal Code of the State of California, relating to alternate jurors.

Read first time, and referred to Committee on Judiciary.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, February 9, 1895.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 464—An Act to repeal section five hundred and thirty-seven of the Penal Code, relating to defrauding the proprietors of inns and boarding houses—have had the same under consideration, and respectfully report the same back, and recommend that it do pass

Also: Assembly Bill No 438—An Act granting homesteads exempt from judicial or other forced sales to the heads of families, and to repeal certain existing laws on the same subject—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also: Assembly Bill No 409—An Act to amend sections three thousand seven hundred and thirty-one, three thousand seven hundred and fifty-three, three thousand eight hundred and sixteen, three thousand eight hundred and twenty-three, three thousand eight hundred and twenty-six, three thousand eight hundred and twenty-nine, three thousand eight hundred and eighty-nine, three thousand eight hundred and ninety-eight, and three thousand nine hundred of the Political Code, respecting the assessment and collection of taxes—have had the same under consideration, and respectfully report

the same back, and recommend that it be referred to the Special Committee on Revenue and Taxation

Also: Assembly Bill No. 335—An Act to add a new article to chapter one of title two, part three, of the Political Code of the State of California, to be known and designated as article four; and to add six new sections, to be known and designated as sections one thousand and seventy-five, one thousand and seventy-six, one thousand and seventy-seven, one thousand and seventy-eight, one thousand and seventy-nine, and one thousand and eighty, relative to county, city, and city and county Boards of Election Commissioners—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to Committee on Election Laws.

BULLA, Chairman.

Assembly Bill No. 409 referred to Special Committee on Revenue and Taxation.

Assembly Bill No. 335 referred to Committee on Election Laws.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, }
SACRAMENTO, February 3, 1895. }

To the Assembly of the State of California.

I have the honor to inform your honorable body that I have approved Assembly Bill No. 450.

JAMES H. BUDD, Governor.

INTRODUCTION OF BILLS.

The following bills were introduced, read first time, and referred to committees, as follows:

By Mr. Phelps: Assembly Bill No. 754—An Act to amend sections six hundred and fifty-eight, six hundred and fifty-nine, six hundred and sixty, and six hundred and sixty-one of the Code of Civil Procedure, relating to motions for new trial.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 755—An Act to amend sections six hundred and fifty-eight, six hundred and fifty-nine, six hundred and sixty, and six hundred and sixty-one of the Code of Civil Procedure, relating to motions for new trial.

Read first time, and referred to Committee on Judiciary.

By Mr. Wilkinson: Assembly Bill No. 756—An Act appropriating money to pay the claims of H. P. Dyer, E. F. Dyer, C. A. Granger, Gaston Goldsmith, and Sullivan & Sullivan.

Read first time, and referred to Committee on Claims.

By Mr. North: Assembly Bill No. 757—An Act to amend sections seven hundred and two and seven hundred and three of the Code of Civil Procedure, relating to the redemption of property sold on execution.

Read first time, and referred to Committee on Judiciary.

By Mr. McKelvey: Assembly Bill No. 758—An Act to provide for the appointment and salary of a clerk in the office of the Superintendent of Public Instruction, and to make an appropriation therefor.

Read first time, and referred to Committee on Education.

By Mr. Pendleton: Assembly Bill No. 759—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 referred to Committee on Judiciary.

By Mr. McCarthy: Assembly Bill No. 760—An Act to prohibit the

employment of persons who are related by affinity or consanguinity to the chief or other officers of any department of the government of the State of California.

Read first time, and referred to Committee on Judiciary.

By Mr. Waymire: Assembly Bill No. 761—An Act to add a new section to the Political Code, relative to the election of party managers or representatives.

Read first time, and referred to Committee on Election Laws.

Also: Assembly Bill No. 762—An Act to amend sections six hundred and fifty-eight, six hundred and fifty-nine, six hundred and sixty, and six hundred and sixty-one of the Code of Civil Procedure, relative to new trials and appeals.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 763—An Act to amend the Code of Civil Procedure by adding a new section thereto, to be known as section one thousand five hundred and twenty, relating to the purchase of property mortgaged to the testator or intestate.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 764—An Act to amend section eight hundred and thirty-six of the Code of Civil Procedure, relative to transferring causes to Justices' Courts.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 765—An Act to amend section nine hundred and seventy-seven of the Code of Civil Procedure, relative to appeals in Justices' Courts.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 766—An Act to amend sections fifty-five, sixty-eight, and seventy-seven of the Civil Code, and to repeal section fifty-seven of said Code, all relating to the marriage contract.

Read first time, and referred to Committee on Judiciary.

By Committee on Fish and Game: Assembly Bill No. 767—An Act for the protection of homing pigeons, and providing a punishment for the shooting, killing, maiming, catching, or detaining of such pigeons.

Read first time, and referred to Committee on Fish and Game.

By Mr. Pendleton: Assembly Bill No. 768—An Act to amend section one hundred and three of the Code of Civil Procedure of the State of California, relating to Justices' Courts, and to repeal chapter two hundred and forty-one of the Statutes of 1891.

Read first time, and referred to Committee on Judiciary.

By Mr. Ewing: Assembly Bill No. 769—An Act to enable all counties, incorporated towns, or cities, or consolidated cities and counties of this State to use patented automatic voting or ballot machines at all elections therein.

Read first time, and referred to Committee on Election Laws.

By Mr. Dinkelspiel: Assembly Bill No. 770—An Act to provide for the adjudication of claims against counties, cities and counties, and municipal corporations, in certain cases.

Read first time, and referred to Committee on Municipal Corporations.

SPECIAL ORDER.

Assembly Bill No. 617—An Act making appropriations for the support of the government of the State of California for the forty-seventh and forty-eighth fiscal years.

MOTION.

Mr. Brusie moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Assembly Bill No. 617.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Lynch in the chair.

Assembly Bill No. 617 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Lynch 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. 617—An Act making appropriations for the support of the government of the State of California for the forty-seventh and forty-eighth fiscal years—and now report progress, and recommend that the committee sit again.

LYNCH, Chairman.

MOTIONS.

Mr. Pendleton moved that when the Assembly take a recess it be until two o'clock.

So ordered.

Mr. Brusie moved that Assembly Bill No. 617 be made a special order for to-morrow, immediately after reading of the Journal.

So ordered.

APPROVAL OF JOURNAL.

The Journal of February 9th was approved.

LEAVE OF ABSENCE.

Messrs. McCarthy and Laugenour were granted leave of absence for the day.

COMMUNICATION.

Mr. Thomas submitted a communication from the Nevada County Miners' Association, protesting against any law which would impair the usefulness of the State Mining Bureau.

Read, and referred to Committee on Ways and Means.

RECESS.

At twelve o'clock and twenty minutes P. M., on motion of Mr. Bulla, the Assembly took a recess.

REASSEMBLED.

The Assembly reassembled at two o'clock P. M.
Speaker Lynch in the chair.
Quorum present.

DISMISSAL.

The Speaker announced that under Rule 23 he had removed from office William Rice, Assistant Enrolling Clerk, for neglect of duty.

Mr. Pendleton moved that the Assembly sustain the Speaker in his dismissal.

So ordered.

MOTION.

Mr. Pendleton moved to take up his motion of reconsideration in the matter of Assembly Constitutional Amendment No. 33.

So ordered.

RECONSIDERATION.

Assembly Constitutional Amendment No. 33—Relative to amending the Constitution of the State of California by repealing sections four and five of article thirteen, and by amending section one of said article.

The question being on the reconsideration of the vote whereby Assembly Constitutional Amendment No. 33 was defeated.

The roll was called, and the vote reconsidered by the following vote:

AYES—Messrs. Bassford, Belshaw, Bennett, Boothby, Brusie, Bulla, Cargill, Coleman, Cutter, Davis, Devitt, Devine, Dinkelspiel, Dodge, Dunbar, Dwyer, Ewing, Fassett, Freeman, Gay, Glass, Guy, Hall, Hathfield, Healey, Holland, Huber, Johnson, Jones, Keen, Kelsey, Laugenour, Lewis, Llewellyn, Meads, McDonald, McKelvey, Merrill, North, O'Day, Osborn, Pendleton, Phelps, Powers, Price, Richards, Robinson, Rowell, Sanford, Staley, Stansell, Spencer, Swisler, Tibbits, Thomas, Tomblin, Twigg, Wade, Waymire, Weyse, Zocchi, and Mr. Speaker—62.

NOES—Messrs. Bledsoe, Coghlin, and Dale—3.

The question being on the passage of Assembly Constitutional Amendment No. 33—Relative to amending the Constitution of the State of California, by repealing sections four and five of article thirteen, and by amending section one of said article.

The roll was called, and Assembly Constitutional Amendment No. 33 adopted by the following vote:

AYES—Messrs. Bassford, Belshaw, Bennett, Boothby, Brusie, Bulla, Cargill, Coleman, Devitt, Devine, Dinkelspiel, Dunbar, Ewing, Fassett, Freeman, Gay, Glass, Guy, Hall, Hathfield, Healey, Holland, Huber, Keen, Kelsey, Laugenour, Lewis, Llewellyn, Meads, McDonald, McKelvey, Merrill, North, O'Day, Pendleton, Phelps, Powers, Price, Reid, Richards, Robinson, Rowell, Sanford, Staley, Stansell, Spencer, Swisler, Tibbits, Thomas, Tomblin, Twigg, Waymire, Weyse, Zocchi, and Mr. Speaker—55.

NOES—Messrs. Barker, Bledsoe, Coghlin, Dale, Davis, Dodge, Hudson, Johnson, Jones, Nelson, and Wade—11.

Mr. Pendleton moved that Assembly Constitutional Amendment No. 33 be immediately transmitted to the Senate.

So ordered.

At two o'clock and fifteen minutes P. M. the Speaker called Mr. Pendleton to the chair.

MOTION.

Mr. Thomas moved that Assembly Bill No. 361 be taken up and placed upon its third reading and passage.

So ordered.

THIRD READING OF BILL.

Assembly Bill No. 361—An Act to amend section one thousand four hundred and sixteen of the Civil Code of this State, relating to water rights.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs Barker, Bassford, Belshaw, Bennett, Bledsoe, Boothby, Brusie, Bulla, Coghlin, Cutter, Dale, Davis, Devitt, Devine, Dinkelspiel, Dodge, Dunbar, Dwyer, Ewing, Fassett, Gay, Glass, Guy, Hall, Hatfield, Holland, Huber, Hudson, Johnson, Jones, Keen, Kelsey, Laugenour, Llewellyn, Meads, McDonald, McKelvey, Merrill, Nelson, North, Pendleton, Phelps, Powers, Price, Richards, Rowell, Sanford, Staley, Stansell, Swisler, Tibbits, Thomas, Tomblin, Waymire, Weyse, Wilkins, Wilkinson, and Zocchi—58

NOES—Mr Freeman—1.

Title read and approved.

Mr. Thomas moved that Assembly Bill No. 361 be immediately transmitted to the Senate.

So ordered.

RESOLUTION.

By Mr. Brusie :

WHEREAS, A corporation doing business in this State under the name of the Sunset Telephone-Telegraph Company, is charging a rental of from four dollars to seven dollars per month for the use of a telephone box, and two cents extra for each switch, and whereas, it is believed that said corporation is not contributing its just proportion of revenue for the maintenance of the State government; therefore, be it

Resolved, That the Committee on Ways and Means is hereby authorized and empowered to send for persons and papers, and to take testimony, with a view of ascertaining the facts in the matter, and report its findings to this House without unnecessary delay.

Adopted.

SPECIAL FILE.

Assembly Bill No. 452—An Act making an appropriation to pay the deficiency in the appropriation for the transportation of prisoners for the forty-third fiscal year.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs Barker, Belshaw, Bennett, Brusie, Bulla, Cargill, Coghlin, Cutter, Dale, Davis, Devitt, Devine, Dinkelspiel, Dodge, Dunbar, Dwyer, Ewing, Fassett, Freeman, Gay, Glass, Guy, Hall, Hatfield, Healey, Holland, Huber, Johnson, Jones, Keen, Kelsey, Laird, Laugenour, Llewellyn, Meads, Merrill, Nelson, Osborn, Pendleton, Phelps, Powers, Price, Richards, Rowell, Sanford, Staley, Swisler, Tomblin, Twigg, Wade, Waymire, Weyse, and Wilkinson—53.

NOES—Mr. Bledsoe—1.

Title read and approved.

Mr. Brusie moved that Assembly Bill No. 452 be immediately transmitted to the Senate.

So ordered.

Assembly Bill No. 374—An Act making an appropriation to pay the deficiency in the appropriation for the support of the State Insane Asylum at Stockton, California, for the forty-fourth and forty-fifth fiscal years.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Barker, Bassford, Belshaw, Bennett, Brusie, Bulla, Coleman, Dale, Davis, Devitt, Devine, Dinkelspiel, Dodge, Dunbar, Dwyer, Ewing, Fassett, Freeman, Gay, Glass, Guy, Hall, Healey, Hudson, Johnson, Jones, Keen, Laird, Laugenour, Llewellyn, Meads, McDonald, McKelvey, Merrill, Nelson, Osborn, Pendleton, Phelps, Powers, Price, Richards, Robinson, Rowell, Sanford, Staley, Stansell, Swisler, Tibbits, Tomblin, Waymire, Weyse, and Wilkinson—52.

NOES—Mr. Bledsoe—1.

Title read and approved.

Mr. Jones moved that Assembly Bill No. 374 be immediately transmitted to the Senate.

So ordered.

Assembly Bill No. 454—An Act making an appropriation to pay the deficiency in the appropriation for postage, expressage, and telegraphing, Secretary of State's office, for the forty-fifth and forty-sixth fiscal years.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Barker, Bassford, Belshaw, Bennett, Brusie, Bulla, Cargill, Coleman, Coghlin, Dale, Davis, Devine, Dinkelspiel, Dodge, Dunbar, Dwyer, Ewing, Freeman, Gay, Glass, Guy, Hall, Hatfield, Healey, Holland, Huber, Hudson, Johnson, Jones, Keen, Kelsey, Laugenour, Llewellyn, Meads, McDonald, Merrill, North, Osborn, Pendleton, Phelps, Powers, Price, Richards, Robinson, Staley, Stansell, Swisler, Tibbits, Tomblin, Wade, Weyse, Wilkinson, and Zocchi—53.

NOES—Mr. Bledsoe—1.

Title read and approved.

Mr. Brusie moved that Assembly Bill No. 454 be immediately transmitted to the Senate.

So ordered.

Assembly Bill No. 17—An Act making an appropriation to pay the deficiency in the appropriation for the support of the State Normal School at Los Angeles for the forty-sixth fiscal year.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Barker, Belshaw, Bennett, Brusie, Bulla, Cargill, Coleman, Dale, Davis, Devitt, Devine, Dinkelspiel, Dodge, Dunbar, Dwyer, Ewing, Fassett, Freeman, Gay, Glass, Guy, Hall, Hatfield, Healey, Holland, Huber, Hudson, Johnson, Jones, Keen, Kelsey, Laird, Laugenour, McDonald, Merrill, Nelson, North, Osborn, Pendleton, Phelps, Powers, Price, Reid, Richards, Staley, Stansell, Swisler, Tibbits, Tomblin, Wade, Waymire, and Weyse—51.

NOES—Mr. Bledsoe—1.

Title read and approved.

Mr. Bulla moved to immediately transmit Assembly Bill No. 17 to the Senate.

So ordered.

INTRODUCTION OF BILL—(OUT OF ORDER).

The following bill was introduced, read first time, and referred to committee, as follows:

By Mr. Wade: Assembly Bill No. 771—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 fifty-one thereof, relative to the officers of municipal incorporations of the sixth class.

Read first time, and referred to Committee on Municipal Corporations.

SPECIAL FILE—(RESUMED).

Assembly Bill No. 188—An Act making an appropriation for support of the Southern California State Asylum for the Insane and Inebriates for the forty-sixth fiscal year.

Passed, to retain its place on file.

Assembly Bill No. 456—An Act making an appropriation to pay the deficiency in the appropriation for arresting criminals without the State for the forty-third and forty-fourth fiscal years.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Barker, Belshaw, Bennett, Boothby, Brusie, Bulla, Cargill, Coleman, Dale, Devitt, Devine, Dinkelspiel, Dodge, Dwyer, Freeman, Gay, Glass, Hall, Hatfield, Healey, Huber, Jones, Keen, Kelsey, Llewellyn, Meads, McDonald, McKelvey, Nelson, North, Osborn, Pendleton, Phelps, Powers, Price, Reid, Richards, Robinson, Staley, Stansell, Swisler, Tibbits, Twigg, Waymire, and Weyse—45.

NOES—Mr. Bledsoe—1.

Title read and approved.

Mr. Brusie moved that Assembly Bill No. 456 be immediately transmitted to Senate.

So ordered.

Assembly Constitutional Amendment No. 6—Proposed amendment to section seven of article one of the Constitution, relative to juries.

Mr. Cutter moved to amend as follows:

By striking out of section seven, line four, printed bill, the words "cases, civil or," and inserting the following: "civil cases and all."

Adopted.

Also: Amend section seven, line four, printed bill, by inserting after the word "criminal" the following: "cases except where the penalty may be death, when the verdict must be unanimous."

Adopted.

Also: Amend by striking out of section seven, lines eight, nine, and ten, printed bill, and inserting the following: "But in no such case shall a verdict be rendered by less than three fourths of said original number."

Adopted.

Ordered to printer.

Assembly Constitutional Amendment No. 4—Proposed amendment to section one of article thirteen of the Constitution, relative to revenue and taxation.

The question being on the adoption of Assembly Constitutional Amendment No. 4.

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

AYES—Messrs. Brusie, Coghlin, Cutter, Davis, Devine, Dwyer, Freeman, Guy, Hatfield, Healey, Holland, Laugenour, McKelvey, Osborn, Staley, Stansell, Swisler, Thomas, Twigg, Tomblin, Weyse, and Wilkinson—22.

NOES—Messrs. Barker, Bassford, Belshaw, Bennett, Bledsoe, Bulla, Cargill, Dale, Devitt, Dodge, Fassett, Gay, Glass, Hall, Huber, Hudson, Jones, Keen, Kelsey, Meads, McDonald, Nelson, North, Pendleton, Phelps, Powers, Price, Richards, Robinson, Rowell, Sanford, Spencer, Tibbits, Wade, and Waymire—35.

Assembly Constitutional Amendment No. 18—A resolution to propose to the people of the State of California an amendment to section five

of article eleven of the Constitution of the State of California, relating to the classification of counties.

Passed, to retain its place on file.

Assembly Constitutional Amendment No. 17—Constitutional amendment proposing to the people of the State an amendment to section one of article thirteen of the Constitution, relative to exemptions from taxation.

Passed, to retain its place on file.

Assembly Constitutional Amendment No. 7—A resolution proposing an amendment to section seven, article six, of the Constitution of the State of California, relative to departments, and providing for additional departments, of the Superior Courts of the respective counties, and cities and counties, of the State, and to provide for an interchange of Judges among the different counties, and cities and counties, when necessary to dispose of accumulated business.

The question being on the adoption of Assembly Constitutional Amendment No. 7.

The roll was called, and pending the announcement of the result a call of the House was ordered.

CALL OF THE HOUSE.

Mr. Hatfield moved a call of the House, seconded by Messrs. Laugenour and Powers.

So ordered.

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

Messrs. Barker, Bassford, Belshaw, Bennett, Bettman, Bledsoe, Boothby, Brusie, Bulla, Cargill, Coleman, Coghlin, Cutter, Dale, Davis, Devitt, Devine, Dinkelspiel, Dodge, Dunbar, Dwyer, Ewing, Fassett, Freeman, Gay, Glass, Guy, Hall, Hatfield, Healey, Holland, Huber, Hudson, Johnson, Jones, Keen, Kelsey, Laird, Laugenour, Lewis, Llewellyn, Meads, McDonald, McKelvey, Nelson, North, O'Day, Osborn, Pendleton, Phelps, Powers, Price, Reid, Richards, Robinson, Rowell, Sanford, Staley, Stansell, Spencer, Swisler, Tibbits, Tomblin, Twigg, Wade, Waymire, Weyse, Wilkinson, Zocchi, and Mr. Speaker.

The following members, Messrs. Bachman and Merrill, were absent without leave.

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

So ordered.

The roll was called, and Assembly Constitutional Amendment No. 7 adopted by the following vote:

Ayes—Messrs. Barker, Bassford, Belshaw, Bennett, Bettman, Bledsoe, Boothby, Brusie, Bulla, Cargill, Coghlin, Cutter, Dale, Davis, Devitt, Devine, Dinkelspiel, Dunbar, Dwyer, Ewing, Freeman, Glass, Guy, Hall, Hatfield, Healey, Huber, Keen, Kelsey, Laugenour, Lewis, Llewellyn, Meads, McDonald, McKelvey, Pendleton, Powers, Price, Reid, Richards, Rowell, Sanford, Staley, Spencer, Thomas, Tomblin, Twigg, Wade, Waymire, Weyse, Wilkins, Wilkinson, Zocchi, and Mr. Speaker—54.

Noes—Messrs. Dodge, Fassett, Gay, Holland, Hudson, Johnson, Jones, Laud, Nelson, North, O'Day, Osborn, Phelps, Robinson, Stansell, Swisler, and Tibbits—17.

Assembly Constitutional Amendment No. 11—A resolution to propose to the people of the State of California an amendment to section one of article two of the Constitution, in relation to the right of suffrage.

Passed, to retain its place on file.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 11, 1895.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following has been correctly engrossed, viz.: Assembly Joint Resolution No. 11—Joint resolution relative to the control of the Maritime Quarantine Service at the port of San Francisco.

WILKINSON, Chairman.

RECESS.

At three o'clock and thirty minutes P. M., on motion of Mr. Bledsoe, the Assembly took a recess until seven o'clock and thirty minutes P. M.

REASSEMBLED.

The Assembly reassembled at seven o'clock and thirty minutes P. M. Speaker Lynch in the chair.

Quorum present.

SPECIAL ORDER.

Assembly Bill No. 470—An Act to amend section one thousand and eighty-three of the Political Code of the State of California, in relation to the qualifications and disabilities of electors.

AMENDMENT.

Mr. Reid moved to amend by striking out section one, lines three to fifteen, inclusive, and inserting the following:

Section 1083 Every native male citizen of the United States, every male person who shall have acquired the rights of citizenship under or by virtue of the treaty of Queretaro, and every naturalized male citizen thereof, who shall have become such ninety days prior to any election, of the age of twenty-one years, who shall have been a resident of this State one year next preceding the election, and of the county in which he claims his vote ninety days, and in the election precinct thirty days, and whose name shall be enrolled on the Great Register of such county, and who is able to read the Constitution of this State in the English language and write his name (except those persons mentioned in section one thousand and eighty-four of this Code), shall be an elector entitled to vote at all elections which are now or may hereafter be authorized by law; *provided*, that the educational qualification shall not apply to any one who had the right to vote on the sixth day of November, eighteen hundred and ninety-four, or who was sixty years of age and upwards on that day, nor to any person prevented by a physical disability from complying with the requirements of this section.

PREVIOUS QUESTION.

Pending the consideration of the amendment offered by Mr. Reid, the previous question was moved by Mr. Hatfield, seconded by Messrs. Staley and Pendleton.

The ayes and noes were demanded by Messrs. Pendleton, Belshaw, and Bledsoe.

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

AYES—Messrs. Ash, Bachman, Bassford, Cargill, Coleman, Coghlin, Cutter, Davis, Devine, Dwyer, Gay, Healey, Holland, Lewis, McDonald, Pendleton, Reid, Robinson, Sanford, Stansell, Swisler, Twigg, and Mr. Speaker—23.

NOES—Messrs. Barker, Belshaw, Bennett, Berry, Bettman, Bledsoe, Boothby, Brusie, Bulla, Butler, Dale, Devitt, Dinkelspiel, Dodge, Dunbar, Ewing, Fassett, Freeman, Glass,

Guy, Hall, Hatfield, Huber, Hudson, Johnson, Jones, Keen, Kelsey, Kenyon, Llewellyn, Meads, McCarthy, McKelvey, Nelson, North, O'Day, Osborn, Phelps, Richards, Rowell, Staley, Spencer, Tibbits, Tomblin, Wade, Waymire, Wilkinson, and Zocchi—48.

Assembly Bill No. 470 ordered to engrossment and third reading.

ADJOURNMENT.

At nine o'clock and twenty minutes P. M. the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Tuesday, February 12, 1895. }

The Assembly met pursuant to adjournment.

Speaker Lynch in the chair.

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

Messrs Ash, Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Bledsoe, Boothby, Brusie, Bulla, Butler, Cargill, Coleman, Coghlin, Cutter, Dale, Davis, Devitt, Devine, Dinkelspiel, Dixon, Dodge, Dunbar, Dwyer, Ewing, Fassett, Freeman, Gay, Glass, Guy, Hall, Hatfield, Healey, Holland, Huber, Hudson, Johnson, Jones, Keen, Kelsey, Kenyon, Laird, Laugenour, Lewis, Llewellyn, Meads, McCarthy, McDonald, McKelvey, Merrill, Nelson, North, O'Day, Osborn, Pendleton, Phelps, Powers, Price, Reid, Richards, Robinson, Rowell, Sanford, Staley, Stansell, Spencer, Swisler, Tibbits, Thomas, Tomblin, Twigg, Wade, Waymire, Weyse, Wilkinson, Zocchi, and Mr. Speaker.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. O. Summers.

READING OF THE JOURNAL.

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

So ordered.

SENATE MESSAGES—(OUT OF ORDER).

SENATE CHAMBER, SACRAMENTO, February 12, 1895.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the eleventh day of February, 1895, passed Senate Bill No. 431—An Act making an appropriation to pay the deficiency in the appropriation for postage, expressage, and telegraphing, Secretary of State's office, for the forty-fifth and forty-sixth fiscal years.

Also: Senate Bill No. 291—An Act making an appropriation to pay the deficiency in the appropriation for the contingent expenses of the Senate, thirtieth session, California Legislature.

Also: Senate Bill No. 327—An Act making an appropriation for elevator attendant's salary for last four months of forty-sixth fiscal year.

Also: Senate Bill No. 88—An Act to prevent deception in the manufacture and sale of butter and of cheese, to secure its enforcement, and to appropriate money therefor.

Also: Assembly Bill No. 449—An Act to amend 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, 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 March 20, 1891, and amended by an Act approved March 23, 1893, amending section eight, and adding two sections thereto.

F. J. BRANDON, Secretary.
By C. L. PARDEE, Assistant.

REFERENCE OF BILLS.

Senate Bills Nos. 431, 291, 327, and 88 referred to Committee on Ways and Means.

Assembly Bill No. 449 ordered to enrollment.

RESOLUTION—(OUT OF ORDER).

By Mr. Dodge :

Resolved, That the State Printer be and he is hereby directed to print one thousand extra copies of Assembly Bill No. 631.

Adopted.

PETITIONS.

By Mr. McKelvey : From the citizens of Orange County, protesting against the passage of the Uniform Low License Bill.

Referred to Committee on Public Morals.

By Mr. Bulla : From the voters of the Seventy-fifth Assembly District, protesting against the passage of Assembly Bill No. 191, and any other measure looking to a reduction of notarial fees.

Referred to Committee on Judiciary.

By Mr. Waymire: Signed by ten Superior Judges of San Francisco, requesting the repeal of that portion of section one thousand nine hundred and sixty-two of the Political Code, providing for honorary membership in the National Guard.

Referred to Committee on Military Affairs.

By Mr. Meads: From several hundred citizens of Santa Clara County, asking the enactment of such a Sabbath law as will be founded upon, and agreeable to, the moral law of God, and that will not do wrong to any class of citizens.

Referred to Committee on Public Morals.

SPECIAL ORDERS.

Assembly Bill No. 617—An Act making appropriations for the support of the government of the State of California for the forty-seventh and forty-eighth fiscal years.

MOTION.

Mr. Brusie moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Assembly Bill No. 617.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Lynch in the chair.

Assembly Bill No. 617 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Lynch 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. 617—An Act making appropriations for the support of the government of the State of California for the forty-seventh and forty-eighth fiscal years—and now report progress, and recommend that the committee sit again.

LYNCH, Chairman.

MOTIONS.

Mr. Brusie moved that Assembly Bill No. 617 be made a special order for two o'clock P. M. this day.

So ordered.

Mr. Brusie moved that when the Assembly takes a recess it be until two o'clock P. M.

So ordered.

RECESS.

At twelve o'clock and twenty minutes P. M., on motion of Mr. Bettman, the Assembly took a recess.

REASSEMBLED.

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

Speaker Lynch in the chair.

Quorum present.

INTRODUCTION OF BILLS—(OUT OF ORDER).

The following bills were introduced, read first time, and referred to committees, as follows:

By Mr. Nelson: Assembly Bill No. 772—An Act to prevent the sale of imitation or adulterated honey, and to provide a punishment therefor.

Read first time, and referred to Committee on Agriculture.

Also: Assembly Bill No. 773—An Act to amend sections three thousand six hundred and sixty-eight, 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, and three thousand eight hundred of the Political Code of the State of California, relating to revenue and taxation.

Read first time, and referred to Committee on Ways and Means.

MOTION.

Mr. Brusie moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Assembly Bill No. 617.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Lynch in the chair.

Assembly Bill No. 617 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Lynch 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. 617—An Act making appropriations for the support of the government of the State of California for the forty-seventh and forty-eighth fiscal years—and now report, with amendments, and recommend that the same do pass as amended.

LYNCH, Chairman.

The Speaker called Mr. Belshaw to the chair.

MOTIONS.

Mr. Brusie moved that the report of the Committee of the Whole be adopted.

So ordered.

Mr. Brusie moved that Assembly Bill No. 617 be made a special order immediately after reading the Journal on Thursday.

So ordered.

REMARKS.

In offering the appended resolution, Mr. Dixon spoke as follows:

MR. SPEAKER: A gentleman who was a member of this House in the early days of the history of this State, and who was the only Whig ever elected Speaker of the Assembly, died in San Francisco yesterday.

He was a man of large mind, large experience, and large heart. His charities were unceasing, and few men in the State, perhaps none, ever dispensed so many charities to the poor and deserving. I have known him for nearly thirty years, and he was always a staunch and loyal friend. I desire to offer a resolution and move its adoption.

RESOLUTION.

WHEREAS, Hon. Wm. W. Stow, who was a member of the Assembly of California for two sessions, and its Speaker at the sixth session of the Legislature of this State, died on yesterday; therefore, be it

Resolved, That when this House adjourns for the day, it adjourn out of respect to his memory

Adopted.

JOINT RESOLUTION.

By Mr. Wade (by request):

ASSEMBLY JOINT RESOLUTION No. 19.

WHEREAS, On the tenth day of December, 1894, the Hon. W. H. Hatch submitted the following resolution in the House of Representatives, and which was referred to the Committee on Agriculture of the House of Representatives:

“WHEREAS, Current market prices of the principal agricultural staples have declined to about half their former rates, and are sold in many instances at or below the cost of production; and whereas, such a condition must tend to the elimination of the inde-

pendent land-owning farmer and his replacement by a dependent peasant tenantry, which, unless prevented, will not only prove detrimental to agriculture and the kindred industries, but also to the perpetuity of American institutions; therefore,

Resolved, That the Committee on Agriculture of the House of Representatives be and are hereby directed to inquire into the causes of the depression of American agricultural staples and the relative condition of agriculture to the manufacturing industries, and report the same to the House with such suggestions as they may deem proper regarding the differences or inequalities, if any exist, so far as they are caused by legislation, or as legislation can remedy them."

A hearing was had on the above resolution on December 15th and 17th, and a limited number of copies of the proceedings on the resolution was ordered printed for free distribution; and whereas, these copies have all been distributed and many more are in demand in our State for the information of the people; therefore,

Resolved, That we request our Representatives in Congress to present a resolution during the present session authorizing the publication and free distribution of twenty-five thousand copies of said "hearing" for the State of California.

Resolved, That the Clerk of the Assembly is hereby instructed to transmit a copy of this resolution to each of our Representatives in Congress without any delay

JOINT RESOLUTION.

WHEREAS, Protection of American industries against the competition of the cheap labor countries of the world is the controlling and public policy of this nation, and whereas, the present method of protection by a tariff on imports can only protect the home market of manufactures against imports, but cannot protect the staples of agriculture against foreign competition, because these are produced in surplus quantities for export; and whereas, to protect one industry and to leave the other unprotected is to compel the unprotected industry to pay for the protection of the protected industry, which is an injustice.

Therefore, we respectfully memorialize the Congress of the United States to remove this injustice by providing by law an equal measure of protection to the staples of agriculture now granted to manufactures, and that this be done by applying a portion of the revenue now collected as protective tariff in the payment of an export bounty on the staples of agriculture

Resolved, That a copy of these resolutions be transmitted to Congress.

Referred to Committee on Agriculture.

RESOLUTION.

By Mr. Wade:

Resolved, That D. Lubin be granted the use of the Assembly hall on to-morrow evening, at seven o'clock and thirty minutes, to address members of this Legislature.

Adopted.

APPROVAL OF JOURNAL.

The Journal of February 11th was approved.

REPORTS OF STANDING COMMITTEES.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, February 12, 1895.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 648—An Act to amend sections one thousand four hundred and twenty-six, one thousand four hundred and twenty-seven, and one thousand four hundred and fifty-two of an Act entitled "An Act to establish a Penal Code," adopted February 14, 1872, relating to the manner of commencing actions before a Justice's or Police Court for a public offense.

Also, Assembly Bill No. 649—An Act to amend section nine hundred and forty-four of an Act entitled "An Act to establish a Penal Code," adopted February 14, 1872, relating to indictments for offenses triable in Justices' or Police Courts.

Have had the same under consideration, and respectfully report the same back without recommendation.

Also, Assembly Bill No. 647—An Act relating to the proof and recording of maps of real estate—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

BULLA, Chairman.

ON PUBLIC MORALS.

ASSEMBLY CHAMBER, SACRAMENTO, February 11, 1895.

MR. SPEAKER: Your Committee on Public Morals, to whom was referred Assembly Bill No. 693—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Assembly Bill No. 517—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to Committee on Judiciary

Also: Assembly Bill No. 531—have had the same under consideration, and respectfully report the same back, and recommend that the author be allowed to withdraw it

BETTMAN, Chairman

Assembly Bill No. 517 re-referred to Committee on Judiciary.

ON COUNTIES AND COUNTY BOUNDARIES.

ASSEMBLY CHAMBER, SACRAMENTO, February 11, 1895.

MR. SPEAKER: Your Committee on Counties and County Boundaries, to whom was referred Assembly Bill No. 395—An Act to amend section three thousand nine hundred and thirty-one, part four, title one, of the Political Code of the State of California, relating to the boundary of Alpine County—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Assembly Bill No. 504—An Act to provide for the formation of new counties, and the appointment and election of officers, the location of county seats thereof, and the adjustment and fulfillment of certain rights and obligations arising between such counties and other counties.

Also: Assembly Bill No. 528—An Act to provide for the formation of new counties, and the appointment and election of officers, the location of county seats thereof, and the adjustment and fulfillment of certain rights and obligations arising between such counties and other counties

Also: Assembly Bill No. 535—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 seats by an election, and to determine the portion of the old county debt to be chargeable to such new county.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass

COLEMAN, Chairman

ON CONSTITUTIONAL AMENDMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, February 11, 1895

MR. SPEAKER Your Committee on Constitutional Amendments, to whom was referred Assembly Constitutional Amendment No. 9—Proposed amendment to article thirteen, section one, of the Constitution, relative to revenue and taxation.

Also: Assembly Constitutional Amendment No. 10—Proposed amendment to section twelve of article thirteen of the Constitution, relative to revenue and taxation.

Also: Assembly Constitutional Amendment No. 12—Proposed amendment to section eleven, article eleven of the Constitution, relative to elections.

Also: Assembly Constitutional Amendment No. 13—Proposed amendment to article four of the Constitution, by inserting section one and one half, relative to elections

Also: Assembly Constitutional Amendment No. 14—Proposed amendment to section one of article four of the Constitution, relative to elections

Also: Assembly Constitutional Amendment No. 15—Proposed amendment to section one of article eighteen of the Constitution, relative to amendments.

Have had the same under consideration, and respectfully report the same back, and recommend that they be not adopted

WAYMIRE, Chairman.

ON CRIMES AND PENALTIES.

ASSEMBLY CHAMBER, SACRAMENTO, February 12, 1895.

MR. SPEAKER: Your Committee on Crimes and Penalties, to whom was referred Assembly Bills Nos 442 and 350—have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also. Assembly Bills Nos 426 and 401—have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

Also: Assembly Bill No. 320—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to Committee on Judiciary.

BOOTHBY, Chairman.

Assembly Bill No. 320 re-referred to Committee on Judiciary.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 12, 1895.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following has been correctly engrossed: Assembly Joint Resolution No. 14 (Substitute Joint Resolution)—Relative to an appropriation by Congress for the construction of a deep-sea harbor for Los Angeles County.

WILKINSON, Chairman.

ON CLAIMS.

ASSEMBLY CHAMBER, SACRAMENTO, February 12, 1895.

MR. SPEAKER: Your Committee on Claims, to whom was referred Assembly Bill No. 314—An Act to provide for the payment of the claim of C. S. Merrill for services of stenographer.

Also: Assembly Bill No. 46—An Act making an appropriation to pay Charles Phipps for services rendered as assistant to the Secretary of the State Board of Examiners from February 15, 1891, to March 21, 1891.

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

Also: Assembly Bill No. 418—An Act to appropriate seven thousand five hundred dollars as compensation to Julius A. Hult, a private in Company C, First Regiment Infantry, Second Brigade, N. G. C., for injuries sustained while in active service—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Assembly Bill No. 638—An Act to appropriate money to pay the claim of D. Jordan, for the partial construction by him of the Branch State Prison at Folsom, California—have had the same under consideration, and respectfully report that the said claim of D. Jordan has been duly approved by the State Board of Examiners, and that such approval has been held by the Supreme Court of the State to be a judicial determination, and that the amount so allowed by the Board of Examiners is due D. Jordan. We therefore report the same back, and recommend that it do pass.

GAY, Chairman.

Assembly Bills Nos. 314, 46, 418, and 638 re-referred to Committee on Ways and Means.

JOINT COMMITTEE ON RULES AND REGULATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 12, 1895

MR. SPEAKER: Your Joint Committee on Rules and Regulations governing the Senate and Assembly (thirty-first session), as their report beg leave to recommend the adoption of the following as the joint rules of the Senate and Assembly, to wit.

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 emanated, 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 bill 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.—JOINT AND CONCURRENT RESOLUTIONS

Joint resolutions are those which relate to a certain communication to the Federal Government. All other resolutions relating to matters to be treated by both Houses of the Legislature are concurrent resolutions.

XIX.—JOINT RESOLUTIONS TREATED AS BILLS.

All joint resolutions shall be treated in all respects as bills; except that all joint resolutions shall be read but one time in each House.

XX.—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.

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.

XXIII.

On and after February 14, 1895, 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.

DINKELSPIEL, Chairman.
LAUGENOUR
DWYER.
KELSEY.
BULLA.
LYNCH.
EARL, Chairman.
SEAWELL.
FLINT.

Laid over one day and ordered printed in the Journal.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 12, 1895.

MR. SPEAKER: Your Committee on Education, to whom was referred Assembly Bill No 536—An Act to amend sections one thousand five hundred and fifty-one, one thousand five hundred and seventy-six, one thousand six hundred and seventeen, one thousand six hundred and sixty-nine, one thousand seven hundred and seventy, one thousand eight hundred and thirty, one thousand eight hundred and fifty-eight, one thousand eight hundred and eighty-two, one thousand eight hundred and eighty-four, and one thousand eight hundred and eighty-five of the Political Code, relating to the public schools

Also: Assembly Bill No. 523—An Act to amend section one thousand seven hundred and seventy-five, article sixteen, of the Political Code, relating to the granting of teachers' certificates.

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

Also: Assembly Bill No 561—An Act to amend section one thousand six hundred and thirty-six of the Political Code of the State of California, relating to duties of Census Marshals—have had the same under consideration, and respectfully report the same back, and recommend that it do pass

Also: Assembly Bill No 582—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by amending sections one thousand six hundred and seventeen, one thousand six hundred and sixty-two, and one thousand six

hundred and sixty-three of said Code; and by adding two new sections to said Code, to be numbered and known as sections one thousand six hundred and seventy-four and one thousand seven hundred and five, relating to the establishment of kindergarten classes in primary schools—have had the same under consideration, and respectfully report the same back without recommendation.

JOHNSON, Chairman.

ON ATTACHES AND EMPLOYEES.

ASSEMBLY CHAMBER, SACRAMENTO, February 11, 1895.

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

By Mr Dinkelspiel:

Resolved, That the Controller be and he is hereby directed to draw a warrant for the salary of Gus Hartman, Clerk to Committee on Rules of the Assembly, dating from January 9, 1895, being the date he commenced his services, at a per diem of five dollars, to be paid from the Contingent Fund of the Assembly.

Respectfully report back the same and recommend its amendment as follows:

Provided, That the said payment of salary shall be for the time said Hartman was actually employed, viz.: from January 9, 1895, until January 16, 1895, seven days in all

And we recommend that the resolution be adopted as amended.

Resolution adopted.

Also the following:

Resolved, That the pay of Lee Fairchild, Assistant Enrolling Clerk, be reduced from eight dollars per day to five dollars per day; and that the services of the following attachés of the Assembly be dispensed with, viz.: C. A. Tyrrel, Doorkeeper; J. Currington, Assistant Journal Clerk; John Massie, Porter; T. J. Smith, Porter; A. S. Vischer, Assistant Journal Clerk; Miss C. H. Hayden, Assistant Journal Clerk; George Hatton, Assistant Engrossing Clerk; Thomas Haskins, Watchman; L. W. Avery, Folding Clerk; J. B. Horton, Assistant Engrossing Clerk; G. Y. Vandever, Assistant History Clerk; W. W. Colm, Watchman; D. G. Holt, Assistant Clerk; Miss C. H. Boyden, Assistant Journal Clerk; W. Rice, Assistant Enrolling Clerk; L. B. Corotto, Watchman; Horace Howard, Page to Sergeant-at-Arms; J. Brooks, Assistant Clerk.

Respectfully recommend that the same be amended as follows: By striking out of said resolution the names of A. S. Vischer, Assistant Journal Clerk, G. Y. Vandever, Assistant History Clerk, and Thomas Haskins, Watchman. The name of W. Rice having already been dropped from the roll of employés, no further action as regards his case is required of this committee.

We respectfully recommend that the resolution do pass as amended.

WEYSE, Chairman.

MOTIONS.

Mr. Bettman moved that the report be laid upon the table.

So ordered.

ADJOURNMENT.

At four o'clock and thirty minutes P. M., on motion of Mr. Bettman, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Wednesday, February 13, 1895. }

The Assembly met pursuant to adjournment.

Speaker Lynch in the chair.

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

Messrs. Ash, Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Bledsoe, Brusie, Bulla, Butler, Cargill, Coghlin, Cutter, Dale, Davis, Devitt, Devine, Dinkelspiel, Dixon, Dodge, Dunbar, Dwyer, Ewing, Fassett, Freeman, Gay, Glass, Guy, Hall, Hatfield,

Healey, Holland, Huber, Hudson, Johnson, Jones, Keen, Kelsey, Kenyon, Laird, Laugenour, Lewis, Llewellyn, Meads, McDonald, McKelvey, Merrill, Nelson, North, O'Day, Osborn, Pendleton, Phelps, Powers, Price, Reid, Richards, Robinson, Rowell, Sanford, Staley, Stansell, Spencer, Swisler, Tibbitts, Thomas, Tomblin, Twigg, Wade, Waymire, Weyse, Wilkinson, Zocchi, and Mr Speaker.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. O. Summers.

READING OF THE JOURNAL.

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

So ordered.

REPORTS OF STANDING COMMITTEES.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, February 13, 1895.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 413—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, and an Act amendatory thereof, approved March 31, 1891—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also, Assembly Bill No. 267—An Act to amend section one thousand nine hundred and sixteen of the Civil Code of the State of California, and to repeal section one thousand nine hundred and nineteen of the same Code, both sections relating to interest.

Also Assembly Bill No. 679—An Act to amend section four hundred and seven of the Code of Civil Procedure, relating to the manner of commencing civil actions

Also: Assembly Bill No. 671—An Act to amend section eight hundred and forty-four of the Code of Civil Procedure, relating to the manner of commencing actions in Justice Courts.

Have had the same under consideration, and respectfully report the same back, and recommend that the authors be allowed to withdraw the same

Also: Assembly Bill No. 638—An Act to amend sections one thousand eight hundred and ninety-eight, one thousand nine hundred, one thousand nine hundred and twelve, one thousand nine hundred and fifteen, one thousand nine hundred and sixteen, one thousand nine hundred and seventeen, one thousand nine hundred and eighteen, one thousand nine hundred and nineteen, one thousand nine hundred and twenty-three, one thousand nine hundred and twenty-eight, one thousand nine hundred and thirty-seven, one thousand nine hundred and forty-five, one thousand nine hundred and sixty-two, one thousand nine hundred and sixty-five, one thousand nine hundred and sixty-eight, one thousand nine hundred and seventy, one thousand nine hundred and eighty, one thousand nine hundred and eighty-one, one thousand nine hundred and ninety, two thousand and three, two thousand and seven, two thousand and twenty, two thousand and twenty-two, two thousand and twenty-three, two thousand and twenty-nine, two thousand and thirty, two thousand and thirty-one, two thousand and forty, two thousand and forty-one, two thousand and forty-two, two thousand and forty-nine, two thousand and fifty, two thousand and seventy-six, two thousand and eighty-two, two thousand and ninety-four, two thousand one hundred and five of the Political Code of the State of California, and in relation to the National Guard of California; to amend sections seven hundred and twenty-eight, seven hundred and twenty-nine of the Penal Code of the State of California, all in relation to the National Guard of California; to repeal sections one thousand nine hundred and two, one thousand nine hundred and thirteen, one thousand nine hundred and thirty-eight, one thousand nine hundred and eighty-three, one thousand nine hundred and eighty-seven, one thousand nine hundred and eighty-eight, one thousand nine hundred and eighty-nine, two thousand and four, two thousand and five, two thousand and six, two thousand and forty-eight, two thousand one hundred and one, two thousand one hundred and nine, two thousand one hundred and ten of the Political Code of the State of California, and in relation to the National Guard of California; to add one new section, to be known as section two thousand one hundred and two of the Political Code of the State of California, and relating to the National Guard of California—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to Committee on Military Affairs.

Also. Assembly Bill No. 234—An Act to amend section seven hundred and ninety-two of the Political Code of the State of California, relating to the qualifications of a Notary Public.

Also: Assembly Bill No. 661—An Act to amend section eight hundred and forty-four of the Code of Civil Procedure of the State of California, relating to the issuance, direction, and contents of summons in Justices' Courts

Also: Assembly Bill No. 728—An Act to amend section six hundred and ninety of an Act entitled "An Act to establish a Code of Civil Procedure," adopted March 11, 1872, by adding a new article, exempting seamen's and fishermen's wages from execution or attachment.

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

Also: Assembly Bill No. 266—An Act authorizing persons having claims against counties, cities and counties, or municipal corporations, to prosecute them to judgment—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

BULLA, Chairman.

Assembly Bill No. 668 referred to Committee on Military Affairs.

ON FRUIT AND VINE INTERESTS.

ASSEMBLY CHAMBER, SACRAMENTO, February 12, 1895.

MR. SPEAKER: Your Committee on Fruit and Vine Interests, to whom was referred Assembly Bill No. 204—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

ROWELL, Chairman.

Assembly Bill No. 204 re-referred to Committee on Ways and Means.

MOTION.

Mr. Brusie moved that Assembly Bill No. 617 be made a special order for two o'clock this day.

So ordered.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON MILEAGE.

ASSEMBLY CHAMBER, SACRAMENTO, February 9, 1895.

MR. SPEAKER: Your Committee on Mileage, to whom was referred report of Committee on State Prisons and Reformatory Institutions, as follows:

ASSEMBLY CHAMBER, SACRAMENTO, February 7, 1895.

MR. SPEAKER: Your Committee on State Prisons and Reformatory Institutions, appointed to investigate and report upon the needs of the Whittier State School, at Whittier, Los Angeles County, having visited the said school and reported back the result of their investigation to the Assembly, now present their account for expenses, as follows:

Jas. T. Laird.....	\$94 50
H. W. Laugenour.....	94 50
C. W. Pendleton.....	94 50
R. I. Thomas.....	94 50
Wm. Llewellyn.....	94 50
J. C. Kesler, clerk.....	94 50
Total.....	\$567 00

Resolved, That the Controller be and he is hereby directed to draw his warrant in favor of James T. Laird, Chairman of said committee, for the sum of five hundred and sixty-seven dollars as per above statement, said warrant to be so drawn upon the fund for the contingent expenses of the Assembly, and the Treasurer is directed to pay the same.

LAIRD, Chairman.

Have had the same under consideration, and respectfully report the same back, and recommend that each member receive the amount as to bill hereto attached, and the Controller is hereby directed to draw his warrant in favor of each member for the same:

J. T. Laird.....	\$70 00
H. W. Laugenour.....	70 00
C. W. Pendleton.....	70 00
R. I. Thomas.....	70 00
Wm. Llewellyn.....	70 00
J. C. Kesler, clerk.....	70 00

STALEY, Chairman.

AMENDMENT.

Mr. Pendleton moved to amend by striking out of the report the figures \$70 whenever they occur therein, and inserting in lieu thereof the figures \$94 50.

The question being on the amendment.

The ayes and noes were demanded by Messrs. Belshaw, Osborn, and Barker.

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

AYES—Messrs. Bassford, Bennett, Berry, Bettman, Brusie, Bulla, Butler, Cargill, Coghlin, Davis, Devitt, Devine, Dinkelspiel, Dixon, Dodge, Dwyer, Freeman, Glass, Guy, Hall, Hatfield, Healey, Holland, Huber, Kelsey, Kenyon, Laird, Laugenour, Lewis, Llewellyn, Meads, McDonald, McKelvey, Merrill, Nelson, North, Richards, Sanford, Swisler, Tibbitts, Thomas, Waymire, Weyse, Wilkinson, and Zocchi—45.

NOES—Messrs. Ash, Barker, Belshaw, Bledsoe, Coleman, Dale, Dunbar, Ewing, Gay, Hudson, Jones, Keen, Osborn, Price, Robinson, Rowell, Staley, Stansell, Wade, and Mr. Speaker—20.

Report of Committee on Mileage, as amended, adopted.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON COUNTY AND TOWNSHIP GOVERNMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, February 13, 1895.

MR. SPEAKER: Your Committee on County and Township Governments, to whom was referred Assembly Bill No. 203—An Act to amend an Act to establish a uniform system of county and township governments—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also: Senate Bill No. 198—An Act to reduce the number of Judges of the Superior Court of San Diego County to two—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, and further recommend that it be substituted for Assembly Bill No. 59.

DODGE, Chairman.

SUBSTITUTION OF BILL.

Assembly Bill No. 59 ordered stricken from the file, and Senate Bill No. 198 substituted therefor.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON COUNTY AND TOWNSHIP GOVERNMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, February 13, 1895.

MR. SPEAKER: Your Committee on County and Township Governments, to whom was referred Assembly Bill No. 59—An Act to repeal an Act entitled "An Act to increase the number of Judges of the Superior Court of the county of San Diego, State of California, and for the appointment of such additional Judges," approved February 8, 1889, and to provide that after the first Monday after the first day of January, A. D. 1897, there shall be but two Judges of the said Superior Court—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 Bill No. 391—An Act to create an Exempt Fireman's Relief Fund in the several counties, cities and counties, cities, and towns of the State, and relating to the emolument, formation into fire companies, and services as firemen of such exempt firemen—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

DODGE, Chairman.

ON RETRENCHMENT AND PUBLIC EXPENDITURES.

ASSEMBLY CHAMBER, SACRAMENTO, February 13, 1895.

MR. SPEAKER: Your Committee on Retrenchment and Public Expenditures, to whom was referred Assembly Bill No. 242—An Act to amend section two of an Act entitled "An Act to organize and define the powers of the Board of Railroad Commissioners," approved April 15, 1880, relating to salaries of said Commissioners and of the Secretary and Bailiff thereof—have had the same under consideration, and respectfully report the same back with an amendment, and recommend that it do pass as amended.

Also: Assembly Bill No. 610—An Act to amend section forty-seven of the Code of Civil Procedure, relating to the location of the Supreme Court, and the time and place of holding the sessions thereof—have had the same under consideration, and respectfully report the same back without recommendation.

Also: Assembly Bill No. 606—An Act entitled an Act to amend section four hundred and seventy-five of the Political Code, providing for two clerks and a phonographic reporter in the office of the Attorney-General, declaring said clerks and phonographic reporter to be civil executive officers, and fixing their salaries—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Assembly Bill No. 677—An Act fixing a bounty on rabbit scalps, and making an appropriation therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

PHELPS, Chairman.

ON PUBLIC BUILDINGS AND GROUNDS.

ASSEMBLY CHAMBER, SACRAMENTO, February 13, 1895.

MR. SPEAKER: Your Committee on Public Buildings and Grounds, to whom was referred Assembly Bill No. 128—An Act to appropriate the sum of five thousand dollars for repairs to the buildings of the State Normal School at San José.

Also: Assembly Bill No. 129—An Act to appropriate five thousand dollars for repairs and improvements upon the grounds of the State Normal School at San José.

Also: Assembly Bill No. 16—An Act appropriating the sum of five thousand dollars for the purchase of furniture and apparatus for the State Normal School at Los Angeles, California.

Also: Assembly Bill No. 197—An Act making an appropriation for the construction of a cement floor in the basement of the State Normal School building at Chico.

Also: Assembly Bill No. 399—An Act to provide for the erection of an additional building for the use of the Woman's Relief Corps Home Association at their Home for Soldiers' Widows and Orphans, and Army Nurses, at Evergreen, California, and making an appropriation therefor.

Also: Assembly Bill No. 540—An Act authorizing the Trustees of the State Normal School at San José to light the grounds by electricity, and making an appropriation therefor.

Also: Assembly Bill No. 676—An Act making an appropriation to pay the deficiency in the appropriation to pay for the system of heating and ventilating established in the Training Department of the State Normal School at San José, California.

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

Also: Assembly Bill No. 289—An Act to provide for certain additions, improvements, and repairs at the Folsom State Prison, for transfer of convicts from San Quentin State Prison, consolidation of State Prisons, and making an appropriation therefor—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to Committee on State Prisons and Reformatory Institutions.

Also: Assembly Bill No. 546—An Act to amend section four and to repeal sections five, six, and seven of an Act entitled "An Act to provide for fitting up in the basement of the Capitol building a moisture-proof, fire-proof, and burglar-proof vault, for storage and care of the archives of the State offices; for the appointment of a keeper of the archives, defining his duties, fixing his salary, and appropriating money for the purposes appertaining thereto," approved March 25, 1889—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to Committee on Judiciary.

Also: Assembly Bill No. 19—An Act appropriating six thousand five hundred dollars to pay for a system of heating and ventilating in the old State Normal School building at Los Angeles, California.

Also: Assembly Bill No. 127—An Act granting permission to the city of San José to erect a high school and library building upon the grounds of the State Normal School, at San José.

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

Also: Assembly Bill No. 94—An Act to provide for the purchase of a furnished residence for the Governor of California, and to appropriate money therefor.

Also: Assembly Bill No. 195—An Act making an appropriation for a fence in front of the grounds of the State Normal School at Chico.

Also: Assembly Bill No. 196—An Act making an appropriation for the erection of an additional building for the State Normal School at Chico.

Also: Assembly Bill No. 455—An Act appropriating the sum of six thousand dollars for tiling the first floor of the State Capitol.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

BERRY, Chairman.

Assembly Bills Nos. 128, 129, 16, 197, 399, 540, and 676 referred to Committee on Ways and Means.

Assembly Bill No. 289 referred to Committee on State Prisons and Reformatory Institutions.

Assembly Bills Nos. 94, 195, 196, 455, and 19 referred to Committee on Ways and Means.

Assembly Bill No. 546 referred to Committee on Judiciary.

ON MILITARY AFFAIRS

ASSEMBLY CHAMBER, SACRAMENTO, February 12, 1895.

MR. SPEAKER: Your Committee on Military Affairs, to whom was referred Assembly Bill No. 593—An Act to add one new section to the Political Code of California, to be known and numbered as one thousand nine hundred and forty-six, relating to the National Guard—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

OSBORN, Chairman.

ON CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 13, 1895.

MR. SPEAKER: Your Committee on Corporations, to whom was referred Assembly Bill No. 489—An Act to prescribe conditions upon which certain foreign insurance companies may transact insurance business in the State of California—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also: Assembly Bill No. 713—An Act relating to certain contracts for the conditional sale, lease, or hire of railroad and street railway equipment and rolling stock, and providing for the recording thereof.

Also: Assembly Bill No. 664—An Act to add a new section to the Civil Code, to be designated as section six hundred and sixteen, authorizing corporations organized to establish and maintain or to improve cemeteries, to take and hold property bequeathed, granted, or given to them upon trust, to apply the same, or the proceeds or income thereof, to the improvement or embellishment of cemeteries, or of any lot therein, or to the erection or maintenance of any monument, structure, or improvement therein.

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

PENDLETON, Chairman.

ON FISH AND GAME.

ASSEMBLY CHAMBER, SACRAMENTO, February 8, 1895.

MR. SPEAKER: Your Committee on Fish and Game, to whom was referred the following resolution.

By Mr. Holland:

WHEREAS, It appears that certain parties have constructed dams in the Stanislaus River at Knight's Ferry, and in the Tuolumne River near La Grange, and by reason of such obstruction, the salmon in said rivers are unable to reach the headwaters of the Stanislaus and Tuolumne Rivers, therefore, be it

Resolved, That the Fish Commissioners are hereby directed to notify the owners of said dams to immediately comply with the law by placing fish ladders on said dams, at the end that the salmon in said rivers may reach their natural spawning ground unmolested.

Have had the same under consideration, and respectfully report the same back, with the recommendation that it pass as amended, to wit:

WHEREAS, It appears that certain parties have constructed dams in the Stanislaus River at Knight's Ferry; in the Tuolumne River, near La Grange, and in the American River, near Folsom; and by reason of such obstruction the salmon in said rivers are unable to reach the headwaters of said Stanislaus and Tuolumne Rivers; therefore, be it

Resolved, That the Fish Commissioners are hereby directed to notify the owners of said dams to immediately comply with the law by placing fish ladders on said dams, to

the end that the salmon in said rivers may reach their natural spawning ground unmolested.

Have had the same under consideration, and respectfully report back the accompanying Assembly Concurrent Resolution as a substitute, and recommend its adoption.

BASSFORD, Chairman.

ASSEMBLY CONCURRENT RESOLUTION No. 10

WHEREAS, It appears that certain parties have constructed dams in the American River, above Folsom; in the Stanislaus River, at Knight's Ferry; and in the Tuolumne River, near La Grange; and by reason of such obstructions the salmon are unable to reach the headwaters of the American, Stanislaus, and Tuolumne Rivers; therefore, be it

Resolved by the Assembly, the Senate concurring, That the Fish Commissioners are hereby directed to notify the owners of said dams to immediately comply with the law by placing fish ladders on such dams, to the end that the salmon in said rivers may reach their natural spawning grounds unmolested and without obstruction.

Resolved, That in case the owners of said dams refuse or neglect to construct such fish ladders before September 1, 1895, the Attorney-General be instructed to immediately commence proceedings against them for the enforcement of the law and the collection of the penalties provided in case of such refusal or neglect.

Assembly Concurrent Resolution No. 10 was read, ordered printed, and on file.

ON PUBLIC HEALTH AND QUARANTINE.

ASSEMBLY CHAMBER, SACRAMENTO, February 12, 1895.

MR. SPEAKER: Your Committee on Public Health and Quarantine, to whom was referred Assembly Bill No. 553—An Act to authorize the State Board of Health to purchase and manufacture diphtheria anti-toxine, and to appropriate six thousand dollars therefor

Also: Assembly Bill No. 630—An Act to amend sections two thousand two hundred and twelve and two thousand two hundred and eighteen of the Political Code of the State of California, relating to the examination and committal of insane persons.

Also: Assembly Bill No. 104—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, in cities and towns, and cities and counties, having a population of three thousand inhabitants or over, and to more effectually protect the people against contagious diseases.

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

GLASS, Chairman.

RESOLUTION—(URGENCY).

By Mr. Glass :

Resolved, That Assembly Bill No. 553 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions 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. Ash, Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Brusie, Bulla, Butler, Cargill, Coleman, Coghlin, Davis, Dinkelspiel, Dixon, Dodge, Dunbar, Dwyer, Ewing, Fassett, Freeman, Gay, Glass, Guy, Hall, Hatfield, Healey, Holland, Huber, Hudson, Johnson, Keen, Kelsey, Kenyon, Laird, Laugenour, Llewellyn, Meads, McDonald, Merrill, Nelson, North, Osborn, Pendleton, Phelps, Powers, Price, Richards, Robinson, Rowell, Sanford, Staley, Stansell, Spencer, Swisler, Tibbits, Thomas, Wade, Weyse, and Mr. Speaker—61.

NOES—None.

Assembly Bill No. 553—An Act to authorize the State Board of Health to purchase and manufacture diphtheria anti-toxine, and to appropriate six thousand dollars therefor.

Read second time.

MOTION.

Mr. McKelvey moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Assembly Bill No. 553.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Lynch in the chair.

Assembly Bill No. 553 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Lynch 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. 553—An Act to authorize the State Board of Health to purchase and manufacture diphtheria anti-toxine, and to appropriate six thousand dollars therefor—and now report, and recommend that the same do pass.

LYNCH, Chairman.

THIRD READING OF BILL.

Assembly Bill No. 553—An Act to authorize the State Board of Health to purchase and manufacture diphtheria anti-toxine, and to appropriate six thousand dollars therefor.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Barker, Bassford, Bennett, Berry, Bulla, Butler, Cargill, Coleman, Coghlin, Davis, Devitt, Devine, Dinkelspiel, Dixon, Dodge, Dunbar, Ewing, Fassett, Gay, Glass, Guy, Hall, Hatfield, Holland, Huber, Hudson, Johnson, Keen, Kelsey, Kenyon, Laugenour, Llewellyn, Meads, McDonald, McKelvey, North, O'Day, Osborn, Pendleton, Phelps, Powers, Price, Richards, Robinson, Rowell, Sanford, Staley, Stansell, Swisler, Tibbitts, Thomas, Wade, Waymire, Weyse, Zocchi, and Mr. Speaker—57.

NOES—Messrs. Bledsoe and Nelson—2.

Title read and approved.

Mr. Glass moved that Assembly Bill No. 553 be immediately transmitted to the Senate.

So ordered.

REPORT OF STANDING COMMITTEE.

Mr. Berry, Chairman of Committee on Public Buildings and Grounds, submitted the following reports, and asked that they be published in the Journal.

So ordered.

ON PUBLIC BUILDINGS AND GROUNDS.

ASSEMBLY CHAMBER, SACRAMENTO, February 13, 1895.

MR. SPEAKER: Your Committee on Public Buildings and Grounds beg leave to report that in accordance with a resolution passed on the first day of February, authorizing your committee to visit the various buildings in Southern California, and to examine the several sites offered the State of California for Normal School purposes in San Diego County, desire to submit the following.

That your committee examined three sites in the city of San Diego that was offered to the State, and one located at Escondido, San Diego County, and that after a careful investigation of the various sites and the advantages offered, your committee is of the opinion that the site at Pacific Beach, consisting of a campus of sixteen acres of land, and the four buildings thereon, two of which were erected for college purposes, and one for a pavilion, is by far best adapted to the purposes desired, and could be put in readiness at a comparatively small outlay, the value of the property sought to be conveyed to the State being estimated at one hundred thousand dollars.

Your committee also visited the State Insane Asylum at San Bernardino, and found the institution under good management, and the patients receiving good care.

Your committee also examined the condition and accommodations of said asylum, and found them inadequate to the requirements, and would therefore recommend that the sum of eighty-eight thousand dollars be appropriated for the erection of a female ward building, and also recommend an appropriation of ten thousand dollars for furnishing the same, together with the sum of two thousand dollars for lighting the buildings by electricity, and twenty-five thousand dollars for the construction of drainage and sewer ditches.

Your committee also visited the Whittier Reform School, at Whittier, Los Angeles County, and found the school in fine working order; also the State Normal School at Los Angeles, and after careful investigation, have recommended the sum of five thousand dollars for furnishing the new building, and four thousand dollars for extending and completing the heating apparatus, which we deem necessary.

All of which is respectfully submitted.

Also the following:

ASSEMBLY CHAMBER, SACRAMENTO, February 13, 1895.

MR. SPEAKER: Your Committee on Public Buildings and Grounds beg leave to report that in accordance with a resolution passed February 9, 1895, authorizing committee to visit State Normal School, Agnews Insane Asylum, at San José, and Woman's Relief Corps Home, at Evergreen, that they visited the various buildings, and found the Woman's Relief Corps Home well conducted and economically managed, but that the need of a hospital building for the care of sick an urgent necessity, and recommend the appropriation of five thousand dollars for such building. In the State Normal School we find that new floors should be laid, the present ones being worn through in many places, and the roof should also be repaired; the grounds, too, need some outlay to put them in proper condition, and your committee would recommend the appropriation of five thousand dollars for repair of building, and same amount for repairs of grounds. The Agnews Asylum is well managed and buildings and grounds are in a very good condition.

Also the following:

ASSEMBLY CHAMBER, SACRAMENTO, February 13, 1895.

MR. SPEAKER: The sub-committee of Committee on Public Buildings and Grounds, appointed to investigate the needs of the University of California, at Berkeley, and affiliated colleges of the University of California, at San Francisco, also for State building at San Francisco, having visited the several places, found the building at Berkeley very much crowded, and the class-room accommodation utterly inadequate for the needs of even the present number of students, and the erection of new buildings a necessity, and therefore recommend the appropriation of two hundred thousand dollars for the same. The Medical College, also Hastings Law School and College of Pharmacy are also in the same crowded condition, the other branches of the University in San Francisco being better provided for, but in buildings for which the State is paying large amounts annually for rent; we therefore recommend the purchase of a suitable site and erection of a building for the accommodation of all of the affiliated colleges in San Francisco, and the appropriation of two hundred and fifty thousand dollars therefor, and also for the erection of a State building the sum of three hundred thousand dollars, as a matter of economy to the State in the saving of rent paid for State offices.

BERRY, Chairman.

ON FEDERAL RELATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 13, 1895.

MR. SPEAKER: Your Committee on Federal Relations, to whom was referred Assembly Joint Resolution No. 16—Relative to the proposed Pacific cable—have had the same under consideration, and respectfully report the same back, and recommend the adoption thereof.

HATFIELD, Chairman.

ASSEMBLY JOINT RESOLUTION No. 16.

Relative to the proposed Pacific cable

WHEREAS, The increasing necessity and great importance to the people of the United States, and particularly of the people of the State of California, is apparent, that the proposed "Pacific cable" between the United States of America and the Republic of Hawaii

be undertaken, assisted and laid without delay of our Government, if necessary; therefore, be it

Resolved, That our Senators and Representatives in Congress be earnestly requested to use their united efforts to secure the laying of said cable, and that the Governor be requested to transmit to each of said Senators and Representatives in Congress a copy of this resolution.

Mr. Dinkelspiel moved that Assembly Joint Resolution No. 16 be adopted.

So ordered.

Mr. Dinkelspiel moved that Assembly Joint Resolution No. 16 be immediately transmitted to the Senate.

So ordered.

LEAVE OF ABSENCE.

Chief Clerk Duckworth was granted leave of absence for the day, on account of illness.

SENATE MESSAGES.

SENATE CHAMBER, SACRAMENTO, February 12, 1895.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the eleventh day of February, 1895, amended and passed as amended Assembly Bill No. 26—An Act to amend section five hundred and two of the Civil Code, relating to time allowed for commencing work and completing the same, under rights of way granted by municipal corporations; and providing for a forfeiture in case of failure to commence work or to complete it within the time fixed—and respectfully ask your concurrence therein.

F. J. BRANDON, Secretary.
By R. SHAW, Assistant.

Mr. Bulla moved that the Assembly do now concur in Senate amendment to Assembly Bill No. 26.

The question being on Mr. Bulla's motion to concur.

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

AYES—Messrs. Ash, Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Bledsoe, Bulla, Cargill, Coleman, Coghlin, Dale, Davis, Devitt, Devine, Dinkelspiel, Dixon, Dodge, Dunbar, Ewing, Fassett, Gay, Glass, Guy, Hall, Hatfield, Huber, Hudson, Johnson, Jones, Keen, Kelsey, Kenyon, Laird, Laugenour, Llewellyn, Meads, McDonald, Nelson, North, O'Day, Pendleton, Phelps, Richards, Robinson, Rowell, Swisler, Tibbits, Thomas, Wade, Waymire, Zocchi, and Mr. Speaker—54.

NOES—None.

Also:

SENATE CHAMBER, SACRAMENTO, February 12, 1895.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on February 12, 1892, adopted and passed Assembly Constitutional Amendment No. 33 as substitute for Senate Constitutional Amendment No. 5.

F. J. BRANDON, Secretary.
By G. H. LEON, Assistant

APPROVAL OF JOURNAL.

The Journal of February 12th was approved.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

THE SAN FRANCISCO DELEGATION

ASSEMBLY CHAMBER, SACRAMENTO, February 13, 1895.

MR. SPEAKER: The San Francisco Delegation, to whom was referred Assembly Bill No. 107—An Act to amend an Act entitled "An Act amendatory of and supplementary to an Act entitled 'An Act to create a Police Court in and for the City and County

of San Francisco, State of California,' approved March 5, 1899, and providing for an additional department, to be known as Department Number Four, and the appointment of a suitable person to act as Judge of said Court," approved February 23, 1893, and relating to the appointment of Assistant District Attorneys thereof, and of certain clerks—have had the same under consideration, and respectfully report the same back, and recommend that the author be allowed to withdraw the bill

Also: Assembly Bill No. 265—An Act to amend section one of an Act entitled "An Act amendatory of and supplemental to an Act entitled 'An Act to create a Police Court in and for the City and County of San Francisco,'" which said amendatory and supplemental Act now amended was approved February 23, 1893, and to fix the term of office of the Judges of said Police Court—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended

Also: Assembly Bill No. 264—An Act to amend section eight of an Act entitled "An Act amendatory of and supplemental to an Act entitled 'An Act to create a Police Court in and for the City and County of San Francisco,'" which said amendatory and supplemental Act now amended was approved February 23, 1893, and to fix the compensation of the official stenographers of said Police Court—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also: Assembly Bill No. 669—An Act prescribing how judgments which may be recovered against any city and county of over one hundred thousand population, shall be paid.

Also: Assembly Bill No 508—An Act to amend an Act entitled "An Act to provide and regulate the manner of receiving and paying fees, commissions, percentages, and other compensation for official services in cities, and cities and counties, having a population of over one hundred thousand inhabitants, and prescribing the duties of officers with reference thereto," approved March 11, 1893, by adding two new sections thereto, to be known and designated as sections number fifteen and sixteen, respectively, providing for the appointment of certain clerks to be known as fee clerks, prescribing the duties of such clerks, and regulating and providing for their salary

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

Also: Assembly Bill No. 541—An Act to repeal an Act entitled "An Act to provide and regulate the manner of receiving and paying fees, commissions, percentages, and other compensation for official services in cities, and cities and counties, having a population of over one hundred thousand inhabitants, and prescribing the duties of officers with reference thereto," approved March 11, 1893—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

POWERS, Chairman.

RESOLUTION—(URGENCY).

By Mr. Bettman :

Resolved, That Assembly Bill No. 508 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions 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. Ash, Barker, Bassford, Berry, Bettman, Bulla, Butler, Coleman, Coghlin, Cutter, Dale, Davis, Devitt, Devine, Dinkelspiel, Dixon, Dunbar, Dwyer, Ewing, Freeman, Gay, Glass, Hall, Hatfield, Healey, Huber, Jones, Keen, Kelsey, Kenyon, Laird, Laugenour, Meads, McDonald, McKelvey, Merrill, North, O'Day, Osborn, Pendleton, Powers, Price, Richards, Robinson, Sanford, Staley, Stansell, Swisler, Tibbits, Thomas, Wade, Weyse, Wilkinson, Zocchi, and Mr. Speaker—55.

NOES—Messrs. Belshaw, Bledsoe, Phelps, and Rowell—4.

Assembly Bill No. 508—An Act to amend an Act entitled "An Act to provide and regulate the manner of receiving and paying fees, commissions, percentages, and other compensation for official services in cities, and cities and counties, having a population of over one hundred thousand inhabitants, and prescribing the duties of officers with reference thereto," approved March 11, 1893, by adding two new sections thereto, to be known and designated as sections number fifteen and sixteen, respectively, providing for the appointment of certain clerks to be known as fee clerks, prescribing the duties of such clerks, and regulating and providing for their salary.

Read second time.

THIRD READING OF BILL.

Assembly Bill No. 508—An Act to amend an Act entitled "An Act to provide and regulate the manner of receiving and paying fees, commissions, percentages, and other compensation for official services in cities, and cities and counties, having a population of over one hundred thousand inhabitants, and prescribing the duties of officers with reference thereto," approved March 11, 1893, by adding two new sections thereto, to be known and designated as sections number fifteen and sixteen, respectively, providing for the appointment of certain clerks to be known as fee clerks, prescribing the duties of such clerks, and regulating and providing for their salary.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Bassford, Belshaw, Bennett, Berry, Bettman, Butler, Coleman, Coghlin, Cutter, Dale, Davis, Devitt, Devine, Dinkelspiel, Dixon, Dunbar, Dwyer, Freeman, Glass, Hatfield, Healey, Holland, Huber, Keen, Kelsey, Kenyon, Laird, Laugenour, Lewis, Llewellyn, Meads, McKelvey, Merrill, Nelson, North, O'Day, Pendleton, Powers, Price, Rowell, Sanford, Staley, Spencer, Swisler, Thomas, Wade, Weyse, Wilkins, Wilkinson, Zocchi, and Mr. Speaker—52

NOES—Messrs. Bledsoe, Ewing, Hall, and Richards—4.

Title read and approved.

Mr. Powers moved that Assembly Bill No. 508 be immediately transmitted to the Senate.

So ordered.

SENATE MESSAGES.

SENATE CHAMBER, SACRAMENTO, February 13, 1895.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the eleventh day of February, 1895, passed Senate Bill No. 365—An Act appropriating money to pay for the repair, renovation, reflooring, and other improvements on certain buildings of the State Insane Asylum at Stockton, California

F. J. BRANDON, Secretary.
By R. SHAW, Assistant.

Also:

SENATE CHAMBER, SACRAMENTO, February 13, 1895.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the twelfth day of February, 1895, passed Senate Bill No. 57—An Act to amend section one of an Act entitled "An Act to amend an Act approved February 28, 1887, entitled 'An Act to amend an Act to appropriate money for the support of aged persons in indigent circumstances, residing in the Home of the Veterans' Home Association,' approved March 7, 1883, providing for an increase in the annual appropriation therefor, and changing the time of payment thereof," approved March 23, 1893.

Also: Senate Bill No. 24—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

Also: Senate Bill No. 257—An Act to add a new section, to be numbered five hundred and fifteen, to an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to the crime of embezzlement.

Also: Senate Bill No. 91—An Act to amend sections fifty-five and sixty-eight, and for the repeal of section seventy-five, of the Civil Code of the State of California, relating to the authentication of marriages.

Also: Senate Bill No. 40—An Act to amend section three thousand and two of the Civil Code, relating to the giving of notice of sale to a pledgee.

Also: Senate Bill No. 35—An Act to amend section three thousand and ten of the Civil Code, relating to the right of the pledgee to purchase the pledged property when sold at public auction.

Also: Senate Bill No. 250—An Act to provide one additional Judge of the Superior Court of the County of Sacramento

Also: Senate Bill No. 313—An Act providing in counties of the first class for the appointment by the Coroner of a competent physician for the performance of autopsies

upon the bodies of deceased persons when inquests are held, and fixing the compensation therefor.

Also: Senate Bill No. 8—An Act to amend section six hundred and forty-nine of the Civil Code of the State of California, relating to the incorporation of colleges and seminaries of learning.

F. J. BRANDON, Secretary.
By R. SHAW, Assistant.

REFERENCE OF SENATE BILLS.

Senate Bills Nos. 365 and 57 referred to Committee on Ways and Means.

Senate Bills Nos. 40, 35, 250, 257, and 91 referred to Committee on Judiciary.

Senate Bill No. 313 referred to San Francisco Delegation.

Senate Bill No. 8 referred to Committee on Education.

Senate Bill No. 24 referred to Committee on Municipal Corporations.

INTRODUCTION OF BILLS.

The following bills were introduced, read first time, and referred to committees, as follows:

By Mr. North: Assembly Bill No. 774—An Act to add a new section to the Code of Civil Procedure, to be known as section seven hundred and fifty, relating to suits to quiet title to or determine adverse claims to real or personal property, or both.

Read first time, and referred to Committee on Judiciary.

By Mr. Freeman: Assembly Bill No. 775—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 section twenty-seven thereof.

Read first time, and referred to Committee on Irrigation.

By Mr. Brusie: Assembly Bill No. 776—An Act to amend "An Act for the removal of the mineral cabinet from the State Library," approved March 9, 1887.

Read first time, and referred to Committee on State Library.

By Mr. Thomas: Assembly Bill No. 777—An Act authorizing the State Board of Prison Directors to establish a factory at the Folsom State Prison, for the manufacture of school furniture, and making an appropriation therefor.

Read first time, and referred to Committee on State Prisons and Reformatory Institutions.

By Mr. Powers: Assembly Bill No. 778—An Act to create the office of State Engineering Examiner of Desert Lands, to provide proper means of taking advantage of the Act of Congress, approved August 18, 1894, authorizing the Secretary of the Interior to enter into contracts with the State to donate and grant desert lands not exceeding one million acres, the State agreeing to reclaim said land; prescribing his duties, and appropriating sufficient money to pay salary and expenses.

Read first time, and referred to Committee on Public Lands.

Also: Assembly Bill No. 779—An Act to amend sections one thousand eight hundred and ninety-eight, one thousand nine hundred, one thousand nine hundred and two, one thousand nine hundred and twelve,

one thousand nine hundred and thirteen, one thousand nine hundred and fourteen, one thousand nine hundred and fifteen, one thousand nine hundred and seventeen, one thousand nine hundred and eighteen, one thousand nine hundred and nineteen, one thousand nine hundred and twenty-three, one thousand nine hundred and twenty-eight, one thousand nine hundred and twenty-nine, one thousand nine hundred and thirty-two, one thousand nine hundred and thirty-six, one thousand nine hundred and forty-two, one thousand nine hundred and fifty-two, one thousand nine hundred and fifty-five, one thousand nine hundred and sixty-two, one thousand nine hundred and seventy, one thousand nine hundred and seventy-four, one thousand nine hundred and eighty, one thousand nine hundred and eighty-one, one thousand nine hundred and eighty-two, one thousand nine hundred and eighty-three, one thousand nine hundred and eighty-four, one thousand nine hundred and eighty-five, one thousand nine hundred and ninety, two thousand and three, two thousand and seven, two thousand and twenty-two, two thousand and twenty-four, two thousand and twenty-seven, two thousand and thirty-one, two thousand and forty, two thousand and forty-one, two thousand and forty-two, two thousand and forty-eight, two thousand and forty-nine, two thousand and fifty, two thousand and sixty-five, two thousand and sixty-six, two thousand and seventy-six, two thousand and eighty-two, two thousand and eighty-three, and two thousand and ninety-four, and to repeal sections one thousand nine hundred and eighty-seven, one thousand nine hundred and eighty-eight, one thousand nine hundred and eighty-nine, two thousand and four, two thousand and five, two thousand and six, and two thousand and forty-eight of the Political Code, and to add one new section thereto, to be known and numbered as section one thousand nine hundred and ninety-one, relating to the National Guard, and to provide for the retirement and disposition of certain officers thereof.

Read first time, and referred to Committee on Military Affairs.

By Mr. Bettman: Assembly Bill No. 780—An Act relating to the appointment of aliens to positions under State, county, city and county, city, or town officials.

Read first time, and referred to Committee on Judiciary.

By Mr. O'Day: Assembly Bill No. 781—An Act fixing and regulating the fees and charges of physicians for attending the sick.

Read first time, and referred to Committee on State Hospitals and Asylums.

By Mr. Devitt: Assembly Bill No. 782—An Act to amend section three hundred and seventy-seven of the Code of Civil Procedure of the State of California, relating to actions for damages on account of the death of a person.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 783—An Act to prevent the bringing of actions, suits, and proceedings in the Courts of the State of California, upon gambling debts, and making the same a misdemeanor, and for the creation of a new section, to be known as section three hundred and thirty-seven and one half of the Penal Code of the State of California.

Read first time, and referred to Committee on Judiciary.

By Mr. Keen: Assembly Bill No. 784—An Act to amend sections one hundred and fifty-one, one hundred and fifty-seven, one hundred and sixty-six, one hundred and sixty-seven, one hundred and eighty, one

hundred and eighty-one, one hundred and eighty-two, one hundred and eighty-five, one hundred and eighty-six, one hundred and eighty-eight, one hundred and eighty-nine, one hundred and ninety-three, two hundred of the Political Code of California, and to add five new sections to the said Political Code, to be known as sections two hundred and four, two hundred and five, and two hundred and six, all relating to legal distances in this State.

Read first time, and referred to Committee on Judiciary.

By Mr. Guy: Assembly Bill No. 785—An Act to amend section one thousand one hundred and forty-two of the Political Code, relating to election and the appointment of election officers.

Read first time, and referred to Committee on Election Laws.

Also: Assembly Bill No. 786—An Act to pay the claim of A. L. Wood for the arrest of Francisco Torres, charged with the crime of murder.

Read first time, and referred to Committee on Claims.

Also: Assembly Bill No. 787—An Act making an appropriation for reimbursing J. V. Hicks, a citizen of California, for moneys expended by him in the extradition of one A. L. Gibbs, a fugitive from the justice of this State.

Read first time, and referred to Committee on Claims.

Also (by request): Assembly Bill No. 788—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.

Read first time, and referred to Committee on Judiciary.

Also (by request): Assembly Bill No. 789—An Act to provide for the fixing of boundaries of lands.

Read first time, and referred to Committee on Public Lands.

By Mr. Twigg: Assembly Bill No. 790—An Act to amend section six hundred and ninety of the Code of Civil Procedure, relating to exemption from execution.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 791—An Act requiring Boards of Supervisors, Common Councils, or Boards of Trustees, in cities, cities and counties, or towns in this State, to fix the price at which electricity and gas shall be sold for illuminating purposes.

Read first time, and referred to Committee on Municipal Corporations.

By Mr. Wilkinson: Assembly Bill No. 792—An Act to provide for the establishment and maintenance, under the direction of the Bureau of Labor Statistics, of free public employment offices.

Read first time, and referred to Committee on Labor and Capital.

Also: Assembly Bill No. 793—An Act to prohibit minors from disposing or attempting to dispose of any article, flowers, or wares upon the public streets or highways of any county, or city and county, of the State.

Read first time, and referred to Committee on Public Morals.

By Mr. Kelsey: Assembly Bill No. 794—An Act to prohibit the wearing of hats or bonnets at theaters, or any public place of amusement.

Read first time, and referred to Committee on Public Morals.

By Mr. Swisler (by request): Assembly Bill No. 795—An Act to add a new section to the Code of Civil Procedure, to be known as section one thousand five hundred and ninety-two, providing for the farming of land of estate of a deceased person by the executor or administrator

thereof, and prescribing the powers and duties of such executor or administrator in relation thereto.

Read first time, and referred to Committee on Judiciary.

By Mr. Phelps: Assembly Bill No. 796—An Act to amend section three thousand five hundred and thirty-five of the Political Code.

Read first time, and referred to Committee on Public Lands.

By Committee on Retrenchment and Public Expenditures: Assembly Bill No. 797—An Act to repeal an Act entitled "An Act to create and establish a State Board of Horticulture, and to appropriate money for the expenses thereof," approved March 13, 1883, and all Acts amendatory thereof and supplementary thereto, and to confer certain powers upon the Regents of the University of California, and to provide for the protection of the horticultural interests of the State by the appointment of a quarantine health officer or officers, and appropriating money for the expenses of the same.

Read first time, and referred to Committee on Ways and Means.

By Mr. Dwyer: Assembly Bill No. 798—An Act concerning the completion of unfinished public buildings in any county, city, city and county, or town in this State, and permitting alterations of the original plans or designs for the construction thereof.

Read first time, and referred to Committee on Public Buildings and Grounds.

Also: Assembly Bill No. 799—An Act to amend an Act approved March 11, 1893, entitled "An Act to amend an Act entitled 'An Act to provide for the completion of all unfinished county, city, city and county, towns, and township buildings, in the several counties, cities and counties, cities, and towns throughout the State of California,' approved March 11, 1891."

Read first time, and referred to Committee on Public Buildings and Grounds.

By Mr. Wade: Assembly Bill No. 800—A bill for an Act to be entitled an Act to amend section three thousand seven hundred and eighty-eight of the Political Code.

Read first time, and referred to Committee on Judiciary.

By Mr. Meads: Assembly Bill No. 801—An Act to provide for the disposal of the Home for the Adult Blind at Oakland, Alameda County, the transfer of the inmates to the premises lately occupied as a Home for Feeble-Minded in Santa Clara, and for the improvement of the same.

Read first time, and referred to Committee on State Hospitals and Asylums.

By Mr. Belshaw: Assembly Bill No. 802—An Act to regulate the salaries of officers, attachés, and employés of all State institutions of this State.

Read first time, and referred to Committee on Retrenchment and Public Expenditures.

Also: Assembly Bill No. 803—An Act to regulate the amount to be allowed officers, Boards, Commissions, Trustees, and other public officers of this State, having offices elsewhere than at the State Capitol, for the rent of such offices.

Read first time, and referred to Committee on Retrenchment and Public Expenditures.

By Mr. Osborn (by request): Assembly Bill No. 804—An Act to add a new section to the Political Code of the State of California, to be numbered section two thousand seven hundred and forty-five, relating

to keeping the public highways of this State clear from brush, thistles, cockleburrs, vines, and weeds.

Read first time, and referred to Committee on Roads and Highways.

Also (by request): Assembly Bill No. 805—An Act to amend section two thousand six hundred and forty-five of an Act entitled "An Act to establish a Political Code," approved March 12, 1873, relating to the duties of Road Commissioners.

Read first time, and referred to Committee on Roads and Highways.

By Mr. Dixon: Assembly Bill No. 806—An Act to promote and secure freedom of speech in Courts of justice.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 807—An Act to amend an Act entitled "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," approved March 19, 1889.

Read first time, and referred to Committee on Commerce and Navigation.

Also: Assembly Bill No. 808—An Act to amend section one thousand six hundred and twenty-eight of the Code of Civil Procedure of the State of California, relating to an accounting by executors and administrators.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 809—An Act to amend section one thousand four hundred and fifty-three of the Code of Civil Procedure of the State of California, adopted March 11, 1872, relating to the delivery of real estate to heirs or devisees by executors or administrators.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 810—An Act to amend section seven hundred and fourteen 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, relating to the place where a debtor shall be required to answer concerning his property.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 811—An Act to amend section three hundred and thirty-nine 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, relating to periods of limitations.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 812—An Act adding a new section to the Political Code of the State of California, to be known and designated as section four thousand one hundred and twenty-five, respecting the removal of Justices of the Peace from their office for cause.

Read first time, and referred to Committee on Judiciary.

By Mr. Dixon: Assembly Bill No. 813—An Act to amend section four thousand one hundred and twenty-one of the Act of the Legislature of the State of California entitled "An Act to establish a Political Code," approved March 12, 1872, prohibiting certain county and township officers from practicing law.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 814—An Act to amend section one thousand seven hundred and seventy-four of the Code of Civil Procedure of the State of California, pertaining to the accounts of guardians.

Read first time, and referred to Committee on Judiciary.

By Mr. Davis: Assembly Bill No. 815—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 twenty-two and thirty-seven thereof, relating to the levying and collecting of assessments, tolls, and charges.

Read first time, and referred to Committee on Irrigation.

Also: Assembly Bill No. 816—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.

Read first time, and referred to Committee on Irrigation.

By Mr. Waymire: Assembly Bill No. 817—An Act to amend section one thousand four hundred and fifty-nine of the Code of Civil Procedure, relative to the production of the property of decedents.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 818—An Act to provide for the alteration of the boundaries of incorporated towns and cities by the annexation of uninhabited territory thereto, and for the incorporation of such annexed territory in and as a part of such municipality, and for the districting, government, and municipal control of annexed territory.

Read first time, and referred to Committee on Municipal Corporations.

By Mr. Dodge (by request): Assembly Bill No. 819—An Act requiring all safe deposit companies and all banks, commercial or savings, having a safe deposit department, to furnish the Secretary of State, on the first Monday of March of each year, an alphabetical list of the names and residences, as far as known, of all their box renters.

Read first time, and referred to Committee on Banks and Banking.

Also: Assembly Bill No. 820—An Act to amend section two hundred and fourteen of the Code of Civil Procedure, relating to the orders of Judges for drawing jurors.

Read first time, and referred to Committee on Judiciary.

By Mr. McKelvey: Assembly Bill No. 821—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, providing for the payment of judgments docketed.

Read first time, and referred to Committee on Irrigation.

By Mr. Rowell: Assembly Bill No. 822—An Act to amend section seven hundred and twenty-six of the Code of Civil Procedure, and to repeal section seven hundred and twenty-nine thereof, relating to actions for the foreclosure of mortgages.

Read first time, and referred to Committee on Judiciary.

By Mr. Powers: Assembly Bill No. 823—An Act to authorize the construction of hospital buildings for city, or city and county purposes.

Read first time, and referred to Committee on Municipal Corporations.

Also: Assembly Bill No. 824—An Act to authorize the construction of public buildings for city, or city and county purposes.

Read first time, and referred to Committee on Municipal Corporations.

By Mr. McDonald: Assembly Bill No. 825—An Act to prevent all persons not citizens of the State of California or of the United States of America, or who have not declared their intention to become such,

from catching or taking fish or shell-fish in the waters of the State of California.

Read first time, and referred to Committee on Judiciary.

By Mr. Huber: Assembly Bill No. 826—An Act to prevent evil-disposed persons from coming upon the grounds of the Whittier State School, at Whittier, California.

Read first time, and referred to Committee on State Prisons and Reformatory Institutions.

By Mr. Bulla: Assembly Bill No. 827—An Act to amend section one thousand one hundred and eighty-nine of the Civil Code, relating to the acknowledgment of instruments.

Read first time, and referred to Committee on Judiciary.

By Mr. Dinkelspiel: Assembly Bill No. 828—An Act to amend an Act entitled "An Act to enable certain parties therein named to alienate or incumber homesteads," approved March 25, 1874.

Read first time, and referred to Committee on Judiciary.

By Mr. Hatfield: Assembly Bill No. 829—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-sixth fiscal year.

Read first time, and referred to Committee on Ways and Means.

By Mr. Zocchi: Assembly Bill No. 830—An Act to provide for a day of rest from labor.

Read first time, and referred to Committee on Public Morals.

By Mr. Tomblin: Assembly Bill No. 831—An Act to amend section one thousand six hundred and sixteen of the Code of Civil Procedure of the State of California, relating to accounts of, and allowances to, executors and administrators of estates of deceased persons.

Read first time, and referred to Committee on Judiciary.

By Mr. Tibbits: Assembly Bill No. 832—An Act making an appropriation to purchase additional lands for the occupancy and use of the Preston School of Industry, at Ione.

Read first time, and referred to Committee on State Prisons and Reformatory Institutions.

By Mr. Lynch: Assembly Bill No. 833—An Act to amend section 16 of 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, relating to the powers and duties of the Trustees of said hospital, also known as the Southern California State Asylum for the Insane and Inebriates.

Read first time, and referred to Committee on State Hospitals and Asylums.

By Mr. Pendleton: Assembly Bill No. 834—An Act authorizing the payment of salaries by Boards of Supervisors to persons who have been employed to collect county licenses, and legalizing all payments heretofore made to such persons.

Read first time, and referred to Los Angeles Delegation.

CONSTITUTIONAL AMENDMENTS.

By Mr. Merrill (by request): Assembly Constitutional Amendment No. 42—An Act to amend section two of article four of the Constitution.

Read, and referred to Committee on Constitutional Amendments.

By Mr. Dinkelspiel: Assembly Constitutional Amendment No. 43—Relative to amending the Constitution of the State of California by amending section four, article six.

Read, and referred to Committee on Constitutional Amendments.

By Mr. Baker (by request): Assembly Constitutional Amendment No. 44—A resolution to propose to the people of the State of California an amendment to article four of the Constitution of the State of California.

Read, and referred to Committee on Constitutional Amendments.

RESOLUTIONS.

Mr. Hatfield offered the following resolution, and moved its adoption:

WHEREAS, The fruit, vegetable, and viticultural industry of the State of California is of such great magnitude as to constitute one of the principal sources of wealth to the people of the State of California; and whereas, it is well known that the cost of transporting such products from the points of shipment in this State to the markets of Eastern and other States, is greatly in excess of the actual profitable cost of transportation; and whereas, it is commonly understood that a very large proportion of the charges incident to transportation are occasioned by the use of patented devices for the preservation of such shipments, and that the amount paid for the use of such patented devices is greatly in excess of a reasonable return to the owners of such devices, therefore, be it

Resolved, That the Board of Railroad Commissioners of the State of California be requested to report to this Assembly within ten days from this date, a detailed statement of the rates charged for the transportation of the products of the State of California to the Eastern and other markets; and that they advise this Assembly as to what devices are used, and the additional cost of transportation occasioned by the use of such devices for the preservation of fruit; and to report whether or not it is not possible to provide for the use of equally satisfactory devices or plans at greatly reduced rates, and that they give the Assembly such other information as may enable it to initiate such legislation as will relieve the industries of this State in the greatest degree possible, and that the Chief Clerk of this House be instructed to transmit a copy of this resolution to the Board of Railroad Commissioners forthwith.

Adopted.

By Mr. Dinkelspiel:

Resolved, That the Committee on Ways and Means be and they are hereby instructed to forthwith report the Assembly Bill relative to payment of the members of the State militia for services rendered last summer during the strike

Lost.

REPORT OF COMMITTEE ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 13, 1895.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following have been correctly engrossed, viz.:

Assembly Bill No. 470—An Act to amend section one thousand and eighty-three of the Political Code of the State of California, in relation to the qualifications and disabilities of electors.

Also: Assembly Constitutional Amendment No. 7—A resolution proposing an amendment to section seven, article six, of the Constitution of the State of California, relative to departments, and providing for additional departments of the Superior Courts of the respective counties, and cities and counties, of the State, and to provide for an interchange of Judges among the different counties, and cities and counties, when necessary to dispose of accumulated business.

WILKINSON, Chairman.

RESOLUTIONS.

By Mr. Bettman:

Resolved, That the use of the Assembly Chamber be granted M. D. Boruck on Thursday evening, February 28, 1895, for the delivery of a lecture on the Press.

Adopted.

By Mr. Cargill:

Resolved, That five members of the Committee on State Hospitals and Asylums be granted leave of absence to visit the asylums at Napa, Ukiah, Agnews, the Home for Feeble-Minded, and the Veterans' Home, and that the committee be empowered to send for persons and papers, and swear witnesses.

The question being on the adoption of the resolution.

The ayes and noes were demanded by Messrs. Barker, Powers, and Bettman.

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

AYES—Messrs. Bassford, Berry, Bettman, Brusie, Butler, Cargill, Coghlin, Devitt, Devine, Dinkelspiel, Dixon, Dwyer, Ewing, Freeman, Gay, Glass, Guy, Hall, Hatfield, Healey, Holland, Huber, Keen, Kenyon, Laird, Laugenour, Lewis, Llewellyn, Meads, McDonald, McKelvey, Merrill, O'Day, Richards, Sanford, Swisler, Tibbits, Thomas, Wade, Weyse, Wilkinson, and Zocchi—42.

NOES—Messrs. Ash, Barker, Belshaw, Bledsoe, Bulla, Dale, Davis, Dunbar, Fassett, Johnson, Phelps, Powers, Price, Robinson, Rowell, Stansell, Spencer, and Waymire—18

LEAVE OF ABSENCE.

Messrs. Dinkelspiel, Belshaw, and Pendleton were granted leave of absence until to-morrow.

RESOLUTIONS.

By Mr. Berry:

ASSEMBLY CHAMBER, SACRAMENTO, February 13, 1895.

MR SPEAKER: The Committee on Public Buildings and Grounds appointed to investigate the needs of the State Normal School, San José; Agnews Insane Asylum, Agnews; and Woman's Relief Corps Home, at Evergreen, having visited those several places and reported back the result of their investigations to the Assembly, now present their account for expenses, as follows:

C. P. Berry	\$25 60
B. C. Kenyon	25 60
J. E. Butler	25 60
J. D. McKenzie, clerk	25 60
Total	\$102 40

Resolved, That the Controller be and he is hereby directed to draw his warrant in favor of C. P. Berry, Chairman of said committee, for the sum of one hundred and two dollars and forty cents as per above statement, said warrant to be drawn upon the fund for contingent expenses of the Assembly, and the Treasurer is hereby directed to pay the same

Referred to Committee on Mileage.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 13, 1895.

MR SPEAKER: The Committee on Public Buildings and Grounds appointed to investigate and report upon the needs of the University of California, at Berkeley, and affiliated colleges at San Francisco, having visited said places and reported back the result of their investigation to the Assembly, now present their account for expenses, as follows:

C. P. Berry	\$18 50
S. Bettman	18 50
L. J. Dwyer	18 50
M. Lewis	18 50
H. H. North	18 50
Total	\$92 50

Resolved, That the Controller be and he is hereby directed to draw his warrant in favor of C. P. Berry, Chairman of said committee, for the sum of ninety-two dollars and fifty cents, as per above statement, said warrant to be drawn upon the fund for contingent expenses of the Assembly, and the Treasurer is directed to pay the same.

Referred to Committee on Mileage.

Also:

Resolved, That a sub-committee of five members of Committee on Public Buildings and Grounds be granted leave of absence from Friday noon, February 15th, till Monday morning, February 18th, for the purpose of visiting and investigating as to needs for appropriations for Insane Asylum at Ukiah, as called for in Assembly Bill No. 227.

The question being on the adoption of the resolution.

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

AYES—Messrs. Berry, Brusie, Butler, Devitt, Devine, Dixon, Dwyer, Ewing, Guy, Hatfield, Holland, Keen, Kelsey, Kenyon, Laugenour, Lewis, Meads, McDonald, Merrill, O'Day, Richards, Sanford, Thomas, Weyse, Wilkinson, and Zocchi—26.

NOES—Messrs. Ash, Barker, Bassford, Belshaw, Bennett, Bettman, Bledsoe, Bulla, Coleman, Cutter, Dale, Davis, Dodge, Dunbar, Fassett, Hall, Hudson, Johnson, Jones, Llewellyn, McKelvey, Osborn, Powers, Price, Rowell, Staley, Stansell, Spencer, Tibbits, Wade, and Waymire—31.

NOTICE OF RECONSIDERATION.

Mr. Bettman gave notice that on to-morrow he would move to reconsider the vote whereby Mr. Berry's resolution was this day defeated.

Mr. Dinkelspiel moved that when the Assembly take a recess it be until two o'clock P. M.

So ordered.

RESOLUTION.

By Mr. North:

Resolved, That the State Printer be instructed to give precedence to Assembly Bill No. 774, and print the same at once.

Adopted.

INTRODUCTION OF BILL—(OUT OF ORDER).

The following was introduced, read first time, and referred to committee, as follows:

By Mr. Ewing: Assembly Constitutional Amendment No. 45—A resolution proposing an amendment to section one of article fourteen of the Constitution of the State of California.

Referred to Committee on Constitutional Amendments.

RECESS.

At twelve o'clock and twenty-five minutes P. M., on motion of Mr. Dinkelspiel, the Assembly took a recess until two o'clock.

REASSEMBLED.

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

Speaker Lynch in the chair.

Quorum present.

LEAVE OF ABSENCE.

Mr. Bettman was granted leave of absence for the day.

At two o'clock and fifteen minutes P. M. the Speaker called Mr. Cutter to the chair.

SPECIAL ORDER.

Assembly Bill No. 617—An Act making appropriations for the support of the government of the State of California for the forty-seventh and forty-eighth fiscal years.

Read second time.

The following committee amendments were submitted:

AMENDMENT No. 1.

Amend section one, line sixty-nine of printed bill, by striking out the word "twenty" and inserting in lieu thereof the word "fourteen."

Adopted.

AMENDMENT No. 2.

Amend section one, lines seventy-four and seventy-five of printed bill, by striking out the words "thirty-eight thousand eight hundred and forty," and inserting in lieu thereof the words "fifty-five thousand three hundred and sixty."

Adopted.

AMENDMENT No. 3.

Amend section one by striking out all of line seventy-eight of the printed bill, and inserting in lieu thereof the following, viz.: "for purchasing and placing in the Capitol building an electric plant, and for the maintenance of same, exempt from the provisions of section four of this Act, sixteen thousand dollars."

Adopted.

AMENDMENT No. 4.

Amend section one, lines ninety-one and ninety-two, printed bill, by striking out the words "from January to July of each year, one thousand six hundred dollars," and inserting in lieu thereof the words "three thousand two hundred dollars."

Adopted.

AMENDMENT No. 5.

Amend section one, line ninety-three of printed bill by striking out the words "five thousand four hundred," and inserting in lieu thereof the words "seven thousand two hundred."

Adopted.

Mr. Reid moved to amend as follows:

By striking out of section one, line one hundred and thirty-three, the words "nine hundred and sixty," and inserting the following: "two thousand four hundred"

Lost.

Mr. Hatfield moved to amend as follows:

By striking out of section one, line one hundred and thirty-six, the words "nine hundred and sixty," and inserting the following: "twenty-four hundred."

Adopted.

REPORT OF COMMITTEE ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 13, 1895.

MR. SPEAKER: Your Committee on Enrollment have examined and found correctly enrolled Assembly Bill No 449—An Act to amend 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," 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 March 20, 1891, and amended by an Act approved March 23, 1893, amending section eight and adding a new section thereto—and presented the same to the Governor on this day, at eleven o'clock and thirty-five minutes A. M.

MEADS, Chairman.

CONSIDERATION OF ASSEMBLY BILL No. 617—(RESUMED).

AMENDMENT No. 6.

Amend section one by striking out from the printed bill lines one hundred and forty and one hundred and forty-one, and inserting in lieu thereof the words "for armory rent and other expenses of the National Guard, including the Naval Brigade, one hundred and eighty-five thousand dollars."

Adopted.

Mr. Powers moved to amend as follows:

By striking out of section one, line one hundred and forty-two, the words "six thousand," and inserting the following: "eight thousand."

Adopted.

At three o'clock and thirty minutes P. M. Mr. McCarthy moved that the Assembly do now adjourn.

Lost.

A TELEGRAM.

A telegram from the Civic Federation of San Francisco was read, announcing that over a hundred members of that organization were on the road from San Francisco, and desired to be heard on the Waymire bill.

Mr. Lynch moved that when the Assembly take a recess it be at four o'clock, for the purpose of hearing the Civic Federation.

So ordered.

COMMITTEE AMENDMENTS—(RESUMED).

AMENDMENT No. 7.

Amend section one, lines one hundred and forty-six and one hundred and forty-seven, by striking out the words "two hundred and fifty," and inserting in lieu thereof the words "two hundred and forty-four."

Adopted.

Mr. Bledsoe moved to amend as follows:

By striking out of section one, all of lines one hundred and forty-eight, one hundred and forty-nine, one hundred and fifty, one hundred and fifty-one, one hundred and fifty-two, and one hundred and fifty-three.

Lost.

AMENDMENT No. 8.

Amend section one, line one hundred and forty-nine, of printed bill, by striking out the word "forty," and inserting in lieu thereof the word "twenty."

Adopted.

AMENDMENT No. 9.

Amend section one, line one hundred and fifty-nine, of printed bill, by adding after the word "expenses" the words "of commissioner and attorney."

Adopted.

Mr. Reid moved to amend as follows:

By striking out of section one, line one hundred and fifty-nine, the words "for traveling, legal, and other necessary expenses, commissioners, attorney, four thousand dollars."

Adopted.

Mr. Brusie gave notice of a motion to reconsider the vote whereby the amendment of Mr. Reid was adopted.

Mr. Rowell moved to amend as follows:

By striking out of section one, line one hundred and sixty-four.

Lost

Mr. North moved to amend as follows:

By striking out of section one, line one hundred and eighty-two, the word "twenty," and inserting the following. "ten "

Adopted.

Mr. Brusie withdrew his motion to reconsider the vote whereby the amendment offered by Mr. Reid was adopted.

Mr. Bledsoe moved to amend as follows:

By striking out of line one hundred and eighty-three, the words "five thousand," and inserting the following: "twenty-five hundred dollars."

Adopted.

AMENDMENT No. 10.

Amend section one, line one hundred and ninety, of printed bill, by striking out the words "eighty-seven thousand six hundred," and inserting in lieu thereof the words "one hundred and thirty thousand two hundred and twenty-five."

Adopted.

AMENDMENT No. 11.

Amend section one, line one hundred and ninety-three, of printed bill, by striking out the words "ten thousand," and inserting in lieu thereof the words "nineteen thousand three hundred."

Adopted.

AMENDMENT No. 12.

Amend section one, line one hundred and ninety-five, of printed bill, by striking out the words "one hundred and two thousand two hundred," and inserting in lieu thereof the words "one hundred and forty thousand."

Adopted.

AMENDMENT No. 13.

Amend section one, line one hundred and ninety-seven, of printed bill, by striking out the words "thirty-seven thousand two hundred and four," and inserting in lieu thereof the words "fifty thousand."

Adopted.

AMENDMENT No 14.

Amend section one, line two hundred and three, printed bill, by making the word "Reform" read "State."

Adopted.

AMENDMENT No. 15.

Amend section one, line two hundred and four, printed bill, by making the word "Reform" read "State."

Adopted.

AMENDMENT No. 16

Amend section one, line two hundred and four, printed bill, by striking out the words "two hundred thousand" and inserting in lieu thereof the words "two hundred and fifty thousand."

Adopted.

AMENDMENT No. 17.

Amend section one, line two hundred and seven, by making the words "seventy-five" read "eighty."

Adopted.

AMENDMENT No. 18

Amend section one, line two hundred and eight, printed bill, by making the words "forty-four" read "fifty-two."

Adopted.

AMENDMENT No. 19.

Amend section one, line two hundred and ten, by changing the words "two thousand" to "four thousand five hundred."

Adopted.

AMENDMENT No 20

Amend section one, lines two hundred and fourteen and two hundred and fifteen, by changing the words "one thousand five hundred" to read "three thousand."

Adopted.

AMENDMENT No. 21.

Amend section one, line two hundred and seventeen, by striking out the words "two thousand dollars" and inserting in lieu thereof the words "two thousand five hundred dollars."

Adopted.

AMENDMENT No. 22.

Amend section one, line two hundred and eighteen, by striking out the words "three thousand dollars" and inserting in lieu thereof the words "twenty-five hundred dollars."

Adopted.

AMENDMENT No. 23.

Amend section one, line two hundred and nineteen, by inserting after the word "fish" the words "and game."

Adopted.

AMENDMENT No. 24.

Amend section one, line two hundred and twenty-one, by inserting after the word "fish" the words "and game."

Adopted.

At three o'clock and fifty-five minutes P. M. Speaker Lynch resumed the chair.

At four o'clock P. M. Mr. Brusie moved that the time for recess be extended for ten minutes.

So ordered.

RECESS.

At four o'clock and ten minutes P. M., pending the consideration of Assembly Bill No. 617, the Speaker declared a recess.

REASSEMBLED.

The Assembly reassembled at five o'clock and twenty minutes P. M. Speaker Lynch in the chair.

Mr. Brusie moved that Assembly Bill No. 617 be made a special order for to-morrow, immediately after the reading of the Journal.

So ordered.

ADJOURNMENT.

At five o'clock and twenty-one minutes P. M., on motion of Mr. Bulla, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Thursday, February 14, 1895. }

The Assembly met pursuant to adjournment.

Speaker Lynch in the chair.

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

Messrs Ash, Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Bledsoe, Brusie, Bulla, Butler, Cargill, Coleman, Coghlin, Cutter, Dale, Davis, Devitt, Devine, Dinkelspiel, Dixon, Dodge, Dunbar, Dwyer, Ewing, Fassett, Freeman, Gay, Glass, Guy, Hall, Hatfield, Holland, Huber, Hudson, Johnson, Jones, Keen, Kelsey, Kenyon, Laird, Laugenour, Lewis, Llewellyn, Meads, McDonald, McKelvey, Merrill, Nelson, North, O'Day, Osborn, Pendleton, Phelps, Powers, Price, Reid, Richards, Robinson, Rowell, Sanford, Staley, Stansell, Spencer, Swisler, Tibbits, Thomas, Tomblin, Twigg, Wade, Waymire, Weyse, Zocchi, and Mr. Speaker.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. O. Summers.

READING OF THE JOURNAL.

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

So ordered.

LEAVE OF ABSENCE.

Mr. Bettman was granted leave of absence for the day, on account of illness.

INTRODUCTION OF BILL—(OUT OF ORDER).

By Mr. Hudson: Assembly Bill No. 835—An Act to amend an Act entitled "An Act to re-incorporate Salinas City," approved March 2, 1876, with reference to the levy and collection of taxes by said Salinas City.

Read first time, and referred to Committee on Municipal Corporations.

SPECIAL ORDER.

Assembly Bill No. 617—An Act making appropriations for the support of the government of the State of California for the forty-seventh and forty-eighth fiscal years.

The question before the Assembly being:

COMMITTEE AMENDMENT No. 25.

For aid to District Agricultural Society Number One	\$5,250 00
For aid to District Agricultural Society Number Two	5,250 00
For aid to District Agricultural Society Number Three	3,000 00
For aid to District Agricultural Society Number Four	4,500 00
For aid to District Agricultural Society Number Five	4,500 00
For aid to District Agricultural Society Number Six	4,500 00
For aid to District Agricultural Society Number Seven	2,625 00
For aid to District Agricultural Society Number Eight	3,000 00
For aid to District Agricultural Society Number Nine	3,375 00
For aid to District Agricultural Society Number Ten	3,375 00
For aid to District Agricultural Society Number Eleven	3,375 00
For aid to District Agricultural Society Number Twelve	3,750 00
For aid to District Agricultural Society Number Thirteen	4,500 00
For aid to District Agricultural Society Number Fourteen	3,000 00
For aid to District Agricultural Society Number Fifteen	2,250 00
For aid to District Agricultural Society Number Sixteen	3,375 00
For aid to District Agricultural Society Number Seventeen	3,375 00
For aid to District Agricultural Society Number Eighteen	4,500 00
For aid to District Agricultural Society Number Nineteen	3,000 00
For aid to District Agricultural Society Number Twenty	3,375 00
For aid to District Agricultural Society Number Twenty-one	4,500 00
For aid to District Agricultural Society Number Twenty-two	3,000 00
For aid to District Agricultural Society Number Twenty-three	2,625 00
For aid to District Agricultural Society Number Twenty-four	2,250 00
For aid to District Agricultural Society Number Twenty-five	3,750 00
For aid to District Agricultural Society Number Twenty-six	4,500 00
For aid to District Agricultural Society Number Twenty-seven	3,375 00
For aid to District Agricultural Society Number Twenty-eight	3,375 00
For aid to District Agricultural Society Number Twenty-nine	3,000 00
For aid to District Agricultural Society Number Thirty	3,000 00
For aid to District Agricultural Society Number Thirty-one	3,000 00
For aid to District Agricultural Society Number Thirty-two	2,625 00
For aid to District Agricultural Society Number Thirty-three	2,250 00
For aid to District Agricultural Society Number Thirty-four	3,375 00
For aid to District Agricultural Society Number Thirty-five	3,000 00
For aid to District Agricultural Society Number Thirty-six	3,000 00
For aid to District Agricultural Society Number Thirty-seven	2,250 00
For aid to District Agricultural Society Number Thirty-eight	3,000 00
For aid to District Agricultural Society Number Thirty-nine	2,250 00
For aid to District Agricultural Society Number Forty	3,750 00
For aid to District Agricultural Society Number Forty-one	2,250 00
For aid to District Agricultural Society Number Forty-two	2,250 00
For aid to District Agricultural Society Number Forty-three	2,250 00

MOTION TO SUBSTITUTE.

Mr. Osborn moved to substitute for Committee Amendment No. 25 the following:

Strike out of section one all of lines two hundred and thirty-one, two hundred and thirty-two, and two hundred and thirty-three

The question being upon Mr. Osborn's substitute for Committee Amendment No. 25.

Ayes and noes were demanded by Messrs. Phelps, Cutter, and Cargill.

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

AYES—Messrs. Ash, Barker, Belshaw, Bennett, Berry, Bledsoe, Bulla, Butler, Cargill, Coghlin, Cutter, Dale, Davis, Dimkelspiel, Dixon, Dodge, Ewing, Fassett, Freeman, Gay, Glas, Guy, Hudson, Jones, Keen, Kenyon, Meads, McDonald, Merrill, Nelson, North, Osborn, Phelps, Powers, Price, Robinson, Rowell, Staley, Stansell, Twigg, Wade, Waymire, Weyse, and Mr. Speaker—44.

NOES—Messrs. Bassford, Bettman, Bruse, Coleman, Devine, Dunbar, Dwyer, Hall, Hatheld, Healey, Holland, Huber, Johnson, Kelsey, Laird, Laugenour, Lewis, Llewellyn, McKelvey, O'Day, Reid, Richards, Sanford, Spencer, Swisler, Tibbits, Thomas, Tomblin, Wilkinson, and Zocchi—30.

NOTICE OF RECONSIDERATION.

Mr. Dixon gave notice that he would this day move the reconsideration of the vote whereby the Assembly adopted Mr. Osborn's substitute for Committee Amendment No. 25.

MOTION.

Mr. Brusie moved to amend as follows:

By adding three lines, two hundred and thirty-one, two hundred and thirty-two, and two hundred and thirty-three, to read as follows: "For aid to State Agricultural Society, forty thousand dollars; *provided*, that the State Agricultural Society create and maintain a Statistical Department for the annual collection, compilation, and distribution of statistics relating to the products and resources of the State."

The ayes and noes were demanded by Messrs. Dixon, Brusie, and Dodge.

CALL OF THE HOUSE.

The roll was called.

Pending the announcement of the result, Mr. Brusie moved a call of the House, seconded by Messrs. Laugenour and Hatfield.

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

So ordered.

The Speaker announced the result of the roll call on Mr. Brusie's amendment, and the same was lost by the following vote:

AYES—Messrs. Bassford, Bettman, Brusie, Butler, Devitt, Devine, Dixon, Dwyer, Hatfield, Kelsey, Laugenour, Llewellyn, McKelvey, O'Day, Pendleton, Powers, Reid, Swisler, Thomas, Tomblin, Twigg, Wyse, Wilkinson, and Zocchi—24.

NOES—Messrs. Ash, Barker, Belshaw, Bennett, Berry, Bledsoe, Bulla, Cargill, Coleman, Coghlin, Cutter, Dale, Davis, Dodge, Dunbar, Ewing, Fassett, Freeman, Gay, Glass, Guy, Hall, Healey, Holland, Huber, Hudson, Johnson, Jones, Keen, Kenyon, Laird, Lewis, Meads, McDonald, Merrill, Nelson, North, Osborn, Phelps, Price, Richards, Rowell, Sanford, Staley, Spencer, Tibbits, Wade, and Waymire—48.

RECESS.

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

REASSEMBLED.

The Assembly reassembled at one o'clock and thirty minutes P. M.
Speaker Lynch in the chair.
Quorum present.

SPECIAL ORDER.

Assembly Bill No. 617—An Act making appropriations for the support of the government of the State of California for the forty-seventh and forty-eighth fiscal years.

MOTION.

Mr. Dixon moved to reconsider the vote whereby Mr. Osborn's substitute for Committee Amendment No. 25 was adopted.

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

AYES—Messrs. Bassford, Bettman, Boothby, Brusie, Coleman, Devine, Dixon, Dunbar, Holland, Kelsey, Laugenour, Meads, McKelvey, O'Day, Reid, Richards, Spencer, Swisler, Tibbits, Tomblin, and Zocchi—21.

NOES—Messrs. Ash, Barker, Belshaw, Bennett, Berry, Bledsoe, Bulla, Cutter, Dale, Dodge, Fassett, Freeman, Gay, Glass, Guy, Huber, Johnson, Jones, Keen, Kenyon, Laird, McDonald, Merrill, Nelson, North, Osborn, Pendleton, Phelps, Price, Robinson, Rowell, Staley, Thomas, Wade, Weyse, and Mr. Speaker—36.

Mr. Reid moved to amend as follows:

By inserting after line two hundred and thirty, section one, the following:

For aid to District Agricultural Society Number Three.....	\$2,667 00
For aid to District Agricultural Society Number Four.....	4,000 00
For aid to District Agricultural Society Number Five.....	4,000 00
For aid to District Agricultural Society Number Seven.....	2,334 00
For aid to District Agricultural Society Number Eight.....	2,667 00
For aid to District Agricultural Society Number Nine.....	3,000 00
For aid to District Agricultural Society Number Ten.....	3,000 00
For aid to District Agricultural Society Number Eleven.....	3,000 00
For aid to District Agricultural Society Number Twelve.....	3,334 00
For aid to District Agricultural Society Number Thirteen.....	4,000 00
For aid to District Agricultural Society Number Fifteen.....	2,000 00
For aid to District Agricultural Society Number Sixteen.....	3,000 00
For aid to District Agricultural Society Number Seventeen.....	3,000 00
For aid to District Agricultural Society Number Eighteen.....	4,000 00
For aid to District Agricultural Society Number Nineteen.....	2,667 00
For aid to District Agricultural Society Number Twenty.....	3,000 00
For aid to District Agricultural Society Number Twenty-one.....	4,000 00
For aid to District Agricultural Society Number Twenty-two.....	2,667 00
For aid to District Agricultural Society Number Twenty-three.....	2,334 00
For aid to District Agricultural Society Number Twenty-five.....	3,334 00
For aid to District Agricultural Society Number Twenty-six.....	4,000 00
For aid to District Agricultural Society Number Twenty-seven.....	3,000 00
For aid to District Agricultural Society Number Twenty-eight.....	3,000 00
For aid to District Agricultural Society Number Twenty-nine.....	2,667 00
For aid to District Agricultural Society Number Thirty.....	2,667 00
For aid to District Agricultural Society Number Thirty-one.....	2,667 00
For aid to District Agricultural Society Number Thirty-two.....	2,334 00
For aid to District Agricultural Society Number Thirty-three.....	2,000 00
For aid to District Agricultural Society Number Thirty-four.....	3,000 00
For aid to District Agricultural Society Number Thirty-five.....	2,667 00
For aid to District Agricultural Society Number Thirty-six.....	2,667 00
For aid to District Agricultural Society Number Thirty-seven.....	2,000 00
For aid to District Agricultural Society Number Thirty-eight.....	2,667 00
For aid to District Agricultural Society Number Thirty-nine.....	2,000 00
For aid to District Agricultural Society Number Forty.....	3,334 00
For aid to District Agricultural Society Number Forty-one.....	2,000 00
For aid to District Agricultural Society Number Forty-two.....	2,000 00
For aid to District Agricultural Society Number Forty-three.....	2,000 00

PREVIOUS QUESTION.

Mr. Bulla moved the previous question, seconded by Messrs. Pendleton and Laugenour.

The question being, "Shall the main question be now put?"

So ordered.

The question being on Mr. Reid's amendment.

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

AYES—Messrs. Bassford, Boothby, Brusie, Coleman, Devine, Dixon, Dunbar, Dwyer, Glass, Hatfield, Holland, Laird, Laugenour, McDonald, O'Day, Reid, Richards, Spencer, Swisler, Tibbits, Thomas, Tomblin, and Wilkinson—23.

NOES—Messrs. Ash, Barker, Belshaw, Bennett, Berry, Bledsoe, Bulla, Cargill, Coghlin, Cutter, Dale, Davis, Dodge, Ewing, Fassett, Gay, Guy, Hall, Healey, Huber, Hudson, Johnson, Jones, Keen, Kelsey, Kenyon, Merrill, Nelson, North, Osborn, Pendleton, Phelps, Powers, Price, Robinson, Rowell, Sanford, Staley, Wade, Weyse, and Mr. Speaker—41.

Assembly Bill No. 617 ordered to engrossment and third reading.

Mr. Brusie moved that Assembly Bill No. 617 be made a special order for to-morrow at two o'clock P. M.

So ordered.

PETITIONS.

By Mr. Huber: From a number of voters from Los Angeles, protesting against the passage of Assembly Bill No. 191, and any other measure looking to a reduction of notarial fees.

Referred to Committee on Judiciary.

By Mr. Dodge: From a number of citizens of Oakland, asking the enactment of a Sunday law as will be founded upon and agreeable to the moral law of God, and that will not do wrong to any class of citizens.

Referred to Committee on Public Morals.

By Mr. Cutter: From quite a number of the citizens of Yuba County protesting against the bill removing the State Mining Bureau from San Francisco, its present position.

Also: Protesting against the abolishing of the office of State Miner-alogist.

Referred to Committee on Mines and Mining Interests.

REPORTS OF STANDING COMMITTEES.

ON CONTESTED ELECTIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 14, 1895.

In the matter of the election contest of T. E. Treacy vs. J. J. Wilkinson, for the office of member of the Assembly of the State of California from the Thirty-first Assembly District.

EXPENSES OF T. E. TREACY.

Reporter's fees	\$389 00
Commissioner's fees	60 00
Serving subpoenas	30 00
Typewriting	35 00
Twenty-five witnesses	50 00
Expenses to Sacramento	50 00
Attorneys' fees, Edgar B. Haymond and C. W. Reed	2,000 00
Time and expenses of contestant in investigating	150 00
Total	\$2,764 00

In the matter of the election contest of Edward J. Reynolds vs. I. M. Merrill, for the office of member of the Assembly of the State of California for the Forty-second Assembly District.

EXPENSES OF EDWARD J. REYNOLDS.

Reporter's fees	\$400 00
Commissioner's fees (6 days)	120 00
Typewriting	35 00
Witness fees (26 witnesses)	52 00
Filing and serving statement	10 00
Letters, postage, to each voter in district	20 00
Expenses to Sacramento	50 00
Loss of business of contestant (\$10 a day, 30 days)	300 00
Attorneys' fees, Edgar B. Haymond and C. W. Reed	1,800 00
Total	\$2,787 00

In the matter of the election contest of T. E. Treacy vs. J. J. Wilkinson, for the office of member of the Assembly of the State of California from the Thirty-first Assembly District.

EXPENSES OF J. J. WILKINSON.

Reporter's fees.....	\$389 00
Commissioner's fees.....	60 00
Notarial fees.....	1 00
Serving subpoenas.....	20 00
Typewriting.....	39 00
Services of men investigating and finding witnesses and watching ballots.....	145 00
Twelve witnesses, three days at \$2 per day.....	72 00
Expenses to Sacramento.....	100 00
Attorneys' fees, J. C. Campbell and J. J. Kennedy.....	2,000 00
Total.....	\$2,826 00

Referred to Committee on Ways and Means.

ON ELECTION LAWS.

ASSEMBLY CHAMBER, SACRAMENTO, February 14, 1895.

MR. SPEAKER. Your Committee on Election Laws, to whom was referred Assembly Bill No. 704—have had the same under consideration, and respectfully report the same back, and recommend that it do pass

Also: Assembly Bill No. 335—have amended the same by striking out the words “and fifty,” on line sixty, of the printed bill, also by striking out the words “and fifty,” on line seventy-one of printed bill—and respectfully report the same back, and recommend that it do pass as amended

SPENCER, Chairman.

ON STATE PARKS AND FORESTRY.

ASSEMBLY CHAMBER, SACRAMENTO, February 14, 1895

MR. SPEAKER: Your Committee on State Parks and Forestry, to whom was referred Assembly Joint Resolution No. 12—Relative to mines and mining claims situated within the boundaries of the Yosemite National Park—have had the same under consideration, and respectfully report the same back, and recommend that it do pass

Also: Assembly Bill No. 678—An Act to appropriate money for the purchase of the Coulterville and Yosemite toll road, and to make the same a free public road and highway to the Yosemite Valley—have had the same under consideration, and respectfully report the same back without recommendation

Also: Assembly Bill No. 695—An Act to amend section three thousand three hundred and ninety-eight of the Political Code, appointing the Surveyor-General locating agent in the United States Land Offices, and declaring the effect of selections accepted by the United States—have had the same under consideration, and respectfully report the same back, and recommend that it do pass

TIBBITS, Chairman.

ON STATE PRISONS AND REFORMATORY INSTITUTIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 14, 1895.

MR. SPEAKER: Your Committee on State Prisons and Reformatory Institutions, to whom was referred Assembly Bills Nos 171 and 173—have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

LAIRD, Chairman.

ON CLAIMS

ASSEMBLY CHAMBER, SACRAMENTO, February 14, 1895.

MR. SPEAKER: Your Committee on Claims, to whom was referred Assembly Bill No. 398—An Act appropriating money to pay the claim of W. H. Murray, his heirs or assigns. Also: Assembly Bill No. 538—An Act to appropriate money to pay the widow of O. H. Wing.

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

Also: Assembly Bill No. 183—An Act to make an appropriation to pay the claim of Frank H. Lombard, for services rendered to the Board of Railroad Commissioners of the State of California as shorthand reporter, for the years 1890, 1892, and 1893—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also: Assembly Bill No. 533—An Act to provide for the payment of the claim of George H. Tay Company, for the deficiency in the contract price for heating and ventilating the State Normal School building at San José, State of California

Also: Assembly Bill No. 600—An Act making an appropriation to pay the City and County of San Francisco for expenses incurred in conveying children to the Whittier State School.

Also: Assembly Bill No. 512—An Act to provide for payment of the claim of James A. Kearney.

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

GAY, Chairman.

Assembly Bills Nos. 171, 398, 538, 183, 533, 600, 512, and 173 referred to Committee on Ways and Means.

ON HOSPITALS AND ASYLUMS

ASSEMBLY CHAMBER, SACRAMENTO, February 14, 1895.

MR. SPEAKER: Your Committee on Hospitals and Asylums, to whom was referred Assembly Bill No. 101—An Act to secure the investigation of orphan asylums and other institutions for the care and maintenance of children receiving State aid, and for the establishment of public schools therein—have had the same under consideration, and respectfully report the same back, and recommend that the author have the privilege of withdrawing it.

Also: Assembly Bill No. 623—An Act making an appropriation for the purchase of furniture for the new ward building of the Southern California State Asylum for the Insane and Inebriates—have had the same under consideration, and respectfully report the same back, and recommend that the author have the privilege of withdrawing it, as a Senate bill of like nature has already passed.

Also: Assembly Bill No. 499—An Act to add a new section to the Political Code, to be known and designated as section three thousand and twenty-two and one half, relating to the erection, furnishing, maintenance, and government of hospitals and homes for inebriates in counties and cities and counties, of this State, where land has heretofore been reserved and set apart for said purpose, to provide for the commitment of dipso-maniacs and inebriates thereto; and also to repeal an Act entitled "An Act relating to the Home of the Inebriate of San Francisco, and to prescribe the powers and duties of the Board of Managers and the officers thereof," approved April 1, 1870, and all Acts and parts of Acts in conflict with the provisions of this Act—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to the San Francisco Delegation.

CARGILL, Chairman.

Assembly Bills Nos. 101 and 623 were withdrawn, at request of authors.

Assembly Bill No. 499 referred to San Francisco Delegation.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 14, 1895.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following has been correctly engrossed, viz.: Assembly Joint Resolution No. 16—Joint resolution relative to the proposed Pacific cable.

WILKINSON, Chairman.

ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 14, 1895.

MR. SPEAKER: Your Committee on Enrollment have examined and found correctly enrolled Assembly Constitutional Amendment No. 33—Proposed amendment relative to amending the Constitution of the State of California, by repealing sections four and five of article thirteen, and by amending section one of said article.

Also: Assembly Bill No. 26—An Act to amend section five hundred and two of the Civil Code, relating to time of commencing work and completing the same under right of way granted by municipal corporations, and providing for a forfeiture in case of failure to commence work or to complete it within the time fixed.

And presented the same to the Governor, on this day, at eleven o'clock and thirty minutes A. M.

MEADS, Chairman.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, February 14, 1895.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Senate Bill No. 35—An Act to amend section three thousand and ten of the Civil Code, relating to the right of the pledgee to purchase the pledged property when sold at public auction—

have had the same under consideration, and respectfully report the same back, and recommend that it be substituted for Assembly Bill No. 53, and that it do pass, the provisions being identical.

Also: Assembly Bill No. 662—An Act to amend section two hundred and seventy-six of the Code of Civil Procedure, relating to the examination of applicants for admission to practice law—have had the same under consideration, and respectfully report the same back without recommendation.

Also: Assembly Bill No. 674—An Act to amend section one hundred and three of the Code of Civil Procedure of the State of California, relating to Justices' Courts—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

BULLA, Chairman.

ON PUBLIC BUILDINGS AND GROUNDS.

ASSEMBLY CHAMBER, SACRAMENTO, February 14, 1895.

MR. SPEAKER: Your Committee on Public Buildings and Grounds, to whom was referred Assembly Bill No. 299—An Act to repeal (1) "An Act appropriating money for the erection of a building in the city of San Francisco for the use of the Home for the Care of Inebriates," approved May 2, 1862; (2) "An Act relating to the Home of the Inebriate of San Francisco, and to prescribe the powers and duties of the Board of Managers and the officers thereof," approved April 1, 1870; and (3) "An Act to provide for the care and maintenance of inebriates and certain insane persons in the City and County of San Francisco," approved April 17, 1876, relating to the Home for the Care of the Inebriates—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

BERRY, Chairman.

Assembly Bill No. 299 referred to Committee on Ways and Means.

RESOLUTION—(OUT OF ORDER).

By Mr. Brusie:

Resolved, That the State Printer be and he is hereby directed to print, as amended, Assembly Bill No. 617, out of order, and return the same to this House forthwith.

Adopted.

JOINT RESOLUTION.

By Mr. Thomas:

ASSEMBLY JOINT RESOLUTION No. 20.

WHEREAS. The appropriation for the contingent expenses of the United States Debris Commission is about exhausted, and the prosecution of this work endangered; therefore, be it

Resolved by the Assembly, the Senate concurring, That our Senators and Representatives in Congress be requested to give the matter their immediate attention with a view to securing an additional appropriation at the earliest possible moment.

Resolved, That a copy of these resolutions be immediately telegraphed to our Senators and Representatives.

Adopted.

Mr. Thomas moved that Assembly Joint Resolution No. 20 be immediately transmitted to the Senate.

So ordered.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON PUBLIC BUILDINGS AND GROUNDS.

ASSEMBLY CHAMBER, SACRAMENTO, February 11, 1895.

MR. SPEAKER: Your Sub-Committee on Public Buildings and Grounds, appointed to investigate and report upon the needs of the State Normal School at Chico, beg leave to report as follows:

Your sub-committee visited said State Normal School, and personally inspected and investigated the same, and the needs thereof, and as a result of such investigation, would recommend that the appropriation asked for in Assembly Bill No. 197 be allowed. But,

in view of the universal demand for retrenchment, your committee does not deem it advisable to recommend the appropriations asked for in Assembly Bills Nos. 195 and 196.
Respectfully submitted.

GUY,
NELSON,
NORTH.

Also the following :

ASSEMBLY CHAMBER, SACRAMENTO, February 11, 1895.

MR. SPEAKER: Your Sub-Committee on Public Buildings and Grounds, appointed to investigate and report upon the needs of the State Normal School at Chico, having visited said institution, and reported back the result of their investigations to the Assembly, now present their expense account, as follows:

W. R. Guy, expenses	\$19 20
H. H. North, expenses	19 20
T. A. Nelson, expenses	19 20
Total	\$57 60

Therefore,

Resolved, That the Controller be and is hereby directed to draw his warrant in favor of W. R. Guy, Chairman of said sub-committee, for the sum of fifty-seven dollars and sixty cents, as per above statement, said warrant to be drawn upon the fund for the contingent expenses of the Assembly, and the Treasurer is directed to pay the same.

GUY,
Chairman Sub-Committee.

Referred to Committee on Mileage.

SENATE MESSAGES.

SENATE CHAMBER, SACRAMENTO, February 13, 1895.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Committee Substitute for Senate Bill No. 44—An Act to appropriate money to pay the National Guard of California for services rendered by order of the Governor, to enforce the law, in 1893 and 1894.

Also: Senate Bill No. 242—An Act to amend sections three thousand four hundred and eighty-one and three thousand four hundred and eighty-two of the Political Code, relating to the division of swamp land districts.

Also: Substitute for Senate Bill No. 110—An Act to amend section four thousand two hundred and thirty-five of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the lien of judgments of Federal Courts.

Also: Senate Bill No. 417—An Act appropriating the sum of six thousand dollars for tiling the first floor of the State Capitol.

Also: Senate Bill No. 325—An Act to provide for the appointment and salary of an elevator attendant, and to make an appropriation therefor.

F. J. BRANDON, Secretary.
By R. SHAW, Assistant.

Senate Bills Nos. 417 and 325 referred to Committee on Ways and Means.

Senate Bill No. 242 referred to Committee on Swamp and Overflowed Lands.

Senate Bill No. 110 referred to Committee on Judiciary.

RESOLUTION.

By Mr. McKelvey:

Resolved, That Committee Substitute for Senate Bill No. 44 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions 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. Ash, Barker, Bassford, Belshaw, Bennett, Berry, Boothby, Bulla, Coleman, Cutter, Dale, Davis, Devitt, Devine, Dinkelspiel, Dixon, Dodge, Dunbar, Dwyer, Gay, Glass, Guy, Hall, Hatfield, Healey, Holland, Huber, Johnson, Jones, Kelsey, Ken-

yon, Meads, McCarthy; McDonald, McKelvey, Nelson, North, O'Day, Phelps, Powers, Price, Richards, Robinson, Rowell, Staley, Spencer, Swisler, Thomas, Twigg, Waymire, Weyse, Wilkinson, Zocchi, and Mr. Speaker—54.
NOES—Messrs. Bledsoe, Brusie, Ewing, Freeman, Hudson, Laird, Laugenour, Osborn, Reid, Stansell, Tomblin, and Wade—12.

Committee Substitute for Senate Bill No. 44—An Act to appropriate money to pay the National Guard of California for services rendered by order of the Governor, to enforce the law, in 1893 and 1894.

Read first and second times.

MOTION.

Mr. McKelvey moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Committee Substitute for Senate Bill No. 44.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Lynch in the chair.

Committee Substitute for Senate Bill No. 44 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Lynch 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 Committee Substitute for Senate Bill No. 44—An Act to appropriate money to pay the National Guard of California for services rendered by order of the Governor, to enforce the law, in 1893 and 1894—and now report and recommend that the same be referred to Committee on Ways and Means.

LYNCH, Chairman.

Report adopted.

INTRODUCTION OF BILLS.

The following bills were introduced, read first time, and referred to committees, as follows:

By Committee on Retrenchment and Public Expenditures: Assembly Bill No. 836—An Act to repeal an Act entitled "An Act creating a Commissioner of Public Works, defining his duties and powers, prescribing his compensation, and making appropriations," approved March 24, 1893.

Read first time, and placed on file.

By Mr. Spencer: Assembly Bill No. 837—An Act for the incorporation of societies for the enforcement of the law and the prosecution of public offenders.

Read first time, and referred to Committee on Judiciary.

By Mr. Spencer: Assembly Bill No. 838—An Act to establish a Desert Land Enabling Act, to enable the State of California to receive from the United States desert lands, under the provisions of an Act of Congress entitled "An Act making appropriations for sundry civil

expenses of the government for the fiscal year ending June 30, 1895, and for other purposes," approved August 18, 1894.

Read first time, and referred to Committee on Public Lands.

By Mr. Dinkelspiel (by request): Assembly Bill No. 839—An Act to add a new section to the Penal Code of the State of California, to be designated as section four hundred and two, relating to the duties of females employed in mercantile and manufacturing occupations.

Read first time, and referred to Committee on Labor and Capital.

By Mr. Cutter: Assembly Bill No. 840—An Act to appropriate money to pay the claim of Charlotte M. Holman.

Read first time, and referred to Committee on Ways and Means.

By Mr. Waymire: Assembly Bill No. 841—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure of the State of California," adopted March 11, 1872, by adding thereto a new section, to be numbered nine hundred and sixty, relating to dismissal of appeals.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 842—An Act to regulate the granting of franchises to lay down railroad tracks upon streets and avenues in cities, or cities and counties having one hundred thousand or more inhabitants.

Read first time, and referred to San Francisco Delegation.

By Mr. Kenyon (by request): Assembly Bill No. 843—An Act to prevent and punish the making and dissemination of obscene literature and other immoral and indecent matters.

Read first time, and referred to Committee on Judiciary.

By Mr. McCarthy: Assembly Bill No. 844—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by adding thereto a new section, to be numbered and designated as section three thousand eight hundred and sixty-three, relating to percentages and commissions on poll taxes.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 845—An Act for the protection of purchasers of goods upon the installment plan.

Read first time, and referred to Committee on Judiciary.

By Mr. North (by request): Assembly Bill No. 846—An Act to amend an Act entitled "An Act for the more effectual prevention of cruelty to animals," approved March 20, 1874.

Read first time, and referred to Committee on Crimes and Penalties.

Also: Assembly Bill No. 847—An Act to establish a uniform system of primary elections in the State of California, and to repeal sections one thousand three hundred and fifty-seven and one thousand three hundred and sixty-five, both inclusive, of the Political Code of this State, constituting chapter fourteen of said Code, and to constitute the several sections of this Act as chapter fourteen of said Code, under the head "Primary Election Law."

Read first time, and referred to Committee on Election Laws.

By Mr. Ewing (by request): Assembly Bill No. 848—An Act making an appropriation for the construction of a seawall, thoroughfare, and piers, in the harbor of San Diego.

Read first time, and referred to Committee on Commerce and Navigation.

By Mr. Lynch: Assembly Bill No. 849—An Act amending the Civil Code of the State of California, by adding thereto two new sections, to be numbered four hundred and ninety-two and four hundred and

ninety-three, concerning franchises for the construction of elevated and underground railroad tracks.

Read first time, and referred to Committee on Corporations.

CONSTITUTIONAL AMENDMENTS.

By Mr. O'Day: Assembly Constitutional Amendment No. 46—Proposed amendment to article four of the Constitution, relative to per diem of members of the Legislature.

Read, and referred to Committee on Constitutional Amendments.

By Mr. Belshaw: Assembly Constitutional Amendment No. 47—An Act to amend section nineteen of article twelve of the Constitution.

Read, and referred to Committee on Constitutional Amendments.

LEAVE OF ABSENCE.

Messrs. McKelvey, Swisler, Powers, Reid, and Belshaw were granted leave of absence for the day.

RE-REFERENCE OF BILLS. •

Assembly Bill No. 541 re-referred to San Francisco Delegation.

Assembly Bills Nos. 823 and 824 were recalled from Committee on Municipal Corporations, and re-referred to San Francisco Delegation.

Assembly Bill No. 426 was ordered re-referred to Committee on Crimes and Penalties.

Assembly Bill No. 394 was re-referred to Committee on Judiciary.

NOTICE OF RECONSIDERATION.

Mr. Guy asked that the consideration of Mr. Bettman's notice of re-consideration be postponed until to-morrow.

So ordered.

MOTION.

Mr. Dixon moved that Assembly Bill No. 55 be re-referred to Committee on Public Morals.

Ayes and noes demanded by Messrs. Thomas, Laugenour, and Llewellyn.

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

AYES—Messrs. Brusie, Coleman, Dinkelspiel, Dixon, and Kelsey—5

NOES—Messrs. Barker, Bassford, Belshaw, Bennett, Berry, Bledsoe, Boothby, Cargill, Coghlin, Cutter, Dale, Devitt, Dodge, Dunbar, Ewing, Fassett, Glass, Hatfield, Healey, Huber, Hudson, Johnson, Jones, Keen, Laird, Laugenour, Llewellyn, McCarthy, McDonald, Merrill, Nelson, North, Osborn, Pendleton, Richards, Rowell, Sanford, Thomas, Tomblin, Wade, Weyse, Wilkinson, and Zocchi—44.

APPROVAL OF JOURNAL.

The Journal of February 13th was approved.

JOINT RESOLUTION.

By Mr. Reid:

ASSEMBLY JOINT RESOLUTION No. 21.

Relative to foreign immigration.

WHEREAS, For more than one hundred years the United States has adhered to the principle that this country was an asylum for the oppressed of all nations, until we at last realize that by such conduct we are now among the oppressed of all nations; and whereas, the unrestricted and indiscriminate immigration from all other lands results in the importation of vast hordes of ignorant, vicious, and pauperized classes from abroad, and also the importation of laborers accustomed only to the cheap living and low wages prevailing in other countries, which labor thus admitted competes freely with the laborer of this country, accustomed to receive good wages with the attendant high standard of living, thus reducing such wages and standard of living; and whereas, unrestricted foreign immigration has resulted in the oversupply of the labor market, and is degrading and pauperizing our own citizens, and is endangering the safety of our institutions; therefore,

Resolved by the Assembly of the State of California, the Senate concurring, That we believe that the time has come when all foreign immigration should wholly cease.

Resolved, That our Senators in Congress be instructed and our Representatives requested to use every effort to secure the passage by Congress of such laws as will effectually prohibit the further importation of foreign laborers.

Resolved, That the Governor of this State cause to be sent to each of our Senators and Representatives in Congress a copy of this resolution.

Read, and referred to Committee on Federal Relations.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON PUBLIC BUILDINGS AND GROUNDS.

ASSEMBLY CHAMBER, SACRAMENTO, February 14, 1895.

MR. SPEAKER: The sub-committee of Committee on Public Buildings and Grounds, appointed to investigate the needs of public buildings in Southern California, having visited the several places in San Diego, Los Angeles, and San Bernardino Counties, and reported back to the Assembly the result of their investigations, now present account of expenses, as follows:

C. P. Berry	\$123 40
W. R. Guy	123 40
S. Bettman	123 40
L. J. Dwyer	123 40
M. Lewis	123 40
T. A. Nelson	123 40
J. B. Sanford	123 40
J. D. McKenzie, clerk	123 40
Total	\$987 20

Therefore,

Resolved, That the Controller be and is hereby directed to draw his warrant in favor of Cyrus P. Berry, Chairman of said committee, for the sum of nine hundred and eighty-seven dollars and twenty cents, as per above statement, said warrant to be drawn upon the fund for the contingent expenses of the Assembly, and the Treasurer is directed to pay the same.

BERRY, Chairman.

Referred to Committee on Mileage.

REQUEST.

Mr. Wade asked that Assembly Joint Resolution No. 19 be referred to Committee on Commerce and Navigation.

So ordered.

RESOLUTION.

By Mr. Cutter:

Resolved, That Assembly Bill No. 470 be made the special order for to-morrow morning, immediately after reading the Journal, to be then acted on without debate.

Adopted.

By Mr. Pendleton: Assembly Joint Resolution No. 22—Relative to a National system of finance.

Referred to Committee on Banks and Banking.

By Mr. Barker: Assembly Concurrent Resolution No. 11—Relative to special committees on constitutional amendments relating to revenue and taxation.

ASSEMBLY CONCURRENT RESOLUTION No. 11.

WHEREAS, Several proposed amendments to article thirteen of the Constitution, relating to revenues and taxation, have been introduced in the two houses of the Legislature; and whereas, there is great danger lest independent action shall result in conflicting and embarrassing legislation on the subject, therefore, be it

Resolved, the Senate concurring, That all resolutions proposing amendments to said article thirteen, of the two houses, be and are hereby referred to a special committee, consisting of the Senate and Assembly standing committees on Constitutional Amendments, and that said special committee be and is instructed to report its conclusions and recommendations thereon to the respective houses.

Read and adopted.

JOINT RULES.

Mr. Dinkelspiel moved the consideration of the joint rules.

So ordered.

Mr. Bulla moved that the reading be dispensed with.

So ordered.

REPORT OF JOINT COMMITTEE ON RULES AND REGULATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 12, 1895.

MR. SPEAKER: Your Joint Committee on Rules and Regulations governing the Senate and Assembly (thirty-first session), as their report beg leave to recommend the adoption of the following as the joint rules of the Senate and Assembly, to wit:

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 emanated, before it shall be presented to the Governor of the State.

VI.—ENROLLING COMMITTEE TO COMPARE.

When bills are enrolled they shall be reëxamined 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 bill 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.—JOINT AND CONCURRENT RESOLUTIONS.

Joint resolutions are those which relate to a certain communication to the Federal Government. All other resolutions relating to matters to be treated by both Houses of the Legislature are concurrent resolutions.

XIX.—JOINT RESOLUTIONS TREATED AS BILLS.

All joint resolutions shall be treated in all respects as bills; except that all joint resolutions shall be read but one time in each House.

XX.—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.

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.

XXIII.

On and after February 14, 1895, 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. of each day, and be considered one hour and a half after being so taken up.

DINKELSPIEL, Chairman.
LAUGENOUR.
DWYER.
KELSEY.
BULLA.
LYNCH.
EARL, Chairman.
SEAWELL.
FLINT.

Mr. Dinkelspiel moved the adoption.
So ordered.

ADJOURNMENT.

At three o'clock and forty-five minutes P. M., on motion of Mr. Dwyer, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER, }
Friday, February 15, 1895. }

The Assembly met pursuant to adjournment.
Speaker Lynch in the chair.

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

Messrs Ash, Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Bledsoe, Boothby, Brustie, Bulla, Butler, Cargill, Coleman, Coghlin, Cutter, Dale, Davis, Devine, Dinkelspiel, Dixon, Dodge, Dunbar, Dwyer, Ewing, Fassett, Freeman, Gay, Glass, Guy, Hall, Hatfield, Healey, Holland, Huber, Hudson, Johnson, Jones, Keen, Kelsey, Kenyon, Laird, Laugenour, Lewis, Llewellyn, Meads, McCarthy, McDonald, McKelvey, Merrill, Nelson, North, O'Day, Osborn, Pendleton, Phelps, Powers, Price, Reid, Richards, Robinson, Rowell, Sanford, Staley, Stansell, Spencer, Swisler, Tibbits, Thomas, Tomblin, Twigg, Wade, Waymire, Weyse, Wilkinson, Zocchi, and Mr Speaker.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. O. Summers.

READING OF THE JOURNAL.

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

So ordered.

SPECIAL ORDERS.

Assembly Bill No. 470—An Act to amend section one thousand and eighty-three of the Political Code of the State of California, in relation to the qualifications and disabilities of electors.

Mr. Spencer moved that a special committee of one be appointed by the Speaker to amend Assembly Bill No. 470 as follows:

After the title of the bill add the following: "The People of the State of California, represented in Senate and Assembly, do enact as follows."

Also: In line nine of section one, after the word "county," add the words "twenty days before election."

So ordered.

The Speaker appointed Mr. Spencer to make said amendments.

REPORT OF COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, February 15, 1895.

MR. SPEAKER: Your special committee of one, to whom was referred Assembly Bill No. 470, with instructions to amend as follows: After the title of the bill add the following: "The People of the State of California, represented in Senate and Assembly, do enact as follows" Also, on line nine of section one, after the word "county" add the words "twenty days before election"—has had the same under consideration, and respectfully reports the same back amended as per instructions.

SPENCER, Committee.

Report of committee adopted.

MOTIONS.

Mr. Spencer moved to make Assembly Bill No. 470 a special order for to-morrow morning, immediately after the reading of the Journal.

Mr. Powers moved to amend by making the time Monday, and Mr. Spencer accepted the same.

Mr. Cutter moved to amend by making the time Tuesday and be considered without debate. Mr. Spencer accepted the amendment.

Motion as amended adopted.

Assembly Bill No. 470 ordered to printer and engrossment.

REPORTS OF STANDING COMMITTEES.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, February 15, 1895.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 736—An Act to create and administer a public school teachers' annuity and retirement fund in the several counties, and cities and counties, of the State—have had the same under consideration, and respectfully report the same back, and a majority of your committee recommend that it do pass as amended, and a minority recommend that it do not pass.

Also: Assembly Bill No. 763—An Act to amend the Code of Civil Procedure by adding

a new section thereto, to be known as section one thousand five hundred and twenty, relating to the purchase of property mortgaged to the testator or intestate.

Also: Assembly Bill No. 462—An Act to amend sections forty-seven and forty-eight of the Civil Code of the State of California, relating to libel and slander.

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

Also: Assembly Bill No. 764—An Act to amend section eight hundred and thirty-six of the Code of Civil Procedure, relative to transferring causes to Justices' Courts—have had the same under consideration, and respectfully report the same back, and recommend that the author be allowed to withdraw the same

BULLA, Chairman.

ON SWAMP AND OVERFLOWED LANDS.

ASSEMBLY CHAMBER, SACRAMENTO, February 15, 1895.

MR. SPEAKER: Your Committee on Swamp and Overflowed Lands, to whom was referred Assembly Bills Nos. 23, 520, 522, 611, 706, and 714—have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

CUTTER, Chairman.

ON PUBLIC BUILDINGS AND GROUNDS.

ASSEMBLY CHAMBER, SACRAMENTO, February 15, 1895.

MR. SPEAKER: Your Committee on Public Buildings and Grounds, to whom was referred Assembly Bill No. 169—An Act to provide for the purchase of a residence for the Governor of California, and to appropriate money therefor—have had the same under consideration, and respectfully report the same back with substitute for the same, and recommend that the substitute do pass.

BERRY, Chairman.

WITHDRAWAL OF BILL..

Assembly Bill No. 169 was withdrawn.

INTRODUCTION OF BILL—(OUT OF ORDER).

By Committee on Ways and Means: Assembly Bill No. 850 (Committee Substitute for Assembly Bill No. 169)—An Act to provide for the purchase, or building, of a residence for the Governor of California, and to appropriate money therefor.

Read first time, and referred to Committee on Ways and Means.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON FISH AND GAME.

ASSEMBLY CHAMBER, SACRAMENTO, February 15, 1895.

MR. SPEAKER: Your Committee on Fish and Game, to whom was referred Assembly Bill No. 767—An Act for the protection of carrier or homing pigeons, and providing a punishment for the shooting, killing, maiming, catching, or detaining of such pigeons—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

BASSFORD, Chairman.

ON CONTESTED ELECTIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 15, 1895.

MR. SPEAKER: Your Committee on Contested Elections, to whom was referred the contest of T. E. Treacy vs J. J. Wilkinson for member of Assembly of the State of California from the Thirty-first District, would respectfully report: That after a careful perusal of the evidence introduced in said contest before Justices of the Peace Carroll and Barry, in the City and County of San Francisco, we are compelled to decide that no direct evidence of fraud in the casting or counting of the ballots was introduced in behalf of the contestant, and that said contest was without merit. We respectfully report the same back, and recommend that J. J. Wilkinson be declared legally elected a member of this Assembly.

HUBER, Chairman.

Adopted.

EXPENSE BILL.

In the matter of the contest of election of Mark A. Devine, from the Thirty-fourth Assembly District:

Reporter's fees.....	\$410 00
Commissioner's fees (one half).....	40 00
Witness fees (25 witnesses, two days at \$2 per day)	92 00
Notary fees.....	1 00
Serving subpoenas.....	18 00
Typewriting testimony (copy).....	48 50
Services of man finding witnesses, and incidentals.....	100 00
Attorneys' fees, Boone & Schlesinger, Chas. Wesley Reid, and E. B. Haymond.....	2,000 00
Expenses to Sacramento.....	50 00
Total.....	\$2,759 50

Resolved, That the sum of two thousand seven hundred and fifty-nine dollars and fifty cents is hereby allowed to Mark Devine for expenses incurred by him in the contested election of D. C. Smith vs. Mark Devine, for the office of member of the Assembly of the State of California from the Thirty-fourth District of said State, payable out of the Contingent Fund of the Assembly, and the State Controller is hereby directed to draw his warrant in favor of said Mark Devine for said amount, upon the Contingent Fund of the Assembly, and the Treasurer is hereby directed to pay the same.

Referred to Committee on Ways and Means.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, February 14, 1895.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 400—An Act making an appropriation to pay for the support and maintenance of the inmates of the Woman's Relief Corps Home, at Evergreen, in Santa Clara County, for the forty-fifth and forty-sixth fiscal years.

Also, Assembly Bill No. 636—An Act requiring the payment into the State Treasury of all moneys belonging to the State received by the various State institutions, and directing the disposition of same

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

Also, Assembly Bill No. 676—An Act making an appropriation to pay the deficiency in the appropriation to pay for the system of heating and ventilating established in the Training Department of the State Normal School at San José, California

Also, Assembly Bill No. 700—An Act to provide for payment of a deficiency in the appropriation for aid to the State Agricultural Society for the forty-sixth fiscal year.

Also, Assembly Bill No. 694—An Act appropriating money to pay the claim of the State Agricultural Society.

Also, Assembly Bill No. 711—An Act making an appropriation to pay the deficiency in the appropriation for payment of transportation of children to the State Reform School for Juvenile Offenders for the forty-third and forty-fourth fiscal years.

Also, Assembly Bill No. 719—An Act making an appropriation to pay the deficiency in the appropriation for the transportation of insane for the forty-fourth fiscal year.

Also, Assembly Bill No. 725—An Act making an appropriation to pay the deficiency in the appropriation for salary of Secretary of State Board of Examiners for the forty-fourth fiscal year

Also, Assembly Bill No. 47—An Act to pay the claim of Mary M. Springer, the widow and heir of Thomas A. Springer, late State Printer, deceased

Also, Assembly Bill No. 43—An Act making an appropriation to pay the claim of the Evening Express Company, Los Angeles, California.

Also, Assembly Bill No. 128—An Act to appropriate the sum of five thousand dollars for repairs to the buildings of the State Normal School at San José.

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

Also, Assembly Bill No. 221—An Act appropriating money for the use of the two State forestry stations, and for the establishment and use of a third forestry station—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended

Also, Assembly Bill No. 91—An Act to appropriate the sum of fifteen hundred dollars to pay the claim of T. Carl Spelling against the State.

Also, Assembly Bill No. 262—An Act to pay the claim of Major José Ramon Pico, and making an appropriation therefor.

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

Also, Assembly Bill No. 402—An Act entitled an Act to appropriate money to pay the

claim of Charles E. Cunningham and William C. Rodgers for the services rendered in running the elevator in the State Capitol—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Assembly Bill No. 439—An Act to authorize the State of California to secure the title to and right of way for that certain wagon road situated in El Dorado County, commencing a short distance easterly from the village of Smith's Flat, in said county, and running thence to Lake Tahoe, and to provide for the appointment, duties, and compensation of a person to be known as and called the "Lake Tahoe Wagon Road Commissioner," and to make an appropriation for the purpose of carrying into effect the provisions of this Act—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

BRUSIE, Chairman.

ON CONSTITUTIONAL AMENDMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, February 14, 1895.

MR. SPEAKER: Your Committee on Constitutional Amendments, to whom was referred Assembly Constitutional Amendment No. 37—Proposed amendment to article four, section one, of the Constitution, relative to legislation.

Also: Assembly Constitutional Amendment No. 39—Proposed amendment to article four of the Constitution, relative to legislation.

Also: Assembly Constitutional Amendment No. 38—Proposed amendment to article eighteen of the Constitution, relative to amendments.

Have had the same under consideration, and respectfully report the same back, and recommend that they be not adopted.

WAYMIRE, Chairman.

ON CRIMES AND PENALTIES

ASSEMBLY CHAMBER, SACRAMENTO, February 13, 1895.

MR. SPEAKER: Your Committee on Crimes and Penalties, to whom was referred Assembly Bill No. 426—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

BOOTHBY, Chairman.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 14, 1895.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Assembly Bill No. 61—An Act to enable cities incorporated and operating under a charter framed under section eight, article eleven, of the Constitution, to abolish and annul such charter—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

GUY, Chairman.

SAN FRANCISCO DELEGATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 15, 1895.

MR. SPEAKER: The San Francisco Delegation, to whom was referred Senate Bill No. 28—An Act to amend section one of an Act authorizing the appointment of an interpreter of the Italian language and dialects in criminal proceedings in cities, and cities and counties of one hundred thousand inhabitants and over, approved March 12, 1885—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

POWERS, Chairman.

ON AGRICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, February 15, 1895.

MR. SPEAKER: Your Committee on Agriculture, to whom was referred Assembly Bill No. 679—An Act to amend section one thousand eight hundred and fifty-four of the Civil Code, relating to duties of depositaries.

Also: Assembly Bill No. 772—An Act to prevent the sale of imitation or adulterated honey, and to provide a punishment therefor.

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

Also: Assembly Bill No. 629—An Act to prevent deception in the sale of cheese—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also: Assembly Bill No. 625—An Act to amend an Act entitled "An Act to regulate the practice of veterinary medicine and surgery in the State of California," approved March 23, 1893.

Also: Assembly Bill No. 628—An Act prohibiting the use of barbed wire fence in public lanes, streets, alleys, roads, or highways.

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

RICHARDS, Chairman.

INTRODUCTION OF BILLS.

The following bills were introduced, read first time, and referred to committees, as follows:

By Mr. Coleman:

ASSEMBLY JOINT RESOLUTION No. 23.

A joint resolution relative to requesting Congress to make an appropriation for a free wagon road from Mono Lake, Mono County, to Yosemite Valley, Mariposa County.

WHEREAS, The Government of the United States has set aside and reserved certain sections of the State of California for a national park, known as Yosemite National Park; and whereas, there is no means of access to said park from the east, thus compelling the people living on the eastern slope of the Sierra Nevada Mountains to travel in a long, circuitous route in order to reach said park, and whereas, the visitors who enter said park from the west are prevented from viewing all the points of interest therein, and also from reaching the vicinity of Mono Lake, one of the natural wonders of the State, by reason of lack of road facilities, and whereas, a free wagon road connecting said Yosemite National Park and Mono Lake would be of benefit to the people of the State of California and the Nation at large; therefore, be it

Resolved by the Assembly, the Senate concurring, That we instruct our Senators from this State and request our Representatives in Congress to urge Congress to appropriate sufficient money to survey, locate, and construct a free wagon road from Mono Lake to Yosemite Valley.

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

Read, and referred to Committee on State Parks and Forestry.

By Mr. Berry: Assembly Bill No. 851—An Act to regulate the trials of actions for a divorce.

Read first time, and referred to Committee on Judiciary.

By Mr. Brusie: Assembly Bill No. 852—An Act to repeal section three hundred and thirty-seven of the Penal Code.

Read first time, and referred to Committee on Judiciary.

By Mr. McKelvey: Assembly Bill No. 853—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 to 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, and as to the liability of Sheriffs in levying such writs of execution and attachment, and as to the liability of Sheriffs in levying writs of execution or attachments upon property claimed as exempt from execution under section six hundred and ninety of the Code of Civil Procedure.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 854—An Act to amend section five hundred and nineteen of the Code of Civil Procedure of the State of California, relative to the claims by third persons to property seized under claim and delivery.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 855—An Act to prohibit the officers and employés of banks and banking corporations from borrowing the funds thereof.

Read first time, and referred to Committee on Banks and Banking.

By Mr. Hatfield: Assembly Bill No. 856—An Act to prevent any person, not having visible means of living, from living with or consorting with a common prostitute or with any person who keeps or works in or about a house of ill-fame, and to provide a penalty therefor.

Read first time, and referred to Committee on Crimes and Penalties.

Also: Assembly Bill No. 857—An Act defining a house of ill-fame, to be added as a new section under part one, title nine, chapter eight, of the Penal Code of the State of California, and to constitute section three hundred and eighteen and one half of said Penal Code.

Read first time, and referred to Committee on Crimes and Penalties.

Also: Assembly Bill No. 858—An Act to amend section three hundred and fifteen of the Penal Code of the State of California, relating to the keeping or residing in a house of ill-fame.

Read first time, and referred to Committee on Crimes and Penalties.

By Mr. Waymire: Assembly Bill No. 859—An Act to authorize the State Treasurer to pay over to the Treasurer of the Veterans' Home Association all moneys received by him under and pursuant to the Act of Congress entitled "An Act to provide aid to State or Territorial homes for the support of disabled soldiers and sailors of the United States," approved August 28, 1888.

Read first time, and referred to Committee on Ways and Means.

By Mr. Bettman: Assembly Bill No. 860—An Act to appropriate four thousand seven hundred and fifty dollars as compensation to "The California Demokrat Publishing Company," a corporation incorporated, organized, and existing under the laws of the State of California, for having published proposed amendments to the Constitution of the State of California during the year 1894.

Read first time, and referred to Committee on Ways and Means.

By Mr. Thomas (by request): Assembly Bill No. 861—An Act making an appropriation to pay the claim of Louise Ruenzi, for services rendered the State Board of Silk Culture as Secretary, Instructress, and Silk Expert, from December 12, 1885, to April 2, 1887, at eighty-seven dollars and fifty cents per month.

Read first time, and referred to Committee on Claims.

By Mr. Wilkinson: Assembly Bill No. 862—An Act to prevent the use of barbed wire fences in the State of California.

Read first time, and referred to Committee on Agriculture.

Also: Assembly Bill No. 863—An Act concerning pawnbrokers.

Read first time, and referred to Committee on Judiciary.

REPORTS OF STANDING COMMITTEES.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 15, 1895

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following has been correctly engrossed: Assembly Bill No. 617—An Act making appropriations for the support of the government of the State of California for the forty-seventh and forty-eighth fiscal years.

WILKINSON, Chairman.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 15, 1895.

MR. SPEAKER: Your Committee on Education, to whom was referred Assembly Bill No. 441—An Act to create and administer a public school teachers' annuity and retirement fund in the several counties, and cities and counties, of the State.

Also: Assembly Bill No. 633—An Act entitled an Act to provide a more general and thorough instruction in the practical sciences in the high schools.

Also: Assembly Bill No. 584—An Act to amend section one thousand four hundred and eighty-nine of the Political Code, relating to State Normal Schools

Also: Assembly Bill No. 548—An Act to amend section one thousand six hundred and seventy of the Political Code, relating to high schools.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

Also: Assembly Bill No. 583—An Act to promote the practical study of the sciences in the high schools of California.

Also: Assembly Bill No. 501—An Act to amend section one thousand five hundred and forty-three of "An Act to establish a Political Code," approved March 12, 1872.

Also: Assembly Bill No. 747—An Act to amend section six 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, as amended by an Act approved March 15, 1887.

Also: Assembly Bill No. 646—An Act to amend section six hundred and forty-nine of the Civil Code of the State of California, relating to the incorporation of colleges and seminaries of learning.

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

JOHNSON, Chairman.

SPECIAL FILE.

Assembly Bill No. 188—An Act making an appropriation for support of the Southern California State Asylum for the Insane and Inebriates for the forty-sixth fiscal year.

Passed, to retain its place on file.

Assembly Constitutional Amendment No. 6—Proposed amendment to section seven of article one of the Constitution, relative to juries.

ASSEMBLY CONSTITUTIONAL AMENDMENT No. 6.

Proposed amendment to section seven of article one of the Constitution, relative to juries.

The Legislature of the State of California, at its thirty-first session, two thirds of all the members elect to the Senate and Assembly voting therefor, proposes to the qualified electors of the State the following amendment to section seven of article one of the Constitution, relative to juries:

That section seven of article one be amended to read:

Section 7. The right of trial by jury shall be secured to all except as otherwise provided in this section. In all cases, civil or criminal, twelve persons shall constitute the jury, except a lesser number be agreed upon, or a jury be waived, by both parties in open Court. In all civil cases and all criminal cases, except where the penalty may be death, when the verdict must be unanimous, three fourths of the jury may render a verdict. When a jury shall be impaneled in any case, whether civil or criminal, the death or inability, or failure from any cause, of a juror or jurors to thereafter attend, shall not preclude the trial from proceeding to a termination and verdict, so long as three fourths of the original number still remain in the box. But in no such case shall a verdict be rendered by less than three fourths of said original number.

The question being on the adoption of Assembly Constitutional Amendment No. 6.

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

AYES—Messrs. Ash, Barker, Bassford, Belshaw, Berry, Bettman, Bulla, Butler, Cargill, Coleman, Cutter, Dale, Dinkelspiel, Dixon, Dodge, Dunbar, Dwyer, Ewing, Freeman, Gay, Glass, Guy, Hall, Hatfield, Healey, Huber, Hudson, Johnson, Keen, Kelsey, Kenyon, Laird, Lewellyn, Meads, McDonald, Merrill, Nelson, Osborn, Pendleton, Price, Robinson, Rowell, Staley, Stansell, Tibbits, Thomas, Tomblin, Twigg, Wade, Waymire, Weyse, Wilkinson, Zocchi, and Mr. Speaker—54

NOES—Messrs. Bennett, Bledsoe, Boothby, Coghlin, Devine, Holland, Jones, Laugenour, Lewis, McCarthy, McKelvey, North, O'Day, Phelps, Powers, Reid, Sanford, Spencer, and Swisler—19.

RECONSIDERATION.

Mr. Bettman moved to reconsider the vote whereby the following resolution was lost on February 13th:

So ordered.

RESOLUTION.

By Mr. Berry:

Resolved, That a sub-committee of five members of Committee on Public Buildings and Grounds be granted leave of absence from Friday noon, February 15th, till Monday morning, February 18th, for the purpose of visiting and investigating as to needs for appropriations for Insane Asylum at Ukiah, as called for in Assembly Bill No. 227

The question now recurring on the adoption of the resolution.

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

AYES—Messrs. Ash, Bassford, Berry, Bettman, Boothby, Butler, Cargill, Coghlin, Devine, Dinkelspiel, Dixon, Dunbar, Dwyer, Gay, Glass, Hall, Hatfield, Healey, Holland, Huber, Keen, Kelsey, Kenyon, Laird, Laugenour, Lewis, Meads, McCarthy, McDonald, McKelvey, Merrill, North, O'Day, Osborn, Pendleton, Reid, Robinson, Sanford, Thomas, Twigg, Weyse, Wilkinson, and Zocchi—43.

NOES—Messrs. Barker, Belshaw, Bennett, Bledsoe, Bulla, Ewing, Freeman, Hudson, Jones, Wade, and Mr. Speaker—11.

APPOINTMENT OF SUB-COMMITTEE.

Mr. Berry, the Chairman of the committee, announced the appointment of the following Sub-Committee on Public Buildings and Grounds granted leave of absence: Messrs. Llewellyn, Kenyon, Butler, Lewis, and Sanford.

SPECIAL FILE—(RESUMED).

Assembly Constitutional Amendment No. 18—A resolution to propose to the people of the State of California an amendment to section five of article eleven of the Constitution of the State of California, relating to the classification of counties.

The question being on the adoption of Assembly Constitutional Amendment No. 18.

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

AYES—Messrs. Ash, Barker, Bulla, Devine, Dinkelspiel, Dixon, Freeman, Hatfield, Healey, Hudson, Jones, Kenyon, Nelson, Robinson, Thomas, Wade, and Weyse—17.

NOES—Messrs. Bassford, Belshaw, Bennett, Bledsoe, Cargill, Coleman, Dale, Dodge, Dunbar, Gay, Glass, Guy, Hall, Holland, Johnson, Laird, Laugenour, Meads, McDonald, McKelvey, Merrill, North, Osborn, Powers, Price, Reid, Richards, Rowell, Staley, Swisler, Tibbits, Twigg, Waymire, and Wilkinson—34.

Assembly Constitutional Amendment No. 17—Constitutional amendment proposing to the people of the State an amendment to section one of article thirteen of the Constitution, relative to exemptions from taxation.

Passed, to retain its place on file.

Assembly Constitutional Amendment No. 11—A resolution to propose to the people of the State of California an amendment to section one of article two of the Constitution, in relation to the right of suffrage.

ASSEMBLY CONSTITUTIONAL AMENDMENT No. 11.

A resolution to propose to the people of the State of California an amendment to section one of article two of the Constitution, in relation to the right of suffrage.

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California, at its regular session, commencing on the seventh day of January, Anno Domini one thousand eight hundred and ninety-five, two thirds of the members elected to each of the two houses voting in favor thereof, hereby propose that section one of article two of the Constitution of the State of California be amended to read as follows:

Section 1 Every native citizen of the United States, every person who shall have acquired the rights of citizenship under or by virtue of the treaty of Queretaro, and every naturalized citizen thereof, who shall have become such ninety days prior to any election, of the age of twenty-one years, who shall have been a resident of the State one year next preceding the election, and of the county in which he or she claims to vote ninety days, and in the election precinct thirty days, shall be entitled to vote at all elections which are now or may hereafter be authorized by law; *provided*, no native of China, no idiot, insane person, or person convicted of any infamous crime, and no person hereafter convicted of the embezzlement or misappropriation of public money, and no person who shall not be able to read the Constitution in the English language, and

write his or her name, shall ever exercise the privilege of an elector in this State; *provided*, that the provisions of this amendment relative to an educational qualification 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 and upward at the time this amendment shall take effect.

The question being on the adoption of Assembly Constitutional Amendment No. 11.

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

AYES—Messrs. Ash, Barker, Belshaw, Bennett, Berry, Bledsoe, Boothby, Bulla, Coleman, Dale, Dinkelspiel, Dixon, Dodge, Dunbar, Ewing, Freeman, Gay, Glass, Guy, Hall, Hatfield, Hudson, Johnson, Jones, Kern, Kelsey, Kenyon, Laird, Meads, McCarthy, McKelvey, Merrill, Nelson, North, O'Day, Osborn, Pendleton, Phelps, Powers, Price, Richards, Robinson, Staley, Stansell, Spencer, Swisler, Tibbits, Thomas, Tomblin, Wade, Waymire, Weyse, Wilkinson, and Zocchi—54

NOES—Messrs. Bassford, Cargill, Cutter, Devine, Dwyer, Healey, Holland, Laugenour, McDonald, Reid, Sanford, and Twigg—12.

Assembly Constitutional Amendment No. 35—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, relative to revenue and taxation.

Passed, to retain its place on file.

Assembly Constitutional Amendment No. 36—A resolution proposing to amend section seventeen of article one of the Constitution of the State of California, relative to ownership of property by aliens.

Passed, to retain its place on file.

Senate Constitutional Amendment No. 8—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending section five of article two thereof, relative to the manner of voting.

SENATE CONSTITUTIONAL AMENDMENT No. 8.

A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending section five of article two thereof, relative to the manner of voting.

The Legislature of the State of California, at its thirty-first session, commencing on the seventh day of January, Anno Domini one thousand eight hundred and ninety-five, two thirds of all the members elected to each house of said Legislature voting in favor thereof, hereby propose that section five of article two of the Constitution of the State of California be amended so as to read as follows:

Section 5. All elections by the people shall be by ballot or by such other method as may be prescribed by law; *provided*, that secrecy in voting be preserved.

The question being on the adoption of Senate Constitutional Amendment No. 8.

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

AYES—Messrs. Ash, Barker, Bassford, Belshaw, Bennett, Bettman, Bledsoe, Bulla, Butler, Coleman, Coghill, Cutter, Dale, Dixon, Dodge, Dunbar, Dwyer, Fassett, Glass, Guy, Hall, Hatfield, Healey, Holland, Hudson, Johnson, Jones, Keen, Kelsey, Kenyon, Laird, Laugenour, Meads, McDonald, McKelvey, Merrill, Nelson, North, Osborn, Pendleton, Phelps, Powers, Price, Richards, Robinson, Rowell, Sanford, Staley, Stansell, Swisler, Tibbits, Tomblin, Wade, Waymire, Weyse, Wilkinson, and Mr. Speaker—57.

NOES—None.

Assembly Constitutional Amendment No. 8—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, relative to revenue and taxation.

Passed, to retain its place on file.

Assembly Constitutional Amendment No. 9—A resolution to propose

to the people of the State of California an amendment to section one of article thirteen of the Constitution, in relation to revenue and taxation.

Passed, to retain its place on file.

Assembly Constitutional Amendment No. 10—A resolution to propose to the people of the State of California an amendment to article thirteen of the Constitution, section twelve, relating to revenue and taxation.

The author, Mr. Barker, requested to withdraw the same.

So ordered.

Assembly Constitutional Amendment No. 12—Proposed amendment to section eleven, article eleven, of the Constitution, relative to elections.

The author, Mr. Barker, requested to withdraw the same.

So ordered.

Assembly Constitutional Amendment No. 13—Proposed amendment to article four of the Constitution, by inserting section one and one half, relative to elections.

The author, Mr. Barker, requested to withdraw the same.

So ordered.

Assembly Constitutional Amendment No. 14—Proposed amendment to section one, article four, of the Constitution, relative to elections.

The author, Mr. Barker, requested to withdraw the same.

So ordered.

Assembly Constitutional Amendment No. 15—Proposed amendment to section one of article eighteen of the Constitution, relative to amendments.

The author, Mr. Barker, requested to withdraw the same.

So ordered.

GENERAL FILE—THIRD READING OF BILLS.

Assembly Bill No. 24—An Act to amend chapter seven, part three, title nine, of the Political Code of the State of California, relating to the collection of property taxes, by adding a new section thereto, to be known as section three thousand seven hundred and forty-six and one half.

Passed, to retain its place on file.

Assembly Bill No. 30—An Act for the protection of the records of the several counties of the State of California, and regulating the business of abstracting in relation thereto.

Passed, to retain its place on file.

Assembly Bill No. 15—An Act to amend section six of an Act entitled "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,' approved March 31, 1891, 'and to provide for clerks of Police Courts in cities having over fifty thousand and under one hundred thousand inhabitants.'"

Passed, to retain its place on file.

Assembly Bill No. 62—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 21, 1872, by adding thereto two sections, to be known as sections one thousand eight hundred and eighty-two and one thousand eight hundred and eighty-five, being a part of part four, title two, chapter two, concerning witnesses.

Passed, to retain its place on file.

Assembly Bill No. 202—An Act to amend section one hundred and forty-two of the Code of Civil Procedure, relating to places of holding courts.

Passed, to retain its place on file.

Assembly Bill No. 117—An Act to amend section seven hundred and twenty-six of the Code of Civil Procedure, to provide for the making of deeds on foreclosure of mortgages.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Barker, Bassford, Bennett, Bettman, Bledsoe, Boothby, Brusie, Bulla, Butler, Dale, Dinkelspiel, Dixon, Dodge, Dunbar, Dwyer, Ewing, Fassett, Freeman, Glass, Guy, Hall, Hatfield, Healey, Holland, Huber, Hudson, Johnson, Jones, Keen, Kenyon, Laird, Laugenour, Lewis, Llewellyn, Meads, McDonald, McKelvey, Merrill, Nelson, North, O'Day, Osborn, Pendleton, Phelps, Powers, Price, Reid, Richards, Rowell, Staley, Stansell, Swisler, Thomas, Wade, Waymire, Weyse, Zocchi, and Mr. Speaker—59.

NOES—None.

Title read and approved.

Assembly Bill No. 157—An Act authorizing the Judges of the Superior Court in all counties, and cities and counties, having a population of two hundred thousand inhabitants and over, to appoint a Secretary.

Read third time.

Mr. Dinkelspiel moved that the bill be referred to a committee of one, and amended as follows:

By adding to section one, line six, the words: "of such counties, and cities and counties."

So ordered.

APPOINTMENT OF COMMITTEE.

The Speaker appointed Mr. Dinkelspiel a committee of one to amend the same.

REPORT OF COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, February 15, 1895.

MR. SPEAKER: Your select committee, to whom was referred Assembly Bill No. 157—An Act authorizing the Judges of the Superior Court in all counties, and cities and counties, having a population of two hundred thousand inhabitants and over, to appoint a Secretary—with instructions to amend in accordance with the action of the House—by adding to section one, line six, the words "of such counties, and cities and counties," would respectfully report that the instructions of the House have been carried out.

DINKELSPIEL, Committee.

Adopted.

Assembly Bill No. 157 ordered to printer and reëngrossment.

Assembly Bill No. 65—Supplemental Act to 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, and Acts amendatory thereto, enabling any irrigation district to dispose of certain rights and property already acquired, for the purpose of thereby securing a water supply for the district; also to jointly, with another irrigation district, persons, company, or private or municipal corporation, develop water for irrigation and other purposes; and also to dispose of water, water rights, or other property acquired in excess of the actual needs of the district.

Passed, to retain its place on file.

Assembly Bill No. 392—An Act to prescribe conditions upon which certain foreign insurance corporations, associations, partnerships, or individuals may be permitted to transact insurance business in the State of California.

Passed, to retain its place on file.

Assembly Bill No. 176—An Act to amend an Act entitled "An Act providing for the sale of railroad and other franchises in municipalities, and relative to granting of franchises," approved March 23, 1893.

Read third time.

The question being on the final passage.

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

AYES—Messrs. Ash, Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Brusie, Bulla, Butler, Coleman, Cutter, Dale, Devitt, Devine, Dinkelspiel, Dixon, Dunbar, Dwyer, Fassett, Freeman, Gay, Glass, Guy, Hall, Hatfield, Healey, Holland, Huber, Hudson, Johnson, Jones, Keen, Kenyon, Laugenour, Llewellyn, Meads, Merrill, Osborn, Pendleton, Powers, Reid, Richards, Robinson, Rowell, Stansell, Swisler, Thomas, Wade, Waymire, Weyse, Wilkinson, Zocchi, and Mr. Speaker—54.

NOES—None.

Title read and approved.

LEAVE OF ABSENCE.

The following members were granted leave of absence until Monday: Messrs. McCarthy, Ewing, Bettman, Powers, Dinkelspiel, Fassett, Dwyer, Richards, and the Committee on State Prisons and Reformatory Institutions.

QUESTION OF PRIVILEGE.

Mr. Butler spoke to a question of privilege regarding his vote upon the substitute of Mr. Osborn for Committee Amendment No. 25, whereby the appropriation for a State Fair was refused.

Mr. Brusie asked permission to have Assembly Bill No. 299, which had, through an error, been referred to the Committee on Ways and Means, returned to the desk, and placed on file.

So ordered.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, February 14, 1895.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Committee Substitute for Senate Bill No. 44—An Act to appropriate money to pay the National Guard of California for services rendered by order of the Governor, to enforce the law, in 1893 and 1894—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

BRUSIE, Chairman.

RECESS.

At twelve o'clock and twenty-five minutes P. M., on motion of Mr. Laugenour, the Assembly took a recess until two o'clock.

REASSEMBLED

The Assembly reassembled at two o'clock P. M.
Speaker Lynch in the chair.
Quorum present.

APPROVAL OF JOURNAL.

The Journal of February 14th was approved.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON PUBLIC BUILDINGS AND GROUNDS.

ASSEMBLY CHAMBER, SACRAMENTO, February 15, 1895.

MR. SPEAKER: Your Committee on Public Buildings and Grounds, to whom was referred Assembly Bill No. 626—An Act for the appointment of a guardian for Sutter's Fort property, prescribing his duties, and appropriating money therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

BERRY, Chairman.

Assembly Bill No. 626 re-referred to Committee on Ways and Means.

SPECIAL ORDER.

Assembly Bill No. 617—An Act making appropriations for the support of the government of the State of California for the forty-seventh and forty-eighth fiscal years.

Read third time.

Mr. Bulla moved the previous question, seconded by Messrs. Jones and Osborn.

The question stated by the Speaker being, "Shall the main question be now put?"

So ordered.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Belshaw, Bennett, Berry, Brusie, Bulla, Coghlin, Cutter, Dale, Davis, Devine, Dixon, Dodge, Dunbar, Ewing, Fassett, Freeman, Glass, Guy, Hall, Hatfield, Healey, Holland, Hudson, Johnson, Jones, Keen, Kelsey, Meads, Merrill, Nelson, North, O'Day, Osborn, Phelps, Powers, Price, Richards, Robinson, Rowell, Staley, Stansell, Spencer, Tibbits, Thomas, Twigg, Waymire, Weyse, and Mr. Speaker—49.

NOES—Messrs. Barker, Bassford, Bledsoe, Laird, Laugenour, McKelvey, Tomblin, and Wade—8.

Title read and approved.

Mr. Brusie moved that Assembly Bill No. 617 be immediately transmitted to the Senate.

So ordered.

LEAVE OF ABSENCE.

Messrs. Boothby and Zocchi were granted leave of absence until Tuesday.

GENERAL FILE—(RESUMED)—THIRD READING OF BILLS.

Assembly Bill No. 271—An Act to prescribe conditions upon which certain insurance associations known as Lloyds may be admitted to transact insurance business in this State.

Passed, to retain its place on file.

Assembly Bill No. 272—An Act to provide for investigation of fires by the Insurance Department, and to make provisions for the expenses of the same.

Passed, to retain its place on file.

Assembly Bill No. 116—An Act requiring county officers to file a monthly expense account.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Barker, Bassford, Belshaw, Bennett, Bledsoe, Brusie, Bulla, Coghlin, Cutter, Dale, Davis, Devine, Dixon, Dodge, Dunbar, Freeman, Guy, Hall, Hatfield, Healey, Holland, Hudson, Jones, Keen, Kelsey, Laugenour, McKelvey, Nelson, North, O'Day, Price, Reid, Richards, Robinson, Rowell, Staley, Stansell, Swisler, Tibbits, Thomas, Tomblin, Twigg, Wade, Waymire, Weyse, Wilkinson, and Mr. Speaker—48.
NOES—None.

Title read and approved.

At two o'clock and forty minutes P. M. the Speaker called Mr. Dodge to the chair.

Senate Bill No. 226—An Act to provide for the appointment and election of one additional Judge for the county of Humboldt.

Read second time.

The following committee amendment was submitted:

Amend section one, line four, by inserting after the word "election" the following: "and at the general election every six years thereafter."

Adopted.

Mr. Bledsoe moved to amend as follows:

Strike out all of section one and insert the following:
"SECTION 1 At the next general election there shall be elected one additional Judge of the Superior Court of the County of Humboldt, who shall take office on the first day of January, A. D. 1897, and hold office for the term of six years, and be elected every six years thereafter."

Lost.

Also: Strike out of section two, line one, the words "shall be the same in amount," and insert the following: "shall be the sum of three thousand dollars per annum."

PREVIOUS QUESTION.

The previous question was moved by Mr. Thomas, seconded by Messrs. Laugenour and Freeman.

The Speaker stated the question to be, "Shall the main question be now put?"

So ordered.

The amendment was lost.

Senate Bill No. 226 was ordered to printer and third reading.

LEAVE OF ABSENCE.

Mr. Reid was granted leave of absence for the balance of the day.

GENERAL FILE—(RESUMED).

Assembly Bill No. 149—An Act to add a new section to the Code of Civil Procedure, to be known as section seven hundred and thirty, relating to actions for foreclosure of mortgages.

Passed, to retain its place on file.

Assembly Bill No. 225—An Act to amend section two thousand nine

hundred and twenty-four of an Act of the Legislature of the State of California entitled "An Act to establish a Civil Code," relating to mortgages.

Passed, to retain its place on file.

Assembly Bill No. 459—An Act to repeal section two thousand nine hundred and thirty-two of the Civil Code.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Barker, Bassford, Belshaw, Bennett, Brusie, Bulla, Coghlin, Davis, Devine, Dixon, Dodge, Dunbar, Freeman, Guy, Hall, Hatfield, Healey, Holland, Hudson, Johnson, Jones, Keen, Laugenour, Meads, McDonald, McKelvey, Merrill, Nelson, North, O'Day, Osborn, Phelps, Price, Robinson, Rowell, Staley, Stansell, Spencer, Swisler, Tibbits, Thomas, Wade, Waymire, Weyse, and Wilkinson—46.

NOES—None.

Title read and approved.

Assembly Bill No. 50—An Act to amend section four hundred and thirty-seven of the Code of Civil Procedure, relating to answers.

Read third time.

The question being on the final passage.

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

AYES—Messrs. Ash, Barker, Bassford, Belshaw, Bennett, Bledsoe, Brusie, Bulla, Dale, Davis, Devine, Dixon, Dodge, Dunbar, Freeman, Guy, Hall, Hatfield, Holland, Hudson, Johnson, Jones, Keen, Kelsey, Laugenour, Meads, McDonald, Merrill, Nelson, North, Osborn, Phelps, Robinson, Rowell, Staley, Stansell, Spencer, Swisler, Tibbits, Tomblin, Wade, Waymire, Weyse, Wilkinson, and Mr. Speaker—45.

NOES—None.

Title read and approved.

Senate Bill No. 35—An Act to amend section three thousand and ten of the Civil Code, relating to the right of the pledgee to purchase the pledged property when sold at public auction.

Read second time, and ordered to third reading.

Mr. Belshaw moved that the Assembly do now take up Senate messages.

Lost.

Assembly Bill No. 67—An Act providing for changing the fiscal year of cities in this State operating under a charter framed under section eight, article eleven, of the Constitution.

Read third time.

The question being on the final passage.

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

AYES—Messrs. Ash, Barker, Bassford, Belshaw, Bennett, Bledsoe, Brusie, Coleman, Coghlin, Dale, Davis, Dixon, Dodge, Dunbar, Freeman, Guy, Hall, Hatfield, Healey, Holland, Hudson, Johnson, Keen, Kelsey, McDonald, Merrill, Nelson, North, O'Day, Osborn, Phelps, Price, Robinson, Rowell, Staley, Stansell, Spencer, Tibbits, Twigg, Wade, Waymire, Weyse, Wilkinson, and Mr. Speaker—44.

NOES—Messrs. Swisler, Thomas, and Tomblin—3.

NOTICE OF RECONSIDERATION.

Mr. Laugenour gave notice that on next legislative day he would move to reconsider the vote whereby Assembly Bill No. 67 was adopted.

MOTIONS.

Mr. Thomas moved to adjourn.

Lost.

Mr. Dixon moved that the Assembly do now take up second-reading file.

So ordered.

LEAVE OF ABSENCE.

Mr. Meads was granted leave of absence until Tuesday.

SECOND READING OF BILLS.

Assembly Bill No. 41—An Act to amend section four hundred and sixteen of the Code of Civil Procedure, relating to the acquiring of jurisdiction in actions.

Passed, to retain its place on file.

Assembly Bill No. 44—An Act to amend section two thousand three hundred and twenty-four of the Civil Code, relating to authority to sell real property.

Passed, to retain its place on file.

Assembly Bill No. 36—An Act to add a new section to the Code of Civil Procedure, said section to be designated as section seven hundred and fifty, relating to quieting title to real property as against unknown claimants.

Passed, to retain its place on file.

Assembly Bill No. 37—An Act to amend section one thousand and ninety-three of the Civil Code, relating to the execution of a grant of real property by a married woman, and making valid and binding all instruments made by married women as grants.

Passed, to retain its place on file.

Assembly Bill No. 66—An Act to amend section seven hundred and thirty-eight of the Code of Civil Procedure.

Passed, to retain its place on file.

Assembly Bill No. 18—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, and amended March 31, 1891, by amending section twenty-four thereof, relating to the collection of assessments.

Passed, to retain its place on file.

Assembly Bill No. 42—An Act to add a new section to the Code of Civil Procedure, said section to be designated as section three hundred and twenty-nine, relating to the limitation of action to recover real property.

Passed, to retain its place on file.

Assembly Bill No. 60—An Act to add a new section to the Political Code, to be numbered section three thousand eight hundred and eighteen, in relation to the cancellation of tax sales to the State.

Passed, to retain its place on file.

Assembly Bill No. 68—An Act to amend section three thousand seven hundred and seventy-seven of the Political Code of the State of California.

Passed, to retain its place on file.

Assembly Bill No. 199.—An Act providing for the judicial establishment of wills and of the status of testators as related to wills so established, and for the custody and revocation of such wills.

Read second time, ordered to engrossment and third reading.

ADJOURNMENT.

At four o'clock and ten minutes P. M., on motion of Mr. Kelsey, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Saturday, February 16, 1895. }

The Assembly met pursuant to adjournment.

Speaker Lynch in the chair.

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

Messrs. Ash, Barker, Bassford, Belshaw, Bennett, Bledsoe, Brusie, Bulla, Coleman, Coghlin, Cutter, Dale, Davis, Devine, Dixon, Dunbar, Guy, Hall, Hatfield, Healey, Holland, Hudson, Johnson, Jones, Keen, Kelsey, Laugenour, McDonald, McKelvey, Merrill, Nelson, North, O'Day, Osborn, Phelps, Price, Robinson, Rowell, Staley, Stansell, Spencer, Swisler, Tibbits, Thomas, Tomblin, Twigg, Wade, Weyse, Wilkinson, and Mr. Speaker.

Quorum present.

LEAVE OF ABSENCE.

Messrs. Reid, Freeman, Bachman, and McCarthy were granted leave of absence for the day.

PRAYER.

Prayer by the Chaplain, Rev. O. Summers.

READING OF THE JOURNAL.

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

So ordered.

PETITIONS.

By Mr. Hudson: Petition of B. A. Eardley and other Notaries Public of Monterey, Cal., protesting against Assembly Bill No. 191, or any other bill looking to a reduction of notarial fees.

Referred to Committee on Judiciary.

By Mr. Spencer: Petition of Ellen Bolton, of Fullerton, Orange County, Cal., asking that this Legislature grant her the elective franchise.

Referred to Committee on Election Laws.

By Mr. Hudson: Memorial by citizens of the State, asking that a Sunday law be enacted by the present Legislature.

Referred to Committee on Public Morals.

By Mr. Bulla: From several hundred citizens of Los Angeles, requesting the passage of a bill that eight hours in each calendar day of twenty-four hours shall be a legal day's work.

Referred to Committee on Labor and Capital.

Also: From several hundred citizens of Los Angeles City, requesting the Legislature to make an appropriation for a permanent fund for the State employment of the unemployed.

Referred to Committee on Labor and Capital.

REPORTS OF STANDING COMMITTEES.

ON MANUFACTURES AND INTERNAL IMPROVEMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, February 15, 1895.

MR. SPEAKER. Your Committee on Manufactures and Internal Improvements, to whom was referred Assembly Bill No. 485—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

PRICE, Chairman.

ON SWAMP AND OVERFLOWED LANDS.

ASSEMBLY CHAMBER, SACRAMENTO, February 16, 1895.

MR. SPEAKER: Your Committee on Swamp and Overflowed Lands, to whom was referred Senate Bill No. 242—An Act to amend sections three thousand four hundred and eighty-one and three thousand four hundred and eighty-two of the Political Code, relating to the division of swamp land districts—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, and that it be substituted for Assembly Bill No. 522, with which it is identical.

Also: Senate Joint Resolution No. 18—Relative to the construction of a ditch or canal along the swamp lands of Fremont and Alviso townships, in the county of Santa Clara, State of California.

Also: Assembly Bill No. 322—An Act to amend section five of an Act entitled "An Act regulating the sale of the lands uncovered by the recession or drainage of the waters of inland lakes, and unsegregated swamp and overflowed lands, and validating sales and surveys heretofore made," approved March 24, 1893.

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

CUTTER, Chairman.

Assembly Bill No. 522 was withdrawn, and Senate Bill No. 242 substituted therefor.

ON JUDICIARY

ASSEMBLY CHAMBER, SACRAMENTO, February 16, 1895.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 757—An Act to amend sections seven hundred and two and seven hundred and three of the Code of Civil Procedure, relating to the redemption of property sold on execution.

Also: Assembly Bill No. 765—An Act to amend section nine hundred and seventy-seven of the Code of Civil Procedure, relating to appeals in Justices' Courts.

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

Also: Assembly Bill No. 743—An Act to amend section one thousand eight hundred and eighty of the Political Code of the State of California, relating to public schools.

Also: Assembly Bill No. 774—An Act to add a new section to the Code of Civil Procedure, to be known as section seven hundred and fifty, relating to suits to quiet title to or determine adverse claims to real or personal property, or both

Also: Assembly Bill No. 320—An Act to amend chapter one, part two, title nine of the Penal Code, by adding thereto a new section, to be numbered one thousand two hundred and forty-seven, relating to appeals to the Supreme Court of this State from judgments of conviction in capital cases, and providing for the giving of notice thereof to the Warden of the State Prison where the execution is to take place.

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

Also: Assembly Bill No. 167—An Act to amend sections five hundred and forty-two, five hundred and forty-three, and five hundred and forty-four of the Code of Civil Procedure of the State of California, concerning attachments

Also: Assembly Bill No. 481—An Act to amend sections five hundred and forty-one,

five hundred and forty-two, five hundred and forty-three, and five hundred and forty-six of the Code of Civil Procedure of the State of California, relating to attachments.

Have had the same under consideration, and respectfully report the same back, and recommend as a substitute therefor the bill herewith inclosed, and recommend that such substitute bill do pass.

BULLA, Chairman.

WITHDRAWAL AND SUBSTITUTION OF BILL.

Assembly Bills Nos. 167 and 481 were withdrawn, and Assembly Bill No. 864 substituted therefor.

INTRODUCTION OF BILL—(OUT OF ORDER).

By Committee on Judiciary: Assembly Bill No. 864 (Committee Substitute for Assembly Bills Nos. 167 and 481)—An Act to amend sections five hundred and forty-one, five hundred and forty-two, five hundred and forty-three, and five hundred and forty-four of the Code of Civil Procedure of the State of California, relating to attachments.

Read first time, and placed on file.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, February 16, 1895.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Senate Bill No. 40—An Act to amend section three thousand and two of the Civil Code, relating to the giving of notice of sale to a pledger—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also: Senate Bill No. 91—An Act to amend sections fifty-five and sixty-eight, and for the repeal of section seventy-five, of the Civil Code of the State of California, relating to the authentication of marriages—have had the same under consideration, and respectfully report the same back without recommendation.

Also: Senate Bill No. 257—An Act to add a new section, to be numbered five hundred and fifteen, to an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to the crime of embezzlement—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Senate Bill No. 46—An Act to amend section seven hundred and thirty-seven of the Political Code of the State of California, relating to salaries of Judges of Superior Courts—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

BULLA, Chairman.

ON MILEAGE.

ASSEMBLY CHAMBER, SACRAMENTO, February 15, 1895.

MR. SPEAKER: Your Committee on Mileage, to whom was referred the following committee reports:

By Mr. Berry:

ASSEMBLY CHAMBER, SACRAMENTO, February 13, 1895.

MR. SPEAKER: The Committee on Public Buildings and Grounds appointed to investigate the needs of the State Normal School, San José; Agnews Insane Asylum, Agnews; and Woman's Relief Corps Home at Evergreen, having visited those several places and reported back the result of their investigations to the Assembly, now present their account for expenses, as follows:

C. P. Berry	\$25 60
B. C. Kenyon	25 60
J. E. Butler	25 60
J. D. McKenzie, clerk	25 60
Total	\$102 40

Resolved, That the Controller be and he is hereby directed to draw his warrant in favor of C. P. Berry, Chairman of said committee, for the sum of one hundred and two dollars and forty cents, as per above statement, said warrant to be drawn upon the fund for contingent expenses of the Assembly, and the Treasurer is hereby directed to pay the same.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 13, 1895.

MR. SPEAKER: The Committee on Public Buildings and Grounds appointed to investigate and report upon the needs of the University of California, at Berkeley, and affiliated colleges at San Francisco, having visited said places and reported back the result of their investigation to the Assembly, now present their account for expenses, as follows:

C. P. Berry.....	\$18 50
S. Bettman.....	18 50
L. J. Dwyer.....	18 50
M. Lewis.....	18 50
H. H. North.....	18 50
Total.....	\$92 50

Resolved, That the Controller be and he is hereby directed to draw his warrant in favor of C. P. Berry, Chairman of said committee, for the sum of ninety-two dollars and fifty cents, as per above statement, said warrant to be drawn upon the fund for contingent expenses of the Assembly, and the Treasurer is directed to pay the same.

Also the following:

ASSEMBLY CHAMBER, SACRAMENTO, February 11, 1895.

MR. SPEAKER. Your Sub-Committee on Public Buildings and Grounds, appointed to investigate and report upon the needs of the State Normal School at Chico, having visited said institution, and reported back the result of their investigations to the Assembly, now present their expense account, as follows:

W. R. Guy, expenses.....	\$19 20
H. H. North, expenses.....	19 20
T. A. Nelson, expenses.....	19 20
Total.....	\$57 60

Therefore,

Resolved, That the Controller be and he is hereby directed to draw his warrant in favor of W. R. Guy, Chairman of said sub-committee, for the sum of fifty-seven dollars and sixty cents, as per above statement, said warrant to be drawn upon the fund for the contingent expenses of the Assembly, and the Treasurer is directed to pay the same.

GUY,
Chairman Sub-Committee.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 14, 1895.

MR. SPEAKER: The Sub-Committee of Committee on Public Buildings and Grounds, appointed to investigate the needs of public buildings in Southern California, having visited the several places in San Diego, Los Angeles, and San Bernardino Counties, and reported back to the Assembly the result of their investigations, now present account of expenses, as follows:

C. P. Berry.....	\$123 40
W. R. Guy.....	123 40
S. Bettman.....	123 40
L. J. Dwyer.....	123 40
M. Lewis.....	123 40
T. A. Nelson.....	123 40
J. B. Sanford.....	123 40
J. D. McKenzie, clerk.....	123 40
Total.....	\$987 20

Therefore,

Resolved, That the Controller be and he is hereby directed to draw his warrant in favor of Cyrus P. Berry, Chairman of said committee, for the sum of nine hundred and eighty-seven dollars and twenty cents, as per above statement, said warrant to be drawn upon the fund for the contingent expenses of the Assembly, and the Treasurer is directed to pay the same.

BERRY, Chairman.

Have had the same under consideration, and respectfully report the same back, and recommend that they be adopted

STALEY, Chairman.

Report of Committee on Mileage adopted.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 16, 1895.

MR. SPEAKER: Your Committee on Education, to whom was referred Assembly Bill No. 594—An Act to amend sections one thousand five hundred and three, one thousand five hundred and seventeen, one thousand five hundred and twenty-one, one thousand

seven hundred and thirteen, one thousand seven hundred and seventy, one thousand seven hundred and seventy-three, one thousand seven hundred and seventy-five, and one thousand eight hundred and thirty, of the Political Code, relating to the public schools—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

JOHNSON, Chairman.

ON RETRENCHMENT AND PUBLIC EXPENDITURES.

ASSEMBLY CHAMBER, SACRAMENTO, February 16, 1895.

MR. SPEAKER: Your Committee on Retrenchment and Public Expenditures, to whom was referred Assembly Bill No. 605—An Act entitled an Act to amend section four hundred and seventy-two of the Political Code, providing for deputies in the office of Attorney-General, and fixing their compensation—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

PHELPS, Chairman.

Assembly Bill No. 605 referred to Committee on Ways and Means.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 15, 1895.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Assembly Bill No. 613—An Act repealing an Act entitled "An Act providing for the sale of railroad and other franchises in municipalities, and relative to granting of franchises," approved March 23, 1893—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Assembly Bill No. 579—An Act to enable any county, city and county, city, or town to lease property to associations of ex-soldiers and sailors—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

GUY, Chairman.

ON MINES AND MINING.

ASSEMBLY CHAMBER, SACRAMENTO, February 15, 1895.

MR. SPEAKER: Your Committee on Mines and Mining, to whom was referred Assembly Bill No. 466—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—have had the same under consideration, and respectfully report the same back, and recommend that the same do pass as amended by the committee.

THOMAS, Chairman.

MOTION.

Mr. Thomas moved that the Assembly do now take up the consideration of Assembly Bill No. 466.

So ordered.

SECOND READING OF BILL.

Assembly Bill No. 466—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.

Read second time.

The following committee amendments were submitted:

AMENDMENT No. 1

Amend section one, line eleven, printed bill, by adding the words "reservoirs, tunnels," after the word "aqueducts"

Adopted.

AMENDMENT No. 2.

Amend section one, line twelve, printed bill, by inserting the word "storing" before the word "water."

Adopted.

AMENDMENT No. 3.

Amend section one, line twenty-nine, printed bill, by adding to the line the words "or necessary to reach any property used for public purposes."

Adopted.

Ordered to engrossment and third reading.

SENATE MESSAGES.

SENATE CHAMBER, SACRAMENTO, February 15, 1895.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the thirteenth day of February, 1895, passed Senate Bill No. 467—An Act to amend section three thousand six hundred and seventy-eight of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the annual preparation of an abstract of all mortgages, deeds of trust, contracts, and other obligations by which any debt is secured.

F. J. BRANDON, Secretary.
By R. SHAW, Assistant.

Also:

SENATE CHAMBER, SACRAMENTO, February 14, 1895.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, read and adopted Assembly Substitute for Senate Joint Resolution No. 2—Relative to the free coinage of silver.

F. J. BRANDON, Secretary.
By R. SHAW, Assistant.

Also:

SENATE CHAMBER, SACRAMENTO, February 15, 1895.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the fourteenth day of February, 1895, passed Senate Bill No. 3—An Act to amend section one thousand and ninety-three of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to the making, execution, and acknowledgment of conveyances of real property by married women.

Also: Senate Bill No. 519—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 fifty-one thereof, relative to the officers of municipal incorporations of the sixth class.

Also: Senate Bill No. 694—An Act to add a new section to the Code of Civil Procedure, to be known as section seven hundred and fifty, relating to suits to quiet title or to determine adverse claims to real or personal property, or both.

Also: Senate Bill No. 607—An Act for the appointment of a guardian of Sutter's Fort property, prescribing his duties and appropriating money therefor.

Also: Senate Bill No. 34—An Act to amend section five hundred and twenty-seven of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872.

F. J. BRANDON, Secretary.
By R. SHAW, Assistant.

Also:

SENATE CHAMBER, SACRAMENTO, February 15, 1895.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the fifteenth day of February, passed Senate Bill No. 281—An Act to add a new section to the Political Code, to be known and designated as section three thousand and twenty-two and one half, relating to the erection, furnishing, maintenance, and government of hospitals and homes for inebriates in counties, and cities and counties, of this State, where land has heretofore been reserved and set apart for said purpose, to provide for the commitment of dipsomaniacs and inebriates thereto, and also to repeal an Act entitled "An Act relating to the Home of the Inebriate of San Francisco, and to prescribe the powers and duties of the Board of Managers and the officers thereof," approved April 1, 1870, and all Acts and parts of Acts in conflict with the provisions of this Act.

Also: Senate Bill No. 150—An Act making an appropriation for the erection of an additional building for the State Normal School at Chico.

Also: Senate Bill No. 152—An Act making an appropriation for the construction of a cement floor in the basement of the State Normal School building at Chico.

Also: Senate Bill No. 529—An Act to provide for an additional watchman in and about the office of the State Treasurer, by amending an Act entitled "An Act for the better protection of the State Treasury," approved March 30, 1868.

Also: Senate Bill No. 151—An Act making an appropriation for a fence in front of the grounds of the State Normal School at Chico.

Also: Senate Bill No. 436—An Act to appropriate the sum of five thousand dollars for repairs to the buildings of the State Normal School at San José.

Also: Senate Bill No. 437—An Act to appropriate five thousand dollars for repairs and improvements upon the grounds of the State Normal School at San José.

Also: Senate Bill No. 75—An Act making an appropriation for reimbursing the county of Marin for moneys expended by it for the prosecution of crimes committed within the State Prison at San Quentin, and for inquest held over the bodies of convicts who have died within said prison.

F. J. BRANDON, Secretary.

By R. SHAW, Assistant.

REFERENCE OF SENATE BILLS.

Senate Bills Nos. 467, 3, 694, 34, and 519 referred to Committee on Judiciary.

Senate Bill No. 607 referred to Committee on Public Buildings and Grounds.

Senate Bills Nos. 150, 152, 151, 437, and 75 ordered referred to Committee on Ways and Means.

Senate Bill No. 281 ordered referred to San Francisco Delegation.

Assembly Joint Resolution No. 13 ordered to enrollment.

WITHDRAWAL AND SUBSTITUTION OF BILLS.

Assembly Bill No. 457 withdrawn, and Senate Bill No. 529 substituted therefor.

Assembly Bill No. 128 withdrawn, and Senate Bill No. 436 substituted therefor.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON JUDICIARY

ASSEMBLY CHAMBER, SACRAMENTO, February 16, 1895.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 554—An Act to provide for a commission to investigate public offices, institutions, and departments of this State, and of the counties, cities and counties, or municipalities thereof; and to inquire into the acts of all public officers, employés, and attachés of such offices, institutions, and departments of this State, and of the counties, cities and counties, and municipalities thereof, and especially to inquire into acts of corruption, misfeasance, and misappropriation of public moneys or public property by such officers, employés, and attachés, and their official misconduct generally, and to investigate violations of the election laws.

Also: Assembly Bill No. 745—An Act to provide for a commission to investigate public offices, institutions, and departments of this State, and of the counties, cities and counties, or municipalities thereof; and to inquire into the acts of all public officers, employés, and attachés, of such offices, institutions, and departments of this State, and of the counties, cities and counties, and municipalities thereof, and especially to inquire into acts of corruption, misfeasance, and misappropriation of public moneys or public property by such officers, employés, and attachés, and their official conduct generally; and to investigate violations of the election laws, and frauds and errors alleged to have been committed in the last election, and to count the ballots cast for State officers.

Have had the same under consideration, and respectfully report the same back, and recommend as a substitute therefor the bill herewith inclosed, and recommend that such substitute bill do pass.

BULLA, Chairman.

WITHDRAWAL AND SUBSTITUTION OF BILLS.

Assembly Bills Nos. 554 and 745 were withdrawn, and Assembly Bill No. 865 ordered substituted therefor.

INTRODUCTION OF BILL—(OUT OF ORDER).

By Committee on Judiciary: Assembly Bill No. 865 (Committee Substitute for Assembly Bills Nos. 554 and 745)—An Act to provide for a commission to investigate public offices, institutions, and departments of the State government, and of the counties, cities and counties, or municipalities thereof; to inquire into the acts of all public officers, employés, and attachés of such offices, institutions, and departments of the State government, and of the counties, cities and counties, and municipalities thereof; to inquire into acts of corruption, misfeasance, and misappropriation of public moneys or public property by such officers, employés, and attachés, and their official conduct generally; to investigate violations of the election laws, and frauds and errors alleged to have been committed in the last election and other elections, and to count the ballots cast for State officers, and to authorize the discharge of unnecessary officers, employés, or attachés.

Read first time, and referred to Committee on Ways and Means.

WITHDRAWAL OF BILL.

Mr. North requested leave to withdraw Assembly Bill No. 774, and that Senate Bill No. 694 be withdrawn from Judiciary Committee and ordered on file as a substitute therefor.

So ordered.

Mr. Bennett asked that Assembly Bill No. 526 be placed on special file.

So ordered.

INTRODUCTION OF BILLS.

The following bills were introduced, read first time, and referred to committees, as follows:

By Mr. O'Day (by request): Assembly Bill No. 866—An Act to aid citizens of this State to coöperate in the production of wealth needed for themselves and those dependent on them, and to protect them in the peaceable enjoyment of their production.

Read first time, and referred to Committee on Labor and Capital.

By Mr. Guy (by request): Assembly Bill No. 867—An Act for the development and encouragement of ramie, silk, and flax culture and manufacture in the State of California, under the supervision of a special agent appointed by the State Board of Agriculture.

Read first time, and referred to Committee on Agriculture.

By Mr. Spencer: Assembly Bill No. 868—An Act entitled 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-five, and two thousand six hundred and fifty-two of the Political Code of the State of California, relating to roads and highways.

Read first time, and referred to Committee on Roads and Highways.

By Mr. Davis: Assembly Bill No. 869—An Act to amend section three thousand four hundred and forty-six of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the formation of reclamation districts.

Read first time, and referred to Committee on Swamp and Overflowed Lands.

Also: Assembly Bill No. 870—An Act to amend section five of an Act entitled "An Act regulating the sale of the lands uncovered by the recession or drainage of the waters of inland lakes, and unsegregated swamp and overflowed lands, and validating sales and surveys heretofore made," approved March 24, 1893.

Read first time, and referred to Committee on Swamp and Overflowed Lands.

Also: Assembly Bill No. 871—An Act to provide for the issuing of bonds by reclamation districts, and the disposal thereof for reclamation and other purposes, and their payment by taxation upon the property situated in such reclamation districts.

Read first time, and referred to Committee on Swamp and Overflowed Lands.

By Mr. Bulla: Assembly Bill No. 872—An Act to amend sections twenty-five and thirty-seven of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 24, 1893.

Read first time, and referred to Committee on County and Township Governments.

By Mr. McKelvey: Assembly Bill No. 873—An Act to amend the Penal Code by adding a new section thereto, to be known as section two hundred and seventy-three, relating to the care of children.

Read first time, and referred to Committee on Crimes and Penalties.

By Mr. Hatfield: Assembly Bill No. 874—An Act to amend section twenty-four of an Act entitled "An Act to regulate fees of office and salaries of certain officers, and repeal certain other Acts in relation thereto," approved March 5, 1870, in relation to fees of County Coroners.

Read first time, and referred to Committee on County and Township Governments.

By Mr. Stansell (by request): Assembly Bill No. 875—An Act making an appropriation to pay the claims of Ira H. Locey and Henry Locey against the State of California, for expenses incurred and services rendered by order of the State Board of Forestry.

Read first time, and referred to Committee on Ways and Means.

By Mr. Waymire: Assembly Bill No. 876—An Act to amend section seven hundred and fifty-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 referred to Committee on Municipal Corporations.

By Mr. Brusie: Assembly Bill No. 877—An Act making an appropriation to pay the deficiency in the appropriation for ballot paper for the forty-sixth fiscal year.

Read first time, and referred to Committee on Ways and Means.

WITHDRAWAL OF BILL.

Assembly Bill No. 51 was withdrawn by Mr. Spencer, the author, by unanimous consent.

MOTIONS.

Mr. Wade moved that Assembly Bill No. 243 be restored to its proper place on file, viz.: one hundred and ten on file.

So ordered.

Mr. Thomas moved to change Assembly Bill No. 299 from three hundred and forty-four to three hundred and six on file, that being its proper place, having been placed back on the file by error in reference to the wrong committee.

So ordered.

WITHDRAWAL AND SUBSTITUTION OF BILL.

Assembly Bill No. 376 was withdrawn, and Assembly Bill No. 90 substituted therefor.

MOTION.

Mr. Cutter moved that the Assembly do now take up the consideration of Assembly Bill No. 568 for the purpose of second reading.

So ordered.

Assembly Bill No. 568—An Act to amend sections six hundred and twenty-six, six hundred and thirty-one, six hundred and thirty-two, six hundred and thirty-three, six hundred and thirty-four, six hundred and thirty-five, and six hundred and thirty-six of, and to add nineteen new sections, to be numbered six hundred and twenty-six *a*, six hundred and twenty-six *b*, six hundred and twenty-six *c*, six hundred and twenty-six *d*, six hundred and twenty-six *e*, six hundred and twenty-six *f*, six hundred and twenty-six *g*, six hundred and twenty-six *h*, six hundred and twenty-six *i*, six hundred and twenty-seven, six hundred and twenty-seven *a*, six hundred and twenty-seven *b*, six hundred and twenty-seven *c*, six hundred and twenty-seven *d*, six hundred and twenty-eight, six hundred and twenty-eight *a*, six hundred and twenty-nine, six hundred and thirty-two *a*, six hundred and thirty-two *b*, to an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to fish and game.

Mr. Cutter moved to amend as follows:

Amend section two, line three, page one, by inserting the following: "626*a*" before the word "every."

Adopted.

Also: Amend section three, line three, page two, by inserting the following: "626*b*" before the word "every."

Adopted.

Also: Amend section four, line three, page two, by inserting the following: "626*c*" before the word "every."

Adopted.

Mr. Wade moved to amend section six as follows:

In line five of section six, immediately before the word "Territory" insert the word "or."

Also: Strike out in lines five and six of section six, the words "or foreign country."

Also: After the word "misdemeanor" in line six of section six, insert the following: "Provided, that nothing in this section shall be held to apply to the hide of any of such animals taken or killed in Alaska or any foreign country."

Adopted.

Mr. Cutter moved to amend as follows:

By striking out of section six hundred and twenty-seven *b*, line nine, the words "dead or alive" after the word "bird," on page four.

Adopted.

Also: Amend by striking out of line five, page seven, the following: "632a."

Adopted.

Also: Amend section twenty-one, line seven, page seven, by inserting the following: "632a" before the word "any."

Adopted.

Also: Insert after the word "improvement," line fourteen, page seven: "Section 22. A new section is hereby added to said Penal Code, to be numbered Section 632b, to read as follows "

Adopted.

Mr. North moved to amend as follows:

By inserting in line eleven, page seven, after word "net," the words "drag-net or paranzella."

Adopted.

Mr. Cutter moved to amend as follows:

Amend section twenty-six, line twenty-eight, page nine, by inserting "Section 27" before the word "all "

Adopted.

Also: Amend section twenty-six, line twenty-nine, by inserting "Section 28" before the word "this."

Adopted.

Assembly Bill No. 568 ordered to engrossment and third reading.

MOTION.

Mr. Hatfield moved that the Assembly do now take up the consideration of Assembly Joint Resolution No. 17.

So ordered.

ASSEMBLY JOINT RESOLUTION No. 17.

WHEREAS, In the progress and development of our political system, it has become the settled policy of the people to quadrennially meet in their respective party National Conventions, to confer together touching the lines of policy to be pursued in campaigns preceding National elections, and whereas, by reason of the immense geographical area of our country, and the great diversity of interest, it is inevitable that vast numbers of the citizens of the Nation are unfamiliar with the conditions existing throughout the Union; and believing that the holding of National Conventions in different places from time to time will be highly beneficial to the representatives of the people attending such conventions, and also beneficial to the people in the territory adjacent to the location of such conventions, by tending to impress upon all the magnitude of our country and the importance of close attention to the duties of citizenship, and thereby stimulate general interest and strengthen our patriotic instincts; and whereas, by reason of topographical conditions, the States and Territories lying west of the Rocky Mountains are to a certain extent withdrawn from intimate association with the remainder of the Nation; and in view of the fact that no National Convention of either of the leading political parties of the Nation has ever been held west of the Rocky Mountains, and believing that by reason of expanse of territory, number of inhabitants, and volume of commerce, we are justified in asking the managers of the National Political Committees of the leading political parties to hold their conventions for the nomination of candidates for the offices of President and Vice-President in 1896 at some point in some of the Pacific Coast States, and whereas, we desire to cooperate with, and to receive the cooperation of, our sister States and Territories in this connection; and believing that the representatives of the respective parties can reach the principal cities of the Pacific Coast with reasonable convenience and cost, and realizing the importance of immediate and effective action; be it

Resolved by the Assembly, the Senate concurring, That the Governor be requested to at once communicate with the Governors of the States of Oregon, Washington, Idaho,

Montana, and Nevada, and the Territories of Arizona, Utah, and New Mexico, requesting them to cooperate in uniting their influence with our own to secure early action by the National Committees of the Republican and Democratic parties, respectively, to the end that the National Convention of each of said parties shall be held at the most convenient place within the territory west of the Rocky Mountains, and that the Governor be requested to appoint at least three citizens of this State, and that he suggest to the Governors of such other States and Territories the feasibility of their appointing a similar number of their citizens, to constitute delegates to a preliminary convention, to meet at a seasonable time in the city of San Francisco, or the city of Sacramento, for the purpose of organizing and adopting a definite plan of action, for the purpose of securing the holding of such conventions on the Pacific Coast in 1896, and be it further

Resolved, That on behalf of California, we earnestly invite the respective National Committees to hold their conventions within this State, in the year 1896, and be it further

Resolved, That a copy of these resolutions be transmitted to each of the Governors of the States and Territories named, and to any others the Governor may deem advisable; and that a copy be transmitted to the Chairmen of the National Republican and National Democratic Committees.

Adopted.

INTRODUCTION OF BILLS—(OUT OF ORDER).

By Mr. Dodge: Assembly Constitutional Amendment No. 48—A resolution proposing to the people of the State of California an amendment to section six, article eleven, of the Constitution of the State of California.

Read, and referred to Committee on Constitutional Amendments.

By Mr. Staley: Assembly Constitutional Amendment No. 49—Proposed amendment to article thirteen of the Constitution, relative to revenue and taxation.

Read, and referred to Committee on Constitutional Amendments.

By Mr. Thomas: Assembly Bill No. 878—An Act to amend section three thousand four hundred and ninety-four of the Political Code, relating to school lands.

Read first time, and referred to Committee on Homestead and Land Monopoly.

Mr. Dixon called for the consideration of the following resolution offered Saturday, February 9th, by Mr. Dixon:

So ordered.

Resolved, That those employed in the engrossing-room be and they are hereby excused from answering roll call in the mornings.

Resolution adopted.

RESOLUTION.

By Mr. Cutter:

Resolved, That the following be added to the rules of the Assembly:

Rule.—There shall be an Urgency File, which shall be the special order for eleven o'clock A. M. of each Wednesday, and of each day thereafter until disposed of. Each member of the Assembly may, by request in writing, filed with the Chief Clerk, have one bill, which has been favorably reported by the committee to which it was referred, taken from the General File and placed on the Urgency File in the order in which the request is made. The Urgency File shall be made up not later than Tuesday of each week.

Referred to Committee on Rules.

At eleven o'clock A. M. the Speaker called Mr. Dodge to the chair.

MOTION.

Mr. Hatfield moved that the Assembly do now take up the consideration of Assembly Bill No. 505.

So ordered.

Assembly Bill No. 505—An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors.

Read third time.

Mr. Hatfield moved that Assembly Bill No. 505 be referred to a special committee of one, with instructions to amend as follows:

Transpose sections seven and eight

Also: Strike out of section sixteen, line six, the word "ten" and insert the word "eleven."

Also: Strike out of section seventeen, line twenty-three, the word "and" and insert the word "on" in lieu thereof.

Also: Strike out of section nineteen, line two, the word "seven" and insert the word "eight" in lieu thereof

Also: Strike out the last sentence in section twenty-two after the word "instituted," and insert the following in lieu thereof: "If any action or proceeding at law or in equity, in which the insolvent is defendant, is pending at the time of the adjudication, the assignee may defend the same in the same manner and with like effect as it might have been defended by the insolvent. In suits prosecuted or defended by the assignee, a certified copy of the assignment made to him shall be conclusive evidence of his authority to sue or defend."

Also: In same section, line seven, insert between the words "which" and "action" the word "an."

Also: Strike out of section twenty-nine, line seven, the word "eight" and insert the word "seven"

Also: Insert on line three, section thirty-nine, after the word "partnership" the words "qualified as provided for in section nine of this Act."

Also: Strike out the word "profit" on line ten of section forty, and insert the word "property."

Also: Strike out of section forty-three, lines two and three, the word "liabilities" and insert the word "liability."

Also: Strike out of section forty-eight, line eight, the words "Clerk of the Court" and insert the word "Sheriff" in lieu thereof.

Also: Insert immediately after the word "debtor," on line twelve, of section forty-nine, the words "or of any creditor."

Also: Strike out of section fifty-one, line six, the word "for" and insert the word "by."

APPOINTMENT OF COMMITTEE.

The Speaker appointed Mr. Hatfield a committee of one to amend the said bill.

REPORT OF COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, February 16, 1895.

MR. SPEAKER: Your special committee of one, to whom was referred Assembly Bill No. 505, with instructions to amend as follows:

Transpose sections seven and eight.

Also: Strike out of section sixteen, line six, the word "ten" and insert the word "eleven."

Also: Strike out of section seventeen, line twenty-three, the word "and" and insert the word "on" in lieu thereof.

Also: Strike out of section nineteen, line two, the word "seven" and insert the word "eight" in lieu thereof

Also: Strike out the last sentence in section twenty-two, after the word "instituted," and insert the following in lieu thereof: "If any action or proceeding at law or in equity, in which the insolvent is defendant, is pending at the time of the adjudication, the assignee may defend the same in the same manner and with like effect as it might have been defended by the insolvent. In suits prosecuted or defended by the assignee, a certified copy of the assignment made to him shall be conclusive evidence of his authority to sue or defend."

Also: In same section, line seven, insert between the words "which" and "action" the word "an."

Also: Strike out of section twenty-nine, line seven, the word "eight" and insert the word "seven"

Also: Insert in line three, section thirty-nine, after the word "partnership" the words "qualified as provided for in section nine of this Act"

Also: Strike out the word "profit" on line ten of section forty, and insert the word "property"

Also: Strike out of section forty-three, lines two and three, the word "liabilities" and insert the word "liability."

Also: Strike out of section forty-eight, line eight, the words "Clerk of the Court" and insert the word "Sheriff" in lieu thereof.

Also: Insert immediately after the word "debtor," on line twelve of section forty-nine, the words "or of any creditor."

Also: Strike out of section fifty-one, on line six, the word "for" and insert the word "by."

Respectfully reports the same back, amended as per instructions.

HATHFIELD, Committee.

Assembly Bill No. 505 ordered to printer and reëngrossment.

MOTION.

Mr. Guy moved that the Assembly do now take up for consideration Assembly Bill No. 69.

So ordered.

Assembly Bill No. 69—An Act to amend section one of an Act entitled "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," approved March 2, 1891.

Read third time.

Mr. Guy moved that Assembly Bill No. 69 be referred to a committee of one, with instructions to amend as follows:

Insert in section one, line eight, after the word "first" the word "and."

Also: Strike out of section one, line nine, the words "third and fourth."

APPOINTMENT OF COMMITTEE.

The Speaker appointed Mr. Guy a committee of one to amend the same.

REPORT OF COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, February 16, 1895.

MR. SPEAKER: Your special committee of one, to whom was referred Assembly Bill No. 69, with instructions to amend as follows:

Insert in section one, line eight, printed bill, after the word "first" the word "and."

Also: Strike out of line nine, section one, of printed bill, the words "third and fourth."

Respectfully reports the same back, amended as per instructions.

GUY, Committee.

Adopted.

Assembly Bill No. 69 ordered to printer and reëngrossment, and to retain its place on file.

Mr. Jones moved that the Assembly do now take up for consideration Assembly Bill No. 198.

So ordered.

Assembly Bill No. 198—An Act to promote the protection of cities, towns, and municipal corporations from overflow by water and the drainage of the same, and for such purposes authorizing the incurring of indebtedness and the issuance of bonds therefor by the same, and providing for the disposition of the proceeds of such bonds, and for the supervision of the protective and other works.

Read third time.

Mr. Jones moved that Assembly Bill No. 198 be referred to a special committee of one, with instructions to amend as follows:

Amend section six, line six, by inserting after the word "payable," the following: "either in gold coin or other lawful money of the United States as may be expressed in such bond."

Also. Amend by striking out of section seven, lines two and three, the words "in gold coin of the United States"

Also: Amend section six, line four, by inserting after the word "that" the following: "not less than."

Also: Amend section six, line five, by adding the letter "s" to the word "bond."

APPOINTMENT OF COMMITTEE.

The Speaker appointed Mr. Jones a committee of one to amend same.

REPORT OF COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, February 16, 1895.

MR. SPEAKER: Your select committee, to whom was referred Assembly Bill No. 198—An Act to promote the protection of cities, towns, and municipal corporations from overflow by water and the drainage of the same, and for such purposes authorizing the incurring of indebtedness and the issuance of bonds therefor by the same, and providing for the disposition of the proceeds of such bonds, and for the supervision of the protective and other works—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.

JONES, Committee.

Adopted.

Assembly Bill No. 198 ordered to printer and reëngrossment.

Mr. Johnson moved that the Assembly do now take up the second-reading file.

So ordered.

Mr. McKelvey requested to have Assembly Bills Nos. 306, 143, and 305 withdrawn.

So ordered.

SPECIAL FILE—SECOND READING OF BILLS.

Assembly Bill No. 188—An Act making an appropriation for support of the Southern California State Asylum for the Insane and Inebriates for the forty-sixth fiscal year.

Passed, to retain its place on file.

Assembly Bill No. 400—An Act making an appropriation to pay for the support and maintenance of the Woman's Relief Corps Home, at Evergreen, in Santa Clara County, for the forty-fifth and forty-sixth fiscal years.

Passed, to retain its place on file.

Assembly Bill No. 676—An Act making an appropriation to pay the deficiency in the appropriation to pay for the system of heating and ventilating established in the Training Department of the State Normal School at San José, California.

Passed, to retain its place on file.

Assembly Bill No. 700—An Act to provide for payment of a deficiency in the appropriation for aid to the State Agricultural Society for the forty-sixth fiscal year.

Passed, to retain its place on file.

Assembly Bill No. 711—An Act making an appropriation to pay the deficiency in the appropriation for payment of transportation of children to the State Reform School for Juvenile Offenders for the forty-third and forty-fourth fiscal years.

Passed, to retain its place on file.

Assembly Bill No. 710—An Act making an appropriation to pay the

deficiency in the appropriation for the transportation of insane for the forty-fourth fiscal year.

Passed, to retain its place on file.

Assembly Bill No. 725—An Act making an appropriation to pay the deficiency in the appropriation for salary of Secretary of State Board of Examiners for the forty-fourth fiscal year.

Passed, to retain its place on file.

Assembly Bill No. 41—An Act to amend section four hundred and sixteen of the Code of Civil Procedure, relating to the acquiring of jurisdiction in actions.

Passed, to retain its place on file.

Assembly Bill No. 44—An Act to amend section two thousand three hundred and twenty-four of the Civil Code, relating to authority to sell real property.

Passed, to retain its place on file.

Assembly Bill No. 36—An Act to add a new section to the Code of Civil Procedure, said section to be designated as section seven hundred and fifty, relating to quieting title to real property as against unknown claimants.

Passed, to retain its place on file.

Assembly Bill No. 37—An Act to amend section one thousand and ninety-three of the Civil Code, relating to the execution of a grant of real property by a married woman, and making valid and binding all instruments made by married women as grants.

Passed, to retain its place on file.

Assembly Bill No. 66—An Act to amend section seven hundred and thirty-eight of the Code of Civil Procedure.

Passed, to retain its place on file.

Assembly Bill No. 18—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, and amended March 31, 1891, by amending section twenty-four thereof, relating to the collection of assessments.

Refused a second reading.

Assembly Bill No. 42—An Act to add a new section to the Code of Civil Procedure, said section to be designated as section three hundred and twenty-nine, relating to the limitation of action to recover real property.

Passed, to retain its place on file.

Assembly Bill No. 60—An Act to add a new section to the Political Code, to be numbered section three thousand eight hundred and eighteen, in relation to the cancellation of tax sales to the State.

Passed, to retain its place on file.

Assembly Bill No. 68—An Act to amend section three thousand seven hundred and seventy-seven of the Political Code of the State of California.

Passed, to retain its place on file.

Assembly Bill No. 233—An Act to amend section six hundred and thirty-three, and to repeal section six hundred and thirty-four of the Code of Civil Procedure of the State of California.

Passed, to retain its place on file.

Assembly Bill No. 229—An Act to amend section two hundred and

seventy-six of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 12, 1872, relating to the admission of attorneys and counselors-at-law to practice in the Courts of record.

Passed, to retain its place on file.

Assembly Bill No. 279—An Act to amend section two hundred and thirteen of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872.

Read second time.

The following committee amendment was submitted:

Amend by striking out of section one, line four, the word "ten" and inserting the word "five" in lieu thereof.

Adopted.

Ordered to engrossment and third reading.

Assembly Bill No. 280—An Act to amend section four hundred and sixty-one of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872.

The following committee amendments were submitted:

AMENDMENT No. 1.

Amend by striking out of section one, line four, the word "ten" and inserting the following: "five"

Adopted.

AMENDMENT No. 2.

Amend by striking out of section one, line five, the words "nor more than fifteen years," and inserting the word "year" in lieu thereof.

Adopted.

Ordered to engrossment and third reading.

At twelve o'clock and five minutes P. M., Mr. Swisler in the chair.

Assembly Bill No. 312—An Act to amend section three hundred and forty of the Penal Code of California.

Passed, to retain its place on file.

Assembly Bill No. 51—An Act to amend section three thousand and two of the Civil Code, relating to the giving of notice of sale to a pledger.

The author, Mr. Spencer, requested to have the same withdrawn.

So ordered.

Assembly Bill No. 56—An Act to amend section five hundred and twenty-seven of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872.

The question being, "Shall the bill be read a second time?"

Pending the consideration of the same, Mr. Thomas moved the previous question, seconded by Messrs. Bulla and Hatfield.

The ayes and noes were demanded by Messrs. Spencer, Hatfield, and Thomas.

The roll was called, and Assembly Bill No. 56 was refused a second reading by the following vote:

AYES—Messrs Barker, Bledsoe, Coleman, Devitt, Dixon, Dunbar, Hall, Healey, Holland, McDonald, McKelvey, Phelps, Rowell, Spencer, Swisler, Tibbit, Twigg, and Waymire—18.
NOES—Messrs Ash, Bassford, Belshaw, Brusie, Bulla, Coghlin, Cutter, Dale, Davis, Guy, Hatfield, Hudson, Johnson, Jones, Keen, Kelsey, Merrill, Nelson, North, O'Day, Price, Robinson, Staley, Stansell, Thomas, Wade, Weyse, and Wilkinson—28.

NOTICE OF RECONSIDERATION.

Mr. Thomas gave notice that on next legislative day he would move for a reconsideration of the vote whereby Assembly Bill No. 56 was refused a second reading.

Assembly Bill No. 388—An Act to amend section one thousand six hundred and sixteen of "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to compensation of executors and administrators of estates of deceased persons.

Passed, to retain its place on file.

Assembly Bill No. 210—An Act to provide for a State Veterinarian and County Veterinarians, and prescribe their duties, and to prevent and suppress contagious and infectious diseases among the live stock of the State, and to declare an emergency.

Passed, to retain its place on file.

Assembly Bill No. 427—An Act to provide for the appointment of a State Veterinary Surgeon, to prescribe his duties, and fixing his compensation.

Passed, to retain its place on file.

Assembly Bill No. 419—An Act to regulate the manufacture and sale of commercial fertilizers.

Passed, to retain its place on file.

Assembly Bill No. 7—An Act to provide for the appointment of commissioners for the promotion of uniformity of legislation in the United States.

Read second time, ordered to engrossment and third reading.

Assembly Joint Resolution No. 4—Joint resolution relative to foreign immigration to the United States.

Mr. Bulla moved to amend as follows:

By striking out of line two the words "the Nations of Europe," and inserting the following: "Foreign Nations."

Adopted.

Ordered to printer and engrossment.

ASSEMBLY JOINT RESOLUTION No. 5.

Relative to a public building at Eureka.

WHEREAS, At the city of Eureka, in the State of California, are located a United States Land Office, a United States Custom House, and a United States Post Office; and whereas, each of said public offices is located in a building not the property of the United States, notwithstanding the fact that these offices are now doing a large and constantly increasing business; therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That we instruct our Senators and urgently request our Representatives in Congress from this State, that they use every means in their power to secure the passage of a bill by Congress, appropriating a sufficient amount of money to erect a suitable public building at Eureka, California, to accommodate the business of the various public offices hereinbefore named; and be it

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

Read and adopted.

Assembly Joint Resolution No. 8—Joint resolution relative to the annexation of the Republic of Hawaii.

Passed, to retain its place on file.

Assembly Concurrent Resolution, No. 5—Concurrent resolution rela-

tive to the election of United States Senators by a direct vote of the people.

Passed, to retain its place on file.

Assembly Bill No. 354—An Act to amend sections eight hundred and six and eight hundred and 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 to engrossment and third reading.

Assembly Bill No. 292—An Act to amend sections eight hundred and fifty-one, eight hundred and fifty-two, and eight hundred and fifty-three 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 to engrossment and third reading.

Assembly Bill No. 318—An Act to provide for the issue and sale or exchange of funding bonds of irrigation districts organized under and in pursuance of an Act of the Legislature of the State of California 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, and to provide for the payment of such funding bonds.

Passed, to retain its place on file.

LEAVE OF ABSENCE.

Messrs. Thomas, Stansell, and Price were granted leave of absence for the day.

Assembly Bill No. 414—An Act to amend an Act entitled "An Act to regulate the practice of pharmacy and sale of poisons in the State of California," approved March 11, 1891.

Passed, to retain its place on file.

Assembly Bill No. 564—An Act requiring every corporation doing business in this State to pay their employes, and each of them, at least once in each and every month, the wages earned by such employé; to define the duties of the District Attorneys of the several counties of this State in enforcing this Act; to limit the defenses which may be set up by such corporations to assignments of wages, set-off, or counter-claims, or the absence of such employé at the time of making payment, and in case of such absence the wages are payable upon demand; to prohibit assignments of wages for the purposes of evading the provisions of this Act, and agreements to accept wages, at longer periods than as herein provided; to fix a penalty for this violation of the provisions of this Act by such corporation, and to provide for the disposition of any fines received from corporations violating the same.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 270—An Act to provide an official stenographic reporter to the Coroner of each county, or city and county, having one hundred thousand or more inhabitants, and providing the mode in which such reporter shall be appointed, and establishing the compensation and prescribing the duties of such reporter.

Passed, to retain its place on file.

Assembly Bill No. 422—An Act to amend an Act entitled "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 collections 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."

Read second time.

The following committee amendments were submitted:

AMENDMENT No. 1.

Amend by striking out of section two, line seventeen, the word "on" and inserting the word "in."

Adopted.

AMENDMENT No. 2.

Amend section two, line thirty-two, by inserting after the word "no" and before the word "five" the word "such."

Adopted.

AMENDMENT No. 3

Amend section two, line twenty, by placing semicolon after the word "obtained."

Adopted.

Ordered to engrossment and third reading.

MOTIONS.

Mr. Dixon moved that the hour of recess be continued for fifteen minutes.

Mr. Laugenour moved as a substitute therefor that the Assembly do now adjourn.

Lost.

The question being on the motion of Mr. Dixon to continue the hour of recess fifteen minutes.

Adopted.

SECOND READING OF BILLS—(RESUMED).

Assembly Bill No. 306—An Act fixing a bounty on coyote scalps, and repealing other Acts in relation thereto.

The author, Mr. McKelvey, requested to have the same withdrawn.

So ordered.

Assembly Bill No. 97—An Act to repeal an Act entitled "An Act fixing a bounty on coyote scalps," approved March 31, 1891.

The author, Mr. Keen, requested to withdraw the same.

So ordered.

Assembly Bill No. 184—An Act to repeal an Act entitled "An Act fixing a bounty on coyote scalps," approved March 31, 1891.

Assembly Bill No. 184 was withdrawn.

Assembly Bill No. 182—An Act to repeal an Act entitled "An Act to establish and support a Bureau of Labor Statistics," approved March 3, 1889.

Passed, to retain its place on file.

Assembly Bill No. 103—An Act entitled "An Act to amend section

three hundred and eighty-five of the Political Code of the State of California, relating to the salary of the Private Secretary of the Governor," approved March 4, 1889.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 180—An Act to repeal an Act entitled "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," approved March 31, 1891.

Passed, to retain its place on file.

Assembly Bill No. 308—An Act to amend section two thousand five hundred and twenty-one of the Political Code, relating to the State Board of Harbor Commissioners, and to abolish the office of Attorney of the State Board of Harbor Commissioners.

Read second time, ordered to engrossment and third reading.

MOTIONS.

Mr. Hatfield moved that when the hour of recess arrived the Assembly stand adjourned.

So ordered.

At twelve o'clock and forty minutes P. M. Mr. O'Day moved that the Assembly do now adjourn.

Lost.

Mr. Coleman moved that Assembly Bill No. 695 be substituted for Assembly Bill No. 126.

So ordered.

Assembly Bill No. 424—An Act to repeal an Act entitled "An Act to establish a Bureau of Labor Statistics," approved March 3, 1883, and all Acts supplementary thereto or amendatory thereof.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 695—An Act to amend section three thousand three hundred and ninety-eight of the Political Code, appointing the Surveyor-General locating agent in the United States Land Offices, and declaring the effect of selections accepted by the United States.

Read second time, ordered to engrossment and third reading.

ADJOURNMENT.

At twelve o'clock and forty-five minutes P. M., the hour of adjournment having arrived, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Monday, February 18, 1895. }

The Assembly met pursuant to adjournment.

Speaker Lynch in the chair.

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

Messrs. Ash, Bachman, Barker, Bassford, Belshaw, Bennett, Berry, Bledsoe, Brusie, Bulla, Coleman, Coghlin, Cutter, Dale, Devitt, Devine, Dinkelspiel, Dixon, Dodge, Dunbar, Dwyer, Ewing, Fassett, Guy, Hall, Hatfield, Holland, Hudson, Johnson, Jones, Keen, Kelsey, Kenyon, Laird, Laugenour, Meads, McCarthy, McDonald, McKelvey, Merrill, Nelson, North, O'Day, Osborn, Pendleton, Phelps, Powers, Robinson, Rowell, Staley, Stansell, Spencer, Swisler, Tibbits, Thomas, Tomblin, Twigg, Wade, Waymire, Weyse, Wilkinson, Zocchi, and Mr. Speaker.

Quorum present.

LEAVE OF ABSENCE.

Messrs. Reid, Dwyer, Freeman, Bettman, Llewellyn, Butler, and Lewis were granted leave of absence for the day.

PRAYER.

Prayer by the Chaplain, Rev. O. Summers.

READING OF THE JOURNAL.

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

So ordered.

REPORTS OF STANDING COMMITTEES.

ON JUDICIARY

ASSEMBLY CHAMBER, SACRAMENTO, February 18, 1895

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 784—An Act to amend sections one hundred and fifty-one, one hundred and fifty-seven, one hundred and sixty-six, one hundred and sixty-seven, one hundred and eighty, one hundred and eighty-one, one hundred and eighty-two, one hundred and eighty-five, one hundred and eighty-six, one hundred and eighty-eight, one hundred and eighty-nine, one hundred and ninety-three, and two hundred of the Political Code of California, and to add five new sections to the said Political Code, to be known as sections two hundred and four, two hundred and five, and two hundred and six, all relating to legal distances in this State—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to the Committee on Mileage.

Also: Assembly Bill No. 667—An Act to amend section two thousand six hundred and forty-one of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the powers and duties of highway officers—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to the Committee on Roads and Highways.

Also: Assembly Bill No. 733—An Act to provide for a schedule and description of articles pledged, and the description of the pledgor—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to the Committee on Crimes and Penalties.

Also: Assembly Bill No. 760—An Act to prohibit the employment of persons who are related by affinity or consanguinity to the chief or other officers of any department of the government of the State of California—have had the same under consideration, and respectfully report the same back, and a majority of your committee recommend that it do pass, and a minority thereof recommend that it do not pass.

Also: Assembly Bill No. 543—An Act to amend section six hundred and eighty-nine of the Penal Code of the State of California, relating to the trial by jury of public offenses.

Also: Assembly Bill No. 689—An Act to amend sections six hundred and sixty-eight and six hundred and seventy-one of an Act entitled "An Act to establish a Code of Civil Procedure," adopted March 11, 1872, relating to the lien of judgments of Federal Courts.

Also: Assembly Bill No. 813—An Act to amend section four thousand one hundred and twenty-one of an Act of the Legislature of the State of California entitled "An Act to establish a Political Code," approved March 12, 1872, prohibiting certain county and township officers from practicing law.

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

Also: Assembly Bill No. 690—An Act to amend sections three thousand eight hundred and forty, three thousand eight hundred and forty-six, three thousand eight hundred and fifty-one, and three thousand eight hundred and fifty-four of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the collection of poll taxes.

Also: Assembly Bill No. 800—A bill for an Act to be entitled an Act to amend section three thousand seven hundred and eighty-eight of the Political Code.

Also: Assembly Bill No. 8—An Act to amend section one thousand eight hundred and eighteen of the Political Code, relative to the levying of county school taxes.

Also: Assembly Bill No. 687—An Act to amend section three thousand eight hundred and eighty-one of the Political Code, relating to errors, etc., on assessment roll, and the corrections thereof.

Have had the same under consideration, and respectfully report the same back, and recommend that they be referred to the Special Committee on Revenue and Taxation Revision.

Also: Assembly Bill No. 331—An Act relating to the trial of actions for a divorce.

Also: Assembly Bill No. 663—An Act to amend section three hundred and ninety-seven of the Code of Civil Procedure of the State of California, relating to certain cases when the place of trial may be changed.

Also: Assembly Bill No. 729—An Act to amend section three hundred and forty of the Code of Civil Procedure, relative to the time of commencing actions.

Also: Assembly Bill No. 759—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. 790—An Act to amend section six hundred and ninety of the Code of Civil Procedure, relating to exemptions from execution.

Also: Assembly Bill No. 811—An Act to amend section three hundred and thirty-nine 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, relating to periods of limitations.

Also: Assembly Bill No. 822—An Act to amend section seven hundred and twenty-six of the Code of Civil Procedure, and to repeal section seven hundred and twenty-nine thereof, relating to actions for the foreclosure of mortgages.

Have had the same under consideration, and respectfully report the same back, and recommend that the authors be allowed to withdraw the same.

Also: Assembly Bill No. 517—An Act to amend section ten of the Political Code of the State of California, relating to legal holidays and non-judicial days.

Also: Assembly Bill No. 546—An Act to amend section four and to repeal sections five, six, and seven of an Act entitled "An Act to provide for fitting up in the basement of the Capitol building a moisture-proof, fire-proof, and burglar-proof vault, for storage and care of the archives of the State offices, for the appointment of a keeper of the archives, defining his duties, fixing his salary, and appropriating money for the purposes appertaining thereto," approved March 25, 1889.

Also: Assembly Bill No. 690—An Act to amend section four thousand two hundred and thirty-five of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the lien of judgments of Federal Courts.

Also: Assembly Bill No. 691—An Act to amend section five hundred and twenty-six of the Code of Civil Procedure, relating to injunctions.

Also: Assembly Bill No. 733—An Act to amend section two hundred and three of the Civil Code of California, relating to parent and child.

Also: Assembly Bill No. 780—An Act relating to the appointment of aliens to positions under State, county, city and county, city, or town officials.

Also: Assembly Bill No. 809—An Act to amend section one thousand four hundred and fifty-three of the Code of Civil Procedure of the State of California, adopted March 11, 1872, relating to the delivery of real estate to heirs or devisees by executors or administrators.

Also: Assembly Bill No. 810—An Act to amend section seven hundred and fourteen 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, relating to the place where a debtor shall be required to answer concerning his property.

Also: Assembly Bill No. 812—An Act adding a new section to the Political Code of the State of California, to be known and designated as section four thousand one hundred and twenty-five, respecting the removal of Justices of the Peace from their offices for cause.

Also: Assembly Bill No. 817—An Act to amend section one thousand four hundred and fifty-nine of the Code of Civil Procedure, relative to the production of the property of decedents.

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

Also: Assembly Bill No. 463—An Act to amend sections one thousand six hundred and sixteen and one thousand six hundred and eighteen of the Code of Civil Procedure of the State of California, relating to allowances and commissions of executors and administrators of estates of deceased persons.

Also: Assembly Bill No. 468—An Act to amend the Code of Civil Procedure by adding a new section to article three of part three, title eleven, chapter fourteen, to be known as section one thousand seven hundred and sixty-seven.

Also: Assembly Bill No. 641—An Act to amend section one thousand seven hundred and thirty-six of the Code of Civil Procedure, relating to semi-annual returns by the Public Administrator, so as to make the cost of publishing such returns a charge against the county.

Also: Assembly Bill No. 683—An Act to amend sections two hundred and four, two hundred and five, and two hundred and eight of the Code of Civil Procedure, relative to trial and grand jurors.

Also: Assembly Bill No. 688—An Act entitled an Act to amend section nine hundred and forty-six of the Code of Civil Procedure of the State of California.

Also: Assembly Bill No. 692—An Act to add a new section to the Civil Code of California, in relation to the remedial powers of Courts of justice and the terms and conditions on which relief may be granted, to be known and numbered as section three thousand two hundred and seventy-six of said Civil Code.

Also: Assembly Bill No. 741—An Act to provide for the fixing of boundaries of lands.

Also: Assembly Bill No. 782—An Act to amend section three hundred and seventy-seven of the Code of Civil Procedure of the State of California, relating to actions for damages on account of the death of a person.

Also: Assembly Bill No. 783—An Act to prevent the bringing of actions, suits, and proceedings in the Courts of the State of California, upon gambling debts, and making the same a misdemeanor, and for the creation of a new section, to be known as section number three hundred and thirty-seven and one half of the Penal Code of the State of California.

Also: Assembly Bill No. 788—An Act to amend an Act entitled "An Act to establish a Political Code," approved May 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.

Also: Assembly Bill No. 808—An Act to amend section one thousand six hundred and twenty-eight of the Code of Civil Procedure of the State of California, relating to an accounting by executors and administrators.

Also: Assembly Bill No. 814—An Act to amend section one thousand seven hundred and seventy-four of the Code of Civil Procedure of the State of California, pertaining to the accounts of guardians.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

BULLA, Chairman.

Assembly Bill No. 784 referred to Committee on Mileage.

Assembly Bill No. 667 referred to Committee on Roads and Highways.

Assembly Bill No. 738 referred to Committee on Crimes and Penalties.

Assembly Bills Nos. 680, 800, 8, and 687 referred to Special Committee on Revenue and Taxation Revision.

ON RETRENCHMENT AND PUBLIC EXPENDITURES.

ASSEMBLY CHAMBER, SACRAMENTO, February 18, 1895.

MR. SPEAKER: The undersigned, a sub-committee of your Committee on Retrenchment and Public Expenditures, acting under the authorization of Concurrent Resolution No. 6, beg leave to submit the following report:

We visited the Preston School of Industry at Ione on the twenty-sixth day of January. The school is situated on a prominence one half mile north of the town of Ione. The administration building is an attractive structure, which at once arrests the attention of the visitor to the town.

The location is doubtless a healthful one, and the view from the administration building, stretching east, south, and west, over the beautiful town of Ione, and the surrounding country for a long distance, and to the north many miles, presents a panoramic view seldom equalled in beauty and variety of scenery in any part of the State.

The building cost \$152,200 87. Architects' fees, \$7,591 22, mostly for this building, traveling expenses of Board of Directors, superintendence, etc., brings the cost up to something more than \$160,000.

We are not prepared to say that this building, in the location it occupies, and with all

its architectural adornments, could have been built for less money, but we are of the opinion a needless amount was spent in ornamentation. We feel assured that a building of equal solidity and durability, on the style of the best stores in San Francisco and Sacramento, more commodious and better adapted to the purposes for which it is to be used, could have been built for \$75,000 or \$80,000.

We are also of the opinion that, while the State should not erect buildings of a cheap or unsubstantial character, or wanting in architectural symmetry, there should be no waste in needless ornamentation and display. We presume that the same criticism might be made to a considerable extent in regard to State buildings in other localities.

The administration building in many respects is but poorly adapted to the purposes for which it is now used. To illustrate, the kitchen is on one floor and the dining-room on the floor above, with dumb waiters between the two floors, causing inconvenience and expense. A large part of the building is designed for offices not needed, and must be changed to other uses.

This building stands on considerably higher ground than can be occupied by any other buildings which are or may be erected in its vicinity, but there is room on the same prominence for some additions to it. The ground around this main building is quite uneven, and it will cost considerable labor to fit it for use, and having the different buildings on an uneven surface, at different altitudes, will, in our opinion, always prove an inconvenience.

The buildings erected under the present Board of Trustees are plain, durable structures, cheaply but substantially built, and admirably adapted to the uses for which they are designed, being so arranged that one guard or foreman can overlook the inmates at work in two rooms.

The live stock is good, and was purchased at fair prices.

We paid particular attention to the water supply, for which \$60,550 was paid, and went along the line of the ditch some four or five miles to the reservoirs. The contractors selling the water grant and the title thereto, which, it is alleged, is the first right to the waters of Sutter Creek to its source above the town of Volcano, also constructed the ditch, some eleven or twelve miles long, built the dam for the reservoir, covering forty acres of land to a depth of fifty feet in the deepest places, and laid 6,000 feet of pipe, delivering water at the power house under a pressure of about three hundred feet.

We could not estimate the cost of the ditch, but think the dam for the reservoir must have cost about \$20,000, and the 6,000 feet of pipe about \$12,000.

The value of this water supply, as a matter of course, depends upon its sufficiency in the dry season. Mr Fayette Mace, one of the Trustees and an old resident of the vicinity, assured us the supply would be ample. If the water supply proves ample to fill the pipes it will give sufficient and cheap power.

There is but little land on the three hundred and twenty acres owned by the State suitable for gardening, but there is an adjoining tract of some ninety acres, about sixty of which is apparently fair garden land, on which the sewage could be taken, thus utilizing it and preventing complaints in the future in regard to it. It was thought this tract of land could be bought for \$2,500, and if so, we recommend its purchase.

The inmates of the school, numbering at the time 120, were well cared for, well clothed, and seemed to be under excellent discipline, and to be entirely contented. Though unconfined, few attempts at escape had been made.

The regulations require four hours in school, four hours at labor of some kind, and four hours for recreation and military drill.

Their evenings are spent in reading and innocent games, with singing exercises two or three times a week.

We are not surprised that the inmates of the school are contented, as few parents are able to give their boys the advantages of school, the opportunities to learn a useful trade, and the easy and enjoyable time the boys in this school have.

Boys were being committed to the school at the rate of 20 per month when we were there, but we understand there are now 147 in the institution, an increase of 27 in twenty days. As an evidence that the people of the State have learned of the excellent educational and moral training the boys are receiving, the Superintendent has received letters from parents asking how they could get their boys into the school.

It will require an expenditure of from \$60,000 to \$75,000 to put up the necessary buildings to accommodate 300 boys, the institution being now practically full and even crowded.

At the rate they are now coming in there will be 357 boys there by the first of January, 1896, and 597 by the first of January, 1897.

For each 100 boys above 300, an expenditure of \$30,000 for a double cottage will be required. It will be seen that four of these cottages will be required by January 1, 1897. After that date, the discharges will probably to a considerable extent offset the admissions.

We can see no way to prevent this school and the State School at Whittier from becoming overcrowded, and the State being compelled to increase the number of buildings, for caring for and employing the inmates, to an unreasonable extent, except by making the counties from which commitments are made responsible to the State for the larger part of the cost of their maintenance, and the parents responsible to the county.

This, we think, would prevent boys and girls being sent to these schools simply to get rid of them, often at the instigation of a parent, or parents, who are abundantly able to maintain them.

There can be no reason given why the State should be put to the cost of the maintenance of children whose parents are able to care for them. None other than Superior Judges should be authorized to commit to these schools.

The committee has prepared a bill intended to effect these changes in the law, and submit it for the consideration of the Legislature.

In our opinion the location of the school at Ione was unfortunate, on account of its isolated position from the great centers of population, making the cost of transporting supplies and boys to the school unnecessarily large. This is a fault of the Legislature which required the school to be located near the city of Ione, and not of the Prison Directors.

It requires about five hours by rail to reach Ione from Sacramento, though the distance is but fifty-six miles. Had the school been located within two or three miles of Folsom, where the State has abundant water power, there could have been no question about the adequacy of the supply, and most of the \$60,550 paid for water could have been saved, as well as a large percentage of the annual cost for maintenance.

We found nothing to criticize in the management of the present Trustees; and the Superintendent, Mr. E. Carl Bank, though a young man, has had ten years' experience in the excellent schools at Lansing, Michigan, and at Philadelphia, and seems to understand the best methods for reforming the boys committed to his charge, and is thoroughly painstaking in his work.

In conclusion, we beg leave to report that there is now due to the members of the sub-committee for traveling expenses as follows:

Peter Bennett.....	\$4 10
T. G. Phelps.....	4 10
	<hr/> \$8 20

And recommend the passage of the accompanying resolution:

Resolved, That the Controller is hereby directed to draw his warrant on the contingent fund of the Assembly in favor of Peter Bennett, for the sum of eight dollars and twenty cents, and the Treasurer is authorized to pay the same.

PHELPS
BENNETT.

Resolution adopted.

ON WAYS AND MEANS

ASSEMBLY CHAMBER, SACRAMENTO, February 18, 1895.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No 748—An Act to provide for the appointment and salary of an electrician and fireman.

Also: Assembly Bill No 600—An Act making an appropriation to pay the City and County of San Francisco for expenses incurred in conveying children to the Whittier State School.

Also: Assembly Bill No. 503—An Act making an appropriation to pay the unpaid claims for bounty on coyote scalps.

Also: Assembly Bill No. 616—An Act authorizing the Clerk of the Supreme Court to furnish his offices in San Francisco, Los Angeles, and Sacramento with steel record cases, and make an appropriation therefor.

Also: Assembly Bill No 129—An Act to appropriate five thousand dollars for repairs and improvements upon the grounds of the State Normal School at San José.

Also: Assembly Bill No 512—An Act to provide for payment of the claim of James A. Kearney.

Also: Assembly Bill No. 533—An Act to provide for the payment of the claim of George H. Tav Company, for the deficiency in the contract price for heating and ventilating the State Normal School building at San José, State of California.

Also: Senate Bill No 291—An Act making an appropriation to pay the deficiency in the appropriation for the contingent expenses of the Senate, thirtieth session, California Legislature.

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

Also: Assembly Bill No 172—An Act making an appropriation to pay the deficiency in the appropriation for the support of the Folsom State Prison for the forty-sixth fiscal year, ending June 30, 1895—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Assembly Bill No 216—An Act to provide for the payment for the advertising of the constitutional amendments, and to make an appropriation therefor—have had the same under consideration, and respectfully report the same back with a substitute, with the recommendation that the substitute do pass.

BRUSIE, Chairman.

MOTION.

Mr. Bulla moved that the report referring to newspaper bills be referred to Committee on Retrenchment and Public Expenditures.

Motion lost.

WITHDRAWAL AND SUBSTITUTION OF BILL.

Assembly Bill No. 216 withdrawn, and Assembly Bill No. 879 substituted therefor.

INTRODUCTION OF BILL—(OUT OF ORDER).

By Committee on Ways and Means: Assembly Bill No. 879 (Committee Substitute for Assembly Bill No. 216)—An Act to provide for the payment for the advertising of the constitutional amendments, and to make appropriation therefor.

Read first time, and placed on file.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, February 18, 1895.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 678—An Act to appropriate money for the purchase of the Coulterville and Yosemite toll road, and to make the same a free public road and highway to the Yosemite Valley.

Also: Assembly Bill No. 712—An Act for the relief of Prof. John C. Pelton, and to appropriate money therefor.

Also: Assembly Bill No. 230—An Act to appropriate the surplus moneys in the "Special Mendocino Asylum Fund," in the State Treasury, to the uses of the Mendocino Asylum.

Also: Assembly Bill No. 615—An Act authorizing the Clerk of the Supreme Court to re-cover old records and fitting proper store for same, and making an appropriation therefor.

Also: Assembly Bill No. 89—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.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

Also: Assembly Bill No. 635—An Act making an appropriation for elevator attendant's salary for last four months of forty-sixth fiscal year—have had the same under consideration, and respectfully report the same back, and recommend that Senate Bill No. 327 be substituted therefor, and that Senate Bill No. 327 do pass.

Also: Assembly Bill No. 164—An Act to prevent deception in the manufacture and sale of butter and of cheese, to secure its enforcement, and to appropriate money therefor—have had the same under consideration, and respectfully report the same back, and recommend that Senate Bill No. 88 be substituted therefor, and recommend that Senate Bill No. 88 do pass.

Also: Senate Bill No. 431—An Act making an appropriation to pay the deficiency in the appropriation for postage, expressage, and telegraphing, Secretary of State's office, for the forty-fifth and forty-sixth fiscal years—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, and that it be substituted on the file for Assembly Bill No. 454.

BRUSIE, Chairman.

WITHDRAWAL AND SUBSTITUTION OF BILLS.

Assembly Bill No. 635 withdrawn, and Senate Bill No. 327 substituted therefor.

Assembly Bill No. 164 withdrawn, and Senate Bill No. 88 substituted therefor.

Assembly Bill No. 454 withdrawn, and Senate Bill No. 431 substituted therefor.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, February 18, 1895.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 244—An Act to amend section one of an Act entitled "An Act to amend an Act approved February 23, 1887, entitled 'An Act to amend an Act to appropriate

money for the support of aged persons in indigent circumstances residing in the Home of the Veterans' Home Association, approved March 7, 1883, providing for an increase in the annual appropriation therefor, and changing the time of payment thereof," approved March 23, 1893—have had the same under consideration, and respectfully report the same back, and recommend that the author be permitted to withdraw the same, for the reason that the appropriation is provided for in the General Appropriation Bill.

Also: Senate Bill No. 57—An Act to amend section one of an Act entitled an Act to amend an Act approved February 28, 1887, entitled "An Act to amend an Act to appropriate money for the support of aged persons in indigent circumstances residing in the Home of the Veterans' Home Association, approved March 7, 1883, providing for an increase in the annual appropriation therefor, and changing the time of payment thereof," approved March 23, 1893—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass, for the reason that the appropriation is already provided for in the General Appropriation Bill.

Also: Assembly Bill No. 605—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—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Assembly Bill No. 218—An Act authorizing the Controller to refurnish his office, and making an appropriation therefor.

Also: Assembly Bill No. 246—An Act making an appropriation to pay the deficiency in the appropriation for the State forestry stations for the forty-fifth and forty-sixth fiscal years.

Also: Assembly Bill No. 429—An Act to repeal an Act entitled "An Act to increase the number of clerks for the limited period of six months, commencing in the month of January, of each year, in the office of the Treasurer of State, and for the appointment of such additional clerk," approved March 16, 1889, and authorizing the Treasurer of State to appoint one clerk at an annual salary of one thousand six hundred dollars.

Also: Assembly Bill No. 599—An Act making an appropriation to pay the expenses of the funeral and casket for the late Secretary of State, E. G. Waite.

Also: Assembly Bill No. 601—An Act making an appropriation to pay the rent of office for the Commissioner of the Bureau of Labor Statistics in San Francisco, for the forty-fifth and forty-sixth fiscal years, ending June 30, 1895.

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

Also: Assembly Bill No. 773—An Act to amend sections of the Code relating to revenue—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to Committee on Revenue and Taxation.

BRUSIE, Chairman.

Assembly Bill No. 773 referred to Committee on Revenue and Taxation.

MOTION.

Mr. Kelsey moved that Assembly Bill No. 129 be withdrawn, and Senate Bill No. 437 be substituted therefor.

So ordered.

SENATE MESSAGES.

SENATE CHAMBER, SACRAMENTO, February 18, 1895.

MR. SPEAKER I am directed to inform your honorable body that the Senate, on the thirteenth day of February, 1895, passed Assembly Bill No. 9—An Act to amend section three thousand seven hundred and sixty-five, section three thousand seven hundred and seventy-three, section three thousand seven hundred and seventy-eight, section three thousand seven hundred and eighty, section three thousand seven hundred and eighty-one, section three thousand seven hundred and eighty-five, section three thousand seven hundred and eighty-eight, section three thousand eight hundred and thirteen, section three thousand eight hundred and sixteen, and section three thousand eight hundred and seventeen, and to repeal section three thousand seven hundred and seventy-four, section three thousand seven hundred and seventy-five, section three thousand seven hundred and seventy-six, section three thousand seven hundred and seventy-seven, section three thousand seven hundred and seventy-nine, section three thousand seven hundred and eighty-two, section three thousand seven hundred and eighty-three, section three thousand seven hundred and eighty-four, and section three thousand eight hundred and eighteen of an Act of the Legislature of the State of California entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the sale of real property for delinquent taxes, and the redemption and resale of such property; and to add a new section thereto, to be known and designated as section three thousand eight hundred and one, also relating to the sale of real property for delinquent taxes.

F. J. BRANDON, Secretary.
By R. SHAW, Assistant.

Also:

SENATE CHAMBER, SACRAMENTO, February 18, 1895.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the fifteenth day of February, 1895, adopted Assembly Joint Resolution No. 20—Relative to securing immediate attention from Congress to the United States Debris Commissioners.

F. J. BRANDON, Secretary.
By R. SHAW, Assistant.

Assembly Bill No. 9 and Assembly Joint Resolution No. 20 were referred to Committee on Enrollment.

INTRODUCTION OF BILLS.

The following bills were introduced, read first time, and referred to committees, as follows:

By Mr. Bulla: Assembly Bill No. 880—An Act to prevent the sale of intoxicating liquors in the immediate vicinity of soldiers' homes.

Read first time, and referred to Committee on Judiciary.

By Mr. Ewing: Assembly Bill No. 881—An Act to amend section ninety-two of the Civil Code, relating to divorce, and to add a new section to the Civil Code, to be known and designated as section one hundred and eight of the Civil Code, relating to divorce.

Read first time, and referred to Committee on Judiciary.

By Mr. Lynch (by request): Assembly Bill No. 882—An Act to amend section four hundred and eighty-nine and to repeal section four hundred and ninety of the Civil Code, in relation to railroads, rates of charges, and railroad tickets.

Read first time, and referred to Committee on Corporations.

By Mr. Bassford (by request): Assembly Bill No. 883—An Act to amend section ninety-two of the Civil Code of California, relating to divorces.

Read first time, and referred to Committee on Judiciary.

RESOLUTIONS.

By Mr. Hatfield:

Resolved, That the Sergeant-at-Arms be required to distribute to each member of the Assembly, and to all other persons to whom original bills are distributed, copies of all amended bills heretofore printed, and that hereafter be distributed to all members and such other persons, copies of amended bills as fast as the same are printed.

Adopted.

By Mr. Cutter:

Resolved, That the Controller be and he is hereby authorized to draw his warrant, payable out of the Contingent Fund of the Assembly, in favor of John F. Kofod, for the sum of twenty dollars, the same being the amount due him for services rendered as Porter from the thirteenth day of January, 1895, to the seventeenth day of January, 1895, both inclusive

Referred to Committee on Attachés and Employés.

By Mr. Thomas:

Resolved, That the sum of fifty-four dollars be and is hereby appropriated out of the Contingent Fund of the Assembly, payable to the Chief Clerk, and the Controller is hereby directed to draw his warrant for the same, the said amount being the sum necessary to transmit by telegraph Assembly Joint Resolution No. 20 to our Senators and Representatives in Washington.

Adopted.

PETITIONS—(OUT OF ORDER).

By Mr. Hall: From several hundred citizens of Placer County, asking the passage of a Sabbath law.

Referred to Committee on Public Morals.

By Mr. Osborn: From a number of citizens of Santa Cruz County, asking the passage of a Sabbath law.

Referred to Committee on Public Morals.

INTRODUCTION OF BILLS—(OUT OF ORDER).

By Mr. Powers: Assembly Bill No. 884—An Act to appropriate the sum of fifteen thousand dollars for the erection of a monument to the memory of Col. E. D. Baker, and directing the Controller to pay the same to the E. D. Baker Monument Fund Association.

Read first time, and referred to Committee on Ways and Means.

By Mr. Dinkelspiel (by request): Assembly Bill No. 885—An Act amending section two hundred and eighty-three of the Code of Civil Procedure, relating to attorneys and counselors-at-law.

Read first time, and referred to Committee on Judiciary.

Also (by request): Assembly Bill No. 886—An Act amending chapter eight of the Penal Code, relating to conspiracy.

Read first time, and referred to Committee on Judiciary.

By Mr. Waymire: Assembly Bill No. 887—An Act to amend section three hundred and thirty-two of the Civil Code, relative to assessments.

Read first time, and referred to Committee on Revenue and Taxation.

Also: Assembly Bill No. 888—An Act to amend section two thousand six hundred and forty-three of the Political Code of the State of California, relative to the abandonment of public highways.

Read first time, and referred to Committee on Roads and Highways.

By Mr. Spencer: Assembly Bill No. 889—An Act entitled an Act to amend sections one thousand one hundred and forty-two, one thousand one hundred and ninety-two, one thousand one hundred and ninety-nine, one thousand two hundred and three, one thousand two hundred and four, one thousand two hundred and seventeen, one thousand two hundred and eight, one thousand two hundred and eleven, and one thousand two hundred and fifty-eight of the Political Code, relating to elections.

Read first time, and referred to Committee on Election Laws.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON CONSTITUTIONAL AMENDMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, February 16, 1895.

MR. SPEAKER: Your Committee on Constitutional Amendments, to whom was referred Assembly Constitutional Amendment No. 27—Proposed amendment to article one, section seven, of the Constitution, relative to trial by jury.

Also: Assembly Constitutional Amendment No. 32—Proposed amendment to article twenty of the Constitution, by adding thereto three new sections, to be numbered twenty-three, twenty-four, and twenty-five.

Also: Assembly Constitutional Amendment No. 23—Proposed amendment to section seventeen of article twenty of the Constitution, relative to the hours of labor

Also: Assembly Constitutional Amendment No. 26—Proposed amendment to article twenty of the Constitution, relative to the submittal of legislative enactments to a vote of the people.

Also: Assembly Constitutional Amendment No. 31—Proposed amendment to article four, section seven, of the Constitution, relative to the contingent expenses of the Assembly and the Senate

Also: Assembly Constitutional Amendment No. 22—Proposed amendment to article twenty of the Constitution, by adding section twenty-one, relative to the manner of choosing Senators to the Senate of the United States

Have had the same under consideration, and respectfully report the same back, and recommend that they be not adopted

Also: Assembly Constitutional Amendment No. 20—Proposed amendment to article four of the Constitution, relative to the legislative department, authorizing a new section thereto, limiting the contingent expenses of the Senate and Assembly—have had the same under consideration, and respectfully report the same back, and recommend that it be adopted as amended

Also: Assembly Constitutional Amendment No. 41—Proposed amendment to article nine of the Constitution, relative to the public school system.

Also: Assembly Constitutional Amendment No. 24—Proposed amendment to section thirteen of article twenty of the Constitution, relative to the mode of voting.

Have had the same under consideration, and respectfully report the same back, and recommend that they be not adopted.

WAYMIRE, Chairman.

RESOLUTION.

By Mr. McKelvey:

Resolved, That Assembly Bill No. 458 (one hundred and fifty-four on file) be referred to Committee on Ways and Means.

Adopted.

TELEGRAM.

The Speaker announced the receipt of the following telegram from the California State Grange:

WATSONVILLE, CAL., February 18, 1895.

To the Honorable SPEAKER of the Assembly, State Capitol—

The Grange, the only conservative farmers' organization with a National head, is much gratified at the introduction of the Lubin proposition to your honorable body. May the combined action and wisdom of all Representatives secure its enactment into laws, and thus save agriculture from ruin, for its death means the destruction of the Republic.

A. P. ROACHE,
Master California State Grange.

Referred to Committee on Agriculture.

The Speaker gave notice that he would hereafter enforce the rules limiting speeches to ten minutes.

WITHDRAWAL OF BILLS.

Mr. Cutter, the author, was granted leave to withdraw Assembly Bill No. 256.

Mr. Powers, the author, was granted leave to withdraw Assembly Bill No. 266.

Mr. Dinkelspiel, the author, was granted leave to withdraw Assembly Bills Nos. 670 and 671.

SPECIAL FILE.

Assembly Bill No. 188—An Act making an appropriation for support of the Southern California State Asylum for the Insane and Inebriates for the forty-sixth fiscal year.

Passed, to retain to its place on file.

Assembly Bill No. 400—An Act making an appropriation to pay for the support and maintenance of the inmates of the Woman's Relief Corps Home, at Evergreen, in Santa Clara County, for the forty-fifth and forty-sixth fiscal years.

Read second time.

The following committee amendments were submitted:

Amend by striking out of section one, line one, the words "ten thousand," and inserting the following: "three thousand six hundred."

Adopted.

Also: Amend by striking out of section one, line four, the words "forty-fifth and forty-sixth," and inserting the following: "forty-seventh and forty-eighth."

Adopted.

Ordered to engrossment and third reading.

MOTIONS.

Mr. Brusie moved that the special file be passed.

So ordered.

Mr. Dixon moved that the Assembly do now take up the second-reading file.

So ordered.

SECOND READING OF BILLS.

Assembly Bill No. 41—An Act to amend section four hundred and sixteen of the Code of Civil Procedure, relating to the acquiring of jurisdiction in actions.

Passed, to retain its place on file.

Assembly Bill No. 44—An Act to amend section two thousand three hundred and twenty-four of the Civil Code, relating to authority to sell real property.

Passed, to retain its place on file.

Assembly Bill No. 36—An Act to add a new section to the Code of Civil Procedure, said section to be designated as section seven hundred and fifty, relating to quieting title to real property as against unknown claimants.

Passed, to retain its place on file.

Assembly Bill No. 37—An Act to amend section one thousand and ninety-three of the Civil Code, relating to the execution of a grant of real property by a married woman, and making valid and binding all instruments made by married women as grants.

Passed, to retain its place on file.

Assembly Bill No. 66—An Act to amend section seven hundred and thirty-eight of the Code of Civil Procedure.

Passed, to retain its place on file.

Assembly Bill No. 42—An Act to add a new section to the Code of Civil Procedure, said section to be designated as section three hundred and twenty-nine, relating to the limitation of action to recover real property.

Passed, to retain its place on file.

Assembly Bill No. 60—An Act to add a new section to the Political Code, to be numbered section three thousand eight hundred and eighteen, in relation to the cancellation of tax sales to the State.

Passed, to retain its place on file.

Assembly Bill No. 68—An Act to amend section three thousand seven hundred and seventy-seven of the Political Code of the State of California.

Passed, to retain its place on file.

Assembly Bill No. 233—An Act to amend section six hundred and thirty-three and to repeal section six hundred and thirty-four of the Code of Civil Procedure of the State of California.

Read second time, ordered engrossed and to third reading.

Assembly Bill No. 229—An Act to amend section two hundred and seventy-six of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 12, 1872, relating to the admission of attorneys and counselors-at-law to practice in the Courts of record.

Passed, to retain its place on file.

Assembly Bill No. 312—An Act to amend section three hundred and forty of the Penal Code of California.

Read second time.

The following committee amendments were submitted:

Amend section one, line three, by inserting between the words "pawnbroker" and "who" the words "or other person."

Adopted.

Also: Amend by striking out of section one, lines four and five, the words "or more than one and one half per cent on all sums over twenty dollars."

Adopted.

Also: In line eight, printed bill, correct the spelling of the word "pledgor."

Assembly Bill No. 388—An Act to amend section one thousand six hundred and sixteen of "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to compensation of executors and administrators of estates of deceased persons.

Refused a second reading.

Assembly Bill No. 210—An Act to provide for a State Veterinarian and County Veterinarians, and prescribe their duties, and to prevent and suppress contagious and infectious diseases among the live stock of the State, and to declare an emergency.

Referred to Committee on Ways and Means.

Assembly Bill No. 427—An Act to provide for the appointment of a State Veterinary Surgeon, to prescribe his duties, and fixing his compensation.

Passed, to retain its place on file.

Assembly Bill No. 419—An Act to regulate the manufacture and sale of commercial fertilizers.

Passed, to retain its place on file.

Assembly Joint Resolution No. 4—Joint resolution relative to foreign immigration to the United States.

Passed, to retain its place on file.

ASSEMBLY JOINT RESOLUTION No 8

Joint resolution relative to the annexation of the Republic of Hawaii.

WHEREAS, A large majority of the white population of the Republic of Hawaii are desirous of annexing the islands to the United States; and whereas, we deem the acquisition of this territory of great commercial and strategic importance to this Government, which, through dilatory action and British intrigue, may be ever lost to us, be it

Resolved by the Assembly of the State of California, the Senate concurring, That our Representatives in Congress be requested to use all honorable means in their power to

expedite the annexation of the territory of the Republic of Hawaii to these United States.

Resolved, That his Excellency the Governor be requested to immediately telegraph a copy of these resolutions to each of our Senators and Representatives in Congress.

Read and adopted.

Mr. Kenyon moved that Assembly Joint Resolution No. 8 be immediately transmitted to the Senate.

So ordered.

Assembly Concurrent Resolution No. 5—Concurrent resolution relative to the election of United States Senators by a direct vote of the people.

Mr. Hatfield offered the following as a substitute for Assembly Concurrent Resolution No. 5:

ASSEMBLY JOINT RESOLUTION No. 24 (COMMITTEE SUBSTITUTE FOR ASSEMBLY CONCURRENT RESOLUTION No. 5).

Relating to election of United States Senator by direct vote of the people.

WHEREAS, The electors of the State of California were called upon to express their opinion as to the mode of the election of United States Senators. By the overwhelming majority of one hundred and fifty thousand votes they declared their preference in favor of the election of United States Senators by the direct vote of the people, be it

Resolved by the Assembly of the State of California, the Senate concurring, That our Representatives be requested, and our Senators be instructed, to use all effort to procure the accomplishment of the will of the people by the necessary legislation, to the end that members of the United States Senate may be elected by the direct vote of the people.

Adopted.

Assembly Bill No. 318—An Act to provide for the issue and sale or exchange of funding bonds of irrigation districts organized under and in pursuance of an Act of the Legislature of the State of California 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, and to provide for the payment of such funding bonds.

Mr. Richards, the author, requested to withdraw the same.

So ordered.

Assembly Bill No. 414—An Act to amend an Act entitled "An Act to regulate the practice of pharmacy and sale of poisons in the State of California," approved March 11, 1891.

Read second time, ordered engrossed and to third reading.

MOTION.

Mr. Guy moved that Assembly Bill No. 69 be re-referred to Committee on Municipal Corporations, and to retain its place on file.

So ordered.

Assembly Bill No. 270—An Act to provide an official stenographic reporter to the Coroner of each county, or city and county, having one hundred thousand or more inhabitants, and providing the mode in which such reporter shall be appointed, and establishing the compensation and prescribing the duties of such reporter.

Passed, to retain its place on file.

Assembly Bill No. 182—An Act to repeal an Act entitled "An Act to establish and support a Bureau of Labor Statistics," approved March 3, 1889.

Passed, to retain its place on file.

Assembly Bill No. 180—An Act to repeal an Act entitled "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," approved March 31, 1891.

Read second time.

Mr. Bulla moved to amend as follows:

By striking out the enacting clause and inserting the following: "The people of the State of California, represented in Senate and Assembly, do enact as follows."

Adopted.

Ordered to engrossment and third reading.

Assembly Bill No. 433—An Act to authorize the Trustees of the City of Auburn, Placer County, to remove a cemetery, and to donate the land occupied thereby to the public for a park.

Read second time, ordered engrossed and to third reading.

Assembly Bill No. 565—An Act to amend section one thousand nine hundred and one of the Political Code of the State of California, relative to the State militia.

Read second time.

Mr. Powers moved to amend as follows:

Amend section one, line three, of printed bill, by inserting before the words "the compensation" the figures "1901."

Adopted.

Ordered to engrossment and third reading.

Assembly Bill No. 336—An Act to amend an Act entitled an Act to establish a Naval Battalion, to be attached to the National Guard of California.

Passed, to retain its place on file.

Assembly Bill No. 237—An Act to amend section one thousand one hundred and four of the Civil Code of the State of California, relating to transfers of property.

Read second time.

The following committee amendment was submitted:

Amend section one, line thirteen, printed bill, by inserting after the word "donor" the following: "Such deed of grant, gift, or donation shall not be valid as against any indebtedness or liability of the grantor existing at the date of the death of such grantor or donor."

Adopted.

Ordered to engrossment and third reading.

SPECIAL ORDER POSTPONED.

Mr. Spencer moved that Assembly Bill No. 470, which had been made special order for Tuesday, immediately after reading of Journal, be continued until two o'clock of said day.

So ordered.

Assembly Bill No. 566—An Act relating to estrays, and repealing all other Acts and parts of Acts now in force relating to estrays.

Read second time, ordered engrossed and to third reading.

Assembly Bill No. 258—An Act to amend an Act entitled "An Act for the more effectual prevention of cruelty to animals," approved March 20, 1874, by adding thereto two new sections, regarding the disposition

of old, maimed, and diseased animals, and relating to the definition of the word "empowered," to be known, respectively, as sections four and one half and thirteen and one half.

Read second time.

Mr. Brusie moved to amend as follows:

By striking out of section thirteen and one half, line twenty-two, the word "Magistrate," and inserting the following: "Court."

Adopted.

Also: Amend by adding a new section, to be known as section two: "Section 2. This Act shall be in force and effect from and after its passage."

Adopted.

Also: Amend by striking out of section thirteen and one half, line twenty-two, the word "the" and inserting the following: "it."

Adopted.

Also: Amend by striking out of section thirteen and one half, line eleven, the word "having."

Adopted.

Also: Amend by striking out of section thirteen and one half, line seventeen, the word "Magistrate," and inserting the following: "Court having jurisdiction."

Adopted.

Also: Amend by striking out of section thirteen and one half, line ten, the words "any Magistrate," and inserting the following: "a Court of competent jurisdiction."

Adopted.

Ordered to engrossment and third reading.

MOTION TO RECONSIDER.

Mr. Thomas moved the reconsideration of the vote whereby Assembly Bill No. 56 was refused a second reading.

The ayes and noes were demanded by Messrs. Thomas, McKelvey, and Cutter.

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

AYES—Messrs. Bachman, Barker, Berry, Bledsoe, Coleman, Coghlin, Devitt, Dinkelspiel, Dixon, Dunbar, Dwyer, Guy, Hall, Healey, Holland, Johnson, Keen, Kenyon, Laird, Meads, McCarthy, McDonald, McKelvey, Nelson, O'Day, Osborn, Richards, Robinson, Spencer, Swisler, Tibbits, Thomas, Twigg, Waymire, Weyse, and Wilkinson—36.
NOES—Messrs. Ash, Brusie, Bulla, Cutter, Dodge, Fassett, Hatfield, Jones, Powers, Rowell, and Wade—11.

Assembly Bill No. 56—An Act to amend section five hundred and twenty-seven of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872.

Read second time, ordered engrossed and to third reading.

Assembly Bill No. 567—An Act amending sections fifty-five, fifty-seven, and sixty-eight of the Civil Code of the State of California, and repealing section seventy-five of said Code.

Read second time, ordered engrossed and to third reading.

Assembly Bill No. 302—An Act to amend section one hundred and sixty-six of the Code of Civil Procedure, relative to the powers of Judges at chambers.

Read second time, ordered engrossed and to third reading.

Assembly Bill No. 303—An Act to amend section five hundred and ninety-three of the Code of Civil Procedure, relative to issues, mode of trial, and postponement.

Read second time, ordered engrossed and to third reading.

Assembly Bill No. 72—An Act to amend section one thousand seven hundred and four of the Political Code, relative to the eligibility of persons to teach in the public schools of this State.

Passed, to retain its place on file.

ASSEMBLY CONCURRENT RESOLUTION.

By Mr. O'Day:

ASSEMBLY CONCURRENT RESOLUTION No. 4.

Resolved by the Assembly, the Senate concurring, That the Superintendent of State Printing be and he is hereby instructed and directed to print in all grammar text-books of the public schools, the Declaration of Independence of the United States of America, also the Constitution of the State of California, also the song, "Star-Spangled Banner."

Mr. O'Day moved to amend as follows:

After the words "text-books" insert the following. "of the sixth, seventh, and eighth grades."

Adopted.

Assembly Concurrent Resolution No. 4 was adopted as amended.

Assembly Bill No. 569—An Act to amend section one thousand eight hundred and fifty-eight of the Political Code, relating to the apportionment of teachers.

Read second time, ordered engrossed and to third reading.

Assembly Bill No. 253—An Act requiring School Trustees, School Directors, Board of Regents of each and every Public School, High School, Normal School, University, or any other school that is or may be supported, wholly or in part, by public money, to provide a United States flag, flag-pole, and halyards for hoisting the flag, and providing for hoisting and lowering the flag on the public school grounds on every school day.

Read second time.

The following committee amendments were submitted:

Amend by striking out of section one all after the word "flag" in line four, printed bill, and insert after the word "flag," line four, the words "for use of such school."

Also Strike out all of sections two and three.

Also Renumber the sections so that section four shall be section two.

Adopted.

Ordered to engrossment and third reading.

Assembly Bill No. 316—An Act to add certain sections to the Political Code, providing for the establishment and maintenance of high schools.

Read second time.

The following committee amendments were submitted:

COMMITTEE AMENDMENT No. 1.

Amend title by adding the words "and manual training schools."

Adopted.

COMMITTEE AMENDMENT No. 2.

Amend by adding to page four, line twenty-seven, printed bill, the words: "Where there are more than three school districts in a High School District, the High School Board may select an executive committee of not less than five nor more than nine, who may act for and on behalf of the Board, subject to such rules as the Board may from time to time prescribe for that purpose."

Mr. Waymire moved to amend as substitute for Committee Amendment No. 2, in section one thousand six hundred and seventy-five, by striking out all after line six and inserting the following:

In union high school districts the High School Board shall be composed of one member elected from each district composing the high school district at the time and in the same manner prescribed for the election of School Trustees, except as otherwise provided in this Act.

The Superintendent (or Superintendents by concurrent action in joint high school districts) shall, in union high school districts composed of three or more school districts, divide the districts composing the high school district, alphabetically, into three classes, as nearly equal in number as possible, indicating which districts shall elect High School Trustees for one, two, and three years, respectively, at the first annual election following the passage of this Act. In the formation of new union high school districts the representatives selected, according to the provisions of this Act, shall constitute the Union High School Board until their successors are elected or appointed and qualified.

At each annual election thereafter the High School Trustees shall be elected for three years, and in case of appointment, for the unexpired term. Vacancies in the High School Board shall be filled by appointment by the County Superintendent of Schools (and in case of joint union high school districts, by concurrent action of the County Superintendent of Schools), the appointee or appointees to hold until the first day of July succeeding the appointment.

In union high school districts consisting of but two school districts the Union High School Board shall be composed of the Boards of School Trustees of both said districts.

Adopted.

COMMITTEE AMENDMENT No. 3.

Amend on page five, line thirty-seven, by inserting the following: "or of renting a suitable building in their discretion," after the word "grounds"

Adopted.

COMMITTEE AMENDMENT No. 4.

Amend by adding in section one thousand six hundred and seventy-six, after line five, page six, the words "to establish and maintain in cities and incorporated towns manual training schools, in the same manner as high schools"

Adopted.

Mr. Waymire moved to amend as follows:

Amend section one thousand six hundred and seventy-four, line twenty-two, after the word "days," by inserting the following: "Said notice shall contain a statement of the object and purposes of the election, and a description by metes and bounds of the territory to be formed into a high school district"

Adopted.

Also: Amend section one thousand six hundred and seventy-four, line thirty-two, after the word "more," by inserting the word "adjoining."

Adopted.

Also: Amend by striking out of section one thousand six hundred and seventy-four, line thirty-nine, all after the word "the," and inserting the following: "Board of Supervisors of the county, who shall, within thirty days after such election, meet and canvass the returns of such election and declare the result thereof. If it appears from the result of such elections as declared by said Board, that a majority of all the votes cast were in favor of forming the district, the Board shall at once, by an order, and entered upon its minutes, declare the territory described in the notice of election to be a High School District, and to be known as 'High School District No —.' The clerk of said Board shall immediately serve a copy of such order upon the County School Superintendent of the county in which the district formed is situated."

Adopted.

Also: Amend section one thousand six hundred and seventy-four, line forty-five, by inserting the word "county" after the word "a" and before the word "high."

Adopted.

Also: Amend section one thousand six hundred and seventy-five, line three, by inserting the word "county" after the word "a" and before the word "high."

Adopted.

Also: Amend section one thousand six hundred and seventy-five, line four, by inserting after the word "Board" the following: "The County Superintendent of Schools of such county shall be ex officio member of the Board"

Adopted.

Also: Amend by striking out of section one thousand six hundred and seventy-six, line three, all after the word "qualified," and all of lines four and five, and all on line six to and including the word clerk, and inserting the following: "The board shall elect a clerk, whose compensation shall be fixed by the Board of Supervisors of the county"

Adopted.

Also: Amend section one thousand six hundred and seventy-six by adding after the word "examination," in line twenty-four, the following: "Other applicants of the high school district may be admitted in accordance with such rules as may be prescribed by the High School Board, but no applicant shall be admitted to the high school who has not practically completed the work of the grammar grades of the county in which the high school is located. Proficiency is to be determined by the Principal, subject to approval by the County Board of Education."

Adopted.

Also: Amend section one thousand six hundred and seventy-six, line twenty-four, after the word "district," by inserting the following: "As well as those residing in one district and desiring to attend school in another."

Adopted.

Also: Amend by striking out of section one thousand six hundred and seventy-six, line twenty-seven, all after the word "received," on line twenty-seven, and also by striking out the whole of lines twenty-eight, twenty-nine, thirty, thirty-one, thirty-two, and thirty-three.

Adopted.

Also: Amend section one thousand six hundred and seventy-six, line thirty-five, by inserting at the end thereof the words: "and renting school houses."

Adopted.

Also: Amend by adding to section one thousand six hundred and seventy-seven the words: "to establish and maintain in cities and incorporated towns manual training schools in the same manner as high schools."

Adopted.

Also: Amend by adding to section one thousand six hundred and seventy-eight, after line eight, the words. "where there are more than one union high school district in the county, each high school district shall be credited with a separate fund."

Adopted.

Assembly Bill No. 243—An Act to repeal an Act entitled "An Act to establish a standard of weights and measures," approved April 6, 1891.

Passed, to retain its place on file.

Assembly Bill No. 284—An Act to authorize and empower the Board of State Harbor Commissioners to institute condemnation proceedings against certain property on the corner of Market, Sacramento, and East Streets, in the City and County of San Francisco, and extending their jurisdiction over the same.

Read second time, ordered engrossed and to third reading.

Assembly Bill No. 105—An Act to provide for the better protection and security of life and property, and for the appointment of an examining engineer to license engineers of portable and stationary steam engines and boilers; to establish the duties and compensation of said engineer.

Passed, to retain its place on file.

Assembly Bill No. 591—An Act to amend section nineteen of an Act entitled "An Act to promote the purity of elections by regulating the conduct thereof, and to support the privilege of free suffrage by prohibiting certain acts and privileges in relation thereto, and providing for the punishment thereof," approved February 23, 1893.

Read second time, ordered engrossed and to third reading.

Assembly Bill No. 208—An Act to add a new section to the Code of Civil Procedure, to be known as section one thousand four hundred and seventy-one.

Passed, to retain its place on file.

Assembly Bill No. 211—An Act to amend section one thousand four hundred and two of the Civil Code, and to add a new section to said Code, to be known as section one thousand four hundred and nine.

Passed, to retain its place on file.

Assembly Bill No. 304—An Act entitled an Act to amend section one thousand four hundred and one of the Civil Code, affecting the disposition of, and succession to, community property derived by surviving husbands upon the death of the wife.

Refused a second reading.

Assembly Bill No. 342—An Act to amend section six hundred and eighty-five of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 21, 1872, in relation to executions after five years.

Mr. Bulla, the author, requested to withdraw the same.

So ordered.

Assembly Bill No. 343—An Act to amend section three hundred and thirty-six of the Code of Civil Procedure of the State of California, relating to the limitation of actions.

Mr. Bulla, the author, requested to withdraw the same.

So ordered.

Assembly Bill No. 344—An Act to amend section three hundred and thirty-nine of the Code of Civil Procedure of the State of California, relating to limitation of actions.

Mr. Bulla, the author, requested to withdraw the same.

So ordered.

Assembly Bill No. 345—An Act to amend section three hundred and thirty-seven of the Code of Civil Procedure of the State of California, relating to the limitation of actions.

Mr. Bulla, the author, requested to withdraw the same.

So ordered.

Assembly Bill No. 337—An Act for the certification of land titles, and the simplification of the transfer of real estate.

Read second time, ordered engrossed and to third reading.

Assembly Bill No. 351—An Act to amend section two hundred and forty-one of the Code of Civil Procedure, relating to the drawing of grand juries.

Read second time, ordered engrossed and to third reading.

Assembly Bill No. 364—An Act to add a new section to the Civil Code, authorizing the issue of bonds by consent of all the stockholders.

Read second time.

The following committee amendments were submitted:

COMMITTEE AMENDMENT No. 1.

Amend by striking out of section one, line two, printed bill, the words "or increased."

Adopted.

COMMITTEE AMENDMENT No. 2.

Amend by striking out of section one, line six, the words "or increasing."

Adopted.

COMMITTEE AMENDMENT No. 3.

Amend by striking out of section one, line ten, the words "or increase."

Adopted.

Assembly Bill No. 604—An Act to amend section one of an Act entitled "An Act to promote the purity of elections by regulating the conduct thereof, and to support the privilege of free suffrage by prohibiting certain acts and privileges in relation thereto, and providing for the punishment thereof."

Read second time, ordered engrossed and to third reading.

Assembly Bill No. 115—An Act to secure independence and promote purity in nominations by political conventions.

Read second time.

The following committee amendment was submitted:

Amend by striking out section two.

Adopted.

Ordered to engrossment and third reading.

RECESS.

The hour of recess having arrived, the Speaker declared recess until one o'clock and thirty minutes P. M.

REASSEMBLED.

The Assembly reassembled at one o'clock and thirty minutes P. M.
Speaker Lynch in the chair.

Quorum present.

SECOND READING OF BILLS.

Assembly Bill No. 147—An Act to amend an Act entitled “An Act to establish a uniform system of county and township governments,” approved March 24, 1893, by amending subdivision twenty-nine and one half of section twenty-five thereof, relative to the powers of Boards of Supervisors.

Passed, to retain its place on file.

Assembly Bill No. 148—An Act to create the office of Fish and Game Warden, and to prescribe the powers, duties, and salary of such officer.

Passed, to retain its place on file.

Assembly Bill No. 110—An Act to amend section six hundred and two of the Penal Code of the State of California, relating to trespass.

Mr. Dixon, the author, asked to have Assembly Bill No. 110 withdrawn, and Assembly Bill No. 580 considered in place thereof.

So ordered.

Assembly Bill No. 580—An Act to amend section three thousand and five of the Political Code, and providing for the appointment of a Board of Health for the City and County of San Francisco.

Read second time.

Mr. Bachman moved to amend as follows:

By striking out of section one, line seven, the words “the Board of Supervisors,” and inserting the following: “the Mayor.”

Lost.

Ordered to engrossment and third reading.

INTRODUCTION OF BILLS—(OUT OF ORDER).

The following bills were introduced, read first time, and referred to committees, as follows:

By Mr. Belshaw: Assembly Bill No. 890—An Act to amend section five of an Act entitled “An Act to promote the purity of elections by regulating the conduct thereof, and to support the privilege of free suffrage by prohibiting certain acts and practices in relation thereto, and providing for the punishment thereof,” approved February 23, 1893.

Read first time, and referred to Committee on Election Laws.

By Mr. Hatfield: Assembly Bill No. 891—An Act making an appropriation of one hundred and fifty dollars to purchase the picture painted by Mary A. Lewis, of the grand encampment on the State Capitol grounds during the strike.

Read first time, and referred to Committee on Ways and Means.

By Mr. Dixon: Assembly Bill No. 892—An Act to amend “An Act creating a Board of Bank Commissioners, and prescribing their duties and powers,” approved March 13, 1878.

Read first time, and referred to Committee on Banks and Banking.

SECOND READING OF BILLS—(RESUMED).

Assembly Bill No. 90—An Act for the protection of miners, and repealing all Acts in conflict therewith.

The following committee amendments were submitted:

Amend by striking out of section one, line four, printed bill, the word “bucket.”

Adopted.

Also: Amend section three, line seven, printed bill, by inserting the word "operating" between the words "lessees" and "of."

Adopted.

Mr. Holland moved to amend as follows:

Amend section one, line three, by inserting between the words "mine" and "without" the words "beyond a depth of three hundred feet."

Adopted.

Also: Amend by striking out of section one, line four, the words "or other apparatus."

Adopted.

• Mr. Belshaw moved to amend as follows:

By striking out of section one, line four, the word "skip."

Lost.

Ordered to engrossment and third reading.

SPECIAL SENATE FILE.

Senate Bill No. 226—An Act to provide for the appointment and election of one additional Judge for the county of Humboldt.

Passed temporarily on the file.

Senate Bill No. 35—An Act to amend section three thousand and ten of the Civil Code, relating to the right of the pledgee to purchase the pledged property when sold at public auction.

Read third time.

The question being on the final passage.

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

AYES—Messrs Ash, Barker, Bennett, Berry, Bulla, Coleman, Coghlin, Cutter, Dale, Devine, Dodge, Dunbar, Dwyer, Ewing, Hall, Healey, Holland, Hudson, Johnson, Jones, Keen, Kenyon, Laird, Laugenour, Meads, McDonald, North, O'Day, Osborn, Phelps, Richards, Sanford, Staley, Stansell, Spencer, Swisler, Tibbits, Thomas, Tomblin, Wade, Waymire, Weyse, Wilkinson, and Mr. Speaker—44.

NOES—Mr. Powers—1.

Title read and approved.

Senate Bill No. 230—An Act to amend section six hundred and fifty-three of the Civil Code of California, relating to the consolidation of colleges and institutions of higher education.

Read second time, and ordered to third reading.

Senate Bill No. 51—An Act to amend section two thousand two hundred and eighteen of the Political Code of the State of California, relating to the commitment of insane persons.

Read second time, and ordered to third reading.

LEAVE OF ABSENCE.

Mr. Bledsoe was granted leave of absence until eleven o'clock and thirty minutes A. M. to-morrow.

Senate Bill No. 207—An Act to regulate the sale of milk.

Read second time, and ordered to third reading.

Senate Bill No. 310—An Act to amend sections two, six, eleven, fifteen, seventeen, and eighteen of an Act entitled "An Act to establish a tax on collateral inheritances, bequests, and devises, to provide for its

collection, and to direct the disposition of the proceeds," approved March 23, 1893.

Read second time, and ordered to third reading.

Senate Bill No. 228—An Act to amend section two hundred and ninety-seven of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to articles of incorporation.

Read second time, and ordered to third reading.

Senate Bill No. 373—An Act repealing chapter ninety-six of the Statutes of 1883, entitled "An Act to appropriate money for the support of aged persons in indigent circumstances," approved March 15, 1883.

Read second time, and ordered to third reading.

Senate Bill No. 22—An Act for the protection of patients from extortion by dishonest physicians and druggists.

Read second time, and ordered to third reading.

Senate Bill No. 196—An Act to amend section two hundred and twenty-four of the Civil Code, regarding the adoption of children.

Read second time, and ordered to third reading.

Senate Bill No. 225—An Act to amend section ninety-four of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relative to the fees of court reporters and the misconduct of judicial officers.

Read second time, and ordered to third reading.

Senate Bill No. 122—An Act to amend section four hundred and eighty-seven of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, defining grand larceny.

Read second time, and ordered to third reading.

Senate Bill No. 1—An Act to amend section five hundred and eighty-one of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the dismissal of civil actions.

Read second time, and ordered to third reading.

Senate Bill No. 55—An Act to amend the Penal Code of the State of California by adding a new section thereto, to be known and numbered as section four hundred and two, relating to the manufacture, sale, or other disposition of cigarettes.

Read second time.

Mr. Thomas moved to amend as follows:

By inserting the following: "Section 2. This Act shall take effect six months after its passage."

Adopted.

Ordered to printer and third reading.

Senate Bill No. 155—An Act to add a new section to the Code of Civil Procedure, said section to be designated as section one thousand seven hundred and forty-four, relating to a penalty for Public Administrators who do not file reports of estates in their charge.

Read second time, and ordered to third reading.

Senate Bill No. 182—An Act to amend section one thousand seven hundred and thirty-nine of the Code of Civil Procedure, relating to the account with the County Clerk, as to the disbursement of money and property of estates.

Read second time.

Mr. Bulla moved to amend as follows:

By striking out of section one, line six, the words "in each month," and also the word "the" after the word "in," and inserting the following: "in January and July in each year," after the word "Monday," and the words "each of such," after the word "in," and add the letter "s" to the word "estate."

Adopted.

Senate Bill No. 226—An Act to provide for the appointment and election of one additional Judge for the county of Humboldt.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Bachman, Barker, Bassford, Belshaw, Bennett, Berry, Brusie, Bulla, Coleman, Coghlin, Cutter, Dale, Devitt, Devine, Dinkelspiel, Dixon, Dodge, Dunbar, Dwyer, Ewing, Fassett, Glass, Guy, Hall, Hatfield, Healey, Holland, Hudson, Johnson, Jones, Keen, Kelsey, Kenyon, Laugenour, McCarthy, McDonald, McKelvey, Osborn, Phelps, Powers, Richards, Robinson, Rowell, Sanford, Staley, Stansell, Spencer, Swisler, Tibbitts, Thomas, Tomblin, Twigg, Wade, Waymire, Weyse, Wilkinson, and Mr. Speaker—58.

NOES—Mr. Laird—1.

Title read and approved.

Senate Bill No. 198—An Act to reduce the number of Judges of the Superior Court of San Diego County to two.

Read second time, and ordered to third reading.

Senate Bill No. 28—An Act to amend section one of "An Act authorizing the appointment of an interpreter of the Italian language and dialects in criminal proceedings in cities, and cities and counties of one hundred thousand inhabitants and over," approved March 12, 1885.

Read second time, and ordered to third reading.

SUBSTITUTE FOR SENATE BILL No. 44.

An Act to appropriate money to pay the National Guard of California for services rendered by order of the Governor, to enforce the law, in 1893 and 1894.

The People of the State of California, represented in Senate and Assembly, do enact as follows

SECTION 1. The sum of one hundred and forty-two thousand and two hundred and thirty-five dollars and fifty cents is hereby appropriated out of any money in the General Fund of the State Treasury not otherwise appropriated, to pay the claims of the National Guard of California, which shall have received the approval of the Board of Military Auditors, for services rendered under the orders of the Governor for the years eighteen hundred and ninety-three and eighteen hundred and ninety-four.

SEC. 2. The Controller of State is hereby authorized and directed to draw his warrants upon the State Treasurer, and the State Treasurer is hereby authorized to pay the same, for the amounts found to be due as above, in favor of the President of the Board of Military Auditors; which Board shall proceed to pay the said claims to the persons authorized to receive the same. The said Board of Military Auditors shall take duplicate receipts for all such payments, and file one copy with the Controller of State, and one copy in the office of the Adjutant-General.

SEC. 3. This Act shall take effect immediately.

MOTION.

Mr. Powers moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Substitute for Senate Bill No. 44.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Lynch in the chair.

Substitute for Senate Bill No. 44 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Lynch 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. 44—An Act to appropriate money to pay the National Guard of California for services rendered by order of the Governor to enforce the law in 1893 and 1894—and now report, and recommend that the same do pass.

LYNCH, Chairman.

The question being on the final passage of Substitute for Senate Bill No. 44.

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

AYES—Messrs. Ash, Bachman, Barker, Bassford, Belshaw, Bennett, Berry, Brusie, Bulla, Coleman, Coghlin, Dale, Devine, Dinkelspiel, Dixon, Dodge, Dunbar, Dwyer, Ewing, Fassett, Guy, Hall, Hatfield, Healey, Holland, Hudson, Johnson, Jones, Keen, Kelsey, Kenyon, Laird, Laugenour, Meads, McDonald, McKelvey, Merrill, Nelson, Osborn, Phelps, Powers, Richards, Robinson, Rowell, Sanford, Staley, Stansell, Spencer, Swisler, Tibbits, Thomas, Tomblin, Twigg, Wade, Waymire, Weyse, Wilkinson, and Mr. Speaker—58.
NOES—None.

Title read and approved.

Mr. McKelvey moved that Substitute for Senate Bill No. 44 be immediately transmitted to the Senate.

So ordered.

Senate Bill No. 242—An Act to amend sections three thousand four hundred and eighty-one and three thousand four hundred and eighty-two of the Political Code, relating to the division of swamp land districts.

Read second time, and ordered to third reading.

Senate Bill No. 40—An Act to amend section three thousand and two of the Civil Code, relating to the giving of notice of sale to a pledgor.

Refused second reading.

Senate Bill No. 91—An Act to amend sections fifty-five and sixty-eight, and for the repeal of section seventy-five of the Civil Code of the State of California, relating to the authentication of marriages.

Read second time, and ordered to third reading.

Senate Bill No. 257—An Act to add a new section, to be numbered five hundred and fifteen, to an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to the crime of embezzlement.

Read second time, and ordered to third reading.

WITHDRAWAL OF BILL.

Mr. McKelvey asked leave to withdraw Assembly Bill No. 442.

So ordered.

Senate Bill No. 46—An Act to amend section seven hundred and thirty-seven of the Political Code of the State of California, relating to salaries of Judges of Superior Courts.

Read second time.

The following committee amendment was submitted:

Amend by striking out of section one, line nine, after the word "annum," the following: "the Judge of the Superior Court."

Also: Strike out all of line ten preceding the words "and the Judge of the."

Adopted.

Mr. Laird moved to amend as follows:

In line five insert the words "County of Shasta" after "Sonoma."

Lost.

Ordered to printer and third reading.

Senate Bill No. 694—An Act to add a new section to the Code of Civil Procedure, to be known as section seven hundred and fifty, relating to suits to quiet title to or determine adverse claims to real or personal property, or both.

Read second time. and ordered to third reading.

Senate Bill No. 529—An Act to provide for an additional watchman in and about the office of the State Treasurer, by amending an Act entitled "An Act for the better protection of the State Treasury," approved March 30, 1863.

Read second time.

Mr. Belshaw moved to amend as follows:

By striking out of section one, line five, the words "one hundred" and inserting the following: "seventy-five."

Adopted.

Ordered to printer and third reading.

LEAVE OF ABSENCE.

Mr. Swisler was granted leave of absence for the balance of the day.

Senate Bill No. 436—An Act to appropriate the sum of five thousand dollars for repairs to the buildings of the State Normal School at San José.

Read second time.

MOTION.

Mr. McKelvey moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bill No. 436.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Lynch in the chair.

Senate Bill No. 436 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Lynch 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. 436—An Act to appropriate the sum of five thousand dollars for repairs to the buildings of the State Normal School at San José—and now report, and recommend that the same do pass.

LYNCH, Chairman.

Senate Bill No. 436 ordered to third reading.

INTRODUCTION OF BILLS—(OUT OF ORDER).

By Mr. Pendleton: Assembly Bill No. 893—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved March 24, 1893.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 894—An Act relating to the sale of wines and liquors, and the maintenance of saloons and places where wines and liquors are sold by retail for consumption on the premises.

Read first time, and referred to Committee on Judiciary.

By Mr. McCarthy: Assembly Bill No. 895—An Act to repeal all Acts or parts of Acts relating to capital punishment.

Read first time, and referred to Committee on Crimes and Penalties.

By Mr. Belshaw: Assembly Bill No. 896—An Act to amend section three thousand nine hundred and fifty-four of the Political Code, relating to the boundary and county seat of Contra Costa County.

Read first time, and referred to Committee on County and Township Governments.

MOTIONS.

Mr. Dwyer moved that Assembly Bill No. 568 be referred to Committee on Judiciary.

So ordered.

Mr. Cutter moved the reconsideration of the vote whereby Assembly Bill No. 568 was ordered to Committee on Judiciary.

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

AYES—Messrs Ash, Bachman, Barker, Bassford, Belshaw, Bulla, Coleman, Cutter, Dale, Devine, Dinkelspiel, Dodge, Dunbar, Ewing, Fassett, Freeman, Hudson, Johnson, Jones, Keen, Kenyon, Laird, Laugenour, McKelvey, Merrill, Nelson, North, Pendleton, Phelps, Robinson, Rowell, Staley, Stansell, Spencer, Tibbits, Tomblin, Wade, Waymire, Weyse, Wilkinson, and Mr. Speaker—41.

NOES—Messrs. Coghlin, Dwyer, Guy, Hall, Hatfield, Healey, Kelsey, McCarthy, McDonald, Powers, Richards, Thomas, and Twigg—13.

REPORT OF COMMITTEE ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 18, 1895.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following bills have been correctly engrossed, viz.:

Assembly Bill No. 470—An Act to amend section one thousand and eighty-three of the Political Code of the State of California, in relation to the qualifications and disabilities of electors.

Also: Assembly Constitutional Amendment No. 6—Proposed amendment to section seven of article one of the Constitution, relative to juries.

Also: Assembly Constitutional Amendment No. 11—A resolution to propose to the people of the State of California an amendment to section one of article two of the Constitution, in relation to the right of suffrage.

Also: Assembly Bill No. 157—An Act authorizing the Judges of the Superior Court in all counties, and cities and counties, having a population of two hundred thousand inhabitants and over, to appoint a Secretary.

Also. Assembly Bill No. 199—An Act providing for the judicial establishment of wills, and of the status of testators as related to wills so established, and for the custody and revocation of such wills.

WILKINSON, Chairman.

SECOND READING OF BILLS.

Assembly Bill No. 148—An Act to create the office of Fish and Game Warden, and to prescribe the powers, duties, and salary of such officer.

Read second time.

Mr. Cutter moved to amend as follows:

By inserting in line one, before the words "the Board of Supervisors," the words "Section 1."

Adopted.

Also Amend by striking out of section one, line six, the letter "s" in the word "persons."

Adopted.

Also: Amend by striking out of section one, line seven, the words "their successors are" and inserting the following: "his successor is."

Adopted.

Also: Amend by striking out of section one, line eight, the words "have qualified" and inserting the following: "qualifies."

Adopted.

Also: Amend by inserting at the commencement of line nine, page one, the following: "Section 2."

Also: Amend by striking out on page one, line nine, the words "the duties of" and the words "be to," and commencing the sentence with a capital "S."

Adopted.

Also: Amend by striking out on page one, line ten, the words "and local" and inserting the word "and" between the word "county" and "municipal"

Adopted.

Also Amend by striking out on page one, line eleven, the word "violations" and inserting the following: "violations of such."

Adopted.

Also: Amend by striking out on page one, line twelve, the words "county, municipal," and the word "local," and the words "relating to the protection of fish and game."

Adopted.

Also. Amend on page one, line thirteen, by inserting at the commencement of line the following: "Section 3."

Adopted.

Also: Amend on page one, line fifteen, by inserting at the commencement of the line the following: "Section 4."

Adopted.

Also: Amend by striking out on page one, line sixteen, the word "eighty," and inserting the following: "seventy-five."

Adopted.

Also: Amend by striking out on page one, line seventeen, the word "seventy," and inserting the word "sixty."

Adopted.

Also: Amend by striking out on page two, line eighteen, the word "sixty," and inserting the word "fifty."

Adopted.

Also: Amend by striking out on page two, lines nineteen and twenty, the words: "The expenses incurred by said Wardens in the performance of their duties shall be paid, *provided*, that same shall not exceed in any one month the sum of twenty-five dollars," and inserting the following: "In addition thereto, said Warden shall be allowed a sum not to exceed twenty-five dollars per month for expenses incurred by him in the performance of his duties"

Adopted.

Also: Amend by striking out on page two, line twenty-one, the word "salaries" and inserting the word "salary."

Adopted.

Also: Amend by striking out on page two, line twenty-one, the words "in the "

Adopted.

Also: Amend by striking out on page two, line twenty-two, the words "same manner as other county officers are paid," and inserting the following: "Said Fish and Game Warden shall, before entering upon the discharge of his duties, execute a bond, with sureties, in such sum as may be required by the Board of Supervisors, for the faithful and proper discharge of his duties as such Fish and Game Warden."

Adopted.

Also: Amend by striking out on page two, lines twenty-three and twenty-four, the words: "A bond shall be required of said Fish and Game Wardens for the faithful performance of their duties, in the amount of one thousand dollars."

Adopted.

Also: Amend by striking out on page two, line twenty-four, the word "Wardens," and inserting the word "Warden."

Adopted.

Also: Amend by striking out on page two, line twenty-five, the words "their respective Boards of Supervisors," and inserting the following: "The Board of Supervisors."

Adopted.

Also: Amend page two, line twenty-five, by inserting after the word "Supervisors" the following: "of his county."

Adopted.

Also: Amend by striking out on page two, line twenty-six, the words "duties of their offices," and inserting the following: "management of his office."

Adopted.

Also: On page two, last line, at the beginning of the line, insert the words "Section five."

Adopted.

Mr. Wade moved to amend as follows:

By striking out of section one, line one, the word "shall," and inserting the following in lieu thereof. "may in its discretion,"

Adopted:

Ordered to engrossment and third reading.

Mr. McKelvey moved to reconsider the vote whereby Senate Bill No. 529 was amended.

Lost.

RESOLUTION.

By Mr. Osborn:

Resolved, That the Committee on Military Affairs be and they are hereby granted permission to visit San Francisco for the purpose of inspecting the National Guard, that said committee may more fully understand their necessities, and be more capable of taking up the matter of a reorganization.

Laid over for one day.

APPROVAL OF JOURNALS.

The Journals of Friday, February 15th, and Saturday, February 16th, were approved.

ADJOURNMENT.

At three o'clock and fifty minutes P. M., on motion of Mr. Bulla, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Tuesday, February 19, 1895. }

The Assembly met pursuant to adjournment.

Speaker Lynch in the chair.

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

Messrs. Ash, Bachman, Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Brusie, Bulla, Butler, Coleman, Coghlin, Cutter, Dale, Davis, Devitt, Devine, Dinkelspiel, Dixon, Dodge, Dunbar, Dwyer, Ewing, Fassett, Freeman, Gay, Glass, Guy, Hall, Hatfield, Healey, Holland, Huber, Hudson, Johnson, Jones, Keen, Kelsey, Kenyon, Laird, Laugenour, Lewis, Meads, McCarthy, McDonald, McKelvey, Merrill, Nelson, North, O'Day, Osborn, Pendleton, Phelps, Powers, Reid, Richards, Robinson, Rowell, Sanford, Staley, Stansell, Spencer, Swisler, Tibbits, Thomas, Tomblin, Twigg, Wade, Waymire, Weyse, Wilkinson, Zocchi, and Mr. Speaker.

Quorum present.

LEAVE OF ABSENCE.

Messrs. Price and Reid were granted leave of absence for the day.

PRAYER.

Prayer by the Chaplain, Rev. O. Summers.

READING OF THE JOURNAL.

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

So ordered.

REPORTS OF STANDING COMMITTEES.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 18, 1895.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Assembly Bill No. 607—An Act to provide for the letting of contracts for lighting of streets and public buildings in cities and towns in the State of California—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Assembly Bill No. 69—An Act to amend section one of an Act entitled "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," approved March 2, 1891—have had the same under consideration, and respectfully report the same back, and recommend that the author be allowed to withdraw the same, and recommend further that Committee Substitute for Assembly Bill No. 69 do pass.

GUY, Chairman.

WITHDRAWAL AND SUBSTITUTION OF BILL.

Assembly Bill No. 69 was withdrawn, and Assembly Bill No. 897 substituted therefor.

INTRODUCTION OF BILL—(OUT OF ORDER).

By Committee on Municipal Corporations: Assembly Bill No. 897 (Committee Substitute for Assembly Bill No. 69)—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 of California, except municipal corporations of the first class, and to provide for the consolidation and abolition of certain municipal offices, and to provide that their duties may be performed by certain officers of the county, and fixing the compensation to be allowed for such county officers for the services so rendered to such municipal corporations.

Read first time, and placed on file.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 18, 1895.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Senate Bill No. 24—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

Also: Assembly Bill No. 621—An Act to amend sections five and seven of an Act entitled "An Act to establish free public libraries and reading-rooms," approved April 26, 1880.

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

GUY, Chairman.

SAN FRANCISCO DELEGATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 19, 1895.

MR. SPEAKER: The San Francisco Delegation, to whom was referred Assembly Bill No. 823—An Act to authorize the construction of hospital buildings for city, or city and county purposes.

Also: Assembly Bill No. 824—An Act to authorize the construction of public buildings for city, or city and county purposes.

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

POWERS, Chairman.

ON SWAMP AND OVERFLOWED LANDS.

ASSEMBLY CHAMBER, SACRAMENTO, February 19, 1895.

MR. SPEAKER: Your Committee on Swamp and Overflowed Lands, to whom was referred Assembly Bill No. 654—An Act to create the Sacramento Valley Drainage District, and defining its boundaries, and to provide for the government and management thereof, for the appointment of officers and prescribing their compensation, for the issuance of bonds, for selling and paying the same, for assessments and equalizing the same, for collection of assessments, for sale of property, and providing a mode for judicially examining and confirming proceedings for issue of bonds, etc.—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass, and that the author be allowed to withdraw the same.

CUTTER, Chairman.

Mr. Laugenour was granted leave to withdraw Assembly Bill No. 654.

ON BANKS AND BANKING.

ASSEMBLY CHAMBER, SACRAMENTO, February 19, 1895

MR. SPEAKER: Your Committee on Banks and Banking, to whom was referred Assembly Bill No. 494—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also: Assembly Bill No. 819—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass, and that the author be allowed to withdraw same.

WADE, Chairman.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, February 19, 1895.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 275—An Act entitled "An Act to amend chapter one hundred and seventeen of the Penal Code," concerning vagrants—have had the same under consideration, and respectfully report the same back, and recommend as a substitute therefor the bill herewith inclosed, and recommend that such substitute bill do pass.

BULLA, Chairman.

WITHDRAWAL AND SUBSTITUTION OF BILL.

Assembly Bill No. 275 was withdrawn, and Assembly Bill No. 898 substituted therefor.

INTRODUCTION OF BILL—(OUT OF ORDER).

By Committee on Judiciary: Assembly Bill No. 898 (Committee Substitute for Assembly Bill No. 275)—An Act to amend section six hundred and forty-seven of the Penal Code of the State of California, concerning vagrants.

Read first time, and placed on file.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, February 19, 1895.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 311—An Act to amend section one thousand three hundred and seventy-nine of the Code of Civil Procedure, relative to the granting of letters of administration to other than those entitled.

Also: Assembly Bill No. 806—An Act to promote and secure freedom of speech in Courts of justice.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

Also: Assembly Bill No. 825—An Act to prevent all persons not citizens of the State of California, or of the United States of America, or who have not declared their intention to become such, from catching or taking fish or shell fish in the waters of the State of California—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to the Committee on Fish and Game.

Also: Assembly Bill No. 827—An Act to amend section one thousand one hundred and eighty-nine of the Civil Code, relating to the acknowledgment of instruments

Also: Assembly Bill No. 795—An Act to add a new section to the Code of Civil Procedure, to be known as section number one thousand five hundred and ninety-two, providing for the farming of land of the estate of a deceased person by the executor or administrator thereof, and prescribing the powers and duties of such executor or administrator in relation thereto

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

Also: Assembly Bill No. 828—An Act to amend an Act entitled "An Act to enable certain parties therein named to alienate or incumber homesteads," approved March 23, 1874—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Senate Bill No. 250—An Act to provide one additional Judge of the Superior Court of the County of Sacramento.

Also: Senate Bill No. 110—An Act to amend section four thousand two hundred and thirty-five of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the lien of judgments of Federal Courts.

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

BULLA, Chairman.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 19, 1895.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following bills have been correctly engrossed, viz:

Assembly Bill No. 69—An Act to amend section one of an Act entitled "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," approved March 2, 1891—returned out of order to allow the author to withdraw.

Also: Assembly Bill No. 466—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.

WILKINSON, Chairman.

ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 18, 1895.

MR. SPEAKER: Your Committee on Enrollment have examined and found correctly enrolled Assembly Joint Resolution No. 13—Relative to free coinage of silver—and presented the same to the Governor on this day, at three o'clock and thirty minutes P M

MEADS, Chairman.

RESOLUTION—(OUT OF ORDER).

By Mr. Cutter:

Resolved, That the State Printer be and he is hereby directed to print, for the use of the Committee on County and Township Governments, four hundred and eighty copies of a blank form, relative to compensation of officers, said form to be furnished him by said committee.

Adopted.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 18, 1895.

MR. SPEAKER: Your Committee on Education, to whom was referred Assembly Bill No. 592—An Act to amend sections one thousand six hundred and seventy and one thousand six hundred and seventy-one of the Political Code, relating to high schools—

have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Assembly Bill No. 451—An Act to amend section one thousand six hundred and sixty-eight of the Political Code—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also: Senate Bill No. 8—An Act to amend section six hundred and forty-nine of the Civil Code of the State of California, relating to the incorporation of colleges and seminaries of learning—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

JOHNSON, Chairman.

ON PUBLIC BUILDINGS AND GROUNDS.

ASSEMBLY CHAMBER, SACRAMENTO, February 19, 1895.

MR. SPEAKER: Your Committee on Public Buildings and Grounds, to whom was referred Assembly Bill No. 537—An Act to appropriate moneys to aid in erecting a monument over the grave of the late Secretary of State, E. G. Waite, and to prescribe the duties of the Controller and Directors of State Burial Grounds in relation thereto—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also: Assembly Bill No. 798—An Act concerning the completion of unfinished public buildings in any county, city, city and county, or town in this State, and permitting alterations of the original plans or designs for the construction thereof.

Also: Assembly Bill No. 799—An Act to amend an Act approved March 11, 1893, entitled "An Act to amend an Act entitled 'An Act to provide for the completion of all unfinished county, city, city and county, towns, and township buildings in the several counties, cities and counties, cities, and towns throughout the State of California,' approved March 11, 1891."

Also: Senate Bill No. 325—An Act to provide for the appointment and salary of an elevator attendant, and to make an appropriation therefor.

Also: Senate Bill No. 607—An Act for the appointment of a guardian of Sutter's Fort property, prescribing his duties, and appropriating money therefor.

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

Also: Senate Bill No. 417—An Act appropriating the sum of six thousand dollars for tiling the first floor of the State Capitol—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also: Assembly Bill No. 181—An Act to amend 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, in relation to salary of Secretary—have had the same under consideration, and respectfully report the same back amended, and recommend that it do pass as amended.

BERRY, Chairman.

Assembly Bills Nos. 537 and 181, and Senate Bills Nos. 325, 607, 417, referred to Committee on Ways and Means.

ON IRRIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 19, 1895.

MR. SPEAKER: Your Committee on Irrigation, to whom was referred Assembly Bill No. 185—An Act to repeal 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 7, 1887, providing for the abandonment of operations by irrigation districts, and for their disorganization upon the discharge of all outstanding obligations, and dividing irrigation districts into classes for the purposes of this Act," approved March 25, 1893—have had the same under consideration, and respectfully report the same back, and recommend that its author be allowed to withdraw the same.

Also: Assembly Bill No. 215—An Act concerning the government of irrigation districts, and to require certain orders and resolutions of the Boards of Directors of such districts, to be approved by the Board of Supervisors, and to permit certain assessments to be paid in past due bond coupons.

Also: Assembly Bill No. 684—An Act to amend an Act entitled "An Act to establish a Civil Code of the State of California," by adding a new section thereto, to be numbered section one thousand four hundred and twenty-three, defining water measurements.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

Also: Assembly Bill No. 65—Supplemental Act to 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, and Acts amendatory thereto, enabling any irrigation district to

dispose of certain rights and property already acquired, for the purpose of thereby securing a water supply for the district; also to jointly, with another irrigation district, persons, company, or private or municipal corporation, develop water for irrigation and other purposes; and also to dispose of water, water rights, or other property acquired in excess of the actual needs of the district—have had the same under consideration, and respectfully report the same back, and recommend that its author be allowed to withdraw the same, and that the committee bill presented herewith be substituted therefor.

McKELVEY, Chairman.

WITHDRAWAL AND SUBSTITUTION OF BILL.

Assembly Bill No. 65 was withdrawn, and Assembly Bill No. 899 was substituted therefor.

INTRODUCTION OF BILL—(OUT OF ORDER).

By Committee on Irrigation: Assembly Bill No. 899 (Committee Substitute for Assembly Bill No. 65)—Supplemental Act to “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, and Acts amendatory thereto, enabling any irrigation district to dispose of certain surplus water, water rights, and water supply systems already acquired in excess of the actual needs of the district.

Read first time, and placed on file.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON ROADS AND HIGHWAYS.

ASSEMBLY CHAMBER, SACRAMENTO, February 19, 1895.

MR. SPEAKER: Your Committee on Roads and Highways, to whom was referred Assembly Bill No. 200—An Act to repeal sections two thousand six hundred and fifty-two and two thousand six hundred and seventy-one of the Political Code, in relation to road poll tax.

Also: Assembly Bill No. 804—An Act to add a new section to the Political Code of the State of California, to be numbered section two thousand seven hundred and forty-five, relative to keeping the public highways of this State clear from brush, thistles, cockle-burs, vines, and weeds.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

SWISLER, Chairman.

LOS ANGELES DELEGATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 19, 1895.

MR. SPEAKER: The Los Angeles Delegation, to whom was referred Assembly Bill No. 834—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

PENDLETON, Chairman.

ON REVENUE AND TAXATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 19, 1895.

MR. SPEAKER: Your Committee on Revenue and Taxation, to whom was referred Assembly Bill No. 575—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

FREEMAN, Chairman.

ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, February 19, 1895.

MR. SPEAKER: Your Committee on Rules, to whom was referred the following resolution, introduced by Mr. Cutter, to wit:

Resolved, That the following be added to the rules of the Assembly:

Rule.— There shall be an Urgency File, which shall be the special order for eleven o'clock A. M. of each Wednesday, and of each day thereafter until disposed of. Each member of the Assembly may, by request in writing, filed with the Chief Clerk, have one bill, which has been favorably reported by the committee to which it was referred, taken from the General File and placed on the Urgency File in the order in which the request is made. The Urgency File shall be made up not later than Tuesday of each week.

Have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended, as follows. By striking out the words "in the order in which the request is made," and adding after the words "Urgency File" the following: "And in making up said file the clerk shall place the names of all members in a box and draw therefrom each name separately, and the member whose name is so drawn shall be entitled to name such bill as he may desire, which said bill is to take its place on said file in the order as called, and that such drawing be continued until all the names are called.

DINKELSPIEL, Chairman.

Report adopted.

INTRODUCTION OF BILLS.

The following bills were introduced, read first time, and referred to committees, as follows:

By Mr. Staley: Assembly Bill No. 900—An Act to amend sections one thousand eight hundred and eighty, one thousand eight hundred and eighty-four, and one thousand eight hundred and eighty-six of the Political Code of the State of California, relating to public schools.

Read first time, and referred to Committee on Judiciary.

By Mr. Weyse: Assembly Bill No. 901—An Act to amend an Act entitled "An Act to promote the purity of elections, by regulating the conduct thereof, and to support the privilege of free suffrage by providing for the punishment thereof."

Read first time, and referred to Committee on Election Laws.

By Mr. Dodge: Assembly Bill No. 902—An Act to add one new section to the Civil Code, relating to cemetery corporations, to be numbered section six hundred and sixteen.

Read first time, and referred to Committee on Public Health and Quarantine.

By Committee on Retrenchment and Public Expenditures: Assembly Bill No. 903—An Act relating to commitments to the State School at Whittier and to the Preston School of Industry; fixing the authority to examine and commit to such schools with the Superior Court Judges of the counties, and fixing the responsibilities from which commitments are made to the State for maintenance of the persons committed therefrom, providing for the manner of payment thereof, and fixing the responsibility of the parents to the counties from which their children are committed.

Read first time and placed on file.

By Mr. Pendleton: Assembly Bill No. 904—An Act to establish free public employment offices in the State of California.

Read first time, and referred to Committee on Labor and Capital.

Also: Assembly Bill No. 905—An Act to validate proceedings for the organization and incorporation of municipal corporations of the fourth, fifth, and sixth class, taken since the passage of the Act of the Legislature of the State of California entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Read first time, and referred to Committee on Municipal Corporations.

Also: Assembly Bill No. 906—An Act to validate the proceedings

taken for the issuance of bonds of cities of the fourth, fifth, and sixth class since the passage of the Act of the Legislature of the State of California entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, and declaring the bonds so issued to be legal and valid, and authorizing the sale thereof.

Read first time, and referred to Committee on Municipal Corporations.

Also: Assembly Bill No. 907—An Act to provide for the disincorporation of municipal corporations of the sixth class.

Read first time, and referred to Committee on Municipal Corporations.

Also: Assembly Bill No. 908—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved March 24, 1893, by amending section fifty-eight, relating to township officers.

Read first time, and referred to Committee on County and Township Governments.

By Mr. Wade: Assembly Bill No. 909—An Act to amend sections one thousand one hundred and fifty-three, one thousand two hundred and seventy, one thousand two hundred and seventy-three, and one thousand two hundred and seventy-four of the Civil Code of the State of California, and to add thereto three new sections, to be known and numbered as sections one thousand three hundred and fourteen, one thousand three hundred and fifteen, and one thousand three hundred and sixteen of the Civil Code of the State of California.

Read first time, and referred to Committee on Judiciary.

By Mr. Ewing: Assembly Bill No. 910—An Act to amend an Act entitled "An Act to establish and support a Bureau of Labor Statistics," approved March 3, 1883, and the Act amendatory thereof, approved February 8, 1889, and to establish and maintain public employment offices.

Read first time, and referred to Committee on Labor and Capital.

Also: Assembly Bill No. 911—An Act to amend an Act entitled "An Act to protect the owners of bottles, boxes, siphons, and kegs, used in the sale of soda waters, mineral aerated waters, porter, ale, cider, ginger ale, milk, small beer, lager beer, weiss beer, beer, white beer, or other beverages," approved March 31, 1891.

Read first time, and referred to Committee on Judiciary.

By Mr. Brusie: Assembly Bill No. 912—An Act to amend section one thousand two hundred and forty-three of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872.

Read first time, and referred to Committee on Judiciary.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON ELECTION LAWS.

ASSEMBLY CHAMBER, SACRAMENTO, February 19, 1895.

MR. SPEAKER: Your Committee on Election Laws, to whom was referred Assembly Bill No. 334—An Act to establish a uniform system of primary elections, regulating the conduct and management, and providing for the punishment of the violation thereof—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also: Assembly Bill No. 479—An Act to amend sections one thousand and ninety-four, one thousand and ninety-six, one thousand one hundred and thirteen, one thousand one hundred and fourteen, one thousand one hundred and fifteen, and one thousand one hundred and sixteen of the Political Code of the State of California, relative to the registration of voters—have amended the same as follows:

Sec. 2, Sub. 10. After the word "thereof," in line eighteen, add the word "and," in printed bill.

Sec. 2, Sub. 14. Amended so as to read as follows: "The fact whether or not the elector desiring to be registered is able to read the Constitution in the English language, and to write his name, and whether or not the elector has any physical disability by reason of which he cannot mark his ballot; and if he cannot mark his ballot by reason of physical disability, then the nature of such disability must be entered, and the fact that by reason thereof he cannot mark his ballot."

On line six, section three, after the word "county," add or "city and county

Amend line seven of section three, so it shall read "ages of all the registration affidavits of his county, or city, or city and county, and enter the substance," printed bill.

Also: Amend section four, line eleven, after the word "convicted" strike out the word "by" and place the word "of" in place thereof, printed bill.

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

SPENCER, Chairman.

NOTICE OF RECONSIDERATION.

Mr. Dinkelspiel gave notice that on next legislative day he would move to reconsider the vote whereby the report of Committee on Rules was adopted.

INVITATION.

SAN FRANCISCO, February 18, 1895.

To the Hon. JOHN C. LYNCH, Speaker, and the Assembly of the State of California:

GENTLEMEN: You are hereby respectfully invited to participate in the ceremonies of laying of the corner-stone of the N. S. G. W. Hall, at San Francisco, Washington's Birthday, February 22, 1895, at eleven A. M.

W. W. SHANNON,
Secretary Joint Committee. 509 Clay Street.

L. F. BYINGTON,
Chairman Joint Committee.

RESOLUTION.

Mr. Dinkelspiel offered the following resolution, and moved its adoption:

Resolved, That the invitation to participate in the laying of the corner-stone of the new N. S. G. W. Hall in San Francisco, on Washington's Birthday, February 22, 1895, at eleven o'clock A. M., be accepted.

Adopted.

INVITATION.

The Speaker announced the receipt of the following invitation:

To the Speaker of the Assembly, California Legislature, thirty-first session:

HONORED SIR: We take pleasure to extend to the President and members of the Assembly of the State of California an invitation to be present at our celebration la Fiesta de Los Angeles, which takes place from April 15th to 20th.

Yours respectfully,

MAX MEYBERG, Director-General.

THE MERCHANTS' ASSOCIATION,
Of Los Angeles, Cal.

CONCURRENT RESOLUTION.

By Mr. Cutter:

ASSEMBLY CONCURRENT RESOLUTION No. 12.

WHEREAS, It has been charged and maintained that the Police Department of the City and County of San Francisco is corrupt; that grave abuses exist in said department; that in said city and county the laws for the suppression of crime, and the municipal ordinances and regulations duly enacted for the peace, security, order, and police of said city and county are not strictly enforced by said department, and by the police

force acting thereunder; that said laws and ordinances, when enforced, are enforced by said department and said police force with partiality and favoritism, and that such partiality and favoritism are the results of corrupt bargains between offenders against said laws or ordinances on the one hand and said department and police force on the other; that money and promises of services to be rendered are given and paid to public officials by the keepers or proprietors of gaming-houses, disorderly houses, lotteries, or liquor saloons, or others, who have offended, or are offending, against said laws or ordinances, in exchange for promises of immunity from punishment or police interference, and that said department and said police force, by means of threats and otherwise, extort money or other valuable consideration from many persons in said city as the price of such immunity from police interference or punishment from real or supposed violations of said laws and ordinances, and whereas, a strong public sentiment demands of this Assembly a thorough and full investigation of all the matters above mentioned, for the purpose of remedying and preventing such abuses by proper legislation; now, therefore, be it

Resolved, That the Civic Federation of San Francisco respectfully urges that your honorable body appoint an investigating committee, to act in conjunction with a similar committee from the Senate, should one be constituted—otherwise to act alone, and that said committee be clothed with all needful powers and authority to make a rigid and thorough investigation of alleged abuses and corruption in the Police Department, and other branches of the municipal government of San Francisco under State control, against which tenable charges shall be presented; and especially to ferret out the instigators of the recent election frauds in this city

Resolved, That we offer no suggestion as to the personnel of the committee, further than to urge that every precaution be taken to exclude from such committee every man whose name has in the slightest degree been connected by public rumor with any questionable proceeding of whatever character; for it is obviously of the last importance that said committee should command the perfect confidence of the people of the city and State in their integrity, and in their zeal in bringing offenders to justice.

To show the representative character of this Federation, and that it speaks for the good citizenship of San Francisco in this memorial, we append the subjoined list of the bodies included in it, and who join in the above action:

Citizens' Defense Association; Good Government Club; Law and Order League; Union for Practical Progress, Committee of Eleven, Builders' Exchange; Federated Trades, Anti-Dive Association; Society for Prevention of Cruelty to Children; Woman's Christian Temperance Union; Golden Gate Union of Christian Endeavor; Epworth League Alliance; Presbyterian Churches; Protestant Episcopal Churches; Congregational Churches; Methodist Episcopal Churches; Unitarian Churches, Baptist Churches; United Presbyterian Churches, and Home Protective League.

Done at a meeting held in San Francisco, January 21, 1895.

(Signed.) E. R. Dille, Wallace Bradford, Maurice Samuels, D. Hanson Irwin, Committee

Resolved by the Assembly, the Senate concurring, That Senator ——— is hereby appointed a special committee on the part of the Senate, and Assemblymen ——— and ——— a special committee of this Assembly, with power and authority to investigate all and singular the above said matters and charges, and that said committee have full power to prosecute its inquiries in any and every direction in its judgment necessary and proper to enable it to obtain and report the information required by this resolution; that said committee report to the Assembly, with such recommendations as, in its judgment, the public interests require. Said committee is given authority to send for persons and papers, to employ a stenographer, and such counsel and other assistants as it may deem necessary, and to hold sessions in the City and County of San Francisco and the city of Sacramento. The committee shall conclude its investigations in time to report to the Assembly on or before March 1, 1895, to the end that proper legislation may be enacted to suppress said evils. The Sergeant-at-Arms of the Assembly shall attend such committee and serve all subpoenas issued thereby, and perform all duties as Sergeant-at-Arms of said committee; and be it further

Resolved, That it is the sense of this Assembly that it is contrary to public policy and to the intents of good order, that any person giving evidence before said committee tending to show that he has been a party to the practices above mentioned, should be indicted or prosecuted upon evidence so given or admissions so made by him.

Referred to Committee on Public Morals.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, }
SACRAMENTO, February 18, 1895. }

To the Assembly of the State of California.

I have the honor to inform your honorable body that I have approved Assembly Bill No. 449.

JAMES H. BUDD, Governor

UNFINISHED BUSINESS.

The question under consideration being the following resolution by Mr. Osborn:

Resolved, That the Committee on Military Affairs be and they are hereby granted permission to visit San Francisco for the purpose of inspecting the National Guard, that said committee may more fully understand their necessities, and be more capable of taking up the matter of a reorganization.

Adopted.

MOTION.

Mr. Cutter moved that the Committee on Public Morals be requested to report Assembly Concurrent Resolution No. 12 to-morrow morning.

PREVIOUS QUESTION.

Mr. Thomas moved the previous question, seconded by Messrs. Bulla and Ewing.

The Speaker announced, "Shall the main question be now put?"

So ordered.

The question being upon Mr. Cutter's motion requesting the Committee on Public Morals to report upon Assembly Concurrent Resolution No. 12 to-morrow morning.

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

AYES—Messrs. Ash, Barker, Bassford, Belshaw, Berry, Coleman, Cutter, Dale, Dodge, Dunbar, Ewing, Freeman, Gay, Guy, Hall, Hatfield, Healey, Holland, Hudson, Johnson, Keen, Kenyon, Laird, Meads, Robinson, Rowell, Staley, Wade, and Weyse—29.

NOES—Messrs. Bachman, Bennett, Bettman, Brusie, Bulla, Coghlin, Davis, Devitt, Devine, Dixon, Dwyer, Fassett, Glass, Huber, Jones, Kelsey, Laugenour, McDonald, McKelvey, Nelson, North, Phelps, Powers, Stansell, Swisler, Tibbits, Thomas, Tomblin, Waymire, Zocchi, and Mr. Speaker—31.

Mr. Brusie moved that the Assembly file be passed temporarily.

So ordered.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, February 19, 1895.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 515—An Act to pay the claim of Fred Hansted for services as clerk to the committee appointed for the purpose of investigating the Pilot Commissioners.

Also: Assembly Bill No. 587—An Act making an appropriation from the State School Book Fund for the completion of the revisions and compilation of State school books heretofore authorized and directed to be made, and to provide for the expenditure of the same.

Also: Assembly Bill No. 656—An Act making an appropriation to pay the salary of the Debris Commissioner for the remainder of the forty-sixth fiscal year.

Also: Assembly Bill No. 516—An Act authorizing and empowering the Board of Supervisors of Santa Clara County to straighten and improve the San Francisquito Creek, in Santa Clara County, and making an appropriation therefor.

Also: Assembly Bill No. 58—An Act to establish a State Normal School at San Diego, California.

Also: Assembly Bill No. 187—An Act making an appropriation for the erection of additional buildings and improvements for the Southern California State Asylum for the Insane and Inebriates.

Also: Assembly Bill No. 797—An Act to repeal an Act entitled "An Act to create and establish a State Board of Horticulture, and to appropriate money for the expenses thereof," approved March 13, 1883, and all Acts amendatory thereof and supplementary thereto, and to confer certain powers upon the Regents of the University of California,

and to provide for the protection of the horticultural interests of the State by the appointment of a Quarantine Health Officer or Officers, and appropriating money for the expenses of the same.

Also: Assembly Bill No. 196—An Act making an appropriation for the erection of an additional building for the State Normal School at Chico.

Also: Assembly Bill No. 195—An Act making an appropriation for a fence in front of the grounds of the State Normal School at Chico.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

Also: Assembly Bill No. 375—An Act appropriating money to pay for the repair, renovation, relooring, and other improvements on certain buildings of the State Insane Asylum at Stockton, California—have had the same under consideration, and respectfully report the same back, and recommend that Senate Bill No. 365 be substituted therefor, and also recommend that it do pass.

Also: Assembly Bill No. 94—An Act to provide for the purchase of a furnished residence for the Governor of California, and to appropriate money therefor—have had the same under consideration, and respectfully report the same back, and recommend that the author be permitted to withdraw the same.

Also: Assembly Bill No. 829—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-sixth fiscal year.

Also: Assembly Bill No. 657—An Act making an appropriation to pay the salary of the Secretary to the Debris Commissioner for the remainder of the forty-sixth fiscal year.

Also: Assembly Bill No. 46—An Act making an appropriation to pay Charles Phipps for services rendered as assistant to the Secretary of the State Board of Examiners from February 15, 1891, to March 21, 1891.

Also: Assembly Bill No. 183—An Act to make an appropriation to pay the claim of Frank H. Lombard, for services rendered to the Board of Railroad Commissioners of the State California, as shorthand reporter, for the years 1890, 1892, and 1893.

Also: Assembly Bill No. 455—An Act appropriating the sum of six thousand dollars for tiling the first floor of the State Capitol.

Also: Assembly Bill No. 254—An Act to appropriate money for the payment of the claim of Chas. A. Hiett, for the arrest of William B. Coup, in pursuance of the reward offered therefor by the Governor of the State of California.

Also: Assembly Bill No. 171—An Act to purchase adjacent lands at the Folsom State Prison for the use of the State Prison, and making an appropriation therefor.

Also: Assembly Bill No. 749—An Act to provide for the repayment, by the State of California, of the purchase price of salt marsh lands, when it has been finally determined by a Court of competent jurisdiction that the State had no title to said lands at the time of sale, because and by reason of the lands being included within the limits of a Mexican grant, as finally surveyed and patented by the United States Government, and to make an appropriation therefor.

Also: Assembly Bill No. 373—An Act to amend sections two, five, seven, and ten of an Act entitled "An Act to establish free public libraries and reading-rooms," approved April 20, 1880, to enable the trustees to fix the amount of taxes to be raised therefor, and to provide the manner of levying and collecting the same, to authorize the City Treasurer to pay out the same on order of the trustees, to fix term of office of trustees, and to provide the manner of their election, in cities of less than one hundred thousand population.

Also: Assembly Bill No. 118—An Act entitled 'An Act to appropriate money to pay the claim of Henry W. Taylor, assignee of John M. Creed, for the construction of a sewer along Dwight Way, on front of the lands of the Deaf and Dumb Asylum, of Berkeley, California, which work was performed and material furnished under a contract with George Schmidt, Superintendent of Streets of the town of Berkeley, his authority having been acquired under the general street law of the State.'

Also: Assembly Bill No. 398—An Act appropriating money to pay the claim of W. H. Murray, his heirs or assigns.

Also: Assembly Bill No. 540—An Act authorizing the Trustees of the State Normal School at San José to light the grounds by electricity, and making an appropriation therefor.

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

BRUSIE, Chairman.

GENERAL FILE—THIRD READING OF BILLS.

Assembly Bill No. 24—An Act to amend chapter seven, part three, title nine, of the Political Code of the State of California, relating to the collection of property taxes, by adding a new section thereto, to be known as section three thousand seven hundred and forty-six and one half.

Mr. Bulla, the author, requested to withdraw the same.

So ordered.

Assembly Bill No. 30—An Act for the protection of the records of the several counties of the State of California, and regulating the business of abstracting in relation thereto.

Passed, to retain its place on file.

Assembly Bill No. 15—An Act to amend section six of an Act entitled "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,' approved March 31, 1891, 'and to provide for clerks of Police Courts in cities having over fifty thousand and under one hundred thousand inhabitants.'"

Read third time.

MOTION.

Mr. Bulla moved to appoint a committee of one, with instructions to amend as follows:

By striking out of section one, line nineteen, the word "or" between the words "either" and "the," and the word "of" between the words "Justices" and "said," and, inserting the word "of" instead of the first word stricken out and the word "or" instead of the second word stricken out.

So ordered.

APPOINTMENT OF COMMITTEE.

The Speaker appointed Mr. Bulla a committee of one to amend.

REPORT OF COMMITTEE OF ONE.

MR. SPEAKER: Your special committee of one, to whom was referred Assembly Bill No. 15—An Act to amend section six of an Act entitled "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,' approved March 31, 1891, 'and to provide for clerks of Police Courts in cities having over fifty thousand and under one hundred thousand inhabitants'"—with instructions to amend—has had the same under consideration, and respectfully reports the same back, amended as per instructions

BULLA, Committee.

Report adopted.

Ordered to printer and reengrossment.

Assembly Bill No. 62—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 21, 1872, by adding thereto two sections, to be known as sections one thousand eight hundred and eighty-two and one thousand eight hundred and eighty-five, being a part of part four, title two, chapter two, concerning witnesses.

Passed, to retain its place on file.

Assembly Bill No. 202—An Act to amend section one hundred and forty-two of the Code of Civil Procedure, relating to places of holding courts.

Mr. Barker, the author, requested to withdraw the same.

So ordered.

Assembly Bill No. 157—An Act authorizing the Judges of the

Superior Court in all counties, and cities and counties, having a population of two hundred thousand inhabitants and over, to appoint a Secretary.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Bassford, Bennett, Berry, Bettman, Boothby, Butler, Coleman, Cutter, Dale, Davis, Dinkelspiel, Dixon, Dwyer, Freeman, Gay, Guy, Hall, Hatfield, Hudson, Jones, Keen, Kenyon, Nelson, North, Pendleton, Powers, Richards, Rowell, Sanford, Staley, Swisler, Tibbitts, Thomas, Tomblin, Wade, Waymire, Weyse, Wilkinson, Zocchi, and Mr. Speaker—41.

NOES—Messrs. Bledsoe, Dodge, Ewing, and McDonald—4.

Title read and approved.

MOTION.

Mr. Dinkelspiel moved that Assembly Bill No. 157 be immediately transmitted to the Senate.

So ordered.

Assembly Bill No. 65—Supplemental Act to “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, and Acts amendatory thereto, enabling any irrigation district to dispose of certain rights and property already acquired, for the purpose of thereby securing a water supply for the district; also to jointly, with another irrigation district, persons, company, or private or municipal corporation, develop water for irrigation and other purposes; and also to dispose of water, water rights, or other property acquired in excess of the actual needs of the district.

Passed, to retain its place on file.

APPROVAL OF JOURNAL.

The Journal of February 18th was approved.

ASSEMBLY BILL No. 392 (SUBSTITUTE FOR ASSEMBLY BILL No. 274).

An Act to prescribe conditions upon which certain foreign insurance corporations, associations, partnerships, or individuals may be permitted to transact insurance business in the State of California.

The People of the State of California, represented in Senate and Assembly, do enact as follows:

SECTION 1. No corporation, association, partnership, or individual of any government foreign to the United States, shall transact insurance business in this State, or be admitted to transact such business herein, unless it shall have made a deposit of not less than two hundred thousand dollars with the Treasurer of this State, or with the proper officer of some other State of the United States.

SEC. 2. Deposits made with the Treasurer of this State must be in securities approved by the Insurance Commissioner of this State, and must be (1) interest-bearing bonds of the United States, (2) interest-bearing bonds of any of the States of the United States which have never been in default for interest on such bonds; (3) interest-bearing bonds of any of the counties or incorporated cities and towns of the State of California which have never been in default for interest on such bonds, or loans upon either of the three above-mentioned securities in an amount not to exceed their par value, and (4) loans secured upon unincumbered real property in the State of California worth at least one hundred per cent more than the amount loaned.

SEC. 3. When said deposit is made in this State, the securities must be deposited by the Insurance Commissioner with the Treasurer of the State, and shall be received and held by him in his official capacity in trust for the benefit of the policy holders in such corporations, associations, partnerships, or individuals in the United States.

SEC. 4. The corporation, association, partnership, or individual making said deposit shall be entitled to the income thereof, so long as said corporation, association, partnership, or individual shall continue solvent under the laws of this State and complies with the same, and may from time to time, with the consent of the Insurance Commissioner of this State, change, in whole or in part, the securities on deposit for other competent securities.

SEC. 5. Upon the request of the corporation, association, partnership, or individual making such deposit and presentation of the certificate of the Insurance Commissioner, that it has ceased to do business in this State, and is under no obligations to the policy holders for whose benefit such deposit was made, the Treasurer shall return to said corporation, association, partnership, or individual the deposit held by him.

SEC. 6. Corporations, associations, partnerships, or individuals now admitted to do business in this State shall make said deposit on or before the thirty-first day of December, eighteen hundred and ninety-five.

SEC. 7. All fees for filing statements, certificates, or other documents required of said corporations, associations, partnerships, or individuals, or for any service or act of the Insurance Commissioner, and all penalties imposed upon said corporations, associations, partnerships, or individuals, shall be set aside and reserved out of the funds paid into the State Treasury by the Insurance Commissioner, and transferred each and every year to the Insurance Commissioner's Special Fund.

SEC. 8. The annual statement of a foreign company, corporation, association, partnership, or individual, shall embrace only its business and condition in the United States, and shall be subscribed and sworn to by its resident manager or principal representative in charge of its American business.

SEC. 9. All Acts and parts of Acts in conflict with this Act are hereby repealed.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Bachman, Barker, Bassford, Berry, Bettman, Bledsoe, Boothby, Butler, Cargill, Coleman, Cutter, Dale, Davis, Dinkelspiel, Dixon, Dwyer, Ewing, Freeman, Glass, Guy, Hall, Hatfield, Holland, Hudson, Johnson, Jones, Keen, Lewis, Meads, McDonald, North, O'Day, Pendleton, Powers, Richards, Robinson, Rowell, Sanford, Staley, Spencer, Tibbits, Thomas, Wade, Waymire, Weyse, and Mr. Speaker—47

NOES—Messrs. Bulla, Dodge, and Nelson—3.

Title read and approved.

Mr. Thomas moved that Assembly Bill No. 392 be immediately transmitted to the Senate.

So ordered.

Assembly Bill No. 271—An Act to prescribe conditions upon which certain insurance associations known as Lloyds may be admitted to transact insurance business in this State.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Bachman, Bassford, Berry, Bettman, Bledsoe, Bulla, Cargill, Coleman, Cutter, Dale, Davis, Dinkelspiel, Dixon, Dunbar, Ewing, Freeman, Glass, Guy, Hall, Hatfield, Holland, Huber, Hudson, Johnson, Jones, Keen, Kenyon, Laird, McDonald, Nelson, North, O'Day, Osborn, Powers, Price, Richards, Robinson, Rowell, Sanford, Staley, Stansell, Spencer, Tibbits, Wade, Waymire, Weyse, and Mr. Speaker—48.

NOES—Mr. Lewis—1.

Title read and approved.

Mr. Dinkelspiel moved that Assembly Bill No. 271 be immediately transmitted to the Senate.

So ordered.

Assembly Bill No. 272—An Act to provide for investigation of fires by the Insurance Department, and to make provisions for the expenses of the same.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Bachman, Bassford, Coleman, Dinkelspiel, Dixon, Freeman, Hatfield, Holland, Huber, McDonald, McKelvey, Pendleton, Richards, and Rowell—14.

NOES—Messrs. Ash, Barker, Belshaw, Bennett, Berry, Bettman, Bledsoe, Bulla, Butler, Cargill, Coghlin, Dale, Davis, Devitt, Dodge, Dunbar, Ewing, Gay, Glass, Guy, Hall, Hudson, Johnson, Jones, Keen, Kelsey, Kenyon, Laird, Lewis, Meads, McCarthy, Nelson, North, O'Day, Osborn, Phelps, Price, Robinson, Staley, Tibbits, Thomas, Twigg, Wade, Waymire, Weyse, and Zocchi—46.

NOTICE OF RECONSIDERATION.

Mr. Powers gave notice that he would on next legislative day move to reconsider the vote whereby Assembly Bill No. 272 was refused passage.

Mr. Bachman asked to have Assembly Bill No. 526 taken up out of order and considered at this time.

So ordered.

Mr. Bachman moved to extend the hour of recess fifteen minutes, for the consideration of Assembly Bill No. 526.

So ordered.

Assembly Bill No. 526—An Act to provide for fixing the compensation and reducing the number of employes paid out of appropriations made by the State, or moneys that would otherwise go to the State.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Bachman, Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Boothby, Brusie, Bulla, Butler, Cargill, Coleman, Coghlin, Cutter, Dale, Davis, Devitt, Dinkelspiel, Dixon, Dodge, Dunbar, Dwyer, Ewing, Freeman, Gay, Glass, Guy, Hall, Healey, Holland, Huber, Hudson, Johnson, Jones, Keen, Kelsey, Kenyon, Laugenour, Lewis, Meads, McCarthy, McDonald, McKelvey, Nelson, North, O'Day, Pendleton, Phelps, Powers, Price, Richards, Robinson, Sanford, Staley, Spencer, Tibbits, Thomas, Wade, Waymire, and Weyse—62.

NOES—None.

Title read and approved.

Mr. Bachman moved that Assembly Bill No. 526 be immediately transmitted to the Senate.

So ordered.

RECESS.

At twelve o'clock and thirty minutes P. M., on motion of Mr. Bettman, the Assembly took a recess until two o'clock.

REASSEMBLED.

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

Speaker Lynch in the chair.

Quorum present.

SPECIAL SENATE FILE.

Senate Bill No. 230—An Act to amend section six hundred and fifty-three of the Civil Code of California, relating to the consolidation of colleges and institutions of higher education.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Bachman, Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Bledsoe, Brusie, Bulla, Butler, Cargill, Coleman, Coghlin, Cutter, Dale, Davis, Devitt, Devine, Dixon, Dodge, Dunbar, Dwyer, Ewing, Freeman, Gay, Glass, Guy, Hall, Hatfield, Healey, Holland, Huber, Hudson, Johnson, Jones, Kelsey, Kenyon, Laird, Laugenour, Llewellyn, McCarthy, McDonald, McKelvey, Merrill, Nelson, North, Osborn, Pendleton, Phelps, Powers, Price, Richards, Robinson, Rowell, Sanford, Staley, Stansell, Spencer, Swisler, Tibbits, Thomas, Tomblin, Twigg, Wade, Waymire, Weyse, Wilkinson, and Mr. Speaker—70.

NOES—None.

Title read and approved.

Senate Bill No. 51—An Act to amend section two thousand two hundred and eighteen of the Political Code of the State of California, relating to the commitment of insane persons.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Bachman, Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Brusie, Bulla, Butler, Cargill, Coghlin, Cutter, Dale, Davis, Devine, Dixon, Dodge, Dunbar, Dwyer, Ewing, Freeman, Gay, Glass, Guy, Hall, Hatfield, Healey, Holland, Huber, Hudson, Johnson, Jones, Keen, Kelsey, Kenyon, Laird, Laugenour, Lewis, Meads, McDonald, McKelvey, Merrill, Nelson, O'Day, Phelps, Powers, Price, Richards, Robinson, Rowell, Sanford, Staley, Stansell, Spencer, Tibbits, Wade, and Mr. Speaker—59.

NOES—None.

Title read and approved.

Senate Bill No. 207—An Act to regulate the sale of milk.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Bassford, Belshaw, Berry, Bettman, Boothby, Bulla, Butler, Cargill, Coleman, Cutter, Dale, Davis, Devine, Dixon, Dodge, Dunbar, Dwyer, Ewing, Freeman, Gay, Glass, Guy, Hall, Hatfield, Healey, Huber, Hudson, Johnson, Jones, Keen, Kelsey, Kenyon, Laird, Laugenour, Lewis, Llewellyn, Meads, McCarthy, McDonald, McKelvey, Merrill, Nelson, North, O'Day, Pendleton, Phelps, Powers, Price, Richards, Rowell, Sanford, Staley, Stansell, Swisler, Tibbits, Thomas, Tomblin, Twigg, Wade, Waymire, and Mr. Speaker—62.

NOES—Mr. Bachman—1.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Laugenour gave notice that on next legislative day he would move to reconsider the vote whereby Assembly Bill No. 526 was this day passed.

Senate Bill No. 310—An Act to amend sections two, six, eleven, fifteen, seventeen, and eighteen of an Act entitled "An Act to establish a tax on collateral inheritances, bequests, and devises, to provide for its collection, and to direct the disposition of the proceeds," approved March 23, 1893.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Bachman, Barker, Bassford, Belshaw, Berry, Brusie, Bulla, Butler, Cutter, Dale, Davis, Devine, Dodge, Dunbar, Dwyer, Ewing, Fassett, Freeman, Glass, Guy, Hatfield, Healey, Huber, Hudson, Johnson, Jones, Keen, Kelsey, Kenyon, Laird, Laugenour, Llewellyn, Meads, McDonald, McKelvey, Merrill, North, O'Day, Pendleton,

Phelps, Powers, Richards, Rowell, Sanford, Stansell, Spencer, Swisler, Tibbits, Thomas, Tomblin, Twigg, Wade, Waymire, Weyse, and Mr. Speaker—56.

NOES—Mr. Bennett—1.

Title read and approved.

Senate Bill No. 228—An Act to amend section two hundred and ninety-seven of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to articles of incorporation.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Bachman, Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Brusie, Cargill, Cutter, Dale, Davis, Devine, Dunbar, Dwyer, Ewing, Fassett, Freeman, Gay, Guy, Hatfield, Healey, Huber, Hudson, Johnson, Jones, Keen, Kenyon, Laird, Laugenour, Llewellyn, McKelvey, Nelson, O'Day, Osborn, Pendleton, Phelps, Powers, Price, Rowell, Sanford, Staley, Spencer, Tibbits, Thomas, Wade, and Weyse—48.

NOES—None.

Title read and approved.

Senate Bill No. 373—An Act repealing chapter ninety-six of the Statutes of 1883, entitled "An Act to appropriate money for the support of aged persons in indigent circumstances," approved March 15, 1883.

Passed, to retain its place on file.

Senate Bill No. 22—An Act for the protection of patients from extortion by dishonest physicians and druggists.

Refused a third reading.

Senate Bill No. 196—An Act to amend section two hundred and twenty-four of the Civil Code, regarding the adoption of children.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Bachman, Barker, Belshaw, Berry, Bledsoe, Brusie, Bulla, Butler, Cargill, Dale, Davis, Devine, Dixon, Dunbar, Dwyer, Ewing, Freeman, Gay, Glass, Hall, Hatfield, Holland, Huber, Johnson, Jones, Keen, Kenyon, Laird, Llewellyn, Meads, McDonald, Merrill, North, O'Day, Osborn, Phelps, Price, Robinson, Rowell, Sanford, Staley, Tibbits, Thomas, Tomblin, Wade, Waymire, Weyse, and Mr. Speaker—49.

NOES—None.

Title read and approved.

At two o'clock and forty-five minutes P. M. the Speaker called Mr. Dixon to the chair.

Senate Bill No. 225—An Act to amend section ninety-four of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relative to the fees of court reporters and the misconduct of judicial officers.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Bachman, Barker, Bassford, Belshaw, Bennett, Berry, Boothby, Brusie, Bulla, Butler, Cargill, Dale, Davis, Devine, Dixon, Dunbar, Dwyer, Ewing, Freeman, Gay, Glass, Guy, Hall, Holland, Huber, Hudson, Johnson, Jones, Keen, Kelsey, Kenyon, Laird, Laugenour, Llewellyn, Meads, Nelson, North, Price, Richards, Rowell, Sanford, Staley, Stansell, Swisler, Tibbits, Tomblin, Twigg, Wade, Waymire, and Weyse—51.

NOES—None.

Title read and approved.

Senate Bill No. 122—An Act to amend section four hundred and

eighty-seven of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, defining grand larceny.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Barker, Bassford, Belshaw, Bennett, Berry, Boothby, Brusie, Bulla, Butler, Coleman, Dale, Davis, Dixon, Dodge, Dunbar, Dwyer, Ewing, Freeman, Gay, Glass, Guy, Hall, Healey, Holland, Huber, Johnson, Jones, Keen, Kenyon, Laird, Laugenour, Llewellyn, Meads, Nelson, North, Phelps, Powers, Price, Richards, Sanford, Staley, Stansell, Spencer, Swisler, Tibbits, Thomas, Tomblin, Twigg, Wade, Waymire, Weyse, Wilkinson, and Mr. Speaker—54.

NOES—Mr. O'Day—1.

Title read and approved.

Senate Bill No. 1—An Act to amend section five hundred and eighty-one of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the dismissal of civil actions.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Bledsoe, Brusie, Bulla, Coleman, Coghill, Cutter, Dale, Davis, Devine, Dixon, Dodge, Dwyer, Ewing, Fassett, Freeman, Gay, Glass, Guy, Hall, Hatfield, Healey, Holland, Hudson, Johnson, Jones, Keen, Kelsey, Kenyon, Laird, Laugenour, Lewis, Llewellyn, Meads, McDonald, Merrill, Nelson, North, O'Day, Osborn, Pendleton, Phelps, Powers, Price, Richards, Robinson, Rowell, Sanford, Staley, Stansell, Spencer, Swisler, Tibbits, Thomas, Twigg, Wade, Waymire, Weyse, and Mr. Speaker—65.

NOES—Mr. McCarthy—1.

Title read and approved.

REPORT OF COMMITTEE ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 19, 1895.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following bills have been correctly engrossed, viz:

Assembly Bill No. 564—An Act requiring every corporation doing business in this State to pay their employes, and each of them, at least once in each and every month, the wages earned by such employe; to define the duties of the District Attorneys of the several counties of this State in enforcing this Act, to limit the defenses which may be set up by such corporations to assignments of wages, set-off, or counter-claims, or the absence of such employe at the time of making payment, and in case of such absence the wages are payable upon demand; to prohibit assignments of wages for the purposes of evading the provisions of this Act, and agreements to accept wages at longer periods than as herein provided; to fix a penalty for this violation of the provisions of this Act by such corporation, and to provide for the disposition of any fines recorded from corporations violating the same.

Also: Assembly Bill No. 422—An Act to amend an Act entitled "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 collections 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."

Also: Assembly Bill No. 103—An Act entitled "An Act to amend section three hundred and eighty-five of the Political Code of the State of California, relating to the salary of the Private Secretary of the Governor," approved March 4, 1889.

Also: Assembly Bill No. 308—An Act to amend section two thousand five hundred and twenty-one of the Political Code, relating to the State Board of Harbor Commissioners, and to abolish the office of Attorney of the State Board of Harbor Commissioners.

Also: Assembly Bill No. 424—An Act to repeal an Act entitled "An Act to establish a Bureau of Labor Statistics," approved March 3, 1883, and all Acts supplementary thereto or amendatory thereof.

Also: Assembly Bill No. 695—An Act to amend section three thousand three hundred and ninety-eight of the Political Code, appointing the Surveyor-General locating agent in the United States Land Offices, and declaring the effect of selections accepted by the United States.

Also: Assembly Bill No. 568—An Act to amend sections six hundred and twenty-six, six hundred and thirty-one, six hundred and thirty-two, six hundred and thirty-three, six hundred and thirty-four, six hundred and thirty-five, and six hundred and thirty-six of, and to add nineteen new sections, to be numbered six hundred and twenty-six *a*, six hundred and twenty-six *b*, six hundred and twenty-six *c*, six hundred and twenty-six *d*, six hundred and twenty-six *e*, six hundred and twenty-six *f*, six hundred and twenty-six *g*, six hundred and twenty-six *h*, six hundred and twenty-six *i*, six hundred and twenty-seven, six hundred and twenty-seven *a*, six hundred and twenty-seven *b*, six hundred and twenty-seven *c*, six hundred and twenty-seven *d*, six hundred and twenty-eight, six hundred and twenty-eight *a*, six hundred and twenty-nine, six hundred and thirty-two *a*, six hundred and thirty-two *b*, to an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to fish and game.

Also: Assembly Joint Resolution No. 17—An Act relative to National Conventions.

Also: Assembly Bill No. 505—An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors

Also: Assembly Bill No. 198—An Act to promote the protection of cities, towns, and municipal corporations from overflow by water and the drainage of the same, and for such purposes authorizing the incurring of indebtedness and the issuance of bonds therefor by the same, and providing for the disposition of the proceeds of such bonds, and for the supervision of the protective and other works.

Also: Assembly Bill No. 279—An Act to amend section two hundred and thirteen of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872.

Also: Assembly Bill No. 280—An Act to amend section four hundred and sixty-one of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872

Also: Assembly Bill No. 7—An Act to provide for the appointment of Commissioners for the promotion of uniformity of legislation in the United States.

Also: Assembly Joint Resolution No. 4—Joint resolution relative to foreign immigration to the United States.

Also: Assembly Joint Resolution No. 5—Relative to a public building at Eureka.

Also: Assembly Bill No. 354—An Act to amend sections eight hundred and six and eight hundred and 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. 292—An Act to amend sections eight hundred and fifty-one, eight hundred and fifty-two, and eight hundred and fifty-three of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

WILKINSON, Chairman.

SENATE MESSAGES.

SENATE CHAMBER, SACRAMENTO, February 19, 1895.

MR. SPEAKER. I am directed to inform your honorable body that the Senate, on this day, passed Senate Bill No. 785—An Act making an appropriation for the contingent expenses of the Senate for the thirty-first session of the Legislature.

F. J. BRANDON, Secretary.
By R. SHAW, Assistant.

RESOLUTION.

By Mr. Brusie:

Resolved, That Senate Bill No. 785 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions 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 question being on the adoption of the resolution.

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

AYES—Messrs. Ash, Bachman, Barker, Bassford, Bennett, Berry, Bettman, Boothby, Brusie, Bulla, Butler, Cargill, Coleman, Coghlin, Cutter, Dale, Davis, Devitt, Devine, Dixon, Dunbar, Dwyer, Ewing, Fassett, Freeman, Gay, Glass, Guy, Hall, Healey, Holland, Hudson, Johnson, Jones, Keen, Kelsey, Kenyon, Laugenour, Lewis, Llewellyn, Meads, McCarthy, Merrill, Nelson, North, O'Day, Phelps, Powers, Robinson, Rowell, Sanford, Stansell, Spencer, Swisler, Tibbits, Thomas, Tomblin, Twigg, Wade, and Weyse—60.

NOES—None.

Senate Bill No. 785—An Act making an appropriation for the contingent expenses of the Senate for the thirty-first session of the Legislature.

Read first and second times.

MOTION.

Mr. Brusie moved that the Assembly resolve itself into Committee of the Whole, with Mr. Dixon in the chair, for the purpose of considering Senate Bill No. 785.

So ordered.

IN COMMITTEE OF THE WHOLE.

Mr. Dixon in the chair.

Senate Bill No. 785 was considered in Committee of the Whole.

IN ASSEMBLY.

Mr. Dixon 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. 785—An Act making an appropriation for the contingent expenses of the Senate for the thirty-first session of the Legislature, and now report, and recommend that the same do pass.

DIXON, Chairman.

Report adopted.

Senate Bill No. 785 read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Bachman, Bassford, Bennett, Berry, Bettman, Boothby, Brusie, Bulla, Butler, Cargill, Coleman, Coghlin, Cutter, Dale, Davis, Devine, Dixon, Dodge, Dunbar, Dwyer, Ewing, Freeman, Gay, Glass, Guy, Hall, Holland, Hudson, Jones, Keen, Kelsey, Kenyon, Laugenour, Lewis, Llewellyn, Meads, McCarthy, McDonald, O'Day, Osborn, Powers, Price, Richards, Sanford, Staley, Spencer, Tibbits, Thomas, Twigg, Wade, Waymire, Weyse, and Zocchi—54.

NOES—None.

Title read and approved.

MOTION.

Mr. Brusie moved that Senate Bill No. 785 be immediately transmitted to the Senate.

So ordered.

NOTICE OF RECONSIDERATION.

Mr. Laird gave notice that on next legislative day he would move to reconsider the vote whereby Senate Bill No. 22 was refused a third reading.

Senate Bill No. 55—An Act to amend the Penal Code of the State of California by adding a new section thereto, to be known and numbered as section four hundred and two, relating to the manufacture, sale, or other disposition of cigarettes.

Passed, to retain its place on file.

Senate Bill No. 155—An Act to add a new section to the Code of Civil Procedure, said section to be designated as section one thousand seven hundred and forty-four, relating to a penalty for Public Administrators who do not file reports of estates in their charge.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs Ash, Barker, Bassford, Belshaw, Bennett, Berry, Boothby, Brusie, Bulla, Cargill, Coleman, Cutter, Dale, Davis, Dixon, Dodge, Dunbar, Dwyer, Ewing, Freeman, Gay, Glass, Guy, Hatfield, Holland, Hudson, Jones, Keen, Kelsey, Kenyon, Laird, Laugenour, Llewellyn, Meads, McCarthy, McDonald, Merrill, Osborn, Phelps, Price, Richards, Robinson, Rowell, Sanford, Staley, Stansell, Spencer, Swisler, Tibbits, Tomblin, Twigg, Wade, Waymire, Weyse, and Zocchi—55

NOES—None.

Title read and approved.

Senate Bill No. 182—An Act to amend section one thousand seven hundred and thirty-nine of the Code of Civil Procedure, relating to the account with the County Clerk, as to the disbursement of money and property of estates.

Passed, to retain its place on file.

Senate Bill No. 198—An Act to reduce the number of Judges of the Superior Court of San Diego County to two.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs Ash, Bachman, Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Bledsoe, Boothby, Brusie, Bulla, Butler, Cargill, Coleman, Cutter, Davis, Dixon, Dodge, Dunbar, Ewing, Fassett, Freeman, Gay, Glass, Guy, Hall, Hatfield, Healey, Hudson, Jones, Keen, Kelsey, Kenyon, Laird, Laugenour, Lewis, Llewellyn, Meads, McCarthy, McDonald, Merrill, Nelson, North, Osborn, Phelps, Powers, Price, Richards, Robinson, Rowell, Staley, Stansell, Spencer, Swisler, Tibbits, Tomblin, Twigg, Wade, Waymire, Weyse, and Zocchi—62.

NOES—None

Title read and approved.

Senate Bill No. 28—An Act to amend section one of “An Act authorizing the appointment of an interpreter of the Italian language and dialects in criminal proceedings in cities, and cities and counties of one hundred thousand inhabitants and over,” approved March 12, 1885.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs Ash, Bachman, Barker, Bassford, Belshaw, Berry, Bettman, Bledsoe, Boothby, Brusie, Bulla, Butler, Cargill, Coleman, Coghim, Cutter, Davis, Devine, Dixon, Dunbar, Dwyer, Glass, Guy, Hall, Hatfield, Holland, Jones, Keen, Kenyon, Laird, Lewis, Llewellyn, McCarthy, McDonald, McKelvey, Merrill, North, Osborn, Phelps, Powers, Richards, Robinson, Rowell, Sanford, Staley, Stansell, Swisler, Thomas, Wade, Waymire, and Weyse—51.

NOES—None.

Title read and approved.

Senate Bill No. 242—An Act to amend sections three thousand four hundred and eighty-one and three thousand four hundred and eighty-two of the Political Code, relating to the division of swamp land districts.

Refused third reading.

Mr. Bledsoe moved to reconsider the vote whereby Senate Bill No. 242 was refused third reading.

So ordered.

Mr. Thomas moved that the Assembly do now take up second-reading file.

Lost.

MOTION TO ADJOURN.

At three o'clock and thirty minutes P. M. Mr. Bettman moved to adjourn.

Ayes and noes demanded by Messrs. Belshaw, Spencer, and Bledsoe.

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

AYES—Messrs Ash, Bettman, Coghlin, Devitt, Devine, Laugenour, Lewis, Thomas, and Twigg—9.

NOES—Messrs. Bachman, Barker, Bassford, Belshaw, Berry, Bledsoe, Boothby, Brusie, Butler, Cargill, Coleman, Cutter, Dale, Davis, Dixon, Dodge, Ewing, Fassett, Freeman, Bulla, Gay, Glass, Guy, Hatfield, Holland, Huber, Johnson, Jones, Keen, Kenyon, Laird, Meads, McCarthy, McDonald, McKelvey, Merrill, Nelson, North, Osborn, Pendleton, Phelps, Powers, Price, Richards, Robinson, Rowell, Sanford, Staley, Stansell, Spencer, Swisler, Tibbits, Tomblin, Wade, Waymire, Weyse, and Mr. Speaker—57.

SPECIAL ORDERS.

Assembly Bill No. 470—An Act to amend section one thousand and eighty-three of the Political Code of the State of California, in relation to the qualifications and disabilities of electors.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs Barker, Bennett, Berry, Bettman, Bledsoe, Boothby, Bulla, Butler, Dale, Davis, Dodge, Dwyer, Ewing, Fassett, Freeman, Gay, Glass, Guy, Hall, Hatfield, Huber, Hudson, Johnson, Jones, Keen, Kenyon, Laugenour, Llewellyn, Meads, McCarthy, McDonald, McKelvey, Merrill, Nelson, Osborn, Phelps, Powers, Price, Richards, Rowell, Staley, Spencer, Tomblin, Waymire, Weyse, and Zocchi—46.

NOES—Messrs. Ash, Bachman, Bassford, Belshaw, Brusie, Cargill, Coleman, Coghlin, Cutter, Devitt, Devine, Dixon, Dunbar, Healey, Holland, Kelsey, Laird, Lewis, North, Pendleton, Robinson, Sanford, Stansell, Swisler, Tibbits, Thomas, Twigg, Wade, and Mr. Speaker—29.

EXPLANATION OF VOTES.

By Mr. Dixon:

MR. SPEAKER: In voting in the negative on the pending measure, I do so because I believe the passage of this bill will lead to lengthy and costly litigation, and I feel confident that in the end this bill will be declared unconstitutional. I believe the only proper course to pursue in arriving at a settlement of this question is to pass a constitutional amendment (thereby giving the citizens of this State a chance to vote on the question), and as I have already voted for such an amendment, I believe I have kept my promise to support the platform adopted by the last State Convention of my party.

By Mr. Belshaw:

As I believe Assembly Bill No. 470 is unconstitutional, and as I have already voted to submit to a vote of the people of the State of California a constitutional amendment on the same subject-matter, I therefore vote "no" on the aforesaid bill.

By Mr. North:

My vote has already been cast in favor of a constitutional amendment covering the subject-matter herein. Upon reading the Constitution of California, together with the following judicial decisions, viz.:

In re Benjamin, 25 N. Y. Sup. 1063.

In re Gage, 26 N. Y. Sup. 167.

In re Gage, 141 N. Y. Appls.

Bourland vs Huldeths, 26 Cal. 161.

Van Valkenburg vs. Brown, 43 Cal. 43.

I believe this bill is unconstitutional, and vote against it accordingly.

By Mr. Swisler:

In voting "no" on this bill, No. 470, I did so because I believe it to be unconstitutional.

NOTICE OF RECONSIDERATION.

Mr. Laugenour gave notice that on next legislative day he would move to reconsider the vote whereby Assembly Bill No. 470 was passed.

At three o'clock and forty-five minutes P. M. the Speaker resumed the chair.

MOTIONS.

Mr. Bulla moved to reconsider the vote whereby Assembly Bill No. 15 was amended.

So ordered.

Mr. Bulla moved to take up the consideration of Assembly Bill No. 15 and place it on third-reading file.

So ordered.

Assembly Bill No. 15—An Act to amend section six of an Act entitled "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,' approved March 31, 1891, 'and to provide for clerks of Police Courts in cities having over fifty thousand and under one hundred thousand inhabitants.' "

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Bachman, Bassford, Bennett, Berry, Bettman, Brusie, Bulla, Butler, Coleman, Coghlin, Cutter, Dale, Davis, Dodge, Dunbar, Dwyer, Ewing, Freeman, Gay, Glass, Guy, Hall, Hatfield, Huber, Johnson, Jones, Keen, Kenyon, Laird, Llewellyn, Meads, McCarthy, McDonald, Merrill, Nelson, North, Pendleton, Phelps, Powers, Price, Richards, Robinson, Rowell, Sanford, Stansell, Swisler, Thomas, Tomblin, Wade, Waymire, Weyse, and Mr. Speaker—53.

NOES—None.

MOTION.

Mr. Bulla moved to amend as follows:

By striking out of the title, last line, the words "over fifty thousand," and inserting the following: "a population of more than thirty thousand and not exceeding."

Adopted.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, February 19, 1895.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 173—An Act to provide for certain improvements and repairs at the Folsom State Prison, and making an appropriation therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

BRUSIE, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 19, 1895.

MR. SPEAKER: We, the undersigned, a minority of your Committee on Ways and Means, to whom was referred Assembly Bill No. 6—An Act appropriating two hundred and fifty thousand dollars for the erection of buildings for the use of affiliated and other departments of the University of California—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

FASSETT.
LAUGENOUR.
TOMBLIN.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 19, 1895.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 6—An Act to appropriate two hundred and fifty thousand dollars for the erection of buildings for the use of affiliated and other departments of the University of California—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

BRUSIE, Chairman.

RESOLUTION.

By Mr. Johnson:

Resolved. That Assembly Bill No 501 (number three hundred and thirty-six on file) be read second time and made a special order for Thursday morning, immediately after reading of the Journal.

Adopted.

SECOND READING OF BILL.

Assembly Bill No. 501—An Act to amend section one thousand five hundred and forty-three of "An Act to establish a Political Code," approved March 12, 1872.

Read second time.

ADJOURNMENT.

At four o'clock P. M., on motion of Mr. McCarthy, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Wednesday, February 20, 1895. }

The Assembly met pursuant to adjournment.

Speaker Lynch in the chair.

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

Messrs. Bachman, Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Bledsoe, Boothby, Brusie, Bulla, Butler, Cargill, Coleman, Coghlin, Cutter, Dale, Davis, Devitt, Devine, Dinkelspiel, Dixon, Dodge, Dunbar, Dwyer, Ewing, Fassett, Freeman, Glass, Guy, Hall, Hatheld, Healey, Holland, Huber, Hudson, Johnson, Jones, Keen, Kelsey, Kenyon, Laird, Laugenour, Lewis, Llewellyn, Meads, McCarthy, McDonald, McKelvey, Merrill, Nelson, North, O'Day, Osborn, Pendleton, Phelps, Powers, Price, Reid, Richards, Robinson, Rowell, Sanford, Staley, Stansell, Spencer, Swisler, Tibbits, Thomas, Tomblin, Twigg, Wade, Waymire, Weyse, Wilkinson, Zocchi, and Mr. Speaker.

Quorum present.

LEAVE OF ABSENCE.

Messrs. Ash and Gay were granted leave of absence for the day.

PRAYER.

Prayer by the Chaplain, Rev. O. Summers.

READING OF THE JOURNAL.

Pending the reading of the Journal of yesterday, Mr. Laugenour moved that the further reading be dispensed with.
So ordered.

PETITIONS AND COMMUNICATIONS.

By Mr. Dixon:

To the honorable the Senate and Assembly of the State of California

GENTLEMEN: The undersigned, a member of the State Board of Harbor Commissioners, respectfully represents:

That it has been publicly charged that the piling and concrete work now being done for the State, at the ferry landing in San Francisco, is not well done; that the material furnished is not good material, and that the work, as a whole, is unfit for the purposes intended.

It is therefore just to the people, and fair to myself, that a competent and non-partisan examination be made of the work, and a correct report of the same submitted to your honorable bodies.

I therefore most respectfully pray that you select a number of disinterested and eminent engineers whose duty it shall be to immediately examine this work and report to your honorable bodies fully as to its character, the object being that the exact truth may be made known.

Very respectfully,

C. F. BASSETT.

Referred to Committee on Commerce and Navigation.

By Mr. Lynch: From a large number of citizens of San Bernardino County, asking the passage of such a Sabbath law as will be founded upon and agreeable to the moral law of God, and that will not do wrong to any class of citizens.

Referred to Committee on Public Morals.

By Mr. Bulla: From the members of the building and loan associations of Newcastle, Santa Paula, San Bernardino, Tulare, Woodland, and Merced, protesting against the abolition of the Building and Loan Commission, and earnestly request that it be continued as hitherto, with such increased efficiency as may be given it by your honorable body.

Referred to Committee on Banks and Banking.

By Mr. McKelvey: From a number of citizens of Garden Grove, Orange County, asking the enactment of such a Sabbath law as will be founded upon and agreeable to the moral law of God, and that will not do wrong to any class of citizens.

Referred to Committee on Public Morals.

REPORTS OF STANDING COMMITTEES.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, February 20, 1895.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 397—An Act to amend section two hundred and seventy-six of the Code of Civil Procedure of the State of California—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 Bill No. 841—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure of the State of California," adopted March 11, 1872, by adding thereto a new section, to be numbered nine hundred and sixty, relating to dismissal of appeals.

Also: Assembly Bill No. 837—An Act for the incorporation of societies for the enforcement of the law and the prosecution of public offenders.

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

Also: Senate Bill No. 3—An Act to amend section one thousand and ninety-three of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to the making, execution, and acknowledgment of conveyances of real property by married women—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass, for the reason that this committee has already recommended a bill to pass repealing the section this bill amends.

Also: Senate Bill No. 34—An Act to amend section five hundred and twenty-seven of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872—have had the same under consideration, and respectfully report the same back, and recommend that it be substituted for Assembly Bill No. 56, the terms thereof being identical.

Also: Senate Bill No. 467—An Act to amend section three thousand six hundred and seventy-eight of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the annual preparation of an abstract of all mortgages, deeds of trust, contracts, and other obligations by which any debt is secured—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to the Special Committee on Revenue and Taxation Revision, for the reason that this committee has already recommended Assembly Bill No. 571, of which this is an identical copy, be referred to the said committee.

BULLA, Chairman.

Assembly Bill No. 56 was withdrawn and Senate Bill No. 34 substituted therefor.

Senate Bill No. 467 referred to Special Committee on Revenue and Taxation Revision.

ON PUBLIC BUILDINGS AND GROUNDS.

ASSEMBLY CHAMBER, SACRAMENTO, February 20, 1895.

MR. SPEAKER: Your Committee on Public Buildings and Grounds, to whom was referred Assembly Bill No. 268—An Act to appropriate money for the erection and equipment of additional buildings for the accommodation and care of the inmates of the Preston School of Industry, at Ione, Amador County—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Assembly Bill No. 269—An Act to appropriate money for the construction of a settling and distributing reservoir at the Preston School of Industry, at Ione—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

BERRY, Chairman.

Assembly Bills Nos. 268 and 269 referred to Committee on Ways and Means.

ON COUNTY AND TOWNSHIP GOVERNMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, February 20, 1895.

MR. SPEAKER: Your Committee on County and Township Governments, to whom was referred Assembly Bill No. 178—An Act to amend section three thousand six hundred and twenty-eight of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the time and manner of assessing property—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to sub-committees of Judiciary and Revenue and Taxation.

Also: Assembly Bills Nos. 298, 488, and 722—have had the same under consideration, and respectfully report the same back, and recommend that the authors be allowed to withdraw the same.

Also: Assembly Bill No. 486—An Act to amend section one hundred and ten of the Code of Civil Procedure, relating to terms of office of Justices.

Also: Assembly Bill No. 643—An Act to prevent the imposition of a license or head-tax on any class of live stock in transit through any county or city in California, or from one point to another in the same city, city and county, in this State.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

DODGE, Chairman.

Assembly Bill No. 178 referred to Sub-Committees of Judiciary and Revenue and Taxation.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 19, 1895.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Assembly Bill No. 727—An Act prohibiting the storage of inflammable and combustible

goods within the fire limits of cities, and cities and counties—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also: Assembly Bill No. 818—An Act to provide for the alteration of the boundaries of incorporated towns and cities by the annexation of uninhabited territory thereto, and for the incorporation of such annexed territory in and as a part of such municipality, and for the districting, government, and municipal control of annexed territory.

Also: Assembly Bill No. 549—An Act to provide for the compensation of the chief and captains of police, and police officers, in all municipal corporations of the third and fourth classes in the State of California.

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

Also: Assembly Bill No. 328—An Act to amend sections seven hundred and fifty-one, seven hundred and fifty-two, seven hundred and fifty-four, seven hundred and ninety-six, and eight hundred and four of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883—have had the same under consideration, and respectfully report the same back, and recommend that the author be allowed to withdraw the same.

Also: Assembly Bill No. 507—An Act to amend sections seven hundred and fifty-one, seven hundred and fifty-two, seven hundred and fifty-four, seven hundred and ninety-six, and eight hundred and four of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

GUY, Chairman.

ON CORPORATIONS

ASSEMBLY CHAMBER, SACRAMENTO, February 20, 1895.

MR. SPEAKER: Your Committee on Corporations, to whom was referred Assembly Bill No. 849—An Act amending the Civil Code of the State of California, adding thereto two new sections, to be numbered four hundred and ninety-two and four hundred and ninety-three, concerning franchises for the construction of elevated and underground railroad tracks.

Also: Assembly Bill No. 698—An Act to amend section one thousand two hundred and twenty-eight of the Code of Civil Procedure.

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

Also: Assembly Bill No. 249—An Act to provide for incorporation, operation, and management of cooperative associations—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

PENDLETON, Chairman.

ON STATE PRISONS AND REFORMATORY INSTITUTIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 19, 1895.

MR. SPEAKER: Your Committee on State Prisons and Reformatory Institutions, to whom was referred Assembly Bill No. 356—An Act to appoint a committee to locate a penitentiary at some point in San Diego, Riverside, San Bernardino, Orange, Los Angeles, Ventura, Santa Barbara, San Luis Obispo, Tulare, Fresno, Kings, or Kern Counties.

Also: Assembly Bill No. 437—An Act authorizing the State Board of Prison Directors to establish an ice factory at the Folsom State Prison, and making an appropriation therefor.

Also: Assembly Bill No. 493—An Act to authorize the State Board of Prison Directors to establish a cordage factory at the Folsom State Prison, and making an appropriation therefor.

Also: Assembly Bill No. 620—An Act authorizing the State Board of Prison Directors to establish a cordage factory at the Folsom State Prison, and making an appropriation therefor.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

Also: Assembly Bill No. 437—An Act authorizing the State Board of Prison Directors to establish an ice factory at the Folsom State Prison, and making an appropriation therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass, a minority report that it do pass.

Also: Assembly Bill No. 826—An Act to prevent evil disposed persons from coming upon the grounds of the Whittier State School at Whittier, California—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

LAIRD, Chairman.

Assembly Bills Nos. 356, 437, 493, and 620 were ordered referred to Committee on Ways and Means.

ON RETRENCHMENT AND PUBLIC EXPENDITURES.

ASSEMBLY CHAMBER, SACRAMENTO, February 20, 1895.

MR. SPEAKER: Your Committee on Retrenchment and Public Expenditures, to whom was referred Assembly Bill No. 803—An Act to regulate the amount to be allowed officers, boards, commissions, trustees, and other public officers of this State, having offices elsewhere than at the State Capitol, for rent of such offices—have had the same under consideration, and respectfully report the same back with an amendment, and recommend that it do pass as amended.

Also: Assembly Bill No. 802—An Act to regulate the salaries of officers, attachés, and employés of all State institutions of this State—have had the same under consideration, and respectfully report the same back with an amendment, and recommend that it do pass as amended.

PHELPS, Chairman.

ON PUBLIC HEALTH AND QUARANTINE.

ASSEMBLY CHAMBER, SACRAMENTO, February 20, 1895.

MR. SPEAKER: Your Committee on Public Health and Quarantine, to whom was referred Assembly Bill No. 781—An Act fixing and regulating the fees and charges of physicians for attending the sick.

Also: Assembly Bill No. 534—An Act to amend an Act entitled "An Act to regulate the practice of pharmacy and sale of poisons in the State of California," approved March 11, 1891.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

GLASS, Chairman.

REPORT OF JOINT TEMPORARY COMMISSION ON ROADS AND HIGHWAYS.

MR. SPEAKER: Your special Joint Commission on Roads and Highways respectfully submits the annexed report:

To the Senate and Assembly.

Your Joint Temporary Commission on the California Road Policy begs leave to report progress.

It organized with Senator Shine as Chairman, and conforming to the resolution creating it, added to the Commission Mr. J. L. Maude, C.E., and Mr. H. E. Farman, R.E., who, the legislative members of the Commission desire to say, have served it assiduously, skillfully, continuously, and with commendable public spirit without cost to your honorable bodies.

We have had the advice and witnessed the proceedings of the State Road Convention, which was called to order and addressed by his Excellency the Governor. It was a representative body in the highest sense, containing many ex-legislators, County Supervisors, engineers, agriculturists, business men, skilled road builders, carriers, mimmers, and other public-spirited citizens.

Its recommendations and petitions have had our earnest consideration, and so far as we have deemed it wise, we have carried them into measures herewith submitted.

We have also had the advice and counsel of General Roy Stone, Special Agent and Engineer, Office of Road Inquiry, United States Department of Agriculture, who came to the State by invitation of the convention, and by consent of Hon. J. Sterling Morton, Secretary of Agriculture.

At our request, and without cost to your bodies, General Stone accompanied a section of your Commission to the State grounds at Folsom, and there examined the vast deposits of road material available to the State, with a view to its utilization for the benefit of the people in a very large territory, and with a view of possible extension of such benefit to all parts of the State, or by economic utilization of other deposits, and their economic transportation.

With our knowledge General Stone also visited and consulted with railway carriers concerning cheap transportation of road material.

We have held many sessions, and heard all who desired to appear before us. We desire to say that the distinguished and experienced Federal official referred to, who has knowledge of all road systems and reforms, advised us that the same inquiry prosecuted by your Commission is being made by other Legislatures, and in several States has already resulted in most gratifying economic advances. His conclusion was that the measures we herewith advise are wise, and afford the only present solution of the important questions before you, and in such judgment your Commission concurs.

Our conclusions are, in part.

1. That the present road policy of the State is in many respects faulty and uneconomic, resulting in great loss to the people, and the testimony before us is that it results also in much waste of public money.

2. That the whole question of road construction and administration is one of the most weighty before your honorable bodies, and calls upon you for the exercise of the most careful and wise procedure.

3. That the complete correction of error in the existing system is not possible by present legislation, owing to conflicting views among the people, inadequate informa-

tion to your Commission, and other causes, but is to be accomplished by gradual advances.

4. That as progress is made and accomplishment had, the necessary reforms will greatly advance all material interests of the people, will enhance values; will lessen taxation; will encourage desirable settlement; will stimulate investment, promote the interests of labor; reduce the cost of transportation of products and supplies, improve rural conditions, enlarge business interests, promote production, and augment the net gains of industry.

5. That a prime necessity is the dissemination of correct information concerning economic road construction; exploration regarding road material; inquiry into its cost of production and delivery; inquiry into causes for present unreasonable cost of road construction, and advice to the people and authorities concerning the economic methods in good road promotion.

In accordance with these conclusions, we advise passage of a measure herewith submitted by the Roads and Highways Committees for us, for the early and easy utilization of road material of the State, on the basis of cost-production, by employment of State power and labor, and by cost-delivery for transportation to the people. This is not to be undertaken until such cost essentials are reasonably assured to be verities nor until guarantee is given of a sufficient demand for the material to justify the inauguration of the work.

Secondly, that the sum of money necessary to that end, which will give employment to large numbers of workers, and will enable road construction to be engaged in without absolutely incurring debt or materially increasing present road taxation, shall be returned to the State in installments to be derived from a slight percentage added to the cost of production, exclusive of convict labor, but inclusive of other cost. The plan thus calls for an advance rather than an absolute appropriation.

Thirdly, that a temporary Highway Bureau be elected for the purpose of promoting the inquiry and exploration referred to, and to advise and aid communities in road construction, and to disseminate information, and to make investigation into uneconomic methods, and to report the facts, with conclusions, to the next session of the Legislature. We are convinced that the necessary expense of calling such ability and experience to such work will be a wise investment, and will result in great gain to the taxpayers of California.

Fourth, the several minor measures submitted for us by the Roads and Highways Committees, and at our request, retain present authority in the Boards of Supervisors; by local option bring several aids to the people, and generally look to immediate reforms; as, for instance, in the matter of wide tires, the employment of local engineering skill or of practical road builders on advanced lines, the creation of trunk roads at general cost, and the wider distribution of the cost of road construction and maintenance, enabling the people, when they so desire, to list all property for assessment for such purposes.

Your Commission, desiring further to consider this important matter, and later to report again to your bodies, beg leave to ask for further time, and in the meanwhile to advise the adoption of the measures submitted, which we have so long and carefully inquired into, without material change thereof.

Respectfully submitted

J. H. SHINE, Chairman.

ON CONTESTED ELECTIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 20, 1895.

MR. SPEAKER: Your Committee on Contested Elections, to whom was referred the case of Joseph Sheerer vs. John McCarthy, Thirty-sixth Assembly District—have had the same under consideration, and respectfully report the same back, and recommend that John McCarthy, the contestee, be declared legally elected a member of this Assembly.

Also: Your Committee on Elections, to whom was referred the matter of the contested election of David C. Smith vs. Mark A. Devine, would respectfully report that both contestant and respondent appeared before your committee with counsel; that your committee has heard all the evidence and proofs produced, and arguments of counsel both as to law and the facts, and are of the opinion that the sitting member, Mark A. Devine, is entitled to retain his seat as a member of this Assembly from the Thirty-fourth Assembly District of this State, and that the contestant, David C. Smith, is not entitled to said seat.

Also: Your Committee on Elections, to whom was referred the contested election case of E. J. Reynolds vs. Isaac M. Merrill, in and for the Forty-second Assembly District, respectfully report that they have fully considered the same, and find on examination of the papers in said case and on the statements made before your committee by the respective attorneys representing both contestant and contestee, that there appears to be nothing to warrant on the part of your committee a further consideration. Therefore, we respectfully ask this Assembly to concur in the views of this committee, and we further recommend the adoption of the following resolution, viz.:

Resolved, That Isaac M. Merrill, the sitting member, be and he is hereby entitled to a seat in this Assembly.

HUBER, Chairman

Reports adopted.

ON PUBLIC MORALS.

ASSEMBLY CHAMBER, SACRAMENTO, February 20, 1895.

MR. SPEAKER. Your Committee on Public Morals, to whom was referred Assembly Bill No. 461—An Act to amend an Act entitled "An Act to establish a Penal Code," relating to the crime of rape—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended by the committee.

Also: Assembly Bill No. 150—have had the same under consideration, and respectfully report the same back without recommendation.

Also: Assembly Bill No. 323—have had the same under consideration, and respectfully report the same back, and recommend that it be withdrawn.

Also: Assembly Bill No. 495—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Assembly Bill No. 740—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to the Judiciary Committee.

Also: Assembly Bill No. 371.

Also: Assembly Bill No. 793.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

Also: Assembly Bill No. 387—have had the same under consideration, and respectfully report the same back, and recommend that it be withdrawn.

Also: Assembly Bill No. 830—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to the Judiciary Committee.

Also: Assembly Bill No. 794—An Act to prohibit the wearing of hats, bonnets, etc., at theaters, or any place of public amusement—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Assembly Bill No. 581—have had the same under consideration, and respectfully report the same back without recommendation.

Also: Assembly Concurrent Resolution No. 12—have had the same under consideration, and respectfully report the same back, and recommend that it be not adopted.

BETTMAN, Chairman.

Assembly Bill No. 830 referred to Committee on Judiciary.

RESOLUTION.

By Mr. Kelsey:

Resolved, That Assembly Bill No. 794 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions 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 question being on the adoption of the resolution.

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

AYES—Messrs. Bachman, Barker, Bassford, Berry, Bettman, Boothby, Bulla, Butler, Coleman, Cutter, Devine, Dixon, Dodge, Dunbar, Ewing, Fassett, Freeman, Glass, Guy, Hall, Hatfield, Healey, Holland, Huber, Hudson, Keen, Kelsey, Kenyon, Laird, Laugenour, Lewis, Meads, McDonald, McKelvey, Merrill, North, O'Day, Osborn, Pendleton, Powers, Price, Reid, Richards, Rowell, Sanford, Staley, Spencer, Swisler, Tibbits, Thomas, Tomblin, Weyse, Zocchi, and Mr. Speaker—54.

NOES—Messrs. Belshaw, Bennett, Dale, Dinkelspiel, Phelps, and Stansell—6.

Assembly Bill No. 794—An Act to prohibit the wearing of hats or bonnets at theaters or any public place of amusement.

Read first, second, and third times.

The question being on the final passage.

PREVIOUS QUESTION.

Pending the consideration of Assembly Bill No. 794, the previous question was moved by Mr. Laugenour, seconded by Messrs. Dale and Bettman.

So ordered.

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

AYES—Messrs. Barker, Bassford, Berry, Bettman, Boothby, Cargill, Coleman, Coghlin, Cutter, Devine, Dixon, Dodge, Dunbar, Ewing, Freeman, Glass, Guy, Hatfield, Healey, Holland, Hudson, Keen, Kelsey, Kenyon, Laird, Laugenour, Lewis, Meads, McDonald, McKelvey, Merrill, Nelson, North, O'Day, Osborn, Pendleton, Powers, Price, Richards, Sanford, Staley, Spencer, Swisler, Tibbitts, Thomas, Tomblin, Weyse, and Mr. Speaker—48.
NOES—Messrs. Belshaw, Bennett, Bledsoe, Brusie, Bulla, Dale, Davis, Dinkelspiel, Fasset, Hall, Huber, Jones, Phelps, Reid, Wade, and Waymire—16.

Title read and approved.

Mr. Kelsey moved that Assembly Bill No. 794 be immediately transmitted to the Senate.

So ordered.

REPORTS OF STANDING COMMITTEES—(RESUMED).

SAN FRANCISCO DELEGATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 20, 1895.

MR. SPEAKER: The San Francisco Delegation, to whom was referred Assembly Bill No. 705—An Act to regulate the granting of franchises to lay down railroad tracks upon streets and avenues in cities, or cities and counties, having one hundred thousand or more inhabitants—have had the same under consideration, and respectfully report the same back with amendment, and recommend that same do pass as amended.

Also: Assembly Bill No. 511—An Act to reform the Police Court of the City and County of San Francisco, State of California, and regulate the procedure thereof—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also: Assembly Bill No. 739—An Act authorizing an increase of the police force of cities of the State having a population of over one hundred thousand population—have had the same under consideration, and respectfully report the same back, and majority recommend that it do pass, and minority that it do not pass.

Also: Senate Bill No. 313—An Act providing in counties of the first class for the appointment by the Coroner of a competent physician for the performance of autopsies upon the bodies of deceased persons when inquests are held, and fixing the compensation therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

POWERS, Chairman.

ON CRIMES AND PENALTIES.

ASSEMBLY CHAMBER, SACRAMENTO, February 20, 1895.

MR. SPEAKER: Your Committee on Crimes and Penalties, to whom was referred Assembly Bill No. 340—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

BOOTHBY, Chairman.

Mr. Hatfield requested to have Assembly Constitutional Amendment No. 36 re-referred to Committee on Constitutional Amendments.

So ordered.

ON REVENUE AND TAXATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 19, 1895.

MR. SPEAKER: Your Committee on Revenue and Taxation, to whom was referred Assembly Bill No. 8—An Act to amend section one thousand eight hundred and eighteen of the Political Code, relative to the levying of county school taxes.

Also: Assembly Bill No. 800—An Act to amend section three thousand seven hundred and eighty-eight of the Political Code.

Also: Assembly Bill No. 687—An Act to amend section three thousand eight hundred and eighty-one of the Political Code, relating to errors, etc., on assessment roll, and the corrections thereof.

Also: Assembly Bill No. 571—An Act to amend section three thousand six hundred and seventy-eight of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the annual preparation of an abstract of all mortgages, deeds of trust, contracts, and other obligations by which any debt is secured.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

Also: Assembly Bill No. 530—An Act to amend section three thousand five hundred and fifty-five, article six, part three, title eight, of the Political Code of California, concerning the entering and payment of costs in cases of judgment rendered against delinquent purchasers of State land—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

FREEMAN, Chairman.

ON CONTESTED ELECTIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 20, 1895.

MR. SPEAKER: Your Committee on Contested Elections, to whom was referred the case of H. M. Collins vs. J. B. McDonald, Forty-ninth Assembly District—have had the same under consideration, and from the nature of the evidence introduced on the part of the respective parties, have determined that the ends of justice can only be conserved by a recount of the ballots cast in the Forty-ninth Assembly District, therefore, we would respectfully request the adoption of the following resolution:

Resolved, That the County Clerk of Alameda County, State of California, be cited to appear before this committee on the twenty-sixth day of February, at two o'clock p. m., with the ballots cast at the last general election in the Forty-ninth Assembly District, that the same may be counted.

HUBER, Chairman.

Mr. Thomas moved to make consideration of the report and resolution offered by the Committee on Contested Elections a special order for to-morrow, immediately after reading of Journal.

So ordered.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, February 20, 1895.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred resolutions covering contested election expenses in the following contests: Reynolds vs. Merrill, Wilkinson vs. Treacy, and Smith vs. Devine—have had the same under consideration, and respectfully report the same back, and recommend that they be referred to Committee on Contested Elections:

EXPENSE BILL.

In the matter of the contest of election of Mark A. Devine, from the Thirty-fourth Assembly District:

Reporter's fees	\$410 00
Commissioner's fees (one half)	40 00
Witness fees (25 witnesses, two days, at \$2 per day)	92 00
Notary fees	1 00
Serving subpoenas	18 00
Typewriting testimony (copy)	48 50
Services of man tending witnesses, and incidentals	100 00
Attorneys' fees, Boole & Schlesinger, Chas. Wesley Reid, and E. B. Haymond ..	2,000 00
Expenses to Sacramento	50 00

Total

\$2,759 50

Resolved, That the sum of two thousand seven hundred and fifty-nine dollars and fifty cents is hereby allowed to Mark Devine for expenses incurred by him in the contested election of D. C. Smith vs. Mark Devine, for the office of member of the Assembly of the State of California from the Thirty-fourth District of said State, payable out of the Contingent Fund of the Assembly, and the State Controller is hereby directed to draw his warrant in favor of said Mark Devine for said amount, upon the Contingent Fund of the Assembly, and the Treasurer is hereby directed to pay the same.

In the matter of the election contest of T. E. Treacy vs. J. J. Wilkinson, for the office of member of the Assembly of the State of California from the Thirty-first Assembly District.

EXPENSES OF T. E. TREACY.

Reporter's fees	\$384 00
Commissioner's fees	60 00
Serving subpoenas	30 00
Typewriting	35 00
Twenty-five witnesses	50 00
Expenses to Sacramento	50 00
Attorneys' fees, Edgar B. Haymond and C. W. Reed	2,000 00
Time and expenses of contestant in investigating	150 00

Total

\$2,759 00

In the matter of the election contest of Edward J. Reynolds vs. I. M. Merrill, for the office of member of the Assembly of the State of California for the Forty-second Assembly District:

Typewriting.....	\$35 00
Witness fees (26 witnesses).....	52 00
Filing and serving statement.....	10 00
Letters, postage, to each voter in district.....	20 00
Expenses to Sacramento.....	50 00
Loss of business of contestant (\$10 a day, 30 days).....	300 00
Attorneys' fees, Edgar B. Haymond and C. W. Reed.....	1,800 00
Total.....	\$2,267 00

In the matter of the election contest of T. E. Treacy vs. J. J. Wilkinson, for the office of member of the Assembly of the State of California from the Thirty-first Assembly District:

EXPENSES OF J. J. WILKINSON.

Reporter's fees.....	\$384 00
Commissioner's fees.....	69 00
Notarial fees.....	1 00
Serving subpoenas.....	20 00
Typewriting.....	39 00
Services of men investigating and finding witnesses and watching ballots.....	145 00
Twelve witnesses, three days, at \$2 per day.....	72 00
Expenses to Sacramento.....	100 00
Attorneys' fees, J. C. Campbell and J. J. Kennedy.....	2,000 00
Total.....	\$2,821 00

In the matter of the contest of the election of Isaac M. Merrill as a member of the Assembly from the Forty-second Assembly District, in the City and County of San Francisco, State of California, by Edward Reynolds, contestant:

MEMORANDA OF COSTS.

Witness fees—	
Twenty-four witnesses, 6 days, at \$2 per day.....	\$288 00
Fourteen witnesses, 5 days, at \$2 per day.....	140 00
Ten witnesses, 4 days, at \$2 per day.....	80 00
Twelve witnesses, 3 days, at \$2 per day.....	72 00
Eight witnesses, 2 days, at \$2 per day.....	32 00
Sixteen witnesses, 1 day, at \$2 per day.....	32 00
One half Commissioner's fees.....	60 00
Notary fees.....	6 50
Ben Heath, hunting witnesses, and mileage, including two trips to Santa Clara, and investigating testimony.....	160 00
Robert Merrill, serving witnesses, and detective work, and three trips to Temescal.....	125 00
Frank Baum, subpoenaing witnesses.....	50 00
Incidental expenses, including three trips to Sacramento.....	97 00
Attorney's fees—	
H. M. Clement.....	1,500 00
J. M. Chretien.....	1,500 00
Certified copies and amount paid County Clerk.....	4 50
Reporter's fees, including transcribing testimony.....	610 00
Total costs.....	\$4,757 00

STATE OF CALIFORNIA,)
City of Sacramento.) ss.

J. M. Chretien, being first duly sworn, deposes and says that he is one of the attorneys for the contestee, J. M. Merrill, above mentioned, and as such is better informed as to the items charged in the foregoing memoranda than such contestee. That to the best of his knowledge and belief the foregoing items of cost and disbursements in this contest are correct, and that the said disbursement has been necessarily incurred in such contest.

JOHN M. CHRETIEN

Subscribed and sworn to before me this eighth day of February, A. D. 1895.

[SEAL.]

SALLIE W. EINHART,
Notary Public in and for Sacramento County.

BRUSIE, Chairman.

Mr. Bulla moved to amend the report by referring it to Committee on Retrenchment.

Lost.

Report of Committee on Ways and Means adopted.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 20, 1895.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 255—An Act to appropriate money to pay the indebtedness incurred by calling the National Guard of California into service, by order of the Governor, to enforce the laws in 1893 and 1894—have had the same under consideration, and respectfully report the same back with a substitute, and recommend that the substitute do pass

BRUSIE, Chairman.

WITHDRAWAL AND SUBSTITUTION OF BILL.

Assembly Bill No. 255 withdrawn, and Committee Substitute No. 913 substituted therefor.

INTRODUCTION OF BILL—(OUT OF ORDER).

By Committee on Ways and Means: Assembly Bill No. '913 (Committee Substitute for Assembly Bill No. 255)—An Act to appropriate money to pay the indebtedness incurred by calling the National Guard of California into service, by order of the Governor, to enforce the law, in 1893 and 1894.

Read first time, and placed on file.

REPORT OF COMMITTEE ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 20, 1895.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following bills have been correctly engrossed, viz.:

Assembly Bill No. 233—An Act to amend section six hundred and thirty-three, and to repeal section six hundred and thirty-four of the Code of Civil Procedure of the State of California.

Also: Assembly Bill No. 312—An Act to amend section three hundred and forty of the Penal Code of California.

Also: Assembly Bill No. 414—An Act to amend an Act entitled "An Act to regulate the practice of pharmacy, and sale of poisons, in the State of California," approved March 11, 1891.

Also: Assembly Bill No. 180—An Act to repeal an Act entitled "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," approved March 31, 1891.

Also: Assembly Bill No. 433—An Act to authorize the Trustees of the City of Auburn, Placer County, to remove a cemetery, and to donate the land occupied thereby to the public for a park.

Also: Assembly Bill No. 565—An Act to amend section one thousand nine hundred and one of the Political Code of the State of California, relative to the State militia.

Also: Assembly Bill No. 237—An Act to amend section one thousand one hundred and four of the Civil Code of the State of California, relating to transfers of property.

Also: Assembly Bill No. 566—An Act relating to estrays, and repealing all other Acts and parts of Acts now in force relating to estrays.

Also: Assembly Bill No. 258—An Act to amend an Act entitled "An Act for the more effectual prevention of cruelty to animals," approved March 20, 1874, by adding thereto two new sections, regarding the disposition of old, maimed, and diseased animals, and relating to the definition of the word "empowered," to be known, respectively, as sections four and one half and thirteen and one half.

Also: Assembly Bill No. 56—An Act to amend section five hundred and twenty-seven of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872.

Also: Assembly Bill No. 567—An Act amending sections fifty-five, fifty-seven, and sixty-eight of the Civil Code of the State of California, and repealing section seventy-five of said Code.

Also: Assembly Bill No. 302—An Act to amend section one hundred and sixty-six of the Code of Civil Procedure, relative to the powers of Judges at chambers.

Also: Assembly Bill No. 303—An Act to amend section five hundred and ninety-three of the Code of Civil Procedure, relative to issues, mode of trial, and postponement.

Also: Assembly Bill No. 569—An Act to amend section one thousand eight hundred and fifty-eight of the Political Code, relating to the apportionment of teachers.

Also: Assembly Bill No. 253—An Act requiring school trustees, school directors, board of regents of each and every public school, high school, normal school, university, or any other school that is or may be supported, wholly or in part, by public money, to provide a United States flag, flag-pole, and halyards for hoisting the flag, and providing for hoisting and lowering the flag on the public school grounds on every school day.

WILKINSON, Chairman.

SENATE MESSAGES.

SENATE CHAMBER, SACRAMENTO, February 20, 1895.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the nineteenth day of February, 1895, passed Senate Bill No. 764—An Act to authorize the State Treasurer to pay over to the Treasurer of the Veterans' Home Association all moneys received by him under and pursuant to the Act of Congress entitled "An Act to provide aid to State or Territorial Homes for the Support of Disabled Soldiers and Sailors of the United States," approved August 28, 1888.

Also: Senate Bill No. 772—An Act to establish a Police Court in and for the city of Eureka.

F. J. BRANDON, Secretary.
By R. SHAW, Assistant.

Also:

SENATE CHAMBER, SACRAMENTO, February 20, 1895.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the thirteenth day of February, 1895, passed Senate Bill No. 239—An Act to regulate the sale and redemption of transportation tickets.

F. J. BRANDON, Secretary.
By R. SHAW, Assistant.

Also:

SENATE CHAMBER, SACRAMENTO, February 20, 1895.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Assembly Bill No. 374—An Act making an appropriation to pay the deficiency in the appropriation for the support of the State Insane Asylum at Stockton, California, for the forty-fourth and forty-fifth fiscal years.

Also: Assembly Bill No. 11—An Act to amend an Act entitled "An Act to authorize the husband or wife, or next of kin, of a deceased person to collect and receive of any savings bank any deposit in such bank, when the same does not exceed the sum of three hundred dollars," approved February 18, 1874.

Also: Assembly Bill No. 27—An Act to amend chapter two, part four, title fourteen, of the Civil Code, by adding thereto a new section, to be numbered as section two thousand nine hundred and thirty-nine and one half, relating to satisfactions or releases of mortgages in this State by foreign executors or administrators.

Also: Assembly Bill No. 14—An Act to amend section three hundred and forty-eight of the Code of Civil Procedure, relating to limitation of actions.

Also: Assembly Bill No. 145—An Act to amend section seven hundred and fifty-two of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relative to the fees to be collected by the Clerk of the Supreme Court of the State of California.

Also: Assembly Bill No. 144—An Act to amend section one thousand seven hundred and ninety-nine of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the discharge of guardians.

F. J. BRANDON, Secretary.
By R. SHAW, Assistant.

Assembly Bills Nos. 374, 11, 27, 14, 145, and 144 ordered to enrollment.

REFERENCE OF SENATE BILLS.

Senate Bill No. 764 referred to Committee on Ways and Means.

Senate Bill No. 772 referred to Committee on Municipal Corporations.

Assembly Bill No. 509 was withdrawn and Senate Bill No. 239 substituted therefor.

MOTION.

Mr. Dinkelspiel moved to reconsider the vote whereby the report of the Committee on Rules was adopted.

So ordered.

REPORT OF COMMITTEE ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, February 19, 1895.

MR. SPEAKER: Your Committee on Rules, to whom was referred the following resolution, introduced by Mr. Cutter, to wit:

Resolved, That the following be added to the rules of the Assembly:

"Rule —. There shall be an Urgency File, which shall be the special order for eleven o'clock A. M. of each Wednesday, and of each day thereafter until disposed of. Each member of the Assembly may, by request in writing, filed with the Chief Clerk, have one bill, which has been favorably reported by the committee to which it was referred, taken from the General File and placed on the Urgency File in the order in which the request is made. The Urgency File shall be made up not later than Tuesday of each week."

Have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended, as follows: By striking out the words "in the order in which the request is made," and adding after the words "Urgency File" the following "And in making up said file the Clerk shall place the names of all members in a box and draw therefrom each name separately, and the member whose name is so drawn shall be entitled to name such bill as he may desire, which said bill is to take its place on said file in the order as called, and that such drawing be continued until all the names are called."

DINKELSPIEL, Chairman.

Mr. Thomas moved that the report be laid upon the table.

Ayes and noes demanded by Messrs. Belshaw, Cutter, and Bledsoe.

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

AYES—Messrs. Bettman, Boothby, Bulla, Cargill, Coghlin, Dinkelspiel, Dixon, Guy, Healey, Huber, Keen, Kenyon, McDonald, McKelvey, Powers, Stansell, Tibbits, Thomas, Twigg, Wade, Wayne, and Weyse—22

NOES—Messrs. Buchman, Bassford, Belshaw, Bennett, Berry, Bledsoe, Brusie, Coleman, Cutter, Dale, Davis, Devine, Dodge, Dunbar, Dwyer, Freeman, Hatfield, Holland, Hudson, Jones, Laird, Laugenour, Lewis, Meads, Merrill, Nelson, North, Phelps, Price, Reid, Richards, Rowell, Staley, Spencer, Swisler, Tomblin, Wilkinson, and Mr. Speaker—38.

MOTION.

Mr. Pendleton moved to make the consideration of the report a special order for next Wednesday, immediately after reading of Journal.

Lost.

Mr. Powers moved to make report a special order for Monday, at two o'clock and thirty-minutes P. M.

Lost.

Mr. Thomas moved to amend by striking out the word "favorable."

Amendment lost.

PREVIOUS QUESTION.

Mr. Cutter moved the previous question, seconded by Messrs. Freeman and Reid.

The question being, "Shall the main question be now put?"

The ayes and noes were demanded by Messrs. Cutter, Powers, and Thomas.

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

AYES—Messrs. Bachman, Barker, Bassford, Belshaw, Bennett, Berry, Bledsoe, Brusie, Butler, Coleman, Cutter, Dale, Davis, Dixon, Dodge, Dunbar, Dwyer, Ewing, Fassett, Freeman, Hatfield, Hudson, Johnson, Jones, Keen, Laird, Lewis, McDonald, McKelvey, Nelson, North, O'Day, Osborn, Phelps, Price, Reid, Richards, Rowell, Sanford, Staley, Spencer, Thomas, Tomblin, Weyse, and Mr. Speaker—45.

NOES—Messrs. Bettman, Boothby, Coghlin, Dinkelspiel, Glass, Guy, Hall, Healey, Holland, Stansell, and Twigg—11.

Report of Committee on Rules now adopted.

INTRODUCTION OF BILLS.

The following bills were introduced, read first time, and referred to committees, as follows:

By Mr. Huber: Assembly Bill No. 914—An Act to amend sections seven hundred and fifty-two, eight hundred and fifty-one, eight hundred and fifty-two, and eight hundred and fifty-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 referred to Committee on Municipal Corporations.

By Mr. Dwyer (by request): Assembly Bill No. 915—An Act to amend section three thousand five hundred and fifty-five of the Political Code, relative to costs of proceedings against delinquent purchasers of public lands.

Read first time, and referred to Committee on Judiciary.

By Mr. Price: Assembly Bill No. 916—An Act to amend an Act to promote the purity of elections, by the addition of three new sections, to be known as sections forty-six, forty-seven, and forty-eight.

Read first time, and referred to Committee on Election Laws.

By Mr. Wade: Assembly Bill No. 917—An Act making an appropriation to pay the indebtedness incurred by the Board of Bank Commissioners, and authorizing and directing the Board to raise the amount, in addition to the amount of annual expenses for the forty-seventh fiscal year.

Read first time, and referred to Committee on Banks and Banking.

By Mr. Hatfield: Assembly Bill No. 918—An Act to amend section eight hundred and fifty-nine of the Penal Code, by adding thereto a provision for the appointment of counsel for indigent defendants, at the preliminary examination, in cases of charges of felony.

Read first time, and referred to Committee on Judiciary.

By Mr. Twigg: Assembly Bill No. 919—An Act for protection to life and property by providing against the use or manufacture of improperly constructed steam boilers, or boilers made of inferior material, and to provide for the testing and inspection of material to be used in the construction of steam boilers, and providing for their inspection while in course of construction and while in use.

Read first time, and referred to Committee on Manufactures and Internal Improvements.

By Mr. Laird: Assembly Bill No. 920—An Act to amend section two thousand eight hundred of the Political Code of the State of California, relating to the purchase of toll roads by the counties within which they are situated.

Read first time, and referred to Committee on County and Township Governments.

By Mr. Boothby: Assembly Bill No. 921—An Act to amend section four hundred and twelve of the Penal Code, relating to boxing.

Read first time, and referred to Committee on Crimes and Penalties.

Also: Assembly Bill No. 922—An Act to amend sections one and two of "An Act to provide for the maintenance, support, and discharge, in certain cases, of insane persons confined in the State Asylum for the Insane, and for the control and management of a resulting contingent fund," approved March 19, 1889.

Read first time, and referred to Committee on State Hospitals and Asylums.

Also: Assembly Bill No. 923—An Act to add a new section to the Penal Code, to be known and designated as section one hundred and eighty of the Penal Code of the State of California, relating to the detection of insane persons without trial by jury.

Read first time, and referred to Committee on Public Health and Quarantine.

Also: Assembly Bill No. 924—An Act to amend section two thousand two hundred and eleven of the Political Code, relating to the committal of insane persons; to amend section two thousand two hundred and seventeen of the Political Code, relating to the committal of insane persons; to amend section two thousand two hundred and twenty of the Political Code, relating to the committal, admission, detention, and discharge of idiots, imbeciles, certain insane persons, etc., and to add a new section to the Political Code, to be known and designated as section two thousand two hundred and twenty-three of the Political Code, relating to the examination of persons after commitment charged with insanity.

Read first time, and referred to Committee on Public Health and Quarantine.

By Mr. Davis (by request): Assembly Bill No. 925—An Act to add a new section to the Penal Code, to be known as section five hundred and thirty-eight and one half, relating to defrauding proprietors and managers of livery stables.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Constitutional Amendment No. 50—A resolution proposing to the people of the State of California an amendment to section four of article one of the Constitution of the State of California.

Read, and referred to Committee on Constitutional Amendments.

By Mr. Bachman (by request): Assembly Bill No. 926—An Act amendatory of section two thousand five hundred and twenty-four of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, fixing the power of the Board of State Harbor Commissioners at San Francisco relative to proposals for the erection of new wharves, constructing improvements, repairing wharves, and obtaining materials therefor.

Read first time, and referred to Committee on Judiciary.

Also (by request): Assembly Bill No. 927—An Act to repeal an Act entitled "An Act to facilitate the disposition of business in Superior Court of Fresno County, by the appointment and election of a third Judge of said Court," and to abolish the office thereby created, and now filled by Hon. J. R. Webb.

Read first time, and referred to Committee on County and Township Governments.

Also (by request): Assembly Bill No. 928—An Act providing that all appealable orders, judgments, and decrees may be reviewed on appeal from final judgment.

Read first time, and referred to Committee on Judiciary.

Also (by request): Assembly Bill No. 929—An Act to revise the law in relation to the decisions of Superior Courts, by amending section six hundred and thirty two, and repealing sections six hundred and thirty-three and six hundred and thirty-four of the Code of Civil Procedure.

Read first time, and referred to Committee on Judiciary.

By Mr. Waymire: Assembly Bill No. 930—An Act to reimburse John C. Pelton for moneys expended by him for the public schools of California.

Read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 931—An Act to amend section seven hundred and eighty-eight of the Code of Civil Procedure, relating to actions to determine adverse claims to property.

Read first time, and referred to Committee on Judiciary.

By Mr. Ewing: Assembly Bill No. 932—An Act to create a commission for the purpose of constructing a system of waterworks for domestic, light, power, and other purposes for the people of the State of California, and to provide for the payment of the same.

Read first time, and referred to Committee on Municipal Corporations.

By Mr. Nelson: Assembly Bill No. 933—An Act to prevent the running at large of animals upon public roads and highways.

Read first time, and referred to Committee on Roads and Highways.

By Mr. Brusie: Assembly Bill No. 934—An Act making an appropriation to pay the deficiency in the appropriations for repairs to Capitol building and furniture, and purchase of carpets and furniture, for the forty-sixth fiscal year.

Read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 935—An Act making an appropriation for the contingent expenses of the Assembly, for the thirty-first session of the Legislature.

Read.

RESOLUTION.

By Mr. Brusie:

Resolved, That Assembly Bill No 935 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions 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 question being on the adoption of the resolution.

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

AYES—Messrs. Bachman, Barker, Belshaw, Bennett, Berry, Bledsoe, Brusie, Bulla, Butler, Coleman, Coghlin, Dale, Davis, Devine, Dinkelspiel, Dixon, Dunbar, Dwyer, Ewing, Fassett, Glass, Guy, Hall, Hatfield, Holland, Hudson, Johnson, Jones, Keen, Kelsey, Kenyon, Laugenour, McDonald, McKelvey, Merrill, Nelson, North, Pendleton, Powers, Price, Richards, Rowell, Sanford, Spencer, Tibbits, Thomas, Tomblin, Twigg, Wade, Waymire, Weyse, Wilkinson, Zocchi, and Mr. Speaker—54.

NOES—None.

Assembly Bill No. 935 read first time.

MOTION.

Mr. Brusie moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Assembly Bill No. 935.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Lynch in the chair.

Assembly Bill No. 935 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Lynch 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. 935—An Act making an appropriation for the contingent expenses of the Assembly for the thirty-first session of the Legislature—and now report, and recommend that the same do pass.

LYNCH, Chairman.

Report adopted.

Assembly Bill No. 935—An Act making an appropriation for the contingent expenses of the Assembly for the thirty-first session of the Legislature.

Read second and third times and ordered to printer.

CONCURRENT RESOLUTION.

By Mr. Dinkelspiel:

ASSEMBLY CONCURRENT RESOLUTION No. 13.

Resolved by the Assembly, the Senate concurring, That when the Senate and Assembly adjourn on Thursday, February 21, 1895, that they adjourn until Monday, February 25th, at the regular hour of meeting in the respective houses

Adopted.

Mr. Dinkelspiel moved that Assembly Concurrent Resolution No. 13 be immediately transmitted to the Senate.

So ordered.

Mr. Cutter moved that the Sergeant-at-Arms be given leave of absence until Monday.

So ordered.

RESOLUTION.

By Mr. Brusie:

Resolved, That the State Printer be and is hereby directed to print Assembly Bill No. 935 out of order, and return the same to the House forthwith.

Adopted.

CONCURRENT RESOLUTION.

By Mr. Phelps:

ASSEMBLY CONCURRENT RESOLUTION No. 14.

WHEREAS, There was printed for free distribution at the Columbian Exposition one hundred and five thousand copies of a pamphlet called the "Resources of California"; and whereas, about five thousand copies remain in the hands of the Secretary of State; and whereas, they are of no intrinsic value to the State; and whereas, the State Board of Trade offers to take and distribute the same, without cost to the State; therefore, be it

Resolved by the Assembly, the Senate concurring, That the Secretary of State be authorized to deliver said pamphlets to the State Board of Trade or its authorized agents.

Adopted.

Mr. Phelps moved to consider Assembly Concurrent Resolution No. 14 immediately.

So ordered.

RESOLUTION.

By Mr. Wilkinson:

Resolved, That Mrs. A. Lewis be and she is hereby appointed to fill the vacancy in the Enrolling Clerk's office caused by the discharge of W. Rice, and date of appointment be fixed January 18, 1895.

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

So ordered.

Mr. Belshaw gave notice that this afternoon he would move to reconsider the vote whereby the Assembly agreed to adjourn from Thursday until Monday.

PETITION—(OUT OF ORDER).

By Mr. Laird: From citizens of the counties of Modoc and Shasta, opposing the passage of Assembly Bill No. 191, and any other measure looking to a reduction of notarial fees.

Referred to Committee on Judiciary.

MOTION.

Mr. Pendleton moved to suspend the rules, to appoint a committee of one to amend Assembly Bill No. 212.

Lost.

RESOLUTION.

By Mr. Brusie:

Resolved, That the Controller be and he is hereby authorized to draw his warrant, and the Treasurer instructed to pay the same, for five dollars, in favor of Judson Brusie, Chairman Committee on Ways and Means, for postage stamps, from the Contingent Fund of the Assembly.

Adopted.

Also:

Resolved, That the Controller be and he is hereby directed to draw his warrant in favor of George C. Parkinson for the sum of ninety-eight dollars and ninety cents, payable out of the Contingent Fund of the Assembly, as per the following:

SACRAMENTO, February 19, 1895.

State of California, Dr., to George C. Parkinson, Sergeant-at-Arms, Assembly:

1,400 pounds ice.....	\$14 00
1 desk.....	25 00
1 table.....	15 00
8 keys.....	1 00
1 galvanized tub, and chalk.....	80
1 gas portable.....	10 00
1 Argand burner.....	1 00
1 shade.....	1 50
1 chimney and shade-holder.....	60
3 Finlayson's Street Laws.....	15 00
6 feet portable tubing.....	1 50
1 gooseneck and socket.....	1 00
250 legal blanks, subpoena, printed two sides.....	12 50
Total.....	\$98 90

Adopted.

Mr. Hatfield moved that when the Assembly takes a recess it be until two o'clock P. M.

So ordered.

SUBSTITUTION OF BILL.

Senate Bill No. 34 was substituted for Assembly Bill No. 56.

RE-REFERENCE OF BILLS.

The Speaker re-referred Assembly Bills Nos. 606, 230, and 58 to Committee on Ways and Means.

Assembly Bill No. 630 was re-referred to the San Francisco Delegation.

APPROVAL OF JOURNAL.

The Journal of Tuesday, February 19th, was approved.

RESOLUTION.

By Mr. McKelvey:

WHEREAS, This Assembly adopted Assembly Constitutional Amendments Nos. 7 and 33, on February 11th, as shown by the Journal of that date; and whereas, the said Constitutional Amendments do not appear at length in said Journal, but only by title, therefore, be it

Resolved, That Assembly Constitutional Amendments Nos. 7 and 33 be published in full in to-day's Journal, together with the vote by which they passed.

Adopted.

ASSEMBLY CONSTITUTIONAL AMENDMENT No. 7.

[Passed February 11, 1895.]

A resolution proposing an amendment to section seven, article six, of the Constitution of the State of California, relative to departments, and providing for additional departments, of the Superior Courts of the respective counties, and cities and counties, of the State, and to provide for an interchange of Judges among the different counties, and cities and counties, when necessary to dispose of accumulated business.

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California, at its regular session, commencing on the seventh day of January, Anno Domini one thousand eight hundred and ninety-five, two thirds of all the members elected to each house concurring, hereby propose that section seven of article six of the Constitution of said State be amended so as to read as follows:

Section 7. In any county, or city and county, other than the City and County of San Francisco, in which there shall be more than one Judge of the Superior Court, the Judges of such Court may hold as many sessions of said Court at the same time as there are Judges thereof, and shall apportion the business among themselves as equally as may be. If at any time there are causes pending at issue, or proceedings pending, in the Superior Court of any county, or city and county, or any department thereof, trial or hearing of which cannot be had within two months after issue joined or proceedings instituted, by reason of the prior pendency of other causes or proceedings undisposed of in such Court or department thereof, it shall be the duty of the presiding Judge of said Court to certify such fact to the Governor, stating in such certificate the number and character of the causes or proceedings so pending, and that it is necessary that one or more Judges be temporarily provided for such Court or department, and estimating the length of time reasonably necessary to dispose of such accumulated business. Thereupon it shall be the duty of the Governor to request one or more Judges of the Superior Court of some other county, or city and county, not materially in arrears with its business, to proceed to such county, or city and county, and to report to such presiding Judge of the Court requiring such assistance. Whereupon, such presiding Judge shall be authorized to establish one or more, or additional departments of such Court, which additional department or departments shall be presided over by such Judge or Judges so requested by the Governor to act; and while so acting, such additional Judge or Judges shall, in all things be deemed to be regular Judges of such Court. In such cases, when Judges are so temporarily acting, the regular presiding Judge of such Court shall apportion the business to the respective departments. The Legislature may provide by general law for the division of the State into judicial districts, embracing two or more counties, or cities and counties, with provision for the organization of the Courts of the respective counties, or cities and counties, comprising such districts, by the election of a presiding Judge of such district; such presiding Judge to assign the respective

Judges in such district, to the respective Courts other than that to which they were elected or appointed, as the requirements of the respective counties, or cities and counties, may dictate. In all cases where a Judge or Judges are required to attend and hold Court, in any county, or city and county, other than the county, or city and county, in which they are elected or appointed such Judge, the county, or city and county, in which they temporarily hold Court shall pay them the actual amount of money expended by them, for transportation and subsistence, in going to and from, and remaining in, such other county, or city and county, under such direction.

The roll was called, and Assembly Constitutional Amendment No. 7 passed by the following vote:

AYES—Messrs. Barker, Bassford, Belshaw, Bennett, Bettman, Bledsoe, Boothby, Brusie, Bulla, Cargill, Coghlin, Cutter, Dale, Davis, Devitt, Devine, Dinkelspiel, Dunbar, Dwyer, Ewing, Freeman, Glass, Guy, Hall, Hatfield, Healey, Huber, Keen, Kelsey, Laugenour, Lewis, Llewellyn, Meads, McDonald, McKelvey, Pendleton, Powers, Price, Reid, Richards, Rowell, Sanford, Staley, Spencer, Thomas, Tomblin, Twigg, Wade, Waymire, Weyse, Wilkins, Wilkinson, Zocchi, and Mr. Speaker—54.

NOES—Messrs. Dodge, Fassett, Gay, Holland, Hudson, Johnson, Jones, Laird, Nelson, North, O'Day, Osborn, Phelps, Robinson, Stansell, Swisler, and Tibbits—17.

ASSEMBLY CONSTITUTIONAL AMENDMENT No. 33.

[Passed February 11, 1895.]

Proposed amendment relative to amending the Constitution of State of California, by repealing sections four and five of article thirteen, and by amending section one of said article.

The Legislature of the State of California, at its regular session, commencing on the seventh day of January, eighteen hundred and ninety-five, two thirds of all the members elected to each of the houses of said Legislature voting in favor thereof, hereby propose that the Constitution of the State of California be amended by repealing sections four and five of article thirteen thereof, and by amending section one of said article, so as to read as follows:

Section 1. All property in the State not exempt under the laws of the United States, or this Constitution, shall be taxed in proportion to its value, to be ascertained as provided by law. The word "property," as used in this article and section, is hereby declared to include moneys, credits, bonds, stocks, dues, franchises, and all other matter and things, real, personal, and mixed, capable of private ownership; *provided*, that property used for free public libraries and free public museums, growing crops, mortgages, trust deeds, property used exclusively for public schools, and such as may belong to the United States, this State, or to any county or municipal corporation within this State, shall be exempt from taxation. The Legislature may provide for a reduction from credits or debts due *bona fide* residents of this State.

SEC. 2. Section four of article thirteen of this Constitution is hereby repealed.

SEC. 3. Section five of article thirteen of this Constitution is hereby repealed.

The question being on the passage of Assembly Constitutional Amendment No. 33—Relative to amending the Constitution of the State of California, by repealing sections four and five of article thirteen, and by amending section one of said article.

The roll was called, and Assembly Constitutional Amendment No. 33 adopted by the following vote:

AYES—Messrs. Bassford, Belshaw, Bennett, Boothby, Brusie, Bulla, Cargill, Coleman, Devitt, Devine, Dinkelspiel, Dunbar, Ewing, Fassett, Freeman, Gay, Glass, Guy, Hall, Hatfield, Healey, Holland, Huber, Keen, Kelsey, Laugenour, Lewis, Llewellyn, Meads, McDonald, McKelvey, Merrill, North, O'Day, Pendleton, Phelps, Powers, Price, Reid, Richards, Robinson, Rowell, Sanford, Staley, Stansell, Spencer, Swisler, Tibbits, Thomas, Tomblin, Twigg, Waymire, Weyse, Zocchi, and Mr. Speaker—55.

NOES—Messrs. Barker, Coghlin, Dale, Davis, Dodge, Hudson, Johnson, Jones, Nelson, and Wade—11.

RESOLUTION.

By Mr. McKelvey:

WHEREAS, This Assembly adopted Assembly Constitutional Amendments Nos. 3, 5, and 19 on February 5th, as shown by the Journal of that date; and whereas, the said Constitutional Amendments do not appear at length in said Journal, but only by title; therefore, be it

Resolved, That Assembly Constitutional Amendments Nos. 3, 5, and 19 be published in full in to-day's Journal, together with vote by which they passed.

Adopted.

ASSEMBLY CONSTITUTIONAL AMENDMENT No. 3.

[Passed February 5, 1895.]

A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, amending section twelve of article thirteen thereof, relative to revenues and taxation, and the collection of the State poll tax.

The Legislature of the State of California, at its thirty-first session, commenced on the seventh day of January, Anno Domini one thousand eight hundred and ninety-five, two thirds of all the members of each house voting in favor thereof, hereby propose that section twelve of article thirteen of the Constitution of the State of California be amended to read as follows:

Section 12. The Legislature shall provide for the levy and collection of an annual poll tax of not less than two dollars on every male inhabitant of this State over the age of twenty-one years and under the age of sixty years, except persons supported in whole by the State or any county, incompetent persons, Indians not taxed, members of the National Guard of the State of California, members of volunteer fire companies, and persons holding exempt certificates, having been a member of the said National Guard or of a volunteer fire company, and all male inhabitants of this State who served in the Volunteer Army or Navy of the United States for three months or more between April sixteenth, eighteen hundred and sixty-one, and August thirtieth, eighteen hundred and sixty-five, and received an honorable discharge therefrom. All of said tax shall be paid into the State School Fund.

The question being on the adoption of Assembly Constitutional Amendment No. 3.

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

AYES—Messrs. Ash, Bachman, Barker, Bassford, Belshaw, Bennett, Bledsoe, Brusie, Bulla, Butler, Cargill, Coleman, Cutter, Dale, Davis, Devitt, Devine, Dinkelspiel, Dixon, Dodge, Dunbar, Fassett, Freeman, Gay, Glass, Hall, Hatfield, Holland, Huber, Hudson, Johnson, Jones, Keen, Kenyon, Laird, Laugenour, Llewellyn, Meads, McDonald, McKelvey, Merrill, North, Osborn, Pendleton, Phelps, Powers, Richards, Robinson, Rowell, Staley, Stansell, Swisler, Tibbits, Waymire, Weyse, Wilkins, Wilkinson, and Mr. Speaker—58.

NOES—None.

ASSEMBLY CONSTITUTIONAL AMENDMENT No. 5.

[Passed February 5, 1895.]

Proposed amendment to section five of article two of the Constitution, relative to elections.

The Legislature of the State of California, at its thirty-first session, two thirds of all the members elect to the Senate and Assembly voting therefor, proposes to the qualified electors of the State the following amendment to section five of article two of the Constitution, relative to elections:

That section five of article two be amended to read:

Section 5. All elections by the people shall be by ballot or by the use of a voting machine, as the Legislature may by law direct. The Legislature may purchase the right for the State to use, or to manufacture and use, any suitable voting machine: *provided*, that in making such purchase preference shall be given to the invention of a citizen of California, if there be any such, if of equal merit.

The question being on the adoption of Assembly Constitutional Amendment No. 5.

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

AYES—Messrs. Ash, Bachman, Barker, Bassford, Belshaw, Bennett, Brusie, Bulla, Butler, Cargill, Coghlin, Cutter, Dale, Davis, Devitt, Devine, Dinkelspiel, Dixon, Dodge, Dunbar, Fassett, Freeman, Glass, Hall, Hatfield, Huber, Hudson, Jones, Keen, Kenyon, Laird, Laugenour, Llewellyn, McDonald, McKelvey, Merrill, North, Powers, Price, Reid, Richards, Robinson, Rowell, Staley, Stansell, Swisler, Tibbits, Wade, Waymire, Weyse, Wilkins, Wilkinson, Zocchi, and Mr. Speaker—54.

NOES—Mr. Bledsoe—1.

ASSEMBLY CONSTITUTIONAL AMENDMENT No. 19.

[Passed February 5, 1895.]

A resolution proposing an amendment to section three of article twelve of the Constitution of the State of California, relative to corporations, for the purpose of limiting the liability of stock or share holders, and fixing the liability of Directors or Trustees.

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California, at its regular session commencing on the seventh day of January, Anno Domini one thousand eight hundred and ninety-five, two thirds of all the members elected to each house concurring, hereby propose that section three of article twelve of the Constitution of said State be amended so as to read as follows:

Section 3. The liability of stockholders of corporations or joint-stock associations shall be limited by the face value of the shares of the subscribed capital stock or shares of such corporation or association; and whenever any shares have been fully paid up, the holder of such shares shall not be further liable to such corporation or association, or the creditors thereof, on that account. Each stockholder of a corporation or joint-stock association, whose capital stock is not fully paid up, shall be individually and personally liable for such proportion of all its debts and liabilities contracted or incurred during the time he was a stockholder or shareholder, as the amount unpaid upon the stock or shares owned by him bears to the whole amount unpaid upon the subscribed capital stock or shares of the corporation or association. The Directors or Trustees of corporations and joint-stock associations shall be jointly and severally liable to the creditors and stockholders for all moneys embezzled or misappropriated by the officers of such corporation or joint-stock association, during the term of office of such Director or Trustee.

The question being on the adoption of Assembly Constitutional Amendment No. 19.

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

AYES—Messrs. Ash, Bachman, Bassford, Belshaw, Bennett, Bledsoe, Boothby, Brusie, Butler, Cargill, Coghlin, Cutter, Davis, Devitt, Devine, Dinkelspiel, Dixon, Dunbar, Fassett, Freeman, Gay, Glass, Hall, Hatfield, Healey, Holland, Hudson, Johnson, Keen, Kenyon, Laird, Laugenour, Llewellyn, Meads, McCarthy, McDonald, McKelvey, Merrill, North, Pendleton, Phelps, Powers, Price, Reid, Richards, Robinson, Rowell, Staley, Spencer, Swisler, Tibbits, Wade, Waymire, Weyse, Wilkins, Wilkinson, Zocchi, and Mr. Speaker—58.

NOES—Messrs. Barker, Bulla, Dale, Dodge, Ewing, Huber, Jones, Osborn, and Stansell—9.

RESOLUTION.

By Mr. Waymire:

Resolved, That the State Printer be and he is hereby instructed to have Assembly Bill No. 930 printed immediately.

Adopted.

INTRODUCTION OF BILL—(OUT OF ORDER).

By Mr. Nelson (by request): Assembly Bill No. 936—An Act to amend sections two, six, seven, fourteen, fifteen, sixteen, and seventeen, and to repeal section twenty-two 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 and election of assignees, the appointment of receivers, the delivery of the property of the insolvent, the adjudication of due and legal notice to creditors, the bonds and oaths of assignees, and the time of making assignments by clerks.

Read first time, and referred to Committee on Judiciary.

PETITION—(OUT OF ORDER).

By Mr. Belshaw: From a number of citizens of San Francisco, asking that a non-partisan commission of earnest and competent men be appointed, with authority to hold a public investigation, summon wit-

nesses, and require the production of books, papers, and testimony, in regard to frauds committed in last election.

Referred to Committee on Public Morals.

MEMORIAL.

By Mr. Ewing:

SAN FRANCISCO, CAL., February 13, 1895.

To the Honorable Governor, Senators, and Representatives, California State Legislature.

GENTLEMEN: Below are resolutions passed Tuesday, February 12, 1895, which we trust will receive your very careful and thoughtful consideration:

Resolved, By the Union for Practical Progress, in special meeting assembled, to consider the subject of State productive work for the unemployed, that we respectfully urge our Legislature to enact some measure by which municipalities may be enabled to provide work for the unemployed.

Resolved, That we call the attention of our Governor and the Legislature to the fact that it is not just for the State to expect men to support its existence if the State in its turn does not afford them an opportunity to live by their labor.

Fourteen thousand four hundred and forty-seven unemployed at date.

Yours very respectfully,

J. M. WALLIS, Secretary.
By J. M. REYNOLDS.

Referred to Committee on Labor and Capital.

RECESS.

The hour of recess having arrived, the Speaker declared recess until two o'clock P. M.

REASSEMBLED.

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

Speaker Lynch in the chair.

Quorum present.

SPECIAL SENATE FILE.

Senate Bill No. 373—An Act repealing chapter ninety-six of the Statutes of 1883, entitled "An Act to appropriate money for the support of aged persons in indigent circumstances," approved March 15, 1883.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Barker, Bassford, Belshaw, Bennett, Berry, Bledsoe, Brusie, Bulla, Butler, Cargill, Cutter, Dale, Davis, Devine, Dinkelspiel, Dodge, Dwyer, Fassett, Glass, Hatfield, Hudson, Jones, Keen, Kelsey, Kenyon, Laugenour, Meads, McCarthy, McDonald, McKelvey, Nelson, North, Osborn, Phelps, Powers, Price, Richards, Rowell, Sanford, Staley, Swisler, Wade, Waymire, and Mr. Speaker—44

NOES—Messrs. Bettman, Boothby, Coleman, Coghlin, Dixon, Dunbar, Ewing, Hall, Healey, Holland, Johnson, Laird, Merrill, O'Day, Reid, Robinson, Spencer, Tibbits, Thomas, Tomblyn, Twigg, Weyse, and Wilkinson—23.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Swisler gave notice that on next legislative day he would move to reconsider the vote whereby Senate Bill No. 373 was passed.

MOTION.

Mr. Dixon moved that Senate Bill No. 55 be made a special order for Tuesday, immediately after reading of Journal.

The ayes and noes were demanded by Messrs. Bledsoe, Spencer, and Laugenour.

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

AYES—Messrs. Bettman, Boothby, Brusie, Coleman, Coghlin, Devine, Dinkelspiel, Dixon, Dwyer, Healey, Holland, Hudson, Laugenour, Lewis, McCarthy, Merrill, O'Day, Thomas, Twigg, Waymire, Wilkinson, and Zocchi—22.

NOES—Messrs. Barker, Bassford, Belshaw, Bennett, Berry, Bledsoe, Bulla, Butler, Cargill, Dale, Davis, Dodge, Dunbar, Ewing, Fassett, Glass, Guy, Hall, Hatfield, Johnson, Keen, Kelsey, Laird, Meads, McDonald, Nelson, North, Osborn, Phelps, Powers, Price, Reid, Richards, Rowell, Sanford, Staley, Stansell, Spencer, Tibbits, Tomblin, Wade, and Weyse—42.

Senate Bill No. 55—An Act to amend the Penal Code of the State of California by adding a new section thereto, to be known and numbered as section four hundred and two, relating to the manufacture, sale, or other disposition of cigarettes.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Barker, Bassford, Belshaw, Berry, Bettman, Bledsoe, Boothby, Bulla, Butler, Cutter, Dale, Devitt, Devine, Dixon, Dodge, Dunbar, Ewing, Fassett, Guy, Hall, Hatfield, Holland, Hudson, Johnson, Keen, Kelsey, Lewis, McCarthy, McDonald, Merrill, Nelson, North, O'Day, Osborn, Phelps, Powers, Price, Richards, Rowell, Sanford, Staley, Stansell, Spencer, Swisler, Tibbits, Thomas, Tomblin, Twigg, Wade, Weyse, Wilkinson, Zocchi, and Mr. Speaker—53.

NOES—Messrs. Bennett, Cargill, Davis, Dwyer, Glass, Jones, Kenyon, Laird, Reid, Robinson, and Waymire—11.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Dixon gave notice that on next legislative day he would move to reconsider the vote whereby Senate Bill No. 55 was passed.

Senate Bill No. 182—An Act to amend section one thousand seven hundred and thirty-nine of the Code of Civil Procedure, relating to the account with the County Clerk, as to the disbursement of money and property of estates.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Boothby, Bulla, Butler, Coleman, Dale, Davis, Dodge, Dunbar, Ewing, Glass, Guy, Hatfield, Holland, Hudson, Johnson, Jones, Keen, Kelsey, Kenyon, Laird, Laugenour, McCarthy, Nelson, North, O'Day, Phelps, Powers, Price, Reid, Richards, Robinson, Sanford, Spencer, Tibbits, Twigg, Wade, Waymire, Weyse, and Mr. Speaker—45.

NOES—None.

Title read and approved.

Senate Bill No. 242—An Act to amend sections three thousand four hundred and eighty-one and three thousand four hundred and eighty-two of the Political Code, relating to the division of swamp land districts.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Boothby, Brusie, Bulla, Butler, Coleman, Coghlin, Dale, Davis, Dinkelspiel, Dodge, Dwyer, Fassett, Glass, Guy, Hall, Hatfield, Healey, Holland, Hudson, Johnson, Jones, Keen, Kelsey, Laugenour, Meads, McCarthy, McDonald, Nelson, North, O'Day, Osborn, Phelps, Powers,

Price, Reid, Robinson, Rowell, Staley, Stansell, Spencer, Thomas, Tomblin, Twigg, Wade, Waymire, Weyse, Wilkinson, and Mr. Speaker—54.
NOES—None.

Title read and approved.

Senate Bill No. 91—An Act to amend sections fifty-five and sixty-eight, and for the repeal of section seventy-five of the Civil Code of the State of California, relating to the authentication of marriages.

Mr. Bulla moved that Assembly Bill No. 567 be substituted for Senate Bill No. 91.

So ordered.

Assembly Bill No. 567—An Act amending sections fifty-five, fifty-seven, and sixty-eight of the Civil Code of the State of California, and repealing section seventy-five of said Code.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Bledsoe, Boothby, Brusie, Bulla, Butler, Cargill, Coleman, Dale, Davis, Devine, Dinkelspiel, Dixon, Dodge, Dunbar, Dwyer, Ewing, Fassett, Glass, Guy, Hall, Hatfield, Holland, Hudson, Johnson, Jones, Keen, Kelsey, Kenyon, Laird, Laugenour, Meads, McDonald, Merrill, North, O'Day, Osborn, Phelps, Powers, Price, Reid, Robinson, Staley, Stansell, Spencer, Thomas, Tomblin, Wade, Waymire, Weyse, Zocchi, and Mr. Speaker—57.
NOES—None.

Title read and approved.

SPECIAL FILE.

Assembly Bill No. 188—An Act making an appropriation for support of the Southern California State Asylum for the Insane and Inebriates for the forty-sixth fiscal year.

Passed, to retain its place on file.

REPORT OF COMMITTEE ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 20, 1895.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following bills have been correctly engrossed, viz:

Assembly Bill No. 316—An Act to add certain sections to the Political Code, providing for the establishment and maintenance of high schools.

Also: Assembly Bill No. 284—An Act to authorize and empower the Board of State Harbor Commissioners to institute condemnation proceedings against certain property on the corner of Market, Sacramento, and East Streets, in the City and County of San Francisco, and extending their jurisdiction over the same

Also: Assembly Bill No. 591—An Act to amend section nineteen of an Act entitled "An Act to promote the purity of elections by regulating the conduct thereof, and to support the privilege of free suffrage by prohibiting certain acts and privileges in relation thereto, and providing for the punishment thereof," approved February 23, 1893.

WILKINSON, Chairman.

REPORT OF COMMITTEE ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 20, 1895.

MR. SPEAKER: Your Committee on Enrollment have examined and found correctly enrolled Assembly Bill No. 9—An Act to amend section three thousand seven hundred and sixty-five, section three thousand seven hundred and seventy-three, section three thousand seven hundred and seventy-eight, section three thousand seven hundred and eighty, section three thousand seven hundred and eighty-one, section three thousand seven hundred and eighty-five, section three thousand seven hundred and eighty-eight, section three thousand eight hundred and thirteen, section three thousand eight hundred and sixteen, and section three thousand eight hundred and seventeen; and to

repeal section three thousand seven hundred and seventy-four, section three thousand seven hundred and seventy-five, section three thousand seven hundred and seventy-six, section three thousand seven hundred and seventy-seven, section three thousand seven hundred and seventy-nine, section three thousand seven hundred and eighty-two, section three thousand seven hundred and eighty-three, section three thousand eight hundred and eighty-four, and section three thousand eight hundred and eighteen of an Act of the Legislature of the State of California entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the sale of real property for delinquent taxes, and the redemption and resale of such property; and to add a new section thereto, to be known and designated as section three thousand eight hundred and one, also relating to the sale of real property for delinquent taxes.

Also: Assembly Joint Resolution No. 20—Relative to securing immediate attention from Congress to the United States Debris Commission.

And presented the same to the Governor on this day, at three o'clock P. M.

MEADS, Chairman.

MOTION.

Mr. Brusie moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Assembly Bills Nos. 400, 676, 700, 710, 711, 725, 600, 616, 172, and 218.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Lynch in the chair.

Assembly Bills Nos. 400, 676, 700, 710, 711, 725, 600, 616, 172, and 218 were considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Lynch 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 following bills, viz.:

Assembly Bill No. 400—An Act making an appropriation to pay for the support and maintenance of the inmates of the Woman's Relief Corps Home, at Evergreen, Santa Clara County, for the forty-fifth and forty-sixth fiscal years.

Also: Assembly Bill No. 676—An Act making an appropriation to pay the deficiency in the appropriation to pay for the system of heating and ventilating established in the Training Department of the State Normal School at San José, California.

Also: Assembly Bill No. 700—An Act to provide for payment of a deficiency in the appropriation for aid to the State Agricultural Society for the forty-sixth fiscal year.

Also: Assembly Bill No. 711—An Act making an appropriation to pay the deficiency in the appropriation for payment of transportation of children to the State Reform School for Juvenile Offenders for the forty-third and forty-fourth fiscal years.

Also: Assembly Bill No. 710—An Act making an appropriation to pay the deficiency in the appropriation for the transportation of insane for the forty-fourth fiscal year.

Also: Assembly Bill No. 725—An Act making an appropriation to pay the deficiency in the appropriation for salary of Secretary of State Board of Examiners for the forty-fourth fiscal year.

Also: Assembly Bill No. 600—An Act making an appropriation to pay the City and County of San Francisco for expenses incurred in conveying children to the Whittier State School.

Also: Assembly Bill No. 616—An Act authorizing the Clerk of the Supreme Court to furnish his offices in San Francisco, Los Angeles, and Sacramento with steel record cases, and make an appropriation therefor.

Also: Assembly Bill No. 172—An Act making an appropriation to pay the deficiency in the appropriation for the support of the Folsom State Prison for the forty-sixth fiscal year, ending June 30, 1895.

Also: Assembly Bill No. 218—An Act authorizing the Controller to return his office, and making an appropriation therefor.

And now report, and recommend that the same do pass.

LYNCH, Chairman.

Assembly Bill No. 400—An Act making an appropriation to pay for the support and maintenance of the inmates of the Woman's Relief Corps Home, at Evergreen, in Santa Clara County, for the forty-fifth and forty-sixth fiscal years.

Passed, to retain its place on file.

Assembly Bill No. 676—An Act making an appropriation to pay the deficiency in the appropriation to pay for the system of heating and ventilating established in the Training Department of the State Normal School at San José, California.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 700—An Act to provide for payment of a deficiency in the appropriation for aid to the State Agricultural Society for the forty-sixth fiscal year.

Read second time, ordered engrossed and to third reading.

Assembly Bill No. 711—An Act making an appropriation to pay the deficiency in the appropriation for payment of transportation of children to the State Reform School for Juvenile Offenders for the forty-third and forty-fourth fiscal years.

Read second time, ordered engrossed and to third reading.

Assembly Bill No. 710—An Act making an appropriation to pay the deficiency in the appropriation for the transportation of insane for the forty-fourth fiscal year.

Read second time, ordered engrossed and to third reading.

Assembly Bill No. 725—An Act making an appropriation to pay the deficiency in the appropriation for salary of Secretary of State Board of Examiners for the forty-fourth fiscal year.

Read second time, ordered engrossed and to third reading.

Assembly Bill No. 600—An Act making an appropriation to pay the City and County of San Francisco for expenses incurred in conveying children to the Whittier State School.

Read second time, ordered engrossed and to third reading.

Assembly Bill No. 616—An Act authorizing the Clerk of the Supreme Court to furnish his offices in San Francisco, Los Angeles, and Sacramento with steel record cases, and make an appropriation therefor.

Read second time, ordered engrossed and to third reading.

Senate Bill No. 291—An Act making an appropriation to pay the deficiency in the appropriation for the contingent expenses of the Senate, thirtieth session, California Legislature.

Passed, to retain its place on file.

Assembly Bill No. 172—An Act making an appropriation to pay the deficiency in the appropriation for the support of the Folsom State Prison for the forty-sixth fiscal year, ending June 30, 1895.

The following committee amendment was submitted:

Amend by striking out of section one, line one, the words "ten thousand," and inserting the following: "seven thousand five hundred."

Adopted.

Assembly Bill No. 172 ordered to engrossment and third reading.

Senate Bill No. 327—An Act making an appropriation for elevator attendant's salary for last four months of forty-sixth fiscal year.

Passed, to retain its place on file.

Senate Bill No. 291—An Act making an appropriation to pay the

deficiency in the appropriation for the contingent expenses of the Senate, thirtieth session, California Legislature.

Passed temporarily.

Assembly Bill No. 605—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.

Passed, to retain its place on file.

Senate Bill No. 431—An Act making an appropriation to pay the deficiency in the appropriation for postage, expressage, and telegraphing, Secretary of State's office, for the forty-fifth and forty-sixth fiscal years.

Passed, to retain its place on file.

Assembly Bill No. 218—An Act authorizing the Controller to furnish his office, and making an appropriation therefor.

Read second time, ordered engrossed and to third reading.

MOTION.

Mr. Brusie moved that the Assembly take up the consideration of Assembly Bill No. 935.

So ordered.

Assembly Bill No. 935—An Act making an appropriation for the contingent expenses of the Assembly for the thirty-first session of the Legislature.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Brusie, Bulla, Butler, Cargill, Coleman, Coghlin, Cutter, Davis, Devitt, Devine, Dinkelspiel, Dixon, Dunbar, Fassett, Glass, Guy, Hatfield, Johnson, Jones, Keen, Kelsey, Kenyon, Laird, Laugenour, Meads, McCarthy, McDonald, McKelvey, Merrull, Nelson, O'Day, Osborn, Pendleton, Powers, Richards, Staley, Stansell, Swisler, Thomas, Wade, Waymire, Weyse, Wilkinson, Zocchi, and Mr. Speaker—51.

NOES—Messrs. Ewing, Phelps, Reid, Robinson, and Spencer—5.

Title read and approved.

Mr. Brusie moved that Assembly Bill No. 935 be immediately transmitted to the Senate.

So ordered.

REFUSALS TO RECONSIDER.

Mr. Laird called for the consideration of his notice of reconsideration given February 19th.

So ordered.

The question was on the motion of Mr. Laird to reconsider the vote whereby Senate Bill No. 22 was refused a third reading.

Lost.

Mr. Dixon moved to adjourn.

Lost.

Mr. Thomas asked for the consideration of Mr. Laugenour's notice of reconsideration given February 19th.

The question was on the motion of Mr. Laugenour to reconsider the vote whereby Assembly Bill No. 470 was passed.

At three o'clock and forty-five minutes p. m. the Speaker resumed the chair.

PREVIOUS QUESTION.

Mr. Cutter moved the previous question, seconded by Messrs. Hudson and Hatfield.

The question being, "Shall the main question be now put?"

So ordered.

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

AYES—Messrs. Bassford, Brusie, Cargill, Coghlin, Devine, Healey, Laugenour, Lewis, Osborn, Reid, Thomas, and Mr. Speaker—12.

NOES—Messrs. Bachman, Barker, Belshaw, Bennett, Berry, Bettman, Boothby, Bulla, Butler, Coleman, Cutter, Dale, Davis, Devitt, Dinkelspiel, Dixon, Dodge, Dunbar, Dwyer, Ewing, Fassett, Glass, Guy, Hall, Hatfield, Holland, Huber, Hudson, Johnson, Jones, Keen, Kelsey, Kenyon, Laird, Meads, McDonald, McKelvey, Merrill, Nelson, North, O'Day, Pendleton, Phelps, Price, Richards, Robinson, Rowell, Staley, Stansell, Spencer, Swisler, Tibbits, Tomblin, Wade, Waymire, and Weyse—56.

RESOLUTION.

By Mr. Dixon:

ASSEMBLY CONCURRENT RESOLUTION No. 15.

Relative to the selection of experienced engineers to examine and report on the piling and concrete work now being done for the State at the ferry landing in San Francisco.

Resolved by the Assembly, the Senate concurring, That Colonel George H. Mendell and Major W. H. Heuer be and they are hereby selected and requested to carefully examine the piling and concrete work now being done by the Harbor Commissioners, for the State, at the ferry landing, foot of Market Street, in the city of San Francisco, and report fully to this Legislature as to the character of said work, the character of the material used, and generally as to whether the work is well done and suited to the purpose intended.

Referred to Committee on Commerce and Navigation.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON PUBLIC MORALS.

ASSEMBLY CHAMBER, SACRAMENTO, February 20, 1895.

MR. SPEAKER: Your Committee on Public Morals, to whom was referred Assembly Bill No. 673—have had the same under consideration, and respectfully report the same back without recommendation.

BETTMAN, Chairman.

MOTION.

Mr. Brusie moved that all bills carrying appropriations with them, excepting claims, be placed upon the special file.

So ordered.

ADJOURNMENT.

At four o'clock and ten minutes p. m., on motion of Mr. Dinkelspiel, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Thursday, February 21, 1895. }

The Assembly met pursuant to adjournment.

Speaker Lynch in the chair.

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

Messrs. Bachman, Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Bulla, Butler, Cargill, Coleman, Coghlin, Dale, Davis, Devitt, Devine, Dinkelspiel, Dixon, Dodge, Dunbar, Dwyer, Ewing, Fassett, Freeman, Glass, Guy, Hall, Hatfield, Healey, Holland, Huber, Hudson, Johnson, Jones, Keen, Kelsey, Kenyon, Laird, Laugenour, Lewis, Llewellyn, McKelvey, Merrill, Nelson, North, O'Day, Osborn, Pendleton, Phelps, Powers, Robinson, Rowell, Sanford, Staley, Stansell, Spencer, Swisler, Tibbits, Tomblin, Wade, Waymire, Weyse, Wilkinson, and Mr. Speaker.

Quorum present.

LEAVE OF ABSENCE.

Messrs. Zocchi and Ash were granted leave of absence for the day.

PRAYER.

Prayer by the Chaplain, Rev. O. Summers.

READING OF THE JOURNAL.

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

So ordered.

MOTION.

Mr. Pendleton moved that the Assembly do now take up Senate messages.

So ordered.

SENATE MESSAGES.

SENATE CHAMBER, SACRAMENTO, February 20, 1895.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Assembly Bill No. 935—An Act making an appropriation for the contingent expenses of the Assembly for the thirty-first session of the Legislature.

F. J. BRANDON, Secretary.
By E. J. ENSIGN, Assistant.

Assembly Bill No. 935 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, February 21, 1895.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the nineteenth day of February, 1895, passed Senate Bill No. 426—An Act to repeal an Act entitled "An Act to increase the number of clerks for the limited period of six months, commencing in the month of January, of each year, in the office of the Treasurer of State, and for the appointment of such additional clerk," approved March 16, 1889, and authorizing the Treasurer of State to appoint one clerk at an annual salary of one thousand six hundred dollars.

F. J. BRANDON, Secretary.
By R. SHAW, Assistant.

Assembly Bill No. 429 withdrawn and Senate Bill No. 426 ordered on Senate Special File.

SPECIAL ORDERS.

Assembly Bill No. 501—An Act to amend section one thousand five hundred and forty-three of "An Act to establish a Political Code," approved March 12, 1872.

Passed temporarily on file.

Resolution by Mr. Huber, relative to counting the ballots in the contested election of Collins vs. McDonald, as follows:

ASSEMBLY CHAMBER, SACRAMENTO, February 20, 1895.

MR. SPEAKER: Your Committee on Contested Elections, to whom was referred the case of H. M. Collins vs. J. B. McDonald, Forty-ninth Assembly District—have had the same under consideration, and from the nature of the evidence introduced on the part of the respective parties, have determined that the ends of justice can only be conserved by a recount of the ballots cast in the Forty-ninth Assembly District, therefore, we would respectfully request the adoption of the following resolution:

Resolved, That the County Clerk of Alameda County, State of California, be cited to appear before this committee on the twenty-sixth day of February, at two o'clock P. M., with the ballots cast at the last general election in the Forty-ninth Assembly District, that the same may be counted.

The question being on the adoption of the resolution.

The ayes and noes were demanded by Messrs. Bledsoe, Dinkelspiel, and Laugenour.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote Mr. Powers moved a call of the House, seconded by Messrs. Dinkelspiel and Bledsoe.

The Speaker directed the Sergeant-at-Arms to close the doors.

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

So ordered.

The Speaker announced the result of the roll call, and the resolution carried by the following vote:

AYES—Messrs Bassford, Belshaw, Bennett, Bulla, Coleman, Davis, Dixon, Dodge, Dunbar, Ewing, Fassett, Freeman, Glass, Hall, Huber, Johnson, Jones, Kelsey, Kenyon, Laird, Llewellyn, Meads, McKelvey, Nelson, North, Osborn, Pendleton, Phelps, Reid, Rowell, Staley, Stansell, Swisler, Tomblin, Wade, Waymire, Weyse, and Mr. Speaker—38

NOES—Messrs Bachman, Barker, Berry, Bettman, Bledsoe, Boothby, Brusie, Cargill, Coghlin, Cutter, Dale, Devitt, Devine, Dinkelspiel, Dwyer, Guy, Hatfield, Healey, Holland, Hudson, Keen, Laugenour, Lewis, Merrill, O'Day, Powers, Price, Richards, Robinson, Sanford, Tibbits, Thomas, and Wilkinson—33.

LEAVE OF ABSENCE.

Messrs. Gay and Freeman were granted leave of absence for the day.

MOTIONS.

Mr. Pendleton moved the consideration of Mr. Belshaw's notice of reconsideration of the vote whereby Assembly Concurrent Resolution No. 13 was passed.

Lost.

Mr. Pendleton moved that Assembly Concurrent Resolution No. 13 be immediately transmitted to the Senate.

So ordered.

Mr. Dixon moved that his notice of the reconsideration of the vote

whereby Senate Bill No. 55 was passed be made a special order for next Monday.

Lost.

Mr. Dixon moved the consideration of his notice of reconsideration of the vote whereby Senate Bill No. 55 was passed.

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

AYES—Messrs. Bennett, Bettman, Boothby, Brusie, Dixon, Healey, Kenyon, Laugenour, Lewis, Reid, and Thomas—11.

NOES—Messrs. Bachman, Barker, Bassford, Belshaw, Berry, Bledsoe, Bulla, Butler, Cargill, Deviné, Dinkelspiel, Dodge, Dunbar, Ewing, Fassett, Glass, Guy, Hall, Hudson, Keen, Kelsey, Laird, Llewellyn, McDonald, McKelvey, North, O'Day, Powers, Price, Robinson, Rowell, Staley, Stansell, Swisler, Tibbits, Tomplin, Waymire, Weyse, and Mr. Speaker—33.

Mr. Belshaw moved the consideration of Mr. Swisler's notice of the reconsideration of the vote whereby Senate Bill No. 373 was passed.

So ordered.

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

AYES—Messrs. Bettman, Coleman, Dinkelspiel, Dixon, Guy, Holland, Laugenour, Osborn, Reid, Swisler, Thomas, and Wilkinson—12.

NOES—Messrs. Bachman, Barker, Bassford, Belshaw, Bennett, Berry, Boothby, Bulla, Butler, Cargill, Coghlin, Cutter, Davis, Dunbar, Dwyer, Ewing, Glass, Hall, Healey, Huber, Hudson, Jones, Keen, Kelsey, Kenyon, Laird, Llewellyn, Meads, McDonald, McKelvey, North, O'Day, Phelps, Powers, Price, Sanford, Staley, Stansell, Spencer, Tibbits, Wade, and Waymire—46

REPORTS OF STANDING COMMITTEES.

ON BANKS AND BANKING.

ASSEMBLY CHAMBER, SACRAMENTO, February 21, 1895.

MR. SPEAKER: Your Committee on Banks and Banking, to whom was referred Assembly Bill No. 253

Also: Assembly Bill No. 855.

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

Also: Assembly Joint Resolution No. 22—have had the same under consideration, and respectfully report the same back without recommendation.

Also: Petition of building and loan associations—have had the same under consideration, and respectfully report the same back, and recommend that said petitions be referred to committee to whom the bill was referred, if any bill is pending.

WADE, Chairman

Petition ordered on file.

ON AGRICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, February 21, 1895.

MR. SPEAKER: Your Committee on Agriculture, to whom was referred Assembly Joint Resolution No. 19—Relative to the depression of United States agricultural affairs—have had the same under consideration, and respectfully report the same back, and recommend that it do pass immediately.

RICHARDS, Chairman

ASSEMBLY JOINT RESOLUTION No. 19.

WHEREAS, On the tenth day of December, 1894, the Hon. W. H. Hatch submitted the following resolution in the House of Representatives, and which was referred to the Committee on Agriculture of the House of Representatives:

"WHEREAS, Current market prices of the principal agricultural staples have declined to about half their former rates, and are sold in many instances at or below the cost of production; and whereas, such a condition must tend to the elimination of the independent land-owning farmer and his replacement by a dependent peasant tenantry, which, unless prevented, will not only prove detrimental to agriculture and the kindred industries, but also to the perpetuity of American institutions; therefore,

"Resolved, That the Committee on Agriculture of the House of Representatives be and are hereby directed to inquire into the causes of the depression of American agricultural staples and the relative condition of agriculture to the manufacturing industries, and report the same to the House with such suggestions as they may deem proper regarding the differences or inequalities, if any exist, so far as they are caused by legislation, or as legislation can remedy them."

A hearing was had on the above resolution on December fifteenth and seventeenth, and a limited number of copies of the proceedings on the resolution was ordered printed for free distribution; and whereas, these copies have all been distributed and many more are in demand in our State for the information of the people; therefore,

Resolved, That we request our Representatives in Congress to present a resolution during the present session authorizing the publication and free distribution of twenty-five thousand copies of said "hearing" for the State of California.

Resolved, That the Clerk of the Assembly is hereby instructed to transmit a copy of this resolution to each of our Representatives in Congress without any delay.

WHEREAS, Protection of American industries against the competition of the cheap-labor countries of the world is the controlling and public policy of this Nation; and whereas, the present method of protection by a tariff on imports can only protect the home market of manufactures against imports, but cannot protect the staples of agriculture against foreign competition, because these are produced in surplus quantities for export; and whereas, to protect one industry and to leave the other unprotected is to compel the unprotected industry to pay for the protection of the protected industry, which is an injustice.

Therefore, we respectfully memorialize the Congress of the United States to remove this injustice by providing by law an equal measure of protection to the staples of agriculture now granted to manufactures; and that this be done by applying a portion of the revenue now collected as protective tariff in the payment of an export bounty on the staples of agriculture

Resolved, That a copy of these resolutions be transmitted to Congress.

Adopted.

Mr. Hatfield moved that Assembly Joint Resolution No. 19 be immediately transmitted to the Senate.

So ordered.

ON LABOR AND CAPITAL.

ASSEMBLY CHAMBER, SACRAMENTO, February 21, 1895.

MR. SPEAKER: Your Committee on Labor and Capital, to whom was referred Assembly Bill No. 614—An Act for the relief of the unemployed

Also: Assembly Bill No. 703—An Act to regulate the employment of laborers and mechanics on public works.

Also: Assembly Bill No. 792—An Act to provide for the establishment and maintenance under the direction of the Bureau of Labor Statistics of free public employment offices.

Also: Assembly Bill No. 866—An Act to aid citizens of this State to cooperate in the production of wealth needed for themselves and those dependent on them, and to protect them in the peaceable enjoyment of their production

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass

Also: Assembly Bill No. 839—An Act to add a new section to the Penal Code of the State of California, to be designated section four hundred and two, relating to the duties of females employed in mercantile and manufacturing occupations—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended

JONES, Chairman.

ON HOSPITALS AND ASYLUMS.

ASSEMBLY CHAMBER, SACRAMENTO, February 21, 1895

MR. SPEAKER: Your Committee on Hospitals and Asylums, to whom was referred Assembly Bill No. 707—An Act making an appropriation to pay the deficiency in the appropriation for the support of the Southern California State Asylum for the Insane and Inebriates for the forty-fifth and forty-sixth fiscal years.

Also: Assembly Bill No. 708—An Act making an appropriation to pay the deficiency in the appropriation for the erection of additional buildings and improvements for the Southern California State Asylum for the Insane and Inebriates.

Also: Assembly Bill No. 709—An Act making an appropriation to pay the indebtedness incurred by the Board of Trustees of the Southern California State Asylum for the Insane and Inebriates, in providing a refrigerator for said asylum.

Also: Assembly Bill No. 624—An Act making an appropriation for the support of the Southern California State Asylum for the Insane and Inebriates for the remainder of the forty-sixth fiscal year.

Also: Assembly Bill No. 701—An Act to amend section sixteen of 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, 1887, relating to the powers and duties of the Trustees of said hospital, also known as the Southern California State Asylum for the Insane and Inebriates.

Also: Assembly Bill No. 332—An Act to authorize the Board of Trustees of the Southern California State Asylum for the Insane and Inebriates to convey certain water rights.

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

Also: Assembly Bill No. 480—An Act to provide for the erection and equipment of a combined laundry, boiler, and power building at the California Home for the Care and Training of Feeble-Minded Children; to establish an electric light plant therein; to provide accommodations for idiots; to furnish the girls' wing of said institution, and to appropriate money therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Assembly Bill No. 444—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also: Assembly Bill No. 833—An Act to amend section sixteen of 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, relating to the powers and duties of the Trustees of said hospital, also known as the Southern California State Asylum for the Insane and Inebriates—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 Bill No. 500—An Act to provide for the erection and construction of a State hospital for the care of indigent sick and disabled persons, residents of the State of California, and to provide for the maintenance thereof—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to the San Francisco Delegation.

CARGILL, Chairman.

Assembly Bills Nos. 707, 708, 709, 624, 701, 480, and 444 referred to Committee on Ways and Means.

Assembly Bill No. 500 was ordered referred to San Francisco Delegation.

Mr. Lynch, the author, was granted leave to withdraw Assembly Bill No. 833.

ON RETRENCHMENT AND PUBLIC EXPENDITURES.

ASSEMBLY CHAMBER, SACRAMENTO, February 21, 1895.

MR. SPEAKER: Your Committee on Retrenchment and Public Expenditures, to whom was referred Assembly Bill No. 412—An Act entitled an Act relating to the duties of the State Board of Examiners, providing for the examination, investigation, and inspection and inquiry into, by said State Board of Examiners, of the books, vouchers, papers, property and premises, and the general conduct, management, and affairs of all State institutions, commissions, boards, and offices, and providing for the production of papers, vouchers, books, and property necessary for such examination, and for the defraying of the expenses thereof by said Board of Examiners—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Assembly Bill No. 239—An Act to reduce the number of assistant physicians at Napa State Asylum for the Insane, by amending section eight of an Act to provide for the future management for the Napa State Asylum for the Insane, approved March 6, 1876—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 Bill No. 717—An Act to repeal an Act entitled "An Act creating a Commissioner of Public Works, defining his duties and powers, prescribing his compensation, and making appropriation," approved March 24, 1893—have had the same under consideration, and respectfully report the same back, and recommend that the author be allowed to withdraw the same, there being a bill on file covering the same objects.

PHELPS, Chairman.

Assembly Bill No. 717 withdrawn by the author.

ON PUBLIC LANDS.

ASSEMBLY CHAMBER, SACRAMENTO, February 20, 1895.

MR. SPEAKER: Your Committee on Public Lands, to whom was referred Assembly Bill No. 796—An Act to amend section three thousand five hundred and thirty-five of the Political Code—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Assembly Bill No. 778—An Act to create the office of State Engineering Examiner of Desert Lands, to provide proper means of taking advantage of the Act of Congress approved August 18, 1894, authorizing the Secretary of the Interior to enter into contracts with the State to donate and grant desert lands not exceeding one million acres to the State, upon the State agreeing to reclaim said land; prescribing his duties, and appropriating sufficient money to pay his salary and expenses.

Also: Assembly Bill No. 789—An Act to provide for the fixing of boundaries of lands.

Also: Assembly Bill No. 838—An Act to establish a desert land enabling act, to enable the State of California to receive from the United States desert lands under the provisions of an Act of Congress entitled "An Act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1895, and for other purposes," approved August 18, 1894.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

DAVIS, Chairman.

Assembly Bill No. 778 referred to Committee on Ways and Means.

ON COMMERCE AND NAVIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 20, 1895.

MR SPEAKER: Your Committee on Commerce and Navigation, to whom was referred Assembly Bill No. 286—An Act empowering the Board of State Harbor Commissioners to lay out and improve certain property on the westerly side of East Street, between Clay Street and Market Street, in the City and County of San Francisco, extending their jurisdiction over the same, and rectifying and establishing a line of streets therein—have had the same under consideration, and a majority respectfully report the same back, and recommend that it do not pass, and a minority of committee recommend that it do pass.

Also: Assembly Bill No. 403—An Act to amend the Civil Code by adding thereto five new sections, to be known as sections one thousand four hundred and twenty-six, one thousand four hundred and twenty-six *a*, one thousand four hundred and twenty-six *b*, one thousand four hundred and twenty-six *c*, and one thousand four hundred and twenty-six *d*, relating to water rights—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also: Assembly Bill No. 285—An Act authorizing and empowering the Board of State Harbor Commissioners to grant, exchange, or transfer certain property east of the westerly line of East Street, as delineated and located upon the ground between Clay Street and Market Street, in the City and County of San Francisco, to or with the owner or owners of certain property on the triangular corner common to Market, Sacramento, and East Streets—have had the same under consideration, and a majority respectfully report the same back, and recommend that it do not pass; a minority of committee recommend that it do pass.

Also: Petition of C. F. Bassett, President of Harbor Commissioners of San Francisco, asking that a competent and non-partisan examination be made of the foundations of the new ferry building in San Francisco.

Also: Assembly Concurrent Resolution No. 15—Relative to the selection of experienced engineers to examine and report on the piling and concrete work now being done for the State at the ferry landing in San Francisco.

Resolved by the Assembly, the Senate concurring, That Colonel George H. Mendell and Major W. H. Heuer be and they are hereby selected and requested to carefully examine the piling and concrete work now being done by the Harbor Commissioners, for the State, at the ferry landing, foot of Market Street, in the city of San Francisco, and report fully to this Legislature as to the character of said work, the character of the material used, and generally as to whether the work is well done and suited to the purpose intended.

Have had the same under consideration, and respectfully report the same back, and recommend that same be adopted.

DIXON, Chairman.

Mr. Dixon moved the adoption of Assembly Concurrent Resolution No. 15.

Mr. Bledsoe moved the following substitute for Assembly Concurrent Resolution No. 15:

Resolved, That the Governor be and he is hereby requested to transmit to the Assembly his message and report on the investigation of the San Francisco depot investigation and his action thereon

PREVIOUS QUESTION.

Mr. Dodge moved the previous question, seconded by Messrs. Bulla and Wade.

So ordered.

Substitute lost.

The question now recurring upon Mr. Dixon's motion to adopt the resolution.

The roll was called, and Assembly Concurrent Resolution No. 15 adopted by the following vote:

AYES—Messrs. Bulla, Coleman, Dinkelspiel, Dixon, Dodge, Dunbar, Fassett, Glass, Guy, Hatfield, Huber, Kelsey, Kenyon, Laird, Llewellyn, Meads, McKelvey, Merrill, Nelson, North, Pendleton, Phelps, Rowell, Stansell, Spencer, Swisler, Tibbits, Tomblin, Wade, Waymire, and Weyse—31.

NOES—Messrs. Bachman, Barker, Bettman, Bledsoe, Brusie, Butler, Coghlin, Cutter, Dale, Davis, Devine, Dwyer, Holland, Johnson, Jones, Laugenour, O'Day, Powers, Price, Reid, Richards, Robinson, Sanford, and Staley—24.

Mr. Dixon moved that Assembly Concurrent Resolution No. 15 be immediately transmitted to the Senate.

So ordered.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, February 21, 1895.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 831—An Act to amend section one thousand six hundred and sixteen of the Code of Civil Procedure of the State of California, relating to accounts of and allowances to executors and administrators of estates of deceased persons.

Also: Assembly Bill No. 851—An Act to regulate the trial of actions for a divorce.

Also: Assembly Bill No. 853—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 to 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, and as to the liability of Sheriffs in levying such writs of execution and attachment, and as to the liability of Sheriffs in levying writs of execution or attachment upon property claimed as exempt from execution under section six hundred and ninety of the Code of Civil Procedure.

Also: Assembly Bill No. 854—An Act to amend section five hundred and nineteen of the Code of Civil Procedure of the State of California, relative to the claims by third persons to property seized under claim and delivery.

Also: Assembly Bill No. 880—An Act to prevent the sale of intoxicating liquors in the immediate vicinity of soldiers' homes.

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

Also: Assembly Bill No. 92—An Act to authorize State agricultural societies under the control of the State to sell or mortgage property held by them in fee or held by trustees for their use, or in which they may have any interest; to prescribe a course of procedure therefor; to indemnify purchasers at such sale, and to direct how the proceeds shall be applied—have had the same under consideration, and respectfully report the same back, and recommend as a substitute therefor the bill herewith inclosed, and recommend that such substitute bill do pass.

BULLA, Chairman.

WITHDRAWAL AND SUBSTITUTION OF BILL.

Assembly Bill No. 92 withdrawn, and Assembly Bill No. 937 substituted therefor.

INTRODUCTION OF BILL—(OUT OF ORDER).

By Committee on Judiciary: Assembly Bill No. 937 (Substitute for Assembly Bill No. 92)—An Act to authorize State agricultural societies under the control of the State to sell or mortgage property held by them in fee or held by trustees for their use, or in which they may have any interest; to prescribe a course of procedure therefor; to indemnify purchasers at such sale, and to direct how the proceeds shall be applied.

Read first time and placed on file.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON STATE PARKS AND FORESTRY.

ASSEMBLY CHAMBER, SACRAMENTO, February 21, 1895.

MR. SPEAKER: Your Committee on State Parks and Forestry, to whom was referred Assembly Joint Resolution No. 23—Relative to requesting Congress to make an appropriation for a free wagon road from Mono Lake, Mono County, to Yosemite Valley, Mariposa County—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

TIBBITS, Chairman.

ASSEMBLY JOINT RESOLUTION No. 23.

A joint resolution relative to requesting Congress to make an appropriation for a free wagon road from Mono Lake, Mono County, to Yosemite Valley, Mariposa County.

WHEREAS, The Government of the United States has set aside and reserved certain sections of the State of California for a National Park, known as Yosemite National Park; and whereas, there is no means of access to said park from the east, thus compelling the people living on the eastern slope of the Sierra Nevada Mountains to travel in a long, circuitous route in order to reach said park; and whereas, the visitors who enter said park from the west are prevented from viewing all the points of interest therein, and also from reaching the vicinity of Mono Lake, one of the natural wonders of the State, by reason of lack of road facilities; and whereas, a free wagon road connecting said Yosemite National Park and Mono Lake would be of benefit to the people of the State of California and the nation at large; therefore, be it

Resolved by the Assembly, the Senate concurring, That we instruct our Senators from this State and request our Representatives in Congress to urge Congress to appropriate sufficient money to survey, locate, and construct a free wagon road from Mono Lake to Yosemite Valley.

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

Lost.

Mr. Coleman moved to reconsider the vote whereby Assembly Joint Resolution No. 23 was lost.

So ordered.

Assembly Joint Resolution No. 23 adopted.

Mr. Coleman moved that Assembly Joint Resolution No. 23 be immediately transmitted to the Senate.

So ordered.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON RETRENCHMENT AND PUBLIC EXPENDITURES.

ASSEMBLY CHAMBER, SACRAMENTO, February 21, 1895.

MR. SPEAKER: Your Committee on Retrenchment and Public Expenditures, to whom was referred Assembly Bill No. 726—An Act to repeal an Act entitled "An Act to provide for the appointment, duties, and compensation of a Debris Commissioner, and to make an appropriation to be expended under his direction in the discharge of his duties as such Commissioner," approved March 24, 1893—have had the same under consideration, and respectfully report the same back, a majority without recommendation, a minority that it do pass.

PHELPS, Chairman.

ON PUBLIC BUILDINGS AND GROUNDS.

ASSEMBLY CHAMBER, SACRAMENTO, February 20, 1895.

MR. SPEAKER: Your Committee on Public Buildings and Grounds, to whom was referred Assembly Bill No. 227—An Act to appropriate one hundred and fifty-nine thousand two hundred and eighty dollars for the erection of an administration building, for the use and occupancy of the officers, employes, and patients of the Mendocino Asylum, to purchase furniture, and furnish the building so to be erected by the Directors of said asylum, to purchase furniture and furnish wards for two hundred and six additional patients, to construct an electric plant for lighting the asylum buildings and grounds, and purchase the necessary machinery and appliances therefor; to improve the grounds thereof, to purchase live stock to be used for asylum purposes; to construct a stable and a cow barn; to construct a dam, to furnish an additional water supply to said asylum; for constructing a sewer and drainage system; to purchase an ice-plant and cold storage system; to appropriate money therefor, and provide for the expenditure of the same—have had the same under consideration, and respectfully report the same back amended, and recommend that it do pass as amended.

BERRY, Chairman.

Assembly Bill No. 227 referred to Committee on Ways and Means.

ON CLAIMS.

ASSEMBLY CHAMBER, SACRAMENTO, February 20, 1895.

MR. SPEAKER: Your Committee on Claims, to whom was referred Assembly Bill No. 235—An Act to pay the claim of W. P. Lampkin against the State of California, and making an appropriation therefor.

Also: Assembly Bill No. 756—An Act appropriating money to pay the claim of H. P. Dyer, E. F. Dyer, C. A. Grainger, Gaston Goldsmith, and Sullivan & Sullivan.

Also: Assembly Bill No. 95—An Act to pay certain swamp land warrants and to make appropriations therefor.

Also: Assembly Bill No. 125—Relative to the appropriation of the sum of one thousand and fifty-two dollars to pay the claim of Jerome Deasey

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

Also: Assembly Bill No. 163—An Act to make an appropriation for reimbursing the county of Marin for moneys expended by it for the prosecution of crimes committed within the State Prison at San Quentin, and for inquests held over the bodies of convicts who have died within said prison—have had the same under consideration, and respectfully report the same back without recommendation.

Also: Assembly Bill No. 245—An Act making an appropriation to pay moneys advanced to the State forestry stations by the University of California—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Assembly Bill No. 735—An Act providing for the relief of the County Treasurer of Sonoma County, and his sureties on the official bond, on account of money of which he was forcibly robbed—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also: Assembly Bill No. 686—An Act making an appropriation for the payment of R. J. Broughton.

Also: Assembly Bill No. 634—An Act providing for the relief of John J. Conlin, directing the Board of Supervisors of the City and County of San Francisco to order paid the said Conlin, his assignees or legal representatives, the sum of sixty-one thousand five hundred and seventy-seven dollars, and directing the Auditor of said city and county to audit the demand of said Conlin for said sum, and issue his warrant therefor, and the Treasurer of said city and county to pay said warrant.

Also: Assembly Bill No. 551—An Act to pay the claim of George Miller for damage done by storm water and sewage of the Southern California State Asylum for the Insane and Inebriates.

Also: Assembly Bill No. 358—An Act making an appropriation to pay the claim of R. B. Young for architect's fees for erection and construction of power and electric plant at the Whittier State School, an indebtedness created by the consent of the State Board of Examiners, and recommended by said Board to be paid.

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

Also: Assembly Bill No. 640—An Act to provide for the payment of the attachés of the Constitutional Convention—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

BUTLER, Chairman.

Assembly Bills Nos. 235, 756, 95, 125, 163, 245, 735, 686, 634, 551, 358, and 640 referred to Committee on Ways and Means.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 21, 1895

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Assembly Bill No. 77—An Act to amend an Act entitled "An Act to provide for the classification of municipal corporations," as approved March 2, 1883 (St. 1883, p. 24.)

Also: Assembly Bill No. 835—An Act to amend an Act entitled "An Act to reincorporate Salinas City," approved March 2, 1876, with reference to the levy and collection of taxes by said Salinas City.

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

Also: Assembly Bill No. 791—An Act requiring Boards of Supervisors, Common Councils, or Boards of Trustees in cities, cities and counties, or towns in this State to fix the price at which electricity and gas shall be sold for illuminating purposes.

Also: Assembly Bill No. 770—An Act to provide for the adjudication of claims against counties, cities and counties, and municipal corporations, in certain cases.

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

Also: Assembly Bill No. 416—have had the same under consideration, and respectfully report the same back, and recommend that the author be allowed to withdraw the same, and recommend further that the committee substitute therefor do pass.

GUY, Chairman.

WITHDRAWAL AND SUBSTITUTION OF BILL.

Assembly Bill No. 416 was withdrawn, and Assembly Bill No. 938 was substituted therefor.

INTRODUCTION OF BILL—(OUT OF ORDER).

By Committee on Municipal Corporations: Assembly Bill No. 938 (Substitute for Assembly Bill No. 416)—An Act requiring the employment of flag signalmen by steam, cable, or electric railroad companies.

Read first time, and placed on file.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON ROADS AND HIGHWAYS.

ASSEMBLY CHAMBER, SACRAMENTO, February 21, 1895.

MR. SPEAKER. Your Committee on Roads and Highways, to whom was referred Assembly Bill No. 742—An Act to provide for the organization and government of road districts—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

SWISLER, Chairman.

ON IRRIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 21, 1895.

MR. SPEAKER. Your Committee on Irrigation, to whom was referred Assembly Bill No. 329—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 three, four, eleven, twelve, thirty-six, and thirty-seven thereof, and by repealing section forty-one thereof.

Also: Assembly Bill No. 435—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 section eighteen thereof.

Also: Assembly Bill No. 775—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 section twenty-seven thereof.

Also: Assembly Bill No. 815—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 twenty-two and thirty-seven thereof, relating to the levying and collecting of assessments, tolls, and charges.

Also: Assembly Bill No. 816—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.

Have had the same under consideration, and respectfully report the same back, and recommend that their respective authors be allowed to withdraw the same, and that the Committee Substitute for Assembly Bills Nos. 329, 435, 775, 815, and 816 be filed as a substitute therefor, and that the same do pass

McKELVEY, Chairman.

WITHDRAWAL AND SUBSTITUTION OF BILL.

Assembly Bills Nos. 329, 435, 775, 815, and 816 were withdrawn, and Assembly Bill No. 939 substituted therefor.

INTRODUCTION OF BILL—(OUT OF ORDER).

By Committee on Irrigation: Assembly Bill No. 939 (Substitute for Assembly Bills Nos. 329, 435, 775, 815, and 816)—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 three, four, twelve, eighteen, twenty-two, twenty-seven, and thirty-seven thereof.

Read first time, and placed on file.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON IRRIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 21, 1895.

MR. SPEAKER: Your Committee on Irrigation, to whom was referred Assembly Bill No. 734—An Act supplementary to an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water thereby for irrigation purposes," approved March 7, 1887, providing for the destruction of all or any part of the bonds of any irrigation district remaining unsold after the completion of the irrigation system—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Assembly Bill No. 821—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, providing for the payment of judgments docketed—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass

McKELVEY, Chairman.

ON AGRICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, February 21, 1895.

MR. SPEAKER: Your Committee on Agriculture, to whom was referred Assembly Bill No. 317—Providing for a Southern California State Fair—have had the same under consideration, and respectfully report the same back without recommendation.

Also: Assembly Bill No. 862—An Act to prevent the use of barbed wire fences.

Also: Assembly Bill No. 867—An Act for the development of ramie, silk, and flax culture and manufacture under supervision of special agent appointed by the State Board of Agriculture.

Also: Assembly Bill No. 632—To provide for the organization of county agricultural associations, and for the management of same by State.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

Also: Your Committee on Agriculture beg leave to report that they have been in joint session with the Senate Committee on Agriculture, having under consideration the District Fair proposition, and that at said meeting it was resolved that each committee

report to its respective house, recommending that the District Fairs be maintained as in the past, but at one half the appropriation of last year, together with the State Fair at a reduction of one half its last appropriation.

RICHARDS, Chairman.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, February 21, 1895.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 859—An Act to authorize the State Treasurer to pay over to the Treasurer of the Veterans' Home Association all moneys received by him under and pursuant to the Act of Congress entitled "An Act to provide aid to State and Territorial Homes for the Support of Disabled Soldiers and Sailors of the United States," approved August 28, 1888—have had the same under consideration, and respectfully report the same back, and recommend that Senate Bill No. 764 be substituted therefor, and recommend it do pass.

Also: Assembly Bill No. 538—An Act appropriating money for the relief of Mrs Sarah J. Wing, her heirs or assigns—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

BRUSIE, Chairman.
TOMBLIN.
DEVINE.
SWISLER.
KELSEY.
LAUGENOUR.
LLEWELLYN.

Also: Assembly Bill No. 850—An Act to provide for the purchase, or building, of a residence for the Governor of California, and to appropriate money therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

BRUSIE, Chairman.
SWISLER.
LAUGENOUR.
DEVINE.
TOMBLIN.
KELSEY.

Also: Assembly Bill No. 418—An Act to appropriate seven thousand five hundred dollars as compensation to Julius A. Hult, a private in Company C, First Regiment Infantry, Second Brigade, N. G. C., for injuries sustained while in active service—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

BRUSIE, Chairman.
LLEWELLYN.
KELSEY.
TOMBLIN.
SWISLER.
DEVINE.
LAUGENOUR.

Also: Assembly Bill No. 16—An Act appropriating the sum of five thousand dollars for the purchase of furniture and apparatus for the State Normal School at Los Angeles, California.

Also: Assembly Bill No. 19—An Act appropriating six thousand five hundred dollars to pay for a system of heating and ventilating in the old State Normal School building at Los Angeles, California.

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

Also: Assembly Bill No. 219—An Act appropriating two hundred and fifty thousand dollars for the erection of buildings at Berkeley, Alameda County, for the use of the University of California—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Assembly Bill No. 638—An Act to appropriate money to pay the claim of D. Jordan, for the partial construction by him of the Branch State Prison at Folsom, California.

Also: Assembly Bill No. 230—An Act to appropriate the surplus moneys in the "Special Mendocino Asylum Fund," in the State Treasury, to the uses of the Mendocino Asylum.

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

Also: Assembly Bill No. 106—An Act providing for the selection, condemnation, and purchase of a suitable site, and the erection thereon of a State building in San Francisco, and making an appropriation therefor—have had the same under consideration, and respectfully report the same back without recommendation.

Also: Assembly Bill No. 626—An Act for the appointment of a guardian for Sutter's Fort property, prescribing his duties, and appropriating money therefor—have had the same under consideration, and respectfully report the same back, and recommend that Senate Bill No. 607 be substituted therefor, and recommend that it do pass

BRUSIE, Chairman.

Assembly Bill No. 859 was withdrawn, and Senate Bill No. 764 substituted therefor.

Assembly Bill No. 626 was withdrawn, and Senate Bill No. 607 substituted therefor.

MOTION.

Mr. Hatfield submitted a report of the Railroad Commission, and moved that five hundred copies be printed.

So ordered.

REPORT OF COMMITTEE ON CONTESTED ELECTIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 21, 1895.

MR. SPEAKER: Your Committee on Contested Elections, to whom was referred the matter of the expenses of the contested election in the matter of Ed J. Reynolds, contestant, vs I. M. Merrill, contestee, for the office of member of the Assembly of the State of California from the Forty-second Assembly District, beg to report that they have listened to the testimony and fully investigated the same, and therefore recommend that the following expenses be allowed I. M. Merrill, the contestee therein:

Witness fees.....	\$300 00
Commissioner's fees.....	60 00
Notarial fees.....	6 50
Expenses of investigating and finding and subpoenaing witnesses, and three trips to Sacramento.....	150 00
Attorney's fees—H. N. Clement.....	500 00
Attorney's fees—J. M. Chretien.....	500 00
Clerk's fees.....	4 50
Reporter's fees.....	610 00
Total.....	\$2,131 00

And we further recommend the adoption of the following resolution:

Resolved, That the State Controller be and he is hereby directed to draw his warrant for the sum of two thousand one hundred and thirty-one dollars in favor of John M. Chretien, payable out of the Contingent Fund of the Assembly, and the Treasurer is hereby directed to pay the same.

Also: Your Committee on Contested Elections, to whom was referred the matter of the expenses of the contested election in the matter of Edward J. Reynolds vs. I. M. Merrill, for the office of member of the Assembly of the State of California from the Forty-second Assembly District, beg to report that they have listened to the testimony, and fully investigated the same, and therefore recommend that the following expenses be allowed Edward J. Reynolds, the contestant therein:

Commissioner's fees.....	\$60 00
Filing and serving statement.....	10 00
Attorneys' fees—Edgar B. Haymond and C. W. Reed.....	300 00
Total.....	\$370 00

And we further recommend the adoption of the following resolution:

Resolved, That the State Controller be and he is hereby directed to draw his warrant for the sum of three hundred and seventy dollars, in favor of Edgar B. Haymond, payable out of the Contingent Fund of the Assembly, and the Treasurer is hereby directed to pay the same.

Also: Your Committee on Contested Elections, to whom was referred the matter of the expenses of the contested election in the matter of T. E. Tracy vs. J. J. Wilkinson for the office of member of the Assembly of the State of California from the Thirty-first Assembly District, beg to report that they have listened to the testimony and fully investigated the same, and therefore recommend that the following expenses be allowed J. J. Wilkinson, the contestee therein:

Reporter's fees.....	\$389 00
Commissioner's fees.....	60 00
Notarial fees.....	1 00
Serving subpoenas.....	20 00

Services of men investigating and finding witnesses, and watching ballots.....	\$100 00
Twelve witnesses, three days, at \$2 per day	72 00
Attorneys' fees—J. C. Campbell and J. J. Kennedy.....	750 00

Total \$1,392 00

And we further recommend the adoption of the following resolution:

Resolved, That the State Controller be and he is hereby directed to draw his warrant for the sum of one thousand three hundred and ninety-two dollars, in favor of J. J. Kennedy, payable out of the Contingent Fund of the Assembly, and the Treasurer is hereby directed to pay the same.

Also: Your Committee on Contested Elections, to whom was referred the matter of the expenses of the contested election in the matter of D. C. Smith vs Mark A. Devine, for the office of member of the Assembly of the State of California from the Thirty-fourth Assembly District, beg to report that they have listened to the testimony and fully investigated the same, and therefore recommend that the following expenses be allowed D. C. Smith, the contestant therein:

Sheriff's fees.....	\$31 50
Clerk's fees.....	7 50
Notarial fees.....	5 50
Commissioner's fees.....	40 00
Attorney's fees—H. N. Clement.....	250 00
Attorney's fees—J. M. Chretien.....	250 00

Total \$584 50

And we further recommend the adoption of the following resolution:

Resolved, That the State Controller be and he is hereby directed to draw his warrant for the sum of five hundred and eighty-four dollars and fifty cents in favor of J. M. Chretien, payable out of the Contingent Fund of the Assembly, and the Treasurer is hereby directed to pay the same.

Also: Your Committee on Contested Elections, to whom was referred the matter of the expenses of the contested election in the matter of D. C. Smith vs Mark A. Devine, for the office of member of the Assembly of the State of California from the Thirty-fourth Assembly District, beg to report that they have listened to the testimony and fully investigated the same, and therefore recommend that the following expenses be allowed Mark A. Devine, the contestee therein:

Reporter's fees.....	\$410 00
Commissioner's fees.....	40 00
Witness fees.....	50 00
Notary fees.....	1 00
Serving subpoenas.....	18 00
Attorneys' fees—Boone & Schlessinger, and C. W. Reed.....	750 00

Total \$1,269 00

And we further recommend the adoption of the following resolution:

Resolved, That the State Controller be and he is hereby directed to draw his warrant for the sum of one thousand two hundred and sixty-nine dollars in favor of Boone & Schlessinger, payable out of the Contingent Fund of the Assembly, and the Treasurer is hereby directed to pay the same.

Also: Your Committee on Contested Elections, to whom was referred the matter of the expenses of the contested election in the matter of Joseph Scheerer vs. John McCarthy, for the office of member of the Assembly of the State of California from the Thirty-sixth Assembly District, beg to report that they have listened to the testimony and fully investigated the same, and therefore recommend that the following expenses be allowed Joseph Scheerer, the contestant therein:

Sheriff's fees.....	\$26 50
Clerk's fees.....	7 50
Notarial fees.....	4 00
Commissioner's fees.....	40 00
Attorneys' fees—Frank I. Kingwell, J. N. Young, J. M. Chretien.....	300 00

Total \$378 00

And we further recommend the adoption of the following resolution:

Resolved, That the State Controller be and he is hereby directed to draw his warrant for the sum of three hundred and seventy-eight dollars, in favor of J. M. Chretien, payable out of the Contingent Fund of the Assembly, and the Treasurer is hereby directed to pay the same.

Also: Your Committee on Contested Elections, to whom was referred the matter of the expenses of the contested election in the matter of T. E. Treacy vs. J. J. Wilkinson, for the office of member of the Assembly of the State of California from the Thirty-first Assembly District, beg to report that they have listened to the testimony, and fully investigated the same, and therefore recommend that the following expenses be allowed T. E. Treacy, the contestant therein:

Commissioner's fees.....	\$60 00
Serving subpoenas.....	30 00
Attorneys' fees—Edgar B. Haymond and C. W. Reed.....	300 00
Total.....	\$390 00

And we further recommend the adoption of the following resolution:

Resolved, That the State Controller be and he is hereby directed to draw his warrant for the sum of three hundred and ninety dollars, in favor of Edgar B. Haymond, payable out of the Contingent Fund of the Assembly, and the Treasurer is hereby directed to pay the same.

HUBER, Chairman.

MOTION.

Mr. Pendleton moved to make the consideration of the report of the Committee on Contested Elections a special order for Monday morning, immediately after reading of the Journal.

So ordered.

REPORT OF SPECIAL COMMITTEE ON INAUGURAL BALL.

MR. SPEAKER: Your Committee on Inaugural Ball, to whom was referred the following resolution:

Resolved, That the Secretary of State be requested to have the dome of the State Capitol building lighted on the evening of January 28, 1895, 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 is hereby appropriated out of the Contingent Fund of the Assembly to pay the expenses thereof."

Beg leave to report as follows: We find that the services were rendered and the money expended as the above resolution directed, and we hereby recommend the adoption of the following resolution:

Resolved, That the Controller be instructed and is hereby directed to draw his warrant in favor of L. H. Brown, Secretary of State, for the sum of two hundred dollars, payable out of the Contingent Fund of the Assembly, and the Treasurer is hereby directed to pay the same.

POWERS, Chairman.

Referred to Committee on Ways and Means.

REPORT OF STANDING COMMITTEE.

ON ENROLLMENT

ASSEMBLY CHAMBER, SACRAMENTO, February 21, 1895.

MR. SPEAKER: Your Committee on Enrollment have examined and found correctly enrolled Assembly Bill No 935—An Act making an appropriation for the contingent expenses of the Assembly for the thirty-first session of the Legislature—and presented the same to the Governor on this day, at twelve o'clock

MEADS, Chairman

Mr. Brusie moved that the hour of recess be extended ten minutes.

So ordered.

INTRODUCTION OF BILLS.

The following bills were introduced, read first time, and referred to committees, as follows:

By Mr. Fassett: Assembly Bill No. 940—An Act providing for the erection and operation of rock-crushing plants at the State prisons, for the preparation of highway material for the benefit of the people of the State; and providing for the necessary advances and appropriation of money to carry out said work.

Read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 941—An Act to create a Bureau of Highways, and prescribe its duties and powers, and to make an appropriation for its expenses.

Read first time, and referred to Committee on Ways and Means.

By Mr. O'Day: Assembly Bill No. 942—An Act to regulate the price of telegraph messages in the State of California.

Read first time, and referred to Committee on Corporations.

By Mr. Dixon: Assembly Bill No. 943—An Act to repeal sections five hundred and twenty-six, five hundred and twenty-seven, five hundred and twenty-eight, five hundred and twenty-nine, five hundred and thirty-one, five hundred and thirty-two, five hundred and thirty-three, five hundred and thirty-four, five hundred and thirty-five, five hundred and thirty-six, five hundred and thirty-seven, and five hundred and thirty-eight of article twelve, chapter three, of the Political Code; and to add twelve new sections to said Political Code, to be known and numbered as sections five hundred and twenty-six, five hundred and twenty-seven, five hundred and twenty-eight, five hundred and twenty-nine, five hundred and thirty, five hundred and thirty-one, five hundred and thirty-two, five hundred and thirty-three, five hundred and thirty-four, five hundred and thirty-five, five hundred and thirty-six, and five hundred and thirty-seven, in relation to the Superintendent of State Printing.

Read first time, and referred to Committee on Retrenchment and Public Expenditures.

Also: Assembly Bill No. 944—An Act providing for primary elections within the State of California, and regulating the conduct thereof, and prohibiting certain acts and practices in relation thereto, and providing for the punishment thereof.

Read first time, and referred to Committee on Election Laws.

By Mr. Powers: Assembly Bill No. 945—An Act relating to grand juries, enlarging their powers, and exempting certain witnesses from liability on account of testimony given before grand juries.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 946—An Act to amend section eight hundred and thirteen of an Act entitled "An Act to establish a Code of Civil Procedure," adopted March 11, 1872, by extending the liens provided for in said section when the vessel subject to such liens is absent from the State of California when the time for their enforcement expires, and vessels liable on the order of charterers.

Read first time, and referred to Committee on Judiciary.

By Mr. Dinkelspiel (by request): Assembly Bill No. 947—An Act to appropriate five thousand six hundred and twenty-eight dollars and seventy-five cents, as compensation to the "La Voce del Popolo," a newspaper published in the City and County of San Francisco, for having published proposed amendments to the Constitution of the State of California during the year 1894.

Read first time, and referred to Committee on Claims.

Also (by request): Assembly Bill No. 948—An Act to appropriate four thousand four hundred and eighty-eight dollars and forty-two cents as a compensation to the "Le Franco Californien," a newspaper published in the City and County of San Francisco, for having published proposed amendments to the Constitution of the State of California during the year 1894.

Read first time, and referred to Committee on Claims.

By Mr. Devitt: Assembly Bill No. 949—An Act for the regulation of pawnbrokers.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 950—An Act to appropriate four thousand and seventy-five dollars and fifty cents as a compensation to "Italian Publishing Company," a corporation organized and existing under the laws of the State of California, for having published proposed amendments to the Constitution of the State of California during the year 1894.

Read first time, and referred to Committee on Claims.

By Mr. North (by request): Assembly Bill No. 951—An Act to provide payment for the advertising of the constitutional amendments, and to make appropriations therefor.

Read first time, and referred to Committee on Claims.

By Mr. Spencer: Assembly Bill No. 952—An Act to amend the Code of Civil Procedure of California, by adding to chapter one, part two, title thirteen, a new section, to be numbered section nine hundred and sixty, relating to the review of question of fact upon appeal to the Supreme Court.

Read first time, and referred to Committee on Judiciary.

By Mr. Laird: Assembly Bill No. 953—An Act to amend 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, 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 March 20, 1891, by amending sections one, eleven, and twelve," approved March 23, 1893, by amending section one thereof.

Read first time, and referred to Committee on Agriculture.

By Mr. Reid: Assembly Bill No. 954—An Act appropriating the sum of twenty-five thousand dollars for a thorough system of ventilation for the Capitol building.

Read first time, and referred to Committee on Public Buildings and Grounds.

By Mr. Guy (by request): Assembly Bill No. 955—An Act to better control the waters in various rivers of the State.

Read first time, and referred to Committee on Manufactures and Internal Improvements.

By Committee on Roads and Highways: Assembly Bill No. 956—An Act regulating the width of tires upon wagons and other vehicles to be used upon the public roads and highways in the State of California.

Read first time, and placed on file.

By Mr. Butler: Assembly Bill No. 957—An Act to amend section three thousand three hundred and eighty-four of the Political Code of the State of California, in relation to peddlers.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 958—An Act to define the boundaries of supervisor districts of the county of Sacramento.

Read first time, and referred to Committee on County and Township Governments.

By Mr. Wade: Assembly Constitutional Amendment No. 51—A resolution to propose to the people of the State of California an amendment to section two of article four of the Constitution of the State of California.

Read, and referred to Committee on Constitutional Amendments.

By Mr. Butler: Assembly Constitutional Amendment No. 52—A reso-

lution proposing to the people of the State of California an amendment to the Constitution of the State of California, by adding a new section to article twenty of the said Constitution, to be numbered twenty-one, relating to acquiring land by adverse possession.

Read, and referred to Committee on Constitutional Amendments.

RESOLUTION.

By Mr. Brusie:

Resolved, That Senate Bill No. 764 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions 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 question being on the adoption of the resolution.

The roll was called, and the rules suspended by the following vote:

AYES—Messrs. Bachman, Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Brusie, Bulla, Butler, Cargill, Coleman, Coghlin, Cutter, Dale, Davis, Devitt, Devine, Dinkelspiel, Dixon, Dodge, Dunbar, Dwyer, Ewing, Glass, Hall, Hatfield, Holland, Hudson, Johnson, Jones, Keen, Kelsey, Kenyon, Laugenour, Lewis, Llewellyn, Meads, McDonald, Nelson, North, O'Day, Osborn, Pendleton, Phelps, Powers, Price, Rowell, Sanford, Staley, Stansell, Spencer, Swisler, Tibbitts, Twigg, Wade, Waymire, Weyse, and Mr. Speaker—59.
NAYS—Mr. Bledsoe—1.

Senate Bill No. 764—An Act to authorize the State Treasurer to pay over to the Treasurer of the Veterans' Home Association all moneys received by him under and pursuant to the Act of Congress entitled "An Act to provide aid to State or Territorial Homes for the Support of Disabled Soldiers and Sailors of the United States," approved August 28, 1888.

Read first, second, and third times.

The question being on the final passage of the bill.

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

AYES—Messrs. Bachman, Barker, Belshaw, Bennett, Berry, Bettman, Bledsoe, Brusie, Bulla, Butler, Cargill, Coghlin, Dale, Devitt, Dinkelspiel, Dixon, Dodge, Dunbar, Ewing, Glass, Guy, Hall, Hatfield, Healey, Huber, Hudson, Johnson, Jones, Keen, Kelsey, Kenyon, Laugenour, Lewis, Llewellyn, Meads, McDonald, McKelvey, North, O'Day, Osborn, Phelps, Powers, Price, Robinson, Rowell, Sanford, Swisler, Twigg, Wade, Waymire, Weyse, and Mr. Speaker—52.
NAYS—None

Title read and approved.

MOTION.

At twelve o'clock and thirty-four minutes P. M. Mr. Bettman moved to adjourn.

Lost.

RECESS.

The hour of recess having arrived, the Speaker declared recess until one o'clock and thirty minutes P. M.

REASSEMBLED.

The Assembly reassembled at one o'clock and thirty minutes P. M.
Speaker Lynch in the chair.
Quorum present.

SENATE MESSAGES.

SENATE CHAMBER, SACRAMENTO, February 20, 1895.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Assembly Bill No. 28—An Act to amend section six hundred and seventy-one of the Code of Civil Procedure, relating to the lien of judgments, their enforcement and revivor.

Also: Assembly Bill No. 32—An Act to amend section one thousand and ninety-four of the Civil Code, relating to the execution and acknowledging of powers of attorney by a married woman, and to make valid all powers of attorney formerly executed by married women.

Also: Assembly Bill No. 29—An Act to amend section six hundred and eighty-five of the Code of Civil Procedure, relating to the enforcement or carrying into execution of judgments after the lapse of five years from the date of entry.

F. J. BRANDON, Secretary.
By R. SHAW, Assistant.

Referred to Committee on Enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, February 20, 1895.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Senate Bill No. 438—An Act making an appropriation to pay for the support and maintenance of the inmates of the Woman's Relief Corps Home, at Evergreen, in Santa Clara County, for the forty-fifth and forty-sixth fiscal years.

Also: Senate Bill No. 121—An Act to appropriate the surplus moneys in the "Special Mendocino Asylum Fund," in the State Treasury, to the uses of the Mendocino Asylum.

Also: Senate Bill No. 422—An Act entitled an Act to appropriate money to pay the claim of Henry W. Taylor, assignee of John M. Creed, for the construction of a sewer along Dwight Way, on front of the lands of the Deaf and Dumb Asylum, of Berkeley, California.

Also: Senate Bill No. 15—An Act authorizing the Judges of the Superior Court in all counties, and cities and counties, having a population of two hundred thousand inhabitants and over, to appoint a Secretary.

Also: Senate Bill No. 183—An Act to amend section one thousand seven hundred and thirty-six of the Code of Civil Procedure, relating to a report as to the condition of the estate.

Also: Senate Bill No. 184—An Act to amend section one thousand seven hundred and thirty-five of the Code of Civil Procedure, relating to the accounts, decrees of distribution, and termination of letters of administration.

Also: Senate Bill No. 347—An Act entitled an Act to amend section two hundred and seventy-six of the Code of Civil Procedure, relating to the examination of applicants for admission to practice law.

F. J. BRANDON, Secretary.
By R. SHAW, Assistant.

Also:

SENATE CHAMBER, SACRAMENTO, February 21, 1895.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Senate Bill No. 462—An Act to prevent evil-disposed persons from coming upon the grounds of the Whittier State School, at Whittier, Cal.

Also: Senate Bill No. 229—An Act to provide an official stenographic reporter to the Coroner of each county, or city and county, having one hundred thousand or more inhabitants, and providing the mode in which such reporter shall be appointed, and establishing the compensation and prescribing the duties of such reporter.

Also: Senate Bill No. 20—An Act relating to certain contracts for the conditional sale, lease, or hire of railroad and street railway equipment and rolling stock, and providing for the recording thereof.

Also: Senate Bill No. 42—An Act to amend an Act entitled "An Act to provide a system of street improvement bonds to represent certain assessments for the cost of street work and improvement within municipalities, and also for the payment of such bonds," approved February 27, 1893.

Also: Senate Bill No. 504—An Act making an appropriation to pay the unpaid claims for bounty on coyote scalps.

F. J. BRANDON, Secretary.
By R. SHAW, Assistant.

At one o'clock and thirty-five minutes the Speaker called Mr. Brusie to the chair.

Also:

SENATE CHAMBER, SACRAMENTO, February 21, 1895.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Senate Bill No. 687—An Act to amend section one thousand eight hundred and eighty of the Political Code of the State of California, relating to public schools.

Also: Adopted Assembly Concurrent Resolution No 13—Relative to adjournment of the Legislature on Thursday, February 21, 1895.

F. J. BRANDON, Secretary.
By R. SHAW, Assistant.

REFERENCE AND SUBSTITUTION OF BILLS.

Assembly Bills Nos. 28 and 29 referred to Committee on Enrollment.
Senate Bills Nos. 438, 121, and 422 referred to Committee on Ways and Means.

Senate Bill No. 15 referred to the San Francisco Delegation.

Senate Bills Nos. 183 and 184 referred to Committee on Judiciary.

Senate Bill No. 347 substituted for Assembly Bill No. 313.

Senate Bill No. 462 referred to Committee on Public Morals.

Senate Bill No. 229 substituted for Assembly Bill No. 270.

Senate Bill No. 20 referred to Committee on Corporations.

Senate Bill No. 42 referred to Committee on Municipal Corporations.

Senate Bill No. 504 substituted for Assembly Bill No. 503.

Senate Bill No. 687 referred to Committee on Education.

LEAVE OF ABSENCE.

The following members were granted leave of absence for the day:
Messrs. Lynch, Tibbits, Devine, O'Day, McCarthy, Twigg, Richards, McKelvey, Berry, McDonald, Coghlin, Wilkinson, Powers, Dinkelspiel, Ewing, and Hall.

NOTICE TO AMEND RULES.

Mr. Bulla gave notice that on the next legislative day he will move to amend Rule 40, of the Standing Rules, so as to read as follows:

Every member, when he speaks, shall, standing in his place, address "Mr. Speaker," and when he has finished he shall sit down. No member shall speak more than once, or for a longer time than five minutes, 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.

Laid over one day.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON PUBLIC BUILDINGS AND GROUNDS.

ASSEMBLY CHAMBER, SACRAMENTO, February 21, 1895.

MR. SPEAKER: The Sub-Committee on Public Buildings and Grounds, appointed to investigate the need of appropriation for additional buildings at Mendocino Insane Asylum, at Ukiah, having visited said place and reported back to the Assembly the result of their investigation, now present account of expenses, as follows:

Wm. Llewellyn	\$41 00
J. B. Sanford	41 00
J. E. Butler	41 00
M. Lewis	41 00
B. C. Kenyon	41 00
J. D. McKenzie, clerk	41 00
Total	\$246 00

Resolved, That the Controller be and he is hereby directed to draw his warrant in favor of Wm. Llewellyn, Chairman of said committee, for the sum of two hundred and forty-six dollars, as per above statement, said warrant to be drawn upon the fund for contingent expenses of the Assembly, and the Treasurer is directed to pay the same.

LLEWELLYN, Chairman.

Adopted.

MOTION.

Mr. Bulla moved to take up second-reading file.

So ordered.

SECOND READING OF BILLS.

Assembly Bill No. 41—An Act to amend section four hundred and sixteen of the Code of Civil Procedure, relating to the acquiring of jurisdiction in actions.

Passed, to retain its place on file.

Assembly Bill No. 44—An Act to amend section two thousand three hundred and twenty-four of the Civil Code, relating to authority to sell real property.

Passed, to retain its place on file.

Assembly Bill No. 36—An Act to add a new section to the Code of Civil Procedure, said section to be designated as section seven hundred and fifty, relating to quieting title to real property as against unknown claimants.

Passed, to retain its place on file.

Assembly Bill No. 37—An Act to amend section one thousand and ninety-three of the Civil Code, relating to the execution of a grant of real property by a married woman, and making valid and binding all instruments made by married women as grants.

Passed, to retain its place on file.

Assembly Bill No. 66—An Act to amend section seven hundred and thirty-eight of the Code of Civil Procedure.

Refused a second reading.

Assembly Bill No. 42—An Act to add a new section to the Code of Civil Procedure, said section to be designated as section three hundred and twenty-nine, relating to the limitation of action to recover real property.

Passed, to retain its place on file.

Assembly Bill No. 60—An Act to add a new section to the Political Code, to be numbered section three thousand eight hundred and eighteen, in relation to the cancellation of tax sales to the State.

Passed, to retain its place on file.

Assembly Bill No. 68—An Act to amend section three thousand seven hundred and seventy-seven of the Political Code of the State of California.

Passed, to retain its place on file.

Assembly Bill No. 229—An Act to amend section two hundred and seventy-six of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 12, 1872, relating to the admission of attorneys and counselors-at-law to practice in the Courts of record.

Passed, to retain its place on file.

Assembly Bill No. 210—An Act to provide for a State Veterinarian and County Veterinarians, and prescribe their duties, and to prevent

and suppress contagious and infectious diseases among the live stock of the State, and to declare an emergency.

Passed, to retain its place on file.

Assembly Bill No. 427—An Act to provide for the appointment of a State Veterinary Surgeon, to prescribe his duties, and fixing his compensation.

Passed, to retain its place on file.

Assembly Bill No. 419—An Act to regulate the manufacture and sale of commercial fertilizers.

Passed, to retain its place on file.

ASSEMBLY JOINT RESOLUTION No. 4.

Joint resolution relative to foreign immigration to the United States.

WHEREAS, The experience of the past has shown that our laws are not sufficient to restrain foreign nations from making of America a dumping-ground for the pauper and criminal classes of foreign lands; and whereas, there can be no effectual protection of American labor by any form of protective tariff until, in connection with it, Congress shall pass laws designed to stop the coming of undesirable foreigners into the United States.

Resolved by the Assembly of the State of California, the Senate concurring, That we instruct our Senators and request our Representatives in Congress from this State to advocate such measures of national legislation as will effectually put a stop to undesirable immigration, even to the extent, if found necessary, of the absolute prohibition of such immigration; and be it

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

Adopted.

Assembly Bill No. 270—An Act to provide an official stenographic reporter to the Coroner of each county, or city and county, having one hundred thousand or more inhabitants, and providing the mode in which such reporter shall be appointed, and establishing the compensation and prescribing the duties of such reporter.

Passed, to retain its place on file.

Assembly Bill No. 182—An Act to repeal an Act entitled "An Act to establish and support a Bureau of Labor Statistics," approved March 3, 1889.

Passed, to retain its place on file.

Assembly Bill No. 336—An Act to amend an Act entitled an Act to establish a Naval Battalion, to be attached to the National Guard of California.

Passed, to retain its place on file.

Assembly Bill No. 72—An Act to amend section one thousand seven hundred and four of the Political Code, relative to the eligibility of persons to teach in the public schools of this State.

Passed, to retain its place on file.

Assembly Concurrent Resolution No. 4—Relative to printing school text-books.

Passed, to retain its place on file.

Assembly Bill No. 243—An Act to repeal an Act entitled "An Act to establish a standard of weights and measures," approved April 6, 1891.

Passed, to retain its place on file.

MOTION.

Mr. Cutter moved that the Assembly do now take up the consideration of Special Senate File.

So ordered.

SPECIAL SENATE FILE.

Senate Bill No. 257—An Act to add a new section, to be numbered five hundred and fifteen, to an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to the crime of embezzlement.

Passed, to retain its place on file.

Senate Bill No. 46—An Act to amend section seven hundred and thirty-seven of the Political Code of the State of California, relating to salaries of Judges of Superior Courts.

Passed, to retain its place on file.

Senate Bill No. 694—An Act to add a new section to the Code of Civil Procedure, to be known as section seven hundred and fifty, relating to suits to quiet title to or determine adverse claims to real or personal property, or both.

Passed, to retain its place on file.

Senate Bill No. 529—An Act to provide for an additional watchman in and about the office of the State Treasurer, by amending an Act entitled "An Act for the better protection of the State Treasury," approved March 30, 1868.

Passed, to retain its place on file.

Senate Bill No. 436—An Act to appropriate the sum of five thousand dollars for repairs to the buildings of the State Normal School at San José.

Passed, to retain its place on file.

Senate Bill No. 88—An Act to prevent deception in the manufacture and sale of butter and of cheese, to secure its enforcement, and to appropriate money therefor.

Passed, to retain its place on file.

Senate Bill No. 57—An Act to amend section one of an Act entitled "An Act to amend an Act approved February 28, 1887, entitled 'An Act to amend an Act to appropriate money for the support of aged persons in indigent circumstances residing in the Home of the Veterans' Home Association,' approved March 7, 1883, providing for an increase in the annual appropriation therefor, and changing the time of payment thereof," approved March 23, 1893.

Read second time.

MOTION.

Mr. Wade moved that the Assembly resolve itself into Committee of the Whole, with Mr. Brusie in the chair, for the purpose of considering Senate Bill No. 57.

So ordered.

IN COMMITTEE OF THE WHOLE.

Mr. Brusie in the chair.

Senate Bill No. 57 was considered in Committee of the Whole.

IN ASSEMBLY.

Mr. Brusie in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

Mr. Brusie stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 57—An Act to amend section one of an Act entitled "An Act to amend an Act approved February 28, 1887, entitled 'An Act to amend an Act to appropriate money for the support of aged persons in indigent circumstances residing in the Home of the Veterans' Home Association,' approved March 7, 1883, providing for an increase in the annual appropriation therefor, and changing the time of payment thereof," approved March 23, 1893—and now report, and recommend that the same do not pass.

BRUSIE, Chairman.

Ordered to third reading.

Senate Bill No. 437—An Act to appropriate five thousand dollars for repairs and improvements upon the grounds of the State Normal School at San José.

Read second time.

MOTION.

Mr. Kelsey moved that the Assembly resolve itself into Committee of the Whole, with Mr. Brusie in the chair, for the purpose of considering Senate Bill No. 437.

So ordered.

IN COMMITTEE OF THE WHOLE.

Mr. Brusie in the chair.

Senate Bill No. 437 was considered in Committee of the Whole.

IN ASSEMBLY.

Mr. Brusie in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

Mr. Brusie stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 437—An Act to appropriate five thousand dollars for repairs and improvements upon the grounds of the State Normal School at San José—and now report, and recommend that the same do pass.

BRUSIE, Chairman.

Ordered to third reading.

Senate Bill No. 24—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.

Read second time, and ordered to third reading.

Senate Bill No. 250—An Act to provide one additional Judge of the Superior Court of the county of Sacramento.

Read second time, and ordered to third reading.

Senate Bill No. 110—An Act to amend section four thousand two hundred and thirty-five of an Act entitled "An Act to establish a Polit-

ical Code," approved March 12, 1872, relating to the lien of judgments of Federal Courts.

Read second time, and ordered to third reading.

Senate Bill No. 8—An Act to amend section six hundred and forty-nine of the Civil Code of the State of California, relating to the incorporation of colleges and seminaries of learning,

Read second time, and ordered to third reading.

Senate Bill No. 365—An Act appropriating money to pay for the repair, renovation, reflooring, and other improvements on certain buildings of the State Insane Asylum at Stockton, California.

Read second time.

MOTION.

Mr. Jones moved that the Assembly resolve itself into Committee of the Whole, with Mr. Brusie in the chair, for the purpose of considering Senate Bill No. 365.

So ordered.

IN COMMITTEE OF THE WHOLE.

Mr. Brusie in the chair.

Senate Bill No. 365 was considered in Committee of the Whole.

IN ASSEMBLY.

Mr. Brusie in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

Mr. Brusie 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—An Act appropriating money to pay for the repair, renovation, reflooring, and other improvements on certain buildings of the State Insane Asylum at Stockton, California—and now report, and recommend that the same do pass.

BRUSIE, Chairman

Ordered to third reading.

Senate Bill No. 3—An Act to amend section one thousand and ninety-three of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to the making, execution, and acknowledgment of conveyances of real property by married women.

Passed, to retain its place on file.

Senate Bill No. 34—An Act to amend section five hundred and twenty-seven of "An Act to establish a Code of Civil Procedure," approved March 11, 1872.

Passed, to retain its place on file.

Senate Bill No. 313—An Act providing in counties of the first class for the appointment by the Coroner of a competent physician for the performance of autopsies upon the bodies of deceased persons when inquests are held, and fixing the compensation therefor.

Passed, to retain its place on file.

Senate Bill No. 239—An Act to regulate the sale and redemption of transportation tickets.

Read second time; passed, to retain its place on file.

MOTION.

Mr. Dixon moved that the Assembly do now adjourn.
Lost.

SECOND READING FILE.

Assembly Bill No. 105—An Act to provide for the better protection and security of life and property, and for the appointment of an examining engineer to license engineers of portable and stationary steam engines and boilers; to establish the duties and compensation of said engineer.

Mr. Dixon asked to withdraw Assembly Bill No. 105, and have substituted therefor Assembly Bill No. 104.

So ordered.

Assembly Bill No. 104—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, in cities and towns, and cities and counties having a population of three thousand inhabitants or over, and to more effectually protect the people against contagious diseases.

Read second time, ordered engrossed and to third reading.

MOTION.

Mr. Reid moved that the Assembly do now adjourn.
Lost.

Assembly Bill No. 208—An Act to add a new section to the Code of Civil Procedure, to be known as section one thousand four hundred and seventy-one.

The author, Mr. Butler, requested to withdraw the same.

So ordered.

MOTION.

Mr. Holland moved that the Assembly do now adjourn.
Lost.

Assembly Bill No. 211—An Act to amend section one thousand four hundred and two of the Civil Code, and to add a new section to said Code, to be known as section one thousand four hundred and nine.

Refused a second reading.

Assembly Bill No. 147—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved March 24, 1893, by amending subdivision twenty-nine and one half of section twenty-five thereof, relative to the powers of Boards of Supervisors.

Passed, to retain its place on file.

Assembly Bill No. 114—An Act to prevent the display of foreign flags on public buildings in this State.

Read second time.

The following committee amendments were submitted:

AMENDMENT No. 1.

Amend section one, line one, by inserting the word "foreign" after the word "any."

Adopted.

AMENDMENT No. 2.

Amend by striking out of section one, line two, the words "except the stars and stripes of the United States," after the word "flag," and inserting therefor the words "or foreign emblem."

Adopted.

AMENDMENT No. 3.

Amend by striking out of section two, line one, the word "foreign" before the word "flag."

Adopted.

AMENDMENT No. 4.

Amend by striking out of section two, line one, the words "other than the stars and stripes of the United States," and inserting the following: "or foreign emblem."

Adopted.

Ordered engrossed and to third reading.

Assembly Bill No. 404—An Act to amend section seven of the Penal Code, relating to certain words, and what included in definition.

Read second time, ordered engrossed and to third reading.

Assembly Bill No. 405—An Act to amend section seventeen of the Political Code, relative to certain words, and what they include.

Read second time, ordered engrossed and to third reading.

Assembly Bill No. 406—An Act to amend section fourteen of the Civil Code, relating to certain terms defined.

Read second time, ordered engrossed and to third reading.

Assembly Bill No. 407—An Act to amend section seventeen of the Code of Civil Procedure, relating to certain terms defined.

Read second time, ordered engrossed and to third reading.

Assembly Bill No. 514—An Act to amend chapter nine, part two, title six, of the Penal Code, by adding thereto a new section, to be numbered one thousand and fifty-three, relating to postponements of trials of criminal actions.

Read second time, ordered engrossed and to third reading.

Assembly Bill No. 497—An Act to amend section eleven of an Act entitled "An Act to establish law libraries," approved March 31, 1891.

Passed, to retain its place on file.

Assembly Bill No. 431—An Act to amend section seven hundred and forty-four of the Code of Civil Procedure, relating to mortgages of real property.

Read second time, ordered engrossed and to third reading.

Assembly Bill No. 432—An Act to amend section two thousand nine hundred and twenty-six of the Civil Code, relating to mortgages of real property; on what a lien.

Read second time, ordered engrossed and to third reading.

Assembly Bill No. 472—An Act to amend section seven hundred and twenty-nine of the Code of Civil Procedure, relating to actions for the foreclosure of mortgages, and fixing the fees of Sheriffs and commissioners for sales thereunder.

Passed, to retain its place on file.

Assembly Bill No. 513—An Act entitled an Act to amend section two hundred and four of the Code of Civil Procedure, relating to the selecting and returning of jurors.

Read second time.

The following committee amendments were submitted:

AMENDMENT No. 1.

Amend section one, line fourteen, by inserting the words "or Judges" after the word "Judge."

Adopted.

AMENDMENT No. 2.

Amend by striking out of section one, line fifteen, the words "one Judge" and inserting the following: "two Judges."

Adopted.

WITHDRAWAL AND SUBSTITUTION OF BILL.

Mr. Hatfield, the author, requested to withdraw Assembly Bill No. 166.

So ordered.

Mr. Dodge requested to have Assembly Bill No. 118 substituted for Senate Bill No. 422.

So ordered.

Mr. Phelps requested that Assembly Bill No. 605 be taken up out of order and considered.

So ordered.

Assembly Bill No. 605—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.

The following committee amendments were submitted:

AMENDMENT No. 1.

Insert at end of section one the following: "*provided further*, that nothing herein contained shall be construed to prevent or deny the right of any Board, officer or officers, or employés of this State to employ or engage counsel in any matter of the State, after first having obtained the written consent to do so of the Attorney-General."

Adopted.

AMENDMENT No. 2.

Amend title to read as follows:

"An Act to amend section four hundred and seventy-two of the Political Code, providing for an assistant and deputies in the Attorney-General's office, fixing their salaries, and prohibiting the employment of other attorneys at the expense of the State."

Strike out all after the enacting clause and insert the following:

"SECTION 1. Section four hundred and seventy-two of the Political Code is hereby amended to read as follows:

"472. The Attorney-General may appoint one assistant, who shall be a member of the State Board of Examiners when the Attorney-General is absent from the Capitol, and three deputies, who shall be civil executive officers. The annual salary of the assistant shall be twenty-seven hundred dollars, the annual salary of the first deputy shall be twenty-four hundred dollars; the annual salary of the second deputy shall be twenty-four hundred dollars; the annual salary of the third deputy shall be twenty-four hundred dollars; said salaries shall be payable in the same manner as salaries of other officers.

"Subdivision 1. The Attorney-General shall not employ special counsel in any case except those provided in section four hundred and seventy-four of the Political Code.

"Subdivision 2. The Attorney-General shall have charge as attorney of all legal matters in which the State is in anywise interested, except the business of the Regents of the University of California, and of the State Harbor Commissioners, and no Board, officer, officers, or employé of the State, except said Regents and said Harbor Commissioners, shall employ any attorney other than the Attorney-General, or one of his assistants or deputies, in any manner in which the State is interested, nor shall any money be drawn out of the treasury or out of any moneys appropriated out of the treasury or out of any special or contingent fund under the control of any Board, officer or officers, or employé for the pay of any legal services rendered after the passage of this Act, the provisions of

any existing statute to the contrary notwithstanding; *provided*, that whenever a District Attorney in any county of this State shall for any reason become disqualified from conducting any criminal prosecution within such county, the Attorney-General may employ special counsel to conduct such prosecution, and the attorney's fee in such case shall be a legal charge against the State.

"Subdivision 3. All Acts in conflict with this Act are hereby repealed.

"Sec 2. This Act shall take effect immediately."

Adopted.

Ordered engrossed and to a third reading.

Assembly Bill No. 430—An Act to add a new section to the Penal Code of the State of California, to be known and designated as section five hundred and two and one half, relating to the severance and removal of fixtures and improvements upon mortgaged property.

Read second time.

The following committee amendments were submitted:

AMENDMENT No. 1.

Amend by striking out of section one, lines nine and ten, the phrase "or other building or fence, that is."

Adopted.

AMENDMENT No. 2.

Amend by striking out of section one, line nine, the words "sheds, outhouses "

Adopted.

AMENDMENT No. 3.

Amend section one, line nine, by inserting the word "or" after the word "mill."

Adopted.

Ordered engrossed and to third reading.

Assembly Bill No. 232—An Act to amend section four hundred and eighty-seven of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, defining grand larceny.

Passed, to retain its place on file.

Assembly Bill No. 88—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by adding a new section to said Penal Code, to be known and numbered as section two hundred and seventy-six, relating to abortions.

Read second time, ordered engrossed and to third reading.

Mr. Belshaw moved that Assembly Bill No. 802 be substituted on the file for Assembly Bill No. 421.

Lost.

Assembly Bill No. 86—An Act to amend section one hundred and ninety-two of the Penal Code, relating to homicide.

Read second time, ordered engrossed and to third reading.

Assembly Bill No. 370—An Act to amend section seven hundred and thirty-one of the Penal Code of the State of California, and to add a new section thereto, to be known as section seven hundred and thirty-four, relating to the suppression of riots, and parading of independent companies.

Read second time, ordered engrossed and to third reading.

Assembly Bill No. 54—An Act to amend section one thousand one hundred and sixteen of the Code of Civil Procedure, relating to election contests.

Passed, to retain its place on file.

Assembly Bill No. 410—An Act to enfranchise the women citizens of this State, and prescribing their qualifications as electors.

Passed, to retain its place on file.

Assembly Bill No. 411—An Act to enfranchise the women citizens of this State, and prescribing their qualifications as electors.

Passed, to retain its place on file.

Assembly Bill No. 341—An Act entitled an Act to define who are electors.

Withdrawn by author.

Assembly Bill No. 420—An Act prescribing the method of nominating candidates for public office in political conventions.

Withdrawn by author.

Assembly Bill No. 333—An Act to provide for the appointment and salary of an elevator attendant, and to make an appropriation therefor.

Passed, to retain its place on file.

Assembly Bill No. 408—An Act to repeal section one thousand and ninety-three of the Civil Code of the State of California, relating to acknowledgment of grant by married women.

Read second time, ordered engrossed and to third reading.

Assembly Bill No. 428—An Act to amend section three thousand and two of the Civil Code of the State of California, relating to pledge.

Passed, to retain its place on file.

Assembly Bill No. 166—An Act to amend sections one thousand two hundred and forty-five, one thousand two hundred and forty-six, one thousand two hundred and forty-seven, one thousand two hundred and forty-eight, one thousand two hundred and forty-nine, one thousand two hundred and fifty, one thousand two hundred and fifty-one, one thousand two hundred and fifty-two, and one thousand two hundred and fifty-three of the Civil Code, and to repeal sections one thousand two hundred and fifty-four, one thousand two hundred and fifty-five, one thousand two hundred and fifty-six, one thousand two hundred and fifty-seven, and one thousand two hundred and fifty-eight of said Code, relating to homestead exemptions.

Withdrawn by author.

Assembly Bill No. 307—An Act to prohibit the mortgaging of certain personal property.

Refused second reading.

Assembly Bill No. 327—An Act to give legal standing to and provide for the licensing of public accountants.

Refused second reading.

Assembly Bill No. 421—An Act to amend section one hundred and seventy of the Code of Civil Procedure of the State of California, relating to the disqualification of Judges.

Withdrawn by author.

Assembly Bill No. 447—An Act to amend section two thousand nine hundred and fifty-five of the Civil Code.

Refused second reading.

Assembly Bill No. 471—An Act to amend section one hundred and three of the Code of Civil Procedure of the State of California, relating to Justices' Courts.

Mr. Huber moved that Assembly Bill No. 357 be substituted for Assembly Bill No. 471.

Lost.

Assembly Bill No. 471 withdrawn by author.

Assembly Bill No. 162—An Act to appoint a committee to report to the thirty-second session of the Legislature on the laws of the State penal institutions, and on the abolishment of the State Prison at San Quentin.

Passed, to retain its place on file.

Assembly Bill No. 458—An Act to amend an Act amendatory of section four hundred and twenty-five of the Political Code, approved March 20, 1889, relating to special policemen for the State Capitol grounds, and to their powers, and the payment of their salaries.

Passed, to retain its place on file.

Assembly Bill No. 484—An Act to amend section five hundred and forty-eight of the Civil Code, in relation to water and canal corporations.

Read second time, ordered engrossed and to third reading.

Assembly Bill No. 467—An Act to amend an Act entitled "An Act providing for the removal of human remains from cemeteries in cities having a population of more than five thousand and not exceeding one hundred thousand," approved March 23, 1893.

Read second time, ordered engrossed and to third reading.

Assembly Bill No. 276—An Act to add a new section, to be numbered three thousand and thirty-six, to the Political Code.

Passed, to retain its place on file.

Assembly Bill No. 627—An Act to amend sections three thousand and nine and three thousand and ten, and to repeal sections three thousand and four, three thousand and thirteen, three thousand and fourteen, three thousand and fifteen, three thousand and sixteen, three thousand and seventeen, three thousand and eighteen, three thousand and nineteen, three thousand and twenty, and three thousand and twenty-nine of the Political Code of California, relating to quarantine at the port of San Francisco.

Read second time, ordered engrossed and to third reading.

Assembly Bill No. 179—An Act to prohibit officers or employes of savings banks from holding any office in any national, commercial, or private bank, and to prohibit the location of any savings bank or its continuance in business in any building in which the business of a national, State, or commercial bank is conducted.

Passed, to retain its place on file.

Assembly Bill No. 283—An Act to amend sections three, four, five, seven, nine, ten, eleven, thirteen, fourteen, fifteen, sixteen, and twenty-three of an Act entitled "An Act creating a Board of Bank Commissioners, and prescribing their duties and powers," approved March 30, 1878, and as amended by an Act approved March 10, 1887, and to add three new sections thereto, to be numbered twenty-four, twenty-five, and twenty-six.

Read second time, ordered engrossed and to third reading.

Assembly Bill No. 205—An Act to amend sections three thousand seven hundred and sixty-five, three thousand seven hundred and sixty-seven, three thousand seven hundred and seventy-one, three thousand seven hundred and seventy-six, three thousand seven hundred and eighty-three, three thousand eight hundred and six, three thousand eight hundred and eleven, three thousand seven hundred and eighty-nine, three thousand eight hundred and ninety-seven, three thousand eight hundred and ninety-nine, and to repeal sections three thousand

seven hundred and sixty-eight, three thousand seven hundred and seventy-two, three thousand seven hundred and seventy-three, three thousand seven hundred and seventy-four, three thousand seven hundred and seventy-five, three thousand seven hundred and seventy-seven, three thousand seven hundred and seventy-eight, 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-two, 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, three thousand seven hundred and eighty-eight, three thousand eight hundred and three, three thousand eight hundred and thirteen, three thousand eight hundred and fourteen, three thousand eight hundred and fifteen of the Political Code, all relating to the collection of property taxes.

Withdrawn by author.

Assembly Bill No. 544—An Act to amend section three hundred and ninety-eight of the Code of Civil Procedure, relating to the place of trial.

Withdrawn by author.

Assembly Bill No. 545—An Act to amend section three hundred and ninety-seven of the Code of Civil Procedure, relating to change of place of trial of certain cases.

Passed, to retain its place on file.

Assembly Bill No. 598—An Act to repeal an Act entitled "An Act to authorize suits against the State, and regulating the procedure therein," approved February 28, 1893.

Refused second reading.

Assembly Bill No. 559—An Act to amend sections two hundred and forty-five and two hundred and forty-six of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the officers and employes of the Legislature.

Passed, to retain its place on file.

Assembly Bill No. 603—An Act to amend section two hundred and seventy-four of an Act entitled "An Act to establish a Code of Civil Procedure," relative to the compensation of court reporters.

Passed, to retain its place on file.

Assembly Bill No. 482—An Act to repeal an Act entitled "An Act to authorize suits against the State, and regulating the procedure therein," approved February 28, 1893.

Read second time, ordered engrossed and to third reading.

Assembly Bill No. 542—An Act to amend an Act entitled "An Act creating a Board of Commissioners of the Building and Loan Associations, and prescribing their duties and powers," approved March 23, 1893.

Read second time, ordered engrossed and to third reading.

Assembly Bill No. 652—An Act to amend sections one thousand nine hundred and seventeen, one thousand nine hundred and eighteen, and one thousand nine hundred and nineteen, and to repeal section one thousand nine hundred and twenty of the Civil Code, all relating to the rate of interest.

Read second time.

Mr. Bledsoe offered a substitute, and moved that it be made a special order for next Tuesday, immediately after reading the Journal.

Motion lost.

Mr. Bledsoe moved that Assembly Bill No. 652, together with the substitute, be passed, to retain its place on file.

Ayes and noes were demanded by Messrs. Reid, Holland, and Laugenour.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the result of the roll call, Mr. Dodge moved a call of the House, seconded by Messrs. Bulla and Laugenour. The Speaker directed the doors closed.

The roll was called, and the following members were found present:

Messrs. Bachman, Barker, Bassford, Belshaw, Bennett, Bledsoe, Brusie, Bulla, Butler, Coleman, Dale, Dodge, Dunbar, Fassett, Glass, Guy, Hatfield, Holland, Huber, Hudson, Johnson, Jones, Keen, Kelsey, Kenyon, Laird, Laugenour, Meads, Merrill, Nelson, North, Osborn, Reid, Robinson, Rowell, Sanford, Stansell, Swisler, Wade, Waymire, and Weyse.

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

So ordered.

The Speaker announced the result of the roll call as follows, and declared the motion carried:

AYES—Messrs. Bachman, Barker, Bassford, Bledsoe, Brusie, Bulla, Butler, Coleman, Dale, Dodge, Dunbar, Fassett, Hatfield, Holland, Hudson, Johnson, Jones, Kelsey, Kenyon, Laugenour, Nelson, Osborn, Robinson, Rowell, Sanford, Swisler, Wade, Waymire, and Weyse—29.

NOES—Messrs. Belshaw, Glass, Guy, Huber, Keen, Laird, Meads, Merrill, North, and Stansell—10.

Mr. Bledsoe moved that the substitute for Assembly Bill No. 652 be printed in the Journal.

So ordered.

SUBSTITUTE FOR ASSEMBLY BILL No. 652.

An Act to regulate the rate of interest in this State.

The People of the State of California, represented in Senate and Assembly, do enact as follows:

SECTION 1. That the rate of interest in this State, unless there is an expressed contract in writing fixing a different rate, shall be six per cent per annum and no more, on all moneys after the same come due; on judgments and decrees for the payment of money; on money received to the use of another detained from him; on money due upon the settlement of matured accounts from the day the balance is ascertained; and on money due, or to become due, where there is a contract to pay interest and no rate specified.

SEC. 2. On contracts, interest at the rate of eight per cent per annum may be charged by express agreement of the parties, in writing, and no more.

SEC. 3. No person, company, bank, or corporation shall, directly or indirectly, receive in money, goods, or things in action, or in any other manner, any greater sum or value for the loan or use of money, or upon contract founded upon any bargain, sale, or loan of wares, merchandise, goods, chattels, lands, and tenements, than eight per cent per annum.

SEC. 4. This Act shall not be construed so as to affect or change the rate of interest to be received by virtue of any contract entered into before this Act shall take effect.

SEC. 5. If it shall be ascertained in any suit brought on any contract that a rate of interest has been contracted for greater than is authorized by this Act, either directly or indirectly, in money, property, or other valuable thing, or that any gift or donation of money, property, or other valuable thing has been made, or promised to be made, to a lender or creditor, or to any person for him, directly or indirectly, either by the borrower or debtor, or any person for him, the design of which is to obtain, for money so loaned, or for debts due or to become due, a rate of interest greater than that specified by this Act, the same shall be deemed usurious, and shall work a forfeiture of the entire debt so contracted to the School Fund of the county where such suit is brought. The Court in which such suit is prosecuted shall render judgment for the amount of the original sum loaned or the debt contracted, without interest, against the defendant and

in favor of the State of California, for the use of the Common School Fund of the county where suit is brought, and against the plaintiff for cost of suit, whether such suit be contested or not.

SEC. 6. Interest payable on debts, contracts, or judgments recovered in the Courts of this State, must not be compounded in any manner or form.

SEC. 7. Sections nineteen hundred and seventeen, nineteen hundred and eighteen, and nineteen hundred and twenty of the Civil Code are hereby repealed.

SEC. 8. This Act shall take effect thirty days after its passage.

ADJOURNMENT.

At three o'clock and forty minutes P. M., on motion of Mr. North, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Monday, February 25, 1895. }

The Assembly met pursuant to adjournment.

Speaker Lynch in the chair.

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

Messrs. Ash, Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Bledsoe, Boothby, Brusie, Bulla, Butler, Coleman, Coghlin, Cutter, Dale, Davis, Devine, Devitt, Dinkelspiel, Dodge, Dunbar, Dwyer, Ewing, Fassett, Freeman, Gay, Glass, Guy, Hall, Hatfield, Healey, Holland, Huber, Hudson, Johnson, Jones, Keen, Kelsey, Kenyon, Laird, Laugenour, Lewis, Llewellyn, Meads, McCarthy, McKelvey, Merrill, North, O'Day, Osborn, Pendleton, Phelps, Powers, Price, Reid, Richards, Robinson, Rowell, Sanford, Spencer, Stansell, Swisler, Thomas, Tibbits, Tomblin, Twigg, Wade, Waymire, Weyse, Wilkinson, Zocchi, and Mr. Speaker.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. O. Summers.

READING OF THE JOURNAL.

Pending the reading of the Journal of Thursday, February 21st, Mr. North moved that the further reading be dispensed with.

So ordered.

LEAVE OF ABSENCE.

Mr. Dixon was granted leave of absence for the day, on account of sickness.

Mr. Cargill was granted leave of absence until noon.

SPECIAL ORDERS.

Assembly Bill No. 501—An Act to amend section one thousand five hundred and forty-three of "An Act to establish a Political Code," approved March 12, 1872.

Mr. Johnson, the author, requested to withdraw the same.

So ordered.

CONSIDERATION OF REPORT OF CONTESTED ELECTIONS.

Mr. Dodge moved the division of the question.
So ordered.

REPORT OF COMMITTEE ON CONTESTED ELECTIONS.

SACRAMENTO, February 21, 1895.

MR. SPEAKER: Your Committee on Contested Elections, to whom was referred the matter of the expenses of the contested election in the matter of Ed. J. Reynolds, contestant, vs. I. M. Merrill, contestee, for the office of member of the Assembly of the State of California from the Forty-second Assembly District, beg to report that they have listened to the testimony and fully investigated the same, and therefore recommend that the following expenses be allowed I. M. Merrill, the contestee therein:

Witness fees	\$300 00
Commissioner's fees	60 00
Notarial fees	6 50
Expenses of investigating and finding and subpoenaing witnesses, and three trips to Sacramento	150 00
Attorney's fees—H. N. Clement	500 00
Attorney's fees—J. M. Chretien	500 00
Clerk's fees	4 50
Reporter's fees	610 00
Total	\$2,131 00

And we further recommend the adoption of the following resolution:

Resolved, That the State Controller be and he is hereby directed to draw his warrant for the sum of two thousand one hundred and thirty-one dollars, in favor of John M. Chretien, payable out of the Contingent Fund of the Assembly, and the Treasurer is hereby directed to pay the same.

Mr. Bledsoe moved to amend as follows:

By striking out all of lines ten and eleven.

Lost.

Also: Amend by striking out of line twelve the figures "500," and inserting the following: "250."

Lost.

PREVIOUS QUESTION.

Pending the consideration of the report of the committee, Mr. Lauge-nour moved the previous question, seconded by Messrs. Bulla and Dinkel-spiel.

The question being, "Shall the main question be now put?"

So ordered.

Mr. Bledsoe's amendment was lost.

The question now recurring on the adoption of section one.

Adopted.

SECTION 2.

Also: Your Committee on Contested Elections, to whom was referred the matter of the expenses of the contested election in the matter of Edward J. Reynolds vs. I. M. Merrill, for the office of member of the Assembly of the State of California from the Forty-second Assembly District, beg to report that they have listened to the testimony and fully investigated the same, and therefore recommend that the following expenses be allowed Edward J. Reynolds, the contestant therein:

Commissioner's fees	\$60 00
Filing and serving statement	10 00
Attorneys' fees—Edgar B. Haymond and C. W. Reed	300 00
Total	\$370 00

And we further recommend the adoption of the following resolution:

Resolved, That the State Controller be and he is hereby directed to draw his warrant

for the sum of three hundred and seventy dollars, in favor of Edgar B. Haymond, payable out of the Contingent Fund of the Assembly, and the Treasurer is hereby directed to pay the same.

Adopted.

SECTION 3.

Also: Your Committee on Contested Elections, to whom was referred the matter of the expenses of the contested election in the matter of T. E. Treacy vs. J. J. Wilkinson, for the office of member of the Assembly of the State of California from the Thirty-first Assembly District, beg to report that they have listened to the testimony and fully investigated the same, and therefore recommend that the following expenses be allowed J. J. Wilkinson, the contestee therein.

Reporter's fees.....	\$389 00
Commissioner's fees.....	60 00
Notarial fees.....	1 00
Serving subpoenas.....	20 00
Services of men investigating and finding witnesses, and watching ballots....	100 00
Twelve witnesses, three days, at \$2 per day.....	72 00
Attorneys' fees—J. C. Campbell and J. J. Kennedy.....	750 00
Total.....	\$1,392 00

And we further recommend the adoption of the following resolution:

Resolved, That the State Controller be and he is hereby directed to draw his warrant for the sum of one thousand three hundred and ninety-two dollars, in favor of J. J. Kennedy, payable out of the Contingent Fund of the Assembly, and the Treasurer is hereby directed to pay the same

Adopted.

SECTION 4.

Also: Your Committee on Contested Elections, to whom was referred the matter of the expenses of the contested election in the matter of D. C. Smith vs Mark A. Devine, for the office of member of the Assembly of the State of California from the Thirty-fourth Assembly District, beg to report that they have listened to the testimony and fully investigated the same, and therefore recommend that the following expenses be allowed D. C. Smith, the contestant therein:

Sheriff's fees.....	\$31 50
Clerk's fees.....	7 50
Notarial fees.....	5 50
Commissioner's fees.....	40 00
Attorney's fees—H. N. Clement.....	250 00
Attorney's fees—J. M. Chretien.....	250 00
Total.....	\$584 50

And we further recommend the adoption of the following resolution:

Resolved, That the State Controller be and he is hereby directed to draw his warrant for the sum of five hundred and eighty-four dollars and fifty cents, in favor of J. M. Chretien, payable out of the Contingent Fund of the Assembly, and the Treasurer is hereby directed to pay the same.

Adopted.

SECTION 5.

Also: Your Committee on Contested Elections, to whom was referred the matter of the expenses of the contested election in the matter of D. C. Smith vs Mark A. Devine, for the office of member of the Assembly of the State of California from the Thirty-fourth Assembly District, beg to report that they have listened to the testimony and fully investigated the same, and therefore recommend that the following expenses be allowed Mark A. Devine, the contestee therein:

Reporter's fees.....	\$410 00
Commissioner's fees.....	40 00
Witness fees.....	50 00
Notary fees.....	1 00
Serving subpoenas.....	18 00
Attorneys' fees—Boone & Schlessinger and C. W. Reed.....	750 00
Total.....	\$1,269 00

And we further recommend the adoption of the following resolution:

Resolved, That the State Controller be and he is hereby directed to draw his warrant for the sum of one thousand two hundred and sixty-nine dollars in favor of Boone & Schlessinger, payable out of the Contingent Fund of the Assembly, and the Treasurer is hereby directed to pay the same.

Ayes and noes demanded on the question by Messrs. Belshaw, Bledsoe, and Johnson.

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

AYES—Messrs. Ash, Bassford, Bennett, Berry, Bettman, Boothby, Brusie, Bulla, Coleman, Coghlin, Cutter, Davis, Devine, Devitt, Dinkelspiel, Dwyer, Gay, Hatfield, Healey, Holland, Huber, Jones, Keen, Kelsey, Kenyon, Laugenour, Lewis, Llewellyn, Meads, McCarthy, McKelvey, Nelson, North, O'Day, Pendleton, Powers, Swisler, Thomas, Tibbits, Twigg, Waymire, Weyse, Wilkinson, Zocchi, and Mr. Speaker—46

NOES—Messrs. Barker, Belshaw, Bledsoe, Dodge, Dunbar, Ewing, Fassett, Glass, Hall, Johnson, Laird, Osborn, Rowell, Spencer, and Wade—15.

SECTION 6.

Also: Your Committee on Contested Elections, to whom was referred the matter of the expenses of the contested election in the matter of Joseph Scheerer vs. John McCarthy, for the office of member of the Assembly of the State of California from the Thirty-sixth Assembly District, beg to report that they have listened to the testimony and fully investigated the same, and therefore recommend that the following expenses be allowed Joseph Scheerer, the contestant therein:

Sheriff's fees	\$26 50
Clerk's fees	7 50
Notarial fees	4 00
Commissioner's fees	40 00
Attorneys' fees—Frank I. Kingwell, J. N. Young, J. M. Chretien	300 00
Total	\$378 00

And we further recommend the adoption of the following resolution.

Resolved, That the State Controller be and he is hereby directed to draw his warrant for the sum of three hundred and seventy-eight dollars, in favor of J. M. Chretien, payable out of the Contingent Fund of the Assembly, and the Treasurer is hereby directed to pay the same.

Adopted.

SECTION 7.

Also: Your Committee on Contested Elections, to whom was referred the matter of the expenses of the contested election in the matter of T. E. Treacy vs. J. J. Wilkinson, for the office of member of the Assembly of the State of California from the Thirty-first Assembly District, beg to report that they have listened to the testimony, and fully investigated the same, and therefore recommend that the following expenses be allowed T. E. Treacy, the contestant therein:

Commissioner's fees	\$60 00
Serving subpoenas	30 00
Attorneys' fees—Edgar B. Haymond and C. W. Reed	300 00
Total	\$390 00

And we further recommend the adoption of the following resolution:

Resolved, That the State Controller be and he is hereby directed to draw his warrant for the sum of three hundred and ninety dollars, in favor of Edgar B. Haymond, payable out of the Contingent Fund of the Assembly, and the Treasurer is hereby directed to pay the same.

HUBER, Chairman.

Adopted.

MOTION.

Mr. Dodge moved that the rules be suspended, and that he be allowed to introduce the County Government Bill out of order.

So ordered.

INTRODUCTION OF BILL—(OUT OF ORDER).

By Committee on County and Township Governments: Assembly Bill No. 959—An Act to establish a uniform system of county and township governments.

Read first time and ordered to printer.

PETITIONS.

By Mr. Guy: Petition from the Board of Supervisors of San Diego County, praying that a Normal School be established in San Diego County.

Referred to Committee on Public Buildings and Grounds.

Also: Petition from the Demorest Club of the city of San Diego, protesting against the passage of the Uniform Liquor License Law.

Referred to Committee on Public Morals.

Also: Petition for the passage of an Act to better control the waters of the various rivers of this State. From the residents of San Diego County.

Referred to Committee on Manufactures and Internal Improvements.

Also: Petition by the Common Council of the city of San Diego, praying for the establishment of a Normal School in San Diego County.

Referred to Committee on Public Buildings and Grounds.

Also: Petition from the Board of Trustees of the city of Coronado, praying that a Normal School be established in San Diego County.

Referred to Committee on Public Buildings and Grounds.

Also: Petition from the San Diego Chamber of Commerce, praying for the establishing of a Normal School in San Diego County.

Referred to Committee on Public Buildings and Grounds.

By Mr. Swisler: Petition from the Directors of the Eighth District Agricultural Association; farmers and fruit growers residing in said district petition your honorable body not to cut off the annual appropriation made for the purpose of maintaining the annual fairs in the several districts of California.

Referred to Committee on Agriculture.

RESOLUTIONS.

By Mr. Dodge:

Resolved, That the State Printer be and he is hereby instructed to print one thousand copies of Assembly Bill No. 959, and to print said bill out of order immediately, and to keep the type thereof set up.

Adopted.

Also:

Resolved, That the State Printer be and he is hereby instructed to immediately print five hundred copies of the following statement of the new classification of counties according to Assembly Bill No. 959.

COUNTIES AS CLASSIFIED BY THE NEW COUNTY GOVERNMENT ACT.

No. of County as Classified.	Name of County.	No. of County as Classified	Name of County.
1.....	San Francisco.	16.....	Nevada.
2.....	Los Angeles.	17.....	Mendocino.
3.....	Alameda.	18.....	Monterey.
4.....	Santa Clara.	19.....	San Luis Obispo.
5.....	Sacramento.	20.....	Placer.
6.....	Sonoma.	21.....	Riverside.
7.....	San Joaquin.	22.....	Santa Barbara.
8.....	San Diego.	23.....	Napa.
9.....	Fresno.	24.....	Yolo.
10.....	San Bernardino.	25.....	Kern.
11.....	Humboldt.	26.....	Contra Costa.
12.....	Solano.	27.....	Orange.
13.....	Tulare.	28.....	Siskiyou.
14.....	Butte.	29.....	Shasta.
15.....	Santa Cruz.	30.....	Ventura.

No of County as Classified	Name of County.	No. of County as Classified.	Name of County.
31.....	Calaveras.	45.....	Madera.
32.....	Amador.	46.....	Lake.
33.....	El Dorado.	47.....	Glenn.
34.....	Stanislaus.	48.....	Sierra.
35.....	San Mateo.	49.....	Plumas.
36.....	Tehama.	50.....	Mariposa.
37.....	Yuba.	51.....	Modoc.
38.....	Marin.	52.....	Lassen.
39.....	Colusa.	53.....	Trinity.
40.....	Tuolumne.	54.....	Inyo.
41.....	Merced.	55.....	Del Norte.
42.....	San Benito.	56.....	Mono.
43.....	Kings.	57.....	Alpine.
44.....	Sutter		

MOTION.

Mr. Dodge moved that Assembly Bill No. 959 be made special order for next Thursday morning, immediately after reading of the Journal.

So ordered.

REPORTS OF STANDING COMMITTEES.

ON ATTACHES AND EMPLOYEES.

ASSEMBLY CHAMBER, SACRAMENTO, February 25, 1895.

MR. SPEAKER: Your Committee on Attachés and Employés, to whom was referred Assembly Bill No. 724—have had the same under consideration, and respectfully report the same back, and recommend that the author be allowed to withdraw the same.

Also, the following resolutions:

By Cutter:

Resolved, That the Controller be and he is hereby authorized to draw his warrant, payable out of the Contingent Fund of the Assembly, in favor of John F. Kofod, for the sum of twenty dollars, the same being the amount due him for services rendered as Porter from the thirteenth day of January, 1895, to the seventeenth day of January, 1895, both inclusive.

By Mr. Butler:

Resolved, That the Controller be and he is hereby authorized to draw his warrant, payable out of the Contingent Fund of the Assembly, in favor of C. E. Cunningham, State Capitol engineer, and W. H. Hevener, fireman, for the sum of thirty-five dollars each, the same being the amounts due them for services rendered as temporary attachés of the Assembly, and which was overlooked by the late Chief Clerk in making up his list.

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

WEYSE, Chairman.

Adopted.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, February 25, 1895.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 893—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved March 24, 1893—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to the Committee on County and Township Governments

Also: Assembly Bill No. 863—An Act concerning pawnbrokers—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 Bill No. 732—An Act to amend sections six hundred and thirty-three, six hundred and thirty-four, six hundred and thirty-five, six hundred and thirty-seven, six hundred and thirty-eight, and six hundred and forty-one of the Civil Code, relating to mutual building and loan associations

Also: Assembly Bill No. 843—An Act to prevent and punish the making and dissemination of obscene literature and other immoral and indecent matter

Also: Assembly Bill No. 845—An Act for the protection of purchasers of goods upon the installment plan.

Also: Assembly Bill No. 852—An Act to repeal section three hundred and thirty-seven of the Penal Code.

Also. Assembly Bill No. 881—An Act to amend section ninety-two of the Civil Code, relating to divorce, and to add a new section to the Civil Code, to be known and designated as section one hundred and eight of the Civil Code, relating to divorce.

Also: Assembly Bill No. 883—An Act to amend section ninety-two of the Civil Code of California, relating to divorces.

Also: Assembly Bill No. 885—An Act amending section two hundred and eighty-three of the Code of Civil Procedure, relating to attorneys and counselors-at-law.

Also: Assembly Bill No. 886—An Act amending chapter eight of the Penal Code, relating to conspiracy.

Also: Assembly Bill No. 894—An Act relating to the sale of wines and liquors, and the maintenance of saloons and places where wines and liquors are sold by retail for consumption on the premises.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

BULLA, Chairman.

Assembly Bill No. 893 re-referred to Committee on County and Township Governments.

ON COUNTY AND TOWNSHIP GOVERNMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, February 26, 1895.

MR. SPEAKER: Your Committee on County and Township Governments, to whom was referred Assembly Bills Nos. 874, 872, 719, 908, 570, 368, 287, 352, 443, 147, 116, 177, 277, 666, 74, 645, 720, 697, 130, 79, and 718—have had the same under consideration, and respectfully report the same back, and recommend that the authors be allowed to withdraw the same.

DODGE, Chairman.

Mr. Bulla moved that Assembly Bills Nos. 874, 872, 719, 908, 570, 368, 287, 352, 443, 147, 177, 277, 666, 74, 645, 720, 697, 130, 79, and 718 be considered withdrawn.

So ordered.

ON ROADS AND HIGHWAYS.

ASSEMBLY CHAMBER, SACRAMENTO, February 25, 1895.

MR. SPEAKER: Your Committee on Roads and Highways, to whom was referred Assembly Bill No. 805—An Act to amend section 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 duties of road commissioners.

Also: Assembly Bill No. 321—An Act to amend article three, of chapter two, of title six of the Political Code, relating to highways.

Also: Assembly Bill No. 469—An Act to amend article three, of chapter two, of title six of the Political Code, relating to highways.

Also: Assembly Bill No. 642—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 fifty-two of the Political Code, and to add a new section thereto, to be known as section two thousand six hundred and forty-four of the Political Code, relating to highways, and the powers and duties of highway officers.

Also: Assembly Bill No. 359—An Act to amend section two thousand six hundred and fifty-two of the Political Code, relating to road poll taxes.

Have had the same under consideration, and respectfully report the same back, and recommend that the author be allowed to withdraw them, because the subject-matter of said bills is included in and covered by the bill introduced by this committee.

Also: Assembly Bill No. 372—have had the same under consideration, and respectfully report the same back, and recommend that the author withdraw it, because its subject-matter is covered by the bill introduced by this committee.

SWISLER, Chairman.

WITHDRAWAL AND SUBSTITUTION OF BILLS.

Assembly Bills Nos. 805, 321, 469, 642, 359, and 372 were withdrawn and Assembly Bill No. 960 substituted therefor.

INTRODUCTION OF BILL—(OUT OF ORDER).

By Committee on Roads and Highways: Assembly Bill No. 960—An Act to amend sections two thousand six hundred and thirty-three, 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 fifty-two, two thousand seven hundred and eleven, and two thousand seven hundred and sixteen of the Political Code of the State of California, and to add three new sections to said Code, to be known as sections two thousand six hundred and forty, two thousand six hundred and forty-four, and two thousand seven hundred and ten, relating to highways, and the powers and duties of highway officers.

Read first time, ordered to printer, and placed on file.

MOTIONS.

Mr. Swisler moved that Assembly Bill No. 960 be printed out of order and made a special order for Wednesday, immediately after reading of Journal.

So ordered.

Mr. Laugenour moved that Assembly Bill No. 533 be placed on the special file.

So ordered.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, February 25, 1895

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 877—An Act making an appropriation to pay the deficiency in the appropriation for ballot paper for the forty-sixth fiscal year—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended

BRUSIE, Chairman.

ON STATE LIBRARY.

ASSEMBLY CHAMBER, SACRAMENTO, February 25, 1895.

MR. SPEAKER: Your Committee on State Library, to whom was referred Assembly Bill No. 665—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

STANSELL, Chairman.

Referred to Committee on Ways and Means.

RESOLUTION.

By Mr. Freeman:

Resolved, That the State Printer be and he is hereby instructed to print seven hundred copies of Assembly Bill No. 982, and to print said bill out of order immediately, and to keep the type thereof set up.

Adopted.

INTRODUCTION OF BILLS.

The following bills were introduced, read first time, and referred to committees, as follows:

By Mr. Laugenour: Assembly Bill No. 961—An Act appropriating money to pay the expenses of the Commissioner of Public Works and his employes, for the forty-seventh and forty-eighth fiscal years.

Read first time, and referred to Committee on Ways and Means.

By Committee on Retrenchment and Public Expenditures: Assembly Bill No. 962—An Act to provide for the termination of the duties of the Board of State Viticultural Commissioners, the final disposition and

transfer of all properties of the State in its possession, and the repeal of all laws and parts of laws relating to its organization, powers, and duties;

WHEREAS, It has been and now is the policy of the State of California to encourage the viticultural industries of the State; and whereas, the Board of State Viticultural Commissioners has been empowered by the several Acts of the Legislature of the State of California to perform certain duties for the encouragement of these industries; and whereas, the University of California is fully empowered to continue the work; now, therefore.

Read first time, and referred to Committee on Ways and Means.

By Mr. North: Assembly Bill No. 963—An Act to add a new section, to be known as section four thousand four hundred and fifteen of the Political Code, in relation to conveying and disposing by cities and towns of the lands occupied as public streets, when such public streets shall have been closed and abandoned as public streets.

Read first time, and referred to Committee on Municipal Corporations.

By Committee on Attachés and Employés: Assembly Bill No. 964—An Act to amend sections two hundred and thirty-seven, two hundred and forty-five, two hundred and forty-six, and two hundred and sixty-eight of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the officers and employés of the Legislature.

Read first time, and placed on file.

By Mr. Guy (by request): Assembly Bill No. 965—An Act to provide for the improvement and protection of streets, avenues, lanes, alleys, courts, and places, and for the construction of sewers within municipalities, and to establish and regulate grades therein.

Read first time, and referred to Committee on Municipal Corporations.

Also: Assembly Bill No. 966—An Act to amend section six hundred and forty-seven of the Penal Code.

Read first time, and referred to Committee on Judiciary.

By Mr. Powers: Assembly Bill No. 967—An Act to amend section one thousand one hundred and eighty-seven of the Code of Civil Procedure of California, concerning the liens of mechanics and others upon real property.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 968—An Act to appropriate nine thousand seven hundred and five dollars to pay the claim of C. H. Reynolds upon certain Indian War bonds.

Read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 969—An Act to amend section seven hundred and twenty-nine of the Penal Code of the State of California, relating to the National Guard of California.

Read first time, and referred to Committee on Military Affairs.

By Mr. Merrill: Assembly Bill No. 970—An Act providing for the surrender of certain warrants drawn as "Controller's warrants," heretofore drawn and issued upon the "Swamp Land Districts Fund."

Read first time, and referred to Committee on Swamp and Overflowed Lands.

Also (by request): Assembly Bill No. 971—An Act to fix rates of pilotage into and out of the harbor of San Francisco.

Read first time, and referred to Committee on Commerce and Navigation.

By Mr. Hatfield: Assembly Bill No. 972—An Act to appropriate the

sum of five thousand dollars for the use of the State Board of Railroad Commissioners in making investigations and experiments to determine the most economical mode of transporting fruits, vegetables, and other agricultural products of the State of California to market, and to provide for the adoption of such method by transportation companies of this State.

Read first time, and referred to Committee on Ways and Means.

By Mr. Davis: Assembly Bill No. 973—An Act to amend section six and section eight 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."

Read first time, and referred to Committee on Municipal Corporations.

By Mr. Waymire: Assembly Bill No. 974—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 fifty-five thereof, relating to the compensation of the members of the Board of Trustees of municipal corporations of the sixth class.

Read first time, and referred to Committee on Municipal Corporations.

Also: Assembly Bill No. 975—An Act supplementary to and to amend an Act entitled "An Act to provide for laying out, opening, extending, widening, straightening, diverging, curving, contracting, or closing up, in whole or in part, any street, square, alley, lane, court, or place within municipalities or cities, and cities and counties, of forty thousand inhabitants or over, and to condemn and acquire any and all land and property necessary or convenient for that purpose," approved March 23, 1893, by adding another section thereto, relating to the assessment of a whole city for the improvement contemplated by said Act of 1893.

Read first time, and referred to Committee on Municipal Corporations.

Also: Assembly Bill No. 976—An Act to amend section twenty-two of an Act entitled "An Act to provide for laying out, opening, extending, widening, straightening, or closing up, in whole or in part, any street, square, lane, alley, court, or place within municipalities, and to condemn and acquire any and all land and property necessary or convenient for that purpose," approved March 6, 1889.

Read first time, and referred to committee on Municipal Corporations.

By Mr. Dinkelspiel: Assembly Bill No. 977—An Act to amend section one hundred and sixty of the Penal Code of the State of California, relating to offenses against public justice.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 978—An Act to add a new section to the Code of Civil Procedure of the State of California, to be numbered one thousand six hundred and nineteen, relating to the estates of deceased persons.

Read first time, and referred to Committee on Judiciary.

By Mr. Spencer: Assembly Bill No. 979—An Act to amend section five hundred and ninety-two of the Code of Civil Procedure of California, relating to the trial of issues of fact.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 980—An Act to amend section six hundred and fifty-seven of the Code of Civil Procedure of the State of California, relating to the granting of new trials.

Read first time, and referred to Committee on Judiciary.

By Committee on Revenue and Taxation: Assembly Bill No. 981—An Act authorizing the Controller to appoint an additional clerk in his office, in addition to the number now allowed by law, to be known as the revenue clerk, and making an appropriation for the payment of his salary for the remainder of the forty-sixth fiscal year.

Read first time, and referred to Committee on Ways and Means.

By Special Committee on Revenue Laws: Assembly Bill No. 982—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by adding new sections thereto, to be numbered three thousand six hundred and forty, three thousand six hundred and eighty, three thousand eight hundred and one, and three thousand eight hundred and thirty-one; also by amending sections three thousand six hundred and seven, three thousand six hundred and seventeen, three thousand six hundred and twenty-eight, three thousand six hundred and thirty, three thousand six hundred and fifty, three thousand six hundred and fifty-one, three thousand six hundred and fifty-three, three thousand six hundred and fifty-four, three thousand six hundred and fifty-five, three thousand six hundred and fifty-six, three thousand six hundred and fifty-eight, three thousand six hundred and sixty-one, three thousand six hundred and sixty-two, three thousand six hundred and sixty-three, three thousand six hundred and sixty-six, three thousand six hundred and sixty-seven, three thousand six hundred and seventy, three thousand six hundred and seventy-eight, three thousand six hundred and ninety-two, three thousand six hundred and ninety-three, three thousand six hundred and ninety-four, three thousand seven hundred and four, three thousand seven hundred and five, three thousand seven hundred and fourteen, three thousand seven hundred and nineteen, three thousand seven hundred and twenty-eight, three thousand seven hundred and thirty, three thousand seven hundred and thirty-one, three thousand seven hundred and thirty-two, three thousand seven hundred and thirty-four, three thousand seven hundred and thirty-six, three thousand seven hundred and thirty-eight, three thousand seven hundred and forty-six, three thousand seven hundred and forty-seven, three thousand seven hundred and forty-eight, three thousand seven hundred and fifty-two, three thousand seven hundred and fifty-six, three thousand seven hundred and fifty-eight, three thousand seven hundred and fifty-nine, three thousand seven hundred and sixty-two, three thousand seven hundred and sixty-four, three thousand seven hundred and sixty-five, three thousand seven hundred and sixty-six, three thousand seven hundred and sixty-seven, three thousand seven hundred and seventy, three thousand seven hundred and seventy-one, three thousand seven hundred and seventy-two, three thousand seven hundred and seventy-six, three thousand seven hundred and seventy-seven, three thousand seven hundred and eighty, three thousand seven hundred and eighty-one, three thousand seven hundred and eighty-five,

three thousand seven hundred and eighty-seven, three thousand seven hundred and eighty-eight, three thousand seven hundred and eighty-nine, three thousand seven hundred and ninety, three thousand seven hundred and ninety-three, three thousand seven hundred and ninety-seven, three thousand seven hundred and ninety-nine, three thousand eight hundred, three thousand eight hundred and four, three thousand eight hundred and five, three thousand eight hundred and eight, three thousand eight hundred and thirteen, three thousand eight hundred and fourteen, three thousand eight hundred and fifteen, three thousand eight hundred and sixteen, three thousand eight hundred and seventeen, three thousand eight hundred and eighteen, three thousand eight hundred and nineteen, three thousand eight hundred and twenty, three thousand eight hundred and twenty-three, three thousand eight hundred and twenty-six, three thousand eight hundred and twenty-nine, three thousand eight hundred and forty, three thousand eight hundred and forty-one, three thousand eight hundred and fifty-four, three thousand eight hundred and fifty-eight, three thousand eight hundred and sixty-seven, three thousand eight hundred and seventy, three thousand eight hundred and seventy-one, three thousand eight hundred and seventy-three, three thousand eight hundred and seventy-eight, three thousand eight hundred and eighty-one, three thousand eight hundred and eighty-eight, three thousand eight hundred and ninety-seven, three thousand eight hundred and ninety-eight, three thousand eight hundred and ninety-nine. three thousand nine hundred; also by repealing sections three thousand seven hundred and thirty-three, three thousand seven hundred and thirty-seven, three thousand seven hundred and sixty-eight, three thousand seven hundred and seventy-three, three thousand seven hundred and seventy-four, three thousand seven hundred and seventy-five, three thousand seven hundred and seventy-eight, three thousand seven hundred and seventy-nine, three thousand eight hundred and three, three thousand eight hundred and ten, three thousand eight hundred and eleven, three thousand eight hundred and twelve, three thousand eight hundred and thirty, three thousand eight hundred and eighty-six, three thousand eight hundred and ninety-three, three thousand eight hundred and ninety-four, three thousand eight hundred and ninety-five, and three thousand eight hundred and ninety-six, all relating to the revenue and taxes of this State.

Read first time, and placed on file.

By Mr. Boothby: Assembly Bill No. 983—An Act to regulate the conduct and management of asylums and hospitals for the insane, and to prevent the incarceration therein of sane persons or of persons who are not so far disordered in mind as to endanger health, person, or property.

Read first time, and referred to Committee on Judiciary.

By Mr. Coghlin: Assembly Bill No. 984—An Act to secure to native born and naturalized citizens of the United States the exclusive right to labor on public works in this State.

Read first time, and referred to Committee on Labor and Capital.

By Mr. Bulla (by request): Assembly Bill No. 985—An Act to authorize counties of the second class to build railroads, and to lease or operate the same.

Read first time, and referred to Committee on Corporations.

By Mr. Swisler: Assembly Bill No. 986—An Act providing for the election of School Trustees, or School Directors, or Boards of Education in incorporated cities and towns having a population not exceeding five thousand persons, and relating to their powers and duties.

Read first time, and referred to Committee on Education.

By Mr. Laird: Assembly Bill No. 987—An Act to enable all counties, incorporated towns or cities, or consolidated cities and counties, to use voting machines or balloting devices at all elections therein, and to secure greater independence of voters and secrecy of the ballot at municipal elections in the State of California.

Read first time, and referred to Committee on Judiciary.

By Mr. McKelvey: Assembly Bill No. 988—An Act to amend section four hundred and eighty-eight of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relative to the duties of railroad employes.

Read first time, and referred to Committee on Corporations.

Also: Assembly Bill No. 989—An Act compelling individuals, joint-stock companies, copartnerships, and corporations to pay interest on deposits demanded as a condition of doing business with any person.

Read first time, and referred to Committee on Corporations.

By Mr. Pendleton (by request): Assembly Bill No. 990—An Act to provide for the establishment of a Board of Examiners for the California State Therapeutic Society.

Read first time, and referred to Committee on Corporations.

By Mr. Ewing (by request): Assembly Bill No. 991—An Act authorizing the Board of State Harbor Commissioners to grant, for a limited period of time, to persons or corporations, the right to run and operate street cars between the hours of six A. M. and seven P. M. of each day, for the carriage of passengers, and collect tolls therefor, over and upon any railroad upon State lands within their jurisdiction, along the extension waterfront line of the City and County of San Francisco.

Read first time, and referred to Committee on Commerce and Navigation.

Also (by request): Assembly Bill No. 992—An Act to define and extend the jurisdiction of the Board of State Harbor Commissioners in and over Channel Street and other basins and canals in the City and County of San Francisco.

Read first time, and referred to Committee on Commerce and Navigation.

Also (by request): Assembly Bill No. 993—An Act to regulate and provide for the award of all contracts on State buildings.

Read first time, and referred to Committee on Public Buildings and Grounds.

By Mr. Healey: Assembly Bill No. 994—An Act to compel street railroad companies to return fare, or its equivalent, to passengers where travel on their cars has been stopped for a period of ten minutes or more, from any cause whatever.

Read first time, and referred to Committee on Corporations.

By Mr. McCarthy (by request): Assembly Bill No. 995—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 navigable running streams to a fixed channel.

Read first time, and referred to Committee on Commerce and Navigation.

By Mr. Dixon: Assembly Bill No. 996—An Act entitled an Act for the preservation and maintenance of streets paved by contract.

Read first time, and referred to Committee on Municipal Corporations.

Also: Assembly Bill No. 997—An Act to determine the term of office and the bond to be required of the Superintendent of Dredgers, and the assistant to the Chief Wharfinger of the Board of State Harbor Commissioners.

Read first time, and referred to Committee on Commerce and Navigation.

Also: Assembly Bill No. 998—An Act to amend section two thousand five hundred and thirty-nine of the Political Code, relating to San Francisco Harbor and State Harbor Commission.

Read first time, and referred to Committee on Commerce and Navigation.

By Mr. Dinkelspiel: Assembly Bill No. 999—An Act to amend section five hundred and one of the Civil Code of the State of California, relating to street railroad corporations.

Read first time, and referred to Committee on Corporations.

By Mr. McKelvey: Assembly Bill No. 1000—An Act to promote and encourage ship building in the State of California.

Read first time, and referred to Committee on Labor and Capital.

By Mr. Powers: Assembly Constitutional Amendment No. 53—A resolution proposing to the people of the State of California an amendment to section six, article eleven of the Constitution of the State of California.

Read, and referred to Committee on Constitutional Amendments.

By Mr. Merrill: Assembly Constitutional Amendment No. 54—Proposed amendment to article five of the Constitution, relative to the election and qualification of Governor.

Read, and referred to Committee on Constitutional Amendments.

REPORT OF COMMITTEE ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 25, 1895.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following bills have been correctly engrossed, viz.:

Assembly Bill No. 501—An Act to amend section one thousand five hundred and forty-three of "An Act to establish a Political Code," approved March 12, 1872.

Also: Assembly Bill No. 15—An Act to amend section six of an Act entitled "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,' approved March 31, 1891, 'and to provide for Clerks of Police Courts in cities having a population of more than thirty thousand and not exceeding one hundred thousand inhabitants'."

Also: Assembly Bill No. 337—An Act for the certification of land titles, and the simplification of the transfer of real estate

Also: Assembly Bill No. 351—An Act to amend section two hundred and forty-one of the Code of Civil Procedure, relating to the drawing of grand juries.

Also: Assembly Bill No. 364—An Act to add a new section to the Civil Code, authorizing the issue of bonds by consent of all the stockholders

Also: Assembly Bill No. 604—An Act to amend section one of an Act entitled "An Act to promote the purity of elections by regulating the conduct thereof, and to support the privilege of free suffrage by prohibiting certain acts and privileges in relation thereto, and providing for the punishment thereof."

Also: Assembly Bill No. 115—An Act to secure independence and promote purity in nominations by political conventions

Also: Assembly Bill No. 148—An Act to create the office of Fish and Game Warden, and to prescribe the powers, duty, and salary of such officer.

Also: Assembly Bill No. 580—An Act to amend section three thousand and five of the Political Code, and providing for the appointment of a Board of Health for the City and County of San Francisco.

Also: Assembly Bill No. 90—An Act for the protection of miners, and repealing all Acts in conflict therewith.

WILKINSON, Chairman.

MOTION.

Mr. Dodge moved that Assembly Bill No. 681 be made a special order for to-morrow morning, immediately after reading of the Journal.

So ordered.

RESOLUTIONS.

By Mr. Cutter:

Resolved, That the following be and is hereby added to the rules of the House: "Rule —. The Assembly shall hold a session each evening (Sundays excepted), commencing at seven o'clock and thirty minutes P. M., unless otherwise ordered by a two-thirds vote. At the evening sessions the Urgency File shall be the special order, instead of at eleven o'clock A. M., as now provided, and shall continue the special order at each evening session so long as there are bills remaining thereon."

Referred to Committee on Rules.

By Mr. Phelps:

CONCURRENT RESOLUTION No. 16.

WHEREAS, Mrs. Octavine C. Booth, widow of the late Newton Booth, ex-Governor of the State of California, has authorized Hon L. T. Hatfield to present to the State of California, on her behalf, a portrait of Governor Booth; whereas, the people of the State of California hold the memory of Newton Booth in sacred and high esteem; and whereas, it is desired that such a generous offer may be accepted and the gift installed within the State Capitol; therefore, be it

Resolved by the Assembly, the Senate concurring, That His Excellency Governor James H. Budd, Hon John C. Lynch, Speaker of the Assembly, and Hon. Thomas Flint, President of the Senate, be and they are hereby authorized to accept such gift on the part of the State and make all proper arrangements in connection therewith, and that such portrait be placed in a suitable position.

Mr. Phelps moved that the rules be suspended for consideration of the resolution.

So ordered.

Resolution adopted.

By Mr. McKelvey:

ASSEMBLY JOINT RESOLUTION No. 25.

Joint resolution relative to the procuring the exchange of arms now in the hands of the military forces of this State for improved arms now in the possession of the United States.

WHEREAS, Many Springfield rifles now in the hands of the National Guard of this State are old and defective, and so honeycombed that they are useless; and that their further use by the State troops are dangerous, and accidents arising from the use thereof give rise to frequent claims against the State; and whereas, there is now in the possession of the United States, under the control of the Secretary of War, large numbers of Springfield rifles in good condition, and recent manufacture; and whereas, the United States has no use for such arms, and can exchange the same for the old guns now in the hands of the State troops, the United States having adopted a new rifle for the United States Army; therefore, be it

Resolved by the Assembly of the State of California, the Senate concurring, That our Senators in Congress be instructed and our Representatives are requested to take all necessary steps and use all honorable means to secure the exchange of new guns for the old ones now in the hands of the State troops.

Referred to Committee on Military Affairs.

By Mr. Waymire:

Resolved, That after Saturday next the services of all Committee Clerks be dispensed with, except the Clerks of the Committees on Judiciary and Ways and Means.

Referred to Committee on Attachés and Employés.

LEAVE OF ABSENCE.

Mr. McDonald was granted leave of absence for to-day and to-morrow, on account of sickness.

MOTION.

Mr. Cutter moved that the Chief Clerk now proceed to draw the names and establish the urgency file, as required by the amended rules.

So ordered.

The Clerk drew the names, and their positions on the file were established as follows:

1. McKelvey.	21. Tibbits.	41. Llewellyn.	61. Laugenour.
2. Dinkelspiel.	22. O'Day.	42. Laird.	62. Holland.
3. Powers	23. Berry	43. Meads.	63. North.
4. Belshaw.	24. Healey.	44. McDonald.	64. Bulla.
5. Wilkinson.	25. Weyse.	45. Johnson.	65. Freeman
6. Gay.	26. Richards.	46. Coleman.	66. Devitt.
7. Glass.	27. Dunbar.	47. Phelps.	67. Staley.
8. Stansell.	28. Osborn.	48. Lewis.	68. Butler.
9. Merrill.	29. Swisler.	49. Robinson.	69. Dixon.
10. Fassett	30. Barker.	50. Kenyon.	70. Thomas.
11. Bledsoe.	31. Brusie.	51. Hall.	71. Dwyer
12. Ash.	32. Ewing.	52. McCarthy.	72. Price
13. Waymire.	33. Tomblin.	53. Pendleton.	73. Reid.
14. Mr. Speaker.	34. Kelsey.	54. Wilkins.	74. Bettman.
15. Zocchi.	35. Cutter.	55. Hatfield.	75. Dodge.
16. Twigg	36. Bachman.	56. Devine.	76. Cargill.
17. Wade	37. Huber.	57. Spencer.	77. Davis.
18. Sanford.	38. Keen	58. Bassford	78. Coghlin.
19. Guy.	39. Bennett.	59. Hudson.	79. Nelson.
20. Rowell.	40. Dale.	60. Jones.	80. Boothby.

APPROVAL OF JOURNALS.

The Journal of Wednesday, February 20th, approved.

Mr. Reid moved to strike out the name "Reid" from the roll call, under call of the House, on page thirty-three of Thursday's Journal.

Motion lost.

The Journal of February 21st was approved.

UNFINISHED BUSINESS.

Concurrence in Senate amendments to Assembly Bill No. 32.

The following Senate committee amendments were submitted:

AMENDMENT No. 1.

Strike out of said bill all of line six after the word "property," down to and including line ten.

AMENDMENT No. 2.

Strike out all of section two.

The question being on the adoption of Senate committee amendments.

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

AYES—Messrs. Barker, Bassford, Belshaw, Bennett, Berry, Brusie, Bulla, Butler, Davis, Dodge, Dunbar, Dwyer, Ewing, Fassett, Gay, Glass, Hall, Holland, Huber, Hudson, Johnson, Jones, Keen, Kelsey, Laird, Laugenour, Meads, McKelvey, Merrill, Nelson, North, Pendleton, Phelps, Price, Reid, Richards, Robinson, Rowell, Spencer, Staley, Stansell, Thomas, Tibbits, Tomblin, Wade, Waymire, and Mr. Speaker—47.
NOES—Mr. Bledsoe—1.

Ordered to Committee on Enrollment.

Mr. Bulla called up his notice of motion to amend the rules, submitted Thursday, February 21st, 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, or for a longer time than five minutes, 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.

Adopted.

SPECIAL FILE.

Assembly Bill No. 188—An Act making an appropriation for support of the Southern California State Asylum for the Insane and Inebriates for the forty-sixth fiscal year.

Passed, to retain its place on file.

Senate Bill No. 438—An Act making an appropriation to pay for the support and maintenance of the inmates of the Woman's Relief Corps Home, at Evergreen, in Santa Clara County, for the forty-seventh and forty-eighth fiscal years.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 676—An Act making an appropriation to pay the deficiency in the appropriation to pay for the system of heating and ventilating established in the Training Department of the State Normal School at San José, California.

Passed, to retain its place on file.

Assembly Bill No. 700—An Act to provide for payment of a deficiency in the appropriation for aid to the State Agricultural Society for the forty-sixth fiscal year.

Passed, to retain its place on file.

Assembly Bill No. 711—An Act making an appropriation to pay the deficiency in the appropriation for payment of transportation of children to the State Reform School for Juvenile Offenders for the forty-third and forty-fourth fiscal years.

Passed, to retain its place on file.

Assembly Bill No. 710—An Act making an appropriation to pay the deficiency in the appropriation for the transportation of insane for the forty-fourth fiscal year.

Passed, to retain its place on file.

Assembly Bill No. 725—An Act making an appropriation to pay the deficiency in the appropriation for salary of Secretary of State Board of Examiners for the forty-fourth fiscal year.

Passed, to retain its place on file.

Assembly Bill No. 600—An Act making an appropriation to pay the City and County of San Francisco for expenses incurred in conveying children to the Whittier State School.

Passed, to retain its place on file.

Assembly Bill No. 616—An Act authorizing the Clerk of the Supreme Court to furnish his offices in San Francisco, Los Angeles, and Sacramento with steel record cases, and make an appropriation therefor.

Passed, to retain its place on file.

Senate Bill No. 291—An Act making an appropriation to pay the deficiency in the appropriation for the contingent expenses of the Senate, thirtieth session, California Legislature.

Read second time.

MOTION.

Mr. Pendleton moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bill No. 291.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Lynch in the chair.

Senate Bill No. 291 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Lynch 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. 291—An Act making an appropriation to pay the deficiency in the appropriation for the contingent expenses of the Senate, thirtieth session, California Legislature—and now report, and recommend that the same do pass.

LYNCH, Chairman.

Ordered to engrossment and third reading.

MOTIONS.

Mr. Brusie moved that the special file be passed.

Mr. Bledsoe moved as a substitute therefor, that all bills on special file carrying appropriations be passed.

Adopted.

Assembly Constitutional Amendment No. 17—Constitutional amendment proposing to the people of the State an amendment to section one of article thirteen of the Constitution, relative to exemptions from taxation.

Re-referred to Committee on Constitutional Amendments.

Mr. Cutter moved that the hour of recess be extended ten minutes.

So ordered.

Assembly Constitutional Amendment No. 35—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, relative to revenue and taxation.

Mr. Barker moved to amend as follows:

By adding the following to the resolution: "Sec. 4. The provisions of this article shall take effect from and after the first day of January, Anno Domini one thousand eight hundred and ninety-seven.

Assembly Constitutional Amendment No. 35, together with the amendment by Mr. Barker, re-referred to Committee on Constitutional Amendments.

Mr. Powers moved that the Committee on Printing be instructed to forthwith inquire into the reason for delay in return of bills from the State Printer to the Assembly, and to report to this Assembly at its earliest opportunity.

Adopted.

PETITION—(OUT OF ORDER).

By Mr. Twigg: Asking the Legislature to pay the claim of Thomas Hatch for services rendered to the World's Fair Commission, 1894.

Referred to Committee on Ways and Means.

RECESS.

At twelve o'clock and thirty-seven minutes P. M., on motion of Mr. Huber, the Assembly took a recess until two o'clock.

REASSEMBLED.

The Assembly reassembled at two o'clock P. M.
Speaker Lynch in the chair.
Quorum present.

SPECIAL SENATE FILE.

Senate Bill No. 257—An Act to add a new section, to be numbered five hundred and fifteen, to an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to the crime of embezzlement.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Brusie, Bulla, Coleman, Dale, Devine, Devitt, Dodge, Dunbar, Ewing, Freeman, Gay, Glass, Guy, Hatfield, Healey, Huber, Johnson, Jones, Keen, Kelsey, Laugenour, Meads, McCarthy, McKelvey, Merrill, Nelson, Osborn, Powers, Price, Rowell, Staley, Stansell, Tibbits, Weyse, Zocchi, and Mr. Speaker—43.

NOES—Messrs. Bledsoe, Holland, Hudson, O'Day, Spencer, and Wade—6.

Title read and approved.

Senate Bill No. 46—An Act to amend section seven hundred and thirty-seven of the Political Code of the State of California, relating to salaries of Judges of Superior Courts.

Read third time.

MOTION.

Mr. Belshaw moved that a committee of one be appointed, with instructions to amend Senate Bill No. 46 as follows:

By inserting in section one, line seven, after the word "Fresno," the words "Yolo, Contra Costa."

So ordered.

APPOINTMENT OF COMMITTEE.

The Speaker appointed Mr. Belshaw as such committee.

REPORT OF SPECIAL COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, February 25, 1895.

MR. SPEAKER: Your special committee of one, to whom was referred Senate Bill No 46, with instructions to amend as follows: "Insert in section one, line seven, after the word "Fresno," the following. "Yolo, Contra Costa"—have had the same under consideration, and respectfully reports the same back, amended as per instructions.

BELSHAW, Committee.

Adopted.

MOTION.

Mr. Bledsoe moved to appoint a committee of one, with instructions to amend as follows:

Insert in section one, line six, after the word "each," the words "the annual salaries of the Judges of the Superior Court of Humboldt County are three thousand dollars each; the annual salary of the Judge of Del Norte County is two thousand five hundred dollars."

Lost.

Ordered to printer.

Senate Bill No. 694—An Act to add a new section to the Code of Civil Procedure, to be known as section seven hundred and fifty, relating to suits to quiet title to or determine adverse claims to real or personal property, or both.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Bledsoe, Boothby, Brusie, Bulla, Coleman, Cutter, Dale, Davis, Dinkelspiel, Dodge, Dunbar, Dwyer, Ewing, Freeman, Gay, Glass, Hall, Healey, Holland, Huber, Jones, Kelsey, Laugenour, Lewis, McKelvey, Nelson, North, O'Day, Osborn, Pendleton, Phelps, Powers, Price, Reid, Richards, Robinson, Rowell, Spencer, Staley, Stansell, Thomas, Tibbits, Weyse, Wilkinson, Zocchi, and Mr. Speaker—54.

NOES—Messrs. Guy, Keen, Swisler, and Wade—4.

Title read and approved.

Senate Bill No. 529—An Act to provide for an additional watchman in and about the office of the State Treasurer, by amending an Act entitled "An Act for the better protection of the State Treasury," approved March 30, 1868.

Read third time.

Mr. Davis moved that the rules be suspended, to reconsider the vote whereby the amendment to Senate Bill No. 529, offered by Mr. Belshaw, was so ordered.

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

AYES—Messrs. Ash, Berry, Bettman, Brusie, Davis, Gay, Glass, Guy, Hall, Hatfield, Healey, Holland, Keen, Kelsey, Kenyon, Laugenour, Lewis, McKelvey, Merrill, Powers, Reid, Richards, Sanford, Staley, Stansell, Thomas, Tibbits, Twigg, Wilkinson, Zocchi, and Mr. Speaker—31.

NOES—Messrs. Barker, Bassford, Belshaw, Bennett, Bledsoe, Bulla, Coleman, Cutter, Dale, Dodge, Dunbar, Ewing, Fassett, Freeman, Huber, Jones, Meads, Nelson, North, O'Day, Osborn, Pendleton, Phelps, Robinson, Spencer, Swisler, Wade, and Waymire—28.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Bassford, Belshaw, Bennett, Berry, Bettman, Brusie, Bulla, Butler, Coleman, Coghlin, Dale, Davis, Devine, Dodge, Dunbar, Dwyer, Ewing, Fassett, Freeman, Guy, Hall, Hatfield, Healey, Holland, Huber, Jones, Keen, Kelsey, Kenyon, Lewis, Meads, Merrill, Nelson, North, O'Day, Osborn, Pendleton, Price, Richards, Robinson, Rowell, Sanford, Staley, Stansell, Swisler, Thomas, Tibbits, Twigg, Wade, Waymire, and Wilkinson—54.

NOES—Messrs. Bledsoe, Phelps, and Reid—3.

Title read and approved.

Mr. Thomas moved that Senate Bill No. 529 be immediately transmitted to the Senate.

So ordered.

Senate Bill No. 436—An Act to appropriate the sum of five thousand

dollars for repairs to the buildings of the State Normal School at San José.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Barker, Bassford, Bennett, Berry, Bettman, Brusie, Bulla, Butler, Coleman, Coghlin, Cutter, Davis, Dinkelspiel, Dwyer, Fassett, Gay, Glass, Guy, Hatfield, Healey, Holland, Huber, Johnson, Jones, Keen, Kelsey, Kenyon, Meads, Nelson, North, O'Day, Osborn, Powers, Price, Richards, Robinson, Rowell, Sanford, Spencer, Staley, Swisler, Tibbits, Tomblin, Twigg, Wade, Waymire, and Mr. Speaker—48.

NOES—Messrs. Belshaw, Bledsoe, Dale, and Hudson—4.

Title read and approved.

Senate Bill No. 88—An Act to prevent deception in the manufacture and sale of butter and of cheese, to secure its enforcement, and to appropriate money therefor.

Mr. Phelps moved to pass Senate Bill No. 88 on file.

Lost.

MOTION.

Mr. Price moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bill No. 88.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Lynch in the chair.

Senate Bill No. 88 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Lynch 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—An Act to prevent deception in the manufacture and sale of butter and of cheese, to secure its enforcement, and to appropriate money therefor—and now report, and recommend that the same do pass.

LYNCH, Chairman.

Ordered engrossed and to third reading.

Senate Bill No. 57—An Act to amend section one of an Act entitled "An Act to amend an Act approved February 28, 1887, entitled 'An Act to amend an Act to appropriate money for the support of aged persons in indigent circumstances, residing in the Home of the Veterans' Home Association,' approved March 7, 1883, providing for an increase in the annual appropriation therefor, and changing the time of payment thereof," approved March 23, 1893.

Refused third reading.

NOTICE OF RECONSIDERATION.

Mr. Wade gave notice that on next legislative day he would move the reconsideration of the vote whereby the bill was refused third reading.

Senate Bill No. 437—An Act to appropriate five thousand dollars for

repairs and improvements upon the grounds of the State Normal School at San José.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Berry, Bettman, Brusie, Bulla, Butler, Cargill, Coleman, Coghlin, Davis, Devine, Devitt, Dinkelspiel, Dodge, Dunbar, Dwyer, Ewing, Fassett, Freeman, Gay, Guy, Hatfield, Holland, Johnson, Jones, Keen, Kelsey, Kenyon, Laird, Lewis, Llewellyn, Meads, McKelvey, Merrill, North, Osborn, Pendleton, Powers, Reid, Richards, Robinson, Sanford, Spencer, Staley, Swisler, Thomas, Tibbits, Tomblin, Twigg, Wade, Waymire, Weyse, Wilkinson, Zocchi, and Mr. Speaker—54.

NOES—Messrs. Ash, Belshaw, Bledsoe, Dale, and Rowell—5.

Title read and approved.

Senate Bill No. 24—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.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Barker, Bennett, Berry, Bettman, Bledsoe, Brusie, Bulla, Butler, Cargill, Coghlin, Dale, Davis, Devitt, Dinkelspiel, Dunbar, Dwyer, Ewing, Fassett, Freeman, Gay, Glass, Guy, Hatfield, Healey, Holland, Hudson, Johnson, Keen, Kenyon, Laugenour, Lewis, Meads, McCarthy, McKelvey, Merrill, North, Osborn, Pendleton, Phelps, Powers, Reid, Robinson, Rowell, Sanford, Stansell, Swisler, Thomas, Tibbits, Tomblin, Twigg, Wade, Weyse, Wilkinson, Zocchi, and Mr. Speaker—56.

NOES—Mr. Jones—1.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. McKelvey gave notice that on the next legislative day he will move to reconsider the vote whereby Senate Bill No. 24 was finally passed.

MOTIONS.

Mr. Johnson moved the reconsideration of the vote whereby Assembly Bill No. 501 was stricken from the file.

So ordered.

Mr. Cutter moved that the rules be suspended and Assembly Bill No. 501 be now read the third time.

So ordered.

THIRD READING OF BILL.

Assembly Bill No. 501—An Act to amend section one thousand five hundred and forty-three of “An Act to establish a Political Code,” approved March 12, 1872.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Bassford, Belshaw, Bennett, Berry, Bettman, Bledsoe, Boothby, Bulla, Butler, Cargill, Coleman, Davis, Devine, Dinkelspiel, Dodge, Dunbar, Ewing, Freeman, Gay, Guy, Hall, Hatfield, Holland, Huber, Johnson, Jones, Keen, Kelsey, Kenyon,

Laird, Laugenour, Meads, McCarthy, McKelvey, Merrill, North, Osborn, Pendleton, Phelps, Powers, Price, Richards, Rowell, Staley, Tomblin, Wade, Weyse, and Mr. Speaker—49.

NOES—None.

Title read and approved.

INTRODUCTION OF BILLS—(OUT OF ORDER).

The following bills were introduced, read first time, and referred to committees, as follows:

By Mr. Powers: Assembly Bill No. 1001—An Act to amend section ninety-three of the Code of Civil Procedure of the State of California, concerning Justices' docket.

Read first time, and referred to Committee on Judiciary.

By Mr. Pendleton: Assembly Bill No. 1002—An Act authorizing the payment of compensation or commission to persons employed by the State Controller and Attorney-General, or by Boards of Supervisors of the different counties, to collect delinquent State and county taxes, and legalizing all payments made for that purpose.

Read first time, and referred to Committee on Ways and Means.

By Mr. Bledsoe: Assembly Bill No. 1003—An Act to prevent and forbid all persons who own, operate, or carry on street railroads to require deposit from employes.

Read first time, and referred to Committee on Corporations.

By Mr. Belshaw: Assembly Bill No. 1004—An Act to provide against the printing, publication, and circulation, sale, distribution, or giving away of any newspaper, pamphlet, or dodger that shall advertise any lottery, or give notice of the drawing of any lottery, or call attention thereto, and making the same a misdemeanor.

Read first time, and referred to Committee on Public Morals.

By Mr. Bulla: Assembly Bill No. 1005—An Act to create a Division of Poultry, and to provide for scientific and practical experimentation with poultry culture under authority of the State University.

Read first time, and referred to Committee on Agriculture.

Also (by request): Assembly Bill No. 1006—An Act to provide for the filling up or drainage of lots upon which there is stagnant water or offensive substance, and providing for collection of costs of the same.

Read first time, and referred to Committee on Municipal Corporations.

By Mr. Twigg: Assembly Bill No. 1007—An Act to pay the claim of Thos. Hatch, and making an appropriation therefor.

Read first time, and referred to Committee on Claims.

By Mr. Kelsey: Assembly Bill No. 1008—An Act to regulate the practice of dentistry in the State of California.

Read first time, and referred to Committee on Public Health and Quarantine.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON REVENUE AND TAXATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 25, 1895.

MR. SPEAKER: Your Committee on Revenue and Taxation, to whom was referred Assembly Bills Nos. 409, 680, 773, 71, 296, and 574—have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

FREEMAN, Chairman.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 25, 1895.

MR. SPEAKER: Your Committee on Education recommend that the within bill, Assembly Bill No. 1009, do pass

JOHNSON, Chairman.

WITHDRAWAL AND SUBSTITUTION OF BILL.

Assembly Bills Nos. 160, 501, 523, 525, 536, 558, and 594 were withdrawn, and Assembly Bill No. 1009 substituted therefor.

INTRODUCTION OF BILL—(OUT OF ORDER).

By Committee on Education: Assembly Bill No. 1009 (Substitute for Assembly Bills Nos. 160, 501, 523, 525, 536, 558, and 594)—An Act to amend sections one thousand four hundred and ninety-eight, one thousand five hundred and three, one thousand five hundred and seventeen, one thousand five hundred and twenty-one, one thousand five hundred and forty-three, one thousand five hundred and fifty-one, one thousand five hundred and fifty-two, one thousand five hundred and seventy-five, one thousand five hundred and seventy-six, one thousand five hundred and ninety-four, one thousand six hundred and seventeen, one thousand seven hundred and thirteen, one thousand seven hundred and seventy, one thousand seven hundred and seventy-three, one thousand seven hundred and seventy-five, one thousand eight hundred and thirty, one thousand eight hundred and eighty, and one thousand eight hundred and eighty-two, relating to public schools.

Read first time, and placed on file.

REFERENCE OF BILLS.

Senate Bills referred as follows:

Senate Bills Nos. 369, 100, and 195 ordered on special Senate file.

Senate Bills Nos. 192 and 221 to Committee on Municipal Corporations.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 25, 1895.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following bills have been correctly engrossed, viz.:

Assembly Bill No. 676—An Act making an appropriation to pay the deficiency in the appropriation to pay for the system of heating and ventilating established in the Training Department of the State Normal School at San José, California.

Also: Assembly Bill No. 700—An Act to provide for payment of a deficiency in the appropriation for aid to the State Agricultural Society for the forty-sixth fiscal year.

Also: Assembly Bill No. 711—An Act making an appropriation to pay the deficiency in the appropriation for payment of transportation of children to the State Reform School for Juvenile Offenders for the forty-third and forty-fourth fiscal years.

Also: Assembly Bill No. 710—An Act making an appropriation to pay the deficiency in the appropriation for the transportation of insane for the forty-fourth fiscal year.

Also: Assembly Bill No. 725—An Act making an appropriation to pay the deficiency in the appropriation for salary of Secretary of State Board of Examiners for the forty-fourth fiscal year.

Also: Assembly Bill No. 600—An Act making an appropriation to pay the City and County of San Francisco for expenses incurred in conveying children to the Whittier State School.

Also: Assembly Bill No. 616—An Act authorizing the Clerk of the Supreme Court to furnish his offices in San Francisco, Los Angeles, and Sacramento with steel record cases, and make an appropriation therefor.

Also: Assembly Bill No. 172—An Act making an appropriation to pay the deficiency in the appropriation for the support of the Folsom State Prison for the forty-sixth fiscal year, ending June 30, 1895.

Also: Assembly Bill No. 218—An Act authorizing the Controller to refurnish his office, and making an appropriation therefor.

WILKINSON, Chairman.

ON PUBLIC MORALS.

ASSEMBLY CHAMBER, SACRAMENTO, February 25, 1895.

MR. SPEAKER: Your Committee on Public Morals, to whom was referred Senate Bill No. 462—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

BETTMAN, Chairman.

INTRODUCTION OF BILLS—(OUT OF ORDER).

The following bills were introduced, read first time, and referred to committees, as follows:

By Mr. Powers: Assembly Bill No. 1010—An Act conferring powers upon the Common Council, Board of Supervisors, or other governing body of cities, or cities and counties, of over one hundred thousand inhabitants, to erect and construct upon public lands of such cities, or cities and counties, a suitable building or buildings for the accommodation of persons affected with contagious or infectious diseases.

Read first time, and referred to San Francisco Delegation.

By Mr. Waymire: Assembly Bill No. 1011—An Act to amend sections three hundred and seventy-six and three hundred and seventy-seven of the Code of Civil Procedure, relating to actions to recover damages for the wrongful or negligent injury or killing of human beings.

Read first time, and referred to Committee on Judiciary.

By Mr. Butler: Assembly Bill No. 1012—An Act to amend the Political Code in relation to the State Library.

Read first time, and referred to Committee on Judiciary.

PETITION—(OUT OF ORDER).

By Mr. Dodge: From the citizens of Berkeley, petitioning for the enactment of a measure providing for the establishing of free employment offices in all first and second class cities, and under the direction of the Commissioner of Bureau of Labor Statistics.

Referred to Committee on Labor and Capital.

SENATE MESSAGES.

SENATE CHAMBER, SACRAMENTO, February 25, 1895.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the twenty-fifth day of February, concurred in Assembly Joint Resolution No. 19.

F. J. BRANDON, Secretary.

By GEO. A. LEON, Assistant

Also:

SENATE CHAMBER, SACRAMENTO, February 25, 1895.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the twenty-first day of February, 1895, passed Senate Bill No. 369—An Act to amend an Act entitled 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 sani-

tary 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

Also: Senate Bill No. 192—An Act to amend an Act entitled "An Act to provide for the classification of municipal corporations," as approved March 2, 1883 (St. 1883, p. 24).

Also: Senate Bill No. 100—An Act providing for the relief of John J. Conlin, directing the Board of Supervisors of the City and County of San Francisco to order paid to said Conlin, his assigns or legal representatives, the sum of sixty-one thousand five hundred and seventy-seven dollars, and directing the Auditor of said city and county to audit the demand of said Conlin for said sum, and issue his warrant therefor, and the Treasurer of said city and county to pay said warrant.

Also: Senate Bill No. 221—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: Committee Substitute for Senate Bill No. 195—An Act to provide for removal of human remains from cemeteries.

F. J. BRANDON, Secretary.
By E. J. ENSIGN, Assistant.

WITHDRAWAL OF BILLS.

The following bills were withdrawn: Assembly Bills Nos. 438, 688, 692, 182, 179, 185, 199, 401, 41, 44, 36, 37, 42, 380, 381, 382, 383, 441, 641, 608, 531, 539, 819, 684, 841, 356, 826, 821, 729, 267, 448, 60, 68, 788, 397, 94, 489, 764, 841, 422, 595, 722, 371, 703, 853, 854, 634, and Assembly Constitutional Amendments Nos. 27, 32, 26, 22, 8, 9, and 23.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON CRIMES AND PENALTIES.

ASSEMBLY CHAMBER, SACRAMENTO, February 25, 1895.

MR. SPEAKER: Your Committee on Crimes and Penalties, to whom was referred Assembly Bill No. 921—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

BOOTHBY, Chairman.

ON AGRICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, February 25, 1895.

MR. SPEAKER: Your Committee on Agriculture, to whom was referred Assembly Bill No. 953—An Act to amend 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, 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 March 20, 1891, by amending sections one, eleven, and twelve," approved March 23, 1893, by amending section one thereof—have had the same under consideration, and respectfully report the same back, and recommend that it do pass

RICHARDS, Chairman.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, }
SACRAMENTO, February 25, 1895. }

To the Assembly of the State of California:

I have the honor to inform your honorable body that I have approved Assembly Bills Nos. 26 and 9.

JAMES H. BUDD, Governor.

ADJOURNMENT.

At four o'clock and twenty minutes P. M., on motion of Mr. Pendleton, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER, }
Tuesday, February 26, 1895. }

The Assembly met pursuant to adjournment.

Speaker Lynch in the chair.

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

Messrs. Ash, Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Bledsoe, Boothby, Brusie, Bulla, Butler, Cargill, Coleman, Coghlin, Cutter, Dale, Davis, Devine, Devitt, Dinkelspiel, Dodge, Dunbar, Dwyer, Ewing, Fassett, Freeman, Gay, Glass, Guy, Hall, Hatfield, Healey, Holland, Huber, Hudson, Johnson, Jones, Keen, Kelsey, Kenyon, Laird, Laugenour, Lewis, Llewellyn, Meads, McCarthy, McDonald, McKelvey, Merrill, Nelson, North, O'Day, Osborn, Pendleton, Phelps, Powers, Price, Reid, Richards, Robinson, Rowell, Sanford, Spencer, Staley, Stansell, Swisler, Thomas, Tibbits, Tomblin, Wade, Waymire, Weyse, Wilkinson, Zocchi, and Mr. Speaker.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. O. Summers.

READING OF THE JOURNAL.

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

So ordered.

SPECIAL ORDERS.

Assembly Bill No. 960—An Act to amend sections two thousand six hundred and thirty-three, 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 fifty, two thousand seven hundred and eleven, and two thousand seven hundred and sixteen of the Political Code of the State of California; and to add three new sections to said Code, to be known as sections two thousand six hundred and forty, two thousand six hundred and forty-four, and two thousand seven hundred and ten, relating to highways, and the powers and duties of highway officers.

Mr. Swisler moved that Assembly Bill No. 960 be made a special order for Wednesday, immediately after reading of Journal.

So ordered.

At ten o'clock and twenty minutes A. M. the Speaker called Mr. Spencer to the chair.

Assembly Bill No. 681—An Act to establish the fees of county, township, and other officers in this State.

Read second time.

Mr. Dodge moved to amend as follows:

By striking out of section one, line one hundred and five, the word "and," after the word "Clerk," and inserting the following: "and Recorder, unless otherwise provided by law," after the word "Sheriff."

Adopted.

Also: Amend section one, after line one hundred and forty-seven, by inserting the following: "For transporting prisoners to the county jail, the actual cost of such transportation."

Adopted.

Also: Amend section one, line one hundred and ninety-one, by inserting the following: "grand juror or" after the word "a."

Adopted.

Also: Amend by striking out of section one, line one hundred and thirty-six, all of the matter after the word "provided," thereon down to and including the word "therefor," on line one hundred and thirty-seven, and inserting the following: "that no mileage shall be charged for a warrant of arrest on criminal process served outside of his township."

Adopted.

Mr. Guy moved to amend as follows:

By inserting in section one, after line one hundred and forty-seven, printed bill, the words "for each day's attendance upon Court when in charge of a prisoner in criminal cases, two dollars; *provided, however,* that no charge for attendance upon Court shall be made or allowed for the day upon which the warrant is returned into Court."

Lost.

Mr. Reid moved to amend as follows:

By inserting after line ten, of section one, the words "up to the sum of fifty thousand dollars, and all over that sum fifty cents for each thousand dollars."

Lost.

Mr. Davis moved to amend as follows:

By inserting the following after section one:

SEC. 2. The provisions of this Act shall not apply to the county of Kings, nor to any county, township, or other officer or juror or witness in said county.

Lost.

Mr. Reid moved to amend as follows:

By striking out of section one, line twenty-five, the words "twenty-five," and inserting the following: "fifty."

Lost.

Mr. Dinkelspiel moved to amend as follows:

By striking out of section one, line one hundred and nine, the word "twenty-five," and inserting the word "fifty."

Lost.

Mr. Reid moved to amend as follows:

After line thirty-nine insert the following: "and three cents per folio for comparing the said copy with the original."

Adopted.

Also: Amend by striking out of section one, line eighty-two, the word "ten," and inserting the following: "fifteen."

Lost.

Mr. Weyse moved to amend as follows:

Amend section two, line three, printed bill, by inserting the following after the word "thereof": "and no fees or other compensation shall be paid for filing the statement and affidavit of a committee or candidate voted for at any public election held within the State."

Adopted.

Mr. Dinkelspiel moved to amend as follows:

By striking out of section one, line seventy, the word "twenty-five," and inserting the following: "fifty."

Lost.

Mr. Reid moved to amend as follows:

By inserting in line one, after the word "County," the following: "City and County."

Lost.

Mr. Wade moved to amend as follows:

By striking out of section one, line one hundred and ninety-nine, the words "one dollar and fifty cents," and inserting the following: "two dollars in civil cases, and one dollar and fifty cents in criminal cases."

Adopted.

MOTION.

Mr. Cutter moved that Assembly Bill No. 681 be ordered to engrossment and third reading.

So ordered.

LEAVE OF ABSENCE.

Mr. Dixon was granted leave of absence for the day.

PETITION.

By Mr. Bulla: From several hundred women of Los Angeles, asking the passage of the bill introduced, raising the age of consent to eighteen years.

Referred to Committee on Public Morals.

REPORTS OF STANDING COMMITTEES.

ON STATE HOSPITALS AND ASYLUMS.

ASSEMBLY CHAMBER, SACRAMENTO, February 26, 1895.

MR. SPEAKER: Your Committee on State Hospitals and Asylums, to whom was referred Assembly Bill No. 801—An Act to provide for the disposal of the Home for the Adult Blind at Oakland, Alameda County, the transfer of the inmates to the premises lately occupied as a Home for Feeble-Minded in Santa Clara, and for the improvement of the same—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

CARGILL, Chairman.

ON CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 26, 1895.

MR. SPEAKER: Your Committee on Corporations, to whom was referred Assembly Bill No. 577—An Act to amend section four hundred and fifty-six of the Civil Code, relating to the borrowing of money and the issuance of bonds by railroad corporations—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also: Assembly Bill No. 882—An Act to amend section four hundred and eighty-nine and to repeal section four hundred and ninety of the Civil Code, in relation to railroad rates of charges and railroad tickets—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

PENDLETON, Chairman.

ON PUBLIC PRINTING

ASSEMBLY CHAMBER, SACRAMENTO, February 26, 1895.

MR. SPEAKER: Your Committee on Public Printing have had under consideration the resolution introduced by Mr. Powers, relative to delay in return of engrossed bills, and now beg leave to report that the State Printer informs us that he had delivered all bills received prior to February 25, 1895, to the Engrossing Clerk of this Assembly prior to ten o'clock and thirty-five minutes A. M. of said day, and received his receipt therefor.

DEVITT, Chairman.

MOTION.

Mr. Powers moved that the Committee on Engrossment inquire into the delays of the clerk of engrossment in not reporting engrossed bills back.

So ordered.

ON MANUFACTURES AND INTERNAL IMPROVEMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, February 26, 1895

MR. SPEAKER: Your Committee on Manufactures and Internal Improvements, to whom was referred Assembly Bill No. 360—have had the same under consideration, and respectfully report the same back, and recommend that the substitute offered the committee by Mr. Huber do pass, and that the same be referred to the Committee on Ways and Means, as it calls for an appropriation.

Also: Assembly Bill No. 339—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

PRICE, Chairman.

Assembly Bill No. 360 referred to Committee on Ways and Means.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 25, 1895.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Senate Bill No. 519—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 fifty-one thereof, relative to the officers of municipal incorporations of the sixth class—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

GUY, Chairman.

ON JUDICIARY

ASSEMBLY CHAMBER, SACRAMENTO, February 26, 1895.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 487—An Act for the more effectually prohibiting the keeping or exposing for sale, selling, giving, or permitting others to take any vinous, alcoholic, malt, or spirituous liquors within one mile of the land belonging to this State upon which a State Prison or University is situated, and to declare such prohibited acts and the building or erection, ground, or place in or upon which they are carried on, done, continued, or exist, a nuisance, and to provide remedies by suit and procedure in equity against such nuisances—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Assembly Bill No. 900—An Act to amend sections one thousand eight hundred and eighty, one thousand eight hundred and eighty-four, and one thousand eight hundred and eighty-six of the Political Code of the State of California, relating to public schools—have had the same under consideration, and respectfully report the same back, and recommend that it be substituted for Assembly Bill No. 743, and that it do pass

Also: Assembly Bill No. 820—An Act to amend section two hundred and fourteen of the Code of Civil Procedure, relating to the orders of Judges for drawing jurors—have had the same under consideration, and respectfully report the same back, and recommend that it do pass

Also: Assembly Bill No. 231—An Act to amend section one thousand three hundred and three, section one thousand three hundred and twenty-three, section one thousand three hundred and sixty-five, section one thousand three hundred and eighty-eight, section one thousand four hundred and thirty-nine, section one thousand five hundred and sixteen, section one thousand five hundred and seventeen, section one thousand

five hundred and thirty-six, section one thousand five hundred and forty-five, section one thousand five hundred and forty-seven, section one thousand five hundred and forty-eight, section one thousand five hundred and fifty, section one thousand five hundred and fifty-one, section one thousand five hundred and fifty-two, section one thousand five hundred and fifty-three, section one thousand five hundred and fifty-four, section one thousand five hundred and fifty-seven, section one thousand five hundred and fifty-eight, section one thousand five hundred and sixty-five, section one thousand five hundred and ninety-two, section one thousand five hundred and ninety-seven, section one thousand five hundred and ninety-eight, section one thousand five hundred and ninety-nine, and section one thousand six hundred and eighteen; and to repeal section one thousand five hundred and eighteen, section one thousand five hundred and nineteen, section one thousand five hundred and twenty-two, section one thousand five hundred and twenty-three, section one thousand five hundred and twenty-four, section one thousand five hundred and twenty-six, section one thousand five hundred and twenty-nine, section one thousand five hundred and thirty, section one thousand five hundred and thirty-one, section one thousand five hundred and thirty-two, section one thousand five hundred and thirty-three, section one thousand five hundred and thirty-seven, section one thousand five hundred and thirty-eight, section one thousand five hundred and thirty-nine, section one thousand five hundred and forty, section one thousand five hundred and forty-one, section one thousand five hundred and forty-two, section one thousand five hundred and forty-three, section one thousand five hundred and forty-four, section one thousand five hundred and forty-nine, and section one thousand five hundred and fifty-six, and to add four new sections, to be known and designated as section one thousand five hundred and forty-six, section one thousand five hundred and fifty-four and one half, section one thousand five hundred and ninety-two, and section one thousand five hundred and ninety-seven and one half 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.

Also: Assembly Bill No. 282—An Act to amend sections one thousand seven hundred and sixty-eight, one thousand seven hundred and seventy, one thousand seven hundred and seventy-seven, one thousand seven hundred and eighty-eight, and one thousand seven hundred and eighty-nine, and repealing sections one thousand seven hundred and seventy-eight, one thousand seven hundred and eighty-one, one thousand seven hundred and eighty-two, one thousand seven hundred and eighty-three, one thousand seven hundred and eighty-four, one thousand seven hundred and eighty-five, one thousand seven hundred and eighty-six, and one thousand seven hundred and eighty-seven 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 the guardianship of the persons and estates of minors and incompetents, and adding a new section to said Code of Civil Procedure, to be known and designated as section one thousand seven hundred and seventy-one and one half; also relating to the guardianship of the persons and estates of minors and incompetents.

Also: Assembly Bill No. 417—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by adding thereto a new section, to be numbered and designated as section three thousand eight hundred and sixty-three, relating to percentages and commissions on poll taxes.

Also: Assembly Bill No. 589—An Act to provide for the payment, by municipalities, of claims arising out of the improvement of streets, sidewalks, and sewers therein.

Also: Assembly Bill No. 659—An Act in relation to proceedings of Courts of justice in civil cases, being an Act to amend sections two hundred and sixty-nine, six hundred and thirty-two, sections 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, six hundred and forty-nine, six hundred and fifty, six hundred and fifty-one, six hundred and fifty-two, six hundred and fifty-eight, six hundred and fifty-nine, six hundred and sixty, six hundred and sixty-one, six hundred and sixty-two, six hundred and sixty-three, six hundred and sixty-four, six hundred and sixty-five, six hundred and sixty-six, six hundred and sixty-seven, six hundred and sixty-eight, six hundred and sixty-nine, six hundred and seventy, six hundred and seventy-one, six hundred and seventy-two, six hundred and seventy-three, six hundred and seventy-four, six hundred and seventy-five, six hundred and seventy-six, six hundred and seventy-seven, six hundred and seventy-eight, six hundred and seventy-nine, six hundred and eighty, six hundred and eighty-one, six hundred and eighty-two, six hundred and eighty-three, six hundred and eighty-four, six hundred and eighty-five, six hundred and eighty-six, six hundred and eighty-seven, six hundred and eighty-eight, six hundred and eighty-nine, six hundred and ninety, six hundred and ninety-one, six hundred and ninety-two, six hundred and ninety-three, six hundred and ninety-four, six hundred and ninety-five, six hundred and ninety-six, six hundred and ninety-seven, six hundred and ninety-eight, six hundred and ninety-nine, and section one thousand of the Code of Civil Procedure of the State of California, and to repeal sections six hundred and thirty-three, six hundred and thirty-four, and six hundred and fifty-six of said Code of Civil Procedure, and to add four new sections to said Code of Civil Procedure, to be numbered, known, and designated, respectively, as sections nine hundred and fifty-one *a*, nine hundred and fifty-three *a*, nine hundred and sixty-two *a*, and nine hundred and sixty-two *b*.

Also: Assembly Bill No. 660—An Act to amend sections two hundred and seventy-two, two hundred and seventy-three, and two hundred and seventy-four of the Code of Civil Procedure of the State of California.

Also: Assembly Bill No. 915—An Act to amend section three thousand five hundred and fifty-five of the Political Code, relative to costs of proceedings against delinquent purchasers of public lands.

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 Bill No. 236—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by adding a new section thereto, relating to percentage to be collected by officers, to be known as section four thousand three hundred and thirty-four.

Also: Assembly Bill No. 319—An Act to add a new section, to be known as section three thousand four hundred and forty-three of the Civil Code, in regard to the sale, or agreement to sell, personal property.

Also: Assembly Bill No. 744—An Act to regulate the civil service of officers in the employ of the State of California

Also: Assembly Bill No. 746—An Act to regulate the civil service of cities in the State of California.

Also: Assembly Bill No. 830—An Act to provide for a day of rest from labor.

Also: Assembly Bill No. 912—An Act to amend section one thousand two hundred and forty-three of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872.

Also: Assembly Bill No. 918—An Act to amend section eight hundred and fifty-nine of the Penal Code, by adding thereto a provision for the appointment of counsel for indigent defendants, at the preliminary examination, in cases of charges of felony.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

Also: Assembly Bill No. 768—An Act to amend section one hundred and three of the Code of Civil Procedure of the State of California, relating to Justices' Courts, and to repeal chapter two hundred and forty-one of the Statutes of 1891—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Senate Bill No. 183—An Act to amend section one thousand seven hundred and thirty-six of the Code of Civil Procedure, relating to a report as to the condition of the estate.

Also: Senate Bill No. 184—An Act to amend section one thousand seven hundred and thirty-five of the Code of Civil Procedure, relating to the accounts, decrees of distribution, and termination of letters of administration.

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

BULLA, Chairman.

Assembly Bill No. 743 withdrawn, and Assembly Bill No. 900 substituted therefor.

The following bills were withdrawn: Assembly Bills Nos. 281, 282, 417, 589, and 915.

ON COUNTY AND TOWNSHIP GOVERNMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, February 26, 1895.

MR. SPEAKER: Your Committee on County and Township Governments, to whom was referred Assembly Bill No. 896—An Act to amend section three thousand nine hundred and fifty-four of the Political Code, relating to boundary and county seat of Contra Costa County—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to the Committee on Counties and County Boundaries.

DODGE, Chairman.

Assembly Bill No. 896 referred to Committee on Counties and County Boundaries.

ON CLAIMS.

ASSEMBLY CHAMBER, SACRAMENTO, February 26, 1895.

MR. SPEAKER: Your Committee on Claims, to whom was referred Assembly Bill No. 133—An Act to pay the claim of Edwin J. Card against the State of California, and to appropriate money therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Assembly Bill No. 137—An Act to appropriate the sum of three thousand dollars to pay the claim of A. L. Wood for the capture of Francisco Torres—have had the same under consideration, and respectfully report the same back, and recommend that it do pass

Also: Assembly Bill No. 155—An Act to pay the claim of Cornelius B. Lynch against the State of California, and to appropriate money therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Assembly Bill No. 696—An Act to pay the claim of Philip Bauer against the State of California, and to make an appropriation therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Assembly Bill No. 752—An Act to pay the claim of Ida M. Smith, Violet E. Smith, and Ida Bernice Smith—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Assembly Bill No. 786—An Act to pay the claim of A. L. Wood for the arrest of Francisco Torres, charged with the crime of murder—have had the same under consideration, and respectfully report the same back, and recommend that the bill be withdrawn, as this claim is covered by Assembly Bill No. 137, introduced by Mr. McKelvey, and which your committee has acted upon.

Also: Assembly Bill No. 588—An Act to pay the claim of William J. Hall against the State of California, and to make an appropriation therefor.

Also: Assembly Bill No. 861—An Act making an appropriation to pay the claim of Louise Rienzi for services rendered the State Board of Silk Culture, as Secretary, Instructress, and Silk Expert, from December 12, 1885, to April 2, 1887, at eighty-seven and one half dollars per month.

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

GAY, Chairman.

Assembly Bills Nos. 133, 137, 155, 696, 752, 588, and 861 referred to Committee on Ways and Means.

Assembly Bill No. 786 was withdrawn.

ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, February 26, 1895.

MR. SPEAKER: Your Committee on Rules, to whom was referred the following resolution of Mr. Cutter, to wit:

Resolved, That the following be and is hereby added to the rules of the House:

"Rule —. The Assembly shall hold a session each evening (Sundays excepted), commencing at seven o'clock and thirty minutes P. M., unless otherwise ordered by a two-thirds vote. At the evening sessions the Urgency File shall be the special order, instead of at eleven o'clock A. M., as now provided, and shall continue the special order at each evening session so long as there are bills remaining thereon."

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

DINKELSPIEL, Chairman.

Mr. Pendleton moved to amend by excepting from the provision of the rule the evening of Thursday, February 28th.

So ordered.

Report as amended adopted.

ON REVENUE AND TAXATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 25, 1895.

MR. SPEAKER: Your Committee on Revenue and Taxation, to whom was referred Assembly Bills Nos. 844, 178, and Senate Bill No. 467—have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

FREEMAN, Chairman.

ON CONSTITUTIONAL AMENDMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, February 25, 1895.

MR. SPEAKER: Your Committee on Constitutional Amendments, to whom was referred Assembly Constitutional Amendment No. 36—Proposed amendment to section seventeen of article one of the Constitution, relative to the ownership of property by aliens—have had the same under consideration, and respectfully report the same back, and recommend that it be adopted as amended.

Also: Assembly Constitutional Amendment No. 48—A resolution proposing to the people of the State of California an amendment to section six, article eleven, of the Constitution of the State of California, relative to municipal corporations—have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

Also: Assembly Constitutional Amendment No. 34—Relative to amending the Constitution of the State of California by repealing sections twenty-two, twenty-three, and twenty-four of article twelve—have had the same under consideration, and respectfully report the same back without recommendation.

Also: Assembly Constitutional Amendment No. 42—Proposed amendment to article four, section two of the Constitution, relative to time of legislative sitting—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also: Assembly Constitutional Amendment No. 43—Constitutional amendment relative to the Constitution of the State of California, by amending section four, article six, requiring the Supreme Court to give its opinion upon the request of the Governor or the Legislature.

Also: Assembly Constitutional Amendment No. 46—Proposed amendment to article four of the Constitution, relative to per diem of members of the Legislature.

Have had the same under consideration, and respectfully report the same back, and recommend that they be not adopted.

Also: Assembly Constitutional Amendment No. 21—Proposed amendment to sections twenty-two and twenty-three of the Constitution, relative to a Board of Railroad Commissioners—have had the same under consideration, and respectfully report the same back without recommendation.

Also: Assembly Constitutional Amendment No. 47—Proposed amendment to article twelve of the Constitution, relative to railroad transportation—have had the same under consideration, and respectfully report the same back, and recommend that it be not adopted.

Also: Assembly Constitutional Amendment No. 28—Proposed amendment to article twelve, section twenty-two of the Constitution, relative to the appointment of Railroad Commissioners—have had the same under consideration, and respectfully report the same back without recommendation.

Also: Assembly Constitutional Amendment No. 45—Proposed amendment to article fourteen, section one, of the Constitution, relative to water, gas, and electricity—have had the same under consideration, and respectfully report the same back, and recommend that it be not adopted.

WAYMIRE, Chairman

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, February 26, 1895.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred the following resolutions:

Resolved, That the Secretary of State be requested to have the dome of the State Capitol building lighted on the evening of January 29, 1895, 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 is hereby appropriated out of the Contingent Fund of the Assembly to pay the expenses thereof."

Beg leave to report as follows: We find that the services were rendered and the money expended as the above resolution directed, and we hereby recommend the adoption of the following resolution:

Resolved, That the Controller be instructed and is hereby directed to draw his warrant in favor of L. H. Brown, Secretary of State, for the sum of two hundred dollars, payable out of the Contingent Fund of the Assembly, and the Treasurer is hereby directed to pay the same.

Also: Assembly Bill No. 58—An Act to establish a State Normal School at San Diego, California—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: The following resolution by Mr. Laird:

Resolved, That the Controller of State be and he is hereby authorized to draw his warrant, and the Treasurer is directed to pay same, payable out of the fund for the contingent expenses of the Assembly, in favor of L. H. Brown, Secretary of State, for the sum of nine hundred and fifty-six dollars and twenty-five cents, being for eighty-five sets pocket Codes, authorized by resolution of January 21, 1895, which was as follows:

Resolved, That the Secretary of State be authorized to purchase, and to be paid for out of the contingent expenses of the Assembly, eighty-five copies of the latest pocket edition of the Codes of California, one set to be furnished each member of the Assembly."

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

BRUSIE, Chairman.

Resolutions adopted.

ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 25, 1895.

MR. SPEAKER Your Committee on Enrollment have examined and found correctly enrolled Assembly Bill No. 144—An Act to amend section one thousand seven hundred and ninety-nine of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the discharge of guardians.

Also: Assembly Bill No. 374—An Act making an appropriation to pay the deficiency in the appropriation for the support of the State Insane Asylum at Stockton, California, for the forty-fourth and forty-fifth fiscal years.

Also: Assembly Bill No. 14—An Act to amend section three hundred and forty-eight of the Code of Civil Procedure, relating to limitations of actions.

Also: Assembly Bill No. 27—An Act to amend chapter two, part four, title fourteen of the Civil Code, by adding thereto a new section, to be numbered as section two

thousand nine hundred and thirty-nine and one half, relating to satisfactions or releases of mortgages in this State by foreign executors or administrators.

Also: Assembly Bill No. 11—An Act to amend an Act entitled "An Act to authorize the husband or wife, or next of kin, of a deceased person, to collect and receive of any savings bank, any deposit in such bank, when the same does not exceed the sum of three hundred dollars," approved February 18, 1874.

Also: Assembly Bill No. 145—An Act to amend section seven hundred and fifty-two of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relative to the fees to be collected by the Clerk of the Supreme Court of the State of California.

And presented the same to the Governor on this day, at three o'clock P M

MEADS, Chairman.

ON MANUFACTURES AND INTERNAL IMPROVEMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, February 26, 1895.

MR. SPEAKER: Your Committee on Manufactures and Internal Improvements, to whom was referred Assembly Bill No. 919—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

PRICE, Chairman.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, February 26, 1895.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No 707—An Act making an appropriation to pay the deficiency in the appropriation for the support of the Southern California State Asylum for the Insane and Inebriates for the forty-fifth and forty-sixth fiscal years

Also: Assembly Bill No 708—An Act making an appropriation to pay the deficiency in the appropriation for the erection of additional buildings and improvements for the Southern California State Asylum for the Insane and Inebriates.

Also: Assembly Bill No 709—An Act making an appropriation to pay the indebtedness incurred by the Board of Trustees of the Southern California State Asylum for the Insane and Inebriates, in providing a refrigerator for said asylum.

Also: Assembly Bill No 120—An Act to provide for the completion and equipment of the Deaf, Dumb, and Blind Asylum, and to make an appropriation therefor.

Also: Assembly Bill No 756—An Act appropriating money to pay the claims of H. P. Dyer, E. F. Dyer, C. A. Grainger, Gaston Goldsmith, and Sullivan & Sullivan

Also: Assembly Bill No. 686—An Act making an appropriation for the payment of R. J. Broughton, for conveyance of Anna Campbell, an insane person, to the Napa Insane Asylum.

Also: Assembly Bill No. 735—An Act providing for the relief of the County Treasurer of Sonoma County, and his sureties on his official bond, on account of money of which he was forcibly robbed.

Also: Assembly Bill No. 875—An Act making an appropriation to pay the claims of Ira H. Locey and Henry Locey against the State of California, for expenses incurred and services rendered by order of the State Board of Forestry.

Also: Assembly Bill No. 884—An Act to appropriate the sum of fifteen thousand dollars for the erection of a monument to the memory of Col. E. D. Baker, and directing the Controller to pay the same to the E. D. Baker Monument Fund Association

Also: Assembly Bill No 891—An Act making an appropriation of one hundred and fifty dollars to purchase the picture painted by Mary A. Lewis, of the Grand Encampment on the State Capitol grounds during the strike

Also: Assembly Bill No. 930—An Act to reimburse John C. Pelton for moneys expended by him for the public schools of California.

Also: Assembly Bill No. 624—An Act making an appropriation for the support of the Southern California State Asylum for the Insane and Inebriates for the remainder of the forty-sixth fiscal year.

Also: Assembly Bill No. 125—An Act to appropriate the sum of one thousand and fifty-two dollars to pay the claim of Jerome Deasy

Also: Assembly Bill No. 235—An Act to pay the claim of W. P. Lampkin against the State of California, and making an appropriation therefor.

Also: Assembly Bill No. 640—An Act to provide for the payment of the per diem of the members and attachés of the Constitutional Convention, held in the year 1879.

Also: Assembly Bill No 314—An Act to provide for the payment of the claim of C. S. Merrill for services as stenographer and professional services performed upon Court of Inquiry, San Francisco, as per Special Orders, Commander-in-Chief, No. 12, dated September 8, 1894.

Also: Assembly Bill No. 358—An Act making an appropriation to pay the claim of R. B. Young for architect's fees for erection and construction of power and electric plant at the Whittier State School, an indebtedness created by the consent of the State Board of Examiners, and recommended by said Board to be paid.

Also: Assembly Bill No 245—An Act making an appropriation to pay moneys advanced to the State forestry stations by the University of California.

Also: Assembly Bill No. 606—An Act entitled an Act to amend section four hundred and seventy-five of the Political Code, providing for two clerks and a phonographic reporter in the office of the Attorney-General, declaring said clerks and phonographic reporter to be civil executive officers, and fixing their salaries.

Also: Assembly Bill No. 840—An Act to appropriate money to pay the claim of Charlotte M. Holman.

Also: Assembly Bill No. 95.

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

BRUSIE, Chairman.

ON ROADS AND HIGHWAYS.

ASSEMBLY CHAMBER, SACRAMENTO, February 26, 1895

MR. SPEAKER: Your Committee on Roads and Highways, to whom was referred Assembly Bill No. 622—An Act to add a new section to the Political Code, to be known as section number two thousand six hundred and fifty-six, relating to roads and highways—have had the same under consideration, and respectfully report the same back, and recommend that the author withdraw it, the subject-matter being covered by Assembly Bill No. 742, which has been heretofore favorably reported by this committee.

SWISLER, Chairman.

Assembly Bill No. 622 withdrawn.

APPROVAL OF JOURNAL.

The Journal of February 25th was approved.

MOTION.

Mr. Powers moved the following amendment to rules, viz.:

In case any bill on the urgency file be amended, the same shall be forthwith sent to the printer, and be printed out of order and engrossed out of order, and returned to this Assembly, and shall in the meantime retain its place on the file.

Referred to Committee on Rules.

MOTION.

Mr. Dinkelspiel moved that Assembly Bill No. 729 be restored to its place on file, and re-referred to Committee on Judiciary.

So ordered.

RESOLUTION.

By Mr. Dinkelspiel:

Resolved, That the State Printer be requested to return at the earliest moment, the bound volumes of bills introduced but not yet received by the House.

Adopted.

WITHDRAWAL OF BILLS.

The following bills were withdrawn: Assembly Bills Nos. 220, 571, and 883.

SENATE MESSAGES.

SENATE CHAMBER, SACRAMENTO, February 25, 1895.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on February 19, 1895, passed Senate Bill No. 201—An Act to provide against the adulteration of food and drugs.

Also: On February 25, 1895, passed Assembly Bill No. 456—An Act making an appropriation to pay the deficiency in the appropriation for arresting criminals without the State, for the forty-third and forty-fourth fiscal years.

Also: Assembly Bill No. 141—An Act to amend section six hundred and seventy of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, in relation to what papers constitute a judgment roll

Also: Assembly Bill No. 4—An Act to amend section three thousand four hundred and forty of the Civil Code of the State of California, relative to the transfer of personal property.

Also: Assembly Bill No. 174—An Act to amend sections one thousand eight hundred and fifty-nine and one thousand eight hundred and sixty of the Civil Code, prescribing and limiting the liability of innkeepers, hotel keepers, boarding and lodging house keepers, for personal property of their guests, boarders, and lodgers, intrusted to their care.

F. J. BRANDON, Secretary.
By C. L. PARDEE, Assistant.

REFERENCE OF BILLS.

Senate Bill No. 456 ordered on special Senate file.

Assembly Bills Nos. 456, 141, 4, and 174 were ordered to Committee on Enrollment.

RESOLUTIONS.

By Mr. Bulla:

Resolved, That the Controller be and he is hereby directed to draw his warrant upon the Contingent Fund of the Assembly for the sum of one hundred and twenty dollars, in favor of H. A. Mason, the same being for services rendered the Assembly as Assistant Clerk of the Assembly from January 14th to January 28th, inclusive.

Referred to Committee on Attachés and Employés.

By Mr. Dinkelspiel:

ASSEMBLY CONCURRENT RESOLUTION No. 17.

Resolved by the Assembly, the Senate concurring, That when the Senate and Assembly do adjourn on March 8, 1896, said adjournment be *sine die*

MOTIONS.

Mr. Cutter moved to amend by striking out "8" and inserting "15."

Mr. Lynch moved as a substitute therefor that the resolution be referred to Committee on Rules.

So ordered.

SPECIAL FILE.

Assembly Bill No. 188—An Act making an appropriation for support of the Southern California State Asylum for the Insane and Inebriates for the forty-sixth fiscal year.

Passed, to retain its place on file.

Senate Bill No. 438—An Act making an appropriation to pay for the support and maintenance of the inmates of the Woman's Relief Corps Home, at Evergreen, in Santa Clara County, for the forty-seventh and forty-eighth fiscal years.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs Ash, Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Bledsoe, Brusie, Bulla, Butler, Cargill, Coleman, Coghill, Cutter, Davis, Devine, Dinkelspiel, Dodge, Dwyer, Ewing, Fassett, Glass, Guy, Hall, Hatfield, Healey, Holland, Johnson, Jones, Keen, Kelsey, Kenyon, Laird, Laugenour, Llewellyn, Meads, McCarthy, McDonald, McKelvey, North, O'Day, Osborn, Powers, Price, Rowell, Spencer, Staley, Swisler, Tomblin, Twigg, Wade, Waymire, Weyse, Wilkinson, and Mr. Speaker—57.

NOES—Mr. Dale—1.

Title read and approved.

Assembly Bill No. 676—An Act making an appropriation to pay the deficiency in the appropriation to pay for the system of heating and ventilating established in the Training Department of the State Normal School at San José, California.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Bassford, Bennett, Berry, Bettman, Brusie, Bulla, Cargill, Coleman, Coghlin, Cutter, Dale, Davis, Dodge, Dunbar, Dwyer, Fassett, Glass, Guy, Hall, Hatfield, Healey, Holland, Hudson, Johnson, Keen, Kelsey, Kenyon, Laird, Laugenour, Meads, McCarthy, McDonald, McKelvey, Nelson, O'Day, Osborn, Pendleton, Powers, Price, Reid, Rowell, Spencer, Staley, Swisler, Tibbits, Tomblin, Twigg, Wade, Waymire, Weyse, Zocchi, and Mr. Speaker—53.

NOES—None.

Title read and approved.

Assembly Bill No. 711—An Act making an appropriation to pay the deficiency in the appropriation for payment of transportation of children to the State Reform School for Juvenile Offenders for the forty-third and forty-fourth fiscal years.

Read third time.

Mr. Brusie moved that a committee of one be appointed with instructions to amend as follows:

On line four after the word "the," insert the words "forty-third and"; add to the word "year," same line, the letter "s."

APPOINTMENT OF COMMITTEE.

The Speaker appointed Mr. Brusie as such committee.

REPORT OF SPECIAL COMMITTEE.

MR. SPEAKER: Your special committee of one, to whom was referred Assembly Bill No. 711, with instructions to amend as follows: In line four, after the word "the," insert the words "forty-third and"; add to word "year," same line, letter "s"—has had the same under consideration, and respectfully reports the same back amended as per instructions.

BRUSIE, Committee.

Adopted and ordered to printer.

Assembly Bill No. 700—An Act to provide for payment of a deficiency in the appropriation for aid to the State Agricultural Society for the forty-sixth fiscal year.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Bassford, Bennett, Berry, Brusie, Bulla, Butler, Cargill, Coleman, Coghlin, Cutter, Davis, Devine, Dodge, Dunbar, Dwyer, Ewing, Fassett, Guy, Hatfield, Healey, Keen, Kelsey, Kenyon, Laugenour, Meads, McCarthy, McDonald, Merrill, O'Day, Osborn, Powers, Price, Reid, Spencer, Staley, Swisler, Thomas, Tomblin, Wade, Waymire, Weyse, Zocchi, and Mr. Speaker—43.

NOES—Messrs. Ash, Bledsoe, Dale, Glass, Hudson, Phelps, and Rowell—7.

Title read and approved.

RECESS.

At twelve o'clock and twenty-eight minutes P. M., on motion of Mr. Laugenour, the Assembly took a recess until two o'clock P. M.

REASSEMBLED.

The Assembly reassembled at two o'clock P. M.
Speaker Lynch in the chair.
Quorum present.

LEAVE OF ABSENCE.

The Committee on Elections were granted leave of absence for the afternoon.

SENATE SPECIAL FILE.

Senate Bill No. 46—An Act to amend section seven hundred and thirty-seven of the Political Code of the State of California, relating to salaries of Judges of Superior Courts.

Passed, to retain its place on file.

Senate Bill No. 88—An Act to prevent deception in the manufacture and sale of butter and of cheese, to secure its enforcement, and to appropriate money therefor.

Read third time.

MOTION.

Mr. McKelvey moved that a committee of one be appointed to amend as follows:

Strike out of section seventeen, line two, the words "twelve thousand," and insert the following: "twenty thousand dollars."

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. Ash, Barker, Bennett, Berry, Bettman, Bledsoe, Brusie, Bulla, Cargill, Coghlin, Cutter, Devine, Devitt, Dunbar, Dwyer, Ewing, Fassett, Gay, Glass, Guy, Hall, Hatfield, Holland, Hudson, Johnson, Keen, Kelsey, Laird, Laugenour, Lewis, Meads, McCarthy, McKelvey, Merrill, Osborn, Powers, Price, Reid, Robinson, Rowell, Sanford, Spencer, Staley, Stansell, Swisler, Thomas, Tibbits, Tomblin, Weyse, Wilkinson, Zocchi, and Mr. Speaker—52.

NOES—Messrs. Bassford, Belshaw, Boothby, Dale, Davis, Dinkelspiel, Dodge, Healey, Jones, Kenyon, North, and Wade—12.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. McKelvey gave notice that on the next legislative day he would move for a reconsideration of the vote whereby Senate Bill No. 88 was passed.

EXPLANATION OF VOTE BY MR. BELSHAW.

I vote "no" on Senate Bill No. 88, because I think it is unwise to establish a "Commission" to give special protection to any particular kind of industry at the expense of the State at large. I would have voted for the bill if the sections creating the Commission and making the appropriations for the same had been stricken out.

Senate Bill No. 250—An Act to provide one additional Judge of the Superior Court of the county of Sacramento.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Bassford, Belshaw, Bennett, Berry, Bettman, Boothby, Brusie, Bulla, Cargill, Coghlin, Cutter, Davis, Devine, Devitt, Dodge, Dunbar, Dwyer, Fassett, Gay, Glass, Guy, Hall, Healey, Holland, Hudson, Johnson, Jones, Keen, Kelsey, Kenyon, Laird, Laugenour, Lewis, Llewellyn, Meads, McCarthy, Merrill, Nelson, North, Osborn, Powers, Price, Richards, Robinson, Rowell, Sanford, Spencer, Staley, Stansell, Swisler, Thomas, Tibbits, Tomblin, Twigg, Waymire, Wilkinson, and Mr. Speaker—58

NOES—Messrs. Bledsoe, Butler, Dale, Ewing, Hatfield, Reid, Wade, and Weyse—8.

Title read and approved.

Senate Bill No. 110—An Act to amend section four thousand two hundred and thirty-five of an Act entitled “An Act to establish a Political Code,” approved March 12, 1872, relating to the lien of judgments of Federal Courts.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Bassford, Belshaw, Bennett, Berry, Bettman, Brusie, Bulla, Coghlin, Dale, Davis, Dunbar, Dwyer, Ewing, Fassett, Gay, Glass, Guy, Hall, Holland, Johnson, Jones, Keen, Kelsey, Kenyon, Laird, Laugenour, Llewellyn, Meads, McCarthy, McDonald, Merrill, Nelson, North, Osborn, Phelps, Powers, Price, Reid, Rowell, Sanford, Spencer, Staley, Stansell, Swisler, Thomas, Tibbits, Tomblin, Wade, Waymire, Weyse, Wilkinson, Zocchi, and Mr. Speaker—54.

NOES—Mr. Bledsoe—1.

Title read and approved.

Senate Bill No. 8—An Act to amend section six hundred and forty-nine of the Civil Code of the State of California, relating to the incorporation of colleges and seminaries of learning.

Read third time.

Mr. Wade moved that a committee of one be appointed, with instructions to amend as follows:

By adding the following at the end of line nineteen: “This Act shall not apply to institutions now in existence.”

So ordered.

APPOINTMENT OF COMMITTEE.

The Speaker appointed Mr. Wade as such committee.

REPORT OF SPECIAL COMMITTEE.

MR. SPEAKER: Your special committee of one, to whom was referred Senate Bill No. 8, with instructions to amend as follows: By adding the following at the end of line nineteen: “This Act shall not apply to institutions now in existence”—has had the same under consideration, and respectfully reports the same back, amended as per instructions.

WADE, Committee.

Adopted and ordered to printer.

MOTION.

Mr. Brusie moved that Senate Bill No. 250 be immediately transmitted to the Senate.

So ordered.

Senate Bill No. 365—An Act appropriating money to pay for the repair, renovation, reflooring, and other improvements on certain buildings of the State Insane Asylum at Stockton, California.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Bassford, Belshaw, Bennett, Berry, Bettman, Boothby, Brusie, Bulla, Butler, Cargill, Coleman, Coghlin, Dale, Davis, Dodge, Dunbar, Dwyer, Ewing, Fassett, Gay, Glass, Guy, Hall, Hatfield, Holland, Hudson, Johnson, Jones, Keen, Kenyon, Laird, Langenour, Llewellyn, Meads, McDonald, McKelvey, Merrill, Nelson, North, Osborn, Phelps, Powers, Price, Reid, Robinson, Rowell, Sanford, Spencer, Staley, Stansell, Swisler, Thomas, Tibbits, Tomblin, Wade, Waymire, Weyse, Zocchi, and Mr. Speaker—60.

NOES—None.

Title read and approved.

Senate Bill No. 3—An Act to amend section one thousand and ninety-three of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to the making, execution, and acknowledgment of conveyances of real property by married women.

Read second time, and ordered to third reading.

Senate Bill No. 34—An Act to amend section five hundred and twenty-seven of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872.

Read second time, and ordered to third reading.

Senate Bill No. 313—An Act providing in counties of the first class for the appointment by the Coroner of a competent physician for the performance of autopsies upon the bodies of deceased persons when inquests are held, and fixing the compensation therefor.

Read second time, and ordered to third reading.

Senate Bill No. 239—An Act to regulate the sale and redemption of transportation tickets.

Mr. Barker moved to amend Senate Bill No. 239 as follows:

By inserting after the word "not," in line three of section five of printed bill, the words "less than two hundred nor."

Also: By inserting after the word "dollars," in line three of section five, the words "one half to go to the informer," so as to read: "shall be punished by a fine of not less than two hundred nor more than one thousand dollars, one half to go to the informer."

PREVIOUS QUESTION.

Pending the consideration of the amendments offered by Mr. Barker, the previous question was moved by Mr. Bettman, seconded by Messrs. Devine and Thomas.

The ayes and noes were demanded by Messrs. Dodge, Reid, and Ewing.

The question being, "Shall the main question be now put?"

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

AYES—Messrs. Berry, Bettman, Devine, Devitt, Dinkelspiel, Dunbar, Huber, Kelsey, Kenyon, McCarthy, McDonald, McKelvey, Richards, Thomas, Wilkinson, and Zocchi—16.

NOES—Messrs. Ash, Barker, Bassford, Belshaw, Bennett, Bledsoe, Boothby, Brusie, Bulla, Butler, Cargill, Coghlin, Cutter, Dale, Davis, Dodge, Dwyer, Ewing, Fassett, Gay, Glass, Guy, Hall, Hatfield, Healey, Holland, Hudson, Johnson, Jones, Keen, Meads, Merrill, Nelson, North, Osborn, Phelps, Price, Reid, Rowell, Sanford, Spencer, Staley, Swisler, Twigg, Wade, Waymire, Weyse, and Mr. Speaker—49.

The question being on the adoption of the amendment.

Mr. Bulla called for a division of the question.

So ordered.

The question being on the adoption of the following portion of the amendment:

Amend section five, line three of printed bill, by inserting after the word "not" the following: "less than two hundred nor."

Adopted.

The question now being on the adoption of the following portion of the amendment:

By inserting after the word "dollars," in line three of section five, the words "one half to go to the informer."

Lost.

Mr. Osborn moved to amend as follows:

By striking out all of section three, and out of section four, line one, the words "it shall be the duty of"; and strike out of section four, line two, the words "to provide for the redemption," and insert the following: "shall redeem."

The ayes and noes were demanded by Messrs. Reid, Dodge, and Thomas.

The question being on the adoption of the amendment.

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

AYES—Messrs. Ash, Barker, Belshaw, Bennett, Bledsoe, Boothby, Bulla, Coleman, Coghlín, Dale, Dodge, Dunbar, Ewing, Fassett, Hall, Healey, Holland, Hudson, Johnson, Jones, Nelson, North, Osborn, Reid, Robinson, Rowell, Sanford, Twigg, Wade, and Waymire—30.

NOES—Messrs. Bassford, Berry, Bettman, Brusie, Butler, Cargill, Cutter, Davis, Devine, Devitt, Dinkelspiel, Dwyer, Gay, Glass, Guy, Hatfield, Huber, Keen, Kelsey, Kenyon, Laird, Lewis, Llewellyn, Meads, McCarthy, McDonald, McKelvey, Merrill, O'Day, Pendleton, Powers, Price, Richards, Spencer, Staley, Stansell, Swisler, Thomas, Tibbits, Weyse, Wilkinson, Zocchi, and Mr. Speaker—43.

Mr. Bledsoe moved to amend as follows:

By inserting after the word "offense," in section three, line five, the following: "*provided*, that this Act shall not prohibit any person who has purchased a ticket from any agent authorized by this Act, with the *bona fide* intention of traveling upon the same, from selling or giving any part of the same to any other person."

The question being on the adoption of the amendment.

The ayes and noes were demanded by Messrs. Dodge, Reid, and Thomas.

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

AYES—Messrs. Barker, Belshaw, Bennett, Berry, Bledsoe, Boothby, Bulla, Butler, Coleman, Coghlín, Dale, Davis, Dinkelspiel, Dodge, Dunbar, Dwyer, Ewing, Fassett, Glass, Guy, Hall, Hatfield, Healey, Holland, Hudson, Johnson, Jones, Keen, Laird, Meads, Nelson, North, O'Day, Osborn, Phelps, Powers, Price, Reid, Robinson, Rowell, Sanford, Staley, Stansell, Thomas, Twigg, Wade, Waymire, and Weyse—48.

NOES—Messrs. Ash, Bettman, Brusie, Cargill, Cutter, Devine, Devitt, Gay, Huber, Kelsey, Kenyon, Laugenour, McCarthy, McDonald, Merrill, Pendleton, Richards, Spencer, Swisler, and Tibbits—20.

NOTICE OF RECONSIDERATION.

Mr. Thomas gave notice that he would move for a reconsideration of the vote whereby the first amendment offered by Mr. Bledsoe was adopted.

Mr. Bledsoe moved to amend as follows:

By striking out of section four, line ten, the words "*provided*, such tariff rate shall not equal the full amount paid for said whole ticket."

Adopted.

MOTION.

Mr. Wade moved to reconsider the vote whereby Senate Bill No. 57 was refused a third reading.

The question being on the adoption of the motion to reconsider.

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

AYES—Messrs. Ash, Bassford, Berry, Bettman, Boothby, Brusie, Butler, Cargill, Coghlin, Devine, Dodge, Dwyer, Glass, Guy, Hatfield, Healey, Hudson, Keen, Laugenour, Llewellyn, McDonald, Phelps, Powers, Reid, Sanford, Spencer, Staley, Swisler, Wade, and Weyse—30.

NOES—Messrs. Barker, Belshaw, Bennett, Bledsoe, Bulla, Dale, Davis, Dinkelspiel, Dunbar, Ewing, Fassett, Hall, Laird, Meads, McKelvey, Nelson, North, Osborn, Price, Richards, Stansell, Thomas, Twigg, and Waymire—24.

Senate Bill No. 57—An Act to amend section one of an Act entitled "An Act to amend an Act approved February 28, 1887, entitled 'An Act to amend an Act to appropriate money for the support of aged persons in indigent circumstances residing in the Home of the Veterans' Home Association,' approved March 7, 1883, providing for an increase in the annual appropriation therefor, and changing the time of payment thereof," approved March 23, 1893.

Read third time.

The question being on the final passage of the bill.

CALL OF THE HOUSE.

Mr. Wade moved a call of the House, seconded by Messrs. Laugenour and Powers.

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

So ordered.

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

AYES—Messrs. Ash, Berry, Bettman, Boothby, Brusie, Bulla, Butler, Cargill, Cutter, Devine, Devitt, Dwyer, Glass, Hall, Hatfield, Hudson, Johnson, Kelsey, Laugenour, Lewis, Llewellyn, McCarthy, Merrill, Osborn, Powers, Price, Reid, Rowell, Spencer, Staley, Swisler, Thomas, Tibbits, Tomblin, Wade, Weyse, Wilkinson, Zocchi, and Mr. Speaker—39.

NOES—Messrs. Barker, Bassford, Belshaw, Bennett, Bledsoe, Coleman, Coghlin, Dale, Davis, Dinkelspiel, Dodge, Dunbar, Ewing, Fassett, Gay, Guy, Healey, Holland, Keen, Kenyon, Laird, Meads, McKelvey, Nelson, North, Phelps, Richards, Robinson, Sanford, Stansell, Twigg, and Waymire—32.

MOTION.

Mr. Cutter moved that Assembly Bill No. 681 be made a special order for Thursday morning, immediately after reading of Journal.

So ordered.

ADJOURNMENT.

At four o'clock and thirty minutes P. M., on motion of Mr. Bulla, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER.

Wednesday, February 27, 1895. }

The Assembly met pursuant to adjournment.

Speaker Lynch in the chair.

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

Messrs. Ash, Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Bledsoe, Boothby, Bulla, Butler, Cargill, Coleman, Coghlin, Cutter, Dale, Davis, Devitt, Dinkelspiel, Dixon, Dodge, Dunbar, Dwyer, Ewing, Fassett, Freeman, Gay, Glass, Guy, Hall, Hatfield, Healey, Holland, Huber, Hudson, Johnson, Jones, Keen, Kelsey, Kenyon, Laird, Laugenour, Lewis, Meads, McCarthy, McDonald, McKelvey, Merrill, Nelson, North, O'Day, Osborn, Pendleton, Phelps, Powers, Price, Reid, Richards, Robinson, Rowell, Sanford, Spencer, Staley, Stansell, Swisler, Thomas, Tibbits, Tomblin, Twigg, Wade, Waymire, Weyse, Wilkinson, Zocchi, and Mr. Speaker.

Quorum present.

LEAVE OF ABSENCE.

Mr. Lewis was granted leave of absence for the day.

PRAYER.

Prayer by the Chaplain, Rev. O. Summers.

READING OF THE JOURNAL.

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

So ordered.

SPECIAL ORDERS.

Assembly Bill No. 960—An Act to amend sections two thousand six hundred and thirty-three, 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 fifty, two thousand seven hundred and eleven, and two thousand seven hundred and sixteen of the Political Code of the State of California; and to add three new sections to said Code, to be known as sections two thousand six hundred and forty, two thousand six hundred and forty-four, and two thousand seven hundred and ten, relating to highways, and the powers and duties of highway officers.

MOTION.

Mr. Swisler moved that Assembly Bill No. 960 be made a special order for eleven o'clock A. M. this day.

So ordered.

PETITION.

By Mr. Dinkelspiel:

To the Legislature of the State of California.

WHEREAS, There is now pending before the Legislature of the State of California, a bill providing for the holding of a special election upon the sixteenth day of April, one thousand eight hundred and ninety-five, at which the proposed charter for the City and

County of San Francisco shall be submitted to the people thereof; and whereas, the passage of this bill would prevent an undesirable and unnecessary delay in obtaining the judgment of the electors of the said city and county upon the adoption of the said charter; and whereas, the Good Government Club of San Francisco, having carefully investigated the cost of holding such special election, has found good reason to conclude that the expense thereof would be more than compensated by the saving that would be insured to the taxpayers, should the charter receive at such election the indorsement to which the club, after close investigation, believes it is entitled; therefore, be it

Resolved, That the Good Government Club of San Francisco indorses the above named bill as being just, expedient, and economical, and asks the friends of good government in the Legislature of the State to vote in favor of its adoption.

SAMUEL SONNENBERG,
MAURICE V. SAMUELS,
Committee.

SAN FRANCISCO, February 18, 1895.

Referred to Committee on Ways and Means.

REPORTS OF STANDING COMMITTEES.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, February 27, 1895.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 754—An Act to amend sections six hundred and fifty-eight, six hundred and fifty-nine, six hundred and sixty, and six hundred and sixty-one of the Code of Civil Procedure, relating to motions for new trial.

Also: Assembly Bill No. 755—An Act to amend sections six hundred and fifty-eight, six hundred and fifty-nine, six hundred and sixty, and six hundred and sixty-one of the Code of Civil Procedure, relating to motions for new trial.

Also: Assembly Bill No. 762—An Act to amend sections six hundred and fifty-eight, six hundred and fifty-nine, six hundred and sixty, and six hundred and sixty-one of the Code of Civil Procedure, relative to new trials and appeals.

Also: Assembly Bill No. 909—An Act to amend sections one thousand one hundred and fifty-three, one thousand two hundred and seventy, one thousand two hundred and seventy-three, and one thousand two hundred and seventy-four of the Civil Code of the State of California, and to add thereto three new sections, to be known and numbered as sections one thousand three hundred and fourteen, one thousand three hundred and fifteen, and one thousand three hundred and sixteen of the Civil Code of the State of California.

Also: Assembly Bill No. 30—An Act for the protection of the records of the several counties of the State of California, and regulating the business of abstracting in relation thereto.

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 Bill No. 260—An Act to create and establish a permanent standing commission, for revising, systematizing, and reforming the laws of this State, for the advancement and welfare of the people thereof; and for the appointment of the members of said commission, to be known as "The Commissioners for the Revision and Reform of the Law," and to prescribe their powers and duties; and to authorize the appointment of a Secretary therefor, and to provide for the compensation and expenses of said commission and Secretary, and to appropriate money therefor.

Also: Assembly Bill No. 556—An Act establishing a commission to revise and compile the laws of the State of California, and to re-codify the several Codes thereof, and amendments thereto.

Have had the same under consideration, and respectfully report the same back, and recommend as a substitute therefor the bill herewith inclosed, and recommend that such substitute bill do pass.

BULLA, Chairman.

WITHDRAWAL OF BILLS.

The following bills were withdrawn: Assembly Bills Nos. 754, 755, 762, 909, and 30.

The question being, "Shall the constitutional provision be suspended to allow the Committee on Judiciary to introduce a substitute bill?"

The roll was called, and the constitutional provision suspended by the following vote:

AYES—Messrs. Ash, Barker, Bassford, Belshaw, Berry, Brusie, Bulla, Butler, Cargill, Coleman, Coghlin, Cutter, Dale, Davis, Devine, Dinkelspiel, Dodge, Dunbar, Dwyer, Fassett, Freeman, Gay, Guy, Hall, Hatfield, Healey, Holland, Huber, Hudson, Johnson,

Jones, Keen, Kelsey, Kenyon, Laugenour, Meads, McCarthy, McDonald, McKelvey, Nelson, North, O'Day, Osborn, Phelps, Powers, Price, Reid, Richards, Robinson, Rowell, Sanford, Spencer, Staley, Stansell, Swisler, Thomas, Tibbits, Tomblin, Twigg, Wade, Waymire, Weyse, and Mr. Speaker—63.
NOES—Messrs. Bledsoe, Glass, and Laird—3.

INTRODUCTION OF BILL.

By Committee on Judiciary: Assembly Bill No. 1013—An Act to create and establish a commission for revising, systematizing, and reforming the laws of the State, and for the appointment of the members of said commission, to be known as "The Commissioners for the Revision and Reform of the Law," and to prescribe their powers and duties; and to authorize the appointment of a Secretary and stenographer therefor; and to provide for the compensation and expenses of said commission, Secretary, and stenographer, and to appropriate money therefor.

Read first time, and referred to Committee on Ways and Means.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, February 27, 1895.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 521—An Act to amend section one thousand three hundred and sixty-five of the Code of Civil Procedure, relative to granting letters of administration, and to add a new section to the said Code, relative to the distribution of the estates of deceased persons who at the time of death were residents of any home for veteran soldiers and sailors.

Also: Assembly Bill No. 925—An Act to add a new section to the Penal Code, to be known as section five hundred and thirty-eight and one half, relating to defrauding proprietors and managers of livery stables.

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

BULLA, Chairman.

ON COUNTY AND TOWNSHIP GOVERNMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, February 27, 1895.

MR. SPEAKER: Your Committee on County and Township Governments, to whom was referred Assembly Bill No. 920—An Act to amend section two thousand eight hundred of the Political Code of the State of California, relating to the purchase of toll roads by the counties within which they are situated—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also: Assembly Bill No. 609—An Act entitled an Act to amend section sixteen of an Act entitled "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 thereon, the issuance and disposal of the bonds thereof, and the determination of their validity, and making provisions for the payment of such bonds, and the disposal of their proceeds," approved March 31, 1891—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended by the committee.

Also: Assembly Bill No. 927—An Act to repeal an Act entitled "An Act to facilitate the disposition of business in the Superior Court of Fresno County, by the appointment and election of a third Judge of said Court," and to abolish the office thereby created, and now filed by Hon. J. R. Webb—have had the same under consideration, and respectfully report the same back without recommendation.

DODGE, Chairman.

SAN FRANCISCO DELEGATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 27, 1895.

MR. SPEAKER: A majority of the San Francisco Delegation, to whom was referred Senate Bill No. 281—An Act to add a new section to the Political Code, to be known and designated as section three thousand and twenty-two and one half, relating to the

erection, furnishing, maintenance, and government of hospitals and homes for inebriates in counties, and cities and counties, of this State, where land has heretofore been reserved and set apart for said purpose; to provide for the commitment of dipsomaniacs and inebriates thereto; and also to repeal an Act entitled "An Act relating to the Home of the Inebriate of San Francisco, and to prescribe the powers and duties of the Board of Managers and the officers thereof," approved April 1, 1870, and all Acts and parts of Acts in conflict with the provisions of this Act—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

POWERS, Chairman.

MINORITY REPORT.

ASSEMBLY CHAMBER, SACRAMENTO, February 27, 1895.

MR. SPEAKER: A minority of the San Francisco Delegation, to whom was referred Senate Bill No. 281—An Act to add a new section to the Political Code, to be known and designated as section three thousand and twenty-two and one half, relating to the erection, furnishing, maintenance, and government of hospitals and homes for inebriates in counties, and cities and counties, of this State, where land has heretofore been reserved and set apart for said purpose; to provide for the commitment of dipsomaniacs and inebriates thereto; and also to repeal an Act entitled "An Act relating to the Home of the Inebriate of San Francisco, and to prescribe the powers and duties of the Board of Managers and the officers thereof," approved April 1, 1870, and all Acts and parts of Acts in conflict with the provisions of this Act—respectfully recommend that the same do not pass.

WILKINSON.
ZOCCHI.
DEVITT.
BOOTHBY.
LEWIS.

Also: Assembly Bill No. 474—An Act prohibiting the burial of the dead within the corporate limits of any incorporated city, or city and county, of over one hundred thousand inhabitants, from and after the first day of January, A. D. 1900—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also: A majority of the San Francisco Delegation, to whom was referred Assembly Bill No. 541—An Act to repeal an Act entitled "An Act to provide and regulate the manner of receiving and paying fees, commissions, percentages, and other compensation for official services in cities, and cities and counties, having a population of over one hundred thousand inhabitants, and prescribing the duties of officers with reference thereto," approved March 11, 1893—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

POWERS, Chairman.

MINORITY REPORT.

ASSEMBLY CHAMBER, SACRAMENTO, February 27, 1895.

MR. SPEAKER: A minority of the San Francisco Delegation, to whom was referred Assembly Bill No. 541—An Act to repeal an Act entitled "An Act to provide and regulate the manner of receiving and paying fees, commissions, percentages, and other compensation for official services in cities, and cities and counties, having a population of over one hundred thousand inhabitants, and prescribing the duties of officers with reference thereto," approved March 11, 1893—respectfully recommend that the same do not pass.

POWERS.
BETTMAN.
BOOTHBY.
EWING.
MERRILL.

Also: Assembly Bill No. 500—An Act to provide for the erection and construction of a State hospital for the care of indigent sick and disabled persons, residents of the State of California, and to provide for the maintenance thereof—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Senate Bill No. 229—An Act to provide an official stenographic reporter to the Coroner of each county, or city and county, having one hundred thousand or more inhabitants, and providing the mode in which such reporter shall be appointed, and establishing the compensation and prescribing the duties of such reporter—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

POWERS, Chairman.

Assembly Bill No. 500 referred to Committee on Ways and Means.

ON BANKS AND BANKING.

ASSEMBLY CHAMBER, SACRAMENTO, February 26, 1895.

MR. SPEAKER: Your Committee on Banks and Banking, to whom was referred Assembly Bill No. 917—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

WADE, Chairman.

Assembly Bill No. 917 referred to Committee on Ways and Means.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, February 26, 1895.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 163—An Act making an appropriation for reimbursing the county of Marin for moneys expended by it for the prosecution of crimes committed within the State Prison at San Quentin, and for inquests held over the bodies of convicts who have died within said prison—have had the same under consideration, and respectfully report the same back, and recommend that Senate Bill No. 75 be substituted for the same, and that Senate Bill No. 75 be recommended favorably.

Also: Assembly Bill No. 210—An Act to provide for a State Veterinarian and County Veterinarians, and prescribe their duties, and to prevent and suppress contagious and infectious diseases among the live stock of the State, and to declare an emergency.

Also: Assembly Bill No. 860—An Act to appropriate four thousand seven hundred and fifty dollars, as compensation to "The California Demokrat Publishing Company," a corporation incorporated, organized, and existing under the laws of the State of California, for having published proposed amendments to the Constitution of the State of California, during the year 1894.

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

Also: Assembly Bill No. 197—An Act making an appropriation for the construction of a cement floor in the basement of the State Normal School building at Chico—have had the same under consideration, and respectfully report the same back, and recommend that Senate Bill No. 152 be substituted therefor, and recommend that Senate Bill No. 152 do pass.

Also: Senate Bill No. 151—An Act making an appropriation for a fence in front of the grounds of the State Normal School at Chico.

Also: Assembly Bill No. 778—An Act to create the office of State Engineering Examiner of Desert Lands; to provide proper means of taking advantage of the Act of Congress approved August 18, 1894, authorizing the Secretary of the Interior to enter into contracts with the State to donate and grant desert lands not exceeding one million acres to the State, upon the State agreeing to reclaim said land, prescribing his duties, and appropriating sufficient money to pay his salary and expenses.

Also: Assembly Bill No. 227—An Act to appropriate one hundred and fifty-nine thousand two hundred and eighty dollars for the erection of an Administration Building, for the use and occupancy of the officers, employes, and patients of the Mendocino Asylum; to purchase furniture, and furnish the building so to be erected by the Directors of said asylum, to purchase furniture, and furnish wards for two hundred and six additional patients; to construct an electric plant for lighting the asylum buildings and grounds, and purchase the necessary machinery and appliances therefor; to improve the grounds thereof, to purchase live stock to be used for asylum purposes; to construct a stable and a cow barn; to construct a dam; to furnish an additional water supply to said asylum; for constructing a sewer and drainage system; to purchase an ice-plant and cold storage system; to appropriate money therefor, and provide for the expenditure of the same.

Also: Assembly Bill No. 437—An Act authorizing the State Board of Prison Directors to establish an ice factory at the Folsom State Prison, and making an appropriation therefor.

Also: Assembly Bill No. 620—An Act authorizing the State Board of Prison Directors to establish a cordage factory at the Folsom State Prison, and making an appropriation therefor.

Also: Senate Bill No. 150—An Act making an appropriation for the erection of an additional building for the State Normal School at Chico.

Also: Assembly Bill No. 551—An Act to pay the claim of George Miller for damage done by the storm-water and sewerage of the Southern California State Asylum for the Insane and Inebriates.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

BRUSIE, Chairman.

Assembly Bill No. 197 was withdrawn, and Senate Bill No. 152 was substituted therefor.

Senate Bill No. 75 substituted for Assembly Bill No. 163.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 27, 1895.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following bills have been correctly engrossed, viz :

Assembly Bill No 104—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 in cities and towns, and cities and counties, having a population of three thousand inhabitants or over, and to more effectually protect the people against contagious diseases.

Also: Assembly Bill No. 605—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. 114—An Act to prevent the display of foreign flags on public buildings in this State.

Also: Assembly Bill No 404—An Act to amend section seven of the Penal Code, relating to certain words and what included in definition.

Also: Assembly Bill No. 405—An Act to amend section seventeen of the Political Code, relative to certain words and what they include.

Also: Assembly Bill No 406—An Act to amend section fourteen of the Civil Code, relating to certain terms defined

Also: Assembly Bill No 407—An Act to amend section seventeen of the Code of Civil Procedure, relating to certain terms defined.

Also: Assembly Bill No. 514—An Act to amend chapter nine, part two, title six, of the Penal Code, by adding thereto a new section, to be numbered one thousand and fifty-three, relating to postponements of trials of criminal actions.

Also: Assembly Bill No. 431—An Act to amend section seven hundred and forty-four of the Code of Civil Procedure, relating to mortgages of real property.

Also: Assembly Bill No. 432—An Act to amend section two thousand nine hundred and twenty-six of the Civil Code, relating to mortgages of real property, on what a lien.

Also: Assembly Bill No 513—An Act entitled an Act to amend section two hundred and four of the Code of Civil Procedure, relating to the selecting and returning of jurors.

Also: Assembly Bill No. 430—An Act to add a new section to the Penal Code of the State of California, to be known and designated as section five hundred and two and one half, relating to the severance and removal of fixtures and improvements upon mortgaged property

Also: Assembly Bill No 88—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by adding a new section to said Penal Code, to be known and numbered as section two hundred and seventy-six, relating to abortions.

Also: Assembly Bill No. 86—An Act to amend section one hundred and ninety-two of the Penal Code, relating to homicide

Also: Assembly Bill No 370—An Act to amend section seven hundred and thirty-one of the Penal Code of the State of California, and to add a new section thereto, to be known as section seven hundred and thirty-four, relating to the suppression of riots and parading of independent companies.

Also: Assembly Bill No 408—An Act to repeal section one thousand and ninety-three of the Civil Code of the State of California, relating to acknowledgment of grant by married women.

Also: Assembly Bill No 484—An Act to amend section five hundred and forty-eight of the Civil Code, in relation to water and canal corporations.

Also: Assembly Bill No. 467—An Act to amend an Act entitled "An Act providing for the removal of human remains from cemeteries in cities having a population of more than five thousand and not exceeding one hundred thousand," approved March 23, 1893

Also: Assembly Bill No 627—An Act to amend sections three thousand and nine and three thousand and ten, and to repeal sections three thousand and four, three thousand and thirteen, three thousand and fourteen, three thousand and fifteen, three thousand and sixteen, three thousand and seventeen, three thousand and eighteen, three thousand and nineteen, three thousand and twenty, and three thousand and twenty-nine of the Political Code of California, relating to quarantine at the port of San Francisco.

Also: Assembly Bill No 283—An Act to amend sections three, four, five, seven, nine, ten, eleven, thirteen, fourteen, fifteen, sixteen, and twenty-three of an Act entitled "An Act creating a Board of Bank Commissioners, and prescribing their duties and powers," approved March 30, 1878, and as amended by an Act approved March 10, 1887, and to add three new sections thereto, to be numbered twenty-four, twenty-five, and twenty-six

Also: Assembly Bill No 542—An Act to amend an Act entitled "An Act creating a Board of Commissioners of the Building and Loan Associations, and prescribing their duties and powers," approved March 23, 1893.

WILKINSON, Chairman

ON STATE PRISONS AND REFORMATORY INSTITUTIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 27, 1895.

MR. SPEAKER: Your Committee on State Prisons and Reformatory Institutions, to whom was referred Assembly Bill No 832—An Act making an appropriation to purchase additional lands for the occupancy and use of the Preston School of Industry, at Ione—

have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Assembly Bill No. 777—An Act authorizing the State Board of Prison Directors to establish a factory at the Folsom State Prison for the manufacture of school furniture, and making an appropriation therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

LAIRD, Chairman.

Assembly Bills No. 832 and 777 referred to Committee on Ways and Means.

ON COUNTIES AND COUNTY BOUNDARIES.

ASSEMBLY CHAMBER, SACRAMENTO, February 26, 1895.

MR. SPEAKER: Your Committee on Counties and County Boundaries, to whom was referred Assembly Bill No. 896—An Act to amend section three thousand nine hundred and fifty-four of the Political Code, relating to the boundary and county seat of Contra Costa County—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 Bill No. 716—An Act entitled an Act to amend the Political Code by adding a new section thereto, to be known as section three thousand nine hundred and fifty-nine, relating to the fixing of the boundaries of Orange County—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

COLEMAN, Chairman.

WITHDRAWAL OF BILLS.

Assembly Bills Nos. 896, 659, 660, 690, 651, 403, and 918 were withdrawn.

Assembly Bill No. 912 was re-referred to Committee on Judiciary.

MOTIONS.

Mr. Reid moved that Assembly Bill No. 982 be made a special order for Friday morning, immediately after reading the Journal.

So ordered.

Mr. Powers moved that the roll be called on the question of suspending the constitutional provision allowing the introduction of a bill.

So ordered.

The roll was called, and the constitutional provision suspended by the following vote:

AYES—Messrs Ash, Barker, Bassford, Belshaw, Berry, Bettman, Bulla, Butler, Cutter, Dale, Davis, Devitt, Dinkelspiel, Dixon, Dodge, Dunbar, Dwyer, Ewing, Gay, Glass, Guy, Hall, Hatfield, Hudson, Johnson, Jones, Keen, Kelsey, Kenyon, Laugenour, Llewellyn, Meads, McDonald, McKelvey, Merrill, North, O'Day, Osborn, Pendleton, Phelps, Powers, Price, Reid, Richards, Rowell, Spencer, Swisler, Thomas, Twigg, Wade, Weyse, Wilkinson, Zocchi, and Mr Speaker—54.

NOES—Mr. Bledsoe—1.

INTRODUCTION OF BILL.

By Mr. Powers: Assembly Bill No. 1014—An Act conferring power upon the Common Council, Board of Supervisors, or other governing body of cities, or cities and counties, of over one hundred thousand inhabitants, to acquire or condemn land for a suitable site and erect thereon a suitable building or buildings for municipal purposes.

Read first time, and referred to San Francisco Delegation.

Assembly Bill No. 4—An Act to amend section three thousand four hundred and forty of the Civil Code of the State of California, relative to the transfer of personal property.

SENATE AMENDMENT.

Strike out of printed bill all on line eighteen after the word "situated," and also all of line nineteen.

The question being, "Shall the Assembly concur in the Senate amendment?"

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

AYES—Messrs. Ash, Bassford, Belshaw, Bennett, Berry, Bettman, Bledsoe, Brusie, Butler, Coleman, Dale, Devitt, Dinkelspiel, Dixon, Dunbar, Dwyer, Fassett, Gay, Glass, Guy, Hall, Huber, Johnson, Jones, Keen, Kenyon, Llewellyn, Meads, McCarthy, McDonauld, North, O'Day, Osborn, Phelps, Powers, Price, Richards, Rowell, Staley, Stansell, Swisler, Thomas, Tibbits, Twigg, Wade, Weyse, Wilkinson, Zocchi, and Mr. Speaker—49.

NOES—Mr. Hatfield—1.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 26, 1895.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Senate Bill No. 570—An Act to amend sections five hundred and thirty-one and five hundred and thirty-two of the Political Code, and section ninety-nine of the Penal Code of the State of California, relative to the duties and qualifications of the Superintendent of State Printing of said State.

F. J. BRANDON, Secretary.
By R. SHAW, Assistant.

Also:

SENATE CHAMBER, SACRAMENTO, February 27, 1895.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the twenty-sixth day of February, 1895, refused to pass Assembly Bill No. 35—An Act to amend section one hundred and seventy-two of the Civil Code, relating to power of husband and wife over community property.

Also: Assembly Bill No. 75—An Act to amend section four hundred and eighty-seven of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872.

F. J. BRANDON, Secretary.
By R. SHAW, Assistant.

Also:

SENATE CHAMBER, SACRAMENTO, February 27, 1895.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the twenty-sixth day of February, 1895, passed Assembly Bill No. 55—An Act to amend section one thousand two hundred and twenty-two of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872.

Also: Assembly Bill No. 10—An Act to amend section one thousand two hundred and fourteen of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to the recording of conveyances.

Also: Assembly Bill No. 142—An Act to amend an Act entitled "An Act to establish law libraries," approved March 1, 1891, and to add a new section thereto, for the purpose of disestablishing such law libraries, such new section to be numbered fourteen and one half.

Also: Senate Bill No. 6—An Act making an appropriation to pay deficiencies in the appropriation for costs and expenses of suits in which the State is a party in interest, for the thirty-fifth, thirty-sixth, thirty-seventh, thirty-eighth, thirty-ninth, and fortieth fiscal years.

F. J. BRANDON, Secretary.
By R. SHAW, Assistant.

REFERENCE AND SUBSTITUTION OF BILLS.

Assembly Bills No. 55, 10, and 142 were referred to Committee on Enrollment.

Senate Bill No. 6 was substituted for Assembly Bill No. 193, and ordered on special Senate file.

Senate Bill No. 570 was substituted for Assembly Bill No. 591, and Senate Bill No. 570 ordered on special Senate file.

MOTION.

Mr. Bledsoe moved that the Assembly now take up the consideration of Mr. McKelvey's notice of reconsideration on the vote whereby Senate Bill No. 88 was passed.

So ordered.

The roll was called, and the Assembly refused to reconsider by the following vote:

AYES—Messrs. Belshaw, Dale, Dixon, Kenyon, Meads, and North—6.

NOES—Messrs. Ash, Bennett, Berry, Bettman, Bledsoe, Brusie, Bulla, Butler, Cargill, Davis, Dinkelspiel, Dodge, Dunbar, Dwyer, Fassett, Gay, Glass, Guy, Hall, Hatfield, Huber, Hudson, Johnson, Jones, Keen, Kelsey, Laird, Laugenour, McCarthy, McDonald, McKelvey, Nelson, O'Day, Osborn, Pendleton, Powers, Price, Reid, Richards, Robinson, Rowell, Sanford, Spencer, Staley, Stansell, Swisler, Thomas, Tomblin, Wade, Weyse, Wilkinson, Zocchi, and Mr. Speaker—53.

RESOLUTION.

By Mr. Reid:

Resolved, That the State Printer be directed to print at once for the use of the Assembly, five hundred copies of the "Reasons given by the Committee on Revenue and Taxation why sections of the revenue law were changed"

Adopted.

REPORT OF COMMITTEE ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, February 27, 1895.

MR. SPEAKER: Your Committee on Rules, to whom was referred the following resolution by Mr. Powers, amending the rules as follows:

"In case any bill on the urgency file be amended, the same shall be forthwith sent to the printer, and be printed out of order and engrossed out of order and returned to this Assembly, and shall in the meantime retain its place on the file."

Have had the same under consideration, and respectfully report the same back, and recommend that it be adopted as amended, as follows:

"In case any bill on the urgency file be amended, the same shall be forthwith sent to the printer, and shall in the meantime retain its place on the file."

DINKELSPIEL, Chairman.

Adopted.

At ten o'clock and forty minutes A. M. the Speaker called Mr. Pendleton to the chair.

SPECIAL ORDERS.

Assembly Bill No. 960—An Act to amend sections two thousand six hundred and thirty-three, 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 fifty, two thousand seven hundred and eleven, and two thousand seven hundred and sixteen of the Political Code of the State of California, and to add three new sections to said Code, to be known as sections two thousand six hundred and forty, two thousand six hundred and forty-four, and two thousand seven hundred and ten, relating to highways, and the powers and duties of highway officers.

Mr. Berry moved to amend as follows:

By striking out the whole of section two.

Adopted.

Mr. Osborn moved to amend as follows:

By striking out all of section three.

The ayes and noes were demanded by Messrs. Bledsoe, Price, and Dale. The roll was called, and the amendment lost by the following vote:

AYES—Messrs. Barker, Berry, Bettman, Boothby, Brusie, Butler, Cutter, Devine, Devitt, Dinkelspiel, Dunbar, Dwyer, Ewing, Guy, Hatfield, Huber, Jones, Kelsey, Kenyon, Laugenour, Meads, McCarthy, McKelvey, O'Day, Osborn, Pendleton, Powers, Stansell, Thomas, Tibbits, Wade, Weyse, Wilkinson, and Zocchi—34.

NOES—Messrs. Ash, Bassford, Belshaw, Bennett, Bledsoe, Bulla, Cargill, Coleman, Coghlin, Dale, Davis, Dixon, Dodge, Fassett, Gay, Glass, Hall, Healey, Holland, Johnson, Keen, Laird, McDonald, Merrill, Nelson, Phelps, Price, Reid, Richards, Robinson, Rowell, Sanford, Spencer, Staley, Swisler, Tomblin, Twigg, and Waymire—38.

Mr. Laird moved to amend as follows:

By striking out of section one, lines seven and eight, the words "or if there be a County Road Superintendent, then in the office of that official."

Adopted.

Mr. Swisler moved to amend as follows:

By striking out of section one, line six, the word "six," and inserting the following: "ten."

Adopted.

Mr. Belshaw moved to amend as follows:

By striking out of section three, lines twelve and thirteen, the words "under the direction of the County Road Superintendent of his county, if there be one, and if not, then."

Adopted.

Mr. Bledsoe moved to amend as follows:

Amend section four, line nineteen, by inserting after the word "provided," the words "and shall."

Mr. Hatfield moved to amend the amendment as follows:

By striking out of section four all of lines one to ninety-five, both inclusive."

Lost.

Mr. Bledsoe's amendment was then adopted.

Mr. Belshaw moved that the hour of recess be extended fifteen minutes.

The Chair declared the motion carried.

Mr. Laugenour appealed from the decision of the Chair.

The question before the House now being, "Shall the decision of the Chair be sustained?"

The vote was taken *viva voce*, and the decision of the Chair sustained.

Mr. Belshaw moved to amend as follows:

By striking out of section four, line fifty-five, the word "benefited," and inserting the following: "in proportion, respectively, to the benefit to be derived."

Adopted.

Mr. Cutter moved to amend as follows:

By striking out of section four, lines twenty-two and twenty-three, the words "under the supervision of the County Road Superintendent, if there be one, or if none, then."

Adopted.

Also: Amend by striking out of section four all of subdivision seven.

Adopted.

Also: Amend by striking out of section four, line thirty, the words "Road Superintendent," and inserting the word "Clerk."

Adopted.

Also: Amend by striking out of section four, lines thirty-five and thirty-six, the words "Road Superintendent," and inserting the word "Clerk."

Adopted.

Mr. Johnson moved to amend as follows:

Amend section four, line twenty, by inserting the following: "*provided, they may reject any and all bids,*" after the word "bridges."

Adopted.

Mr. Wade moved to amend as follows:

By striking out of section four all of subdivision sixteen.

Adopted.

Mr. Barker moved to amend as follows:

By striking out of section four, line five, the words "the Special Trunk Fund."

Also: In line fifty-five the words "Special Trunk Fund."

Also: On page six, all the words in lines eighty-eight to ninety-five, inclusive.

Lost.

NOTICE OF RECONSIDERATION.

Mr. Dixon gave notice that he would move a reconsideration of the vote whereby section three was stricken out.

RECESS.

Mr. Laugenour moved that the Assembly take a recess until two o'clock P. M.

Mr. Bledsoe moved as a substitute therefor that the consideration of the pending measure be made a special order for three o'clock and thirty minutes this afternoon, and that the Assembly do now take a recess.

Adopted.

REASSEMBLED.

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

Speaker Lynch in the chair.

Quorum present.

LEAVE OF ABSENCE.

The Committee on Elections were granted leave of absence for the afternoon.

Mr. Merrill was granted leave of absence for the day.

RESOLUTION.

By Mr. Bulla:

Resolved, That the State Printer be and he is hereby directed to print, out of order, Assembly Bill No. 1013, and return the same to this House at the earliest possible moment.

Adopted.

SENATE SPECIAL FILE.

Senate Bill No. 46—An Act to amend section seven hundred and thirty-seven of the Political Code of the State of California, relating to salaries of Judges of Superior Courts.

Read third time.

MOTION.

Mr. Swisler moved that a committee of one be appointed, with instructions to amend as follows:

In line eight, immediately before the word "Amador," insert "the counties of"; and after the word "annum," in line nine, add the word "each."

Adopted.

APPOINTMENT OF COMMITTEE.

The Speaker appointed Mr. Swisler as such committee.

REPORT OF SPECIAL COMMITTEE.

MR. SPEAKER: Your special committee of one, to whom was referred Assembly Bill No. 46, with instructions to amend, has had the same under consideration, and respectfully reports the same back, amended as per instructions.

SWISLER, Committee.

Adopted.

Senate Bill No. 8—An Act to amend section six hundred and forty-nine of the Civil Code of the State of California, relating to the incorporation of colleges and seminaries of learning.

Passed, to retain its place on file.

Senate Bill No. 3—An Act to amend section one thousand and ninety-three of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to the making, execution, and acknowledgment of conveyances of real property by married women.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Boothby, Brusie, Bulla, Coleman, Coghlin, Cutter, Dale, Davis, Devine, Dodge, Dunbar, Dwyer, Glass, Hathfield, Healey, Holland, Johnson, Jones, Keen, Kenyon, Laugenour, Llewellyn, Meads, McCarthy, Nelson, North, Osborn, Phelps, Powers, Price, Richards, Rowell, Spencer, Stansell, and Wade—42.

NOES—None.

Title read and approved.

Mr. Laugenour moved that Senate Bill No. 3 be immediately transmitted to the Senate.

So ordered.

Senate Bill No. 34—An Act to amend section five hundred and twenty-seven of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Bledsoe, Boothby, Coleman, Davis, Devine, Devitt, Dixon, Dunbar, Dwyer, Fassett, Gay, Glass, Guy, Hall, Holland, Kenyon, Laird, Laugenour, Lewis, Llewellyn, McCarthy, McKelvey, Osborn,

Phelps, Reid, Richards, Robinson, Rowell, Sanford, Spencer, Swisler, Thomas, Tibbits, Waymire, Weyse, Wilkinson, and Zocchi—43.

NOES—Messrs. Ash, Brusie, Bulla, Butler, Cargill, Coghlin, Cutter, Dale, Dodge, Ewing, Hatfield, Healey, Hudson, Johnson, Jones, Keen, Meads, North, Staley, Wade, and Mr. Speaker—21.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Laugenour gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 34 was passed.

Senate Bill No. 313—An Act providing in counties of the first class for the appointment by the Coroner of a competent physician for the performance of autopsies upon the bodies of deceased persons when inquests are held, and fixing the compensation therefor.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Belshaw, Bennett, Berry, Bettman, Bledsoe, Brusie, Bulla, Butler, Cargill, Coleman, Coghlin, Cutter, Davis, Devine, Dwyer, Fassett, Gay, Guy, Hall, Hatfield, Healey, Jones, Keen, Kenyon, Laird, Laugenour, Lewis, Llewellyn, Meads, McCarthy, McKelvey, Nelson, North, Powers, Price, Reid, Robinson, Rowell, Sanford, Spencer, Staley, Swisler, Thomas, Tibbits, Twigg, Wade, Weyse, Wilkinson, Zocchi, and Mr. Speaker—50.

NOES—Messrs. Ash, Dale, Dodge, Dunbar, Ewing, and Phelps—6.

REPORT OF COMMITTEE ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 26, 1895.

MR. SPEAKER: Your Committee on Enrollment have examined and found correctly enrolled Assembly Bill No. 28—An Act to amend section six hundred and seventy-one of the Code of Civil Procedure, relating to the lien of judgments, their enforcement and revivor.

Also: Assembly Bill No. 29—An Act to amend section six hundred and eighty-five of the Code of Civil Procedure, relating to the enforcement or carrying into execution of judgments after the lapse of five years from date of entry.

Also: Assembly Bill No. 32—An Act to amend section one thousand and ninety-four of the Civil Code, relating to the execution and acknowledgment of power of attorney by a married woman, and to make valid all powers of attorney formerly executed by married women.

And presented the same to the Governor on this day, at three o'clock and fifteen minutes P. M.

MEADS, Chairman.

REPORT OF COMMITTEE ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 27, 1895.

MR. SPEAKER: Your Committee on Engrossment, to whom, on motion of Mr. Powers, was given instructions to inquire into the delays of the Clerk of Engrossment in not reporting engrossed bills back that had gone to engrossment prior to February 25, 1895, beg leave to report having made the necessary investigation, and find that the Engrossing Clerk delivered the aforesaid bills to the State Printer on February 21, 1895, at nine o'clock A. M., and that the State Printer returned them to the Engrossing Clerk on February 25, 1895, at ten o'clock and thirty-five minutes A. M., and that the Engrossing Clerk delivered them to the Chairman of your Committee on Engrossment at two o'clock P. M., on February 25, 1895. We further desire to state that business is promptly dispatched in the office of the Engrossing Clerk at all times.

Also: Your Committee on Engrossment beg leave to report that the following bills have been correctly engrossed:

Assembly Bill No. 681—An Act to establish the fees of county, township, and other officers in this State.

Also: Assembly Bill No. 711—An Act making an appropriation to pay the deficiency in the appropriation for payment of transportation of children to the State Reform School for Juvenile Offenders for the forty-third and forty-fourth fiscal years.

WILKINSON, Chairman.

Mr. Powers moved that Senate Bill No. 313 be immediately transmitted to the Senate.

So ordered.

Senate Bill No. 239—An Act to regulate the sale and redemption of transportation tickets.

Mr. Reid moved that the time for consideration of Senate Bill No. 239 be continued fifteen minutes.

Lost.

SPECIAL ORDER.

Assembly Bill No. 960—An Act to amend sections two thousand six hundred and thirty-three, 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 fifty-two, two thousand seven hundred and eleven, and two thousand seven hundred and sixteen of the Political Code of the State of California; and to add three new sections to said Code, to be known as sections two thousand six hundred and forty, two thousand six hundred and forty-four, and two thousand seven hundred and ten, relating to highways, and the powers and duties of highway officers.

Mr. Swisler moved to amend as follows:

By inserting the following: "being taxpayers therein," after "district," in line sixty-three, page six.

Adopted.

Mr. Cutter moved to amend as follows:

Amend section four, line ninety-three, by inserting after the word "county" the following: "outside of any incorporated city or town."

Adopted.

Mr. Jones moved to amend as follows:

By adding to section four, after subdivision twenty, and line ninety-five, the following: "21. In its discretion the Board of Supervisors of a county may raise the banks along any stream in the county, remove the obstructions, and widen, deepen, and straighten the channel thereof, when necessary for the purpose of protecting any public road or highway in the county."

Adopted.

Mr. Belshaw moved to amend as follows:

By striking out all of section five.

Adopted.

Mr. Laird moved to amend as follows:

By striking out of section six, lines three and four, after the words "Road Overseers," the words "under the direction and supervision of the County Road Superintendent, if there be one, and."

Mr. Barker moved as a substitute for Mr. Laird's amendment the following:

Strike out of section six, lines three and four, the words "county and superintendent, if there be one," and inserting after the word "road," in line three, page eight, the word "Commissioners."

Adopted.

Mr. Belshaw moved to amend as follows:

By striking out of section seven, line thirteen, the word "may," and inserting the following: "shall."

Lost.

Mr. Swisler moved to amend as follows:

By striking out of section six, line six, the words "County Road Superintendent or."

Adopted.

Mr. Cutter moved to amend as follows:

By striking out of section seven, lines sixteen and seventeen, the words "Road Overseer or County Road Superintendent, or if there be no County Road Superintendent, then under the direction of the."

Adopted.

At three o'clock and fifty-five minutes p. m. the Speaker called Mr. Brusie to the chair.

Mr. Hatfield moved to amend as follows:

By adding to the end of section ten the following: "*provided*, that none of the provisions of this Act shall apply to counties of the fourth, fifth, eighth, ninth, fifteenth, eighteenth, twenty-third, fourteenth, twenty-second, thirty-second, and forty-fourth classes."

Lost.

Mr. Cutter moved to amend as follows:

By striking out of section seven, lines twenty-six and twenty-seven, the words "various Road Overseers or Road Commissioners, when there is no Road Overseer in their respective districts," and inserting the following: "County Assessor and his deputies."

Lost.

Also: Amend by striking out of section seven, lines twenty-eight and twenty-nine, the words "every Road Overseer, or in case there is no Road Overseer, the Road Commissioner is," and inserting the following: "the County Assessor and his deputies are."

Lost.

Mr. Laird moved to amend as follows:

By striking out of section eight, lines seventeen and eighteen, the words after the words "respective districts," "and under the supervision of the County Road Superintendent if there be one, or if not, then."

Adopted.

Mr. Belshaw moved to amend as follows:

By striking out of section ten, line four, the words "and the County Road Superintendent."

Adopted.

MOTION.

Mr. Dixon moved to reconsider the vote whereby section three of the bill was this day stricken out, on motion of Mr. Osborn.

Lost.

At three o'clock and twenty minutes p. m. the Speaker resumed the chair.

REPORT OF JUDICIARY COMMITTEE.

Mr. Bulla asked leave to submit a supplementary report of Judiciary Committee out of order.

So ordered.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, February 27, 1895.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 911—An Act to amend an Act entitled "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," approved March 31, 1891.

Also: Assembly Bill No. 912—An Act to amend section one thousand two hundred and forty-three of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872.

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

BULLA, Chairman.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, February 27, 1895.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 360 and substitute—An Act to provide for the improvement of the Whittier State School, at Whittier, California, and make an appropriation for the same—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also: Senate Bill No. 325—An Act to provide for the appointment and salary of an elevator attendant, and to make an appropriation therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass, as it has been provided for in the General Appropriation Bill.

Also: Assembly Bill No. 269—An Act to appropriate money for the construction of a settling and distributing reservoir at the Preston School of Industry, at Ione.

Also: Assembly Bill No. 204—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.

Also: Assembly Bill No. 186—An Act making an appropriation for the erection and furnishing of a residence for the Medical Director of the Southern California State Asylum for the Insane and Inebriates.

Also: Assembly Bill No. 493—An Act authorizing the State Board of Prison Directors to establish a cordage factory at the Folsom State Prison, and making an appropriation therefor.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

Also: Assembly Bill No. 797—An Act to repeal an Act entitled "An Act to create and establish a State Board of Horticulture, and to appropriate money for the expenses thereof," approved March 13, 1883, and all Acts amendatory thereof and supplementary thereto, and to confer certain powers upon the Regents of the University of California, and to provide for the protection of the horticultural interests of the State by the appointment of a Quarantine Health Officer or officers, and appropriating money for the expenses of the same—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Senate Bill No. 417—An Act appropriating the sum of six thousand dollars for tiling the first floor of the State Capitol—have had the same under consideration, and respectfully report the same back, and recommend that it be substituted for Assembly Bill No. 455, and that it do pass.

Also: Assembly Bill No. 263—An Act to appropriate money for the erection and equipment of additional buildings for the accommodation and care of the inmates of the Preston School of Industry, at Ione, Amador County.

Also: Assembly Bill No. 941—An Act to create a Bureau of Highways, and prescribe its duties and powers, and to make an appropriation for its expenses.

Also: Assembly Bill No. 940—An Act providing for the erection and operation of rock-crushing plants at the State prisons, for the preparation of highway material for the benefit of the people of the State, and providing for the necessary advances and appropriation of money to carry out said work.

Also: Assembly Bill No. 399—An Act to provide for the erection of an additional building for the use of the Woman's Relief Corps Home Association at their Home for

Soldiers' Widows and Orphans and Army Nurses, at Evergreen, California, and making an appropriation therefor.

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

BRUSIE, Chairman.

Assembly Bill No. 455 was withdrawn, and Senate Bill No. 417 substituted therefor.

CONSIDERATION OF ASSEMBLY BILL No. 960—(RESUMED).

Mr. Price moved to amend as follows:

By striking out of section nine, line six, the words "and the County Road Superintendent, if there be one, or if not, then."

Adopted.

Also: Amend by striking out of section nine, line five, the words "Road Overseers and the County Road Superintendent, if there be one, or if not, then under the management and control of the."

Adopted.

Mr. Swisler moved to amend as follows:

By striking out section ten and renumbering all remaining sections of the bill.

Adopted.

Also: Amend by inserting the word "and" after "2652" in first line of title; strike out "and 2716" same line; strike out last letter "s" in word "sections" in line two of title; strike out "2640, 2644, and" in line three of title; strike out the word "three," and insert the word "one" in line two of title.

Adopted.

Assembly Bill No. 960 ordered to printer and third reading.

Mr. Hatfield moved that the rules be suspended, to allow the Committee on Military Affairs to make a report.

So ordered.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON MILITARY AFFAIRS.

ASSEMBLY CHAMBER, SACRAMENTO, February 27, 1895.

MR. SPEAKER: The Committee on Military Affairs beg leave to report that in conformity with resolution adopted February 19, 1895, we visited San Francisco and attended a review of the National Guard, and inspected the several armories thereof, and now present their account for expenses, as follows:

E. V. Spencer.....	\$16 80
James T. Laird.....	16 80
L. P. Zocchi.....	16 80
J. D. Coghill.....	16 80
B. C. Kenyon.....	16 80
H. Healey.....	16 80
M. Lewis.....	16 80
F. H. Powers.....	16 80
T. A. Nelson.....	16 80
C. S. McKelvey.....	16 80
B. A. Osborn.....	16 80
D. W. Card, clerk.....	16 80
Total.....	\$201 60

Resolved, That the Controllor be and he is hereby directed to draw his warrant in favor of B. A. Osborn, Chairman of said committee, for the sum of two hundred and one dollars and sixty cents, as per above statement, said warrant to be drawn upon the

fund for the contingent expenses of the Assembly, and the Treasurer is directed to pay the same.

Also: Your Committee on Military Affairs, to whom was referred Assembly Bills Nos. 369, 510, 532, 578, 668, and 779—have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

OSBORN, Chairman.

Resolution referred to Committee on Mileage.

Mr. Spencer moved that Assembly Bill No. 335 be referred to Committee on Election Laws, to retain its place on file.

So ordered.

RECESS.

At four o'clock and thirty-five minutes P. M., on motion of Mr. Lauge-nour, the Assembly took a recess until seven o'clock and thirty minutes.

REASSEMBLED.

The Assembly reassembled at seven o'clock and thirty minutes P. M. Speaker Lynch in the chair.

Quorum present.

APPROVAL OF JOURNAL.

The Journal of February 26th was approved.

RESOLUTION.

By Mr. Cutter:

Resolved, That any member may, if he so desires, substitute another bill for the one placed by him upon the urgency file, in which case the bill withdrawn shall be returned to its former position on the general file.

Adopted.

URGENCY FILE.

Assembly Bill No. 140—An Act to amend section three hundred and twenty-four of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to the transfer of shares of stock of corporations, and making the shares of corporations engaged in certain business transferable as appurtenances to real property.

Read second time, ordered engrossed and to third reading.

Assembly Bill No. 669—An Act prescribing how judgments, which may be recovered against any city and county of over one hundred thousand population, shall be paid.

Read second time, ordered engrossed and to third reading.

Assembly Bill No. 418—An Act to appropriate seven thousand five hundred dollars as compensation to Julius A. Hult, a private in Company C, First Regiment Infantry, Second Brigade, N. G. C., for injuries sustained while in active service.

Read second time.

MOTION.

Mr. Cutter moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Assembly Bill No. 418.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Lynch in the chair.

Assembly Bill No. 418 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Lynch 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. 418—An Act to appropriate seven thousand five hundred dollars, as compensation to Julius A. Hult, a private in Company C, First Regiment Infantry, Second Brigade, N. G. C., for injuries sustained while in active service—and now report, and recommend that the same do pass as amended.

LYNCH, Chairman.

Adopted.

The following committee amendments were submitted:

AMENDMENT No. 1.

Amend by striking out of section one, line one, "seven thousand five hundred dollars" and add "five thousand dollars" in lieu thereof.

Adopted.

AMENDMENT No. 2.

Amend by striking out section two and inserting the following:

SEC. 2 The Controller is hereby authorized to draw his warrant in favor of said Julius A. Hult for the amount herein made payable, and the Treasurer is hereby directed to pay the same.

SEC. 3. This Act shall take effect immediately.

Adopted.

Assembly Bill No. 802—An Act to regulate the salaries of officers, attachés, and employés of all State institutions of this State.

Read second time.

Mr. Belshaw moved to amend as follows:

By inserting in section one, after the word "commission," the following: "and the University of California."

Mr. Bulla moved to amend the amendment as follows:

By adding thereto the words, "and State Normal Schools"

MOTION.

Mr. Bettman moved to strike out the enacting clause.

The ayes and noes were demanded by Messrs. Thomas, Laugenour, and Powers.

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

AYES—Messrs. Berry, Boothby, Brusie, Cargill, Devine, Devitt, Glass, Huber, Kelsey, Laugenour, Lewis, Llewellyn, Meads, McCarthy, McDonald, O'Day, Osborn, Pendleton, Powers, Reid, Sanford, Swisler, Thomas, Tibbitts, Tomblin, and Zocchi—26.

NOES—Messrs. Ash, Barker, Bassford, Belshaw, Bennett, Bettman, Bledsoe, Bulla, Butler, Cutter, Dale, Davis, Dinkelspiel, Dixon, Dodge, Dunbar, Dwyer, Ewing, Fassett, Guy, Hall, Hatfield, Holland, Hudson, Johnson, Jones, Keen, Kenyon, Laird, McKelvey, Nelson, North, Phelps, Price, Richards, Spencer, Staley, Wade, Waymire, Weyse, and Mr. Speaker—41.

The question being on the adoption of amendment to the amendment offered by Mr. Bulla.

The ayes and noes were demanded by Messrs. Laugenour, Thomas, and Llewellyn.

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

AYES—Messrs. Berry, Bettman, Boothby, Brusie, Bulla, Butler, Cargill, Coghlin, Davis, Devitt, Dinkelspiel, Dixon, Dodge, Dunbar, Dwyer, Fassett, Gay, Guy, Hall, Hatfield, Healey, Holland, Huber, Johnson, Jones, Keen, Kelsey, Kenyon, Laugenour, Lewis, Llewellyn, Meads, McCarthy, McDonald, McKelvey, Nelson, North, O'Day, Powers, Price, Robinson, Sanford, Spencer, Staley, Swisler, Thomas, Tibbits, Tomblin, Wade, Waymire, Weyse, Wilkinson, Zocchi, and Mr. Speaker—54.

NOES—Messrs. Ash, Barker, Bassford, Belshaw, Bennett, Bledsoe, Cutter, Dale, Ewing, Glass, Hudson, Laird, Osborn, Reid, and Richards—15.

Mr. Reid moved to amend the amendment as follows:

By adding thereto the words "the Governor's Private Secretary."

The question being on the amendment to the amendment offered by Mr. Reid.

The ayes and noes were demanded by Messrs. Bettman, Laugenour, and Brusie.

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

AYES—Messrs. Berry, Bettman, Brusie, Coghlin, Dale, Devitt, Dwyer, Fassett, Gay, Glass, Guy, Hatfield, Healey, Holland, Jones, Keen, Kelsey, Kenyon, Laugenour, Lewis, McCarthy, McDonald, McKelvey, O'Day, Osborn, Pendleton, Phelps, Powers, Price, Reid, Richards, Robinson, Sanford, Swisler, Thomas, Tibbits, Tomblin, Twigg, Weyse, Wilkinson, and Mr. Speaker—41.

NOES—Messrs. Ash, Barker, Bassford, Belshaw, Bennett, Bledsoe, Bulla, Butler, Cutter, Davis, Dinkelspiel, Dixon, Dodge, Dunbar, Ewing, Johnson, Laird, Nelson, North, Spencer, Staley, and Wade—22.

PREVIOUS QUESTION.

Mr. Cutter moved the previous question, seconded by Messrs. Hatfield and Belshaw.

The question being, "Shall the main question be now put?"

The ayes and noes were demanded by Messrs. Laugenour, Brusie, and Thomas.

The roll was called, and the previous question refused by the following vote:

AYES—Messrs. Ash, Barker, Bassford, Belshaw, Bledsoe, Cutter, Dale, Devitt, Dodge, Dunbar, Ewing, Gay, Hatfield, Holland, Hudson, Johnson, North, Osborn, Phelps, Price, Robinson, Spencer, Staley, Twigg, and Wade—25.

NOES—Messrs. Berry, Bettman, Boothby, Brusie, Bulla, Butler, Cargill, Coghlin, Davis, Devine, Dinkelspiel, Dixon, Dwyer, Fassett, Glass, Guy, Hall, Healey, Huber, Jones, Keen, Kelsey, Kenyon, Laird, Laugenour, Meads, McDonald, McKelvey, Nelson, O'Day, Pendleton, Powers, Reid, Richards, Sanford, Swisler, Thomas, Tibbits, Tomblin, Waymire, and Weyse—41.

The question now recurring on the original amendment as amended.

The ayes and noes were demanded by Messrs. Thomas, Brusie, and Dinkelspiel.

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

AYES—Messrs. Barker, Berry, Bettman, Coghlin, Davis, Devine, Devitt, Dinkelspiel, Dodge, Dunbar, Dwyer, Fassett, Guy, Holland, Huber, Johnson, Jones, Keen, Kelsey, Kenyon, Laugenour, Meads, McDonald, McKelvey, North, O'Day, Pendleton, Phelps,

Powers, Price, Reid, Richards, Robinson, Sanford, Spencer, Swisler, Thomas, Tomblin, Twigg, Waymire, Weyse, Wilkinson, Zocchi, and Mr. Speaker—44.

NOES—Messrs. Ash, Bassford, Belshaw, Bledsoe, Brusie, Butler, Cargill, Coleman, Cutter, Dale, Dixon, Ewing, Gay, Glass, Hall, Hatfield, Hudson, Laird, Nelson, Osborn, Staley, and Wade—22.

Mr. Thomas moved to amend as follows:

By striking out of section one, line two, the words "or reform school."

PREVIOUS QUESTION.

Mr. Cutter moved the previous question, seconded by Messrs. Wade and Brusie.

The question being, "Shall the main question be now put?"

The roll was called, and the previous question refused by the following vote:

AYES—Messrs. Ash, Barker, Bennett, Bledsoe, Butler, Cutter, Dale, Davis, Dodge, Dunbar, Ewing, Fassett, Gay, Hatfield, Holland, Hudson, Johnson, Jones, Kenyon, Laird, Nelson, North, Osborn, Price, Richards, Rowell, Spencer, Staley, Wade, and Weyse—30.

NOES—Messrs. Bassford, Belshaw, Berry, Bettman, Brusie, Coleman, Devine, Dinkelspiel, Dixon, Dwyer, Glass, Guy, Hall, Healey, Huber, Keen, Kelsey, Laugenour, Lewis, Meads, McCarthy, McDonald, McKelvey, O'Day, Pendleton, Powers, Reid, Swisler, Thomas, Twigg, Wilkinson, Zocchi, and Mr. Speaker—33.

The question being on the adoption of the amendment offered by Mr. Thomas.

The ayes and noes were demanded by Messrs. Thomas, Laugenour, and Brusie.

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

AYES—Messrs. Berry, Bettman, Boothby, Brusie, Bulla, Cargill, Devine, Devitt, Dinkelspiel, Dixon, Ewing, Gay, Glass, Guy, Holland, Huber, Keen, Kelsey, Kenyon, Laugenour, Lewis, Llewellyn, Meads, McCarthy, McDonald, McKelvey, O'Day, Pendleton, Powers, Reid, Richards, Sanford, Swisler, Thomas, Tomblin, Twigg, Weyse, and Zocchi—38.

NOES—Messrs. Ash, Barker, Bassford, Belshaw, Bennett, Bledsoe, Butler, Coleman, Cutter, Dale, Davis, Dodge, Dunbar, Dwyer, Fassett, Hall, Hatfield, Hudson, Johnson, Jones, Nelson, North, Osborn, Phelps, Price, Rowell, Spencer, Staley, and Wade—29.

RECONSIDERATION.

Mr. Bettman moved to reconsider the vote whereby the Assembly refused to strike out the enacting clause of Assembly Bill No. 802.

The question being on the adoption of the motion.

The ayes and noes were demanded by Messrs. Dale, Thomas, and Brusie.

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

AYES—Messrs. Berry, Bettman, Boothby, Brusie, Butler, Cargill, Devine, Devitt, Dinkelspiel, Dixon, Dwyer, Gay, Glass, Guy, Healey, Holland, Huber, Keen, Kelsey, Laugenour, Lewis, Llewellyn, Meads, McCarthy, McDonald, McKelvey, O'Day, Osborn, Pendleton, Powers, Reid, Richards, Robinson, Swisler, Thomas, Tomblin, Waymire, and Zocchi—38.

NOES—Messrs. Ash, Barker, Bassford, Belshaw, Bennett, Bledsoe, Bulla, Coleman, Coghlin, Cutter, Dale, Davis, Dodge, Dunbar, Ewing, Fassett, Hall, Hatfield, Hudson, Johnson, Jones, Kenyon, Laird, Nelson, North, Phelps, Price, Rowell, Sanford, Spencer, Staley, Wade, Weyse, and Mr. Speaker—34.

MOTIONS.

Mr. Reid moved that the consideration of Assembly Bill No. 802 be indefinitely postponed.

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

AYES—Messrs. Berry, Bettman, Boothby, Bulla, Butler, Cargill, Coghlin, Devine, Dinkelspiel, Dixon, Dodge, Dunbar, Dwyer, Glass, Guy, Healey, Holland, Huber, Jones, Keen, Kelsey, Kenyon, Laugenour, Lewis, Llewellyn, Meads, McCarthy McDonald, McKelvey, North, O'Day, Osborn, Pendleton, Powers, Reid, Richards, Robinson, Sanford, Swisler, Thomas, Tomblin, Twigg, Weyse, Wilkinson, and Zocchi—45.

NOES—Messrs. Ash, Barker, Bassford, Belshaw, Bennett, Bledsoe, Brusie, Coleman, Cutter, Dale, Davis, Ewing, Fassett, Gay, Hall, Hatfield, Hudson, Johnson, Laird, Nelson, Phelps, Price, Rowell, Spencer, Staley, Wade, Waymire, and Mr. Speaker—28.

Mr. Laugenour moved that Mr. O'Day be allowed to introduce a resolution out of order.

So ordered.

RESOLUTION.

By Mr. O'Day :

Resolved, That ladies of Sacramento be and are hereby invited to attend the evening sessions of this Legislature, and seats be provided for them.

Adopted.

MOTION.

Mr. Lewis moved that the Assembly do now adjourn.

Lost.

Mr. Belshaw moved that the rules be suspended to allow Mr. Waymire to submit a petition out of order.

Motion lost.

Assembly Bill No. 739—An Act authorizing an increase of the police force of cities of the State having a population of over one hundred thousand population.

Read second time, ordered engrossed and to third reading.

Assembly Bill No. 47—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. Cutter moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Assembly Bill No. 47.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Lynch in the chair.

Assembly Bill No. 47 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Lynch 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. 47—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, and recommend that the same do pass as amended.

LYNCH, Chairman.

Adopted.

The following committee amendment was submitted:

Amend by striking out section three.

Adopted.

Ordered engrossed and to third reading.

MOTIONS.

Mr. Powers moved that Assembly Bill No. 335 be re-referred to the Committee on Election Laws for the purpose of making further amendments, and keep its place on the urgency file.

So ordered.

Mr. Pendleton moved that the Assembly do now adjourn.

Lost.

Mr. Bettman moved that the Chairman of the Committee on Election Laws be allowed to introduce a committee report out of order.

Adopted.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON ELECTION LAWS.

ASSEMBLY CHAMBER, SACRAMENTO, February 27, 1895.

MR. SPEAKER: Your Committee on Election Laws, to whom was referred Assembly Bill No. 335—An Act to add a new article to chapter one of title two, part three, of the Political Code of the State of California, to be known and designated as article four; and to add six new sections, to be known and designated as sections one thousand and seventy-five, one thousand and seventy-six, one thousand and seventy-seven, one thousand and seventy-eight, one thousand and seventy-nine, and one thousand and eighty, relative to County, City, and City and County Boards of Election Commissioners—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

SPENCER, Chairman.

MOTION.

Mr. Spencer moved that Assembly Bill No. 335 be read a second time.
So ordered.

Assembly Bill No. 335—An Act to add a new article to chapter one of title two, part three, of the Political Code of the State of California, to be known and designated as article four; and to add six new sections, to be known and designated as sections one thousand and seventy-five, one thousand and seventy-six, one thousand and seventy-seven, one thousand and seventy-eight, one thousand and seventy-nine, and one thousand and eighty, relative to County, City, and City and County Boards of Election Commissioners.

Read second time.

The following committee amendments were submitted:

AMENDMENT No. 1.

Amend section one thousand and seventy-five, line eighteen of printed bill, by inserting "and fifty," after the word "one hundred."

Adopted.

AMENDMENT No. 2.

Amend section one thousand and seventy-five, line twenty of printed bill, by inserting after the word "county," the following: "each of whom must be a freeholder, and have been an actual resident of said city and county at least five years preceding his appointment."

Adopted.

AMENDMENT No. 3.

Amend section one thousand and seventy-five, line twenty of printed bill, by inserting after the word "Mayor," the following: "*provided*, that the respective Executive Committees of the State Committees of either of the political parties, who may be entitled under the provisions of this Act to have members of their party appointed as members of said Board of Election Commissioners, shall have the right within ten days after such appointment to file with the Mayor a written protest against the appointment of a member of said Board of Election Commissioners, as having been appointed as one of affiliation with said party, on the grounds that said appointee is not a person of well-known affiliation and standing with said party from which he has been appointed, and the Mayor thereupon shall make another appointment in the place of the party against whom the protest has been filed."

Adopted.

AMENDMENT No. 4.

Amend section one thousand and seventy-five by striking out after the word "county," commencing on line twenty-six, to and including the word "party," on line thirty-one, and insert in lieu thereof the following: "which at the last Presidential election held in such city, or city and county, polled within said city, or city and county, the highest number of votes cast for the candidates of the political party for Presidential Electors at such election, and the two remaining members of said Board shall be selected from the body of electors, of such city, or city and county, of known affiliation with and belonging to the political party which, at the last Presidential election held at such city, or city and county, polled within such city, or city and county, the next highest number of votes cast for the candidates for Presidential Electors of a political party"

Adopted.

AMENDMENT No. 5.

Amend section one thousand and seventy-seven, page three of printed bill, by adding after the word "Board," on line sixty-four, the following:

"The Secretary of the Board of Election Commissioners shall not, during the term of his office, engage in any other calling or trade, or profession or employment, and shall be ineligible to be a candidate or delegate to any convention which shall nominate candidates for office, and he shall be ineligible to be voted for for any office while acting as such Secretary, and if these provisions of the law are not obeyed, it shall be the duty of the Board of Election Commissioners forthwith to declare his place vacated, and the vacancy shall be filled in the same manner and terms as provided for in the original appointment.

"Each member of the Board of Election Commissioners, and the Secretary elected by said Board of Election Commissioners, shall, within fifteen days after receiving notice of their appointment, take the usual oath of office before any Judge of the Superior Court of said county, or city and county, and said oaths of office shall be filed with the County Clerk of said city and county.

"The Board of Election Commissioners shall have the power to appoint all deputies, and such clerks as may be necessary, and to fix their salaries at the time of their employment. All deputies and clerks thus appointed shall be equally divided between the representatives of the political parties that polled the highest and the next to the highest number of votes at the preceding Presidential election. The salaries of all deputies and clerks that may be appointed by said Board of Election Commissioners shall be payable in equal monthly installments out of the Treasury of said city, or city and county, in the same manner as the salaries of other officers of such city, or city and county, are paid.

"The members of the Board of Election Commissioners, the Secretary of the Board of Election Commissioners, all deputies and clerks appointed by the Board of Election

Commissioners, and all election officers, shall have the power to administer oaths; and any false oaths taken before them, or either of them, shall be deemed to be perjury, and the person so convicted thereof shall be punished according to law."

Adopted.

AMENDMENT No. 6.

At the end of section one thousand and seventy-nine of printed bill, after the word "purposes," on line eighty-seven, add the following: "*provided*, that no such proposal or bid shall be required for the contract to print ballots, if the time within which such ballots must be had does not reasonably admit of such proposal and bid."

Adopted.

Ordered to printer, engrossment, and third reading.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON ELECTION LAWS.

ASSEMBLY CHAMBER, SACRAMENTO, February 27, 1895.

MR. SPEAKER: Your Committee on Election Laws, to whom was referred Assembly Bill No. 889—An Act to amend sections one thousand one hundred and forty-two, one thousand one hundred and ninety-two, one thousand one hundred and ninety-nine, one thousand two hundred and three, one thousand two hundred and four, one thousand two hundred and seven, one thousand two hundred and eight, one thousand two hundred and fifty-eight—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

SPENCER, Chairman.

The following committee amendments to Assembly Bill No. 889 were submitted:

AMENDMENT No. 1.

Amend the title by striking out "1211" in said title.

Adopted.

AMENDMENT No. 2

Strike out the first section one, which reads as follows, to wit: "Section one thousand and ninety-six of the Political Code of California is hereby amended so as to read as follows."

Adopted.

AMENDMENT No. 3.

In section one thousand one hundred and forty-two, strike out the word "ten" on line eight, and insert in place thereof the word "five"

Adopted.

AMENDMENT No. 4.

In section one thousand one hundred and forty-two, amend line nine, printed bill, by striking out the words "State officers or."

Adopted.

AMENDMENT No. 5.

In section one thousand one hundred and forty-two, printed bill, strike out all after the word "party," on line ten, down to and including the first three words on line thirteen, and insert in place thereof the following: "so that each such political party shall have at least one representative upon such Board, and the remaining officers upon such Board shall be apportioned as nearly as may be equally between the two political parties which, respectively, cast the highest and next highest number of votes for said electors at said election."

Adopted.

AMENDMENT No. 6.

Amend section one thousand two hundred and seven, after the word ballot, on line fifteen, by striking out the words "can be counted," and inserting in place thereof the following: "shall be taken from the ballot-boxes or either thereof."

Adopted.

AMENDMENT No 7.

In section one thousand two hundred and seven, after the word "other," in line eighteen, add "and said ballot clerks shall thereupon immediately, and before any ballots be taken from the ballot-box, or either thereof, place all said ballots thus defaced within an envelope and seal said envelope, and thereupon a majority of the election officers shall immediately write their names across the sealed portion of said envelope." Strike out section eight, change section nine to section eight, and also section ten to section nine.

Adopted.

Ordered to printer, engrossment, and third reading.

RESOLUTION—(OUT OF ORDER).

By Mr. Spencer:

Resolved, That Assembly Bills Nos. 335 and 889 be printed out of order.

Adopted.

MOTION.

Mr. Cutter moved that Mr. Waymire be allowed to introduce a petition out of order.

So ordered.

PETITION—(OUT OF ORDER).

By Mr. Waymire: From eleven thousand five hundred voters of San Francisco, praying for the passage of Assembly Bill No. 865, relative to the Judiciary Committee Bill now pending before the Assembly, relative to the investigation of the violation of the election laws in the City and County of San Francisco.

Referred to Committee on Ways and Means.

MOTION.

Mr. Bettman moved that the Assembly do now adjourn.

The ayes and noes were demanded by Messrs. Pendleton, Laugenour, and Dwyer.

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

AYES—Messrs. Ash, Belshaw, Bennett, Berry, Bettman, Bledsoe, Boothby, Brusie, Butler, Cargill, Coghlin, Devitt, Dinklespiel, Guy, Healey, Holland, Keen, Kelsey, Lewis, Llewellyn, Meads, McCarthy, McDonald, Merrill, O'Day, Reid, Robinson, Sanford, Spencer, Swisler, Tomblin, Wilkins, and Mr. Speaker—33.

NOES—Messrs. Barker, Bulla, Coleman, Cutter, Dale, Davis, Devine, Dixon, Dodge, Dunbar, Dwyer, Ewing, Fassett, Glass, Hall, Hatfield, Hudson, Johnson, Jones, Kenyon, Laird, Laugenour, McKelvey, Nelson, North, Osborn, Pendleton, Price, Richards, Staley, Thomas, Twigg, Wade, Weyse, and Zocchi—35.

MOTION.

Mr. Waymire moved that his petition be printed in the Journal.

Lost.

Mr. Waymire moved to reconsider the vote whereby his petition was refused to be printed in the Journal.

Lost.

ADJOURNMENT.

At nine o'clock and fifty minutes P. M., on motion of Mr. Pendleton, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Thursday, February 28, 1895. }

The Assembly met pursuant to adjournment.

Speaker Lynch in the chair.

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

Messrs. Ash, Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Bledsoe, Boothby, Bulla, Butler, Cargill, Coleman, Coghlin, Cutter, Dale, Davis, Devine, Dinkelspiel, Dixon, Dodge, Dunbar, Dwyer, Ewing, Fassett, Gay, Glass, Guy, Hall, Hatfield, Healey, Holland, Huber, Hudson, Johnson, Jones, Keen, Kelsey, Kenyon, Laird, Laugenour, Lewis, Llewellyn, McCarthy, McDonald, McKelvey, Nelson, North, O'Day, Osborn, Pendleton, Phelps, Price, Reid, Richards, Robinson, Sanford, Spencer, Staley, Stansell, Swisler, Tibbits, Tomblin, Twigg, Wade, Weyse, Wilkinson, Zocchi, and Mr. Speaker.

Quorum present.

LEAVE OF ABSENCE.

Messrs. Merrill and Freeman were granted leave of absence for the day.

PRAYER.

Prayer by the Chaplain, Rev. O. Summers.

READING OF THE JOURNAL.

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

So ordered.

SPECIAL ORDERS.

Assembly Bill No. 959—An Act to establish a uniform system of county and township governments.

Mr. Dodge moved to continue the consideration of Assembly Bill No. 959, and make it a special order for Monday, immediately after reading of Journal.

So ordered.

MOTION.

Mr. Swisler moved that Assembly Bill No. 960 be made a special order for Friday, at three o'clock and thirty minutes P. M.

So ordered.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, February 28, 1895.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 865—An Act to provide for a commission to investigate public offices, institutions, and departments of the State government, and of the counties, cities and counties, or municipalities thereof; to inquire into the acts of all public officers, employes, and attachés of such offices, institutions, and departments of the State government, and of the counties, cities and counties, and municipalities thereof; to inquire into acts of corruption, misfeasance, and misappropriation of public moneys or public property by such officers, employes, and attachés, and their official conduct generally, to investigate violations of the election laws, and frauds and errors alleged to have been committed in the last election, and other elections, and to count the ballots cast for State officers, and to authorize the discharge of unnecessary officers, employes, or attachés—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to the Judiciary Committee.

Also: Assembly Bill No. 696—An Act to pay the claim of Philip Bauer against the State of California, and to make an appropriation therefor.

Also: Assembly Bill No. 155—An Act to pay the claim of Cornelius Lynch against the State of California, and to appropriate money therefor.

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

Also: Assembly Bill No. 961—An Act appropriating money to pay the expenses of the Commissioner of Public Works and his employes for the forty-seventh and forty-eighth fiscal years.

Also: Assembly Bill No. 1013—An Act to create and establish a commission for revising, systematizing, and reforming the laws of this State, and for the appointment of the members of said commission, to be known as the Commissioners for the Revision and Reform of the Law, etc.

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

Also: Assembly Bill No. 752—An Act to pay the claim of Ida M. Smith, Violet E. Smith, and Ida Bernice Smith—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

BRUSIE, Chairman..

SPECIAL ORDERS—(RESUMED).

Assembly Bill No. 681—An Act to establish the fees of county, township, and other officers in this State.

Read third time.

Passed until eleven o'clock A. M.

MOTION.

Mr. Cutter moved that Assembly Bill No. 695 be made a special order immediately after the consideration of the general fee bill.

So ordered.

REPORT OF STANDING COMMITTEE.

ON MILITARY AFFAIRS.

ASSEMBLY CHAMBER, SACRAMENTO, February 28, 1895.

MR. SPEAKER: The majority of your Committee on Military Affairs, to whom was referred Assembly Bill No. 618—An Act to amend sections one thousand nine hundred and twelve, one thousand nine hundred and thirteen, one thousand nine hundred and fourteen, one thousand nine hundred and fifteen, one thousand nine hundred and seventeen, one thousand nine hundred and eighteen, one thousand nine hundred and nineteen, one thousand nine hundred and twenty-three, one thousand nine hundred and twenty-nine, one thousand nine hundred and thirty-two, one thousand nine hundred and thirty-six, one thousand nine hundred and forty-two, one thousand nine hundred and fifty-two, one thousand nine hundred and fifty-five, one thousand nine hundred and sixty-two, one thousand nine hundred and seventy, one thousand nine hundred and seventy-four, one thousand nine hundred and eighty, one thousand nine hundred and

eighty-two, one thousand nine hundred and eighty-three, one thousand nine hundred and eighty-four, one thousand nine hundred and eighty-five, one thousand nine hundred and ninety, two thousand and three, two thousand and seven, two thousand and twenty-four, two thousand and twenty-seven, two thousand and forty, two thousand and forty-one, two thousand and forty-two, two thousand and forty-eight, two thousand and forty-nine, two thousand and fifty, two thousand and seventy-six, and two thousand and eighty-two; and to repeal sections one thousand nine hundred and eighty-seven, one thousand nine hundred and eighty-eight, one thousand nine hundred and eighty-nine, two thousand and four, two thousand and five, and two thousand and six, all of the Political Code, and to add one new section thereto, to be known and numbered as section one thousand nine hundred and ninety-one, relating to the National Guard; and to provide for the retirement and disposition of certain officers thereof—have had the same under consideration, and respectfully report the same back amended, and recommend that it do pass as amended

MINORITY REPORT.

ASSEMBLY CHAMBER, SACRAMENTO, February 26, 1895

MR. SPEAKER: A minority of your Committee on Military Affairs, to whom was referred Assembly Bill No. 618—have had the same under consideration, and respectfully report the same back, and recommend that the amended bill recommended by the majority of your committee do not pass as reported, but as amended by striking out sections eighteen, nineteen, twenty-six, and twenty-nine of said majority amendment, and inserting in lieu thereof the following new sections and amendments.

OSBORN, Chairman.

Mr. Osborn moved that the rules be suspended, and Assembly Bill No. 618 be read second time.

So ordered.

SECOND READING OF BILL.

Assembly Bill No. 618—An Act to amend sections one thousand nine hundred and twelve, one thousand nine hundred and thirteen, one thousand nine hundred and fourteen, one thousand nine hundred and fifteen, one thousand nine hundred and seventeen, one thousand nine hundred and eighteen, one thousand nine hundred and nineteen, one thousand nine hundred and twenty-three, one thousand nine hundred and twenty-nine, one thousand nine hundred and thirty-two, one thousand nine hundred and thirty-six, one thousand nine hundred and forty-two, one thousand nine hundred and fifty-two, one thousand nine hundred and fifty-five, one thousand nine hundred and sixty-two, one thousand nine hundred and seventy, one thousand nine hundred and seventy-four, one thousand nine hundred and eighty, one thousand nine hundred and eighty-two, one thousand nine hundred and eighty-three, one thousand nine hundred and eighty-four, one thousand nine hundred and eighty-five, one thousand nine hundred and ninety, two thousand and three, two thousand and seven, two thousand and twenty-four, two thousand and twenty-seven, two thousand and forty, two thousand and forty-one, two thousand and forty-two, two thousand and forty-eight, two thousand and forty-nine, two thousand and fifty, two thousand and seventy-six, and two thousand and eighty-two; and to repeal sections one thousand nine hundred and eighty-seven, one thousand nine hundred and eighty-eight, one thousand nine hundred and eighty-nine, two thousand and four, two thousand and five, and two thousand and six, all of the Political Code; and to add one new section thereto, to be known and numbered as section one thousand nine hundred and ninety-one, relating to the National Guard; and to provide for the retirement and disposition of certain officers thereof.

Read second time.

AMENDMENTS.

The following committee amendments were submitted:

AMENDMENT No. 1.

Amend the title to read as follows.

An Act to amend sections one thousand nine hundred and twelve, one thousand nine hundred and nineteen, one thousand nine hundred and twenty three, one thousand nine hundred and twenty-nine, one thousand nine hundred and thirty-two, one thousand nine hundred and forty-two, one thousand nine hundred and sixty-two, one thousand nine hundred and seventy, one thousand nine hundred and eighty, one thousand nine hundred and eighty-three, one thousand nine hundred and eighty-four, one thousand nine hundred and eighty-five, one thousand nine hundred and ninety, two thousand and three, two thousand and four, two thousand and seven, two thousand and twenty-two, two thousand and twenty-four, two thousand and twenty-seven, two thousand and forty, two thousand and forty-eight, two thousand and seventy-six, two thousand and eighty-three, and two thousand and ninety-four, of the Political Code of the State of California, and to add one new section thereto, to be known and numbered as section one thousand nine hundred and ninety-one, and to repeal sections one thousand nine hundred and eighty-seven, one thousand nine hundred and eighty-eight, one thousand nine hundred and eighty-nine, and two thousand and five of said Code, all relating to the National Guard of California.

Adopted.

AMENDMENT No. 2.

Strike out all after the enacting clause, and insert the following:

SECTION 1 Section one thousand nine hundred and twelve of the Political Code is hereby amended to read as follows:

Section 1912 The organized uniformed militia of the State of California are known as the National Guard of the State of California. This force shall not exceed sixty-nine companies, of which sixty companies shall be infantry or artillery, as the Board of Location may direct, and five companies of the Naval Battalion, four companies shall be distributed to such arms of the service as the Board of Location may direct. The National Guard must be located throughout the State with reference to the military wants thereof, means of concentration, and other military requirements.

Adopted.

AMENDMENT No. 3.

SEC. 2. Section one thousand nine hundred and nineteen of the Political Code is hereby amended to read as follows:

Section 1919 All staff officers shall be citizens of the State of California, and except Surgeons, Judges-Advocate, and Chaplains, shall be examined as prescribed for elective officers in section one thousand nine hundred and seventy-four of this Code before being commissioned. This provision shall not apply to appointees on the staff of the Commander-in-Chief.

Adopted.

AMENDMENT No. 4.

SEC. 3. Section one thousand nine hundred and twenty-three of the Political Code is hereby amended to read as follows.

Section 1923 All moneys hereafter appropriated for the purchase of service uniforms or equipments shall be devoted entirely to the purchase of uniforms and necessary equipments, which shall be the same as worn by similar corps in the United States Army, and nothing further shall be expended upon dress uniforms or equipments. Any regiment, unattached battalion, or unattached company may, however, adopt, subject to the approval of the Commander-in-Chief, a distinctive dress uniform and equipments, which may be worn on all occasions, unless otherwise ordered, but the expense of providing and maintaining such uniforms and equipments shall be borne entirely by the organization so adopting. There shall be a Board of three officers, to be detailed by the Commander-in-Chief, which Board shall meet from time to time, but at least once in each year, for the purpose of considering and recommending to the Commander-in-Chief what, in its judgment, is most urgently required for the uniforming and equipping of the Guard from time to time.

Adopted.

AMENDMENT No. 5.

SEC. 4. Section one thousand nine hundred and twenty-nine of the Political Code is hereby amended to read as follows:

Section 1929 Any enlisted man may be discharged before the expiration of his term of service by order of the commanding officer of the regiment or unattached battalion,

or if a member of an unattached company, troop, or battery, by brigade commander, on the recommendation of his company commander, and also for any of the following reasons: To accept promotion by commission; upon removal of residence from the state or out of the bounds of the command to which he belongs to so great a distance that, in the opinion of the commanding officer, he cannot properly perform his military duty; upon disability established by certificate of a medical officer, whenever such commanding officer shall approve the application of two thirds of the members of a company requesting the discharge of an enlisted man thereof, and if, at a regular meeting of a company, or of a meeting called for that purpose, two thirds of the members of a company desire by vote the discharge of one of their members, an application for the discharge of such soldier shall be made by the company commander. Or he may be dishonorably discharged for either of the following reasons: Upon conviction of felony in a civil court; by sentence of a court-martial. A character shall be attached to all discharges. Every member of the National Guard dishonorably discharged from the military service of the State of California shall be disfranchised for the period of one year next ensuing such discharge. The discharge herein provided shall be made by the commanding officer of the regiment or unattached battalion, and in the case of members of unattached companies, troops, or batteries, by the brigade commander.

Adopted.

AMENDMENT No. 6.

SEC. 5. Section one thousand nine hundred and thirty-two of the Political Code is hereby amended to read as follows:

Section 1932. No dishonorably discharged non-commissioned officer, artificer, musician, or private, or member of a company dishonorably discharged from the National Guard, shall be permitted to again enter any company of the National Guard, except the offense is pardoned by the Commander-in-Chief. No dishonorably discharged officer of the National Guard of California shall be permitted to hold any office of trust or emolument, nor be permitted to again enter any company of the National Guard, except the offense be pardoned by the Commander-in-Chief.

Adopted.

AMENDMENT No. 7.

SEC 6 Section one thousand nine hundred and forty-two of the Political Code is hereby amended to read as follows:

Section 1942. The colors carried by organizations of the National Guard shall be such as are borne by similar organizations of the United States Army, except that the regimental or battalion color shall have thereon the State coat-of-arms, instead of the arms of the United States; and no military organization provided for by the Constitution and laws of the State, and receiving State support, shall, while under arms, either for ceremony or duty, carry any device, banner, or flag of any State or nation, except that of the United States or of the State of California. It shall not be lawful for any body of men whatever, other than the regular organized National Guard of this State, and the troops of the United States, to associate themselves together as a military company or organization, to drill or parade with arms in this State, without the license of the Governor thereof, which license may at any time be revoked; *provided*, that students in educational institutions where military science is a part of the course of instruction may, with the consent of the Governor, drill and parade with arms, in public under the superintendence of their instructor, *and provided further*, that nothing herein contained shall be so construed as to prevent benevolent or social organizations from wearing swords. Any person or persons violating any of the provisions of this section shall be guilty of a misdemeanor, and subject to arrest and punishment therefor.

Adopted.

AMENDMENT No. 8.

SEC. 7. Section one thousand nine hundred and sixty-two of the Political Code is hereby amended to read as follows:

Section 1962. The companies, troops, and batteries of the National Guard shall be composed of officers and men as follows:

1. Each company of infantry shall have not less than fifty nor more than one hundred and three officers, non-commissioned officers, and privates, which must include one commissioned officer, and may include one Captain, one First Lieutenant, one Second Lieutenant, one First Sergeant, one Quartermaster Sergeant, four Sergeants, eight Corporals, and two musicians.

2. Each troop of cavalry shall have not less than fifty nor more than one hundred and three officers, non-commissioned officers, and privates, which must include one commissioned officer, and may include one Captain, two First Lieutenants, one Second Lieutenant, one First Sergeant, one Quartermaster Sergeant, four Sergeants, eight Corporals, two trumpeters, two farriers, and one saddler.

3. Each foot battery shall have not less than fifty nor more than one hundred and three officers, non-commissioned officers, and privates, which must include one com-

missioned officer, and may include one Captain, one First Lieutenant, one Second Lieutenant, one First Sergeant, one Quartermaster Sergeant, four Sergeants, eight Corporals, and two trumpeters

4 Each field battery shall have not less than sixty-one nor more than one hundred and forty-nine officers, non-commissioned officers, and privates, which must include one commissioned officer, and may include one Captain, two First Lieutenants, one Second Lieutenant, one First Sergeant, one Quartermaster Sergeant, six Sergeants, eight Corporals, two trumpeters, two farriers, and one saddler.

Adopted.

AMENDMENT No. 9.

5 The Naval Battalion shall be commanded by a Lieutenant-Commander. Each company shall consist of one Lieutenant, one Lieutenant Junior Grade, two Ensigns, and not less than fifty nor more than one hundred petty officers and men.

6. The numerical strength, rank, titles, and insignia of rank of the companies, troops, and batteries, and their officers and men, of the National Guard, shall conform to the laws, rules, and regulations of the United States Army so far as the same may be effectively applicable, and upon changes being made in the said laws, rules, and regulations of the United States Army, the Commander-in-Chief of the National Guard shall cause the same changes to be made in the National Guard, to correspond thereto, so far as they may be effectively applicable as aforesaid.

7. Each company, troop, or battery may have not to exceed ten honorary members, who shall pay fifty dollars per annum each into the company, troop, or battery treasury, and shall thereupon be entitled to all the exemption to which men on the active list are entitled, and shall not be requested to drill or perform any military duty by reason of such membership.

Adopted.

AMENDMENT No. 10.

SEC. 8 Section one thousand nine hundred and seventy of the Political Code is hereby amended to read as follows:

Section 1970 There must be an annual inspection and muster of the National Guard between January first and June thirtieth, 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 make out and certify the necessary 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, and also a list of the ordnance, ordnance stores, clothing, and other property of the State in the possession of the company; he must transmit, through the proper military channels, one copy of the roll and list attached, to each superior headquarters.

Adopted.

AMENDMENT No. 11.

SEC. 9 Section one thousand nine hundred and eighty of the Political Code is hereby amended so as to read as follows

1980. There shall be mustered in and attached to the National Guard, a detachment of signal men, which shall be divided into three signal corps, each to consist of not less than twenty nor more than forty men; *provided*, that each corps shall be located in its entirety at one place. Each corps shall be officered by one First Lieutenant, three Sergeants, and four Corporals: the commissioned officers shall be elected, qualify, and serve as provided for other officers of the line. The non-commissioned officers shall be appointed by the brigade commander upon recommendation of the brigade signal officer. The brigade signal officer shall have direct supervision of the detachment of signal corps, and the corps commander shall report to him direct whenever the signal corps shall be mounted in the performance of active duty; each officer and man so mounted shall receive a per diem of two dollars during the time of such service. Whenever a State appropriation shall be made for supplying horses to mounted officers and commands, the signal corps shall receive a proportionate allowance from said fund; *provided*, that service is being performed by the corps at such time.

Adopted.

AMENDMENT No. 12.

SEC. 10. Section one thousand nine hundred and eighty-three of the Political Code is hereby amended to read as follows:

Section 1983. Regiments of cavalry and artillery shall consist of such troops, batteries, and officers as are provided for such organizations in the United States Army, when the National Guard shall contain sufficient troops or batteries to form regiments under those provisions.

Adopted.

AMENDMENT No. 13.

SEC. 11. Section one thousand nine hundred and eighty-four is hereby amended to read as follows:

Section 1984 The field officers of a regiment are: one Colonel, one Lieutenant-Colonel, and one Major for each battalion; when composed of less than six companies and more than three, are one Lieutenant-Colonel, and one Major; when composed of two or three companies, then one Major only. No person shall be eligible for election as a field officer unless he shall have served at least two years in the National Guard of some State, *provided*, that service in the regular or volunteer forces of the United States shall be counted as service in the National Guard.

Adopted.

AMENDMENT No. 14.

SEC. 12. Section one thousand nine hundred and eighty-five of the Political Code is hereby amended to read as follows:

Section 1985. Such officers are elected by the commissioned officers of the different companies comprising a regiment or battalion, and if the regiment or battalion is already formed, by all the commissioned officers thereof, excepting staff officers, and they shall hold office for the term of four years. Upon application of the officers entitled to elect, the General of brigade to which such regiment or battalion is attached, or to be attached, must appoint a suitable person to preside at the election, who must give ten days' notice of his appointment, of the place of holding the election, and of the offices to be filled, which notice shall be issued and promulgated as orders usually are in the command. The brigade commander may order an election for field or line officers if application is not made for an order for an election within two months after the vacancy occurs, or after the expiration of the term for which the officer was last elected.

Adopted.

AMENDMENT No. 15.

SEC. 13. Section one thousand nine hundred and eighty-seven of the Political Code, relating to the formation of light artillery battalions in the National Guard, is hereby repealed.

Adopted.

AMENDMENT No. 16.

SEC. 14. Section one thousand nine hundred and eighty-eight of the Political Code, relating to elections and appointments in artillery battalions in the National Guard, is hereby repealed.

Adopted.

AMENDMENT No. 17.

SEC. 15. Section one thousand nine hundred and eighty-nine of the Political Code, relating to drills of artillery battalions in the National Guard, is hereby repealed.

Adopted.

AMENDMENT No. 18.

SEC. 16. Section one thousand nine hundred and ninety of the Political Code is hereby amended to read as follows.

Section 1990. The staff of a Colonel commanding a regiment consists of one Surgeon, with rank of Major, one Adjutant, with rank of Captain, one Assistant Surgeon, with rank of Captain, one Chaplain, with rank of Captain, one Battalion Adjutant for each battalion; one Quartermaster, who shall also act as Paymaster, one Commissary, one Inspector of Rifle Practice, who shall be Ordnance Officer; each with the rank of First Lieutenant; one Sergeant-Major, one Principal Musician, one Quartermaster Sergeant, one Commissary Sergeant, one Hospital Steward, two Color Sergeants, one Battalion Sergeant-Major for each battalion, one Drum-Major, all of whom shall be appointed by and hold office at the pleasure of the Colonel, or until their successors are appointed and qualified. The staff of a Lieutenant-Colonel or Major commanding an unattached battalion consists of one Adjutant, with the rank of First Lieutenant; one Assistant Surgeon, with the rank of Captain; one Commissary, who shall also be Quartermaster; one Inspector of Rifle Practice, who shall also be Ordnance Officer, each with the rank of Second Lieutenant, one Sergeant-Major; one Commissary Sergeant, who shall also be Quartermaster-Sergeant, one Hospital Steward, and two Color Sergeants; all of whom shall be appointed by such commanding officer, and hold office at his pleasure, or until their successors are appointed and qualified.

Adopted.

AMENDMENT No. 19.

SEC. 17. A new section is hereby added to the Political Code, to be known and numbered as section one thousand nine hundred and ninety-one, and to read as follows:

Section 1991. All Surgeons and Assistant Surgeons of the National Guard shall be of at least five years' practice in surgery prior to their appointment, all Judges-Advocate of the National Guard shall be members of the bar of the Supreme Court of the State of California; all engineer officers of the National Guard shall be regular civil engineers, all Chaplains shall be regularly ordained ministers.

Adopted.

AMENDMENT No. 20.

SEC. 18. Section two thousand and three of the Political Code is hereby amended to read as follows:

Section 2003. The National Guard of the State of California is hereby organized into three brigades, each commanded by a Brigadier-General, the limits of each brigade to be fixed by the Commander-in-Chief, Brigadier-Generals, and their staff officers, deprived of their office by reason of the reorganization hereby provided for, are hereby placed on the retired list with their rank.

Adopted.

AMENDMENT No. 21.

SEC. 19. Section two thousand and four of the Political Code is hereby amended to read as follows:

Section 2004. The three brigades of the National Guard compose a division, commanded by a Major-General.

Adopted.

AMENDMENT No. 22.

SEC. 20. Section two thousand and five of the Political Code, relating to the attaching of new counties to brigades, is hereby repealed.

Adopted.

AMENDMENT No. 23.

SEC. 21. Section two thousand and seven of the Political Code is hereby amended to read as follows:

Section 2007. The staff of the Brigadier-General consists of one Assistant Adjutant-General, with the rank of Lieutenant-Colonel, who shall be Chief of Staff; one Engineer Officer; one Brigade Inspector, one Quartermaster, who shall act as Paymaster; one Commissary, one Judge-Advocate, one Inspector of Rifle Practice, who shall also act as Ordnance Officer, and one Signal Officer, each with a rank of Major, one Surgeon, with the rank of Lieutenant-Colonel, two Aids-de-Camp, with the rank of Captain; and two staff orderlies, with the rank of Sergeant-Major, all of whom shall be appointed by the Brigadier-General, and hold office at his pleasure, or until their successors are appointed and qualified.

Adopted.

AMENDMENT No. 24.

SEC. 22. Section two thousand and twenty-two of the Political Code is hereby amended so as to read as follows:

SEC. 2022. The Commander-in-Chief may annually order an encampment for discipline and drill either by division, brigade, regiment, battalion, or unattached company; and all troops under assembled and encamped orders of the Commander-in-Chief for not less than seven days shall receive 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 for each company of such last mentioned allowance of one dollar and twenty-five cents per day shall not exceed the sum of four hundred dollars per company. All officers and men shall receive in addition to the above allowance the actual fare to and from the place of encampment; *and provided further*, that when the division or a brigade is regularly assembled and encamped for discipline and drill for not less than seven days, then in addition to the above allowance the Major-General, Brigadier-General, and each 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 receive the sum of two dollars per day for each horse necessarily used by them at such encampment; *and provided further*, that by all officers and enlisted men of companies of the Naval Battalion such services may be performed afloat.

Adopted.

AMENDMENT No. 25.

SEC. 23. Section two thousand and twenty-four of the Political Code is hereby amended to read as follows:

Section 2024. All mounted companies must drill mounted at least four times a year.

Adopted.

AMENDMENT No. 26.

SEC. 24. Section two thousand and twenty-seven of the Political Code is hereby amended to read as follows:

Section 2027. Companies, troops, and batteries already organized may wear uniforms and equipments now in use, until supplied by the State with the service uniform and equipments; after which no uniforms and equipments, other than those so supplied, shall be worn, except that a dress uniform may be worn as provided in section one thousand nine hundred and twenty-three of this Code. No money of the State must be used or applied to the purchase of the uniforms and equipments other than those in this section mentioned. All non-commissioned officers, musicians, and privates of a company, or of a general, brigade, regiment or battalion staff, the members of the signal corps and of the hospital and ambulance corps, and of regularly organized and enlisted bands (which bands shall not exceed in number twenty-five each), shall be furnished with service uniforms and equipments at the expense of the State. Such uniforms and equipments shall be issued to the division, brigades, regiments, and companies upon requisition, in such form as may be prescribed. The service uniform and equipments shall be issued to the several organizations of the National Guard upon requisition of the proper officer. The commanding officer of each organization shall be responsible for the keeping and return of all uniforms and other military property committed to his charge. Each commanding officer who shall receive uniforms and equipments, or portions of uniforms or equipments, for the use of his command, shall distribute the same to his command as he shall deem proper. The service uniform and equipments shall be furnished, as aforesaid, by a Board which is hereby provided, to consist of three commissioned officers, to be appointed by the Commander-in-Chief. This Board is authorized and directed to purchase the cloth, arrange for its cutting, and also for its making, when required by the commander of any organization, and also to purchase equipments; and the bills of said Board shall be audited, allowed, and paid as are other military demands. This Board shall also fix the maximum price or cost of each article of uniform, and shall permit, upon proper requisition of division, brigade, regiment, or unattached battalion or company to draw the money instead of the cloth, or the cost of its making, or either, and provide itself with a corresponding number of articles of uniform; *provided*, that the bills therefor shall be audited, allowed, and paid as other military demands.

Adopted.

AMENDMENT No. 27.

SEC. 25. Section two thousand and forty of the Political Code is hereby amended to read as follows:

Section 2040. In case of the absence of the Commander-in-Chief from the Capital, or if it is impossible to immediately communicate with him, the civil or military officer making the requisition for troops may, if he deem the danger imminent and not admitting of delay, serve a copy of such requisition, together with a statement of the Commander-in-Chief's absence, or the impossibility of immediately communicating with him, upon the division commander, or, in his absence, upon the General commanding the brigade, who is authorized to exercise, with respect to calling out the troops of his division or brigade, the powers conferred in this section upon the Commander-in-Chief, but if the call is disapproved by the Commander-in-Chief, the troops so called into service must be immediately relieved from such tour of duty. Officers and men performing duty in response to any call as provided herein shall, upon the proper rolls being approved by the Board of Military Auditors, receive their pay therefor out of any money in the State Treasury not otherwise appropriated, and the State Controller is hereby directed to draw his warrant therefor, and the Treasurer is hereby directed to pay the same.

Adopted.

AMENDMENT No. 28.

SEC. 26. Section two thousand and forty-eight of the Political Code is hereby amended to read as follows:

Section 2048. Where troops are called into active service from different brigades or regiments, and the number so called are not more than sufficient to constitute one complete regiment, the Commander-in-Chief must so organize them, and must designate the particular officer to command it, or he may make such other organization of said troops as he may deem proper, and designate the officer to command.

Adopted.

AMENDMENT No 29.

SEC. 27. Section two thousand and seventy-six of the Political Code is hereby amended to read as follows:

Section 2076 The following officers may appoint courts-martial:

1. The Commander-in-Chief for the trial of general officers, retired officers, and all officers of the staff of the Commander-in-Chief
2. The Major-General, for the trial of all staff officers of the division and brigades, and of field officers of regiments and battalions.
3. The Brigadier-General, for the trial of officers and soldiers in their respective brigades
4. The commanding officers of regiments and unattached battalions, for the trial of all enlisted men in their respective commands.

For the trial of enlisted men of regiments or battalions the commanding officers thereof may at any time appoint a summary court-martial, to consist of one officer whose rank is not below that of Captain. For the trial of enlisted men of unattached companies, troops, or batteries, the brigade commander may at any time appoint a summary court-martial, to consist of a First Lieutenant of such company, troop, or battery

5. The officer appointing said court shall fix the day on which it shall convene, and when convened the court may adjourn from time to time, as shall become necessary for the transaction of business, but the whole session of the court, from the day on which it shall convene until its dissolution, shall not exceed three weeks, and in case any vacancy shall happen in the court, or a new court shall be required, the officer ordering the court, or his successor in command, may fill such vacancy, or order a new court.

6. The officer constituting such court shall, before he enters on his duties as such, take the following oath: I, —, do swear (or affirm) that I will well and truly try and determine, according to evidence, all matters between the people of the State of California and any person or persons who may come before the summary court-martial to which I have been appointed. And such oath shall be taken by him before a Justice of the Peace of the county in which he resides, or a field officer, and it shall be the duty of such Justice of the Peace or field officer to administer the oath without fee or reward.

7. Such court shall direct a non-commissioned officer, or other fit person or persons to be by him designated, to summon all delinquents and parties accused to appear before the court at a time and place to be by him appointed, which service shall be personal or by leaving such summons at the residences of such delinquents and parties accused

8. Such non-commissioned officer, or other person or persons so designated, shall make the like returns, and with like effect as commissioned and non-commissioned officers are authorized and required to make in cases of warning to a company or regimental parade, and shall be subject to the like penalties for neglect of duty.

9. The court shall be conducted in the same manner as summary courts-martial are in the service of the United States, and shall have the trial of all offenses, delinquencies, and deficiencies that occur in the regiment or battalion for which it shall have been appointed, and also of any that occur in the separate companies, troops, or batteries; and the said court shall have power to impose and direct to be levied all the fines or penalties to which enlisted men are declared to be subject by the provisions of this chapter.

10. The proceedings and sentence of any such court shall, without delay, be delivered to the officer ordering the court, who shall approve or disapprove the same within fifteen days thereafter, and shall give notice of his approval or disapproval to the President thereof, and from the sentence of any such court imposing a fine or penalty for any offense, delinquency, or deficiency, an appeal, if made within twenty days after the fine or penalty was made known to the person fined, shall be allowed to the officer ordering the court, or to his successor in command, and he may remit or mitigate such penalty or fine.

Adopted.

AMENDMENT No 30.

SEC. 28. Section two thousand and eighty-three of the Political Code is hereby amended to read as follows:

Section 2083. Courts of Inquiry are governed by the same rules as similar courts in the Army of the United States. They shall have the same power to compel the attendance of witnesses when summoned by them, to preserve order in and about the court-room during sessions, and to punish for contempt, as Judges of the Superior Court have under the laws of this State.

Adopted.

AMENDMENT No. 31.

SEC. 29. Section two thousand and ninety-four of the Political Code 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, and to the commanding officer of each troop of cavalry, the sum of two hundred dollars per month; and to the commanding officer of each company of the Naval Battalion the sum of one hundred dollars per month, the sums 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 appropriations, to the commanding officer of each regiment or battalion, the sum of five dollars 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 twenty people, the additional sum of thirty-five dollars per month for such band, to the Major-General, four hundred dollars per annum; to the Brigadier-General of each brigade, three dollars per month for each company in his brigade, 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, four thousand dollars per annum, to be expended by him in promoting rifle practice. There shall also be paid from the military appropriations of the State a sum, not exceeding five hundred dollars for the first year of its existence, to the Brigadier-Generals for a hospital and ambulance corps in their respective brigades, which sum shall be expended in the purchasing of proper supplies, equipments, and medicines for such corps, and thereafter to such corps there shall be paid a sum, for the same purpose, of not exceeding five hundred dollars per annum.

Adopted.

AMENDMENT No. 32.

SEC. 30. This Act shall take effect July 1, 1895

Adopted.

MOTION TO RECONSIDER.

Mr. Powers moved to reconsider the vote whereby the amendments to sections eighteen, nineteen, twenty-six, twenty-seven, twenty-nine, and thirty-one were adopted.

Pending the consideration of the motion of Mr. Powers, the Speaker declared that the hour of special orders had arrived.

SPECIAL ORDERS.

Assembly Bill No. 681—An Act to establish the fees of county, township, and other officers in this State.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Brusie, Bulla, Butler, Cargill, Coleman, Coghlin, Cutter, Dale, Dixon, Dodge, Dunbar, Dwyer, Ewing, Gay, Glass, Guy, Hall, Hatfield, Holland, Hudson, Johnson, Jones, Keen, Laird, Lauge-nour, McCarthy, McDonald, McKelvey, Nelson, North, O'Day, Phelps, Powers, Price, Richards, Robinson, Sanford, Spencer, Staley, Stansell, Swisler, Tibbits, Wade, Waymire, Weyse, Zocchi, and Mr. Speaker—54.

NOES—Messrs. Bledsoe and Davis—2.

Title read and approved.

MOTION.

Mr. Dodge moved that Assembly Bill No. 681 be immediately transmitted to Senate.

So ordered.

Assembly Bill No. 695—An Act to amend section three thousand three hundred and ninety-eight of the Political Code, appointing the Surveyor-General locating agent in the United States Land Offices, and declaring the effect of selections accepted by the United States.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Bassford, Belshaw, Bennett, Berry, Bettman, Bledsoe, Brusie, Bulla, Butler, Coleman, Dale, Davis, Devine, Dixon, Dodge, Dunbar, Dwyer, Ewing, Fassett, Glass, Guy, Hall, Hatfield, Holland, Hudson, Johnson, Keen, Laird, Llewellyn, Meads, McDonald, McKelvey, Nelson, O'Day, Phelps, Richards, Rowell, Spencer, Staley, Stansell, Wade, Waymire, Weyse, and Mr. Speaker—45.
NOES—Messrs. Pendleton, and Powers—2.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Bulla gave notice that he would move for a reconsideration of the vote whereby Assembly Bill No. 695 was passed.

BILL OF EXPENSE.

Mr. Pendleton submitted the following:

ASSEMBLY CHAMBER, SACRAMENTO, February 25, 1895.

In the matter of the contested election of Joseph Scheerer vs. John McCarthy, Assemblyman Thirty-sixth Assembly District, Legislature of California.

To JOHN MCCARTHY, *contestee*, *Dr.*:

Witness fees.....	\$50 00
Notarial fees, four affidavits affixed.....	2 00
Attorney fees—E. N. Deuprey.....	2,000 00
Traveling expenses, etc.....	207 05
Total.....	\$2,259 05

In the matter of the contested election of Joseph Scheerer vs. John McCarthy for Assemblyman.

The Legislature of the State of California to CLEMENT BENNETT, Dr., official shorthand reporter:

To four per diems in reporting testimony for Legislature before Justices appointed to take testimony in above matter.....	\$40 00
Transcribing and making three copies of testimony for Legislature, and filing same, 400 folios.....	200 00
Total.....	\$240 00

Referred to Committee on Contested Elections.

RESOLUTION—(OUT OF ORDER).

By Mr. Brusie:

Resolved, That three members of the Committee on Ways and Means, together with the Chairman and clerk, be and are hereby granted a leave of absence on Saturday, March 2d, for the purpose of visiting San Francisco, in order to obtain information concerning the assessment of telephone companies

Adopted.

Mr. Powers now renewed his motion to reconsider the vote whereby sections eighteen, nineteen, twenty-six, twenty-seven, twenty-nine, and thirty-one, Assembly Bill No. 618, were this day amended.

Motion lost.

MOTIONS.

Mr. Reid moved that the roll be called on the amendments to the title of Assembly Bill No. 15.

So ordered.

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

AYES—Messrs. Barker, Bassford, Bennett, Berry, Bettman, Bledsoe, Boothby, Brusie, Bulla, Cargill, Coghlin, Cutter, Dale, Dixon, Dodge, Dunbar, Dwyer, Fassett, Gay, Glass, Guy, Hatfield, Healey, Hudson, Johnson, Kelsey, Laird, Laugenour, Lewis, Llewellyn, Meads, McDonald, McKelvey, Nelson, O'Day, Pendleton, Price, Reid, Tomblin, Twigg, Wade, Waymire, Weyse, Zocchi, and Mr. Speaker—45.

NOES—None.

Mr. Bulla moved that Assembly Bill No. 15 be immediately transmitted to the Senate.

So ordered.

RESOLUTION.

By Mr. Bettman:

Resolved, That Assembly Bill No. 461 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions 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 question being, "Shall the constitutional provision be suspended?"

The roll was called, and the constitutional provision suspended by the following vote:

AYES—Messrs. Ash, Barker, Berry, Bettman, Boothby, Bulla, Butler, Cargill, Coleman, Coghlin, Cutter, Dale, Devine, Devitt, Dixon, Dodge, Dunbar, Dwyer, Gay, Glass, Guy, Hall, Hatfield, Healey, Huber, Hudson, Kelsey, Kenyon, Laird, Laugenour, Lewis, Llewellyn, Meads, McCarthy, McDonald, McKelvey, Nelson, O'Day, Osborn, Pendleton, Phelps, Powers, Price, Richards, Sanford, Spencer, Staley, Stansell, Swisler, Tibbits, Tomblin, Twigg, Wade, Waymire, Weyse, Zocchi, and Mr. Speaker—57.

NOES—Messrs. Bassford, Belshaw, Bennett, Bledsoe, and Reid—5.

Assembly Bill No. 461—An Act to amend an Act entitled "An Act to establish a Penal Code," relating to the crime of rape.

The following amendment was submitted:

Amend section one, line five, of printed bill, by changing the word "eighteen" to "sixteen."

The ayes and noes were demanded by Messrs. Laugenour, Price, and Cutter.

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

AYES—Messrs. Ash, Barker, Bennett, Berry, Bettman, Boothby, Coghlin, Devine, Devitt, Dwyer, Gay, Hall, Hatfield, Healey, Kelsey, Laugenour, Meads, McCarthy, O'Day, Pendleton, Powers, Reid, Stansell, Swisler, Tibbits, Tomblin, Twigg, Zocchi, and Mr. Speaker—29.

NOES—Messrs. Bassford, Bledsoe, Bulla, Cargill, Cutter, Dale, Davis, Dixon, Dodge, Ewing, Fassett, Glass, Guy, Huber, Hudson, Johnson, Keen, Kenyon, Laird, Llewellyn, McDonald, McKelvey, Nelson, Osborn, Phelps, Price, Richards, Sanford, Spencer, Staley, Wade, and Weyse—32.

Mr. Reid moved to amend as follows:

Amend section one, line five, by inserting the following: "and unmarried."

Adopted.

MOTIONS.

Mr. Reid moved that the House go into executive session, for the purpose of consideration of Assembly Bill No. 461.

So ordered.

IN EXECUTIVE SESSION.

The Speaker ordered the Assembly Chamber cleared and the doors closed.
Mr. Swisler moved that we rise from executive session.

Lost.

Mr. Pendleton moved to suspend rule seventy.

Lost.

Mr. Davis moved that the reporters be permitted to remain.

So ordered.

Mr. Laugenour moved to extend the hour of recess fifteen minutes.

So ordered.

Mr. Dodge moved the previous question, seconded by Messrs. Bulla and Davis.

So ordered.

The question being on the adoption of the amendment offered by Mr. Reid, the same was adopted.

Ordered to printer.

Mr. North moved to reconsider the vote whereby the Assembly ordered the previous question on Assembly Bill No. 461.

Lost.

RECESS.

At twelve o'clock and thirty minutes P. M., on motion of Mr. Bulla, the Assembly took a recess until two o'clock.

REASSEMBLED.

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

Speaker Lynch in the chair.

Quorum present.

SENATE SPECIAL FILE.

Senate Bill No. 46—An Act to amend section seven hundred and thirty-seven of the Political Code of the State of California, relating to salaries of Judges of Superior Courts.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Barker, Bassford, Belshaw, Bennett, Berry, Bledsoe, Boothby, Bruse, Bulla, Butler, Coleman, Coghlin, Cutter, Dale, Davis, Dodge, Dunbar, Dwyer, Ewing, Gay, Glass, Guy, Hall, Hatfield, Holland, Huber, Johnson, Jones, Keen, Kelsey, Kenyon, Laird, Laugenour, Lewis, McDonald, McKelvey, Nelson, Osborn, Pendleton, Phelps, Reid, Richards, Robinson, Rowell, Sanford, Spencer, Staley, Stansell, Swisler, Thomas, Tibbits, Tomblin, Twigg, Wade, Waymire, Weyse, and Mr. Speaker—57.

NOES—None.

Title read and approved.

Senate Bill No. 8—An Act to amend section six hundred and forty-nine of the Civil Code of the State of California, relating to the incorporation of colleges and seminaries of learning.

Passed, to retain its place on file.

Senate Bill No. 239—An Act to regulate the sale and redemption of transportation tickets.

The question being on the motion of Mr. Ewing to strike out the enacting clause.

The ayes and noes were demanded by Messrs. Reid, Bledsoe, and Ewing.

MOTIONS.

Mr. Reid moved a call of the House.

Lost.

Mr. Reid moved to reconsider the vote whereby a call of the House was refused.

Lost.

The Assembly refused to strike out the enacting clause by the following vote:

AYES—Messrs. Barker, Bennett, Bledsoe, Bulla, Coleman, Coghlin, Dale, Devitt, Dodge, Dwyer, Ewing, Glass, Healey, Holland, Huber, Hudson, Johnson, Jones, Keen, Lewis, Nelson, North, Osborn, Reid, Robinson, Rowell, Sanford, Stansell, Twigg, Wade, Waymire, and Zocchi—32.

NOES—Messrs. Ash, Bassford, Belshaw, Berry, Bettman, Boothby, Butler, Cargill, Cutter, Davis, Devine, Dixon, Dunbar, Fassett, Gay, Guy, Hall, Hatfield, Kelsey, Kenyon, Laird, Laugenour, Llewellyn, Meads, McDonald, McKelvey, O'Day, Pendleton, Price, Richards, Spencer, Staley, Swisler, Thomas, Tibbits, Weyse, and Mr. Speaker—38.

EXPLANATION OF VOTE.

By Mr. Belshaw:

I vote "no" on motion to strike out the enacting clause of Senate Bill No. 239, because I am opposed to that method of "killing" a bill.

Mr. Glass moved to amend as follows:

By inserting after the word "therein," on line sixteen of section four, the following: "*provided further*, if any railroad or steamboat company shall, by any of its ticket agents in this State, refuse to redeem any of its tickets, or parts of tickets, as prescribed in this Act, it shall be unlawful for said company, subsequent to such refusal, to sell any ticket or tickets in this State until said tickets, or parts of tickets, are redeemed."

Lost.

Mr. Osborn moved to amend as follows:

By striking out of section three, lines two and three, the words "or for any person to purchase or receive from him."

Adopted.

Mr. Bulla moved the previous question, seconded by Messrs. Thomas and Pendleton.

The question being, "Shall the main question be now put?"

So ordered.

Ordered to printer.

Senate Bill No. 426—An Act to repeal an Act entitled "An Act to increase the number of clerks for the limited period of six months, commencing in the month of January of each year, in the office of the Treasurer of the State, and for the appointment of such additional clerk," approved March 16, 1889, and authorizing the Treasurer of the State to appoint one clerk at an annual salary of one thousand six hundred dollars.

Read second time.

Mr. Belshaw moved to amend as follows:

By striking out of section one, line four, the words "is hereby repealed."

Lost.

MOTION.

Mr. Brusie moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bill No. 426.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Lynch in the chair.

Senate Bill No. 426 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Lynch 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. 426, and now report, and recommend that the same do pass.

LYNCH, Chairman.

Adopted.

Ordered to third reading.

Senate Bill No. 607—An Act for the appointment of a guardian for Sutter's Fort property, prescribing his duties and appropriating money therefor.

Read second time.

MOTION.

Mr. Pendleton moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bill No. 607.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Lynch in the chair.

Senate Bill No. 607 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Lynch 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. 607, and now report, and recommend that the same do pass.

LYNCH, Chairman.

Adopted.

Ordered to third reading.

Senate Bill No. 8—An Act to amend section six hundred and forty-

nine of the Civil Code of the State of California, relating to the incorporation of colleges and seminaries of learning.

Read second time.

The question being on the final passage of the bill.

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

AYES—Messrs. Berry, Bettman, Brusie, Cutter, Fassett, Hatfield, Kenyon, Laugenour, Phelps, Powers, Weyse, and Mr. Speaker—12.

NOES—Messrs. Ash, Belshaw, Bennett, Bledsoe, Bulla, Coleman, Coghlin, Dale, Davis, Devitt, Dixon, Dodge, Dwyer, Glass, Guy, Healey, Johnson, Keen, Laird, Lewis, McDonald, McKelvey, Nelson, North, Price, Reid, Sanford, Spencer, Staley, Stansell, Twigg, Wade, and Waymire—33.

NOTICE OF RECONSIDERATION.

Mr. North gave notice that on next legislative day he would move to reconsider the vote whereby Senate Bill No. 8 was this day refused passage.

QUESTION OF PRIVILEGE.

Mr. Powers read the following, and asked that the same be published in the Journal.

So ordered.

MR. SPEAKER: Concerning certain statements with reference to the attorneys' fees in contested election cases before this House in to-day's "San Francisco Examiner," I wish to say that no statement therein contained looking towards my participating in any fee is correct. Neither is the statement true that I traded any interest in that fee for any vote for Chairman of the delegation. Moreover, I had no such interest to trade. With reference to the Sheerer case, I wish to say that Mr. Sheerer did ask me to act as his attorney. I explained to him that I would prefer to have him employ some one else, and suggested Mr. Frank I. Kingwell, who was and is a young attorney of very good ability, having offices in the same building with my firm. Mr. Kingwell had been chief clerk in my office, and was employed by us at the time he was admitted to practice over two years ago, at which time he left my employment. I have frequently sent him cases when I did not wish to take them, in order to help him along. I have absolutely no interest in his fee in these contested election matters. In justice to Mr. Kingwell, I wish to say that he is not now, and for over eight years has not been, a typewriter in my office. He was promoted from that position about eight years ago. He is not now and has not been employed by me or my firm for over two years, although, as I have explained, we have oftentimes sent him business to assist him.

Concerning Mr. Merrill's vote on the chairmanship, I wish to say that I never offered Mr. Chretien any interest in any fee, or other reward, for his influence. I did ask him to ask Mr. Merrill to vote for me, but at the time I did so he was not Mr. Merrill's attorney, and the reason I went to him was because he was Chairman of the Assembly convention which had nominated Mr. Merrill.

I wish further to say that Mr. Merrill did not vote for me for Chairman until after my election was assured, explaining to me that his long friendship for my opponent made his advocacy of my cause impossible.

Very respectfully,

FRANK H. POWERS.

SENATE SPECIAL FILE—(RESUMED).

Senate Bill No. 121—An Act to appropriate the surplus moneys in the "Special Mendocino Asylum Fund," in the State Treasury, to the uses of the Mendocino Asylum.

Read second time.

MOTION.

Mr. Brusie moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bill No. 121.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Lynch in the chair.

Senate Bill No. 121 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Lynch 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. 121—An Act to appropriate the surplus moneys in the "Special Mendocino Asylum Fund," in the State Treasury, to the uses of the Mendocino Asylum—and now report, and recommend that the same do pass.

LYNCH, Chairman.

Adopted.

Ordered to third reading.

Senate Bill No. 422—An Act entitled an Act to appropriate money to pay the Directors of the Deaf, Dumb, and Blind Asylum, for the construction of a sewer along Dwight Way, on front of the lands of the Deaf and Dumb Asylum, of Berkeley, California, which work was performed and material furnished under a contract with George Schmidt, Superintendent of Streets of the town of Berkeley, his authority having been acquired under the general street law of this State.

Read second time.

At three o'clock P. M., the Speaker called Mr. McKelvey to the chair.

MOTION.

Mr. Brusie moved that the Assembly resolve itself into Committee of the Whole, with Mr. McKelvey in the chair, for the purpose of considering Senate Bill No. 422.

So ordered.

IN COMMITTEE OF THE WHOLE.

Mr. McKelvey in the chair.

Senate Bill No. 422 was considered in Committee of the Whole.

IN ASSEMBLY.

Mr. McKelvey 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. 422—An Act entitled an Act to appropriate money to pay the Directors of the Deaf, Dumb, and Blind Asylum for the construction of a sewer along Dwight Way, on front of the lands of the Deaf and Dumb Asylum, of Berkeley, California, which work was performed and material furnished under a contract with George Schmidt, Superin-

tendent of Streets of the town of Berkeley, his authority having been acquired under the general street law of this State—and now report, and recommend that the same do pass.

McKELVEY, Chairman.

Adopted.

Ordered to third reading.

Senate Bill No. 347—An Act entitled an Act to amend section two hundred and seventy-six of the Code of Civil Procedure, relating to the examination of applicants for admission to practice law.

Read second time, and ordered to third reading.

Senate Bill No. 20—An Act relating to certain contracts for the conditional sale, lease, or hire of railroad and street railway equipment and rolling stock, and providing for the recording thereof.

Read second time, and ordered to third reading.

Senate Bill No. 504—An Act making an appropriation to pay the unpaid claims for bounty on coyote scalps.

Read second time.

MOTION.

Mr. Brusie moved that the Assembly resolve itself into Committee of the Whole, with Mr. McKelvey in the chair, for the purpose of considering Senate Bill No. 504.

So ordered.

IN COMMITTEE OF THE WHOLE.

Mr. McKelvey in the chair.

Senate Bill No. 504 was considered in Committee of the Whole.

IN ASSEMBLY.

Mr. McKelvey in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

Mr. McKelvey stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 504—An Act making an appropriation to pay the unpaid claims for bounty on coyote scalps—and now report, and recommend that the same do pass as amended by the Committee of the Whole.

McKELVEY, Chairman.

Adopted.

Bill ordered to printer and second reading.

MOTION.

Mr. Bettman moved that the Assembly do now take up Senate messages. Lost.

At three o'clock and thirty-five minutes P. M., the Speaker resumed the chair.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, February 28, 1895.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 928—An Act providing that all appealable orders, judgments, and decrees may be reviewed on appeal from final judgment—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Assembly Bill No. 750—An Act to amend section two thousand two hundred and eleven of the Political Code, relating to the committal of insane persons; to amend section two thousand two hundred and seventeen of the Political Code, relating to the committal of insane persons; to amend section two thousand two hundred and twenty of the Political Code, relating to the committal, admission, detention, and discharge of idiots, imbeciles, certain insane persons, etc; and to add a new section to the Political Code, to be known and designated as section two thousand two hundred and twenty-three of the Political Code, relating to the examination of insane persons after commitment—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Assembly Bill No. 926—An Act amendatory of section two thousand five hundred and twenty-four of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, fixing the power of the Board of State Harbor Commissioners at San Francisco, relative to proposals for the erection of new wharves, constructing improvements, repairing wharves, and obtaining materials therefor—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to Committee on Commerce and Navigation.

Also: Assembly Bill No. 365—An Act to amend section one thousand three hundred and eighty-seven of the Civil Code, relating to heirship of illegitimate children.

Also: Assembly Bill No. 366—An Act to amend sections two hundred and twenty-six and two hundred and twenty-seven, and to repeal section two hundred and thirty of the Civil Code, relating to adoption.

Also: Assembly Bill No. 425—An Act to authorize payment for service rendered in county of tenth class, now of thirteenth class.

Also: Assembly Bill No. 445—An Act declaring void all contracts, reserving the right of ownership in the seller of chattel property.

Also: Assembly Bill No. 631—An Act to amend section one thousand six hundred and sixteen of the Political Code.

Also: Assembly Bill No. 931—An Act to amend section seven hundred and thirty-eight of the Code of Civil Procedure, relating to actions to determine adverse claims to property

Also: Assembly Bill No. 952—An Act to amend the Code of Civil Procedure of California, by adding to chapter one, part two, title thirteen, a new section, to be numbered section nine hundred and sixty, relating to the review of questions of fact upon appeal to the Supreme Court

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

Also: Assembly Bill No. 325—An Act to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872

Also: Assembly Bill No. 502—An Act to amend section four hundred and eighty-seven of the Penal Code.

Also: Assembly Bill No. 527—An Act to amend section one thousand three hundred and eighty-seven of the Civil Code, relating to heirship of illegitimate children.

Also: Assembly Bill No. 699—An Act to legalize certain acknowledgments.

Also: Assembly Bill No. 740—An Act to prevent Sabbath desecration, and to secure a weekly rest day

Also: Assembly Bill No. 766—An Act to amend sections fifty-five, sixty-eight, and seventy-seven of the Civil Code, and to repeal section fifty-seven of said Code, all relating to the marriage contract.

Also: Assembly Bill No. 929—An Act to revise the law in relation to the decision of Superior Courts, by amending section six hundred and thirty-two, and repealing sections six hundred and thirty-three and six hundred and thirty-four of the Code of Civil Procedure.

Also: Assembly Bill No. 936—An Act to amend sections two, six, seven, fourteen, fifteen, sixteen, and seventeen, and to repeal section twenty-two, 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 and election of assignees, the appointment of receivers, the delivery of the property of the insolvent, the adjudication of due and legal notice to creditors, the bonds and oaths of assignees, and the time of making the assignments by clerks.

Also: Assembly Bill No. 949—An Act for the regulation of pawnbrokers

Have had the same under consideration, and respectfully report the same back, and recommend that the authors be allowed to withdraw the same.

BULLA, Chairman.

Assembly Bill No. 926 referred to Committee on Commerce and Navigation.

WITHDRAWAL OF BILLS.

Assembly Bills Nos. 502, 325, 527, 699, 740, 766, 936, and 949 were withdrawn.

MOTION.

Mr. Reid moved that Senate Bill No. 467 be re-referred to Committee on Revenue and Taxation.
So ordered.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON BANKS AND BANKING.

ASSEMBLY CHAMBER, SACRAMENTO, February 28, 1895.

MR. SPEAKER: Your Committee on Banks and Banking, to whom was referred Assembly Bill No. 892—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

WADE, Chairman.

ON CRIMES AND PENALTIES.

ASSEMBLY CHAMBER, SACRAMENTO, February 27, 1895.

MR. SPEAKER: Your Committee on Crimes and Penalties, to whom was referred Assembly Bill No. 873—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Assembly Bill No. 738—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Assembly Bills Nos. 846, 856, 895, 857, and 858—have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

BOOTHBY, Chairman.

ON COMMERCE AND NAVIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 28, 1895.

MR. SPEAKER: Your Committee on Commerce and Navigation, to whom was referred Assembly Bill No. 807—An Act to amend an Act entitled "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," approved March 19, 1889—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Assembly Bill No. 685—An Act to prevent the use of fraudulent marks on merchandise—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 Bill No. 243—An Act to repeal an Act entitled "An Act to establish a standard of weights and measures," approved April 6, 1891—have had the same under consideration, and respectfully report the same back, and the majority recommend that it do pass, and the minority recommend that it do not pass.

DIXON, Chairman.

Assembly Bill No. 685 withdrawn by its author.

ON STATE PRISONS AND REFORMATORY INSTITUTIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 27, 1895.

MR. SPEAKER: Your Committee on State Prisons and Reformatory Institutions, to whom was referred Assembly Bill No. 289—An Act to provide for certain additions at the Folsom State Prison, for transfer of certain prisoners from San Quentin State Prison, and making an appropriation therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended by committee.

LAIRD, Chairman.

Assembly Bill No. 289 referred to Committee on Ways and Means.

ON FISH AND GAME.

ASSEMBLY CHAMBER, SACRAMENTO, February 28, 1895.

MR. SPEAKER: Your Committee on Fish and Game, to whom was referred Assembly Bill No. 825—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

BASSFORD, Chairman.

ON CLAIMS

ASSEMBLY CHAMBER, SACRAMENTO, February 28, 1895.

MR. SPEAKER: Your Committee on Claims, to whom was referred Assembly Bill No. 257—An Act to appropriate money to pay the claim of George J. Mothersole, for labor performed, expenses incurred, and money expended by him in roofing the Napa State Asylum for the Insane—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

GAY, Chairman.

Assembly Bill No. 257 referred to Committee on Ways and Means.

ON CONSTITUTIONAL AMENDMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, February 27, 1895

MR. SPEAKER: Your Committee on Constitutional Amendments, to whom was referred Assembly Constitutional Amendment No. 49—Proposed amendment to article thirteen of the Constitution, relative to revenue and taxation—have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

Also: Assembly Constitutional Amendment No. 44—A resolution to propose to the people an amendment to article four of the Constitution.

Also: Senate Constitutional Amendment No. 3—Proposed amendment to article thirteen of the Constitution, relative to revenue and taxation.

Have had the same under consideration, and respectfully report the same back, and recommend that they be adopted as amended.

Also: Senate Constitutional Amendment No. 16—Proposed amendment to article thirteen of the Constitution, relative to revenue and taxation—have had the same under consideration, and respectfully report the same back, and recommend that it be not adopted.

Also: Assembly Constitutional Amendment No. 35—Proposed amendment to article thirteen, relative to revenue and taxation—have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

Also: Assembly Constitutional Amendment No. 29—Proposed amendment to section one of article thirteen, relative to revenue and taxation.

Also: Assembly Constitutional Amendment No. 17—Proposed amendment to article thirteen of the Constitution, relative to revenue and taxation.

Have had the same under consideration, and respectfully report the same back, and recommend that they be not adopted.

Also: Assembly Constitutional Amendment No. 40—Proposed amendment to article eleven, section one, of the Constitution, relative to county boundaries—have had the same under consideration, and respectfully report the same back without recommendation.

Also: Assembly Constitutional Amendment No. 51—Proposed amendment to article four, section two, of the Constitution, relative to the introduction of bills—have had the same under consideration, and respectfully report the same back, and recommend that it be not adopted.

WAYMIRE, Chairman.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 27, 1895.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Assembly Bill No. 907—An Act to provide for the disincorporation of municipal corporations of the sixth class—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Senate Bill No. 772—An Act to establish a Police Court in and for the city of Eureka—have had the same under consideration, and respectfully report the same back without recommendation.

Also: Senate Bill No. 42—An Act to amend an Act entitled "An Act to provide a system of street improvement bonds to represent certain assessments for the cost of street work and improvement within municipalities, and also for the payment of such bonds," approved February 27, 1893—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

GUY, Chairman.

ON CONTESTED ELECTIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 28, 1895.

MR. SPEAKER: Your Committee on Contested Elections, to whom was referred the contest of H. M. Collins vs J. B. McDonald, for a seat in the Assembly from the Fortyninth Assembly District, in the county of Alameda, beg leave to report that we have

had the same under consideration, and after an examination of the testimony and counting the ballots under instructions of the Assembly, we find that the contestant, H. M. Collins, received eight hundred and fifty-six legal ballots and votes, and that the contestee, J. B. McDonald, received eight hundred and fifty-two legal ballots and votes, and we therefore find and so report to the Assembly that the contestant, H. M. Collins, is now entitled to the office and seat in the Assembly as member of the Assembly from the Forty-ninth Assembly District, Alameda County, now occupied by the contestee and respondent, J. B. McDonald, and we recommend the adoption of the following resolution, to wit:

Resolved, That H. M. Collins is entitled and he is hereby declared to be entitled to the seat, and the right to hold office and seat of member of the Assembly, from and in and for the Forty-ninth Assembly District of the State of California, and that J. B. McDonald is not entitled to said seat or office.

HUBER, Chairman.

Mr. Huber moved that the report of Committee on Contested Elections be adopted.

So ordered.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 28, 1895.

MR. SPEAKER: Your Committee on Contested Elections report that the expenses of the recount of the ballots in the contested election case from the Forty-ninth Assembly District are as follows: Stringer and Tally Clerks, fifty dollars; expenses and mileage of County Clerk of Alameda for transporting ballots from Alameda County to Sacramento and guarding the same, forty-nine dollars and forty cents; expenses of serving citation on County Clerk of Alameda County to produce ballots, five dollars and ten cents; and we recommend the adoption of the following resolution:

Resolved, That the State Controller be and he is hereby directed to draw his warrant in favor of O. H. Huber, Chairman of the Committee on Contested Elections, for the sum of one hundred and four dollars and fifty cents, payable out of the Contingent Fund of the Assembly, to pay the expenses of the recount in the contested election case of H. M. Collins vs. J. B. McDonald, and the Treasurer is directed to pay the same.

HUBER, Chairman.

Mr. Brusie moved that the report of the Committee on Contested Elections be adopted.

So ordered.

ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 28, 1895.

MR. SPEAKER: Your Committee on Enrollment have examined and found correctly enrolled Assembly Bill No. 456—An Act making an appropriation to pay the deficiency in the appropriation for arresting criminals without the State for the forty-third and forty-fourth fiscal years.

Also: Assembly Bill No. 174—An Act to amend sections one thousand eight hundred and fifty-nine and one thousand eight hundred and sixty of the Civil Code, prescribing and limiting the liability of innkeepers, hotel-keepers, and boarding and lodging house keepers for personal property of their guests, boarders, and lodgers, intrusted to their care.

Also: Assembly Bill No. 141—An Act to amend section six hundred and seventy of an Act entitled "An Act to establish a Code of Civil Procedure, in relation to what papers constitute a judgment roll.

And presented the same to the Governor on this day, at three o'clock and thirty minutes P. M.

Also: Assembly Bill No. 4—An Act to amend section three thousand four hundred and forty of the Civil Code of the State of California, relative to the transfer of personal property.

Also: Assembly Bill No. 10—An Act to amend section one thousand two hundred and fourteen of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to the recording of conveyances.

Also: Assembly Joint Resolution No. 19—Joint resolution relative to depression of United States agricultural affairs.

Also: Assembly Bill No. 55—An Act to amend section one thousand two hundred and twenty-two of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872.

Also: Assembly Bill No. 142—An Act to amend an Act entitled "An Act to establish law libraries," approved March 1, 1891, and to add a new section thereto for the purpose of disestablishing such law libraries, such new section to be numbered fourteen and one half.

And presented the same to the Governor on this day, at two o'clock and thirty minutes P. M.

MEADS, Chairman.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, February 28, 1895.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 89—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—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Assembly Bill No. 962—An Act to provide for the termination of the duties of the Board of State Viticultural Commissioners, the final disposition and transfer of all properties of the State in its possession, and the repeal of all laws and parts of laws relating to its organization, powers, and duties—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

BRUSIE, Chairman.

APPROVAL OF JOURNAL.

The Journal of February 27th was read and approved.

RESOLUTION.

By Committee on Ways and Means:

Resolved, That the Controller be and he is hereby authorized to draw his warrant, and the Treasurer instructed to pay the same, for seventy-two dollars, in favor of J. L. Gillis for services rendered the Committee on Ways and Means, from January 7th to January 15th, inclusive, to be paid out of the Contingent Fund of the Assembly.

Adopted.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, }
SACRAMENTO, February 28, 1895. }

To the Assembly of the State of California.

I have the honor to inform your honorable body that I have approved Assembly Bill No. 935.

JAMES H. BUDD, Governor.

SENATE MESSAGES.

SENATE CHAMBER, SACRAMENTO, February 28, 1895.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, respectfully refused to concur in the Assembly amendment to Senate Bill No. 529—An Act to provide for an additional watchman in and about the office of the State Treasurer, by amending an Act entitled "An Act for the better protection of the State Treasury," approved March 30, 1868

F. J. BRANDON, Secretary.
By R. SHAW, Assistant.

Also:

SENATE CHAMBER, SACRAMENTO, February 28, 1895.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Senate Bill No. 289—An Act providing for the improvement of streets and roads and the construction of sidewalks outside of the limits of incorporated cities and towns in road districts where the population is at least five hundred, and the manner of ascertaining said population.

Also: Senate Bill No. 514—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. 349—An Act to amend section one of an Act approved March 15, 1883, entitled "An Act to authorize the Common Council, Board of Trustees, or other governing body of any incorporated city or town, other than cities of the first class, to re-fund its indebtedness, issue bonds therefor, and provide for the payment of the same," as amended March 1, 1893.

Also: Senate Bill No. 331—An Act making an appropriation for the payment of R. J. Broughton, for the conveyance of Anna Campbell, an insane person, to the Napa Insane Asylum

Also: Senate Bill No. 119—An Act to reduce the number of Judges of the Superior Court of the county of Fresno from three to two.

Also: Senate Bill No. 148—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.

Also: Senate Bill No. 162—An Act to pay the claim of Edwin J. Card against the State of California, and to appropriate the money therefor.

F. J. BRANDON, Secretary.
By R. SHAW, Assistant.

REFERENCE OF BILLS.

Senate Bill No. 514 substituted for Assembly Bill No. 466.

Senate Bill No. 289 referred to Committee on Roads and Highways.

Senate Bill No. 349 referred to Committee on Municipal Corporations.

Senate Bill No. 162 referred to Committee on Ways and Means.

Senate Bill No. 148 ordered on file.

Senate Bill No. 331 substituted for Assembly Bill No. 680.

Senate Bill No. 119 substituted for Assembly Bill No. 45.

RESOLUTION.

By Mr. Pendleton:

Resolved, That H. M. Collins appear before the bar of the House, and take the oath of office as member of the Assembly from the Forty-ninth Assembly District, and that thereupon he take the seat in this Assembly to which he has been duly declared elected.

Adopted.

OATH OF OFFICE.

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

H. M. COLLINS.

Subscribed and sworn to before me, this twenty-eighth day of February, A. D. 1895.

J. C. LYNCH,
Speaker of Assembly.

MOTION.

Mr. Thomas moved that the Assembly do recede from their amendment to Senate Bill No. 529.

The question being on the adoption of the motion.

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

AYES—Messrs. Ash, Bettman, Brusie, Bulla, Butler, Collins, Coghlin, Cutter, Davis, Devine, Dixon, Dwyer, Gay, Glass, Guy, Hall, Hatfield, Healey, Holland, Huber, Keen, Kelsey, Kenyon, Laird, Laugenour, Lewis, Llewellyn, Meads, McKelvey, Osborn, Pendleton, Powers, Price, Reid, Robinson, Sanford, Swisler, Thomas, Weyse, Wilkinson, Zocchi, and Mr. Speaker—42.

NOES—Messrs. Barker, Belshaw, Bennett, Bledsoe, Dale, Fassett, North, Spencer, Wade, and Waymire—10.

Mr. Thomas moved that Senate Bill No. 529 be immediately transmitted to the Senate.

So ordered.

Mr. Cutter moved that the rules be suspended, and that he be allowed permission to introduce a resolution out of order.

So ordered.

RESOLUTION.

By Mr. Cutter:

Resolved, That Senate Bill No. 75 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions 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, with the following result:

AYES—Messrs. Ash, Barker, Bennett, Berry, Brusie, Bulla, Butler, Cargill, Collins, Cutter, Davis, Devine, Devitt, Dixon, Dodge, Dunbar, Dwyer, Ewing, Fassett, Glass, Guy, Hall, Hatfield, Huber, Hudson, Jones, Keen, Kelsey, Kenyon, Laird, Laugenour, Llewellyn, Meads, McKelvey, Nelson, Pendleton, Phelps, Powers, Price, Reid, Richards, Robinson, Rowell, Sanford, Spencer, Staley, Swisler, Thomas, Tomblin, Twigg, Wade, Waymire, Weyse, Wilkinson, Zocchi, and Mr. Speaker—56.

NOES—Messrs. Bassford, Belshaw, Bledsoe, Coghlin, Dale, Healey, and Johnson—7.

Senate Bill No. 75—An Act making an appropriation for reimbursing the county of Marin for moneys expended by it for the prosecution of crimes committed within the State Prison at San Quentin, and for inquest held over the bodies of convicts who have died within said prison.

Read second time.

MOTION.

Mr. Cutter moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bill No. 75.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Lynch in the chair.

Senate Bill No. 75 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Lynch 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. 75, and now report, and recommend that the same do pass.

LYNCH, Chairman.

Senate Bill No. 75—An Act making an appropriation for reimbursing the county of Marin for moneys expended by it for the prosecution of crimes committed within the State Prison at San Quentin, and for inquest held over the bodies of convicts who have died within said prison.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Barker, Bennett, Berry, Bettman, Brusie, Bulla, Butler, Cargill, Coleman, Collins, Cutter, Dale, Davis, Devine, Dixon, Dodge, Dunbar, Dwyer, Ewing, Glass, Guy, Hall, Hatfield, Hudson, Johnson, Jones, Keen, Kelsey, Kenyon, Laird, Laugenour, Meads, Nelson, North, Osborn, Pendleton, Phelps, Powers, Price, Rowell, Sanford, Spencer, Swisler, Thomas, Tomblin, Twigg, Wade, Waymire, and Weyse—50.

NOES—None.

Title read and approved.

MOTION.

Mr. Phelps moved that Assembly Bill No. 627 be made a special order for Friday, at three o'clock and thirty minutes P. M.
So ordered.

COMMUNICATION.

The following communication was received from Senator Perkins:

UNITED STATES SENATE, WASHINGTON, February 20, 1895

Hon. S. J. DUCKWORTH, Chief Clerk, Assembly.

MY DEAR SIR: Your telegram of 18th inst., forwarding Joint Resolution No. 20, appropriation for contingent expenses of United States Debris Commission, is duly to hand, and the matter involved has and will continue to have my most careful attention and support.

Very truly yours,

GEORGE C. PERKINS.

RESOLUTIONS—(OUT OF ORDER).

By Mr. Laugenour:

Resolved, That no person be allowed on the floor of the Assembly excepting members of the Senate and Assembly, State officers, and the wives and invited ladies of the members of the Assembly; and the Sergeant-at-Arms is hereby instructed to have the Gatekeepers at their respective gates at least thirty minutes before the convening of the Assembly at the morning, afternoon, and evening sessions, to strictly enforce this resolution.

Laid over one day.

By Mr. Pendleton:

WHEREAS, The Hon J. B. McDonald has, by the decision of the House, lost his seat therein; and whereas, during the time that Mr McDonald has been a member of this body, he has discharged his duties with honesty and fidelity, and has been a faithful representative; be it therefore

Resolved, That the thanks of this House be and they are hereby extended to Mr. McDonald for his faithful service and attendance as a member, and that we hereby extend to him our best wishes for success in future life.

Adopted.

By Mr. Waymire:

Resolved, That the petition from the Union League Club and the heading of the petition signed by eleven thousand five hundred voters of San Francisco and vicinity, asking the passage of the bill creating an investigating commission, be printed in the minutes, excepting the signatures.

Adopted.

PETITION FROM UNION LEAGUE CLUB.

WHEREAS, It is a notorious fact that numerous frauds have been committed in violation of the election laws at the last general election, and especially in the counting, returning, and canvassing of votes, and whereas, it is necessary, and for the thorough investigation and exposure of such frauds and of abuses in office, to the end that in future the law shall be enforced and the elective franchise protected, that a Commission, clothed with ample powers, should be created; now, therefore, be it

Resolved, That the Union League Club hereby indorse and approve the bill now pending in the Legislature known as Assembly Bill No. 865 (Substitute for Assembly Bills Nos. 554 and 745), and the Chairman is hereby directed to appoint a committee of five with instructions to proceed to Sacramento and urge the passage of said bill or some such measure.

Resolved, That this club hereby respectfully requests and urges the Legislature of California, now in session, to pass the bill herein referred to, either in its present form or with such amendments as may be necessary without materially weakening the same.

CITIZENS' PETITION.

To the Senate and Assembly of the State of California:

The undersigned citizens and voters of the State do respectfully represent—

That recent events have made it evident that gross frauds have been committed on the ballot.

That there is reason to believe that corruption of officials has been a common crime.

That the ordinary methods of investigation have been exhausted with the revelations thus far made public; that the Courts are powerless to investigate under the existing rules in regard to the examination of witnesses, and the grand jury is hampered by the secrecy of its proceedings, and held back by the threats and influence directed against its individual members; that the foreman of the present grand jury has declared that "We should by all means have a public investigation."

Therefore, we pray your honorable bodies, that a commission of earnest and competent men be appointed, with authority to hold a public investigation, summon witnesses, and require the production of books, papers, and testimony.

And your petitioners will ever pray.

ADJOURNMENT.

At four o'clock and forty-five minutes P. M., on motion of Mr. Pendleton, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Friday, March 1, 1895. }

The Assembly met pursuant to adjournment.

Speaker Lynch in the chair.

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

Messrs. Bachman, Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Bledsoe, Boothby, Brusie, Bulla, Butler, Cargill, Coghlin, Coleman, Collins, Cutter, Dale, Davis, Devine, Devitt, Dinkelspiel, Dixon, Dodge, Dunbar, Dwyer, Ewing, Fassett, Freeman, Gay, Glass, Guy, Hall, Hatfield, Healey, Holland, Huber, Hudson, Johnson, Jones, Keen, Kelsey, Kenyon, Laird, Laugenour, Lewis, Llewellyn, Meads, McCarthy, McKelvey, Merrill, Nelson, North, Osborn, Pendleton, Phelps, Powers, Price, Reid, Richards, Robinson, Rowell, Sanford, Spencer, Staley, Stansell, Swisler, Thomas, Tibbits, Tomblin, Twigg, Wade, Waymure, Weyse, Wilkinson, Zocchi, and Mr. Speaker.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. O. Summers.

READING OF THE JOURNAL.

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

So ordered.

LEAVE OF ABSENCE.

Messrs. Ash, Belshaw, Huber, Dwyer, and Bassford were granted leave of absence for the day.

At ten o'clock and twenty minutes A. M. the Speaker called Mr. Johnson to the chair.

SPECIAL ORDERS.

Assembly Bill No. 982—An Act to amend an Act entitled “An Act to establish a Political Code,” approved March 12, 1872, by adding new sections thereto, to be numbered three thousand six hundred and forty, three thousand six hundred and eighty, three thousand eight hundred and one, and three thousand eight hundred and thirty-one; also by amending sections three thousand six hundred and seven, three thousand six hundred and seventeen, three thousand six hundred and twenty-eight, three thousand six hundred and thirty, three thousand six hundred and fifty, three thousand six hundred and fifty-one, three thousand six hundred and fifty-three, three thousand six hundred and fifty-four, three thousand six hundred and fifty-five, three thousand six hundred and fifty-six, three thousand six hundred and fifty-eight, three thousand six hundred and sixty-one, three thousand six hundred and sixty-two, three thousand six hundred and sixty-three, three thousand six hundred and sixty-six, three thousand six hundred and sixty-seven, three thousand six hundred and seventy, three thousand six hundred and seventy-eight, three thousand six hundred and ninety-two, three thousand six hundred and ninety-three, three thousand six hundred and ninety-four, three thousand seven hundred and four, three thousand seven hundred and five, three thousand seven hundred and fourteen, three thousand seven hundred and nineteen, three thousand seven hundred and twenty-eight, three thousand seven hundred and thirty, three thousand seven hundred and thirty-one, three thousand seven hundred and thirty-two, three thousand seven hundred and thirty-four, three thousand seven hundred and thirty-six, three thousand seven hundred and thirty-eight, three thousand seven hundred and forty-six, three thousand seven hundred and forty-seven, three thousand seven hundred and forty-eight, three thousand seven hundred and fifty-two, three thousand seven hundred and fifty-six, three thousand seven hundred and fifty-eight, three thousand seven hundred and fifty-nine, three thousand seven hundred and sixty-two, three thousand seven hundred and sixty-four, three thousand seven hundred and sixty-five, three thousand seven hundred and sixty-six, three thousand seven hundred and sixty-seven, three thousand seven hundred and seventy, three thousand seven hundred and seventy-one, three thousand seven hundred and seventy-two, three thousand seven hundred and seventy-six, three thousand seven hundred and seventy-seven, three thousand seven hundred and eighty, three thousand seven hundred and eighty-one, three thousand seven hundred and eighty-five, three thousand seven hundred and eighty-seven, three thousand seven hundred and eighty-eight, three thousand seven hundred and eighty-nine, three thousand seven hundred and ninety, three thousand seven hundred and ninety-three, three thousand seven hundred and ninety-seven, three thousand seven hundred and ninety-nine, three thousand eight hundred, three thousand eight hundred and four, three thousand eight hundred and five, three thousand eight hundred and eight, three thousand eight hundred and thirteen, three thousand eight hundred and fourteen, three thousand eight hundred and fifteen, three thousand eight hundred and sixteen, three thousand eight hundred and seventeen, three thousand eight hundred and eighteen, three thousand eight hundred and nineteen, three thousand eight hundred and twenty, three

thousand eight hundred and twenty-three, three thousand eight hundred and twenty-six, three thousand eight hundred and twenty-nine, three thousand eight hundred and forty, three thousand eight hundred and forty-one, three thousand eight hundred and fifty-four, three thousand eight hundred and fifty-eight, three thousand eight hundred and sixty-seven, three thousand eight hundred and seventy, three thousand eight hundred and seventy-one, three thousand eight hundred and seventy-three, three thousand eight hundred and seventy-eight, three thousand eight hundred and eighty-one, three thousand eight hundred and eighty-eight, three thousand eight hundred and ninety-seven, three thousand eight hundred and ninety-eight, three thousand eight hundred and ninety-nine, three thousand nine hundred; also by repealing sections three thousand seven hundred and thirty-three, three thousand seven hundred and thirty-seven, three thousand seven hundred and sixty-eight, three thousand seven hundred and seventy-three, three thousand seven hundred and seventy-four, three thousand seven hundred and seventy-five, three thousand seven hundred and seventy-eight, three thousand seven hundred and seventy-nine, three thousand eight hundred and three, three thousand eight hundred and ten, three thousand eight hundred and eleven, three thousand eight hundred and twelve, three thousand eight hundred and thirty, three thousand eight hundred and eighty-six, three thousand eight hundred and ninety-three, three thousand eight hundred and ninety-four, three thousand eight hundred and ninety-five, and three thousand eight hundred and ninety-six, all relating to the revenue and taxes of this State.

Read second time.

Mr. Reid moved to amend as follows:

By adding to line two, section five, the following: "to read as follows."

Adopted.

Also: By striking out of section six, line thirty-three, the word "not," and inserting "nor."

Adopted.

Mr. Davis moved to amend as follows:

Amend section fifteen, line four, by inserting the word "toll" after the word "turn-pike"

Adopted.

Mr. Reid moved to amend as follows:

By adding to section twenty, line two, the words "to read as follows."

Adopted.

Also: Amend section twenty-six, line two, by inserting the word "read" at the beginning of said line

* Adopted.

Also: Amend section sixty-six, line three, by inserting the word "section" at the beginning of said line.

Adopted.

Also: Amend section seventy-one, line two, by inserting the following: "to read as follows."

Adopted.

Also: Amend by striking out of section seventy-nine, line four, the word "three," and inserting the word "one."

Adopted.

Mr. Davis moved to amend as follows:

Amend section eighty-three, line thirty-eight, by inserting the words "certificate of" between the words "or" and "sale."

Adopted.

Mr. Reid moved to amend as follows:

Amend section ninety-one, line two, by adding the following: "to read as follows."

Adopted.

Also: Amend by striking out of section ninety-nine, line three, the word "make," and inserting the word "made."

Adopted.

Also: Amend section ninety-one, line six, by inserting the words "by the Assessor" after the word "collected."

Adopted.

Mr. Davis moved to amend as follows:

By striking out of section one hundred and thirteen the words "its passage," and inserting the following: "the first Monday in June, 1895."

Adopted.

Ordered to printer, engrossment, and third reading.

At eleven o'clock and fifty-five minutes A. M. the Speaker resumed the chair.

MOTION.

Mr. Phelps moved that the Assembly do now take up the consideration of Assembly Bill No. 605.

So ordered.

Assembly Bill No. 605—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.

Mr. Wade moved that a committee of one be appointed, with instructions to amend as follows:

By striking out of section one, lines twenty-seven, twenty-eight, twenty-nine, and thirty.

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. Bachman, Belshaw, Bennett, Berry, Bettman, Boothby, Brusie, Bulla, Butler, Coghlin, Coleman, Collins, Cutter, Dale, Davis, Devine, Devitt, Dinkelspiel, Dixon, Dodge, Dwyer, Fassett, Gay, Glass, Guy, Hall, Hatfield, Holland, Hudson, John-

son, Jones, Keen, Kenyon, Laugenour, Meads, McCarthy, McKelvey, Merrill, Nelson, North, Osborn, Pendleton, Phelps, Powers, Richards, Spencer, Staley, Stansell, Swisler, Tibbits, Tomblin, Waymire, Weyse, Wilkinson, Zocchi, and Mr. Speaker—56.
NOES—Messrs Barker, Bledsoe, Price, Reid, Sanford, and Wade—6.

Title read and approved.

MOTIONS.

Mr. Brusie moved that Assembly Bill No. 605 be immediately transmitted to the Senate.

So ordered.

Mr. Reid moved that Assembly Bill No. 982 be made a special order for Monday, at three o'clock and thirty minutes P. M.

So ordered.

PETITION.

By Mr. Lynch: From several hundred citizens of San Bernardino County, asking the enactment of such a Sabbath law as will be founded upon and agreeable to the moral law of God, and that will not do wrong to any class of citizens.

Referred to Committee on Public Morals.

REPORT OF STANDING COMMITTEE.

ON ELECTION LAWS.

ASSEMBLY CHAMBER, SACRAMENTO, March 1, 1895.

MR. SPEAKER: Your Committee on Election Laws, to whom was referred Assembly Bill No. 751—An Act providing for a general primary election within the State of California, and to promote the purity thereof by regulating the conduct thereof, and to support the privilege of free suffrage thereat by prohibiting certain acts and practices in relation thereto, and providing for the punishment thereof—have had the same under consideration, and have amended said bill, and respectfully report the same back, and recommend that it do pass as amended.

SPENCER, Chairman.

RESOLUTIONS—(OUT OF ORDER).

By Mr. Spencer:

Resolved, That Assembly Bill No. 751, as it is proposed to be amended, be referred to the printer, with instructions to print out of order, and to return to the Assembly as soon as possible.

Adopted.

By Mr. Bettman:

Resolved, That the State Printer be instructed to bind a full set of Assembly and Senate Bills for H. M. Collins, Assemblyman Forty-ninth District.

Adopted.

WITHDRAWAL OF BILLS.

The following bills were withdrawn: Assembly Bills Nos. 30, 613, 409, 516, 240, 244, and 239.

MOTION.

Mr. Powers moved to continue the hour of recess fifteen minutes.

So ordered.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON CONTESTED ELECTIONS.

ASSEMBLY CHAMBER, SACRAMENTO, March 1, 1895.

MR. SPEAKER: Your Committee on Contested Elections, to whom was referred the matter of the expenses of the contested election in the matter of Joseph Scheerer, contestant, vs. John McCarthy, contestee, for the office of member of the Assembly of the State of California from the Thirty-sixth Assembly District, beg to report that they have had the same under consideration, and fully investigated the same, and therefore recommend that the following expenses be allowed John McCarthy, the contestee therein:

Witness fees.....	\$50 00
Notarial fees, four affidavits affixed.....	2 00
Attorney fees, E. N. Deuprey.....	500 00
Total.....	<u>\$552 00</u>

Reporter's Fees.

To four per diems in reporting testimony for Legislature before Justices appointed to take testimony in above matter.....	\$40 00
Transcribing and making copies of testimony for Legislature, and filing same, 1,000 folios at 20 cents.....	200 00
Total.....	<u>\$240 00</u>

And we further recommend the adoption of the following resolution:
Resolved, That the State Controller be and he is hereby directed to draw his warrants in the sums of five hundred and fifty-two dollars in favor of John McCarthy, and two hundred and forty dollars in favor of Clement Bennett, payable out of the Contingent Fund of the Assembly, and the Treasurer is hereby directed to pay the same.

BACHMAN.
 ZOCCHI.
 SWISLER.
 PENDLETON.

Adopted.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 1, 1895.

MR. SPEAKER: Your Committee on Contested Elections, to whom was referred the matter of the expenses of the contested election in the matter of H. M. Collins, contestant, vs J. B. McDonald, contestee, for the office of member of the Assembly of the State of California from the Forty-ninth Assembly District, beg to report that they have had the same under consideration, and fully investigated the same, and therefore recommend that the following expenses be allowed H. M. Collins, the contestant therein:

To fees paid County Clerk for filing contest.....	\$4 50
To fees paid Sheriff for serving notice of contest.....	2 60
Paid shorthand reporter for taking and transcribing testimony, five days, at \$10 per day, and transcribing 1,073 folios at 20 cents per folio.....	264 60
Paid Justice Larue for taking depositions and testimony for five days.....	25 00
Justice Shaw's fees for taking depositions and testimony for five days.....	25 00
John F. Teague for services as detective in searching for witnesses and obtaining information in the matter of the contest, from November 12, 1894, to January 6, 1895.....	100 00
Constable Keating for serving subpoenas on twenty-three witnesses.....	25 80
Witness fees.....	75 00
Attorney's fees, George W. Reed.....	500 00
Attorney's fees, E. Nusbaumer.....	500 00
Total.....	<u>\$1,522 50</u>

And we further recommend the adoption of the following resolution:
Resolved, That the State Controller be and he is hereby directed to draw his warrant for the sum of one thousand five hundred and twenty-two dollars and fifty cents in favor of E. Nusbaumer, payable out of the Contingent Fund of the Assembly, and the Treasurer is hereby directed to pay the same.

HUBER, Chairman

Mr. Price moved to amend as follows:

By striking out "\$500" for Nusbaumer and inserting "\$250"; and by striking out "\$500" for Reed and inserting "\$250."

The ayes and noes were demanded by Messrs. Bledsoe, Price, and Dale.

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

AYES—Messrs. Barker, Belshaw, Bledsoe, Cargill, Coghlin, Cutter, Dale, Devitt Dodge, Dunbar, Ewing, Fassett, Glass, Guy, Healey, Holland, Hudson, Johnson, Keen, Laird, Lewis, McCarthy, Nelson, Osborn, Price, Richards, Rowell, Sanford, Spencer, Tibbits, Wade, Waymire, and Wilkinson—33.

NOES—Messrs. Bachman, Bennett, Berry, Bettman, Brusie, Bulla, Butler, Coleman, Collins, Davis, Devine, Dinkelspiel, Dixon, Dwyer, Gay, Hall, Hatfield, Kelsey, Kenyon, Laugenour, Llewellyn, Meads, McKelvey, Merrill, North, Pendleton, Powers, Reid, Stansell, Swisler, Thomas, Twigg, Weyse, Zocchi, and Mr Speaker—35.

Resolution adopted.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 1, 1895.

MR SPEAKER: Your Committee on Contested Elections, to whom was referred the matter of the expenses of the contested election in the matter of H. M. Collins, contestant, vs J. B. McDonald, contestee, for the office of member of the Assembly of the State of California from the Forty-ninth Assembly District, beg to report that they have had the same under consideration and fully investigated the same, and therefore recommend that the following expenses be allowed J. B. McDonald, the contestee therein:

Reporter's fees for transcribing 300 folios testimony, at 20 cents per folio	\$60 00
To per diem, one day (reporter)	10 00
Justice James Larue for taking depositions and testimony	5 00
Justice E. H. Shaw for taking depositions and testimony	5 00
Serving subpoenas on two witnesses in San Francisco	4 00
Two witnesses' fees	4 00
Attorney's fees, Thomas F. Garrity	750 00
Total	\$838 00

And we further recommend the adoption of the following resolution:

Resolved, That the State Controller be and he is hereby directed to draw his warrant for the sum of eight hundred and thirty-eight dollars in favor of Thomas F. Garrity, payable out of the Contingent Fund of the Assembly, and the Treasurer is hereby directed to pay the same.

HUBER, Chairman.

Adopted.

MOTION.

Mr. Powers moved to suspend the constitutional provision for the purpose of introducing a bill.

The roll was called, and the constitutional provision suspended by the following vote:

AYES—Messrs. Bachman, Barker, Bennett, Berry, Bettman, Bledsoe, Boothby, Brusie, Bulla, Butler, Cargill, Coleman, Collins, Cutter, Dale, Davis, Devitt, Dinkelspiel, Dixon, Dodge, Dunbar, Dwyer, Ewing, Gay, Hudson, Johnson, Keen, Kelsey, Kenyon, Laird, Laugenour, Lewis, Meads, McCarthy, McKelvey, Merrill, Nelson, North, Osborn, Pendleton, Phelps, Powers, Price, Reid, Richards, Spencer, Staley, Stansell, Swisler, Tibbits, Twigg, Wade, Waymire, Wilkinson, and Mr Speaker—55.

NOES—Messrs. Belshaw, Coghlin, Fassett, and Healey—4.

INTRODUCTION OF BILL.

By Mr. Powers: Assembly Bill No. 1015—An Act providing for loaning moneys in the sinking funds of cities, and cities and counties, upon real estate in such cities, or cities and counties.

Read first time, and referred to San Francisco Delegation.

RECESS.

At twelve o'clock and forty-three minutes P. M., on motion of Mr. Laugenour, the Assembly took a recess until two o'clock P. M.

REASSEMBLED.

The Assembly reassembled at two o'clock P. M.
Speaker Lynch in the chair.
Quorum present.

SPECIAL SENATE FILE.

Senate Bill No. 239—An Act to regulate the sale and redemption of transportation tickets.

Passed, to retain its place on file.

Senate Bill No. 426—An Act to repeal an Act entitled "An Act to increase the number of clerks for the limited period of six months, commencing in the month of January of each year, in the office of the Treasurer of the State, and for the appointment of such additional clerk," approved March 16, 1889, and authorizing the Treasurer of the State to appoint one clerk at an annual salary of one thousand six hundred dollars.

Read third time.

The question being on the final passage of the bill.

CALL OF THE HOUSE.

The roll was called, and pending the announcement of the result, Mr. Brusie moved a call of the House.

Motion lost.

The result of the roll call was announced, and the bill refused passage by the following vote:

AYES—Messrs. Bennett, Berry, Bettman, Brusie, Cargill, Coleman, Dale, Davis, Gay, Glass, Guy, Hall, Hatfield, Holland, Keen, Kelsey, Kenyon, Laird, Laugenour, Llewellyn, Meads, Merrill, Pendleton, Phelps, Powers, Reid, Robinson, Spencer, Staley, Stansell, Thomas, Tibbits, Waymire, Weyse, and Mr. Speaker—35

NOES—Messrs. Bachman, Barker, Bassford, Belshaw, Bledsoe, Boothby, Bulla, Coghlin, Devitt, Dixon, Dunbar, Ewing, Fassett, Healey, Hudson, Jones, Lewis, McCarthy, McKelvey, Nelson, North, Osborn, Price, Rowell, Sanford, Wade, Wilkinson, and Zocchi—28.

NOTICE OF RECONSIDERATION.

Mr. McKelvey gave notice that on next legislative day he would move to reconsider the vote whereby Senate Bill No. 426 was refused passage.

Senate Bill No. 607—An Act for the appointment of a guardian for Sutter's Fort property, prescribing his duties, and appropriating money therefor.

Passed temporarily, to retain its place on file.

Senate Bill No. 121—An Act to appropriate the surplus moneys in the "Special Mendocino Asylum Fund" in the State Treasury, to the uses of the Mendocino Asylum.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Bachman, Barker, Bassford, Belshaw, Berry, Bettman, Bledsoe, Boothby, Bulla, Coghlin, Coleman, Collins, Dale, Davis, Devine, Dixon, Dodge, Dunbar, Ewing, Fassett, Gay, Glass, Guy, Hall, Hatfield, Holland, Hudson, Johnson, Jones, Kelsey, Kenyon, Laird, Laugenour, Meads, McCarthy, McKelvey, Merrill, Nelson, North, Osborn, Pendleton, Powers, Price, Reid, Rowell, Sanford, Spencer, Staley, Stansell, Swisler, Thomas, Tibbits, Wade, Waymire, Weyse, Zocchi, and Mr. Speaker—57.

NOES—Messrs. Devitt and Healey—2.

Title read and approved.

Senate Bill No. 422—An Act entitled "An Act to appropriate money to pay the Directors of the Deaf, Dumb, and Blind Asylum for the construction of a sewer along Dwight Way, on front of the lands of the Deaf and Dumb Asylum of Berkeley, California, which work was performed and material furnished under a contract with George Schmidt, Superintendent of Streets of the town of Berkeley, his authority having been acquired under the general street law of this State.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Bachman, Barker, Bassford, Bennett, Berry, Bettman, Boothby, Bulla, Butler, Coleman, Collins, Davis, Devine, Dixon, Dodge, Dunbar, Ewing, Fassett, Gay, Glass, Guy, Hall, Hudson, Johnson, Jones, Keen, Kelsey, Kenyon, Laird, Laugenour, Meads, Merrill, North, O'Day, Osborn, Phelps, Powers, Price, Robinson, Rowell, Sanford, Spencer, Staley, Stansell, Swisler, Thomas, Tibbits, Wade, Waymire, Wilkinson, Zocchi, and Mr. Speaker—52.

NOES—Messrs. Bledsoe, Coghlin, Healey, McCarthy, and Twigg—5.

Title read and approved.

Senate Bill No. 347—An Act entitled an Act to amend section two hundred and seventy-six of the Code of Civil Procedure, relating to the examination of applicants for admission to practice law.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Bachman, Barker, Bassford, Bennett, Berry, Bettman, Bledsoe, Brusie, Bulla, Butler, Coghlin, Coleman, Collins, Cutter, Dale, Davis, Dixon, Dodge, Dunbar, Ewing, Fassett, Glass, Guy, Hall, Hatfield, Healey, Hudson, Johnson, Jones, Laird, Laugenour, Meads, Nelson, North, O'Day, Pendleton, Phelps, Price, Robinson, Rowell, Sanford, Staley, Stansell, Swisler, Thomas, Tibbits, Twigg, Waymire, and Mr. Speaker—49.

NOES—Messrs. Boothby, Devitt, Holland, Llewellyn, McCarthy, Wade, and Wilkinson—7.

Title read and approved.

Senate Bill No. 20—An Act relating to certain contracts for the conditional sale, lease, or hire of railroad and street railway equipment and rolling stock, and providing for the recording thereof.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Bachman, Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Brusie, Butler, Coleman, Cutter, Dale, Davis, Dixon, Dodge, Dunbar, Fassett, Gay, Glass, Guy, Hall, Hatfield, Hudson, Jones, Keen, Kenyon, Laird, Laugenour, Meads, McKelvey, Merrill, O'Day, Pendleton, Powers, Price, Reid, Robinson, Rowell, Sanford, Spencer, Staley, Stansell, Thomas, Twigg, Wade, Waymire, Weyse, Wilkinson, and Mr. Speaker—50.

NOES—None.

Title read and approved.

Senate Bill No. 504—An Act making an appropriation to pay the unpaid claims for bounty on coyote scalps.

Mr. Cutter moved to amend as follows:

By inserting the following at the end of section one: "But no such claim shall be paid out of said appropriation except the same shall be first examined, audited, and allowed by the State Board of Examiners, which Board is hereby directed to make full investigation into the same."

Adopted.

Ordered to printer and third reading.

Senate Bill No. 369—An Act to amend an Act entitled 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 collections 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

Read second time, and ordered to third reading.

Senate Bill No. 100—An Act providing for the relief of John J. Conlin, directing the Board of Supervisors of the City and County of San Francisco to order paid to said Conlin, his assigns or legal representatives, the sum of sixty-one thousand five hundred and seventy-seven dollars, and directing the Auditor of said city and county to audit the demand of said Conlin for said sum, and issue his warrant therefor; and the Treasurer of said city and county to pay said warrant.

Read second time, and ordered to third reading.

Senate Bill No. 195—An Act providing for the removal of human remains from cemeteries, in cities having a population of less than five thousand and more than one thousand five hundred.

Read second time, and ordered to third reading.

Senate Bill No. 462—An Act to prevent evil-disposed persons from coming upon the grounds of the Whittier State School, at Whittier, California.

Read second time, and ordered to third reading.

Senate Bill No. 519—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 fifty-one thereof, relative to the officers of municipal corporations of the sixth class.

Mr. Davis moved to amend as follows:

By striking out of section one, line eight, the words "this Act shall take effect from and after its passage," and inserting the following:

"SEC. 2. Section eight hundred and fifty-five of said Act is hereby amended so as to read as follows:

"Section 855. The members of the Board of Trustees shall receive no compensation whatever except while acting as a Board of Equalization, which shall not exceed for all services rendered in any one year the sum of fifty dollars, and not exceeding five dollars per day for the time actually employed. The Clerk, Treasurer, Marshal, and Recorder shall severally receive, at stated times, a compensation to be fixed by ordinance by the Board of Trustees, which compensation shall not be increased or diminished after their election or during their several terms of office. Nothing herein contained shall be construed to prevent the Board of Trustees from fixing such several amounts of compensation in the first instance during the term of office of any such officer, or after his election. The compensation of all other officers shall be fixed from time to time by the Board of Trustees.

"SEC. 3. This Act shall take effect from and after its passage."

Lost.

Senate Bill No. 519 ordered to third reading.

Senate Bill No. 183—An Act to amend section one thousand seven hundred and thirty-six of the Code of Civil Procedure, relating to a report as to the condition of the estate.

Read second time, and ordered to third reading.

Senate Bill No. 184—An Act to amend section one thousand seven hundred and thirty-five of the Code of Civil Procedure, relating to the

accounts, decrees of distribution, and termination of letters of administration.

Read second time, and ordered to third reading.*

Senate Bill No. 467—An Act to amend section three thousand six hundred and seventy-eight of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the annual preparation of an abstract of all mortgages, deeds of trust, contracts, and other obligations by which any debt is secured.

Passed, to retain its place on file.

Senate Bill No. 201—An Act to provide against the adulteration of food and drugs.

Read second time.

Mr. Hatfield moved to amend as follows:

By striking out of section three, lines nineteen to twenty-two, the words: "*provided*, that the provisions of this Act shall not apply to mixtures or compounds recognized as ordinary articles or ingredients of articles of food, if each and every package sold or offered for sale be distinctly labeled as mixtures or compounds, with the name and per cent of each ingredient therein, and are not injurious to health," and inserting the following: "*provided*, that nothing in this Act shall be construed as requiring or compelling proprietors or manufacturers of proprietary medicines or articles of food to disclose their trade formulas."

Lost.

Senate Bill No. 201 ordered to third reading.

Senate Bill No. 281—An Act to add a new section to the Political Code, to be known and designated as section three thousand and twenty-two and one half, relating to the erection, furnishing, maintenance, and government of hospitals and homes for inebriates in counties, and cities and counties, of this State, where land has heretofore been reserved and set apart for said purpose; to provide for the commitment of dipsomaniacs and inebriates thereto; and also to repeal an Act entitled "An Act relating to the Home of the Inebriate of San Francisco, and to prescribe the powers and duties of the Board of Managers and the officers thereof," approved April 1, 1870, and all Acts and parts of Acts in conflict with the provisions of this Act.

Read second time, and ordered to third reading.

Senate Bill No. 229—An Act to provide an official stenographic reporter to the Coroner of each county, or city and county, having one hundred thousand or more inhabitants, and providing the mode in which such reporter shall be appointed, and establishing the compensation and prescribing the duties of such reporter.

Read second time, and ordered to third reading.

Senate Bill No. 152—An Act making an appropriation for the construction of a cement floor in the basement of the State Normal School building at Chico.

Read second time.

Senate Bill No. 151—An Act making an appropriation for a fence in front of the grounds of the State Normal School at Chico.

Refused second reading.

Senate Bill No. 150—An Act making an appropriation for the erection of an additional building for the State Normal School at Chico.

Refused second reading.

Senate Bill No. 570—An Act to amend sections five hundred and thirty-one and five hundred and thirty-two of the Political Code, and section ninety-nine of the Penal Code, of the State of California, relative

to the duties and qualifications of the Superintendent of State Printing of said State.

Read second time, and ordered to third reading.

Senate Bill No. 6—An Act making an appropriation to pay the deficiencies in the appropriation for costs and expenses of suits in which the State is a party in interest, for the thirty-fifth, thirty-sixth, thirty-seventh, thirty-eighth, thirty-ninth, and fortieth fiscal years.

Read second time.

Senate Bill No. 325—An Act to provide for the appointment and salary of an elevator attendant, and to make an appropriation therefor.

Refused second reading.

Senate Bill No. 417—An Act appropriating the sum of six thousand dollars for tiling the first floor of the State Capitol.

Read second time.

MOTION.

Mr. Brusie moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bills Nos. 152, 6, and 417.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Lynch in the chair.

Senate Bills Nos. 152, 6, and 417 were considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Lynch 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 following bills, viz:

Senate Bill No. 152—An Act making an appropriation for the construction of a cement floor in the basement of the State Normal School building at Chico.

Also: Senate Bill No. 6—An Act making an appropriation to pay the deficiencies in the appropriation for costs and expenses of suits in which the State is a party in interest, for the thirty-fifth, thirty-sixth, thirty-seventh, thirty-eighth, thirty-ninth, and fortieth fiscal years.

Also: Senate Bill No. 417—An Act appropriating the sum of six thousand dollars for tiling the first floor of the State Capitol.

And now report, and recommend that the same do pass.

LYNCH, Chairman.

Adopted.

Senate Bills Nos. 152, 6, and 417 ordered to third reading.

Senate Constitutional Amendment No. 3—A resolution to propose to the people of the State of California an amendment to article thirteen of the Constitution, section one, relative to revenue and taxation.

Passed, to retain its place on file.

Senate Constitutional Amendment No. 16—A resolution proposing to the people of the State an amendment to section one of article thirteen of the Constitution, relative to exemptions from taxation.

Passed, to retain its place on file.

Senate Bill No. 772—An Act to establish a Police Court in and for the city of Eureka.

Read second time, and ordered to third reading.

Senate Bill No. 42—An Act to amend an Act entitled "An Act to provide a system of street improvement bonds to represent certain assessments for the cost of street work and improvement within municipalities, and also for the payment of such bonds," approved February 27, 1893.

Read second time, and ordered to third reading.

Senate Bill No. 514—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.

Read second time, and ordered to third reading.

Senate Bill No. 331—An Act making an appropriation for the payment of R. J. Broughton, for conveyance of Anna Campbell, an insane person, to the Napa Insane Asylum.

Read second time.

Senate Bill No. 119—An Act to reduce the number of Judges of the Superior Court of the county of Fresno from three to two.

Read second time, and transmitted to Senate for proper engrossment.

Senate Bill No. 148—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.

MOTIONS.

Mr. Brusie moved that the hour for consideration of Senate special file be continued ten minutes.

So ordered.

Mr. Brusie moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bills Nos. 148 and 331.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Lynch in the chair.

Senate Bills Nos. 148 and 331 were considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Lynch 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 following bills, viz:

Senate Bill No. 331—An Act making an appropriation for the payment of R. J. Broughton, for conveyance of Anna Campbell, an insane person, to the Napa Insane Asylum.

Also: Senate Bill No. 148—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.

And now report, and recommend that they do pass.

LYNCH, Chairman.

Report adopted.

Senate Bills Nos. 148 and 331 ordered to third reading.

MOTION.

Mr. Laugenour moved that the time for consideration of Senate special file be continued five minutes.

So ordered.

Senate Bill No. 607—An Act for the appointment of a guardian for Sutter's Fort property, prescribing his duties and appropriating money therefor.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Bachman, Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Boothby, Brusie, Bulla, Coleman, Collins, Cutter, Dale, Devine, Dixon, Dodge, Dunbar, Guy, Hall, Hatfield, Johnson, Jones, Keen, Kelsey, Kenyon, Laird, Laugenour, Meads, North, Osborn, Pendleton, Powers, Reid, Robinson, Staley, Swisler, Thomas, Tibbits, Wade, Waymire, Weyse, and Mr. Speaker—43

NOES—Messrs. Bledsoe, Coghlin, Davis, Devitt, Healey, McCarthy, Price, and Spencer—8.

MOTION.

Mr. Thomas moved the reconsideration of the vote whereby Assembly Bill No. 695 was on yesterday passed.

The question being on the reconsideration.

The roll was called, and pending the announcement of the result, Mr. Thomas moved that absentees be called.

Motion lost.

The result of the roll call was announced, and the Assembly refused to reconsider by the following vote:

AYES—Messrs. Barker, Berry, Bettman, Boothby, Coghlin, Devine, Devitt, Dodge, Glass, Healey, Laugenour, Lewis, McCarthy, Powers, Swisler, Thomas, Twigg, Wade, Wilkinson, and Zocchi—20.

NOES—Messrs. Bachman, Bassford, Belshaw, Bennett, Bledsoe, Brusie, Coleman, Collins, Dale, Davis, Dixon, Dunbar, Ewing, Guy, Hall, Hatfield, Hudson, Johnson, Jones, Keen, Kenyon, McKelvey, Merrill, Nelson, Osborn, Phelps, Price, Reid, Robinson, Rowell, Sanford, Spencer, Staley, Waymire, and Weyse—35

Mr. Coleman moved that Assembly Bill No. 695 be immediately transmitted to the Senate.

So ordered.

REPORT OF COMMITTEE ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 1, 1895.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following bills have been correctly engrossed, viz: Assembly Bill No 960—An Act to amend sections two thousand six hundred and thirty-three, 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 fifty, two thousand seven hundred and eleven, and two thousand seven hundred and sixteen of the Political Code of the State of California, and to add three new sections to said Code, to be known as sections two thousand six hundred and forty, two thousand six hundred and forty-four, and two thousand seven hundred and ten, relating to highways, and the powers and duties of highway officers.

Also: Assembly Bill No. 140—An Act to amend section three hundred and twenty-four of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to the transfer of shares of stock of corporations, and making the shares of corporations engaged in certain business transferable as appurtenances to real property.

Also: Assembly Bill No. 669—An Act prescribing how judgments, which may be recovered against any city and county of over one hundred thousand population, shall be paid.

Also: Assembly Bill No. 418—An Act to appropriate seven thousand five hundred dollars as compensation to Julius A. Hult, a private in Company C, First Regiment Infantry, Second Brigade, N. G. C., for injuries sustained while in active service.

Also: Assembly Bill No. 739—An Act authorizing an increase of the police force of cities of the State having a population of over one hundred thousand population.

Also: Assembly Bill No. 47—An Act to pay the claim of Mary M. Springer, the widow and heir of Thomas A. Springer, late State Printer, deceased

Also: Assembly Bill No. 335—An Act to add a new article to chapter one of title two, part three, of the Political Code of the State of California, to be known and designated as article four, and to add six new sections, to be known and designated as sections one thousand and seventy-five, one thousand and seventy-six, one thousand and seventy-seven, one thousand and seventy-eight, one thousand and seventy-nine, and one thousand and eighty, relative to county, city, and city and county Boards of Election Commissioners.

Also: Assembly Bill No. 389—An Act entitled an Act to amend sections one thousand one hundred and forty-two, one thousand one hundred and ninety-two, one thousand one hundred and ninety-nine, one thousand two hundred and three, one thousand two hundred and four, one thousand two hundred and seven, one thousand two hundred and eight, one thousand two hundred and eleven, and one thousand two hundred and fifty-eight of the Political Code, relating to elections.

WILKINSON, Chairman

MOTION.

Mr. North moved the reconsideration of the vote whereby Senate Bill No. 8 was on yesterday refused final passage.

PREVIOUS QUESTION.

Pending the consideration of the motion, Mr. Dodge moved the previous question.

The question being, "Shall the main question be now put?"

So ordered.

Motion to reconsider lost.

MOTION.

Mr. Dodge moved that Assembly Bill No. 114 be now considered.

So ordered.

Assembly Bill No. 114—An Act to prevent the display of foreign flags on public buildings in this State.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Bachman, Barker, Basford, Belshaw, Bennett, Berry, Bettman, Bledsoe, Boothby, Brusie, Bulla, Cargill, Coghlin, Collins, Cutter, Dale, Davis, Devine, Dixon, Dodge, Dunbar, Ewing, Fassett, Gay, Glass, Guy, Hall, Hatfield, Healey, Holland, Hudson, Johnson, Jones, Kelsey, Kenyon, Laird, Laugenour, Lewis, Meads, McKelvey, Merrill, Nelson, North, O'Day, Osborn, Pendleton, Phelps, Powers, Price, Reid, Richards, Rowell, Sanford, Spencer, Staley, Swisler, Thomas, Tomblin, Wade, Waymire, Weyse, Zocchi, and Mr. Speaker—63

NOES—None

Title read and approved.

MOTION.

Mr. Brusie moved that all attachés and employés be excused from roll call.

So ordered.

SPECIAL ORDER.

Assembly Bill No. 960—An Act to amend sections two thousand six hundred and thirty-three, 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 fifty, two thousand seven hundred and eleven, and two thousand seven hundred and sixteen of the Political Code of the State of California, and to add three new sections to said Code, to be known as sections two thousand six hundred and forty, two thousand six hundred and forty-four, and two thousand seven hundred and ten, relating to highways and the powers and duties of highway officers.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Bachman, Bassford, Belshaw, Bennett, Bledsoe, Boothby, Bulla, Coghlin, Collins, Cutter, Dale, Davis, Devine, Devitt, Dixon, Dunbar, Ewing, Fassett, Glass, Guy, Hall, Holland, Hudson, Johnson, Keen, Kenyon, Laugenour, Lewis, Laird, Merrill, Nelson, North, O'Day, Pendleton, Phelps, Price, Reid, Richards, Rowell, Sanford, Spencer, Staley, Swisler, Thomas, Tomblin, Twigg, Weyse, Wilkinson, and Mr. Speaker—49.

NOES—Messrs. Barker, Berry, Cargill, Hatfield, Healey, Kelsey, Meads, McKelvey, Osborn, Powers, Wade, Waymire, and Zocchi—13.

Title read and approved.

Mr. Swisler moved that Assembly Bill No. 960 be immediately transmitted to the Senate.

So ordered.

Assembly Bill No. 627—An Act to amend sections three thousand and nine and three thousand and ten, and to repeal sections three thousand and four, three thousand and thirteen, three thousand and fourteen, three thousand and fifteen, three thousand and sixteen, three thousand and seventeen, three thousand and eighteen, three thousand and nineteen, three thousand and twenty, and three thousand and twenty-nine of the Political Code of California, relating to quarantine at the port of San Francisco.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Bachman, Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Bledsoe, Bulla, Coleman, Collins, Cutter, Dale, Davis, Dodge, Dunbar, Gay, Guy, Hall, Hatfield, Holland, Johnson, Keen, Kelsey, Kenyon, Laugenour, Meads, McKelvey, North, Pendleton, Phelps, Powers, Reid, Rowell, Spencer, Staley, Swisler, Tomblin, Wade, Waymire, Weyse, and Mr. Speaker—43.

NOES—Messrs. Coghlin, Devine, Glass, Healey, Lewis, McCarthy, Merrill, O'Day, Price, Thomas, Wilkins, and Zocchi—12.

Title read and approved.

At four o'clock and thirty-five minutes P. M., on motion of Mr. McKelvey, the Assembly took a recess until 7:30 P. M.

REASSEMBLED.

The Assembly reassembled at seven o'clock and thirty minutes P. M.
Speaker Lynch in the chair.

Quorum present.

URGENCY FILE.

Assembly Bill No. 412—An Act entitled an Act relating to the duties of the State Board of Examiners, providing for the examination, investigation, and inspection, and inquiry into, by said State Board of Examiners, of the books, vouchers, papers, property, and premises, and the general conduct, management, and affairs of all State institutions, commissions, boards, and offices, and providing for the production of the papers, vouchers, books, and property necessary for such examination, and for the defraying of the expenses thereof by said Board of Examiners.

Read second time.

Assembly Bill No. 254—An Act to appropriate money for the payment of the claim of Chas. A. Hiett, for the arrest of William B. Coup, in pursuance of the reward offered therefor by the Governor of the State of California.

Read second time.

MOTION.

Mr. Pendleton moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Assembly Bills Nos. 412 and 254.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Lynch in the chair.

Assembly Bills No. 412 and 254 were considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Lynch 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 following bills, viz.:

Assembly Bill No. 412—An Act entitled an Act relating to the duties of the State Board of Examiners, providing for the examination, investigation, and inspection, and inquiry into, by said State Board of Examiners, of the books, vouchers, papers, property, and premises, and the general conduct, management, and affairs of all State institutions, commissions, boards, and offices, and providing for the production of the papers, vouchers, books, and property necessary for such examination, and for the defraying of the expenses thereof by said Board of Examiners.

Also: Assembly Bill No. 254—An Act to appropriate money for the payment of the claim of Chas. A. Hiett, for the arrest of William B. Coup, in pursuance of the reward offered therefor by the Governor of the State of California.

And now report, and recommend that the same do pass.

LYNCH, Chairman.

Adopted.

Assembly Bills Nos. 412 and 254 ordered to engrossment and third reading.

ASSEMBLY JOINT RESOLUTION No. 9.

Joint resolution relative to requesting Congress to so amend the laws granting certain arid lands to the States, and to permit the State of California to reclaim such lands and retain the ownership thereof, for the purpose of constituting a permanent endowment of the public schools and the State University.

WHEREAS, The Congress of the United States, by section four of an Act approved August eighteenth, eighteen hundred and ninety-four, entitled "An Act making provisions for sundry civil expenses of the Government for the fiscal year ending June thirtieth, eighteen hundred and ninety-five, and for other purposes," granted to each of the States in which there may be situated desert lands, as defined by law, not exceeding one million of acres in each State, for the purpose of aiding and reclaiming the said lands, by the terms of which Act the State in which said lands are situated is authorized to make application by filing with the Secretary of the Interior a map of the lands to be retained, together with a plan showing the mode of contemplated irrigation, and the Secretary of the Interior is required to issue patents to the State for said lands when reclaimed and settled in tracts not exceeding one hundred and sixty acres for one person; and whereas, the said Act requires said lands to be sold and the proceeds of such sale to be applied to the reclamation of such lands, and whereas, there are in said State of California fully one million acres of arid lands, now worthless, which if reclaimed would be of the value of one hundred million dollars, or more, and the same could be reclaimed by the State at a reasonable cost, and after being reclaimed could be made a permanent endowment for the public schools and University of the State, creating therefor an annual rental and net income equal to several millions of dollars per annum, thus constituting a perpetual revenue sufficient to sustain the State University and schools for the education of future generations; now, therefore, be it

Resolved by the Assembly, the Senate concurring, That our Senators in Congress be instructed, and our Representatives be requested, to urge the Congress of the United States to so amend the law aforesaid as to permit the State of California to reclaim the said lands and retain the ownership thereof for the purpose of constituting an endowment for the schools and University, applying the annual rentals of said lands to the support of said schools.

Read, and placed upon its passage.

The question being on the adoption of Assembly Joint Resolution No. 9.

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

AYES—Messrs. Barker, Bassford, Belshaw, Bennett, Brusie, Butler, Coleman, Cutter, Davis, Devitt, Dinkelspiel, Dixon, Dunbar, Ewing, Gay, Guy, Hall, Hatfield, Hudson, Keen, Kenyon, McCarthy, McKelvey, Merrill, Nelson, North, Osborn, Phelps, Price, Rowell, Spencer, Staley, Stansell, Swisler, Tibbits, Wade, Waymire, Weyse, Zocchi, and Mr. Speaker—41.

NOES—Messrs. Bettman, Bledsoe, Boothby, Bulla, Coghlin, Dale, Devine, Dodge, Glass, Holland, Huber, Jones, Kelsey, Laird, Laugenour, Lewis, Reid, Robinson, Sanford, Thomas, and Twigg—21.

Assembly Bill No. 592—An Act to amend sections one thousand six hundred and seventy and one thousand six hundred and seventy-one of the Political Code, relating to high schools.

Read second time.

The following amendments were submitted:

AMENDMENT No. 1.

In subdivision tenth of section one thousand six hundred and seventy, line ninety-one, printed bill, strike out the word "respective."

Adopted.

AMENDMENT No. 2

In subdivision twelfth, in line one hundred and nine, section one thousand six hundred and seventy, substitute for the word "studies" the word "study."

Adopted.

AMENDMENT No. 3.

In subdivision fifteenth of section one thousand six hundred and seventy, after the word "made," in line one hundred and thirty-four, insert the words "and submitted."

Adopted.

AMENDMENT No. 4.

In subdivision fifteenth, section one thousand six hundred and seventy, after the word "authorities," in line one hundred and thirty-five, insert the words "whose duty it is to levy taxes."

Adopted.

AMENDMENT No. 5.

In subdivision fifteenth, section one thousand six hundred and seventy, line one hundred and thirty-seven, strike out the remainder of the line after the first word "sufficient," and insert the words "in amount to maintain the high school."

Adopted.

AMENDMENT No. 6.

After the word "proposition," in line one hundred and sixty-five of subdivision twentieth, section one thousand six hundred and seventy of the bill, add the following words: "*provided further*, that in counties where one or more city high schools, district high schools, or union district high schools are maintained, the Board of Supervisors shall, upon the petition of two thirds of the heads of families in the city high school district, district high school district, and in each school district composing the union high school district or districts, if there be more than one in the county, submit to all the qualified electors of the county the question of establishing and maintaining a county high school, and shall take such further steps as provided in section one thousand six hundred and seventy-two of this Act, relating to high schools. If the majority of all the votes cast on the proposition to establish a county high school are in the affirmative, the Board of Supervisors shall, upon the establishment of the same, declare the high school or high schools existing in the county at the time of the election for a county high school, to be lapsed, and the property of such lapsed high school or schools shall be held or sold by the Board of Supervisors for the benefit of the county high school."

Adopted.

AMENDMENT No. 7.

In subdivision eighth, line sixty-seven, after "districts" insert the words "composed of more than two school districts."

Adopted.

AMENDMENT No. 8.

In line seventy-two, same subdivision, after the words "composing the" insert the word "union."

Adopted.

AMENDMENT No. 9.

In the same line, seventy-two, strike out the word "alphabetically."

Adopted.

AMENDMENT No. 10.

In line seventy-three, same subdivision, after the word "number" insert the words "of school districts."

Adopted.

AMENDMENT No. 11.

In line seventy-three, same subdivision, after the word "possible" insert the following: "To be designated by him as Class A, B, and C, respectively. At the first annual school election following the passage of this Act, the districts in Class A, as above divided and designated, shall each elect a High School Trustee for one year; the districts in Class B shall each elect a High School Trustee for two years; the districts in Class C shall each elect a High School Trustee for three years." Strike out the remainder of line seventy-three, section one thousand six hundred and seventy, and all of lines seventy-four, seventy-five, seventy-six, seventy-seven, and seventy-eight.

Adopted.

AMENDMENT No. 12.

In line seventy-nine, section one thousand six hundred and seventy of the printed bill, after the word "thereafter" insert the words "as terms of office expire."

Adopted.

AMENDMENT No. 13.

In line eighty, section one thousand six hundred and seventy, after the words "in case of" insert the words "expiration of term of."

Adopted.

AMENDMENT No. 14.

In line two hundred and ten, paragraph three of subdivision twenty-fifth, section one thousand six hundred and seventy, strike out the words "such estimate" and insert the words "the amount."

Adopted.

AMENDMENT No. 15.

In lines two hundred and thirteen and two hundred and fourteen of paragraph four, same subdivision, strike out the words "raise the amount estimate as provided," and insert the words "maintain the high school."

Adopted.

AMENDMENT No. 16.

In line forty-five, subdivision sixth, section one thousand six hundred and seventy-one of the bill, strike out the words "or courses," and after the word "shall," strike out the remainder of line forty-five and the whole of lines forty-six and forty-seven, inserting in lieu thereof the words "embrace a period not less than three years, and it will be such as will prepare graduates therein for admission to the State University."

Adopted.

AMENDMENT No. 17.

Insert between lines eighty-three and eighty-four of the printed bill, the following: "The Trustees serving on Union High School Boards composed of more than two school districts at the time of the passage of this Act, shall hold until their successors are elected and shall qualify under the provisions of this Act. In the formation of new union high school districts the representatives selected according to the provisions of subdivision six of this section shall constitute the Union High School Board until their successors are elected, or appointed, and qualified, as provided in this Act."

Adopted.

AMENDMENT No. 18.

In line forty-nine, subdivision seven of section one thousand six hundred and seventy-one of the bill, strike out the words "the minimum amount estimated by the County Board of Education, as needed to pay the expenses of conducting," and insert in lieu thereof the following: "an amount sufficient to maintain."

Adopted.

AMENDMENT No. 19.

In subdivision eleventh, section one thousand six hundred and seventy-one, line seventy-four, strike out "ninety-three," and insert "ninety-five."

Adopted.

Mr. Fassett moved to amend as follows:

By striking out of section one, line one hundred and forty-five, the words "refuse or neglect," and inserting the following: "fail."

Adopted.

Mr. Belshaw moved to amend as follows:

By inserting in section one, line twenty-seven, after the word "more," the word "contiguous."

Adopted.

Mr. Fassett moved to amend as follows:

By inserting in line one hundred and thirteen, subdivision twelfth of section one, after the words "State University," the following: "The High School Board may prescribe an additional course, or additional courses of study, subject to the approval as hereinbefore provided"

Adopted.

Also: Amend by striking out of section one, line one hundred and forty-one, the words "refuse or neglect," and inserting the following: "fail."

Adopted.

Ordered to printer and third reading.

Assembly Bill No. 652—An Act to amend sections one thousand nine hundred and seventeen, one thousand nine hundred and eighteen, and one thousand nine hundred and nineteen, and to repeal section one thousand nine hundred and twenty of the Civil Code, all relating to the rate of interest.

The question being on the substitute offered by Mr. Bledsoe as an amendment to section one, as follows:

Strike out section one of original bill and insert in lieu thereof the following:

"SECTION 1 That the rate of interest in this State, unless there is an expressed contract in writing fixing a different rate, shall be six per cent per annum and no more, on all moneys after the same come due; on judgments and decrees for the payment of money; on money received to the use of another detained from him; on money due upon the settlement of matured accounts from the day the balance is ascertained; and on money due, or to become due, where there is a contract to pay interest and no rate specified."

Mr. Bettman moved that the substitute be laid upon the table.

Ayes and noes demanded by Messrs. Bledsoe, Laird, and Spencer.

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

AYES—Messrs. Berry, Bettman, Laird, Laugenour, Lewis, Meads, Reid, Richards, Swisler, Tibbits, and Twigg—11.

NOES—Messrs. Bassford, Belshaw, Bennett, Bledsoe, Boothby, Bulla, Butler, Coghlin, Coleman, Collins, Cutter, Dale, Davis, Devine, Devitt, Dinkelspiel, Dixon, Dodge, Dunbar, Ewing, Fasset, Glass, Hall, Hatfield, Holland, Hudson, Johnson, Jones, Keen, Kenyon, McCarthy, McKelvey, Merrill, Nelson, North, Osborn, Phelps, Price, Robinson, Rowell, Sanford, Spencer, Staley, Stansell, Thomas, Wade, Waymire, Weyse, and Wilkinson—49.

POINT OF ORDER.

Mr. Davis arose to a point of order, that the substitute was not germane to the question.

The Speaker decided the point well taken.

Mr. Bettman moved to amend as follows:

By striking out of section one, line six, the word "six," and inserting the word "seven"

Lost.

Mr. Bledsoe moved to amend as follows:

By striking out of section two, line four, the word "ten," and inserting the word "eight."

Mr. Laird moved to amend the amendment as follows: .

By striking out of section two, lines three and four, the words "not in excess of ten per cent per annum."

PREVIOUS QUESTION.

Pending the consideration of the amendment offered by Mr. Laird, Mr. North moved the previous question, seconded by Messrs. Butler and North.

The question being, "Shall the main question be now put?"

The ayes and noes were demanded by Messrs. Bledsoe, Laird, and North.

The roll was called, and the amendment offered by Mr. Laird lost by the following vote:

AYES—Messrs. Belshaw, Berry, Bettman, Brusie, Cargill, Cutter, Davis, Dinkelspiel, Fassett, Gay, Glass, Hudson, Laird, Laugenour, Lewis, Meads, Phelps, Powers, Reid, Robinson, Rowell, Stansell, Swisler, Thomas, Tibbits, and Mr. Speaker—26.

NOES—Messrs. Bassford, Bennett, Bledsoe, Bulla, Butler, Coghlin, Coleman, Collins, Dale, Devine, Devitt, Dixon, Dodge, Dunbar, Ewing, Guy, Hall, Hatfield, Healey, Holland, Johnson, Jones, Keen, Kenyon, McCarthy, McKelvey, Merrill, North, Osborn, Pendleton, Price, Richards, Sanford, Spencer, Staley, Twigg, Wade, Waymire, and Weyse—39.

The question now being upon Mr. Bledsoe's amendment.

The ayes and noes were demanded by Messrs. Bledsoe, Kenyon, and Laird.

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

AYES—Messrs. Bassford, Bennett, Bledsoe, Coghlin, Collins, Devine, Devitt, Dodge, Dunbar, Ewing, Hall, Healey, Holland, Johnson, Kenyon, McCarthy, McKelvey, Nelson, Osborn, Richards, Robinson, Sanford, Spencer, Staley, Stansell, and Twigg—26.

NOES—Messrs. Barker, Belshaw, Berry, Bettman, Brusie, Bulla, Butler, Cargill, Coleman, Cutter, Dale, Davis, Dinkelspiel, Dixon, Fassett, Gay, Glass, Guy, Hatfield, Hudson, Jones, Keen, Kelsey, Laird, Laugenour, Lewis, Meads, Merrill, North, Pendleton, Phelps, Powers, Price, Reid, Rowell, Swisler, Thomas, Tibbits, Wade, Waymire, Weyse, and Mr. Speaker—43.

Assembly Bill No. 652 was ordered to engrossment and third reading.

Assembly Bill No. 283—An Act to amend sections, three, four, five, seven, nine, ten, eleven, thirteen, fourteen, fifteen, sixteen, and twenty-three of an Act entitled "An Act creating a Board of Bank Commissioners, and prescribing their duties and powers," approved March 30, 1878, and as amended by an Act approved March 10, 1887, and to add three new sections thereto, to be numbered twenty-four, twenty-five, and twenty-six.

Mr. Bulla moved that Assembly Bill No. 283 be withdrawn and Assembly Bill No. 827 be substituted therefor.

So ordered.

Assembly Bill No. 827—An Act to amend section one thousand one hundred and eighty-nine of the Civil Code, relating to the acknowledgment of instruments.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 316—An Act to add certain sections to the Political Code, providing for the establishment and maintenance of high schools.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Brusie, Coleman, Dunbar, Ewing, Hall, Hatfield, Holland, Jones, McKelvey, Nelson, Phelps, Staley, Wade, and Weyse—16.

NOES—Messrs. Bassford, Belshaw, Bennett, Berry, Bettman, Boothby, Bulla, Butler, Cargill, Coghlin, Collins, Cutter, Davis, Devine, Devitt, Dinkelspiel, Dixon, Fassett, Gay, Glass, Guy, Healey, Hudson, Johnson, Keen, Kelsey, Kenyon, Laird, Lewis, Meads, McCarthy, Merrill, North, Osborn, Pendleton, Powers, Price, Reid, Richards, Robinson, Rowell, Sanford, Spencer, Swisler, Thomas, Twigg, Waymire, Wilkinson, and Zocchi—49.

NOTICE OF RECONSIDERATION.

Mr. Waymire gave notice that on next legislative day he would move to reconsider the vote whereby Assembly Bill No. 316 was this day refused passage.

Assembly Bill No. 882—An Act to amend section four hundred and eighty-nine, and to repeal section four hundred and ninety of the Civil Code, in relation to railroad rates of charges and railroad tickets.

MOTION.

Mr. Laugenour moved that Mr. Brusie be allowed five minutes further time to discuss Assembly Bill No. 882.

So ordered.

PREVIOUS QUESTION.

Mr. Bettman moved the previous question, seconded by Messrs. Laugenour and Meads.

The question being, "Shall the main question be now put?"

So ordered.

The question now being, "Shall the bill be read a second time?"

The ayes and noes were demanded by Messrs. Wade, Dodge, and Reid.

The roll was called, and the bill ordered read second time by the following vote:

AYES—Messrs. Bassford, Berry, Bettman, Boothby, Brusie, Bulla, Butler, Cargill, Coghlin, Cutter, Davis, Devine, Devitt, Dunkelspiel, Dixon, Gay, Guy, Hall, Hatfield, Healey, Hudson, Kelsey, Kenyon, Laird, Laugenour, Lewis, Meads, McCarthy, McKelvey, Merrill, Pendleton, Phelps, Powers, Price, Richards, Swisler, Thomas, Twigg, Weyse, Wilkinson, Zocchi, and Mr. Speaker—42.

NOES—Messrs. Barker, Belshaw, Bennett, Bledsoe, Coleman, Collins, Dale, Dodge, Dunbar, Ewing, Fassett, Glass, Holland, Johnson, Jones, Keen, Nelson, North, Osborn, Reid, Robinson, Rowell, Sanford, Spencer, Staley, Wade, and Waymire—27.

At ten o'clock and twenty minutes P. M. Mr. Reid moved to adjourn.
Lost.

Assembly Bill No. 882 was read second time.

Mr. Bledsoe moved to amend as follows:

By striking out all after the word "railroad" in line eleven, and inserting the following: "Every such ticket entitles the holder thereof to ride on their passenger cars to the station or depot of destination, or any intermediate station, and from any intermediate station to the depot of destination designated in the ticket, at any time within six months thereafter. Any corporation failing so to provide and furnish tickets, or refusing the passage which the same calls for when sold, must pay to the person so refused the sum of two hundred dollars."

PREVIOUS QUESTION.

Mr. Powers moved the previous question, seconded by Messrs. Cutter and Kelsey.

The question being, "Shall the main question be now put?"

So ordered.

The question being on the adoption of the amendment offered by Mr. Bledsoe.

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

AYES—Messrs. Barker, Belshaw, Bennett, Bledsoe, Bulla, Coleman, Dale, Dinkelspiel, Dodge, Dunbar, Ewing, Fassett, Glass, Holland, Johnson, Jones, Keen, Nelson, North, Osborn, Reid, Robinson, Rowell, Sanford, Spencer, Staley, Wade, and Waymire—28.

NOES—Messrs. Bassford, Berry, Bettman, Boothby, Brusie, Butler, Cargill, Coghlin, Collins, Cutter, Davis, Devine, Devitt, Dixon, Gay, Guy, Hall, Hatfield, Healey, Hudson, Kelsey, Kenyon, Laird, Laugenour, Lewis, Meads, McCarthy, McKelvey, Merrill, Pendleton, Phelps, Powers, Price, Richards, Swisler, Thomas, Twigg, Weyse, Wilkinson, Zocchi, and Mr. Speaker—41.

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

Lost.

Assembly Bill No. 882 ordered to engrossment and third reading.

ADJOURNMENT.

At ten o'clock and thirty minutes P. M., on motion of Mr. Brusie, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Saturday, March 2, 1895. }

The Assembly met pursuant to adjournment.

Speaker Lynch in the chair.

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

Messrs. Bachman, Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Bledsoe, Boothby, Bulla, Butler, Coghlin, Coleman, Collins, Cutter, Dale, Davis, Devine, Devitt, Dinkelspiel, Dixon, Dodge, Dunbar, Ewing, Fassett, Gay, Glass, Guy, Hall, Hatfield, Healey, Holland, Huber, Hudson, Johnson, Jones, Keen, Kelsey, Kenyon, Laird, Lauge-nour, Lewis, Meads, McCarthy, McKelvey, Merrill, Nelson, North, Osborn, Pendleton, Phelps, Powers, Price, Reid, Richards, Robinson, Rowell, Sanford, Spencer, Stansell, Thomas, Tibbits, Twigg, Wade, Waymire, Weyse, Wilkinson, Zocchi, and Mr. Speaker.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. O. Summers.

READING OF THE JOURNAL.

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

So ordered.

LEAVE OF ABSENCE.

Messrs. Nelson, Richards, Freeman, Llewellyn, Ash, and Lewis were granted leave of absence for the day.

Messrs. Powers, McCarthy, Collins, Zocchi, Devine, and Gay were granted leave of absence (after two o'clock and thirty minutes P. M.) for the day.

Mr. Tomblin was granted leave of absence until Monday.

PETITIONS.

By Mr. Waymire: Citizens' petition by voters of the State, asking that a non-partisan commission be appointed, with authority to hold a public investigation, summon witnesses, and require the production of

books, papers, and testimony, in relation to frauds committed against the ballot and the corruption of officials.

By Mr. Bachman: Petition of citizens of Fresno County, Cal., asking that if any change be made in relation to the present law in regard to the practice of veterinary medicine and surgery, that all those who have been engaged in the practice of this profession for a period of five years, be permitted to register their names with the County Recorder, and continue the practice without further certificate.

Referred to Committee on Agriculture.

Also: From citizens of Belleview, Madera County, Cal., protesting against the bill to abolish the State Mining Bureau, and requesting their representatives to use every endeavor to defeat the bill.

Referred to Committee on Mines and Mining.

By Mr. Bulla: Petition by two thousand five hundred citizens of Los Angeles County, asking that every honorable effort be used to secure the passage of a bill authorizing and enabling counties to build railroads upon the basis of the plan known as the Cincinnati plan, as unanimously adopted at a public meeting held at the Chamber of Commerce February 22, 1895.

Referred to Committee on Corporations.

By Mr. Johnson: Petition of residents and taxpayers of the Ninth Agricultural District asking that the agricultural district fairs be continued as at present.

Referred to Committee on Agriculture.

By Mr. Bachman: Petition of voters and Notaries Public of the counties of Fresno and Madera, asking the representatives in the Legislature to oppose, both by vote and influence, the passage of Assembly Bill No. 191, and any other measure looking to a reduction of notarial fees.

Referred to Committee on Judiciary.

REPORTS OF STANDING COMMITTEES.

ON EDUCATION

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1895.

MR. SPEAKER: Your Committee on Education, to whom was referred Senate Bill No. 687—An Act to amend section one thousand eight hundred and eighty of the Political Code of California, relating to public schools—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

JOHNSON, Chairman.

SAN FRANCISCO DELEGATION.

ASSEMBLY CHAMBER, SACRAMENTO, March 1, 1895.

MR. SPEAKER: The San Francisco Delegation, to whom was referred Assembly Bill No. 1014—An Act conferring power upon the Common Council, Board of Supervisors, or other governing body of cities, or cities and counties, of over one hundred thousand inhabitants, to acquire or condemn land for a suitable site, and erect thereon a suitable building or buildings for municipal purposes.

Also: Assembly Bill No. 630—An Act to amend sections two thousand two hundred and twelve and two thousand two hundred and eighteen of the Political Code of the State of California, relating to the examination and committal of insane persons.

Also: Senate Bill No. 15—An Act authorizing the Judges of the Superior Court in all counties, and cities and counties, having a population of two hundred thousand inhabitants and over, to appoint a Secretary.

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

Also: Assembly Bill No. 842—An Act to regulate the granting of franchises to lay down railroad tracks upon streets and avenues in cities, or cities and counties, having one hundred thousand or more inhabitants—have had the same under consideration, and respectfully report the same back, and recommend that, as another of similar purport is already on file, author be permitted to withdraw the same.

POWERS, Chairman.

Assembly Bill No. 842 withdrawn by the author.

Mr. Powers was granted unanimous consent to withdraw from the urgency file Assembly Bill No. 824, and substitute therefor Assembly Bill No. 1014.

ON MANUFACTURES AND INTERNAL IMPROVEMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, March 1, 1895.

MR. SPEAKER: Your Committee on Manufactures and Internal Improvements, to whom was referred Assembly Bill No. 955—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

PRICE, Chairman.

ON CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1895.

MR. SPEAKER: Your Committee on Corporations, to whom was referred Assembly Bill No. 985—An Act to authorize counties of the second class to build railroads, and to lease or operate the same—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Assembly Bill No. 498—An Act to require the payment of certain moneys by insurance companies not organized under the laws of this State, but doing business therein, and providing for the disposition of such moneys—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

PENDLETON, Chairman.

ON LABOR AND CAPITAL.

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1895.

MR. SPEAKER: Your Committee on Labor and Capital, to whom was referred Assembly Bill No. 904—An Act to establish free public employment offices in the State of California.

Also: Assembly Bill No. 910—An Act to amend an Act to establish and support a Bureau of Labor Statistics, approved February 8, 1889, and to establish and maintain public employment offices.

Have had the same under consideration, and respectfully report the same back without recommendation.

JONES, Chairman.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, March 1, 1895.

MR. SPEAKER: Your Committee on Judiciary, to whom was re-referred Assembly Bill No. 865—An Act to provide for a commission to investigate public offices, institutions, and departments of the State government, and of the counties, cities and counties, and municipalities thereof; to inquire into the acts of all public officers, employés, and attachés of such offices, institutions, and departments of the State government, and of the counties, cities and counties, and municipalities thereof; to inquire into acts of corruption, misfeasance, and misappropriation of public moneys or public property by such officers, employés, and attachés, and their official conduct generally; to investigate violations of the election laws, and frauds and errors alleged to have been committed in the last election, and other elections, and to count the ballots cast for State officers, and to authorize the discharge of unnecessary officers, employés, or attachés—have had the same under reconsideration, and respectfully report the same back, and a majority of your committee recommend that it do pass and a minority that it do not pass.

Also: Assembly Bill No. 946—An Act to amend section eight hundred and thirteen of an Act entitled "An Act to establish a Code of Civil Procedure," adopted March 11, 1872, by extending the liens provided for in said section, when the vessel subject to such liens is absent from the State of California when the time for their enforcement expires, and making vessels liable on the order of charterers—have had the same under consideration, and respectfully report the same back without recommendation, as amended.

Also: Assembly Bill No. 945—An Act relating to grand juries, enlarging their powers, and exempting certain witnesses from liability on account of testimony given before grand juries.

Also: Assembly Bill No. 698—An Act to amend section one thousand two hundred and twenty-eight of the Code of Civil Procedure.

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

Also: Assembly Bill No. 967—An Act to amend section one thousand one hundred and eighty-seven of the Code of Civil Procedure of California, concerning the liens of mechanics and others upon real property—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Assembly Bill No. 983—An Act to regulate the conduct and management of asylums and hospitals for the insane, and to prevent the incarceration therein of sane persons, or of persons who are not so far disordered in mind as to endanger health, person, or property.

Also: Assembly Bill No. 987—An Act to enable all counties, incorporated towns, or cities, or consolidated cities and counties, to use voting machines or balloting devices at all elections therein, and to secure greater independence of voters and secrecy of the ballot at municipal elections in the State of California.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

Also: Assembly Bill No. 979—An Act to amend section five hundred and ninety-two of the Code of Civil Procedure of California, relating to the trial of issues of fact.

Also: Assembly Bill No. 980—An Act to amend section six hundred and fifty-seven of the Code of Civil Procedure of the State of California, relating to the granting of new trials.

Have had the same under consideration, and respectfully report the same back without recommendation.

Also: Assembly Bill No. 966—An Act to amend section six hundred and forty-seven of the Penal Code—have had the same under consideration, and respectfully report the same back, and recommend that the author be allowed to withdraw the same.

BULLA, Chairman.

Assembly Bill No. 966 withdrawn by author.

ON JUDICIARY—MINORITY REPORT.

ASSEMBLY CHAMBER, SACRAMENTO, February 28, 1895.

MR. SPEAKER: The undersigned, a minority of your Committee on Judiciary, to whom was referred Assembly Bill No. 865—An Act to provide for a commission to investigate public offices, institutions, and departments of the State government, and of the counties, cities and counties, or municipalities thereof; to inquire into acts of all public officers, employés, and attachés of such offices, institutions, and departments of the State government, and of the counties, cities and counties, and municipalities thereof; to inquire into acts of corruption, misfeasance, and misappropriation of public moneys, or public property, by such officers, employés, and attachés, and their official conduct generally; to investigate violations of the election laws, and frauds and errors alleged to have been committed in the last election, and to count ballots cast for State officers, and to authorize the discharge of unnecessary officers, employés, and attachés—have had the same under consideration, and respectfully recommend that it do not pass.

REID.
BLED SOE.
CUTTER.
BRUSIE.
POWERS.

ON ATTACHÉS AND EMPLOYÉS.

ASSEMBLY CHAMBER, SACRAMENTO, February 28, 1895

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

By Mr. Waymire.

Resolved, That after Saturday next the services of all Committee Clerks be dispensed with, except the Clerks of the Committees on Judiciary and Ways and Means

Have had the same under consideration, and respectfully refer the same back, and recommend the adoption of the following substitute.

Resolved, That whenever the Chairman of a Committee of the Assembly deems the further retention of the clerk of his committee unnecessary, it shall be his duty to discharge such clerk and to request that the name of the same be stricken from the payroll of the Assembly. Your committee regards this as a proper opportunity for true "retrenchers" to practice what they preach.

WEYSE, Chairman.

Report adopted.

ON MILEAGE.

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1895.

MR. SPEAKER: Your Committee on Mileage, to whom was referred committee report as follows

ASSEMBLY CHAMBER, SACRAMENTO, February 27, 1895.

MR. SPEAKER: Your Committee on Military Affairs beg leave to report that in conformity with resolution adopted February 19, 1895, we visited San Francisco and attended a review of the National Guard, and inspected the several armories thereof, and now present their account for expenses, as follows:

E V Spencer.....	\$16 80
James T. Laird.....	16 80
L. P. Zocchi.....	16 80
J. D. Coghlin.....	16 80
B. C. Kenyon.....	16 80
H. Henley.....	16 80
M. Lewis.....	16 80
F. H. Powers.....	16 80
T. A. Nelson.....	16 80
C. S. McKelvey.....	16 80
B. A. Osborn.....	16 80
D. W. Card, clerk.....	16 80
Total.....	\$201 60

Resolved, That the Controller be and he is hereby directed to draw his warrant in favor of B. A. Osborn, Chairman of said committee, for the sum of two hundred and one dollars and sixty cents, as per above statement, said warrant to be drawn upon the fund for the contingent expenses of the Assembly, and the Treasurer is directed to pay the same.

Have had the same under consideration, and respectfully report the same back, and recommend that they be adopted.

STALEY, Chairman.

Report adopted.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 28, 1895.

MR. SPEAKER: Your Committee on Mileage, to whom was referred Assembly Bill No. 784—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

STALEY, Chairman.

ON CLAIMS.

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1895.

MR. SPEAKER: Your Committee on Claims, to whom was referred Assembly Bill No. 950—An Act to appropriate four thousand and seventy-five dollars and fifty cents as compensation to Italian Publishing Company, a corporation incorporated, organized, and existing under the laws of California, for having published proposed amendments to the Constitution of the State of California during the year 1894.

Also: Assembly Bill No. 1007—An Act to pay the claim of Thomas Hatch, and making an appropriation therefor

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

Also. Assembly Bill No. 76—An Act to provide for the payment for the advertising of the constitutional amendments, and to make an appropriation therefor—have had the same under consideration, and respectfully report the same back, and recommend that the author of the bill be requested to withdraw the same, for the reason that the payment of this claim has been otherwise provided for.

GAY, Chairman.

Assembly Bill No. 76 withdrawn by the author.

Assembly Bill No. 950 referred to Committee on Ways and Means.

Assembly Bill No. 1007 referred to Committee on Ways and Means.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 23, 1895

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Assembly Bill No. 389—An Act to amend sections eight hundred and fifty-one, eight hundred and fifty-two, and eight hundred and fifty-seven of chapter seven of "An Act

to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883—have had the same under consideration, and respectfully report the same back, and recommend that the author be allowed to withdraw it.

Also: Assembly Bill No. 483—An Act to secure independence of voters at town or municipal elections in the State of California, and to secure secrecy of the ballot, a correct count, and providing for the use of automatic ballot cabinets or voting machines—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also: Assembly Bill No. 415—An Act to amend section two of an Act entitled "An Act to provide for Police Courts in cities having fifteen thousand and under eighteen thousand inhabitants," approved March 31, 1891—have had the same under consideration, and respectfully report the same back, and recommend that the author be allowed to withdraw it.

Also: Assembly Bill No. 771—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 fifty-one thereof, relative to the officers of municipal incorporations of the sixth class—have had the same under consideration, and respectfully report the same back, and recommend that the author be allowed to withdraw it.

Also: Assembly Bill No. 295—An Act to amend an Act approved March 1, 1893, entitled "An Act to amend section six and section eight of an Act approved March 19, 1889, entitled 'An Act authorizing the incurring of an 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,' relating to the issuance of bonds by municipalities for public improvements.

Also: Senate Bill No. 221—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.

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

Also: Senate Bill No. 192—An Act to amend an Act entitled "An Act to provide for the classification of municipal corporations," as approved March 2, 1883 (St. 1883, p. 24)—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also: Assembly Bill No. 214—An Act to amend section eight hundred and eighty-two of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Assembly Bill No. 122—An Act to amend section eight hundred and sixty-two of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also: Assembly Bill No. 93—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—have had the same under consideration, and respectfully report the same back, and recommend that the author be allowed to withdraw it.

Also: Assembly Bill No. 585—An Act concerning municipal corporations.

Also: Assembly Bill No. 932—An Act to create a commission for the purpose of constructing a system of waterworks for domestic light, power, and other purposes, for the people of the State of California, and to provide for the payment of the same.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

Also: Assembly Bill No. 914—An Act to amend sections seven hundred and fifty-two, eight hundred and fifty-one, eight hundred and fifty-two, and eight hundred and fifty-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 respectfully report the same back, and recommend that the author be allowed to withdraw it.

GUY, Chairman.

Assembly Bill No. 389 withdrawn by the author.

Assembly Bill No. 415 withdrawn by the author.

ON CONSTITUTIONAL AMENDMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, March 1, 1895.

MR. SPEAKER: Your Committee on Constitutional Amendments, to whom was referred Assembly Constitutional Amendment No. 25—Proposed amendment to article six of the Constitution, relative to the Judicial Department—have had the same under

consideration, and respectfully report the same back, and recommend that it be not adopted.

Also: Assembly Constitutional Amendment No. 30—Proposed amendment to sections two and three of article six of the Constitution, relative to the Supreme Court.

Also: Assembly Constitutional Amendment No. 50—Proposed amendment to article one, section four of the Constitution, relative to elections.

Have had the same under consideration, and respectfully report the same back, and recommend that they be adopted.

Also: Assembly Constitutional Amendment No. 52—Proposed amendment to article twenty of the Constitution—have had the same under consideration, and respectfully report the same back, and recommend that it be not adopted.

WAYMIRE, Chairman.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, February 5, 1895.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 228—An Act making an appropriation to pay the deficiency in the appropriation for support of the Mendocino Asylum for the forty-fifth and forty-sixth fiscal years—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Assembly Bill No. 257—An Act to appropriate money to pay the claim of George J. Mothersole for labor performed, expenses incurred, and money expended by him in roofing the Napa State Asylum for the Insane—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

BRUSIE, Chairman.
TOMBLIN.
KELSEY.
DEVINE.
LLEWELLYN.
LAUGENOUR.

Also: Assembly Bill No. 981—An Act authorizing the Controller to appoint an additional clerk in his office, in addition to the number now allowed by law, to be known as the Revenue Clerk, and making an appropriation for the payment of his salary for the remainder of the forty-sixth fiscal year.

Also: Assembly Bill No. 1002—An Act authorizing the payment of compensation or commission to persons employed by the State Controller and Attorney-General, or by Boards of Supervisors in the different counties, to collect delinquent State and county taxes, and legalizing all payments made for that purpose.

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

Also: Assembly Bill No. 665—An Act to provide the office of the Attorney-General with such law books as may be required by him for the conduct of the business of his office, and requiring the State Librarian to provide and furnish the same—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Assembly Bill No. 934—An Act making an appropriation to pay the deficiency in the appropriation for repairs to Capitol building and furniture, and purchase of carpets and furniture, for the forty-sixth fiscal year—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

BRUSIE, Chairman.

APPROVAL OF JOURNALS.

The Journals of Thursday, February 28th, and Friday, March 1st, were approved.

MOTION.

Mr. Powers moved that a special committee of one be appointed to amend Assembly Bill No. 418, as follows:

By striking out of section one, line two, the words "be paid to," and all following in section one, and inserting the following: "pay the claim of Julius A. Hult, the same to be in full satisfaction of his claim against the State of California," and also to amend the title by striking out "\$7,500," and all thereafter in the title and inserting "\$5,000 to pay the claim of Julius A. Hult."

So ordered.

The Speaker appointed Mr. Powers as such committee.

REPORT OF SPECIAL COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1895.

MR. SPEAKER: Your special committee, to whom was referred Assembly Bill No. 418—An Act to appropriate seven thousand five hundred dollars as compensation to Julius A. Hult, a private in Company C, First Regiment Infantry, Second Brigade, N. G. C., for injuries sustained while in active service—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, and the title thereof has been amended by striking therefrom the words “seven thousand five hundred dollars,” and all thereafter, and inserting in place thereof “five thousand dollars, to pay the claim of Julius A. Hult.”

Also: By striking out of section one, line two, the words “be paid,” and all following in said section one, and by inserting in place thereof the following: “pay the claim of Julius A. Hult, the same to be in full of his claim against the State of California.”

POWERS, Committee.

Report adopted.

MOTION.

Mr. Wade moved that a special committee of one be appointed to amend Assembly Bill No. 241, as follows:

Strike out all after the word “Governor,” in line seven of printed bill, and including the word “proclamation,” in line eleven of printed bill, and insert in lieu thereof the following: “To advertise such amendment or amendments or proposition in not to exceed two newspapers in each county, or city and county in the State, once a week for four consecutive weeks next preceding the next general election; *provided*, that the rate charged for such advertising shall not exceed the rate fixed by the Supervisors of the respective counties, or cities and counties, for county, or city and county advertising; *provided further*, that when such amendments are printed in two papers in any county, or city and county, such papers shall not be of the same political party. Boards of Supervisors may, in publishing the Governor's election proclamation, omit such amendment or amendments or proposition, referring to them by number only.”

So ordered.

The Speaker appointed Mr. Wade as such a committee.

REPORT OF SPECIAL COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, March 1, 1895.

MR. SPEAKER: Your special committee of one, to whom was referred Assembly Bill No. 241, with instructions to amend, has had the same under consideration, and respectfully reports the same back, amended as per instructions.

WADE, Committee.

Report adopted.

MOTION.

Mr. Pendleton moved that a special committee of one be appointed to amend Assembly Bill No. 212, as follows:

By striking out of section one, line five, the words “within” and “from and,” also by striking out, at line seven, section five, all the language after the word “persons,” down to and including the word “services,” line eleven, section five.

So ordered.

The Speaker appointed Mr. Pendleton as such committee.

REPORT OF SPECIAL COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1895.

MR. SPEAKER: Your special committee of one, to whom was referred Assembly Bill No. 212, with instructions to amend as follows:

Strike out from line one, section five, printed bill, the words “within” and “from and.”

Also: Strike out at line seven, section five, all the language after the word "persons," down to and including the word "services," line eleven, section five.

Has had the same under consideration, and respectfully reports the same back, amended as per instructions.

PENDLETON, Committee.

Report adopted.

SENATE MESSAGES.

SENATE CHAMBER, SACRAMENTO, March 1, 1895

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the twenty-sixth day of February, 1895, passed Senate Bill No. 36—An Act to appropriate money to pay the claim of D. Jordan, for the partial construction by him of the Branch State Prison at Folsom, California.

F. J. BRANDON, Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, February 28, 1895.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Assembly Bill No. 17—An Act making an appropriation to pay the deficiency in the appropriation for the support of the State Normal School at Los Angeles for the forty-sixth fiscal year.

Also: Assembly Bill No. 452—An Act making an appropriation to pay the deficiency in the appropriation for the transportation of prisoners for the forty-third fiscal year.

Also: Assembly Bill No. 454—An Act making an appropriation to pay the deficiency in the appropriation for postage, expressage, and telegraphing, Secretary of State's office, for the forty-fifth and forty-sixth fiscal years.

F. J. BRANDON, Secretary.
By R. SHAW, Assistant.

Also:

SENATE CHAMBER, SACRAMENTO, March 2, 1895.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on March 1, 1895, passed Senate Concurrent Resolution No. 9—Relative to the employment of convicts in the State Prisons.

F. J. BRANDON, Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, March 1, 1895.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Senate Bill No. 124—An Act making an appropriation to pay the deficiency in the appropriation for support of the Mendocino Asylum for the forty-fifth and forty-sixth fiscal years.

Also: Senate Concurrent Resolution No. 7—Relative to inviting the Committee on Rivers and Harbors of the House of Representatives, and the Committee on Commerce of the Senate of the United States, to visit and inspect the rivers and harbors of this State.

Also: That the Senate on this day respectfully refused to adopt Assembly Joint Resolution No. 8—Relative to the annexation of the Republic of Hawaii.

F. J. BRANDON, Secretary.
By R. SHAW, Assistant.

Also:

SENATE CHAMBER, SACRAMENTO, March 1, 1895.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Assembly Bill No. 52—An Act to amend section one thousand six hundred and ninety-nine of the Code of Civil Procedure, relating to settlement of accounts of trustees after distribution of estates, and to compensation of trustees.

Also: Amended, and passed as amended, Assembly Bill No. 213—An Act entitled an Act to amend section two thousand nine hundred and fifty-five of the Civil Code, relative to mortgages on personal property.

Also: Amended, and passed as amended, Assembly Bill No. 78—An Act to amend section nine hundred and fifty-four of the Code of Civil Procedure, relating to dismissal of appeals.

Also: Amended, and passed as amended, Assembly Bill No. 135—An Act to amend section four hundred and sixteen of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relative to the fees to be collected by the Secretary of State for services rendered by him in his official capacity.

Also: Passed Assembly Bill No. 501—An Act to amend section one thousand five hundred and forty-three of "An Act to establish a Political Code," approved March 12, 1872.

Also. Adopted Assembly Joint Resolution No. 14—Relative to an appropriation by Congress for the construction of a deep-sea harbor for Los Angeles County.

Also: Adopted Assembly Joint Resolution No. 17—Relative to the National Conventions

Also: Adopted Assembly Joint Resolution No. 11—Relative to the control of the maritime quarantine service at the port of San Francisco.

F. J. BRANDON, Secretary.
By R. SHAW, Assistant.

Also:

SENATE CHAMBER, SACRAMENTO, March 1, 1895.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Senate Bill No. 290—An Act to amend sections three, four, five, seven, nine, ten, eleven, twelve, fourteen, fifteen, sixteen, and twenty-three of an Act entitled "An Act creating a Board of Bank Commissioners, and prescribing their duties and powers," approved March 30, 1878, and as amended by an Act approved March 10, 1887, and to add three new sections thereto, to be numbered twenty-four, twenty-five, and twenty-six, relating to the powers and duties of such Commissioners.

F. J. BRANDON, Secretary.
By R. SHAW, Assistant.

Also:

SENATE CHAMBER, SACRAMENTO, March 1, 1895.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, adopted Assembly Joint Resolution No. 23—An Act relative to requesting Congress to make an appropriation for a free wagon road from Mono Lake, Mono County, to Yosemite Valley, Mariposa County.

Also: Assembly Joint Resolution No. 16—Relative to the proposed Pacific cable.

Also: Assembly Concurrent Resolution No. 14—Relative to the distribution of the "Resources of California" by the State Board of Trade

Also: Assembly Concurrent Resolution No. 11—Relative to a special committee on constitutional amendments, relating to revenue and taxation.

F. J. BRANDON, Secretary
By R. SHAW, Assistant.

REFERENCE OF BILLS.

Assembly Bills Nos. 17, 452, 454, 52, 213, 78, 135, 501, and Assembly Joint Resolutions Nos. 14, 17, and 11 referred to Committee on Enrollment.

Senate Concurrent Resolution No. 9 referred to Committee on State Prisons and Reformatory Institutions.

Assembly Bill No. 638 withdrawn, and Senate Bill No. 36 substituted therefor.

Assembly Bill No. 228 withdrawn, and Senate Bill No. 124 substituted therefor.

Senate Bill No. 290 ordered on file.

Mr. Waymire moved that the Assembly do now take up the consideration of Senate Concurrent Resolution No. 7.

So ordered.

SENATE CONCURRENT RESOLUTION No. 7.

Concurrent resolution relative to inviting the Committee on Rivers and Harbors of the House of Representatives, and the Committee on Commerce of the Senate of the United States, to visit and inspect the rivers and harbors of this State.

WHEREAS, The rivers of California, forming in the aggregate over a thousand miles of navigable channels, and the harbors of the State that constitute gateways of commerce to a coast-line exceeding eight hundred miles in length, have not received that care and attention which their importance demands; and whereas, their improvement is the most vital question in which the State of California is interested; and whereas, owing to our distance from the seat of government and the consequent absence of personal knowledge of our situation the necessities of California are not properly understood, and the vast benefit that will accrue to the nation from the improvement of our waterways not fully appreciated, and whereas, a personal examination of our rivers and

harbors will show their importance as factors in commercial activity and prosperity and their influence in cheapening transportation, thereby extending the area of profitable agricultural land, lightening the burdens on land now accessible to market, opening and developing new resources, quickening all branches of industry, and adding to the general wealth of the whole country.

Resolved by the Senate, the Assembly concurring, That on behalf of the State of California, we do hereby extend to the Committee on Rivers and Harbors of the House of Representatives, and the Committee on Commerce of the Senate of the United States, a cordial invitation to visit California for the purpose of examining the rivers and harbors of the State.

Adopted.

Mr. Laugenour moved that the Assembly do now concur in the Senate amendments to Assembly Bill No. 213—An Act entitled an Act to amend section two thousand nine hundred and fifty-five of the Civil Code, relative to mortgages on personal property.

SENATE AMENDMENTS.

Amend section one, line three, printed bill, by adding after the word "upon" the words "the following property and none other."

Also: Add a new line, to be numbered twenty-four, to section one, to read as follows: "Eighteenth—Abstract systems, books, maps, papers, and slips of searchers of records."

The question being, "Shall the Assembly concur in the Senate amendments?"

The roll was called, and the Assembly concurred by the following vote:

AYES—Messrs. Barker, Bassford, Bennett, Berry, Bettman, Bledsoe, Bulla, Butler, Cargill, Coleman, Collins, Davis, Devine, Dixon, Dodge, Dunbar, Ewing, Gay, Glass, Guy, Hall, Hatfield, Huber, Hudson, Jones, Keen, Kenyon, Laird, Laugenour, Meads, McKelvey, Merrill, North, Pendleton, Phelps, Powers, Price, Sanford, Spencer, Staley, Stansell, Tibbitts, Wade, Weyse, Wilkinson, Zocchi. and Mr. Speaker—46.

NOES—None.

Assembly Bill No. 213 ordered to enrollment.

Mr. McKelvey moved that the Assembly do now concur in the Senate amendments to Assembly Bill No. 135—An Act to amend section four hundred and sixteen of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relative to the fees to be collected by the Secretary of State for services rendered by him in his official capacity.

SENATE AMENDMENTS.

Amend line seven, section one, of the printed bill, by striking out the word "ten" and inserting the word "twenty."

Also: Amend line eight, of section one, by striking out the word "one" and inserting the word "two," and changing the word "dollar" to "dollars."

Also: Amend line eleven, in same section, by striking out the word "one" and inserting the word "three," and changing "dollar" to "dollars."

Also: Amend line nineteen of the same section, by striking out the word "one" and inserting the word "three," and changing the word "dollar" to "dollars." In lines twenty-three and twenty-five of the same section, make similar change.

Also: Amend line twenty-eight of section one, by striking out the word "ten" and inserting the word "twenty-five."

The question being, "Shall the Assembly concur in the Senate amendments?"

The roll was called, and the Assembly concurred by the following vote:

AYES—Messrs. Bachman, Bennett, Berry, Bettman, Bulla, Butler, Cargill, Coghlin, Coleman, Collins, Dale, Devine, Devitt, Dixon, Dodge, Dunbar, Ewing, Fassett, Gay, Glass, Hatfield, Huber, Hudson, Jones, Keen, Kenyon, Laugenour, Meads, McCarthy,

McKelvey, Merrill, North, Pendleton, Powers, Price, Rowell, Spencer, Staley, Stansell, Twigg, Wade, Waymire, Weyse, Zocchi, and Mr. Speaker—45.

NOES—None.

Assembly Bill No. 135 ordered to enrollment.

Mr. Powers moved that the Assembly do now concur in the Senate amendments to Assembly Bill No. 78—An Act to amend section nine hundred and fifty-four of the Code of Civil Procedure, relating to dismissal of appeals.

SENATE AMENDMENTS.

Amend by striking out of section one, line seven, printed bill, after the word "appear," and inserting the following: "to the satisfaction of the Court, or a Judge thereof, from which the appeal was taken."

Also: Amend by striking out of line nine the words "having jurisdiction of the appeal," and inserting the words "or a Judge thereof," and inserting between the words "the" and "Court" the words "last named."

Also: Amend by striking out in line eleven the words "a Justice of the Supreme Court, or a Judge of the Superior," and inserting in lieu thereof the words "the last named Court, or a Judge thereof."

Also: Amend by striking out all of lines twelve and thirteen of section one, and inserting the words "and in case said sureties fail to justify before said last named Court, or a Judge thereof, or fail to comply with the order to appear and justify, execution may issue upon the judgment as if no undertaking to stay execution had been given."

Also: Amend by striking out all of section two.

The question being, "Shall the Assembly concur in the Senate amendments?"

The roll was called, and the Assembly concurred by the following vote:

AYES—Messrs. Bachman, Barker, Bassford, Bettman, Bulla, Cargill, Coleman, Collins, Dale, Davis, Devitt, Dinkelspiel, Dixon, Dodge, Fassett, Gay, Glass, Guy, Hall, Hatfield, Johnson, Jones, Keen, Kenyon, Laird, Laugenour, McKelvey, Merrill, North, Pendleton, Phelps, Price, Rowell, Spencer, Staley, Stansell, Twigg, Wade, Waymire, Weyse, Wilkinson, Zocchi, and Mr. Speaker—43.

NOES—Messrs. Bledsoe and Reid—2.

Assembly Bill No. 78 ordered to enrollment.

REPORTS OF STANDING COMMITTEES.

REPORT OF COMMITTEE ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1895.

MR. SPEAKER. Your Committee on Engrossment beg leave to report that the following bills have been correctly engrossed:

Assembly Bill No. 618—An Act to amend sections one thousand nine hundred and twelve, one thousand nine hundred and thirteen, one thousand nine hundred and fourteen, one thousand nine hundred and fifteen, one thousand nine hundred and seventeen, one thousand nine hundred and eighteen, one thousand nine hundred and nineteen, one thousand nine hundred and twenty-three, one thousand nine hundred and twenty-nine, one thousand nine hundred and thirty-two, one thousand nine hundred and thirty-six, one thousand nine hundred and forty-two, one thousand nine hundred and fifty-two, one thousand nine hundred and fifty-five, one thousand nine hundred and sixty-two, one thousand nine hundred and seventy, one thousand nine hundred and seventy-four, one thousand nine hundred and eighty, one thousand nine hundred and eighty-two, one thousand nine hundred and eighty-three, one thousand nine hundred and eighty-four, one thousand nine hundred and eighty-five, one thousand nine hundred and ninety, two thousand and three, two thousand and seven, two thousand and twenty-four, two thousand and twenty-seven, two thousand and forty, two thousand and forty-one, two thousand and forty-two, two thousand and forty-eight, two thousand and forty-nine, two thousand and fifty, two thousand and seventy-six, and two thousand and eighty-two; and to repeal sections one thousand nine hundred and eighty-seven, one thousand nine hundred and eighty-eight, one thousand nine hundred and eighty-nine, two thousand and four, two thousand and five, and two thousand and six, all of the Political Code; and to add one new section thereto, to be known and numbered as section one thousand nine hundred and ninety-one, relating to the National Guard; and to provide for the retirement and disposition of certain officers thereof.

Also: Assembly Bill No. 461—An Act to amend an Act entitled "An Act to establish a Penal Code," relating to the crime of rape.

WILKINSON, Chairman.

ON HOSPITALS AND ASYLUMS—(OUT OF ORDER).

ASSEMBLY CHAMBER, SACRAMENTO, March 1, 1895.

MR. SPEAKER: Your Committee on Hospitals and Asylums, to whom was referred Assembly Bill No 922—An Act to amend sections one and two of "An Act to provide for the maintenance, support, and discharge in certain cases of insane persons confined in the State Asylums for the Insane, and for the control and management of a resulting contingent fund," approved March 19, 1889—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also, Assembly Bill No 231—An Act to amend sections ten and eleven of an Act entitled "An Act to establish a branch insane asylum for the insane of the State of California at Ukiah, to be known as the 'Mendocino State Insane Asylum,' and appropriating money therefor," approved February 20, 1889, relating to the qualifications, duties, and compensation of the Medical Superintendent of said asylum; and also the appointment, duties, and compensation of the Assistant Physician, and authorizing the Board of Directors, if in their judgment it should become necessary, to elect an additional physician, and providing for his compensation—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Assembly Bill No 465—An Act to appropriate five thousand dollars for repairs and improvements upon the grounds of the State Insane Asylum at Agnews—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

CARGILL, Chairman.

Assembly Bills Nos. 231 and 465 referred to Committee on Ways and Means.

SUB-COMMITTEE ON HOSPITALS AND ASYLUMS.

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1895.

MR. SPEAKER: The Sub-Committee on State Hospitals and Asylums, appointed to investigate the Insane Asylums located at Napa, Ukiah, and Agnews, the Home for Feeble-Minded Children, located at Glen Ellen, and the Veterans' Home, located at Yountville, having visited said places and reported back to your honorable body the result of their investigations, now present account of expenses, to wit.

Chas G. Cargill	\$63 40
J. H. Glass	63 40
O. H. Huber	63 40
R. Gay	63 40
L. P. Zocchi	63 40
Total	\$317 00

Resolved, That the Controller be and he is hereby directed to draw his warrant in favor of Chas G. Cargill, Chairman of said committee, for the sum of three hundred and seventeen dollars, as per above statement, said warrant to be drawn upon the fund for contingent expenses of the Assembly, and the Treasurer is directed to pay the same.

CARGILL, Chairman.

Referred to Committee on Mileage.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1895

MR. SPEAKER: Your Committee on Hospitals and Asylums, instructed to visit the State Asylums at Ukiah, Napa, and Agnews, the Home for Feeble-Minded at Glen Ellen, and the Veterans' Home at Yountville, respectfully submit our report as follows:

We found the asylum at Ukiah to be conducted well, and everything in good condition. It is located in a beautiful place, but one difficult of access, except from the south. The per capita for the support of the inmates is now 58 cents. It has been as high as \$1 47, showing a decrease from month to month, which is highly commendable to the management. It is yet about 40 per cent higher than either Napa, Agnews, or Stockton, owing to the fact that a complete equipment and staff of officers is required for a small number of inmates, showing conclusively, to our minds, the folly of multiplying our public institutions.

There are yet accommodations for one hundred and seventy-five more patients, and we seriously doubt the advisability of appropriating anything at this session for enlargement of the asylum itself.

An appropriation is asked for to buy more land, which we believe to be entirely unnecessary.

It is our firm belief that this institution should not be enlarged until land communication is opened with the northern part of the State, except possibly an administration building, which will probably be required in about two years.

The Home for Feeble-Minded Children is finely located and exceedingly well conducted.

The work done with these unfortunate people shows the effects of skill, perseverance, and kindness, and is highly commendable.

Veterans' Home — Many charges of bad management, etc., had been made against this institution. We inquired carefully into these charges and are satisfied that all differences have been healed, and that under the administration of General Thompson, the institution will move forward and soon rank with the best.

Napa and Agnews — We cannot speak too highly of the management of these asylums; everything in and about them is in first-class condition. The officers are skilled in their profession and in executive ability. The per capita in both is a fraction over 38 cents.

While we can find no fault with the management of these asylums, we do deplore the fact that every asylum has been built upon one general plan—too many large dormitories, and too few single rooms.

We believe the herding together of so many insane people in one room to be detrimental to all. We are also of the opinion that some arrangement should be made by the State so that convalescent patients can be removed from association with those not recovering, and we therefore recommend that as soon as the finances of the State will allow, separate wards or cottages be built at each asylum for the sole use of convalescents. We also recommend that two large general dining-rooms be built at Agnews for the use of the inmates, thereby removing those rooms from each ward and giving room for about one hundred and sixty more patients.

We also thoroughly inspected the State property located in Santa Clara County, formerly used as the Home for Feeble-Minded Children, and found it in good condition.

This property consists of fifty-one acres of fine land and the buildings thereon, which, with a few inexpensive alterations, could and would furnish ample and complete accommodations for the State's adult blind.

Taking into full consideration the present disgraceful condition of the Oakland Home, we do, after careful investigation and deliberation, most earnestly recommend the passage of Assembly Bill No 801.

This measure is, in the opinion of your committee, absolutely demanded, both for the physical and moral improvement of the unfortunate inmates, and for the relief of the already overburdened taxpayer.

Respectfully submitted.

CARGILL, Chairman.

Ordered printed in the Journal.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1895.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Senate Bill No 349—An Act to amend section one of an Act approved March 15, 1883, and entitled "An Act to authorize the Common Council, Board of Trustees, or other governing body of any incorporated city or town, other than cities of the first class, to re-fund its indebtedness, issue bonds therefor, and provide for the payment of the same," as amended March 1, 1893—have had the same under consideration, and respectfully report the same back and recommend that it do pass, and that the same be substituted for Assembly Bill No 385 (number two hundred and ninety-three on this day's file).

GUY, Chairman.

So ordered.

MOTIONS.

Mr. Powers moved that Assembly Bill No. 860 be re-referred to Committee on Ways and Means.

So ordered.

Mr. Dodge moved that the Assembly do now take up Senate messages.

So ordered.

SENATE MESSAGES.

SENATE CHAMBER, SACRAMENTO, March 2, 1895.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Substitute for Senate Bills Nos. 45, 52, 54, and 77—An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors.

Also: Adopted Senate Concurrent Resolution No. 8—Approving the charter of the Town of Berkeley, in Alameda County, California, voted for and ratified by the qualified electors of said town at a special election held therein for that purpose, on the twenty-sixth day of February, 1895.

Also: Passed Senate Bill No. 550—An Act to provide for the payment of the claim of George H. Tay Company, for the deficiency in the contract price for heating and ventilating the State Normal School building at San José, State of California

Also: Senate Bill No. 43—An Act to provide for the purchase of additional grounds for the State Insane Asylum at Napa.

F. J. BRANDON, Secretary.
By R. SHAW, Assistant.

Assembly Bill No. 505 was withdrawn, and Substitute for Senate Bills Nos. 45, 52, 54, and 77 substituted therefor.

Assembly Bill No. 533 withdrawn, and Senate Bill No. 550 substituted therefor.

Senate Bill No. 43 referred to Committee on Public Buildings and Grounds.

CASE OF URGENCY.

Assembly Bill No. 461—An Act to amend an Act entitled “An Act to establish a Penal Code,” relating to the crime of rape—having been read first and second times under resolution of urgency on February 28th.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Bassford, Belshaw, Berry, Bledsoe, Boothby, Bulla, Cargill, Coghlin, Coleman, Collins, Cutter, Dale, Davis, Devine, Dinkelspiel, Dodge, Dunbar, Fassett, Gay, Glass, Hatfield, Hudson, Johnson, Jones, Keen, Kenyon, Laugenour, McKelvey, Merrill, North, O'Day, Pendleton, Powers, Price, Robinson, Rowell, Sanford, Spencer, Staley, Tibbits, Tomblin, Twigg, Wade, Weyse, Wilkinson, Zocchi, and Mr. Speaker—47.
NAYS—Mr. Bennett—1.

Title read and approved.

Mr. Dodge moved that Assembly Bill No. 461 be immediately transmitted to the Senate.

So ordered.

Mr. Dodge moved that the Assembly do now concur in Senate Concurrent Resolution No. 8.

SENATE CONCURRENT RESOLUTION No. 8.

Concurrent resolution approving the charter of the town of Berkeley, in Alameda County, California, voted for and ratified by the qualified electors of said town at a special election held therein for that purpose, on the twenty-sixth day of February, eighteen hundred and ninety-five

WHEREAS, The Town of Berkeley, in Alameda County, is now and at all times herein referred to was a town containing a population of more than ten thousand and not more than one hundred thousand inhabitants, and whereas, at a special election duly held therein on the sixth day of November, eighteen hundred and ninety-four, according to law and to the provisions of section eight, of article eleven, of the Constitution of this State, a Board of Fifteen Freeholders, duly qualified, was duly elected in and by said town and by the qualified electors thereof, to prepare and propose a charter for said town, which Board of Freeholders did, within ninety days after said election, prepare and propose a charter for said town; and whereas, the same was, on the twenty-ninth day of December, eighteen hundred and ninety-four, signed in duplicate by a majority of the members of said Board of Freeholders, and was on the thirty-first day of December, eighteen hundred and ninety-four, returned and delivered one copy thereof to the President of the Board of Trustees of said Town of Berkeley and the other copy thereof to the Recorder of Alameda County (within which said town is situated); and whereas, such proposed charter was then published in two daily newspapers of general circulation in said town, to wit, in the “Berkeley Daily Advocate” and in “The Gazette,” in each instance for more than twenty days, such publication having been commenced

within twenty days after the completion of said proposed charter; and whereas, said charter was submitted (within not less than thirty days after the completion of said publication) by the legislative authority of said town, to wit: by the Board of Trustees thereof, to the qualified electors of said town, at a special election, previously duly called and thereafter held therein, on the twenty-sixth day of February, eighteen hundred and ninety-five; and whereas, at said special election a majority of such qualified electors of said town voting at said special election, did vote in favor of and ratify said charter so proposed, and the same is now submitted to the Legislature of the State of California for its approval or rejection as a whole, as provided for in section eight, of article eleven, of the Constitution; and whereas, the said charter so ratified is in the words and figures, to wit:

CHARTER FOR THE TOWN OF BERKELEY.

Prepared and proposed by the Board of Fifteen Freeholders, elected November sixth, eighteen hundred and ninety-four, in pursuance of the provisions of section eight, article eleven, of the Constitution of the State of California.

ARTICLE I.

RIGHTS AND LIABILITIES

SECTION 1. The municipal corporation now existing and known as "The Town of Berkeley" shall continue to be a municipal corporation under the same name that it now has.

SEC. 2 The said corporation shall have perpetual succession, may sue and defend in all Courts and places, and in all matters and proceedings whatever, and may have and use a common seal, and alter the same at pleasure; and may purchase, receive, hold, and enjoy real and personal property, within and without the Town of Berkeley, and sell, convey, and dispose of the same for the common benefit; receive bequests, donations, and gifts of all kinds of property within and without the town, in fee simple, or in trust for charitable or other purposes, and do all acts necessary to carry out the purposes of such gifts, bequests, and donations, with power to manage, sell, lease, or otherwise dispose of the same in accordance with the terms of the gifts, bequests, or trusts.

SEC. 3 The said corporation shall be and continue vested with all the property rights and rights of action of every kind now belonging to the Town of Berkeley, and shall succeed to all the property of the present Board of Education of the town, and shall be subject to all the liabilities now existing against said town, or against said Board.

ARTICLE II.

BOUNDARIES AND WARDS.

Boundaries of the Town.

SEC. 4. The boundaries of the Town of Berkeley shall be as follows:

All that land or territory heretofore included and contained in the Town of Berkeley, County of Alameda, State of California, which said territory is more specifically bounded and described as follows, to wit:

Beginning at the point of intersection of the boundary line between Alameda County and Contra Costa County with the easterly line of plot number eighty-three, as per Kellersberger's map of the subdivision of the Rancho of Vicente and Domingo Peralta, of record in the office of the County Recorder of Alameda County, thence southerly along the easterly line of said plot eighty-three and plots eighty-two and eighty, and the easterly line of plots seventy-six and seventy-five produced northerly, to a point on the easterly line of plot seventy-six, from which a line running at right angles to said easterly line of said plot seventy-six in a westerly direction would intersect Telegraph Avenue at a point seven hundred and sixty-five (765) feet south of the south line of Ashby Avenue; thence westerly and parallel with said south line of Ashby Avenue to the easterly line of Lorn Villa Tract if produced northerly in a direct line; thence southerly and along said easterly line of the Lorn Villa Tract produced as aforesaid, and the extension thereof southerly to a point one hundred and thirty-five (135) feet southerly from the southerly line of Alcatraz Avenue, thence westerly and parallel with the said southerly line of Alcatraz Avenue to the line dividing plots numbers forty-six and fifty-two of V. and D. Peralta Rancho; thence southerly along said last line to a point on said line one hundred and thirty-five (135) feet southerly from the southerly line of Todd Street, as shown on map of Paradise Park; thence westerly and parallel with the southern line of Todd Street to a point one hundred (100) feet westerly from the western line of Occidental Street, as shown on said map of Paradise Park Tract (said Occidental Street being that street now known as Calais Street); thence northerly and parallel with the said Calais Street to a point one hundred (100) feet southerly from the southerly line of Alcatraz Avenue, thence westerly and parallel with the said southern line of Alcatraz Avenue to a point one hundred and sixty (160) feet west of the westerly line of Idaho Street, as shown on map of the Herzog Tract; thence northerly and parallel with the said western line of said Idaho Street, as shown on map of the Herzog Tract and of the Rock

Island Tract, to a point one hundred (100) feet southerly from the southern line of Blackstone Street, as shown on map of Dohr Tract; thence westerly and parallel with the said southern line of said Blackstone Street to a point one hundred (100) feet westerly from the westerly line of Mabel Street, as shown on "Map of a portion of the Dohr Tract," if said western line of said Mabel Street were extended in a direct line southerly; thence northerly and parallel with the said western line of the said Mabel Street, and the extension thereof southerly to a point one hundred (100) feet southerly from the southerly line of Haskell Street, as shown on map of the Carrison Tract; thence westerly and parallel with the said southerly line of Haskell Street to the eastern line of San Pablo Avenue; thence northerly along the said eastern line of the said San Pablo Avenue ninety-five (95) feet, thence westerly across San Pablo Avenue to a point on the westerly line thereof distant one hundred and ten (110) feet northerly from the northerly line of Union Street, as said Union Street is shown on map of the Villa Homestead Tract, thence westerly and parallel with the said northern line of the said Union Street to the western boundary of Alameda County; thence northerly and along the said western boundary of Alameda County to a point from which a line drawn easterly at right angles to the westerly line of First Street, in Tract "B" of the lands of the Berkeley Land and Town Improvement Association, would intersect said westerly line of said First Street at Cordones Creek; thence easterly in a straight line to the point of intersection of the west line of said First Street with Cordones Creek, thence easterly along said creek to a point where the northerly line of Kellersberger's plots eighty-three, eighty-four, and eighty-five, if produced westerly in a direct line, would first intersect said Cordones Creek; thence easterly along said northerly line of said plots produced westerly, as aforesaid, to the boundary line between Alameda County and Contra Costa County; thence southerly and southeasterly along said boundary line to the point of beginning.

Wards.

SEC. 5. The town shall be and is hereby divided into seven wards, the respective boundaries of which shall be as follows, to wit:

FIRST WARD. Bounded on the north and east by the boundary line of the Town of Berkeley; on the south by the northerly line of the State University grounds to its intersection with the center line of Oxford Street; thence by the center line of College Way and the said center line of College Way produced westerly to its intersection with the center line of Grove Street, and thence by the center line of Bristol Street to the center line of Sacramento Street; on the west by the center line of Sacramento Street northerly to the center line of Hopkins Street; thence westerly along said center line of Hopkins Street to the center line of Albina Avenue; thence northerly along the center line of Albina Avenue to the northern boundary line of the town.

SECOND WARD. Bounded on the north by the northerly line of the State University grounds to its intersection with the center line of Oxford Street, on the west by the center line of Oxford Street southerly to its intersection with the center line of Allston Way; thence easterly along said center line of Allston Way to its intersection with the center line of Ellsworth Street, thence southerly along said center line of Ellsworth Street, and the center line of Ellsworth Street produced to its intersection with the center line of Parker Street, on the south, by the center line of Parker Street easterly to the center line of College Avenue; thence southerly along said center line of College Avenue to its intersection with the center line of Golden Gate Avenue (or Russ Street), and by the center line of Golden Gate Avenue (or Russ Street), and its extension easterly to its intersection with the easterly boundary line of the town; and on the east by the easterly boundary line of the town.

THIRD WARD. Bounded on the north by the center line of College Way and the said center line of College Way produced westerly to its intersection with the center line of Grove Street, and thence westerly by the center line of Bristol Street to the center line of Sacramento Street on the west by the center line of Sacramento Street and the said center line of Sacramento Street produced southerly to its intersection with the center line of Blake Street, thence easterly along said center line of Blake Street to its intersection with the center line of Sacramento Street, formerly known as Lowell Street, and by the center line of said Sacramento Street to its intersection with the center line of Parker Street, on the south by the center line of Parker Street to its intersection with the center line of Ellsworth Street produced, and on the east by the center line of Ellsworth Street produced and the center line of Ellsworth Street northerly to its intersection with the center line of Allston Way, thence westerly along said center line of Allston Way to its intersection with the center line of Oxford Street; thence northerly by the center line of Oxford Street to its intersection with the center line of College Way.

FOURTH WARD. Bounded on the north by the center line of Golden Gate Avenue (or Russ Street) produced and the center line of Golden Gate Avenue (or Russ Street) to its intersection with the center line of College Avenue, thence northerly along said center line of College Avenue to its intersection with the center line of Parker Street; thence westerly by the center line of Parker Street to its intersection with Grove Street; on the west by the center line of Grove Street to its intersection with the center line of Woolsey Street, formerly known as Kent Street; on the south by the center line of Woolsey Street to its intersection with the center line of Shattuck Avenue, thence southerly along said center line of Shattuck Avenue to its intersection with the southerly boundary line of the Town of Berkeley, and by the southerly boundary line of the town, and on the east by the easterly boundary line of the town.

FIFTH WARD. Bounded on the north by the center line of Parker Street, westerly from its intersection with the center line of Grove Street to its intersection with the center line of San Pablo Avenue, on the west, by the center line of San Pablo Avenue, southerly to its intersection with the southerly boundary line of the Town of Berkeley; on the south, easterly following the southerly boundary line of the town to its intersection with the center line of Shattuck Avenue; on the east, northerly by the center line of Shattuck Avenue to its intersection with the center line of Woolsey Street, thence westerly along the center line of Woolsey Street, to its intersection with the center line of Grove Street; thence northerly by the center line of Grove Street to its intersection with the center line of Parker Street.

SIXTH WARD. Bounded on the north by the center line of University Avenue and its extension westerly to its intersection with the westerly boundary line of the Town of Berkeley, on the west by the westerly boundary line of the town to its intersection with the southerly boundary line of the town; on the south by the southerly boundary line of the town to its intersection with the center line of San Pablo Avenue, on the east by the center line of San Pablo Avenue to its intersection with the center line of Parker Street; thence easterly by the said center line of Parker Street to its intersection with the center line of Sacramento Street; thence northerly along said center line of Sacramento Street to its intersection with the center line of Blake Street, thence westerly by said center line of Blake Street to its intersection with the center line of Sacramento Street produced southerly, thence northerly by the center line of Sacramento Street produced and by the center line of Sacramento Street to its intersection with the center line of University Avenue.

SEVENTH WARD. Bounded on the north by the northern boundary line of the Town of Berkeley, westerly to its intersection with the westerly boundary line of the town, on the west by the westerly boundary line of the town to its intersection with the center line of University Avenue produced; on the south by the center line of University Avenue produced, and the center line of University Avenue to its intersection with the center line of Sacramento Street, on the east by the center line of Sacramento Street northerly to its intersection with the center line of Hopkins Street, thence westerly along said center line of Hopkins Street to its intersection with the center line of Albina Avenue, thence northerly by the center line of Albina Avenue to its intersection with the northerly boundary line of the town.

Redistricting.

SEC. 6. The town shall, every five years, be redistricted into wards, as hereinafter provided.

ARTICLE III.

OFFICERS AND ELECTIONS

Officers.

SEC. 7. The government of the town shall be vested in a Board of Trustees, to consist of seven members; a Board of Education, to consist of seven members; whenever a free public library and reading-room is established therein, five Trustees thereof, a Treasurer, who shall be ex officio Tax Collector, an Attorney, a Clerk, a Marshal, a Superintendent of Streets, an Assessor, an Auditor, two Justices of the Peace, an Engineer, and such subordinate officers as are hereinafter provided for.

Eligibility.

SEC. 8. No person shall be eligible to hold any office in the town, whether filled by election or appointment, unless he be a resident and elector therein, and shall have resided within the boundaries of the town as hereinbefore described for three years next preceding the date of such election or appointment.

Mode of election.

SEC. 9. The members of the Board of Trustees and of the Board of Education, and the Assessor, Marshal, Treasurer, and Clerk shall be elected by the qualified electors of the town, at a general municipal election, to be held therein on the second Monday in April in each odd-numbered year. The qualified electors of the town shall vote for the Assessor, Marshal, Treasurer, and Clerk by general ticket; the qualified electors of each ward shall vote only for the member of the Board of Trustees and the member of the Board of Education who is respectively to represent their particular ward, *provided*, that the first election under this charter shall be held on the second Monday in May, one thousand eight hundred and ninety-five, and the officers elected at such election shall hold office until their successors are elected and qualified as provided in this charter.

Term of office.

SEC. 10. The Marshal, Assessor, Treasurer, and Clerk shall hold office for the period of two years from and after the Monday next succeeding the day of such election and until their successors are elected and qualified.

At the first election under this charter seven members of the Board of Trustees and seven members of the Board of Education shall be elected. Those elected from the even-numbered wards shall hold office for a period of two years, or until their successors are elected and qualified, and those elected from the odd-numbered wards shall hold office for four years, or until their successors are elected and qualified. At each general municipal election thereafter members of the Board of Trustees and of the Board of

Education shall be elected to succeed those whose terms are about to expire, and the members so elected shall hold office for a period of four years, or until their successors are elected and qualified.

The Attorney, the Superintendent of Streets, and the Engineer shall be appointed by the Board of Trustees, and shall hold office during the pleasure of such Board.

Vacancies.

SEC. 11. Any vacancy occurring in any of the offices provided for in this charter shall be filled by appointment by the Board of Trustees, except members of the Board of Education; but if such office be elective, such appointee shall hold office only until the next regular municipal election, at which time a person shall be elected to serve for the remainder of such unexpired term. In case a member of the Board of Trustees is absent from the meetings of the Board for the period of ninety days, unless by permission of the Board, his office shall, by the Board, be declared vacant, and the same filled as in the case of other vacancies.

Official bonds.

SEC. 12. The Clerk, Treasurer, Assessor, Auditor, Marshal, Superintendent of Streets, Attorney, and Engineer shall, respectively, before entering upon the duties of their respective offices, each execute a bond to the town in such penal sum as the Board of Trustees, by ordinance, may determine, conditioned for the faithful performance of his duties, including in the same bond the duties of all offices of which he is made by this charter ex officio incumbent. Such bonds shall be approved by the Board of Trustees. All bonds, when approved, shall be filed with the Clerk, except the bond of the Clerk, which shall be filed with the President of the Board of Trustees. All the provisions of any law of this State relating to the official bonds of officers, shall apply to such bonds, except as herein otherwise provided.

Oath of office.

SEC. 13. Every officer of the town, before entering upon the duties of his office, shall take and file with the Clerk the constitutional oath of office.

Compensation.

SEC. 14. The members of the Board of Trustees shall receive no compensation whatever, except while acting as Board of Equalization; *provided*, that the President of the Board of Trustees may receive such compensation as the Board of Trustees may by ordinance determine.

The members of the Board of Education shall receive no compensation whatever.

The Treasurer, Assessor, Auditor, Attorney, Engineer, Marshal, Superintendent of Streets, and Clerk shall severally receive, at stated times, a compensation to be fixed by ordinance by the Board of Trustees, which compensation shall not be increased or diminished after their election, or during their several terms of office.

Nothing herein contained shall be construed to prevent the Board of Trustees from fixing such several amounts of compensation, in the first instance, during the term of office of any such officer, or after his election.

The compensation of all other officers shall be fixed, from time to time, by the Board of Trustees.

Administering oaths.

SEC. 15. The President of the Board of Trustees and Chairman of each committee and each and every town officer (except policemen and firemen), shall have the power to administer oaths and affirmations relating to any business brought before the Board of Trustees or under consideration by their respective department.

Disposition of moneys collected.

SEC. 16. Every officer collecting or receiving any moneys belonging to or for the use of the town shall settle for the same with the Clerk on the first Monday in each month, and immediately pay the same into the treasury, on the order of the Clerk for the benefit of the funds to which such moneys respectively belong.

No officer to be interested in contract.

SEC. 17. No officer of the town shall be interested, directly or indirectly, in any contract with the town, or with any of the officers thereof, in their official capacity, or doing any work, or furnishing any supplies for the use of the town, or its officers, in their official capacity; and any claim for compensation for work done, or supplies and materials furnished, in which any such officer is interested, shall be void, and if audited and allowed shall not be paid by the Treasurer.

Any willful violation of the provisions of this section shall be deemed a misdemeanor and punished as such, and if found guilty said officer shall forfeit all rights to said office, and the same shall be declared to be vacant.

General election regulations.

SEC. 18. All elections in the town shall be held in accordance with the general election laws of the State, so far as the same may be made applicable, and no person shall be entitled to vote at such election unless he shall be a qualified elector of the county, enrolled upon the Great Register thereof at least fifteen days, and shall have resided in the town for at least thirty days next preceding such election. The Board of Trustees shall give such notice of each election as may be prescribed by ordinance, shall appoint Boards of Election, and fix their compensation, and establish election precincts and polling places, and may change the same; *provided*, that no part of any ward less than the whole thereof shall be attached to any other ward, or part thereof, in forming election precincts. At any municipal election the last printed Great Register of the county

shall be used, but any elector whose name is not upon such printed register shall be entitled to vote, upon producing and filing with the Board of Election a certificate, under the hand and official seal of the County Clerk, showing that his name is registered and uncanceled upon the Great Register of such county; *provided*, that he is otherwise entitled to vote. The Board of Trustees shall judge of the qualification of their own members, and shall canvass all election returns, except those of the first election held under this charter. The Board of Trustees shall meet on the first Wednesday subsequent to the election as a Canvassing Board, and shall duly canvass the election returns in the manner prescribed by the general law.

ARTICLE IV.

LEGISLATIVE DEPARTMENT.

Legislative body · Board of Trustees

SEC. 19. The legislative power of the Town of Berkeley shall be vested in a Board of Trustees, consisting of seven members.

Qualifications.

SEC. 20. From each of the seven wards of the town, there shall be elected by the qualified electors of the ward he is to represent, one member of the Board of Trustees, who shall have been at the time of his election a qualified voter within the boundaries of the town, as hereinbefore described, for a period of not less than three years, and a resident of the ward from which he is elected for a period of not less than six months. If a Trustee shall, during the term of his office, cease to be a resident of the town, his office shall by reason thereof be declared vacant.

Meetings.

SEC. 21. The Board of Trustees shall meet on the first Monday after the election of its members shall have been officially declared, and regularly at least once a month and at such other times as may be designated by resolution or ordinance. Special meetings may be called by the President of the Board or by four members of the Board uniting in a call. All the meetings of the Board shall be public.

Quorum.

SEC. 22. Four members of the Board shall be a quorum, and the affirmative vote of four members shall be necessary to pass any measure, but a less number than four may adjourn from day to day and compel the attendance of absent members, in such manner as the Board may prescribe.

Rules of proceeding.

SEC. 23. The Board of Trustees shall annually elect a President from its own members, who may be removed by an affirmative vote of not less than five members of the Board. The member so chosen as President of the Board shall have no other than his vote as Trustee.

President

SEC. 24. The Board of Trustees shall establish rules for its proceedings.

The Board shall have the power to punish its members for disorderly conduct in its presence, and may expel any member for malfeasance in office by an affirmative vote of five of its members.

The Board shall also have the power to compel the attendance of witnesses, and the production of all papers relating to any business properly before that body.

Ordinances and resolutions

SEC. 25. The action of the Board of Trustees shall be by ordinance or resolution.

Ordinances · what constitutes.

SEC. 26. To constitute an ordinance a bill must before final action thereon be passed to print and published, with the ayes and noes, for two days; and in case of any amendment being thereafter made must in like manner be republished as amended for not less than one day.

No action providing for any specific improvement, other than those provided under general statute, or the granting of any privilege or involving the lease, appropriation, or disposition of public property or expenditure of public money (except sums of less than five hundred dollars) or the levying of any tax or assessment, or the imposing of any new duty or penalty, shall be taken except by ordinance.

Ordinances enacting clause

SEC. 27. The enacting clause of all ordinances shall be in these words: "Be it ordained by the Board of Trustees of the Town of Berkeley as follows."

Ordinances to contain but one subject

SEC. 28. Every ordinance shall embrace but one subject, which shall be clearly indicated in its title. But if any subject shall be embraced in an ordinance which shall not be expressed in its title, such ordinance shall be void only as to so much thereof as shall not be expressed in its title.

Ordinances: final passage, reconsideration.

SEC. 29. When any bill is put upon its final passage, and fails to pass, if a motion is made to reconsider, the vote upon such motion shall not be taken until the next meeting of the Board of Trustees.

No bill for the grant of any franchise shall be put on its final passage within thirty days after its introduction

Ordinances President's signature.

SEC. 30. Every bill after it has passed the Board of Trustees shall be presented to the President thereof for his signature. The President shall sign and return such bill to the Board within ten days after receiving it.

Ordinances when to take effect.

SEC. 31. No ordinance passed by the Board of Trustees shall take effect until ten days after its passage, unless a different date be provided in the enactment.

Ordinances amending

SEC. 32. No ordinance shall be amended by reference only to its title, but when any ordinance is amended the section or sections thereof shall be reenacted at length as amended

Violation of ordinances

SEC. 33. The violation of any ordinance of the town shall be deemed a misdemeanor, and may be prosecuted in the name of the people of California. Any person sentenced to imprisonment for the violation of any ordinance may be imprisoned in the town jail, or if the Board of Trustees shall by ordinance so prescribe, in the county jail of Alameda County, in which case the expense of such imprisonment shall be a charge in favor of the county of Alameda against the Town of Berkeley

Board of Equalization

SEC. 34. The Board of Trustees shall have power, and it shall be their duty to provide by ordinance a system for the assessment, levy, and collection of all town taxes not inconsistent with the provisions of this charter, which system shall conform, as nearly as the circumstances of the case may permit, to the provisions of the laws of this State in reference to the assessment, levy, and collection of State and county taxes, except as to the time of such assessment, levy, and collection, and except as to the officers by whom such duties are to be performed.

All taxes assessed, together with any percentage imposed for delinquency, and the costs of collection, shall constitute liens on the property assessed, every tax upon the personal property shall be a lien upon the real property of the owner thereof. The liens provided for in this section shall attach as of the first Monday in March in each year, and may be enforced by a sale of the real property affected, and the execution and delivery of all necessary certificates and deeds therefor, under such regulations as may be prescribed by ordinance or by actions in any Court of competent jurisdiction, to foreclose such liens, *provided*, that any property sold for such taxes shall be subject to redemption within the time and manner, and upon the terms provided, or that may hereafter be provided by law, for the redemption of property sold for State taxes

All deeds made upon any sale of property for taxes or special assessments under the provisions of this charter, shall have the same force and effect in evidence as is or may hereafter be provided by law for deeds for property sold for non-payment of State taxes.

Levy and collection of taxes.

SEC. 35. The Board of Trustees shall meet at their usual place of holding meetings on the second Monday in August of each year, at ten o'clock in the forenoon of said day, and sit as a Board of Equalization, and shall continue in session from day to day until all the returns of the Assessor have been rectified; *provided*, they shall not sit as such Board later than the first Monday in September following, and on said last day they levy upon the assessed valuation of the property of said town a rate of taxation upon each one hundred dollars of valuation, which shall be entered upon their minutes. They shall then deliver the assessment roll to the Town Clerk, who shall compute and carry out the amount of tax so levied upon each parcel of property in said assessment roll contained. They shall have power to hear complaints and to correct, modify, or strike out any assessment, upon notice to the party whose assessment is to be raised. The corrected list for each tax shall be the assessment roll for said tax for said year. It shall be certified by the Town Clerk, who shall act as Clerk of the Board of Equalization, as being the assessment roll of said tax, and shall be the assessment roll upon which such tax is to be levied in said year

Bond tax; library tax.

SEC. 36. Nothing in this charter contained shall be construed to prevent the levying and collecting of taxes for the payment of any bonded indebtedness and the interest thereon heretofore contracted by the Town of Berkeley, pursuant to statute, as are provided for in such statutes, in addition to the taxes herein authorized to be levied and collected; nor to prevent the levying and collecting the tax authorized by the Act entitled "An Act to establish free public libraries and reading-rooms," approved April twenty-sixth, eighteen hundred and eighty, in addition to the taxes herein authorized to be levied and collected

Licenses, fines, and penalties.

SEC. 37. All moneys received for licenses, and from fines, penalties, and forfeitures, shall be paid into the General Fund.

Tax for special purposes.

SEC. 38. If at any time the Board of Trustees shall deem it necessary to incur any indebtedness in excess of the money in the treasury applicable to the purposes for which such indebtedness is to be incurred, they shall, if petitioned in writing to do so

by not less than three hundred qualified electors of the Town of Berkeley, call a special election by the qualified electors of the town to determine whether such indebtedness shall be incurred; *provided*, that when such indebtedness proposed to be incurred shall not exceed the sum of ten thousand dollars, the question of incurring such indebtedness shall only be submitted to the qualified electors of the town at a general municipal election. No such indebtedness shall be incurred without the assent of two thirds of the qualified electors of said town voting on such question at such election. Before incurring such indebtedness, provision shall be made for the collection of a tax sufficient to pay the interest on such indebtedness as it falls due, and also to pay the principal thereof within one year from the time of contracting the same, and such tax shall be a special tax, and the levy therefor shall be in addition to the total levy provided for in section fifty of this charter.

Limit of debt to be incurred

SEC. 39. The Board of Trustees shall not create, audit, or allow, or permit to accrue any debt or liability in excess of the available money in the treasury that may be legally apportioned for such purposes, except in the manner provided by general statute, or by this charter for incurring indebtedness, *provided*, that the Town of Berkeley, during the first year of its existence under this charter, may incur such indebtedness or liability as may be necessary, not exceeding in all the income and revenue provided for it for such year, nor shall any warrant be drawn, or evidence of indebtedness be issued unless there be at the time sufficient money in the treasury legally applicable to the payment of the same, except as herein provided.

Street Work

SEC. 40. The Board of Trustees are hereby authorized and empowered to order any work authorized by this charter to be done upon the streets, avenues, highways, and public places of the town. All such work shall be done pursuant to and under the provisions of the general statutes of the State of California; *provided*, that in all cases where statutory proceedings may not be required, the ordinances, rules, and regulations adopted by the Board of Trustees shall govern.

Public work to be done by contract

SEC. 41. In the erection, improvement, and repair of all public buildings and works, in all street and sewer work, and in all work in or about streams, bay, water front, or in or about embankments or other works for protection against overflow, and in furnishing any supplies or materials for the same, when the expenditure required for the same exceeds the sum of two hundred and fifty dollars, the same shall be done by contract and shall be let to the lowest responsible bidder, after notice, by publication in a newspaper of general circulation printed and published in the town, for at least one week. Such notice shall distinctly and specifically state the work contemplated to be done; *provided*, that the Board of Trustees may reject any and all bids presented, and readvertise, in their discretion.

Contracts for printing

SEC. 42. The Board of Trustees shall, annually, at a stated time, contract for doing all official printing and advertising, which contract shall be let to the lowest responsible bidder, after notice, as provided in the preceding section, and the contract therefor shall be awarded separately from all other printing.

Contracts for lighting

SEC. 43. No contract for lighting public streets, buildings, places, or offices shall be made for a longer period than two years, nor shall any contract be made to pay for gas, electric lights, or any other illuminating material at a higher rate than charged to any other consumer.

Contracts for water.

SEC. 44. No contract for supplying water for the use of the municipality in any of its departments shall be made wherein the rates exceed those charged to other consumers.

Form of contracts

SEC. 45. All contracts must be in writing, executed in the name of the Town of Berkeley, and by an officer authorized to make the same.

The form and legality of all contracts shall be submitted to and passed upon by the Town Attorney. Every contract must be countersigned by the Auditor, numbered and registered in a book kept for that purpose.

Nuisances.

SEC. 46. Every act and thing done or being within the limits of the town which is declared by law to be a nuisance, and anything done or being within the limits of the town which shall be, by the Board of Health, reported in writing to the Board of Trustees to be dangerous or detrimental to the health of the neighborhood or community, may be, by resolution or ordinance, declared to be a nuisance, and shall be considered and treated as such in all actions and proceedings whatever, and all remedies which are or may be given by law for the prevention and abatement of nuisances shall apply thereto.

Redistricting the town.

SEC. 47. The Board of Trustees shall, in the year nineteen hundred, and every fifth year thereafter, redistrict the town into seven wards, making the same as nearly equal in population and as geographically compact as possible, but the town shall not be so redistricted within ninety days previous to any municipal election.

Ordinances continued in force.

SEC. 48. All lawful town ordinances and regulations now in force, and not inconsistent with the provisions of this charter, are hereby continued in effect until the same shall be duly amended or repealed.

Publication of ordinances.

SEC. 49. The Board of Trustees shall, during the first year after its organization under this charter, cause all ordinances then in force to be classified under appropriate heads, and shall provide for the publication of the same, together with this charter, in book form.

Every officer of the town shall be entitled to one copy of such ordinances and charter without charge, and every citizen applying for a copy shall be entitled to the same at the cost of publication.

The Board of Trustees shall, every five years after the publication as herein provided, cause all the ordinances at that time in force to be compiled, and shall publish the same, subject to the terms and conditions herein expressed.

POWERS OF THE BOARD OF TRUSTEES.

SEC. 50. The Board of Trustees shall have power

To pass ordinances.

1. To pass ordinances.

To establish a Board of Health.

2. To provide for the organization and maintenance of a Board of Health; to prescribe rules and regulations therefor, and for the appointment or election of members thereof; and to make all such sanitary regulations as may be requisite to promote the public health and comfort.

To hold property.

3. To purchase, lease, or receive such real estate and personal property as may be necessary or proper for municipal purposes, and to control, dispose of, and convey the same for the benefit of the town; *provided*, the Board shall not have the power to sell or convey any portion of any water front, but may rent such water front for a term not exceeding ten years; *provided further*, that whenever any street or portion of a street shall be abandoned or closed by resolution or ordinance as provided by law, said Board shall have full power and authority to convey by deed such street or portion of street to the owners of the lands adjacent to such street or portion of street so abandoned or closed, as said Board shall deem that equity requires.

To lay and collect taxes.

4. To lay and collect annually a property tax which shall be apportioned as follows: For the General Fund, not to exceed thirty-five cents on each one hundred dollars; for Street Fund, not exceeding thirty cents on each one hundred dollars; and for School Fund not exceeding thirty cents on each one hundred dollars; *provided*, that the school apportionment shall in no event be less than twenty-five cents on each one hundred dollars, *provided*, that the Board of Trustees shall have power to levy, in addition to said seventy-five cents, any special tax necessary to pay any special indebtedness which may be incurred pursuant to the provisions of this charter.

Tax limit

The total levy for any one year for all purposes to which such funds are applicable, shall not exceed seventy-five cents on each one hundred dollars of the assessed value of all real and personal property within the Town of Berkeley.

To license businesses.

5. To license for purposes of regulation and revenue all and every kind of business not prohibited by law to be transacted or carried on in the town, and all shows, exhibitions, and lawful games carried on therein; to fix the rates of license upon the same, and to provide for the collection of the same by suit or otherwise.

To require a dog license.

6. To impose and collect an annual license not exceeding two dollars on every dog owned or harbored within the limits of the town.

To erect public buildings.

7. To erect and maintain buildings for municipal purposes.

To establish and maintain streets.

8. To establish, build, and repair bridges, to establish, lay out, alter, keep open, open, improve, and repair streets, sidewalks, alleys, squares, and other public highways and places within the town, and to drain, sprinkle, and light the same; to remove all obstructions therefrom; to establish the grades thereof; to grade, pave, macadamize, gravel, and curb the same in whole or in part, and to construct gutters, culverts, sidewalks, and cross-walks therein, or upon any part thereof; to cause to be planted, set out, and cultivated shade trees therein; and generally to manage and control all such highways and places.

To construct sewers.

9. To establish, construct, and maintain drains and sewers.

To lay or allow water, lighting, and telegraph lines.

10. To lay and to permit, as they may deem proper, the laying of gas or water pipes, or electric conduits in the public streets, and to construct and maintain and to permit the construction and maintenance of telegraph, telephone, or electric light lines therein.

To regulate distribution of water and gas

11 To regulate the quality, capacity, and location of water and gas pipes, mains, and fire-plugs, and to provide for and regulate the construction and repair of hydrants, fire-plugs, cisterns, pumps, and such other appliances as may be requisite to utilize the distribution of water and gas in the streets, public places, and public buildings.

To grant franchises for street railroads.

12 To grant, under and in pursuance of the general statutes of this State, franchises for the construction of street railroads on and along the streets of the town; *provided*, that in all grants of franchises for street railroads it shall be made a condition that single fares on such roads shall not exceed five cents, and that only such rails shall be laid down as are of the most approved pattern for street railways operated by horses, cables, or other motors than steam, *provided further*, that it shall be unlawful for the Board of Trustees within ninety days next preceding the date of holding a general town election, and within seventy days next immediately following such general election, to authorize or pass any ordinance, order, or resolution granting to any person or persons or association of persons or corporation whatsoever any privilege or franchise for the construction, extension, or operation of any street railroad over or upon any part of any street, road, highway, squares, or park within the Town of Berkeley.

Any franchise or privilege granted or attempted to be granted in violation of or contrary to this section shall be absolutely void and of no effect; *provided*, that all applications and bids or proposals for franchises under this section shall be accompanied by a cash deposit of two thousand dollars as a guarantee of the good faith of the applicant or bidder, and as a fund out of which to pay all expenses connected with such application and granting of such franchise. Upon the franchise being awarded all deposits made by unsuccessful bidders shall be returned. The deposit of the successful bidder shall be retained until the full performance by him of the provisions of the franchise to the satisfaction of said Board. And upon such performance the remainder of such deposit, after the payment therefrom of all expenses incurred by the town in connection with the awarding of such franchise, shall be returned; *provided further*, that no franchise for a street railroad shall be granted without containing a provision that all United States mail carriers and officers of the town shall at all times while in the actual discharge of their duties be allowed to ride on the cars of such railroad without paying therefor and with all the rights of other passengers.

To contract for water supply.

13. To contract for supplying the town with water for municipal purposes.

To construct waterworks.

14 To acquire, construct, and keep in repair pumps, aqueducts, reservoirs; to lay water pipes, or do other work necessary for duly supplying the town with water

To fix water rates.

15 To fix and determine annually the rates of compensation to be collected by any person, company, or corporation in the town for the use of water supplied to the town or the inhabitants thereof, and to prescribe penalties for the violation of all ordinances passed in reference to matters contained in this subdivision.

To provide fire engines.

16. To provide fire engines and all other necessary or proper apparatus for the prevention and extinguishing of fires.

To establish fire limits

17. To establish fire limits with proper regulations.

To regulate objectionable trades.

18 To regulate the maintenance of powder works, acid works, slaughter houses, wash houses, laundries, tanneries, offensive trades, and all other manufactories, works, and business of every description that may endanger the public safety, health, or comfort, and to restrict the prosecution thereof to such fixed limits as may seem proper, or to exclude such works and business from the town.

To establish a pound.

19 To prevent or regulate the running at large of any animals, to establish a pound, and to authorize the destruction or impounding of any animals running at large.

To appoint policemen and subordinate officers

20. To appoint and remove such policemen and other subordinate officers, other than the deputies of elective officers, as they may deem proper, and to fix their duties and compensation.

To provide fines and imprisonment.

21. To impose fines, penalties, and forfeitures for any and all violations of ordinances, and for any breach or violation of any ordinance; to fix the penalty by fine or imprisonment, or both, but no such fine shall exceed three hundred dollars, nor the term of such imprisonment exceed three months.

To cause all persons imprisoned for violation of any ordinance to labor on the streets or other property or works within the town.

To add to the duties of town officers.

22 To prescribe by ordinance, not inconsistent with the provisions of this charter, the additional duties of all town officers, and fix their compensation.

To provide for election of Auditor.

23 To provide by ordinance, when said Board may deem necessary for the election at a general town election, of an Auditor, whose term of office shall be two years, and whose compensation shall be fixed by the Board of Trustees, and whose duties shall be as in this charter prescribed; *provided*, that no Auditor shall be elected prior to the municipal election of the year eighteen hundred and ninety-nine.

To perform other acts

24 To do and perform any and all other acts and things necessary and proper to carry out the provisions of this charter, and to enact and enforce within the limits of the town all other local, police, sanitary, and other regulations as do not conflict with the general laws.

ARTICLE V.

EXECUTIVE DEPARTMENT.

DUTIES OF THE PRESIDENT OF THE BOARD OF TRUSTEES.

Supervise public officers

SEC. 51. 1 The President of the Board of Trustees shall vigilantly observe the conduct of all public officers, and take note of the fidelity and exactitude, or the want thereof, with which they execute their duties and obligations, especially in the collection, administration, and disbursement of the public funds and property

Examine public records

2 The books, records, and official papers of all departments, Boards, officers, and persons in the employ or service of the town, shall at all times be open to his inspection and examination. He shall take especial care to see that the books and records of said departments, Boards, officers, and persons are kept in a legal and proper form, and any defalcation, or willful neglect of duty or official misconduct which he may discover, or which shall be reported to him, shall be laid by him before the Board of Trustees, Town Attorney, or District Attorney, in order that the public interests shall be protected and the person in default be proceeded against according to law

Have public records expeted.

3 He shall appoint, subject to the approval of the Board of Trustees, a competent person or persons, expert in matters of bookkeeping and accounts, whose compensation must be fixed before the appointment by the Board of Trustees, to examine the books, records, condition, and affairs of every department, Board, or officer, and report fully thereon, in writing, to the Board of Trustees at least once in every year; and it shall be the duty of the President of the Board to enforce such an examination. Any officer, Board, or person in the employ of the town refusing to submit to or permit such an examination, or purposely delaying or impeding the same, may be removed from office for such conduct, the same as for malfeasance in office.

Supervise public institutions

4 The President of the Board of Trustees shall have a general supervision over all departments and public institutions of the town, and shall see that they are honestly, economically, and lawfully conducted

Have ordinances enforced

5 He shall see that the provisions of the charter and the ordinances of the town are observed and enforced

Give information to the Board of Trustees.

6 He shall, from time to time, give the Board of Trustees information, in writing, relative to the state of the town, and shall recommend such measures as he may deem beneficial to its interests.

Audit claims

7 He shall, until the election of an Auditor be had, examine into and audit all claims against the town, be the general auditing officer of the town, keep a proper record of all claims, and report the same at each regular meeting of the Board, with his recommendations thereon.

Count money in the Treasury.

8 The President of the Board of Trustees, the Chairman of the Finance Committee of the same Board, and the Town Clerk shall, at least once in three months, count the cash in the Town Treasury and see that it corresponds with the books of the Treasurer and the Clerk, and report the result of such count to the Board of Trustees

DUTIES OF THE AUDITOR.

SEC. 52 The Auditor shall act as the general accountant and fiscal agent of the Town of Berkeley, and shall exercise a general superintendence over all the officers of the town charged in any manner with the receipt, collection, or disbursement of the town revenues. He shall keep a complete set of books in which he shall set forth in a plain and business-like manner every money transaction of the town, so as to show at all times the state of each fund, from what source the money was derived, and for what purpose any money was expended, and also all collections made and paid into the treasury by each officer, or any other person. He shall, on application of any person indebted

to the town holding money payable into the Town Treasury or desiring to pay money therein, certify to the Town Treasurer the amount thereof, to what fund applicable, and by whom to be paid. He shall, upon the deposit of the receipt of the Town Treasurer for money paid into the Town Treasury, charge the Town Treasurer with the amount received by him, and give the person paying the same a receipt therefor. It shall be his duty to apportion among the several funds all public money at any time in the Town Treasury, not by law or ordinance specifically apportioned and appropriated, and forthwith notify the Town Treasurer of such apportionment or appropriation. He shall countersign and deliver to the proper officer all licenses. He shall report to the Board of Trustees at each regular meeting the condition of each fund in the Town Treasury, and the amount drawn from each fund since the last regular meeting. He shall make and present a report to the Board of Trustees, at its meeting in the second week of December of each year, showing all financial business transactions of the town for the preceding year, ending the thirtieth day of November last. He shall audit and approve all demands against the town before payment, and keep a record of the same. He shall, on or before the first of August in each year, make and present to the Board of Trustees a report as to the revenue and expenses of the town for the current fiscal year, in which he shall set forth estimates of, first, the revenue from other sources than taxation; second, the itemized expenditures; third, the itemized amounts necessary to be raised by taxation for each fund. He shall perform such other duties as shall be required of him by this charter or by ordinance.

DUTIES OF THE TREASURER

SEC. 53. It shall be the duty of the Treasurer to receive and safely keep all moneys which shall come into his hands as Town Treasurer, for all of which he shall give duplicate receipts, one of which shall be filed with the Town Clerk. He shall pay out said money on warrants signed by the proper officers, and not otherwise, except interest coupons on bonds. He shall make quarterly settlements with the Town Clerk. He shall be ex officio Tax Collector.

DUTIES OF THE ASSESSOR

SEC. 54. It shall be the duty of the Assessor, between the first Monday in March and the first Monday in August in each year, to make out a true list of all taxable property within the town. The mode of making out said list, and proceedings relating thereto, shall be in conformity with laws now in force regulating County Assessors, or that may hereafter be enacted, except as the same may be otherwise provided in this charter, or by ordinance. Said list shall describe the property assessed and the value thereof, and shall contain all other matters required to be stated in such lists by County Assessors. The Assessor shall verify said list by his oath, and shall deposit the same with the Town Clerk on or before the first Monday in August in each year. The Assessor and his deputy shall have power to administer all oaths and affirmations that may be necessary in the performance of their duties.

DUTIES OF THE CLERK.

Keep records of the Board of Trustees.

SEC. 55. 1. It shall be the duty of the Clerk to keep a full and true record of all the proceedings of the Board of Trustees and of the Board of Equalization. The proceedings of the Board of Trustees shall be kept in a book, marked "Records of the Board of Trustees." The proceedings of the Board of Equalization shall be kept in a separate book, marked "Records of the Board of Equalization."

Keep a book of "Town Accounts"

2. He shall keep a book, which shall be marked "Town Accounts," in which shall be entered as a credit all moneys received by the town for licenses, the amount of any tax when levied, and all other moneys received, and in which shall be entered upon the debtor side all commissions deducted, and all warrants drawn on the treasury.

Keep a book of "Tax Collector's Account"

3. He shall also keep a book, marked "Tax Collector's Account," in which he shall charge the Tax Collector with all tax lists delivered to him. He shall credit the Tax Collector with the delinquent lists returned by him.

Keep a book of "Treasurer's Account"

4. He shall also keep a book, marked "Treasurer's Account," in which he shall keep a full account of the transactions of the town with the Treasurer.

Keep a book of "Town Licenses."

5. He shall also keep a book, marked "Town Licenses," in which he shall enter all licenses delivered by him to the Marshal, and the amount thereof.

Keep a book of "Sewer Permits."

6. He shall keep a book, marked "Sewer Permits," in which he shall enter all sewer permits delivered by him to the Marshal, and the amount thereof.

Keep a book of "Town Ordinances"

7. He shall also keep a book, marked "Town Ordinances," into which he shall copy all town ordinances, with his certificate annexed to said copy, stating the foregoing ordinance to be a true and correct copy of an ordinance of the town, and giving the number

and title of said ordinance, and stating that the same has been published or posted according to law. Said record copy, with said certificate, or the original ordinance, shall be *prima facie* evidence of the contents of the ordinance, and of the due passage and publication of the same, and shall be admissible as such evidence in any Court or proceeding. Said records shall not be filed in any case, but shall be returned to the custody of the Town Clerk. Nothing herein contained shall be construed to prevent the proof of the passage and publication of ordinances in the usual way.

Index foregoing books.

8. Each of the foregoing books, except the records of the Board of Trustees and the Board of Equalization, shall have a general index sufficiently comprehensive to enable a person readily to ascertain matters contained therein.

Compute amount of taxes.

9. Upon the completion of the assessment roll for any of the taxes of the town, and levying of the tax thereon, the Town Clerk shall compute and carry out the amount of tax so levied on each parcel of property in said assessment roll contained, and shall deliver it to the Tax Collector. It shall not be necessary to make a duplicate assessment roll. He shall compute all delinquent taxes and penalties therefor and charge the Tax Collector therewith.

Appoint a deputy.

10. He may appoint, subject to the approval of the Board of Trustees, a deputy, for whose acts he and his bondsmen shall be responsible.

Administer oaths.

11. He and his deputy shall have power to administer oaths and affirmations, to take affidavits and depositions to be used in any Court or proceeding in the State, and to certify the same. He and his deputy shall take all necessary affidavits to demands against the town, and certify the same without charge.

Have charge of town archives.

12. He shall have the custody and be responsible for the corporate seal, and all books, papers, records, and archives belonging to the town, not in actual use by other officers, or otherwise by special provision committed to their custody.

Make quarterly statements.

13. He shall make a quarterly statement, in writing, showing receipts and expenditures of the town for the preceding quarter, and the amount remaining in the treasury.

Make annual statements.

14. He shall, at the end of every fiscal year, make a full and detailed statement of the receipts and expenditures of the preceding year, and a full statement of the financial condition of the affairs of the town, which shall be published; which statement shall also contain a complete list of all the paid officials of the town, with the amounts of their several compensations.

Act as Clerk of Board of Education.

15. He shall ex officio act as Clerk of the Board of Education.

Perform other duties.

16. He shall perform such other services as this charter and the ordinances of the Board of Trustees shall require.

DUTIES OF THE ATTORNEY.

SEC. 56. It shall be the duty of the Town Attorney to advise the town authorities and officers in all legal matters pertaining to the business of the town, and to render such other services in the line of his profession as may be required of him by the Board of Trustees.

DUTIES OF THE MARSHAL.

Have charge of the town police.

SEC. 57. 1. The department of police of the town shall be under the direction and control of the Marshal; and for the suppression of any riot, public tumult, disturbance of the peace, or resistance against the laws or public authorities in the lawful exercise of their functions, he shall have the powers that are now or may hereafter be conferred upon Sheriffs by the laws of the State, and shall, in all respects, be entitled to the same protection; and his lawful orders shall be promptly executed by deputies, police officers, and watchmen in the town, and every citizen shall also lend him aid when required for the arrest of offenders and the maintenance of public order.

Have powers and duties of Constable.

2. He shall and is hereby authorized to execute and return all process issued and directed to him by any legal authority, and shall have the same power and duties in all civil and criminal cases within the limits of the town as Constables have within the respective townships for which they are elected, and shall be entitled to the same fee.

Pay Treasurer moneys collected.

3. He shall, at the expiration of each month, pay to the Town Treasurer all funds of the town collected by him, or his deputies, during said month. He shall, upon the payment of the money, file with the Treasurer an affidavit stating that the money so paid is all the funds he has collected or received during the preceding month.

Have charge of town prisons.

4. He shall have charge of the town prison and prisoners, and of any chaingang that may be established by the Board of Trustees.

Appoint deputies and additional policemen

5. He may appoint, subject to the approval of the Board of Trustees, one or more deputies, for whose acts he and his bondsmen shall be responsible. He may also, with the concurrence of the President of the Board of Trustees, when the same may be by them deemed necessary for the preservation of public order, appoint additional policemen, who shall discharge the duties assigned them for one day only.

Ex officio License Collector.

6. He shall be ex officio License Collector.

Perform other duties.

7. He shall perform such other services as this charter and the ordinances of the Board of Trustees shall require.

DUTIES OF THE TAX COLLECTOR.

SEC. 58. The Tax Collector shall collect all taxes levied by the Board of Trustees, except as herein provided. He shall, at the expiration of each month, pay to the Town Treasurer all taxes and other funds of the town collected by him during said month. He shall, upon the receipt of any tax list, give his receipt for the same to the Town Clerk, and shall, upon depositing with the Town Clerk the delinquent tax list, take his receipt therefor. He shall keep proper books, showing all moneys collected by him as Tax Collector, and also a book which shall contain a record of every deed given by or on behalf of the town for real estate sold for delinquent taxes or assessments, which book shall be properly indexed, and shall be at all suitable times subject to public inspection. He shall perform such other duties as may be required of him by law or by ordinance of the town.

DUTIES OF THE SUPERINTENDENT OF STREETS.

SEC. 59. The Superintendent of Streets shall have the general care of and frequently inspect the streets of the town. He shall receive and investigate all complaints as to their condition, and shall have charge of the enforcement of all ordinances pertaining to street construction. He shall frequently inspect all public works pertaining to street improvements while the same are in course of construction; inspect and approve or reject all material used in such construction, whether done under contract or otherwise; and shall at once report to the Board of Trustees, in writing, all deviations from contracts and use of improper material and bad workmanship in such works, and shall have power, pending investigation, to stop all work thereon. He shall perform such other duties as are herein elsewhere prescribed or as may be imposed by ordinance.

DUTIES OF THE ENGINEER.

SEC. 60. 1. It shall be the duty of the Engineer to make all surveys, inspections, and estimates required by the Board of Trustees.

2. He shall examine all public work done under contract and report thereon in writing to the Board of Trustees.

3. He shall, on application of any person owning or interested in real property in the town for a survey or plat of such property, make and deliver the same upon the payment of his fee therefor.

4. He shall be the custodian of and responsible for all maps, plats, profiles, field notes, and other records and memoranda belonging to the town pertaining to his office, and the work thereof, all of which he shall keep in proper order and condition, with a full index thereof, and all of which he shall turn over to his successor.

5. All maps, plats, profiles, field notes, estimates, and other memoranda or surveys, and other professional work, made or done by him, or under his direction or control during his term of office for the town, shall be the property of the town.

6. He shall perform such other duties as are prescribed by this charter or as may be imposed by ordinance.

ARTICLE VI

SCHOOL DEPARTMENT.

Board of Education.

SEC. 61. The government of the School Department of the town shall be vested in a Board of Education, to consist of seven members, to be called School Directors.

Qualifications of School Directors

SEC. 62. From each of the seven wards of the town there shall be elected by the qualified electors of the ward he is to represent, one member of the Board of Education, who shall have been at the time of his election a qualified voter within the boundaries of the town as hereinbefore described for a period of not less than three years, and a resident of the ward from which he is elected for a period of not less than six months. If a School Director shall, during the term of his office, cease to be a resident of the town, his office shall by reason thereof be declared vacant.

Vacancies.

SEC. 63. In case a vacancy should occur in the office of School Director, the Board of Education shall choose a person to fill such vacancy, who shall serve until the next election, when, if the term does not then expire, a person shall be elected to serve for the remainder of such unexpired term.

Meetings.

SEC. 64. The Board of Education shall meet on the first Monday after the election of its members shall have been officially declared, and at such other times as may be designated by resolution in the place provided for them by the Board of Trustees. Special meetings may be called by the President of the Board or four members of the Board uniting in a call. All meetings of the Board shall be public.

Quorum.

SEC. 65. Four members of the Board shall be a quorum, and the affirmative vote of four members shall be necessary to pass any measure, but a less number than four may adjourn from day to day and compel the attendance of absent members, in such manner as the Board may prescribe.

President.

SEC. 66. The Board of Education shall annually elect a President from its own members, who may be removed by an affirmative vote of not less than five members of the Board. The member so chosen as President of the Board shall have no other than his vote as School Director.

Clerk

SEC. 67. The Town Clerk shall be ex officio Clerk of the Board of Education, and shall receive such compensation as said Board may from time to time determine. It shall be the duty of the Clerk to keep a full and true record of all the proceedings of the Board of Education. He shall make a quarterly statement, in writing, showing the income and expenditures of the Board for the preceding quarter, and such other statements as the Board may from time to time require.

Attorney.

SEC. 68. The Town Attorney shall be the attorney of the Board of Education.

Board may sue and be sued.

SEC. 69. The Board of Education may sue and be sued by their name of office. In any action or judicial proceeding against said Board, service of process upon the President, or upon a majority of the members of the Board, shall be sufficient to give the Court jurisdiction to hear and determine the same.

Administering oaths.

SEC. 70. The President of the Board of Education shall have power to administer oaths and affirmations concerning any demand upon the Treasury payable out of the School Fund, and in all other matters relating to the duties of the Board of Education, and to witnesses examined in any investigation had by such Board of Education, or by a committee thereof duly appointed by it for that purpose.

Attendance of witnesses.

SEC. 71. The President may issue subpoenas under his hand and the seal of the town, attested by the Town Clerk, to compel the attendance of witnesses before the Board of Education, or committee thereof, who shall be entitled to the same fees as witnesses in civil cases, and who may be punished for contempt for non-attendance, or refusal to be sworn, or to answer, by the Superior Court of the county in which the town is situated.

School warrants.

SEC. 72. Every claim payable out of the School Fund shall be filed with the Clerk of the Board of Education, and after it shall have been approved by the Board a certificate of such approval shall be indorsed thereon, signed by the President and Clerk, and a warrant upon the School Fund shall be issued thereon for the payment of such claim; which warrant shall be signed by the President of such Board, and countersigned by the Clerk, and shall specify for what purpose the same is drawn.

Mode of receiving county moneys

SEC. 73. Unless otherwise provided by law all moneys received by the Treasurer of the county wherein the town is situated, on account of the School Fund of the town, and all sums received into the County Treasury which may be apportioned to the town, shall be paid to the Town Treasurer by the County Treasurer as soon as received, or as soon as the apportionment shall be made, when apportionment is necessary, upon the order of the Board of Education.

Use of State school moneys

SEC. 74. The entire revenue derived by the town from the State School Fund and the State school tax shall be applied by the Board of Education exclusively to the support of primary and grammar schools.

POWERS OF THE BOARD OF EDUCATION.

SEC. 75. The Board of Education shall have power:

To establish schools.

1 To establish and maintain public schools, including high schools and kindergartens, and to change, consolidate, and discontinue the same.

To employ teachers and other officers.

2. To employ and dismiss teachers, janitors, truant officers, and School Census Marshals, and to fix, alter, allow, and order paid their salaries or compensations, and to employ and pay such mechanics and laborers as may be necessary to carry into effect the powers hereby conferred.

To make rules for the schools

3. To make, establish, and enforce all necessary or proper rules and regulations, not in conflict with the laws of this State, for the government and management of public schools within the town, the teachers thereof, and the pupils therein, and for carrying into effect the laws relating to education.

To regulate courses of study.

4. To establish and regulate the grades of schools in the town, and the mode of instruction to be pursued therein, and determine what text-books shall be used, and to fix courses of study, including preparation for entrance to the University of California.

To regulate admission of pupils.

5. To prohibit any children under six years of age from attending the public schools, except that in the kindergarten younger children may be received.

To regulate admission of non-resident and adult pupils.

6. To admit non-resident children and persons over twenty-one years of age to any of the departments of the schools of the town, upon the payment monthly, in advance, of such tuition fee as the Board may establish.

To provide school supplies

7. To provide for the school department of the town fuel and light, water, printing, and stationery, and to incur such other incidental expenses as may be deemed necessary by the Board.

To provide school houses

8. To build, alter, repair, rent, and provide school houses, and to furnish the same with proper school furniture, apparatus, and appliances, and to insure any and all school property

To hold property.

9. To purchase, receive, lease, and hold in fee, in trust for such town, any and all real estate and personal property that may have been acquired, or may hereafter be acquired, for the use and benefit of the schools of the town; *provided*, that no real estate shall be bought, sold, or exchanged, nor any expenditure incurred for the construction of new school houses, without the approval of the Board of Trustees; *and provided further*, that the proceeds of any such sale or exchange of real estate shall be exclusively applied to the purchase of other lots, and for the erecting of school houses thereon.

To improve school lots.

10. To grade, fence, and improve all school lots

To make annual estimates of expenses; tax limit.

11. To determine annually the amount of money required for the support of the public schools, and for carrying into effect all the provisions of law in reference thereto; and in pursuance of this provision the Board of Education shall, at least ten days before the meeting of the Board of Trustees at which the annual town taxes are levied, submit in writing to the Board of Trustees a careful estimate of the whole amount of money to be received from the State and county, and of the amount to be required from the town for the above mentioned purposes; and the amount so found to be required from the town shall, by the Board of Trustees, be added to the above amounts to be assessed and collected for town purposes, and when collected the proceeds thereof shall be immediately paid into the School Fund of the town, to be drawn out only upon the order of the Board of Education, *provided*, that such annual tax shall not exceed thirty cents on each one hundred dollars of the assessed valuation of the real and personal property within the town.

To regulate disbursements of money.

12. To establish regulations for the just and equal disbursement of all moneys belonging to the School Fund

To discharge legal incumbrances

13. To discharge all legal incumbrances existing at the time of the adoption of this charter, or thereafter, on any school property within the town.

To perform other acts

14. To do and perform, in addition to the foregoing powers, such other acts as may be necessary or proper to carry into effect the powers hereby conferred, and to increase the efficiency of the public schools of the town.

ARTICLE VII.

JUDICIAL DEPARTMENT.

The judicial power.

SEC. 76. The judicial power of the town shall be vested in two Justices' Courts and such other Courts as may be provided by law.

Election and term of Justices.

SEC. 77. Two Justices of the Peace shall be elected at the time that other Justices are elected, whose terms of office shall be two years; *provided*, that the two Justices elected

for the Town of Berkeley at the general election held November sixth, eighteen hundred and ninety-four, shall hold office as Justices of the Town of Berkeley until the first Monday in January, eighteen hundred and ninety-seven. The Justices' Courts shall always be open, legal holidays excepted.

Jurisdiction of the Justices' Courts.

SEC. 78. The Justice's Court and the Justices thereof shall have jurisdiction, concurrently with other Justices' Courts, of all actions and proceedings, civil and criminal, arising within the corporate limits of the town and which might be tried in a Justice's Court; *provided, however*, that within the corporate limits of the town, the Town Justices of the Peace and Town Justices' Courts shall have exclusive jurisdiction and power over all actions for the recovery of any fine, penalty, or forfeiture prescribed for the breach of any ordinance of the town, of all actions founded upon any obligations or liability created by any ordinance, and of all prosecutions for any violation of any ordinance; *provided, moreover*, that the Board of Trustees may by ordinance select both or either of said Justices to have jurisdiction of all criminal prosecutions arising under ordinance.

Rules for proceeding.

SEC. 79. The rules of practice and mode of proceeding shall be the same as are or may hereafter be prescribed for Justices' Courts.

Fees of Justices.

SEC. 80. The Justices of the Peace shall be entitled to charge and receive for their services such fees as are or may be allowed by law to Justices of the Peace for like services, and to collect said fees in the same manner as other Justices' fees are collected, excepting that for their services in criminal prosecution for violation of ordinances they shall be entitled to receive only such fees or salary as the Board of Trustees may by ordinance prescribe, which compensation when once fixed shall not be altered within two years thereafter.

Justices to render account of fines and fees.

SEC. 81. Each Justice of the Peace shall pay to the Treasurer of said town on the first Monday of each month all fines by him collected for violation of ordinances, and file a full monthly report with the Town Clerk, showing the amount of all fees collected, from whom, and in what case such fines and fees were collected and paid.

Compensation of Justices may be fixed by the Board of Trustees.

SEC. 82. The Board of Trustees may, at their option, by ordinance, fix a monthly compensation for such Justices, which said compensation shall be in full for all services rendered as Justices; *provided*, that when such monthly compensation is so fixed all fees and fines, other than those required by law to be paid to the county, shall be paid to the Town Treasurer.

Disqualification of Justices.

SEC. 83. In all cases where for any reason either of the Justices is disqualified, or in any case of sickness or inability to act, he may call in the other Justice, and, if both are disqualified or unable to act, any Justice of the Peace residing in the county.

ARTICLE VIII.

AMENDMENTS.

SEC. 84. This charter may be amended at any time in the manner provided in the Constitution of this State.

Whereas, the Town of Berkeley, a city containing a population of more than ten thousand and less than one hundred thousand inhabitants, on the sixth day of November, eighteen hundred and ninety-four, at a general election, and under and in accordance with the provisions of section eight, article eleven, of the Constitution of the State of California, did elect William Carey Jones, O. G. Dornin, C. Engebretsen, John Finn, John McCarthy, George D. Metcalf, Reuben Rickard, George Schmidt, B. E. Underwood, W. K. Weir, H. L. Whitney, Charles T. Wilkinson, E. J. Wickson, D. H. Bruns, and M. L. Hanscom, a Board of Fifteen Freeholders to prepare and propose a charter for said city; be it known, in pursuance of said provision of the Constitution, and within a period of ninety days after such election, said Board of Fifteen Freeholders has prepared and does propose the foregoing, consisting of eight articles and eighty-four sections, signed by us in duplicate, as and for the charter of the said Town of Berkeley.

In witness whereof, we have hereunto set our hands and seals this twenty-ninth day of December, Anno Domini eighteen hundred and ninety-four. Done in duplicate.

WM CAREY JONES, President.
GEO. D. METCALF.
REUBEN RICKARD.
H. L. WHITNEY.
JOHN FINN
JOHN MCCARTHY.
B. E. UNDERWOOD.
W. K. WEIR.
C. ENGBRETSSEN.
E. J. WICKSON.

Attest: M. L. HANSCOM, Secretary.

NOW, THEREFORE, BE IT

Resolved by the Senate of the State of California, the Assembly thereof concurring (a majority of all the members elected to each house voting for and concurring herein), That said charter be and the same is hereby approved as a whole, for and as the charter of said Town of Berkeley.

The question being on the adoption of Senate Concurrent Resolution No. 8.

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

AYES—Messrs. Bassford, Belshaw, Bennett, Bettmann, Bledsoe, Boothby, Bulla, Cargill, Coghlin, Collins, Cutter, Dale, Davis, Devine, Dodge, Dunbar, Ewing, Fassett, Glass, Guy, Hatfield, Healey, Huber, Hudson, Jones, Keen, Kenyon, Laird, Laugenour, McKelvey, Merrill, North, O'Day, Pendleton, Price, Reid, Rowell, Spencer, Staley, Stansell, Tibbits, Twigg, Wade, Waymire, Weyse, Wilkinson, Zocchi, and Mr. Speaker—48.

NOES—None.

MOTION.

Mr. North moved that the Assembly do now take up the consideration of Assembly Concurrent Resolution No. 10.

So ordered.

ASSEMBLY CONCURRENT RESOLUTION No. 10.

WHEREAS, It appears that certain parties have constructed dams in the American River, above Folsom; in the Stanislaus River, at Knight's Ferry; and in the Tuolumne River, near La Grange; and by reason of such obstructions the salmon are unable to reach the headwaters of the American, Stanislaus, and Tuolumne Rivers; therefore, be it

Resolved by the Assembly, the Senate concurring, That the Fish Commissioners are hereby directed to notify the owners of said dams to immediately comply with the law by placing fish ladders on such dams, to the end that the salmon in said rivers may reach their natural spawning grounds unmolested and without obstruction.

Resolved, That in case the owners of said dams refuse or neglect to construct such fish ladders before September first, eighteen hundred and ninety-five, the Attorney-General be instructed to immediately commence proceedings against them for the enforcement of the law and the collection of the penalties provided in case of such refusal or neglect.

Read and adopted.

RESOLUTION.

By Mr. Thomas:

Resolved, That in view of the fact that this Legislature has agreed upon night sessions, the Secretary of State is hereby authorized to employ one second assistant engineer, at a per diem of six dollars, and an additional fireman, at a per diem of five dollars, to be paid out of the fund for the contingent expenses of the Assembly.

Referred to Committee on Attachés and Employés.

MOTION.

Mr. Laugenour moved the consideration of his resolution offered yesterday.

So ordered.

Resolved, That no person be allowed on the floor of the Assembly excepting members of the Senate and Assembly, State officers, and the wives and invited ladies of the members of the Assembly; and the Sergeant-at-Arms is hereby instructed to have the Gatekeepers at their respective gates at least thirty minutes before the convening of the Assembly at the morning, afternoon, and evening sessions, to strictly enforce this resolution

Mr. Laugenour moved to amend as follows :

By inserting after the word "officers," in line two of the printed copy, the following words: "attachés of the Assembly, and representatives of the Press when accredited by their respective journals."

Mr. Dixon moved to lay the resolution and amendment on the table.
Lost.

Amendment offered by Mr. Laugenour adopted.

Resolution adopted.

Mr. Dodge moved that Senate Concurrent Resolution No. 8 be immediately transmitted to the Senate.

So ordered.

Mr. Bulla offered the following resolution:

ASSEMBLY CONCURRENT RESOLUTION No. 18.

A resolution recommending the calling of a convention for the revision of the Constitution of the State of California, recommending that the electors of the State vote at the next general election for the calling of a convention to revise the Constitution, and to provide the number and qualification, compensation, and manner of electing the delegates to such convention.

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California, at its regular session commencing on the seventh day of January, A. D. 1895, two thirds of all the members elected to each house concurring, hereby recommend that the electors of the State vote at the next general election upon the proposition to call a convention to revise the State Constitution, such proposition to read as follows:

SECTION 1. Two thirds of the members elected to each branch of the Legislature for the thirty-first regular session of the Legislature of the State of California, commencing on the seventh day of January, A. D. 1895, do hereby recommend to the electors of the State to vote at the next general election for or against a convention for the purpose of revising the Constitution of the State. Such vote to be taken for the reason that two thirds of the members of each branch of the Legislature at said regular thirty-first session deem it necessary to revise such Constitution. Hereby further recommend that the convention to be called for such revision of the Constitution shall consist of eighty delegates, one to be chosen from each Assembly district. Such delegate shall possess the same qualification and shall be elected in the same manner as members of the Assembly. They shall receive as compensation the sum of eight dollars per day, with the same mileage as the members of the Assembly; and there shall be a reasonable number of clerks and other attachés, whose compensation shall be fixed by the convention.

At such next general election the ballot used shall, in addition to the other names and matters required by law to be printed thereon, contain the words "For the Convention," and the words "Against the Convention," written or printed thereon in a suitable place, with appropriate space for each elector to designate his intention with respect to such proposition.

The election officers at each and every voting precinct in the State shall make and ascertain and make returns of the number of votes cast in favor of a convention, and the number of votes cast against a convention as aforesaid, in like manner and with the same particularity as other votes are required by law to be counted and returned, and an abstract thereof shall be transmitted by each and every County Clerk of the State, and each and every Registrar of Voters in any county, or city and county, of the State, to the Secretary of State, in the same manner and within the same time that votes for State officers are now by law required to be transmitted.

SEC. 2. The Secretary of the State shall have authority to compel the mailing of such returns, and when received shall prepare and lay before the Governor of the State a complete abstract of the whole number of votes cast "for" and "against" a convention. If it shall appear from the returns of the County Clerks and Registrars of Voters that a majority of the electors voting at such general election on the proposition for a convention shall have voted in favor of calling such convention, it shall be the duty of the Governor to forthwith issue his proclamation, announcing the fact that such convention has been called; and thereupon it shall be the duty of the Legislature, at its session next after such election, to provide by law for the election of delegates to such convention and for the holding thereof at the State Capitol. All vacancies in the offices of delegates to be filled in the same manner as vacancies in the office of Assemblyman, and all contests over the election of delegates to be determined by the convention. Such convention to meet within three months from the date of the election calling it, and shall continue in session until it shall have completed the work of revision, and provided for submitting the same to the electors for approval or rejection.

Read.

Mr. Powers moved to make the resolution a special order for Monday, March 4th, immediately after consideration of Assembly Bill No. 982.

So ordered.

Mr. McKelvey asked that his notice of reconsideration given yesterday go over until Monday.

So ordered.

Mr. Waymire asked that his notice of reconsideration given yesterday go over until Monday.

So ordered.

SPECIAL FILE.

Assembly Bill No. 188 was withdrawn and Assembly Bill No. 624 substituted therefor.

Assembly Bill No. 624—An Act making an appropriation for the support of the Southern California State Asylum for the Insane and Inebriates for the remainder of the forty-sixth fiscal year.

Read second time.

MOTION.

Mr. Powers moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Assembly Bill No. 624.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Lynch in the chair.

Assembly Bill No. 624 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Lynch 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. 624, and now report, and recommend that the same do pass.

LYNCH, Chairman.

Adopted, ordered to engrossment and third reading.

Mr. Powers moved to extend recess until one o'clock and thirty minutes P. M., and when the Assembly adjourn it be until Monday.

Lost.

LEAVE OF ABSENCE.

Messrs. Dinkelspiel, O'Day, Wilkinson, and Dixon were granted leave of absence for the day.

Assembly Bill No. 711—An Act making an appropriation to pay the deficiency in the appropriation for payment of transportation of children to the State Reform School for Juvenile Offenders for the forty-third and forty-fourth fiscal years.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs Bachman, Barker, Bassford, Belshaw, Bennett, Bulla, Coleman, Collins, Cutter, Dale, Davis, Dinkelspiel, Dixon, Dodge, Dunbar, Ewing, Fassett, Glass, Guy, Hall, Hatfield, Holland, Jones, Keen, Kenyon, Laugenour, Meads, McKelvey, Merrill,

North, Osborn, Powers, Reid, Robinson, Rowell, Sanford, Spencer, Staley, Stansell, Thomas, Tibbits, Twigg, Wade, Weyse, Wilkinson, Zocchi, and Mr. Speaker—47.
NOES—Mr. Bledsoe—1.

Title read and approved.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON ELECTION LAWS.

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1895.

MR. SPEAKER: Your Committee on Election Laws, to whom was referred Assembly Bill No. 901—An Act entitled an Act to amend an Act entitled "An Act to promote the purity of elections by regulating the conduct thereof, and to support the privilege of free suffrage by prohibiting certain acts and privileges in relation thereto, and providing for the punishment thereof"—have had the same under consideration, and have amended said bill, and respectfully report the same back, and recommend that it do pass as amended.

SPENCER, Chairman.

SPECIAL FILE—(RESUMED.)

Assembly Bill No. 710—An Act making an appropriation to pay the deficiency in the appropriation for the transportation of insane for the forty-fourth fiscal year.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Bachman, Barker, Bassford, Bennett, Berry, Bettman, Bulla, Cargill, Coleman, Collins, Cutter, Dale, Davis, Dinkelspiel, Dodge, Ewing, Fassett, Glass, Guy, Hatfield, Holland, Huber, Johnson, Jones, Keen, Kenyon, Laugenour, McKelvey, Powers, Price, Reid, Robinson, Rowell, Sanford, Staley, Stansell, Thomas, Tibbits, Wade, Waymire, Weyse, Wilkinson, and Mr. Speaker—43.

NOES—Messrs. Bledsoe and Coghlin—2.

Title read and approved.

Assembly Bill No. 725—An Act making an appropriation to pay the deficiency in the appropriation for salary of Secretary of State Board of Examiners for the forty-fourth fiscal year.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Bachman, Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Bulla, Coghlin, Coleman, Collins, Cutter, Davis, Devine, Dinkelspiel, Dunbar, Fassett, Glass, Guy, Hall, Hatfield, Huber, Hudson, Jones, Keen, Kenyon, Laugenour, McKelvey, Merrill, North, Powers, Reid, Robinson, Sanford, Staley, Stansell, Wade, Waymire, Weyse, Wilkinson, Zocchi, and Mr. Speaker—42.

NOES—Mr. Bledsoe—1.

Title read and approved.

Assembly Bill No. 600—An Act making an appropriation to pay the City and County of San Francisco for expenses incurred in conveying children to the Whittier State School.

Passed, to retain its place on file.

Mr. Reid moved that the rules be suspended for the purpose of considering Assembly Bill No. 981.

So ordered.

Assembly Bill No. 981—An Act authorizing the Controller to appoint an additional clerk in his office, in addition to the number now allowed by law, to be known as the Revenue Clerk, and making an appropriation for the payment of his salary for the remainder of the forty-sixth fiscal year.

MOTION.

Mr. Reid moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Assembly Bill No. 981.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Lynch in the chair.

Assembly Bill No. 981 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Lynch 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. 981, and now report, and recommend that the same do pass.

LYNCH, Chairman.

Adopted.

Mr. Reid moved that the consideration of Assembly Bill No. 981 be made a special order for Monday, at three o'clock and thirty minutes P. M.

So ordered.

Mr. Cutter moved that the hour of recess be extended until two o'clock, and the Assembly do then adjourn.

Lost.

RECESS.

The hour of recess having arrived, the Speaker declared recess until one o'clock and thirty minutes P. M.

REASSEMBLED.

The Assembly reassembled at one o'clock and thirty minutes P. M.

Speaker Lynch in the chair.

Quorum present.

SPECIAL FILE—(RESUMED)—MOTION.

Mr. Bulla moved that only such bills as have been read but once be considered during the afternoon.

So ordered.

Assembly Bill No. 616—An Act authorizing the Clerk of the Supreme Court to furnish his offices in San Francisco, Los Angeles, and Sacramento with steel record cases, and make an appropriation therefor.

Passed, to retain its place on file.

Senate Bill No. 327—An Act making an appropriation to pay the deficiency in the appropriation for the contingent expenses of the Senate, thirtieth session, California Legislature.

Passed, to retain its place on file.

Assembly Bill No. 172—An Act making an appropriation to pay the deficiency in the appropriation for the support of the Folsom State Prison for the forty-sixth fiscal year, ending June 30, 1895.

Passed, to retain its place on file.

At one o'clock and thirty-five minutes P. M. the Speaker called Mr. Laugenour to the chair.

Senate Bill No. 327—An Act making an appropriation for elevator attendant's salary for last four months of forty-sixth fiscal year.

Read second time.

Senate Bill No. 431—An Act making an appropriation to pay the deficiency in the appropriation for postage, expressage, and telegraphing, Secretary of State's office, for the forty-fifth and forty-sixth fiscal years.

Read second time.

Assembly Bill No. 218—An Act authorizing the Controller to refurnish his office, and making an appropriation therefor.

Passed, to retain its place on file.

Assembly Bill No. 246—An Act making an appropriation to pay the deficiency in the appropriation for the State forestry stations for the forty-fifth and forty-sixth fiscal years.

Read second time.

Assembly Bill No. 599—An Act making an appropriation to pay the expenses of the funeral and casket for the late Secretary of State, E. G. Waite.

Read second time.

Assembly Bill No. 601—An Act making an appropriation to pay the rent of office for the Commissioner of the Bureau of Labor Statistics in San Francisco, for the forty-fifth and forty-sixth fiscal years, ending June 30, 1895.

Read second time.

Assembly Bill No. 587—An Act making an appropriation from the State School Book Fund for the completion of the revisions and compilation of State school books heretofore authorized and directed to be made, and to provide for the expenditure of the same.

Read second time.

Assembly Bill No. 656—An Act making an appropriation to pay the salary of the Debris Commissioner for the remainder of the forty-sixth fiscal year.

Withdrawn by author.

Assembly Bill No. 829—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-sixth fiscal year.

Read second time.

Assembly Bill No. 657—An Act making an appropriation to pay the salary of the Secretary of the Debris Commissioner for the remainder of the forty-sixth fiscal year.

Withdrawn by author.

Assembly Bill No. 540—An Act authorizing the Trustees of the State Normal School at San José to light the grounds by electricity, and making an appropriation therefor.

Read second time.

Assembly Bill No. 173—An Act to provide for certain improvements and repairs at the Folsom State Prison, and making an appropriation therefor.

Read second time.

Assembly Bill No. 221—An Act appropriating money for the use of the two State forestry stations, and for the establishment and use of a third forestry station.

Read second time.

Assembly Bill No. 439—An Act to authorize the State of California to secure the title to and right of way for that certain wagon road situated in El Dorado County, commencing a short distance easterly from the village of Smith's Flat, in said county, and running thence to Lake Tahoe, and to provide for the appointment, duties, and compensation of a person, to be known as and called the "Lake Tahoe Wagon Road Commissioner," and to make an appropriation for the purpose of carrying into effect the provisions of this Act.

Read second time.

Assembly Bill No. 748—An Act to provide for the appointment and salary of an electrician and fireman.

Read second time.

Assembly Bill No. 678—An Act to appropriate money for the purchase of the Coulterville and Yosemite Toll Road, and to make the same a free public road and highway to the Yosemite Valley.

Refused second reading.

MOTION.

Mr. Price moved to reconsider the vote whereby the Assembly refused to read Assembly Bill No. 678 a second time.

So ordered.

Assembly Bill No. 678 passed, to retain its place on file.

Assembly Bill No. 615—An Act authorizing the Clerk of the Supreme Court to re-cover old records and fitting proper store for same, and making an appropriation therefor.

Refused second reading.

Assembly Bill No. 187—An Act making an appropriation for the erection of additional buildings and improvements for the Southern California State Asylum for the Insane and Inebriates.

Passed, to retain its place on file.

Assembly Bill No. 797—An Act to repeal an Act entitled "An Act to create and establish a State Board of Horticulture, and to appropriate money for the expenses thereof," approved March 13, 1883, and all Acts amendatory thereof and supplementary thereto, and to confer certain powers upon the Regents of the University of California, and to provide for the protection of the horticultural interests of the State by the appointment of a Quarantine Health Officer or officers, and to appropriate money for the expenses of the same.

Passed, to retain its place on file.

Assembly Bill No. 196—An Act making an appropriation for the erection of an additional building for the State Normal School at Chico.

Passed, to retain its place on file.

Assembly Bill No. 195—An Act making an appropriation for a fence in front of the grounds of the State Normal School at Chico.

Passed, to retain its place on file.

Assembly Bill No. 171—An Act to purchase adjacent lands at the Folsom State Prison, for the use of the State Prison, and making an appropriation therefor.

Read second time.

Assembly Bill No. 6—An Act appropriating two hundred and fifty thousand dollars for the erection of buildings for the use of affiliated and other departments of the University of California.

Read second time.

Assembly Bill No. 913—An Act to appropriate money to pay the indebtedness incurred by calling the National Guard into service, by order of the Governor, to enforce the law, in 1893 and 1894.

Read second time.

Mr. Bachman moved to reconsider the vote whereby Assembly Bill No. 615 was refused second reading.

So ordered.

Assembly Bill No. 615—An Act authorizing the Clerk of the Supreme Court to re-cover old records and fitting proper store for same, and making an appropriation therefor.

Read second time.

MOTION.

Mr. Bulla moved that the Assembly resolve itself into Committee of the Whole, with Mr. Laugenour in the chair, for the purpose of considering Senate Bills Nos. 327, 431, Assembly Bills Nos. 246, 599, 601, 587, 829, 540, 173, 221, 439, 748, 615, 171, 6, and 913.

So ordered.

IN COMMITTEE OF THE WHOLE.

Mr. Laugenour in the chair.

Senate Bills Nos. 327, 431, Assembly Bills Nos. 246, 599, 601, 587, 829, 540, 173, 221, 439, 748, 615, 171, 6, and 913 were considered in Committee of the Whole.

IN ASSEMBLY.

Mr. Laugenour 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 following bills, viz:

Senate Bill No. 327—An Act making an appropriation for elevator attendant's salary for last four months of forty-sixth fiscal year.

Also: Senate Bill No. 431—An Act making an appropriation to pay the deficiency in the appropriation for postage, expressage, and telegraphing, Secretary of State's office, for the forty-fifth and forty-sixth fiscal years.

Also: Assembly Bill No. 246—An Act making an appropriation to pay the deficiency in the appropriation for the State forestry stations for the forty-fifth and forty-sixth fiscal years.

Also: Assembly Bill No. 599—An Act making an appropriation to pay the expenses of the funeral and casket for the late Secretary of State, E. G. Waite.

Also: Assembly Bill No. 601—An Act making an appropriation to pay the rent of office for the Commissioner of the Bureau of Labor Statistics in San Francisco, for the forty-fifth and forty-sixth fiscal years, ending June 30, 1895.

Also: Assembly Bill No. 587—An Act making an appropriation from the State School Book Fund for the completion of the revisions and compilation of State school books heretofore authorized and directed to be made, and to provide for the expenditure of the same.

Also: Assembly Bill No. 829—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-sixth fiscal year.

Also: Assembly Bill No. 439—An Act to authorize the State of California to secure the title to and right of way for that certain wagon road situated in El Dorado County

commencing a short distance easterly from the village of Smith's Flat, in said county, and running thence to Lake Tahoe, and to provide for the appointment, duties, and compensation of a person, to be known as and called the "Lake Tahoe Wagon Road Commissioner," and to make an appropriation for the purpose of carrying into effect the provisions of this Act

Also: Assembly Bill No. 748—An Act to provide for the appointment and salary of an electrician and fireman.

Also: Senate Bill No. 615—An Act authorizing the Clerk of the Supreme Court to re-cover old records and fitting proper store for same, and making an appropriation therefor

Also: Assembly Bill No. 540—An Act authorizing the Trustees of the State Normal School at San José to light the grounds by electricity, and making an appropriation therefor.

Also: Assembly Bill No. 173—An Act to provide for certain improvements and repairs at the Folsom State Prison, and making an appropriation therefor.

Also: Assembly Bill No. 221—An Act appropriating money for the use of the two State forestry stations, and for the establishment and use of a third forestry station.

Also: Assembly Bill No. 171—An Act to purchase adjacent land at the Folsom State Prison for the use of the State Prison, and making an appropriation therefor.

Also: Assembly Bill No. 6—An Act appropriating two hundred and fifty thousand dollars for the erection of buildings for the use of affiliated and other departments of the University of California

Also: Assembly Bill No. 913—An Act to appropriate money to pay the indebtedness incurred by calling the National Guard into service, by order of the Governor, to enforce the law, in 1893 and 1894.

And now report, and recommend that the same do pass, with the following exceptions, viz.: That Senate Bill No. 327 pass as amended in the Committee of the Whole, and that Assembly Bill No. 6 do not pass

LAUGENOUR, Chairman.

Report adopted.

Assembly Bills Nos. 246, 599, 601, 587, 829, 540, 173, 221, 439, 748, 615, 171, and 913 having been considered in Committee of the Whole, were ordered to engrossment and third reading.

Senate Bill No. 327—An Act making an appropriation for elevator attendant's salary for last four months of forty-sixth fiscal year.

The amendment submitted by Committee of the Whole, as follows:

Amend by striking out of section one, line one, the words "three hundred," and inserting the following: "two hundred."

Adopted.

Ordered to printer and third reading.

Assembly Bill No. 6—An Act appropriating two hundred and fifty thousand dollars for the erection of buildings for the use of affiliated and other departments of the University of California.

Mr. North moved to amend as follows:

Insert in section one, line ten, after the words "pay the same," the following: "*provided, however*, that one half of said sum of two hundred and fifty thousand dollars shall be expended during the forty-seventh fiscal year, and the other half during the forty-eighth fiscal year."

Ordered to printer, engrossment, and third reading.

Senate Bill No. 431 ordered to third reading.

Assembly Bill No. 850—An Act to provide for the purchase, or building, of a residence for the Governor of California, and to appropriate money therefor.

The question being, "Shall the bill be read second time?"

The ayes and noes were demanded by Messrs. McKelvey, North, and Spencer.

The roll was called, and the bill refused a second reading by the following vote:

AYES—Messrs. Berry, Bettman, Butler, Devine, Hatfield, Holland, Kenyon, Laugenour, McKelvey, Merrill, North, Powers, Spencer, Thomas, Tibbits, and Waymire—16.

Names—Messrs. Bachman, Barker, Bassford, Belshaw, Bennett, Bledsoe, Bulla, Cargill, Coleman, Cutter, Dale, Davis, Dixon, Dodge, Dunbar, Ewing, Fassett, Glass, Hall, Huber, Hudson, Jones, Keen, Meads, Osborn, Pendleton, Phelps, Price, Reid, Rowell, Sanford, Staley, Wade, Weyse, and Wilkinson—35.

Mr. Pendleton gave notice that he would, on next legislative day, move to reconsider the vote whereby the Assembly refused to read Assembly Bill No. 850 a second time.

Assembly Bill No. 16—An Act appropriating the sum of five thousand dollars for the purchase of furniture and apparatus for the State Normal School at Los Angeles, California.

Read second time.

LEAVE OF ABSENCE.

Messrs. Lynch, Coghlin, Healey, Twigg, Zocchi, and Butler were granted leave of absence for the day.

Assembly Bill No. 19—An Act appropriating six thousand five hundred dollars to pay for a system of heating and ventilating in the old State Normal School building at Los Angeles, California.

Read second time.

Assembly Bill No. 219—An Act appropriating two hundred and fifty thousand dollars for the erection of buildings at Berkeley, Alameda County, for the use of the University of California.

Read second time.

Assembly Bill No. 106—An Act providing for the selection, condemnation, and purchase of a suitable site, and the erection thereon of a State building in San Francisco, and making an appropriation therefor.

Read second time.

Assembly Bill No. 533—An Act to provide for the payment of the claim of George H. Tay Company, for the deficiency in the contract price for heating and ventilating the State Normal School building at San José, State of California.

Read second time.

Assembly Bill No. 879—An Act to provide for the payment for the advertising of the constitutional amendments, and to make an appropriation therefor.

Read second time.

Assembly Bill No. 877—An Act making an appropriation to pay the deficiency in the appropriation for ballot paper for the forty-sixth fiscal year.

Read second time.

Assembly Bill No. 91—An Act to appropriate the sum of one thousand five hundred dollars to pay the claim of T. Carl Spelling against the State.

Read second time.

Assembly Bill No. 707—An Act making an appropriation to pay the deficiency in the appropriation for the support of the Southern California State Asylum for the Insane and Inebriates for the forty-fifth and forty-sixth fiscal years.

Read second time.

Assembly Bill No. 708—An Act making an appropriation to pay the deficiency in the appropriation for the erection of additional buildings and improvements for the Southern California State Asylum for the Insane and Inebriates.

Read second time.

Assembly Bill No. 709—An Act making an appropriation to pay the indebtedness incurred by the Board of Trustees of the Southern California State Asylum for the Insane and Inebriates, in providing a refrigerator for said asylum.

Read second time.

Assembly Bill No. 120—An Act to provide for the completion and equipment of the Deaf, Dumb, and Blind Asylum, and to make an appropriation therefor.

Read second time.

Assembly Bill No. 875—An Act making an appropriation to pay the claims of Ira H. Locey and Henry Locey against the State of California, for expenses incurred and services rendered by order of the State Board of Forestry.

Read second time.

Assembly Bill No. 314—An Act to provide for the payment of the claim of C. S. Merrill for services as stenographer and professional services performed upon Court of Inquiry, San Francisco, as per Special Orders, Commander-in-Chief, No. 12, dated September 8, 1894.

Read second time.

Assembly Bill No. 245—An Act making an appropriation to pay moneys advanced to the State forestry stations by the University of California.

Read second time.

Assembly Bill No. 606—An Act entitled an Act to amend section four hundred and seventy-five of the Political Code, providing for two clerks and a phonographic reporter in the office of the Attorney-General, declaring said clerks and phonographic reporter to be civil executive officers, and fixing their salaries.

Read second time.

Assembly Bill No. 860—An Act to appropriate four thousand seven hundred and fifty dollars as compensation to "The California Democrat Publishing Company," a corporation incorporated, organized, and existing under the laws of the State of California, for having published proposed amendments to the Constitution of the State of California during the year 1894.

Passed, to retain its place on file.

Assembly Bill No. 360—An Act to provide for the improvement of the Whittier State School at Whittier, California, and make an appropriation for the same.

Passed, to retain its place on file.

Assembly Bill No. 269—An Act to appropriate money for the construction of a settling and distributing reservoir at the Preston School of Industry, at Lone.

Refused second reading.

Assembly Bill No. 186—An Act making an appropriation for the erection and furnishing of a residence for the Medical Director of the Southern California State Asylum for the Insane and Inebriates.

Passed, to retain its place on file.

Assembly Bill No. 493—An Act authorizing the State Board of Prison Directors to establish a cordage factory at the Folsom State Prison, and making an appropriation therefor.

Withdrawn by author.

Assembly Bill No. 399—An Act to provide for the erection of an

additional building for the use of the Woman's Relief Corps Home Association, at their home for soldiers' widows and orphans, and army nurses, at Evergreen, California, and making an appropriation therefor.

Read second time.

Assembly Bill No. 961—An Act appropriating money to pay the expenses of the Commissioner of Public Works and his employes, for the forty-seventh and forty-eighth fiscal years.

Read second time.

MOTION.

Mr. Wade moved that the Assembly resolve itself into Committee of the Whole, with Mr. Laugenour in the chair, for the purpose of considering Assembly Bills Nos. 16, 19, 219, 879, 877, 91, 707, 708, 709, 120, 875, 314, 245, 606, 399, and 961.

So ordered.

IN COMMITTEE OF THE WHOLE.

Mr. Laugenour in the chair.

Assembly Bills Nos. 16, 19, 219, 879, 877, 91, 707, 708, 709, 120, 875, 314, 245, 606, 399, and 961 were considered in Committee of the Whole.

IN ASSEMBLY.

Mr. Laugenour in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

Mr. Laugenour stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration the following bills, viz.:

Assembly Bill No. 16—An Act appropriating the sum of five thousand dollars for the purchase of furniture and apparatus for the State Normal School at Los Angeles, California.

Also: Assembly Bill No. 19—An Act appropriating six thousand five hundred dollars to pay for a system of heating and ventilating in the old State Normal School building at Los Angeles, California.

Also: Assembly Bill No. 219—An Act appropriating two hundred and fifty thousand dollars for the erection of buildings at Berkeley, Alameda County, for the use of the University of California.

Also: Assembly Bill No. 879—An Act to provide for the payment for the advertising of the constitutional amendments, and to make an appropriation therefor.

Also: Assembly Bill No. 877—An Act making an appropriation to pay the deficiency in the appropriation for ballot paper for the forty-sixth fiscal year.

Also: Assembly Bill No. 91—An Act to appropriate the sum of one thousand five hundred dollars to pay the claim of T. Carl Spelling against the State.

Also: Assembly Bill No. 707—An Act making an appropriation to pay the deficiency in the appropriation for the support of the Southern California State Asylum for the Insane and Inebriates for the forty-fifth and forty-sixth fiscal years.

Also: Assembly Bill No. 708—An Act making an appropriation to pay the deficiency in the appropriation for the erection of additional buildings and improvements for the Southern California State Asylum for the Insane and Inebriates.

Also: Assembly Bill No. 709—An Act making an appropriation to pay the indebtedness incurred by the Board of Trustees of the Southern California State Asylum for the Insane and Inebriates, in providing a refrigerator for said asylum.

Also: Assembly Bill No. 120—An Act to provide for the completion and equipment of the Deaf, Dumb, and Blind Asylum, and to make an appropriation therefor.

Also: Assembly Bill No. 875—An Act making an appropriation to pay the claims of Ira H. Locey and Henry Locey against the State of California, for expenses incurred and services rendered by order of State Board of Forestry.

Also: Assembly Bill No. 314—An Act to provide for the payment of the claim of C. S. Merrill for services as stenographer and professional services performed upon Court of

Inquiry, San Francisco, as per Special Orders, Commander-in-Chief, No. 12, dated September 8, 1894.

Also: Assembly Bill No. 245—An Act making an appropriation to pay moneys advanced to the State forestry stations by the University of California.

Also: Assembly Bill No. 606—An Act entitled an Act to amend section four hundred and seventy-five of the Political Code, providing for two clerks and a phonographic reporter in the office of the Attorney-General, declaring said clerks and phonographic reporter to be civil executive officers, and fixing their salaries.

Also: Assembly Bill No. 399—An Act to provide for the erection of an additional building for the use of the Woman's Relief Corps Home Association, at their home for soldiers' widows and orphans, and army nurses, at Evergreen, California, and making an appropriation therefor.

Also: Assembly Bill No. 961—An Act appropriating money to pay the expenses of the Commissioner of Public Works and his employes, for the forty-seventh and forty-eighth fiscal years.

And now report, and recommend that the same do pass, excepting that Assembly Bill No. 219 pass as amended in the Committee of the Whole.

Also: That Assembly Bill No. 879 pass as amended in the Committee of the Whole.

Also: That Assembly Bill No. 877 pass as amended in the Committee of the Whole.

Also: That Assembly Bill No. 120 pass as amended in the Committee of the Whole.

Also: Have had under consideration Assembly Bill No. 106—An Act providing for the selection, condemnation, and purchase of a suitable site, and the erection thereon of a State building in San Francisco, and making an appropriation therefor—and report the same without recommendation.

LAUGENOUR, Chairman.

Report adopted.

Assembly Bill No. 219—An Act appropriating two hundred and fifty thousand dollars for the erection of buildings at Berkeley, Alameda County, for the use of the University of California.

The following committee amendments were submitted :

Amend section one, line one, printed bill, by striking out the words " and fifty."

Adopted.

Amend section one, line one, to read "fifty thousand dollars."

Adopted.

Ordered to printer, engrossment, and third reading.

Assembly Bill No. 120—An Act to provide for the completion and equipment of the Deaf, Dumb, and Blind Asylum, and to make an appropriation therefor.

The following committee amendment was submitted:

SECTION 1. The sum of twenty-five thousand dollars (\$25,000).

Adopted.

Ordered to printer, engrossment, and third reading.

Assembly Bill No. 879—An Act to provide for the payment for the advertising of the constitutional amendments, and to make an appropriation therefor.

The following committee amendments were submitted:

Amend by striking out of section one, the words "forty-eight thousand six hundred and sixty-two," and inserting the following: "forty-eight thousand nine hundred and twelve."

Adopted.

Also: Amend by adding the words, "West Oakland Sun, one hundred and twenty-five dollars; East Oakland Observer, one hundred and twenty-five dollars," after last line of section one.

Adopted.

Ordered to printer, engrossment, and third reading.

Assembly Bill No. 877—An Act making an appropriation to pay the deficiency in the appropriation for ballot paper for the forty-sixth fiscal year.

The following committee amendments were submitted:

Amend the title by inserting after the word "for" the words "the purchase of."

Adopted.

Also: Amend enabling clause by inserting after the word "California" the word "represented."

Adopted.

Ordered to printer, engrossment, and third reading.

Assembly Bill No. 19—An Act appropriating six thousand five hundred dollars to pay for a system of heating and ventilating in the old State Normal School building at Los Angeles, California.

The following committee amendment was submitted:

Amend section one, line one, printed bill, by striking out the words "six thousand five hundred," and inserting the words "four thousand."

Lost.

Ordered to engrossment and third reading.

The following—Assembly Bills Nos. 16, 91, 707, 708, 709, 875, 314, 245, 606, 399, and 961—having been considered in Committee of the Whole, were ordered to engrossment and third reading.

Mr. Belshaw moved that the Assembly do now take up and consider the bills on second reading on urgency file.

So ordered.

Mr. Cutter asked unanimous consent to take up the consideration of Assembly Bill No. 714.

So ordered.

Assembly Bill No. 714—An Act to provide for the organization and government of drainage districts for the drainage of agricultural lands, other than swamp and overflowed lands.

Read second time, ordered engrossed and to third reading.

Assembly Bill No. 262—An Act to pay the claim of Major José Ramon Pico, and making an appropriation therefor.

Passed, to retain its place on file.

Assembly Bill No. 702—An Act to amend sections four hundred and ninety-nine and five hundred and one of the Civil Code of the State of California, relating to street railroads, and to repeal an Act entitled "An Act to limit and fix the rate of fares on street railroads in cities and towns of more than one hundred thousand inhabitants," approved January 1, 1878.

Passed, to retain its place on file.

Assembly Bill No. 939—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 three, four, twelve, eighteen, twenty-two, twenty-seven, and thirty-seven thereof.

Read second time, and left open for amendment.

Assembly Bill No. 263—An Act to appropriate money for the erection and equipment of additional buildings for the accommodation and care

of the inmates of the Preston School of Industry, at Ione, Amador County.

Read second time.

Assembly Bill No. 125—An Act to appropriate the sum of one thousand and fifty-two dollars to pay the claim of Jerome Deasy.

Read second time.

Assembly Bill No. 664—An Act to add a new section to the Civil Code, to be designated as section six hundred and sixteen, authorizing corporations organized to establish and maintain or to improve cemeteries, to take and hold property bequeathed, granted, or given to them upon trust, to apply the same, or the proceeds or income thereof, to the improvement or embellishment of cemeteries, or of any lot therein, or to the erection or maintenance of any monument, structure, or improvement therein.

Withdrawn, and Assembly Bill No. 801 substituted therefor.

Assembly Bill No. 801—An Act to provide for the disposal of the Home for the Adult Blind at Oakland, Alameda County, the transfer of the inmates to the premises lately occupied as Home for Feeble-Minded in Santa Clara, and for the improvement of the same.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 791—An Act requiring Boards of Supervisors, Common Councils, or Boards of Trustees in cities, cities and counties, or towns in this State to fix the price at which electricity and gas shall be sold for illuminating purposes.

Read second time.

The following committee amendments were submitted:

Amend the title by inserting after the word "for" the words "heating or."

Adopted.

Also: Amend the title by inserting after the word "purposes" the words "and to regulate telephone charges."

Adopted.

Also: Amend section one, line seven, printed bill, by inserting before the word "illumination" the words "heating or."

Adopted.

Ordered to printer and engrossment and third reading.

Assembly Bill No. 566—An Act relating to estrays, and repealing all other Acts and parts of Acts now in force relating to estrays.

Passed, to retain its place on file.

Assembly Bill No. 855—An Act to prohibit the officers and employés of banks and banking corporations from borrowing the funds thereof.

Read second time, ordered engrossed and to third reading.

Assembly Bill No. 937—An Act to authorize State agricultural societies under control of the State, to sell or mortgage property held by them in fee, or held by trustees for their use, or in which they may have any interest; to prescribe a course of procedure therefor; to indemnify purchasers at such sale, and to direct how the proceeds shall be applied.

Read second time.

Mr. Hatfield moved to amend as follows:

Amend the title by striking out the words "or mortgage."

Adopted.

Ordered to printer, engrossment, and third reading.

Assembly Bill No. 756—An Act appropriating money to pay the claims of H. P. Dyer, E. F. Dyer, C. A. Granger, Gaston Goldsmith, and Sullivan & Sullivan.

Read second time.

Assembly Bill No. 320—An Act to amend chapter one, part two, title nine of the Penal Code, by adding thereto a new section, to be numbered one thousand two hundred and forty-seven, relating to appeals to the Supreme Court of this State from judgments of conviction in capital cases, and providing for the giving of notice thereof to the Warden of the State Prison where the execution is to take place.

Read second time, ordered engrossed and to third reading.

Assembly Bill No. 1013—An Act to create and establish a commission for revising, systematizing, and reforming the laws of this State, and for the appointment of the members of said commission, to be known as "The Commissioners for the Revision and Reform of the Law," and to prescribe their powers and duties, and to authorize the appointment of a Secretary and stenographer therefor, and to provide for the compensation and expenses of said Commission, Secretary, and stenographer, and to appropriate money therefor.

Read second time.

Assembly Bill No. 694—An Act appropriating money to pay the claim of the State Agricultural Society.

Read second time.

Assembly Bill No. 736—An Act to create and administer a Public School Teachers' Annuity and Retirement Fund in the several counties, and cities and counties, of the State.

The question being, "Shall the bill be read second time?"

PREVIOUS QUESTION.

Pending the consideration, Mr. McKelvey moved the previous question, seconded by Messrs. North and Bulla.

The question being, "Shall the main question be now put?"

So ordered.

Read second time.

The following amendments were submitted:

Amend section six, line seven, of printed bill, after the word "cause," by inserting the following: "except such portion thereof as may be paid for a substitute teacher."

Adopted.

Also: Amend section seven, line one, after the word "binding," by inserting the word "only."

Adopted.

Also: Amend section seven, line one, by striking out the word "all."

Adopted.

Also: Amend section seven, line one, by striking out the word "employed," and inserting in lieu thereof the word "who"

Adopted.

Also: Amend section seven, line two, by striking out the words "taking effect," and inserting in lieu thereof the word "passage."

Adopted.

Also: Amend section seven, lines two and three, by striking out the words "and upon all other public school teachers only who shall within ninety days after this Act takes effect," and inserting in lieu thereof the word "shall"

Adopted.

Also: Amend section seven, line fifteen, by striking out the word "nor," and inserting in lieu thereof the word "or."

Adopted.

Also: Amend section seven, line sixteen, after the word "burdens," add the words "and no teacher employed after the passage of this Act who, within ninety days after such employment fails to give such notice, shall share the benefits of or be subject to the burdens of this Act."

Adopted.

Mr. Ewing moved to amend as follows:

By striking out of section three, lines nine and ten, the words "*provided*, that such amount shall not exceed fifty per cent of the salary per month received by such teacher for the last year of teaching"

Adopted.

Mr. Ewing moved to amend by substituting the following:

SEC. 6. To provide a fund for the payments provided for in this Act, the Secretary of the Board of Education, or the School Trustees of each municipality, shall certify to the Treasurer of such municipality the amounts deducted, forfeited, or withheld from the salaries of teachers in the public schools during the preceding month on account of absence from duty, except through legal holidays and regular vacations, deducting the amounts paid for substitute teachers. He shall also certify to an amount which each and every teacher shall pay to said Treasurer, equal to one per cent of the salary of each and every teacher who is a beneficiary under this Act, and such Treasurer shall pay the amounts so certified to, to the County, or City and County, Treasurer, to the credit of said fund, and the Board of School Trustees of each school district outside of such municipalities must certify to the Superintendent of Schools, and the Superintendent of Schools to the County Auditor, the amount of the deductions from the salaries of the teachers who are beneficiaries under this Act, and such Auditor must draw his warrant for the salary of such teacher, less such deductions, and draw his warrant for the amount of such deductions in favor of the County Treasurer, who shall place the amount to the credit of the fund provided for in this Act. The County Treasurer shall also receive, and place to the credit of said fund, all gifts, bequests, and donations made by any one to such fund. Any teacher entitled to the benefits of this Act may at any time cease to contribute to the fund herein provided for, by notifying, in writing, the Trustees, as constituted in this Act, of his or her withdrawal as a beneficiary under this Act; but, in that event, such teacher shall forfeit all sums contributed to said fund

PREVIOUS QUESTION.

Pending the consideration of Mr. Ewing's second amendment, Mr. Price moved the previous question, seconded by Messrs. Reid and Meads.

The question being, "Shall the main question be now put?"

So ordered.

Amendment lost.

Mr. Cutter moved that we take a recess until seven o'clock and thirty minutes P. M.

Lost.

ADJOURNMENT.

At five o'clock P. M., on motion of Mr. Bulla, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Monday, March 4, 1895. }

The Assembly met pursuant to adjournment.

Speaker Lynch in the chair.

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

Messrs. Ash, Bachman, Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Bledsoe, Boothby, Brusie, Bulla, Butler, Cargill, Coghlin, Coleman, Cutter, Dale, Davis, Devine, Devitt, Dinkelspiel, Dixon, Dodge, Dunbar, Dwyer, Ewing, Fassett, Freeman, Gay, Glass, Guy, Hall, Hatfield, Healey, Holland, Huber, Hudson, Johnson, Jones, Keen, Kelsey, Kenyon, Laird, Laugenour, Lewis, Llewellyn, Meads, McCarthy, McKelvey, Merrill, Nelson, North, O'Day, Osborn, Pendleton, Phelps, Powers, Price, Reid, Richards, Robinson, Rowell, Sanford, Spencer, Staley, Stansell, Swisler, Thomas, Tibbits, Tomblin, Twigg, Wade, Waymire, Weyse, Wilkinson, Zocchi, and Mr. Speaker.

Quorum present.

LEAVE OF ABSENCE.

Mr. Collins was granted leave of absence for the day.

PRAYER.

Prayer by the Chaplain, Rev. O. Summers.

READING OF THE JOURNAL.

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

So ordered.

SPECIAL ORDERS.

Assembly Bill No. 959—An Act to establish a uniform system of county and township governments.

Passed temporarily on file.

Mr. Price moved that Assembly Bill No. 919 be re-referred to Committee on Manufactures and Internal Improvements.

So ordered.

Mr. Brusie moved that the Assembly do now take up Senate messages.

So ordered.

SENATE MESSAGES.

SENATE CHAMBER, SACRAMENTO, March 2, 1895

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, amended, and passed as amended, Assembly Bill No. 617—An Act making appropriations for the support of the government of the State of California for the forty-seventh and forty-eighth fiscal years.

F. J. BRANDON, Secretary.
By R. SHAW, Assistant.

MOTION.

Mr. Bulla moved that the Assembly do not concur in the Senate amendments to Assembly Bill No. 617.

The question being, "Shall the Assembly refuse to concur in the Senate amendments to Assembly Bill No. 617?"

The ayes and noes were demanded by Messrs. Osborn, Ewing, and Cutter.

The roll was called, and the Assembly refused to concur by the following vote:

AYES—Messrs. Ash, Bachman, Barker, Bassford, Belshaw, Berry, Bettman, Bledsoe, Boothby, Brusie, Bulla, Butler, Cargill, Coghlin, Cutter, Dale, Davis, Devine, Dinkelspiel, Dixon, Dodge, Dunbar, Dwyer, Ewing, Fassett, Gay, Glass, Guy, Hall, Hatfield, Healey, Huber, Hudson, Johnson, Keen, Kenyon, Laird, Laugenour, Llewellyn, Meads, McCarthy, McKelvey, Merrill, North, O'Day, Osborn, Pendleton, Phelps, Powers, Price, Robinson, Rowell, Sanford, Staley, Swisler, Thomas, Tibbits, Tomblin, Wade, Waymire, Weyse, Wilkinson, Zocchi, and Mr. Speaker—64.

NOES—Mr. Coleman—1.

MOTIONS.

Mr. Brusie moved that the action of the Assembly in refusing to concur in the Senate amendments to Assembly Bill No. 617 be immediately transmitted to the Senate.

So ordered.

Mr. Powers moved to refer Assembly Bill No. 335 to a special committee of one, with instructions to amend as follows:

By striking out of section one, lines thirty-five, thirty-six, and thirty-seven, the words "which at the last general election held in such city, or city and county, polled within the city, or city and county."

The Speaker appointed Mr. Powers such committee of one.

REPORT OF SPECIAL COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1895.

MR. SPEAKER: Your special committee of one, to whom was referred Assembly Bill No. 335, with instructions to amend as follows: By striking out of section one, lines thirty-five, thirty-six, and thirty-seven, of the printed bill, the following, viz.: "Which at the last general election held in said city, or city and county, polled within the city, or city and county"—has had the same under consideration, and respectfully reports the same back, amended as per instructions.

POWERS, Committee

Report adopted.

Ordered to printer, reëngrossment, and third reading.

MOTION.

Mr. Brusie moved that the Assembly do now take up the consideration of the special file.

So ordered.

At ten o'clock and thirty minutes A. M. the Speaker called Mr. Bulla to the chair.

SPECIAL FILE.

Assembly Bill No. 624—An Act making an appropriation for the support of the Southern California State Asylum for the Insane and Inebriates for the remainder of the forty-sixth fiscal year.

Passed, to retain its place on file.

Assembly Bill No. 600—An Act making an appropriation to pay the City and County of San Francisco for expenses incurred in conveying children to the Whittier State School.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Bachman, Barker, Bassford, Belshaw, Bennett, Berry, Brusie, Bulla, Butler, Coleman, Cutter, Dale, Davis, Devine, Dunkelspiel, Dixon, Dodge, Dunbar, Dwyer, Gay, Glass, Guy, Hall, Hatfield, Healey, Huber, Johnson, Keen, Kenyon, Laird, Laugenour, Lewis, Llewellyn, Meads, McKelvey, Merrill, North, O'Day, Phelps, Powers, Price, Robinson, Rowell, Sanford, Spencer, Staley, Stansell, Swisler, Thomas, Tibbits, Tomblin, Wade, Weyse, and Wilkinson—55.

NOES—Messrs. Bledsoe and Hudson—2.

Title read and approved.

Assembly Bill No. 616—An Act authorizing the Clerk of the Supreme Court to furnish his offices in San Francisco, Los Angeles, and Sacramento with steel record cases, and make an appropriation therefor.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Bachman, Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Brusie, Bulla, Butler, Coleman, Cutter, Dale, Devine, Dunkelspiel, Dixon, Dodge, Dunbar, Dwyer, Ewing, Fassett, Gay, Glass, Guy, Hall, Hatfield, Healey, Huber, Hudson, Keen, Kenyon, Laird, Laugenour, Llewellyn, McKelvey, Merrill, North, O'Day, Phelps, Powers, Rowell, Spencer, Staley, Swisler, Thomas, Tibbits, Tomblin, Wade, Waymire, Weyse, Wilkinson, and Zocchi—53.

NOES—None.

Title read and approved.

Senate Bill No. 291—An Act making an appropriation to pay the deficiency in the appropriation for the contingent expenses of the Senate, thirtieth session, California Legislature.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Bachman, Barker, Bassford, Bennett, Berry, Bettman, Brusie, Bulla, Butler, Coleman, Dale, Devine, Dunkelspiel, Dixon, Dodge, Dunbar, Ewing, Gay, Hall, Hatfield, Healey, Keen, Kenyon, Laird, Laugenour, Llewellyn, McKelvey, Merrill, North, O'Day, Pendleton, Phelps, Powers, Spencer, Staley, Swisler, Thomas, Tibbits, Wade, Waymire, Weyse, Wilkinson, Zocchi, and Mr. Speaker—45.

NOES—Messrs. Belshaw, Glass, and Hudson—3.

Title read and approved.

Assembly Bill No. 172—An Act making an appropriation to pay the deficiency in the appropriation for the support of the Folsom State Prison for the forty-sixth fiscal year, ending June 30, 1895.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Bachman, Bassford, Bennett, Berry, Bettman, Brusie, Bulla, Butler, Cargill, Dale, Davis, Dinkelspiel, Dixon, Dwyer, Gay, Glass, Hall, Hatfield, Johnson, Keen, Kenyon, Laugenour, Llewellyn, McKelvey, Merrill, North, O'Day, Pendleton, Phelps, Powers, Price, Richards, Rowell, Sanford, Spencer, Staley, Thomas, Tibbits, Wade, Waymire, Weyse, Wilkinson, and Mr. Speaker—44.

NOES—None.

Title read and approved.

Senate Bill No. 327—An Act making an appropriation for elevator attendant's salary for last four months of forty-sixth fiscal year.

Passed, to retain its place on file.

Senate Bill No. 431—An Act making an appropriation to pay the deficiency in the appropriation for postage, expressage, and telegraphing, Secretary of State's office, for the forty-fifth and forty-sixth fiscal years.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Bachman, Barker, Berry, Bettman, Boothby, Brusie, Bulla, Coleman, Dale, Davis, Dinkelspiel, Dixon, Dwyer, Ewing, Gay, Guy, Hatfield, Healey, Hudson, Keen, Kenyon, Laugenour, McKelvey, Merrill, O'Day, Osborn, Pendleton, Phelps, Powers, Price, Richards, Sanford, Spencer, Staley, Thomas, Tibbits, Wade, Waymire, Weyse, and Mr. Speaker—41.

NOES—None.

Title read and approved.

Assembly Bill No. 218—An Act authorizing the Controller to refurnish his office, and making an appropriation therefor.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Bachman, Barker, Belshaw, Berry, Boothby, Brusie, Bulla, Butler, Coleman, Dale, Davis, Dixon, Dunbar, Dwyer, Ewing, Gay, Guy, Hall, Hatfield, Hudson, Johnson, Jones, Keen, Kenyon, Laugenour, Nelson, O'Day, Pendleton, Phelps, Price, Reid, Richards, Rowell, Sanford, Spencer, Staley, Stansell, Thomas, Twigg, Wade, Weyse, Zocchi, and Mr. Speaker—44.

NOES—Mr. Bledsoe—1.

Title read and approved.

Assembly Bill No. 246—An Act making an appropriation to pay the deficiency in the appropriation for the State forestry stations for the forty-fifth and forty-sixth fiscal years.

Passed, to retain its place on file.

Assembly Bill No. 599—An Act making an appropriation to pay the expenses of the funeral and casket for the late Secretary of State, E. G. Waite.

Passed, to retain its place on file.

Assembly Bill No. 601—An Act making an appropriation to pay the rent of office for the Commissioner of the Bureau of Labor Statistics in San Francisco for the forty-fifth and forty-sixth fiscal years, ending June 30, 1895.

Passed, to retain its place on file.

Assembly Bill No. 587—An Act making an appropriation from the State School Book Fund for the completion of the revisions and compilation of State school books heretofore authorized and directed to be made, and to provide for the expenditure of the same.

Passed, to retain its place on file.

Assembly Bill No. 829—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-sixth fiscal year.

Passed, to retain its place on file.

Assembly Bill No. 540—An Act authorizing the Trustees of the State Normal School at San José to light the grounds by electricity, and making an appropriation therefor.

Passed, to retain its place on file.

Assembly Bill No. 173—An Act to provide for certain improvements and repairs at the Folsom State Prison, and making an appropriation therefor.

Passed, to retain its place on file.

Assembly Bill No. 221—An Act appropriating money for the use of the two State forestry stations, and for the establishment and use of a third forestry station.

Passed, to retain its place on file.

Assembly Bill No. 439—An Act to authorize the State of California to secure the title to and right of way for that certain wagon road situated in El Dorado County, commencing a short distance easterly from the village of Smith's Flat, in said county, and running thence to Lake Tahoe, and to provide for the appointment, duties, and compensation of a person to be known as and called the "Lake Tahoe Wagon Road Commissioner," and to make an appropriation for the purpose of carrying into effect the provisions of this Act.

Passed, to retain its place on file.

Assembly Bill No. 748—An Act to provide for the appointment and salary of an electrician and fireman.

Passed, to retain its place on file.

At ten o'clock and fifty-five minutes the Speaker resumed the chair.

Assembly Bill No. 678—An Act to appropriate money for the purchase of the Coulterville and Yosemite Toll Road, and to make the same a free public road and highway to the Yosemite Valley.

Read second time.

MOTION.

Mr. Pendleton moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Assembly Bill No. 678.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Lynch in the chair.

Assembly Bill No. 678 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Lynch 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. 678—An Act to appropriate money for the purchase of the Coulterville and

Yosemite Toll Road, and to make the same a free public road and highway to the Yosemite Valley—and now report, and recommend that the same do not pass.

LYNCH, Chairman.

Report adopted.

The author, Mr. Richards, requested that Assembly Bill No. 678 be withdrawn.

So ordered.

MOTION.

Mr. Brusie moved to take up Senate messages out of order.

So ordered.

SENATE MESSAGES.

SENATE CHAMBER, SACRAMENTO, March 4, 1895.

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. 617, and appointed a Committee of Conference, consisting of Senators Voorheis, Orr, and Langford, and respectfully request your honorable body to appoint a like committee to confer with the committee appointed this day by the Senate.

F. J. BRANDON, Secretary.
By GEO. A. LEON, Assistant.

MOTION.

Mr. Brusie moved that a Committee of Conference, consisting of three members, be appointed, to confer with a like committee of the Senate in regard to Senate amendments to Assembly Bill No. 617.

So ordered.

APPOINTMENT OF COMMITTEE.

The Speaker appointed Messrs. Brusie, Bulla, and Laugenour as such committee.

SPECIAL ORDER.

Assembly Bill No. 959—An Act to establish a uniform system of county and township governments.

Read second time.

Mr. Dodge moved to amend as follows:

By striking out of section eight, line eleven, the words "for restraining," and inserting the following: "to restrain."

Adopted.

Also: Amend by striking out of section ten all after the word "ascertained," in line two, and inserting the following: "in the manner provided in section one hundred and fifty-seven of this Act."

Adopted.

Mr. Coleman moved to amend as follows:

Amend section eleven of printed bill, page three, by adding after the word "removal," in line four, the following: "And the proof in any Court of competent jurisdiction that any person, for the purpose and with the intent to influence the removal of the county seat has offered, directly or indirectly, to advance, contribute, donate, or pay toward the acquiring of any real or personal property, or the securing, in any manner whatever, property to be used for county purposes at the place or point to which it is proposed to remove the county seat, shall invalidate such election."

Lost.

Mr. Dodge moved to amend as follows:

By striking out of section twenty, line twenty, the words "or laws."

Adopted.

Also: Amend by striking out of section twenty, line twenty-three, the word "Boord," and inserting the following: "Board."

Adopted.

Also: Amend by striking out of section twenty-one, line four, the word "and," and inserting the word "or."

Adopted.

Also: Amend by striking out of section twenty-one, line fifteen, the words "or laws."

Adopted.

Mr. Dinkelspiel moved to amend as follows:

By adding to section twenty-one, after line sixteen, as subdivision seven, the words: "7. An Indigent Book, in which must be entered all proceedings relating to indigents and the county poor."

Adopted.

Mr. Dodge moved to amend as follows:

By inserting in section twenty-five, line twenty-five, the words: "Road Commissioners or," before the words "Road Overseers."

Adopted.

Also: Amend by striking out of section twenty-five, lines thirty to thirty-seven, the entire subdivision five, and inserting the following:

"5. To construct or lease, officer and maintain, hospitals and poor houses, or otherwise, in their discretion, provide for the care and maintenance of the indigent sick or dependent poor of the county; and for such purposes to levy the necessary property or poll taxes, or both. The Board of Supervisors shall appoint some suitable person to take care of and maintain such hospitals and poor houses, and shall also appoint some suitable graduate in medicine to attend to such indigent sick or dependent poor. The Board shall not let the care, maintenance, or attendance of indigent sick or dependent poor by contract to the lowest bidder."

Adopted.

Also: Amend by striking out all of subdivision nine, section twenty-five, lines fifty-nine, sixty, sixty-one, sixty-two, and sixty-three of section twenty-five, and inserting the following:

"9. To sell at public auction, at the court-house door, or at such other place within the county as the Board may, by a four-fifths vote, order, after thirty days' 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 not required for public use, paying the proceeds into the County Treasury for the use of the county; *provided*, if in the unanimous judgment of the Board, the property does not exceed in value the sum of seventy-five dollars, the same may be sold at private sale by any member of the Board empowered for that purpose by a majority of the Board."

Adopted.

Also: Amend section twenty-five, line sixty-eight, by inserting the following: "and such demands as are authorized by law to be allowed by some other person or tribunal," after the word "officers."

Adopted.

Also: Amend by striking out of section twenty-five, line one hundred and twenty-seven, the word "effectuate," and inserting the word "effect."

Adopted.

Also: Amend by striking out of section twenty-five, line one hundred and thirty-eight, the following: "No. —, \$ —."

Adopted.

Also: Amend section twenty-five, line two hundred and seventeen, by inserting after the word "and" the word "he."

Adopted.

Also: Amend by inserting in section twenty-five, line two hundred and thirty-seven, the words "or whose place of business has not been established," after the word "published."

Adopted.

Also: Amend section twenty-five, line two hundred and forty-one, by inserting the word "and" after the semicolon following the word "month."

Adopted.

Also: Amend by striking out of section twenty-five, lines two hundred and eighty-three and two hundred and eighty-four, the words "to include agricultural, mechanical, and other exhibits," and replace the semicolon preceding them with a comma, and inserting the following: "or for the purpose of exhibiting or advertising the agricultural, mineral, manufacturing, or other resources of the county."

Adopted.

Mr. Butler moved to amend as follows:

By striking out of section twenty-five, line two hundred and seventy, the words "two dollars and a half per day," and inserting after the word "exceed" the following: "one hundred dollars per month."

Lost.

Mr. Thomas offered as a substitute to subdivision twenty-eight the following:

Insert the following in section twenty-five: "To make regulations for the protection of fish and game; when such regulations are made as printed in this section relating to game, the laws of the State for the protection thereof are suspended in such county; and to regulate the size and kind of nets and seines to be used for fishing."

The question being on the adoption of the amendment.

The ayes and noes were demanded by Messrs. Dinkelspiel, Thomas, and Cutter.

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

AYES—Messrs. Barker, Berry, Bettman, Bledsoe, Boothy, Bulla, Butler, Coghlin, Coleman, Devine, Dodge, Dunbar, Dwyer, Ewing, Fassett, Glass, Guy, Hall, Hatfield, Healey, Huber, Johnson, Keen, Kenyon, Lewis, Meads, McCarthy, Merrill, North, O'Day, Osborn, Pendleton, Powers, Price, Read, Richards, Robinson, Sanford, Staley, Thomas, Tomblin, Twigg, Wade, Weyse, Wilkinson, and Mr. Speaker—44.

NOES—Messrs. Ash, Bachman, Bassford, Belshaw, Bennett, Brusie, Cargill, Cutter, Dale, Dinkelspiel, Dixon, Holland, Hudson, Jones, McKelvey, Phelps, Rowell, Stansell, Tibbits, and Waymire—20.

NOTICE OF RECONSIDERATION.

Mr. North gave notice that he would move to reconsider the vote whereby the substitute offered by Mr. Thomas was adopted.

Mr. Llewellyn moved to amend as follows:

By striking out of section twenty-five, line fifty-seven, subdivision eight, the word "sixty," and inserting the word "thirty."

Adopted.

Mr. Hatfield moved to amend section twenty-five as follows:

On page fifteen, after line three hundred and fourteen, add the following:
"41. To authorize the District Attorney to appoint an Assistant District Attorney, which office is hereby created, who shall receive as compensation for his services the sum of fifteen hundred dollars per annum, to be paid out of the County Treasury in equal monthly installments, in the same manner and at the same time other county officials are paid, unless otherwise in this Act provided."

Lost.

Mr. Bulla moved to amend as follows:

By striking out of section twenty-five, lines seventy-four and seventy-five, in subdivision thirteen, the words "on the first day of January, 1880."

Adopted.

Mr. Barker moved to amend as follows:

By striking out of section twenty-five all of subdivision thirty-eight thereof.

Lost.

Also: Amend by inserting in line three hundred and three of section twenty-five, after the word "counties," the following: "except in cities and incorporated towns."

Lost.

Mr. Coleman moved as follows:

Amend section twenty-five of printed bill, on page nine, by adding in line one hundred and two, after the word "eighty," the following: "But whenever any county has an outstanding indebtedness evidenced by warrants drawn against the General Fund thereof, which warrants have remained unpaid for a period of fifteen years next after their date, it shall be the duty of the Board of Supervisors of such county, upon the petition of the owner, or agent of the owner of such General Fund warrant or warrants of the face value of one thousand dollars, praying therefor, to fund and re-fund the whole of such General Fund indebtedness in the form and manner as in this Act set forth. If the Board of Supervisors fail or refuse to fund and re-fund such indebtedness, any owner or agent of the owner of any such warrant against such General Fund may petition the Superior Court of the county to issue its writ of mandate compelling said Board of Supervisors to fund and re-fund such indebtedness, and if it shall appear to the satisfaction of the Court that the petitioner is the *bona fide* owner, or the agent of a *bona fide* owner of a warrant against such General Fund, that such warrant has remained unpaid for a period of at least fifteen years, and that the Board of Supervisors have failed or refused to fund and re-fund such indebtedness, such writ of mandate shall issue, as in other cases, to compel the Board of Supervisors to fund and re-fund such indebtedness, and such Court, to compel obedience to its mandate, is hereby given all the power conferred upon it by the Code of Civil Procedure of this State governing the subject of the issuance of the writ of mandate and the punishment of disobedience thereof."

Lost.

Mr. Dodge moved to amend as follows:

By striking out of section thirty, line one, the words "has appointed any member," and inserting the following: "shall appoint any members."

Adopted.

Also: Amend by striking out of section thirty-six, lines one and two, the words "nor shall said indebtedness or liability."

Adopted.

Also: Amend by striking out of section thirty-seven, line one, the words "has adopted," and inserting the following: "shall adopt."

Adopted.

Also: Amend by striking out of section thirty-eight, line one, the words "has entered," and inserting the following: "shall enter."

Adopted.

Also: Amend by inserting in section thirty-nine, line one, the word "or" at the end of the line.

Adopted.

Also: Amend section forty, by striking out all the semicolons and inserting commas in lieu thereof.

Adopted.

Mr. Dinkelspiel moved to amend as follows:

In section forty, line one, insert the words "public officer" after the word "any," at the end of the line.

Adopted.

Mr. Dodge moved to amend as follows:

By striking out of section forty-one, line one, the word "must" and insert "shall."

Adopted.

Also: In same section insert between lines nine and ten a dotted line to indicate perforations.

Adopted.

Also: Beneath the dotted line insert the following, taking the whole line therefor: "Demand of ——."

Adopted.

Also: Amend by striking out of section forty-one, line twelve, the word "incurred," and inserting the following: "authorized."

Adopted.

Also: Amend section forty-one, line twenty-six, by inserting the words "for the sum of \$——" after the words "allowed ——, 18—."

Adopted.

Also: Amend section forty-one, line thirty-eight, by inserting the word "so" before the word "allowed."

Adopted.

Mr. Bulla moved to amend as follows:

Amend section forty-one, line two, as follows: After the word "to" insert "twelve o'clock M. of," and after the word "first" insert "or third," and strike out the word "Monday" and insert "Mondays."

Adopted.

MOTION.

Mr. Dodge moved that Assembly Bill No. 617 be made a special order for Tuesday, immediately after reading of the Journal.

So ordered.

MOTION.

Mr. Laugenour moved that the Assembly take a recess until two o'clock P. M.

Lost.

RECESS.

The hour of recess having arrived, the Speaker declared recess until one o'clock and thirty minutes P. M.

REASSEMBLED.

The Assembly reassembled at one o'clock and thirty minutes P. M.
Speaker Lynch in the chair.

Quorum present.

SPECIAL ORDER—(RESUMED).

Assembly Bill No. 959—An Act to establish a uniform system of county and township governments.

Mr. Dodge moved to amend as follows:

By inserting in section fifty-five, line eight, the words "Assessor and Tax Collector," after the words "Tax Collector."

Adopted.

Also: Insert the following as section fifty-seven: "Whenever notice is required by law to be published in a newspaper by any county or township officer, the person for whom the notice is to be given, or his duly authorized agent or attorney, may designate to such officer a newspaper authorized by law to publish such notice, in which he desires such notice to be published, and upon payment to him of the fees for such publication, if required, the officer shall cause the notice to be published in the newspaper so designated."

Adopted.

Also: Amend by striking out the word and figures "Section 57," on page twenty-three, and adding the whole of that section to section fifty-five.

Adopted.

Also: Amend by striking out of section fifty-six, line three, the word "two," and inserting the word "three"

Adopted.

Also. Amend by inserting in section fifty-six, line three, after the words "of the," the following: "and one Constable."

Adopted.

Mr. Bulla moved to amend as follows:

By adding to section fifty-six the words "in townships having a population of more than fifty thousand, each of the Constables shall be allowed a deputy at a salary of seventy-five dollars per month."

Lost.

Mr. Dodge moved to amend as follows:

By striking out of section fifty-eight, line ten, the word "lowest," and inserting the word "greater."

Adopted.

Also: Amend by striking out of section fifty-eight, line eleven, the word "greater," and inserting the word "lesser."

Adopted.

MOTION.

Mr. Cutter moved that the rules be suspended for the consideration of Assembly Bill No. 653.

So ordered.

Assembly Bill No. 653—An Act to amend section nine hundred and ninety-six of the Political Code, to declare when a vacancy exists in any elective or appointive office, board, or commission, of any county, city, city and county, township, or municipality, and also to amend section nine hundred and ninety-nine of the Political Code, to provide for the filling of vacancies in office.

Read second time.

Mr. Cutter moved to amend as follows:

Amend section one, line four, by inserting the following: "The State or of," before the words "any county, city, city and county."

Adopted.

Also: Amend section one, line twenty-four, by inserting the following additional subdivision: "13. At the expiration of four years from the date of his appointment or election, unless a definite time therefor be fixed by the law creating said office or commission."

Adopted.

Also: Amend by striking out all of section two, lines one to eleven, both inclusive.

Adopted.

Also: Amend by adding a new section, reading as follows:

"SEC. 2. This Act shall take effect immediately."

Adopted.

Also: Amend the title so as to read: "An Act to amend section nine hundred and ninety-six of the Political Code, to declare when a vacancy exists in any elective or appointive office, board, or commission of the State, or of any county, city, city and county, township, or municipality."

Adopted.

Mr. Davis moved to amend as follows:

By striking out of section one, line eighteen, the word "office," and inserting the following: "offense."

Adopted.

Ordered to printer, reëngrossment, and third reading.

Mr. Cutter moved that Assembly Bill No. 653 be made a special order for Tuesday, immediately after reading of Journal.

So ordered.

Mr. Osborn moved that the rules be suspended, and Assembly Bill No. 618 be now considered.

So ordered.

Assembly Bill No. 618—An Act to amend sections one thousand nine hundred and twelve, one thousand nine hundred and nineteen, one thousand nine hundred and twenty-three, one thousand nine hundred and twenty-nine, one thousand nine hundred and thirty-two, one thousand nine hundred and forty-two, one thousand nine hundred and sixty-two, one thousand nine hundred and seventy, one thousand nine hundred and eighty, one thousand nine hundred and eighty-three, one thousand nine hundred and eighty-four, one thousand nine hundred and eighty-five, one thousand nine hundred and ninety, two thousand and three, two thousand and four, two thousand and seven, two thousand and twenty-two, two thousand and twenty-four, two thousand and twenty-seven, two thousand and forty, two thousand and forty-eight, two thousand and seventy-six, two thousand and eighty-three, and two thousand and ninety-four of the Political Code of the State of California, and to add one new section thereto, to be known and numbered as section one thousand nine hundred and ninety-one, and to repeal sections one thousand nine hundred and eighty-seven, one thousand nine hundred and eighty-eight, one thousand nine hundred and eighty-nine, and two thousand and five of said Code, all relating to the National Guard of California.

Mr. Osborn moved that a special committee of one be appointed to amend as follows:

By striking out of section nine, line five, the word "forth," and inserting the word "forty," and add in section nine, line six, after the word "corps" the following: "Of forty men shall be officered by one Captain, one First Lieutenant, three Sergeants, and four Corporals; each corps less than forty men."

Also: Amend by striking out of section thirty, line one, the words "July first eighteen hundred and ninety-five," and inserting the following: "immediately."

The Speaker appointed Mr. Osborn such special committee.

REPORT OF SPECIAL COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1895.

MR. SPEAKER: Your special committee of one, to whom was referred Assembly Bill No. 618, with instructions to amend, has had the same under consideration, and respectfully reports the same back, amended as per instructions.

OSBORN, Committee.

Report adopted.

Assembly Bill No. 618 ordered to printer, reengrossment, and third reading.

SENATE SPECIAL FILE.

Senate Bill No. 239—An Act to regulate the sale and redemption of transportation tickets.

Read third time.

MOTION.

Mr. Waymire moved that a committee of one be appointed, with instructions to amend as follows:

By striking out the whole of sections five and six.

Lost.

The question being on the final passage of the bill.

CALL OF THE HOUSE.

The roll was called, and pending the announcement of the result, Mr. Thomas moved a call of the House.

The ayes and noes were demanded by Messrs. Dodge, Reid, and Ewing.

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

AYES—Messrs. Ash, Bassford, Berry, Bettman, Brusie, Butler, Cargill, Coghlin, Cutter, Davis, Devine, Devitt, Dixon, Freeman, Gay, Guy, Hall, Healey, Kelsey, Laird, Laugenour, Lewis, Llewellyn, Meads, McCarthy, McKelvey, Merrill, Pendleton, Powers, Richards, Spencer, Swisler, Thomas, Tibbits, Twigg, Wilkinson, Zocchi, and Mr. Speaker—38.

NOES—Messrs. Bachman, Barker, Belshaw, Bennett, Bledsoe, Boothby, Bulla, Coleman, Dale, Dodge, Dunbar, Dwyer, Ewing, Fassett, Glass, Hatfield, Holland, Huber, Hudson, Johnson, Jones, Keen, Kenyon, Nelson, North, Osborn, Phelps, Price, Reid, Robinson, Rowell, Sanford, Staley, Wade, Waymire, and Weyse—36.

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

The ayes and noes were demanded by Messrs. Dodge, Ewing, and Reid.

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

AYES—Messrs. Ash, Bachman, Barker, Belshaw, Bennett, Bledsoe, Boothby, Coleman, Dale, Dodge, Dunbar, Dwyer, Ewing, Fassett, Glass, Holland, Hudson, Johnson, Jones, Keen, Nelson, Osborn, Phelps, Price, Reid, Richards, Robinson, Rowell, Sanford, Staley, Wade, and Waymire—32.

NOES—Messrs. Bassford, Berry, Bettman, Brusie, Bulla, Butler, Cargill, Coghlin, Cutter, Davis, Devine, Devitt, Dixon, Freeman, Gay, Guy, Hall, Hatfield, Healey, Huber, Kelsey, Kenyon, Laird, Laugenour, Lewis, Llewellyn, Meads, McCarthy, McKelvey, Merrill, Pendleton, Spencer, Swisler, Thomas, Tibbits, Twigg, Weyse, Wilkinson, Zocchi, and Mr. Speaker—40.

The following members—Messrs. O'Day, Dinkelspiel, Tomblin, and Stansell—were absent without leave, and the Speaker directed the Sergeant-at-Arms to bring the absent members before the bar of the House.

MOTIONS.

Mr. Reid moved that the Assembly do now adjourn.

Lost.

Mr. Bledsoe moved that the absentees be excused for the day.

Mr. Thomas raised the point of order that members could not be excused under a call of the House.

The Speaker ruled the point of order well taken.

Mr. Reid appealed from the decision of the Chair.

Mr. Reid asked unanimous consent to withdraw his appeal.

An objection was raised.

Mr. Dodge moved that Mr. Reid be allowed to withdraw his appeal. So ordered.

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

The ayes and noes were demanded by Messrs. Reid, Spencer, and Bledsoe.

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

AYES—Messrs. Bachman, Barker, Belshaw, Bennett, Bledsoe, Boothby, Bulla, Coleman, Dale, Dodge, Dunbar, Dwyer, Ewing, Fassett, Glass, Holland, Huber, Hudson, Johnson, Jones, Keen, Nelson, North, Osborn, Phelps, Price, Reid, Robinson, Rowell, Sanford, Staley, Stansell, Wade, and Waymire—34.

NOES—Messrs. Ash, Bassford, Berry, Bettman, Brusie, Butler, Cargill, Coghlin, Cutter, Davis, Devine, Devitt, Dixon, Freeman, Gay, Guy, Hatfield, Healey, Kelsey, Kenyon,

Laird, Laugenour, Lewis, Llewellyn, Meads, McCarthy, McKelvey, Merrill, O'Day, Pendleton, Powers, Richards, Spencer, Swisler, Thomas, Tibbits, Twigg, Weyse, Wilkinson, Zocchi, and Mr. Speaker—41

Mr. Bledsoe moved that the Assembly do now adjourn.

Lost.

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

Lost.

Mr. Reid moved that the Assembly do now adjourn.

Lost.

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

Lost.

Mr. Reid moved that the Assembly do now adjourn.

Lost.

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

Lost.

Mr. Reid moved that the Assembly do now adjourn.

The ayes and noes were demanded by Messrs. Sanford, Reid, and Bledsoe.

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

AYES—Messrs. Barker, Belshaw, Bennett, Bledsoe, Boothby, Butler, Coleman, Dale, Dodge, Dwyer, Ewing, Fassett, Glass, Holland, Hudson, Johnson, Jones, Keen, Nelson, North, Price, Reid, Rowell, Sanford, Staley, Stansell, Wade, and Waymire—29

NOES—Messrs. Ash, Bassford, Berry, Bettman, Brusie, Bulla, Cargill, Coghlin, Cutter, Davis, Devine, Devitt, Dixon, Gay, Guy, Hall, Hatfield, Healey, Huber, Kelsey, Kenyon, Laird, Laugenour, Lewis, Llewellyn, Meads, McCarthy, Merrill, O'Day, Pendleton, Phelps, Powers, Spencer, Swisler, Thomas, Tibbits, Tomblin, Twigg, Weyse, Wilkinson, Zocchi, and Mr. Speaker—42

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

So ordered.

Senate Bill No. 239—An Act to regulate the sale and redemption of transportation tickets.

The result of the roll call was announced, and the bill passed by the following vote:

AYES—Messrs. Ash, Bassford, Berry, Bettman, Brusie, Butler, Cargill, Coghlin, Cutter, Davis, Devine, Devitt, Dixon, Freeman, Gay, Guy, Hall, Healey, Kelsey, Laird, Laugenour, Lewis, Llewellyn, Meads, McCarthy, McKelvey, Merrill, O'Day, Pendleton, Powers, Richards, Spencer, Swisler, Thomas, Tibbits, Tomblin, Twigg, Weyse, Wilkinson, Zocchi, and Mr. Speaker—41.

NOES—Messrs. Bachman, Barker, Belshaw, Bennett, Bledsoe, Boothby, Bulla, Coleman, Dale, Dodge, Dunbar, Dwyer, Ewing, Fassett, Glass, Hatfield, Holland, Huber, Hudson, Johnson, Jones, Keen, Kenyon, Nelson, North, Osborn, Phelps, Price, Reid, Robinson, Rowell, Sanford, Staley, Stansell, Wade, and Waymire—36.

Title read and approved.

Senate Bill No. 504—An Act making an appropriation to pay the unpaid claims for bounty on coyote scalps.

Read third time.

The question being on the final passage.

The roll was called, and pending the announcement of the result, Mr. Cutter moved a call of the House.

Lost.

The result of the roll call showed that the bill was refused final passage by the following vote:

AYES—Messrs. Bachman, Bassford, Belshaw, Berry, Bettman, Bledsoe, Butler, Coleman, Dale, Davis, Devine, Dwyer, Gay, Glass, Guy, Hall, Hatfield, Holland, Huber, Keen, Kelsey, Kenyon, Llewellyn, Meads, McCarthy, McKelvey, Merrill, Richards, Robinson, Rowell, Spencer, Stansell, Thomas, Tibbits, and Tomblin—35

NOES—Messrs. Ash, Barker, Bennett, Coghlin, Cutter, Devitt, Dixon, Dodge, Dunbar, Ewing, Freeman, Healey, Hudson, Johnson, Jones, Laird, North, O'Day, Osborn, Pendleton, Phelps, Powers, Price, Reid, Sanford, Staley, Twigg, Wade, Waymire, Weyse, Wilkinson, Zocchi, and Mr. Speaker—33

MOTION.

Mr. Thomas moved that Senate Bills Nos. 55 and 182 be recalled from the Governor.

So ordered.

Senate Bill No. 369—An Act to amend an Act entitled "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 collections 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.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Bassford, Belshaw, Bennett, Berry, Bettman, Bledsoe, Boothby, Butler, Cargill, Coghlin, Coleman, Cutter, Dale, Davis, Devine, Devitt, Dixon, Dodge, Dunbar, Dwyer, Fassett, Glass, Guy, Hatfield, Holland, Huber, Hudson, Johnson, Jones, Keen, Kelsey, Kenyon, Laird, Meads, McCarthy, McKelvey, Merrill, North, Phelps, Reid, Richards, Sanford, Staley, Tibbits, Wade, Weyse, and Mr. Speaker—48.

NOES—None.

Title read and approved.

MOTION TO RECONSIDER.

Mr. McKelvey moved to reconsider the vote whereby Senate Bill No. 426 was refused final passage.

The question being on the adoption of the motion to reconsider.

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

AYES—Messrs. Ash, Bachman, Bassford, Bettman, Boothby, Brusie, Butler, Cargill, Coghlin, Coleman, Dale, Devine, Devitt, Dinkelspiel, Dwyer, Fassett, Glass, Guy, Hatfield, Healey, Holland, Keen, Kelsey, Kenyon, Lewis, McCarthy, McKelvey, Nelson, O'Day, Osborn, Richards, Robinson, Spencer, Stansell, Swisler, Thomas, Tibbits, Twigg, Weyse, Wilkinson, and Zocchi—41.

NOES—Messrs. Barker, Belshaw, Bennett, Berry, Bledsoe, Cutter, Davis, Dixon, Dodge, Ewing, Huber, Hudson, Johnson, Merrill, Phelps, Price, Sanford, Staley, Wade, and Mr. Speaker—20.

Mr. Pendleton moved that the consideration of Senate Bill No. 426 be postponed until to-morrow morning.

So ordered.

RESOLUTION—(URGENCY).

By Mr. Weyse:

Resolved, That Assembly Bill No. 834 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions 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 question being on the adoption of the resolution.

The roll was called, and the constitutional provisions suspended by the following vote:

AYES—Messrs. Ash, Bachman, Bassford, Berry, Bettman, Boothby, Butler, Cargill, Coghlin, Coleman, Cutter, Dale, Davis, Devine, Devitt, Dinkelspiel, Dixon, Dunbar, Dwyer, Gay, Glass, Guy, Hall, Hatfield, Healey, Huber, Hudson, Johnson, Keen, Kelsey, Kenyon, Laird, Lewis, Llewellyn, Meads, McCarthy, Merrill, O'Day, Osborn, Pendleton, Phelps, Powers, Price, Reid, Robinson, Sanford, Spencer, Staley, Swisler, Thomas, Tibbits, Twigg, Wade, Waymire, Weyse, Wilkinson, Zocchi, and Mr. Speaker—59.

NOES—Messrs. Belshaw, Bennett, Bledsoe, and Ewing—4.

Assembly Bill No. 834—An Act authorizing the payment of salaries by Boards of Supervisors to persons who have been employed to collect county licenses, and legalizing all payments heretofore made to such persons.

Read second and third times.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Bachman, Bassford, Berry, Bettman, Butler, Cargill, Coleman, Cutter, Davis, Devine, Devitt, Dinkelspiel, Dunbar, Dwyer, Gay, Hall, Healey, Huber, Hudson, Johnson, Keen, Kelsey, Kenyon, Meads, McCarthy, McKelvey, Nelson, North, O'Day, Pendleton, Powers, Price, Reid, Robinson, Rowell, Sanford, Spencer, Staley, Swisler, Thomas, Tibbits, Twigg, Wade, Waymire, Weyse, Wilkinson, and Mr. Speaker—48.

NOES—Messrs. Bennett, Bledsoe, Dale, Ewing, and Stansell—5.

Title read and approved.

Mr. Pendleton moved that Assembly Bill No. 834 be immediately transmitted to the Senate.

So ordered.

Mr. Powers moved that the rules be suspended and that Assembly Bill No. 1014 be taken up out of order, and read the second time.

So ordered.

Assembly Bill No. 1014—An Act conferring power upon the common Council, Board of Supervisors, or other governing body of cities, or cities and counties, of over one hundred thousand inhabitants, to acquire or condemn land for a suitable site, and erect thereon a suitable building or buildings for municipal purposes.

Read second time, ordered to engrossment and third reading.

REPORT OF COMMITTEE ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1895.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following Bills have been correctly engrossed: Assembly Bill No. 982—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by adding new sections thereto, to be numbered three thousand six hundred and forty, three thousand six hundred and eighty, three thousand eight hundred and one, and three thousand eight hundred and thirty-one; also by amending sections three thousand six hundred and seven, three thousand six hundred and seventeen, three thousand six hundred and twenty-eight, three thousand six hundred and thirty, three thousand six hundred and fifty, three thousand six hundred and fifty-one, three thousand six hundred and fifty-three, three thousand six hundred and fifty-four, three thousand six hundred and fifty-five, three thousand six hundred and fifty-six, three thousand six hundred and fifty-eight, three thousand six hundred and sixty-one, three thousand six hundred and sixty-two, three thousand six hundred and sixty-three, three thousand six hundred and sixty-six, three thousand six hundred and sixty-seven, three thousand six hundred and seventy, three thousand six hundred and seventy-eight, three thousand

six hundred and ninety-two, three thousand six hundred and ninety-three, three thousand six hundred and ninety-four, three thousand seven hundred and four, three thousand seven hundred and five, three thousand seven hundred and fourteen, three thousand seven hundred and nineteen, three thousand seven hundred and twenty-eight, three thousand seven hundred and thirty, three thousand seven hundred and thirty-one, three thousand seven hundred and thirty-two, three thousand seven hundred and thirty-four, three thousand seven hundred and thirty-six, three thousand seven hundred and thirty-eight, three thousand seven hundred and forty-six, three thousand seven hundred and forty-seven, three thousand seven hundred and forty-eight, three thousand seven hundred and fifty-two, three thousand seven hundred and fifty-six, three thousand seven hundred and fifty-eight, three thousand seven hundred and fifty-nine, three thousand seven hundred and sixty-two, three thousand seven hundred and sixty-four, three thousand seven hundred and sixty-five, three thousand seven hundred and sixty-six, three thousand seven hundred and sixty-seven, three thousand seven hundred and seventy, three thousand seven hundred and seventy-one, three thousand seven hundred and seventy-two, three thousand seven hundred and seventy-six, three thousand seven hundred and seventy-seven, three thousand seven hundred and eighty, three thousand seven hundred and eighty-one, three thousand seven hundred and eighty-five, three thousand seven hundred and eighty-seven, three thousand seven hundred and eighty-eight, three thousand seven hundred and eighty-nine, three thousand seven hundred and ninety, three thousand seven hundred and ninety-three, three thousand seven hundred and ninety-seven, three thousand seven hundred and ninety-nine, three thousand eight hundred, three thousand eight hundred and four, three thousand eight hundred and five, three thousand eight hundred and eight, three thousand eight hundred and thirteen, three thousand eight hundred and fourteen, three thousand eight hundred and fifteen, three thousand eight hundred and sixteen, three thousand eight hundred and seventeen, three thousand eight hundred and eighteen, three thousand eight hundred and nineteen, three thousand eight hundred and twenty, three thousand eight hundred and twenty-three, three thousand eight hundred and twenty-six, three thousand eight hundred and twenty-nine, three thousand eight hundred and forty, three thousand eight hundred and forty-one, three thousand eight hundred and fifty-four, three thousand eight hundred and fifty-eight, three thousand eight hundred and sixty-seven, three thousand eight hundred and seventy, three thousand eight hundred and seventy-one, three thousand eight hundred and seventy-three, three thousand eight hundred and seventy-eight, three thousand eight hundred and eighty-one, three thousand eight hundred and eighty-eight, three thousand eight hundred and ninety-seven, three thousand eight hundred and ninety-eight, three thousand eight hundred and ninety-nine, and three thousand nine hundred; also by repealing sections three thousand seven hundred and thirty-three, three thousand seven hundred and thirty-seven, three thousand seven hundred and sixty-eight, three thousand seven hundred and seventy-three, three thousand seven hundred and seventy-four, three thousand seven hundred and seventy-five, three thousand seven hundred and seventy-eight, three thousand seven hundred and seventy-nine, three thousand eight hundred and three, three thousand eight hundred and ten, three thousand eight hundred and eleven, three thousand eight hundred and twelve, three thousand eight hundred and thirty, three thousand eight hundred and eighty-six, three thousand eight hundred and ninety-three, three thousand eight hundred and ninety-four, three thousand eight hundred and ninety-five, and three thousand eight hundred and ninety-six, all relating to the revenue and taxes of this State.

Also: Assembly Bill No. 412—An Act entitled an Act relating to the duties of the State Board of Examiners, providing for the examination, investigation, and inspection, and inquiry into, by said State Board of Examiners, of the books, vouchers, papers, property, and premises, and the general conduct, management, and affairs of all State institutions, commissions, boards, and offices, and providing for the production of the papers, vouchers, books, and property necessary for such examination, and for the defraying of the expenses thereof by said Board of Examiners.

Also: Assembly Bill No. 254—An Act to appropriate money for the payment of the claim of Chas. A. Hiett, for the arrest of William B. Coup, in pursuance of the reward offered therefor by the Governor of the State of California.

WILKINSON, Chairman.

SPECIAL ORDERS.

Assembly Bill No. 982—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by adding new sections thereto, to be numbered three thousand six hundred and forty, three thousand six hundred and eighty, three thousand eight hundred and one, and three thousand eight hundred and thirty-one; also by amending sections three thousand six hundred and seven, three thousand six hundred and seventeen, three thousand six hundred and twenty-eight, three thousand six hundred and thirty, three thousand six hundred and fifty, three thousand six hundred and fifty-one, three

thousand six hundred and fifty-three, three thousand six hundred and fifty-four, three thousand six hundred and fifty-five, three thousand six hundred and fifty-six, three thousand six hundred and fifty-eight, three thousand six hundred and sixty-one, three thousand six hundred and sixty-two, three thousand six hundred and sixty-three, three thousand six hundred and sixty-six, three thousand six hundred and sixty-seven, three thousand six hundred and seventy, three thousand six hundred and seventy-eight, three thousand six hundred and ninety-two, three thousand six hundred and ninety-three, three thousand six hundred and ninety-four, three thousand seven hundred and four, three thousand seven hundred and five, three thousand seven hundred and fourteen, three thousand seven hundred and nineteen, three thousand seven hundred and twenty-eight, three thousand seven hundred and thirty, three thousand seven hundred and thirty-one, three thousand seven hundred and thirty-two, three thousand seven hundred and thirty-four, three thousand seven hundred and thirty-six, three thousand seven hundred and thirty-eight, three thousand seven hundred and forty-six, three thousand seven hundred and forty-seven, three thousand seven hundred and forty-eight, three thousand seven hundred and fifty-two, three thousand seven hundred and fifty-six, three thousand seven hundred and fifty-eight, three thousand seven hundred and fifty-nine, three thousand seven hundred and sixty-two, three thousand seven hundred and sixty-four, three thousand seven hundred and sixty-five, three thousand seven hundred and sixty-six, three thousand seven hundred and sixty-seven, three thousand seven hundred and seventy, three thousand seven hundred and seventy-one, three thousand seven hundred and seventy-two, three thousand seven hundred and seventy-six, three thousand seven hundred and seventy-seven, three thousand seven hundred and eighty, three thousand seven hundred and eighty-one, three thousand seven hundred and eighty-five, three thousand seven hundred and eighty-seven, three thousand seven hundred and eighty-eight, three thousand seven hundred and eighty-nine, three thousand seven hundred and ninety, three thousand seven hundred and ninety-three, three thousand seven hundred and ninety-seven, three thousand seven hundred and ninety-nine, three thousand eight hundred, three thousand eight hundred and four, three thousand eight hundred and five, three thousand eight hundred and eight, three thousand eight hundred and thirteen, three thousand eight hundred and fourteen, three thousand eight hundred and fifteen, three thousand eight hundred and sixteen, three thousand eight hundred and seventeen, three thousand eight hundred and eighteen, three thousand eight hundred and nineteen, three thousand eight hundred and twenty, three thousand eight hundred and twenty-three, three thousand eight hundred and twenty-six, three thousand eight hundred and twenty-nine, three thousand eight hundred and forty, three thousand eight hundred and forty-one, three thousand eight hundred and fifty-four, three thousand eight hundred and fifty-eight, three thousand eight hundred and sixty-seven, three thousand eight hundred and seventy, three thousand eight hundred and seventy-one, three thousand eight hundred and seventy-three, three thousand eight hundred and seventy-eight, three thousand eight hundred and eighty-one, three thousand eight hundred and eighty-eight, three thousand eight hundred and ninety-seven, three thousand eight hundred and ninety-eight, three thousand

eight hundred and ninety-nine, three thousand nine hundred; also by repealing sections three thousand seven hundred and thirty-three, three thousand seven hundred and thirty-seven, three thousand seven hundred and sixty-eight, three thousand seven hundred and seventy-three, three thousand seven hundred and seventy-four, three thousand seven hundred and seventy-five, three thousand seven hundred and seventy-eight, three thousand seven hundred and seventy-nine, three thousand eight hundred and three, three thousand eight hundred and ten, three thousand eight hundred and eleven, three thousand eight hundred and twelve, three thousand eight hundred and thirty, three thousand eight hundred and eighty-six, three thousand eight hundred and ninety-three, three thousand eight hundred and ninety-four, three thousand eight hundred and ninety-five, and three thousand eight hundred and ninety-six, all relating to the revenue and taxes of this State.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Bachman, Barker, Bassford, Belshaw, Bennett, Berry, Bledsoe, Butler, Cargill, Coghlin, Coleman, Dale, Devitt, Dinkelspiel, Dixon, Dodge, Dunbar, Dwyer, Gay, Glass, Guy, Hall, Hatfield, Healey, Hudson, Johnson, Keen, Llewellyn, McKelvey, North, Phelps, Powers, Price, Reid, Richards, Robinson, Rowell, Sanford, Staley, Stansell, Tibbits, Tomblin, Twigg, Wade, Waymire, Zocchi. and Mr. Speaker—48

NOES—None.

Title read and approved.

Mr. Reid moved that Assembly Bill No. 982 be immediately transmitted to the Senate.

So ordered.

Assembly Bill No. 981—An Act authorizing the Controller to appoint an additional clerk in his office, in addition to the number now allowed by law, to be known as the Revenue Clerk, and making an appropriation for the payment of his salary for the remainder of the forty-sixth fiscal year.

Passed, to retain its place on file.

ASSEMBLY CONCURRENT RESOLUTION No. 18.

Resolution recommending the calling of a Constitutional Convention.

A resolution recommending the calling of a convention for the revision of the Constitution of the State of California, recommending that the electors of the State vote at the next general election for the calling of a convention to revise the Constitution, and to provide the number and qualification, compensation, and manner of electing the delegates to such convention.

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California, at its regular session commencing on the seventh day of January, A. D. 1895, two thirds of all the members elected to each house concurring, hereby recommend that the electors of the State vote at the next general election upon the proposition to call a convention to revise the State Constitution, such proposition to read as follows:

SECTION 1. Two thirds of the members elected to each branch of the Legislature for the thirty-first regular session of the Legislature of the State of California, commencing on the seventh day of January, A. D. 1895, do hereby recommend to the electors of the State to vote at the next general election for or against a convention for the purpose of revising the Constitution of the State. Such vote to be taken for the reason that two thirds of the members of each branch of the Legislature at said regular thirty-first session deem it necessary to revise such Constitution. Hereby further recommend that the convention to be called for such revision of the Constitution shall consist of eighty delegates, one to be chosen from each Assembly district. Such delegate shall possess the same qualification, and shall be elected in the same manner as members of the Assembly. They shall receive as compensation the sum of eight dollars per day, with the same mileage as the members of the Assembly, and there shall be a reasonable

number of clerks and other attachés, whose compensation shall be fixed by the convention.

At such next general election the ballot used shall, in addition to the other names and matters required by law to be printed thereon, contain the words "For the Convention," and the words "Against the Convention," written or printed thereon in a suitable place, with appropriate space for each elector to designate his intention with respect to such proposition.

The election officers at each and every voting precinct in the State shall make and ascertain and make returns of the number of votes cast in favor of a convention, and the number of votes cast against a convention as aforesaid, in like manner and with the same particularity as other votes are required by law to be counted and returned, and an abstract thereof shall be transmitted by each and every County Clerk of the State, and each and every Registrar of Voters in any county, or city and county, of the State, to the Secretary of State, in the same manner and within the same time that votes for State officers are now by law required to be transmitted.

Sec. 2. The Secretary of the State shall have authority to compel the mailing of such returns, and when received shall prepare and lay before the Governor of the State a complete abstract of the whole number of votes cast "for" and "against" a convention. If it shall appear from the returns of the County Clerks and Registrars of Voters that a majority of the electors voting at such general election on the proposition for a convention shall have voted in favor of calling such convention, it shall be the duty of the Governor to forthwith issue his proclamation, announcing the fact that such convention has been called; and thereupon it shall be the duty of the Legislature, at its session next after such election, to provide by law for the election of delegates to such convention, and for the holding thereof at the State Capitol; all vacancies in the offices of delegates to be filled in the same manner as vacancies in the office of Assemblyman, and all contests over the election of delegates to be determined by the convention. Such convention to meet within three months from the date of the election calling it, and shall continue in session until it shall have completed the work of revision, and provided for submitting the same to the electors for approval or rejection.

The question being on the adoption of Assembly Concurrent Resolution No. 18.

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

AYES—Messrs. Ash, Bachman, Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Bledsoe, Boothby, Cargill, Coghlin, Coleman, Cutter, Dale, Devine, Dinkelspiel, Dixon, Dunbar, Dwyer, Ewing, Gay, Glass, Guy, Hall, Hatheld, Healey, Holland, Huber, Hudson, Johnson, Keen, Kenyon, Laird, Llewellyn, Meads, McKelvey, Merrill, Nelson, O'Day, Pendleton, Phelps, Price, Reid, Richards, Robinson, Rowell, Sanford, Spencer, Staley, Stansell, Swisler, Thomas, Tomblin, Twigg, Wade, Waymire, Weyse, and Mr. Speaker—56

NOES—None.

Mr. Wade moved that Assembly Concurrent Resolution No. 18 be immediately transmitted to the Senate.

So ordered.

Mr. Powers moved that Assembly Bill No. 218 be immediately transmitted to the Senate.

So ordered.

Mr. Coleman moved that the Assembly take up Assembly Joint Resolution No. 12 out of order.

So ordered.

ASSEMBLY JOINT RESOLUTION No. 12.

Relative to mines and mining claims situated within the boundaries of the Yosemite National Park.

WHEREAS, The Government of the United States has set aside certain portions of the State of California for a national park, known as Yosemite National Park, and whereas, within the limits of said park are various mines and mining claims, said mines and mining claims having been discovered, held, and worked according to the laws of the United States prior to the formation of such park, many of the owners thereof holding the same by virtue of patents granted by the Government, thus securing vested rights therein, and others by reason of having performed the annual assessment work and other requirements prescribed by the mining laws of the United States; and whereas, the owners of such mines and mining claims are now prohibited from working and operating the same under rulings of the Interior Department, under pain of being arrested as trespassers and subjected to trial; therefore, be it

Resolved by the Assembly of the State of California, the Senate concurring, That we instruct our Senators and request our Representatives in Congress from this State to advocate such legislation, or modification of the rulings of the Interior Department, as shall permit the owners of said mines and mining claims to enjoy the same privileges now that they had prior to the formation of said Yosemite National Park.

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

Adopted.

Mr. Coleman moved that Assembly Joint Resolution No. 12 be immediately transmitted to the Senate.

So ordered.

RECESS.

At four o'clock and fifteen minutes P. M., on motion of Mr. McKelvey, the Assembly took a recess until seven o'clock and thirty minutes P. M.

REASSEMBLED.

The Assembly reassembled at seven o'clock and thirty minutes P. M. Speaker Lynch in the chair.

Quorum present.

REPORT OF COMMITTEE ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1895.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following bills have been correctly engrossed, viz.:

Assembly Bill No. 592—An Act to amend sections one thousand six hundred and seventy and one thousand six hundred and seventy-one of the Political Code, relating to high schools

Also: Assembly Bill No. 652—An Act to amend sections one thousand nine hundred and seventeen, one thousand nine hundred and eighteen, and one thousand nine hundred and nineteen, and to repeal section one thousand nine hundred and twenty of the Civil Code, all relating to the rate of interest.

Also: Assembly Bill No. 827—An Act to amend section one thousand one hundred and eighty-nine of the Civil Code, relating to the acknowledgment of instruments

Also: Assembly Bill No. 882—An Act to amend section four hundred and ninety of the Civil Code, in relation to railroad rates of charges and railroad tickets.

Also: Assembly Bill No. 418—An Act to appropriate five thousand dollars to pay the claim of Julius A. Hult.

Also: Assembly Bill No. 241—An Act to amend section one of an Act entitled "An Act to provide for the submission of proposed amendments to the Constitution of the State of California to the qualified electors for their approval," approved March 7, 1883, relating to the manner of publishing such proposed amendments, and to include propositions.

Also: Assembly Bill No. 212—An Act to regulate the practice of architecture

Also: Assembly Bill No. 624—An Act making an appropriation for the support of the Southern California State Asylum for the Insane and Inebriates for the remainder of the forty-sixth fiscal year.

Also: Assembly Bill No. 981—An Act authorizing the Controller to appoint an additional clerk in his office, in addition to the number now allowed by law, to be known as the Revenue Clerk, and making an appropriation for the payment of his salary for the remainder of the forty-sixth fiscal year.

WILKINSON, Chairman.

MOTION.

Mr. McKelvey moved that the rules be suspended and Assembly Bill No. 702 be taken up out of order and read second time.

So ordered.

Assembly Bill No. 702—An Act to amend sections four hundred and ninety-nine and five hundred and one of the Civil Code of the State of California, relating to street railroads, and to repeal an Act entitled "An Act to limit and fix the rate of fares on street railroads in cities and

towns of more than one hundred thousand inhabitants," approved January 1, 1878.

Read second time.

Mr. Reid moved to amend as follows:

By striking out all of section three

The question being on the adoption of the amendment.

The ayes and noes were demanded by Messrs. Reid, Dale, and Ewing.

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

AYES—Messrs. Barker, Belshaw, Bennett, Bledsoe, Coleman, Dale, Dodge, Dunbar, Dwyer, Ewing, Hall, Johnson, Keen, Nelson, Reid, Rowell, Sanford, Wade, and Waymire—19.

NOES—Messrs. Bassford, Berry, Bettman, Boothby, Brusie, Bulla, Butler, Cargill, Coghlin, Cutter, Davis, Devitt, Dinkelspiel, Dixon, Fassett, Gay, Glass, Guy, Hatfield, Healey, Hudson, Jones, Kelsey, Kenyon, Laird, Laugenour, Lewis, Llewellyn, Meads, McCarthy, McKelvey, Merrill, North, O'Day, Pendleton, Phelps, Powers, Price, Richards, Spencer, Staley, Stansell, Swisler, Thomas, Tibbits, Tomblin, Weyse, Wilkinson, Zocchi, and Mr. Speaker—51.

Assembly Bill No. 702 ordered engrossed and to third reading.

Assembly Bill No. 736—An Act to create and administer a Public School Teachers' Annuity and Retirement Fund in the several counties, and cities and counties, of the State.

Ordered to engrossment and to third reading.

Assembly Bill No. 434—An Act to repeal an Act entitled an Act to declare Lake Earl, in Del Norte County, navigable.

Read second time, ordered to engrossment and to third reading.

At seven o'clock and thirty-five minutes P. M. the Speaker called Mr. Spencer to the chair.

Assembly Bill No. 525—An Act to add a new section to the Political Code of the State of California, to be numbered one thousand five hundred and ninety-four, relating to school trustees.

Mr. Kelsey, the author, requested that Assembly Bill No. 525 be withdrawn and Assembly Bill No. 127 be substituted therefor.

So ordered.

Assembly Bill No. 127—An Act granting permission to the city of San José to erect a high school and library building upon the grounds of the State Normal School at San José.

Read second time.

The following committee amendment was submitted:

Amend by striking out of section one, line two, printed bill, the words "and a public library building."

Adopted.

Ordered engrossed and to third reading.

LEAVE OF ABSENCE.

Mr. Lynch was granted leave of absence for the evening.

Assembly Bill No. 714—An Act to provide for the organization and government of drainage districts for the drainage of agricultural lands other than swamp and overflowed lands.

It appearing that Assembly Bill No. 714 had not been returned from engrossment, Mr. Cutter moved that the Engrossing Clerk be instructed to bring to the desk forthwith Assembly Bill No. 714, it having been detained more than forty-eight hours.

Mr. Powers moved to amend, "that the Engrossing Clerk be brought

before the bar of the House and explain why Assembly Bill No. 714 has not been returned to this House."

Mr. McKelvey raised the point of order that no one can appear before the bar of the House other than members.

The Speaker decided the point of order well taken.

The Speaker announced that he was informed by the Engrossing Clerk that he only received Assembly Bill No. 714 for engrossment this morning.

Mr. Laird moved to adjourn.

Lost.

Mr. Cutter moved that the rules be suspended and Assembly Bill No. 714 be placed at the head of the urgency file for to-morrow evening.

The question being on the adoption of the motion.

The ayes and noes were demanded by Messrs. Thomas, Powers, and Bulla.

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

AYES—Messrs. Ash, Berry, Bettman, Brusie, Butler, Cargill, Coghlin, Coleman, Cutter, Dale, Devine, Devitt, Dixon, Dodge, Dunbar, Dwyer, Ewing, Fassett, Gay, Guy, Hall, Hatfield, Healey, Holland, Hulsdon, Johnson, Keen, Kelsey, Laugenour, Lewis, McCarthy, Merrill, Nelson, O'Day, Pendleton, Phelps, Powers, Price, Sanford, Stansell, Swisler, Thomas, Tomblin, Twigg, Wade, Waymire, Weyse, Wilkinson, and Zocchi—49.
NOES—Messrs. Belshaw, Bennett, Bledsoe, Bulla, Glass, Kenyon, Llewellyn, Meads, North, Robinson, and Rowell—11.

Assembly Bill No. 324—An Act to require an inventory of all State property, and directing the State Board of Examiners to keep a record of the same.

Read second time, ordered engrossed and to third reading.

Assembly Bill No. 357—An Act to amend an Act entitled "An Act to establish a State Reform School for Juvenile Offenders, and to make an appropriation therefor," approved March 11, 1889, and the Act amendatory thereto, approved March 23, 1893, by amending sections sixteen and eighteen of said Act, approved March 11, 1889, as amended, relating to the time for which boys and girls may be committed to said school, and the Courts having jurisdiction to commit minors thereto.

Passed, to retain its place on file.

Assembly Bill No. 897—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 of California, except municipal corporations of the first class, and to provide for the consolidation and abolition of certain municipal offices, and to provide that their duties may be performed by certain officers of the county, and fixing the compensation to be allowed for such county officers for the services so rendered to such municipal corporations.

Read second time, ordered engrossed and to third reading.

Assembly Bill No. 845—An Act to provide for the purchase, for State institutions, of supplies of California production or manufacture; that other supplies shall be of American production or manufacture; that no supplies shall be the product of penal or Chinese labor; and regulating the award of contracts therefor.

Read second time, ordered engrossed and to third reading.

MOTION.

Mr. McKelvey moved to reconsider the vote whereby the amendment offered by Mr. Thomas to Assembly Bill No. 959 was adopted.

The question being on the adoption of the motion to reconsider.

The ayes and noes were demanded by Messrs. Dinkelspiel, Thomas, and Powers.

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

AYES—Messrs. Ash, Bassford, Belshaw, Bennett, Brusie, Cutter, Dale, Dinkelspiel, Dodge, Dixon, Gay, Glass, Holland, Hudson, Jones, Kenyon, Laird, McKelvey, Nelson, North, Reid, Robinson, Rowell, Spencer, Swisler, Wade, Waymire, and Weyse—27.

NOES—Messrs. Barker, Berry, Bettman, Bledsoe, Boothby, Bulla, Cargill, Coghlin, Coleman, Devine, Devitt, Dunbar, Dwyer, Ewing, Guy, Hall, Hatfield, Healey, Johnson, Keen, Kelsey, Laugenour, Lewis, Meads, McCarthy, Merrill, O'Day, Phelps, Powers, Price, Sanford, Staley, Thomas, Twigg, Wilkinson, and Zocchi—37.

ADJOURNMENT.

At nine o'clock and thirty-five minutes P. M., on motion of Mr. Thomas, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Tuesday, March 5, 1895. }

The Assembly met pursuant to adjournment.

Speaker Lynch in the chair.

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

Messrs. Ash, Bachman, Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Bledsoe, Boothby, Brusie, Bulla, Butler, Cargill, Coghlin, Coleman, Collins, Cutter, Dale, Davis, Devine, Devitt, Dinkelspiel, Dixon, Dodge, Dunbar, Dwyer, Ewing, Fassett, Gay, Glass, Guy, Hall, Hatfield, Healey, Holland, Huber, Hudson, Johnson, Jones, Keen, Kelsey, Kenyon, Laird, Laugenour, Lewis, Llewellyn, Meads, McCarthy, McKelvey, Merrill, Nelson, North, O'Day, Osborn, Pendleton, Phelps, Powers, Price, Reid, Richards, Robinson, Rowell, Sanford, Spencer, Staley, Stansell, Swisler, Thomas, Tibbits, Tomblin, Twigg, Wade, Waymire, Weyse, Wilkinson, Zocchi, and Mr. Speaker.

Quorum present.

LEAVE OF ABSENCE.

Mr. Freeman was granted leave of absence for the day.

PRAYER.

Prayer by the Chaplain, Rev. O. Summers.

READING OF THE JOURNAL.

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

So ordered.

MOTION.

Mr. Powers moved that Assembly Bills Nos. 335 and 889 be made a special order for Wednesday, at three o'clock and thirty minutes P. M.
So ordered.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON PUBLIC BUILDINGS AND GROUNDS.

ASSEMBLY CHAMBER, SACRAMENTO, March 5, 1895.

MR. SPEAKER: Your Committee on Public Buildings and Grounds, to whom was referred Assembly Bill No. 954—An Act appropriating the sum of twenty-five thousand dollars for a thorough system of ventilation for the Capitol building—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also: Senate Bill No. 43—An Act to provide for the purchase of additional grounds for the State Insane Asylum, at Napa—have had the same under consideration, and respectfully report the same back, and recommend that it do pass

Also: Assembly Bill No. 993—An Act to regulate and provide for the award of all contracts on State buildings—have had the same under consideration, and respectfully report the same back, and recommend that the author withdraw same, as bill covering the same subject-matter has already been passed upon

BERRY, Chairman.

Assembly Bill No. 954 referred to Committee on Ways and Means.

Senate Bill No. 43 referred to Committee on Ways and Means.

Assembly Bill No. 993 withdrawn by author.

ON FEDERAL RELATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1895.

MR. SPEAKER. Your Committee on Federal Relations, to whom was referred Assembly Joint Resolution No. 21—In relation to foreign immigration—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass, for the reason that a resolution of similar import has already been adopted by the Assembly.

HATFIELD, Chairman.

Assembly Joint Resolution No. 21 withdrawn by author.

SAN FRANCISCO DELEGATION.

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1895.

MR. SPEAKER: The San Francisco Delegation, to whom was referred Assembly Bill No. 499—An Act to add a new section to the Political Code, to be known and designated as section three thousand and twenty-two and one half, relating to the erection, furnishing maintenance, and government of hospitals and homes for inebriates in counties, and cities and counties, of this State, where land has heretofore been reserved and set apart for said purpose; to provide for the commitment of dipsomaniacs and inebriates thereto; and also to repeal an Act entitled "An Act relating to the Home of the Inebriates of San Francisco, and to prescribe the powers and duties of the Board of Managers and the officers thereof," approved April 1, 1870, and all Acts and parts of Acts in conflict with the provisions of this Act—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also: Assembly Bill No. 1010—An Act conferring power upon the Common Council, Board of Supervisors, or other governing body of cities, or cities and counties of over one hundred thousand inhabitants, to erect and construct upon public lands of such cities, or cities and counties, a suitable building or buildings for the accommodation of persons affected with contagious or infectious diseases—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Assembly Bill No. 1015—An Act providing for loaning moneys in the sinking funds of cities, and cities and counties, upon real estate in such cities, or cities and counties—have had the same under consideration, and respectfully report the same back without recommendation

Also: Assembly Bill No. 672—An Act to provide for furnishing clerks and copyists to the County Clerks of each city and county having one hundred thousand or more

inhabitants, and providing the mode in which such clerks and copyists shall be appointed and designated as officers of the city and county, and establishing the compensation of such clerks and copyists—have had the same under consideration, and respectfully report the same back, and recommend that the author be allowed to withdraw the same.

POWERS, Chairman.

Assembly Bill No. 672 withdrawn by the author.

ON WAYS AND MEANS

ASSEMBLY CHAMBER, SACRAMENTO, March 5, 1895.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred the following resolution:

WHEREAS, A corporation doing business in this State under the name of the Sunset Telephone-Telegraph Company is charging a rental of from four dollars to seven dollars per month for the use of a telephone box, and two cents extra for each switch; and whereas, it is believed that said corporation is not contributing its just proportion of revenue for the maintenance of the State government; therefore, be it

Resolved, That the Committee on Ways and Means is hereby authorized and empowered to send for persons and papers, and to take testimony, with a view of ascertaining the facts in the matter, and report its findings to this House without unnecessary delay.

Have had the same under consideration, and respectfully report the same back, and recommend the adoption of the following Constitutional Amendment, which, in the opinion of the committee, will provide the revenue sought to be enforced under the resolution.

BRUSIE, Chairman.

MOTION.

Mr. Brusie moved to suspend the constitutional provision, to allow the introduction of a constitutional amendment.

The question being on the adoption of the motion.

The roll was called, and the constitutional provision suspended by the following vote:

AYES—Messrs. Bachman, Barker, Bennett, Berry, Bettman, Brusie, Butler, Cargill, Coleman, Collins, Cutter, Dale, Davis, Devine, Devitt, Dixon, Dodge, Dunbar, Ewing, Fassett, Glass, Guy, Hall, Hatfield, Huber, Hudson, Johnson, Jones, Keen, Kelsey, Kenyon, Laugenour, Lewis, Meads, McCarthy, McKelvey, Nelson, North, O'Day, Powers, Price, Reid, Richards, Robinson, Rowell, Sanford, Spencer, Staley, Stansell, Swisler, Tomblin, Twigg, Wade, Weyse, and Wilkinson—55

NOES—Mr. Thomas and Mr. Speaker—2.

ASSEMBLY CONSTITUTIONAL AMENDMENT No. 55.

A resolution proposing to the people of the State of California an amendment to section ten of article thirteen of the Constitution of the State of California, relating to taxation of railroads, telephone and telegraph companies

The Legislature of the State of California, at its thirty-first session, commencing on the seventh day of January, Anno Domini eighteen hundred and ninety-five, two thirds of all the members elected to each house of said Legislature voting in favor thereof, hereby propose that section ten of article thirteen of the Constitution of the State of California be amended so as to read as follows:

Section 10 All property, except as hereinafter in this section provided, shall be assessed in the county, city, city and county, town, township, or district in which it is situated, in the manner prescribed by law. The franchise, roadway, roadbed, rails, and rolling stock of all railroads operated in more than one county in this State, the franchise, wires, poles, and constructed telegraph or telephone lines, district call boxes, and telephone boxes, and all property used in operating and conducting of telegraph or telephone companies, other than real property, shall be assessed by the State Board of Equalization at their actual value, and the same shall be apportioned to the counties, cities and counties, cities, towns, townships, and districts in which such railroad, telegraph or telephone lines are located, in the manner following:

The apportionment of railroad property in proportion to the number of miles of railway laid in such county, city, city and county, town, township, and district; and the apportionment of telegraph property, by the Board of Equalization, to the county, city, city and county, town, township, and districts, in proportion to the number of miles of telegraph lines constructed in such county, city, city and county, town, township, and district; and the apportionment by the Board of Equalization to the county, city and county, city, town, township, and district, of property of telephone companies, shall be in proportion to the number of telephone boxes located in such county, city and county, city, town, township, and district.

Read, and referred to Committee on Constitutional Amendments.

PETITIONS—(OUT OF ORDER).

By Mr. Hall: From the citizens of Placer County, asking the enactment of such a Sabbath law as will be founded upon and agreeable to the moral law of God, and that will not do wrong to any class of citizens.

Referred to Committee on Public Morals.

MOTION.

Mr. Dinkelspiel moved that the constitutional provision be suspended, and Messrs. Bachman, Brusie, Meads, Huber, and Stansell be allowed to introduce bills.

The question being on the adoption of the motion.

The roll was called, and the constitutional provision suspended by the following vote:

AYES—Messrs. Bachman, Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Brusie, Bulla, Butler, Cargill, Coghlin, Coleman, Collins, Cutter, Dale, Devine, Devitt, Dinkelspiel, Dixon, Dodge, Dunbar, Dwyer, Ewing, Fassett, Gay, Glass, Guy, Hall, Hatfield, Huber, Hudson, Jones, Keen, Kelsey, Kenyon, Laird, Laugenour, Meads, McKelvey, Merrill, Nelson, O'Day, Osborn, Phelps, Reid, Richards, Robinson, Rowell, Sanford, Spencer, Staley, Stansell, Swisler, Tomblin, Twigg, Wade, Weyse, Wilkinson, and Mr. Speaker—60.
NOES—None.

INTRODUCTION OF BILLS.

The following bills were introduced, read first time, and referred to committees, as follows:

By Mr. Bachman: Assembly Bill No. 1016—An Act to amend the Code of Civil Procedure of the State of California, by adding a new section thereto, to be known as section three hundred and ninety-one, relating to parties to civil actions.

Read first time, and referred to Committee on Judiciary.

By Mr. Stansell: Assembly Bill No. 1017—An Act to provide for the labeling or stamping of all packages and boxes of fruit produced or handled by aliens, other than aliens who have declared their intention to become citizens of the United States, when placed upon the market, or in any form offered for sale within this State, and providing for a penalty for the violation of this Act.

Read first time, and referred to Committee on Fruit and Vine Interests.

By Mr. Meads: Assembly Bill No. 1018—An Act to prohibit the sale of intoxicating liquors within two miles of any university having not less than two hundred and fifty students in attendance.

Read first time, and referred to Committee on Public Morals.

By Mr. Brusie: Assembly Bill No. 1019—An Act making an appropriation for the contingent expenses of the Assembly for the thirty-first session of the Legislature.

Read first time, and placed on file.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1895.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 360—An Act to provide for the improvement of the Whittier State School at

Whittier, California, and make an appropriation for the same—have had the same under consideration, and respectfully report the same back, with a substitute, with the recommendation that the substitute do pass.

BRUSIE, Chairman.

WITHDRAWAL AND SUBSTITUTION OF BILL.

Assembly Bill No. 360 was withdrawn, and Assembly Bill No. 1020 substituted therefor.

INTRODUCTION OF BILL.

By Mr. Huber: Assembly Bill No. 1020—An Act to appropriate the sum of forty-six thousand one hundred dollars, to be expended by the Trustees of the "Whittier State School," at Whittier, Los Angeles County, in making the following improvements and repairs at said "Whittier State School," to wit: Construction of hospital, and furnishing the same; finishing the attic in the administration building; additional books and periodicals for library; horses, cows, hogs, and agricultural implements; completion and furnishing of building now in course of construction in boys' department for dining-room, kitchen, bakery, and commissary department; for the completion and furnishing of building now in course of construction for girls; to purchase additional land; for additional water and necessary piping.

Read first time, and placed on file.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, March 5, 1895.

MR SPEAKER. Your Committee on Judiciary, to whom was referred Assembly Bill No. 362—An Act to amend sections seven hundred and seventy-eight and seven hundred and eighty-two of the Political Code of the State of California, relating to the printing and sale of the reports of the Supreme Court of the said State of California; and to repeal sections seven hundred and seventy-nine, seven hundred and eighty, and seven hundred and eighty-one of said Political Code.

Also: Assembly Bill No. 957—An Act to amend section three thousand three hundred and eighty-four of the Political Code of the State of California, in relation to peddlers

Also: Assembly Bill No. 977—An Act to amend section one hundred and sixty of the Penal Code of the State of California, relating to offense against public justice.

Have had the same under consideration, and respectfully report the same back, and recommend that the authors be allowed to withdraw the same.

Also: Assembly Bill No. 394—An Act to amend section one thousand six hundred and twenty-four of the Civil Code, relating to the manner of creating contracts

Also: Assembly Bill No. 978—An Act to add a new section to the Code of Civil Procedure, of the State of California, to be numbered one thousand six hundred and nineteen, relating to the estates of deceased persons.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

Also: Assembly Bill No. 300—An Act to add a new section to the Penal Code, to be known as section nine hundred and nineteen and one half, relating to witnesses before grand juries

Also: Assembly Bill No. 729—An Act to amend section three hundred and forty of the Code of Civil Procedure, relative to the time of commencing actions.

Also: Assembly Bill No. 1001—An Act to amend section ninety-three of the Code of Civil Procedure of the State of California, concerning Justices' docket

Also: Assembly Bill No. 1011—An Act to amend sections three hundred and seventy-six and three hundred and seventy-seven of the Code of Civil Procedure, relating to actions to recover damages for the wrongful or negligent injury or killing of human beings

Also: Assembly Bill No. 1012—An Act to amend the Political Code in relation to the State Library.

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

BULLA, Chairman.

Assembly Bills Nos. 362, 957, and 977 withdrawn by authors.

MOTION.

Mr. Reid moved that Assembly Bill No. 981 be taken up out of order and placed upon its third reading.

So ordered.

Assembly Bill No. 981—An Act authorizing the Controller to appoint an additional clerk in his office, in addition to the number now allowed by law, to be known as the Revenue Clerk, and making an appropriation for the payment of his salary for the remainder of the forty-sixth fiscal year.

Read third time.

The question being on the final passage.

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

AYES—Messrs. Ash, Bennett, Berry, Brusie, Bulla, Butler, Coleman, Cutter, Davis, Devine, Dinkelspiel, Dixon, Dodge, Dunbar, Fassett, Gay, Guy, Hatfield, Kenyon, Lauge-nour, Lewis, Meads, McKelvey, Merrill, Nelson, O'Day, Osborn, Reid, Richards, Robinson, Sanford, Spencer, Staley, Stansell, Thomas, Tibbits, Tomblin, Twigg, Waymire, Weyse, Wilkinson, and Mr. Speaker—42.

NOES—Messrs. Barker, Bledsoe, Collins. Dale, Ewing, Hall, Hudson, Keen, North, Phelps, Price, and Wade—12

Title read and approved.

Mr. Reid moved that Assembly Bill No. 981 be immediately trans-mitted to the Senate.

So ordered.

SPECIAL ORDER.

Assembly Bill No. 959—An Act to establish a uniform system of county and township governments.

AMENDMENTS.

The following amendments were submitted:

By Mr. Dodge:

Amend by striking out of section forty-one, as amended, line two, the words "twelve o'clock m. of."

Adopted.

By Mr. Swisler:

Amend by adding to section twenty-five, subdivision twenty-eight, the words "*pro-vided, however*, that the length of season during which any fish or game may be taken or killed, as provided by the general laws of the State, shall not be extended or increased."

Adopted.

By Mr. Dinkelspiel:

Amend by adding to section forty-two, line two, after the word "rejected" the follow-ing: "and said rejection shall be plainly indorsed on said claim."

Adopted.

By Mr. Dodge:

Amend by striking out of section twenty-five, line one hundred and fifty-three, the words "duly given," and inserting the following: "voting."

Adopted.

By Mr. Dinkelspiel:

Amend by adding to section forty-four, line two, after the word "liability," the following: "with particularity."

Lost.

By Mr. Dodge:

Amend section sixty-four, line two, by adding after the words "sixty days" the following: "in any one year."

Adopted.

Also: Amend by adding to section sixty-six, line eighteen, the words "the Tax Collector shall also, before qualifying, give a bond as License Collector in such sum as may be fixed by the Board of Supervisors, to be approved as herein provided."

Adopted.

Also: Amend by striking out of section seventy-eight, line five, the words "clearly and."

Adopted.

Also: Amend by striking out of section eighty-eight, line two, the word "the."

Adopted.

Also: Amend by inserting in section eighty-nine, line four, a comma after the word "committed."

Adopted.

Also: Amend by striking out of section one hundred and nine, lines four, five, six, and seven, the words "*provided, however,* that the Auditor must not draw a warrant on the County Treasurer in favor of any person until said Auditor shall have received from the Clerk of the Board of Supervisors the certified list mentioned in subdivision four, section twenty, of this Act," and insert period in place of semicolon after "Supervisors," in line four, same section.

Adopted.

Also: Amend by striking out of section one hundred and nine, lines eight and nine, the words "and which are not directed to be audited by some other person or tribunal," and inserting the following. "or are authorized by law to be allowed by some person or tribunal other than the Board of Supervisors."

Adopted.

Also: Amend by striking out of section one hundred and seventeen, line five, the word "was," and inserting the following: "were."

Adopted.

Also: Amend section one hundred and twenty-eight, so as to read: "It shall be the duty of the Recorder, upon the payment or tender of the fees therefor, to take and certify the acknowledgment of all instruments authorized by law to be acknowledged "

Adopted.

Also: Amend by striking out of section one hundred and twenty-nine all of subdivision four, and by striking out the figure "5" at the beginning of line twelve, and inserting in lieu thereof the figure "4 "

Adopted.

Also: Amend section one hundred and forty-one, line six, by inserting the following: "For the county" after the word "performed."

Adopted.

By Mr. Weyse:

Amend by striking out of section fourteen, lines four and five, the words "such compensation as the Board of Supervisors may allow, not to exceed," and inserting in line five, after the word "day," the following: "As compensation," and in line six, after the word "performed," the words "for the county."

Lost.

By Mr. Dodge.

Amend by striking out of section one hundred and forty-two, line five, the word "the" before the word "cause."

Adopted.

Also: Amend by striking out of section one hundred and forty-two, line eight, the words "as is now"; also, the words "this State," and in lieu of the latter insert the following: "the county."

Also: Make the word "Courts," same line, read "Court."

Adopted.

By Mr. Bulla:

Amend section one hundred and forty-two, line seven, by inserting after the word "may," the words "upon the written order of the District Attorney."

Adopted.

Also: Amend by striking out of section one hundred and forty-nine, lines three, four, and five, the words: "He shall, as often as he has public moneys in his hands amounting to five hundred dollars, but not oftener than once each day, pay the same into the County Treasury, taking the receipt of the Treasurer therefor."

Lost.

By Mr. Belshaw, as a substitute:

Amend by striking out of section one hundred and fifty, line four, the words "five hundred" and inserting the following: "two thousand."

Lost.

By Mr. Hudson, as a substitute for the whole:

Amend section one hundred and forty-nine by inserting in line four, after the word "dollars," the following: "unless, by order of the Board of Supervisors, he is collecting taxes away from the county seat."

Lost.

By Mr. Dodge:

Amend by striking out of section one hundred and fifty-seven, lines six and twelve, the word "inhabitants."

Adopted.

Also: Amend by striking out of section one hundred and fifty-seven, line nineteen, the words "five hundred."

Adopted.

Also: Amend by inserting in section two hundred and fifteen, line twelve, the words "except when otherwise provided in this Act," after the words "collected by him."

Also: By striking out the words "that the" in the same line, and inserting the following: "the."

Adopted.

By Mr. Belshaw:

Amend by inserting in section two hundred and fifteen, line seventeen, after the word "use," the following: "the fees or commission for the service of all papers whatsoever issued by any Court of the State, outside of his county."

Lost.

By Mr. Dodge:

Amend by striking out of section two hundred and sixteen, lines three and four, the words "the percentage hereinbefore," and inserting the following: "where fees or a percentage thereof is."

Adopted.

Also: Amend by striking out section two hundred and twenty-eight, and renumbering the remaining sections

Also: Amend by striking out of section two hundred and twenty-nine, line twelve, the words "allowed by and," and inserting in line thirteen, same section, after the words "provided for," the words "and allowed "

Adopted.

Also: Amend by inserting in section two hundred and twenty-nine, line thirteen, the words "or trial" after the word "examination."

Adopted.

Also: Amend by striking out all of subdivision ten, lines twenty, twenty-one, and twenty-two, of section two hundred and twenty-nine, page one hundred and two, and inserting the following: "The fees of Constables in criminal cases allowed by law."

Adopted.

Also: Amend by striking out of section two hundred and twenty-nine, line thirteen, the word "the," before the word "persons."

Adopted.

Also: Amend by inserting in section two hundred and thirty-two, line seven, page one hundred and three, the words after the word "class", "*provided*, that the salary of county officers shall not be affected by reason of such division of the county, or order of the Board, for the term for which they were elected and qualified."

Adopted.

By Mr. Bulla:

Amend by striking out of section one hundred and fifty-nine of the printed bill, all of subdivision one of said section, and inserting in lieu thereof the following:

1. The County Clerk, three thousand six hundred dollars per annum; *provided*, that in counties of this class there shall be and there hereby is allowed to the County Clerk, the following deputies, who shall be appointed by the County Clerk, and shall be paid salaries as follows: One chief deputy, at a salary of one hundred and fifty dollars per month; two registry clerks, at a salary of one hundred and twenty-five dollars each per month; one clerk of the Board of Supervisors, and six court-room clerks, at a salary of one hundred and twenty-five dollars each per month; one recording clerk, one file clerk, one index clerk, one clerk in charge of criminal records, at eighty dollars each per month; one miscellaneous clerk, and one assistant clerk of the Board of Supervisors, at a salary of ninety dollars each per month; one clerk, at a salary of eighty dollars per month; one clerk, at a salary of fifty dollars per month; one deputy, at a salary of twenty-five dollars per month; six clerks, at a salary of seventy dollars each per month, for not exceeding one month in any one year. The salaries of the deputies and clerks herein provided for shall be paid by said county in monthly installments, at the same time, and in the same manner, and out of the same fund as the salary of the County Clerk is paid

Adopted.

Also: Amend by striking out of section one hundred and fifty-nine of printed bill all of subdivision two of said section, and inserting the following in lieu thereof:

2. The Sheriff, four thousand dollars per annum, *provided*, that in counties of this class there shall be and there hereby is allowed to the Sheriff, an Under Sheriff, and the following deputies and stenographer, who shall be appointed by the Sheriff of said county, and shall be paid salaries as follows: One Under Sheriff at a salary of one hundred and fifty dollars per month; one bookkeeper at a salary of one hundred and twenty-five dollars per month; eight deputies at a salary of ninety dollars each per month, six Court deputies at a salary of eighty-five dollars each per month; three jail deputies at a salary of sixty-five dollars each per month; one jail matron at a salary of forty-five dollars per month; one stenographer, at a salary of seventy-five dollars per month, two deputies at seventy dollars each per month, not to exceed six months in any one year. The salary of the Under Sheriff and all deputies and stenographer herein provided for, shall be paid by said county in monthly installments, at the same time and in the same manner, and out of the same fund, that the salary of the Sheriff is paid. The Sheriff also to receive the amount of money necessarily expended by him in serving all processes and notices as defined in section ninety-two of chapter two hundred and thirty-four, statutes and amendments to the Codes of California of eighteen hundred and ninety-three, on page three hundred and seventy-one, and the same shall be a charge against the county and allowed as such by the Board of Supervisors, and paid as when county charges are paid.

Adopted.

Also: Amend by striking out of section one hundred and fifty-nine of the printed bill all of subdivision three of said section, and inserting in lieu thereof the following:

3. The Recorder, three thousand six hundred dollars per annum; *provided*, that in counties of this class there shall be and there hereby is allowed to the Recorder the following deputies and copyists, who shall be appointed by the Recorder of said county, and shall be paid salaries as follows: One chief deputy at a salary of one hundred and twenty-five dollars per month; two deputies at a salary of ninety dollars each per month, two deputies at a salary of eighty-five dollars each per month; four deputies at a salary of eighty dollars each per month, two deputies at a salary of seventy-five dollars each per month, not to exceed four months in any one year; and as many copyists as may be required, who shall receive as compensation for their services the sum of five and one half cents per folio for recording any instrument or notice, except maps or plats; for copies of any record or paper, five and one half cents per folio. The salaries and compensation of all deputies and copyists herein provided for shall be paid by said county in monthly installments, at the same time and in the same manner and out of the same fund as the salary of the County Recorder is paid.

Adopted.

Also: Amend by striking out of section one hundred and fifty-nine of the printed bill all of subdivision four of said section, and inserting the following in lieu thereof:

4. The Auditor, three thousand six hundred dollars per annum; *provided*, that in counties of this class there shall be and there hereby is allowed to the Auditor the following deputies and clerks, who shall be appointed by the Auditor, and shall be paid salaries as follows: One chief deputy at a salary of one hundred and fifty dollars per month; one deputy at a salary of one hundred and ten dollars per month, one deputy at a salary of ninety dollars per month; one deputy at a salary of eighty dollars per month; and forty clerks at a salary of seventy-five dollars per month, not to exceed one month each in any one year. The salaries of the chief deputy, deputies, and clerks herein provided for shall be paid by the county in monthly installments at the same time and in the same manner and out of the same fund as the salary of the Auditor is paid.

Adopted.

Also: Amend by striking out of section one hundred and fifty-nine, printed bill, all of subdivision five of said section, and inserting the following in lieu thereof:

5. The Treasurer, three thousand six hundred dollars per annum, *provided*, that in counties of this class there shall be and hereby is allowed to the Treasurer the following deputies, who shall be appointed by the Treasurer, and shall be paid salaries as follows: One chief deputy at a salary of one hundred and twenty-five dollars per month; one deputy at a salary of forty-five dollars per month. The salaries of the deputies herein provided for shall be paid by said county in monthly installments, at the same time and in the same manner and out of the same fund as the salary of the County Treasurer is paid.

Adopted.

Also: Amend by striking out of section one hundred and fifty-nine of the printed bill all of subdivision six of said section, and inserting in lieu thereof the following:

6 The Tax Collector, three thousand six hundred dollars per annum; *provided*, that in counties of this class there shall be and there hereby is allowed to the Tax Collector the following deputies and clerks, who shall be appointed by the Tax Collector, and shall be paid salaries as follows: One chief deputy at a salary of one hundred and twenty-five dollars per month; one cashier, two report clerks, and one general clerk, at a salary of one hundred dollars each per month; one license clerk and one correspondent, at a salary of ninety dollars each per month; two clerks at a salary of seventy-five dollars each per month, one clerk at a salary of ninety dollars per month, not to exceed four months in any one year; thirty-four clerks at a salary of seventy-five dollars each per month, not to exceed four months each in any one year; there is also allowed not to exceed four hundred dollars for traveling expenses for the License Tax Collector each year. The salaries of the chief deputy and all the clerks and deputies herein provided for, shall be paid by said county in monthly installments, at the same time and in the same manner and out of the same fund as the salary of the Tax Collector.

Adopted.

Also: Amend by striking out of section one hundred and fifty-nine, printed bill, all of subdivision eight of said section, and inserting in lieu thereof the following.

8. The Assessor, three thousand six hundred dollars per annum, *provided*, that in counties of this class there shall be and hereby is allowed to the Assessor the following deputies and clerks, who shall be appointed by the Assessor, and shall be paid salaries as follows: One chief deputy at a salary of one hundred and twenty-five dollars per month; two deputies at a salary of ninety dollars per month each; thirteen deputies at eighty dollars each per month, for not exceeding four months in any one year; thirty deputies at eighty-five dollars per month, for not exceeding four months in any one year; two deputies at ninety dollars each per month, for not exceeding four months in any one year; thirty-nine deputies at ninety dollars each per month, for not exceeding one month in any one year; five deputies at ninety dollars each per month for not exceeding three months in any one year; seventeen clerks at seventy dollars each per month, for not exceeding four months in any one year; one clerk at thirty dollars per month, for not exceeding four months in any one year. The salaries of the deputies and clerks herein provided for shall be paid by said county in monthly installments, at the same time and in the same manner and out of the same fund as the salary of the County Assessor is paid.

The provisions of section two hundred and fifteen of this Act, so far as the same relates to the Assessors, shall not apply to counties of this class.

Adopted.

Also: Amend by adding to subdivision nine of section one hundred and fifty-nine, line one hundred, the following.

He must hold inquests as prescribed by chapter two, title twelve, part two, of the Penal Code. The Coroner or other officer holding the inquest upon the body of a deceased person, may subpoena a physician or surgeon to inspect the body, or a chemist to make an analysis of the contents of the stomach or of the tissues of the body, or hold a post mortem examination of the deceased, and give a professional opinion as to the cause of death, and shall cause the testimony given by the witness to be reduced to writing, under his direction, and may employ a clerk or stenographer for such purpose, at the same compensation as is now allowed to stenographers in the Superior Courts of this State; and when such testimony is taken down by a stenographer, his transcription thereof, duly certified to, shall constitute the deposition of such witness; *provided*, that no expense incurred in making such an analysis or post mortem examination or for employing a stenographer, shall be a county charge, unless such analysis or post mortem examination is made, or stenographer employed, upon the written order of the District Attorney of the county wherein such inquest is held.

Adopted.

Also: Amend by striking out of section one hundred and fifty-nine of printed bill all of subdivision eleven of said section, and inserting the following in lieu thereof:

11. The Superintendent of Schools, three thousand dollars per annum, *provided*, that in counties of this class there shall be and there hereby is allowed to the Superintendent of Schools one assistant and one deputy, who shall be appointed by the Superintendent of schools of said county, and shall be paid salaries as follows: One assistant at a salary of one hundred and ten dollars per month; one deputy at a salary of one hundred dollars per month. The salaries of the assistant and deputy herein provided for shall be paid by the county in the same manner and at the same time and out of the same fund as the Superintendent of Schools is paid.

Adopted.

Also, Amend by striking out of section one hundred and fifty-nine all of subdivision twelve of said section, and inserting the following in lieu thereof.

12. The Surveyor, ten dollars per day for all work performed, and in addition thereto all necessary expenses and transportation for work performed in the field; *provided*, that in counties of this class there shall be and there hereby is allowed to the Surveyor, one chief deputy and four draughtsmen, who shall be appointed by the Surveyor of said county, and shall be paid salaries as follows: One chief deputy at a salary of one hundred and forty dollars per month; three draughtsmen at a salary of one hundred dollars each per month; and one draughtsman at a salary of seventy-five dollars per month. The salaries of the chief deputy and draughtsmen, herein provided for, shall be paid by said county in monthly installments, at the same time and in the same manner as the deputies of other county officers are paid.

Adopted.

Also: Amend section one hundred and fifty-nine by adding thereto the following new subdivisions, thirteen and fourteen, after line one hundred and twenty, on page fifty-one:

13. Supervisors, one thousand eight hundred dollars per annum, together with mileage at the rate of ten cents per mile for each mile actually traveled by them in the discharge of their duties, either as Road Commissioners or Supervisors, not exceeding in the aggregate five hundred dollars each per annum. They shall also receive their necessary expenses when attending meetings of the Board of Equalization.

Adopted.

14. This section and all subdivisions and parts thereof shall be in force and take effect from and after the passage of this Act.

Adopted.

By Mr. Meads:

Amend by striking out of section one hundred and sixty-one, subdivision seven, lines thirteen and fourteen, the words "the Assessor, nine thousand five hundred dollars per annum, and one deputy at one hundred dollars per month," and inserting the following:

7 The Assessor, nine thousand five hundred dollars per annum; and the said Assessor may appoint one Deputy Assessor, which office of Deputy Assessor is hereby created, who shall receive as compensation the sum of twelve hundred dollars per annum, payable at the same time and in the same manner as the salaries of other county officers "

Adopted.

Also: Amend by striking out of section one hundred and sixty-one, lines fifteen, sixteen, and seventeen, the words: "The District Attorney, two thousand two hundred dollars per annum, and one Deputy District Attorney at eighteen hundred dollars per annum, and one Deputy District Attorney at twelve hundred dollars per annum," and inserting the following

8. The District Attorney, three thousand two hundred dollars per annum, and the said District Attorney may appoint one Assistant District Attorney and one Deputy District Attorney, which said offices of Assistant District Attorney and Deputy District Attorney are hereby created, the salary of such Assistant District Attorney is hereby fixed at eighteen hundred dollars per annum, and the salary of such Deputy District Attorney is hereby fixed at twelve hundred dollars per annum, such salaries to be paid at the same time and in the same manner as the salaries of other county officers.

Adopted.

Also: Amend by striking out of section one hundred and sixty-one, lines twenty, twenty-one, and twenty-two, the words: "The Superintendent of Schools, two thousand dollars per annum, and actual traveling expenses when visiting schools of his county, and one deputy at seventy-five dollars per month," and inserting the following.

11 The Superintendent of Schools, two thousand dollars per annum, and actual traveling expenses when visiting the schools of his county, and the said Superintendent of Schools may appoint one Assistant Superintendent of Schools, which office of Assistant Superintendent of Schools is hereby created, who shall receive as compensation the sum of nine hundred dollars per annum, payable at the same time and in the same manner as the salaries of other county officers.

Adopted.

By Mr. Berry:

Amend by striking out of section one hundred and sixty-one all of subdivision thirteen and inserting the following in lieu thereof:

13. Justices of the Peace, such fees as are now or may be hereafter allowed by law; *provided*, that Justices of the Peace shall be allowed for their services no more than two thousand dollars in any one year from both civil and criminal fees; *provided, however*, that in townships containing a population of not less than twenty thousand and not more than thirty thousand inhabitants the Justice of the Peace shall be allowed a clerk at a salary of seventy-five dollars per month, which amount shall be allowed and paid out of the fees collected, in addition to the said two thousand dollars allowed to Justices of the Peace of said townships in counties of this class.

Said Justices of the Peace shall render an itemized account under oath, on the first Monday of each month, to the Board of Supervisors, of all fees collected

Adopted.

Also Amend section one hundred and sixty-one, in line twenty-eight, page fifty-three, by inserting after words "per annum" the following: "and twenty cents per mile for traveling from his residence to the county seat."

Adopted.

Also: Amend section one hundred and sixty-one, after line twenty-nine, by adding subdivision sixteen, as follows:

16. Section one hundred and sixty-one of this Act shall go into effect from and after its passage

Adopted.

By Mr. Hatfield:

Amend section one hundred and sixty-two, line four, by adding the following. ' And such fees and mileage as are now or hereafter may be provided by law, for all services done or performed in actions coming from another county, and for all criminal service necessarily performed outside of his county, and all necessary expense incurred in arresting and conveying prisoners before a Court or to prison, and shall have such fees and reasonable expenses incurred in taking and keeping property seized under attachment or levied on under execution; *provided*, that the keeper's fees shall not exceed two dollars per day of twelve hours, except when it becomes necessary to keep a place of business open in the night, in which case he shall be allowed additional keeper's fees, to be fixed by the Court from which the writ issued under which the property was taken.'

Adopted.

Also: Amend section one hundred and sixty-two, line five, by adding thereto the following: "The County Recorder may appoint one clerk at a salary of twelve hundred dollars per annum, payable at the same time and in the same manner as other county officers."

Adopted.

Also: Amend section one hundred and sixty-two, line eleven, by adding the following: 17. In counties of this class the District Attorney may appoint an Assistant District Attorney, which office is hereby created, who shall receive as compensation for his services the sum of fifteen hundred dollars per annum, to be paid out of the County Treasury in equal monthly installments, in the same manner and at the same time other county officials are paid.

18. In counties of this class the District Attorney may appoint a clerk, for service in his office, which office of clerk to the District Attorney is hereby created, and said clerk shall receive as compensation for his services the sum of nine hundred dollars per annum, to be paid out of the County Treasury in equal monthly installments, in the same manner and at the same time other county officials are paid.

Adopted.

Also: Amend by inserting in section one hundred and sixty-two, line eighteen, after the word "law," the following: "*provided*, the Justice of the Peace of townships containing twenty-five thousand inhabitants or more shall be allowed as additional compensation a salary of seventy-five dollars per month, payable at the same time and in the same manner as salaries of other county officials are paid."

Adopted.

Also: Amend section one hundred and sixty-two, line thirty-three, by inserting after the word "motions," the word "demurrets"

Adopted.

By Mr. Price:

Amend by striking out of section one hundred and sixty-three all of subdivision sixteen, and inserting the following:

In counties of this class the official reporter of each department of the Superior Court shall receive, as full compensation for taking notes in civil and criminal cases tried in said Court, a monthly salary of one hundred dollars, payable out of the County Treasury at the same time and in the same manner as the salaries of county officers; and for transcription of said notes, when required, he shall receive the sum of ten cents per folio for the original, and five cents per folio for a copy, said compensation for transcription in criminal cases to be audited and allowed by the Board of Supervisors as other claims against the county, and paid out of the County Treasury, and in civil cases to be paid by the party ordering the same; or when ordered by the Judge, by either party or jointly by both parties as the Court may direct, *provided*, that on demand, the reporter shall transcribe minutes of action on motions and decisions without extra compensation.

Adopted.

By Mr. Brusie:

Amend by striking out of section one hundred and sixty-two, line fourteen, the words: "The Superintendent of Schools, two thousand dollars per annum, and actual traveling expenses when visiting schools of his county, not exceeding three hundred dollars per annum," and inserting the following:

"The Superintendent of Schools, two thousand dollars per annum, and actual traveling expenses when visiting schools of his county, not exceeding three hundred dollars per annum; and one deputy, who shall be appointed by the Superintendent of Schools of said county of the fifth class, and who shall be paid a salary of seventy-five dollars per month. The salary of said deputy herein provided for shall be paid by the county in the same manner and at the same time and out of the same fund as the Superintendent of Schools is paid."

Adopted.

By Mr. Jones:

Amend by inserting in section one hundred and sixty-four, line thirty-two, after the word "each," the following: "and deputies or a deputy for the purpose of registering electors and for other emergencies, to be paid not to exceed three dollars per diem each, and in the aggregate not more than five hundred dollars per annum"

Adopted.

By Mr. Guy:

Amend by striking out of section one hundred and sixty-five, page fifty-eight, lines nineteen and twenty, printed bill, the words "not exceeding six dollars per day."

Adopted.

Also: Amend by inserting in section one hundred and sixty-five, page fifty-eight, line twenty-nine, after the word "hundred," the words "and twenty-five."

Adopted.

Also: Amend by inserting in section one hundred and sixty-five, page fifty-eight, line thirty-three, after the word "cases," the words "and Coroner's inquests."

Adopted.

By Mr. Rowell:

Amend by striking out all of section one hundred and sixty-six, and inserting the following:

SEC 166. In counties of the ninth class, the county officers shall receive as compensation for the service required of them by law or by virtue of their office, the following salaries, to wit:

The County Clerk, two thousand five hundred dollars per annum, and one deputy at a salary of one thousand five hundred dollars per annum; an office deputy at a salary

of one thousand two hundred dollars per annum; three deputies, each at a salary of nine hundred and sixty dollars per annum, and one deputy at a salary of seven hundred and twenty dollars per annum.

The Sheriff, six thousand dollars per annum, and an Under Sheriff at a salary of one thousand six hundred dollars per annum, two Deputy Sheriffs at a salary of one thousand and eighty dollars per annum; two bailiffs, each at a salary of nine hundred and sixty dollars per annum, and a deputy at a salary of nine hundred dollars per annum.

The Sheriff shall retain for his own use all fees for services of process issued from without his county, and all other fees allowed by law.

The Recorder, two thousand five hundred dollars per annum, and one deputy at a salary of one thousand two hundred dollars per annum; two deputies, each at a salary of nine hundred and sixty dollars per annum, and five copyists, each of whom shall receive six cents for each folio copied.

The Assessor, three thousand five hundred dollars per annum, and such fees as are allowed by law, and one office deputy at a salary of nine hundred and sixty dollars per annum, and fifteen deputies to be employed when actually necessary between the first Monday in March and the first Monday in June of each year, whose compensation shall be each four dollars per day for each day actually employed.

The Tax Collector, two thousand dollars per annum, and one deputy at a salary of one thousand two hundred dollars per annum; one deputy at a salary of one thousand and eighty dollars per annum, one deputy for nine months in each year at a salary of seventy-five dollars per month, and one deputy for three months in each year at a salary of seventy-five dollars per month.

The District Attorney, two thousand five hundred dollars per annum; and two deputies each at a salary of one thousand five hundred dollars per annum, and one deputy at a salary of five hundred dollars per annum.

The School Superintendent, two thousand dollars per annum, and one deputy at a salary of one thousand and eighty dollars per annum. He shall also be allowed his actual traveling expenses when visiting the schools of his county.

The Auditor, two thousand dollars per annum; and a deputy at a salary of one thousand two hundred dollars per annum.

The Treasurer, two thousand five hundred dollars per annum; and a deputy at a salary of one thousand dollars per annum.

The Surveyor, such fees as are now or may be hereafter allowed by law, not to exceed two thousand dollars per annum, and his actual traveling expenses in the field.

The Coroner, such fees as are now or may hereafter be allowed by law.

The Public Administrator, such fees as are now or may be hereafter allowed by law.

Each Supervisor, five dollars per day for each day actually employed, and twenty-five cents per mile for each mile actually traveled in going from his residence to the county seat once during each meeting of the Board, *provided*, that for both per diem and mileage no Supervisor shall be allowed more than six hundred dollars in any one year. Supervisors shall also be allowed their actual traveling expenses when attending to county business other than that transacted at Board meetings. For his services as Road Commissioner, each Supervisor shall receive five dollars for each day's service ordered; *provided*, that as a Road Commissioner, including mileage, no member of the Board shall receive more than four hundred dollars in any one year.

Justices of the Peace, the following monthly salaries, to be paid each month, as the salaries of county officers are paid, which shall be in full for all services rendered by them in criminal cases.

In townships having a population of ten thousand or more, one hundred and twenty-five dollars per month.

In townships having a population of five thousand and less than ten thousand, seventy-five dollars per month.

In townships having a population of three thousand and less than five thousand, twenty-five dollars per month.

In townships having a population of two thousand and less than three thousand, fifteen dollars per month.

In townships having a population of twelve hundred and less than two thousand, ten dollars per month.

In all townships having a population of less than twelve hundred, three dollars per month. In addition to the above salaries, each Justice of the Peace shall collect for his own use in civil cases, such fees as are now or may be hereafter allowed by law.

Constable, such fees as are now or may be hereafter allowed by law, not exceeding for all criminal cases in any one year the sum of one thousand dollars, excepting that in townships having a population of ten thousand or more, each Constable shall have two deputies, each at a salary of seventy dollars a month.

The population of townships shall, for the purposes of this section, be determined by multiplying the vote for Governor in the township at the next preceding general election by five.

This section, in so far as it decreases the salaries of the County Clerks, Sheriffs, Recorders, Assessors, and District Attorneys, shall take effect on the first Monday after the first day of January, eighteen hundred and ninety-seven. In respect to all other salaries herein prescribed this section shall take effect immediately.

The salaries of all deputies and copyists provided for in this section shall be paid at the same time and in the same manner as the salaries of other county officers are paid.

In counties of this class, the official reporters, not to exceed two, of the Superior Court, shall receive, as full compensation for taking notes in civil and criminal cases in said Court, a yearly salary of one thousand six hundred and twenty dollars, payable out of the County Treasury at the same time and in the same manner as the salaries of county officers; and for transcription of said notes, when required, he shall receive the sum of ten cents per folio for the original, and five cents per folio for a copy, said compensation for transcription in criminal cases to be audited and allowed by the Board of Supervisors as other claims against the county, and paid out of the County Treasury, and in civil cases to be paid by the party ordering the same, or, when ordered by the Judge, by either party, or jointly by both parties, as the Court may direct; *provided*, that for all services no reporter shall receive more than three thousand five hundred dollars in any one year. Each reporter shall file each month with the Auditor a statement showing in detail the amount of fees received by him during the preceding month, and all fees in excess of eighteen hundred and eighty dollars received in any one year shall be paid by the reporter into the County Treasury.

Adopted.

By Mr. Lynch:

Amend by striking out of section one hundred and sixty-seven, line sixteen, the words "when ordered by the Court or Board of Supervisors."

Adopted.

Also: Amend section one hundred and sixty-seven by inserting after line forty, and before line forty-one, the following:

17. In counties of this class where the number of Judges of the Superior Court shall have been increased since the first day of January, 1887, or shall hereafter be increased, there must be and there is hereby allowed to the Sheriff of such county one additional deputy, to be appointed by the Sheriff, for each additional trial Judge elected or appointed, and also there must be and there hereby is allowed to the County Clerk of such county one additional deputy, to be appointed by the County Clerk, to act as a court-room clerk, and one additional deputy, to be appointed by the County Clerk, to act as register clerk, for each additional Judge elected or appointed, and also there must be and there hereby is allowed to the District Attorney of such county one assistant, to be appointed by the District Attorney. The compensation to be paid each and all such Deputy Sheriffs and Deputy County Clerks and Assistant District Attorney shall be one hundred and twenty-five dollars per month, and the same shall be paid at the same time and in the same manner and from the same fund as other county officers.

Adopted.

Also: Amend by striking out of section one hundred and sixty-seven, line thirty-six, the words "the original and five cents per folio for."

Adopted.

Also. Amend by striking out of section one hundred and sixty-seven, line forty-one the figures "17" and inserting the following figures "18."

Adopted.

By Mr. Bledsoe:

Amend by striking out of section one hundred and sixty-eight, line fourteen, the words "two thousand dollars," and inserting the following. "one thousand eight hundred dollars"

Lost.

Also: Amend by striking out of section one hundred and sixty-eight, line eleven, the words "two thousand dollars," and inserting the following. "one thousand eight hundred dollars."

Lost.

Also: Amend by striking out of section one hundred and sixty-eight, line ten, the words "five thousand dollars," and inserting the following: "four thousand dollars."

Lost.

Also: Amend by striking out of section one hundred and sixty-eight, line nine, the words "three thousand dollars," and inserting the following: "two thousand six hundred dollars."

Lost.

Also: Amend by striking out of section one hundred and sixty-eight, line eight, the words "two thousand four hundred dollars," and inserting the following: "two thousand dollars."

Lost.

Also: Amend by striking out of section one hundred and sixty-eight, line seven, the words "one thousand four hundred dollars," and inserting the following: "one thousand two hundred dollars."

Lost.

Also: Amend by striking out of section one hundred and sixty-eight, line six, the words "three thousand two hundred dollars," and inserting the following: "two thousand eight hundred dollars."

Lost.

Also: Amend by striking out of section one hundred and sixty-eight, line five, the words "five thousand dollars," and inserting the following: "four thousand five hundred dollars."

Lost.

Also: Amend by inserting in line twenty-five, after the word "of," the following: "seventy-five dollars."

Lost.

Also: Amend by adding after the word "direct," in line thirty-one, section one hundred and sixty-eight, the words: "*provided*, that the Board of Supervisors may make annual contracts with a competent reporter for all of such work of taking and transcribing notes at a rate of compensation not to exceed one hundred and fifty dollars per month."

Lost.

By Mr. Johnson:

Amend line twenty-five by inserting "one hundred and fifty dollars," after the word "of."

Adopted.

By Mr. Bassford:

Amend by striking out of section one hundred and sixty-nine, line nineteen, the word "two," and inserting the word "five."

Adopted.

Also: Amend by striking out of section one hundred and sixty-nine, line forty-seven, the word "five," and inserting the following: "one."

Adopted.

Also: Amend by striking out of section one hundred and sixty-nine, lines forty-nine and fifty, the words "two thousand," and inserting the following: "two thousand one hundred."

Adopted.

Also Amend by striking out of section one hundred and sixty-nine, line sixty-four, after the word "class," the remainder of the line, and all of lines sixty-five, sixty-six, sixty-seven, sixty-eight, sixty-nine, seventy, seventy-one, seventy-two, and seventy-three, and inserting the following:

The official court reporter, for all services required of him in the Superior Court, excepting for transcribing his shorthand notes into longhand, a salary of one thousand two hundred dollars per annum, to be paid monthly, as the salary of county officers are paid. For transcribing his notes, when required, twelve and one half cents for each folio, to be paid for when completed by the party in a civil action who directs the work to be done, but the same shall ultimately be taxed as costs in the case. In all criminal proceedings in the Superior Court, when the Judge orders the notes transcribed, the same shall be paid from the County Treasury on order of the Court. When the services of the reporter are demanded in any civil matter, the clerk shall collect, each day in advance, two dollars and fifty cents from each side to the controversy, and shall pay the same into the County Treasury on the first Monday of each month. At the conclusion of the trial or proceedings in civil matters, such reporter's fees shall be taxed as costs in the same manner that other costs are taxed in such cases.

Adopted.

By Mr. Davis:

Amend by adding to subdivision fourteen of section one hundred and seventy, the following:

"*Provided*, that the fees and compensation of any Constable in criminal cases or proceedings to which the people of the State of California are or may be made a party, shall not exceed seventy-five dollars for any one month."

Adopted.

Also Amend subdivision fifteen of section one hundred and seventy, so as to read as follows:

15 Supervisors, six hundred dollars per annum, and twenty cents per mile for traveling from their respective places of residence to the county seat, for all services performed by them as Supervisors and members of the Board of Equalization, and four hundred dollars per annum for all services performed by them as Road Commissioners.

Adopted.

Also: By adding to section one hundred and seventy an additional subdivision, to be numbered nineteen, and to read as follows:

19 In counties of this class the official reporter of the Superior Court shall receive, as full compensation for taking notes in civil and criminal cases tried in said Court, a monthly salary of one hundred and twenty-five dollars, payable out of the County Treasury at the same time and in the same manner as the salaries of county officers; and for transcription of said notes when required, he shall receive the sum of ten cents per folio for the original and five cents per folio for a copy; said compensation for transcription in criminal cases to be audited and allowed by the Board of Supervisors, as other claims against the county, and paid out of the County Treasury, and in civil cases to be paid by the party ordering the same, or, when ordered by the Judge, by either party, or jointly by both parties, as the Court may direct. Whenever the services of a reporter are demanded in a civil action or proceeding, he shall collect in advance from the parties thereto and pay into the County Treasury the sum of five dollars for each day's service in taking notes.

Adopted.

Also: Amend section one hundred and seventy, by adding after line thirty-six the following:

In counties of the thirteenth class, it shall be the duty of the County Clerk to collect in advance and pay into the County Treasury, in the cases hereinafter mentioned, the following fees, viz.:

1. In all civil actions and all special proceedings of a civil nature, and for all informations filed by a citizen for the purpose of removing an officer:

(a) From the plaintiff or informer on the commencement of every such action or proceeding, five dollars, which shall be in full for all services to be performed by such Clerk, to and including the entry, recording and docketing of the judgment and making up and filing the judgment roll, where no answer is filed. Where an answer is filed, such sums shall be in full for all services performed by said clerk prior to the trial of such action or proceeding. Where an answer is filed, and a trial or hearing is had thereon, the clerk shall collect from the plaintiff or informer, prior to such trial or hearing, the additional sum of five dollars, which shall be in full for all services to be performed by

such clerk to and including the entry, recording, and docketing of the judgment and the making up and filing the judgment roll.

(b) From the defendant in such cases, on his appearance, five dollars, which shall be in full for all like services.

(c) From the moving party, on filing notice of motion, for each motion to vacate or set aside any final order or judgment, except in probate cases, and for each motion for new trial, two dollars and fifty cents, which shall be in full for all services to be performed by such clerk to and including the entry of the order finally granting or denying such motion.

(d) From the appellant, on filing any notice of appeal to the Supreme Court from any order, judgment, or decree, five dollars, which shall be in full for all services to be performed by such clerk thereon, to and including the filing of the remittitur from the Supreme Court on such appeal.

2 In the matter of every estate and guardianship:

(a) From the petitioner on filing each petition for letters testamentary or of administration, or of the guardianship of the person or estate of any minor, ten dollars, which shall be in full for all services to be performed by such clerk, to and including the filing of the inventory and appraisement in the matter of such estate or guardianship.

(b) Upon the filing of such inventory and appraisement, before any other proceeding is had, the sum of one dollar for each and every thousand dollars, or fractional part thereof over five hundred dollars, of the appraised value of the estate of such minor or decedent, which shall be in full for all services to be performed by such clerk in the matter of such estate or guardianship to and including the filing, entry, and recording of the final decree of settlement and the distribution therein, or the decree finally partitioning such estate, *provided*; that in all cases where the estate of any decedent shall be summarily distributed in the manner provided by section one thousand four hundred and sixty-nine of the Code of Civil Procedure of this State; said ten dollars shall be in full for all services performed by such clerk, to and including the final entry and recording of the decree summarily disposing thereof.

(c) On the filing of every petition for the removal of any executor, administrator, or guardian, or the filing of any objection to the probate of any will or testament, or to the appointment of any administrator, executor, or guardian, or the citation of any executor, administrator, or guardian to appear and answer any matter touching such executorship, administratorship, or guardianship, from the person filing such petition, five dollars, which shall be in full for all services to be performed by such clerk, to and including the filing and entry of the order or decree finally determining the same.

(d) From the appellant, on filing any notice of appeal to the Supreme Court from any order or decree made in the matter of any estate or guardianship, five dollars, which shall be in full for all services to be performed by such clerk, to and including the filing of the remittitur from the Supreme Court on such appeal.

3. In case of any appeal to the Superior Court or transfer of any case thereto:

(a) From the appellant, on receipt of any papers or transcript on appeal from any Justice's or inferior Court, the sum of five dollars, which shall be in full for all services of such clerk, to and including the entry of final judgment and making and filing the judgment roll, and remitting of any order of dismissal or affirmance required by law.

(b) From the moving party, on the filing of the papers in any case transferred to the Superior Court from any Justice's or inferior Court pursuant to any statute, ten dollars, which shall be in full for all services to be performed by such clerk, to and including the entry of final judgment, and making and filing the judgment roll, or the remitting of any order of dismissal or affirmance, or any order remanding such case to any lower Court.

(c) On the filing of the papers in every case for the change of place of trial to the Superior Court from the Superior Court of any other county, the sum of ten dollars, to be in full for all services to be performed by such clerk, to and including the entry, recording, and docketing the final judgment, and making up and filing the judgment roll.

4. On the filing of any petition in insolvency.

(a) From the person so filing the same, the sum of ten dollars, which shall be in full for all services to be performed by such clerk in the matter of such insolvency, to and including the order finally determining such matter.

(b) From the appellant, on the filing of any notice of appeal from any order or decree made in the matter of such insolvency, five dollars, which shall be in full for all services to be performed by such clerk, to and including the filing of the remittitur from the Supreme Court on such appeal.

5 No fees shall be charged in any criminal case, nor for any services performed upon any writ of habeas corpus, nor against the State or county, nor against any public officer suing or defending in his own name, in behalf of the State, or county, pursuant to any statute or ordinance; *provided*, that where any action is commenced by such State or county, at the relation of any person not a public officer, the fees herein provided for shall be paid by such relator.

6. In addition to the fees hereinbefore provided for, such clerks shall charge and collect, the following fees:

(a) For the issuance of any execution, order of sale, or any other writ or process subsequent to the entry of judgment, except in the cases mentioned in the last subdivision, one dollar, which shall include the filing of such execution, order, writ, or process on return, and the entry of partial or entire satisfaction thereof.

- (b) For the copying of any record or other document or paper, ten cents per folio
- (c) For each certificate, except in criminal cases, fifty cents.
- (d) For each affidavit not made by a public officer pursuant to any statute, nor in the case of any action or proceeding, nor in pursuance of any registration or election law of this State, fifty cents
- (e) For taking testimony on the justification to any undertaking or bond, or the taking of any deposition, including the certificate thereto, twenty cents per folio.
- (f) For taking the acknowledgment to any deed or other writing, fifty cents for each person acknowledging the same.
- (g) For issuing each marriage license, two dollars and fifty cents, one dollar of which shall be paid by such clerk to the Recorder of the county for recording such license.
- (h) For filing and indexing each certificate of incorporation, partnership, or other certificate, one dollar.
- (i) For recording every diploma or license of a physician, dentist, or other person, fifteen cents per folio.
- (j) For docketing and indexing every judgment from Justice's Court, two dollars.

Adopted.

By Mr. Stansell:

Amend by striking out all of section one hundred and seventy-one, from lines one to twenty-six, and inserting the following:

SEC. 171. In counties of the fourteenth 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, three thousand six hundred dollars per annum.
2. The Sheriff, seven thousand dollars per annum, and the fees or commissions for the service of all papers issued by any Court of the State, outside of his county.
3. The Recorder, two thousand five hundred dollars per annum.
4. The Auditor, one thousand five hundred dollars per annum
5. The Treasurer, two thousand four hundred dollars per annum.
6. The Tax Collector, one thousand five hundred dollars per annum.
7. The Assessor, four thousand dollars per annum
8. The District Attorney, two thousand four hundred dollars per annum.
9. The Coroner, such fees as are now or may be hereafter allowed by law.
10. The Public Administrator, such fees as are now or may be hereafter allowed by law.
11. The Superintendent of Schools, one thousand five hundred dollars per annum, and actual traveling expenses when visiting the schools of his county
12. The Surveyor, such fees as are now or may be hereafter allowed by law; *provided*, he shall receive not to exceed six dollars per day for actual service rendered, and he may be allowed by the Board of Supervisors his actual traveling expenses and pay for necessary assistance
13. Justices of the Peace, such fees as are now or may be hereafter allowed by law.
14. Constables, such fees as are now or may be hereafter allowed by law
15. Each Supervisor, nine hundred dollars per annum and mileage When serving as Road Commissioner, twenty-five cents per mile one way.

Adopted.

By Mr. Osborn:

Amend by striking out of section one hundred and seventy-two, line fourteen, the words "two thousand," and inserting the following: "eighteen hundred."

Adopted.

Also Amend by striking out of section one hundred and seventy-two, line thirty-two, after the word "Court," the words "and for preliminary examinations in Justices' Court "

Adopted.

By Mr. Thomas:

Amend by inserting the following in section one hundred and seventy-three:

16. In counties of this class the official reporter of the Superior Court shall receive, as full compensation for taking notes in civil and criminal cases tried in said Court, a monthly salary of one hundred and twenty-five dollars, payable out of the County Treasury at the same time and in the same manner as the salaries of county officers; and for transcription of said notes, when required, he shall receive the sum of ten cents per folio for the original, and five cents per folio for a copy; said compensation for transcription in criminal cases to be audited and allowed by the Board of Supervisors as other claims against the county, and paid out of the County Treasury, and in civil cases to be paid by the party ordering the same, or, when ordered by the Judge, by either party, or jointly by both parties, as the Court may direct.

Adopted.

By Mr. Sanford:

Amend by striking out of section one hundred and seventy-four, lines nineteen and twenty, and inserting the following:

15. Each Supervisor five hundred dollars per annum, and ten cents per mile for traveling from his residence to the county seat; and when serving as Road Commissioner, five dollars per day. But he shall not in any one year receive more than three hundred dollars as Road Commissioner.

16. In counties of this class the official reporter of the Superior Court shall receive, as full compensation for taking notes in civil and criminal cases tried in said Court, a monthly salary of fifty dollars, payable out of the County Treasury at the same time and in the same manner as the salaries of county officers, and for transcription of said notes, when required, he shall receive the sum of ten cents per folio for the original and five cents per folio for a copy; said compensation for transcription in criminal cases to be audited and allowed by the Board of Supervisors as other claims against the county, and paid out of the County Treasury, and in civil cases to be paid by the party ordering the same, or, when ordered by the Judge, by either party, or jointly by both parties, as the Court may direct.

Adopted.

By Mr. Hudson:

Amend by striking out of section one hundred and seventy-five, line four, the words "three thousand," and inserting the following: "two thousand six hundred "

Adopted.

Also: Amend by striking out of section one hundred and seventy-five, line ten, the words "two thousand," and inserting the following: "two thousand five hundred "

Also: Amend by striking out of section one hundred and seventy-five, line twenty-one, the word "five," after the word "than," and inserting the following: "four."

Adopted.

Also: Amend by striking out of section one hundred and seventy-five, line twenty-four, the words "civil and "; also, in line twenty-five strike out the words "one hundred" and insert the word "fifty "; after the word "dollars" insert "which shall include traveling expenses"; also, in line twenty-seven strike out the word "said" and insert "his", after the word "notes" insert "in all cases, civil or criminal "

Adopted.

Also: Amend by inserting the following after the word "direct," in line thirty-two, section one hundred and seventy-five: "*provided*, that on demand the reporter shall transcribe minutes of action on motions and decisions without extra compensation."

Adopted.

Also: Amend by inserting the following at the end of section one hundred and seventy-five: "The provisions of this section, so far as they decrease the salary of any officer therein named, shall go into effect at the expiration of the term of the present incumbents."

Adopted.

By Mr. Hall:

Amend by striking out of section one hundred and seventy-seven, line four, the words "three thousand three hundred and fifty," and inserting the following: "three thousand five hundred."

Adopted.

Also: Amend by striking out of section one hundred and seventy-seven, line five, the words "five thousand five hundred," and inserting the following: "six thousand "

Adopted.

Also: Amend by striking out of section one hundred and seventy-seven, line four, the words "eight hundred," and inserting the following: "one thousand."

Adopted.

Also: Amend by striking out of section one hundred and seventy-seven, line nine, the words "eight hundred," and inserting the following: "one thousand."

Adopted.

Also: Amend by striking out of section one hundred and seventy-seven, line ten, the words "three thousand nine hundred," and inserting the following: "four thousand five hundred"

Adopted.

Also: Amend by striking out of section one hundred and seventy-seven, line eleven, the words "two thousand two hundred," and inserting the following: "two thousand four hundred."

Adopted.

Also: Amend by striking out of section one hundred and seventy-seven, line nineteen, the words "Constables, such fees as are now or may be hereafter collected by law," and inserting the following: "Constable fees allowed by the General Fee Bill of eighteen hundred and seventy; *provided*, that the amount allowed by the Board of Supervisors for services in criminal actions and proceedings other than felonies shall not exceed one hundred dollars for any one quarter."

Adopted.

By Mr. Barker:

Amend by striking out of section one hundred and seventy-nine, line five, the word "six," and inserting the following: "five."

Adopted.

Also: Amend by inserting in line twenty-nine of section one hundred and seventy-nine, before the word "dollars," the following: "one hundred"

Adopted.

By Mr. Wade:

Amend section one hundred and eighty, by adding to line five the following: "And the fees or commissions for the service of all papers whatsoever issued by any Court outside of his county."

Adopted.

Also: Amend subdivision fifteen, section one hundred and eighty, printed bill, by inserting after the word "day," on line twenty-one, the following: "and actual traveling expenses"

Also: By inserting after the word "receive," on said line twenty-one, the following: "a per diem of."

Also: After the word "or," on line twenty-two of said subdivision, the following: "a per diem of."

Adopted.

At twelve o'clock and twenty minutes P. M. Mr. Cutter moved that the hour of recess be extended until one o'clock.

So ordered.

By Mr. Laugenour:

Amend by inserting in section one hundred and eighty-one, line twenty-two, after the word "Court," the following: "and when requested by the District Attorney in preliminary examinations and inquests"

Adopted.

Also: Amend by inserting in section one hundred and eighty-one, line twenty-six, after the words "criminal cases," the words "preliminary examinations and inquests."

Adopted.

By Mr. Dale:

Amend by striking out of section one hundred and eighty-two, lines six, seven, and eight, and inserting the following. "The Recorder, eighteen hundred dollars per annum, and six cents per folio for every instrument of any character transcribed by him or his deputies, which said amounts shall be paid out of the County Treasury "

Adopted.

Also: Amend by adding to section one hundred and eighty-two, line twenty-four, the words: "In counties of this class the official reporter of the Superior Court shall receive as full compensation for taking notes in civil and criminal cases tried in said Court, and on all preliminary examinations and Coroner's inquests, a monthly salary of one hundred dollars, payable out of the County Treasury at the same time and in the same manner as the salaries of county officers, and for transcription of said notes, when required, he shall receive the sum of ten cents per folio for the original, and five cents per folio for a copy; said compensation for transcription in criminal cases and Coroner's inquests to be audited and allowed by the Board of Supervisors as other claims against the county, and paid out of the County Treasury, and in civil cases to paid by the party ordering the same, or when ordered by the Judge, by either party, or jointly by both parties, as the Court may direct."

Adopted.

By Mr. Belshaw:

Amend by inserting in section one hundred and eighty-three, line six, after the word "law," the following: "also all fees for service of papers in civil actions arising outside of his county "

Adopted.

By Mr. McKelvey:

Amend section one hundred and eighty-four, line three, by inserting the words "and fees" after the word "salaries."

Adopted.

Also: Amend section one hundred and eighty-four by adding at the end of line five the following: "and all commissions, fees, and mileage for the service of papers or process coming from Courts other than those of his own county."

Adopted.

Also: Amend section one hundred and eighty-four, after line six, as follows: "*provided* that after the expiration of the present term of office the office of Tax Collector and Treasurer shall be consolidated, and the Tax Collector shall be ex officio County Treasurer, and shall perform the duties of Treasurer, and shall receive as a salary for performing the duties of the offices so consolidated the sum of two thousand five hundred dollars."

Adopted.

Also: Amend by striking out of section one hundred and eighty-four, line ten, the word "*provided*," all the remainder of the line, and from line eleven to eighteen, inclusive, and inserting the following:

The Assessor of such county may appoint as many field deputies as are necessary to complete the assessment of such county; such field deputies shall take office at twelve o'clock meridian on the first Monday in March of each year, and shall hold such office for not more than four months from and after such date; the salary of each of such field deputies shall not exceed one hundred dollars per month, to include horse hire and traveling expenses, which salary shall be paid to such field deputy by said county at the same time in the same manner and out of the same fund as the salary of the Assessor; the aggregate of the salaries paid to such field deputies in any one year shall not exceed two thousand dollars.

Adopted.

Also: Amend section one hundred and eighty-four by adding a new subdivision, to be numbered sixteen, reading as follows.

In counties of this class, the official reporter of the Superior Court shall receive in full compensation for taking notes in civil and criminal cases tried in said Court, a salary of fifty dollars per month, payable out of the County Treasury, at the same time and in the same manner as the salaries of the county officers, and for transcription of said notes, when required, he shall receive the sum of ten cents per folio for the original, and five cents per folio for each copy, said compensations for transcriptions in criminal cases to be audited and allowed by the Board of Supervisors as other claims against the county and paid out of the County Treasury, and in civil cases to be paid by the party ordering the same, or when ordered by the Judge, by either party, or jointly by both parties, as the Court may direct.

Adopted.

By Mr. Tomblin:

Amend by striking out of section one hundred and eighty-five, line five, after the words "Sheriff, four thousand five hundred," and inserting the following: "five thousand."

Adopted.

By Mr. Bennett:

Amend section one hundred and eighty-seven, line twenty, at the end of the line, by inserting the following "for services as Road Commissioner, six dollars per day."

Adopted.

Also: Amend by inserting after section one hundred and eighty-seven, line twenty, the following. "In counties of this class the official reporter of the Superior Court shall receive, as full compensation for taking notes in civil and criminal cases tried in said Court, a monthly salary of one hundred dollars, payable out of the County Treasury at the same time and in the same manner as the salaries of county officers, and for transcription of said notes when required, he shall receive the sum of ten cents per folio for the original, and five cents per folio for a copy; said compensation for transcription in criminal cases to be audited and allowed by the Board of Supervisors, as other claims against the county, and paid out of the County Treasury, and in civil cases to be paid by the party ordering the same, or when ordered by the Judge, by either party, or jointly by both parties, as the Court may direct, *provided*, the Auditor shall not draw a warrant in favor of any shorthand reporter for services rendered in taking shorthand notes at preliminary examinations before Justices of the Peace of offenses triable before the Superior Court, or for transcribing such shorthand notes into longhand writing, nor shall the Auditor draw a warrant in favor of any reporter for services rendered at any Coroner's inquest unless such reporter has first complied with section two hundred and seventy of the Code of Civil Procedure."

Adopted.

By Mr. Dunbar:

Amend by striking out of section one hundred and eighty-eight, line twenty-five, the words "include mileage," and inserting the following: "be in full compensation for all services and mileage, both as Supervisor and Road Commissioner."

Also: Same line, by striking out "four" and inserting "six"

Adopted.

By Mr. Tibbits:

Amend section one hundred and eighty-nine, in line nineteen, by adding the following: "and traveling expenses, not to exceed three hundred dollars per annum, which expenses are to be allowed and paid as a county charge."

Adopted.

Also Amend section one hundred and eighty-nine, line five, by adding the following: "*provided*, the Sheriff shall also receive for his own use and benefit, his necessary expenses in all criminal cases, to be allowed as other county charges are allowed by law."

Adopted.

By Mr. Richards:

Amend by striking out of section one hundred and ninety-one, line four, the words "two thousand eight hundred," and inserting the following: "three thousand."

Adopted.

Also: Amend by striking out of section one hundred and ninety-one, line five, the words "four thousand five hundred," and inserting the following: "six thousand."

Adopted.

Also: Amend by striking out of section one hundred and ninety-one, line six, the words "one thousand eight hundred," and inserting the following: "two thousand."

Adopted.

Also: Amend by striking out of section one hundred and ninety-one, line seven, the words "one thousand," and inserting the words "eight hundred"

Adopted.

Also: Amend by striking out of section one hundred and ninety-one, line ten, the words "two thousand eight hundred," and inserting the words "three thousand two hundred."

Adopted.

Also: Amend by striking out of section one hundred and ninety-one, line eleven, the words "two thousand," and inserting the following: "two thousand four hundred."

Adopted.

Also: Amend by striking out of section one hundred and ninety-one, line nineteen, the words "four hundred and eighty," and inserting the following: "six hundred"

Also: After the word "annum," line nineteen, insert "payable monthly."

Adopted.

By Mr. Phelps:

Amend section one hundred and ninety-two, line four, by adding the following: "provided, the Board of Supervisors may allow the County Clerk five hundred dollars per annum for additional clerical assistance."

Adopted.

By Mr. Reid:

Amend by adding after section one hundred and ninety-three, line twenty, the words: "provided, that when a Supervisor is also Road Commissioner, he shall receive, in addition to the twenty cents per mile allowed to him by law as such Road Commissioner, his actual traveling expenses, the total mileage and expenses not in any one year to exceed the sum of three hundred dollars."

Adopted.

By Mr. Cutter:

Amend by inserting in section one hundred and ninety-four, line twenty-five, the following: "and when requested by the District Attorney in preliminary examinations and inquests," after the words "said Court"

Also: By inserting in line twenty-nine, same section, after the words "criminal cases," the following: "preliminary examinations and inquests"

Adopted.

By Mr. Ash:

Amend by striking out of section one hundred and ninety-six, all matter after line three, and inserting the following:

1. The County Clerk, two thousand four hundred dollars per annum.

2. The Sheriff, five thousand five hundred dollars per annum.
3. The Recorder, one thousand eight hundred dollars per annum.
4. The Auditor, one thousand eight hundred dollars per annum.
5. The Treasurer, one thousand six hundred dollars per annum.
6. The Tax Collector, one thousand two hundred dollars per annum.
7. The Assessor, three thousand dollars per annum.
8. The District Attorney, two thousand dollars per annum.
9. The Coroner, such fees as are now or may be hereafter allowed by law.
10. The Public Administrator, such fees as are now or may be hereafter allowed by law.
11. The Superintendent of Schools, one thousand five hundred dollars per annum, and actual traveling expenses when visiting schools of his county.
12. The Surveyor, such fees as are now or may be hereafter allowed by law.
13. Justices of the Peace, such fees as are now or may be hereafter allowed by law.
14. Constables, such fees as are now or may be hereafter allowed by law.
15. Each Supervisor, six dollars per day when the Board is in session, and twenty cents per mile for traveling from his residence to the county seat.

Adopted.

By Mr. Holland:

Amend section one hundred and ninety-seven, after line fifty-two, by adding the words "this section shall take effect and be in force after its passage."

Adopted.

By Mr. Cargill:

Amend by striking out of section one hundred and ninety-nine, line five, the words "two thousand six hundred and twenty-five," and inserting the following: "three thousand"; also, after the words "per annum" in line five, add "provided, that the Sheriff shall receive and retain for his own use all fees for the service of any papers or process issued out of any Court except in the Courts of his own county."

Adopted.

Also: Amend by striking out of section one hundred and ninety-nine, line six, printed bill, the words "six hundred and seventy-five," and inserting the following: "nine hundred "

Adopted.

Also. Amend by striking out of section one hundred and ninety-nine, line seven, printed bill, the words "three hundred and seventy-five," and inserting the following: "five hundred."

Adopted.

Also: Amend by striking out of section one hundred and ninety-nine, line eight, printed bill, the words "nine hundred," and inserting the following: "one thousand."

Adopted.

Also: Amend by striking out of section one hundred and ninety-nine, line nine, printed bill, the words "three hundred and seventy-five," and inserting the following: "five hundred."

Adopted.

Also: Amend by striking out of section one hundred and ninety-nine, line ten, printed bill, the words "one thousand five hundred," and inserting the following: "two thousand."

Adopted.

Also: Amend by striking out of line eleven, page eighty-seven, printed bill, the words "one thousand two hundred," and inserting the following: "one thousand six hundred "

Adopted.

Also: Amend by striking out of section one hundred and ninety-nine, line fourteen, printed bill, the words "one thousand two hundred," and inserting the following: "one thousand five hundred."

Adopted.

Also: Amend by striking out of section one hundred and ninety-nine, lines twenty and twenty-one, printed bill, all the language from and including the word "superior" down to and including the word "seat," and inserting in lieu thereof: "Each Supervisor, five dollars per day when the Board is in session, and twenty cents per mile for traveling from his residence to the county seat; and when serving as a Road Commissioner, five dollars per day. But he shall not in any one year receive more than three hundred dollars as Supervisor, or more than two hundred and fifty dollars as Road Commissioner.

"The provisions of this section, so far as it affects salaried officers, shall not take effect until the expiration of the term of the present incumbents."

Adopted.

By Mr. Davis :

Amend section two hundred by adding thereto a new subdivision, to be numbered sixteen, and to read as follows:

"16. The Board of Supervisors may appoint a Clerk of the Board of Supervisors, which office is hereby created, at a salary of sixty dollars per month; a Jailer, which office is hereby created, at a salary of seventy dollars per month, and a Court Bailiff, which office is hereby created, at a salary of fifty dollars per month, the salaries of each of said officers to be paid in the same manner, and out of the same fund, as the salaries of other county officers."

Adopted.

Also: Amend by striking out of section two hundred, line nine, the words "five hundred," and inserting the following: "one thousand."

Adopted.

Also: Amend by striking out of section two hundred, lines fourteen and fifteen, the words "six deputies from the first day of March till the first day of May," and inserting the following: "one deputy from the first Monday in March to the first Monday in July of each year, at the rate of four dollars per diem, and four deputies from the first Monday in March to the first Monday in June "

Adopted.

Also: Amend by adding at the end of line fifteen of section two hundred, the following: "such deputies to be paid by the county."

Adopted.

Also: Amend by adding after line nineteen, section two hundred, the following: "and actual traveling expenses when visiting the schools of his county."

Adopted.

Also: Amend by striking out of section two hundred, line six, the last four words; also, all of lines seven and eight, of same section, and inserting the following: "and all fees and mileage for the service of papers issued out of any Court outside of his county "

Adopted.

By Mr. Cutter:

Amend by inserting in section two hundred and one, line twenty-five, the words "and when requested by the District Attorney, in preliminary examinations and inquests," after the words "said Court."

Also: By inserting after the words "criminal cases," in line twenty-nine of same section, the following: "preliminary examinations and inquests."

Adopted.

By Mr. Ash:

Amend by striking out of section two hundred and three all of subdivision fifteen, and inserting the following:

' 15. Each Supervisor, five dollars a day when the Board is in session, and ten cents a mile in going only, for traveling from his residence to the county seat, and when serving as Road Commissioner, five dollars a day and actual traveling expenses, *provided*, he shall not in any one year receive a per diem as Supervisor to exceed three hundred dollars, nor a per diem as Road Commissioner to exceed three hundred dollars."

Adopted.

Also Amend by striking out of section two hundred and four, line five, the words: "2 The Sheriff, three thousand five hundred dollars per annum," and inserting the following: "2 The Sheriff, three thousand five hundred dollars per annum, and one jailer, at nine hundred dollars per annum."

Adopted.

By Mr. Rowell :

Amend by striking out all of section two hundred and two and inserting the following: *Sec. 202. In counties of the forty-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 and five hundred dollars per annum, and one deputy at a salary of six hundred dollars per annum.

2 The Sheriff, three thousand five hundred dollars per annum; one deputy at a salary of nine hundred dollars per annum, and one deputy at six hundred dollars per annum.

3. The Recorder, one thousand dollars per annum, and one deputy at a salary of six hundred dollars per annum.

4. The Auditor, nine hundred dollars per annum, and one deputy at a salary of seventy-five dollars per month for three months in each year.

5 The Treasurer, one thousand dollars per annum.

6 The Tax Collector, five hundred dollars per annum.

7. The Assessor, one thousand eight hundred dollars per annum; four deputies to serve between the first Monday in March and the first Monday in June of each year, each to receive a compensation of four dollars per day for each day actually employed in the field and two dollars and fifty cents per day when employed in the office.

8. The District Attorney, one thousand two hundred dollars per annum.

9. The Coroner, such fees as are now or may be hereafter allowed by law.

10 The Public Administrator, such fees as are now or may be hereafter allowed by law.

11. The Superintendent of Schools, five hundred dollars per annum, actual traveling expenses when visiting the schools of his county, and one Deputy Superintendent at three hundred dollars per annum.

12. The Surveyor, such fees as are now or may be hereafter allowed by law.

13 Justices of the Peace, such fees as are now or may be hereafter allowed by law, and in addition salaries as follows: In townships having a population of two thousand or over, twenty dollars per month. In a township having a population of one thousand and less than two thousand, twelve dollars a month. In all other townships three dollars a month. The population of townships shall be determined as provided in section one hundred and fifty-seven of this Act.

14 Constables, such fees as are now or may be hereafter allowed by law.

15. Each Supervisor, six dollars per day when the Board is in session, and twenty cents per mile for traveling from their respective residences to the county seat at each meeting of the Board. All of which compensation shall not in the aggregate exceed four hundred dollars per annum for any Supervisor. For his service as Road Commissioner each Supervisor shall be allowed such fees as are fixed by law, not exceeding three hundred dollars in any one year. The provisions of this section shall take effect immediately.

Adopted.

By Mr. Coleman:

Amend by adding to section two hundred and eleven, line ten, the words: "including deputy at the option of the Board of Supervisors, at a salary not exceeding one hundred dollars per month."

Adopted.

Also: Amend by striking out of section two hundred and eleven, line fourteen, the words "and actual traveling," and all of line fifteen.

Adopted.

Also: Amend by adding to section two hundred and thirteen, line ten, the words "including a deputy, at the option of the Board of Supervisors, at a salary not exceeding one hundred dollars per month."

Adopted.

Also: Amend by striking out of section two hundred and thirteen, line fourteen, the words "and actual," and all of line fifteen.

Adopted.

Also: Amend by adding to section two hundred and thirteen, line nineteen, after the word "session," the words "not to exceed three hundred dollars per year."

Adopted.

Also: Amend by striking out of section two hundred and fourteen, line fourteen, the words "and actual traveling," and all of line fifteen.

Adopted.

By Mr. Glass:

Amend by adding to section twenty-five, line seventeen, after the word "bridge," the following: "wharf, chute, or other shipping facilities."

Adopted.

Also: Amend by inserting in section twenty-five, line sixteen, after the word "ferries," the words "wharves, chutes, and other shipping facilities"

Also: After the word "bridge," in line seventeen, the words "wharves, chutes, or other shipping facilities."

Also: After the word "bridge," in line twenty, the words "wharves, chutes, or other shipping facilities."

Adopted.

Mr. Dodge moved that further consideration of Assembly Bill No. 959 be made a special order for this afternoon, immediately after consideration of Senate special file.

So ordered.

RECESS.

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

REASSEMBLED.

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

Speaker Lynch in the chair.

Quorum present.

SPECIAL SENATE FILE.

Senate Bill No. 100—An Act providing for the relief of John J. Conlin, directing the Board of Supervisors of the City and County of San Francisco to order paid to said Conlin, his assigns or legal representatives, the sum of sixty-one thousand five hundred and seventy-seven dollars, and directing the Auditor of said city and county to audit the demand of said Conlin for said sum, and issue his warrant therefor; and the Treasurer of said city and county to pay said warrant.

Read third time.

The question being on the final passage.

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

AYES—Messrs Bennett, Bettman, Boothby, Brusie, Coghlin, Cutter, Dixon, Ewing, Gay, Hatfield, Kelsey, Laird, Laugenour, Meads, McCarthy, McKelvey, O'Day, Thomas, and Mr. Speaker—19

NOES—Messrs. Ash, Barker, Bassford, Belshaw, Bledsoe, Bulla, Coleman, Dale, Devine, Dinkelspiel, Glass, Guy, Hall, Healey, Holland, Huber, Jones, Keen, Lewis, Merrill, Nelson, North, Pendleton, Reid, Robinson, Sanford, Spencer, Staley, Stansell, Swisler, Tibbits, Twigg, Wade, Weyse, and Wilkinson—35.

QUESTION OF PRIVILEGE.

Mr. Bettman spoke to a question of privilege regarding an article which appeared in the "Call" of this morning.

Mr. Devine spoke to a question of privilege upon the same matter.

Senate Bill No. 195—An Act providing for the removal of human remains from cemeteries, in cities having a population of less than five thousand and more than one thousand five hundred.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs Ash, Bachman, Barker, Bassford, Belshaw, Bennett, Berry, Bledsoe, Boothby, Brusie, Bulla, Coghlin, Collins, Cutter, Dale, Davis, Devine, Devitt, Dixon, Dunbar, Dwyer, Ewing, Fassett, Glass, Guy, Hall, Hatfield, Healey, Holland, Huber, Hudson, Jones, Keen, Kelsey, Laird, Laugenour, Meads, Merrill, Nelson, North, O'Day, Osborn, Pendleton, Phelps, Reid, Richards, Robinson, Rowell, Sanford, Spencer, Swisler, Thomas, Twigg, and Weyse—54.

NOES—Messrs. Lewis, McCarthy, and Wade—3.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Pendleton gave notice that he would, upon the next legislative day, move to reconsider the vote whereby Senate Bill No. 100 was refused final passage.

Senate Bill No. 462—An Act to prevent evil-disposed persons from coming upon the grounds of the Whittier State School, at Whittier, California.

Read third time.

Mr. Tibbits moved that a special committee of one be appointed with instructions to amend Senate Bill No. 462 as follows:

Amend by inserting in section one, line two, after the word "Whittier," the words "or Preston School of Industry at Ione."

Also. Amend by inserting in section two, line two, after the word "Whittier," the words "or Preston School of Industry at Ione."

Also: Amend by inserting in section three, line three, after the word "school," the words "Preston School of Industry at Ione."

Also: Amend by striking out of section three, lines four and five, the words "Superintendent or other officers in charge of said school," and inserting the following: "Superintendents or other officers in charge of said schools."

Also: Amend by inserting in section four, after line two, after the word "school," the words "or Preston School of Industry at Ione."

Also: Amend by striking out of section four, line three, the word "Superintendent," and inserting the following: "Superintendents."

Also. Amend by striking out of section four, line three, the word "school," and inserting the following, "schools."

Also: Amend by striking out of section four, line seven, the word "Superintendent," and inserting the following: "Superintendents."

Also: Amend by inserting in section four, line seven, after the word "school," the words "or Preston School of Industry at Ione."

Also: Amend section five, line two, after the word "school," and insert the words "or Preston School of Industry at Ione."

Also: Amend by striking out of section five, line three, the words "Superintendent of the said school," and inserting the following: "Superintendents of said schools."
Also: Amend in the title of Senate Bill No 462, by adding the words "or the Preston School of Industry at Ione."

Motion adopted.

APPOINTMENT OF COMMITTEE.

The Speaker appointed Mr. Tibbits as such committee.

REPORT OF COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, March 5, 1895.

MR SPEAKER. Your select committee, to whom was referred Senate Bill No. 462—An Act to prevent evil-disposed persons from coming upon the grounds of the Whittier State School at Whittier, 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.

TIBBITS, Committee.

Adopted.

Senate Bill No. 462 ordered to printer.

At two o'clock and thirty-five minutes P. M. the Speaker called Mr. McKelvey to the chair.

Senate Bill No. 519—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 fifty-one thereof, relative to the officers of municipal incorporations of the sixth class.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Boothby, Brusie, Bulla, Coleman, Collins, Cutter, Dale, Davis, Devine, Devitt, Dinkelspiel, Dixon, Dunbar, Dwyer, Ewing, Guy, Hall, Hatfield, Healey, Holland, Huber, Hudson, Jones, Keen, Kenyon, Laugenour, McKelvey, Merrill, North, O'Day, Pendleton, Phelps, Powers, Richards, Rowell, Swisler, Twigg, Wade, and Weyse—46

NOES—None.

Title read and approved.

Senate Bill No. 183—An Act to amend section one thousand seven hundred and thirty-six of the Code of Civil Procedure, relating to a report as to the condition of the estate.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Bachman, Barker, Belshaw, Bennett, Berry, Brusie, Bulla, Collins, Davis, Devitt, Dinkelspiel, Dixon, Ewing, Guy, Hall, Hatfield, Healey, Huber, Hudson, Jones, Keen, Kenyon, Laugenour, Meads, McKelvey, Merrill, Nelson, North, O'Day, Osborn, Pendleton, Robinson, Rowell, Sanford, Stansell, Swisler, Tibbits, Twigg, Wade, Weyse, Wilkinson, and Zocchi—42.

NOES—None

Title read and approved.

Senate Bill No. 184—An Act to amend section one thousand seven hundred and thirty-five of the Code of Civil Procedure, relating to the accounts, decrees of distribution, and termination of letters of administration.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs Ash, Bachman, Barker, Bennett, Berry, Brusie, Bulla, Coleman, Collins, Cutter, Dale, Davis, Devitt, Dinkelspiel, Dixon, Dunbar, Dwyer, Ewing, Glass, Guy, Hatfield, Healey, Huber, Hudson, Jones, Keen, Kenyon, Laugenour, McCarthy, McKelvey, North, O'Day, Powers, Richards, Rowell, Sanford, Staley, Swisler, Wade, Weyse, and Zocchi—41.

NOES—None.

Title read and approved.

Senate Bill No. 467—An Act to amend section three thousand six hundred and seventy-eight of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the annual preparation of an abstract of all mortgages, deeds of trust, contracts, and other obligations by which any debt is secured.

Passed, to retain its place on file.

Senate Bill No. 201—An Act to provide against the adulteration of food and drugs.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs Ash, Bachman, Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Boothby, Brusie, Bulla, Cargill, Coleman, Collins, Dale, Davis, Devine, Devitt, Dinkelspiel, Dunbar, Dwyer, Ewing, Fassett, Glass, Guy, Hall, Hatfield, Healey, Huber, Hudson, Jones, Keen, Kenyon, Laugenour, Lewis, Meads, McKelvey, Merrill, Nelson, North, O'Day, Osborn, Pendleton, Powers, Richards, Robinson, Rowell, Sanford, Spencer, Staley, Stansell, Swisler, Twigg, Wade, Waymire, and Weyse—56.

NOES—None

Title read and approved.

Senate Bill No. 281—An Act to add a new section to the Political Code, to be known and designated as section three thousand and twenty-two and one half, relating to the erection, furnishing, maintenance, and government of hospitals and homes for inebriates in counties, and cities and counties, of this State, where land has heretofore been reserved and set apart for said purpose; to provide for the commitment of dipsomaniacs and inebriates thereto; and also to repeal an Act entitled "An Act relating to the Home of the Inebriates of San Francisco, and to prescribe the powers and duties of the Board of Managers and the officers thereof," approved April 1, 1870, and all Acts and parts of Acts in conflict with the provisions of this Act.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs Ash, Bachman, Bassford, Berry, Bettman, Boothby, Brusie, Bulla, Cargill, Coghin, Collins, Dale, Davis, Devine, Devitt, Dinkelspiel, Dixon, Dwyer, Ewing, Glass, Guy, Hall, Hatfield, Healey, Holland, Huber, Hudson, Laird, Laugenour, Lewis, Meads, McCarthy, McKelvey, Merrill, Nelson, O'Day, Osborn, Powers, Reid, Richards, Robinson, Sanford, Spencer, Swisler, Thomas, Twigg, Wade, Weyse, and Zocchi—49.

NOES—Messrs. Belshaw, Bennett, Kenyon, Phelps, Rowell, and Wilkinson—6.

Title read and approved.

Mr. Thomas moved that Senate Bill No. 281 be immediately transmitted to the Senate.

So ordered.

Mr. Wade moved that Senate Bill No. 519 be immediately transmitted to the Senate.

So ordered.

Senate Bill No. 229—An Act to provide an official stenographic reporter to the Coroner of each county, or city and county, having one hundred thousand or more inhabitants, and providing the mode in which such reporter shall be appointed, and establishing the compensation and prescribing the duties of such reporter.

Read third time.

The question being on final passage of the bill.

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

AYES—Messrs. Ash, Bachman, Bassford, Berry, Bettman, Brusie, Bulla, Cargill, Coghlin, Collins, Cutter, Devine, Devitt, Dinkelspiel, Dwyer, Ewing, Gay, Glass, Guy, Hall, Hatfield, Healey, Holland, Huber, Hudson, Johnson, Laird, Laugenour, Lewis, McCarthy, McKelvey, Merrill, Nelson, North, O'Day, Pendleton, Powers, Price, Reid, Richards, Robinson, Rowell, Sanford, Spencer, Staley, Stansell, Swisler, Thomas, Tomblyn, Twigg, Wade, Weyse, Wilkinson, Zocchi, and Mr. Speaker—55.

NOES—Messrs. Bennett, Dale, Dodge, and Dunbar—4.

Title read and approved.

Mr. Devine moved that Senate Bill No. 229 be immediately transmitted to the Senate.

So ordered.

Senate Bill No. 152—An Act making an appropriation for the construction of a cement floor in the basement of the State Normal School Building at Chico.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Bachman, Barker, Bassford, Bennett, Bettman, Brusie, Bulla, Cargill, Coghlin, Collins, Devine, Devitt, Dinkelspiel, Dwyer, Ewing, Gay, Glass, Hall, Hatfield, Holland, Huber, Jones, Kenyon, Laugenour, McCarthy, McKelvey, Merrill, North, O'Day, Osborn, Pendleton, Phelps, Powers, Reid, Richards, Sanford, Spencer, Staley, Stansell, Swisler, Thomas, Tibbits, Twigg, Wade, Waymire, Weyse, Zocchi, and Mr. Speaker—50.

NOES—Messrs. Belshaw and Dale—2.

Title read and approved.

Senate Bill No. 570—An Act to amend sections five hundred and thirty-one and five hundred and thirty-two of the Political Code, and section ninety-nine of the Penal Code, of the State of California, relative to the duties and qualifications of the Superintendent of State Printing of said State.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Belshaw, Bennett, Berry, Bettman, Bledsoe, Boothby, Brusie, Bulla, Butler, Coghlin, Collins, Dale, Devitt, Dixon, Dodge, Dunbar, Dwyer, Ewing, Gay, Glass, Guy, Hall, Healey, Holland, Huber, Hudson, Johnson, Kenyon, Laird, Laugenour, McKelvey, North, O'Day, Pendleton, Powers, Price, Richards, Robinson, Sanford, Spencer, Staley, Stansell, Swisler, Tibbits, Twigg, Wade, Weyse, Zocchi, and Mr. Speaker—49.

NOES—None

Title read and approved.

Mr. Price moved that Senate Bill No. 570 be immediately transmitted to the Senate.

So ordered.

Mr. Stansell moved that Senate Bill No. 152 be immediately transmitted to the Senate.

So ordered.

At three o'clock and twenty-five minutes P. M. the Speaker resumed the chair.

Senate Bill No. 6—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 thirty-fifth, thirty-sixth, thirty-seventh, thirty-eighth, thirty-ninth, and fortieth fiscal years.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Bachman, Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Brusie, Butler, Coghlin, Cutter, Dale, Devitt, Dixon, Dodge, Dunbar, Dwyer, Fassett, Gay, Guy, Hall, Hatfield, Hudson, Kenyon, Laird, Laugenour, McCarthy, McKelvey, Merrill, North, O'Day, Osborn, Pendleton, Phelps, Powers, Price, Reid, Richards, Rowell, Spencer, Staley, Stansell, Swisler, Twigg, Waymire, Weyse, Wilkinson, Zocchi, and Mr. Speaker—50.

NOES—Messrs. Bledsoe, Ewing, Glass, and Wade—4.

Title read and approved.

Senate Bill No. 417—An Act appropriating the sum of six thousand dollars for tiling the first floor of the State Capitol.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Bachman, Barker, Bassford, Bennett, Berry, Bettman, Boothby, Brusie, Bulla, Cargill, Coghlin, Coleman, Davis, Dixon, Dunbar, Dwyer, Ewing, Guy, Hall, Hatfield, Holland, Jones, Kelsey, Laird, Laugenour, Lewis, McCarthy, McKelvey, Merrill, Nelson, O'Day, Osborn, Pendleton, Phelps, Powers, Richards, Spencer, Staley, Stansell, Swisler, Tibbits, Tomblin, Twigg, Waymire, and Weyse—45.

NOES—Messrs. Ash, Belshaw, Bledsoe, Dale, Dodge, Fassett, Glass, Hudson, Johnson, Kenyon, Meads, Rowell, Sanford, Wade, Wilkinson, Zocchi, and Mr. Speaker—17.

Title read and approved.

MOTION.

Mr. Laird moved the reconsideration of the vote whereby Senate Bill No. 504 was refused passage.

The question being on the adoption of the motion to reconsider.

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

AYES—Messrs. Ash, Bachman, Bassford, Belshaw, Berry, Bettman, Bledsoe, Brusie, Cargill, Coghlin, Coleman, Collins, Cutter, Dale, Davis, Devitt, Dixon, Dunbar, Dwyer, Gay, Glass, Guy, Hall, Hatfield, Healey, Holland, Huber, Hudson, Kelsey, Laird, Laugenour, Lewis, Meads, McCarthy, Merrill, Nelson, North, O'Day, Osborn, Pendleton, Powers, Price, Richards, Robinson, Rowell, Sanford, Spencer, Staley, Stansell, Swisler, Tibbits, Tomblin, Twigg, Wilkinson, Zocchi, and Mr. Speaker—56.

NOES—Messrs. Barker, Bulla, Dodge, Ewing, Fassett, Johnson, Kenyon, Phelps, Reid, Wade, and Weyse—11.

Senate Bill No. 504—An Act making an appropriation to pay the unpaid claims for bounty on coyote scalps.

Mr. Cutter moved to appoint a special committee of one, with instructions to amend as follows:

By striking out of section one, line one, the words "two hundred and seventy-five thousand" and inserting the following, "one hundred and fifty thousand"

PREVIOUS QUESTION.

Mr. Dodge moved the previous question, seconded by Messrs. Huber and Belshaw.

The question being, "Shall the main question be now put?"

So ordered.

The question being on the adoption of Mr. Cutter's motion.
The same was lost.

MOTION.

Mr. Cutter moved to reconsider the vote whereby the motion to appoint a committee of one was lost.

Lost.

The question being on the final passage.

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

AYES—Messrs. Ash, Bachman, Bassford, Belshaw, Berry, Bettman, Bledsoe, Brusie, Cargill, Coghlin, Coleman, Collins, Cutter, Dale, Davis, Devitt, Dinkelspiel, Dwyer, Gay, Glass, Guy, Hall, Hatfield, Holland, Huber, Kelsey, Laird, Laugenour, Lewis, Meads, McCarthy, McKelvey, Merrill, Nelson, O'Day, Osborn, Pendleton, Powers, Price, Richards, Robinson, Rowell, Sanford, Spencer, Stansell, Swisler, Thomas, Tibbits, Tomblin, Wilkinson, Zocchi, and Mr. Speaker—52.

NOES—Messrs. Barker, Bulla, Dodge, Dunbar, Ewing, Fassett, Johnson, Jones, Kenyon, Phelps, Reid, Wade, Waymire, and Weyse—14.

Title read and approved.

Mr. Laird moved that Senate Bill No. 504 be immediately transmitted to the Senate.

So ordered.

REPORT OF COMMITTEE ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 5, 1895.

MR. SPEAKER: Your Committee on Enrollment have examined and found correctly enrolled Assembly Bill No. 452—An Act making an appropriation to pay the deficiency in the appropriation for the transportation of prisoners for the forty-third fiscal year.

Also. Assembly Bill No. 135—An Act to amend section four hundred and sixteen of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the fees to be collected by the Secretary of State for services rendered by him in his official capacity.

Also. Assembly Bill No. 501—An Act to amend section one thousand five hundred and forty-three of "An Act to establish a Political Code," approved March 12, 1872.

Also. Assembly Bill No. 17—An Act making an appropriation to pay the deficiency in the appropriation for the support of the State Normal School at Los Angeles for the forty-sixth fiscal year.

Also: Assembly Bill No. 454—An Act making an appropriation to pay the deficiency in the appropriation for postage, expressage, and telegraphing, Secretary of State's office, for the forty-fifth and forty-sixth fiscal years.

Also: Assembly Joint Resolution No. 11—Relative to the control of the maritime quarantine service at the port of San Francisco.

Also: Assembly Bill No. 52—An Act to amend section one thousand six hundred and ninety-nine of the Code of Civil Procedure, relating to settlement of accounts of trustees after distribution of estates, and to compensation of trustees.

Also: Assembly Bill No. 78—An Act to amend section nine hundred and fifty-four of the Code of Civil Procedure, relating to dismissal of appeals.

Also: Assembly Bill No. 213—An Act to amend section two thousand nine hundred and fifty-five of the Civil Code, relative to mortgages of personal property.

And presented the same to the Governor, on this day, at three o'clock p. m.

MEADS, Chairman.

Mr. Pendleton moved that the Assembly take up Senate messages.
So ordered.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 4, 1895

MR. SPEAKER: I am directed to inform your honorable body, that the Senate, on the second day of March, 1895, passed Senate Bill No. 630—An Act making an appropriation to pay the deficiency in the appropriation for the transportation of insane for the forty-fourth fiscal year.

Also: Senate Bill No. 103—An Act making an appropriation to pay the deficiency in the appropriation for the support of the State Normal School at Los Angeles, for the forty-sixth fiscal year.

Also: Senate Bill No. 104—An Act appropriating the sum of five thousand dollars

for the purchase of furniture and apparatus for the State Normal School at Los Angeles, California.

Also: Senate Bill No. 212—An Act making an appropriation to pay the deficiency in the appropriation for the support of the Folsom State Prison for the forty-sixth fiscal year, ending June 30, 1895.

Also: Senate Bill No. 213—An Act to provide for certain improvements and repairs at the Folsom State Prison, and making an appropriation therefor.

Also: Senate Bill No. 675—An Act making an appropriation to pay the deficiency in the appropriation for the support of the Southern California State Asylum for the Insane and Inebriates for the forty-fifth and forty-sixth fiscal years.

Also: Senate Bill No. 648—An Act making an appropriation to pay the salary of the Debris Commissioner for the remainder of the forty-sixth fiscal year.

Also: Senate Bill No. 647—An Act making an appropriation to pay the salary of the Secretary to the Debris Commissioner for the remainder of the forty-sixth fiscal year.

F. J. BRANDON, Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, March 4, 1895.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Senate Bill No. 669—An Act appropriating the sum of five thousand dollars for the care and improvement of the grounds, library, and museum, and purchase of books, maps, globes, models, and Sloyd tools for the use of the State Normal School at Los Angeles, California.

Also: Senate Bill No. 235—An Act to amend an Act entitled "An Act for the more effectual prevention of cruelty to animals," approved March 20, 1874, by adding thereto two new sections regarding the disposition of old, maimed, and diseased animals, and relating to the definition of the word "empowered," to be known, respectively, as section four and one half and section thirteen and one half.

F. J. BRANDON, Secretary.
By C. L. PARDEE, Assistant.

Also:

SENATE CHAMBER, SACRAMENTO, March 5, 1895.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the fourth day of March, 1895, passed Committee Substitute for Senate Bill No. 270—An Act to amend section five hundred and thirty-seven of the Penal Code of the State of California, relating to defrauding proprietors and managers of hotels, inns, restaurants, boarding houses, and lodging houses.

Also: Senate Bill No. 223—An Act to repeal section thirteen of an Act entitled "An Act to provide for the planting, maintenance, and care of shade trees upon streets, lanes, alleys, courts, and places within municipalities, and hedges upon the lines thereof; also, for the eradication of certain weeds within city limits," approved March 11, 1893.

Also: Senate Bill No. 633—An Act to provide for the formation of protection districts in the various counties of this State, for the improvement and rectification of the channels of innavigable streams for the prevention of the overflow thereof, by widening, deepening, and straightening and otherwise improving the same, and to authorize the Boards of Supervisors to levy and collect assessments from the property benefited to pay the expenses of the same.

Also: Senate Bill No. 208—An Act for the creation of a Commission for the promotion of uniformity of legislation in the United States.

Also: Senate Bill No. 627—An Act to add a new section to the Penal Code of California, to be known and numbered as section three hundred and ten of said Code, relating to the keeping open and conducting of barber shops, hair-dressing establishments, and bath houses on Sundays and legal holidays.

F. J. BRANDON, Secretary.
By C. L. PARDEE, Assistant.

Also:

SENATE CHAMBER, SACRAMENTO, March 5, 1895.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the second day of March, 1895, respectfully refused passage to Assembly Bill No. 50—An Act to amend section four hundred and thirty-seven of the Code of Civil Procedure, relating to answers.

F. J. BRANDON, Secretary.
By C. L. PARDEE, Assistant.

Also:

SENATE CHAMBER, SACRAMENTO, March 5, 1895.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the fourth day of March, 1895, adopted Assembly Concurrent Resolution No. 16—Relative to the presentation of the portrait of Governor Booth.

Also: Passed Senate Bill No. 338—An Act to authorize the Board of State Harbor Commissioners to pay the claim of the Pacific Transfer Company for wharfage illegally collected.

Also: Passed Assembly Bill No. 508—An Act to amend an Act entitled "An Act to provide and regulate the manner of receiving and paying fees, commissions, percentages, and other compensation for official services in cities, and cities and counties, having a population of over one hundred thousand inhabitants, and prescribing the duties of officers with reference thereto," approved March 11, 1893, by adding two new sections thereto, to be known and designated as sections numbers fifteen and sixteen, respectively, providing for the appointment of certain clerks to be known as fee clerks, prescribing the duties of such clerks, and regulating and providing for their salary.

Also: Passed Assembly Bill No. 676—An Act making an appropriation to pay the deficiency in the appropriation to pay for the system of heating and ventilating established in the Training Department of the State Normal School at San José, California.

Also: Passed Assembly Bill No. 271—An Act to prescribe conditions upon which certain insurance associations known as Lloyds may be admitted to transact insurance business in this State.

Also: Passed Assembly Bill No. 157—An Act authorizing the Judges of the Superior Court in all counties, and cities and counties, having a population of two hundred thousand inhabitants and over, to appoint a Secretary.

F. J. BRANDON, Secretary.
By C. L. PARDEE, Assistant.

Also:

SENATE CHAMBER, SACRAMENTO, March 5, 1895.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the first day of March, 1895, adopted Senate Concurrent Resolution No. 9—Relative to employment of convicts in the State Prisons.

Also: On March 2, 1895, passed Assembly Bill No. 67—An Act providing for changing the fiscal year of cities in this State operating under a charter framed under section eight, article eleven, of the Constitution.

Also: On March 5, 1895, passed Senate Bill No. 721—An Act to amend section seven hundred and thirty-eight of the Code of Civil Procedure, relating to actions to determine adverse claims to property.

F. J. BRANDON, Secretary.
By C. L. PARDEE, Assistant

Also:

SENATE CHAMBER, SACRAMENTO, March 5, 1895.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, directed me to return to you Senate Bill No. 55—An Act to amend the Penal Code of the State of California, by adding a new section thereto, to be known and numbered as section four hundred and two, relating to the manufacture, sale, or other disposition of cigarettes, and Senate Bill No. 182—An Act to amend section one thousand seven hundred and thirty-nine of the Code of Civil Procedure, relating to the account with the County Clerk, as to the disbursement of money and property of estates; together with the enrolled copies of said bills, which, at the request of the Senate, were recalled from the Governor, in order to correct errors.

Your action in relation to said bills is respectfully requested.

F. J. BRANDON, Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, March 4, 1895.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the second day of March, 1895, amended, and passed as amended, Assembly Bill No. 553—An Act to authorize the State Board of Health to purchase and manufacture diphtheria anti-toxine, and to appropriate six thousand dollars therefor.

F. J. BRANDON, Secretary.
By R. SHAW, Assistant.

MOTION.

Mr. Glass moved that the Assembly concur in the Senate amendment.

Assembly Bill No. 553—An Act to authorize the State Board of Health to purchase and manufacture diphtheria anti-toxine, and to appropriate six thousand dollars therefor.

SENATE AMENDMENT.

Amend by prefixing to the last line, the following: "Sec. 3."

The question being, "Shall the Assembly concur in the Senate amendment to Assembly Bill No. 553?"

The roll was called, and the Assembly concurred by the following vote:

AYES—Messrs Ash, Bachman, Barker, Belshaw, Bennett, Berry, Bettman, Brusie, Cargill, Coghlin, Coleman, Collins, Cutter, Davis, Devitt, Dinkelspiel, Dixon, Dodge, Dunbar, Ewing, Glass, Guy, Hall, Hatfield, Healey, Huber, Hudson, Johnson, Jones, Laugenour, Meads, McKelvey, Nelson, North, O'Day, Pendleton, Phelps, Powers, Price, Rowell, Sanford, Staley, Stansell, Tibbits, Tomblin, Twigg, Wade, Weyse, Zocchi, and Mr Speaker—50.
NOES—None

REFERENCE AND SUBSTITUTION OF BILLS.

Senate Bills Nos. 630, 103, 648, 647, and 669 referred to Committee on Ways and Means.

Committee Substitute for Senate Bills Nos. 270 and 721 referred to Committee on Judiciary.

Senate Bill No. 235 referred to Committee on Agriculture.

Senate Bill No. 223 referred to Committee on Municipal Corporations.

Senate Bill No. 627 referred to Committee on Public Morals.

Assembly Concurrent Resolution No. 16, Assembly Bills Nos. 508, 676, 271, 157, and 67 referred to Committee on Enrollment.

Senate Bill No. 104 substituted for Assembly Bill No 173.

Senate Bill No. 675 substituted for Assembly Bill No. 707.

Senate Bill No. 633 substituted for Assembly Bill No. 706.

Senate Bill No. 208 substituted for Assembly Bill No. 21.

Senate Bill No. 388 substituted for Assembly Bill No. 393.

LEAVE OF ABSENCE.

Mr. Wade was granted leave of absence for the day.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON PUBLIC AND SWAMP AND OVERFLOWED LANDS.

ASSEMBLY CHAMBER, SACRAMENTO, March 5, 1895.

MR. SPEAKER: Your Committee on Swamp and Overflowed Lands, to whom was referred Assembly Bill No. 440—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also: Assembly Bill No. 970—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to the Committee on Claims.

Also: Assembly Bills Nos. 869, 870, and 871—have had the same under consideration, and respectfully report the same back without recommendation

CUTTER, Chairman.

Assembly Bill No. 970 referred to Committee on Claims.

PETITIONS—(OUT OF ORDER).

By Mr. Price:

To the honorable the Legislature of the State of California.

We, the undersigned, manufacturers, owners, and users of steam boilers, and engineers, in the State of California have seen a bill, recently introduced into the Legislature of the State, entitled "An Act for protection to life and property by providing against the use or manufacture of improperly constructed steam boilers, or boilers made of inferior material, and to provide for the testing and inspection of material to be used in the construction of steam boilers, and providing for their inspection while in course of construction, and while in use," and designated "Assembly Bill No 919," in which it is proposed to place all stationary boilers in the State under the supervision of a corps of

inspectors, whose duties and powers are minutely defined, and in the carrying out of which great expense would be imposed upon the steam-users, manufacturers, and engineers of the State, at a time when business is in a very depressed condition, and when they can ill afford to be loaded with additional burdens. The appliances and attachments required by this bill would lay upon the steam-users a very burdensome tax, which, in our opinion, would be unnecessary and unjust. We therefore petition your honorable body:

That in a time like this you will, so far as it can be done, relieve us from present burdens, rather than impose upon us additional, and, in our opinion, unnecessary taxation, which must be borne by individuals and companies, already burdened to an extent almost beyond the pecuniary point of endurance, and hence must retard or jeopardize many of the permanent interests of our citizens and the State.

Signed by about two hundred petitioners

By Mr. Twigg:

To the honorable members of the Legislature of the State of California.

GENTLEMEN: We, the undersigned, manufacturers, merchants, and workmen of this State, most respectfully petition your honorable body to enact laws in conformity with the appended bill

And in justification of asking you to do so we desire to inform you that in consequence of having no such laws in existence in this State that many manufacturers in other parts of the United States, where the conditions are more favorable, viz.: cheaper labor, cheaper coal, iron, and steel, and other materials that contribute to the construction of engines and boilers, are sending their products to this State, and in consequence of not being subject to any standard of inspection such products as they send are usually very inferior and of cheaper construction than the people engaged in similar business here can feel justified in selling to their customers, for the reason that their personal reputation goes with each article they make; and whereas, on the other hand the products of Eastern makers are handled and sold by agents here and the reputation of the maker does not suffer by reason of their goods being inferior. But with being subject to inspection as required by this bill, their products, to perform equal service, would require to be at the same standard of quality in material and construction as ours, and by that means we can successfully compete and have business for our merchants and manufacturers, and employment for our workmen, and thereby assist in developing and nourishing manufacturing interests in our own State.

And hoping your honorable body will give this favorable consideration, we will ever pray

Signed by about two hundred petitioners.

Mr. Dodge moved that in printing all petitions the names be omitted.
So ordered.

SPECIAL ORDER.

Assembly Bill No 959—An Act to establish a uniform system of county and township governments.

Amendments were submitted as follows:

By Mr. Dodge:

Amend by striking out all of the matter of section one hundred and sixty, and inserting the following substitute:

1. The County Clerk, thirteen thousand dollars per annum, and one Deputy County Clerk, to act as court-room clerk, at a salary of fifteen hundred dollars per annum, and one Deputy County Clerk, to act as register clerk, at a salary of fifteen hundred dollars per annum, said deputies to be paid at the same time, and in the same manner, as other county officers are paid, being the same deputies as those heretofore allowed County Clerks under and by virtue of section two hundred and sixteen of An Act entitled "An Act to establish a uniform system of county and township governments," approved March 24, 1893.

2 The Sheriff, twelve thousand five hundred dollars per annum, and one Deputy Sheriff at a salary of one thousand five hundred dollars, to be paid at the same time, and in the same manner as other county officers are paid, being the same deputy allowed Sheriffs under and by virtue of section two hundred and sixteen of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 24, 1893.

3 The Recorder, sixteen thousand dollars per annum

4 The Auditor, three thousand five hundred dollars per annum, and one Deputy Auditor at a salary of one thousand five hundred dollars per annum, payable at the same time, and in the same manner as other county officers are paid

5 The Treasurer, five thousand dollars per annum

6 The Tax Collector, eight thousand dollars per annum, and one Deputy Tax Collector at a salary of fifteen hundred dollars per annum, to be paid at the same time, and in the same manner as other county officers are paid. As license collector he shall receive fifteen per cent of all licenses collected by him.

8. The District Attorney, six thousand dollars per annum, and one chief deputy at a salary of twenty-one hundred dollars per annum, to be paid at the same time and in the same manner as county officers are paid; and one Assistant District Attorney at a salary of fifteen hundred dollars per annum, to be paid at the same time, and in the same manner as county officers are paid; said Assistant District Attorney allowed in lieu of the Assistant District Attorney allowed by virtue of subdivision thirty-six of section twenty-five of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 24, 1893.

9 The Coroner, such fees as are now or may be hereafter allowed by law.

10 The Public Administrator, such fees as are now or may be hereafter allowed by law.

11. The Superintendent of Schools, four thousand five hundred dollars per annum, and actual traveling expenses when visiting the schools in his county; *provided*, that the office of such official shall be kept open the same as other public offices of the county.

12 The Surveyor, such fees as are now or may be hereafter allowed by law

13. Justices of the Peace:

1. In townships having a population of fifty thousand and over, Justices of the Peace of said townships shall receive a salary of one hundred and fifty dollars per month for all services rendered by them in criminal cases or proceedings, or cases or proceedings to which the State or county shall be a party, and such fees as are now or hereafter may be allowed by law in civil cases except as herein provided

2. In townships having a population of not less than ten thousand and under fifty thousand, Justices of the Peace of said townships shall receive a salary of eighty-five dollars per month for all services rendered by them in criminal cases or proceedings, or cases or proceedings to which the State or county shall be a party, and such fees as are now or hereafter may be allowed by law in civil cases except as herein provided.

3 In townships having a population of not less than four thousand and under ten thousand, Justices of the Peace of said townships shall receive a salary of fifty dollars per month for all services rendered by them in criminal cases or proceedings, or cases or proceedings to which the State or county shall be a party, and such fees as are now or hereafter may be allowed by law in civil cases except as herein provided

14 Constables, such fees as are now or may be hereafter allowed by law; *provided*, that in townships having a population of fifty thousand and over, they shall be allowed in addition thereto, a salary of eighty dollars per month, and in all other townships in this class of counties, there shall be allowed in addition to said fees, a salary of seventy-five dollars per month, for services rendered by said Constables in criminal cases.

The salaries of Constable and Justices of the Peace shall be paid in the same manner as other county officers

For the purpose of regulation, the compensation of Justices of the Peace and Constables as provided in this section, townships in this class of counties are hereby classified according to their population as ascertained by the official vote for Governor cast in said township in the year eighteen hundred and ninety-five multiplied by five.

15. Each Supervisor, one hundred and twenty-five dollars per month and mileage at ten cents per mile for each mile actually traveled in going to and from their residences to the county seat, or in performance of their duties required of them by law or by virtue of their office. *provided*, that in attending sessions of the Board only two mileages shall be allowed for each month, and that the total mileage allowed shall not exceed seventy-five dollars in any one month

The provisions of this section, so far as they reduce the compensation of the Assessor in counties of this class, shall take effect on the first Monday after the first day of January, eighteen hundred and ninety-six.

Adopted.

MOTION.

Mr. Cargill moved to reconsider the vote whereby the amendments to section one hundred and ninety-nine of Assembly Bill No. 959 were adopted.

So ordered.

Mr. Cargill requested to withdraw all the amendments offered this morning to section one hundred and ninety-nine.

So ordered.

By Mr. Cargill:

Amend by striking out of section one hundred and ninety-nine, line fourteen, the words "one thousand two hundred," and inserting the following: "one thousand five hundred."

Adopted.

Also: Amend by inserting in section one hundred and ninety-nine, after line twenty-one, the following words: "the provisions of this section so far as it affects salaried officers shall not take effect until the expiration of the term of the present incumbent."

Adopted.

Mr. Cutter moved to reconsider the vote whereby the amendment to section twenty-five, line three hundred and three, was lost.

So ordered.

By Mr. Barker:

Amend by inserting in section twenty-five, line three hundred and three, the words "outside of any incorporated city or town," after the word "counties."

Adopted.

By Mr. McKelvey:

Amend by striking out of section one hundred and eighty-four, line twenty-four, the words "such fees as are now or may hereafter be allowed by law," and inserting the following: "ten dollars per day while actually employed by the county."

Adopted.

COMMUNICATION.

SACRAMENTO, March 5, 1895.

Hon. JOHN C. LYNCH, Speaker of the Assembly.

DEAR SIR: The following bills have been returned to me by the State Printer properly engrossed, ahead of some bills as delivered to me by the Chief Clerk, viz.:

File No.	Bill No.	File No.	Bill No.
No. 12.....	No. 221	No. 33.....	No. 120
No. 20.....	No. 171	No. 35.....	No. 314
No. 21.....	No. 6	No. 95.....	No. 791
No. 23.....	No. 16	No. 98.....	No. 937
No. 25.....	No. 219	No. 110.....	No. 714
No. 28.....	No. 877	No. 129.....	No. 337
No. 29.....	No. 879	No. —.....	No. 618
Total.....			14 Bills

I ask instructions as to whether I shall deliver these bills to the Committee on Engrossment before I receive the other bills from the State Printer.

As I stated above, these bills are not in the order that I received them from the Chief Clerk, and, under the statutes, should be held until the regular order given me by the Chief Clerk has been filled in.

Very respectfully,

T. E. ATKINSON, Engrossing Clerk.

Mr. Bulla moved that the Engrossing Clerk be instructed to return all bills to the Committee on Engrossment in the order that he received them.

So ordered.

Mr. Cutter moved that Assembly Bill No. 653 be made special order for to-morrow, immediately after consideration of the special file.

So ordered.

Mr. Guy moved that the Assembly do now take a recess.

Lost.

RESOLUTION—(URGENCY).

By Mr. Collins:

Resolved, That Assembly Bill No. 609, number four hundred and eighty-four on general file, presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions 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.

Lost.

REPORT OF COMMITTEE OF CONFERENCE.

ASSEMBLY CHAMBER, SACRAMENTO, March 5, 1895.

MR SPEAKER: Your Committee of Conference, consisting of Assemblymen Brusie, Bulla, and Laugenour, have met a like committee of the Senate, consisting of Messrs. Voorheis, Orr, and Langford, and had under consideration Assembly Bill No 617 (as amended in the Senate on March 1st)—An Act making an appropriation for the support of the government of the State of California for the forty-seventh and forty-eighth fiscal years

Your committee further reports that the Conference Committee of the Senate and Assembly at said meeting agreed upon the following amendments, and recommend that said amendments be concurred in by the Assembly:

In section one, line nine, striking out "twelve" and inserting "thirty-five," recommend that the Assembly concur in Senate amendment

Section one, line twelve, striking out "thirteen" and inserting "twenty," recommend that the Assembly concur in Senate amendment

Section one, line ten, striking out "eighteen" and inserting "forty," recommend that the Assembly concur in Senate amendment.

Section one, line thirty-nine, striking out "ten" and inserting "five," recommend that the Senate recede from its amendment.

Section one, lines fifty-three and fifty-four, inserting "For salary of Expert to Board of Examiners, four thousand dollars, for traveling expenses of Board of Examiners and Expert, two thousand dollars," recommend that the Assembly concur in the Senate amendment.

Section one, line seventy-two, striking out "fourteen" and inserting "twenty," recommend that the Assembly concur in the Senate amendment

Section one, striking out, lines seventy-eight, seventy-nine, and eighty of the bill as amended in the Assembly, February 13th, "sixteen thousand dollars for an electric light plant," recommend that the Assembly concur in the Senate amendment.

Section one, line eighty, striking out "two" and inserting "eight," recommend that the Assembly concur in the Senate amendment

Section one, inserting, line eighty-one, "for lighting Capitol grounds, two thousand four hundred dollars," recommend that the Assembly concur in Senate amendment

Section one, lines one hundred and thirty and one hundred and thirty-one, striking out "one thousand two hundred dollars," and inserting "two thousand two hundred and fifty dollars," recommend that the Assembly concur in the Senate amendment

Section one, line one hundred and forty-three, striking out "one hundred and eighty-five thousand" and inserting "two hundred and twenty-five thousand," recommend that the Senate recede from its amendment

Section one, striking out lines one hundred and forty-three and one hundred and forty-four of the bill as amended in Assembly February 13th, "five hundred dollars for hospital supplies," recommend that the Assembly concur in Senate amendment.

Section one, line one hundred and forty-seven, striking out "forty-four" and inserting "fifty," recommend that the Assembly concur in Senate amendment.

Section one, line one hundred and forty-nine, striking out "twenty" and inserting "forty," recommend that the Assembly concur in Senate amendment.

Section one, inserting lines one hundred and fifty-nine and one hundred and sixty, recommend that the Assembly concur in Senate amendment.

Section one, line one hundred and sixty-nine, striking out "one thousand dollars" and inserting "two thousand and forty dollars," recommend that the Assembly concur in Senate amendment

Section one, line one hundred and eighty-three, striking out "ten" and inserting "twenty," recommend that the Assembly concur in the Senate amendment

Section one, line one hundred and eighty-eight, striking out "three hundred and seventy-four thousand four hundred and ninety dollars" and inserting "four hundred thousand dollars," recommend that the Senate recede from its amendment

Section one, line one hundred and eighty-nine, striking out "sixty-two" and inserting "seventy," recommend that the Senate recede from its amendment.

Section one, lines one hundred and ninety and one hundred and ninety-one, striking out "one hundred and thirty thousand two hundred and twenty-five dollars" and inserting "one hundred and eighty thousand six hundred and seventy-five dollars," recommend that the Senate recede from its amendment

Section one, line two hundred and five, striking out "two hundred and fifty" and inserting "two hundred and forty-five," recommend that the Assembly concur in the Senate amendment

Section one, line two hundred and ten, inserting the word "periodicals," recommend that the Assembly concur in the Senate amendment.

Section one, line two hundred and eleven, inserting the words "and furniture," recommend that the Assembly concur in the Senate amendment

Section one, line two hundred and eleven, striking out "four thousand five hundred" and inserting "seven thousand," recommend that the Senate recede from its amendment

Section one, line two hundred and thirteen, inserting the words "and periodicals," recommend that the Assembly concur in Senate amendment.

Section one, line two hundred and seventeen, inserting the words "and periodicals," recommend that the Assembly concur in the Senate amendment.

Section one, inserting lines two hundred and twenty-one, two hundred and twenty-two, two hundred and twenty-three, two hundred and twenty-four, two hundred and twenty-five, two hundred and twenty-six, two hundred and twenty-seven, and two hundred and twenty-eight and one half, containing the following items:

For use of State Board of Horticulture, ten thousand four hundred dollars

For the salary of the Secretary of the State Board of Horticulture, forty-two hundred dollars.

For salary of Clerk to the Secretary of the State Board of Horticulture, twelve hundred dollars.

For salary of the clerks of Publishing and Quarantine Bureau, State Board of Horticulture, four thousand two hundred dollars.

For use of the State Board of Viticulture, twenty-five hundred dollars.

This appropriation shall not be subject to the provisions of section four of this Act, recommend that the Assembly concur in Senate amendment

Section one, striking out lines two hundred and thirty-five and two hundred and thirty-six of the bill as amended in Assembly February thirteenth, recommend that the Assembly concur in Senate Amendment.

Section one, striking out line two hundred and thirty-four of the bill as amended in Assembly February thirteenth, and inserting the following:

For the support and maintenance of the veterans of the Mexican and Civil Wars, in indigent circumstances, residing in the Veterans' Home at Yountville, under the auspices of the Veterans' Home Association, the sum of ninety thousand dollars, *provided*, that no money herein appropriated shall be used for the support or maintenance of any office, or any salaried officer, at any other place than at the Home at Yountville; *and provided further*, that the Board of Directors of said Veterans' Home Association shall contract for all supplies purchased for said Home by virtue of this appropriation, after having first advertised for such contracts for two consecutive weeks before the letting thereof, in one newspaper published in the City and County of San Francisco, one newspaper published in the city of Sacramento, and one newspaper published in the county of Napa, which said advertisement shall state the time, place, and conditions of the letting of such contracts; *and provided further*, that all such contracts shall be for a period of not less than six nor more than twelve months, and shall be awarded to the lowest bidder, at a public letting thereof—recommend that the Assembly concur in Senate amendment

Section one, inserting lines two hundred and fifty-five, two hundred and fifty-six, and two hundred and fifty-seven, as follows.

For aid to State Agricultural Society, forty thousand dollars; *provided*, that the State Agricultural Society maintain a statistical department, for the annual collection, compilation, and distribution of statistics relating to the products and resources of the State

The Assembly concur in Senate amendment

Section one, inserting lines two hundred and fifty-eight and three hundred and eleven inclusive, as follows:

For aid to District Agricultural Society number one, seven thousand dollars.

For aid to District Agricultural Society number two, seven thousand dollars.

For aid to District Agricultural Society number three, four thousand dollars.

For aid to District Agricultural Society number four, six thousand dollars.

For aid to District Agricultural Society number five, six thousand dollars.

For aid to District Agricultural Society number six, six thousand dollars.

For aid to District Agricultural Society number seven, three thousand five hundred dollars.

For aid to District Agricultural Society number eight, four thousand dollars.

For aid to District Agricultural Society number nine, four thousand five hundred dollars.

For aid to District Agricultural Society number ten, four thousand five hundred dollars.

For aid to District Agricultural Society number eleven, three thousand dollars.

For aid to District Agricultural Society number twelve, five thousand dollars.

For aid to District Agricultural Society number thirteen, six thousand dollars.

For aid to District Agricultural Society number fourteen, four thousand dollars.

For aid to District Agricultural Society number fifteen, three thousand dollars.

For aid to District Agricultural Society number sixteen, four thousand five hundred dollars.

For aid to District Agricultural Society number seventeen, four thousand five hundred dollars.

For aid to District Agricultural Society number eighteen, six thousand dollars.

For aid to District Agricultural Society number nineteen, four thousand dollars.

For aid to District Agricultural Society number twenty, four thousand five hundred dollars

For aid to District Agricultural Society number twenty-one, six thousand dollars.

For aid to District Agricultural Society number twenty-two, four thousand dollars.

For aid to District Agricultural Society number twenty-three, three thousand five hundred dollars.

For aid to District Agricultural Society number twenty-four, three thousand dollars.

For aid to District Agricultural Society number twenty-five, five thousand dollars.

For aid to District Agricultural Society number twenty-six, six thousand dollars.
For aid to District Agricultural Society number twenty-seven, four thousand five hundred dollars.

For aid to District Agricultural Society number twenty-eight, four thousand five hundred dollars.

For aid to District Agricultural Society number twenty-nine, four thousand dollars

For aid to District Agricultural Society number thirty, four thousand dollars

For aid to District Agricultural Society number thirty-one, four thousand dollars

For aid to District Agricultural Society number thirty-two, three thousand five hundred dollars.

For aid to District Agricultural Society number thirty-three, three thousand dollars.

For aid to District Agricultural Society number thirty-four, three thousand dollars.

For aid to District Agricultural Society number thirty-five, four thousand dollars.

For aid to District Agricultural Society number thirty-six, four thousand dollars

For aid to District Agricultural Society number thirty-seven, three thousand dollars

For aid to District Agricultural Society number thirty-eight, four thousand dollars.

For aid to District Agricultural Society number thirty-nine, three thousand dollars

For aid to District Agricultural Society number forty, five thousand dollars.

For aid to District Agricultural Society number forty-one, three thousand dollars.

For aid to District Agricultural Society number forty-two, three thousand dollars

For aid to District Agricultural Society number forty-three, three thousand dollars.

For aid to District Agricultural Society number forty-four, to be created, three thousand dollars.

For aid to District Agricultural Society number forty-five, to be created, three thousand dollars

Provided, that no moneys appropriated for agricultural societies shall be drawn, used, or paid for racing or speed contests.

Recommend that the Assembly concur in the Senate amendments

Striking out section four, of the bill as amended in Assembly February 13th, and inserting the following:

SEC. 4. Not more than one twenty-fourth part of the amount appropriated under this Act for each department or institution for the two years ending June thirtieth, eighteen hundred and ninety-seven, shall be expended during any one month, unless by consent of the State Board of Examiners.

Recommend that the Assembly concur in the Senate amendment.

BRUSIE.
BULLA.
LAUGENOUR.

RECESS.

At four o'clock and thirty-five minutes P. M., on motion of Mr. Guy, the Assembly took a recess until seven o'clock and thirty minutes.

REASSEMBLED.

The Assembly reassembled at seven o'clock and thirty minutes P. M.
Speaker Lynch in the chair.

Quorum present.

MOTION.

Mr. Dodge moved that Assembly Bill No. 959 be ordered printed out of order, and that the same be made the special order for Thursday, at three o'clock and thirty minutes P. M.

So ordered.

APPROVAL OF JOURNALS.

The Journals of Saturday, March 2d, and Monday, March 4th, were approved.

LEAVE OF ABSENCE.

Mr. Ash was granted leave of absence for the evening.

REPORT OF COMMITTEE ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 5, 1895.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following bills have been correctly engrossed, viz.:

Assembly Bill No. 246—An Act making an appropriation to pay the deficiency in the appropriation for the State forestry stations for the forty-fifth and forty-sixth fiscal years.

Also: Assembly Bill No. 599—An Act making an appropriation to pay the expenses of the funeral and casket for the late Secretary of State, E. G. Waite.

Also: Assembly Bill No. 601—An Act making an appropriation to pay the rent of office for the Commissioner of the Bureau of Labor Statistics in San Francisco, for the forty-fifth and forty-sixth fiscal years, ending June 30, 1895.

Also: Assembly Bill No. 587—An Act making an appropriation from the State School Book Fund for the completion of the revisions and compilation of State school books heretofore authorized and directed to be made, and to provide for the expenditure of the same.

Also: Assembly Bill No. 829—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-sixth fiscal year.

Also: Assembly Bill No. 540—An Act authorizing the Trustees of the State Normal School at San José to light the grounds by electricity, and making an appropriation therefor.

Also: Assembly Bill No. 173—An Act to provide for certain improvements and repairs at the Folsom State Prison, and making an appropriation therefor.

Also: Assembly Bill No. 221—An Act appropriating money for the use of the two State forestry stations, and for the establishment and use of a third forestry station.

Also: Assembly Bill No. 439—An Act to authorize the State of California to secure the title to and right of way for that certain wagon road situated in El Dorado County, commencing a short distance easterly from the village of Smith's Flat, in said county, and running thence to Lake Tahoe, and to provide for the appointment, duties, and compensation of a person to be known as and called the "Lake Tahoe Wagon Road Commissioner," and to make an appropriation for the purpose of carrying into effect the provisions of this Act.

Also: Assembly Bill No. 748—An Act to provide for the appointment and salary of an electrician and fireman.

Also: Assembly Bill No. 615—An Act authorizing the Clerk of the Supreme Court to re-cover old records, and fitting proper store for same, and making an appropriation therefor.

Also: Assembly Bill No. 171—An Act to purchase adjacent lands at the Folsom State Prison for the use of the State Prison, and making an appropriation therefor.

Also: Assembly Bill No. 6—An Act appropriating two hundred and fifty thousand dollars for the erection of buildings for the use of affiliated and other departments of the University of California.

Also: Assembly Bill No. 913—An Act to appropriate money to pay the indebtedness incurred by calling the National Guard into service, by order of the Governor, to enforce the law in 1893 and 1894.

Also: Assembly Bill No. 714—An Act to provide for the organization and government of drainage districts for the drainage of agricultural lands, other than swamp and overflowed lands.

WILKINSON, Chairman

URGENCY FILE.

Assembly Bill No. 714—An Act to provide for the organization and government of drainage districts for the drainage of agricultural lands other than swamp and overflowed lands.

Read third time.

The question being on the final passage.

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

AYES—Messrs. Belshaw, Berry, Bettman, Boothby, Brusie, Butler, Coghlin, Coleman, Collins, Cutter, Davis, Devine, Devitt, Dodge, Dunbar, Dwyer, Ewing, Fassett, Gay, Guy, Hall, Hatfield, Hudson, Johnson, Jones, Keen, Kelsey, Laugenour, Lewis, Meads, McKelvey, Merrill, North, Osborn, Powers, Price, Reid, Richards, Robinson, Sanford, Spencer, Staley, Stansell, Swisler, Tibbits, Tomblin, Twigg, Wade, Waymire, Wilkinson, and Mr. Speaker—51

NOES—Messrs. Bledsoe, Bulla, Dale, Dixon, Glass, Healey, Kenyon, Weyse, and Zocchi—9.

Title read and approved.

Assembly Bill No. 953—An Act to amend 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, 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 March 20, 1891, by amending sections one, eleven, and twelve," approved March 23, 1893, by amending section one thereof.

Read second time.

Mr. Laird moved to amend as follows:

Amend section two, line two, by inserting the following: "Sec. 2."

Adopted.

Also: Amend section one, line two, by inserting the following: "Sec. 1."

Adopted.

Mr. Spencer moved to amend as follows:

By striking out of section one, line sixteen, the words "counties of Plumas and Sierra," and inserting the following: 'county of Plumas.'

Adopted.

Also: Amend by inserting in section one, after line sixty, the words "the county of Sierra shall constitute agricultural district number forty-five."

Adopted.

Ordered to printer, engrossment, and third reading.

Assembly Bill No. 58—An Act to establish a State Normal School at San Diego, California.

Read second time.

MOTION.

Mr. Guy moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Assembly Bill No. 58.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Lynch in the chair.

Assembly Bill No. 58 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Lynch 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. 58—An Act to establish a State Normal School at San Diego, California, and now report the same, with amendments, and recommend that the same do pass as amended.

LYNCH, Chairman.

Adopted.

Assembly Bill No. 58—An Act to establish a State Normal School at San Diego, California.

The following committee amendments were submitted:

AMENDMENT No. 1.

Amend by striking out of section three, line eight, printed bill, the word "buildings," and inserting the following: "money."

Adopted.

AMENDMENT No. 2.

Amend by striking out of section three, line nine, printed bill, the word "erected," and inserting the following: "expended."

Adopted.

AMENDMENT No. 3.

Amend by striking out of section five, line one, printed bill, the word "fifty," and inserting the following: "twenty-five."

Adopted.

AMENDMENT No. 4.

Amend section five, page two, lines one and two in printed bill, by striking out the words "in the General Fund."

Adopted.

AMENDMENT No. 5.

Amend section five, page two, line two, printed bill, by striking out the words "the building," and inserting the word "furnishing."

Adopted.

AMENDMENT No. 6.

Amend section six, page two, lines three and four of printed bill, by striking out the words "provided, that the cost to this State for the erection of said State Normal School building shall not exceed the amount herein appropriated."

Adopted.

AMENDMENT No. 7.

Amend section seven, page two, line one of printed bill, by striking out the words "the said buildings shall be erected by and "

Adopted.

AMENDMENT No. 8.

Amend said section seven, page two, line one of printed bill, by adding after the word "therefor," the words "shall be."

Adopted.

AMENDMENT No. 9.

Amend by striking out of section seven, line three, printed bill, the words "and all labor performed upon said building shall be done by the day's work."

Adopted.

Ordered to printer, engrossment, and third reading.

MOTION.

Mr. Bettman moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Assembly Bills Nos 268, 125, 756, 1013, and 694.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Lynch in the chair.

Assembly Bills Nos. 268, 125, 756, 1013, and 694 were considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Lynch in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Speaker stated the report of the Committee of the Whole, as follows:

GENTLEMEN: Your Committee of the Whole have had under consideration the following bills, viz.:

Assembly Bill No. 268—An Act to appropriate money for the erection and equipment of additional buildings for the accommodation and care of the inmates of the Preston School of Industry, at Lone, Amador County.

Also: Assembly Bill No. 125—An Act to appropriate the sum of one thousand and fifty-two dollars to pay the claim of Jerome Deasy.

Also: Assembly Bill No. 756—An Act appropriating money to pay the claims of H. P. Dyer, E. F. Dyer, C. A. Granger, Gaston Goldsmith, and Sullivan & Sullivan.

Also: Assembly Bill No. 1013—An Act to create and establish a commission for revising, systematizing, and reforming the laws of this State, and for the appointment of the members of said commission, to be known as "The Commissioners for the Revision and Reform of the Law," and to prescribe their powers and duties, and to authorize the appointment of a secretary and stenographer therefor, and to provide for the compensation and expenses of said commission, secretary, and stenographer, and to appropriate money therefor.

Also: Assembly Bill No. 694—An Act appropriating money to pay the claim of the State Agricultural Society

And now report, and recommend that the same do pass, except that Assembly Bill No. 1013 pass as amended in Committee of the Whole

LYNCH, Chairman.

Assembly Bill No. 1013—An Act to create and establish a commission for revising, systematizing, and reforming the laws of this State, and for the appointment of the members of said commission, to be known as "The Commissioners for the Revision and Reform of the Law," and to prescribe their powers and duties, and to authorize the appointment of a secretary and stenographer therefor, and to provide for the compensation and expenses of said commission, secretary, and stenographer, and to appropriate money therefor.

The following committee amendments were submitted:

AMENDMENT No. 1.

Amend by striking out of section two, line five, the word "ten," and inserting the following. "five."

Adopted.

AMENDMENT No. 2.

Amend by striking out of section seven, lines one and two, the words "the same compensation now paid to the Justices of the Supreme Court," and inserting the following: "the sum of four thousand dollars each per annum."

Adopted.

Ordered to printer, engrossment, and third reading.

Mr. Thomas moved that Assembly Bill No. 262 be read second time.

So ordered.

Assembly Bill No. 262—An Act to pay the claim of Major José Ramon Pico, and making an appropriation therefor.

Read second time.

MOTION.

Mr. Thomas moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Assembly Bill No. 262.

So ordered

IN COMMITTEE OF THE WHOLE.

Speaker Lynch in the chair.

Assembly Bill No. 262 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Lynch 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. 262—An Act to pay the claim of Major José Ramon Pico, and making an appropriation therefor—and now report, and recommend that the same do pass.

LYNCH, Chairman.

Adopted.

Ordered engrossed, and to third reading.

MOTION.

Mr. Brusie moved to reconsider the vote whereby Assembly Bill No. 850 was refused second reading.

Lost.

Assembly Bill No. 706—An Act to provide for the formation of protection districts in various counties of this State, for the improvement and rectification of the channels of innavigable streams for the prevention of the overflow thereof, by widening, deepening, and straightening and otherwise improving the same, and to authorize the Boards of Supervisors to levy and collect assessments from the property benefited to pay the expenses of the same.

Passed, to retain its place on file.

RESOLUTION—(URGENCY).

By Mr. McKelvey:

Resolved, That Senate Bills Nos. 140, 669, 418, 739, 47, 412, 254, 592, 652, 827, 882, 1014, 262, 241, 564, 702, 939, 268, 125, 801, 791, 566, 855, 937, 756, 320, 1013, 694, 736, 444, 127, 324, 357, 897, 445, 714, 58, 953, 706, 249, 749, 1009, 529, 1002, 224, 210, 734, 542, 43, 433, 515, 693, 148, 799, 568, 607, 198, 495, 90, 757, 337, 823, 900, 798, 580, 223, 413, 591, 575, 701, 160, 473, 772, and 921 present cases of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions 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, and be considered in the order herein named.

Lost.

Assembly Bill No. 249—An Act to provide for the incorporation, operation, and management of cooperative associations.

Read second time.

The following amendments were submitted.

AMENDMENT NO. 1.

In line one, section one, printed bill, strike out the word "two," and insert in lieu thereof the word "five."

Adopted.

AMENDMENT No. 2.

In line five, section two, printed bill, after the word "provided" insert the following: "The by-laws shall provide for the amount of the indebtedness which such association may incur, and."

Adopted.

AMENDMENT No. 3.

After the first word "ciation," in line seven, section two, printed bill, insert the following: "in excess of his proportion of such indebtedness."

Adopted

AMENDMENT No. 4.

In line four, section three, printed bill, strike out the word "ninety-nine," and insert in lieu thereof the word "fifty."

Adopted.

AMENDMENT No. 5.

In line twenty-nine, section four, printed bill, after the word "representations," insert the word "or."

Adopted.

AMENDMENT No. 6.

In line two, section nine, printed bill, after the word "for," strike out the word "ninety-nine" and insert in lieu thereof the word "fifty."

Adopted.

AMENDMENT No. 7.

In line three, section nine, printed bill, between the words "to" and "purchase," insert the following: "receive by gift, devise, or."

Adopted.

AMENDMENT No. 8.

In line fifteen, section eleven, printed bill, between the words "Court" and "save," insert the following: "upon the application of any member."

Adopted.

Ordered to printer, engrossment, and third reading.

Assembly Bill No. 749—An Act to provide for the repayment, by the State of California, of the purchase price of salt marsh lands, when it has been finally determined by a Court of competent jurisdiction that the State had no title to said lands at the time of sale, because and by reason of the lands being included within the limits of a Mexican grant as finally surveyed and patented by the United States Government, and to make an appropriation therefor.

Read second time.

MOTION.

Mr. Davis moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Assembly Bill No. 749.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Lynch in the chair.

Assembly Bill No. 749 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Lynch 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. 749—An Act to provide for the repayment, by the State of California, of the purchase price of salt marsh lands, when it has been finally determined by a Court of competent jurisdiction that the State had no title to said lands at the time of sale, because and by reason of the lands being included within the limits of a Mexican grant as finally surveyed and patented by the United States Government, and to make an appropriation therefor—and now report, and recommend that the same as amended do not pass

LYNCH, Chairman.

Adopted.

Ordered to engrossment and third reading.

Assembly Bill No. 1009—An Act to amend sections one thousand four hundred and ninety-eight, one thousand five hundred and three, one thousand five hundred and seventeen, one thousand five hundred and twenty-one, one thousand five hundred and forty-three, one thousand five hundred and fifty-one, one thousand five hundred and fifty-two, one thousand five hundred and seventy-five, one thousand five hundred and seventy-six, one thousand five hundred and ninety-four, one thousand six hundred and seventeen, one thousand seven hundred and thirteen, one thousand seven hundred and seventy, one thousand seven hundred and seventy-three, one thousand seven hundred and seventy-five, one thousand eight hundred and thirty, one thousand eight hundred and eighty, one thousand eight hundred and eighty-two, relating to public schools.

Mr. Johnson moved that Assembly Bill No. 152 take the place of Assembly Bill No. 1009 on urgency file, and Assembly Bill No. 1009 be placed on the second-reading file.

So ordered.

At nine o'clock and thirty-five minutes P. M. the Speaker called Mr. Pendleton to the chair.

Assembly Bill No. 152—An Act to prevent the sale of short weight in butter.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Barker, Belshaw, Bledsoe, Brusie, Bulla, Butler, Coleman, Collins, Dale, Davis, Devine, Dixon, Dodge, Dunbar, Dwyer, Fassett, Gay, Glass, Guy, Hall, Hatfield, Healey, Holland, Huber, Johnson, Jones, Keen, Kelsey, Kenyon, Laird, Laugenour, Lewis, Llewellyn, Meads, McKelvey, Merrill, Nelson, O'Day, Osborn, Pendleton, Powers, Price, Richards, Robinson, Rowell, Sanford, Spencer, Staley, Swisler, Thomas, Tibbits, Tomblin, Twigg, Wade, Waymire, and Weyse—56.

NOES—None.

Title read and approved.

Assembly Bill No. 224—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to the confinement and performance of labor by prisoners in county jails.

Read second time.

The following committee amendment was submitted:

Amend section two, line eight, of printed bill, after the word "no," by striking out the words "irons or."

Adopted.

Ordered to printer, engrossment, and third reading.

Assembly Bill No. 1002—An Act authorizing the payment of compensation or commission to persons employed by the State Controller and Attorney-General, or by Boards of Supervisors of the different counties, to collect delinquent State and county taxes, and legalizing all payments made for that purpose.

Read second time.

Ordered to printer, engrossment, and third reading.

Assembly Bill No. 529—An Act to amend section three hundred and ninety-four of the Code of Civil Procedure of California, concerning the commencement of actions.

Read second time.

The following committee amendments were submitted :

Amend by striking out of section one, line six, the punctuation mark and words “; provided further, that” and inserting a period ().

Adopted.

Also: Amend section one, line nine, by inserting the word “that” after the word “then.”

Adopted.

Also: Amend by striking out of section one, line ten, after the word “city,” the punctuation mark and words “; provided, however, that,” and inserting the following punctuation mark: “.” (period).

Adopted.

Also: Amend by striking out of section one, line ten, the word “actions,” and inserting the word “action.”

Adopted.

Also: Amend by striking out of section one, line twelve, the word and punctuation mark “. such,” and inserting the punctuation mark and word “, which.”

Adopted.

Ordered to printer, engrossment, and third reading.

Assembly Bill No. 210—An Act to provide for a State Veterinarian and County Veterinarians, and prescribe their duties, and to prevent and suppress contagious and infectious diseases among the live stock of the State, and to declare an emergency.

Read second time.

MOTION.

Mr. Laugenour moved that the Assembly resolve itself into Committee of the Whole, with Mr. Pendleton in the chair, for the purpose of considering Assembly Bill No. 210.

So ordered.

IN COMMITTEE OF THE WHOLE.

Mr. Pendleton in the chair.

Assembly Bill No. 210 was considered in Committee of the Whole.

IN ASSEMBLY.

Mr. Pendleton in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

Mr. Pendleton stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 210—An Act to provide for a State Veterinarian and County Veterinarians, and prescribe their duties, and to prevent and suppress contagious and infectious diseases among the live stock of the State, and to declare an emergency—and now report, and recommend that the same do not pass.

PENDLETON, Chairman.

Adopted.

REPORT OF COMMITTEE ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 5, 1895

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following bills have been correctly engrossed, viz: Assembly Bill No. 16—An Act appropriating the sum of five thousand dollars for the purchase of furniture and apparatus for the State Normal School at Los Angeles, California.

Also: Assembly Bill No. 19—An Act appropriating six thousand five hundred dollars to pay for a system of heating and ventilating in the old State Normal School building at Los Angeles, California

Also: Assembly Bill No. 219—An Act appropriating two hundred and fifty thousand dollars for the erection of buildings at Berkeley, Alameda County, for the use of the University of California

Also: Assembly Bill No. 106—An Act providing for the selection, condemnation, and purchase of a suitable site, and the erection thereon of a State building in San Francisco, and making an appropriation therefor.

Also: Assembly Bill No. 879—An Act to provide for the payment for the advertising of the constitutional amendments, and to make an appropriation therefor

Also: Assembly Bill No. 877—An Act making an appropriation to pay the deficiency in the appropriation for ballot paper for the forty-sixth fiscal year

Also: Assembly Bill No. 91—An Act to appropriate the sum of fifteen hundred dollars to pay the claim of T. Carl Spelling against the State

Also: Assembly Bill No. 707—An Act making an appropriation to pay the deficiency in the appropriation for the support of the Southern California State Asylum for the Insane and Inebriates for the forty-fifth and forty-sixth fiscal years.

Also: Assembly Bill No. 708—An Act making an appropriation to pay the deficiency in the appropriation for the erection of additional buildings and improvements for the Southern California State Asylum for the Insane and Inebriates

Also: Assembly Bill No. 709—An Act making an appropriation to pay the indebtedness incurred by the Board of Trustees of the Southern California State Asylum for the Insane and Inebriates, in providing a refrigerator for said asylum.

Also: Assembly Bill No. 120—An Act to provide for the completion and equipment of the Deaf, Dumb, and Blind Asylum, and to make an appropriation therefor

Also: Assembly Bill No. 875—An Act making an appropriation to pay the claims of Ira H. Locey and Henry Locey against the State of California, for expenses incurred and services rendered by order of the State Board of Forestry.

Also: Assembly Bill No. 314—An Act to provide for the payment of the claim of C. S. Merrill for services as stenographer and professional services performed upon Court of Inquiry, San Francisco, as per Special Orders, Commander-in-Chief, No. 12, dated September 8, 1894.

Also: Assembly Bill No. 245—An Act making an appropriation to pay moneys advanced to the State forestry stations by the University of California.

Also: Assembly Bill No. 606—An Act entitled an Act to amend section four hundred and seventy-five of the Political Code, providing for two clerks and a phonographic reporter in the office of the Attorney-General, declaring said clerks and phonographic reporter to be civil executive officers, and fixing their salaries

Also: Assembly Bill No. 399—An Act to provide for the erection of an additional building for the use of the Woman's Relief Corps Home Association, at their home for soldiers' widows and orphans, and army nurses, at Evergreen, California, and making an appropriation therefor

Also: Assembly Bill No. 961—An Act appropriating money to pay the expenses of the Commissioner of Public Works, and his employés, for the forty-seventh and forty-eighth fiscal years

Also: Assembly Bill No. 801—An Act to provide for the disposal of the Home for the Adult Blind at Oakland, Alameda County, the transfer of the inmates to the premises lately occupied as a Home for Feeble-Minded in Santa Clara, and for the improvement of the same.

Also: Assembly Bill No. 791—An Act requiring Boards of Supervisors, Common Councils, or Boards of Trustees in cities, cities and counties, or towns in this State to fix the price at which electricity and gas shall be sold for illuminating purposes.

Also: Assembly Bill No 855—An Act to prohibit the officers and employes of banks and banking corporations from borrowing the funds thereof.

Also: Assembly Bill No 937—An Act to authorize State agricultural societies under control of the State, to sell or mortgage property held by them in fee, or held by trustees for their use, or in which they may have any interest; to prescribe a course of procedure therefor; to indemnify purchasers at such sale, and to direct how the proceeds shall be applied.

Also: Assembly Bill No. 320—An Act to amend chapter one, part two, title nine, of the Penal Code, by adding thereto a new section, to be numbered one thousand two hundred and forty-seven, relating to appeals to the Supreme Court of this State from judgments of conviction in capital cases, and providing for the giving of notice thereof to the Warden of the State Prison where the execution is to take place

Also: Assembly Bill No 335—An Act to add a new article to chapter one, of title two, part three, of the Political Code of the State of California, to be known and designated as article four; and to add six new sections, to be known and designated as sections one thousand and seventy-five, one thousand and seventy-six, one thousand and seventy-seven, one thousand and seventy-eight, one thousand and seventy-nine, and one thousand and eighty, relative to County, City, and City and County Boards of Election Commissioners.

Also: Assembly Bill No 653—An Act to amend section nine hundred and ninety-six of the Political Code, to declare when a vacancy exists in any elective or appointive office, board, or commission, of any county, city, city and county, township, or municipality, and also to amend section nine hundred and ninety-nine of the Political Code, to provide for the filling of vacancies in office.

Also: Assembly Bill No 618—An Act to amend sections one thousand nine hundred and twelve, one thousand nine hundred and thirteen, one thousand nine hundred and fourteen, one thousand nine hundred and fifteen, one thousand nine hundred and seventeen, one thousand nine hundred and eighteen, one thousand nine hundred and nineteen, one thousand nine hundred and twenty-three, one thousand nine hundred and twenty-nine, one thousand nine hundred and thirty-two, one thousand nine hundred and thirty-six, one thousand nine hundred and forty-two, one thousand nine hundred and fifty-two, one thousand nine hundred and fifty-five, one thousand nine hundred and sixty-two, one thousand nine hundred and seventy, one thousand nine hundred and seventy-four, one thousand nine hundred and eighty, one thousand nine hundred and eighty-two, one thousand nine hundred and eighty-three, one thousand nine hundred and eighty-four, one thousand nine hundred and eighty-five, one thousand nine hundred and ninety, two thousand and three, two thousand and seven, two thousand and twenty-four, two thousand and twenty-seven, two thousand and forty, two thousand and forty-one, two thousand and forty-two, two thousand and forty-eight, two thousand and forty-nine, two thousand and fifty, two thousand and seventy-six, and two thousand and eighty-two; and to repeal sections one thousand nine hundred and eighty-seven, one thousand nine hundred and eighty-eight, one thousand nine hundred and eighty-nine, two thousand and four, two thousand and five, and two thousand and six, all of the Political Code, and to add one new section thereto, to be known and numbered as section one thousand nine hundred and ninety-one, relating to the National Guard, and to provide for the retirement and disposition of certain officers thereof

Also: Assembly Bill No 1014—An Act conferring power upon the Common Council, Board of Supervisors, or other governing body of cities, or cities and counties of over one hundred thousand inhabitants, to acquire or condemn land for a suitable site, and erect thereon a suitable building or buildings for municipal purposes

Also: Assembly Bill No 702—An Act to amend sections four hundred and ninety-nine and five hundred and one of the Civil Code of the State of California, relating to street railroads, and to repeal an Act entitled "An Act to limit and fix the rate of fares on street railroads in cities and towns of more than one hundred thousand inhabitants," approved January 1, 1878

Also: Assembly Bill No. 730—An Act to create and administer a Public School Teachers' Annuity and Retirement Fund in the several counties, and cities and counties of the State

Also: Assembly Bill No 434—An Act to repeal an Act entitled an Act to declare Lake Earl, in Del Norte County, navigable

Also: Assembly Bill No 127—An Act granting permission to the city of San José to erect high school and library building upon the grounds of the State Normal School at San José

Also: Assembly Bill No. 324—An Act to require an inventory of all State property, and directing the State Board of Examiners to keep a record of the same

Also: Assembly Bill No. 897—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 of California, except municipal corporations of the first class, and to provide for the consolidation and abolition of certain municipal offices, and to provide that their duties may be performed by certain officers of the county, and fixing the compensation to be allowed for such county officers for the services so rendered to such municipal corporations

Also: Assembly Bill No 485—An Act to provide for the purchase, for State institutions, of supplies of California production or manufacture; that other supplies shall be of American production or manufacture; that no supplies shall be the product of penal or Chinese labor; and regulating the award of contracts therefor

WILKINSON, Chairman.

URGENCY FILE—(RESUMED).

Assembly Bill No 734—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 7, 1887, providing for the destruction of all or any part of the bonds of any irrigation district remaining unsold after the completion of their irrigation system.

Read second time.

The following committee amendments were submitted:

Amend by adding to section one, at end of line one, the words "or may submit such proposition at any general election."

Adopted.

Also: Amend by striking out of section three, line four, the words "otherwise not;" and inserting the following: "and the total amount of bonds so destroyed and canceled shall be deducted from the sum authorized to be issued by the electors of said district, and no part thereof shall thereafter be reprinted or reissued."

Adopted.

Mr. Dinkelspiel moved that the Assembly do now adjourn.

Lost.

QUESTION OF PRIVILEGE.

Mr. Twigg spoke to a question of privilege in regard to his supporting the "Boiler-makers' Bill," and the action of the Assembly in refusing to print in the Journal the names attached to the petition offered by him to-day.

MOTION.

Mr. Twigg moved to reconsider the vote whereby the Assembly refused to print in the Journal the names signed to the petition offered by him this day.

So ordered.

Mr. Powers moved that the names signed to the petition offered by Mr. Twigg be printed in full in the Journal.

So ordered.

PETITION.

By Mr. Twigg:

To the honorable members of the Legislature of the State of California

GENTLEMEN: We, the undersigned, manufacturers, merchants, and workmen of this State, most respectfully petition your honorable body to enact laws in conformity with the appended bill

And in justification of asking you to do so we desire to inform you that in consequence of having no such laws in existence in this State many manufacturers in other parts of the United States, where the conditions are more favorable, viz: cheaper labor, cheaper coal, iron, and steel, and other materials that contribute to the construction of engines and boilers, are sending their products to this State, and in consequence of not being subject to any standard of inspection, such products as they send are usually very inferior and of cheaper construction than the people engaged in similar business here can feel justified in selling to their customers, for the reason that their personal reputation goes with each article they make; and whereas, on the other hand, the products of Eastern makers are handled and sold by agents here and the reputation of the maker does not suffer by reason of their goods being inferior. But with being subject to inspection as required by this bill, their products, to perform equal service, would require to be at the same standard of quality in material and construction as ours, and by that means we can successfully compete and have business for our merchants and manufacturers

and employment for our workingmen, and thereby assist in developing and nourishing manufacturing interests in our own State

And hoping your honorable body will give this favorable consideration, we will ever pray.

(Signed.) Manufacturers' and Employers' Association, Henry L. Davis, President; Hugh Kennedy Iron Works, Pacific Manufacturing Co., per J. Morrison, Manager; G. T. Haggemiller, Sheet Iron Works; Vulcan Iron Works, J. P. Graham, Manager; Chas. A. Meese, Reliance Machine Works, Ohmen Engine Works, W. H. Ohmen, Bay City Iron Works, Francis Smith & Co., Cyclops Machine Works, V. Ehemn & Co., Wm. H. Birch & Co., Walter M. Carey, Secretary and Treasurer; M. A. Graham, manufacturer Oriental Gas Engine, 105 Beale Street, A. Schilling & Sons, by J. Schilling; Pacific Coast Boiler Works; McMurphy & McEvay, per Kerr, Western Iron Works, per J. F. Sims; Risdon Iron Works, by R. Moore; Judson Manufacturing Co., John Gillson, Secretary; Miller, Sloss & Scott, Jas. Sloss, Secretary; Abner Doble Co., Pacific Saw Manufacturing Co., J. Patterson, Manager; W. W. Montague & Co., A. A. Watkins, Holbrook, Merrill & Stetson, by John F. Merrill, Vice-President; California Wire Works, Henry L. Davis, Secretary; Union Iron Works, by H. L. Scott, Dow Steam Pump Works, by Geo. E. Dow; Ralston Iron Works, by H. Ralston; Main Street Iron Works, per J. E. Deacon; Pacific Car Co., per Irwin; C. P. Littell & Co., 215 Mission Street, M. Greenberg's Sons, per J. Greenberg; P. F. Clerc Machine Works; Golden West Iron Works, Dyer Bros., 110 Main Street; W. T. Garratt & Co., by B. F. Garratt; Cahill & Hall Elevator Co., by Patrick Cahill, President; Eureka Boiler Works, per Ed. Brady; Whyte & DeRome, Globe Brass Foundry; Reid & Madden, 254 and 256 Spear Street; I. S. Van Winkle & Co., N. T. Romaine, Manager, E. Payne, President; C. J. Gilbert; San Francisco Lodge No. 25, Brotherhood of Boiler-makers and Iron Ship Builders; M. M. McGlynn, President, E. P. Barman, Secretary, San Francisco Labor Council, Edwin Forrest, Foreman Blacksmith, Risdon Iron and Locomotive Works; Payne's Bolt Works, G. Staynor, President, A. J. McNichol & Co., 122 Main Street, elevator manufacturers; The Black Diamond Coal Mining Co., by P. B. Cornwall, President; Sacramento Boiler and Iron Works, J. A. Cunningham, proprietor; M. Schofield, President I. W. U. No. 164, W. Baker, Recording Secretary I. W. U. No. 164; John Kear, President, Geo. C. Hunter, Secretary, Amalgamated Engineers of San Francisco, W. Scherer, President, Polikarp Miller, of United Brotherhood of Carpenters and Joiners' Union No. 304, Harry Bruce, President, A. J. Reid, Financial Secretary of Stonecutters' Association; Musicians' Mutual Protective Union, J. J. Matheson, President, E. E. Schmit, Secretary; John J. Seary, President, Chas. S. True, Recording Secretary, Marine Engineers' Beneficial Association No. 35; Hugh McGower, President, Bernard Ward, Financial Secretary, of Pacific Coast Marine Firemen's Union; W. H. Evans, Foreman Blacksmith, Golden State Miners' Iron Works; Monroe Hammeltenberg, Foreman Machinist, Golden State Miners' Iron Works, Walter Ryan, Foreman Blacksmith, Branch Union Iron Works, T. H. Blanding, Foreman Branch No. 1, Union Iron Works, Geo. R. Kingsland, Foreman F. E. & S. B. W.

ADJOURNMENT.

At ten o'clock and twenty-five minutes P. M., on motion of Mr. Brusie, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Wednesday, March 6, 1895. }

The Assembly met pursuant to adjournment.

Speaker Lynch in the chair.

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

Messrs. Ash, Bachman, Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Bledsoe, Boothby, Brusie, Bulla, Butler, Cargill, Coghlin, Coleman, Collins, Cutter, Dale, Davis, Devine, Devitt, Dinkelspiel, Dixon, Dodge, Dunbar, Dwyer, Ewing, Fassett, Freeman, Gay, Glass, Guy, Hall, Hatfield, Healey, Holland, Huber, Hudson, Johnson, Jones, Keen, Kelsey, Kenyon, Laird, Langenour, Lewis, Llewellyn, Meads, McCarthv, McKelvey, Merrill, Nelson, North, O'Day, Osborn, Pendleton, Phelps, Powers, Price, Reid, Richards, Robinson, Rowell, Sanford, Spencer, Staley, Stansell, Swisler, Thomas, Tibbits, Tomblin, Twigg, Waymire, Weyse, Wilkinson, Zocchi, and Mr. Speaker

Quorum present.

PRAYER

Prayer by the Chaplain, Rev. O. Summers.

READING OF THE JOURNAL.

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

So ordered.

Mr. Collins was granted leave to place Assembly Bill No. 609 on the foot of the urgency file.

PRESENTATION OF PETITIONS.

By Mr. Glass: By residents, citizens, and taxpayers of San Luis Obispo County, barbers by trade, favoring the passage of the bill of Mr. Cutter, preventing the keeping open of barber shops on Sunday.

Referred to Committee on Public Morals.

By Mr. Dinkelspiel: From a committee representing the interests of steam-users, engineers, machinery dealers, and boiler manufacturers of this State, protesting against the passage of Assembly Bill No. 919, in reference to inspection of boilers.

Referred to Committee on Manufactures and Internal Improvements.

By Mr. Twigg: From citizens, business men, and workingmen of this State, in favor of the passage of Assembly Bill No. 919, or some law containing the same features.

Referred to Committee on Manufactures and Internal Improvements.

By Mr. Guy: From quite a number of citizens of San Diego, asking the appointment of a commission of earnest and competent men with authority to hold a public investigation, summon witnesses, and require the production of books, papers, and testimony in regard to last election.

Referred to Committee on Public Morals.

By Mr. Bennett: From citizens of the State in favor of the passage of a Sabbath law.

Referred to Committee on Public Morals.

By Mr. Keen: From citizens of the State in favor of the passage of a Sabbath law.

Referred to Committee on Public Morals.

REPORTS OF STANDING COMMITTEES.

ON MILEAGE.

ASSEMBLY CHAMBER, SACRAMENTO, March 5, 1895

MR. SPEAKER: Your Committee on Mileage, to whom was referred report of Sub-Committee on Hospitals and Asylums, as follows:

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1895.

MR. SPEAKER: The Sub-Committee on State Hospitals and Asylums, appointed to investigate the Insane Asylums located at Napa, Ukiah, and Agnews, the Home for Feeble-Minded Children, located at Glen Ellen, and the Veterans' Home, located at Yountville, having visited said places and reported back to your honorable body the result of their investigations, now present account of expenses, to wit:

Chas. C. Cargill.....	\$63 40
J. H. Glass	63 40
O. H. Huber	63 40
R. Gay	63 40
L. P. Zocchi	63 40
Total	\$317 00

Resolved, That the Controller be and he is hereby directed to draw his warrant in favor of Chas. G. Cargill, Chairman of said committee, for the sum of three hundred and seventeen dollars, as per above statement, said warrant to be drawn upon the fund for contingent expenses of the Assembly, and the Treasurer is directed to pay the same

CARGILL, Chairman.

Have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

STALEY, Chairman

Adopted.

ON PUBLIC MORALS.

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1895.

MR. SPEAKER: Your Committee on Public Morals, to whom was referred Assembly Bill No. 1004—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

BETTMAN, Chairman.

ON MILITARY AFFAIRS

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1895.

MR. SPEAKER. Your Committee on Military Affairs, to whom was referred Assembly Joint Resolution No. 25—Joint resolution relative to the procuring the exchange of arms now in the hands of the military forces of this State, for improved arms now in possession of the United States—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Assembly Bill No. 969—An Act to amend section seven hundred and twenty-nine of the Penal Code of the State of California, relating to the National Guard of California—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

OSBORN, Chairman

ON REVENUE AND TAXATION.

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1895.

MR. SPEAKER: Your Committee on Revenue and Taxation, to whom was referred Assembly Bill No. 887—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to Committee on Corporations.

FREEMAN, Chairman.

Assembly Bill No. 887 referred to Committee on Corporations.

ON PUBLIC HEALTH AND QUARANTINE.

ASSEMBLY CHAMBER, SACRAMENTO, March 5, 1895

MR. SPEAKER: Your Committee on Public Health and Quarantine, to whom was referred Assembly Bill No. 902—An Act to add one new section to the Civil Code, relating to cemetery corporations, to be numbered section six hundred and sixteen—have had the same under consideration, and respectfully report the same back, and recommend that it do pass

Also: Assembly Bill No. 924—An Act to amend section two thousand two hundred and eleven of the Political Code, relating to the committal of insane persons, to amend section two thousand two hundred and seventeen of the Political Code, relating to the committal of insane persons, to amend section two thousand two hundred and twenty of the Political Code, relating to the committal, admission, detention, and discharge of idiots, imbeciles, certain insane persons, etc. and to add a new section to the Political Code, to be known and designated as section two thousand two hundred and twenty-three of the Political Code, relating to the examination of persons after commitment charged with insanity—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to the Committee on Judiciary.

Also: Assembly Bill No. 923—An Act to add a new section to the Penal Code, to be known and designated as section one hundred and eighty of the Penal Code of the State of California, relating to detention of insane persons without trial by jury—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

GLASS, Chairman.

Assembly Bill No. 924 referred to Committee on Judiciary.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, March 5, 1895.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Assembly Bill No. 973—An Act to amend section six and section eight 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'"—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Assembly Bill No. 1006—An Act to provide for the filling up or draining of lots upon which there is stagnant water or offensive substances, and providing for collection of costs of the same—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also: Assembly Bill No. 876—An Act to amend section seven hundred and fifty-seven of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Assembly Bill No. 731—An Act to provide for the change of grade, and for regrading and improving, in conformity with such change, the streets, lanes, alleys, courts, and places within municipalities—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

GUY, Chairman.

ON ROADS AND HIGHWAYS.

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1895.

MR. SPEAKER: Your Committee on Roads and Highways, to whom was referred Assembly Bill No. 573—An Act to provide for the protection of public highways from damage from overflow of natural non-navigable watercourses.

Also: Assembly Bill No. 667—An Act to amend section two thousand six hundred and forty-one of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the powers and duties of highway officers.

Also: Assembly Bill No. 868—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-five, and two thousand six hundred and fifty-two of the Political Code, relating to roads and highways.

Have had the same under consideration, and respectfully report the same back, and recommend that the authors be allowed to withdraw the same.

Also: Assembly Bill No. 883—An Act to amend section two thousand six hundred and forty-three of the Political Code of the State of California, relative to the abandonment of public highways—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also: Assembly Bill No. 933—An Act to prevent the running at large of animals upon public roads and highways—have had the same under consideration, and respectfully report the same back, with the following recommendations. A majority of said committee recommend that it do pass.

SWISLER, Chairman

We, the undersigned members of said committee, recommend that said bill do not pass:

BARKER.
HALL.
SWISLER.

The following bills were withdrawn: Assembly Bills No. 573, 667, and 868.

ON AGRICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1895

MR. SPEAKER: Your Committee on Agriculture, to whom was referred Assembly Bill No. 1005—An Act to create a Division of Poultry, and to provide for scientific and practical experiments with poultry culture under authority of the State University—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

RICHARDS, Chairman

ON CORPORATIONS

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1895

MR. SPEAKER: Your Committee on Corporations, to whom was referred Assembly Bill No. 990—An Act to provide for the establishment of a Board of Examiners for the California State Therapeutic Society—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Assembly Bill No. 999—An Act to amend section five hundred and one of the Civil Code of the State of California, relating to street railroad corporations—have had the same under consideration, and respectfully report the same back, and recommend that the author be allowed to withdraw same, as a similar bill has heretofore been reported to the House.

Also: Assembly Bill No. 655—An Act to add a new section to the Penal Code, to be known and numbered section six hundred and fifty-five, relating to dealing in options—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also: Assembly Bill No. 994—An Act to compel street railroad companies to return fare, or its equivalent, to passengers where travel on their cars has been stopped for a period of ten minutes or more, from any cause whatever—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

PENDLETON, Chairman.

Assembly Bill No. 999 withdrawn by Mr. Dinkelspiel.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, March 5, 1895.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 954—An Act appropriating the sum of twenty-five thousand dollars for a thorough system of ventilation for the Capitol building—have had the same under consideration, and respectfully report the same back, and recommend that it do pass

BRUSIE
SWISLER.
LAUGENOUR.
DEVINE
TOMBLIN.
KELSEY.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1895.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 860—An Act to appropriate four thousand seven hundred and fifty dollars, as compensation to "The California Demokrat Publishing Company," a corporation incorporated, organized, and existing under the laws of the State of California, for having published proposed amendments to the Constitution of the State of California, during the year 1894.

Also: Assembly Bill No. 950—An Act to appropriate four thousand and seventy-five dollars and fifty cents, as compensation to "Italian Publishing Company," a corporation incorporated, organized, and existing under the laws of the State of California, for having published proposed amendments to the Constitution of the State of California during the year 1894.

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

Also Assembly Bill No. 861—An Act making an appropriation to pay the claim of Louise Rienzi for services rendered the State Board of Silk Culture as Secretary, Instructress, and Silk Expert, from December 12, 1885, to April 2, 1887, at eighty-seven dollars and fifty cents per month.

Also: Assembly Bill No. 137—An Act to appropriate the sum of three hundred dollars, to pay the claim of A. L. Wood for the capture of Francisco Torres

Also Assembly Bill No. 500—An Act to provide for the erection and construction of a State Hospital for the care of indigent sick and disabled persons, residents of the State of California, and to provide for the maintenance thereof

Also: Assembly Bill No. 1007—An Act to pay the claim of Thos. Hatch, and making an appropriation therefor.

Also: Assembly Bill No. 917—An Act making an appropriation to pay the indebtedness incurred by the Board of Bank Commissioners, and authorizing and directing the Board to raise the amount, in addition to the amount of annual expenses for the forty-seventh fiscal year.

Also: Assembly Bill No. 832—An Act making an appropriation to purchase additional lands for the occupancy and use of the Preston School of Industry at Ione

Also: Assembly Bill No. 588—An Act to pay the claim of William G. Hall against the State of California, and to make an appropriation therefor.

Also: Assembly Bill No. 289—An Act to provide for certain additions, improvements, and repairs at the Folsom State Prison, for transfer of convicts from San Quentin State Prison, consolidation of State Prisons, and making an appropriation therefor.

Also: Assembly Bill No. 465—An Act to appropriate five thousand dollars for repairs and improvements upon the grounds of the State Insane Asylum at Agnews.

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

Also: Assembly Bill No. 777—An Act authorizing the State Board of Prison Directors to establish a factory at the Folsom State Prison for the manufacture of school furniture, and making an appropriation therefor.

Also: Assembly Bill No. 972—An Act to appropriate the sum of five thousand dollars for the use of the State Board of Railroad Commissioners in making investigations and experiments to determine the most economical mode of transporting fruits, vegetables, and other agricultural products of the State of California to market, and to provide for the adoption of such method by transportation companies of this State.

Also: Assembly Bill No. 968—An Act to appropriate nine thousand seven hundred and five dollars and fifty cents, to pay the claim of C. H. Reynolds, upon certain Indian war bonds.

Also: Assembly Bill No. 444—An Act to authorize the Directors of the Mendocino Asylum to purchase additional lands for the use of said asylum.

Also: Assembly Bill No. 480—An Act to provide for the erection and equipment of a combined laundry, boiler, and power building at the California Home for the Care and Training of Feeble-Minded Children, to establish an electric light plant therein, to provide accommodations for idiots, to furnish the girls' wing of said institution, and to appropriate money therefor.

Also: Assembly Bill No. 231—An Act to amend sections ten and eleven of an Act entitled "An Act to establish a branch insane asylum for the insane of the State of California, at Ukiah, to be known as the 'Mendocino State Insane Asylum,' and appropriating money therefor," approved February 20, 1889, relating to the qualifications, duties, and compensation of the Medical Superintendent of said asylum; and also the appointment, duties, and compensation of the Assistant Physician, and authorizing the Board of Directors, if in their judgment it should become necessary, to elect an additional physician, and providing for his compensation.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

Also: Assembly Bill No. 181—An Act to amend 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, in relation to salary of Secretary.

Also: Assembly Bill No. 458—An Act to amend an Act amendatory of section four hundred and twenty-five of the Political Code, approved March 20, 1889, relating to special policemen for the State Capitol grounds, and to their powers and the payment of their salaries.

Also: Assembly Bill No. 207—An Act to appropriate money for the erection of a monument upon the plot of ground belonging to the Sacramento Association of Veterans of the Mexican War, situate in the City Cemetery of Sacramento, and for the improvement of said grounds.

Also: Assembly Bill No. 537—An Act to appropriate moneys to aid in erecting a monument over the grave of the late Secretary of State, E. G. Waite, and to prescribe the duties of the Controller and Directors of State Burial Grounds in relation thereto.

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

Also: Assembly Bill No. 133—An Act to pay the claim of Edwin J. Card against the State of California, and to appropriate the money therefor—have had the same under consideration, and respectfully report the same back, and recommend that Senate Bill No. 162 be substituted therefor, and recommend that Senate Bill No. 162 do pass.

BRUSIE, Chairman

RESOLUTION—(OUT OF ORDER).

By Mr. Brusie:

Resolved, That the State Controller be and he is hereby authorized and directed to draw his warrant upon the State Treasurer in favor of H. M. Collins as a member of the Assembly from the Forty-ninth Assembly District, Alameda County, from January 7, 1895, up to and including February 27, 1895, at the rate fixed by law, be it further

Resolved, That the State Controller be and he is hereby authorized and directed to draw his warrant in favor of said Collins for the sum of twenty-five dollars for contingent expenses as a member of the Assembly, as provided for by section twenty-three of article four of the Constitution of the State, be it further

Resolved, That the State Controller be and he is hereby authorized and directed to draw his warrant in favor of said Collins for the sum of eighteen dollars and twenty cents, for his mileage as a member of the Assembly; be it further

Resolved, That the warrants ordered to be drawn by these resolutions be drawn upon and made payable out of the appropriation for the contingent expenses of the Assembly, and the Treasurer of State is hereby authorized and directed to pay the same.

Adopted.

WITHDRAWAL AND SUBSTITUTION OF BILL.

Assembly Bill No. 133 was withdrawn and Senate Bill No. 162 substituted therefor.

ASSEMBLY CONCURRENT RESOLUTION.

By Mr. McKelvey:

WHEREAS, The case of Tragea vs. The Board of Directors of Modesto Irrigation District, which involves the question of the constitutionality of the irrigation laws of the State of California, has been pending in the Supreme Court of the United States for three years, and whereas, an early decision of that case is of the utmost importance to this State, for the reason that, although the Courts of this State have always, in numerous decisions, sustained the validity of said laws, the long delay of the Supreme Court in disposing of the said case has caused serious embarrassment to many of the irrigation districts, and through them to the people of this State, now, therefore, be it

Resolved by the Assembly, the Senate concurring, That the Supreme Court of the United States be hereby respectfully advised that an early decision of said cause would be of great public benefit, and would be esteemed a special favor to the State of California.

Resolved, That a copy of this resolution be transmitted by telegraph to the Chief Justice of the United States.

Lost.

RESOLUTION.

By Mr. Brusie:

Resolved, That the State Controller be and is hereby directed to draw his warrant for the sums, and made payable to the persons herein, as follows:

E S Tomblin:	
Railroad fare, Sacramento to San Francisco and return.....	\$5 00
Hotel, 2 days, San Francisco.....	6 00
Charles A Swisler:	
Railroad fare, Sacramento to San Francisco and return	5 00
Hotel, 2 days.....	6 00
J D. Kelsey:	
Railroad fare, Sacramento to San Francisco and return.....	5 00
Hotel, 2 days.....	6 00
J L. Gillis, Clerk:	
Railroad fare, Sacramento to San Francisco and return.....	5 00
Hotel, 2 days.....	6 00
Judson Brusie:	
Railroad fare, Sacramento to San Francisco and return....	5 00
Hotel, 2 days.....	6 00

Said amount being the actual expenses of the Sub-Committee on Ways and Means on their visit to San Francisco, in reference to the investigation of the taxation of telephone companies.

Referred to Committee on Mileage.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON CLAIMS.

ASSEMBLY CHAMBER, SACRAMENTO, March 5, 1895

MR SPEAKER: Your Committee on Claims, to whom was referred Assembly Bill No. 947—An Act to pay "La Voce del Popolo" for printing constitutional amendments—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to the Committee on Ways and Means.

Also: Assembly Bill No. 948—An Act to pay "Le Franco Californien" for printing constitutional amendments—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to Committee on Ways and Means

Also: Assembly Bill No. 957—An Act to provide payment for the advertising of the constitutional amendments, and to make appropriation therefor—have had the same under consideration, and respectfully report the same back, and recommend that the author of this bill be allowed to withdraw the same, for the reason that payment of this claim has been otherwise provided for.

GAY, Chairman.

ON PUBLIC BUILDINGS AND GROUNDS.

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1895.

MR. SPEAKER: Your Committee on Public Buildings and Grounds, to whom was referred Assembly Bill No. 682—An Act authorizing the State Capitol Commissioners to improve certain streets in the city of Sacramento, to wit: L Street from the east line of Tenth Street to the west line of Fifteenth Street, and Fifteenth Street from the north line of L Street to the south line of N Street, and N Street from the east line of Tenth Street to the west line of Fifteenth Street, also, to reconstruct Tenth Street from the center line of L Street to the center line of N Street, and to appropriate money therefor—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to Committee on Ways and Means.

BERRY, Chairman.

Assembly Bill No. 682 referred to Committee on Ways and Means.

MOTION.

Mr. Llewellyn moved that Assembly Bill No. 212 be made a special order for to-morrow, at eleven o'clock A. M.

Lost.

WITHDRAWAL OF BILLS.

Assembly Bills Nos. 78, 951, 510, 778, 319, and Assembly Constitutional Amendments Nos. 46 and 47 were withdrawn.

SPECIAL FILE.

Assembly Bill No. 624—An Act making an appropriation for the support of the Southern California State Asylum for the Insane and Inebriates for the remainder of the forty-sixth fiscal year.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Bachman, Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Brusie, Bulla, Butler, Cargill, Coghlin, Coleman, Collins, Dale, Davis, Devine, Dinkelspiel, Dixon, Dodge, Dunbar, Dwyer, Ewing, Fassett, Freeman, Gay, Hall, Hatfield, Holland, Johnson, Jones, Keen, Kelsey, Kenyon, Llewellyn, Meads, North, O'Day, Osborn, Pendleton, Phelps, Powers, Price, Richards, Rowell, Spencer, Staley, Stansell, Swisler, Tomblin, Waymire, Weyse, and Mr. Speaker—53

NOES—None.

Title read and approved.

Mr. Freeman moved that Assembly Bill No. 624 be immediately transmitted to the Senate.

So ordered.

MOTION.

Mr. Pendleton moved to reconsider the vote whereby Senate Bill No. 100 was on yesterday refused final passage.

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

AYES—Messrs. Ash, Bachman, Bassford, Berry, Bettman, Boothby, Brusie, Butler, Coghlin, Coleman, Collins, Cutter, Devine, Devitt, Dinkelspiel, Dixon, Dwyer, Ewing, Freeman, Gay, Guy, Hatfield, Healey, Holland, Keen, Kelsey, Laugenour, Lewis, Llewellyn, McCarthy, McKelvey, Merrill, O'Day, Pendleton, Price, Sanford, Staley, Swisler, Tomblin, Twigg, Weyse, Wilkinson, and Mr. Speaker—43

NOES—Messrs. Belshaw, Bennett, Bledsoe, Bulla, Cargill, Dale, Davis, Dodge, Dunbar, Fassett, Glass, Hall, Hudson, Johnson, Jones, Kenyon, North, Osborn, Phelps, Reid, Richards, Rowell, Spencer, Stansell, and Waymire—25.

At eleven o'clock and ten minutes A. M. the Speaker called Mr. Belshaw to the chair.

Senate Bill No. 100—An Act providing for the relief of John J. Conlin, directing the Board of Supervisors of the City and County of San Francisco to order paid to said Conlin, his assigns or legal representatives, the sum of sixty-one thousand five hundred and seventy-seven dollars, and directing the Auditor of said city and county to audit the demand of said Conlin for said sum, and issue his warrant therefor, and the Treasurer of said city and county to pay said warrant.

PREVIOUS QUESTION.

Pending the consideration of Senate Bill No. 100, the previous question was moved by Mr. Laugenour, seconded by Messrs. Pendleton and Bulla.

The question being, "Shall the main question be now put?"

So ordered.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Bachman, Bassford, Berry, Bettman, Boothby, Brusie, Butler, Coghlin, Coleman, Collins, Cutter, Devine, Devitt, Dinkelspiel, Dixon, Dunbar, Dwyer, Ewing, Freeman, Gay, Guy, Hall, Hatfield, Healey, Holland, Kelsey, Laugenour, Lewis, Llewellyn, Meads, McCarthy, McKelvey, Merrill, Nelson, O'Day, Osborn, Pendleton, Price, Richards, Sanford, Staley, Swisler, Tibbits, Tomblin, Twigg, Weyse, Wilkinson, Zocchi, and Mr. Speaker—50.

NOES—Messrs. Belshaw, Bennett, Bledsoe, Bulla, Cargill, Dale, Davis, Fassett, Glass, Hudson, Johnson, Jones, Keen, Kenyon, North, Phelps, Rowell, and Waymire—18.

Title read and approved.

Mr. Pendleton moved that Senate Bill No. 100 be immediately transmitted to the Senate.

So ordered.

At eleven o'clock and twenty minutes A. M. the Speaker resumed the chair.

Senate Bill No. 327—An Act making an appropriation for elevator attendant's salary for last four months of forty-sixth fiscal year.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Bachman, Barker, Bassford, Belshaw, Berry, Bettman, Boothby, Brusie, Bulla, Coghlin, Coleman, Collins, Cutter, Dale, Devine, Devitt, Dinkelspiel, Dixon, Dodge, Dunbar, Dwyer, Ewing, Fassett, Gay, Glass, Guy, Hall, Hatfield, Holland, Huber, Johnson, Jones, Keen, Kelsey, Kenyon, Laugenour, Lewis, McKelvey, O'Day, Phelps, Price, Richards, Swisler, Weyse, and Wilkinson—45.

NOES—Mr. Bledsoe—1

Title read and approved.

At eleven o'clock and twenty-five minutes A. M. the Speaker called Mr. McKelvey to the chair.

Assembly Bill No. 246—An Act making an appropriation to pay the deficiency in the appropriation for the State forestry stations for the forty-fifth and forty-sixth fiscal years.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Bachman, Barker, Belshaw, Bennett, Berry, Brusie, Bulla, Butler, Coghlin, Collins, Davis, Devine, Devitt, Dinkelspiel, Dunbar, Dwyer, Fassett, Freeman, Glass, Guy, Hatfield, Healey, Holland, Huber, Jones, Keen, Kelsey, Kenyon, McKelvey

Merrill, Phelps, Powers, Price, Rowell, Spencer, Swisler, Tibbits, Tomblin, Twigg, and Weyse—41.

NOES—Mr. Bledsoe—1.

Title read and approved.

Assembly Bill No. 599—An Act making an appropriation to pay the expenses of the funeral and casket for the late Secretary of State, E. G. Waite.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Bachman, Barker, Belshaw, Bennett, Berry, Brusie, Bulla, Butler, Coghlin, Collins, Dale, Davis, Devine, Dinkelspiel, Dixon, Dunbar, Fassett, Gay, Glass, Hall, Hathfield, Healey, Holland, Huber, Jones, Keen, Kelsey, Kenyon, Laugenour, McKelvey, Nelson, Phelps, Powers, Richards, Rowell, Spencer, Staley, Swisler, Tibbits, Twigg, Waymire, and Weyse—43.

NOES—Mr. Bledsoe—1.

Title read and approved.

Assembly Bill No. 601—An Act making an appropriation to pay the rent of office for the Commissioner of the Bureau of Labor Statistics in San Francisco, for the forty-fifth and forty-sixth fiscal years, ending June 30, 1895.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Bachman, Barker, Berry, Bettman, Butler, Cargill, Collins, Cutter, Dale, Davis, Devine, Dinkelspiel, Dunbar, Dwyer, Fassett, Gay, Guy, Hall, Hathfield, Huber, Hudson, Keen, Kelsey, Laugenour, Lewis, McCarthy, McKelvey, Merrill, Pendleton, Powers, Price, Richards, Robinson, Rowell, Sanford, Spencer, Staley, Swisler, Tomblin, Waymire, and Weyse—42.

NOES—Messrs. Bennett, Bledsoe, Bulla, Coghlin, Dixon, Glass, Jones, Kenyon, and Nelson—9.

Title read and approved.

Assembly Bill No. 587—An Act making an appropriation from the State School Book Fund for the completion of the revisions and compilation of State school books heretofore authorized and directed to be made, and to provide for the expenditure of the same.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Barker, Bassford, Bennett, Berry, Bettman, Brusie, Bulla, Collins, Dale, Devine, Devitt, Dixon, Dodge, Ewing, Freeman, Glass, Guy, Hall, Hathfield, Huber, Hudson, Johnson, Jones, Keen, Kelsey, Kenyon, Laugenour, McCarthy, McKelvey, Merrill, Nelson, Phelps, Powers, Richards, Robinson, Spencer, Staley, Stansell, Swisler, Tomblin, Waymire, Weyse, and Zocchi—44.

NOES—Mr. Bledsoe—1.

Title read and approved.

REPORT OF COMMITTEE ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1895

MR. SPEAKER Your Committee on Enrollment have examined and found correctly enrolled the following: Assembly Joint Resolution No. 16—Joint resolution relative to the proposed Pacific cable

Also: Assembly Joint Resolution No. 17—Joint resolution relative to the national conventions.

And presented the same to the Governor on this day at ten o'clock and forty-five minutes A. M.

MEADS, Chairman.

Assembly Bill No. 829—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-sixth fiscal year.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Bachman, Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Bledsoe, Brusie, Bulla, Butler, Cargill, Collins, Dale, Davis, Devine, Devitt, Dodge, Dunbar, Ewing, Gay, Glass, Guy, Hall, Hatfield, Huber, Hudson, Johnson, Jones, Keen, Kelsey, Kenyon, Laird, Laugenour, Llewellyn, Meads, McKelvey, Merrill, Nelson, Phelps, Powers, Richards, Robinson, Spencer, Staley, Stansell, Swisler, Tomblin, Waymire, Weyse, and Zocchi—52.

NOES—None

Title read and approved.

Assembly Bill No. 540—An Act authorizing the Trustees of the State Normal School at San José to light the grounds by electricity, and making an appropriation therefor.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Bachman, Barker, Bassford, Bennett, Berry, Bettman, Brusie, Bulla, Butler, Cargill, Coghlin, Collins, Cutter, Davis, Devine, Devitt, Dixon, Dodge, Dunbar, Dwyer, Ewing, Fassett, Gay, Glass, Guy, Hall, Hatfield, Healey, Huber, Keen, Kelsey, Kenyon, Laugenour, Lewis, Llewellyn, Meads, McKelvey, Merrill, Nelson, Phelps, Powers, Richards, Robinson, Spencer, Staley, Stansell, Swisler, Waymire, Weyse, Wilkinson, Zocchi, and Mr. Speaker—52.

NOES—Messrs. Ash, Belshaw, Bledsoe, and Dale—4.

Title read and approved.

Assembly Bill No. 221—An Act appropriating money for the use of the two State forestry stations, and for the establishment and use of a third forestry station.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Bachman, Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Brusie, Bulla, Cargill, Coleman, Collins, Cutter, Davis, Devine, Dixon, Dwyer, Fassett, Gay, Guy, Hall, Hatfield, Healey, Johnson, Kelsey, Kenyon, Laugenour, Llewellyn, Meads, McKelvey, Merrill, O'Day, Phelps, Powers, Richards, Rowell, Sanford, Spencer, Stansell, Swisler, Tibbitts, Tomblin, Waymire, Weyse, and Mr. Speaker—46.

NOES—Messrs. Bledsoe, Coghlin, Dale, Devitt, Dodge, Huber, Hudson, Price, Robinson, Staley, Wilkinson, and Zocchi—12.

Title read and approved.

Assembly Bill No. 439—An Act to authorize the State of California to secure the title to and right of way for that certain wagon road situated in El Dorado County, commencing a short distance easterly from the village of Smith's Flat, in said county, and running thence to Lake Tahoe, and to provide for the appointment, duties, and compensation of a person to be known as and called the "Lake Tahoe Wagon Road Commissioner," and to make an appropriation for the purpose of carrying into effect the provisions of this Act.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Bachman, Barker, Bassford, Berry, Bettman, Boothby, Brusie, Bulla, Butler, Cargill, Coghlin, Coleman, Collins, Cutter, Davis, Devine, Devitt, Dinkelspiel, Dixon, Dodge, Dunbar, Dwyer, Ewing, Gay, Guy, Hall, Hatfield, Healey, Holland,

Huber, Keen, Kelsey, Laugenour, Llewellyn, Meads, McCarthy, McKelvey, Merrill, O'Day, Pendleton, Powers, Richards, Staley, Stansell, Swisler, Tibbits, Twigg, Waymire, Weyse, Wilkinson, and Zocchi—51.

NOES—Messrs. Ash, Belshaw, Bennett, Bledsoe, Dale, Hudson, and Kenyon—7.

Title read and approved.

Assembly Bill No. 748—An Act to provide for the appointment and salary of an electrician and fireman.

The author, Mr. Brusie, requested to withdraw Assembly Bill No. 748. So ordered.

Assembly Bill No. 615—An Act authorizing the Clerk of the Supreme Court to re-cover old records and fitting proper store for same, and making an appropriation therefor.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill refused final passage by the following vote:

AYES—Messrs. Bachman, Bassford, Belshaw, Bulla, Davis, Devine, Dinkelspiel, Dixon, Dunbar, Ewing, Guy, Hatfield, Kenyon, Laird, McKelvey, Merrill, Pendleton, Phelps, Spencer, and Mr. Speaker—20.

NOES—Messrs. Ash, Barker, Berry, Bettman, Bledsoe, Boothby, Brusie, Butler, Cargill, Coghlin, Coleman, Collins, Dale, Devitt, Dodge, Gay, Glass, Hall, Healey, Huber, Hudson, Johnson, Keen, Kelsey, Laugenour, Lewis, Meads, McCarthy, O'Day, Osborn, Price, Robinson, Sanford, Staley, Swisler, Tibbits, Tomblin, Twigg, Weyse, and Zocchi—40.

Assembly Bill No. 187—An Act making an appropriation for the erection of additional buildings and improvements for the Southern California State Asylum for the Insane and Inebriates.

Passed, to retain its place on file.

Assembly Bill No. 797—An Act to repeal an Act entitled "An Act to create and establish a State Board of Horticulture, and to appropriate money for the expenses thereof," approved March 13, 1883, and all Acts amendatory thereof and supplementary thereto, and to confer certain powers upon the Regents of the University of California, and to provide for the protection of the horticultural interests of the State by the appointment of a Quarantine Health Officer or Officers, and to appropriate money for the expenses of the same.

Passed, to retain its place on file.

Assembly Bill No. 196—An Act making an appropriation for the erection of an additional building for the State Normal School at Chico.

Passed, to retain its place on file.

Assembly Bill No. 195—An Act making an appropriation for a fence in front of the grounds of the State Normal School at Chico.

Passed, to retain its place on file.

Assembly Bill No. 171—An Act to purchase adjacent lands at the Folsom State Prison for the use of the State Prison, and making an appropriation therefor.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Bachman, Barker, Bassford, Bennett, Berry, Bettman, Boothby, Brusie, Bulla, Butler, Coleman, Collins, Dale, Davis, Devitt, Dinkelspiel, Dixon, Dodge, Dunbar, Dwyer, Gay, Guy, Hall, Holland, Johnson, Keen, Kelsey, Kenyon, Laird, Laugenour, Llewellyn, Meads, McKelvey, O'Day, Pendleton, Powers, Sanford, Tibbits, Tomblin, Waymire, Weyse, Zocchi, and Mr. Speaker—44.

NOES—Messrs. Bledsoe, Ewing, Hudson, and Price—4.

Title read and approved.

Assembly Bill No. 6—An Act appropriating two hundred and fifty thousand dollars for the erection of buildings for the use of affiliated and other departments of the University of California.

Passed, to retain its place on file.

Assembly Bill No. 913—An Act to appropriate money to pay the indebtedness incurred by calling the National Guard into service, by order of the Governor, to enforce the law, in 1893 and 1894.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Bachman, Bassford, Belshaw, Bennett, Berry, Bettman, Bledsoe, Boothby, Brusie, Bulla, Butler, Cargill, Coghlin, Coleman, Collins, Cutter, Dale, Davis, Devine, Devitt, Dinkelspiel, Dixon, Dodge, Dwyer, Ewing, Gay, Glass, Guy, Hall, Hatfield, Healey, Holland, Huber, Johnson, Keen, Kelsey, Kenyon, Laugenour, Lewis, Llewellyn, Meads, McCarthy, McKelvey, Merrill, North, O'Day, Osborn, Pendleton, Powers, Price, Robinson, Rowell, Sanford, Spencer, Staley, Swisler, Tibbits, Tomblin, Waymire, Weyse, Wilkinson, Zocchi, and Mr. Speaker—64.

NOES—None.

Title read and approved.

Mr. Brusie moved that Assembly Bill No. 913 be immediately transmitted to the Senate.

So ordered.

Mr. Reid moved that after consideration of Assembly Bill No. 19 the Assembly take a recess until one o'clock and thirty minutes P. M.

Mr. Dodge moved to amend by making it two o'clock.

Lost.

The question being on the adoption of the motion offered by Mr. Reid, the same was adopted.

Assembly Bill No. 19—An Act appropriating six thousand five hundred dollars to pay for a system of heating and ventilating in the old State Normal School building at Los Angeles, California.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Barker, Bassford, Belshaw, Bennett, Berry, Boothby, Bulla, Butler, Coleman, Collins, Cutter, Davis, Devine, Dinkelspiel, Dixon, Dodge, Dunbar, Dwyer, Ewing, Glass, Guy, Hatfield, Healey, Huber, Johnson, Keen, Kelsey, Kenyon, Laugenour, Lewis, Llewellyn, Meads, McCarthy, McKelvey, Merrill, Nelson, North, O'Day, Pendleton, Powers, Sanford, Staley, Swisler, Tibbits, Tomblin, Twigg, Waymire, and Weyse—49.

NOES—Messrs. Bledsoe, Coghlin, Dale, and Zocchi—4.

Title read and approved.

RECESS.

The hour of recess having arrived, the Speaker declared recess until one o'clock and thirty minutes P. M.

REASSEMBLED.

The Assembly reassembled at one o'clock and thirty minutes P. M.

Speaker Lynch in the chair.

Quorum present.

Assembly Bill No. 219—An Act appropriating two hundred and fifty thousand dollars for the erection of buildings at Berkeley, Alameda County, for the use of the University of California.

Passed, to retain its place on file.

Assembly Bill No. 106—An Act providing for the selection, condemnation, and purchase of a suitable site, and the erection thereon of a State building in San Francisco, and making an appropriation therefor.

Passed, to retain its place on file.

Assembly Bill No. 879—An Act to provide for the payment for the advertising of the constitutional amendments, and to make an appropriation therefor.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Bassford, Bennett, Berry, Bettman, Boothby, Brusie, Coghlin, Dale, Devine, Devitt, Dixon, Dunbar, Gay, Guy, Hatfield, Holland, Huber, Johnson, Jones, Kelsey, Kenyon, Laird, Laugenour, McCarthy, Nelson, North, O'Day, Osborn, Phelps, Powers, Richards, Robinson, Sanford, Swisler, Tibbits, Tomblin, Twigg, Waymire, Wilkinson, Zocchi, and Mr. Speaker—42.

NOES—Messrs. Belshaw, Bulla, Dodge, Ewing, Fassett, Glass, Hall, Healey, Hudson, Meads, Rowell, and Weyse—12.

Title read and approved.

Mr. Dixon moved that Assembly Bill No. 879 be immediately transmitted to the Senate.

So ordered.

Assembly Bill No. 877—An Act making an appropriation to pay the deficiency in the appropriation for ballot paper for the forty-sixth fiscal year.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Belshaw, Bennett, Berry, Bettman, Brusie, Bulla, Coghlin, Coleman, Dale, Devine, Devitt, Dixon, Dodge, Dunbar, Ewing, Gay, Glass, Guy, Hall, Hatfield, Holland, Huber, Hudson, Johnson, Jones, Kenyon, Laird, Laugenour, Meads, McCarthy, North, O'Day, Osborn, Phelps, Price, Richards, Robinson, Rowell, Sanford, Spencer, Staley, Swisler, Tibbits, Tomblin, Waymire, Weyse, Wilkinson, and Mr. Speaker—49.

NOES—None.

Title read and approved.

Assembly Bill No. 91—An Act to appropriate the sum of one thousand five hundred dollars to pay the claim of T. Carl Spelling against the State.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Bassford, Belshaw, Bennett, Berry, Bettman, Boothby, Brusie, Bulla, Cargill, Coghlin, Coleman, Davis, Devitt, Dixon, Dodge, Dunbar, Fassett, Gay, Guy, Hall, Hatfield, Healey, Holland, Huber, Jones, Kelsey, Kenyon, Laird, Laugenour, Lewis, Meads, McCarthy, McKelvey, Merrill, Nelson, North, O'Day, Osborn, Phelps, Powers, Price, Reid, Richards, Sanford, Staley, Swisler, Tibbits, Tomblin, Twigg, Waymire, Weyse, Wilkinson, Zocchi, and Mr. Speaker—54.

NOES—Messrs. Ash, Dale, Ewing, Glass, Hudson, Johnson, Robinson, and Rowell—8.

Title read and approved.

LEAVE OF ABSENCE.

Mr. Keen was granted leave of absence for the day.

Assembly Bill No. 708—An Act making an appropriation to pay the deficiency in the appropriation for the erection of additional buildings

and improvements for the Southern California State Asylum for the Insane and Inebriates.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Bachman, Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Boothby, Brusie, Bulla, Coghlin, Coleman, Davis, Devitt, Dixon, Dodge, Dunbar, Dwyer, Ewing, Fassett, Gay, Glass, Guy, Hall, Hatfield, Healey, Holland, Huber, Hudson, Jones, Kenyon, Laugenour, Meads, McCarthy, Merrill, Nelson, North, O'Day, Osborn, Powers, Richards, Rowell, Sanford, Staley, Swisler, Tomblin, Waymire, Weyse, Zocchi, and Mr. Speaker—50

NOES—Messrs. Ash, Bledsoe, and Dale—3.

Title read and approved.

Assembly Bill No. 709—An Act making an appropriation to pay the indebtedness incurred by the Board of Trustees of the Southern California State Asylum for the Insane and Inebriates, in providing a refrigerator for said asylum.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Bassford, Belshaw, Bennett, Berry, Bettman, Brusie, Bulla, Coleman, Dwyer, Ewing, Gay, Guy, Hall, Hatfield, Healey, Holland, Huber, Jones, Kelsey, Kenyon, Laird, Laugenour, Lewis, Meads, McCarthy, McKelvey, Merrill, Nelson, North, Osborn, Phelps, Price, Richards, Robinson, Rowell, Staley, Stansell, Swisler, Tomblin, Twigg, Waymire, Weyse, Zocchi, and Mr. Speaker—45.

NOES—Messrs. Bledsoe, Coghlin, Dale, and Dunbar—4.

Title read and approved.

Mr. Bettman presented the following, and moved that it be printed in the Journal.

So ordered.

SAN FRANCISCO, March 6, 1895

To the Honorable Speaker of the Assembly, Sacramento.

The undersigned committee, representing the commercial organizations and mercantile interests of San Francisco, earnestly and emphatically protest against the passage of Assembly Bill No. 541, whereby thirty or forty thousand dollars annually will be diverted from the municipal treasury to an official who already receives a stated salary of eight thousand dollars per annum, twice as much as Superior Judges receive, and more than any judicial officer in the State. Our municipality is at present in urgent need of the moneys which this bill would divert from the treasury. Any alleged hardships in the enforcement of the present Act can be easily remedied by providing for Deputy Treasurers in the Sheriff's and Clerk's offices as per bill passed by you. As the representatives of vast business interests and property rights of great magnitude in San Francisco, we earnestly petition your honorable body to defeat Assembly Bill No. 541, and we further respectfully request that this petition be entered in your Journal.

WALTER M. CASTLE,
HUGH CRAIG,
ARTHUR G. TOWNE,

Committee representing Chamber of Commerce of San Francisco.

GEO. T. HAWLEY,
M. P. JONES,
ALFRED J. MARCUS,

Committee representing Board of Trade of San Francisco.

Senate Bill No. 467—An Act to amend section three thousand six hundred and seventy-eight of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the annual preparation of an abstract of all mortgages, deeds of trust, contracts, and other obligations by which any debt is secured.

Passed, to retain its place on file.

SPECIAL SENATE FILE.

Senate Bill No. 462—An Act to prevent evil-disposed persons from coming upon the grounds of the Whittier State School, at Whittier, California.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Bachman, Bassford, Belshaw, Bennett, Berry, Bettman, Bledsoe, Bulla, Butler, Coleman, Collins, Cutter, Dale, Davis, Devine, Devitt, Dixon, Dodge, Dunbar, Dwyer, Ewing, Glass, Guy, Hatfield, Healey, Huber, Hudson, Johnson, Jones, Kenyon, Laugenour, Llewellyn, Meads, McKelvey, Merrill, Nelson, North, Osborn, Powers, Price, Rowell, Sanford, Staley, Stansell, Swisler, Thomas, Tibbits, Waymire, Weyse, Wilkinson, Zocchi, and Mr. Speaker—53.

NOES—None.

Title read and approved.

Mr. Huber moved to immediately transmit Senate Bill No. 462 to the Senate.

So ordered.

Senate Constitutional Amendment No. 3—A resolution to propose to the people of the State of California an amendment to article thirteen of the Constitution, section one, relative to revenue and taxation.

The following committee amendment was submitted:

Amend by striking out all after the word "follows," and inserting the following: "Section 15 All vessels registered at any port in this State, and engaged in ocean commerce between any port in the United States and any foreign port, or between ports in the United States, shall be exempt from all licensed taxes or regulation, and from all local and State taxation."

Adopted.

Assembly Constitutional Amendment No. 3 referred to Committee on Constitutional Amendments.

Senate Constitutional Amendment No. 16—A resolution proposing to the people of the State an amendment to section one of article thirteen of the Constitution, relative to exemptions from taxation.

Re-referred to Committee on Constitutional Amendments.

Mr. Hatfield moved that Assembly Constitutional Amendment No. 49 be re-referred to Committee on Constitutional Amendments, and retain its place on file.

So ordered.

Mr. Davis moved that Assembly Constitutional Amendments Nos. 29, 17, and Senate Constitutional Amendment No. 3, be re-referred to Committee on Constitutional Amendments, and retain their place on file.

So ordered.

Senate Bill No. 772—An Act to establish a Police Court in and for the city of Eureka.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Bassford, Belshaw, Bennett, Berry, Bettman, Bledsoe, Boothby, Brusie, Bulla, Coleman, Collins, Cutter, Dale, Davis, Devine, Devitt, Dinkelspiel, Dixon, Dodge, Dunbar, Ewing, Gay, Glass, Guy, Hall, Holland, Hudson, Johnson, Jones, Kelsey, Kenyon, Laugenour, Llewellyn, Meads, McCarthy, McKelvey, North, Osborn, Phelps, Powers, Price, Richards, Rowell, Spencer, Staley, Stansell, Swisler, Tibbits, Waymire, Weyse, Zocchi, and Mr. Speaker—53.

NOES—None.

Title read and approved.

At two o'clock and twenty five minutes P. M. the Speaker called Mr. Brusie to the chair.

Senate Bill No. 42—An Act to amend an Act entitled "An Act to provide a system of street improvement bonds to represent certain assessments for the cost of street work and improvement within municipalities, and also for the payment of such bonds." approved February 27, 1893.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Bassford, Belshaw, Bennett, Berry, Bettman, Boothby, Brusie, Bulla, Butler, Coleman, Collins, Cutter, Dale, Davis, Devine, Devitt, Dunkelspiel, Dixon, Dodge, Dunbar, Dwyer, Fassett, Gny. Hall, Hatfield, Healey, Holland, Huber, Hudson, Jones, Kelsey, Kenyon, Laugenour, Llewellyn, Meads, McCarthy, McKelvey, Merrill, Nelson, O'Day, Powers, Price, Richards, Rowell, Sanford, Staley, Stansell, Swisler, Tibbits, Tomblin, Waymire, Weyse, Wilkinson, Zocchi, and Mr. Speaker—66.

NOES—Messrs. Bledsoe and Ewing—2.

Title read and approved.

Senate Bill No. 514—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.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Bachman, Bassford, Bennett, Berry, Bettman, Bledsoe, Boothby, Brusie, Bulla, Butler, Coghlin, Coleman, Collins, Cutter, Dale, Davis, Devine, Devitt, Dinkelspiel, Dixon, Dodge, Dunbar, Dwyer, Ewing, Fassett, Gay, Glass, Guy, Hall, Hatfield, Healey, Holland, Huber, Hudson, Johnson, Kelsey, Kenyon, Laugenour, Llewellyn, Meads, McCarthy, McKelvey, Merrill, Nelson, North, Phelps, Powers, Price, Richards, Rowell, Sanford, Spencer, Staley, Stansell, Swisler, Thomas, Tibbits, Tomblin, Waymire, Weyse, Wilkinson, Zocchi, and Mr. Speaker—64.

NOES—Mr. Jones—1.

Title read and approved.

Mr. Bettman moved that Senate Bill No. 514 be immediately transmitted to the Senate.

So ordered.

Senate Bill No. 331—An Act making an appropriation for the payment of R. J. Broughton, for conveyance of Anna Campbell, an insane person, to the Napa Insane Asylum.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Bachman, Bassford, Bennett, Berry, Boothby, Brusie, Butler, Coleman, Collins, Cutter, Dale, Devine, Devitt, Dixon, Dodge, Dunbar, Dwyer, Gay, Glass, Guy, Hall, Hatfield, Huber, Hudson, Johnson, Jones, Kelsey, Kenyon, Laugenour, Llewellyn, Meads, McCarthy, McKelvey, Merrill, Nelson, O'Day, Pendleton, Phelps, Powers, Price, Sanford, Spencer, Staley, Stansell, Swisler, Tibbits, Waymire, Weyse, Wilkinson, and Zocchi—51.

NOES—None.

Title read and approved.

Senate Bill No. 119—An Act to reduce the number of Judges of the Superior Court of the county of Fresno from three to two.

Mr. Powers moved to amend by striking out all after section one and inserting in lieu thereof the following:

SEC. 2. This Act shall take effect at the expiration of the terms of office of the two additional Judges of said Court elected in the year 1894, by virtue of the Act of the Legislature entitled "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," approved March 8, 1887, and the Act of the Legislature entitled "An Act to facilitate the disposition of business in the Superior Court of Fresno County, by the appointment and election of a third Judge of said Court," approved March 10, 1893, and that at the election in the year 1900 but one Judge of said Court shall be elected to succeed said two Judges; *provided*, that in case of the death, resignation, or removal of either of said Judges before the expiration of his term of office, then this Act shall take effect immediately and no person shall be appointed or elected to succeed such Judge.

Lost.

Senate Bill No. 119 read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Bachman, Bassford, Belshaw, Bennett, Berry, Bledsoe, Brusie, Bulla, Butler, Cargill, Coleman, Collins, Cutter, Dale, Davis, Devine, Dinkelspiel, Dixon, Dodge, Dunbar, Dwyer, Ewing, Fassett, Gay, Glass, Guy, Hall, Hatfield, Huber, Hudson, Johnson, Kelsey, Kenyon, Laugenour, Llewellyn, Meads, McKelvey, Merrill, Nelson, North, Phelps, Reid, Richards, Rowell, Sanford, Spencer, Staley, Stansell, Swisler, Thomas, Tibbits, Tomblin, Waymire, Weyse, and Wilkinson—56

NOES—Messrs. Coghlin, Devitt, Healey, McCarthy, O'Day, Powers, and Zocchi—7.

Title read and approved.

Mr. Rowell moved that Senate Bill No. 119 be immediately transmitted to the Senate.

So ordered.

Mr. Meads moved that Senate Bill No. 42 be immediately transmitted to the Senate.

So ordered.

Senate Bill No. 148—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 question being on the final passage of the bill.

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

AYES—Messrs. Ash, Bachman, Bassford, Belshaw, Bennett, Berry, Bledsoe, Boothby, Brusie, Bulla, Butler, Cargill, Coghlin, Coleman, Collins, Cutter, Dale, Davis, Devine, Devitt, Dixon, Dodge, Dunbar, Dwyer, Ewing, Fassett, Gay, Glass, Guy, Hall, Hatfield, Healey, Holland, Johnson, Kelsey, Kenyon, Laird, Laugenour, Meads, McCarthy, McKelvey, Merrill, Nelson, North, O'Day, Powers, Price, Reid, Robinson, Sanford, Staley, Stansell, Swisler, Tibbits, Tomblin, Twigg, Waymire, Weyse, Wilkinson, and Zocchi—60.

NOES—Mr. Spencer—1

Title read and approved.

Senate Bill No. 687—An Act to amend section one thousand eight hundred and eighty of the Political Code of the State of California, relating to public schools.

Senate Bill No. 687 was withdrawn, on request of Mr. Staley.

At three o'clock and fifty minutes P. M. the Speaker resumed the chair.

Senate Bill No. 15—An Act authorizing the Judges of the Superior Court in all counties, and cities and counties, having a population of two hundred thousand inhabitants and over, to appoint a Secretary.

Read second time.

Mr. Reid moved to pass Senate Bill No. 15 on file, and be subject to amendment.

So ordered.

Senate Bill No. 221—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 amendment thereto, approved March 19, 1889.

Read second time and ordered to third reading.

Senate Bill No. 192—An Act to amend an Act entitled "An Act to provide for the classification of municipal corporations," as approved March, 1883 (St. 1883, p. 24).

Read second time and ordered to third reading.

Senate Bill No. 36—An Act to appropriate money to pay the claim of D. Jordan, for the partial construction by him of the Branch State Prison at Folsom, California.

Read second time.

Senate Bill No. 124—An Act making an appropriation to pay the deficiency in the appropriation for support of the Mendocino Asylum for the forty-fifth and forty-sixth fiscal years.

Read second time.

MOTION.

Mr. Brusie moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bills Nos. 36 and 124.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Lynch in the chair.

Senate Bills Nos. 36 and 124 were considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Lynch 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. 36—An Act to appropriate money to pay the claim of D. Jordan, for the partial construction by him of the Branch State Prison at Folsom, California.

Also: Senate Bill No. 124—An Act making an appropriation to pay the deficiency in the appropriation for support of the Mendocino Asylum for the forty-fifth and forty-sixth fiscal years.

And now report, and recommend that the same do pass

LYNCH, Chairman.

Senate Bills No. 36 and 124 ordered to third reading.

Senate Bill No. 290—An Act to amend sections three, four, five, seven, nine, ten, eleven, twelve, fourteen, fifteen, sixteen, and twenty-three of an Act entitled "An Act creating a Board of Bank Commissioners, and prescribing their duties and powers," approved March 30, 1878, and as amended by an Act approved March 10, 1887, and to add four new sections thereto, to be numbered twenty-four, twenty-five, twenty-six, and twenty-seven, relating to the powers and duties of such Commissioners.

Read second time.

Mr. Cutter moved to amend as follows:

By striking out of section nine, page six, line three, the words "one hundred and fifty," and inserting the following: "two hundred."

Adopted.

Ordered to printer and third reading.

Senate Bill No. 349—An Act to amend section one of an Act approved March 15, 1883, and entitled "An Act to authorize the Common Council, Board of Trustees, or other governing body of any incorporated city or town, other than cities of the first class, to re-fund its indebtedness, issue bonds therefor, and provide for the payment of the same," as amended March 1, 1893.

Read second time and ordered to third reading.

Substitute for Senate Bills Nos. 45, 52, 54, and 77—An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors.

Read second time and ordered to third reading.

Senate Bill No. 550—An Act to provide for the payment of the claim of George H. Tay Company, for the deficiency in the contract price for heating and ventilating the State Normal School building at San José, State of California.

Read second time.

Senate Bill No. 426—An Act to repeal an Act entitled "An Act to increase the number of clerks for the limited period of six months, commencing in the month of January of each year, in the office of the Treasurer of the State, and for the appointment of such additional clerk," approved March 16, 1889, and authorizing the Treasurer of the State to appoint one clerk at an annual salary of one thousand six hundred dollars.

Passed temporarily.

Senate Bill No. 104—An Act appropriating the sum of five thousand dollars for the purchase of furniture and apparatus for the State Normal School at Los Angeles, California.

Read second time.

Senate Bill No. 212—An Act making an appropriation to pay the deficiency in the appropriation for the support of the Folsom State Prison for the forty-sixth fiscal year, ending June 30, 1895.

Read second time.

Senate Bill No. 213—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. 675—An Act making an appropriation to pay the deficiency in the appropriation for the support of the Southern California State Asylum for the Insane and Inebriates for the forty-fifth and forty-sixth fiscal years.

Read second time.

Senate Bill No. 633—An Act to provide for the formation of protection districts in the various counties of this State, for the improvement and rectification of the channels of innavigable streams for the prevention of the overflow thereof, by widening, deepening, and straightening and otherwise improving the same, and to authorize the Boards of

Supervisors to levy and collect assessments from the property benefited to pay the expenses of the same.

Passed temporarily.

Senate Bill No. 208—An Act for the creation of a commission for the promotion of uniformity of legislation in the United States, and to appropriate money for its expenses.

Read second time.

Senate Bill No. 388—An Act to authorize the Board of State Harbor Commissioners to pay the claim of the Pacific Transfer Company for wharfage illegally collected.

Read second time.

MOTION.

Mr. Brusie moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bills Nos. 550, 104, 212, 213, 675, 208, and 388.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Lynch in the chair.

Senate Bills Nos. 550, 104, 212, 213, 675, 208, and 388 were considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Lynch 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 following bills, viz :

Senate Bill No. 550—An Act to provide for the payment of the claim of George H. Tay Company, for the deficiency in the contract price for heating and ventilating the State Normal School at San José, State of California.

Also: Senate Bill No. 104—An Act appropriating the sum of five thousand dollars for the purchase of furniture and apparatus for the State Normal School at Los Angeles, California

Also: Senate Bill No. 212—An Act making an appropriation to pay the deficiency in the appropriation for the support of the Folsom State Prison for the forty-sixth fiscal year, ending June 30, 1895.

Also: Senate Bill No. 213—An Act to provide for certain improvements and repairs at the Folsom State Prison, and making an appropriation therefor.

Also: Senate Bill No. 675—An Act making an appropriation to pay the deficiency in the appropriation for the support of the Southern California State Asylum for the Insane and Inebriates for the forty-fifth and forty-sixth fiscal years.

Also: Senate Bill No. 208—An Act for the creation of a commission for the promotion of uniformity of legislation in the United States, and to appropriate money for its expenses.

Also: Senate Bill No. 388—An Act to authorize the Board of State Harbor Commissioners to pay the claim of the Pacific Transfer Company for wharfage illegally collected.

And now report, and recommend that the same do pass.

LYNCH, Chairman.

Adopted.

Senate Bill No. 426—An Act to repeal an Act entitled "An Act to increase the number of clerks for the limited period of six months, commencing in the month of January of each year, in the office of the Treasurer of the State, and for the appointment of such additional clerk," approved March 16, 1889, and authorizing the Treasurer of the

State to appoint one clerk at an annual salary of one thousand six hundred dollars.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Berry, Bettman, Boothby, Brusie, Butler, Coghlin, Collins, Dale, Davis, Devine, Devitt, Dinkelspiel, Dunbar, Dwyer, Ewing, Fassett, Freeman, Gay, Glass, Guy, Hatfield, Healey, Huber, Jones, Kelsey, Laugenour, McCarthy, McKelvey, Nelson, O'Day, Osborn, Phelps, Powers, Robinson, Sanford, Stansell, Swisler, Thomas, Tibbits, Tomblin, Twigg, Waymire, Wilkinson, Zocchi, and Mr. Speaker—46.

NOES—Messrs. Bachman, Belshaw, Bennett, Bledsoe, Bulla, Dodge, Hudson, Johnson, Kenyon, Meads, North, Price, Richards, Spencer, Staley, and Weyse—16.

Title read and approved.

Senate Bill No. 633—An Act to provide for the formation of protection districts in the various counties of this State, for the improvement and rectification of the channels of innavigable streams for the prevention of the overflow thereof, by widening, deepening, and straightening and otherwise improving the same, and to authorize the Boards of Supervisors to levy and collect assessments from the property benefited to pay the expenses of the same.

Read second time and ordered to third reading.

SPECIAL ORDER.

Assembly Bill No. 335—An Act to add a new article to chapter one, of title two, part three, of the Political Code of the State of California, to be known and designated as article four; and to add six new sections, to be known and designated as sections one thousand and seventy-five, one thousand and seventy-six, one thousand and seventy-seven, one thousand and seventy-eight, one thousand and seventy-nine, and one thousand and eighty, relative to County, City, and City and County Boards of Election Commissioners.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Bachman, Bennett, Berry, Bettman, Bledsoe, Boothby, Brusie, Bulla, Cargill, Coleman, Collins, Cutter, Dale, Davis, Devitt, Dixon, Dunbar, Dwyer, Ewing, Fassett, Gay, Glass, Guy, Hall, Hatfield, Huber, Johnson, Jones, Kenyon, Laird, Laugenour, Lewis, Meads, Merrill, North, O'Day, Osborn, Pendleton, Powers, Price, Reid, Richards, Spencer, Thomas, Tibbits, Tomblin, Twigg, Waymire, Weyse, Wilkinson, Zocchi, and Mr. Speaker—54.

NOES—Messrs. Coghlin, Devine, and McCarthy—3.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Reid gave notice that on next legislative day he would move to reconsider the vote whereby Assembly Bill No. 335 was on this day finally passed.

Assembly Bill No. 889—An Act entitled an Act to amend sections one thousand one hundred and forty-two, one thousand one hundred and ninety-two, one thousand one hundred and ninety-nine, one thousand two hundred and three, one thousand two hundred and four, one thousand two hundred and seven, one thousand two hundred and eight,

one thousand two hundred and eleven, and one thousand two hundred and fifty-eight of the Political Code, relating to elections.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Bachman, Belshaw, Bennett, Berry, Bettman, Boothby, Brusie, Bulla, Cargill, Collins, Cutter, Dale, Davis, Devitt, Dixon, Dodge, Dunbar, Dwyer, Ewing, Fassett, Gay, Glass, Guy, Hatheld, Holland, Hudson, Johnson, Jones, Kelsey, Kenyon, Laird, Laugenour, Lewis, Meads, McCarthy, McKelvey, Merrill, Nelson, North, O'Day, Osborn, Pendleton, Powers, Richards, Robinson, Rowell, Spencer, Tibbits, Waymire, Weyse, Wilkinson, Zocchi, and Mr. Speaker—54.

NOES—Messrs. Bledsoe, Coghlun, and Twigg—3.

Title read and approved.

Mr. Powers moved that Assembly Bill No. 889 be immediately transmitted to the Senate.

So ordered.

NOTICE OF RECONSIDERATION.

Mr. O'Day gave notice that on next legislative day he would move to reconsider the vote whereby Assembly Bill No. 615 was this day refused passage.

REPORT OF COMMITTEE ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1895

MR. SPEAKER: Your Committee on Enrollment have examined and found correctly enrolled Assembly Joint Resolution No. 23—Relative to requesting Congress to make an appropriation for a free wagon road from Mono Lake, Mono County, to Yosemite Valley, Mariposa County, and presented the same to the Governor on this day at three o'clock.

MEADS, Chairman.

MOTIONS.

Mr. Brusie moved that the Assembly do now take up the consideration of the report of the Committee of Conference.

So ordered.

Mr. Brusie moved that the report of the Committee of Conference be adopted.

Lost.

Mr. Bledsoe moved that the report be now taken up and considered by sections.

So ordered.

REPORT OF COMMITTEE OF CONFERENCE.

ASSEMBLY CHAMBER, SACRAMENTO, March 5, 1895.

MR. SPEAKER: Your Committee of Conference, consisting of Assemblymen Brusie, Bulla, and Laugenour, have met a like committee of the Senate, consisting of Senators Voorheis, Orr, and Langford, and had under consideration Assembly Bill No. 617 (as amended in the Senate on March 1st)—An Act making an appropriation for the support of the government of the State of California for the forty-seventh and forty-eighth fiscal years.

Your committee further reports that the Conference Committee of the Senate and Assembly at said meeting agreed upon the following amendments, and recommend that said amendments be concurred in by the Assembly.

AMENDMENT No. 1.

In section one, line nine, striking out "twelve" and inserting "thirty-five," recommend that the Assembly concur in Senate amendment.

Mr. Brusie moved the adoption of the report of the committee.

So ordered.

AMENDMENT No. 2

Section one, line twelve, striking out "thirteen" and inserting "twenty," recommend that the Assembly concur in Senate amendment.

Mr. Brusie moved the adoption of the report of the committee.
So ordered.

AMENDMENT No. 3.

Section one, line ten, striking out "eighteen" and inserting "forty," recommend that the Assembly concur in Senate amendment

Mr. Brusie moved the adoption of the report of the committee.
Mr. Price moved as a substitute that the Assembly do not adopt the report of the committee.

Lost.

The question recurring upon Mr. Brusie's motion, and it was adopted.

AMENDMENT No. 4.

Section one, line thirty-nine, striking out "ten" and inserting "five," recommend that the Senate recede from its amendment.

Mr. Brusie moved the adoption of the report of the committee.
So ordered.

AMENDMENT No. 5.

Section one, lines fifty-three and fifty-four, inserting "for salary of Expert to Board of Examiners, four thousand dollars; for traveling expenses of Board of Examiners and Expert, two thousand dollars," recommend that the Assembly concur in the Senate amendment.

Mr. Brusie moved the adoption of the report of the committee.
So ordered.

AMENDMENT No. 6.

Section one, line seventy-two, striking out "fourteen" and inserting "twenty," recommend that the Assembly concur in the Senate amendment

Mr. Brusie moved the adoption of the report of the committee.
So ordered.

AMENDMENT No. 7.

Section one, striking out lines seventy-eight, seventy-nine, and eighty of the bill as amended in the Assembly February 13th, "sixteen thousand dollars for an electriclight plant," recommend that the Assembly concur in the Senate amendment.

Mr. Brusie moved the adoption of the report of the committee.
So ordered.

AMENDMENT No. 8.

Section one, line eighty, striking out "two" and inserting "eight," recommend that the Assembly concur in the Senate amendment.

Mr. Brusie moved the adoption of the report of the committee.
The ayes and noes were demanded by Messrs. Dale, Bledsoe, and Belshaw.

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

AYES—Messrs. Bennett, Berry, Bettman, Boothby, Brusie, Collins, Devine, Devitt, Dixon, Dwyer, Hatfield, Healey, Holland, Huber, Kelsey, Laugenour, Lewis, Llewellyn, McCarthy, McKelvey, Merrill, O'Day, Osborn, Pendleton, Phelps, Reid, Richards, Robinson, Sanford, Spencer, Swisler, Tomblin, Twigg, Weyse, Wilkinson, Zocchi, and Mr. Speaker—37.

NOES—Messrs. Ash, Barker, Bassford, Belshaw, Bledsoe, Bulla, Cargill, Coghlin, Coleman, Dale, Davis, Dodge, Dunbar, Ewing, Fassett, Glass, Hall, Hudson, Johnson, Jones, Kenyon, Laird, Nelson, North, Powers, Price, Rowell, Staley, Thomas, and Waymire—30

AMENDMENT No. 9.

Section one, inserting line eighty-one, "for lighting Capitol grounds, two thousand four hundred dollars," recommend that the Assembly concur in Senate amendment.

Mr. Brusie moved the adoption of the report of the committee.
So ordered.

AMENDMENT No. 10.

Section one, lines one hundred and thirty and one hundred and thirty-one, striking out "one thousand two hundred dollars" and inserting "two thousand two hundred and fifty dollars," recommend that the Assembly concur in the Senate amendment.

Mr. Brusie moved the adoption of the report of the committee.
So ordered.

AMENDMENT No. 11.

Section one, line one hundred and forty-three, striking out "one hundred and eighty-five thousand" and inserting "two hundred and twenty-five thousand," recommend that the Senate recede from its amendment

Mr. Brusie moved the adoption of the report of the committee.
So ordered.

AMENDMENT No. 12.

Section one, striking out lines one hundred and forty-three and one hundred and forty-four of the bill as amended in Assembly February 13th, "five hundred dollars for hospital supplies," recommend that the Assembly concur in Senate amendment.

Mr. Brusie moved the adoption of the report of the committee.
So ordered.

AMENDMENT No. 13.

Section one, line one hundred and forty-seven, striking out "forty-four" and inserting "fifty," recommend that the Assembly concur in Senate amendment.

Mr. Brusie moved the adoption of the report of the committee.
So ordered.

AMENDMENT No. 14.

Section one, line one hundred and forty-nine, striking out "twenty" and inserting "forty," recommend that the Assembly concur in Senate amendment.

Mr. Brusie moved the adoption of the report of the committee.
So ordered.

AMENDMENT No. 15.

Section one, inserting lines one hundred and fifty-nine and one hundred and sixty, recommend that the Assembly concur in Senate amendment.

Mr. Brusie moved the adoption of the report of the committee.
Lost.

AMENDMENT No. 15½

Section one, line one hundred and sixty-nine, striking out "one thousand dollars" and inserting "two thousand and forty dollars," recommend that the Assembly concur in Senate amendment.

Mr. Brusie moved the adoption of the report of the committee.

The ayes and noes were demanded by Messrs. Thomas, Dale, and Bledsoe.

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

AYES—Messrs. Bettman, Brusie, Devine, Devitt, Dixon, Dwyer, Hatfield, Healey, Kelsey, Laugenour, McCarthy, McKelvey, O'Day, Twigg, Zocchi, and Mr. Speaker—16.
NOES—Messrs. Ash, Bachman, Bassford, Belshaw, Berry, Bledsoe, Boothby, Bulla, Butler, Cargill, Coghlin, Coleman, Collins, Cutter, Dale, Davis, Dodge, Dunbar, Ewing, Fassett, Glass, Guy, Huber, Hudson, Johnson, Jones, Kenyon, Laird, Lewis, Meads, Nelson, North, Osborn, Phelps, Powers, Price, Rowell, Staley, Stansell, Swisler, Thomas, Tomblin, Waymire, Weyse, and Wilkinson—45.

AMENDMENT No. 16

Section one, line one hundred and eighty-three, striking out "ten" and inserting "twenty," recommend that the Assembly concur in the Senate amendment.

Mr. Brusie moved the adoption of the report of the committee.
Lost.

AMENDMENT No. 17.

Section one, line one hundred and eighty-eight, striking out "three hundred and seventy-four thousand four hundred and ninety dollars" and inserting "four hundred thousand dollars," recommend that the Senate recede from its amendment.

Mr. Brusie moved the adoption of the report of the committee.
So ordered.

AMENDMENT No. 18.

Section one, line one hundred and eighty-nine, striking out "sixty-two" and inserting "seventy," recommend that the Senate recede from its amendment.

Mr. Brusie moved the adoption of the report of the committee.
So ordered.

AMENDMENT No. 19.

Section one, lines one hundred and ninety and one hundred and ninety-one, striking out "one hundred and thirty thousand two hundred and twenty-five dollars" and inserting "one hundred and eighty thousand six hundred and seventy-five dollars," recommend that the Senate recede from its amendment.

Mr. Brusie moved the adoption of the report of the committee.
So ordered.

AMENDMENT No. 20.

Section one, line two hundred and five, striking out "two hundred and fifty" and inserting "two hundred and forty-five," recommend that the Assembly concur in the Senate amendment

Mr. Brusie moved the adoption of the report of the committee.
So ordered.

AMENDMENT No. 21.

Section one, line two hundred and ten, inserting the word "periodicals," recommend that the Assembly concur in the Senate amendment.

Mr. Brusie moved the adoption of the report of the committee.
So ordered.

AMENDMENT No. 22.

Section one, line two hundred and eleven, inserting the words "and furniture," recommend that the Assembly concur in the Senate amendment.

Mr. Brusie moved the adoption of the report of the committee.
So ordered.

AMENDMENT No. 23.

Section one, line two hundred and eleven, striking out "four thousand five hundred" and inserting "seven thousand," recommend that the Senate recede from its amendment.

Mr. Brusie moved the adoption of the report of the committee.
So ordered.

AMENDMENT No. 24.

Section one, line two hundred and thirteen, inserting the words "and periodicals," recommend that the Assembly concur in Senate amendment.

Mr. Brusie moved the adoption of the report of the committee.
So ordered.

AMENDMENT No. 25.

Section one, line two hundred and seventeen, inserting the words "and periodicals," recommend that the Assembly concur in the Senate amendment.

Mr. Brusie moved the adoption of the report of the committee.
So ordered.

AMENDMENT No. 26.

Section one, inserting lines two hundred and twenty-one, two hundred and twenty-two, two hundred and twenty-three, two hundred and twenty-four, two hundred and twenty-five, two hundred and twenty-six, two hundred and twenty-seven, and two hundred and twenty-seven and one half, containing the following items:

For use of State Board of Horticulture, ten thousand four hundred dollars.

For the salary of the Secretary of the State Board of Horticulture, forty-two hundred dollars.

For salary of Clerk to the Secretary of the State Board of Horticulture, twelve hundred dollars.

For salary of the clerks of Publishing and Quarantine Bureau, State Board of Horticulture, four thousand two hundred dollars.

For use of the State Board of Viticulture, twenty-five hundred dollars.

This appropriation shall not be subject to the provisions of section four of this Act. Recommend that the Assembly concur in Senate amendment.

Mr. Brusie moved the adoption of the report of the committee.
Lost.

AMENDMENT No. 27.

Section one, striking out lines two hundred and thirty-five and two hundred and thirty-six of the bill as amended in Assembly February 13th, recommend that the Assembly concur in Senate amendment.

Mr. Brusie moved the adoption of the report of the committee.
So ordered.

AMENDMENT No. 28.

Section one, striking out line two hundred and thirty-four of the bill as amended in Assembly February 13th, and inserting the following:

For the support and maintenance of the veterans of the Mexican and Civil Wars, in indigent circumstances, residing in the Veterans' Home at Yountville, under the auspices of the Veterans' Home Association, the sum of ninety thousand dollars; *provided*, that no money herein appropriated shall be used for the support or maintenance of any office, or any salaried officer, at any other place than at the Home at Yountville; *and provided further*, that the Board of Directors of said Veterans' Home Association shall contract for all supplies purchased for said Home by virtue of this appropriation, after having first advertised for such contracts for two consecutive weeks before the letting thereof, in one newspaper published in the City and County of San Francisco, one newspaper published in the city of Sacramento, and one newspaper published in the county of Napa, which said advertisement shall state the time, place, and conditions of the letting of such contracts; *and provided further*, that all such contracts shall be for a period of not less than six nor more than twelve months, and shall be awarded to the lowest bidder, at a public letting thereof.

Recommend that the Assembly concur in Senate amendment.

Mr. Brusie moved the adoption of the report of the committee.
So ordered.

AMENDMENT No. 29.

Section one, inserting lines two hundred and fifty-five, two hundred and fifty-six, and two hundred and fifty-seven, as follows:

For aid to State Agricultural Society, forty thousand dollars; *provided*, that the State Agricultural Society maintain a statistical department, for the annual collection, compilation, and distribution of statistics relating to the products and resources of the State.

Recommend that the Assembly concur in Senate amendment.

Mr. Brusie moved the adoption of the report of the committee.

The ayes and noes were demanded by Messrs. Cutter, Staley, and Dale.

The roll was called, and the motion to adopt the report of the committee was carried by the following vote:

AYES—Messrs. Bassford, Bennett, Berry, Bettman, Bledsoe, Boothby, Brusie, Butler, Cargill, Devine, Devitt, Dixon, Dunbar, Dwyer, Guy, Hall, Hatfield, Holland, Huber, Kelsey, Laird, Laugenour, Lewis, Llewellyn, McCarthy, McKelvey, O'Day, Pendleton, Powers, Price, Reid, Richards, Spencer, Swisler, Thomas, Tibbits, Tomblin, Twigg, Wilkinson, Zocchi, and Mr. Speaker—41.

NOES—Messrs. Ash, Bachman, Barker, Belshaw, Bulla, Collins, Cutter, Dale, Davis, Dodge, Ewing, Fassett, Glass, Hudson, Johnson, Jones, Kenyon, Meads, Merrill, Nelson, North, Osborn, Phelps, Robinson, Rowell, Sanford, Staley, Stansell, Waymire, and Weyse—30.

MOTION.

Mr. Cutter moved that Assembly Bill No. 653 be made a special order for to-morrow, immediately after reading of Journal.

Mr. Powers moved to amend by making it immediately after consideration of County Government Bill.

The question being on the suspension of the rules, the same was lost.

NOTICE OF RECONSIDERATION.

Mr. Price gave notice that he would move to reconsider the vote whereby the report of the Committee of Conference was adopted, relative to an appropriation for the State Agricultural Society.

Mr. Bettman moved that the Assembly take a recess until seven o'clock and thirty minutes P. M.

Lost.

REPORT OF CONFERENCE COMMITTEE—(RESUMED).

AMENDMENT No. 30.

Section one, inserting lines two hundred and fifty-eight to three hundred and eleven, inclusive, as follows:

For aid to District Agricultural Society number one, seven thousand dollars

For aid to District Agricultural Society number two, seven thousand dollars

For aid to District Agricultural Society number three, four thousand dollars

For aid to District Agricultural Society number four, six thousand dollars.

For aid to District Agricultural Society number five, six thousand dollars.

For aid to District Agricultural Society number six, six thousand dollars

For aid to District Agricultural Society number seven, three thousand five hundred dollars.

For aid to District Agricultural Society number eight, four thousand dollars.

For aid to District Agricultural Society number nine, four thousand five hundred dollars

For aid to District Agricultural Society number ten, four thousand five hundred dollars.

For aid to District Agricultural Society number eleven, three thousand dollars.

For aid to District Agricultural Society number twelve, five thousand dollars.

For aid to District Agricultural Society number thirteen, six thousand dollars.

For aid to District Agricultural Society number fourteen, four thousand dollars.

For aid to District Agricultural Society number fifteen, three thousand dollars.

For aid to District Agricultural Society number sixteen, four thousand five hundred dollars.

For aid to District Agricultural Society number seventeen, four thousand five hundred dollars,

For aid to District Agricultural Society number eighteen, six thousand dollars.

For aid to District Agricultural Society number nineteen, four thousand dollars.

For aid to District Agricultural Society number twenty, four thousand five hundred dollars.

For aid to District Agricultural Society number twenty-one, six thousand dollars.

For aid to District Agricultural Society number twenty-two, four thousand dollars.

For aid to District Agricultural Society number twenty-three, three thousand five hundred dollars.

For aid to District Agricultural Society number twenty-four, three thousand dollars.

For aid to District Agricultural Society number twenty-five, five thousand dollars.

For aid to District Agricultural Society number twenty-six, six thousand dollars.

For aid to District Agricultural Society number twenty-seven, four thousand five hundred dollars.

For aid to District Agricultural Society number twenty-eight, four thousand five hundred dollars.

For aid to District Agricultural Society number twenty-nine, four thousand dollars.
For aid to District Agricultural Society number thirty, four thousand dollars.
For aid to District Agricultural Society number thirty-one, four thousand dollars.
For aid to District Agricultural Society number thirty-two, three thousand five hundred dollars.

For aid to District Agricultural Society number thirty-three, three thousand dollars.
For aid to District Agricultural Society number thirty-four, three thousand dollars.
For aid to District Agricultural Society number thirty-five, four thousand dollars.
For aid to District Agricultural Society number thirty-six, four thousand dollars.
For aid to District Agricultural Society number thirty-seven, three thousand dollars.
For aid to District Agricultural Society number thirty-eight, four thousand dollars.
For aid to District Agricultural Society number thirty-nine, three thousand dollars.
For aid to District Agricultural Society number forty, five thousand dollars.
For aid to District Agricultural Society number forty-one, three thousand dollars.
For aid to District Agricultural Society number forty-two, three thousand dollars.
For aid to District Agricultural Society number forty-three, three thousand dollars.
For aid to District Agricultural Society number forty-four, to be created, three thousand dollars.

For aid to District Agricultural Society number forty-five, to be created, three thousand dollars.

Provided, that no moneys appropriated for agricultural societies shall be drawn, used, or paid for racing or speed contests.

Recommend that the Assembly concur in the Senate amendments.

Mr. Brusie moved the adoption of the report of the committee.

The ayes and noes were demanded by Messrs. Dodge, Belshaw, and Bledsoe.

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

AYES—Messrs. Bassford, Bennett, Bettman, Bledsoe, Boothby, Brusie, Butler, Cargill, Coleman, Devine, Devitt, Dixon, Dunbar, Dwyer, Ewing, Glass, Guy, Hall, Hatheld, Holland, Huber, Johnson, Kelsey, Laird, Laugenour, Lewis, Llewellyn, McCarthy, McKelvey, Nelson, O'Day, Pendleton, Price, Reid, Richards, Sanford, Spencer, Swisler, Thomas, Tibbits, Tomblin, Twigg, Zocchi, and Mr. Speaker—44

NOES—Messrs. Ash, Bachman, Barker, Belshaw, Bulla, Collins, Cutter, Dale, Davis, Dodge, Fassett, Hudson, Jones, Kenyon, Meads, Merrill, North, Osborn, Phelps, Powers, Robinson, Rowell, Staley, Stansell, Waymire, and Weyse—26.

AMENDMENT No. 31.

Striking out section four of the bill as amended in Assembly February 13th, and inserting the following:

SEC. 4. Not more than one twenty-fourth part of the amount appropriated under this Act for each department or institution for the two years ending June thirtieth, eighteen hundred and ninety-seven, shall be expended during any one month, unless by consent of the State Board of Examiners.

Recommend that the Assembly concur in the Senate amendment.

BRUSIE.
BULLA.
LAUGENOUR.

Mr. Brusie moved the adoption of the report of the committee.

So ordered.

Mr. Cutter moved that the rules be suspended, and that Assembly Bill No. 653 be made a special order for to-morrow, at three o'clock and thirty minutes P. M.

Adopted.

LEAVE OF ABSENCE.

Mr. Bennett was excused for the balance of the day.

RECESS.

Mr. Pendleton moved that the Assembly take a recess until eight o'clock P. M.

Mr. Bulla moved to amend by making it seven o'clock and thirty minutes P. M.

Adopted.

The question being on the motion of Mr. Pendleton as amended.

The same was adopted.

REASSEMBLED.

The Assembly reassembled at seven o'clock and thirty minutes P. M.
Speaker Lynch in the chair.

Quorum present.

URGENCY FILE.

Assembly Bill No. 542—An Act to amend an Act entitled "An Act creating a Board of Commissioners of the Building and Loan Associations, and prescribing their duties and powers," approved March 23, 1893.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Bassford, Belshaw, Berry, Bettman, Brusie, Bulla, Butler, Cargill, Coleman, Collins, Cutter, Dale, Devine, Devitt, Dixon, Dodge, Dunbar, Dwyer, Ewing, Fassett, Glass, Guy, Hall, Hatfield, Holland, Huber, Hudson, Jones, Kelsey, Kenyon, Laugenour, Lewis, McCarthy, McKelvey, Merrill, Nelson, Osborn, Phelps, Powers, Robinson, Rowell, Spencer, Staley, Tibbits, Weyse, Wilkinson, Zocchi, and Mr. Speaker—49.

NOES—Messrs. Bledsoe and Coghlin—2.

Title read and approved.

Assembly Bill No. 43—An Act making an appropriation to pay the claim of the Evening Express Company, Los Angeles, California.

Read second time.

MOTION.

Mr. Berry moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Assembly Bill No. 43.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Lynch in the chair.

Assembly Bill No. 43 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Lynch 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. 43—An Act making an appropriation to pay the claim of the Evening Express Company, Los Angeles, California—and now report, and recommend that the same do pass.

LYNCH, Chairman.

Adopted.

Ordered to engrossment and third reading.

Assembly Bill No. 433—An Act to authorize the Trustees of the City of Auburn, Placer County, to remove a cemetery, and to donate the land occupied thereby to the public for a park.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Bassford, Belshaw, Berry, Bettman, Brusie, Bulla, Butler, Coghlin, Coleman, Collins, Dale, Devine, Dixon, Dodge, Dunbar, Ewing, Fassett, Glass, Guy, Hall, Hatfield, Hudson, Jones, Keen, Kenyon, Laugenour, Lewis, Meads, McKelvey, Merrill, Nelson, O'Day, Osborn, Phelps, Powers, Robinson, Rowell, Sanford, Spencer, Staley, Swisler, Twigg, Weyse, Wilkinson, Zocchi, and Mr. Speaker—47.

NOES—Mr. Bledsoe—1.

Title read and approved.

Assembly Bill No. 515—An Act to pay the claim of Fred. Hansted for services as clerk to the committee appointed for the purpose of investigating the Pilot Commissioners.

Read second time.

MOTION.

Mr. Meads moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Assembly Bill No. 515.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Lynch in the chair.

Assembly Bill No. 515 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Lynch 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. 515—An Act to pay the claim of Fred. Hansted for services as clerk to the committee appointed for the purpose of investigating the Pilot Commissioners—and now report, and recommend that the same do pass.

LYNCH, Chairman.

Adopted.

Assembly Bill No. 515 ordered engrossed and to third reading.

Assembly Bill No. 693—An Act to create a State Board of Public Charities and Correction, and defining their powers and duties.

Passed, to retain its place on file.

Assembly Bill No. 148—An Act to create the office of Fish and Game Warden, and to prescribe the powers, duties, and salary of such officer.

Read third time.

Mr. Reid moved to appoint a committee of one, with instructions to amend as follows:

Strike out of section one, line one, the word "shall," and insert the word "may."

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. Ash, Bachman, Bassford, Berry, Bettman, Brusie, Butler, Cargill, Coghlin, Cutter, Devine, Dixon, Dwyer, Ewing, Fassett, Guy, Hatfield, Holland, Hudson, Keen, Kelsey, Laird, Laugenour, Lewis, Meads, McCarthy, McKelvey, Merrill, Nelson, North, O'Day, Osborn, Powers, Richards, Robinson, Rowell, Swisler, Waymire, Weyse, Zocchi, and Mr. Speaker—41

NOES—Messrs. Belshaw, Bledsoe, Boothby, Bulla, Coleman, Collins, Dale, Davis, Dodge, Dunbar, Gay, Glass, Hall, Huber, Johnson, Jones, Kenyon, Phelps, Price, Reid, Sanford, Spencer, and Staley—23.

Title read and approved.

Assembly Bill No. 799—An Act to amend an Act approved March 11, 1893, entitled "An Act to amend an Act entitled 'An Act to provide for the completion of all unfinished county, city, city and county, towns, and township buildings in the several counties, cities and counties, cities, and towns throughout the State of California,' approved March 11, 1891."

Read second time, and ordered engrossed and to third reading.

Assembly Bill No. 568—An Act to amend sections six hundred and twenty-six, six hundred and thirty-one, six hundred and thirty-two, six hundred and thirty-three, six hundred and thirty-four, six hundred and thirty-five, and six hundred and thirty-six of, and to add nineteen new sections, to be numbered six hundred and twenty-six *a*, six hundred and twenty-six *b*, six hundred and twenty-six *c*, six hundred and twenty-six *d*, six hundred and twenty-six *e*, six hundred and twenty-six *f*, six hundred and twenty-six *g*, six hundred and twenty-six *h*, six hundred and twenty-six *i*, six hundred and twenty-seven, six hundred and twenty-seven *a*, six hundred and twenty-seven *b*, six hundred and twenty-seven *c*, six hundred and twenty-seven *d*, six hundred and twenty-eight, six hundred and twenty-eight *a*, six hundred and twenty-nine, six hundred and thirty-two *a*, six hundred and thirty-two *b*, to an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to fish and game.

Read second time.

Mr. Powers moved to appoint a committee of one with instructions to amend as follows:

Strike out of section twelve, line four of printed bill, the words "except salt water marsh land."

The time allowed Mr. Powers, under the rules, for speaking having expired, Mr. Bettman moved that the rules be suspended, and Mr. Powers be allowed to continue his speech.

So ordered.

PREVIOUS QUESTION.

Mr. Laugenour moved the previous question, seconded by Messrs. Bulla and Dixon.

The question being, "Shall the main question be now put?"

At eight o'clock and twenty-five minutes P. M. the Speaker called Mr. Dixon to the chair.

Mr. North moved the previous question, seconded by Messrs. Bassford and Dinkelspiel.

The question being, "Shall the main question be now put?"

The question being on the adoption of the motion of Mr. Powers to appoint a committee of one to amend.

The ayes and noes were demanded by Messrs. Bassford, Bachman, and North.

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

AYES—Messrs. Belshaw, Devitt, Dwyer, Hatfield, Phelps, Powers, Spencer, and Weyse—8.

NOES—Messrs. Ash, Bachman, Bassford, Bettman, Bledsoe, Boothby, Brusie, Bulla, Butler, Cargill, Coghlin, Coleman, Collins, Cutter, Dale, Davis, Devine, Dinkelspiel, Dixon, Dodge, Dunbar, Ewing, Fassett, Gay, Glass, Guy, Hall, Holland, Huber, Hudson, Keen, Kenyon, Laird, Laugenour, Lewis, Llewellyn, Meads, McCarthy, McKelvey, Merrill, Nelson, North, O'Day, Osborn, Price, Richards, Robinson, Rowell, Sanford, Staley, Stansell, Swisler, Tibbits, Tomblin, Twigg, Waymire, and Mr. Speaker—57.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Bachman, Bassford, Belshaw, Berry, Bettman, Bledsoe, Boothby, Brusie, Bulla, Butler, Cargill, Coghlin, Coleman, Collins, Cutter, Dale, Davis, Devine, Dinkelspiel, Dixon, Dodge, Dunbar, Ewing, Fassett, Gay, Glass, Guy, Hall, Holland, Huber, Hudson, Johnson, Jones, Keen, Kelsey, Kenyon, Laird, Laugenour, Lewis, Llewellyn, Meads, McCarthy, McKelvey, Merrill, Nelson, North, O'Day, Osborn, Phelps, Price, Reid, Robinson, Rowell, Sanford, Staley, Stansell, Swisler, Tibbits, Twigg, Waymire, Weyse, Zocchi, and Mr. Speaker—63.

NOES—Messrs. Devitt, Dwyer, and Spencer—3.

Title read and approved.

Mr. Bassford moved that Assembly Bill No. 568 be immediately transmitted to the Senate.

NOTICE OF RECONSIDERATION.

Mr. Reid gave notice that he would, on the next legislative day, move for a reconsideration of the vote whereby Assembly Bill No. 568 was finally passed.

Assembly Bill No. 607—An Act to provide for the letting of contracts for the lighting of streets and public buildings in cities and towns in the State of California.

Read second time.

The following committee amendments were submitted:

Amend in section one, line two, printed bill, by inserting the word "public" after the word "other."

Adopted.

Also: Amend by striking out of section two, line three, printed bill, the words "but nothing in this Act shall prevent," and beginning the word "the" with a capital "T."

Adopted.

Also: Amend by striking out of section two, line four, the words "from rejecting," and inserting the following: "may reject."

Adopted.

Also: Amend by striking out of section two, line five, printed bill, the words "made if in its judgment there has been fraudulent collusion in the bids made, or by the persons bidding."

Adopted.

Also: Amend by striking out of section three, line four, printed bill, the word "justify," and inserting the word "qualify."

Adopted.

Also: Amend by striking out of section three, line nine, printed bill, the word "approved," and inserting the word "accepted."

Adopted.

Also: Amend by striking out of section three, line eight, printed bill, the words "shall be approved," and inserting the following: "are accepted."

Adopted.

Also: Amend by striking out of section three, line eighteen, printed bill, the word "him," and inserting the following: "said bidder."

Adopted.

Ordered to printer, engrossment, and third reading.

Assembly Bill No. 198—An Act to promote the protection of cities, towns, and municipal corporations from overflow by water and the drainage of the same, and for such purposes authorizing the incurring of indebtedness and the issuance of bonds therefor by the same, and providing for the disposition of the proceeds of such bonds, and for the supervision of the protective and other works.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Bachman, Belshaw, Berry, Bledsoe, Boothby, Brusie, Bulla, Butler, Cargill, Coghlin, Coleman, Collins, Dale, Davis, Dixon, Dodge, Dunbar, Dwyer, Fassett, Glass, Guy, Hall, Healey, Holland, Hudson, Johnson, Jones, Keen, Kelsey, Kenyon, Laugenour, Meads, McCarthy, McKelvey, Merrill, Nelson, North, O'Day, Osborn, Pendleton, Phelps, Price, Richards, Rowell, Sanford, Stansell, Tibbits, Tomblin, Waymire, and Weyse—51.

NOES—Mr. Thomas—1.

Title read and approved.

At nine o'clock and five minutes P. M. the Speaker resumed the chair.

RESOLUTION—(URGENCY).

By Mr. Brusie:

Resolved, That Assembly Bill No. 930 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house are hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

The question being upon the suspension of the rules.

CALL OF THE HOUSE.

The roll was called, and pending the announcement of the result Mr. Thomas moved a call of the House, seconded by Messrs. Osborn and Brusie.

So ordered.

The roll was called, and the following members found present:

Messrs. Ash, Bachman, Bassford, Belshaw, Berry, Bettman, Bledsoe, Boothby, Brusie, Bulla, Butler, Cargill, Coghlin, Coleman, Collins, Cutter, Dale, Davis, Dinkelspiel, Dixon, Dodge, Dunbar, Dwyer, Ewing, Fassett, Glass, Guy, Hall, Hatfield, Holland, Huber, Hudson, Johnson, Jones, Keen, Kelsey, Kenyon, Laird, Laugenour, Lewis, Llewellyn, Meads, McCarthy, McKelvey, Merrill, Nelson, North, O'Day, Osborn, Pendleton, Phelps, Price, Reid, Richards, Robinson, Rowell, Sanford, Spencer, Stansell, Swisler, Thomas, Tibbits, Tomblin, Twigg, Waymire, Weyse, Wilkinson, Zocchi, and Mr. Speaker

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

So ordered.

The announcement of the result of the roll call showed the resolution was lost by the following vote:

AYES—Messrs. Ash, Bassford, Berry, Bettman, Boothby, Brusie, Butler, Collins, Cutter, Devine, Devitt, Dinkelspiel, Dixon, Dunbar, Dwyer, Ewing, Fassett, Gay, Guy, Hall, Hatfield, Holland, Huber, Johnson, Kelsey, Laird, Laugenour, Lewis, Llewellyn, Meads, McCarthy, Merrill, O'Day, Osborn, Pendleton, Richards, Spencer, Stansell, Swisler, Thomas, Tibbits, Tomblin, Twigg, Waymire, Weyse, Wilkinson, and Zocchi—47.

NOES—Messrs. Bachman, Belshaw, Bledsoe, Bulla, Cargill, Coghlin, Coleman, Dale, Davis, Dodge, Glass, Hudson, Keen, Kenyon, McKelvey, Nelson, North, Price, Reid, Rowell, Sanford, Staley, and Mr. Speaker—23.

Assembly Bill No. 495—An Act to prevent the use of the Capitol building for dancing.

Read second time, ordered engrossed and to third reading.

Assembly Bill No. 90—An Act for the protection of miners, and repealing all Acts in conflict therewith.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Bachman, Bassford, Berry, Bettman, Boothby, Bulla, Coleman, Collins, Cutter, Dale, Davis, Devine, Devitt, Dinkelspiel, Dodge, Dwyer, Ewing, Gay, Glass, Guy, Hall, Hatfield, Holland, Hudson, Keen, Kelsey, Kenyon, Laird, Laugenour, Llewellyn, Meads, McCarthy, McKelvey, Merrill, Nelson, O'Day, Osborn, Price, Reid, Robinson, Rowell, Sanford, Staley, Stansell, Swisler, Wilkinson, Zocchi, and Mr. Speaker—48.

NOES—Messrs. Belshaw, Tibbits, Tomblin, and Weyse—4.

Title read and approved.

Mr. Reid asked consent to withdraw his notice of reconsideration of the vote whereby Assembly Bill No. 335 was passed.

So ordered.

Mr. Powers moved to immediately transmit Assembly Bill No. 335 to the Senate.

So ordered.

Assembly Bill No. 757—An Act to amend sections seven hundred and two and seven hundred and three of the Code of Civil Procedure, relating to the redemption of property sold on execution.

Read second time.

The following committee amendments were submitted:

Amend by striking out of section two, line fourteen, printed bill, the word "said," and inserting the word "the"

Adopted.

Also: Amend by striking out of section two, line fifteen, the word "previous."

Adopted.

Also: Amend by striking out of section two, line fifteen, the word "prior," and inserting the word "previous."

Adopted.

Ordered to printer, engrossment, and third reading.

Assembly Bill No. 337—An Act for the certification of land titles, and the simplification of the transfer of real estate.

Read third time.

The question being on final passage of the bill.

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

AYES—Messrs. Ash, Bachman, Belshaw, Berry, Bettman, Bulla, Coleman, Collins, Dale, Davis, Devine, Dodge, Gay, Guy, Hatfield, Holland, Hudson, Johnson, Keen,

Kenyon, Laird, Llewellyn, Meads, McCarthy, McKelvey, Merrill, Nelson, North, O'Day, Osborn, Pendleton, Phelps, Powers, Richards, Robinson, Sanford, Staley, Thomas, Twigg, Weyse, Wilkins, Wilkinson, and Mr. Speaker—43.

NOES—Messrs. Bledsoe, Coghlin, Laugenour, and Swisler—4.

Title read and approved.

Mr. Bulla moved that Assembly Bill No. 337 be immediately transmitted to the Senate.

So ordered.

Assembly Bill No. 823—An Act to authorize the construction of hospital buildings for city, or city and county purposes.

Read second time, and ordered engrossed and to third reading.

Assembly Bill No. 900—An Act to amend sections one thousand eight hundred and eighty, one thousand eight hundred and eighty-four, and one thousand eight hundred and eighty-six of the Political Code of the State of California, relating to public schools.

Read second time, ordered engrossed and to third reading.

Assembly Bill No. 798—An Act concerning the completion of unfinished public buildings in any county, city, city and county, or town in this State, and permitting alterations of the original plans or designs for the construction thereof.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 580—An Act to amend section three thousand and five of the Political Code, and providing for the appointment of a Board of Health for the City and County of San Francisco.

Read third time.

Mr. Bachman moved to appoint a committee of one, with instructions to amend as follows:

Amend by striking out of section one, lines seven and eight, the words "Board of Supervisors of the city and county," and inserting the following: "Governor."

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. Ash, Berry, Bettman, Boothby, Brusie, Bulla, Butler, Cargill, Collins, Davis, Devitt, Dixon, Ewing, Gay, Guy, Hatfield, Jones, Kelsey, Kenyon, Laird, Lewis, Llewellyn, Meads, McKelvey, Merrill, Nelson, North, Osborn, Pendleton, Powers, Price, Reid, Robinson, Spencer, Staley, Swisler, Thomas, Tibbits, Tomblin, Waymire, Weyse, Wilkinson, Zocchi, and Mr. Speaker—44

NOES—Messrs. Bledsoe, Coghlin, Dale, Dinkelspiel, Dodge, Dwyer, Fassett, Glass, McCarthy, and Twigg—10.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Reid gave notice that he would, on the next legislative day, move a reconsideration of the vote whereby Assembly Bill No. 580 was passed.

Assembly Bill No. 223—An Act to amend and add a new section to an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, to prevent able-bodied persons from banding together and obtaining subsistence by alms.

Read second time.

The following committee amendments were submitted:

Amend by striking out of section one, line three, printed bill, italicized letter "*u*," and inserting the italicized letter "*a*."

Adopted.

Also. Amend by striking out of section one, line eight, all after the word "contributions," down to and including the word "California," in line ten.

Adopted.

Ordered to printer, engrossment, and third reading.

Assembly Bill No. 413—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, and an Act amendatory thereof, approved March 31, 1891.

Read second time.

The following committee amendments were submitted:

Amend by striking out of section one, line fifteen, printed bill, the word "two," and inserting the word "three."

Adopted.

Also: Amend by striking out of section one, line sixteen, the word "each," and inserting the word "one."

Adopted.

Also. Amend section one, line sixteen, by inserting the words "each of" after the word "in."

Adopted.

Also: Amend section one, line sixteen, by inserting the words "Los Angeles" after the words "cities of."

Adopted.

Also. Amend in section one, line twenty-two, after the words "viz.: Just for," strike out all of lines twenty-three, twenty-four, twenty-five, twenty-six, twenty-seven, and twenty-eight, and insert in lieu thereof the following: "The masonry work, including all brick, stone, terra cotta, and concrete work, and all necessary excavations and filling; second, for the iron work; third, for the carpenter, plastering, electric, and glazing work; fourth, for the plumbing and gas-fitting work; fifth, for the heating work; sixth, for the tinning, galvanized iron, and slating work; and seventh, for the painting and graining work, and there shall be in all such cases as many separate contracts let therefor as there are different kinds of work, according to the foregoing classification, whether the same be let by the State Board of Harbor Commissioners or any other of the aforesaid commissioners, directors, trustees, or other officer or officers."

Adopted.

Ordered to printer, engrossment, and third reading.

Assembly Bill No. 591—An Act to amend section nineteen of an Act entitled "An Act to promote the purity of elections by regulating the conduct thereof, and to support the privilege of free suffrage by prohibiting certain acts and privileges in relation thereto, and providing for the punishment thereof," approved February 23, 1893.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Belshaw, Berry, Bledsoe, Boothby, Brusie, Bulla, Butler, Cargill, Coleman, Collins, Dale, Davis, Devitt, Dixon, Dodge, Dwyer, Ewing, Gay, Guy, Hall, Hatfield, Hudson, Johnson, Jones, Kelsey, Kenyon, Laird, Meads, McKelvey, Merrill, Nelson, North, Osborn, Pendleton, Price, Richards, Staley, Thomas, Tibbits, Waymire, Weyse, and Zocchi—42.

NOES—Messrs. Coghlin, Holland, and Twigg—3.

Title read an approved.

Assembly Bill No. 575—An Act to repeal an Act of the Legislature of the State of California entitled "An Act in relation to the assessment and collection of taxes upon personal property in the City and County of San Francisco," approved March 18, 1874, and requiring all counties, and cities and counties of this State to conform to the requirements of the provisions of the Political Code in relation to the assessment, equalization, levy, and collection of taxes for revenue purposes.

Read second time, ordered engrossed and to third reading.

Assembly Bill No. 701—An Act to amend section sixteen of 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, 1887, relating to the powers and duties of the Trustees of said hospital, also known as the Southern California State Asylum for the Insane and Inebriates.

Read second time, ordered engrossed and to third reading.

Assembly Bill No. 160—An Act to amend sections one thousand five hundred and fifty-two and one thousand five hundred and fifty-three of the Political Code, relating to the public schools.

Mr. Cargill, the author, requested to withdraw Assembly Bill No. 160, and substitute Assembly Bill No. 512.

So ordered.

Assembly Bill No. 512—An Act to provide for payment of the claim of Jas. A. Kearney.

Read second time.

MOTION.

Mr. Cargill moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Assembly Bill No. 512.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Lynch in the chair.

Assembly Bill No. 512 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Lynch 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. 512—An Act to provide for the payment of the claim of Jas. A. Kearney—and now report, and recommend that the same do pass.

LYNCH, Chairman.

Adopted.

Ordered engrossed and to third reading.

Assembly Bill No. 473—An Act to provide for the formation, organization, and classification of new counties, for locating the county seats, for the election and appointment of officers, and for the adjustment and fulfillment of the rights and obligations arising between such new counties and other counties.

Mr. Davis requested to substitute Assembly Bill No. 353 for Assembly Bill No. 473.

So ordered.

Assembly Bill No. 353—An Act to reduce the number of Judges of the Superior Court of the county of Tulare from two to one.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs Belshaw, Berry, Bettman, Boothby, Brusie, Bulla, Butler, Cargill, Coghlin, Coleman, Collins, Cutter, Dale, Davis, Devine, Devitt, Dodge, Ewing, Fassett, Gay, Glass, Hall, Hatfield, Holland, Huber, Hudson, Johnson, Jones, Keen, Kenyon, Laird, Laugenour, Lewis, Meads, McKelvey, Merrill, Nelson, North, Powers, Price, Reid, Richards, Robinson, Sanford, Spencer, Staley, Swisler, Tibbits, Tomblin, Twigg, Weyse, Wilkinson, Zocchi, and Mr. Speaker—54.

NOES—None.

Title read and approved.

Mr. Reid was granted unanimous consent to withdraw his notice of reconsideration of Assembly Bill No. 568.

Assembly Bill No. 1007—An Act to pay the claim of Thomas Hatch, and making an appropriation therefor.

Read second time.

MOTION.

Mr. Coghlin moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Assembly Bill No. 1007.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Lynch in the chair.

Assembly Bill No. 1007 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Lynch 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. 1007—An Act to pay the claim of Thomas Hatch, and making an appropriation therefor—and now report, and recommend that the same do pass

LYNCH, Chairman.

Adopted.

Ordered to engrossment and third reading.

Assembly Bill No. 772—An Act to prevent the sale of imitation or adulterated honey, and to provide a punishment therefor.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 921—An Act to amend section four hundred and twelve of the Penal Code, relating to boxing.

Read second time, ordered engrossed and to third reading.

Mr. Belshaw moved that Assembly Bill No. 1009 be taken up out of order and read second time.

So ordered.

Assembly Bill No. 1009—An Act to amend sections one thousand four hundred and ninety-eight, one thousand five hundred and three, one thousand five hundred and seventeen, one thousand five hundred and twenty-one, one thousand five hundred and forty-three, one thousand five hundred and fifty-one, one thousand five hundred and fifty-two, one thousand five hundred and seventy-five, one thousand five hundred and seventy-six, one thousand five hundred and ninety-four, one thousand six hundred and seventeen, one thousand seven hundred and thirteen, one thousand seven hundred and seventy, one thousand seven hundred and seventy-three, one thousand seven hundred and seventy-five, one thousand eight hundred and thirty, one thousand eight hundred and eighty, one thousand eight hundred and eighty-two, relating to public schools.

Read second time, ordered engrossed and to third reading.

Assembly Bill No. 609—An Act entitled an Act to amend section sixteen of an Act entitled "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 provisions for the payment of such bonds, and the disposal of their proceeds," approved March 31, 1891.

Read second time, ordered to engrossment and third reading.

MOTION.

Mr. Powers moved that the Assembly do now take up Senate messages. So ordered.

SENATE MESSAGES.

SENATE CHAMBER, SACRAMENTO, March 5, 1895.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Senate Bill No. 60—An Act empowering the State Board of Harbor Commissioners to lay out and improve certain property on the west side of East Street, between Clay Street and Market Street, in the City and County of San Francisco, extending their jurisdiction over the same, and rectifying and establishing a line of streets therein.

Also: Senate Bill No. 61—An Act authorizing and empowering the Board of State Harbor Commissioners to grant, exchange, or transfer certain property east of the westerly line of East Street, as delineated and located upon the ground between Clay Street and Market Street, in the City and County of San Francisco, to or with the owner or owners of certain property on the triangular corner common to Market, Sacramento, and East Streets.

Also: Senate Bill No. 62—An Act to authorize and empower the Board of State Harbor Commissioners to institute condemnation proceedings against certain property on the corner of Market, Sacramento, and East Streets, in the City and County of San Francisco, and extending their jurisdiction over the same.

Also: Senate Bill No. 631—An Act making an appropriation to pay the deficiency in the appropriation for payment of transportation of children to the State Reform School for Juvenile Offenders for the forty-fourth fiscal year.

Also: Senate Bill No. 709—An Act to amend an Act entitled "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," approved March 19, 1889.

F. J. BRANDON, Secretary.
By C. L. PARDEE, Assistant.

Also:

SENATE CHAMBER, SACRAMENTO, March 6, 1895.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Assembly Bill No. 695—An Act to amend section three thousand three hundred and ninety-eight of the Political Code, appointing the Surveyor-General locating agent in the United States Land Offices, and declaring the effect of selections accepted by the United States.

Also: Senate Bill No. 129—An Act to appropriate one hundred and forty-six thousand seven hundred and eighty dollars for the erection of an administration building for the use and occupancy of the officers, employes, and patients of the Mendocino Asylum; to purchase furniture and furnish the building so to be erected by the Directors of said asylum; to purchase furniture and furnish wards for two hundred and six additional patients; to construct an electric plant for lighting the asylum buildings and grounds, and purchase the necessary machinery and appliances therefor; to purchase live stock to be used for asylum purposes, to construct a stable and a cow barn, to construct a dam, to furnish an additional water supply to said asylum; for constructing a sewer and drainage system, to purchase an ice plant and cold storage system, to appropriate money therefor, and provide for the expenditure of the same.

Also: Return herewith Assembly Constitutional Amendment No. 5, withdrawn from the Senate file on March fourth, at the request of Senator Smith

F. J. BRANDON, Secretary.
By R. SHAW, Assistant.

Also:

SENATE CHAMBER, SACRAMENTO, March 6, 1895.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the fifth day of March, 1895, adopted Substitute for Senate Joint Resolution No. 8—Asking that the Congress of the United States cede to the State of California the island in the bay of San Francisco, known as Yerba Buena, or "Goat Island," to be used by said State solely for general railroad terminal purposes.

Also: That the Senate on this day concurred in the Assembly amendments to Senate Bill No. 182—An Act to amend section one thousand seven hundred and thirty-nine of the Code of Civil Procedure, relating to the account with the County Clerk, as to the disbursement of money and property of estates.

Also: Senate Bill No. 55—An Act to amend the Penal Code of the State of California by adding a new section thereto, to be known and numbered as section four hundred and two, relating to the manufacture, sale, or other disposition of cigarettes.

Also: Senate Bill No. 504—An Act making an appropriation to pay the unpaid claims for bounty on coyote scalps.

F. J. BRANDON, Secretary.
By C. L. PARDEE, Assistant.

Also:

SENATE CHAMBER, SACRAMENTO, March 5, 1895.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Assembly Bill No. 117—An Act to amend section seven hundred and twenty-six of the Code of Civil Procedure, to provide for the making of deeds on foreclosure of mortgages.

Also: Senate Bill No. 199—An Act authorizing municipal corporations to dispose of surplus water along the line of their water supply outside of their corporate limits; to join with other persons, corporations, and irrigation districts in developing water, and empowering the legislative authority of such municipal corporations to execute such powers.

Also: Senate Bill No. 780—An Act to appropriate five thousand dollars for repairs and improvements upon the grounds of the State Insane Asylum at Agnews.

Also: Senate Bill No. 434—An Act to add a new section to the Penal Code of the State of California, to be known and designated as section five hundred and two and one half, relating to the severance and removal of fixtures and improvements upon mortgaged property.

Also: Respectfully refused to adopt Assembly Constitutional Amendment No. 7—Relative to amending the Constitution of the State of California by repealing sections four and five of article thirteen, and by amending section one of said article.

Also: On March 4, 1895, adopted Assembly Joint Resolution No. 10—Relative to the improvement of the Sacramento River and other inland waters of the State.

Also: On March 5, 1895, passed Senate Bill No. 153—An Act to provide for the organization, incorporation, and government of townships.

F. J. BRANDON, Secretary.
By R. SHAW, Assistant.

Also:

SENATE CHAMBER, SACRAMENTO, March 6, 1895.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Senate Bill No. 59—An Act to amend sections three thousand four hundred and forty-nine and three thousand four hundred and sixty-eight of the Civil Code of the State of California, relating to assignments for the benefit of creditors.

Also: Senate Bill No. 59—An Act to amend section three thousand four hundred and forty-two of the Civil Code of the State of California, relating to fraudulent instruments and transfers.

Also: Senate Bill No. 646—An Act to amend section one thousand five hundred and eighty-two of the Code of Civil Procedure, relating to the maintenance of civil actions by executors and administrators.

Also: Senate Bill No. 194—An Act to appropriate money for the erection and equipment of additional buildings for the accommodation and care of the inmates of the Preston School of Industry, at Ione, Amador County, California.

Also: Senate Bill No. 402—An Act relating to the proof and recording of maps of real estate.

F. J. BRANDON, Secretary.
By C. L. PARDEE, Assistant.

REFERENCE AND SUBSTITUTIONS OF BILLS.

Senate Bill No. 631 referred to Committee on Ways and Means.

Assembly Bills Nos. 695 and 117, and Assembly Joint Resolution No. 10 referred to Committee on Enrollment.

Assembly Joint Resolution No. 8 referred to Committee on Federal Relations.

Senate Bills Nos. 434 and 402 referred to Committee on Judiciary.

Senate Bill No. 780 was substituted for Assembly Bill No. 465.

Senate Bill No. 153 was substituted for Assembly Bill No. 22.

Senate Bill No. 53 was substituted for Assembly Bill No. 81.

Senate Bill No. 59 was substituted for Assembly Bill No. 83.

Senate Bill No. 194 was substituted for Assembly Bill No. 268.

FIRST READING OF BILLS.

Senate Bill No. 60—An Act empowering the State Board of Harbor Commissioners to lay out and improve certain property on the west side of East Street, between Clay Street and Market Street, in the City and County of San Francisco, extending their jurisdiction over the same, and rectifying and establishing a line of streets therein.

Read first time, and placed on special Senate file.

Senate Bill No. 61—An Act authorizing and empowering the Board of State Harbor Commissioners to grant, exchange, or transfer certain property east of the westerly line of East Street, as delineated and located upon the ground between Clay Street and Market Street, in the City and County of San Francisco, to or with the owner or owners of certain property on the triangular corner common to Market, Sacramento, and East Streets.

Read first time, and ordered on special Senate file.

Senate Bill No. 62—An Act to authorize and empower the Board of State Harbor Commissioners to institute condemnation proceedings against certain property on the corner of Market, Sacramento, and East Streets, in the City and County of San Francisco, and extending their jurisdiction over the same.

Read first time, and ordered on special Senate file.

Senate Bill No. 709—An Act to amend an Act entitled "An Act to amend an Act entitled 'An Act to amend section six of an Act entitled "An Act concerning the waterfront of 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," approved March 19, 1889.

Read first time, and ordered on special Senate file.

Senate Bill No. 129—An Act to appropriate one hundred and forty-

six thousand seven hundred and eighty dollars for the erection of an administration building for the use and occupancy of the officers, employes, and patients of the Mendocino Asylum; to purchase furniture and furnish the building so to be erected by the Directors of said asylum; to purchase furniture and furnish wards for two hundred and six additional patients; to construct an electric plant for lighting the asylum buildings and grounds, and purchase the necessary machinery and appliances therefor; to improve the grounds thereof; to purchase live stock to be used for asylum purposes; to construct a stable and a cow barn; to construct a dam; to furnish an additional water supply to said asylum; for constructing a sewer and drainage system; to purchase an ice plant and cold storage system; to appropriate money therefor, and provide for the expenditure of the same.

Read first time, and ordered on special Senate file.

Senate Bill No. 780—An Act to appropriate five thousand dollars for repairs and improvements upon the grounds of the State Insane Asylum at Agnews.

Read first time, and ordered on special Senate file.

Senate Bill No. 153—An Act to provide for the organization, incorporation, and government of townships.

Read first time, and ordered on special Senate file.

Senate Bill No. 53—An Act to amend sections three thousand four hundred and forty-nine and three thousand four hundred and sixty-eight of the Civil Code of the State of California, relating to assignments for the benefit of creditors.

Read first time, and ordered on special Senate file.

Senate Bill No. 59—An Act to amend section three thousand four hundred and forty-two of the Civil Code of the State of California, relating to fraudulent instruments and transfers.

Read first time, and ordered on special Senate file.

Senate Bill No. 194—An Act to appropriate money for the erection and equipment of additional buildings for the accommodation and care of the inmates of the Preston School of Industry, at Ione, Amador County, California.

Read first time, and ordered on special Senate file.

RESOLUTION.

By Mr. Spencer:

Resolved, That E. V. Spencer be and he is hereby allowed the sum of twenty-four dollars and fifty cents, on account of mileage, in addition to the amount heretofore allowed him, and the Controller is hereby directed to draw his warrant for the same, payable out of the appropriation for the Contingent Fund of the Assembly.

Referred to Committee on Mileage.

Mr. Powers moved that the rules be suspended for the purpose of consideration of Assembly Bill No. 945.

So ordered.

Assembly Bill No. 945—An Act relating to grand juries; enlarging their powers, and exempting certain witnesses from liability on account of testimony given before grand juries.

Read second time.

The following committee amendments were submitted:

AMENDMENT No. 1.

Strike out the title of the bill and insert in lieu thereof, the following: "An Act to amend sections nine hundred and twenty-five and nine hundred and twenty-six of the Penal Code, relating to proceedings of grand juries."

Adopted.

AMENDMENT No. 2.

Beginning at section one of the printed bill, strike out all of sections one, two, three, and four, and insert in lieu thereof, the following:

SECTION 1. Section nine hundred and twenty-five of the Penal Code is hereby amended to read as follows:

Section 925. The grand jury may, at all reasonable times, ask the advice of the Court or the Judge thereof, or of the District Attorney; but unless such advice is asked, the Judge of the Court may not be present during the sessions of the grand jury. The District Attorney of the county may at all times appear before the grand jury for the purpose of giving information or advice relative to any matter cognizable by them, and may interrogate witnesses before them whenever they or he thinks it necessary, but no other person is permitted to be present during the sessions of the grand jury except the members and witnesses actually under examination, and no other person must be permitted to be present during the expression of their opinions or giving their votes upon any matter before them; *provided, however, that—*

1. Any grand jury in this State may at any time, by a majority vote of the entire panel, hold open and public sessions for the purpose of inquiring into any matter into which they may now lawfully inquire in secret session, and may conduct any investigation, and make any inquiry at such open and public session as it is now competent or lawful for them to hold or make in any other manner, and a grand jury, while holding such open and public sessions, shall have the same power and authority to summon witnesses, enforce attendance, issue processes, and send for and examine books and papers, as when holding closed or secret sessions

2. Whenever the public interests may demand, or the grand jury may deem proper the said jury may, by a majority vote of the entire panel, employ additional counsel, or permit of the attendance of other counsel to assist or cooperate with the District Attorney

3. Any person who may appear before the grand jury, and is by them permitted or required to give testimony, and who testifies against any person accused of crime or whose official or public conduct is under investigation, shall not thereafter be liable to indictment or presentment by information, nor to prosecution or punishment for the offense with reference to which his testimony was given, and may plead or prove the giving of such testimony accordingly in bar of such indictment, information, or prosecution, and such testimony shall not be used to establish a civil liability against such witness

Adopted.

AMENDMENT No. 3

Amend by striking out section five, and inserting in lieu thereof the following:

SEC. 2. Section nine hundred and twenty-six of the Penal Code is hereby amended to read as follows. Except in so far as relates to proceedings which occur at open and public sessions, as provided in section nine hundred and twenty-five of this Code, every member of the grand jury must keep secret whatever he, himself, or any other grand juror may have said, or in what manner he or any grand juror may have voted on a matter before them; but may, however, be required by any Court to disclose the testimony of a witness examined before the grand jury, for the purpose of ascertaining whether it is consistent with that given by the witness before the Court, or to disclose the testimony given before them by any person, upon a charge against such person for perjury in giving his testimony, or upon trial therefor

SEC. 3. This Act shall take effect and be in force from and after its passage.

Adopted.

Ordered to printer, engrossment, and third reading.

Mr. Cutter moved that Senate Bill No. 627 be withdrawn from Committee on Public Morals, and placed on special Senate file.

So ordered.

Mr. Cutter moved that the constitutional provision be suspended, and that he be allowed to introduce a bill out of order.

CALL OF THE HOUSE.

The roll was called, and pending the announcement of the result, Mr. Powers moved a call of the House, seconded by Messrs. Cargill and Cutter.

The following members were present and answered to their names:

Messrs. Bachman, Bassford, Belshaw, Berry, Bledsoe, Brusie, Bulla, Butler, Cargill, Coghlin, Coleman, Collins, Cutter, Dale, Davis, Devitt, Dixon, Dodge, Dunbar, Dwyer, Ewing, Fassett, Gay, Glass, Hall, Hatfield, Healey, Holland, Huber, Hudson, Johnson, Jones, Kelsey, Laird, Laugenour, Llewellyn, Meads, McCarthy, McKelvey, Nelson, O'Day, Osborn, Phelps, Powers, Reid, Robinson, Rowell, Sanford, Spencer, Staley, Swisler, Thomas, Tibbits, Tomblin, Twigg, Waymire, Weyse, Wilkinson, and Mr. Speaker.

At ten o'clock and thirty-five minutes P. M. the Speaker called Mr. O'Day to the chair.

Mr. Powers moved that rule seventy be suspended.

So ordered.

LEAVE OF ABSENCE.

Mr. Bulla was granted leave of absence for the evening on account of illness.

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

So ordered.

The result of the roll call was announced, and the constitutional provision suspended by the following vote:

AYES—Messrs. Bachman, Bassford, Belshaw, Berry, Boothby, Brusie, Bulla, Butler, Cargill, Coghlin, Coleman, Collins, Cutter, Dale, Davis, Devitt, Dixon, Dodge, Dunbar, Dwyer, Ewing, Fassett, Gay, Hall, Hatfield, Healey, Holland, Huber, Hudson, Johnson, Jones, Kelsey, Laird, Laugenour, Lewis, Llewellyn, Meads, McCarthy, McKelvey, Nelson, O'Day, Osborn, Phelps, Powers, Price, Reid, Rowell, Sanford, Spencer, Staley, Swisler, Tibbits, Twigg, Waymire, Weyse, Wilkinson, Zocchi, and Mr. Speaker—58.
NOES—Messrs. Bledsoe and Glass—2.

At eleven o'clock and thirty-five minutes P. M. the Speaker resumed the chair.

INTRODUCTION OF BILL—(OUT OF ORDER).

By Mr. Cutter: Assembly Bill No. 1021—An Act to amend 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, etc.

Read first time, and referred to Committee on Judiciary.

RESOLUTION—(OUT OF ORDER).

By Mr. Coghlin:

Resolved, That the Committee on Public Morals be and are hereby instructed to report back forthwith Assembly Bill No. 261.

Adopted.

ADJOURNMENT.

At eleven o'clock and forty minutes P. M., on motion of Mr. Healey, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Thursday, March 7, 1895. }

The Assembly met pursuant to adjournment.

Speaker Lynch in the chair.

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

Messrs. Ash, Bachman, Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Bledsoe, Boothby, Brusie, Bulla, Butler, Cargill, Coghlin, Coleman, Collins, Cutter, Dale, Davis, Devine, Devitt, Dinkelspiel, Dixon, Dodge, Dunbar, Dwyer, Ewing, Fassett, Gay, Glass, Guy, Hall, Hatfield, Healey, Holland, Huber, Hudson, Johnson, Jones, Keen, Kelsey, Kenyon, Laird, Laugenour, Lewis, Llewellyn, Meads, McCarthy, McKelvey, Merrill, Nelson, North, O'Day, Osborn, Pendleton, Phelps, Powers, Price, Reid, Richards, Robinson, Rowell, Sanford, Spencer, Staley, Stansell, Swisler, Thomas, Tibbits, Tomblin, Twigg, Wade, Waymire, Weyse, Wilkinson, Zocchi, and Mr. Speaker.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. O. Summers.

READING OF THE JOURNAL.

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

So ordered.

PRESENTATION OF PETITION.

By Mr. Meads: From quite a number of citizens of Santa Clara County, asking the enactment of such a Sabbath law as will be founded upon and agreeable to the moral law of God, and that will not do wrong to any class of citizens.

Referred to Committee on Public Morals.

REPORTS OF STANDING COMMITTEES.

ON PUBLIC MORALS

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1895.

MR. SPEAKER: Your Committee on Public Morals, to whom was referred Assembly Bill No. 261—have had the same under consideration, and respectfully report the same back, and recommend that the author be allowed to withdraw same.

BETTMAN, Chairman.

Assembly Bill No. 261 withdrawn by author.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1895.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Senate Bill No. 270—An Act to repeal section five hundred and thirty-seven of the Penal Code, relating to defrauding the proprietors of inns and boarding houses—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, and be substituted for Assembly Bill No. 464, the terms being identical

BULLA, Chairman.

So ordered.

ON COUNTY AND TOWNSHIP GOVERNMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1895.

MR SPEAKER: Your Committee on County and Township Governments, to whom was referred Assembly Bills Nos. 958 and 893—have had the same under consideration, and respectfully report the same back, and recommend that the authors be allowed to withdraw the same.

DODGE, Chairman.

Assembly Bills Nos. 958 and 893 withdrawn by authors.

WITHDRAWAL AND SUBSTITUTION OF BILLS.

Assembly Bill No. 855 was withdrawn, and Assembly Bill No. 402 substituted therefor.

Assembly Bill No. 70 was withdrawn, and Senate Bill No. 199 substituted therefor.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON ELECTION LAWS.

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1895.

MR SPEAKER: Your Committee on Election Laws, to whom was referred Assembly Bill No. 944—An Act to establish a primary election law.

Also: Assembly Bill No. 252—An Act creating a primary election law.

Also: Assembly Bill No. 715—An Act to amend section one thousand and forty-three of the Political Code.

Also: Assembly Bill No. 602—An Act providing a penalty for a failure to surrender a public office on the presentation of a certificate of election by a successor.

Also: Assembly Bill No. 475—An Act to provide a primary election law.

Also: Assembly Bill No. 847—A proposed primary election law.

Also: Assembly Bill No. 761—An Act relating to political parties.

Also: Assembly Bill No. 916—An Act to amend the Purity of Elections Law.

Also: Assembly Bill No. 769—An Act providing for the use of voting machines.

Also: Assembly Bill No. 785—An Act to amend section one thousand one hundred and forty-two of the Political Code.

Also: Assembly Bill No. 890—An Act relating to purity of elections.

Have had the same under consideration, and respectfully report the same back, and recommend that the authors be allowed to withdraw the same.

SPENCER, Chairman.

Assembly Bills Nos. 252, 715, 602, 475, 847, 761, 916, 769, 785, and 890 were withdrawn by authors.

ON WAYS AND MEANS

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1895.

MR SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 947—An Act to appropriate five thousand six hundred and twenty-eight dollars and seventy-five cents as compensation to the "La Voce del Popolo," a newspaper published in the City and County of San Francisco, for having published proposed amendments to the Constitution of the State of California during the year 1894.

Also: Assembly Bill No. 948—An Act to appropriate four thousand four hundred and eighty-eight dollars and forty-two cents as compensation to the "Le Franco Californien," a newspaper published in the City and County of San Francisco, for having published proposed amendments to the Constitution of the State of California during the year 1894.

Also: Assembly Bill No. 682—An Act authorizing the State Capitol Commissioners to improve certain streets in the city of Sacramento, to wit: L Street from the east line of Tenth Street to the west line of Fifteenth Street, and Fifteenth Street from the north line of L Street to the south line of N Street, and N Street from the east line of Tenth Street to the west line of Fifteenth Street.

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

Also: Senate Bill No. 103—An Act making an appropriation to pay the deficiency in the appropriation for the support of the State Normal School at Los Angeles, for the forty-sixth fiscal year.

Also: Senate Bill No. 630—An Act making an appropriation to pay the deficiency in the appropriation for the transportation of insane, for the forty-fourth fiscal year.

Also: Senate Bill No. 669—An Act appropriating the sum of five thousand dollars for the care and improvement of the grounds, library, and museum, and purchase of books, maps, globes, models, and Sloyd tools for the use of the State Normal School at Los Angeles, California.

Also: Senate Bill No. 647—An Act making an appropriation to pay the salary of the Secretary to the Debris Commissioner for the remainder of the forty-sixth fiscal year.

Also: Senate Bill No. 648—An Act making an appropriation to pay the salary of the Debris Commissioner for the remainder of the forty-sixth fiscal year.

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

BRUSIE, Chairman.

ON STATE PRISONS AND REFORMATORY INSTITUTIONS

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1895.

MR SPEAKER: Your Committee on State Prisons and Reformatory Institutions, having visited the prisons at Folsom and San Quentin, respectfully report as follows:

On Saturday, February 9th, we visited the prison at Folsom and examined into the management of the institution, and inspected the grounds and buildings as closely as our limited time would permit.

This we consider one of the finest locations for a prison in the State of California, situated as it is upon the banks of the American River, and but a few hours' ride from Sacramento.

An abundance of water and water power is furnished by the canal of the Folsom Water Power Company, over which the State has the control while passing through its lands. This is of great importance to the State, for should it at some future day deem it advisable to establish a manufactory of material used in the State institutions or otherwise, this immense water power would be of incalculable value, and which is now going to waste, save where used in the quarries and for the electric plant. The quarries are inexhaustible, we may say, and can furnish building material to the State for many years to come, and we would suggest that the Warden be directed to commence the quarrying of granite, employing as many prisoners as the demand may require, and to dispose of the material in the rough at a small advance above the cost of production, the price to be fixed by the Board of Prison Directors, and in this manner there should be no cause for complaint by the "trades." The cost of like building material, in our opinion, could be greatly reduced, and thereby give more employment to the stone cutters and other skilled mechanics.

Bills have been before this committee asking that certain establishments of manufacture be erected at Folsom and operated by convict labor. Upon each we have seen fit to report unfavorably. We considered that it came in direct conflict with free labor, and was against the best interests of the State. Yet we have this suggestion to offer, which may not meet with united approval, but no doubt would be of great financial benefit to our State. Further on in the report we will suggest the interchange of prisoners between Folsom and San Quentin, with the object in view of placing the older and more hardened criminals at the latter place. This would increase the number of prisoners at Folsom, and in order to give employment to these men, not only in the quarries, but at other occupations, and endeavoring to make these institutions self-sustaining, we would also suggest the removal of the State Printing Office to Folsom. This could not be accomplished at once, yet the matter could be given thought and attention during the term of the coming Legislature, and appropriations for the carrying out of this could be effected. This is a serious question of interest to many, but when taken into consideration that only state printing is issued from this office, such as the State series of school books, blanks, etc., now printed at Sacramento, it would not interfere with any like industry, and the number of men given permanent employment are not sufficient to cause any serious objection by the typographical unions. One objection that may arise would be the printing required during the sessions of the Legislature, and that this printing could not be done at Folsom owing to distance, etc. While this may be true, there is not any doubt in our minds that contracts could be let once in two years (during sessions of the Legislature) for less money than it now costs the State. It has been considerably agitated of late that we should have a Governor's mansion. This removal would obviate the expense of purchasing a new site, and as the building was formerly erected for that purpose, there is no doubt by reasonable expenditure the building could be put in its former condition to be made suitable again as a Governor's residence.

There were, at the time of our visit to Folsom Prison, 815 prisoners against 724 confined there on July 1st, 1894; 700 of these prisoners were at work in the quarries and on the prison grounds. The average cost per day per capita is 41⁷/₁₀₀ cents, as shown by the report of the Warden for the forty-fifth fiscal year. This compares favorably with the reports given by various prisons throughout the United States, most of them reaching above 46 cents per capita.

The building now in course of construction for dining-room, kitchen, and officers' quarters, and for which an appropriation of \$25,000 was asked to complete the same, we found to be well under way; the labor upon the same shows skill and workmanship, and when completed will be a structure the State may be proud to possess. In the case of a consolidation of the two prisons, as suggested by many well versed in these affairs, this

building is so arranged that it may be extended, with a view of holding all the prisoners that might be transferred from San Quentin.

The sanitary condition of Folsom Prison was such as to meet the approval of the committee. Ventilation is perfect. Drainage good.

We were pleased to find the hospital contained so few patients, there only being three—one from fracture of ankle, one from gunshot wounds of old standing, and the other a case of chronic bronchitis. This we considered an excellent showing according to the number of prisoners there.

A short time past this committee reported favorably upon a bill calling for an appropriation to purchase a piece of land containing two hundred and forty acres adjoining the prison grounds. This piece of land is a necessity to the prison and more especially so would it be in case of consolidation of the prisons. The price at \$18 per acre being a reasonable figure, in our opinion it would be exceedingly unwise for the State to let this opportunity pass. Part of this land is timbered and through this medium would pay for itself. The balance is susceptible of producing hay, and with this additional land could be made to produce all the hay required for consumption at the prison.

Warden Aull is to be congratulated upon the efficient management of the affairs of the Folsom Prison, and has proven himself a man well fitted for the discharge of the duties of such a position. His good judgment is well shown in the selection of his subordinate officers. While there are seven hundred or more prisoners employed in out-door labor, there has been but few attempted outbreaks, and these have been promptly suppressed.

The escape of a prisoner under the conditions and circumstances should not be a reflection upon the management of the Warden, as all the necessary precaution is taken to prevent these occurrences.

In regard to charges made against Warden Aull by the newspapers, in the Bachman case, we did not see fit to make any investigation, as our time was limited and we were not fully prepared to handle the matter, and think it more proper to be treated by the Board of Prison Directors. We will state, however, in justice to Mr. Aull, that we were shown a sworn statement by prisoner Bachman, in which he completely exonerates the Warden.

On Saturday, February 16th, your committee, in conjunction with a similar one from the Senate, visited the State Prison at San Quentin. We also at this place made as thorough an inspection as our limited time would allow. We can congratulate Warden Hale upon his efficiency in the administration of affairs within his care.

Your committee had in view the abolishment of the San Quentin Prison, while making their inspection of the aforesaid prison, and the transferring of the prisoners to the Folsom Prison, as proposed by bills presented to the present Legislature. Being in proximity to San Francisco and easily reached by water from many points, it makes it a place poorly situated as a penitentiary. That the removal of the prison from San Quentin at some period in the future may become essential cannot be questioned, but how soon and by what method should be carefully weighed. Owing to the fact that San Quentin is situated so near San Francisco, many prisoners do not have the dread of incarceration that would entail upon them if sent to a more isolated place, as they are within an hour's communication with their friends in the city, who can, at a very slight expense, visit them at the same time use means of posting them upon the events of the day, etc.

Your committee's attention was most particularly called to imprisonment of boys whose ages ranged from nineteen to twenty-two years, who were sentenced from one to three years for minor criminal offenses, and who were continuously thrown in contact with the most depraved criminals within its walls, whose teachings could but arouse the utmost criminal instincts of these boys. Methods should be adopted whereby a grading and segregating of the different criminal classes could be accomplished in the various prisons and reformatory institutions. At the present time all grades and classes are thrown promiscuously together, to which the Wardens and Superintendents seriously protest against, as a very unwise action. Warden Hale has now in his charge some three hundred young men whom he believes could be made to reform, had they the opportunity of being classified. The idea has been suggested at the various institutions, of having the two prisons and two reformatories graded into four classes, which we deem as one of merit.

Were the capacity at Folsom increased, as previously suggested, something more tangible in the way of segregation could be accomplished, also, it would have a tendency of relieving San Quentin of its over-crowded appearance. Unless the strain is taken from the prison, it will necessarily require additional buildings to be erected there to accommodate the increase of prisoners. Were the number reduced to seven or eight hundred, it will not require rebuilding. The main cells are quite substantial, but the balconies, through wear and decay, are becoming a menace to life, but these can be repaired at a small cost.

Another matter that may be duly considered is the expense of bringing prisoners from Southern California. It is great enough to justify the establishment of a prison at one or another point down there.

During the year ending June 30, 1894, four hundred and eighty-three prisoners were discharged from San Quentin and five hundred and seventy-six committed to it, showing that in case of the abolishment of the penitentiary at that place, it is not necessary for any actual transfer of prisoners, except a few.

The jute mill, where grain bags are manufactured, was in full operation, employing

about seven hundred prisoners. This plant has cost many thousands of dollars to the State, and is nearly complete in every detail. The motive power is derived from two immense engines. In case of future removal of the jute manufactory to Folsom, it would be advisable for the Warden at Folsom to keep a table of estimates of the greatest amount of power developed at the power-house when the river is at its lowest stage. For the handling of supplies, the facilities are completely inadequate, there being only a rock embankment for a wharf. A wharf is an actual necessity, and should receive immediate attention.

One thing in particular that your committee would call attention to is, that out of twelve hundred and sixty-one prisoners confined there, only eleven were women. Another is, there is no ground around the prison where vegetables, etc., can be grown for the requirements of the institution.

The management of the hospital, under Dr. Mansfield, we found to be excellent. There were some twenty odd cases, principally aged chronics; pulmonary affections predominating.

We were also shown by the Warden and doctor several cases that were successfully treated for the opium and morphine habits, and were informed that the doctor had treated and cured in all about twenty cases.

In accordance with the above, we recommend the passage of the Substitute for Assembly Bill No. 289, providing for enlarging the cell capacity at Folsom, and the decrease of the numbers at San Quentin to eight hundred, as follows: By detaining the hardened or criminal class to operate the jute mill at the latter place, and the transfer of the first-termers and better class to Folsom, and making such interchange of prisoners as to bring about the best results.

In order to continue this plan it would be necessary for the Prison Board to request the different Superior Judges to commit accordingly. With this number left at San Quentin, only one half of the jute mill could be constantly operated, which would not be any disadvantage, as under the present circumstances and prices, it is run at a loss to the State.

Under this plan the younger and better element would be at Folsom, and would be a consideration in the establishment at that place of the State Printing Office.

We also recommend the appropriation of five thousand dollars for the erection of a new wharf at San Quentin, as before referred to.

Respectfully submitted.

J. T. LAIRD, Chairman

MINORITY REPORT.

I do not concur in that part of the report which recommends the State printing to be done by convict labor, or transforming the State Printing Office into a Governor's mansion.

C. G. DODGE.

Ordered printed in the Journal.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1895.

MR. SPEAKER: Your Committee on State Prisons and Reformatory Institutions, appointed to investigate and report upon the condition and needs of Folsom State Prison, at Folsom, Sacramento County, having visited the State Prison and reported back the result of their investigation to the Assembly, now present their account for expenses, as follows:

C. G. Dodge.....	\$4 00
C. W. Pendleton.....	4 00
H. W. Laugenour.....	4 00
J. T. Laird.....	4 00

Total..... \$16 00

Resolved, That the Controller be and he is hereby directed to draw his warrant in favor of J. T. Laird, Chairman of committee, for the sum of sixteen dollars, as per above statement, said warrant to be so drawn upon the fund for the contingent expenses of the Assembly, and the Treasurer is directed to pay the same.

LAIRD, Chairman.

Referred to Committee on Mileage.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1895.

MR. SPEAKER: Your Committee on State Prisons and Reformatory Institutions, appointed to investigate and report upon the condition and needs of San Quentin State Prison at San Quentin, Marin County, having visited said State Prison and reported back the result of their investigation to the Assembly, now present their account for expenses, as follows:

C. G. Dodge.....	\$22 20
Jas. Devitt.....	22 20
H. W. Laugenour.....	22 20
C. W. Pendleton.....	22 20
Jas. T. Laird.....	22 20
J. C. Kesler, clerk.....	22 20

Total..... \$133 20

Resolved, That the Controller be and is hereby directed to draw his warrant in favor of J. T. Laird, Chairman of said committee, for the sum of one hundred and thirty-three dollars and twenty cents, as per above statement, said warrant to be so drawn upon the fund for the contingent expenses of the Assembly, and the Treasurer is directed to pay the same.

LAIRD, Chairman

Referred to Committee on Mileage.

MOTION.

Mr. Cargill moved the consideration of the joint report of the Committee on State Hospitals and Asylums and Public Health and Quarantine (submitted February 7, 1895).

So ordered.

REPORT OF JOINT COMMITTEE ON STATE HOSPITALS AND ASYLUMS AND PUBLIC HEALTH AND QUARANTINE.

ASSEMBLY CHAMBER, SACRAMENTO, February 7, 1895.

MR. SPEAKER: Your Committees on State Hospitals and Asylums and Public Health and Quarantine beg leave to report that they visited the Insane Asylum of the State of California at Stockton on January 27th and 28th. Our visit being unsuspected by them, we took them by surprise, and found them in every-day garb. We did not examine the institution in a body, but separated and proceeded, some with guides and some without, to a thorough examination and investigation of the institution and its management. We found over fifteen hundred inmates, more than two thirds of whom are males. We found the management excellent. The Superintendent and his competent corps of physicians are surely doing all that can be done for these poor unfortunates. Sanitary conditions are as good as can be under existing circumstances, owing to location. We found the buildings lighted and heated by natural gas found on the premises. The water supply is also developed on the premises, and as a protection from fire they have connection with the city waterworks. We visited the stables, shops, and outhouses, and found all judiciously managed and in excellent condition. One shed on the exercising grounds should be rebuilt, and the old brick building, which should have been replaced by a new one, but as past Legislatures have expended five thousand dollars in repairing the same, and as the Directors are now asking for an appropriation of fifteen thousand dollars for further repairs, we respectfully submit that said amount is absolutely necessary, and request that the appropriation be granted. They have their own shops, tools, and mechanics, and the money will be expended only for raw materials. The Directors are evidently working in harmony with themselves and their Superintendents and assistants for the best good of the institution, the inmates, and the State. The absolute control which the management has over the inmates is proof conclusive that sympathy, kindness, and good judgment constitute the controlling power.

On January 26th we visited the California Institution for the Education of the Deaf and Dumb and Blind, at Berkeley, and were shown through the well-kept buildings and grounds by the excellent Principal, Prof. Warring Wilkinson, and his assistants. Nothing but words of praise can be said of this institution and its management. We found two hundred and eight pupils enrolled, and the touching manner in which they all greeted Professor Wilkinson whenever he came near, and the truly wonderful results accomplished in the school, are proof abundant of his eminent fitness for the position he so ably fills. Sanitary conditions are excellent, and the system of plumbing now in use in these buildings is the most perfect we have ever seen. The water supply is inadequate, and we recommend the appropriation of necessary funds for further water development on the premises. While a hospital, certain street improvements, concrete walls, etc., would be a convenience, and provision must eventually be made for the same, yet they can be postponed without serious inconvenience, and we recommend that Assembly Bill No. 120 do pass as amended.

January 25th we visited the Industrial Home of Mechanical Trades for the Adult Blind at Oakland, and we regret the fact that we cannot make the same commendatory report of this institution that we have of the others visited. In this case, as in the others, we took the management by surprise, and our investigation was as thorough as we could possibly make it within the limited time allotted. We separated as before, and made personal inspection of all buildings, sheds, outhouses, grounds, stock, supplies, tools, appliances, etc., and investigated the management. We found the kitchen clean, the stores of provisions were of good quality, and under the supervision of Mrs. Sanders, the dining tables were abundantly supplied with wholesome victuals. The female dormitories were well kept. The lawns and trees showed skillful attention. The old wooden building, in which brooms are made, and in which valuable stores are kept, is open, cold, and a disagreeable place to

work, and there is constant danger of heavy loss to the State by fire. A visit to the male dormitories revealed the fact that while there were some beds that were clean, there were others that were absolutely filthy. The bath and toilet rooms were mostly in fair condition, but one bath tub was so unclean as to be a disgusting sight, and the men's public toilet was in a similar condition to that of a public toilet at a railroad station. The smoking-room is a disgrace to the State. It has a cement floor which could not be seen for the filth, and while the claim is made by the management that this room is "hosed" out at least once each week, yet the evidence would indicate that it had not been cleaned for *many* weeks. Coal for fuel was piled upon the floor, and the seats were in a dilapidated and filthy condition. Many of the inmates seen in the buildings and about the grounds were wretchedly clothed, and were so filthy in appearance as to be absolutely nauseating and repulsive. The lowest depraved inmates of the Stockton Asylum, incapable of self-control, with drool oozing from their mouths and noses, were clean compared to some of these. There can be no possible explanation for this condition of things other than bad management. Discontent reigns supreme among the inmates in regard to the management. The atmosphere was rife with petty jealousies, and a system of espionage, which we are convinced does exist, on the part of the Superintendent, was generally complained of. Practical discipline seemed to be absolutely wanting. But little attention was paid to the ordinary complaints and murmurings of individuals, but a large number of the inmates, including practically all of the women, were for some reason or other absolutely afraid to talk to members of the committee, stating that spies were on the alert, and that many times they had been harshly treated for speaking the truth. We found the blind Superintendent, Mr. Sanders, an active man of unusual intelligence, with a knowledge of the business intrusted to him that is truly wonderful, yet he seems to have incurred the ill will of nearly all, and terrorized many of the inmates. We also found inharmonious among the members of the Board of Directors, which has existed for years and appears to be irreconcilable. Reports of inharmonious, discontent, and bad management come to us from all quarters, outside of the institution as well as within, and from members of the Board of Directors themselves. As previously stated, we have given no credence to the many individual complaints made to us by inmates and others, concerning the Superintendent, or management, and it is the unanimous opinion of your committees that Professor Sanders is a good and efficient instructor of the blind; that many blind persons are indebted to him for their ability to be self-supporting, and that his knowledge of business methods is invaluable to an institution of this kind; yet under the existing circumstances we seriously doubt the advisability of allowing him to remain in full possession and control of the duties and responsibilities now intrusted to him; but as we regard this a matter entirely in the hands of the Board of Directors, we refrain from further comment in this direction; yet, in view of the practically unlimited evidence of inharmonious now existing, from the head to the foot of this institution, we do recommend that all of the members of the present Board of Directors be removed from said Board, and that a new Board of Directors be appointed. We also recommend that the request of the Board of Directors to buy more land adjacent to the present location be not granted, and that no more buildings be erected on the present site. John P. Irish, President of said Board, acknowledged to us that the advisability of granting such a request was questionable. He also acknowledged to us that he made a wrong statement in the public press concerning the length of time we were visiting and investigating this institution, and he offered to make public acknowledgment to that effect. We were on the premises fully three and a half hours, and have not been dilatory in our search for the truth from that day to this.

We further recommend that the State of California purchase a suitable tract of land outside the limits of any city or town where land can be had cheap, where transportation facilities are good, where the location will be healthful, pleasant, and convenient for the transaction of business, and that suitable and necessary buildings and improvements be erected thereon; that the present grounds, buildings, and improvements belonging to the institution be sold now, or in the near future, to the highest bidder for cash, and the inmates removed to the new location. The estimated value of the present grounds and buildings is from seventy-five thousand to one hundred thousand dollars, a sum which, if judiciously expended, would purchase and equip an institution of this kind in a good location, that would answer all purposes in its line for many years to come, and would remove the inmates from all undue political or disturbing influences. No selfish or personal interests have been considered in this report, and our best efforts have been to further the best interests of the institution, its inmates, and the State, and we are convinced that if the entire Legislature should make the same thorough investigation of this institution and its management that we have they would reach practically the same conclusions. If the suggestions and recommendations which we have already made should be accepted, we will have saved the State at least twenty thousand dollars, and if the recommendations herein contained are accepted, we are of the unanimous opinion that it will result in lasting benefits to the institution, the inmates, and the State.

All of which is most respectfully submitted.

C. G. CARGILL,
Chairman Committee on State Hospitals and Asylums
J. H. GLASS,
Chairman Committee on Public Health and Quarantine

Mr. Cargill moved the adoption of the report.

CALL OF THE HOUSE.

Pending the consideration of the motion, the previous question was moved by Mr. Laugenour, seconded by Messrs. Meads and Pendleton.

So ordered.

The ayes and noes were demanded by Messrs. Bledsoe, Glass, and Dinkelspiel.

The question being on the motion to adopt the committee report.

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

AYES—Messrs. Ash, Bachman, Barker, Belshaw, Berry, Bettman, Bledsoe, Butler, Cargill, Coghlin, Cutter, Dale, Davis, Devine, Devitt, Dwyer, Gay, Glass, Guy, Hatfield, Healey, Holland, Huber, Hudson, Keen, Kelsey, Kenyon, Laird, Laugenour, Lewis, Meads, McKelvey, O'Day, Osborn, Pendleton, Reid, Richards, Robinson, Rowell, Spencer, Swisler, Tomblin, Weyse, Wilkinson, Zocchi, and Mr. Speaker—46.

NOES—Messrs. Bassford, Bulla, Coleman, Collins, Dinkelspiel, Dixon, Dodge, Ewing, Fassett, Hall, Johnson, Jones, Merrill, North, Phelps, Powers, Price, Stansell, Thomas, and Waymire—20.

MOTION.

Mr. Phelps moved that a Committee of Free Conference be appointed on the consideration of Assembly Bill No. 617.

So ordered.

APPOINTMENT OF COMMITTEE.

The Speaker appointed Messrs. Phelps, Tomblin, and Devine a Committee of Free Conference.

MOTION.

Mr. Powers moved that Assembly Bill No. 945 be withdrawn from the printer.

So ordered.

Mr. Powers moved to reconsider the vote whereby the amendments to Assembly Bill No. 945 were adopted.

So ordered.

Assembly Bill No. 945—An Act relating to grand juries; enlarging their powers, and exempting certain witnesses from liability on account of testimony given before grand juries.

Mr. Powers moved to amend the committee amendment to the title as follows:

By inserting the figures "903" between the word "sections" and "925."

Also. By inserting after the words "relating to" in said amendment to title the words "oaths of grand jurors and."

Also. By inserting after the word "following" and before section one, the following:

SECTION 1. Section nine hundred and three of the Penal Code is hereby amended to read as follows:

903 The following oath must be administered to the foreman of the grand jury: "You, as foreman of the grand jury, will diligently inquire into, and true presentment make, of all public offenses against the people of this State, committed or triable within this county, of which you shall have, or can obtain, legal evidence, you will keep your own counsel and that of your fellows, and of the government, and will not, except in so far as may relate to proceedings which may occur at an open and public session, or when required in due course of judicial proceedings, disclose the testimony of any witness examined before you, nor anything which you or any other grand juror may have said, nor the manner in which you or any other grand juror may have voted on any matter before you; you will present no person through malice, hatred, or ill-will, nor leave any unpresented through fear, favor, or affection, or for any reward or the promise or hope thereof, but in all your presentments you will present the truth, the whole truth, and nothing but the truth, according to the best of your skill and understanding, so help you God."

Adopted.

Also: By changing "section one," "section two," and "section three" of the committee report so as to make them read "section two," "section three," and "section four," respectively.

Adopted.

Ordered to printer, engrossment, and third reading.

SPECIAL FILE.

Assembly Bill No. 187—An Act making an appropriation for the erection of additional buildings and improvements for the Southern California State Asylum for the Insane and Inebriates.

Read second time.

MOTION.

Mr. Brusie moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Assembly Bill No. 187.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Lynch in the chair.

Assembly Bill No. 187 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Lynch 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. 187—An Act making an appropriation for the erection of additional buildings and improvements for the Southern California State Asylum for the Insane and Inebriates—and now report, and recommend that the same pass as amended in the committee.

LYNCH, Chairman.

Adopted.

Assembly Bill No. 187—An Act making an appropriation for the erection of additional buildings and improvements for the Southern California State Asylum for the Insane and Inebriates.

Read second time.

The following committee amendments were submitted:

Amend by striking out of section one, page one, line one, printed bill, the word "two," and inserting the word "one"; also the word "seventy," and inserting the word "twenty."

Adopted.

Also Amend by striking out of section one all of lines nine and ten, printed bill.

Adopted.

Also: Amend by striking out of section one, line eleven, printed bill, the word "second," and inserting the word "first."

Adopted.

Also: Amend by striking out of section one, all of lines thirteen and fourteen, printed bill.

Adopted.

Also: Amend by striking out of section one, printed bill, the word "fourth," and inserting the word "third" on line fifteen.

Also: On same line strike out the word "two," and insert the words "a female."

Also: Strike out the letter "s" in word "buildings," same line.

Also: Strike out the word "twenty" and insert the word "ten," same line.

Adopted.

Also: Amend by striking out of section one, page two, line sixteen, printed bill, the word "fifth," and inserting the word "third."

Adopted.

Also: Amend by striking out of section one, page two, line nineteen, printed bill, the word "seventh," and inserting the word "fourth."

Also: In line twenty-one, section one, strike out the word "thirty" and insert the word "twenty-five."

Adopted.

Ordered to printer, engrossment, and third reading.

Assembly Bill No. 797—An Act to repeal an Act entitled "An Act to create and establish a State Board of Horticulture, and to appropriate money for the expenses thereof," approved March 13, 1883, and all Acts amendatory thereof and supplementary thereto, and to confer certain powers upon the Regents of the University of California, and to provide for the protection of the horticultural interests of the State by the appointment of a Quarantine Health Officer or Officers, and to appropriate money for the expenses of the same.

Read second time.

Assembly Bill No. 196—An Act making an appropriation for the erection of an additional building for the State Normal School at Chico.

Refused second reading.

Assembly Bill No. 195—An Act making an appropriation for a fence in front of the grounds of the State Normal School at Chico.

Refused second reading.

Assembly Bill No. 6—An Act appropriating two hundred and fifty thousand dollars for the erection of buildings for the use of affiliated and other departments of the University of California.

Passed, to retain its place on file.

MOTION.

Mr. Brusie moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Assembly Bill No. 797.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Lynch in the chair.

Assembly Bill No. 797 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Lynch 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. 797—An Act to repeal an Act entitled "An Act to create and establish a State Board of Horticulture, and to appropriate money for the expenses thereof," approved March 13, 1883, and all Acts amendatory thereof and supplementary thereto, and to confer certain powers upon the Regents of the University of California, and to provide for the protection of the horticultural interests of the State by the appointment of a Quarantine Health Officer or Officers, and to appropriate money for the expenses of the same—and now report, and recommend that the same do pass as amended in the Committee of the Whole.

LYNCH, Chairman.

Adopted.

Assembly Bill No. 797—An Act to repeal an Act entitled "An Act to create and establish a State Board of Horticulture, and to appropriate money for the expenses thereof," approved March 13, 1883, and all Acts amendatory thereof and supplementary thereto, and to confer certain powers upon the Regents of the University of California, and to provide for the protection of the horticultural interests of the State by the appointment of a Quarantine Health Officer or Officers, and appropriating money for the expenses of the same.

The following committee amendments were submitted:

Amend printed bill by inserting the following, to be numbered section two:

SEC. 2. The County Horticultural Commissioners appointed by the Supervisors of their respective counties, in compliance with the provisions of an Act entitled "An Act to protect and promote the horticultural interests of the State," approved March 14, 1881, and amended March 19, 1889, and March 31, 1891, are authorized to organize themselves into a State association under the supervision of the Agricultural Department of the University of California, and to elect their own officers, *provided*, that no portion of the expense of said organization shall be paid by the State.

Adopted.

Also: Amend section two, line five, printed bill, by inserting after the word "California" the words "on or before the first day of July, 1895."

Adopted.

Also: Amend by striking out of section four, line one, the words and figures "six thousand dollars (\$6,000)" and inserting the following: "ten thousand dollars."

Adopted.

Also: Amend by striking out of section five the words "and after its passage," and inserting "the thirtieth day of June, 1895."

Adopted.

Also: Amend section three to correspond with amendments.

Adopted.

Ordered to printer, engrossment, and third reading.

Assembly Bill No. 219—An Act appropriating two hundred and fifty thousand dollars for the erection of buildings at Berkeley, Alameda County, for the use of the University of California.

Passed, to retain its place on file.

Assembly Bill No. 106—An Act providing for the selection, condemnation, and purchase of a suitable site, and the erection thereon of a State building in San Francisco, and making an appropriation therefor.

Passed, to retain its place on file.

Assembly Bill No. 120—An Act to provide for the completion and equipment of the Deaf, Dumb, and Blind Asylum, and to make an appropriation therefor.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs Bassford, Belshaw, Bennett, Berry, Brusie, Bulla, Butler, Coghlin, Coleman, Collins, Dale, Davis, Dinkelspiel, Dixon, Dodge, Dunbar, Dwyer, Ewing, Fassett, Gay, Glass, Guy, Hall, Hatfield, Healey, Huber, Johnson, Jones, Keen, Kenyon, Laugenour, Meads, McCarthy, McKelvey, Merrill, North, Phelps, Powers, Price, Reid, Richards, Robinson, Spencer, Staley, Stansell, Swisler, Thomas, Weyse, and Mr. Speaker—49.

NOES—Messrs. Ash, Bachman, and Bledsoe—3

Title read and approved.

Assembly Bill No. 875—An Act making an appropriation to pay the claims of Ira H. Locey and Henry Locey against the State of California, for expenses incurred and services rendered by order of the State Board of Forestry.

Read third time.

The question being on the final passage of the bill.

The roll was called, and pending the announcement of the result, Mr. Stansell moved a call of the House, seconded by Messrs. Powers and McKelvey.

So ordered.

CALL OF THE HOUSE.

The roll was called, and the following members were found present:

Messrs. Ash, Bachman, Bassford, Belshaw, Bennett, Berry, Bledsoe, Brusie, Bulla, Butler, Cargill, Coghlin, Coleman, Collins, Dale, Davis, Devitt, Dinkelspiel, Dixon, Dodge, Dunbar, Dwyer, Ewing, Fassett, Gay, Glass, Guy, Hall, Hatfield, Healey, Holland, Huber, Hudson, Johnson, Keen, Kelsey, Kenyon, Lewis, Meads, McCarthy, McKelvey, Merrill, Nelson, North, O'Day, Phelps, Powers, Price, Reid, Richards, Robinson, Rowell, Spencer, Staley, Stansell, Swisler, Tibbits, Tomblin, Twigg, Weyse, Wilkinson, Zocchi, and Mr Speaker.

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

So ordered.

The result of the roll call was announced, and the bill passed by the following vote:

AYES—Messrs Ash, Bassford, Bennett, Berry, Bettman, Brusie, Coghlin, Coleman, Collins, Devine, Devitt, Dodge, Dwyer, Gay, Guy, Hall, Hatfield, Healey, Holland, Huber, Keen, Kelsey, Laugenour, Lewis, McCarthy, McKelvey, Merrill, North, O'Day, Phelps, Powers, Richards, Robinson, Sanford, Spencer, Staley, Stansell, Swisler, Thomas, Tibbits, Tomblin, Twigg, Waymire, Weyse, Wilkinson, Zocchi, and Mr Speaker—47

NOES—Messrs Bachman, Belshaw, Bledsoe, Bulla, Butler, Cargill, Dale, Davis, Dinkelspiel, Dixon, Dunbar, Ewing, Fassett, Glass, Hudson, Johnson, Kenyon, Meads, Nelson, Osborn, Price, Reid, and Rowell—23.

Title read and approved.

Mr. Stansell moved that Assembly Bill No. 875 be immediately transmitted to the Senate.

So ordered.

Assembly Bill No. 314—An Act to provide for the payment of the claim of C. S. Merrill for services as stenographer and professional services performed upon Court of Inquiry, San Francisco, as per Special Orders, Commander-in-Chief, No. 12, dated September 8, 1894.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Bassford, Berry, Bettman, Brusie, Bulla, Butler, Cargill, Coghlin, Coleman, Collins, Davis, Devine, Devitt, Dinkelspiel, Dixon, Dodge, Dunbar, Dwyer, Gay, Guy, Hall, Hatfield, Healey, Holland, Huber, Johnson, Keen, Kelsey, Laugenour, Lewis, McKelvey, Merrill, North, O'Day, Phelps, Powers, Richards, Robinson, Sanford, Spencer, Staley, Swisler, Tibbits, Twigg, Weyse, Wilkinson, and Mr. Speaker—48.

NOES—Messrs. Belshaw, Dale, Ewing, Hudson, McCarthy, Nelson, and Price—7

Title read and approved.

Assembly Bill No. 245—An Act making an appropriation to pay moneys advanced to the State forestry stations by the University of California.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Barker, Belshaw, Bennett, Berry, Bettman, Brusie, Bulla, Butler, Cargill, Coghlin, Coleman, Collins, Dale, Devine, Dinkelspiel, Dixon, Dunbar, Fassett, Gay, Guy, Hall, Hatfield, Huber, Hudson, Johnson, Keen, Kelsey, Kenyon, Laugenour, Lewis, McKelvey, Merrill, Oshorn, Phelps, Powers, Reid, Richards, Robinson, Spencer, Staley, Stansell, Swisler, Tomblin, Waymire, Weyse, Zocchi, and Mr. Speaker—48

NOES—Messrs. Bledsoe, Devitt, Glass, Healey, Holland, McCarthy, Nelson, and Price—8.

Title read and approved.

Assembly Bill No. 606—An Act entitled an Act to amend section four hundred and seventy-five of the Political Code, providing for two clerks and a phonographic reporter in the office of the Attorney-General, declaring said clerks and phonographic reporter to be civil executive officers, and fixing their salaries.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Bachman, Bassford, Belshaw, Bennett, Berry, Bettman, Brusie, Bulla, Butler, Cargill, Coghlin, Collins, Dale, Davis, Devine, Devitt, Dixon, Dodge, Dunbar, Dwyer, Fassett, Gay, Glass, Guy, Hatfield, Johnson, Keen, Kelsey, Kenyon, Laugenour, Lewis, Meads, McCarthy, McKelvey, O'Day, Osborn, Phelps, Powers, Price, Rowell, Spencer, Staley, Stansell, Swisler, Thomas, Waymire, Weyse, Zocchi, and Mr. Speaker—50.

NOES—Messrs. Bledsoe, Ewing, and Hall—3.

Title read and approved.

At eleven o'clock and fifty-five minutes A. M. the Speaker called Mr. Dodge to the chair.

Assembly Bill No. 860—An Act to appropriate four thousand seven hundred and fifty dollars, as compensation to "The California Democrat Publishing Company," a corporation incorporated, organized, and existing under the laws of the State of California, for having published proposed amendments to the Constitution of the State of California, during the year 1894.

Read second time.

MOTION.

Mr. Bettman moved that the Assembly resolve itself into Committee of the Whole, with Mr. Dodge in the chair, for the purpose of considering Assembly Bill No. 860.

So ordered.

IN COMMITTEE OF THE WHOLE.

Mr. Dodge in the chair.

Assembly Bill No. 860 was considered in Committee of the Whole.

IN ASSEMBLY.

Mr. Dodge in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

Mr. Dodge stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 860—An Act to appropriate four thousand seven hundred and fifty dollars, as compensation to "The California Demokrat Publishing Company," a corporation incorporated, organized, and existing under the laws of the State of California, for having published proposed amendments to the Constitution of the State of California, during the year 1894—and now report, and recommend that the same do not pass.

DODGE, Chairman.

Adopted.

Assembly Bill No. 860—An Act to appropriate four thousand seven hundred and fifty dollars, as compensation to "The California Demokrat Publishing Company," a corporation incorporated, organized, and existing under the laws of the State of California, for having published proposed amendments to the Constitution of the State of California, during the year 1894.

The following committee amendments were submitted:

AMENDMENT No. 1.

Amend the title by striking out the numbers "\$4,750," and inserting the numbers "\$2,000," by striking out the words "as compensation to," and inserting the words "to pay the claim of"

Also: By striking out the words "for having published proposed amendments to the Constitution of the State of California during the year 1894."

Also: In section one, line two, of printed bill, after the word "to," strike out the words "be paid," and insert the following: "pay the claim of", also, strike out the word "to," in line three, section one; also, by striking out after the word "California," in line five, section one, all the remainder of that section, and insert the following: "The same to be in full satisfaction of its claim against the State of California."

Adopted.

AMENDMENT No. 2.

Amend section one, line one, printed bill, by striking out the words "four thousand seven hundred and fifty," and inserting in lieu thereof the words "two thousand"

Adopted.

Ordered to printer, engrossment, and third reading.

Assembly Bill No. 360—An Act to provide for the improvement of the Whittier State School at Whittier, California, and make an appropriation for the same.

Assembly Bill No. 360 withdrawn, and Assembly Bill No. 1020 substituted therefor, to retain its place on file.

Assembly Bill No. 186—An Act making an appropriation for the erection and furnishing of a residence for the Medical Director of the Southern California State Asylum for the Insane and Inebriates.

Passed, to retain its place on file.

Assembly Bill No. 399—An Act to provide for the erection of an additional building for the use of the Woman's Relief Corps Home

Association, at their home for soldiers' widows and orphans, and army nurses, at Evergreen, California, and making an appropriation therefor.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Barker, Bennett, Berry, Brusie, Butler, Cargill, Coleman, Collins, Davis, Devine, Devitt, Dinkelspiel, Dixon, Dodge, Dunbar, Dwyer, Ewing, Gay, Guy, Hall, Hatfield, Healey, Huber, Hudson, Keen, Kelsey, Kenyon, Laugenour, Meads, McCarthy, Merrill, Nelson, O'Day, Osborn, Pendleton, Powers, Price, Richards, Rowell, Spencer, Staley, Stansell, Swisler, Thomas, Tibbits, Tomblin, Twigg, Wade, Waymire, Weyse, Wilkinson, Zocchi, and Mr. Speaker—54.

NOES—Messrs. Belshaw, Bledsoe, Coglin, Dale, Jones, Reid, and Robinson—7.

Title read and approved.

Mr. Berry moved that Assembly Bill No. 399 be immediately transmitted to the Senate.

So ordered.

Assembly Bill No. 961—An Act appropriating money to pay the expenses of the Commissioner of Public Works and his employes, for the forty-seventh and forty-eighth fiscal years.

Read third time.

The question being on the final passage of the bill.

The roll was called, and pending the announcement of the result, Mr. Laugenour moved a call of the House, seconded by Messrs. Brusie and Pendleton.

Lost.

The result of the roll call was announced, and the bill refused passage by the following vote:

AYES—Messrs. Bennett, Berry, Brusie, Devine, Devitt, Dixon, Gay, Guy, Hatfield, Healey, Holland, Huber, Hudson, Kelsey, Laird, Meads, McCarthy, Nelson, O'Day, Osborn, Pendleton, Phelps, Powers, Reid, Richards, Sanford, Spencer, Staley, Stansell, Swisler, Tibbits, Tomblin, Twigg, Waymire, Weyse, Wilkinson, and Zocchi—37.

NOES—Messrs. Ash, Bachman, Barker, Bassford, Belshaw, Bledsoe, Bulla, Butler, Cargill, Collins, Dale, Davis, Dinkelspiel, Dodge, Dunbar, Ewing, Fassett, Glass, Hall, Johnson, Keen, Kenyon, Laugenour, Merrill, Price, Robinson, Rowell, and Wade—28.

NOTICE OF RECONSIDERATION.

Mr. Laugenour gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 961 was refused final passage.

RECESS.

The hour of recess having arrived, the Speaker declared recess until one o'clock and thirty minutes P. M.

REASSEMBLED.

The Assembly reassembled at one o'clock and thirty minutes P. M.

Speaker Lynch in the chair.

Quorum present.

The Speaker immediately called Mr. Laugenour to the chair.

LEAVE OF ABSENCE.

Mr. Lynch was granted leave of absence for three hours.

Assembly Bill No. 665—An Act to provide the office of the Attorney-

General with such law books as may be required by him for the conduct of the business of his office, and requiring the State Librarian to provide and furnish the same.

Read second time.

MOTION.

Mr. Brusie moved that the Assembly resolve itself into Committee of the Whole, with Mr. Laugenour in the chair, for the purpose of considering Assembly Bill No. 665.

So ordered.

IN COMMITTEE OF THE WHOLE.

Mr. Laugenour in the chair.

Assembly Bill No. 665 was considered in Committee of the Whole.

IN ASSEMBLY.

Mr. Laugenour in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

Mr. Laugenour stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 665—An Act to provide the office of the Attorney-General with such law books as may be required by him for the conduct of the business of his office, and requiring the State Librarian to provide and furnish the same—and now report, and recommend that the same pass as amended.

LAUGENOUR, Chairman.

Adopted.

Assembly Bill No. 665—An Act to provide the office of the Attorney-General with such law books as may be required by him for the conduct of the business of his office, and requiring the State Librarian to provide and furnish the same.

The following committee amendment was submitted:

Amend section one, line nine, printed bill, by inserting the following: "not to exceed five thousand dollars," after the word "purchases."

Adopted.

Ordered to printer, engrossment, and third reading.

Assembly Bill No. 934—An Act making an appropriation to pay the deficiency in the appropriation for repairs to Capitol building and furniture, and purchase of carpets and furniture, for the forty-sixth fiscal year.

Read second time.

Assembly Bill No. 840—An Act to appropriate money to pay the claim of Charlotte M. Holman.

Read second time.

Assembly Bill No. 1020—An Act to appropriate the sum of forty thousand one hundred dollars, to be expended by the Trustees of the Whittier State School, at Whittier, Los Angeles County, in making the following improvements and repairs at said Whittier State School, to wit: Construction of hospital, and furnishing the same; finishing the attic in the administration building; additional books and periodicals

for library; horses, cows, hogs, and agricultural implements; completion and furnishing of building now in course of construction in boys' department for dining-room, kitchen, bakery, and commissary department; for the completion and furnishing of building now in course of construction for girls; to purchase additional water, and necessary piping.

Passed, to retain its place on file.

Assembly Bill No. 954—An Act appropriating the sum of twenty-five thousand dollars for a thorough system of ventilation for the Capitol building.

Read second time, ordered engrossed and to third reading.

Assembly Bill No. 950—An Act to appropriate four thousand and seventy-five dollars and fifty cents, as compensation to "Italian Publishing Company," a corporation incorporated, organized, and existing under the laws of the State of California, for having published proposed amendments to the Constitution of the State of California during the year 1894.

Refused second reading.

Assembly Bill No. 861—An Act making an appropriation to pay the claim of Louise Rienzi for services rendered the State Board of Silk Culture as Secretary, Instructress, and Silk Expert, from December 12, 1885, to April 2, 1887, at eighty-seven dollars and fifty cents per month.

Refused second reading.

Assembly Bill No. 500—An Act to provide for the erection and construction of a State hospital for the care of indigent sick and disabled persons, residents of the State of California, and to provide for the maintenance thereof.

Refused second reading.

Assembly Bill No. 917—An Act making an appropriation to pay the indebtedness incurred by the Board of Bank Commissioners, and authorizing and directing the Board to raise the amount, in addition to the amount of annual expenses for the forty-seventh fiscal year.

Read second time.

Assembly Bill No. 832—An Act making an appropriation to purchase additional lands for the occupancy and use of the Preston School of Industry at Ione.

Passed, to retain its place on file.

Assembly Bill No. 289—An Act to provide for certain additions, improvements, and repairs at the Folsom State Prison, for transfer of convicts from San Quentin State Prison, consolidation of State prisons, and making an appropriation therefor.

Refused second reading.

MOTION.

Mr. Brusie moved that the Assembly resolve itself into Committee of the Whole, with Mr. Laugenour in the chair, for the purpose of considering Assembly Bills Nos. 934, 840, 954, and 917.

So ordered.

IN COMMITTEE OF THE WHOLE.

Mr. Laugenour in the chair.

Assembly Bills Nos. 934, 840, 954, and 917 were considered in Committee of the Whole.

IN ASSEMBLY.

Mr. Laugenour in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

Mr. Laugenour stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration the following bills, viz:

Assembly Bill No. 934—An Act making an appropriation to pay the deficiency in the appropriation for repairs to Capitol building and furniture, and purchase of carpets and furniture, for the forty-sixth fiscal year

Also: Assembly Bill No. 840—An Act to appropriate money to pay the claim of Charlotte M. Holman.

Also: Assembly Bill No. 954—An Act appropriating the sum of twenty-five thousand dollars for a thorough system of ventilation for the Capitol building.

Also: Assembly Bill No. 917—An Act making an appropriation to pay the indebtedness incurred by the Board of Bank Commissioners, and authorizing and directing the Board to raise the amount, in addition to the amount of annual expenses for the forty-seventh fiscal year.

And now report, and recommend that the same do pass, except that Assembly Bill No. 954 do not pass.

LAUGENOUR, Chairman.

Adopted.

Assembly Bills Nos. 934, 840, 954, and 917 were ordered to engrossment and third reading.

NOTICE OF RECONSIDERATION.

Mr. Laird gave notice that he would move to reconsider the vote whereby Assembly Bill No. 289 was refused second reading.

Assembly Bill No. 444—An Act to authorize the Directors of the Mendocino Asylum to purchase additional lands for the use of said asylum.

Read second time, ordered engrossed and to third reading.

Assembly Bill No. 480—An Act to provide for the erection and equipment of a combined laundry, boiler, and power building at the California Home for the Care and Training of Feeble-Minded Children; to establish an electric plant therein; to provide accommodations for idiots; to furnish the girls' wing of said institution, and to appropriate money therefor.

Passed, to retain its place on file.

Assembly Bill No. 181—An Act to amend 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, in relation to salary of Secretary.

Passed, to retain its place on file.

Assembly Bill No. 458—An Act to amend an Act amendatory of section four hundred and twenty-five of the Political Code, approved March 20, 1889, relating to special policemen for the State Capitol grounds, and to their powers and the payment of their salaries.

Refused second reading.

Assembly Constitutional Amendment No. 17—Constitutional amendment proposing to the people of the State an amendment to section one of article thirteen of the Constitution, relative to exemptions from taxation.

Passed, to retain its place on file.

Assembly Constitutional Amendment No. 35—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, relative to revenue and taxation.

Mr. Barker moved to amend by adding the following to the resolution:

"SEC. 4. The provisions of this Act shall take effect from and after the first day of January, Anno Domini one thousand eight hundred and ninety-seven."

Adopted.

Ordered to printer.

Assembly Constitutional Amendment No. 36—A resolution proposing to amend section seventeen of article one of the Constitution of the State of California, relative to ownership of property by aliens.

The following committee amendment was submitted:

By striking out of line three, of the original, the words "bona fide residents of this State."

Adopted.

Ordered to printer.

SPECIAL SENATE FILE.

Senate Bill No. 467—An Act to amend section three thousand six hundred and seventy-eight of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the annual preparation of an abstract of all mortgages, deeds of trust, contracts, and other obligations by which any debt is secured.

Passed, to retain its place on file.

Senate Constitutional Amendment No. 3—A resolution to propose to the people of the State of California an amendment to article thirteen of the Constitution, section one, relative to revenue and taxation.

Passed, to retain its place on file.

Senate Constitutional Amendment No. 16—A resolution proposing to the people of the State an amendment to section one of article thirteen of the Constitution, relative to exemptions from taxation.

Passed, to retain its place on file.

LEAVE OF ABSENCE.

Mr. Swisler was granted a leave of absence until two o'clock P. M. to-morrow.

Senate Bill No. 15—An Act authorizing the Judges of the Superior Court in all counties, and cities and counties, having a population of two hundred thousand inhabitants and over, to appoint a Secretary.

Passed, to retain its place on file.

Senate Bill No. 221—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 amendment thereto, approved March 19, 1889.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Bachman, Bassford, Belshaw, Bennett, Bettman, Bledsoe, Boothby, Bruste, Bulla, Butler, Cargill, Coleman, Collins, Dale, Davis, Dodge, Dunbar, Dwyer, Ewing, Fassett, Gay, Glass, Hall, Healey, Holland, Huber, Hudson, Johnson,

Jones, Kenyon, Laugenour, Meads, McCarthy, McKelvey, Merrill, Nelson, North, Pendleton, Richards, Robinson, Swisler, Thomas, Tibbits, Wade, Weyse, and Wilkinson—47.
NOES—None.

Title read and approved.

Mr. Bachman moved that Senate Bill No. 221 be immediately transmitted to the Senate.

So ordered.

Senate Bill No. 192—An Act to amend an Act entitled "An Act to provide for the classification of municipal corporations," as approved March, 1883 (St. 1883, p. 24).

Refused third reading.

Senate Bill No. 36—An Act to appropriate money to pay the claim of D. Jordan, for the partial construction by him of the Branch State Prison at Folsom, California.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs Bachman, Bassford, Bennett, Berry, Bettman, Boothby, Brusie, Butler, Cargill, Coghlin, Collins, Devine, Devitt, Dinkelspiel, Dixon, Dunbar, Ewing, Gay, Guy, Hatfield, Healey, Holland, Kelsey, Laird, Laugenour, Lewis, Llewellyn, Meads, McCarthy, McKelvey, Merrill, O'Day, Pendleton, Richards, Robinson, Spencer, Swisler, Thomas, Tibbits, Tomblin, Twigg, Wilkinson, and Zocchi—43.

NOES—Messrs. Ash, Belshaw, Bledsoe, Bulla, Coleman, Dale, Davis, Dodge, Fassett, Glass, Hall, Huber, Hudson, Johnson, Jones, Keen, Kenyon, Nelson, North, Osborn, Price, Reid, Sanford, Staley, Stansell, Wade, Waymire, and Weyse—28.

Title read and approved.

Mr. Thomas moved that Senate Bill No. 36 be immediately transmitted to the Senate.

So ordered.

Senate Bill No. 124—An Act making an appropriation to pay the deficiency in the appropriation for support of the Mendocino Asylum, for the forty-fifth and forty-sixth fiscal years.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Barker, Bassford, Belshaw, Bennett, Bettman, Boothby, Brusie, Bulla, Butler, Coleman, Collins, Davis, Devitt, Dixon, Guy, Hall, Hatfield, Holland, Huber, Hudson, Johnson, Laird, Laugenour, Llewellyn, McKelvey, Merrill, Nelson, North, O'Day, Osborn, Pendleton, Reid, Sanford, Spencer, Staley, Thomas, Tibbits, Twigg, Wade, Weyse, and Wilkinson—42.

NOES—Messrs Bledsoe and Dale—2.

Title read and approved.

Senate Bill No. 290—An Act to amend sections three, four, five, seven, nine, ten, eleven, twelve, fourteen, fifteen, sixteen, and twenty-three of an Act entitled "An Act creating a Board of Bank Commissioners, and prescribing their duties and powers," approved March 30, 1878, and as amended by an Act approved March 10, 1887, and to add four new sections thereto, to be numbered twenty-four, twenty-five, twenty-six, and twenty-seven, relating to the powers and duties of such Commissioners.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs Ash, Barker, Bassford, Bennett, Brusie, Bulla, Butler, Coghlin, Coleman, Collins, Dale, Davis, Devine, Devitt, Dixon, Dodge, Dunbar, Fassett, Gay, Guy, Hall,

Hatfield, Healey, Holland, Hudson, Johnson, Kenyon, Laird, Laugenour, Lewis, Llewellyn, McCarthy, McKelvey, Merrill, Pendleton, Price, Reid, Richards, Rowell, Sanford, Spencer, Wade, and Weyse—43.

NOES—Messrs. Bledsoe and Osborn—2.

Title read and approved.

Mr. Bulla moved that Senate Bill No. 290 be immediately transmitted to the Senate.

So ordered.

Mr. Powers moved that Mr. Jacob Freud, a member of the last Constitutional Convention, be allowed to remain on the floor of the House.

So ordered.

Senate Bill No. 349—An Act to amend section one of an Act approved March 15, 1883, and entitled "An Act to authorize the Common Council, Board of Trustees, or other governing body of any incorporated city or town, other than cities of the first class, to re-fund its indebtedness, issue bonds therefor, and provide for the payment of the same," as amended March 1, 1893.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Bachman, Barker, Bassford, Berry, Bettman, Bledsoe, Boothby, Brusie, Bulla, Butler, Coghlin, Coleman, Collins, Dale, Dodge, Dunbar, Fassett, Gay, Glass, Guy, Hall, Hatfield, Hudson, Johnson, Kenyon, Laird, Laugenour, Lewis, Llewellyn, McCarthy, McKelvey, Pendleton, Phelps, Powers, Reid, Richards, Rowell, Sanford, Staley, Stansell, Thomas, Twigg, Wade, Weyse, and Zocchi—46

NOES—Messrs. Cargill and Swisler—2.

Title read and approved.

Mr. Bassford moved that Senate Bill No. 349 be immediately transmitted to the Senate.

So ordered.

Substitute for Senate Bills Nos. 45, 52, 54, and 77—An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors.

Read third time.

MOTION.

Mr. Reid moved to appoint a committee of one, with instructions to amend as follows:

By striking out of section fifty-nine, line sixteen, the word "mortgage."

PREVIOUS QUESTION.

Mr. Brusie moved the previous question, seconded by Messrs. North and Belshaw.

So ordered.

The question being on the adoption of the motion by Mr. Reid.

The same was lost.

The question now being on the final passage.

The roll was called, and pending the announcement of the result, Mr. Powers moved a call of the House, seconded by Messrs. Hatfield and Dinkelspiel.

So ordered.

CALL OF THE HOUSE.

The roll was called, and the following members found present:

Messrs. Ash, Bachman, Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Bledsoe, Boothby, Brusie, Bulla, Butler, Cargill, Coghlin, Coleman, Collins, Cutter, Dale, Davis, Devitt, Dinkelspiel, Dixon, Dodge, Ewing, Fassett, Gay, Glass, Guy, Hall, Hatfield, Healey, Holland, Huber, Hudson, Johnson, Jones, Keen, Kelsey, Kenyon, Laird, Lauge-nour, Lewis, Llewellyn, Meads, McKelvey, Merrill, Nelson, North, O'Day, Osborn, Pendleton, Phelps, Powers, Price, Reid, Richards, Robinson, Rowell, Sanford, Spencer, Staley, Stansell, Swisler, Thomas, Tibbits, Tomblin, Twigg, Wade, Waymire, Weyse, Wilkinson, and Zocchi.

The following members—Messrs. Devine, Dunbar, Dwyer, and McCarthy—were absent without leave, and the Speaker directed the Sergeant-at-Arms to bring the absent members before the bar of the House.

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

Lost.

Mr. Bachman moved that Mr. Swisler be allowed to leave the room.

So ordered.

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

So ordered.

The result of the roll call was announced, and the bill passed by the following vote:

AYES—Messrs. Bachman, Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Bledsoe, Brusie, Bulla, Butler, Cutter, Dale, Davis, Dinkelspiel, Dixon, Dodge, Ewing, Fassett, Glass, Guy, Hall, Hatfield, Healey, Johnson, Jones, Kelsey, Kenyon, Laird, Llewellyn, Meads, McKelvey, Nelson, North, Phelps, Powers, Rowell, Spencer, Swisler, Thomas, Tomblin, Wade, Waymire, and Weyse—44.

NOES—Messrs. Ash, Boothby, Cargill, Coghlin, Coleman, Collins, Devitt, Gay, Holland, Huber, Hudson, Keen, Laugenour, Lewis, McCarthy, Merrill, O'Day, Osborn, Pendleton, Price, Reid, Richards, Robinson, Sanford, Staley, Stansell, Tibbits, Twigg, Wilkinson, and Zocchi—30.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Thomas gave notice that on next legislative day he would move to reconsider the vote whereby Substitute for Senate Bills Nos. 45, 52, 54, and 77 was this day passed.

MOTIONS.

Mr. Berry moved that the Clerk be instructed to amend Assembly Bill No. 187 by inserting the word "second" in lieu of the word "third" on line two of Amendment No. 5 of said bill.

So ordered.

Mr. McKelvey moved to reconsider the vote whereby Assembly Bill No. 458 was this day refused second reading.

So ordered.

Assembly Bill No. 458—An Act to amend an Act amendatory of section four hundred and twenty-five of the Political Code, approved March 20, 1889, relating to special policemen for the State Capitol grounds, and to their powers and the payment of their salaries.

Read second time, and ordered to engrossment and third reading.

REPORT OF COMMITTEE ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1895.

MR. SPEAKER: Your Committee on Enrollment have examined and found correctly enrolled Assembly Bill No. 508—An Act to amend an Act entitled "An Act to provide and regulate the manner of receiving and paying fees, commissions, percentages, and other compensation for official services in cities, and cities and counties, having a population of over one hundred thousand inhabitants, and prescribing the duties of officers with reference thereto," approved March 11, 1893, by adding two new sections thereto, to be known and designated as sections number fifteen and sixteen, respectively, providing for the appointment of certain clerks, to be known as Fee Clerks, prescribing the duties of such clerks, and regulating and providing for their salary.

Also: Assembly Bill No. 67—An Act providing for changing the fiscal year of cities in this State operating under a charter framed under section eight, article eleven of the Constitution.

Also: Assembly Bill No. 157—An Act authorizing the Judges of the Superior Court in all counties, and cities and counties, having a population of two hundred thousand inhabitants and over to appoint a Secretary.

Also: Assembly Bill No. 271—An Act to prescribe conditions upon which certain insurance associations known as Lloyds may be admitted to transact insurance business in the State

And presented the same to the Governor on this day, at two o'clock and thirty minutes P. M.

MEADS, Chairman.

SPECIAL ORDERS.

Assembly Bill No. 959—An Act to establish a uniform system of county and township governments.

Mr. Dodge moved that Assembly Bill No. 959 be made a special order for Friday, immediately after reading of Journal.

So ordered.

Assembly Bill No. 653—An Act to amend section nine hundred and ninety-six of the Political Code, to declare when a vacancy exists in any elective or appointive office, board, or commission, of any county, city, city and county, township, or municipality, and also to amend section nine hundred and ninety-nine of the Political Code, to provide for the filling of vacancies in office.

The question being, "Shall Assembly Bill No. 653 be read third time?"

The ayes and noes were demanded by Messrs. Ewing, Cutter, and Thomas.

The roll was called, and pending the announcement of the result, Mr. McCarthy moved a call of the House, seconded by Messrs. Twigg and McKelvey.

Lost.

The result of the roll call was announced, and the bill was refused a third reading by the following vote:

AYES—Messrs. Ash, Bachman, Barker, Belshaw, Bledsoe, Bulla, Cargill, Coghlin, Cutter, Dale, Devine, Dodge, Dwyer, Fassett, Healey, Holland, Hudson, Johnson, Jones, Keen, Laugenout, McCarthy, O'Day, Reid, Robinson, Rowell, Sanford, Spencer, Staley, Thomas, and Twigg—31.

NOES—Messrs. Bassford, Bennett, Berry, Bettman, Boothby, Brusie, Butler, Coleman, Collins, Davis, Devitt, Dinkelspiel, Dixon, Ewing, Gay, Glass, Hall, Huber, Kelsey, Kenyon, Laird, Lewis, Meads, McKelvey, Merrill, Nelson, Osborn, Pendleton, Powers, Richards, Stansell, Tibbits, Tomblin, Wade, Weyse, Wilkinson, and Zocchi—37.

NOTICE OF RECONSIDERATION.

Mr. Ewing gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 653 was refused third reading.

Assembly Constitutional Amendment No. 37—Proposed amendment to article four, section one of the Constitution, relative to legislation.

The question being on the adoption of Assembly Constitutional Amendment No. 37.

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

AYES—Messrs. Ash, Barker, Bledsoe, Bulla, Butler, Coleman, Davis, Ewing, Hall, Holland, Jones, Keen, Kenyon, Laugenour, O'Day, and Price—16.

NOES—Messrs. Bachman, Bassford, Belshaw, Bennett, Berry, Brusie, Cargill, Collins, Dale, Devitt, Dinkelspiel, Dixon, Dodge, Dunbar, Dwyer, Fassett, Gay, Glass, Hatfield, Huber, Hudson, Johnson, Kelsey, Laird, Meads, Nelson, Osborn, Powers, Reid, Richards, Rowell, Spencer, Staley, Stansell, Twigg, Waymire, Weyse, and Zocchi—38.

Assembly Constitutional Amendment No. 38—Proposed amendment to section one of article eighteen of the Constitution, relative to amendments.

The question being on the adoption of Assembly Constitutional Amendment No. 38.

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

AYES—Messrs. Barker, Bledsoe, Bulla, Coghlin, Coleman, Collins, Hall, Holland, Jones, Kenyon, McKelvey, O'Day, Richards, and Tibbits—14.

NOES—Messrs. Ash, Bassford, Belshaw, Bennett, Berry, Butler, Cutter, Dale, Davis, Devitt, Dinkelspiel, Dixon, Dunbar, Fassett, Glass, Hatfield, Hudson, Kelsey, Laird, North, Osborn, Phelps, Price, Reid, Rowell, Sanford, Spencer, Staley, Tomblin, Twigg, Wade, Waymire, Weyse, and Zocchi—34.

Assembly Constitutional Amendment No. 39—Proposed amendment to article four of the Constitution, by inserting section one and one half, relating to legislation.

The question being on the adoption of Assembly Constitutional Amendment No. 39.

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

AYES—Messrs. Barker, Bledsoe, Bulla, Butler, Coleman, Holland, Jones, Kenyon, Laugenour, O'Day, Price, Richards, and Sanford—13.

NOES—Messrs. Ash, Bachman, Bassford, Bennett, Berry, Bettman, Brusie, Coghlin, Collins, Cutter, Dale, Davis, Devitt, Dinkelspiel, Dunbar, Dwyer, Fassett, Gay, Glass, Hatfield, Healey, Huber, Hudson, Johnson, North, Reid, Robinson, Rowell, Spencer, Staley, Twigg, Wade, Waymire, Weyse, and Zocchi—35.

ASSEMBLY CONSTITUTIONAL AMENDMENT No. 31

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California, at its regular session, commencing on the seventh day of January, eighteen hundred and ninety-five, two thirds of all the members of each house concurring, hereby propose that section seven of article four of the Constitution of the State be amended so as to read as follows:

Section 7 Each house shall choose its officers, and judge of the qualifications, elections, and returns of its members; *provided* that the officers, employés, and attachés shall be as follows: Of the Assembly, a Speaker, Speaker pro tem, one Chief Clerk, three Assistant Clerks, one Reading Clerk, one Minute Clerk, two Assistant Minute Clerks, who shall be stenographers, one Journal Clerk, one Assistant Journal Clerk, one Engrossing Clerk, one Assistant Engrossing Clerk, who shall act as Clerk to Committee on Engrossment, one Enrolling Clerk, one Assistant Enrolling Clerk, who shall act as Clerk to Committee on Enrollment, one Sergeant-at-Arms, one Assistant Sergeant-at-Arms, who shall act as Doorkeeper, one Clerk to Sergeant-at-Arms, one Bookkeeper, two Gatekeepers, three Watchmen, five Porters, eight Pages, three Bill Clerks, one Messenger from Clerk's desk, one Messenger, who shall act as Mail Carrier, one Postmaster, one Assistant Postmaster, twenty Committee Clerks, which shall be apportioned among the various committees as the Assembly may deem proper, two Stenographers, one Elevator Boy.

Of the Senate, a President, President pro tem, and the same number and kind of other employés and attachés as are herein fixed for the Assembly. Either house may, in its discretion, reduce the number of employés and attachés below the number herein provided for, but shall not increase the same.

Mr. Holland moved a call of the House, seconded by Messrs. Reid and Healey.

Lost.

LEAVE OF ABSENCE.

Mr. Osborn was granted leave of absence for the day.

The question being on the final passage.

The roll was called, and Assembly Constitutional Amendment No. 31 passed by the following vote:

AYES—Messrs. Ash, Bachman, Bassford, Belshaw, Berry, Bettman, Bledsoe, Brusie, Bulla, Collins, Cutter, Dale, Davis, Dinkelspiel, Dodge, Dunbar, Dwyer, Ewing, Gay, Hall, Hatheld, Healey, Holland, Huber, Hudson, Johnson, Jones, Keen, Kenyon, Laird, Laugenour, Meads, McKelvey, Merrill, Nelson, North, O'Day, Osborn, Pendleton, Powers, Price, Reid, Richards, Rowell, Sanford, Staley, Tibbits, Tomblin, Twigg, Wade, Waymire, Weyse, Wilkinson, and Zocchi—54.

NOES—Messrs. Barker, Bennett, Boothby, Butler, Cargill, Coghlin, Coleman, Dixon, Fassett, Phelps, Robinson, and Spencer—12

RESOLUTION—(URGENCY).

By Mr. Brusie:

Resolved, That Assembly Bill No. 1019 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house are hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

The question being on the adoption of the resolution.

The roll was called, and the constitutional provision suspended by the following vote:

AYES—Messrs. Ash, Bachman, Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Bledsoe, Brusie, Bulla, Butler, Cargill, Coghlin, Coleman, Collins, Cutter, Dale, Davis, Devine, Dinkelspiel, Dixon, Dunbar, Ewing, Fassett, Gay, Hall, Hatheld, Healey, Holland, Hudson, Johnson, Keen, Kenyon, Laird, Laugenour, Meads, McKelvey, North, O'Day, Phelps, Powers, Price, Richards, Robinson, Rowell, Sanford, Staley, Tibbits, Tomblin, Twigg, Wade, Waymire, Weyse, and Zocchi—55.

NOES—None.

Assembly Bill No. 1019—An Act making an appropriation for the contingent expenses of the Assembly for the thirty-first session of the Legislature.

Read second time.

MOTION.

Mr. Brusie moved that the Assembly resolve itself into Committee of the Whole, with Mr. Laugenour in the chair, for the purpose of considering Assembly Bill No. 1019.

So ordered.

IN COMMITTEE OF THE WHOLE.

Mr. Laugenour in the chair.

Assembly Bill No. 1019 was considered in Committee of the Whole.

IN ASSEMBLY.

Mr. Laugenour in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

Mr. Laugenour stated the report of the Committee of the Whole, as follows:

GENTLEMEN. The Committee of the Whole have had under consideration Assembly

Bill No. 1019—An Act making an appropriation for the contingent expenses of the Assembly for the thirty-first session of the Legislature—and now report, and recommend that the same do pass.

LAUGENOUR, Chairman.

Adopted.

Considered engrossed and ordered to a third reading.

Assembly Bill No. 1019—An Act making an appropriation for the contingent expenses of the Assembly for the thirty-first session of the Legislature.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Barker, Belshaw, Bennett, Berry, Brusie, Bulla, Butler, Coghlin, Coleman, Collins, Dale, Davis, Dinkelspiel, Dixon, Dodge, Dunbar, Ewing, Gay, Hall, Hatfield, Holland, Hudson, Johnson, Jones, Keen, Laird, Laugenour, Meads, McKelvey, Merrill, North O'Day, Powers, Price, Reid, Richards, Robinson, Rowell, Staley, Tibbitts, Wade, Waymire, and Weyse—44.

NOES—None

Title read and approved.

Mr. Reid moved that Assembly Bill No. 1019 be immediately transmitted to the Senate.

So ordered.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 7, 1895

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on March 4, 1895, passed Committee Substitute for Senate Bill No. 544—An Act to amend the Penal Code by adding two new sections, to be known as one thousand and eighty-nine and one thousand and ninety of the Penal Code of the State of California, relative to substitute jurors.

Also, On March 7, 1895, passed Assembly Bill No. 879—An Act to provide for the payment for the advertising of the constitutional amendments, and to make an appropriation therefor.

Also: Senate Bill No. 707—An Act to select and adopt the "Golden Poppy" as the State flower of California.

F. J. BRANDON, Secretary
By C. L. PARDEE, Assistant.

Also:

SENATE CHAMBER, SACRAMENTO, March 7, 1895

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Substitute for Senate Bill No. 449—An Act to provide for the improvement of the Whittier State School at Whittier, California, and making an appropriation for the same.

F. J. BRANDON, Secretary.
By R. SHAW, Assistant

Also:

SENATE CHAMBER, SACRAMENTO, March 7, 1895.

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

Resolved, That the Assembly be requested to return to the Senate Assembly Bill No. 676, now with the Enrolling Clerk of the Assembly, for the purpose of reconsidering the vote whereby the Senate passed said bill, in order to amend the enacting clause, so that it will read as follows:

"The people of the State of California, represented in Senate and Assembly, do enact as follows.

F. J. BRANDON, Secretary.
By R. SHAW, Assistant

Clerk instructed to return bill.

Also:

SENATE CHAMBER, SACRAMENTO, March 7, 1895

MR. SPEAKER I am directed to inform your honorable body that the Senate, on the seventh day of March, passed Senate Bill No. 705—An Act to appropriate money to pay the indebtedness incurred by calling the National Guard of California into service, by order of the Governor, to enforce the law, in 1893 and 1894

Also: Senate Bill No. 753—An Act to promote and secure freedom of speech in Courts of justice.

F. J. BRANDON, Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, March 7, 1895.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, refused to concur in Assembly amendments to Senate Bill No. 327—An Act making an appropriation for elevator attendants.

F. J. BRANDON, Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, March 7, 1895.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the sixth day of March, 1895, respectfully refused to adopt the report of the Committee of Conference on Assembly Bill No. 617—An Act making appropriations for the support of the government of the State of California for the forty-seventh and forty-eighth fiscal years—and have appointed as a Committee of Free Conference, Senators Beard, Ford, and Whitehurst.

F. J. BRANDON, Secretary.
By C. L. PARDEE, Assistant.

Also:

SENATE CHAMBER, SACRAMENTO, March 7, 1895.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the sixth day of March, 1895, passed Senate Bill No. 596—An Act to add a new section to the Penal Code, to be called section two hundred and fifteen, to prohibit the poisoning of domestic animals in towns and cities.

Also: Senate Bill No. 446—An Act to amend section four thousand one hundred and twenty-one of the Political Code, prohibiting Sheriffs, Clerks, Auditors, Assessors, Recorders, Treasurers, Tax Collectors, Superintendents of Schools, and Constables, and their deputies, from practicing law, or acting as attorneys or counselors-at-law, and to prohibit such officers from conveying, drawing deeds, mortgages, leases, contracts, or any instrument of writing not pertaining strictly to the duties of their respective offices, and forbidding the appointment of such officers to the office of Notary Public.

Also: Senate Bill No. 558—An Act making an appropriation to pay the claim of James A. Johnson for legal services in the harbor front cases.

Also: Senate Bill No. 95—An Act to insure preference in appointment, employment, and retention therein, in the public service of the State of California, and municipalities, villages, and counties of the State of California, to ex-Union soldiers of the late war.

Also: Senate Bill No. 248—An Act to appropriate money for the payment of the claim of Chas. A. Hiatt for the arrest of William B. Coup, in pursuance of the reward offered therefor by the Governor of the State of California.

Also: Senate Bill No. 473—An Act to provide for the erection and equipment of a combined laundry, boiler, and power building at the California Home for the Care and Training of Feeble-Minded Children, to establish an electric light plant therein; to provide accommodations for idiots, to furnish the girls' wing of said institution, and to appropriate money therefor.

F. J. BRANDON, Secretary.
By C. L. PARDEE, Assistant.

Also:

SENATE CHAMBER, SACRAMENTO, March 7, 1895.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the sixth day of March, 1895, concurred in the Assembly amendments to Senate Bill No. 462—An Act to prevent evil-disposed persons from coming upon the grounds of the Whittier State School, at Whittier, California.

Also: That the Senate on said day laid on the table Senate Bill No. 46, as amended in the Assembly—An Act entitled "An Act to amend section seven hundred and thirty-seven of the Political Code of the State of California, relating to salaries of Judges of Superior Courts."

F. J. BRANDON, Secretary.
By C. L. PARDEE, Assistant.

ACTION ON SENATE MESSAGES.

Senate Bill No. 596—An Act to add a new section to the Penal Code, to be called section two hundred and fifteen, to prohibit the poisoning of domestic animals in towns and cities.

Read first time, and referred to Committee on Agriculture.

Senate Bill No. 446—An Act to amend section four thousand one

hundred and twenty-one of the Political Code, prohibiting Clerks, Sheriffs, Auditors, Assessors, Recorders, Treasurers, Tax Collectors, Superintendents of Schools, and Constables, and their deputies, from practicing law, or acting as attorneys or counselors-at-law, and to prohibit such officers from conveyancing, drawing deeds, mortgages, leases, contracts, or any instrument of writing not pertaining strictly to the duties of their respective offices, and forbidding the appointment of such officers to the office of Notary Public.

Read first time, and referred to Committee on Judiciary.

Senate Bill No. 558—An Act making an appropriation to pay the claim of James A. Johnson for legal services in the harbor front cases.

Read first time, substituted for Assembly Bill No. 3, and placed on Senate special file.

Senate Bill No. 95—An Act to insure preference in appointment, employment, and retention therein, in the public service of the State of California and municipalities, villages, and counties of the State of California, to ex-Union soldiers of the late war.

Read first time, and referred to Committee on Attachés and Employés.

Senate Bill No. 248—An Act to appropriate money for the payment of Chas. A. Hiatt for the arrest of William B. Coup, in pursuance of the reward offered therefor by the Governor of the State of California.

Read first time, substituted for Assembly Bill No. 254, and placed on Senate special file.

Senate Bill No. 473—An Act to provide for the erection and equipment of a combined laundry, boiler, and power building at the California Home for the Care and Training of Feeble-Minded Children, to establish an electric light plant therein, to provide accommodations for idiots, to furnish the girls' wing of said institution, and to appropriate money therefor.

Read first time, substituted for Assembly Bill No. 480, and placed on Senate special file.

Senate Bill No. 705—An Act to appropriate money to pay the indebtedness incurred by calling the National Guard of California into service, by order of the Governor, to enforce the law, in 1893 and 1894.

Read first time, and placed on Senate special file.

Senate Bill No. 753—An Act to promote and secure freedom of speech in Courts of justice.

Read first time, substituted for Assembly Bill No. 806, and placed on Senate special file.

Senate Bill No. 544—An Act to amend the Penal Code by adding two new sections, to be known as one thousand and eighty-nine and one thousand and ninety of the Penal Code of the State.

Read first time, substituted for Assembly Bill No. 753, and placed on Senate special file.

Senate Bill No. 701—An Act to amend section one hundred and three of the Code of Civil Procedure of the State of California, relating to Justices' Courts.

Read first time, and referred to Committee on Swamp and Overflowed Lands.

Senate Bill No. 449—An Act to provide for the improvement of the Whittier State School, at Whittier, California, and making an appropriation for the same.

Read first time, substituted for Assembly Bill No. 1020, and placed on Senate special file.

MOTION.

Mr. Pendleton moved that the Assembly recede from their amendment to Senate Bill No. 327.

The question being, "Shall the Assembly recede from its amendment to Senate Bill No. 327?"

The roll was called, and the Assembly refused to recede by the following vote:

AYES—Messrs. Berry, Bettman, Boothby, Coleman, Collins, Dixon, Huber, Laugenour, Llewellyn, Meads, McCarthy, McKelvey, Merrill, Pendleton, Price, Reid, Twigg, Waymire, and Wilkinson—19

NOES—Messrs. Ash, Bassford, Belshaw, Bennett, Bledsoe, Butler, Cargill, Dale, Davis, Devine, Dodge, Dunbar, Dwyer, Ewing, Fassett, Glass, Guy, Hall, Hatfield, Hudson, Johnson, Jones, Keen, Kelsey, Laird, Nelson, North, Phelps, Powers, Richards, Rowell, Staley, Stansell, Wade, and Weyse—35

Mr. Pendleton moved to appoint a committee of three to confer with a like committee from the Senate in reference to Senate Bill No. 327.

So ordered.

APPOINTMENT OF COMMITTEE.

The Speaker appointed Messrs. Pendleton, Llewellyn, and Twigg as such committee.

Mr. Spencer moved that Assembly Bill No. 751 be made a special order for to-morrow, immediately after reading of Journal.

Lost.

Mr. Guy requested that Assembly Bill No. 131 be withdrawn.

So ordered.

RECESS.

At five o'clock P. M., on motion of Mr. Bettman, the Assembly took a recess until seven o'clock and thirty minutes P. M.

REASSEMBLED.

The Assembly reassembled at seven o'clock and thirty minutes P. M. Speaker Lynch in the chair.

Quorum present.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON ATTACHES AND EMPLOYEES.

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1895

MR. SPEAKER: Your Committee on Attachés and Employés, to whom was referred Senate Bill No 95—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

WEYSE, Chairman

APPROVAL OF JOURNALS.

The Journals of Tuesday, March 5th, and Wednesday, March 6th, were read and approved.

MOTION.

Mr. Price moved to refer Assembly Bill No. 210 to special committee of one, with instructions to amend by striking out sections twelve and thirteen and renumbering all the other sections accordingly.

So ordered.

The Speaker appointed Mr. Price as such committee.

REPORT OF SPECIAL COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1895.

MR. SPEAKER: Your special committee of one, to whom was referred Assembly Bill No. 210—An Act to provide for a State Veterinarian and County Veterinarians, and prescribe their duties, and to prevent and suppress contagious and infectious diseases among the live stock of the State, and to declare an emergency—with instructions to amend, has had the same under consideration, and respectfully reports the same back, amended as per instructions.

PRICE, Committee.

Adopted.

NOTICES OF RECONSIDERATION.

Mr. Healey gave notice that on next legislative day he would move a reconsideration of the vote whereby Assembly Bill No. 861 was refused second reading.

Mr. Dwyer gave notice that he would, on the next legislative day, move to reconsider the vote whereby Assembly Bill No. 500 was refused second reading.

Assembly Bill No. 140—An Act to amend section three hundred and twenty-four of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to the transfer of shares of stock of corporations, and making the shares of corporations engaged in certain business transferable as appurtenances to real property.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Bachman, Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Bledsoe, Brusie, Bulla, Butler, Coghlin, Coleman, Collins, Cutter, Dale, Davis, Dinkelspiel, Dixon, Dodge, Dunbar, Dwyer, Ewing, Fassett, Gay, Glass, Guy, Hall, Hatfield, Healey, Holland, Hudson, Jones, Keen, Laugenour, Lewis, Meads, McCarthy, Merrill, Nelson, North, O'Day, Osborn, Pendleton, Powers, Price, Rowell, Sanford, Staley, Thomas, Tibbits, Wade, and Weyse—53

NOES—Mr. Ash—1.

Title read and approved.

LEAVE OF ABSENCE.

Mr. McKelvey was granted a leave of absence for the balance of the day.

Mr. Johnson was granted leave of absence for the evening.

Assembly Bill No. 669—An Act prescribing how judgments which may be recovered against any city and county of over one hundred thousand population shall be paid.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Barker, Bassford, Bennett, Bettman, Bledsoe, Brusie, Bulla, Butler, Cargill, Collins, Cutter, Dale, Devitt, Dinkelspiel, Dixon, Ewing, Fassett, Gay, Glass, Guy, Hall, Hatfield, Healey, Holland, Hudson, Johnson, Keen, Kelsey, Kenyon, Laird, Laugenour, Lewis, Meads, McCarthy, McKelvey, Merrill, Nelson, O'Day, Powers, Robinson, Sanford, Staley, Tibbits, Wade, Waymire, Weyse, Wilkinson, Zocchi, and Mr. Speaker—49.

NOES—None.

NOTICES OF RECONSIDERATION.

Mr. Laird gave notice that upon the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 289 was refused second reading.

Mr. Zocchi gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 950 was refused second reading.

Assembly Bill No. 418—An Act to appropriate five thousand dollars as compensation to Julius A. Hult, a private in Company C, First Regiment Infantry, Second Brigade, N. G. C., for injuries sustained while in active service.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs Barker, Bennett, Berry, Bettman, Boothby, Brusie, Bulla, Butler, Cargill, Coghlin, Collins, Devitt, Dinkelspiel, Dixon, Ewing, Fassett, Gay, Guy, Hatfield, Healey, Holland, Huber, Johnson, Keen, Kelsey, Kenyon, Laird, Laugenour, Lewis, McCarthy, McKelvey, Merrill, Nelson, North, O'Day, Pendleton, Powers, Price, Sanford, Staley, Stansell, Tibbits, Waymire, Weyse, Wilkinson, Zocchi, and Mr. Speaker—47.

NOES—Messrs. Ash, Belshaw, Bledsoe, Dale, Dodge, Dunbar, and Hall—7.

Title read and approved.

Mr. Powers moved that Assembly Bill No. 418 be immediately transmitted to the Senate.

So ordered.

Assembly Bill No. 739—An Act authorizing an increase of the police force of cities of the State having a population of over one hundred thousand population.

Mr. Bettman moved that a committee of one be appointed with instructions to amend Assembly Bill No. 739 as follows:

By inserting in section one, line two, after the word "over," the word "one," and striking out the word "population" at end of title

So ordered.

APPOINTMENT OF COMMITTEE.

The Speaker appointed Mr. Bettman as such committee.

REPORT OF COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1895.

MR. SPEAKER: Your special committee of one, to whom was referred Assembly Bill No. 739—An Act authorizing an increase of the police force of cities of the State having a population of over one hundred thousand population—with instructions to amend, has had the same under consideration, and respectfully reports the same back, amended as per instructions.

BETTMAN, Committee.

Adopted.

Ordered to printer.

Assembly Bill No. 47—An Act to pay the claim of Mary M. Springer, the widow and heir of Thomas A. Springer, late State Printer, deceased.

Read third time.

The question being on the final passage of the bill.

The roll was called, and pending the announcement of the result, Mr. Bettman moved a call of the House, seconded by Messrs. McCarthy and Brusie.

So ordered.

CALL OF THE HOUSE.

The roll was called, and the following members found present:

Messrs. Ash, Bachman, Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Bledsoe, Boothby, Brusie, Bulla, Butler, Cargill, Coghlin, Coleman, Collins, Dale, Davis, Devitt,

Dinkelspiel, Dixon, Dodge, Dunbar, Dwyer, Ewing, Fassett, Gay, Glass, Guy, Hall, Hatfield, Healey, Holland, Huber, Hudson, Johnson, Jones, Keen, Kelsey, Kenyon, Laird, Laugenour, Lewis, McCarthy, Merrill, Nelson, North, O'Day, Osborn, Pendleton, Powers, Price, Reid, Richards, Robinson, Rowell, Sanford, Spencer, Staley, Thomas, Tibbits, Twigg, Wade, Waymire, Weyse, Wilkinson, Zocchi, and Mr. Speaker.

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

So ordered.

Mr. McCarthy moved that the Assembly do now adjourn.

Lost.

Mr. Bettman moved a call of the House, seconded by Messrs. Lewis and Boothby.

Lost.

The result of the roll call was announced, and the bill refused passage by the following vote:

AYES—Messrs. Bachman, Berry, Boothby, Brusie, Butler, Coghlin, Coleman, Collins, Devitt, Dinkelspiel, Dixon, Gay, Guy, Hatfield, Healey, Holland, Kelsey, Kenyon, Laird, Lewis, McCarthy, Merrill, O'Day, Pendleton, Powers, Robinson, Spencer, Thomas, Tibbits, Twigg, Weyse, Wilkinson, and Zocchi—32

NOES—Messrs. Ash, Barker, Bassford, Belshaw, Bennett, Bettman, Bledsoe, Bulla, Cargill, Dale, Davis, Dodge, Dunbar, Ewing, Fassett, Glass, Hall, Huber, Hudson, Johnson, Jones, Keen, Kenyon, Laugenour, Nelson, North, Osborn, Price, Reid, Richards, Rowell, Sanford, Staley, Wade, Waymire, and Mr. Speaker—36.

Mr. Bettman gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 47 was refused final passage.

Mr. Pendleton moved that the Assembly do now take up messages from the Governor.

So ordered.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, }
SACRAMENTO, CAL., March 7, 1895. }

To the Senate and Assembly of the State of California

In my inaugural address delivered to your honorable bodies, I called attention to the extravagance of our State government, and to the high rates of existing taxation. I made a comparison in that address between the expenses of California and those of the other principal States of the Union, showing by tables presented that while California in population was twenty-second, in the matter of total expenditures it ranked fourth.

In that inaugural I also called your attention to the reports of the Superintendent of the Napa Lunatic Asylum, and the former Superintendent of the Stockton Lunatic Asylum, showing the large number of persons therein maintained, who, under the law, should not be inmates of those institutions. I said in this connection, after indicating the great disproportion between the expenses of California and other States of the Union:

"As a step in the direction indicated, I would recommend that a bill be passed abolishing existing asylum boards, and providing for one non-partisan board of from seven to nine members to control the entire system of lunatic asylums, with power to employ one general supervising head, who shall be an expert, and not otherwise connected with any of the institutions. The saving by such a system would be large, and local persuasion and influence could circumvent neither the expert nor the general board."

Since my inauguration, and in the discharge of my duties as Governor, I have more fully investigated the institutions and affairs of the State than was possible prior thereto. I have discovered ample proof of all I said in that address, and that its statements were far short of the actual facts.

A bill was introduced, without suggestion from myself, by Senators and Assemblymen of the State, going beyond even the recommendation of my address, which bill, in my belief, if adopted by this Legislature, with such amendments as it may deem proper, would save to the taxpayers of the State hundreds of thousands of dollars each year. I refer to the Senate Bill known as the Seymour Bill (No. 508), and the Assembly Bill known as the Pendleton Bill (No. 693).

In another portion of my address, I spoke as follows: "The extraordinary increase in the number of our lunatic asylums and other State institutions had its origin in two causes: First, the desire of members of the Legislature from particular sections to secure the approval of their constituents by conferring upon them certain supposed benefits, and the consequent iniquitous system of trading to which this gave rise."

These observations—first, as to the endeavor of the members of the Legislature to secure the approval of their constituents at the expense of the people at large; and, second, local persuasion and influence exerted upon them—have been put to the test in this Legislature, and have been exemplified in the consideration of the so-called Seymour-Pendleton Bill.

We have seen in the corridors of the Capitol either the trustees of the various institutions affected by these bills, or their representatives, using every influence within their power for the purpose of defeating the measures. We have seen local boards of trade and local merchants not only appealing to the members from their respective localities for the defeat of these measures, but even demanding that the measures be withdrawn. When local communities or the business men of leading towns publish to the Legislature, and to the world, that they demand that their representatives in the Legislature shall abandon measures of this nature because of the threatened loss of business, it is a virtual admission that the loss to the localities would be a saving to the taxpayers of the State, and constitutes a very strong reason why the proposed legislation should be adopted. While these boards of trade and other like bodies are making such strenuous efforts before the Legislature, I fail to find one recommendation emanating from them in the interest of economy.

The Board of Examiners of this State, of which the Attorney-General and Secretary of State—both upright Republicans—are members, will bear out the Executive in his statement that the extravagance of these institutions, and the burdens placed upon the people by their mismanagement, are things so far beyond the conception of the people that, if known, they would create a storm of general indignation which would cause local trustees and local merchants to pause before essaying to dictate to the Legislature what ought to be done in the interest of the people. The investigations made by the Board of Examiners show that but few institutions are not, in violation of the letter and spirit of the law, misapplying public funds—in some cases using the maintenance fund for the purpose of making purchases and improvements, and in others spending the money of the State in luxuries for the heads of departments such as would not be contemplated by any judicial regulation, and in still others maintaining many inmates that should not be there.

The maintenance of State officers, housed and cared for at the expense of the people, is an item in the list of extravagances of no small importance. The Attorney-General, the Secretary of State, the Surveyor-General, and other officials of equal ability, who are elected by the people, receive but three thousand dollars a year and maintain themselves, whereas persons selected for important positions in State institutions by local boards are allowed larger salaries by these boards, and are maintained in luxury at the expense of the State.

This measure that I now recommend to you has no politics in it, but is a proposition of such great importance to the people and will work so great a saving to them that I feel, even at this late hour of the session, called upon to urge its passage; so that something may be done to change the existing state of affairs in California, and give the people some of the relief for which they are asking, and to which they are entitled.

I hope you will pass this measure, and that I may not be compelled in the future, in the selection of boards of trustees of the institutions affected by it, to select three men who will be members of each and every board, and thereby, under the law, constitute a board of charities in fact, although not in name.

JAMES H. BUDD, Governor.

Mr. Thomas moved that the rules be suspended, and Assembly Bill No. 693, which had been placed on the file, be taken up out of order and considered at the present time.

So ordered.

Mr. Pendleton moved to amend as follows:

By inserting in section one, line two, after the word "State," the words "not more than two of whom shall belong to the same political party."

Adopted.

Mr. Nelson moved to amend as follows:

By striking out of section five, line three, the words "the Stockton Insane Asylum."

Lost.

Mr. Huber moved to amend as follows:

By striking out of section five, line seven, the words "Whittier State School at Whittier, California."

Lost.

Mr. Pendleton moved to amend as follows:

By striking out of section five, lines five and six, the words "Deaf, Dumb, and Blind Asylum at Berkeley."

Adopted.

Mr. Huber moved to amend as follows:

By striking out section five.

PREVIOUS QUESTION.

The previous question was moved by Mr. Wade, seconded by Messrs. Huber and Dodge.

Mr. Laugenour moved that the Assembly do now adjourn.

Lost.

The question being on the adoption of the amendment offered by Mr. Huber.

The ayes and noes were demanded by Messrs. Laugenour, Thomas, and Huber.

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

AYES—Messrs. Ash, Bassford, Belshaw, Bennett, Berry, Boothby, Butler, Cargill, Coleman, Collins, Davis, Dixon, Dodge, Dunbar, Fassett, Gay, Glass, Guy, Hall, Huber, Hudson, Jones, Kelsey, Kenyon, Laird, Laugenour, Lewis, Llewellyn, Meads, Merrill, Nelson, North, Osborn, Powers, Price, Richards, Rowell, Spencer, Staley, Tibbits, Tomblin, Wade, Waymire, Weyse, and Wilkinson—44.

NOES—Messrs. Bachman, Barker, Bettman, Bledsoe, Brusie, Bulla, Coghlin, Cutter, Dale, Devine, Dinkelspiel, Dwyer, Hatfield, Healey, Holland, McCarthy, McKelvey, O'Day, Pendleton, Phelps, Reid, Robinson, Sanford, Thomas, and Twiggs—25.

Mr. Pendleton moved that Assembly Bill No. 693 be made a special order for to-morrow, at three o'clock and thirty minutes P. M.

Lost.

Mr. Bachman moved that the enacting clause of Assembly Bill No. 693 be stricken out.

Lost.

Mr. Laugenour gave notice that he would, on the next legislative day, move the reconsideration of the vote whereby section five was stricken out of Assembly Bill No. 693.

Mr. Pendleton moved that the Assembly do now adjourn.

Lost.

Mr. Pendleton moved to amend as follows:

By striking out of section six, line nineteen, after the word "paid," all of the balance of line nineteen and the word "paid" on line twenty, and inserting the following: "Monthly on the last day of each month out of any moneys appropriated for the use of the institutions mentioned in this Act. Salaries and traveling expenses to be prorated among the several institutions mentioned herein according to the appropriation made for each."

Lost.

Also: Amend by inserting after line twenty, section six, the following:

SEC. 7. The provisions of this Act shall be subject to "An Act regulating the erection of public buildings and structures," approved April 1, 1872, and also "An Act to regulate contracts on behalf of the State in relation to erections and buildings," approved March 23, 1876.

Lost.

Also: Amend by striking out of section eight, line five, the words "they having the power regulating," and inserting the following: "The Board shall have the power to regulate."

Lost.

Also: Amend by inserting in section eight, line six, after the word "accepted," the words "provided, that all things being equal, local bidders shall have the preference."

Lost.

Mr. Davis moved to amend as follows:

By striking out all of section nine.

Adopted.

Also: By striking out all of section ten.

Adopted.

Mr. Thomas moved to amend as follows:

By striking out of section eleven, line one, the word "Controller," and inserting the following: "Treasurer"

Lost.

Assembly Bill No. 693 ordered to engrossment and third reading.

Mr. Laugenour moved that the Assembly do now adjourn.

Lost.

Mr. Phelps moved that the rules be suspended and Assembly Bill No. 903 be taken up out of order.

Mr. Laugenour moved to amend by inserting Assembly Bill No. 495.

Lost.

The question being on the motion of Mr. Phelps to suspend the rules.

The same was lost.

ADJOURNMENT.

At ten o'clock and twenty minutes P. M., on motion of Mr. Bettman, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Friday, March 8, 1895. }

The Assembly met pursuant to adjournment.

Speaker Lynch in the chair.

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

Messrs Ash, Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Bledsoe, Boothby, Brusie, Bulla, Butler, Cargill, Coghlin, Coleman, Collins, Cutter, Dale, Davis, Devine, Devitt, Dinkelspiel, Dixon, Dodge, Dunbar, Dwyer, Ewing, Fassett, Gay, Glass, Guy, Hall, Hatfield, Healey, Holland, Huber, Hudson, Johnson, Jones, Keen, Kelsey, Kenyon, Laird, Laugenour, Lewis, Llewellyn, Meads, McCarthy, McKelvey, Merrill, Nelson, North, O'Day, Osborn, Pendleton, Phelps, Powers, Price, Reid, Richards, Robinson, Rowell, Sanford, Spencer, Staley, Stansell, Thomas, Tibbits, Tomblin, Twigg, Wade, Waymire, Weyse, Wilkinson, Zocchi, and Mr. Speaker.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. O. Summers.

READING OF THE JOURNAL.

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

So ordered.

LEAVE OF ABSENCE.

Mr. Keen was granted leave of absence for the day.

SPECIAL ORDERS.

Assembly Bill No. 959—An Act to establish a uniform system of county and township governments.

Passed temporarily.

Mr. Berry moved that a committee of one be appointed, with instructions to amend Assembly Bill No. 187, as follows:

By striking out lines seventeen and eighteen.

So ordered.

The Speaker appointed Mr. Berry as such committee.

REPORT OF SPECIAL COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1895.

MR. SPEAKER: Your select committee, to whom was referred Assembly Bill No. 187—An Act making an appropriation for the erection of additional buildings and improvements for the Southern California State Asylum for the Insane and Inebriates—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.

BERRY, Committee.

Adopted.

Ordered to printer and reëngrossment.

PRESENTATION OF PETITIONS.

By Mr. Guy: Petition of citizens of the State in favor of a Sabbath law.

Referred to Committee on Public Morals.

By Mr. Lynch: From citizens of Cucamonga, San Bernardino County, California, in favor of a Sabbath law.

Referred to Committee on Public Morals.

MOTION.

Mr. McKelvey called up for consideration Mr. Ewing's notice of reconsideration, given on yesterday, on Assembly Bill No. 653.

Mr. McKelvey moved that consideration of same be indefinitely postponed.

Lost.

REPORTS OF STANDING COMMITTEES.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1895.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Senate Bill No. 646—An Act to amend section one thousand five hundred and eighty-two of the Code of Civil Procedure, relating to the maintenance of civil actions by executors and administrators.

Also: Senate Bill No. 721—An Act to amend section seven hundred and thirty-eight of the Code of Civil Procedure, relating to actions to determine adverse claims to property

Have had the same under consideration, and respectfully report the same back without recommendation.

Also: Senate Bill No. 402—An Act relating to the proof and recording of maps of real estate—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, and be substituted for Assembly Bill No. 647, the terms being identical.

Also: Senate Bill No. 434—An Act to add a new section to the Penal Code of the State of California, to be known and designated as section five hundred and two and one half, relating to the severance and removal of fixtures and improvements upon mortgaged property—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended, and be substituted for Assembly Bill No. 430, the terms being identical.

Also: Assembly Bill No. 924—An Act to amend section two thousand two hundred and eleven of the Political Code, relating to the committal of insane persons; to amend section two thousand two hundred and seventeen of the Political Code, relating to the committal of insane persons, to amend section two thousand two hundred and twenty of the Political Code, relating to the committal, admission, detention, and discharge of idiots, imbeciles, certain insane persons, etc., and to add a new section to the Political Code, to be known and designated as section two thousand two hundred and twenty-three of the Political Code, relating to the examination of persons after commitment charged with insanity—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 Bill No. 1016—An Act to amend the Code of Civil Procedure of the State of California by adding a new section thereto, to be known as section three hundred and ninety-one, relating to parties to civil actions—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

BULLA, Chairman.

Assembly Bill No. 647 withdrawn, and Senate Bill No. 402 substituted.

Assembly Bill No. 430 withdrawn, and Senate Bill No. 434 substituted.

Assembly Bill No. 924 withdrawn.

ON LABOR AND CAPITAL.

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1895.

MR. SPEAKER: Your Committee on Labor and Capital, to whom was referred Assembly Bill No. 1000—An Act to promote and encourage ship-building in the State of California—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to the Committee on Commerce and Navigation.

JONES, Chairman.

So ordered.

ON MANUFACTURES AND INTERNAL IMPROVEMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1895.

MR. SPEAKER: Your Committee on Manufactures and Internal Improvements, to whom was referred Assembly Bill No. 919—have had the same under consideration, and respectfully report the same back, and recommend that the author be allowed to withdraw the same.

PRICE, Chairman.

Assembly Bill No. 31 and Assembly Constitutional Amendment No. 42 withdrawn by author.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1895.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Senate Bill No. 631—An Act making an appropriation to pay the deficiency in the appropriation for payment of transportation of children to the State Reform School for Juvenile Offenders for the forty-fourth fiscal year.

Also: Senate Bill No. 43—An Act to provide for the purchase of additional grounds for the State Insane Asylum at Napa

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

BRUSIE, Chairman.

ON AGRICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1895.

MR. SPEAKER: Your Committee on Agriculture, to whom was referred Senate Bill No. 235, find it to be identical with Assembly Bill No. 258, which has been reported engrossed, and is number one hundred and twenty-eight on the general file, third reading—have had the same under consideration, and recommend that it do pass, and that it be substituted for Assembly Bill No. 258, and placed on the Senate special file.

RICHARDS, Chairman.

Assembly Bill No. 258 withdrawn and Senate Bill No. 235 substituted therefor.

ON HOSPITALS AND ASYLUMS.

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1895.

MR. SPEAKER: Your Committee on Hospitals and Asylums, instructed to visit the State Asylums at Ukiah, Napa, and Agnews, the Home for Feeble-Minded at Glen Ellen, and the Veterans' Home at Yountville, respectfully submit our report, as follows:

We found the asylum at Ukiah to be conducted well, and everything in good condition. It is located in a beautiful place, but one difficult of access, except from the south. The per capita for the support of the inmates is now fifty-eight cents. It has been as high as one dollar and forty-seven cents, showing a decrease from month to month, which is highly commendable to the management. It is yet about forty per cent higher than either Napa, Agnews, or Stockton, owing to the fact that a complete equipment and staff of officers is required for a small number of inmates, showing conclusively to our minds the folly of multiplying our public institutions.

There are yet accommodations for one hundred and seventy-five more patients, and we seriously doubt the advisability of appropriating anything at this session for enlargement of the asylum itself.

An appropriation is asked for to buy more land, which we believe to be entirely unnecessary.

It is our firm belief that this institution should not be enlarged until land communication is opened with the northern part of the State, except possibly an administration building, which will probably be required in about two years.

The Home for Feeble-Minded Children is finely located and exceedingly well conducted.

The work done with these unfortunate people shows the effects of skill, perseverance and kindness, and is highly commendable.

Veterans' Home.—Many charges of bad management, etc., had been made against this institution. We inquired carefully into these charges and are satisfied that all differences have been healed, and that under the administration of General Thompson, the institution will move forward and soon rank with the best.

Napa and Agnews.—We cannot speak too highly of the management of these asylums. Everything in and about them is in first-class condition. The officers are skilled in their profession and in executive ability. The per capita in both is a fraction over thirty-eight cents.

While we can find no fault with the management of these asylums, we do deplore the fact that every asylum has been built upon one general plan—too many large dormitories, and too few single rooms.

We believe the herding together of so many insane people in one room to be detrimental to all. We are also of the opinion that some arrangement should be made by the State so that convalescent patients can be removed from association with those not recovering, and we therefore recommend that as soon as the finances of the State will allow, separate wards, or cottages, be built at each asylum for the sole use of convalescents. We also recommend that two large general dining-rooms be built at Agnews for the use of the inmates, thereby removing those rooms from each ward and giving room for about one hundred and sixty more patients.

We also thoroughly inspected the State property located in Santa Clara County, formerly used as the Home for Feeble-Minded Children, and found it in good condition.

This property consists of fifty-one acres of fine land and the buildings thereon, which, with a few inexpensive alterations, could and would furnish ample and complete accommodations for the State's adult blind.

Taking into full consideration the present disgraceful condition of the Oakland Home, we do, after careful investigation and deliberation, most earnestly recommend the passage of Assembly Bill No. 861.

This measure is, in the opinion of your committee, absolutely demanded, both for the physical and moral improvement of the unfortunate inmates, and for the relief of the already overburdened taxpayer.

Respectfully submitted

CARGILL, Chairman.

Adopted.

REPORT OF FREE CONFERENCE.

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1895.

MR. SPEAKER: Your Committee of Free Conference concerning Assembly Bill No 617—An Act making an appropriation for the support of the State government for the forty-seventh and forty-eighth fiscal years—report that we have met a like committee from the Senate, consisting of Senators Beard, Ford, and Whitehurst, and we report that the Free Conference agreed upon and recommended the adoption of the following amendments to the bill as amended in the Senate, March 1, 1895

Section one, line one hundred and forty-three, by striking out the words "and twenty-five."

Section one, to retain lines one hundred and fifty-nine and one hundred and sixty Section one, line one hundred and sixty-nine, by striking out the words "two thousand and forty," and inserting the words "one thousand two hundred "

Section one, line one hundred and eighty-three, by striking out the word "twenty," and inserting the word "fifteen."

Section one, to retain line one hundred and eighty-eight.

Section one, lines one hundred and ninety and one hundred and ninety-one, by striking out the words "one hundred and eighty thousand six hundred and seventy-five," and inserting the words "one hundred and forty-five thousand."

Section one, to retain lines two hundred and ten and two hundred and eleven.

Section one, by striking out lines two hundred and twenty-one, two hundred and twenty-two, two hundred and twenty-three, two hundred and twenty-four, two hundred and twenty-five, and two hundred and twenty-six.

Section one, to retain lines two hundred and twenty-seven and two hundred and twenty-seven and one half

J. L. BEARD,
L. A. WHITEHURST,
TIREY L. FORD,
Senate Committee.
T. G. PHELPS,
MARK A. DEVINE,
E. S. TOMBLIN,
Assembly Committee.

Adopted.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1895.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following bills have been correctly engrossed: Assembly Bill No. 959—An Act to establish a uniform system of county and township governments.

Also: Assembly Bill No 58—An Act to establish a State Normal School at San Diego, California

Also: Assembly Bill No. 953—An Act to amend 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, 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 March 20, 1891, by amending sections one, eleven, and twelve," approved March 23, 1893, by amending section one thereof

Also: Assembly Bill No 263—An Act to appropriate money for the erection and equipment of additional buildings for the accommodation and care of the inmates of the Preston School of Industry, at Lone, Amador County.

Also: Assembly Bill No 125—An Act to appropriate the sum of one thousand and fifty-two dollars to pay the claim of Jerome Deasy.

Also: Assembly Bill No 756—An Act appropriating money to pay the claims of H. P. Dyer, E. F. Dyer, C. A. Granger, Gaston Goldsmith, and Sullivan & Sullivan.

Also: Assembly Bill No 1013—An Act to create and establish a commission for revising, systematizing, and reforming the laws of this State, and for the appointment of the members of said commission, to be known as "The Commissioners for the Revision and Reform of the Law," and to prescribe their powers and duties, and to authorize the appointment of a secretary and stenographer therefor, and to provide for the compensation and expenses of said commission, secretary, and stenographer, and to appropriate money therefor

Also: Assembly Bill No 694—An Act appropriating money to pay the claim of the State Agricultural Society

Also: Assembly Bill No 262—An Act to pay the claim of Major José Ramon Pico, and making an appropriation therefor.

Also: Assembly Bill No 664—An Act to add a new section to the Civil Code, to be designated as section six hundred and sixteen, authorizing corporations organized to establish and maintain or to improve cemeteries, to take and hold property bequeathed, granted, or given to them upon trust, to apply the same or the proceeds or income thereof to the improvement or embellishment of cemeteries, or of any lot therein, or to the erection or maintenance of any monument, structure, or improvement therein.

Also: Assembly Bill No. 249—An Act to provide for incorporation, operation, and management of cooperative associations.

Also: Assembly Bill No. 749—An Act to provide for the repayment, by the State of California, of the purchase price of salt marsh lands, when it has been finally determined by a Court of competent jurisdiction that the State had no title to said lands at the time of sale, because and by reason of the lands being included within the limits of a Mexican grant, as finally surveyed and patented by the United States Government, and to make an appropriation therefor.

Also: Assembly Bill No. 529—An Act to amend section three hundred and ninety-four of the Code of Civil Procedure of California, concerning the commencement of actions.

Also: Assembly Bill No. 1002—An Act authorizing the payment of compensation or commission to persons employed by the State Controller and Attorney-General, or by Boards of Supervisors of the different counties, to collect delinquent State and county taxes, and legalizing all payments made for that purpose.

Also: Assembly Bill No. 224—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to the confinement and performance of labor by prisoners in county jails.

WILKINSON, Chairman.

THIRD READING OF BILL.

Assembly Bill No. 959—An Act to establish a uniform system of county and township governments.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs Ash, Barker, Bassford, Belshaw, Bennett, Berry, Bledsoe, Boothby, Brusie, Bulla, Butler, Cargill, Coghlin, Coleman, Collins, Davis, Devine, Devitt, Dinkelspiel, Dixon, Dodge, Dunbar, Ewing, Glass, Guy, Hall, Hatfield, Healey, Holland, Huber, Hudson, Johnson, Jones, Kelsey, Laugenour, Llewellyn, Nelson, North, O'Day, Powers, Price, Reid, Richards, Robinson, Rowell, Sanford, Spencer, Staley, Stansell, Wade, Waymire, Weyse, Wilkinson, and Mr Speaker—54.

NOES—None.

Title read and approved.

Mr. Dodge moved that Assembly Bill No. 959 be immediately transmitted to the Senate.

So ordered.

SENATE MESSAGES.

SENATE CHAMBER, SACRAMENTO, March 7, 1895.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the fourth day of March, 1895, amended, and passed as amended, Assembly Bill No. 132—An Act to provide for the organization and management of county fire insurance companies.

Also: On March 7, 1895, amended, and passed as amended, Assembly Bill No. 631—An Act to establish the fees of county, township, and other officers, and of jurors and witnesses in this State.

Also: Amended, and passed as amended, Assembly Bill No. 361—An Act to amend section one thousand four hundred and sixteen of the Civil Code of this State, relating to water rights.

F. J. BRANDON, Secretary.
By GEO. A. LEON, Assistant.

Assembly Bill No. 132—An Act to provide for the organization and management of county fire insurance companies.

SENATE AMENDMENTS.

Amend section two by substituting therefor the following:

SEC 2 Such persons shall file with the Secretary of State duly executed articles of incorporation, as required by section two hundred and ninety of the Civil Code, and the Secretary of State shall thereupon issue certificate of incorporation to such county insurance company, and upon organizing under such articles of incorporation, such county fire insurance company may carry on a fire insurance business, as hereinafter provided.

In line four, section seventeen, strike out all after the word 'meeting.' down to and including line ten.

The question being, "Shall the Assembly concur in the Senate amendments?"

The roll was called, and the Assembly refused to concur in the Senate amendments by the following vote:

AYES—Messrs. Belshaw, Bledsoe, Boothby, Brusie, Bulla, Glass, Healey, Holland, Jones, Llewellyn, Meads, North, Reid, Sanford, Stansell, and Weyse—16

NOES—Messrs. Ash, Bassford, Bennett, Butler, Collins, Dale, Davis, Devine, Dinkelspiel, Dixon, Dunbar, Ewing, Fassett, Giv, Hall, Hatheld, Hudson, Kelsey, Kenyon, Lauge-nour, Lewis, McCarthy, Merrill, O'Day, Phelps, Rowell, Staley, Tomblin, Wade, Way-mire, Wilkinson, and Mr. Speaker—32.

Assembly Bill No. 681—An Act to establish the fees of county, town-ship, and other officers, and of jurors and witnesses in this State.

SENATE AMENDMENT No. 1.

Amend by inserting in section one, after line ten, the words "on filing the petition to contest any will or codicil, three dollars."

SENATE AMENDMENT No. 2.

Amend by inserting in section one, line twelve, the words "on placing any action excepting a probate proceeding or default case on the calendar for trial or hearing, to be paid by the party at whose request such action or proceeding is so placed, two dollars."

SENATE AMENDMENT No. 3.

Amend by inserting in section one, line eighteen, the words "For issuing an execu-tion or order of sale in any action, one dollar."

SENATE AMENDMENT No. 4.

Amend by striking out of section one, line thirty-nine, the words "three cents," and inserting the following: "one cent."

SENATE AMENDMENT No. 5.

Amend by inserting in section one, line seventy-four, after the words "fifteen cents," the following: "when such travel can be made by rail, in other cases, twenty-five cents."

SENATE AMENDMENT No. 6.

Amend by inserting in section one, after line seventy-nine, the words "for transport-ing prisoners to the county jail, the actual cost of such transportation."

SENATE AMENDMENT No. 7

Amend by inserting in section one, between lines seventy-nine and eighty (follow-ing amendment six) the words: "for executing and delivering any other instrument, ten cents per folio."

SENATE AMENDMENT No. 8.

Amend by striking out of section one, line eighty-four, the word "fifteen," and insert-ing the following: "twenty."

SENATE AMENDMENT No. 9.

Amend by striking out of section one, line one hundred and thirty-three, the word "township," and inserting the word "county."

SENATE AMENDMENT No. 10.

Amend by striking out of section one, line one hundred and thirty-five, the word "township," and inserting the following: "county."

SENATE AMENDMENT No. 11

Amend by striking out of section one, line two hundred and one, the word "fees," and inserting the following: "per diem."

The question being, "Shall the Assembly concur in the Senate amend-ments?"

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 681 by the following vote:

AYES—Messrs. Ash, Barker, Belshaw, Bennett, Berry, Bettman, Bledsoe, Brusie, Butler, Cargill, Coghlin, Coleman, Cutter, Dale, Davis, Devitt, Dinkelspiel, Dixon, Dunbar, Dwyer, Ewing, Fassett, Glass, Guy, Hall, Hatfield, Holland, Hudson, Johnson, Jones, Kenyon, Laird, Laugenour, Meads, McKelvey, Merrill, Nelson, North, O'Day, Pendleton, Phelps, Powers, Reid, Richards, Rowell, Sanford, Staley, Stansell, Thomas, Tibbits, Tomblin, Wade, Waymire, Weyse, and Mr. Speaker—55.

NOES—None.

Assembly Bill No. 361—An Act to amend section one thousand four hundred and sixteen of the Civil Code of this State, relating to water rights.

SENATE AMENDMENT.

Amend by striking out of section one, line seven, the words "any officer or commission of the United States Government," and inserting the following: "the California Debris Commission."

The question being, "Shall the Assembly concur in the Senate amendment?"

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 361 by the following vote:

AYES—Messrs. Ash, Barker, Belshaw, Berry, Bledsoe, Boothby, Butler, Coghlin, Coleman, Collins, Dale, Dinkelspiel, Dixon, Dodge, Dunbar, Dwyer, Ewing, Fassett, Gay, Glass, Guy, Hall, Hatfield, Healey, Holland, Hudson, Johnson, Jones, Kenyon, Laugenour, Lewis, McCarthy, McKelvey, Merrill, Nelson, North, O'Day, Phelps, Powers, Reid, Richards, Robinson, Rowell, Sanford, Spencer, Staley, Stansell, Thomas, Tomblin, Wade, Waymire, and Mr. Speaker—52.

NOES—None.

Assembly Bills Nos. 681 and 361 ordered to enrollment.

MESSAGES FROM THE SENATE—(RESUMED).

SENATE CHAMBER, SACRAMENTO, March 8, 1895.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this eighth day of March, passed Assembly Bill No. 1019—An Act making an appropriation for the contingent expenses of the Assembly, thirty-first session of the Legislature.

F. J. BRANDON, Secretary.
By GEO. A. LEON, Assistant.

Assembly Bill No. 1019 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, March 7, 1895.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Senate Bill No. 871—An Act conferring power upon the Common Council, Board of Supervisors, or other governing body of cities, or cities and counties, of over one hundred thousand inhabitants, to acquire or condemn land for a suitable site, and erect thereon a suitable building or buildings, for municipal purposes.

F. J. BRANDON, Secretary.
By R. SHAW, Assistant.

Also:

SENATE CHAMBER, SACRAMENTO, March 7, 1895.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Committee Substitute for Senate Bill No. 2—An Act to appropriate money to pay the claim of D. H. Wyckoff, Sheriff of Yolo County, for the arrest of John Ruggles, murderer of A. B. Montgomery, in Shasta County, in 1892.

Also: Substitute for Senate Bill No. 787—An Act to provide for the completion and termination of the duties of the Board of State Viticultural Commissioners, the final disposition and transfer of all properties of the State in its possession, and the repeal of all laws and parts of laws relating to its organization, powers, and duties.

F. J. BRANDON, Secretary.
By C. L. PARDEE, Assistant.

Senate Bill No. 871—An Act conferring power upon the Common Council, Board of Supervisors, or other governing body of cities, or cities and counties, of over one hundred thousand inhabitants, to acquire or condemn land for a suitable site, and erect thereon a suitable building or buildings, for municipal purposes.

Read first time, and referred to San Francisco Delegation.

Committee Substitute for Senate Bill No. 2—An Act to appropriate money to pay the claim of D. H. Wyckoff, Sheriff of Yolo County, for the arrest of John Ruggles, murderer of A. B. Montgomery, in Shasta County, in 1892.

Read first time, and referred to Committee on Ways and Means.

Substitute for Senate Bill No. 787—An Act to provide for the completion and termination of the duties of the Board of State Viticultural Commissioners, the final disposition and transfer of all properties of the State in its possession, and the repeal of all laws and parts of laws relating to its organization, powers, and duties.

Read first time, and referred to Committee on Retrenchment and Public Expenditures.

Mr. Powers moved to withdraw Assembly Bills Nos. 962 and 486 on yesterday's file, and substitute therefor Senate Bill No. 787.

Also: To withdraw Assembly Bill No. 1014, number seventy-two on yesterday's file, and substitute therefor Senate Bill No. 871.

So ordered.

Mr. Brusie moved to reconsider the vote whereby Assembly Bill No. 961 was refused final passage.

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

AYES—Messrs. Bassford, Berry, Bettman, Boothby, Brusie, Butler, Coghlin, Coleman, Collins, Devitt, Dinkelspiel, Dixon, Dunbar, Dwyer, Gay, Hatfield, Healey, Holland, Laugenour, Lewis, Llewellyn, McCarthy, McKelvey, Merrill, Nelson, North, O'Day, Pendleton, Phelps, Powers, Richards, Robinson, Sanford, Staley, Stansell, Thomas, Tibbits, Tomblin, Twigg, Wade, Waymire, Weyse, Wilkinson, Zocchi, and Mr. Speaker—45.

NOES—Messrs. Ash, Barker, Belshaw, Bennett, Bledsoe, Bulla, Dale, Davis, Dodge, Ewing, Fassett, Glass, Hall, Hudson, Johnson, Osborn, Price, Rowell, and Spencer—19.

Assembly Bill No. 961—An Act appropriating money to pay the expenses of the Commissioner of Public Works and his employes, for the forty-seventh and forty-eighth fiscal years.

The question being on the final passage of the bill.

The roll was called, and pending the announcement of the result Mr. Laugenour moved a call of the House, seconded by Messrs. Thomas and Brusie.

CALL OF THE HOUSE.

The roll was called, and the following members found present:

Messrs. Ash, Bennett, Bettman, Bledsoe, Brusie, Bulla, Butler, Cargill, Coghlin, Coleman, Collins, Dale, Davis, Devitt, Dinkelspiel, Dixon, Dodge, Dunbar, Dwyer, Fassett, Gay, Glass, Guy, Hall, Hatfield, Healey, Huber, Johnson, Jones, Laugenour, Llewellyn, Meads, McKelvey, Merrill, Nelson, North, O'Day, Pendleton, Phelps, Price, Richards, Robinson, Rowell, Sanford, Spencer, Staley, Stansell, Tibbits, Tomblin, Twigg, Wade, Waymire, Weyse, Zocchi, and Mr. Speaker—55.

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

So ordered.

The result of the roll call was announced, and Assembly Bill No. 961 passed by the following vote:

AYES—Messrs Bassford, Berry, Bettman, Boothby, Brusie, Butler, Coghlin, Devine, Devitt, Dixon, Dwyer, Gay, Guy, Hatheld, Healey, Holland, Huber, Laugenour, Lewis, Llewellyn, Meads, McCarthy, McKelvey, Merrill, Nelson, O'Day, Pendleton, Phelps, Powers, Reid, Richards, Robinson, Sanford, Thomas, Tibbits, Tomblin, Twigg, Waymire, Weyse, Wilkinson, Zocchi, and Mr. Speaker—42.

NOES—Messrs Ash, Barker, Belshaw, Bennett, Bledsoe, Bulla, Cargill, Coleman, Collins, Dale, Davis, Dinkelspiel, Dodge, Dunbar, Fassett, Glass, Hall, Hudson, Johnson, Jones, Laird, North, Osborn, Price, Rowell, Spencer, Staley, Stansell, and Wade—29.

Title read and approved.

MOTION.

Mr. Dwyer moved to reconsider the vote whereby Assembly Bill No. 500 was on yesterday refused second reading.

Lost.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON CONSTITUTIONAL AMENDMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1895.

MR. SPEAKER: Your Committee on Constitutional Amendments, to whom was referred Assembly Constitutional Amendment No. 17—Proposed amendment to article thirteen of the Constitution, relative to exemptions from taxation—have had the same under consideration, and respectfully report the same back, and recommend that the author be allowed to withdraw it.

Also: Assembly Constitutional Amendment No. 29—Proposed amendment to section one, article thirteen, of the Constitution, relative to taxation.

Also: Assembly Constitutional Amendment No. 46—Proposed amendment to article four of the Constitution, relating to per diem of members of the Legislature.

Also: Assembly Constitutional Amendment No. 53—Proposed amendment to article eleven, section six, of the Constitution, relative to corporations.

Have had the same under consideration, and respectfully report the same back, and recommend that they be not adopted.

Also: Senate Constitutional Amendment No. 3—Proposed amendment to article thirteen of the Constitution, relative to revenue and taxation—have had the same under consideration, and respectfully report the same back, and recommend that it be adopted as amended by this committee, and that the amendment proposed by the gentleman from Los Angeles (Mr. Bulla) be rejected.

Also: Assembly Constitutional Amendment No. 54—Proposed amendment to article five of the Constitution, relative to the election and qualification of Governor—have had the same under consideration, and respectfully report the same back, and recommend that it be not adopted.

Also: Assembly Constitutional Amendment No. 49—Proposed amendment to article thirteen of the Constitution, relative to revenue and taxation—have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

Also: Senate Constitutional Amendment No. 16—A resolution for an amendment to article thirteen, section twelve and three fourths, relative to exemption from taxation—have had the same under consideration, and respectfully report the same back, and recommend that it be not adopted, for the reason that it conflicts with Assembly Constitutional Amendment No. 49, which your committee has recommended for adoption.

WAYMIRE, Chairman.

Assembly Constitutional Amendment No. 17 withdrawn by author.

LEAVE OF ABSENCE.

Mr. Llewellyn was granted leave of absence for the day, on account of illness.

Mr. Brusie moved that the rules be suspended, and that Mr. Waymire be allowed to speak on Assembly Bill No. 865.

So ordered.

Mr. Waymire moved that the rules be suspended and Assembly Bill No. 865 be made a special order for three o'clock and thirty minutes p. m.

The ayes and noes were demanded by Messrs. Spencer, Osborn, and Waymire.

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

AYES—Messrs. Ash, Barker, Bassford, Belshaw, Bledsoe, Coleman, Collins, Dale, Dodge, Ewing, Fassett, Gay, Glass, Guy, Hall, Hudson, Johnson, Jones, Kenyon, McKelvey, Merrill, Nelson, North, Osborn, Phelps, Price, Reid, Richards, Rowell, Spencer, Stansell, Tibbits, Wade, Waymire, and Weyse—35.

NOES—Messrs. Bennett, Berry, Bettman, Boothby, Brusie, Bulla, Butler, Coghlin, Custer, Davis, Devine, Devitt, Dixon, Dunbar, Dwyer, Hatfield, Holland, Laird, Laugenour, Lewis, McCarthy, Pendleton, Robinson, Sanford, Tomblin, Twigg, Wilkinson, Zocchi, and Mr. Speaker—29.

Assembly Bill No. 187—An Act making an appropriation for the erection of additional buildings and improvements for the Southern California State Asylum for the Insane and Inebriates.

Passed, to retain its place on file.

Assembly Bill No. 797—An Act to repeal an Act entitled “An Act to create and establish a State Board of Horticulture, and to appropriate money for the expenses thereof,” approved March 13, 1883, and all Acts amendatory thereof and supplementary thereto, and to confer certain powers upon the Regents of the University of California, and to provide for the protection of the horticultural interests of the State by the appointment of a Quarantine Health Officer or Officers, and to appropriate money for the expenses of the same.

Passed, to retain its place on file.

At twelve o'clock and one minute P. M. the Speaker called Mr. Powers to the chair.

Assembly Bill No. 6—An Act appropriating two hundred and fifty thousand dollars for the erection of buildings for the use of affiliated and other departments of the University of California.

Read third time.

Mr. Laugenour moved to extend the hour of recess fifteen minutes.

So ordered.

PREVIOUS QUESTION.

Pending the consideration of Assembly Bill No. 6, Mr. Dinkelspiel moved the previous question, seconded by Messrs. North and Thomas.

The question being, “Shall the main question be now put?”

So ordered.

The question being on the final passage of the bill.

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

AYES—Messrs. Barker, Bassford, Belshaw, Bennett, Berry, Boothby, Brusie, Bulla, Butler, Cargill, Coghlin, Coleman, Devine, Devitt, Dinkelspiel, Dixon, Dwyer, Ewing, Gay, Guy, Hall, Hatfield, Healey, Holland, Huber, Kelsey, Kenyon, Laird, Laugenour, Lewis, Llewellyn, Meads, McCarthy, McKelvey, Merrill, North, O'Day, Pendleton, Phelps, Powers, Robinson, Sanford, Staley, Stansell, Thomas, Tibbits, Tomblin, Twigg, Waymire, Wilkinson, Zocchi, and Mr. Speaker—52.

NOES—Messrs. Ash, Bettman, Bledsoe, Collins, Dale, Davis, Dunbar, Fassett, Glass, Hudson, Johnson, Jones, Nelson, Osborn, Price, Reid, Rowell, Spencer, Wade, and Weyse—20.

Title read and approved.

Mr. Dinkelspiel moved that Assembly Bill No. 6 be immediately transmitted to the Senate.

So ordered.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON FEDERAL RELATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1895.

MR. SPEAKER: Your Committee on Federal Relations, to whom was referred Substitute for Senate Joint Resolution No 8—have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

HATFIELD, Chairman.

Assembly Bill No. 219—An Act appropriating two hundred and fifty thousand dollars for the erection of buildings at Berkeley, Alameda County, for the use of the University of California.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Barker, Belshaw, Bennett, Berry, Bettman, Boothby, Bulla, Butler, Cargill, Coleman, Collins, Devine, Dinkelspiel, Dixon, Dodge, Dunbar, Dwyer, Fassett, Hall, Hatfield, Huber, Jones, Kelsey, Kenyon, Laugenour, Lewis, Llewellyn, McKelvey, North, O'Day, Osborn, Fendleton, Phelps, Powers, Price, Richards, Sanford, Staley, Tibbits, Tomblin, Waymire, Weyse, and Mr. Speaker—43.

NOES—Messrs. Ash, Bassford, Bledsoe, Coghlin, Dale, Davis, Devitt, Gay, Glass, Hudson, Johnson, Laird, Robinson, Rowell, Spencer, Stansell, and Wade—17.

Mr. Phelps moved that a committee of one be appointed, with instructions to amend the title as follows :

By making the appropriation fifty thousand dollars instead of two hundred and fifty thousand dollars.

So ordered.

APPOINTMENT OF COMMITTEE.

The Speaker appointed Mr. Phelps as such committee.

REPORT OF COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1895.

MR. SPEAKER: Your special committee of one, to whom was referred Assembly Bill No. 219, with instructions to amend as follows: "amend the title by making the appropriation fifty thousand dollars instead of two hundred and fifty thousand dollars"—has had the same under consideration, and respectfully reports the same back, amended as per instructions.

PHELPS, Committee.

Adopted.

Ordered to printer.

RECESS.

At twelve o'clock and thirty-five minutes P. M. Mr. Reid moved to take a recess until two o'clock P. M.

Mr. Bulla moved to amend by making the hour one o'clock and thirty minutes P. M.

So ordered.

The motion of Mr. Reid as amended was adopted.

REASSEMBLED.

The Assembly reassembled at one o'clock and thirty minutes P. M.
Speaker Lynch in the chair.

Quorum present.

Mr. Laird moved that the rules be suspended, and Assembly Bill No. 953 be taken up out of order.

So ordered.

Assembly Bill No. 953—An Act to amend 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, 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 March 20, 1891, by amending sections one, eleven, and twelve,” approved March 23, 1893, by amending section one thereof.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Bassford, Belshaw, Bennett, Berry, Bettman, Bledsoe, Boothby, Brusie, Bulla, Coleman, Dale, Davis, Devitt, Dunbar, Ewing, Fassett, Glass, Hall, Hatfield, Holland, Huber, Hudson, Kelsey, Laird, Laugenour, Lewis, Llewellyn, McKelvey, Merrill, Nelson, North, O'Day, Osborn, Phelps, Price, Rowell, Sanford, Spencer, Staley, Tibbits, Wade, Waymire, Weyse, Zocchi, and Mr. Speaker—46.

NOES—None.

Title read and approved.

Mr. Laird moved that Assembly Bill No. 953 be immediately transmitted to the Senate.

So ordered.

Assembly Bill No. 106—An Act providing for the selection, condemnation, and purchase of a suitable site, and the erection thereon of a State building in San Francisco, and making an appropriation therefor.

Passed, to retain its place on file.

Assembly Bill No. 860—An Act to appropriate four thousand seven hundred and fifty dollars, as compensation to “The California Demokrat Publishing Company,” a corporation incorporated, organized, and existing under the laws of the State of California, for having published proposed amendments to the Constitution of the State of California during the year 1894.

Passed, to retain its place on file.

Assembly Bill No. 186—An Act making an appropriation for the erection and furnishing of a residence for the Medical Director of the Southern California State Asylum for the Insane and Inebriates.

Passed, to retain its place on file.

Assembly Bill No. 665—An Act to provide the office of the Attorney-General with such law books as may be required by him for the conduct of the business of his office, and requiring the State Librarian to provide and furnish the same.

Passed, to retain its place on file.

Assembly Bill No. 934—An Act making an appropriation to pay the deficiency in the appropriation for repairs to Capitol building and furniture, and purchase of carpets and furniture, for the forty-sixth fiscal year.

Passed, to retain its place on file.

Assembly Bill No. 840—An Act to appropriate money to pay the claim of Charlotte M. Holman.

Passed, to retain its place on file.

Assembly Bill No. 954—An Act appropriating the sum of twenty-five thousand dollars for a thorough system of ventilation for the Capitol building.

Passed, to retain its place on file.

Assembly Bill No. 917—An Act making an appropriation to pay the indebtedness incurred by the Board of Bank Commissioners, and authorizing and directing the Board to raise the amount, in addition to the amount of annual expenses for the forty-seventh fiscal year.

Passed, to retain its place on file.

Assembly Bill No. 832—An Act making an appropriation to purchase additional lands for the occupancy and use of the Preston School of Industry at Ione.

Read second time.

Assembly Bill No. 181—An Act to amend 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, in relation to salary of Secretary.

Passed, to retain its place on file.

Assembly Bill No. 458—An Act to amend an Act amendatory of section four hundred and twenty-five of the Political Code, approved March 20, 1889, relating to special policemen for the State Capitol grounds, and to their powers and the payment of their salaries.

Passed, to retain its place on file.

Assembly Bill No. 947—An Act to appropriate five thousand six hundred and twenty-eight dollars and seventy-five cents as compensation to the "La Voce Del Popolo," a newspaper published in the City and County of San Francisco, for having published proposed amendments to the Constitution of the State of California during the year 1894.

Refused second reading.

NOTICE OF RECONSIDERATION.

Mr. Dinkelspiel gave notice that he would, on next legislative day, move to reconsider the vote whereby Assembly Bill No. 947 was refused second reading.

Assembly Bill No. 948—An Act to appropriate four thousand four hundred and eighty-eight dollars and forty-two cents as compensation to the "Le Franco Californien," a newspaper published in the City and County of San Francisco, for having published proposed amendments to the Constitution of the State of California during the year 1894.

Refused second reading.

Assembly Bill No. 682—An Act authorizing the State Capitol Commissioners to improve certain streets in the city of Sacramento, to wit: L Street from the east line of Tenth Street to the west line of Fifteenth Street, and Fifteenth Street from the north line of L Street to the south line of N Street, and N Street from the east line of Tenth Street to the west line of Fifteenth Street; also, to reconstruct Tenth Street from the center line of L Street to the center line of N Street, and to appropriate money therefor.

Read second time.

The following amendment was submitted:

Amend printed bill by striking out of line one, section two, the word "six," and insert in lieu thereof the word "three"; also, strike out of same line the words "six hundred and twenty-six dollars and eighty," and insert in lieu thereof the words "seven dollars and

forty"; also, amend line two, section two, by striking out the figures "\$36,626 80," and insert the figures "\$33,007 40"; also, amend section three, in line two, by striking out the word "six," and inserting the word "three"; also, strike out of the same line the words "six hundred and," and insert in lieu the word "seven," and strike out of line three, section three, the word "twenty-six"; also, strike out of same section, line three, the word "eighty," and insert the word "forty", also, strike out of said line three, the figures "\$36,626 80," and insert in lieu thereof the figures ' \$33,007 40."

Adopted.

MOTION.

Mr. Brusie moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Assembly Bills Nos. 832 and 682.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Lynch in the chair.

Assembly Bills Nos. 832 and 682 were considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Lynch 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. 832—An Act making an appropriation to purchase additional lands for the occupancy and use of the Preston School of Industry at Ione.

Also: Assembly Bill No. 682—An Act authorizing the State Capitol Commissioners to improve certain streets in the city of Sacramento, to wit: L Street from the east line of Tenth Street to the west line of Fifteenth Street, and Fifteenth Street from the north line of L Street to the south line of N Street, and N Street from the east line of Tenth Street to the west line of Fifteenth Street; also, to reconstruct Tenth Street from the center line of L Street to the center line of N Street, and to appropriate money therefor.

And now report, and recommend that the same do pass.

LYNCH, Chairman.

Adopted.

Assembly Bills Nos. 832 and 682 ordered to engrossment and third reading.

SPECIAL SENATE FILE.

Senate Bill No. 467—An Act to amend section three thousand six hundred and seventy-eight of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the annual preparation of an abstract of all mortgages, deeds of trust, contracts, and other obligations by which any debt is secured.

Passed, to retain its place on file.

Senate Constitutional Amendment No. 3—A resolution to propose to the people of the State of California an amendment to article thirteen of the Constitution, section one, relative to revenue and taxation.

Passed, to retain its place on file.

Senate Constitutional Amendment No. 16—A resolution proposing to the people of the State an amendment to section one of article thirteen of the Constitution, relative to exemptions from taxation.

Passed, to retain its place on file.

Senate Bill No. 15—An Act authorizing the Judges of the Superior Court in all counties, and cities and counties, having a population of two hundred thousand inhabitants and over, to appoint a Secretary.

Withdrawn, at the request of Mr. Dixon.

Senate Bill No. 550—An Act to provide for the payment of the claim of George H. Tay Company, for the deficiency in the contract price for heating and ventilating the State Normal School building at San José, State of California.

Mr. Laugenour moved that Senate Bill No. 550 be returned to the Senate for proper engrossment.

So ordered.

Senate Bill No. 104—An Act appropriating the sum of five thousand dollars for the purchase of furniture and apparatus for the State Normal School at Los Angeles, California.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Barker, Bennett, Berry, Bettman, Brusie, Bulla, Coleman, Collins, Cutter, Dale, Devitt, Dinkelspiel, Dixon, Dodge, Dunbar, Ewing, Gay, Guy, Hatfield, Healey, Jones, Kelsey, Kenyon, Laugenour, McKelvey, Merrill, North, O'Day, Pendleton, Phelps, Powers, Richards, Sanford, Staley, Stansell, Tibbits, Wade, Waymire, Weyse, Zocchi, and Mr. Speaker—42.

NOES—Messrs. Belshaw, Bledsoe, Coghlin, Devine, Glass, Hudson, Johnson, Osborn, Price, and Spencer—10

Title read and approved.

Senate Bill No. 212—An Act making an appropriation to pay the deficiency in the appropriation for the support of the Folsom State Prison, for the forty-sixth fiscal year.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Barker, Belshaw, Bennett, Berry, Bettman, Brusie, Bulla, Coghlin, Coleman, Collins, Devine, Devitt, Dinkelspiel, Dixon, Dunbar, Dwyer, Ewing, Gay, Guy, Hatfield, Healey, Jones, Kelsey, Kenyon, Meads, McKelvey, North, O'Day, Phelps, Powers, Richards, Robinson, Rowell, Staley, Swisler, Tibbits, Wade, Waymire, Weyse, Wilkinson, Zocchi, and Mr. Speaker—43.

NOES—Messrs. Bledsoe, Dale, Glass, Hudson, Johnson, Nelson, Osborn, and Price—8.

Title read and approved.

Senate Bill No. 213—An Act to provide for certain improvements and repairs at the Folsom State Prison, and making an appropriation therefor.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Bachman, Barker, Bassford, Bennett, Berry, Bettman, Brusie, Bulla, Butler, Cargill, Coleman, Davis, Devine, Devitt, Dinkelspiel, Dixon, Dodge, Dunbar, Dwyer, Ewing, Fassett, Gay, Guy, Hatfield, Healey, Holland, Jones, Kelsey, Kenyon, Laugenour, Lewis, Meads, McKelvey, Merrill, O'Day, Pendleton, Phelps, Powers, Richards, Robinson, Swisler, Thomas, Twigg, Waymire, Weyse, Wilkinson, Zocchi, and Mr. Speaker—49.

NOES—Messrs. Belshaw, Bledsoe, Coghlin, Collins, Dale, Glass, Huber, Hudson, Nelson, North, Price, and Wade—12.

Title read and approved.

Senate Bill No. 675—An Act making an appropriation to pay the deficiency in the appropriation for the support of the Southern Cali-

fornia State Asylum for the Insane and Inebriates for the forty-fifth and forty-sixth fiscal years.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Bachman, Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Brusie, Bulla, Butler, Cargill, Coleman, Collins, Devine, Devitt, Dixon, Ewing, Gay, Guy, Hatfield, Healey, Huber, Jones, Kenyon, Laird, Meads, McKelvey, North, O'Day, Phelps, Richards, Robinson, Rowell, Stansell, Swisler, Thomas, Twigg, Wade, Waymire, Weyse, Zocchi, and Mr. Speaker—43.

NOES—Messrs. Bledsoe, Cogblin, Dale, and Hudson—4.

Title read and approved.

Mr. Hatfield moved that Senate Bills Nos. 212, 213, and 675 be immediately transmitted to the Senate.

So ordered.

Senate Bill No. 633—An Act to provide for the formation of protection districts in the various counties of this State, for the improvement and rectification of the channels of innavigable streams, for the prevention of the overflow thereof, by widening, deepening, and straightening and otherwise improving the same, and to authorize the Boards of Supervisors to levy and collect assessments from the property benefited to pay the expenses of the same.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Bachman, Barker, Bennett, Berry, Brusie, Bulla, Cargill, Coleman, Dale, Davis, Devine, Devitt, Dixon, Dunbar, Dwyer, Fassett, Gay, Glass, Guy, Hatfield, Holland, Huber, Hudson, Johnson, Jones, Kelsey, Kenyon, Meads, Merrill, Nelson, O'Day, Osborn, Phelps, Price, Reid, Richards, Robinson, Sanford, Spencer, Staley, Stansell, Thomas, Twigg, Wade, Waymire, Weyse, Zocchi, and Mr. Speaker—49.

NOES—Messrs. Bledsoe, Collins, and North—3.

Title read and approved.

Senate Bill No. 208—An Act for the creation of a commission for the promotion of uniformity of legislation in the United States, and to appropriate money for its expenses.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Barker, Berry, Bettman, Boothby, Brusie, Bulla, Butler, Coleman, Collins, Davis, Devitt, Dinkelspiel, Dixon, Dwyer, Ewing, Fassett, Gay, Guy, Hall, Hatfield, Huber, Hudson, Kelsey, Kenyon, Laugenour, Meads, McKelvey, Merrill, North, Osborn, Pendleton, Powers, Reid, Richards, Spencer, Swisler, Thomas, Waymire, Weyse, Zocchi, and Mr. Speaker—42.

NOES—Messrs. Bachman, Belshaw, Bennett, Bledsoe, Cogblin, Dale, Dodge, Dunbar, Glass, Holland, Johnson, Jones, Laird, Nelson, Phelps, Price, Stansell, and Wade—18.

Title read and approved.

LEAVE OF ABSENCE.

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

Senate Bill No. 388—An Act to authorize the Board of State Harbor Commissioners to pay the claim of the Pacific Transfer Company for wharfage illegally collected.

Read third time.

The question being on the final passage of the bill.

The roll was called, and pending the announcement of the result, Mr. Laugenour moved a call of the House, seconded by Messrs. Bettman and Kelsey.

So ordered.

CALL OF THE HOUSE.

The roll was called, and the following members were found present:

Messrs. Ash, Bachman, Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Bledsoe, Boothby, Brusie, Bulla, Butler, Coghlin, Dale, Davis, Devitt, Dinkelspiel, Dixon, Dwyer, Ewing, Fassett, Gay, Glass, Guy, Hall, Hatfield, Healey, Huber, Johnson, Jones, Kelsey, Kenyon, Laird, Laugenour, Lewis, Llewellyn, McKelvey, North, Phelps, Powers, Price, Robinson, Rowell, Sanford, Spencer, Stansell, Swisler, Thomas, Tibbits, Tomblin, Twigg, Wade, Waymire, Weyse, Wilkinson, Zocchi, and Mr. Speaker.

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

So ordered.

The result of the roll call was announced, and the bill passed by the following vote:

AYES—Messrs. Ash, Bachman, Bassford, Belshaw, Berry, Bettman, Brusie, Bulla, Butler, Collins, Cutter, Davis, Devitt, Dinkelspiel, Dixon, Dunbar, Fassett, Gay, Hatfield, Kelsey, Kenyon, Laird, Laugenour, McKelvey, Merrill, North, Osborn, Powers, Reid, Sanford, Staley, Stansell, Swisler, Thomas, Tibbits, Tomblin, Wade, Waymire, Weyse, Wilkinson, Zocchi, and Mr. Speaker—42.

NOES—Messrs. Barker, Bledsoe, Boothby, Coghlin, Dale, Glass, Hall, Healey, Huber, Johnson, Pendleton, Richards, Rowell, and Twigg—14.

Title read and approved.

Senate Bill No. 162—An Act to pay the claim of Edwin J. Card against the State of California, and to appropriate the money therefor.

Read second time.

MOTION.

Mr. Dixon moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bill No. 162.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Lynch in the chair.

Senate Bill No. 162 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Lynch 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. 162—An Act to pay the claim of Edwin J. Card against the State of California, and to appropriate the money therefor—and now report, and recommend that the same do pass.

LYNCH, Chairman.

Adopted.

Ordered to third reading.

Senate Bill No. 60—An Act empowering the Board of State Harbor Commissioners to lay out and improve certain property on the westerly side of East Street, between Clay Street and Market Street, in the City and County of San Francisco, extending their jurisdiction over the same, and rectifying and establishing a line of streets therein.

Read second time, and ordered to third reading.

Senate Bill No. 61—An Act authorizing and empowering the Board of State Harbor Commissioners to grant, exchange, or transfer certain property east of the westerly line of East Street, as delineated and located upon the ground between Clay Street and Market Street, in the City and County of San Francisco, to or with the owner or owners of certain property on the triangular corner common to Market, Sacramento, and East Streets.

Read second time, and ordered to third reading.

Senate Bill No. 62—An Act to authorize and empower the Board of State Harbor Commissioners to institute condemnation proceedings against certain property on the corner of Market, Sacramento, and East Streets, in the City and County of San Francisco, and extending their jurisdiction over the same.

Read second time, and ordered to third reading.

Senate Bill No. 709—An Act to amend an Act entitled "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," approved March 19, 1889.

Read second time.

Mr. Powers moved to amend by adding to section one, line thirty, the following:

Except as hereinafter provided

Provided further, that the Commissioners shall have power to lease for a period not exceeding fifty (50) years, at a rental not exceeding one thousand dollars (\$1,000) per annum, to any railroad corporation incorporated in this State and not having, at the date of the passage of this Act, any terminal facilities in the City and County of San Francisco, any land belonging to the State, which is required for said purposes, which lies adjacent or contiguous to any public street or streets designated upon the official map of the City and County of San Francisco; *provided*, that but one parcel of land shall be leased to any one railroad, nor shall said parcel exceed in area fifty (50) acres, with access thereto and right of way through one or more convenient street or streets, forming, however, but one continuous right of way, with double track; *provided*, that a condition shall be inserted in said lease, that said corporation or corporations shall proceed within six months from the date of said lease to improve said premises for said purposes, and proceed thereafter with reasonable diligence to construct such improvements, and in the event of failure to improve the same, or some part thereof, within the time specified, said lease shall be forfeited, *provided further*, that none of said leases shall be approved or executed unless by consent of a majority of said Board of State Harbor Commissioners, and for said purposes last named the Governor of the State and the Mayor of the City and County of San Francisco, ex officio members of said Board, are hereby constituted members thereof, with like powers and rights as other members of said Board.

Adopted.

Mr. Powers moved to amend the title as follows:

By adding thereto the words "conferring further powers upon the said Board"; and also by changing the word "herein," in line twenty, of section one, into the word "hereinbefore."

Adopted.

Senate Bill No. 709 ordered to print and third reading.

Senate Bill No. 129—An Act to appropriate one hundred and forty-seven thousand two hundred and eighty dollars for the erection of an administration building for the use and occupancy of the officers, employes, and patients of the Mendocino Asylum; to purchase furniture and furnish the buildings so to be erected by the Directors of said asylum; to purchase furniture and furnish wards for two hundred and six additional patients; to construct an electric plant for lighting the asylum buildings and grounds, and purchase the necessary machinery and appliances therefor; to purchase live stock to be used for asylum purposes; to construct a stable and a cow barn; to construct a dam; to furnish an additional water supply to said asylum; for constructing a sewer and drainage system; to purchase an ice plant and cold storage system; to appropriate money therefor, and provide for the expenditure of the same.

Read second time.

Senate Bill No. 780—An Act to appropriate five thousand dollars for repairs and improvements upon the grounds of the State Insane Asylum at Agnews.

Read second time.

At three o'clock and twenty minutes p. m. the Speaker called Mr. Bledsoe to the chair.

MOTION.

Mr. Brusie moved that the Assembly resolve itself into Committee of the Whole, with Mr. Bledsoe in the chair, for the purpose of considering Senate Bills Nos. 780 and 129.

So ordered.

IN COMMITTEE OF THE WHOLE.

Mr. Bledsoe in the chair.

Senate Bills Nos. 780 and 129 were considered in Committee of the Whole.

IN ASSEMBLY.

Mr. Bledsoe in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

Mr. Bledsoe stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration the following bills, viz:

Senate Bill No. 129—An Act to appropriate one hundred and forty-seven thousand two hundred and eighty dollars for the erection of an administration building for the use and occupancy of the officers, employes, and patients of the Mendocino Asylum; to purchase furniture and furnish the building so to be erected by the Directors of said asylum, to purchase furniture and furnish wards for two hundred and six additional patients; to construct an electric plant for lighting the asylum buildings and grounds, and purchase the necessary machinery and appliances therefor; to purchase live stock to be used for asylum purposes; to construct a stable and a cow barn; to construct a dam, to furnish an additional water supply to said asylum; for constructing a sewer and drainage system; to purchase an ice plant and cold storage system; to appropriate money therefor, and provide for the expenditure of the same

Also: Senate Bill No. 780—An Act to appropriate five thousand dollars for repairs and improvements upon the grounds of the State Insane Asylum at Agnews
And now report progress, and ask leave to sit again.

BLEDSON, Chairman.

Adopted.

At four o'clock and fifty minutes p. m. the Speaker resumed the chair.

MOTION.

Mr. Thomas moved the reconsideration of the vote whereby Substitute for Senate Bills Nos. 45, 52, 54, and 77 was passed.

The question being on the motion of Mr. Thomas.

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

AYES—Messrs. Bachman, Bassford, Boothby, Cargill, Coghlin, Coleman, Collins, Devine, Dwyer, Gay, Glass, Holland, Huber, Hudson, Johnson, Kenyon, McCarthy, O'Day, Pendleton, Reid, Richards, Robinson, Rowell, Spencer, Stansell, Thomas, Tibbits, Twigg, and Zocchi—30.

NOES—Messrs. Ash, Barker, Belshaw, Bennett, Berry, Bettman, Bledsoe, Brusie, Bulla, Butler, Cutter, Dale, Davis, Dinkelspiel, Dixon, Dodge, Dunbar, Ewing, Fassett, Guy, Hall, Hatfield, Healey, Jones, Kelsey, Laird, Laugenour, Lewis, Meads, McKelvey, Merrill, Nelson, North, Osborn, Phelps, Powers, Price, Staley, Swisler, Wade, Wayne, Weyse, Wilkinson, and Mr. Speaker—42.

Mr. Brusie moved that Substitute for Senate Bills Nos. 45, 52, 54, and 77 be immediately transmitted to the Senate.

REPORT OF COMMITTEE ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1895.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following bills have been correctly engrossed:

Assembly Bill No. 210—An Act to provide for a State Veterinarian and County Veterinarians, and prescribe their duties, and to prevent and suppress contagious and infectious diseases among the live stock of the State, and to declare an emergency.

Also: Assembly Bill No. 734—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 7, 1887, providing for the destruction of all or any part of the bonds of any irrigation district remaining unsold after the completion of their irrigation system.

Also: Assembly Bill No. 43—An Act making an appropriation to pay the claim of the Evening Express Company, Los Angeles, California.

Also: Assembly Bill No. 515—An Act to pay the claim of Fred. Hansted for services as clerk to the committee appointed for the purpose of investigating the Pilot Commissioners.

Also: Assembly Bill No. 799—An Act to amend an Act approved March 11, 1893, entitled "An Act to amend an Act entitled 'An Act to provide for the completion of all unfinished county, city, city and county, towns, and township buildings in the several counties, cities and counties, cities, and towns throughout the State of California,' approved March 11, 1891."

Also: Assembly Bill No. 607—An Act to provide for the letting of contracts for the lighting of streets and public buildings in cities and towns in the State of California.

Also: Assembly Bill No. 495—An Act to prevent the use of the Capitol building for dancing.

Also: Assembly Bill No. 757—An Act to amend sections seven hundred and two and seven hundred and three of the Code of Civil Procedure, relating to the redemption of property sold on execution.

Also: Assembly Bill No. 823—An Act to authorize the construction of hospital buildings for city, or city and county purposes.

Also: Assembly Bill No. 900—An Act to amend sections one thousand eight hundred and eighty, one thousand eight hundred and eighty-four, and one thousand eight hundred and eighty-six of the Political Code of the State of California, relating to public schools.

Also: Assembly Bill No. 793—An Act concerning the completion of unfinished public buildings in any county, city, city and county, or town in this State, and permitting alterations of the original plans or designs for the construction thereof.

Also: Assembly Bill No. 223—An Act to amend and add a new section to an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, to prevent able-bodied persons from banding together and obtaining subsistence by alms.

Also: Assembly Bill No. 413—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, and an Act amendatory thereof, approved March 31, 1891.

Also: Assembly Bill No. 575—An Act to repeal an Act of the Legislature of the State of California entitled "An Act in relation to the assessment and collection of taxes upon personal property in the City and County of San Francisco," approved March 18, 1874,

and requiring all counties, and cities and counties of this State to conform to the requirements of the provisions of the Political Code in relation to the assessment, equalization, levy, and collection of taxes for revenue purposes.

Also: Assembly Bill No. 701—An Act to amend section sixteen of 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, 1887, relating to the powers and duties of the Trustees of said hospital, also known as the Southern California State Asylum for the Insane and Inebriates.

Also: Assembly Bill No. 512—An Act to provide for the payment of the claim of Jas. A. Kearney.

Also: Assembly Bill No. 1007—An Act to pay the claim of Thomas Hatch, and making an appropriation therefor.

Also: Assembly Bill No. 772—An Act to prevent the sale of imitation or adulterated honey, and to provide a punishment therefor.

Also: Assembly Bill No. 921—An Act to amend section four hundred and twelve of the Penal Code, relating to boxing.

Also: Assembly Bill No. 609—An Act entitled an Act to amend section sixteen of an Act entitled "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 provisions for the payment of such bonds, and the disposal of their proceeds," approved March 31, 1891.

Also: Assembly Bill No. 1009—An Act to amend sections one thousand four hundred and ninety-eight, one thousand five hundred and three, one thousand five hundred and seventeen, one thousand five hundred and twenty-one, one thousand five hundred and forty-three, one thousand five hundred and fifty-one, one thousand five hundred and fifty-two, one thousand five hundred and seventy-five, one thousand five hundred and seventy-six, one thousand five hundred and ninety-four, one thousand six hundred and seventeen, one thousand seven hundred and thirteen, one thousand seven hundred and seventy, one thousand seven hundred and seventy-three, one thousand seven hundred and seventy-five, one thousand eight hundred and thirty, one thousand eight hundred and eighty, one thousand eight hundred and eighty-two, relating to public schools.

Also: Assembly Bill No. 945—An Act relating to grand juries; enlarging their powers, and exempting certain witnesses from liability on account of testimony given before grand juries.

WILKINSON, Chairman.

Assembly Bill No. 617—An Act making an appropriation for the support of the government of the State of California for the forty-seventh and forty-eighth fiscal years.

The following amendments were submitted from the Committee of Free Conference:

AMENDMENT No. 1.

Amend by striking out of section one, line one hundred and forty-three, the words "and twenty-five."

Adopted.

AMENDMENT No. 2.

Amend by striking out of section one, line one hundred and sixty-nine, the words "two thousand and forty," and inserting the following: "one thousand two hundred."

Adopted.

AMENDMENT No. 3.

Amend by striking out of section one, line one hundred and eighty-three, the word "twenty," and inserting the following: "fifteen."

Adopted.

AMENDMENT No. 4.

Amend by striking out of section one, lines one hundred and ninety and one hundred and ninety-one, the words "one hundred and eighty thousand six hundred and seventy-five," and inserting the following: "one hundred and forty-five thousand."

Adopted.

AMENDMENT No. 5.

Amend by striking out of section one, lines two hundred and twenty-one, two hundred and twenty-two, two hundred and twenty-three, two hundred and twenty-four, two hundred and twenty-five, and two hundred and twenty-six.

Adopted.

LEAVE OF ABSENCE.

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

MOTION.

Mr. North moved that the constitutional provision be suspended, for the purpose of allowing the introduction of bills by Mr. Lynch and Mr. North.

The question being on the adoption of the motion to suspend the constitutional provision.

The roll was called, and the constitutional provision suspended by the following vote :

AYES—Messrs Ash, Belshaw, Bennett, Berry, Bettman, Bledsoe, Boothby, Brusie, Bulla, Butler, Coleman, Collins, Cutter, Dale, Davis, Devitt, Dixon, Dodge, Dunbar, Dwyer, Ewing, Fassett, Guy, Hall, Hatfield, Holland, Hudson, Johnson, Jones, Kelsey, Laird, Laugenour, McKelvey, Merrill, Nelson, North, O'Day, Osborn, Pendleton, Phelps, Powers, Price, Reid, Rowell, Sanford, Staley, Stansell, Swisler, Tibbits, Tomblin, Twigg, Wade, Waymire, Weyse, Zocchi, and Mr Speaker—57.

NOES—Messrs. Coghlin, Healey, McCarthy, and Thomas—4.

INTRODUCTION OF BILLS.

By Mr. North: Assembly Bill No. 1022—An Act to create a Court in and for the town of Berkeley, State of California.

Read first time, and referred to Committee on Municipal Corporations.

By Mr. Lynch: Assembly Bill No. 1023—An Act in aid of joint committees of investigation appointed by the Senate and Assembly of the State of California.

Read first time, and referred to Committee on Corporations.

COMMUNICATION.

SAN FRANCISCO, March 6, 1895.

To the members of the Senate and Assembly of the State of California :

GENTLEMEN: The Committee of Eleven, appointed at a mass meeting held in San Francisco, Saturday, January 12, 1895, and which has since acted in conformity with resolutions then adopted, respectfully address your honorable bodies:

1 They have supported the bill prepared by the Attorney-General for the appointment of a non-partisan commission, and which has also received the active and energetic advocacy of the Civic Federation, and other bodies within this city and State, and they have sedulously refrained from offering any amendments or substitutes which might interfere with the progress of that measure.

2 They now understand that that bill, the proposed substitute for it—itsself changed and modified—and all bills of a similar nature now before your honorable bodies, have encountered such unrelenting hostility that there is danger of an adjournment without any concession whatever to the wishes or the necessities of the people

3 They further understand that, among other objections, the grounds chiefly assigned are the sentiment of municipal independence, the full capacity of municipalities to manage their own affairs and make their own investigations through grand juries and through their own legislative and executive officers, and the injustice of saddling the expense of municipal investigations upon the State at large.

4. In the event, therefore, that neither the bill drafted by the Attorney-General nor any similar measure can be passed, they now request your honorable bodies to adopt the accompanying resolutions and bill in aid thereof, for the following reasons, which are respectfully presented, and which they believe may possibly secure your unanimous approval:

(a) It cannot be successfully denied that the paramount question in this State is the alleged unjust and corrupt predominance of the Southern Pacific Company, the group of corporations which it represents, and the officers, stockholders, employes, agents, and intermediaries of these corporations, in the administration of the law and of State offices, and in both public and private affairs.

(b) In this question, every county, municipality, and individual within the State,

whose interests do not conflict with the interests of the people and the government, are equally concerned, and it cannot be said that the labor of an inquiry into the matter should be, or that the results of such an inquiry would be, confined to any particular locality or class.

(c) It would seem, then, that such an investigation as is proposed by the resolutions and the bill now submitted for your consideration, should receive general assent and support, unless we are prepared to admit that the corporations and individuals referred to are above the law, and that our population is not self-governed, within the lines of the State and Federal Constitutions, and the statutes made in pursuance thereof.

It is generally believed, and the transparent facts appear to be, that since the meeting of January 12, 1895, the railroad corporations and the persons included in the joint resolution, beyond former precedents, have been determined and even rampant in their self assertion, and in contemptuous disregard of public opinion. So far as words are concerned, spoken or written, they have always been taciturn and moderate, and, except in the use of indirect Venetian methods to assail individuals, they have revealed their intentions and their objects chiefly by their acts and by their conduct. It is in this customary manner that they have recently denied the right and the power of the people to make any investigation, or to interfere, directly or indirectly, with their railroad masters. Whether at Washington or at Sacramento, they have been represented by a powerful lobby, and have virtually declared their own supremacy, and their implacable determination to rule the State and to crush all opposition to their behests. In Washington they have been temporarily beaten on two of their propositions, but they are still active there, and their arrogance and persistence here are attested by the mass of legislation in their interests now before your honorable bodies. Their interference and their success in litigation for years have been marked, and even conspicuous. They have occupied public streets and damaged and even ruined property, with reckless indifference to the law and the rights and interests of individuals and communities. While large numbers of indignant citizens were denouncing their schemes in San Francisco, within a few blocks of the hall where the meeting was held, they were deliberately appropriating franchises and easements. They are now preparing for the practical confiscation of Market Street. Wherever a street car straddles a crossing and confronts a citizen, the despotism is brutally exercised which, in innumerable ways, for a quarter of a century, and with ever accelerating completeness, has substituted the existing railroads for the government.

These are either facts, or delusions so universally accepted that they ought to be promptly dispelled, and, upon this point it is hardly too much to ask for unanimity among the representatives of the Senate and Assembly districts in this State. We request, therefore, if more comprehensive legislation is impracticable, that, at least, you act immediately, decisively, in open session, and by recorded votes, upon the resolutions and bill herewith submitted.

And we remain, gentlemen, very respectfully,

COMMITTEE OF ELEVEN.

Attest: CHAS. C. TERRILL, Chairman.
JOHN M. REYNOLDS, Secretary.

MOTIONS.

Mr. Ewing moved to reconsider the vote whereby Assembly Bill No. 653 was on yesterday refused third reading.

Mr. Bettman moved to lay the notice of reconsideration on the table.

The ayes and noes were demanded by Messrs. Cutter, Reid, and Bledsoe.

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

AYES—Messrs. Ash, Bassford, Belshaw, Bennett, Berry, Bettman, Boothby, Brusie, Bulla, Butler, Cargill, Coleman, Collins, Dale, Davis, Devitt, Dunkelshiel, Dixon, Gay, Guy, Hatfield, Huber, Kelsey, Laird, McKelvey, Osborn, Pendleton, Phelps, Powers, Spencer, Swisler, Tomblin, Wade, Weyse, Wilkinson, Zocchi, and Mr. Speaker—37.

NOES—Messrs. Barker, Bledsoe, Coghlin, Cutter, Dodge, Dunbar, Ewing, Fassett, Hall, Healey, Holland, Hudson, Johnson, Jones, McCarthy, Nelson, O'Day, Reid, Staley, Stansell, Thomas, and Twigg—22

RECESS.

At four o'clock and thirty-five minutes P. M., on motion of Mr. Brusie, the Assembly adjourned until seven o'clock and thirty minutes P. M.

REASSEMBLED.

The Assembly reassembled at seven o'clock and thirty minutes P. M.
Speaker Lynch in the chair.
Quorum present.

MOTIONS.

Mr. Wade moved that his notice of reconsideration on Senate Bill No. 349 be postponed until to-morrow.

So ordered.

Mr. Cutter moved to reconsider the vote whereby Assembly Bill No. 861 was refused second reading.

So ordered.

Mr. Bettman moved that the rules be suspended, and Assembly Bill No. 861 be now considered.

Lost.

Mr. North moved that the State Printer be instructed to print Assembly Bill No. 1022 out of order.

So ordered.

REPORT OF COMMITTEE ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1895.

MR. SPEAKER: Your Committee on Enrollment have examined and found correctly enrolled Assembly Bills, as follows:

Assembly Joint Resolution No. 10—Relative to the improvement of the Sacramento River and other inland waters of the State.

Also: Assembly Bill No. 117—An Act to amend section seven hundred and twenty-six of the Code of Civil Procedure, to provide for the making of deeds on foreclosure of mortgages

Also: Assembly Bill No. 553—An Act to authorize the State Board of Health to purchase and manufacture diphtheria anti-toxine, and to appropriate six thousand dollars therefor.

And presented the same to the Governor on this day, at three o'clock and thirty minutes P. M.

MEADS, Chairman.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1895.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 1021—An Act to amend section five hundred and thirty-nine of the Political Code of the State of California, relative to the engrossment and enrollment of bills, and other documents, approved March 31, 1891—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, and that it be taken up, out of order, immediately, and read the second time

BULLA, Chairman.

So ordered.

Mr. Dinkelspiel gave notice that on next legislative day he would move to reconsider the vote whereby Assembly Bills Nos. 948 and 947 were this day refused second reading.

Mr. Staley asked leave to substitute Assembly Bill No. 217 for Assembly Bill No. 900.

So ordered.

The notices of reconsideration whereby the vote on Assembly Bill No. 47 was refused final passage and Assembly Bill No. 95 was refused second reading, were continued until to-morrow.

Assembly Bill No. 102—An Act to amend section five hundred and thirty-nine of the Political Code of the State of California, relative to

the engrossment and enrollment of bills, and other documents, approved March 31, 1891.

Read second time, ordered engrossed and to third reading.

REPORT OF COMMITTEE OF ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1895

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following bills have been correctly engrossed:

Assembly Bill No. 739—An Act authorizing an increase of the police force of cities of the State having a population of over one hundred thousand population

Also: Assembly Bill No. 693—An Act to create a State Board of Public Charities and Correction, and defining their powers and duties.

Also: Assembly Bill No. 187—An Act making an appropriation for the erection of additional buildings and improvements for the Southern California State Asylum for the Insane and Inebriates

Also: Assembly Bill No. 797—An Act to repeal an Act entitled "An Act to create and establish a State Board of Horticulture, and to appropriate money for the expenses thereof," approved March 13, 1883, and all Acts amendatory thereof and supplementary thereto, and to confer certain powers upon the Regents of the University of California, and to provide for the protection of the horticultural interests of the State by the appointment of a Quarantine Health Officer or Officers, and to appropriate money for the expenses of the same.

Also: Assembly Bill No. 860—An Act to appropriate four thousand seven hundred and fifty dollars, as compensation to "The California Demokrat Publishing Company," a corporation incorporated, organized, and existing under the laws of the State of California, for having published proposed amendments to the Constitution of the State of California during the year 1894.

Also: Assembly Bill No. 665—An Act to provide the office of the Attorney-General with such law books as may be required by him for the conduct of the business of his office, and requiring the State Librarian to provide and furnish the same.

Also: Assembly Bill No. 934—An Act making an appropriation to pay the deficiency in the appropriation for repairs to Capitol building and furniture, and purchase of carpets and furniture, for the forty-sixth fiscal year.

Also: Assembly Bill No. 840—An Act to appropriate money to pay the claim of Charlotte M. Holman.

Also: Assembly Bill No. 954—An Act appropriating the sum of twenty-five thousand dollars for a thorough system of ventilation for the Capitol building.

Also: Assembly Bill No. 917—An Act making an appropriation to pay the indebtedness incurred by the Board of Bank Commissioners, and authorizing and directing the Board to raise the amount, in addition to the amount of annual expenses for the forty-seventh fiscal year.

Also: Assembly Bill No. 458—An Act to amend an Act amendatory of section four hundred and twenty-five of the Political Code, approved March 20, 1889, relating to special policemen for the State Capitol grounds, and to their powers and the payment of their salaries.

WILKINSON, Chairman.

Mr. Bettman moved that the rules be suspended, and a special committee of one be appointed to amend Assembly Bill No. 739 as follows:

Insert in section one, line three, after the words "increase the," the word "present", also, strike out of section one, lines three and four, the words "to a number not less than fifty nor more than one hundred," and insert "and such present police force shall be increased by not less than fifty nor more than one hundred men."

Also:

Amend section two, line five, by inserting the word "or" before the word "shall"

Adopted.

APPOINTMENT OF SPECIAL COMMITTEE.

The Speaker appointed Mr. Bettman as such committee.

REPORT OF SPECIAL COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1895.

MR. SPEAKER: Your select committee, to whom was referred Assembly Bill No. 739—An Act authorizing an increase of the police force of cities of the State having a population of over one hundred thousand—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.

BETTMAN, Committee.

Adopted.

Assembly Bill No. 739 ordered to printer.

LEAVE OF ABSENCE.

Mr. Lewis was granted leave of absence for the evening.

Mr. Powers requested that Assembly Bill No. 945 be substituted on file for Assembly Bill No. 1014, and that Senate Bill No. 871 be placed on special Senate file.

So ordered.

Assembly Bill No. 412—An Act entitled an Act relating to the duties of the State Board of Examiners, providing for the examination, investigation, and inspection, and inquiry into, by said State Board of Examiners, of the books, vouchers, papers, property, and premises, and the general conduct, management, and affairs of all State institutions, commissions, boards, and offices, and providing for the production of the papers, vouchers, books, and property necessary for such examination, and for the defraying of the expenses thereof by said Board of Examiners.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Bachman, Barker, Belshaw, Bennett, Berry, Bettman, Bledsoe, Boothby, Brusie, Bulla, Butler, Cargill, Coleman, Collins, Cutter, Dale, Davis, Devine, Dinkelspiel, Dixon, Dodge, Dunbar, Fassett, Gay, Glass, Guy, Holland, Hudson, Jones, Keen, Kelsey, Laugenour, Lewis, Meads, McCarthy, McKelvey, Merrill, Nelson, North, O'Day, Osborn, Pendleton, Phelps, Powers, Price, Reid, Richards, Rowell, Sanford, Spencer, Staley, Swisler, Tibbits, Wade, Waymire, Weyse, Zocchi, and Mr. Speaker—59.

NOES—Mr. Ewing—1.

Title read and approved.

Assembly Bill No. 592—An Act to amend sections one thousand six hundred and seventy and one thousand six hundred and seventy-one of the Political Code, relating to high schools.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Bachman, Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Bledsoe, Brusie, Bulla, Cargill, Coleman, Collins, Dale, Davis, Dinkelspiel, Dixon, Dunbar, Ewing, Gay, Glass, Guy, Hall, Holland, Huber, Hudson, Johnson, Jones, Keen, Kelsey, Kenyon, Laugenour, Lewis, McCarthy, Merrill, Nelson, North, O'Day, Phelps, Powers, Staley, Swisler, Wade, Waymire, Weyse, and Mr. Speaker—47.

NOES—None

Title read and approved.

Assembly Bill No. 652—An Act to amend sections one thousand nine hundred and seventeen, one thousand nine hundred and eighteen, and one thousand nine hundred and nineteen, and to repeal section one thou-

sand nine hundred and twenty of the Civil Code, all relating to the rate of interest.

Read third time.

Mr. Bledsoe moved that a special committee of one be appointed, with instructions to amend as follows:

Amend by striking out all of section three, after line two, and inserting the following: Section 1919. If it shall be ascertained in any suit brought on any contract that a rate of interest has been contracted for greater than is authorized by this Act, either directly or indirectly, in money, property, or other valuable thing, or that any gift or donation of money, property, or other valuable thing, has been made, or promised to be made, to a lender or creditor, or to any person for him, directly or indirectly, either by the borrower or debtor, or any person for him, the design of which is to obtain, for money so loaned, or for debts due or to become due, a rate of interest greater than that specified by this Act, the same shall be deemed usurious, and shall work a forfeiture of the entire debt so contracted to the School Fund of the county where such suit is brought. The Court in which such suit is prosecuted shall render judgment for the amount of the original sum loaned, or the debt contracted, without interest, against the defendant and in favor of the State of California, for the use of the Common School Fund of the county where suit is brought, and against the plaintiff for costs of suit, whether such suit be contested or not.

Mr. Bettman moved as a substitute therefor that a committee of one be appointed to amend as follows:

Amend by striking out sections two and three

Lost.

The question being on the adoption of the motion of Mr. Bledsoe, the same was lost.

Mr. Bettman moved that a committee of one be appointed to amend as follows:

Amend by striking out of section two, line four, the word "ten," and inserting the following: "twenty."

Lost.

The previous question was moved by Mr. Bulla, seconded by Messrs. Dixon and Dodge.

So ordered.

The question being, "Shall the main question be now put?"

The question being on the final passage of the bill.

The roll was called, and the bill refused final passage by the following vote:

AYES—Messrs. Bachman, Bassford, Bennett, Bledsoe, Bulla, Collins, Dale, Davis, Devine, Devitt, Dodge, Dunbar, Dwyer, Guy, Hall, Johnson, Jones, Keen, Kenyon, McKelvey, Merrill, Nelson, North, Osborn, Price, Rowell, Sanford, Spencer, Staley, Stansell, Thomas, Twigg, Wade, Waymire, Weyse, and Mr. Speaker—35

NOES—Messrs. Ash, Barker, Belshaw, Berry, Bettman, Boothby, Brusie, Butler, Coghlin, Coleman, Cutter, Dinkelspiel, Dixon, Ewing, Fassett, Hatfield, Holland, Hudson, Kelsey, Laird, Laugenour, Lewis, Meads, McCarthy, O'Day, Phelps, Powers, Reid, Richards, Swisler, Tibbits, and Wilkinson—32

REPORT OF COMMITTEE ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1895

MR. SPEAKER: Your Committee on Enrollment have examined and found correctly enrolled Assembly Bill No. 695—An Act to amend section three thousand three hundred and ninety-eight of the Political Code, appointing the Surveyor-General locating agent in the United States Land Offices, and declaring the effect of selections accepted by the United States.

Also: Assembly Bill No. 1019—An Act making an appropriation for the contingent expenses for the thirty-first session of the Legislature.

And presented the same to the Governor on this day, at four o'clock and fifteen minutes P. M.

MEADS, Chairman.

SUBSTITUTION OF BILL.

Mr. Twigg requested that Assembly Bill No. 1007 be substituted for Assembly Bill No. 791.

So ordered.

Assembly Bill No. 827—An Act to amend section one thousand one hundred and eighty-nine of the Civil Code, relating to the acknowledgment of instruments.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Bachman, Barker, Bassford, Bettman, Bledsoe, Boothby, Brusie, Bulla, Butler, Cargill, Coleman, Collins, Cutter, Davis, Devitt, Dinkelspiel, Dixon, Dodge, Dunbar, Dwyer, Ewing, Fassett, Gay, Guy, Hatfield, Holland, Huber, Hudson, Jones, Keen, Kelsey, Laugenour, Lewis, Meads, McCarthy, McKelvey, Merrill, North, Price, Richards, Robinson, Rowell, Spencer, Staley, Stansell, Swisler, Tibbits, Tomblin, Twigg, Wade, Waymire, Weyse, Wilkinson, and Mr. Speaker—54.

NOES—None.

Title read and approved.

Mr. Laird moved that the consideration of his notice of reconsideration, given yesterday, be postponed until to-morrow.

So ordered.

Mr. Bulla moved that Assembly Bill No. 827 be immediately transmitted to the Senate.

So ordered.

Assembly Bill No. 882—An Act to amend section four hundred and eighty-nine, and to repeal section four hundred and ninety of the Civil Code, in relation to railroad rates of charges and railroad tickets.

Read third time.

The previous question was moved by Mr. Brusie, seconded by Messrs. Laugenour and Pendleton.

The question being, "Shall the main question be now put?"

The ayes and noes were demanded by Messrs. Belshaw, Spencer, and Bledsoe.

The roll was called, and pending the announcement of the result, Mr. Bettman moved a call of the House, seconded by Messrs. Laugenour and Pendleton.

The question being on the adoption of the motion of Mr. Bettman.

The ayes and noes were demanded by Messrs. Bledsoe, Belshaw, and North.

The roll was called, and the call of the House was refused by the following vote:

AYES—Messrs. Ash, Bassford, Bettman, Boothby, Brusie, Butler, Collins, Cutter, Davis, Devine, Devitt, Dixon, Freeman, Gay, Hall, Hatfield, Kelsey, Kenyon, Laird, Laugenour, Lewis, Meads, McCarthy, McKelvey, Merrill, O'Day, Pendleton, Powers, Richards, Swisler, Thomas, Tibbits, Wilkinson, Zocchi, and Mr. Speaker—35.

NOES—Messrs. Bachman, Barker, Belshaw, Bennett, Bledsoe, Bulla, Cargill, Coghlin, Coleman, Dale, Dinkelspiel, Dodge, Dunbar, Dwyer, Ewing, Fassett, Glass, Guy, Holland, Hudson, Johnson, Jones, Keen, Nelson, North, Osborn, Phelps, Price, Reid, Rowell, Sanford, Spencer, Staley, Stansell, Twigg, Wade, Waymire, and Weyse—38.

The result of the roll call was announced, and the previous question was refused by the following vote:

AYES—Messrs. Ash, Bassford, Bettman, Boothby, Brusie, Butler, Collins, Cutter, Davis, Devine, Devitt, Dixon, Freeman, Gay, Hatfield, Kelsey, Kenyon, Laird, Laugenour, Lewis, McCarthy, McKelvey, Merrill, O'Day, Pendleton, Phelps, Powers, Richards, Swisler, Thomas, Tibbits, Wilkinson, Zocchi, and Mr. Speaker—34.

NOES—Messrs. Bachman, Barker, Belshaw, Bennett, Bledsoe, Bulla, Cargill, Coleman, Dale, Dinkelspiel, Dodge, Dunbar, Dwyer, Ewing, Fassett, Glass, Guy, Hall, Holland, Hudson, Johnson, Jones, Keen, Meads, Nelson, North, Osborn, Price, Reid, Robinson, Rowell, Sanford, Spencer, Staley, Stansell, Wade, Waymire, and Weyse—38.

Mr. Dodge moved to appoint a committee of one, with instructions to amend as follows:

By striking out section two, and by striking out of section one, line one, the words "eighty-nine," and insert in lieu thereof "ninety," and by striking out the figures "89," line three, of section one, and inserting in lieu thereof the figures "90."

The question being on the motion of Mr. Dodge.

The ayes and noes were demanded by Messrs. Dodge, Dinkelspiel, and Reid.

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

AYES—Messrs. Bachman, Bennett, Berry, Bledsoe, Brusie, Bulla, Butler, Cargill, Coleman, Collins, Cutter, Dale, Davis, Dinkelspiel, Dodge, Dunbar, Dwyer, Ewing, Fassett, Freeman, Glass, Guy, Hall, Hatfield, Holland, Huber, Hudson, Johnson, Jones, Keen, Kelsey, Laird, Meads, McKelvey, North, Osborn, Powers, Price, Reid, Rowell, Sanford, Spencer, Staley, Stansell, Swisler, Thomas, Tibbits, Tomblin, Wade, Waymire, and Weyse—51.

NOES—Messrs. Ash, Barker, Bassford, Belshaw, Bettman, Boothby, Devine, Devitt, Dixon, Gay, Kenyon, Laugenour, Lewis, McCarthy, Merrill, O'Day, Pendleton, Richards, Wilkinson, and Zocchi—21.

The Speaker appointed Mr. Dodge as such committee.

REPORT OF COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1895.

MR. SPEAKER: Your select committee, to whom was referred Assembly Bill No. 882—An Act to amend section four hundred and eighty-nine, and to repeal section four hundred and ninety of the Civil Code, in relation to railroad rates of charges and railroad tickets—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.

DODGE, Committee.

Adopted.

PREVIOUS QUESTION.

The previous question was moved by Mr. Laugenour, seconded by Messrs. Thomas and Pendleton.

So ordered.

The question being, "Shall Assembly Bill No. 882 be ordered to the printer?"

So ordered.

Mr. Powers moved to reconsider the vote whereby Assembly Bill No. 882 was ordered to the printer.

Adopted.

Pending the consideration of Assembly Bill No. 882, Mr. Dodge addressed the following language to Mr. Laugenour: "O sit down! No more gag law here!"

Mr. Laugenour requested that the same be taken down.

So ordered.

Mr. Bledsoe moved to commit to a special committee of one, to amend as follows:

By adding to section one, line nineteen, the following: "*provided*, that nothing in this Act shall be construed to apply to any action, rights of action, or judgments against any railroad corporation which have accrued or been obtained prior to the passage of this Act."

The ayes and noes were demanded by Messrs. Nelson, Dinkelspiel, and Spencer.

The roll was called, and the motion to commit to a special committee carried by the following vote:

AYES—Messrs. Bachman, Barker, Belshaw, Bennett, Bledsoe, Bulla, Cargill, Coleman, Dale, Davis, Dinkelspiel, Dodge, Dunbar, Dwyer, Ewing, Fassett, Freeman, Glass, Guy, Holland, Huber, Hudson, Johnson, Jones, Keen, Nelson, North, Osborn, Price, Reid, Robinson, Rowell, Sanford, Spencer, Stansell, Wade, Waymire, and Weyse—38

NOES—Messrs. Ash, Bassford, Berry, Bettman, Boothby, Brusie, Butler, Collins, Cutter, Devine, Devitt, Dixon, Gay, Hall, Hatfield, Kelsey, Kenyon, Laird, Laugenour, Lewis, McCarthy, Merrill, Pendleton, Phelps, Powers, Richards, Swisler, Thomas, Tibbits, Tomblin, Twigg, Wilkinson, Zocchi, and Mr. Speaker—34.

Mr. Bledsoe was appointed such special committee.

REPORT OF COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1895.

MR. SPEAKER: Your select committee, to whom was referred Assembly Bill No. 882—An Act to amend section four hundred and eighty-nine and to repeal section four hundred and ninety of the Civil Code, in relation to railroad charges and railroad rates—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.

BLEDSON, Committee.

The question being on the adoption of the report of the special committee.

The ayes and noes were demanded by Messrs. Dinkelspiel, Bledsoe, and Spencer.

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

AYES—Messrs. Bachman, Barker, Belshaw, Bennett, Bledsoe, Bulla, Cargill, Coglin, Coleman, Dale, Davis, Dinkelspiel, Dodge, Dunbar, Dwyer, Ewing, Fassett, Freeman, Glass, Holland, Huber, Hudson, Johnson, Jones, Keen, Meads, Nelson, North, Osborn, Price, Reid, Robinson, Rowell, Sanford, Spencer, Stansell, Wade, Waymire, and Weyse—39.

NOES—Messrs. Ash, Bassford, Berry, Bettman, Boothby, Brusie, Butler, Collins, Cutter, Devine, Devitt, Dixon, Gay, Guy, Hall, Hatfield, Kelsey, Kenyon, Laird, Laugenour, Lewis, McCarthy, McKelvey, Merrill, O'Day, Pendleton, Phelps, Powers, Richards, Swisler, Thomas, Tibbits, Tomblin, Twigg, Wilkinson, Zocchi, and Mr. Speaker—37.

Mr. Belshaw moved to strike out the enacting clause.

The ayes and noes were demanded by Messrs. Pendleton, Reid, and Belshaw.

The question being, "Shall the enacting clause be stricken out?"

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

AYES—Messrs. Bachman, Barker, Belshaw, Bennett, Bledsoe, Bulla, Cargill, Coleman, Dale, Dinkelspiel, Dodge, Dunbar, Dwyer, Ewing, Fassett, Glass, Holland, Hudson, Johnson, Jones, Keen, Nelson, North, Osborn, Price, Reid, Robinson, Rowell, Sanford, Spencer, Stansell, Twigg, Wade, and Waymire—34.

NOES—Messrs. Ash, Bassford, Berry, Bettman, Boothby, Brusie, Butler, Coglin, Collins, Cutter, Davis, Devine, Devitt, Dixon, Freeman, Gay, Guy, Hall, Hatfield, Huber, Kelsey, Kenyon, Laird, Laugenour, Lewis, Meads, McCarthy, McKelvey, Merrill, O'Day, Pendleton, Phelps, Powers, Richards, Swisler, Thomas, Tibbits, Tomblin, Weyse, Wilkinson, Zocchi, and Mr. Speaker—42.

Assembly Bill No. 882 ordered to printer.

Assembly Bill No. 1014—An Act conferring power upon the Common Council, Board of Supervisors, or other governing body of cities, or cities and counties of over one hundred thousand inhabitants, to acquire or condemn land for a suitable site, and erect thereon a suitable building or buildings for municipal purposes.

Assembly Bill No. 945 was substituted for Assembly Bill No. 1014.

At nine o'clock and fifty minutes P. M. the Speaker called Mr. Spencer to the chair.

Assembly Bill No. 945—An Act relating to grand juries; enlarging their powers, and exempting certain witnesses from liability on account of testimony given before grand juries.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Barker, Bassford, Berry, Bledsoe, Boothby, Brusie, Bulla, Butler, Collins, Cutter, Davis, Dinkelspiel, Dodge, Dunbar, Dwyer, Ewing, Freeman, Gay, Glass, Guy, Hall, Hatfield, Healey, Hudson, Jones, Kelsey, Laird, Meads, Merrill, Nelson, North, Pendleton, Phelps, Powers, Price, Richards, Spencer, Stansell, Swisler, Tomblin, Twigg, Wade, Waymire, Weyse, and Mr. Speaker—46.

NOES—Messrs. Bachman, Belshaw, Bennett, and Devine—4.

Title read and approved.

Mr. Boothby gave notice that on the next legislative day he would move the reconsideration of the vote whereby Assembly Bill No. 945 was finally passed.

Assembly Bill No. 262—An Act to pay the claim of Major José Ramon Pico, and making an appropriation therefor.

Read third time.

Pending the consideration of Assembly Bill No. 262, the previous question was moved by Mr. Dixon, seconded by Messrs. Thomas and Dinkelspiel.

The question being, "Shall the main question be now put?"

So ordered.

The question being on the final passage of the bill.

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

AYES—Messrs. Bachman, Barker, Bennett, Berry, Bettman, Brusie, Bulla, Butler, Cargill, Coghlin, Coleman, Collins, Devine, Devitt, Dinkelspiel, Dixon, Dunbar, Ewing, Freeman, Guy, Hall, Hatfield, Healey, Holland, Hudson, Johnson, Keen, Kenyon, Laird, Langenour, Lewis, Meads, McCarthy, McKelvey, Merrill, O'Day, Pendleton, Richards, Spencer, Swisler, Thomas, Tibbits, Tomblin, Twigg, Weyse, Wilkinson, and Zocchi—47.

NOES—Messrs. Belshaw, Bledsoe, Davis, North, and Phelps—5.

Title read and approved.

Mr. Thomas moved that Assembly Bill No. 262 be immediately transmitted to the Senate.

So ordered.

LEAVE OF ABSENCE.

Mr. Pendleton was granted leave of absence for the evening.

Messrs. Richards and Llewellyn were granted leave of absence until Monday.

Assembly Bill No. 241—An Act to amend section one of an Act entitled "An Act to provide for the submission of proposed amendments to the Constitution of the State of California to the qualified electors for their approval," approved March 7, 1883, relating to the manner of publishing such proposed amendments, and to include propositions.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Bachman, Barker, Bassford, Belshaw, Bennett, Berry, Brusie, Bulla, Butler, Cargill, Coghlin, Coleman, Collins, Dale, Davis, Dixon, Dodge, Dunbar, Dwyer,

Ewing, Freeman, Guy, Hall, Hatfield, Holland, Hudson, Johnson, Kelsey, Lewis, Meads, McCarthy, McKelvey, Merrill, Nelson, North, O'Day, Phelps, Powers, Reid, Richards, Robinson, Sanford, Spencer, Stansell, Swisler, Tibbits, Wade, Waymire, Weyse, and Wilkinson—50.
NOMs—Mr. Devine—1.

Title read and approved.

ADJOURNMENT.

At ten o'clock and twenty minutes P. M., on motion of Mr. Laugenour, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Saturday, March 9, 1895. }

The Assembly met pursuant to adjournment.

Speaker Lynch in the chair.

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

Messrs. Ash, Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Bledsoe, Boothby, Brusie, Bulla, Butler, Cargill, Coghlin, Coleman, Collins, Cutter, Dale, Davis, Devine, Devitt, Dinkelspiel, Dixon, Dodge, Dunbar, Dwyer, Ewing, Fassett, Gay, Glass, Guy, Hall, Hatfield, Healey, Holland, Huber, Hudson, Johnson, Jones, Keen, Kelsey, Kenyon, Laird, Laugenour, Meads, McCarthy, McKelvey, Merrill, Nelson, North, O'Day, Osborn, Pendleton, Phelps, Powers, Price, Reid, Robinson, Rowell, Sanford, Spencer, Staley, Stansell, Swisler, Thomas, Tibbits, Twigg, Wade, Waymire, Weyse, Wilkinson, Zocchi, and Mr. Speaker.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. O. Summers.

READING OF THE JOURNAL.

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

So ordered.

LEAVE OF ABSENCE.

Messrs. Huber and Berry were excused for the morning.

Messrs. Lewis, Ash, and Dinkelspiel were excused for the day.

PRESENTATION OF PETITION.

By Mr. Lynch: From a large number of citizens of San Jacinto, San Bernardino County, asking the enactment of such a Sabbath law as will be founded upon and agreeable to the moral law of God, and that will not do wrong to any class of citizens.

Referred to Committee on Public Morals.

REPORT OF STANDING COMMITTEE.

ON STATE LIBRARY.

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1895.

MR. SPEAKER: Your Committee on State Library, to whom was referred Assembly Bill No. 209—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also Assembly Bill No. 776—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

MESSAGES FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, }
SACRAMENTO, March 8, 1895. }

To the Assembly of the State of California.

I have the honor to inform your honorable body that I have approved Assembly Bills Nos. 374, 144, 27, and 145.

JAMES H. BUDD, Governor.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, }
SACRAMENTO, March 8, 1895. }

To the Assembly of the State of California.

I hereby return without my approval Assembly Bill No. 14—An Act to amend section three hundred and forty-eight of the Code of Civil Procedure, relating to limitations of actions—with my objections thereto.

The insertion of the words "or other depository," in section three hundred and forty-eight of the Code of Civil Procedure, might lead to much otherwise avoidable litigation. The depositories mentioned in the original section are those established for the purpose of receiving deposits, and which, as such, keep books and records of their proceedings. The amending word, "depository," would include places of deposit other than such as are contemplated in section three hundred and forty-eight at present, and might include inns, hotels, baggage-rooms, and innumerable similar places where persons deposit money or property. To remove all limitation from an action in such cases might lead to great injustice.

In all similar matters of trust the public is sufficiently protected by other laws. In the case provided for by the section in question, litigation might arise years after the alleged deposit had been made, and long subsequent to its renunciation or denial.

For the reasons above stated, I cannot approve the bill herewith returned to your honorable body.

JAMES H. BUDD, Governor.

The question being, "Shall the bill become a law, notwithstanding the objections of the Governor?"

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—None.

NOES—Messrs. Barker, Bassford, Belshaw, Bennett, Bettman, Bledsoe, Bulla, Butler, Cargill, Collins, Dale, Davis, Devine, Devitt, Dinkelspiel, Dixon, Dodge, Dunbar, Ewing, Fassett, Glass, Guy, Hall, Hatfield, Hudson, Johnson, Jones, Kelsey, Kenyon, Laird, Laugenour, McCarthy, McKelvey, Nelson, North, Osborn, Phelps, Powers, Reid, Robinson, Rowell, Spencer, Staley, Stansell, Swisler, Tibbits, Twigg, Wade, Waymire, Weyse, Zocchi, and Mr. Speaker—52.

LEAVE OF ABSENCE.

Mr. Reid was granted a leave of absence for half an hour.

SENATE MESSAGES.

SENATE CHAMBER, SACRAMENTO, March 8, 1895.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, concurred in Assembly amendments to Senate Bill No. 239—An Act to regulate the sale and redemption of transportation tickets.

F. J. BRANDON, Secretary.
By C. L. PARDEE, Assistant.

Also:

SENATE CHAMBER, SACRAMENTO, March 8, 1895.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the eighth day of March, refused to recede from its amendments to Assembly Bill No. 132—An Act to provide for the organization and management of county fire insurance companies.

F. J. BRANDON, Secretary.
By GEO. A. LEON, Assistant.

The question being, "Shall a conference committee be appointed relative to the Senate refusing to recede from its amendments to Assembly Bill No. 132?"

So ordered.

Also:

SENATE CHAMBER, SACRAMENTO, March 8, 1895.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the seventh day of March, 1895, passed Senate Bill No. 275—An Act to amend section two thousand eight hundred of the Political Code, relating to the purchase of toll roads by counties.

Also: Senate Bill No. 716—An Act to amend section one thousand two hundred and forty-three of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872.

Also: Senate Bill No. 521—An Act to provide for the issuing of bonds by reclamation districts, and the disposal thereof for reclamation and other purposes, and their payment by taxation upon the property situated in such reclamation districts

Also: Senate Bill No. 799—An Act to prevent and forbid the owners of street railroads to require deposits from employes

Also: Senate Bill No. 782—An Act to amend sections one thousand eight hundred and eighty, one thousand eight hundred and eighty-four, and one thousand eight hundred and eighty-six of the Political Code of the State of California, relating to public schools

Also: On March 8, 1895, passed Senate Bill No. 846—An Act to amend sections one thousand four hundred and eighty-nine, one thousand five hundred and three, one thousand five hundred and seventeen, one thousand five hundred and twenty-one, one thousand five hundred and forty-three, one thousand five hundred and fifty-one, one thousand five hundred and fifty-two, one thousand five hundred and seventy-five, one thousand five hundred and seventy-six, one thousand five hundred and ninety-four, one thousand six hundred and seventeen, one thousand seven hundred and thirteen, one thousand seven hundred and seventy, one thousand seven hundred and seventy-three, one thousand seven hundred and seventy-five, one thousand eight hundred and thirteen, one thousand eight hundred and eighty, one thousand eight hundred and eighty-two, one thousand eight hundred and eighty-four, and one thousand eight hundred and eighty-five of the Political Code of California, relating to public schools

Also: Senate Bill No. 699—An Act to provide for the appointment and salary of a clerk in the office of the Superintendent of Public Instruction, and to make an appropriation therefor.

Also: Adopted Senate Concurrent Resolution No. 12—Relative to adjournment March 14, 1895, *sine die*.

F. J. BRANDON, Secretary.
By C. L. PARDEE, Assistant.

Also:

SENATE CHAMBER, SACRAMENTO, March 9, 1895

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the eighth day of March, passed Senate Bill No. 116—An Act to repeal an Act entitled "An Act concerning corporations and persons engaged in the business of banking," approved April 1, 1876.

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

Senate Bill No. 275—An Act to amend section two thousand eight hundred of the Political Code, relating to the purchase of toll roads by counties.

Read first time.

Substitute for Assembly Bill No. 293 ordered on special Senate file.

Senate Bill No. 716—An Act to amend section one thousand two hundred and forty-three of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872.

Read first time. and ordered on special Senate file.

Senate Bill No. 521—An Act to provide for the issuing of bonds by reclamation districts, and the disposal thereof for reclamation and other purposes, and their payment by taxation upon the property situated in such reclamation districts.

Read first time, and ordered on special Senate file.

Senate Bill No. 799—An Act to prevent and forbid the owners of street railroads to require deposits from employes.

Read first time, and referred to Committee on Labor and Capital.

Senate Bill No. 782—An Act to amend sections one thousand eight hundred and eighty, one thousand eight hundred and eighty-four, and one thousand eight hundred and eighty-six of the Political Code of the State of California, relating to public schools.

Read first time, and referred to Committee on Education.

Senate Bill No. 846—An Act to amend sections one thousand four hundred and eighty-nine, one thousand five hundred and three, one thousand five hundred and seventeen, one thousand five hundred and twenty-one, one thousand five hundred and forty-three, one thousand five hundred and fifty-one, one thousand five hundred and fifty-two, one thousand five hundred and seventy-five, one thousand five hundred and seventy-six, one thousand five hundred and ninety-four, one thousand six hundred and seventeen, one thousand seven hundred and thirteen, one thousand seven hundred and seventy, one thousand seven hundred and seventy-three, one thousand seven hundred and seventy-five, one thousand eight hundred and thirty, one thousand eight hundred and eighty, one thousand eight hundred and eighty-two, one thousand eight hundred and eighty-four, and one thousand eight hundred and eighty-five of the Political Code of the State of California, relating to public schools.

Read first time, substituted for Assembly Bill No. 1009, and ordered on special Senate file.

Senate Bill No. 699—An Act to provide for the appointment and salary of a clerk in the office of the Superintendent of Public Instruction, and to make an appropriation therefor.

Read first time, and referred to Committee on Ways and Means.

Senate Bill No. 116—An Act to repeal an Act entitled "An Act to repeal an Act entitled 'An Act concerning corporations and persons engaged in the business of banking,' approved April 1, 1876," approved March 9, 1893.

Read first time, and ordered on special Senate file.

SENATE CONCURRENT RESOLUTION No. 12.

A resolution relative to adjournment *sine die* March 14th.

Resolved by the Senate, the Assembly concurring, That when we adjourn on Thursday, March 14, 1895, we adjourn *sine die*.

Referred to Committee on Rules.

RESOLUTION—(URGENCY).

By Mr. Hall:

Resolved, That Assembly Bill No. 414 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house are hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

Lost.

Mr. Powers moved that the rules be suspended, and Senate Bill No. 871 be read second time.

So ordered.

Senate Bill No. 871—An Act conferring power upon the Common Council, Board of Supervisors, or other governing body of cities, or cities and counties, of over one hundred thousand inhabitants, to acquire or condemn land for a suitable site, and erect thereon a suitable building or buildings for municipal purposes.

Read second time, and ordered to third reading.

RESOLUTION.

By Mr. Guy:

Resolved, That Isaiah Williams be and he is hereby allowed the sum of twenty-five dollars, for services rendered as Porter of the rooms used by the Committees on Mines and Mining, and Municipal Corporations; that the Controller of State is hereby authorized and directed to draw his warrant in favor of the said Isaiah Williams for the said sum of twenty-five dollars, payable out of the fund provided for the contingent expenses of the Assembly, and the State Treasurer is hereby directed to pay the same.

Referred to Committee on Attachés and Employés.

MOTIONS.

Mr. Spencer moved that the rules be suspended, and Assembly Bill No. 751 be read second time.

Objection having been raised to Mr. Spencer speaking on Assembly Bill No. 751, Mr. Belshaw moved that the rules be suspended, and Mr. Spencer be allowed to give his reason for desiring to take up Assembly Bill No. 751 out of order.

So ordered.

The question now recurring on the motion to suspend the rules, offered by Mr. Spencer.

Lost.

RESOLUTION.

By Mr. Hatfield:

Resolved, That hereafter no bill or resolution shall be taken up out of order, except upon matters of urgency as that term is usually understood, without the concurrence of four fifths of all the members of the Assembly.

Referred to Committee on Rules.

At ten o'clock and forty minutes A. M. the Speaker called Mr. Powers to the chair.

SPECIAL FILE.

Assembly Bill No. 187—An Act making an appropriation for the erection of additional buildings and improvements for the Southern California State Asylum for the Insane and Inebriates.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Barker, Bennett, Berry, Bettman, Boothby, Bruse, Bulla, Butler, Cargill, Coghlin, Davis, Devine, Devitt, Dinkelspiel, Dixon, Dunbar, Dwyer, Ewing, Gay, Guy, Hall, Hatfield, Holland, Jones, Kenyon, Laugenour, Meads, McKelvey, Merrill, Nelson, North, Osborn, Powers, Reid, Sanford, Spencer, Staley, Stansell, Swisler, Twigg, Wade, Waymire, Weyse, Wilkinson, Zocchi, and Mr. Speaker—46

NOES—Messrs. Belshaw, Dale, Johnson, Phelps, and Robinson—5

Title read and approved.

Mr. Lynch moved that Assembly Bill No. 187 be immediately transmitted to the Senate.

So ordered.

Assembly Bill No. 797—An Act to repeal an Act entitled “An Act to create and establish a State Board of Horticulture, and to appropriate money for the expenses thereof,” approved March 13, 1883, and all Acts amendatory thereof and supplementary thereto, and to confer certain powers upon the Regents of the University of California, and to provide for the protection of the horticultural interests of the State by the appointment of a Quarantine Health Officer or Officers, and to appropriate money for the expenses of the same.

Passed, to retain its place on file.

Assembly Bill No. 219—An Act appropriating two hundred and fifty thousand dollars for the erection of buildings at Berkeley, Alameda County, for the use of the University of California.

Passed temporarily on file.

Assembly Bill No. 106—An Act providing for the selection, condemnation, and purchase of a suitable site, and the erection thereon of a State building, in San Francisco, and making an appropriation therefor.

Passed, to retain its place on file.

Assembly Bill No. 860—An Act to appropriate four thousand seven hundred and fifty dollars, as compensation to “The California Democrat Publishing Company,” a corporation incorporated, organized, and existing under the laws of the State of California, for having published proposed amendments to the Constitution of the State of California during the year 1894.

Passed, to retain its place on file.

Assembly Bill No. 186—An Act making an appropriation for the erection and furnishing of a residence for the Medical Director of the Southern California State Asylum for the Insane and Inebriates.

Passed, to retain its place on file.

Assembly Bill No. 665—An Act to provide the office of the Attorney-General with such law books as may be required by him for the conduct of the business of his office, and requiring the State Librarian to provide and furnish the same.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Boothby, Brusie, Bulla, Butler, Coghlin, Coleman, Collins, Dale, Davis, Devine, Dixon, Dunbar, Dwyer, Fassett, Gay, Glass, Hall, Hatfield, Hudson, Johnson, Jones, Kenyon, Laugenour, Meads, McKelvey, North, Powers, Spencer, Staley, Stansell, Swisler, Tibbits, Wade, Wayne, Weyse, Wilkinson, Zocchi, and Mr. Speaker—44

NOES—None.

Title read and approved.

Mr. Lynch moved that Assembly Bill No. 665 be immediately transmitted to the Senate.

So ordered.

Assembly Bill No. 934—An Act making an appropriation to pay the deficiency in the appropriation for repairs to Capitol building and furniture, and purchase of carpets and furniture, for the forty-sixth fiscal year.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Bassford, Belshaw, Bennett, Bettman, Brusie, Coghlin, Collins, Cutter, Davis, Dunbar, Dwyer, Ewing, Fassett, Gay, Glass, Guy, Hall, Hatfield, Holland, Hudson, Johnson, Jones, Kenyon, Laugenour, Meads, McKelvey, Merrill, Nelson, Osborn, Phelps, Powers, Price, Reid, Robinson, Spencer, Staley, Stansell, Swisler, Thomas, Tibbits, Wade, Waymire, Wevse, and Mr. Speaker—44.

NOES—Mr. Dale—1.

Title read and approved.

Mr. Brusie moved that Assembly Bill No. 934 be immediately transmitted to the Senate.

So ordered.

Assembly Bill No. 840—An Act to appropriate money to pay the claim of Charlotte M. Holman.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill refused final passage by the following vote:

AYES—Messrs. Bennett, Berry, Bettman, Boothby, Brusie, Butler, Coghlin, Cutter, Devine, Devitt, Dixon, Dunbar, Dwyer, Ewing, Gay, Guy, Hatfield, Holland, Laugenour, McKelvey, Merrill, Osborn, Pendleton, Phelps, Powers, Sanford, Spencer, Staley, Stansell, Swisler, Thomas, Tibbits, and Wilkinson—33.

NOES—Messrs. Barker, Belshaw, Bulla, Collins, Dale, Davis, Dinkelspiel, Dodge, Fassett, Glass, Hall, Hudson, Johnson, Jones, Kenyon, Meads, Nelson, North, Price, Reid, Wade, Waymire, Weyse, and Mr. Speaker—24.

REPORT OF COMMITTEE ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1895.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following bills have been correctly engrossed:

Assembly Bill No. 219—An Act appropriating two hundred and fifty thousand dollars for the erection of buildings at Berkeley, Alameda County, for the use of the University of California.

Also Assembly Bill No. 632—An Act authorizing the State Capitol Commissioners to improve certain streets in the city of Sacramento, to wit: L Street from the east line of Tenth Street to the west line of Fifteenth Street, and Fifteenth Street from the north line of L Street to the south line of N Street, and N Street from the east line of Tenth Street to the west line of Fifteenth Street; also, to reconstruct Tenth Street from the center line of L Street to the center line of N Street, and to appropriate money therefor.

Also: Assembly Bill No. 832—An Act making an appropriation to purchase additional lands for the occupancy and use of the Preston School of Industry at Lone.

Also: Assembly Bill No. 1021—An Act to amend 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, approved March 31, 1891.

WILKINSON, Chairman.

SPECIAL FILE—(RESUMED).

Assembly Bill No. 954—An Act appropriating the sum of twenty-five thousand dollars for a thorough system of ventilation for the Capitol building.

Passed, to retain its place on file.

Assembly Bill No. 917—An Act making an appropriation to pay the indebtedness incurred by the Board of Bank Commissioners, and authorizing and directing the Board to raise the amount, in addition to the amount of annual expenses for the forty-seventh fiscal year.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Barker, Belshaw, Bennett, Berry, Bettman, Boothby, Brusie, Bulla, Butler, Collins, Cutter, Dale, Davis, Dinkelspiel, Dixon, Dodge, Dunbar, Ewing, Fassett, Gay, Guy, Hall, Hatfield, Hudson, Johnson, Jones, Kelsey, Kenyon, Laird, Laugenour, McKelvey, Merrill, North, O'Day, Osborn, Pendleton, Powers, Price, Sanford, Spencer, Swisler, Thomas, Tibbits, Twigg, Wade, Weyse, Wilkinson, and Zocchi—48.

NOES—Messrs. Bledsoe, Coghlin, Glass, and Holland—4

Title read and approved.

Mr. Wade moved that Assembly Bill No. 917 be immediately transmitted to the Senate.

So ordered.

Assembly Bill No. 832—An Act making an appropriation to purchase additional lands for the occupancy and use of the Preston School of Industry, at Ione.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Belshaw, Bennett, Berry, Bettman, Brusie, Bulla, Butler, Cutter, Devine, Devitt, Dinkelspiel, Dixon, Dodge, Dunbar, Dwyer, Ewing, Fassett, Gay, Guy, Hall, Hatfield, Holland, Jones, Kelsey, Kenyon, Laird, Laugenour, Meads, McKelvey, O'Day, Osborn, Pendleton, Phelps, Powers, Reid, Spencer, Staley, Stansell, Swisler, Tibbits, Waymire, Weyse, Wilkinson, and Zocchi—44.

NOES—Messrs. Barker, Bledsoe, Collins, Dale, Davis, Glass, Hudson, Johnson, North, Price, Rowell, and Wade—13.

Title read and approved.

Mr. Tibbits moved that Assembly Bill No. 832 be immediately transmitted to the Senate.

So ordered.

Assembly Bill No. 219—An Act appropriating two hundred and fifty thousand dollars for the erection of buildings at Berkeley, Alameda County, for the use of the University of California.

The question being on the final passage of the bill, with amended title.

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

AYES—Messrs. Barker, Belshaw, Bennett, Berry, Bettman, Bledsoe, Boothby, Brusie, Bulla, Butler, Coghlin, Collins, Cutter, Dale, Davis, Devine, Devitt, Dixon, Dodge, Dwyer, Ewing, Fassett, Gay, Guy, Holland, Johnson, Jones, Kelsey, Kenyon, Laugenour, Meads, McKelvey, Merrill, North, O'Day, Pendleton, Phelps, Powers, Spencer, Stansell, Tibbits, and Waymire—42.

NOES—None.

Title read and approved.

Mr. North moved that Assembly Bill No. 219 be immediately transmitted to the Senate.

So ordered.

Assembly Bill No. 181—An Act to amend 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, in relation to salary of Secretary.

Passed, to retain its place on file.

Assembly Bill No. 458—An Act to amend an Act amendatory of section four hundred and twenty-five of the Political Code, approved March 20, 1889, relating to special policemen for the State Capitol grounds, and to their powers and the payment of their salaries.

Refused third reading.

At twelve o'clock and five minutes P. M. the Speaker resumed the chair.

Assembly Bill No. 682—An Act authorizing the State Capitol Commissioners to improve certain streets in the city of Sacramento, to wit: L Street from the east line of Tenth Street to the west line of Fifteenth Street, and Fifteenth Street from the north line of L Street to the south line of N Street, and N Street from the east line of Tenth Street to the west line of Fifteenth Street; also, to reconstruct Tenth Street from the center line of L Street to the center line of N Street, and to appropriate money therefor.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Barker, Bassford, Berry, Bettman, Brusie, Bulla, Butler, Cargill, Coghlin, Collins, Cutter, Davis, Devine, Devitt, Dinkelspiel, Dwyer, Gay, Guy, Hatfield, Healey, Holland, Jones, Kelsey, Laugenour, McKelvey, Merrill, O'Day, Pendleton, Powers, Price, Reid, Robinson, Sanford, Staley, Swisler, Thomas, Tibbits, Twigg, Weyse, Wilkinson, Zocchi, and Mr. Speaker—42.

NOES—Messrs. Belshaw, Bennett, Bledsoe, Dale, Dixon, Dodge, Dunbar, Ewing, Fassett, Glass, Hall, Hudson, Johnson, Kenyon, Laird, Meads, Nelson, North, Osborn, Phelps, Rowell, Spencer, Stansell, and Wade—24.

Title read and approved.

Assembly Bill No. 682 ordered immediately transmitted to the Senate.

Assembly Bill No. 861—An Act making an appropriation to pay the claim of Louise Rienzi for services rendered the State Board of Silk Culture as Secretary, Instructress, and Silk Expert, from December 12, 1887, to April 2, 1887, at eighty-seven dollars and fifty cents per month.

Read second time.

MOTION.

Mr. Thomas moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Assembly Bill No. 861.

IN COMMITTEE OF THE WHOLE.

Speaker Lynch in the chair.

Assembly Bill No. 861 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Lynch 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. 861—An Act making an appropriation to pay the claim of Louise Rienzi for services rendered the State Board of Silk Culture as Secretary, Instructress, and Silk Expert from December 12, 1887, to April 2, 1887, at eighty-seven dollars and fifty cents per month—and now report the same with amendments, and recommend the passage of the same as amended.

LYNCH Chairman.

Adopted.

Assembly Bill No. 861—An Act making an appropriation to pay the claim of Louise Rienzi for services rendered the State Board of Silk

Culture as Secretary, Instructress, and Silk Expert, from December 12 1887, to April 2, 1887, at eighty-seven dollars and fifty cents per month.

The following amendments were submitted:

Amend title to read "1885," instead of "1887."

Adopted.

Also: Amend section two, after the word "same," by adding the following: "*provided*, that said Louise Rienzi shall make and deliver to the Controller, upon the receipt of said warrant, a release of all claims that the said Louise Rienzi may have against the State for services rendered the State Board of Silk Culture."

Adopted.

Also: Amend by striking out all of section three.

Adopted.

Also: Amend by striking out of section four, line one, the word "is," and inserting the word "shall."

Adopted.

RECESS.

The hour of recess having arrived, the Speaker declared recess until one o'clock and thirty minutes P. M.

REASSEMBLED.

The Assembly reassembled at one o'clock and thirty minutes P. M.
Speaker Lynch in the chair.
Quorum present.

MOTION.

Mr. Laugenour moved that the Assembly do now take up Senate messages.

So ordered.

SENATE MESSAGES.

SENATE CHAMBER, SACRAMENTO, March 9, 1895.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on March 7, 1895, adopted Assembly Constitutional Amendment No. 19—Proposed amendment to article three, section seven, of the Constitution, relative to corporations.

Also: Amended and respectfully refused passage to Assembly Bill No. 248—An Act regulating the hours of labor in saw mills, shingle mills, shake mills, and logging camps.

Also: On March 8, 1895, passed Senate Bill No. 448—An Act making an appropriation to pay the claim of R. B. Young for architect's fees for erection and construction of power and electric plant at the Whittier School.

Also: Senate Bill No. 16—An Act appropriating money to pay the claim of W. H. Murray, his heirs or assigns.

Also: Senate Bill No. 805—An Act to create a Bureau of Highways, and prescribe its duties and powers, and to make an appropriation for its expenses.

Also: Senate Bill No. 70—An Act appropriating money for the relief of Mrs. Sarah J. Wing, her heirs or assigns.

Also: Senate Bill No. 653—An Act to pay the claim of Philip Bauer against the State of California, and to make an appropriation therefor.

Also: Senate Bill No. 147—An Act to amend and add a new section to an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, to prevent able-bodied persons from banding together and obtaining subsistence by alms.

Also: Adopted Senate Joint Resolution No. 17—Relative to expending moneys now available for the improvement of our navigable rivers, by the National Government.

Also: Return herewith Assembly Bill No. 172—An Act making an appropriation to pay the deficiency in the appropriation for the support of the Folsom State Prison for

the forty-sixth fiscal year, ending June 30, 1895—withdrawn from Senate file by Senator Hart.

F. J. BRANDON, Secretary.
By C. L. PARDEE, Assistant.

Also:

SENATE CHAMBER, SACRAMENTO, March 9, 1895.

MR. SPEAKER. I am directed to inform your honorable body that the Senate, on the eighth day of March, 1895, passed Senate Bill No. 89—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: March 9, 1895, passed Senate Bill No. 460—An Act to add a new title to part four of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, to be known as title five, regulating publications by State officers and Commissioners, Common Councils, Boards of Trustees, or Supervisors, in counties, cities, cities and counties, or towns

F. J. BRANDON, Secretary.
By C. L. PARDEE, Assistant.

Also:

SENATE CHAMBER, SACRAMENTO, March 9, 1895.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the eighth day of March, 1895, passed Senate Bill No. 876—An Act to amend section two thousand five hundred and twenty-four of the Political Code of the State of California, relative to the duties and powers of the Board of State Harbor Commissioners at San Francisco.

Also: Substitute for Senate Bill No. 391—An Act to amend sections two hundred and forty-five and two hundred and forty-six of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the officers and employés of the Legislature.

F. J. BRANDON, Secretary.
By R. SHAW, Assistant.

Senate Bill No. 89—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 referred to Committee on Corporations.

Senate Bill No. 460—An Act to add a new title to part six of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, to be known as title five, regulating publications by State officers and Commissioners, Common Councils, Boards of Trustees, or Supervisors, in counties, cities, cities and counties, or towns.

Read first time, and referred to Committee on Judiciary.

Senate Bill No. 448—An Act making an appropriation to pay the claim of R. B. Young, for architect's fees for erection and construction of power and electric plant at the Whittier School.

Read first time, and substituted for Assembly Bills Nos. 358 and 399.

Senate Bill No. 16—An Act appropriating money to pay the claim of W. H. Murray, his heirs or assigns.

Read first time, and substituted for Assembly Bills Nos. 398 and 310.

Senate Bill No. 805—An Act to create a Bureau of Highways, and prescribe its duties and powers, and to make an appropriation for its expenses.

Read first time, substituted for Assembly Bills Nos. 941 and 414, and placed on file.

Senate Bill No. 70—An Act appropriating money for the relief of Mrs. Sarah J. Wing, her heirs or assigns.

Read first time, and substituted for Assembly Bill No. 538, and placed on file.

Senate Bill No. 653—An Act to pay the claim of Philip Bauer against the State of California, and to make an appropriation therefor.

Read first time, and referred to Committee on Ways and Means.

Senate Bill No. 147—An Act to amend and add a new section to an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, to prevent able-bodied persons from banding together and obtaining subsistence by alms.

Read first time, and placed on file.

Senate Bill No. 876—An Act to amend section two thousand five hundred and twenty-four of the Political Code of the State of California, relative to the duties and powers of the Board of State Harbor Commissioners at San Francisco.

Read first time, and referred to Committee on Commerce and Navigation.

Senate Bill No. 391—An Act to amend sections two hundred and forty-five and two hundred and forty-six of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the officers and employés of the Legislature.

Read first time, substituted for Assembly Bill No. 964, and placed on file.

Mr. O'Day moved that Rule 70 be suspended for the afternoon.

Lost.

SPECIAL FILE—(RESUMED).

Assembly Bill No. 861—An Act making an appropriation to pay the claim of Louise Rienzi for services rendered the State Board of Silk Culture as Secretary, Instructress, and Silk Expert, from December 12, 1885, to April 2, 1887, at eighty-seven dollars and fifty cents per month.

Mr. Reid moved to amend as follows:

By striking out of section one, line one, the words "thirteen hundred and seventy and seventy one hundredths," and inserting the following: "four hundred."

Lost.

Mr. Berry moved to amend as follows:

By striking out of section one, line one, the words "thirteen hundred and seventy and seventy one hundredths," and inserting the following: "one thousand."

Adopted.

Ordered to printer, engrossment, and third reading.

Mr. Nelson moved that the rules be suspended and the Assembly take up the consideration of Assembly Bill No. 772.

So ordered.

Assembly Bill No. 772—An Act to prevent the sale of imitation or adulterated honey, and to provide a punishment therefor.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Barker, Belshaw, Bennett, Berry, Bettman, Bledsoe, Boothby, Bulla, Butler, Cutter, Dale, Davis, Devine, Dinkelspiel, Dixon, Dodge, Dunbar, Ewing, Gay, Guy, Hall, Hattfield, Holland, Huber, Hudson, Johnson, Jones, Kelsey, Laird, Meads, McKelvey, Nelson, North, O'Day, Osborn, Phelps, Reid, Robinson, Rowell, Sanford, Spencer, Staley, Stansell, Swisler, Wade, Waymire, Weyse, Wilkinson, Zocchi, and Mr. Speaker—50.

NOES—None.

Title read and approved.

Mr. Nelson moved that Assembly Bill No. 772 be immediately transmitted to the Senate.

So ordered.

NOTICE OF RECONSIDERATION.

Mr. Waymire gave notice that he would, on next legislative day, move to reconsider the vote whereby Assembly Bill No. 840 was refused final passage.

Mr. McKelvey asked that Assembly Bill No. 939 be withdrawn, and be re-referred to Committee on Irrigation, and to retain its place on file.
So ordered.

SPECIAL SENATE FILE.

Senate Bill No. 467—An Act to amend section three thousand six hundred and seventy-eight of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the annual preparation of an abstract of all mortgages, deeds of trust, contracts, and other obligations by which any debt is secured.

Passed, to retain its place on file.

LEAVE OF ABSENCE.

Messrs. Collins, Zocchi, Bachman, McCarthy, and Pendleton were granted leave of absence until Monday noon, March 11th.

Mr. Bassford was granted leave of absence for the afternoon.

Senate Constitutional Amendment No. 3—A resolution to propose to the people of the State of California an amendment to article thirteen of the Constitution, section one, relative to revenue and taxation.

Passed, to retain its place on file.

Senate Constitutional Amendment No. 16—A resolution proposing to the people of the State an amendment to section one of article thirteen of the Constitution, relative to exemptions from taxation.

Passed, to retain its place on file.

Senate Bill No. 162—An Act to pay the claim of Edwin J. Card against the State of California, and to appropriate the money therefor.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Bennett, Berry, Bettman, Boothby, Brusie, Bulla, Butler, Coghlin, Davis, Devine, Devitt, Dinkelspiel, Dixon, Dunbar, Ewing, Gay, Guy, Hall, Hatfield, Healey, Huber, Laugenour, Meads, McKelvey, Nelson, O'Day, Osborn, Powers, Spencer, Staley, Stansell, Swisler, Thomas, Tibbits, Twigg, Wade, Waymire, Weyse, Wilkinson, Zocchi, and Mr. Speaker—41

NOES—Messrs. Barker, Belshaw, Bledsoe, Dale, Dodge, Fassett, Holland, Hudson, Johnson, Jones, Laird, North, Phelps, Reid, and Robinson—15.

Title read and approved.

At two o'clock and thirty minutes P. M. the Speaker called Mr. Pendleton to the chair.

Senate Bill No. 60—An Act empowering the Board of State Harbor Commissioners to lay out and improve certain property on the westerly side of East Street, between Clay Street and Market Street, in the City and County of San Francisco, extending their jurisdiction over the same, and rectifying and establishing a line of streets therein.

Read third time.

The question being on the final passage of the bill.

PREVIOUS QUESTION.

Pending the consideration of the bill, Mr. Lynch moved the previous question, seconded by Messrs. Meads and Bettman.

So ordered.

The question being, "Shall the main question be now put?"

So ordered.

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

AYES—Messrs. Berry, Bettman, Boothby, Bulla, Butler, Davis, Devine, Devitt, Gay, Guy, Huber, Laugenour, Meads, McKelvey, Pendleton, Phelps, Powers, Robinson, Spencer, Staley, Swisler, Thomas, Weyse, Wilkinson, Zocchi, and Mr. Speaker—26.

NOES—Messrs. Barker, Belshaw, Bennett, Bledsoe, Cargill, Coghlin, Cutter, Dale, Dixon, Dunbar, Ewing, Fassett, Glass, Hall, Hudson, Johnson, Jones, Laird, North, Osborn, Reid, Rowell, Sanford, Stansell, Tibbits, Twigg, Wade, and Waymire—28.

NOTICE OF RECONSIDERATION.

Mr. Dixon gave notice that on next legislative day he would move a reconsideration of the vote whereby Senate Bill No. 60 was refused final passage.

Senate Bill No. 61—An Act authorizing and empowering the Board of State Harbor Commissioners to grant, exchange, or transfer certain property east of the westerly line of East Street, as delineated and located upon the ground between Clay Street and Market Street, in the City and County of San Francisco, to or with the owner or owners of certain property on the triangular corner common to Market, Sacramento, and East Streets.

Mr. Laugenour moved that Senate Bill No. 61 be passed on file.

PREVIOUS QUESTION.

Pending the consideration of Mr. Laugenour's motion, Mr. Bettman moved the previous question, seconded by Messrs. Laugenour and Lynch.

The question being, "Shall the main question be now put?"

So ordered.

Senate Bill No. 62—An Act to authorize and empower the Board of State Harbor Commissioners to institute condemnation proceedings against certain property on the corner of Market, Sacramento, and East Streets, in the City and County of San Francisco, and extending their jurisdiction over the same.

Mr. Laugenour moved that Senate Bill No. 62 be passed on file.

So ordered.

REPORT OF COMMITTEE ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1895

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following bill has been correctly engrossed: Assembly Bill No 739—An Act authorizing an increase of the police force of cities of the State having a population of over one hundred thousand.

WILKINSON, Chairman

Senate Bill No. 709—An Act to amend an Act entitled "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 Fran-

cisco," approved March 15, 1878, and to confer further powers upon the Board of State Harbor Commissioners,' approved March 17, 1880," approved March 19, 1889.

Mr. Reid moved that Senate Bill No. 709 be passed on file.

Lost.

Senate Bill No. 709 read third time.

Mr. North moved that a special committee of one be appointed, with instructions to amend as follows:

Amend section one, line thirty-seven, by inserting the following after the words "San Francisco": "but the said lease shall not be assignable"

Mr. Bulla moved to amend the amendment by adding the following:

Without the written consent of the said Board of Harbor Commissioners.

Amendment adopted.

Motion as amended adopted.

APPOINTMENT OF COMMITTEE.

The Speaker appointed Mr. North as such committee.

REPORT OF SPECIAL COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1895.

MR. SPEAKER: Your select committee, to whom was referred Senate Bill No. 709—An Act to amend an Act entitled "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," 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.

NORTH, Committee.

Adopted.

Mr. Cutter moved to recommit to a select committee of one, with instructions to amend as follows:

Amend by striking out of section one, line thirty-three, the words "incorporated in this State and."

Pending the consideration of the motion, Mr. Lynch moved the previous question, seconded by Messrs. Powers and McCarthy.

The question being, "Shall the main question be now put?"

AYES AND NOES.

The ayes and noes were demanded by Messrs. Bledsoe, North, and Spencer.

The roll was called, and Mr. Cutter's motion lost by the following vote:

AYES—Messrs. Brusie and Cutter—2.

NOES—Messrs. Bassford, Belshaw, Bennett, Berry, Bettman, Bledsoe, Bulla, Cargill, Coghill, Dale, Davis, Devine, Devitt, Dixon, Dodge, Dunbar, Dwyer, Ewing, Fassett, Gay, Glass, Guy, Hall, Healey, Holland, Huber, Hudson, Johnson, Kenyon, Laird, Laugenour, Meads, McCarthy, Merrill, North, O'Day, Pendleton, Phelps, Powers, Price, Reid, Robinson, Rowell, Spencer, Stansell, Swisler, Thomas, Wade, Waymire, Weyse, Wilkinson, Zocchi, and Mr. Speaker—53.

At three o'clock P. M. the Speaker called Mr. Pendleton to the chair.

Senate Bill No. 129—An Act to appropriate one hundred and forty-seven thousand two hundred and eighty dollars for the erection of an administration building for the use and occupancy of the officers, employes, and patients of the Mendocino Asylum; to purchase furniture and furnish the building so to be erected by the Directors of said asylum; to purchase furniture and furnish wards for two hundred and six additional patients; to construct an electric plant for lighting the asylum buildings and grounds; and purchase the necessary machinery and appliances therefor; to purchase live stock to be used for asylum purposes; to construct a stable and a cow barn; to construct a dam; to furnish an additional water supply to said asylum; for constructing a sewer and drainage system; to purchase an ice plant and cold storage system; to appropriate money therefor, and provide for the expenditure of the same.

MOTION.

Mr. Sanford moved that the Assembly resolve itself into Committee of the Whole, with Mr. Pendleton in the chair, for the purpose of considering Assembly Bill No. 129.

So ordered.

IN COMMITTEE OF THE WHOLE.

Mr. Pendleton in the chair.

Assembly Bill No. 129 was considered in Committee of the Whole.

IN ASSEMBLY.

Mr. Pendleton in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

Mr. Pendleton stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 129—An Act to appropriate one hundred and forty-seven thousand two hundred and eighty dollars for the erection of an administration building for the use and occupancy of the officers, employes, and patients of the Mendocino Asylum; to purchase furniture and furnish the building so to be erected by the Directors of said asylum; to purchase furniture and furnish wards for two hundred and six additional patients; to construct an electric plant for lighting the asylum buildings and grounds; and purchase the necessary machinery and appliances therefor; to purchase live stock to be used for asylum purposes, to construct a stable and a cow barn, to construct a dam, to furnish an additional water supply to said asylum, for constructing a sewer and drainage system, to purchase an ice plant and cold storage system; to appropriate money therefor, and provide for the expenditure of the same—and now report, and recommend that the same do pass.

PENDLETON, Chairman.

Adopted.

Ordered to third reading.

Senate Bill No. 780—An Act to appropriate five thousand dollars for repairs and improvements upon the grounds of the State Insane Asylum at Agnews.

MOTION.

Mr. Berry moved that the Assembly resolve itself into Committee of the Whole, with Mr. Pendleton in the chair, for the purpose of considering Senate Bill No. 780.

So ordered.

IN COMMITTEE OF THE WHOLE.

Mr. Pendleton in the chair.

Senate Bill No. 780 was considered in Committee of the Whole.

IN ASSEMBLY.

Mr. Pendleton in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

Mr. Pendleton stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 780—An Act to appropriate five thousand dollars for repairs and improvements upon the grounds of the State Insane Asylum at Agnews—and now report, and recommend that the same do pass.

PENDLETON, Chairman.

Adopted.

Ordered to third reading.

REPORT OF COMMITTEE ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1895.

MR. SPEAKER: Your Committee on Enrollment have examined and found correctly enrolled Assembly Bill No. 879—An Act to provide for the payment for the advertising of the constitutional amendments, and to make an appropriation therefor.

Also: Assembly Bill No. 361—An Act to amend section one thousand four hundred and sixteen of the Civil Code of this State, relating to water rights.

Also: Assembly Bill No. 681—An Act to establish the fees of county, township, and other officers in this State.

And presented the same to the Governor on this day, at two o'clock and thirty minutes P. M.

MEADS, Chairman.

Senate Bill No. 153—An Act to provide for the organization, incorporation, and government of townships.

Read second time.

Mr. Hatfield moved that the bill be referred to Committee on Judiciary, to retain its place on file.

So ordered.

Mr. Laird moved to continue his notice of reconsideration, whereby Assembly Bill No. 289 was refused a second reading, until Monday, March 11th.

So ordered.

Mr. Lynch moved that the consideration of the Senate file be continued for one hour.

So ordered.

Senate Bill No. 53—An Act to amend sections three thousand four hundred and forty-nine and three thousand four hundred and sixty-eight of the Civil Code of the State of California, relating to assignments for the benefit of creditors.

Read second time, and ordered to third reading.

Senate Bill No. 59—An Act to amend section three thousand four hundred and forty-two of the Civil Code of the State of California, relating to fraudulent instruments and transfers.

Read second time, and ordered to third reading.

Senate Bill No. 194—An Act to appropriate money for the erection and equipment of additional buildings for the accommodation and care of the inmates of the Preston School of Industry, at Ione, Amador County, California.

Read second time.

MOTION.

Mr. Tibbits moved that the Assembly resolve itself into Committee of the Whole, with Mr. Pendleton in the chair, for the purpose of considering Senate Bill No. 194.

So ordered.

IN COMMITTEE OF THE WHOLE.

Mr. Pendleton in the chair.

Senate Bill No. 194 was considered in Committee of the Whole.

IN ASSEMBLY.

Mr. Pendleton in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

Mr. Pendleton stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 194—An Act to appropriate money for the erection and equipment of additional buildings for the accommodation and care of the inmates of the Preston School of Industry, at Ione, Amador County, California—and now report, and recommend that the same do pass.

PENDLETON, Chairman.

Adopted.

Ordered to third reading.

Senate Bill No. 627—An Act to add a new section to the Penal Code of California, to be known and numbered as section three hundred and ten of said Code, relating to the keeping open and conducting of barber shops, hair-dressing establishments, and bath houses, on Sundays and legal holidays.

Read second time, and ordered to third reading.

Senate Bill No. 199—An Act authorizing municipal corporations to dispose of surplus water along the line of their water supply outside of their corporate limits; to join with other persons, corporations, and irrigation districts in developing water, and empowering the legislative authority of such municipal corporations to execute such powers.

Mr. McKelvey moved to amend Assembly Bill No. 199 as follows:

By striking out of section two, line three, the word "has," and inserting after the word "corporation," in said line, the following: "and the other contracting party have."

Lost.

Also: Amend section two, line five, by inserting after the word "provided," in said line, the words "in a special fund established for such purpose."

Lost.

Ordered to third reading.

Senate Bill No. 270—An Act to amend section five hundred and thirty-seven of the Penal Code of the State of California, relating to

defrauding proprietors and managers of hotels, inns, restaurants, boarding houses, and lodging houses.

Read second time, and ordered to third reading.

Senate Bill No. 103—An Act making an appropriation to pay the deficiency in the appropriation for the support of the State Normal School at Los Angeles, for the forty-sixth fiscal year.

Read second time, and left open for amendments.

Senate Bill No. 630—An Act making an appropriation to pay the deficiency in the appropriation for the transportation of insane for the forty-fourth fiscal year.

Read second time.

Senate Bill No. 669—An Act appropriating the sum of five thousand dollars for the care and improvement of the grounds, library, and museum, and purchase of books, maps, globes, models, and Sloyd tools for the use of the State Normal School at Los Angeles, California.

Read second time.

Senate Bill No. 647—An Act making an appropriation to pay the salary of the Secretary to the Debris Commissioner for the remainder of the forty-sixth fiscal year.

Read second time.

Senate Bill No. 648—An Act making an appropriation to pay the salary of the Debris Commissioner for the remainder of the forty-sixth fiscal year.

Read second time.

Senate Bill No. 558—An Act making an appropriation to pay the claim of James A. Johnson, for legal services in the harbor front cases.

Read second time.

Senate Bill No. 248—An Act to appropriate money for the payment of the claim of Charles A. Hiett, for the arrest of William B. Coup, in pursuance of the reward offered therefor by the Governor of the State of California.

Read second time.

Senate Bill No. 473—An Act to provide for the erection and equipment of a combined laundry, boiler, and power building at the California Home for the Care and Training of Feeble-Minded Children; to establish an electric plant therein; to provide accommodation for idiots; to furnish the girls' wing of said institution, and to appropriate money therefor.

Read second time.

Senate Bill No. 705—An Act to appropriate money to pay the indebtedness incurred by calling the National Guard of California into service, by order of the Governor, to enforce the law, in 1893 and 1894.

Read second time.

MOTION.

Mr. Brusie moved that the Assembly resolve itself into Committee of the Whole, with Mr. Pendleton in the chair, for the purpose of considering Senate Bills Nos. 103, 630, 669, 647, 648, 558, 248, 473, and 705.

So ordered.

IN COMMITTEE OF THE WHOLE.

Mr. Pendleton in the chair.

Senate Bills Nos. 103, 630, 669, 647, 648, 558, 248, 473, and 705 were considered in Committee of the Whole.

IN ASSEMBLY.

Mr. Pendleton in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

Mr. Pendleton stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration the following bills, viz:

Senate Bill No 103—An Act making an appropriation to pay the deficiency in the appropriation for the support of the State Normal School at Los Angeles, for the forty-sixth fiscal year

Also: Senate Bill No 630—An Act making an appropriation to pay the deficiency in the appropriation for the transportation of insane, for the forty-fourth fiscal year

Also: Senate Bill No. 669—An Act appropriating the sum of five thousand dollars for the care and improvement of the grounds, library, and museum, and purchase of books, maps, globes, models, and Sloyd tools for the use of the State Normal School at Los Angeles, California.

Also: Senate Bill No. 647—An Act making an appropriation to pay the salary of the Secretary to the Debris Commissioner for the remainder of the forty-sixth fiscal year

Also: Senate Bill No. 648—An Act making an appropriation to pay the salary of the Debris Commissioner for the remainder of the forty-sixth fiscal year.

Also: Senate Bill No. 558—An Act making an appropriation to pay the claim of James A. Johnson, for legal services in the harbor front cases.

Also: Senate Bill No. 248—An Act to appropriate money for the payment of the claim of Charles A. Hiett, for the arrest of William B. Coup, in pursuance of the reward offered therefor by the Governor of the State of California.

Also: Senate Bill No 473—An Act to provide for the erection and equipment of a combined laundry, boiler, and power building at the California Home for the Care and Training of Feeble-Minded Children, to establish an electric plant therein; to provide accommodation for idiots, to furnish the girls' wing of said institution, and to appropriate money therefor

Also: Senate Bill No 705—An Act to appropriate money to pay the indebtedness incurred by calling the National Guard of California into service, by order of the Governor, to enforce the law, in 1893 and 1894.

And now report, and recommend that the same do pass

PENDLETON, Chairman

Adopted.

Senate Bills Nos. 103, 630, 669, 647, 648, 558, 248, 473, and 705 ordered to third reading.

Senate Bill No. 753—An Act to promote and secure freedom of speech in Courts of justice.

Read second time, and ordered to third reading.

Substitute for Senate Bill No. 544—An Act to amend the Penal Code by adding a new section, to be known as section one thousand and eighty-nine of the Penal Code of the State of California, relating to alternate jurors.

Read second time, and ordered to third reading.

Substitute for Senate Bill No. 449—An Act to appropriate the sum of sixty-three thousand one hundred and fifty dollars, to be expended by the Trustees of the Whittier State School, at Whittier, Los Angeles County, in making the following improvements and repairs at said Whittier State School, to wit: Enlargement of trades building; construction of hospital, and furnishing the same; finishing the attic in the administration building; additional books and periodicals for library; horses, cows, hogs, and agricultural implements; completion and furnishing of building now in course of construction in boys' department for dining-room, kitchen, bakery, and commissary department; for the completion and furnishing of building now in course of construction for girls; for mangle and washing machine; for new boiler for power-house; for equipment of shops; to purchase additional land; for additional

water and necessary piping; for barracks; for improvement of grounds around the girls' building, and erection of a barn thereon.

Read second time.

MOTION.

Mr. Huber moved that the Assembly resolve itself into Committee of the Whole, with Mr. Pendleton in the chair, for the purpose of considering Substitute for Senate Bill No. 449.

So ordered.

IN COMMITTEE OF THE WHOLE.

Mr. Pendleton in the chair.

Senate Bill No. 449 was considered in Committee of the Whole.

IN ASSEMBLY.

Mr. Pendleton in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

Mr. Pendleton 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. 449—An Act to appropriate the sum of sixty-three thousand one hundred and fifty dollars, to be expended by the Trustees of the Whittier State School, at Whittier, Los Angeles County, in making the following improvements and repairs at said Whittier State School, to wit: Enlargement of trades building; construction of hospital, and furnishing the same, finishing the attic in the administration building; additional books and periodicals for library. horses, cows, hogs, and agricultural implements; completion and furnishing of building now in course of construction in boys' department for dining-room, kitchen, bakery and commissary department; for the completion and furnishing of building now in course of construction for girls; for mangle and washing machine; for new boiler for power-house; for equipment of shops; to purchase additional land; for additional water and necessary piping; for barracks; for improvement of grounds around the girls' building, and erection of a barn thereon—and now report progress, and ask leave to sit again.

PENDLETON, Chairman.

Adopted.

Ordered to third reading.

NOTICE OF RECONSIDERATION.

Mr. Laugenour gave notice that on the next legislative day he would move a reconsideration of the vote whereby Assembly Bill No. 458 was refused a second reading.

Senate Bill No. 95—An Act to insure preference in appointment, employment, and retention therein, in the public service of the State of California, and municipalities, villages, and counties of the State of California, to ex-Union soldiers of the late war.

Read second time, and ordered to third reading.

Mr. Laugenour moved that the consideration of all motions of reconsideration be continued until Monday.

So ordered.

Senate Bill No. 705—An Act to appropriate money to pay the indebtedness incurred by calling the National Guard of California into service, by order of the Governor, to enforce the law, in 1893 and 1894.

Mr. Brusie moved to amend as follows:

By striking out of section one, lines one and two, the words "forty-two thousand six hundred and fifty-five dollars and thirty-five cents," and inserting the following: "forty-three thousand three hundred and ninety-seven dollars and twenty-one cents."

Adopted.

Ordered to printer, and third reading.

Senate Bill No. 646—An Act to amend section one thousand five hundred and eighty-two of the Code of Civil Procedure, relating to the maintenance of civil actions by executors and administrators.

Read second time, and ordered to third reading.

Senate Bill No. 721—An Act to amend section seven hundred and thirty-eight of the Code of Civil Procedure, relating to actions to determine adverse claims to property.

Read second time, and ordered to third reading.

Senate Bill No. 402—An Act relating to the proof and recording of maps of real estate.

Read second time, and ordered to third reading.

Senate Bill No. 434—An Act to add a new section to the Penal Code of the State of California, to be known and designated as section five hundred and two and one half, relating to the severance and removal of fixtures and improvements upon mortgaged property.

Read second time.

The following committee amendments were submitted:

Amend by striking out of section one, line nine, the words "shed, outhouse."

Adopted.

Also: Amend section one, line nine, by inserting the word "or" after the word "will."

Adopted.

Also. Amend by striking out of section one, lines nine and ten, the words "or other building or fence that is."

Adopted.

Ordered to printer and to third reading.

Senate Bill No. 631—An Act making an appropriation to pay the deficiency in the appropriation for payment of transportation of children to the State Reform School for Juvenile Offenders for the forty-fourth fiscal year.

Read second time.

Senate Bill No. 43—An Act to provide for the purchase of additional grounds for the State Insane Asylum at Napa.

Read second time.

MOTION.

Mr. Wade moved that the Assembly resolve itself into Committee of the Whole, with Mr. Pendleton in the chair, for the purpose of considering Senate Bills Nos. 631 and 43.

So ordered.

IN COMMITTEE OF THE WHOLE.

Mr. Pendleton in the chair.

Senate Bills Nos. 631 and 43 were considered in Committee of the Whole.

IN ASSEMBLY.

Mr. Pendleton in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

Mr. Pendleton stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 631—An Act making an appropriation to pay the deficiency in the appropriation for payment of transportation of children to the State Reform School for Juvenile Offenders for the forty-fourth fiscal year.

Also: Senate Bill No. 43—An Act to provide for the purchase of additional grounds for the State Insane Asylum at Napa.

And now report, and recommend that the same do pass.

PENDLETON, Chairman.

Adopted.

Ordered to third reading.

Senate Bill No. 235—An Act to amend an Act entitled “An Act for the more effectual prevention of cruelty to animals,” approved March 20, 1874, by adding thereto two new sections regarding the disposition of old, maimed, and diseased animals, and relating to the definition of the word “empowered,” to be known, respectively, as section four and one half and section thirteen and one half.

Read second time.

Substitute for Senate Bill No. 787—An Act to provide for the completion and termination of the duties of the Board of State Viticultural Commissioners, the final disposition and transfer of all properties of the State in its possession, and the repeal of all laws and parts of laws relating to its organization, powers, and duties.

Read second time.

MOTION.

Mr. Phelps moved that the Assembly resolve itself into Committee of the Whole, with Mr. Pendleton in the chair, for the purpose of considering Substitute for Senate Bill No. 787.

So ordered.

IN COMMITTEE OF THE WHOLE.

Mr. Pendleton in the chair.

Substitute for Senate Bill No. 787 was considered in Committee of the Whole.

IN ASSEMBLY.

Mr. Pendleton in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

Mr. Pendleton 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. 787—An Act to provide for the completion and termination of the duties of the Board of State Viticultural Commissioners, the final disposition and transfer of all properties of the State in its possession, and the repeal of all laws and parts of laws relating to its organization, powers, and duties—and now report, and recommend that the same do pass

PENDLETON, Chairman.

Adopted.

Senate Bill No. 871—An Act conferring power upon the Common Council, Board of Supervisors, or other governing body of cities, or cities and counties, of over one hundred thousand inhabitants, to acquire or condemn land for a suitable site, and erect thereon a suitable building or buildings for municipal purposes.

Read second time, and ordered to third reading

RESOLUTION—(OUT OF ORDER).

Resolved, That the Assembly confine itself for the balance of the day to the consideration of the Assembly urgency file, and that only such bills shall be considered as shall have no objection raised to their consideration. All other bills to be passed and retain their place on file.

Adopted.

Mr. Waymire moved that unanimous consent be granted for the introduction of all committee reports.

Lost.

Mr. North moved to reconsider the vote whereby the motion of Mr. Waymire was lost.

Carried.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON RETRENCHMENT AND PUBLIC EXPENDITURES.

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1895.

MR. SPEAKER: Your Committee on Retrenchment and Public Expenditures, to whom was referred Assembly Bill No. 644—An Act to regulate the salaries of certain officers in State institutions—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 Bill No. 436—An Act to repeal chapter ninety-six of the Statutes of 1883, entitled "An Act to appropriate money for the support of aged persons in indigent circumstances," approved March 15, 1883—have had the same under consideration, and respectfully report the same back, and recommend that the author be permitted to withdraw the same, a similar Act having passed both houses

PHELPS, Chairman.

Assembly Bills Nos. 644 and 436 withdrawn by authors.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1895.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Assembly Bill No. 1022—An Act to create a Court in and for the town of Berkeley, State of California—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

GUY, Chairman

ON STATE PRISONS AND REFORMATORY INSTITUTIONS.

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1895.

MR. SPEAKER: Your Committee on State Prisons and Reformatory Institutions, to whom was referred Senate Concurrent Resolution No. 9—Relative to employment of convicts in State prisons—have had the same under consideration, and respectfully report the same back, and recommend that the same be adopted.

LAIRD, Chairman.

SENATE CONCURRENT RESOLUTION No. 9.

Concurrent resolution relative to employment of convicts in the State Prisons.

WHEREAS, It is costing the taxpayers of this State upwards of three hundred thousand dollars per annum to maintain the State Prisons at San Quentin and Folsom, and to support the two thousand one hundred convicts of those institutions in idleness or at

non-productive labor; and whereas, in more than half the States in the Union the prisons are self-supporting, and in many are made to return an income to the State; now, therefore, be it

Resolved by the Senate, the Assembly concurring, That in our judgment the State Board of Prison Directors should take immediate steps to place the convicts in our State Prisons at some employment which shall assist in lessening the large appropriations demanded biennially for the support of these institutions.

Mr. Lynch moved that Senate Concurrent Resolution No. 9 be printed in the Journal and go over until Monday.

So ordered.

ON MILEAGE.

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1895.

MR. SPEAKER: Your Committee on Mileage, to whom was referred Assembly resolutions as follows:

By Mr. Brusie:

Resolved, That the State Controller be and is hereby directed to draw his warrant for the sums, and made payable to the persons herein, as follows.

E. S. Tomblin—	
Railroad fare, Sacramento to San Francisco and return.....	\$5 00
Hotel, two days, San Francisco.....	6 00
Charles A. Swisler—	
Railroad fare, Sacramento to San Francisco and return.....	5 00
Hotel, two days.....	6 00
J. D. Kelsey—	
Railroad fare, Sacramento to San Francisco and return.....	5 00
Hotel, two days.....	6 00
J. L. Gillis, Clerk—	
Railroad fare, Sacramento to San Francisco and return.....	5 00
Hotel, two days.....	6 00
Judson Brusie—	
Railroad fare, Sacramento to San Francisco and return.....	5 00
Hotel, two days.....	6 00

Said amount being the actual expenses of the Sub-Committee on Ways and Means on their visit to San Francisco, in reference to the investigation of the taxation of telephone companies.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1895.

MR. SPEAKER: Your Committee on State Prisons and Reformatory Institutions, appointed to investigate and report upon the condition and needs of Folsom State Prison, at Folsom, Sacramento County, having visited the State Prison and reported back the result of their investigation to the Assembly, now present their account for expenses, as follows:

C. G. Dodge.....	\$4 00
C. W. Pendleton.....	4 00
H. W. Laugenour.....	4 00
J. T. Laird.....	4 00
Total.....	\$16 00

Resolved, That the Controller be and he is hereby directed to draw his warrant in favor of J. T. Laird, Chairman of committee, for the sum of sixteen dollars, as per above statement, said warrant to be so drawn upon the fund for the contingent expenses of the Assembly, and the Treasurer is directed to pay the same.

LAIRD, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1895

MR. SPEAKER: Your Committee on State Prisons and Reformatory Institutions, appointed to investigate and report upon the condition and needs of San Quentin State Prison, at San Quentin, Marin County, having visited said State Prison and reported back the result of their investigation to the Assembly, now present their account for expenses, as follows:

C. G. Dodge.....	\$22 20
Jas. Devitt.....	22 20
H. W. Laugenour.....	22 20
C. W. Pendleton.....	22 20
Jas. T. Laird.....	22 20
J. C. Kesler, clerk.....	22 20
Total.....	\$133 20

Resolved, That the Controller be and is hereby directed to draw his warrant in favor of J. T. Laird, Chairman of said committee, for the sum of one hundred and thirty-three dollars and twenty cents, as per above statement, said warrant to be drawn upon the fund for the contingent expenses of the Assembly, and the Treasurer is directed to pay the same

LAIRD, Chairman

By Mr. Spencer:

Resolved, That E. V. Spencer be and he is hereby allowed the sum of twenty-four dollars and fifty cents, on account of mileage, in addition to the amount heretofore allowed him, and the Controller is hereby directed to draw his warrant for the same, payable out of the appropriation for the Contingent Fund of the Assembly

Have had the same under consideration, and respectfully report the same back, and recommend that they be adopted.

STALEY, Chairman.

• On motion of Mr. Lynch, laid over until Monday.

URGENCY FILE.

Assembly Bill No. 564—An Act requiring every corporation doing business in this State to pay their employes, and each of them, at least once in each and every month, the wages earned by such employe; to define the duties of the District Attorneys of the several counties of this State in enforcing this Act; to limit the defenses which may be set up by such corporations to assignments of wages, set-off or counter claims, or the absence of such employe at the time of making payment, and in case of such absence the wages are payable upon demand; to prohibit assignments of wages for purposes of evading the provisions of this Act, and agreements to accept wages at longer periods than as herein provided; to fix a penalty for the violation of the provisions of this Act by such corporation, and to provide for the disposition of any fines recovered from corporations violating the same.

Read third time.

Assembly Bill No. 702—An Act to amend sections four hundred and ninety-nine and five hundred and one of the Civil Code of the State of California, relating to street railroads, and to repeal an Act entitled "An Act to limit and fix the rates of fares on street railroads in cities and towns of more than one hundred thousand inhabitants," approved January 1, 1878.

Passed, to retain its place on file.

Assembly Bill No. 939—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 three, four, twelve, eighteen, twenty-two, twenty-seven, and thirty-seven thereof.

Passed, to retain its place on file.

Assembly Bill No. 125—An Act to appropriate the sum of one thousand and fifty-two dollars to pay the claim of Jerome Deasy.

Passed, to retain its place on file.

At four o'clock and thirty minutes P. M. Mr. Stansell moved to adjourn.

Lost.

Mr. Laird moved to take a recess until seven o'clock and thirty minutes P. M.

Lost.

Assembly Bill No. 801—An Act to provide for the disposal of the Home for Adult Blind at Oakland, Alameda County, the transfer of the

inmates to the premises lately occupied as a home for feeble-minded in Santa Clara, and for the improvement of the same.

Passed, to retain its place on file.

LEAVE OF ABSENCE.

Messrs. Butler, Dwyer, and Jones were granted leave of absence until Monday, and Mr. Nelson was granted leave of absence until Tuesday.

Assembly Bill No. 1007—An Act to pay the claim of Thomas Hatch, and making an appropriation therefor.

Passed, to retain its place on file.

Assembly Bill No. 566—An Act relating to estrays, and repealing all other Acts and parts of Acts now in force relating to estrays.

Passed, to retain its place on file.

Mr. Bettman moved to adjourn.

Lost.

Assembly Bill No. 402—An Act entitled an Act to appropriate money to pay the claim of Charles E. Cunningham and William C. Rodgers, for the services rendered in running the elevator in the State Capitol.

Passed, to retain its place on file.

Assembly Bill No. 937—An Act to authorize State agricultural societies, under control of the State, to sell or mortgage property held by them in fee, or held by trustees for their use, or in which they may have any interest; to prescribe a course of procedure therefor; to indemnify purchasers at such sale, and to direct how the proceeds shall be applied.

Passed, to retain its place on file.

Assembly Bill No. 756—An Act appropriating money to pay the claims of H. P. Dyer, E. F. Dyer, C. A. Granger, Gaston Goldsmith, and Sullivan & Sullivan.

Passed, to retain its place on file.

Mr. Bettman moved to adjourn.

Lost.

Mr. Phelps moved to take a recess to seven o'clock and thirty minutes P. M.

Lost.

ADJOURNMENT.

At five o'clock and forty-five minutes P. M., on motion of Mr. Lynch, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER. }
Monday, March 11, 1895. }

The Assembly met pursuant to adjournment.

Speaker Lynch in the chair.

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

Messrs. Ash, Bachman, Barker, Bassford, Belshaw, Bennett, Bettman, Bledsoe, Boothby, Brusie, Bulla, Butler, Cargill, Coghlin, Cutter, Dale, Davis, Devine, Devitt, Dinkelspiel, Dixon, Dodge, Dwyer, Ewing, Fassett, Gay, Glass, Guy, Hall, Hatfield, Healey, Holland, Huber, Hudson, Johnson, Jones, Keen, Kenyon, Laird, Laugenour, Lewis, Meads, McCarthy, McKelvey, Merrill, Nelson, North, O'Day, Osborn, Pendleton, Phelps, Powers, Price, Reid, Richards, Robinson, Rowell, Sanford, Spencer, Staley, Stansell, Swisler, Thomas, Tibbits, Tomblin, Twigg, Wade, Waymire, Weyse, Wilkinson, Zocchi, and Mr. Speaker.

Quorum present.

LEAVE OF ABSENCE.

Mr. Llewellyn was granted leave of absence for the day.

PRAYER.

Prayer by the Chaplain, Rev. O. Summers.

READING OF THE JOURNAL.

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

So ordered.

MOTION.

Mr. Osborn moved that the rules be suspended and Assembly Bill No. 618 be now considered.

So ordered.

Assembly Bill No. 618—An Act to amend sections one thousand nine hundred and twelve, one thousand nine hundred and thirteen, one thousand nine hundred and fourteen, one thousand nine hundred and fifteen, one thousand nine hundred and seventeen, one thousand nine hundred and eighteen, one thousand nine hundred and nineteen, one thousand nine hundred and twenty-three, one thousand nine hundred and twenty-nine, one thousand nine hundred and thirty-two, one thousand nine hundred and thirty-six, one thousand nine hundred and forty-two, one thousand nine hundred and fifty-two, one thousand nine hundred and fifty-five, one thousand nine hundred and sixty-two, one thousand nine hundred and seventy, one thousand nine hundred and seventy-four, one thousand nine hundred and eighty, one thousand nine hundred and eighty-two, one thousand nine hundred and eighty-three, one thousand nine hundred and eighty-four, one thousand nine hundred and eighty-five, one thousand nine hundred and ninety, two thousand and three, two thousand and seven, two thousand and twenty-four, two thousand and twenty-seven, two thousand and forty, two thousand and forty-one, two thousand and forty-two, two thousand and forty-eight, two thousand and forty-nine, two thousand and fifty, two thousand and seventy-six, and two thousand and eighty-two; and to repeal sections one thousand nine hundred and eighty-seven, one thousand nine hundred and eighty-eight, one thousand nine hundred and eighty-nine, two thousand and four, two thousand and five, and two thousand and six, all of the Political Code; and to add one new section thereto, to be known and numbered as section one thousand nine hundred and ninety-one, relating to the National Guard, and to provide for the retirement and disposition of certain officers thereof.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Barker, Bassford, Belshaw, Bennett, Bettman, Boothby, Bulla, Cargill, Coghlin, Dale, Davis, Dinkelspiel, Dixon, Dunbar, Ewing, Gay, Glass, Guy, Hall, Hatfield, Hudson, Johnson, Kenyon, Laird, Lewis, McCarthy, McKelvey, Merrill, North, O'Day, Phelps, Powers, Price, Reid, Robinson, Rowell, Staley, Tibbits, Wade, Waymire, Weyse, Wilkinson, and Mr. Speaker—44

NOES—None.

Title read and approved.

Mr. Osborn moved that Assembly Bill No. 618 be immediately transmitted to the Senate.

So ordered.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, March 9, 1895.

To the Assembly of the State of California.

I have the honor to inform your honorable body that I have approved Assembly Bills Nos. 28, 29, and 32.

JAMES H. BUDD, Governor.

RESOLUTION.

By Mr. North:

Resolved. That the Senate be and hereby is respectfully requested to recall from enrollment, and withdraw from the Governor, Senate Bill No. 369, and immediately return the same to the Assembly, for the purpose of reconsideration and amendment of the title.

Adopted.

REPORTS OF STANDING COMMITTEES.

ON CONSTITUTIONAL AMENDMENTS

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1895

MR. SPEAKER: Your Committee on Constitutional Amendments, to whom was referred Assembly Constitutional Amendment No. 55—Proposed amendment to article thirteen, section ten, of the Constitution, relating to taxation of railroads, telephone and telegraph companies—have had the same under consideration and respectfully report the same back, and recommend that it be adopted

WAYMIRE, Chairman.

ON EDUCATION

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1895.

MR. SPEAKER: Your Committee on Education, to whom was referred Senate Bill No. 782—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

JOHNSON, Chairman.

ON ROADS AND HIGHWAYS.

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1895.

MR. SPEAKER: Your Committee on Roads and Highways, to whom was referred Senate Bill No. 289—An Act providing for the improvement of streets and roads, and the construction of sidewalks, outside of the limits of incorporated cities and towns—have had the same under consideration, and respectfully report the same back, and recommend that it do pass

SWISLER, Chairman.

SPECIAL FILE.

Assembly Bill No. 797—An Act to repeal an Act entitled "An Act to create and establish a State Board of Horticulture, and to appropriate money for the expenses thereof," approved March 13, 1883, and all Acts amendatory thereof and supplementary thereto, and to confer certain powers upon the Regents of the University of California, and to provide

for the protection of the horticultural interests of the State by the appointment of a Quarantine Health Officer or Officers, and to appropriate money for the expenses of the same.

Passed, to retain its place on file.

Assembly Bill No. 106—An Act providing for the selection, condemnation, and purchase of a suitable site, and the erection thereon of a State building in San Francisco, and making an appropriation therefor.

Mr. McKelvey moved that the rules be suspended, and Mr. Dixon be allowed to withdraw Assembly Bill No. 106, and substitute therefor Assembly Bill No. 104.

Lost.

Assembly Bill No. 106 was withdrawn by author.

Assembly Bill No. 860—An Act to appropriate four thousand seven hundred and fifty dollars as compensation to "The California Demokrat Publishing Company," a corporation incorporated, organized, and existing under the laws of the State of California, for having published proposed amendments to the Constitution of the State of California during the year 1894.

Passed, to retain its place on file.

Assembly Bill No. 186—An Act making an appropriation for the erection and furnishing of a residence for the Medical Director of the Southern California State Asylum for the Insane and Inebriates.

Passed, to retain its place on file.

Assembly Bill No. 954—An Act appropriating the sum of twenty-five thousand dollars for a thorough system of ventilation for the Capitol building.

Passed, to retain its place on file.

Assembly Bill No. 181—An Act to amend 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, in relation to salary of Secretary.

Passed, to retain its place on file.

Assembly Bill No. 861—An Act making an appropriation to pay the claim of Louise Rienzi for services rendered the State Board of Silk Culture as Secretary, Instructress, and Silk Expert, from December 12, 1885, to April 2, 1887, at eighty-seven dollars and fifty cents per month.

Passed, to retain its place on file.

Assembly Constitutional Amendment No. 49—Proposed amendment to article thirteen of the Constitution, relative to revenue and taxation.

Passed, to retain its place on file.

Assembly Constitutional Amendment No. 35—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, relative to revenue and taxation.

Passed, to retain its place on file.

Assembly Constitutional Amendment No. 36—A resolution proposing to amend section seventeen of article one of the Constitution of the State of California, relative to ownership of property by aliens.

Passed, to retain its place on file.

Assembly Constitutional Amendment No. 20—Proposed amendment to article four of the Constitution, relating to the legislative department, adding a new section thereto, limiting the contingent expenses of the Senate and Assembly.

Passed, to retain its place on file.

Assembly Constitutional Amendment No. 41—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending section six of article nine thereof, relative to the public school system.

Passed, to retain its place on file.

Assembly Constitutional Amendment No. 24—A resolution to propose to the people of the State of California an amendment to section thirteen of article twenty of the Constitution of the State of California, relative to the mode of voting.

Passed, to retain its place on file.

Assembly Constitutional Amendment No. 48—A resolution proposing to the people of the State of California an amendment to section six, article eleven, of the Constitution of the State of California.

Passed, to retain its place on file.

Assembly Constitutional Amendment No. 34—Constitutional amendment relative to amending the Constitution of the State of California, by repealing sections twenty-two, twenty-three, and twenty-four of article twelve.

Passed, to retain its place on file.

Assembly Constitutional Amendment No. 43—Constitutional amendment relative to amending the Constitution of the State of California, by amending section four, article six.

Passed, to retain its place on file.

Assembly Constitutional Amendment No. 21—A resolution to propose to the people of the State of California 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.

Passed, to retain its place on file.

Assembly Constitutional Amendment No. 28—A resolution proposing to the people of the State of California an amendment to section twenty-two, article twelve, of the Constitution of the State of California.

Passed, to retain its place on file.

Assembly Constitutional Amendment No. 45—A resolution proposing an amendment to section one of article fourteen of the Constitution of the State of California.

Passed, to retain its place on file.

Assembly Constitutional Amendment No. 44—A resolution to propose to the people of the State of California an amendment to article four of the Constitution of the State of California.

Passed, to retain its place on file.

Assembly Constitutional Amendment No. 29—Constitutional amendment relative to amending Constitution of State of California, by amending section one of article thirteen thereof.

Passed, to retain its place on file.

Assembly Constitutional Amendment No. 40—A resolution to propose to the people of the State of California an amendment to section one of article eleven of the Constitution of the State of California.

Passed, to retain its place on file.

Assembly Constitutional Amendment No. 51—A resolution to propose to the people of the State of California an amendment to section two of article four of the Constitution of the State of California.

Passed, to retain its place on file.

Assembly Constitutional Amendment No. 25—A resolution to propose

to the people of the State of California an amendment to the Constitution of the State, amending article six, relative to the "Judicial Department."

Passed, to retain its place on file.

Assembly Constitutional Amendment No. 30—A resolution proposing an amendment to section two and section three of article six of the Constitution of the State of California, relative to the organization and management of the business of the Supreme Court.

Passed, to retain its place on file.

Assembly Constitutional Amendment No. 50—A resolution proposing to the people of the State of California an amendment to section four of article one of the Constitution of the State of California.

Passed, to retain its place on file.

Assembly Constitutional Amendment No. 52—A resolution proposing to the people of the State of California an amendment to the Constitution of the State of California, by adding a new section to article twenty of the said Constitution, to be numbered twenty-one, relating to acquiring land by adverse possession.

Passed, to retain its place on file.

Assembly Constitutional Amendment No. 46—An Act to amend section twenty-three of article four of the Constitution.

Passed, to retain its place on file.

Assembly Constitutional Amendment No. 53—A resolution proposing to the people of the State of California an amendment to section six, article eleven, of the Constitution of the State of California.

Passed, to retain its place on file.

Assembly Constitutional Amendment No. 54—An Act to amend section two of article five of the Constitution.

Passed, to retain its place on file.

Assembly Constitutional Amendment No. 53 withdrawn by the author.

Mr. McKelvey moved that Assembly Bill No. 899 be read second time.

So ordered.

Assembly Bill No. 899—Supplemental Act to an Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water thereby for irrigation purposes, approved March 7, 1887, and Acts amendatory thereto, enabling any irrigation district to dispose of certain surplus water rights and water already acquired in excess of the actual needs of the district.

Read second time, and ordered to engrossment and third reading.

REPORT OF COMMITTEE ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1895.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following bill has been correctly engrossed: Assembly Bill No. 882—An Act to amend section four hundred and eighty-nine, and to repeal section four hundred and ninety of the Civil Code, in relation to railroad rates of charges and railroad tickets.

WILKINSON, Chairman.

Assembly Bill No. 62—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 21, 1872, by adding thereto two sections, to be known as sections one thousand eight hundred and eighty-two and one thousand eight hundred and eighty-

five, being a part of part four, title two, chapter two, concerning witnesses.

Mr. Guy, the author, requested to withdraw the same.

So ordered.

At ten o'clock and thirty minutes A. M. the Speaker called Mr. Holland to the chair.

Assembly Bill No. 149—An Act to add a new section to the Code of Civil Procedure, to be known as section seven hundred and thirty, relating to actions for foreclosure of mortgages.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Bachman, Barker, Bassford, Bennett, Boothby, Bulla, Cargill, Coghlin, Dale, Davis, Devine, Devitt, Dinkelspiel, Dixon, Dodge, Dwyer, Ewing, Fassett, Gay, Glass, Guy, Hatfield, Huber, Johnson, Kenyon, Laird, Laugenour, Lewis, McKelvey, Merrill, North, O'Day, Phelps, Powers, Price, Reid, Robinson, Sanford, Staley, Swisler, Thomas, Tibbits, Wade, Waymire, and Mr. Speaker—48.

NOES—None.

Title read and approved.

Mr. Hatfield moved that Assembly Bill No. 149 be immediately transmitted to the Senate.

So ordered.

Assembly Bill No. 225—An Act to amend section two thousand nine hundred and twenty-four of an Act of the Legislature of the State of California entitled "An Act to establish a Civil Code," relating to mortgages.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Bachman, Barker, Bassford, Bennett, Bettman, Bulla, Coghlin, Dale, Davis, Devitt, Dixon, Dwyer, Fassett, Gay, Glass, Guy, Hall, Hatfield, Holland, Huber, Hudson, Kenyon, Laugenour, Lewis, McKelvey, Merrill, North, O'Day, Phelps, Powers, Reid, Robinson, Rowell, Sanford, Staley, Swisler, Thomas, Tibbits, Tomblin, Wade, Waymire, Weyse, and Zocchi—44.

NOES—None.

Title read and approved.

Mr. Reid moved that Assembly Bill No. 225 be immediately transmitted to the Senate.

So ordered.

LEAVE OF ABSENCE.

Mr. Swisler was granted leave of absence for the day.

Assembly Bill No. 168—An Act to amend the Code of Civil Procedure by adding thereto four new sections, to be known as sections five hundred and sixty, five hundred and sixty-one, five hundred and sixty-two, and five hundred and sixty-three, concerning attachments.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Bachman, Barker, Bassford, Belshaw, Bennett, Bettman, Bulla, Coghlin, Dale, Davis, Devine, Devitt, Dinkelspiel, Dixon, Dodge, Fassett, Gay, Glass, Guy, Hall, Hatfield, Holland, Huber, Hudson, Kenyon, McKelvey, Merrill, North, O'Day, Osborn, Pendleton, Powers, Price, Robinson, Rowell, Sanford, Staley, Swisler, Tibbits, Tomblin, Waymire, Weyse, Zocchi, and Mr. Speaker—45.

NOES—Mr. Wade—1

Title read and approved.

Mr. Hatfield moved that Assembly Bill No. 168 be immediately transmitted to the Senate.

So ordered.

Assembly Bill No. 212—An Act to regulate the practice of architecture.

Read third time.

The question being on the final passage of the bill.

The roll was called, and pending the announcement of the result, Mr. Pendleton moved a call of the House, seconded by Messrs. Zocchi and Brusie.

Lost.

The result of the roll call was announced, and the bill refused final passage by the following vote:

AYES—Messrs. Bettman, Boothby, Brusie, Bulla, Devine, Dinkelspiel, Dixon, Dunbar, Ewing, Guy, Laugenour, Meads, McKelvey, Powers, Twigg, Weyse, Wilkinson, and Mr. Speaker—18.

NOES—Messrs. Ash, Bachman, Barker, Bassford, Belshaw, Bennett, Cargill, Coghlin, Dale, Davis, Dodge, Fassett, Gay, Glass, Hall, Hatfield, Holland, Huber, Hudson, Johnson, Jones, Keen, Laird, Merrill, North, Pendleton, Phelps, Price, Robinson, Rowell, Sanford, Spencer, Staley, Stansell, Tibbits, Wade, and Waymire—37.

NOTICE OF RECONSIDERATION.

Mr. Pendleton gave notice that on next legislative day he would move to reconsider the vote whereby Assembly Bill No. 212 was this day refused final passage.

Assembly Bill No. 25—An Act to amend section three hundred and thirty-seven of the Code of Civil Procedure, relating to the time in which actions must be commenced upon any contract, obligation, or liability founded upon an instrument in writing executed in this State.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Bachman, Barker, Bassford, Belshaw, Bennett, Bettman, Brusie, Bulla, Dale, Davis, Devine, Dinkelspiel, Dixon, Dunbar, Dwyer, Ewing, Fassett, Gay, Glass, Guy, Hall, Hatfield, Holland, Hudson, Johnson, Keen, Kenyon, Laugenour, Meads, McCarthy, North, Osborn, Pendleton, Phelps, Powers, Price, Rowell, Sanford, Staley, Tibbits, Wade, Waymire, and Wilkinson—44.

NOES—Messrs. Jones, Merrill, Spencer, Stansell, and Weyse—5.

Title read and approved.

Mr. Bulla moved that Assembly Bill No. 25 be immediately transmitted to the Senate.

So ordered.

LEAVE OF ABSENCE.

Messrs. Kelsey and Berry were granted leave of absence for the day.

Assembly Bill No. 259—An Act to amend section one thousand four hundred and sixty-nine of an Act of the Legislature of the State of California entitled "An Act to establish a Code of Civil Procedure," relating to the support of families of deceased persons, and the distribution of the estates of deceased persons, where the value of the whole estate does not exceed the sum of one thousand five hundred dollars.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Bachman, Barker, Belshaw, Bennett, Brusie, Bulla, Cargill, Coghlin, Dale, Davis, Devine, Dinkelspiel, Dixon, Dunbar, Dwyer, Ewing, Gay, Glass, Guy, Hall, Hatfield, Holland, Huber, Hudson, Jones, Keen, Laugenour, Meads, McKelvey, Merrill, O'Day, Pendleton, Phelps, Powers, Price, Reid, Rowell, Sanford, Staley, Stansell, Tibbits, Waymire, and Weyse—44.

NOES—None.

Title read and approved.

Assembly Bill No. 349—An Act to amend section one thousand four hundred and forty-six of the Penal Code, relating to the form of judgment against a defendant in cases where fine and imprisonment are directed.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Bachman, Barker, Belshaw, Bennett, Bettman, Brusie, Bulla, Cargill, Coghlin, Dale, Davis, Dinkelspiel, Dixon, Dunbar, Fassett, Gay, Glass, Guy, Hall, Hatfield, Holland, Huber, Hudson, Johnson, Jones, Keen, Kenyon, Meads, McKelvey, North, Pendleton, Phelps, Powers, Price, Richards, Rowell, Sanford, Staley, Stansell, Tibbits, Wade, Waymire, and Weyse—44.

NOES—None.

Title read and approved.

Mr. Guy moved that Assembly Bills Nos. 259 and 349 be immediately transmitted to the Senate.

So ordered.

Assembly Bill No. 355—An Act to amend section eight hundred and thirty-six of the Code of Civil Procedure of the State of California, relating to the change of place of trial in Justices' Courts.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Bachman, Barker, Bassford, Bennett, Bettman, Brusie, Bulla, Butler, Coghlin, Dale, Davis, Dinkelspiel, Dixon, Dunbar, Fassett, Gay, Glass, Guy, Hall, Hatfield, Holland, Huber, Hudson, Johnson, Jones, Keen, Kenyon, Laugenour, Meads, McKelvey, North, O'Day, Pendleton, Powers, Price, Richards, Staley, Wade, Waymire, and Weyse—41.

NOES—None.

Title read and approved.

Assembly Bill No. 273—An Act to prescribe the duty of the Attorney-General and Insurance Commissioner in regard to the admission of insurance corporations, associations, or individuals to do business in this State.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Bachman, Barker, Bassford, Bennett, Bettman, Brusie, Bulla, Butler, Dale, Davis, Dinkelspiel, Dixon, Dunbar, Ewing, Fassett, Gay, Glass, Guy, Hall, Hatfield, Holland, Huber, Hudson, Johnson, Jones, Keen, Kenyon, Meads, McKelvey, Nelson, North, O'Day, Osborn, Pendleton, Phelps, Powers, Price, Richards, Rowell, Spencer, Stansell, Wade, Waymire, and Weyse—45.

NOES—Messrs. Coghlin and Devine—2.

Title read and approved.

Assembly Bill No. 506—An Act to amend section one of an Act entitled "An Act to compel savings banks to publish a sworn statement of all unclaimed deposits."

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Bachman, Barker, Bassford, Belshaw, Bennett, Bettman, Brusie, Bulla, Butler, Dale, Davis, Dinkelspiel, Dixon, Dunbar, Ewing, Fassett, Gay, Glass, Guy, Hall, Hatfield, Hudson, Johnson, Jones, Keen, Kenyon, Laugenour, Meads, McKelvey, Merrill, North, O'Day, Pendleton, Phelps, Powers, Richards, Rowell, Sanford, Staley, Stansell, Tibbits, Wade, and Waymire—45.

NOES—None.

Title read and approved.

Mr. Powers moved that Assembly Bill No. 506 be immediately transmitted to the Senate.

So ordered.

Assembly Bill No. 191—An Act to amend section seven hundred and ninety-eight of the Political Code of California, relating to the fees of Notaries Public, and the amendments thereto.

Passed, to retain its place on file.

Assembly Bill No. 315—An Act to amend section three thousand four hundred and ninety-one of the Political Code, relating to the election of trustees of reclamation districts.

Mr. Laugenour moved that Assembly Bill No. 579 be substituted for Assembly Bill No. 315.

So ordered.

Assembly Bill No. 579—An Act to enable any county, city and county, city, or town, to lease property to associations of ex-soldiers and sailors.

Read second time.

The following committee amendment was submitted:

Amend by striking out of section one, line two, printed bill, the word "five," and inserting in lieu thereof the word "twenty."

Adopted.

Ordered to printer, engrossment, and third reading.

Assembly Bill No. 279—An Act to amend section two hundred and thirteen of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872.

Mr. Hatfield moved that Assembly Bill No. 484 be substituted for Assembly Bill No. 279, and that Assembly Bill No. 279 be substituted for Assembly Bill No. 484, number one hundred and twenty-eight on file.

So ordered.

Assembly Bill No. 484—An Act to amend section five hundred and forty-eight of the Civil Code, in relation to water and canal corporations.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Boothby, Butler, Cargill, Coghlin, Dale, Devine, Dixon, Dunbar, Dwyer, Glass, Guy, Hall, Hatfield, Hudson, Keen, Meads, McKelvey, O'Day, Pendleton, Powers, Price, Richards, Staley, Swisler, Tibbits, Twigg, Waymire, and Weyse—29.

NOES—Messrs. Bachman, Barker, Bassford, Belshaw, Bennett, Bettman, Bulla, Davis, Ewing, Holland, Huber, Jones, Kenyon, Nelson, North, Osborn, Phelps, Reid, Rowell, Sanford, Stansell, and Wade—22

Assembly Bill No. 280—An Act to amend section four hundred and sixty-one of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Bettman, Boothby, Bulla, Butler, Coghlin, Cutter, Dale, Davis, Devine, Dinkelspiel, Dixon, Dodge, Dunbar, Dwyer, Ewing, Fassett, Gay, Glass, Guy, Hall, Hatfield, Holland, Huber, Hudson, Keen, Kenyon, Laugenour, Meads, McCarthy, McKelvey, Merrill, Nelson, Pendleton, Powers, Staley, Swisler, Tibbits, Wade, Waymire, Weyse, Wilkinson, and Zocchi—43.

NOES—Messrs. Bachman, Barker, Bassford, Belshaw, Bennett, Johnson, Jones, North, O'Day, Osborn, Reid, Rowell, Sanford, Spencer, Stansell, and Twigg—16.

Title read and approved.

Mr. Hatfield moved that Assembly Bill No. 280 be immediately transmitted to the Senate.

So ordered.

Assembly Bill No. 7—An Act to provide for the appointment of Commissioners for the promotion of uniformity of legislation in the United States.

Mr. Waymire moved that Assembly Bill No. 7 be withdrawn, and Assembly Bill No. 521 be substituted therefor.

So ordered.

Assembly Bill No. 521—An Act to amend section one thousand three hundred and sixty-five of the Code of Civil Procedure, relative to granting letters of administration, and to add a new section to the said Code, relative to the distribution of the estates of deceased persons who, at the time of death, were residents of any home for veteran soldiers and sailors.

Read second time.

The following committee amendments were submitted:

Amend section one, line twenty-one, of printed bill, by adding after the word "estate," the words "in preference to all persons except the first six classes above enumerated."

Adopted.

Also: Amend section two, line nine, after the word "upon," by inserting the word "the "

Adopted.

Also: Amend by striking out of section two, line ten, after the word "dollars" the words "and that there is no widow or minor children "

Adopted.

Ordered to printer, engrossment, and third reading.

Assembly Bill No. 354—An Act to amend sections eight hundred and six and eight hundred and seven of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1893.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Bachman, Barker, Belshaw, Bennett, Bettman, Bulla, Butler, Cargill, Dale, Davis, Dinkelspiel, Dixon, Dwyer, Ewing, Fassett, Gay, Guy, Hatfield, Healey, Holland, Huber, Hudson, Johnson, Jones, Kelsey, Kenyon, Laird, Laugenour, Nelson, North, Osborn, Pendleton, Price, Robinson, Rowell, Staley, Tibbits, Twigg, Wade, Weyse, Wilkinson, and Zocchi—42.

NOES—Messrs. Bledsoe and Spencer—2.

Title read and approved.

Assembly Bill No. 292—An Act to amend sections eight hundred and fifty-one, eight hundred and fifty-two, and eight hundred and fifty-three of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Passed, to retain its place on file.

At twelve o'clock and twenty-seven minutes P. M. the Speaker resumed the chair.

At twelve o'clock and twenty-eight minutes P. M. Mr. Bulla moved that the hour of recess be extended ten minutes.

So ordered.

Assembly Bill No. 103—An Act entitled "An Act to amend section three hundred and eighty-five of the Political Code of the State of California, relating to the salary of the Private Secretary of the Governor," approved March 4, 1889.

Mr. Dixon moved that Assembly Bill No. 103 be withdrawn, and Assembly Bill No. 104 be substituted therefor.

So ordered.

Assembly Bill No. 104—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, in cities and towns, and cities and counties, having a population of three thousand inhabitants or over, and to more effectually protect the people against contagious diseases.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill refused final passage by the following vote:

AYES—Messrs. Dixon and Hatfield—2

NOES—Messrs. Ash, Bachman, Barker, Bassford, Belshaw, Bennett, Bledsoe, Bulla, Butler, Coleman, Dale, Dodge, Dunbar, Ewing, Fassett, Gay, Hall, Holland, Huber, Hudson, Johnson, Jones, Keen, Kenyon, Laird, Nelson, North, Osborn, Phelps, Price, Rowell, Staley, Swisler, Wade, and Zocchi—35.

RECESS.

At twelve o'clock and thirty-five minutes P. M. Mr. Bettman moved that the Assembly take a recess until two o'clock P. M.

Mr. Bulla moved to amend the motion of Mr. Bettman by making the hour one o'clock and thirty minutes P. M.

So ordered.

REASSEMBLED.

The Assembly reassembled at one o'clock and thirty minutes P. M.

Speaker Lynch in the chair.

Quorum present.

LEAVE OF ABSENCE.

Mr. Coleman was granted leave of absence for the day.

APPROVAL OF JOURNALS.

The Journals of Thursday, March 7th, Friday, March 8th, and Saturday, March 9th, were approved.

Mr. Bulla moved that the Assembly now take up the consideration of Assembly Bill No. 1021.

So ordered.

Assembly Bill No. 1021—An Act to amend section five hundred and thirty-nine of the Political Code of the State of California, relative to the engrossment and enrollment of bills and other documents, approved March 31, 1891.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Bledsoe, Brusie, Bulla, Collins, Dale, Dixon, Dodge, Dunbar, Dwyer, Ewing, Fassett, Glass, Guy, Hall, Hatfield, Huber, Hudson, Johnson, Jones, Keen, Kelsey, Kenyon, Laird, Lewis, Meads, McKelvey, Merrill, Nelson, North, Osborn, Price, Richards, Robinson, Rowell, Sanford, Spencer, Staley, Stansell, Tibbits, Twigg, Wade, Waymire, Weyse, and Mr. Speaker—51.

NOES—None.

Title read and approved.

Mr. Bulla moved that Assembly Bill No. 1021 be immediately transmitted to the Senate.

So ordered.

Mr. Staley moved the consideration of the report of the Committee on Mileage, laid over from Saturday.

So ordered.

ON MILEAGE.

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1895.

MR. SPEAKER: Your Committee on Mileage, to whom was referred Assembly resolutions as follows:

By Mr. Brusie:

Resolved, That the State Controller be and is hereby directed to draw his warrant for the sums, and made payable to the persons herein, as follows:

E. S. Tomblin—	
Railroad fare, Sacramento to San Francisco and return	\$5 00
Hotel, two days, San Francisco	6 00
Charles A. Swisler—	
Railroad fare, Sacramento to San Francisco and return	5 00
Hotel, two days	6 00
J. D. Kelsey—	
Railroad fare, Sacramento to San Francisco and return	5 00
Hotel, two days	6 00
J. L. Gillis, Clerk—	
Railroad fare, Sacramento to San Francisco and return	5 00
Hotel, two days	6 00
Judson Brusie—	
Railroad fare, Sacramento to San Francisco and return	5 00
Hotel, two days	6 00

Said amount being the actual expenses of the Sub-Committee on Ways and Means on their visit to San Francisco, in reference to the investigation of the taxation of telephone companies.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1895.

MR. SPEAKER: Your Committee on State Prisons and Reformatory Institutions, appointed to investigate and report upon the condition and needs of Folsom State Prison, at Folsom, Sacramento County, having visited the State Prison and reported back the result of their investigation to the Assembly, now present their account for expenses, as follows:

C. G. Dodge	\$4 00
C. W. Pendleton	4 00
H. W. Laugenour	4 00
J. T. Laird	4 00
Total	\$16 00

Resolved, That the Controller be and he is hereby directed to draw his warrant in favor of J. T. Laird, Chairman of committee, for the sum of sixteen dollars, as per above statement, said warrant to be so drawn upon the fund for the contingent expenses of the Assembly, and the Treasurer is directed to pay the same

LAIRD, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1895.

MR SPEAKER: Your Committee on State Prisons and Reformatory Institutions, appointed to investigate and report upon the condition and needs of San Quentin State Prison, at San Quentin, Marin County, having visited said State Prison and reported back the result of their investigation to the Assembly, now present their account for expenses, as follows:

C. G. Dodge	\$22 20
Jas. Devitt	22 20
H. W. Laugenour	22 20
C. W. Pendleton	22 20
Jas. T. Laird	22 20
J. C. Kesler, clerk	22 20
Total	\$133 20

Resolved, That the Controller be and he is hereby directed to draw his warrant in favor of J. T. Laird, Chairman of said committee, for the sum of one hundred and thirty-three dollars and twenty cents, as per above statement, said warrant to be drawn upon the fund for the contingent expenses of the Assembly, and the Treasurer is directed to pay the same.

LAIRD, Chairman.

Also: By Mr. Spencer:

Resolved, That E. V. Spencer be and he is hereby allowed the sum of twenty-four dollars and fifty cents, on account of mileage, in addition to the amount heretofore allowed him, and the Controller is hereby directed to draw his warrant for the same, payable out of the appropriation for the Contingent Fund of the Assembly

Have had the same under consideration, and respectfully report the same back, and recommend that they be adopted.

STALEY, Chairman.

Mr. Dodge moved to amend the report in a manner which would reduce the amount due him to sixteen dollars and twenty cents.

So ordered.

Report as amended adopted.

Assembly Bill No. 424—An Act to repeal an Act entitled "An Act to establish a Bureau of Labor Statistics," approved March 3, 1883, and all Acts supplementary thereto or amendatory thereof.

Mr. Ewing moved that Assembly Bill No. 424 be withdrawn, and Assembly Bill No. 910 be substituted therefor.

So ordered.

Assembly Bill No. 910—An Act to amend an Act entitled "An Act to establish and support a Bureau of Labor Statistics," approved March 3, 1883, and the Act amendatory thereof, approved February 8, 1889, and to establish and maintain public employment offices.

Read second time, ordered to engrossment and third reading.

Mr. Brusie moved that Assembly Bill No. 684 be placed on special file.

Mr. Dixon moved that the consideration of his notice of reconsideration of Assembly Bill No. 60, given last Saturday, be continued until to-morrow.

So ordered.

SPECIAL SENATE FILE.

Senate Bill No. 467—An Act to amend section three thousand six hundred and seventy-eight of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the annual preparation of an abstract of all mortgages, deeds of trust, contracts, and other obligations by which any debt is secured.

Senate Bill No. 467 was withdrawn.

Senate Constitutional Amendment No. 3—A resolution to propose to the people of the State of California an amendment to article thirteen of the Constitution, section one, relative to revenue and taxation.

Senate Constitutional Amendment No. 3 made a special order for three o'clock and thirty minutes P. M.

Senate Constitutional Amendment No. 16—A resolution proposing to the people of the State an amendment to section one of article thirteen of the Constitution, relative to exemptions from taxation.

Senate Constitutional Amendment No. 16 made a special order for three o'clock and thirty minutes P. M.

Senate Bill No. 61—An Act authorizing and empowering the Board of State Harbor Commissioners to grant, exchange, or transfer certain property east of the westerly line of East Street, as delineated and located upon the ground between Clay Street and Market Street, in the City and County of San Francisco, to or with the owner or owners of certain property on the triangular corner common to Market, Sacramento, and East Streets.

Passed, to retain its place on file.

Senate Bill No. 62—An Act to authorize and empower the Board of State Harbor Commissioners to institute condemnation proceedings against certain property on the corner of Market, Sacramento, and East Streets, in the City and County of San Francisco, and extending their jurisdiction over the same.

Passed, to retain its place on file.

Assembly Bill No. 308—An Act to amend section two thousand five hundred and twenty-one of the Political Code, relating to the State Board of Harbor Commissioners, and to abolish the office of Attorney of the State Board of Harbor Commissioners.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Bachman, Barker, Bassford, Belshaw, Berry, Bettman, Bledsoe, Bulla, Cargill, Collins, Dale, Davis, Dodge, Dunbar, Ewing, Fassett, Gay, Glass, Hall, Hatheld, Huber, Hudson, Johnson, Jones, Keen, Kenyon, Laugenour, Meads, McKelvey, Merrill, Nelson, North, Osborn, Price, Richards, Robinson, Rowell, Staley, Stansell, Tibbits, Twigg, Wade, and Waymire—45

NOES—Messrs. Bennett, Boothby, Brusie, Coghlin, Dinkelspiel, Dixon, Kelsey, Laird, Lewis O'Day, Phelps, Powers, Spencer, and Mr. Speaker—13.

Title read and approved.

Mr. Bettman gave notice that on next legislative day he would move the reconsideration of the vote whereby Assembly Bill No. 308 was finally passed.

Senate Bill No. 349—An Act to amend section one of an Act approved March 15, 1883, and entitled "An Act to authorize the Common Council, Board of Trustees, or other governing body of any incorporated city or town, other than cities of the first class, to re-fund its indebtedness, issue bonds therefor, and provide for the payment of the same," as amended March 1, 1893.

Mr. Dinkelspiel moved that Assembly Bill No. 349 be recalled from the Senate.

So ordered.

MOTION.

Mr. Hatfield moved to reconsider the vote whereby Senate Bill No. 349 was finally passed.

The question being on the motion to reconsider.

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

Ayes—Messrs. Bachman, Barker, Belshaw, Berry, Bettman, Bledsoe, Brusie, Bulla, Cargill, Collins, Cutter, Dale, Davis, Dunbar, Fassett, Hall, Hatfield, Holland, Huber, Hudson, Jones, Keen, Kelsey, Kenyon, Laugenour, Lewis, Meads, McCarthy, Nelson, O'Day, Phelps, Powers, Price, Reid, Richards, Rowell, Spencer, Staley, Stansell, Tibbitts, Tomblin, Twigg, Wade, Weyse, Wilkinson, and Zocchi—46.

Noes—Messrs. Ash, Bassford, Devine, Dinkelspiel, Dodge, Gay, North, Robinson, Thomas, Wayne, and Mr. Speaker—11.

RESOLUTION.

By Mr. Bettman:

Resolved, That the following Senate Bills present cases of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bills shall be read on three several days in each house are hereby dispensed with, and it is ordered that said bills be read the first, second, and third times, and placed upon their passage:

Senate Bill No. 467—An Act to amend section three thousand six hundred and seventy-eight of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the annual preparation of an abstract of all mortgages, deeds of trust, contracts, and other obligations by which any debt is secured.

Also: Senate Constitutional Amendment No. 3—A resolution to propose to the people of the State of California an amendment to article thirteen of the Constitution, section one, relative to revenue and taxation.

Also: Senate Constitutional Amendment No. 16—A resolution proposing to the people of the State an amendment to section one of article thirteen of the Constitution, relative to exemptions from taxation.

Also: Senate Bill No. 61—An Act authorizing and empowering the Board of State Harbor Commissioners to grant, exchange, or transfer certain property east of the westerly line of East Street, as delineated and located upon the ground between Clay Street and Market Street, in the City and County of San Francisco, to or with the owner or owners of certain property on the triangular corner common to Market, Sacramento, and East Streets.

Also: Senate Bill No. 62—An Act to authorize and empower the Board of State Harbor Commissioners to institute condemnation proceedings against certain property on the corner of Market, Sacramento, and East Streets, in the City and County of San Francisco, and extending their jurisdiction over the same.

Also: Senate Bill No. 709—An Act to amend an Act entitled "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, 1873, and to confer further powers upon the Board of State Harbor Commissioners," approved March 17, 1880," approved March 19, 1889.

Also: Senate Bill No. 129—An Act to appropriate one hundred and forty-seven thousand two hundred and eighty dollars for the erection of an administration building for the use and occupancy of the officers, employes, and patients of the Mendocino Asylum; to purchase furniture and furnish the building so to be erected by the Directors of said asylum, to purchase furniture and furnish wards for two hundred and six additional patients, to construct an electric plant for lighting the asylum buildings and grounds; and purchase the necessary machinery and appliances therefor, to purchase live stock to be used for asylum purposes; to construct a stable and a cow barn; to construct a dam, to furnish an additional water supply to said asylum, for constructing a sewer and drainage system; to purchase an ice plant and cold storage system, to appropriate money therefor, and provide for the expenditure of the same.

Also: Senate Bill No. 780—An Act to appropriate five thousand dollars for repairs and improvements upon the grounds of the State Insane Asylum at Agnews.

Also: Senate Bill No. 153—An Act to provide for the organization, incorporation, and government of townships.

Also: Senate Bill No. 53—An Act to amend sections three thousand four hundred and forty-nine and three thousand four hundred and sixty-eight of the Civil Code of the State of California, relating to assignments for the benefit of creditors.

Also: Senate Bill No. 59—An Act to amend section three thousand four hundred and forty-two of the Civil Code of the State of California, relating to fraudulent instruments and transfers.

Also: Senate Bill No. 194—An Act to appropriate money for the erection and equipment of additional buildings for the accommodation and care of the inmates of the Preston School of Industry, at Ione, Amador County, California.

Also: Senate Bill No. 627—An Act to add a new section to the Penal Code of Cali-

formia, to be known and numbered as section three hundred and ten of said Code, relating to the keeping open and conducting of barber shops, hair-dressing establishments, and bath houses on Sundays and legal holidays.

Also: Senate Bill No. 199—An Act authorizing municipal corporations to dispose of surplus water along the line of their water supply outside of their corporate limits; to join with other persons, corporations, and irrigation districts in developing water, and empowering the legislative authority of such municipal corporations to execute such powers.

Also: Senate Bill No. 270—An Act to amend section five hundred and thirty-seven of the Penal Code of the State of California, relating to defrauding proprietors and managers of hotels, inns, restaurants, boarding houses, and lodging houses.

Also: Senate Bill No. 103—An Act making an appropriation to pay the deficiency in the appropriation for the support of the State Normal School at Los Angeles for the forty-sixth fiscal year.

Also: Senate Bill No. 630—An Act making an appropriation to pay the deficiency in the appropriation for the transportation of insane for the forty-fourth fiscal year.

Also: Senate Bill No. 669—An Act appropriating the sum of five thousand dollars for the care and improvement of the grounds, library, and museum, and purchase of books, maps, globes, models, and Sloyd tools for the use of the State Normal School at Los Angeles, California.

Also: Senate Bill No. 647—An Act making an appropriation to pay the salary of the Secretary to the Debris Commissioner for the remainder of the forty-sixth fiscal year.

Also: Senate Bill No. 648—An Act making an appropriation to pay the salary of the Debris Commissioner for the remainder of the forty-sixth fiscal year.

Also: Senate Bill No. 558—An Act making an appropriation to pay the claim of James A. Johnson, for legal services in the harbor front cases.

Also: Senate Bill No. 248—An Act to appropriate money for the payment of the claim of Chas. A. Hiatt, for the arrest of William B. Coup, in pursuance of the reward offered therefor by the Governor of the State of California.

Also: Senate Bill No. 473—An Act to provide for the erection and equipment of a combined laundry, boiler, and power building at the California Home for the Care and Training of Feeble-Minded Children; to establish an electric plant therein; to provide accommodation for idiots; to furnish the girls' wing of said institution, and to appropriate money therefor.

Also: Senate Bill No. 705—An Act to appropriate money to pay the indebtedness incurred by calling the National Guard of California into service, by order of the Governor, to enforce the law, in 1893 and 1894.

Also: Senate Bill No. 753—An Act to promote and secure freedom of speech in Courts of justice.

Also: Substitute for Senate Bill No. 544—An Act to amend the Penal Code by adding a new section, to be known as section one thousand and eighty-nine of the Penal Code of the State of California, relating to alternate jurors.

Also: Substitute for Senate Bill No. 449—An Act to appropriate the sum of sixty-three thousand one hundred and fifty dollars, to be expended by the Trustees of the Whittier State School, at Whittier, Los Angeles County, in making the following improvements and repairs at said Whittier State School, to wit: Enlargement of trades building; construction of hospital, and furnishing the same; finishing the attic in the administration building; additional books and periodicals for library; horses, cows, hogs, and agricultural implements; completion and furnishing of building now in course of construction in boys' department for dining-room, kitchen, bakery, and commissary department; for the completion and furnishing of building now in course of construction for girls; for mangle and washing machine; for new boiler for power-house; for equipment of shops; to purchase additional land; for additional water and necessary piping; for barracks; for improvement of grounds around girls' building, and erection of a barn thereon.

Also: Senate Bill No. 95—An Act to insure preference in appointment, employment, and retention therein, in the public service of the State of California, and municipalities, villages, and counties of the State of California, to ex-Union soldiers of the late war.

Also: Senate Bill No. 646—An Act to amend section one thousand five hundred and eighty-two of the Code of Civil Procedure, relating to the maintenance of civil actions by executors and administrators.

Also: Senate Bill No. 721—An Act to amend section seven hundred and thirty-eight of the Code of Civil Procedure, relating to actions to determine adverse claims to property.

Also: Senate Bill No. 402—An Act relating to the proof and recording of maps of real estate.

Also: Senate Bill No. 434—An Act to add a new section to the Penal Code of the State of California, to be known and designated as section five hundred and two and one half, relating to the severance and removal of fixtures and improvements upon mortgaged property.

Also: Senate Bill No. 631—An Act making an appropriation to pay the deficiency in the appropriation for payment of transportation of children to the State Reform School for Juvenile Offenders for the forty-fourth fiscal year.

Also: Senate Bill No. 43—An Act to provide for the purchase of additional grounds for the State Insane Asylum at Napa.

Also: Senate Bill No. 235—An Act to amend an Act entitled "An Act for the more effectual prevention of cruelty to animals," approved March 20, 1874, by adding thereto two new sections regarding the disposition of old, maimed, and diseased animals, and

relating to the definition of the word 'empowered,' to be known, respectively, as section four and one half and section thirteen and one half.

Also: Substitute for Senate Bill No. 787—An Act to provide for the completion and termination of the duties of the Board of State Viticultural Commissioners, the final disposition and transfer of all properties of the State in its possession, and the repeal of all laws and parts of laws relating to its organization, powers, and duties.

Also: Senate Bill No. 871—An Act conferring power upon the Common Council, Board of Supervisors, or other governing body of cities, or cities and counties, of over one hundred thousand inhabitants, to acquire or condemn land for a suitable site, and erect thereon a suitable building or buildings for municipal purposes.

Also: Senate Bill No. 275—An Act to amend section two thousand eight hundred of the Political Code, relating to the purchase of toll roads by counties.

Also: Senate Bill No. 716—An Act to amend section one thousand two hundred and forty-three of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872.

Also: Senate Bill No. 846—An Act to amend sections one thousand four hundred and eighty-nine, one thousand five hundred and three, one thousand five hundred and seventeen, one thousand five hundred and twenty-one, one thousand five hundred and forty-three, one thousand five hundred and fifty-one, one thousand five hundred and fifty-two, one thousand five hundred and seventy-five, one thousand five hundred and seventy-six, one thousand five hundred and ninety-four, one thousand six hundred and seventeen, one thousand seven hundred and thirteen, one thousand seven hundred and seventy, one thousand seven hundred and seventy-three, one thousand seven hundred and seventy-five, one thousand eight hundred and thirty, one thousand eight hundred and eighty, one thousand eight hundred and eighty-two, one thousand eight hundred and eighty-four, and one thousand eight hundred and eighty-five, of the Political Code of California, relating to public schools.

Also: Senate Bill No. 116—An Act to repeal an Act entitled "An Act concerning corporations and persons engaged in the business of banking," approved April 1, 1876.

Also: Senate Bill No. 448—An Act making an appropriation to pay the claim of R. B. Young for architect's fees for erection and construction of power and electric plant at the Whittier State School.

Also: Senate Bill No. 16—An Act appropriating money to pay the claim of W. H. Murray, his heirs or assigns.

Also: Senate Bill No. 805—An Act to create a Bureau of Highways, and prescribe its duties and powers, and to make an appropriation for its expenses.

Also: Senate Bill No. 70—An Act appropriating money for the relief of Mrs. Sarah J. Wing, her heirs or assigns.

Also: Senate Bill No. 147—An Act to amend and add a new section to an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, to prevent able-bodied persons from banding together and obtaining subsistence by alms.

Also: Substitute for Senate Bill No. 391—An Act to amend sections two hundred and thirty-seven, two hundred and forty-five, two hundred and forty-six, and two hundred and sixty-eight of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the officers and employes of the Legislature.

Also: Senate Concurrent Resolution No. 9—Relative to the employment of convicts in State Prisons.

Mr. Bettman's resolution of urgency referred to Committee on Rules.

Mr. Guy moved that the time for considering Senate Bills be continued until four o'clock and thirty minutes p. m.

So ordered.

At three o'clock and ten minutes p. m. the Speaker called Mr. Bettman to the chair.

Senate Bill No. 709—An Act to amend an Act entitled "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," approved March 19, 1889.

Mr. Reid moved to appoint a committee of one, to amend as follows:

Amend section one by striking out all after the word "years," on line thirty, and inserting the following:

"Except as hereinafter provided; *provided, further*, that the Commissioners shall have power to lease, for a period not exceeding fifty years, to a railroad corporation incorporated in this State, and not having at the date of the passage of this Act any terminal facilities in the City and County of San Francisco, the land belonging to this State, described as follows:

"All that portion of China Basin lying within the following described lines: Com-

mencing at the intersection of the south line of Channel Street with the east line of Kentucky Street (Kentucky Street being one hundred and fifty feet in width); thence in an easterly direction at right angles with said east line of Kentucky Street, to the line of the seawall or thoroughfare approved March 15, 1878; thence in a southerly direction along said inner line of the thoroughfare to its intersection with the northerly line of Fourth Street (Fourth Street being one hundred and fifty feet wide); thence northwesterly along said northerly line of Fourth Street to the east line of Kentucky Street; thence northerly along said east line of Kentucky Street to the point of beginning.

"Which corporation shall have access thereto, and the right of way through one or more convenient street or streets, forming, however, but one continuous right of way, with one double track; *provided*, that a condition shall be inserted in said lease that said corporation shall proceed, within six months from the date of said lease, to improve said premises for said terminal purposes, and proceed thereafter to construct upon said property such improvements as may be required by the Board of Harbor Commissioners, *provided further*, that the railroad corporation which is given the lease herein provided for, shall, within six months after the passage of this Act, commence the work of construction, and prosecute continuously to completion, within three years from said date, a standard gauge railroad, and shall fully equip and operate the same, for freight and passenger traffic, for a distance of not less than two hundred miles from the property herein authorized to be leased; *provided further*, that no debt or liability shall accrue against the State for any work done or material furnished, under contract or otherwise, by the act of the lessees of any of the parcels of land in this Act mentioned and described; *provided further*, that a failure to comply with any of the provisions of this Act shall work a forfeiture (without further legislative enactment) of the lease given under the provisions hereof, and the property herein authorized to be leased, with the improvements thereon, shall revert to the State, and all rights given under the lease herein authorized shall cease and determine, *provided further*, that said lease shall not be in effect unless it be approved and executed by a majority of the Board of State Harbor Commissioners, and for said purposes, the Governor and Attorney-General of the State are hereby constituted members thereof, with like powers and rights as other members of said Board."

The question being upon the motion of Mr. Reid.

The ayes and noes were demanded by Messrs. Bledsoe, Bettman, and Johnson.

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

AYES—Messrs. Barker, Brusie, Bulla, Butler, Collins, Cutter, Ewing, Glass, Hatfield, Huber, Kenyon, North, Osborn, Reid, Wade, and Weyse—16.

NOES—Messrs. Ash, Bachman, Bassford, Belshaw, Bennett, Berry, Bettman, Bledsoe, Boothby, Cargill, Coghlin, Coleman, Dale, Davis, Devine, Devitt, Dinkelspiel, Dixon, Dodge, Dunbar, Dwyer, Fassett, Gay, Guy, Hall, Healey, Holland, Hudson, Johnson, Jones, Keen, Kelsey, Laird, Lewis, Meads, McCarthy, Merrill, Nelson, O'Day, Pendleton, Phelps, Powers, Price, Richards, Robinson, Rowell, Sanford, Spencer, Staley, Stansell, Swisler, Thomas, Tibbits, Twigg, Waymure, Wilkinson, and Zocchi—57.

At three o'clock and forty-five minutes P. M. the Speaker resumed the chair.

PREVIOUS QUESTION.

Mr. Powers moved the previous question, seconded by Messrs. Dinkelspiel and Fassett.

So ordered.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Bachman, Bassford, Belshaw, Bennett, Berry, Bettman, Bledsoe, Boothby, Butler, Cargill, Coghlin, Coleman, Collins, Dale, Davis, Devine, Devitt, Dinkelspiel, Dixon, Dunbar, Dwyer, Ewing, Fassett, Gay, Guy, Hall, Healey, Holland, Hudson, Johnson, Jones, Kelsey, Kenyon, Laird, Laugenour, Lewis, Meads, McCarthy, Merrill, Nelson, North, O'Day, Osborn, Phelps, Powers, Price, Richards, Robinson, Rowell, Sanford, Spencer, Staley, Swisler, Thomas, Tibbits, Twigg, Waymure, Wilkinson, and Zocchi—60.

NOES—Messrs. Barker, Brusie, Bulla, Cutter, Hatfield, Huber, Reid, Wade, and Weyse—9.

EXPLANATION OF VOTE.

By Mr. North, on Assembly Bill No. 709:

The bill, as amended by Mr. Reid, would have been better, in my judgment. Without it there is an element of danger as to San Francisco's waterfront. However, the people of my district are in favor of this new railroad at all hazards, hence my vote is cast in favor of the bill.

Mr. Devine gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 709 was passed.

Senate Bill No. 129—An Act to appropriate one hundred and forty-seven thousand two hundred and eighty dollars for the erection of an administration building for the use and occupancy of the officers, employes, and patients of the Mendocino Asylum; to purchase furniture and furnish the building so to be erected by the Directors of said asylum; to purchase furniture and furnish wards for two hundred and six additional patients; to construct an electric plant for lighting the asylum buildings and grounds, and purchase the necessary machinery and appliances therefor; to purchase live stock to be used for asylum purposes; to construct a stable and a cow barn; to construct a dam; to furnish an additional water supply to said asylum; for constructing a sewer and drainage system; to purchase an ice plant and cold storage system; to appropriate money therefor, and provide for the expenditure of the same.

Read third time.

The question being on the final passage of the bill.

The roll was called, and pending the announcement of the vote, Mr. Bettman moved a call of the House, seconded by Messrs. Stansell and O'Day.

So ordered.

CALL OF THE HOUSE.

The roll was called, and the following members found present:

Messrs. Ash, Bachman, Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Bledsoe, Brusie, Bulla, Butler, Cargill, Coleman, Collins, Dale, Davis, Devine, Devitt, Dinkelspiel, Dixon, Dodge, Dunbar, Dwyer, Ewing, Fassett, Gay, Guy, Hall, Hatfield, Healey, Holland, Hudson, Johnson, Jones, Kelsey, Kenyon, Laird, Laugenour, Lewis, Meads, North, O'Day, Osborn, Pendleton, Phelps, Powers, Reid, Robinson, Sanford, Staley, Swisler, Tibbits, Twigg, Wade, Waymire, Weyse, Wilkinson, Zocchi, and Mr. Speaker.

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

So ordered.

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

AYES—Messrs. Bachman, Berry, Bettman, Boothby, Brusie, Butler, Cogblin, Coleman, Collins, Devine, Devitt, Dixon, Dunbar, Dwyer, Ewing, Gay, Guy, Hatfield, Healey, Holland, Johnson, Kelsey, Kenyon, Laird, Lewis, Meads, McCarthy, Merrill, North, O'Day, Pendleton, Powers, Reid, Robinson, Sanford, Spencer, Staley, Swisler, Tibbits, Twigg, Wade, Weyse, Zocchi, and Mr. Speaker—44.

NOES—Messrs. Ash, Barker, Bassford, Belshaw, Bennett, Bledsoe, Cargill, Cutter, Dale, Dinkelspiel, Dodge, Fassett, Hall, Huber, Hudson, Jones, Laugenour, Osborn, Phelps, and Waymire—19.

Title read and approved.

The Speaker appointed Messrs. McKelvey, Dixon, and Bachman a Committee of Conference relative to Assembly Bill No. 132.

Mr. Dixon gave notice that on next legislative day he would move a reconsideration of the vote whereby Senate Bill No. 129 was finally passed.

At four o'clock and twenty-seven minutes P. M. the Speaker called Mr. Davis to the chair.

Senate Bill No. 780—An Act to appropriate five thousand dollars for repairs and improvements upon the grounds of the State Insane Asylum at Agnews.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Berry, Bettman, Boothby, Brusie, Bulla, Butler, Coghlin, Coleman, Collins, Davis, Devine, Devitt, Dinkelspiel, Dixon, Dunbar, Ewing, Guy, Hatfield, Healey, Huber, Kelsey, Laugenour, Lewis, Meads, McCarthy, Merrill, Nelson, North, O'Day, Osborn, Powers, Staley, Thomas, Tibbits, Twigg, Wade, Weyse, Wilkinson, Zocchi, and Mr. Speaker—41.

NOES—Messrs. Bachman, Barker, Bassford, Belshaw, Bennett, Bledsoe, Dale, Fasset, Glass, Hall, Hudson, Johnson, Laird, Phelps, Price, Robinson, Spencer, and Waymire—18.

Title read and approved.

Senate Bill No. 153—An Act to provide for the organization, incorporation, and government of townships.

Passed, to retain its place on file.

Mr. Guy moved to continue the consideration of the special Senate file until five o'clock.

Lost.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON FEDERAL RELATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1895.

MR. SPEAKER: Your Committee on Federal Relations, to whom was referred Senate Joint Resolution No. 17—have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

HATFIELD, Chairman.

ON WAYS AND MEANS

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1895.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Senate Bill No. 699—An Act to provide for the appointment and salary of a clerk in the office of the Superintendent of Public Instruction, and to make an appropriation therefor

Also: Senate Bill No. 653—An Act to pay the claim of Philip Bauer against the State of California, and to make an appropriation therefor

Also: Committee Substitute for Senate Bill No. 2—An Act to appropriate one thousand one hundred dollars to pay the claims of D. H. Wyckoff and others for the arrest of the murderers of A. B. Montgomery, in Shasta County, in 1892.

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

BRUSIE, Chairman.

ON LABOR AND CAPITAL.

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1895

MR. SPEAKER: Your Committee on Labor and Capital, to whom was referred Assembly Bill No. 984—An Act to secure to native born and naturalized citizens of the United States the exclusive right to labor on public works in this State

Also: Senate Bill No. 799—An Act to prevent and forbid all persons who own, operate, or carry on street railroads to require deposits from employes

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

JONES, Chairman.

At four o'clock and thirty-five minutes P. M. Mr. Reid moved that the Assembly do now take a recess.

Lost.

Mr. Laird moved to reconsider the vote whereby Assembly Bill No. 289 was refused second reading.

Lost.

RECESS.

At four o'clock and thirty-seven minutes P. M., on motion of Mr. Thomas, the Assembly took a recess until seven o'clock and thirty minutes P. M.

REASSEMBLED.

The Assembly reassembled at seven o'clock and thirty minutes P. M.
Speaker Lynch in the chair.
Quorum present.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1895.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Senate Bill No. 153—An Act to provide for the organization, incorporation, and government of townships—have had the same under consideration, and respectfully report the same back, and recommend that it do pass

Also: Senate Bill No. 460—An Act to add a new title to part six of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, to be known as title five, regulating publications by State officers and Commissioners, Common Councils, Boards of Trustees, or Supervisors, in counties, cities, cities and counties, or towns—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass

BULLA, Chairman

MOTION.

Mr. Brusie moved that the constitutional provision be suspended, and that he be allowed to introduce two bills out of order.

The question being on the suspension of the constitutional provision.

The roll was called, and the constitutional provision suspended by the following vote:

AYES—Messrs. Ash, Bachman, Bassford, Belshaw, Bennett, Berry, Brusie, Bulla, Butler, Cargill, Coleman, Collins, Cutter, Dale, Davis, Devine, Devitt, Dinkelspiel, Dixon, Dodge, Dunbar, Dwyer, Fassett, Gay, Glass, Guy, Hall, Hatfield, Holland, Huber, Hudson, Johnson, Keen, Kelsey, Kenyon, Laird, Laugenour, Lewis, Meads, McKelvey, Merrill, Nelson, North, O'Day, Osborn, Pendleton, Phelps, Powers, Price, Reid, Robinson, Rowell, Sanford, Spencer, Staley, Stansell, Swisler, Tibbits, Tomblin, Twigg, Wade, Waymire, Weyse, Zocchi, and Mr. Speaker—65.

NOES—Messrs. Boothby and McCarthy—2.

INTRODUCTION OF BILLS—(OUT OF ORDER).

By Mr. Brusie: Assembly Bill No. 1024—An Act appropriating the sum of two hundred thousand dollars for the support of the Whittier State School at Whittier, California, for the forty-seventh and forty-eighth fiscal years.

Read first time, and placed on file for second reading.

Also: Assembly Bill No. 1025—An Act to amend section three thousand seven hundred and thirteen of the Political Code, relating to the levy of taxes.

Read first time, and placed on file for second reading.

REPORT OF COMMITTEE ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1895.

MR. SPEAKER: Your Committee on Enrollment have examined and found correctly enrolled Assembly Constitutional Amendment No. 19—A resolution proposing an amendment to section three of article twelve of the Constitution of the State of Cali-

fornia, relative to corporations, for the purpose of limiting the liability of stock or share holders, and fixing the liability of Directors or Trustees—and presented the same to the Governor on this day, at three o'clock and fifty-five minutes P. M.

MEADS, Chairman.

MOTIONS.

Mr. Dinkelspiel moved that the consideration of the notice of reconsideration of Assembly Bills Nos. 947 and 948 be postponed until to-morrow.

So ordered.

Mr. Dixon requested to withdraw his notice of reconsideration of the vote whereby Assembly Bill No. 129 was refused final passage.

So ordered.

Mr. McKelvey moved the reconsideration of the vote whereby Assembly Bill No. 47 was on yesterday refused third reading.

Motion lost.

Assembly Bill No. 564—An Act requiring every corporation doing business in this State to pay their employes, and each of them, at least once in each and every month, the wages earned by such employé; to define the duties of the District Attorneys of the several counties of this State in enforcing this Act; to limit the defenses which may be set up by such corporations to assignments of wages, set off, or counter claims, or the absence of such employé at the time of making payment, and in case of such absence the wages are payable upon demand; to prohibit assignments of wages for the purposes of evading the provisions of this Act, and agreements to accept wages at longer periods than as herein provided; to fix a penalty for the violation of the provisions of this Act by such corporation, and to provide for the disposition of any fines recovered from corporations violating the same.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Bachman, Barker, Bassford, Berry, Bledsoe, Boothby, Brusie, Butler, Cargill, Coghlin, Cutter, Dale, Devitt, Dinkelspiel, Dwyer, Ewing, Guy, Hall, Healey, Holland, Huber, Johnson, Keen, Kelsey, Kenyon, Lewis, Meads, McCarthy, Merrill, Nelson, North, O'Day, Osborn, Price, Reid, Robinson, Sanford, Staley, Stansell, Tibbits, Twigg, Wilkinson, and Zocchi—44.

NOES—Messrs. Belshaw, Bennett, Bettman, Bulla, Coleman, Collins, Davis, Devine, Dixon, Dodge, Dunbar, Fassett, Gay, Glass, Hatfield, Jones, Laird, Laugenour, Phelps, Richards, Spencer, Swisler, Thomas, Wade, Waymire, Weyse, and Mr. Speaker—27.

Title read and approved.

Mr. Sanford moved that Assembly Bill No. 564 be immediately transmitted to the Senate.

So ordered.

Assembly Bill No. 702—An Act to amend sections four hundred and ninety-nine and five hundred and one of the Civil Code of the State of California, relating to street railroads, and to repeal an Act entitled "An Act to limit and fix the rate of fares on street railroads in cities and towns of more than one hundred thousand inhabitants," approved January 1, 1878.

Read third time.

Mr. Ewing moved that the bill be committed to a committee of one, with instructions to amend as follows:

Amend by striking out of section one, line six, the words "operated under different management." and inserting in line seven, the word "consecutive," after the word "five."

Also: Amend by striking out of section two, line four, the words "three miles," also the word "more," and inserting the following. "six miles," also the word "less"; in line five, the words, "rate of fare," instead of the word "fares."

Also: Amend by striking out of section two, lines five and six, the words "in one general direction," and inserting the following: "in any direction"

The question being on the motion of Mr. Ewing.

The ayes and noes were demanded by Messrs. Pendleton, Bledsoe, and Dale.

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

AYES—Messrs. Bachman, Barker, Belshaw, Bledsoe, Cargill, Coghlin, Collins, Dale, Dinkelspiel, Dodge, Dunbar, Dwyer, Ewing, Fassett, Glass, Hall, Healey, Hudson, Johnson, Jones, Nelson, North, Price, Reid, Rowell, Sanford, Staley, Stansell, Wade, and Waymire—31

NOES—Messrs. Ash, Bassford, Berry, Bettman, Boothby, Bulla, Butler, Coleman, Cutter, Davis, Devine, Dixon, Gay, Guy, Hatfield, Holland, Huber, Keen, Kelsey, Kenyon, Laugenour, Lewis, Meads, McCarthy, McKelvey, Merrill, O'Day, Osborn, Pendleton, Powers, Richards, Robinson, Swisler, Thomas, Tibbits, Tomblin, Twigg, Weyse, Wilkinson, Zocchi, and Mr. Speaker—41.

Mr. Bledsoe moved that a special committee of one be appointed, with instructions to amend as follows:

Amend by striking out all of section three.

PREVIOUS QUESTION.

Mr. Bettman moved the previous question, seconded by Messrs. Pendleton and Dixon.

The question being, "Shall the main question be now put?"

The ayes and noes were demanded by Messrs. Reid, Dodge, and Dinkelspiel.

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

AYES—Messrs. Ash, Bassford, Berry, Bettman, Boothby, Brusie, Bulla, Butler, Coleman, Collins, Cutter, Davis, Devine, Devitt, Dixon, Freeman, Gay, Guy, Hatfield, Keen, Kelsey, Kenyon, Laugenour, Lewis, Meads, McCarthy, McKelvey, Merrill, O'Day, Osborn, Pendleton, Powers, Richards, Swisler, Thomas, Tibbits, Tomblin, Weyse, Wilkinson, Zocchi, and Mr. Speaker—42

NOES—Messrs. Bachman, Barker, Belshaw, Bennett, Bledsoe, Cargill, Coghlin, Dale, Dinkelspiel, Dodge, Dwyer, Ewing, Fassett, Glass, Hall, Healey, Huber, Hudson, Johnson, Jones, Laird, Nelson, North, Phelps, Price, Reid, Rowell, Sanford, Spencer, Staley, Stansell, Twigg, Wade, and Waymire—34.

The question being on the adoption of the motion of Mr. Bledsoe, the same was 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. Ash, Barker, Bassford, Berry, Bettman, Boothby, Brusie, Bulla, Butler, Cargill, Coleman, Collins, Cutter, Davis, Devine, Devitt, Dixon, Freeman, Gay, Guy, Hatfield, Holland, Huber, Keen, Kelsey, Kenyon, Laird, Laugenour, Lewis, Meads, McCarthy, McKelvey, Merrill, O'Day, Osborn, Pendleton, Powers, Richards, Robinson, Swisler, Thomas, Tibbits, Tomblin, Weyse, Wilkinson, Zocchi, and Mr. Speaker—47.

NOES—Messrs. Bachman, Belshaw, Bennett, Bledsoe, Coghlin, Dale, Dinkelspiel, Dodge, Dunbar, Dwyer, Ewing, Fassett, Glass, Hall, Healey, Hudson, Johnson, Jones, Nelson, North, Phelps, Price, Reid, Rowell, Sanford, Spencer, Staley, Stansell, Twigg, Wade, and Waymire—31

Title read and approved.

Mr. Freeman moved that Assembly Bill No. 702 be immediately transmitted to the Senate.

So ordered.

Assembly Bill No. 939—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 three, four, twelve, eighteen, twenty-two, twenty-seven, and thirty-seven thereof.

Passed, to retain its place on file.

Assembly Bill No. 125—An Act to appropriate the sum of one thousand and fifty-two dollars to pay the claim of Jerome Deasy.

Read third time.

The question being on the final passage of the bill.

The roll was called, and pending the announcement of the result, Mr. Brusie moved a call of the House, seconded by Messrs. O'Day and Healey.

Lost.

The result of the roll call was announced, and the bill refused final passage by the following vote:

AYES—Messrs. Ash, Berry, Bettman, Brusie, Butler, Coghlin, Coleman, Devine, Devitt, Dinkelspiel, Dixon, Dwyer, Gay, Guy, Hatfield, Healey, Holland, Huber, Kelsey, Laugenour, Meads, McCarthy, McKelvey, O'Day, Osborn, Pendleton, Richards, Sanford, Staley, Stansell, Swisler, Tibbits, Tomblin, Twigg, Wilkinson, and Zocchi—36.

NOES—Messrs. Bachman, Barker, Bassford, Bennett, Bledsoe, Boothby, Bulla, Collins, Dale, Davis, Dodge, Dunbar, Ewing, Fassett, Glass, Hall, Hudson, Johnson, Keen, Kenyon, Laird, Nelson, North, Phelps, Reid, Robinson, Rowell, Wade, Waymire, Weyse, and Mr. Speaker—31

Mr. Boothby gave notice that he would move, on the next legislative day, to reconsider the vote whereby Assembly Bill No. 125 was refused final passage.

Assembly Bill No. 801—An Act to provide for the disposal of the Home for the Adult Blind at Oakland, Alameda County, the transfer of the inmates to the premises lately occupied as a Home for Feeble-Minded in Santa Clara, and for the improvement of the same.

Read third time.

Pending the consideration of the question of final passage, the previous question was moved by Mr. Bettman, seconded by Messrs. Collins and O'Day.

The question being, “Shall the main question be now put?”

So ordered.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Bachman, Bennett, Berry, Bettman, Bledsoe, Boothby, Brusie, Butler, Cargill, Coghlin, Coleman, Cutter, Dale, Devine, Dinkelspiel, Dixon, Dodge, Dwyer, Freeman, Gay, Glass, Guy, Hatfield, Healey, Holland, Hudson, Keen, Kelsey, Kenyon, Laird, Laugenour, Meads, McCarthy, McKelvey, O'Day, Phelps, Powers, Price, Richards, Robinson, Sanford, Swisler, Tibbits, Tomblin, Twigg, Wilkinson, Zocchi, and Mr. Speaker—49.

NOES—Messrs. Bassford, Belshaw, Bulla, Collins, Davis, Dunbar, Ewing, Fassett, Hall, Johnson, Merrill, North, Spencer, Wade, Waymire, and Weyse—16.

Title read and approved.

Mr. Dodge gave notice that on next legislative day he would move to reconsider the vote whereby Assembly Bill No. 801 was this day passed.

Mr. Waymire moved to reconsider the vote whereby Assembly Bill No. 840 was on this day refused final passage.

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

AYES—Messrs Berry, Brusie, Coghlin, Coleman, Cutter, Devine, Devitt, Dinkelspiel, Dixon, Dwyer, Hall, Hatfield, Healey, Huber, Kelsey, Kenyon, Laugenour, Meads, McCarthy, McKelvey, Merrill, O'Day, Pendleton, Phelps, Spencer, Staley, Swisler, Tibbits, Tomblin, Twigg, Waymire, Weyse, and Wilkinson—33.

NOES—Messrs Ash, Bassford, Belshaw, Bennett, Bledsoe, Boothby, Collins, Dale, Davis, Freeman, Gay, Glass, Holland, Hudson, Johnson, Laird, North, Price, Reid, Robinson, Wade, Zocchi, and Mr. Speaker—23.

Mr. Freeman asked to withdraw Assembly Bills Nos. 176 and 181.

So ordered.

Mr. Boothby asked unanimous consent to withdraw his notice of reconsideration on action of Assembly on Assembly Bill No. 945.

So ordered.

Mr. Powers moved that Assembly Bill No. 945 be immediately transmitted to the Senate.

So ordered.

Assembly Bill No. 1007—An Act to pay the claim of Thomas Hatch, and making an appropriation therefor.

Read third time.

Mr. Powers moved that a special committee of one be appointed, with instructions to amend as follows:

By striking out the word "the" in the enacting clause.

So ordered.

APPOINTMENT OF SPECIAL COMMITTEE.

The Speaker appointed Mr. Powers as such committee.

REPORT OF COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1895

MR. SPEAKER: Your select committee, to whom was referred Assembly Bill No. 1007—An Act to pay the claim of Thomas Hatch, and making an appropriation therefor—with instructions to amend in accordance with the action of the House, would respectfully report that the instructions of the House have been carried out.

POWERS, Committee.

Adopted.

Ordered to printer.

At nine o'clock and thirty-five minutes P. M. the Speaker called Mr. Wade to the chair.

Assembly Bill No. 566—An Act relating to estrays, and repealing all other Acts and parts of Acts now in force relating to estrays.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill refused final passage by the following vote:

AYES—Messrs. Barker, Bassford, Belshaw, Bettman, Bulla, Devine, Dinkelspiel, Dodge, Fassett, Guy, Hatfield, Huber, Hudson, Jones, Laugenour, Meads, McKelvey, Price, Richards, Rowell, Staley, Waymire, and Mr. Speaker—21.

NOES—Messrs. Ash, Bennett, Berry, Bledsoe, Boothby, Brusie, Butler, Cargill, Coghlin, Coleman, Collins, Cutter, Dale, Davis, Devitt, Dunbar, Ewing, Gay, Hall, Healey, Holland, Johnson, Kelsey, Laird, North, Osborn, Phelps, Powers, Reid, Robinson, Sanford, Spencer, Stansell, Swisler, Tibbits, Tomblin, Twigg, Wade, Weyse, Wilkinson, and Zocchi—41.

Mr. Pendleton moved that Assembly Bill No. 473 be substituted on the urgency file for Assembly Bill No. 43.

So ordered.

NOTICE OF RECONSIDERATION.

Mr. Weyse gave notice that on next legislative day he would move to reconsider the vote whereby Assembly Bill No. 566 was this day refused final passage.

Assembly Bill No. 402—An Act entitled an Act to appropriate money to pay the claim of Charles E. Cunningham and William C. Rodgers, for the services rendered in running the elevator in the State Capitol.

Read second time.

MOTION.

Mr. Dixon moved that the Assembly resolve itself into Committee of the Whole, with Mr. Wade in the chair, for the purpose of considering Assembly Bill No. 402.

So ordered.

IN COMMITTEE OF THE WHOLE.

Mr. Wade in the chair.

Assembly Bill No. 402 was considered in Committee of the Whole.

IN ASSEMBLY.

Mr. Wade in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

Mr. Wade stated the report of the Committee of the Whole, as follows:

GENTLEMEN: Your Committee of the Whole has had under consideration Assembly Bill No. 402—An Act entitled an Act to appropriate money to pay the claim of Charles E. Cunningham and William C. Rodgers, for the services rendered in running the elevator in the State Capitol—and now report, and recommend that the same do pass as amended in Committee of the Whole.

WADE, Chairman.

The following committee amendment was submitted:

Amend section one to read "six hundred dollars."

Adopted.

Assembly Bill No. 402 ordered to engrossment and third reading.

Assembly Bill No. 937—An Act to authorize State agricultural societies under control of the State to sell property held by them in fee, or held by trustees for their use, or in which they may have any interest; to prescribe a course of procedure therefor; to indemnify purchasers at such sale, and to direct how the proceeds shall be applied.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Bachman, Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Bledsoe, Boothby, Brusie, Bulla, Butler, Cargill, Coghlin, Coleman, Collins, Cutter, Dale, Davis, Devitt, Dinkelspiel, Dixon, Dunbar, Ewing, Fassett, Gay, Guy, Hall, Hatfield, Healey, Huber, Hudson, Johnson, Kelsey, Kenyon, Laugenour, McCarthy, Merrill,

Nelson, North, O'Day, Osborn, Phelps, Powers, Richards, Sanford, Stansell, Swisler, Tibbits, Tomblin, Twigg, Waymire, Wilkinson, Zocchi, and Mr. Speaker—56.
NOES—None.

Title read and approved.

Mr. Brusie moved that Assembly Bill No. 937 be immediately transmitted to the Senate.

So ordered.

LEAVE OF ABSENCE.

Messrs. Pendleton, Healey, and Lewis were granted leave of absence until to-morrow evening.

Messrs. Osborn and Keen were granted leave of absence for the evening.

Assembly Bill No. 756—An Act appropriating money to pay the claims of H. P. Dyer, E. F. Dyer, C. A. Granger, Gaston Goldsmith, and Sullivan & Sullivan.

Read third time.

Mr. Bledsoe moved that a special committee of one be appointed, with instructions to amend as follows:

Amend by striking out of section two, all after the word "warrants" in line six.

AYES AND NOES.

The ayes and noes were demanded by Messrs. Bettman, Laugenour, and McCarthy.

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

AYES—Messrs. Bachman, Barker, Bassford, Belshaw, Bennett, Bledsoe, Bulla, Collins, Dale, Davis, Dixon, Dodge, Ewing, Fassett, Gay, Glass, Hall, Holland, Hudson, Johnson, Laird, Nelson, North, Phelps, Price, Robinson, Rowell, Spencer, Stansell, Wade, Weyse, and Mr. Speaker—32.

NOES—Messrs. Berry, Bettman, Butler, Coghlin, Devine, Devitt, Dwyer, Hatfield, Healey, Kelsey, Laugenour, McCarthy, McKelvey, O'Day, Powers, Reid, Sanford, Twigg, Wilkinson, and Zocchi—20.

The question being on the final passage of the bill.

The roll was called, and pending the announcement, Mr. Bettman moved a call of the House, seconded by Messrs. Powers and Laugenour.

The question being on the adoption of the motion of Mr. Bettman.

Motion lost by the following vote:

AYES—Messrs. Berry, Bettman, Butler, Coghlin, Devine, Devitt, Dwyer, Hatfield, Healey, Kelsey, Laugenour, McCarthy, McKelvey, O'Day, Powers, Reid, Sanford, Twigg, Wilkinson, and Zocchi—20.

NOES—Messrs. Bachman, Barker, Bassford, Belshaw, Bennett, Bledsoe, Bulla, Collins, Dale, Davis, Dixon, Dodge, Ewing, Fassett, Gay, Glass, Hall, Holland, Hudson, Johnson, Laird, Nelson, North, Phelps, Price, Robinson, Rowell, Spencer, Stansell, Wade, Weyse, and Mr. Speaker—32.

The result of the roll call was announced, and the bill refused final passage by the following vote:

AYES—Messrs. Berry, Bettman, Boothby, Brusie, Butler, Coghlin, Cutter, Devine, Devitt, Dinkelspiel, Dixon, Dwyer, Gay, Guy, Hatheld, Healey, Holland, Kelsey, McCarthy, McKelvey, O'Day, Pendleton, Powers, Reid, Sanford, Swisler, Tibbits, Tomblin, Twigg, Waymire, Wilkinson, and Zocchi—32.

NOES—Messrs. Bachman, Barker, Bassford, Belshaw, Bennett, Bledsoe, Bulla, Collins, Dale, Davis, Dodge, Ewing, Fassett, Glass, Hall, Hudson, Johnson, Laird, Laugenour, Nelson, Phelps, Price, Richards, Robinson, Rowell, Spencer, Wade, Weyse, and Mr. Speaker—29.

NOTICE OF RECONSIDERATION.

Mr. Laugenour gave notice that on next legislative day he would move to reconsider the vote where Assembly Bill No. 756 was this day refused final passage.

Assembly Bill No. 320—An Act to amend chapter one, part two, title nine, of the Penal Code, by adding thereto a new section, to be numbered one thousand two hundred and forty-seven, relating to appeals to the Supreme Court of this State from judgments of conviction in capital cases, and providing for the giving of notice thereof to the Warden of the State Prison where the execution is to take place.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Bachman, Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Bledsoe, Bulla, Butler, Cargill, Coghlin, Collins, Cutter, Dale, Davis, Devine, Devitt, Dinkelspiel, Dixon, Dodge, Dunbar, Glass, Guy, Hatfield, Holland, Huber, Hudson, Johnson, Jones, Laird, Meads, McKelvey, Nelson, North, Phelps, Powers, Price, Rowell, Sanford, Staley, Stansell, Swisler, Tibbits, Tomblin, Twigg, Wade, Weyse, Zocchi, and Mr. Speaker—50

NOES—Messrs. Ewing and Fassett—2.

Title read and approved.

Assembly Bill No. 1013—An Act to create and establish a commission for revising, systematizing, and reforming the laws of this State, and for the appointment of the members of said commission, to be known as "The Commissioners for the Revision and Reform of the Law," and to prescribe their powers and duties, and to authorize the appointment of a secretary and stenographer therefor, and to provide for the compensation and expenses of said commission, secretary, and stenographer, and to appropriate money therefor.

Read third time.

The question being on the final passage of the bill.

The roll was called, and pending the announcement of the result, Mr. Laugenour moved a call of the House, seconded by Messrs. Brusie and McKelvey.

So ordered.

CALL OF THE HOUSE.

The roll was called, and the following members found present:

Messrs. Bachman, Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Bledsoe, Boothby, Brusie, Bulla, Butler, Cargill, Coghlin, Coleman, Collins, Cutter, Dale, Davis, Devine, Devitt, Dinkelspiel, Dixon, Dodge, Dunbar, Dwyer, Ewing, Fassett, Glass, Guy, Hall, Hatfield, Healey, Huber, Hudson, Johnson, Jones, Kelsey, Laird, Meads, McCarthy, McKelvey, Nelson, North, O'Day, Phelps, Powers, Price, Reid, Richards, Robinson, Rowell, Sanford, Spencer, Staley, Stansell, Twigg, Wade, Waymire, Weyse, Wilkinson, Zocchi, and Mr. Speaker

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

The ayes and noes were demanded by Messrs. Bledsoe, Powers, and Dale.

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

AYES—Messrs. Bachman, Belshaw, Bennett, Bledsoe, Cargill, Coleman, Collins, Dale, Devine, Dodge, Dunbar, Ewing, Glass, Hall, Johnson, Jones, Laird, Nelson, Phelps, Price, Richards, Robinson, Rowell, Staley, Stansell, Wade, Waymire, and Weyse—28

NOES—Messrs. Barker, Berry, Bettman, Boothby, Brusie, Bulla, Butler, Cutter, Davis, Devitt, Dinkelspiel, Dixon, Dwyer, Guy, Hatfield, Healey, Kelsey, Meads, McCarthy, McKelvey, North, O'Day, Reid, Sanford, Spencer, Twigg, Wilkinson, Zocchi, and Mr. Speaker—29.

At ten o'clock and forty-five minutes p. m. Mr. Bledsoe moved that the Assembly do now adjourn.

The ayes and noes were demanded by Messrs. Bledsoe, Brusie, and Davis.

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

AYES—Messrs. Bachman, Bassford, Belshaw, Bennett, Bledsoe, Cargill, Coleman, Dale, Dodge, Dunbar, Ewing, Glass, Johnson, Jones, Laird, Nelson, Phelps, Price, Richards, Robinson, Rowell, and Staley—22.

NOES—Messrs. Barker, Berry, Bettman, Boothby, Brusie, Bulla, Butler, Collins, Cutter, Davis, Devine, Devitt, Dinkelspiel, Dixon, Dwyer, Guy, Hall, Hatfield, Healey, Huber, Kelsey, Meads, McCarthy, McKelvey, North, O'Day, Reid, Sanford, Spencer, Stansell, Twigg, Wade, Waymire, Weyse, Wilkinson, Zocchi, and Mr. Speaker—37.

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

The ayes and noes were demanded by Messrs. Belshaw, Bledsoe, and Glass.

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

AYES—Messrs. Bachman, Bassford, Belshaw, Bennett, Bledsoe, Cargill, Coleman, Collins, Dale, Dodge, Dunbar, Ewing, Fassett, Glass, Hall, Huber, Hudson, Johnson, Jones, Laird, Nelson, Phelps, Price, Rowell, Staley, and Stansell—26.

NOES—Messrs. Barker, Berry, Bettman, Boothby, Brusie, Bulla, Butler, Cutter, Davis, Devine, Devitt, Dinkelspiel, Dixon, Dwyer, Guy, Hatfield, Healey, Kelsey, McCarthy, McKelvey, North, O'Day, Reid, Sanford, Spencer, Twigg, Wade, Waymire, Weyse, Wilkinson, Zocchi, and Mr. Speaker—32.

Mr. Reid moved that the Assembly do now adjourn.

The ayes and noes were demanded by Messrs. Bettman, Boothby, and Bledsoe.

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

AYES—Messrs. Bassford, Belshaw, Bennett, Bledsoe, Butler, Cargill, Coleman, Dale, Devine, Dodge, Dunbar, Ewing, Fassett, Glass, Hudson, Johnson, Jones, Laird, Nelson, Phelps, Price, Reid, Richards, Robinson, Rowell, Staley, and Stansell—27.

NOES—Messrs. Bachman, Barker, Berry, Bettman, Boothby, Brusie, Bulla, Collins, Cutter, Davis, Devitt, Dinkelspiel, Dixon, Dwyer, Guy, Hall, Hatfield, Huber, Kelsey, McCarthy, McKelvey, North, O'Day, Sanford, Spencer, Twigg, Wade, Waymire, Weyse, Wilkinson, Zocchi, and Mr. Speaker—32.

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

So ordered.

The result of the roll call was announced, and the bill refused final passage by the following vote:

AYES—Messrs. Barker, Berry, Bettman, Boothby, Brusie, Bulla, Butler, Coghlin, Collins, Davis, Devine, Devitt, Dixon, Dwyer, Fassett, Guy, Hatfield, Healey, Huber, Kelsey, Laugenour, Meads, McCarthy, McKelvey, North, O'Day, Powers, Reid, Sanford, Spencer, Staley, Twigg, Waymire, Weyse, Wilkinson, Zocchi, and Mr. Speaker—37.

NOES—Messrs. Bachman, Bassford, Belshaw, Bennett, Bledsoe, Cargill, Coleman, Cutter, Dale, Dinkelspiel, Dodge, Dunbar, Ewing, Glass, Hall, Holland, Hudson, Johnson, Jones, Laird, Nelson, Phelps, Price, Richards, Rowell, Stansell, Swisler, Tomblin, and Wade—29.

NOTICE OF RECONSIDERATION.

Mr. Dinkelspiel gave notice that on next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1013 was this day refused passage.

Assembly Bills Nos. 919 and 791 were withdrawn by the author.

Mr. Brusie moved that the Assembly do now take up Senate messages.

So ordered.

SENATE MESSAGES.

SENATE CHAMBER, SACRAMENTO, March 11, 1895.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the eighth day of March, 1895, passed Senate Bill No. 752—An Act to amend section fourteen of "An Act for the more effectual prevention of cruelty to animals," approved March 20, 1874.

Also: On March 11, 1895, amended, and passed as amended, Assembly Bill No. 676—An Act making an appropriation to pay the deficiency in the appropriation to pay for the system of heating and ventilating established in the Training Department of the State Normal School at San José, California.

F. J. BRANDON, Secretary.
By R. SHAW, Assistant.

Also:

SENATE CHAMBER, SACRAMENTO, March 11, 1895.

MR. SPEAKER: I am directed to inform your honorable body that the Senate has this day withdrawn from the Governor Senate Bill No. 369—An Act to amend an Act entitled 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—and respectfully returns the same, as requested by your honorable body.

F. J. BRANDON, Secretary.
By E. J. ENSIGN, Assistant.

Also:

SENATE CHAMBER, SACRAMENTO, March 9, 1895.

MR. SPEAKER: I am directed to inform your honorable body that the Senate herewith transmits Senate Bill No. 550—An Act to provide for the claim of George H. Tay Company, for the deficiency in the contract price for heating and ventilating the State Normal School building at San José, State of California—as passed by your honorable body, and in accordance with your request, has been properly reëngrossed.

F. J. BRANDON, Secretary.
By C. L. PARDEE, Assistant.

Also:

SENATE CHAMBER, SACRAMENTO, March 11, 1895.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on March 8, 1895, passed Senate Bill No. 715—An Act to provide for the alteration of the boundaries of incorporated towns and cities by the annexation of uninhabited territory thereto, and for the incorporation of such annexed territory in and as a part of such municipality, and for the districting, government, and municipal control of annexed territory.

F. J. BRANDON, Secretary.
By C. L. PARDEE, Assistant.

Also:

SENATE CHAMBER, SACRAMENTO, March 11, 1895.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Assembly Bill No. 889—An Act entitled an Act to amend sections one thousand one hundred and forty-two, one thousand one hundred and ninety-two, one thousand one hundred and ninety-nine, one thousand two hundred and three, one thousand two hundred and four, one thousand two hundred and seven, one thousand two hundred and eight, one thousand two hundred and eleven, and one thousand two hundred and fifty-eight of the Political Code, relating to elections.

Also: Senate Bill No. 733—An Act amending the Civil Code of the State of California, adding thereto two new sections, to be numbered four hundred and ninety-two and four hundred and ninety-three, concerning franchises for the construction of elevated and underground railroad tracks.

F. J. BRANDON, Secretary.
By C. L. PARDEE, Assistant.

Also:

SENATE CHAMBER, SACRAMENTO, March 11, 1895

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Assembly Bill No. 335—An Act to add a new article to chapter one of title two, part three, of the Political Code of the State of California, to be known and designated as article four, and to add six new sections, to be known and designated as sections one thousand and seventy-five, one thousand and seventy-six, one thousand and seventy-seven, one thousand and seventy-eight, one thousand and seventy-nine, and one

thousand and eighty, relative to County, City, and City and County Boards of Election Commissioners.

F. J. BRANDON, Secretary.
By C. L. PARDEE, Assistant

Senate Bill No. 752—An Act to amend section fourteen of "An Act for the more effectual prevention of cruelty to animals," approved March 20, 1874.

Read first time, and placed on file.

Senate Bill No. 715—An Act to provide for the alteration of the boundaries of incorporated towns and cities, by the annexation of uninhabited territory thereto, and for the incorporation of such annexed territory in and as a part of such municipality, and for the districting, government, and municipal control of annexed territory.

Senate Bill No. 715 substituted for Assembly Bill No. 818.

Senate Bill No. 715 read first time, and placed on special Senate file.

Senate Bill No. 733—An Act amending the Civil Code of the State of California, adding thereto two new sections, to be numbered four hundred and ninety-two and four hundred and ninety-three, concerning franchises for the construction of elevated and underground railroad tracks.

Senate Bill No. 733 substituted for Assembly Bill No. 849.

Senate Bill No. 733 read first time, and placed on special Senate file.

ADJOURNMENT.

At eleven o'clock and forty minutes P. M., on motion of Mr. Davis, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Tuesday, March 12, 1895. }

The Assembly met pursuant to adjournment.

Speaker Lynch in the chair.

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

Messrs Ash, Bachman, Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Bledsoe, Boothby, Brusie, Bulla, Butler, Cargill, Coghlin, Coleman, Collins, Cutter, Dale, Davis, Devine, Devitt, Dinkelspiel, Dixon, Dodge, Dunbar, Dwyer, Ewing, Fassett, Freeman, Gay, Glass, Guy, Hall, Hatfield, Holland, Huber, Hudson, Johnson, Jones, Keen, Kelsey, Kenyon, Laird, Laugenour, Meads, McCarthy, McKelvey, Merrill, Nelson, North, O'Day, Osborn, Phelps, Powers, Price, Reid, Richards, Robinson, Rowell, Sanford, Spencer, Staley, Stansell, Swisler, Thomas, Tibbits, Tomblin, Twigg, Wade, Waymire, Weyse, Wilkinson, Zocchi, and Mr. Speaker.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. O. Summers.

READING OF THE JOURNAL.

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

So ordered.

REPORTS OF STANDING COMMITTEES.

ON IRRIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1895.

MR. SPEAKER: Your Committee on Irrigation, to whom was re-referred Assembly Bill No. 939—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 three, four, twelve, eighteen, twenty-two, twenty-seven, and thirty-seven thereof—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

McKELVEY, Chairman.

ON REVENUE AND TAXATION.

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1895.

MR. SPEAKER: Your Committee on Revenue and Taxation, to whom was re-referred Senate Bill No. 437—have had the same under consideration, and respectfully report the same back, and recommend that the same do not pass.

FREEMAN, Chairman.

ON SWAMP AND OVERFLOWED LANDS.

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1895.

MR. SPEAKER: Your Committee on Swamp and Overflowed Lands, to whom was referred Senate Bills Nos. 521 and 707—have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

CUTTER, Chairman.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1895.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Senate Bill No. 223—An Act to repeal section thirteen of an Act entitled "An Act to provide for the planting, maintenance, and care of shade trees upon streets, lanes, alleys, courts, and places within municipalities, and hedges upon the lines thereof, also, for the eradication of certain weeds within city limits," approved March 11, 1893—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Assembly Bill No. 906—An Act to validate the proceedings taken for the issuance of bonds by cities of the fourth, fifth, and sixth class since the passage of the Act of the Legislature of the State of California entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, and declaring the bonds so issued to be legal and valid, and authorizing the sale thereof.

Also: Assembly Bill No. 905—An Act to validate proceedings for the organization and incorporation of municipal corporations of the fourth, fifth, and sixth class, taken since the passage of the Act of the Legislature of the State of California entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

GUY, Chairman.

ON CLAIMS.

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1895.

MR. SPEAKER: Your Committee on Claims, to whom was referred Assembly Bill No. 563—An Act to pay the claim of Samuel J. Black against the State of California, and making an appropriation therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Assembly Bill No. 787—An Act making an appropriation for reimbursing J. V. Hicks, a citizen of California, for moneys expended by him in the extradition of one A. L. Gibbs, a fugitive from the justice of this State—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

GAY, Chairman.

Assembly Bills Nos. 563 and 787 referred to Committee on Ways and Means.

ON PUBLIC HEALTH AND QUARANTINE.

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1895.

MR. SPEAKER: Your Committee on Public Health and Quarantine, to whom was referred Assembly Bill No. 1008—An Act to regulate the practice of dentistry in the State of California—have had the same under consideration, and respectfully report the same back without recommendation.

GLASS, Chairman.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 12, 1895.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the eleventh day of March, 1895, passed Senate Bill No. 885—An Act fixing and regulating the manner of sale and redemption of real property for delinquent assessments to pay the damages, costs, and expense for or incident to laying out, opening, extending, widening, straightening, diverging, curving, contracting, or closing up, in whole or in any part, any street, square, lane, alley, court, or place within municipalities in this State.

Also: Senate Bill No. 560—An Act to amend section twenty-eight of an Act passed March 23, 1893, entitled "An Act amendatory of and supplementary to an Act entitled An Act to define the boundary and provide for the government of Levee District Number Two, of Sutter County," passed March 23, 1876, in relation to the election of officers for said district, funding the floating debt, and re-funding the funded debt thereof."

Also: Assembly Bill No. 542—An Act to amend an Act entitled "An Act creating a Board of Commissioners of the Building and Loan Associations, and prescribing their duties and powers," approved March 23, 1893.

Also: Senate Bill No. 353—An Act to reduce the number of Judges of the Superior Court of the county of Tulare from two to one.

Also: Senate Bill No. 806—An Act providing for the erection and operation of rock-crushing plants at the State Prisons, for the preparation of highway material for the benefit of the people of the State, and providing for the necessary advances and appropriation of money to carry out said work.

Also: Senate Bill No. 72—An Act for the relief of Charles F. Wells, and to appropriate money therefor.

Also: Senate Bill No. 247—An Act to repeal (1) "An Act appropriating money for the erection of a building in the city of San Francisco for the use of the Home for the Care of the Inebriates," approved May 2, 1862; (2) "An Act relating to the Home of the Inebriate of San Francisco, and to prescribe the powers and duties of the Board of Managers and the officers thereof," approved April 1, 1870; and (3) "An Act to provide for the care and maintenance of inebriates and certain insane persons in the City and County of San Francisco," approved April 17, 1876, relating to the Home for the Care of the Inebriates.

Also: Senate Bill No. 587—An Act to provide the manner of execution of deeds by cemetery corporations.

Also: Senate Bill No. 843—An Act to amend section two thousand three hundred and forty-nine of the Political Code, relating to navigable streams and waters.

Also: Senate Bill No. 566—An Act for the more effectually prohibiting the keeping, or exposing for sale, selling, giving, or permitting others to take, any vinous, alcoholic, malt, or spirituous liquors, within one mile of the land belonging to the State upon which a State prison or university is situated, and to declare such prohibited acts, and the building or erection, ground or place, in or upon which they are carried on, done, continued to exist, a nuisance, and to provide remedies by suit and procedure in equity against such nuisances.

F. J. BRANDON, Secretary.
By R. SHAW, Assistant.

ACTION ON SENATE MESSAGE.

Senate Bill No. 885—An Act fixing and regulating the manner of sale and redemption of real property for delinquent assessments to pay the damages, costs, and expense for or incident to laying out, opening, extending, widening, straightening, diverging, curving, contracting, or closing up, in whole or in any part, any street, square, lane, alley, court, or place within municipalities in this State.

Read first time, and ordered on file.

Senate Bill No. 560—An Act to amend section twenty-eight of an Act passed March 23, 1893, entitled "An Act amendatory of and supple-

mentary to an Act entitled 'An Act to define the boundary and provide for the government of Levee District No. 2, of Sutter County,' passed March 23, 1876, in relation to the election of officers for said district, funding the floating debt, and re-funding the funded debt thereof."

Senate Bill No. 560 substituted for Assembly Bill No. 611.

Read first time.

Senate Bill No. 72—An Act for the relief of Charles F. Wells, and to appropriate money therefor.

Read first time, and referred to Committee on Claims.

Senate Bill No. 247—An Act to repeal (1) "An Act appropriating money for the erection of a building in the city of San Francisco for the use of the Home for the Care of the Inebriates," approved May 2, 1862; (2) "An Act relating to the Home of the Inebriates of San Francisco, and to prescribe the powers and duties of the Board of Managers and the officers thereof," approved April 1, 1870; and (3) "An Act to provide for the care and maintenance of inebriates and certain insane persons in the City and County of San Francisco," approved April 17, 1876, relating to the Home for the Care of the Inebriates.

Read first time, and ordered on special Senate file.

Senate Bill No. 566—An Act for the more effectually prohibiting the keeping, or exposing for sale, selling, giving, or permitting others to take, any vinous, alcoholic, malt, or spirituous liquors, within one mile of the land belonging to the State, upon which a State prison or university is situated, and to declare such prohibited acts, and the building or erection, ground or place, in or upon which they are carried on, done, continued to exist, a nuisance, and to provide remedies by suit and procedure in equity against such nuisances.

Read first time, and referred to Committee on Public Morals.

Senate Bill No. 587—An Act to provide the manner of execution of deeds by cemetery corporations.

Read first time, and referred to Committee on Judiciary.

Senate Bill No. 843—An Act to amend section two thousand three hundred and forty-nine of the Political Code, relating to navigable streams and waters.

Read first time, and referred to Committee on Commerce and Navigation.

Senate Bill No. 806—An Act providing for the erection and operation of rock-crushing plants at the State Prisons, for the preparation of highway material for the benefit of the people of the State, and providing for the necessary advances and appropriation of money to carry out said work.

Senate Bill No. 806 substituted for Assembly Bill No. 940.

Read first time.

RESOLUTION—(URGENCY).

By Mr. Dodge:

Resolved, That Senate Bill No. 885 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house are hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

The question being on the suspension of the constitutional provision.
The roll was called, and the resolution adopted by the following vote:

AYES—Messrs Ash, Bachman, Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Bledsoe, Bulla, Butler, Cargill, Coleman, Collins, Cutter, Dale, Devine, Dixon, Dodge, Dunbar, Dwyer, Ewing, Fassett, Gay, Glass, Guy, Hall, Hatfield, Huber, Hudson, Johnson, Jones, Keen, Kenyon, Laird, Laugenour, Meads, McCarthy, Merrill, North, Osborn, Phelps, Powers, Price, Reid, Richards, Robinson, Rowell, Sanford, Spencer, Staley, Stansell, Swisler, Tibbits, Tomblin, Twigg, Waymire, Wilkinson, Zocchi, and Mr. Speaker—60.

NOES—None.

Senate Bill No. 885—An Act fixing and regulating the manner of sale and redemption of real property for delinquent assessments to pay the damages, costs, and expense for or incident to laying out, opening, extending, widening, straightening, diverging, curving, contracting, or closing up, in whole or in any part, any street, square, lane, alley, court, or place within municipalities in this State.

Read second and third times.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Bachman, Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Bledsoe, Brusie, Bulla, Butler, Cargill, Coghlin, Coleman, Collins, Cutter, Dale, Devine, Dixon, Dodge, Dunbar, Dwyer, Ewing, Fassett, Freeman, Gay, Guy, Hall, Hatfield, Holland, Huber, Hudson, Johnson, Jones, Keen, Kenyon, Laird, Laugenour, Meads, McCarthy, McKelvey, Merrill, Nelson, North, Osborn, Phelps, Powers, Price, Robinson, Sanford, Staley, Stansell, Tibbits, Tomblin, Twigg, Wade, Waymire, Weyse, Zocchi, and Mr. Speaker—62.

NOES—None.

Title read and approved.

REPORT OF COMMITTEE ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1895.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following bills have been correctly engrossed.

Assembly Bill No. 861—An Act making an appropriation to pay the claim of Louise Rienzi for services rendered the State Board of Silk Culture as Secretary, Instructress, and Silk Expert, from December 12, 1885, to April 2, 1887, at eighty-seven dollars and fifty cents per month.

Also: Assembly Bill No. 899—Supplemental Act to an Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water thereby for irrigation purposes, approved March 7, 1887, and Acts amendatory thereto, enabling any irrigation district to dispose of certain surplus water rights and water already acquired in excess of the actual needs of the district.

WILKINSON, Chairman.

MESSAGES FROM THE SENATE—(RESUMED).

SENATE CHAMBER, SACRAMENTO, March 11, 1895.

MR. SPEAKER. I am directed to inform your honorable body that the Senate, on March 8, 1895, amended, and passed as amended, Assembly Bill No. 392—An Act to prescribe conditions upon which certain foreign insurance corporations, associations, partnerships, or individuals may be permitted to transact insurance business in the State of California.

F. J. BRANDON, Secretary.
By C. L. PARDEE, Assistant.

Assembly Bill No. 392—An Act to prescribe conditions upon which certain foreign insurance corporations, associations, partnerships, or individuals may be permitted to transact insurance business in the State of California.

The following Senate committee amendment was submitted :

Amend section one by inserting after the word "transact," in line two of printed bill, the word "fire."

The question being, "Shall the Assembly concur in the Senate amendment?"

Lost.

Senate Bill No. 369—An Act to amend an Act entitled "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.

Mr. Bulla moved that a special committee of one be appointed, with instructions to amend Senate Bill No. 369 as follows:

By striking out of section two, line thirty-seven, the letter "s" from the word "streets," making it "street"; also the comma after the word "street."

Also: Amend by inserting after the title of the Act the following: "approved March 31, 1891, amended March 9, 1893."

Also: Amend by striking out of section one, line four, printed copy, the word "collections," and inserting the word "elections."

Also: Amend by striking out of section two, line three, printed copy, the word "make," and inserting the word "have."

Also: Amend by striking out of section two, line sixteen, printed copy, the word "on," and inserting the word "in."

Also: Amend by striking out of section two, line twenty-four, the word "said," and inserting the word "such."

Also: Amend by inserting in section two, line thirty-two, between the words "no" and "fine," the word "such."

So ordered.

APPOINTMENT OF SPECIAL COMMITTEE.

The Speaker appointed Mr. Bulla as such committee.

REPORT OF SPECIAL COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1895.

MR. SPEAKER: Your select committee, to whom was referred Senate Bill No. 369—An Act to amend an Act entitled "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—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

BULLA, Committee.

Adopted.

The question being on the adoption of the amendments submitted by the special committee.

The same were adopted.

Senate Bill No. 369 ordered to printer.

Mr. Bettman moved that the Assembly do now take up the consideration of Assembly Bill No. 676.

So ordered.

Assembly Bill No. 676—An Act making an appropriation to pay the deficiency in the appropriation to pay for the system of heating and ventilating established in the Training Department of the State Normal School at San José, California.

Read third time.

SENATE AMENDMENTS.

Amend by striking out the enacting clause, and inserting the following in lieu thereof: "The People of the State of California, represented in Senate and Assembly, do enact as follows."

Adopted.

Ordered to enrollment.

Mr. Bettman moved that the Assembly do now take up and consider Senate Bill No. 550.

So ordered.

Senate Bill No. 550—An Act to provide for the payment of the claim of George H. Tay Company, for the deficiency in the contract price for heating and ventilating the State Normal School building at San José, State of California.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Bachman, Bassford, Belshaw, Berry, Bettman, Brusie, Bulla, Butler, Coleman, Collins, Cutter, Dale, Devine, Devitt, Dinkelspiel, Dixon, Dunbar, Dwyer, Ewing, Fassett, Gay, Guy, Hall, Hatfield, Holland, Hudson, Johnson, Keen, Kelsey, Kenyon, Laird, Laugenour, Meads, McCarthy, McKelvey, Merrill, North, Phelps, Powers, Richards, Spencer, Staley, Stansell, Tomblin, Wade, Waymire, and Weyse—48.

NOES—Messrs. Bledsoe and Twigg—2.

Title read and approved.

Mr. Bettman moved that Senate Bill No. 550 be immediately transmitted to the Senate.

So ordered.

Mr. Dwyer moved that the rules be suspended, for the purpose of considering Assembly Bills Nos. 799 and 798 at this time.

So ordered.

Assembly Bill No. 799—An Act to amend an Act approved March 11, 1893, entitled "An Act to amend an Act entitled 'An Act to provide for the completion of all unfinished county, city, city and county, towns, and township buildings in the several counties, cities and counties, cities, and towns throughout the State of California,' approved March 11, 1891."

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Brusie, Bulla, Butler, Cargill, Coghill, Collins, Cutter, Davis, Devine, Devitt, Dinkelspiel, Dixon, Dunbar, Dwyer, Ewing, Fassett, Gay, Guy, Hall, Hatfield, Holland, Hudson, Johnson, Kenyon, Laird, Laugenour, Meads, McCarthy, Merrill, Nelson, North, Phelps, Powers, Price, Reid, Sanford, Staley, Stansell, Tomblin, Wade, Waymire, Weyse, Wilkinson, and Mr. Speaker—51.

NOES—Mr. Bledsoe—1.

Title read and approved.

Assembly Bill No. 798—An Act concerning the completion of unfinished public buildings in any county, city, city and county, or town in this State, and permitting alterations of the original plans or designs for the construction thereof.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Bachman, Barker, Bennett, Bettman, Brusie, Bulla, Butler, Cargill, Coghlin, Collins, Cutter, Davis, Dixon, Dunbar, Dwyer, Ewing, Fassett, Freeman, Guy, Hall, Holland, Hudson, Johnson, Keen, Kenyon, Laugenour, Nelson, North, Phelps, Powers, Price, Richards, Rowell, Sanford, Spencer, Staley, Stansell, Tibbits, Tomblin, Wade, Waymire, Weyse, Wilkinson, Zocchi, and Mr. Speaker—46.

NOES—Messrs. Bledsoe and Devitt—2.

Title read and approved.

Mr. Dwyer moved that Assembly Bills Nos. 798 and 799 be immediately transmitted to the Senate.

So ordered.

MOTION.

Mr. Ewing moved that the rules be suspended, and Assembly Bill No. 736 be taken up out of order, and considered at this time.

So ordered.

Assembly Bill No. 736—An Act to create and administer a Public School Teachers' Annuity and Retirement Fund in the several counties, and cities and counties, of the State.

Mr. Ewing moved that a special committee of one be appointed, with instructions to amend as follows:

Amend by striking out of section six, line four, the words "and pay over in like manner," and inserting in line eight, after the word "month," the words "these amounts"

Also Amend section six, at end of line eleven, by inserting the following: "Any teacher entitled to the benefits of this Act may, at any time, cease to contribute to the fund herein provided for, by notifying, in writing, the Trustees as constituted in this Act, of his or her withdrawal as a beneficiary under this Act; but in that event such teacher shall forfeit all sums contributed to said fund."

Lost.

Also: Amend section six by adding thereto the following "*provided*, no money shall ever be drawn from the State Treasury, or from the funds of any county, under the provisions of this Act "

Lost.

Mr. Brusie requested that Assembly Bill No. 332 be taken up out of order and considered at this time.

So ordered.

Assembly Bill No. 332—An Act to authorize the Board of Trustees of the Southern California State Asylum for the Insane and Inebriates to convey certain water rights.

Read second time, and ordered on special file.

Mr. Merrill requested to withdraw Assembly Constitutional Amendment No. 54.

So ordered.

SPECIAL FILE.

Assembly Bill No. 797—An Act to repeal an Act entitled "An Act to create and establish a State Board of Horticulture, and to appropriate money for the expenses thereof," approved March 13, 1883, and all Acts amendatory thereof and supplementary thereto, and to confer certain powers upon the Regents of the University of California, and to provide for the protection of the horticultural interests of the State by the appointment of Quarantine Health Officer or Officers, and to appropriate money for the expenses of the same.

Mr. Phelps moved that Assembly Bill No. 903 be substituted for Assembly Bill No. 797.

So ordered.

Assembly Bill No. 903—An Act relating to the commitments to the State School at Whittier, and to the Preston School of Industry; fixing the authority to examine and commit to such schools with the Superior Court Judges of the counties, and fixing the responsibilities from which commitments are made to the State for maintenance of the persons committed therefrom; providing for the manner of payment thereof, and fixing the responsibility of the parents to the counties from which their children are committed.

Read second time, and ordered to engrossment and third reading.

Mr. Powers moved the reconsideration of the vote whereby Senate Bill No. 709 was finally passed, upon which notice of reconsideration was given yesterday.

The question being on the motion of Mr. Powers.

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

AYES—Messrs Barker, Bennett, Coghlin, Collins, Devine, Glass, Osborn, Reid, and Sanford—9.

NOES—Messrs Ash, Bachman, Bassford, Belshaw, Berry, Bettman, Bledsoe, Boothby, Brusie, Bulla, Butler, Cargill, Cutter, Dale, Davis, Devitt, Dinkelspiel, Dixon, Dodge, Dunbar, Dwyer, Ewing, Fassett, Freeman, Gay, Guy, Hall, Hatfield, Holland, Hudson, Johnson, Keen, Kelsey, Kenyon, Laugenour, Meads, McCarthy, Merrill, Nelson, North, O'Day, Phelps, Powers, Price, Richards, Rowell, Spencer, Staley, Swisler, Thomas, Tibbits, Twigg, Wade, Waymire, Weyse, Wilkinson, Zocchi, and Mr. Speaker—58

Title read and approved.

Mr. Powers moved that Senate Bill No. 709 be immediately transmitted to the Senate.

So ordered.

Assembly Bill No. 860—An Act to appropriate four thousand seven hundred and fifty dollars, as compensation to "The California Democrat Publishing Company," a corporation incorporated, organized, and existing under the laws of the State of California, for having published proposed amendments to the Constitution of the State of California during the year 1894.

Passed, to retain its place on file.

Assembly Bill No. 954—An Act appropriating the sum of twenty-five thousand dollars, for a thorough system of ventilation for the Capitol building.

Passed, to retain its place on file.

Assembly Bill No. 861—An Act making an appropriation to pay the claim of Louise Rienzi for services rendered the State Board of Silk Culture as Secretary, Instructress, and Silk Expert, from December 12, 1885, to April 2, 1887, at eighty-seven dollars and fifty cents per month.

Read third time.

Mr. Berry moved that a special committee of one be appointed to amend as follows:

Amend by striking out of title, line four, the words at "eighty-seven dollars and fifty cents per month."

Also: Amend section four, by striking out figure "4," and inserting figure "3"

So ordered.

APPOINTMENT OF SPECIAL COMMITTEE.

The Speaker appointed Mr. Berry as such committee.

REPORT OF SPECIAL COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1895.

MR. SPEAKER: Your select committee, to whom was referred Assembly Bill No. 861—An Act making an appropriation to pay the claim of Louise Rienzi for services rendered the State Board of Silk Culture as Secretary, Instructress, and Silk Expert, from December 12, 1885, to April 2, 1887, at eighty-seven dollars and fifty cents per month—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.

BERRY, Committee.

Adopted.

The question being on the adoption of the amendment, the same was adopted.

Mr. Fassett moved that a committee of one be appointed to amend as follows:

By inserting in line two of section one, after the word "Treasury," the words "in the forty-seventh fiscal year"

Adopted.

Also: Amend section two, line two, by inserting after the word "same," the words: "out of any money in the State Treasury in the forty-seventh fiscal year not otherwise appropriated."

So ordered.

APPOINTMENT OF SPECIAL COMMITTEE.

The Speaker appointed Mr. Fassett as such committee.

REPORT OF SPECIAL COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1895.

MR. SPEAKER: Your select committee, to whom was referred Assembly Bill No. 861—An Act making an appropriation to pay the claim of Louise Rienzi for services rendered the State Board of Silk Culture as Secretary, Instructress, and Silk Expert from December 12, 1885, to April 2, 1887, at eighty-seven dollars and fifty cents per month—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, by inserting in section two, line two, after the word "same" the words "out of any money in the State Treasury in the forty-seventh fiscal year not otherwise appropriated."

Also: By inserting in line two of section one, after the word "Treasury" the words "in the forty-seventh fiscal year."

FASSETT, Committee.

The question being on the adoption of the amendment, the same was adopted.

Ordered to printer and third reading.

Assembly Bill No. 694—An Act appropriating money to pay the claim of the State Agricultural Society.

Read third time.

Mr. Brusie moved that a committee of one be appointed to amend the enacting clause, and make it read as follows:

"The People of the State of California, represented in Senate and Assembly, do enact as follows."

So ordered.

APPOINTMENT OF COMMITTEE.

Mr. Brusie was appointed as such committee.

REPORT OF SPECIAL COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1895.

MR. SPEAKER: Your select committee, to whom was referred Assembly Bill No. 694—An Act appropriating money to pay the claim of the State Agricultural Society—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.

BRUSIE, Committee.

Report adopted.

Mr. Belshaw moved that a committee of one be appointed to amend by striking out section three.

Lost.

Assembly Bill No. 694 ordered to printer and engrossment.

Mr. Berry moved that the Assembly do now reconsider the vote whereby Assembly Bill No. 801 was on yesterday finally passed.

So ordered.

The question being on the reconsideration.

The roll was called, and the Assembly refused to reconsider by the following vote:

AYES—Messrs. Brusie, Dodge, Fassett, North, and Wade—5.

NOES—Messrs. Ash, Bachman, Belshaw, Bennett, Berry, Bettman, Bledsoe, Boothby, Bulla, Butler, Cargill, Coghlin, Cutter, Dale, Davis, Devitt, Dixon, Dwyer, Freeman, Gay, Glass, Hall, Hatfield, Holland, Huber, Johnson, Kelsey, Kenyon, Laird, Laugenour, Meads, McCarthy, McKelvey, Nelson, O'Day, Phelps, Powers, Price, Richards, Rowell, Sanford, Staley, Swisler, Thomas, Tibbits, Tomblin, Twigg, Waymire, Weyse, Wilkinson, and Zocchi—51

Mr. Berry moved that Assembly Bill No. 801 be immediately transmitted to the Senate.

So ordered.

Mr. Laugenour moved that the rules be suspended, and Substitute for Senate Bill No. 2 be taken up out of order, and considered at this time.

So ordered.

Substitute for Senate Bill No. 2—An Act to appropriate one thousand one hundred dollars to pay the claims of D. H. Wyckoff and others for the arrest of the murderers of A. B. Montgomery, in Shasta County, in 1892.

Read second time, and ordered to printer.

Assembly Bill No. 1024—An Act appropriating the sum of two hundred thousand dollars for the support of the Whittier State School at Whittier, California, for the forty-seventh and forty-eighth fiscal years.

Passed, to retain its place on file.

Assembly Bill No. 1025—An Act to amend section three thousand seven hundred and thirteen of the Political Code, relating to the levy of taxes.

Passed, to retain its place on file.

ASSEMBLY CONSTITUTIONAL AMENDMENT No. 49.

Proposed amendment to article thirteen of the Constitution, relative to revenue and taxation.

The Legislature of the State of California, at its thirty-first session, two thirds of all the members elected to the Senate and Assembly voting therefor, proposes to the qualified electors of the State the following amendment to article thirteen of the Constitution:

That article thirteen be amended by adding a new section thereto, to be numbered section fourteen, reading as follows:

Section 14 In addition to the exemptions enumerated in other sections of this article, the Legislature shall by law provide for a general exemption from taxation of personal property of all householders to the amount of five hundred dollars each

Read.

The question being on the adoption of the amendment.

The roll was called, and Assembly Constitutional Amendment No. 49 adopted by the following vote:

AYES—Messrs. Ash, Bachman, Barker, Bassford, Belshaw, Berry, Bettman, Bledsoe, Bulla, Butler, Cargill, Coghlin, Collins, Cutter, Dale, Davis, Devine, Devitt, Dixon, Dodge, Dunbar, Dwyer, Ewing, Fassett, Freeman, Gay, Glass, Hall, Hatheld, Huber, Hudson, Johnson, Jones, Kelsey, Kenyon, Laird, Meads, McCarthy, North, O'Day, Osborn, Powers, Price, Rowell, Sanford, Staley, Swisler, Thomas, Tibbits, Tomblin, Twigg, Wade, Waymire, Weyse, Zocchi, and Mr. Speaker—56.

NOES—Messrs. Bennett, Coleman, Holland, Phelps, and Spencer—5

Mr. Powers moved that the rules be suspended and Assembly Bill No. 479 be taken up out of order.

So ordered.

Assembly Bill No. 479—An Act to amend sections one thousand and ninety-four, one thousand and ninety-six, one thousand one hundred and thirteen, one thousand one hundred and fourteen, one thousand one hundred and fifteen, and one thousand one hundred and sixteen of the Political Code of the State of California, relative to registration of voters.

Read second time.

The following committee amendments were submitted.

AMENDMENT No. 1

Amend section two, subdivision ten, after the word "thereof," in line ten, by adding the word "and."

Adopted.

AMENDMENT No. 2.

Amend subdivision fourteen, section two, line twenty-three, to read as follows: "The fact whether or not the elector desiring to be registered is able to read the Constitution in the English language, and to write his name, and whether or not the elector has any physical disability, by reason of which he cannot mark his ballot; and if he cannot mark his ballot by reason of physical disability, then the nature of such disability must be entered, and the fact that by reason thereof he cannot mark his ballot."

Adopted.

AMENDMENT No. 3.

Amend section three as follows: on line six, after the word "county," add "or city and county."

Adopted.

AMENDMENT No. 4.

Amend section three, line seven of printed bill, by inserting after the words "or city or" therein, the following words "city and."

Adopted.

AMENDMENT No. 5

Amend section four as follows on line eleven, after the word "convicted," strike out the word "by," and insert the word "of" therein.

Adopted.

Mr. Powers moved to amend as follows:

By adding to end of section one, after the word "election," line twenty-one, page two of printed bill, the following: "In cities and counties containing more than one hundred and fifty thousand inhabitants, every landlord or keeper of any premises where

lodgers abide, shall keep a list of the names of all lodgers occupying rooms or sleeping apartments, or beds, in the premises under his control, commencing such list on the fifteenth day previous to any election, and such list shall be kept daily, so as to be ready for reference and inspection by the Board of Election Commissioners, or a clerk delegated by them for that purpose.

"Blank lists shall be furnished to every landlord or keeper of premises where lodgers abide, and shall be collected daily by one of the Election Commissioners, such blanks shall be ruled in columns, showing the name of the lodger, the number of room, and the story of the building, and at any time from the beginning of registration to the day of election, shall be furnished to the Board of Election Commissioners upon their demand therefor.

"Any landlord or keeper of premises where lodgers abide neglecting or refusing to comply with the provisions of this Act, shall be deemed to be guilty of a misdemeanor, and on conviction therefor shall be fined the sum of fifty dollars, and in the event of non-payment of such fine, shall be committed to the county jail for a term of days, at the rate of one dollar per day for each dollar of said fine.

"Any voter registered in premises in which the landlord or keeper neglects or refuses to comply with this Act shall be cited to appear before the Election Commissioners within five (5) days in order to verify his right to vote.

"It shall be considered proper citation to such voter, if the citation is addressed to the name of party registered, the number of room, and place of registration, and if the party cited does not appear in answer to the citation at the time appointed, his name shall be stricken from the register of voters.

"The landlord or keeper of premises from which the voter is registered, shall also be cited to appear at the same time and place at which the citation of his alleged lodger is returnable."

Adopted.

Also: Amend section three, line three, of printed bill, by adding after the word "Clerk," the following: "or the person charged with the registration of voters in any county, or city and county."

Adopted.

Also: Amend section six, line thirteen, of printed bill, by striking out the word "ward," and inserting in lieu thereof the word "precinct."

Adopted.

Ordered to printer, engrossment, and third reading.

Mr. Spencer moved that the rules be suspended and the Assembly now take up the consideration of Assembly Bill No. 751.

So ordered.

Assembly Bill No. 751—An Act providing for a general primary election within the State of California, and to promote the purity thereof by regulating the conduct thereof, and to support the privilege of free suffrage thereat by prohibiting certain acts and practices in relation thereto, and providing for the punishment thereof.

Mr. Bledsoe moved that the enacting clause be stricken out.

The ayes and noes were demanded by Messrs. Dinkelspiel, Davis, and Laird.

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

AYES—Messrs Bettman, Bledsoe, Boothby, Brusie, Devine, Glass, Laugenour, McCarthy, Osborn, Reid, Zocchi, and Mr. Speaker—12

NOES—Messrs Ash, Bachman, Barker, Bassford, Belshaw, Berry, Bulla, Butler, Cargill, Cogblin, Coleman, Collins, Dale, Davis, Devitt, Dinkelspiel, Dixon, Dodge, Dunbar, Dwyer, Ewing, Fassett, Gay, Guy, Hall, Hatheld, Holland, Huber, Hudson, Johnson, Jones, Keen, Kelsey, Kenyon, Laird, Meads, McKelvey, Merrill, North, O'Pay, Phelps, Powers, Price, Richards, Robinson, Spencer, Stansell, Swisler, Thomas, Tibbits, Twigg, Wade, Waymire, Weyse, and Wilkinson—55

RECESS.

Pending the consideration of Assembly Bill No. 751, the hour of recess having arrived, the Speaker declared a recess until one o'clock and thirty minutes P. M.

REASSEMBLED.

The Assembly reassembled at one o'clock and thirty minutes P. M.*
Speaker Lynch in the chair.

Quorum present.

At one o'clock and thirty-five minutes P. M. the Speaker called Mr. Brusie to the chair.

LEAVE OF ABSENCE.

Mr. Lynch was granted a leave of absence until four o'clock.

CONSIDERATION OF ASSEMBLY BILL No. 751—(CONTINUED).

Assembly Bill No. 751—An Act providing for a general primary election within the State of California, and to promote the purity thereof by regulating the conduct thereof, and to support the privilege of free suffrage thereat by prohibiting certain acts and practices in relation thereto, and providing for the punishment thereof.

Read second time.

Mr. Spencer moved to amend as follows:

Strike out all after the enacting clause and insert the following:

SECTION 1. The primary elections for delegates to constitute the various respective political conventions for the nomination of candidates for public office shall hereafter be held in this State under and pursuant to this Act. A convention to nominate candidates to be voted for by the electors of the entire State shall be known as a "State Convention." Conventions to nominate members of Congress, of the Board of Equalization, or Railroad Commissioners, shall be known as "District Conventions." All other conventions shall be known as "Local Conventions."

A general primary election for the election of delegates to the State and various local and district conventions in the year eighteen hundred and ninety-six, and every two years thereafter, shall be held on the second Tuesday in the month of July in that year. The day for holding such primary shall be a legal holiday, and the Governor of this State shall issue a proclamation to that effect in accordance with this Act.

SEC. 2. All political parties or organizations of electors, desiring to hold a convention or conventions for the purpose of nominating candidates for public office, to be voted for at the ensuing general election, must petition the Board of Election Commissioners of the county, or city and county, in writing, at least thirty days before the day for such general primary election, which petition must set forth:

First—The names by which such political party or organization is known, or desires to be known

Second—That such political party or organization is desirous of and intends to hold a convention, or conventions, of delegates representing said party or organization—designating the time and place of holding any such convention, or conventions—for the purpose of nominating candidates for offices to be voted for by the people of the State or county, or city and county, or both, at the next ensuing general election, and is desirous of electing delegates to such convention, or conventions, to be held for that purpose, under the provisions of this Act, and requesting that the Board of Election Commissioners of the county, city or county, perform the services hereinafter prescribed in this Act.

If such political party is one which by reason of its previous vote is entitled to hold a convention, defined by sections eleven hundred and eighty-six and eleven hundred and eighty-seven of the Political Code, such petition must be authenticated by the signature of the Chairman and Secretary of its State Committee, selected at its last State Convention of such party, verified by the oath of such signers, that the facts therein stated are true, and that the said signers are the Chairman and Secretary of said committee. No political party or organization can use the name of another political party or organization, or any name or designation so similar to another party name that it may deceive voters.

SEC. 3. Any political party or political organization which, at the last election preceding the filing of such application, shall not have polled at least three per cent of the entire vote cast in the political division for which nominations are sought to be made, may file with the Election Commissioners of the county, or city or county, in which such general primary election is to be held, a petition, signed by at least three per cent of the voters of the political division for which nominations are sought to be made, which need not all be on one paper; which petition shall set out all the facts required to be set forth in the application in this Act provided for; and such petition must be verified in the same manner as required for a certificate of nomination mentioned in section eleven hundred and eighty-eight of the Political Code. Upon the filing of such

petition, the Election Commissioners of the county, or city and county, in which said primary election is to be held, shall order its Clerk to issue to said political organization a certificate similar to that in this Act provided to be issued to existing political parties, which certificate shall entitle the petitioners to participate in the said general primary election, and shall entitle them to all privileges and rights secured and granted to other political parties heretofore existing, both at said primary election and at the ensuing general election, that is to say, having complied with all the requirements in this Act provided, the petitioners shall be recognized as a political party or organization. Such certificate shall be issued to all parties petitioning, stating the name of the party, the date of the primary, the territory over which it will extend, and be signed by the Clerk of such Board.

SEC. 4. During the month of January of each year in which a general election is to be held, it shall be the duty of the Board of Election Commissioners of each county, and city, and city and county, to select from the last assessment roll of the county, or city, or city and county, the names of not less than thirty electors residing in each election precinct of such county, or city, or city and county, such selection to be made from each of the political parties then existing, in as nearly an equal proportion as practicable; and to write the name of each person so selected on a separate piece of paper, and to fold said paper so that the name written thereon cannot be seen or read without unfolding the same, and when the names are so written and folded to put all of the names so selected from each separate election precinct in an envelope, then to close and securely seal such envelope, and to write the name and number of the precinct from which such selection was made on the outside of such envelope, and when the names so selected from each election precinct in such county, or city, or city and county, shall have been so placed in separate precinct envelopes, and each sealed and numbered so as to designate the precinct from which each selection was so made, then all of the said envelopes so marked and sealed shall be placed in a box, to be provided by each Board of Election Commissioners for that purpose, and such box shall then be securely locked and sealed, and safely kept by said Board of Election Commissioners until required by them for use as hereinafter provided. The names so selected shall be forthwith recorded in a book for that purpose by the Clerk of the Board of Election Commissioners, which book must be kept open at all times to public inspection, and the said Clerk shall also publish said names once in some paper of general circulation in the county, or city and county, within ten days after the names are so selected.

SEC. 5. Twenty days before the holding of such primary election the said Board of Election Commissioners shall open the said box in the presence of a majority of said Board, and in the presence of each of the members of the various political parties as may be present to witness the same, and shall then take from said box the said envelopes, one at a time, and as each envelope is taken from the box it shall be opened and the names therein contained, without being unfolded, shall be placed in a separate box suitable for the purpose; and, after being thoroughly shaken, the Clerk of said Board, in the presence of the Board, shall draw from said box the name of one person, who shall be the Inspector of the primary election in such precinct; said Clerk shall then draw from said box the names of two persons who shall be the Judges of such primary election in said precinct; and the names of two other persons shall be drawn in like manner, who shall be the Clerks of such primary election; *provided*, that if the persons whose names are drawn for Judges and for Clerks shall both belong to one political party the Clerk of said Board shall lay aside the last name drawn for Judges, and also for Clerks, and draw other names from such box until only one Judge and one Clerk who belong to the same political party are selected; and the same course shall be pursued in each precinct until the election officers are selected in each precinct in such county, or city, or city and county. Should all the names be drawn from said box and not a sufficient number of election officers be selected, the said Board of Election Commissioners must select and deposit more names in the box, and continue to draw therefrom until all the election officers are selected, *provided*, that such subsequent selection shall be made from the electors of the precinct in the same manner as those first selected, as provided for in section four of this Act.

SEC. 6. It shall be the duty of the Clerk of the Board of Election Commissioners to publish in some newspaper published in the county, of general circulation, as soon as they are selected, the names of the persons so selected, with the names of the precincts in which they severally are to serve, and the locations of the polling places. He shall also send a communication to each person so chosen, through the mail, by registered letter, postage paid, to his post office address, informing him of his selection, and of the precinct, and the capacity in which he is to serve.

SEC. 7. It shall be the duty of every person so chosen to act as such election officer at such a general primary election, to perform the services required of him in such capacity; and any person so chosen to act who shall, without having been excused therefrom by the Board of Election Commissioners for sickness of self or family, or other good cause, fail or refuse to act in the capacity for which he is chosen, shall be deemed guilty of a misdemeanor; and in case he is so excused, the Clerk, in the presence of the Board, shall select another person from said box to serve in his place. It shall be the duty of each of the persons so chosen to appear at the polling places in the precinct for which he is chosen, before the time of opening the polls, and there take the oath of office, as prescribed in the general election law, and perform the duties imposed upon him by the provisions of this Act. But in case of the failure of any of the election officers so selected to appear at the time the polls should be opened, or within ten

minutes thereafter, the election officers present must choose some resident elector of the precinct to fill the vacancy.

SEC. 8. It shall be the duty of the Board of Election Commissioners of the county, or city and county, to furnish ballot-boxes for each precinct where such primary is to be held, of the kind and character which were required to be used at the general election held in this State in the year eighteen hundred and ninety, and there must be furnished as many separate ballot-boxes at each precinct as there are parties or organizations entitled by law to participate in such primary. Each such ballot-box must have, in distinct letters and words, upon the front of such box, the name of the respective political party or organization for whose use it is intended. All the ballot-boxes must be placed in a row, side by side, fronting so that the front of each box shall be in the same direction, and be where the voters can easily approach such boxes and present their ballots, and the said party name on each box must be on the front of each, so as to be easily seen and distinguished by any voter within six feet of such box. Every person desiring to vote at such primary must deposit one ballot only, upon which must be the names of all delegates for whom he desires to vote; and it shall be the duty of the Clerk of the Board of Election Commissioners of the county, or city and county, in which said general primary election is to be held, to designate in the certificate which is in this Act provided to be furnished to political parties, the color of the paper upon which the ballots are to be printed, and there shall be so designated for each political party participating in said general primary election, a color to be by them used for the paper upon which such ballots are to be printed, which color shall be in each case distinctive and easily distinguishable from the color to be used at said primary election by any other political party; and the name or designation of each political party must be plainly written or printed at the head of each ticket. The election officers shall stand behind the ballot-boxes, and as each voter approaches to vote, when it is ascertained that he is entitled to vote, he shall be asked by the proper election officer in what box he desires to cast his ballot, and when the voter has declared the fact, it shall be noted in the register by the Clerk in which box he votes, by writing in the register opposite his name the name on the box in which he votes, and thereupon his ballot shall be received by the Judge of Election, or Inspector, and deposited in the box named by such voter, and in no other, in the presence of the voter.

SEC. 9. There shall be as many polling places for the purpose of such general primary election as are provided for at a general election; that is, a polling place in each precinct, and each political party may file with the Board of Election Commissioners a list of the precincts and number and name of street or locality in town, or township, where they want such polling places, and it shall be the duty of the Board of Election Commissioners to examine said lists and decide which polling places will be the most convenient for the voters of the precinct. The polls shall be kept open from nine o'clock A. M. to sunset on the day of holding said primary election, and shall be at all times kept open to the public during the reception of ballots, and until the same are counted and the results declared. There must be furnished, by the Board of Election Commissioners, to the election officers in each precinct, for use at such primary election, a register containing the names of each person entitled to vote in such precinct at the last preceding general election, as shown by the Great or Precinct Register, or both. Before receiving any ballots the election officers must, in the presence of any persons assembled at the polling place, open, and exhibit, and close the ballot-boxes, and thereafter neither of them must be removed from the polling place or presence of the bystanders until all the ballots are counted, nor must either box be opened until after the polls are finally closed. Before the election officers receive any ballots they must cause it to be proclaimed aloud at the place of such primary election that the polls are open, and when the polls are closed that fact must be proclaimed aloud at the place of such election, and after such proclamation no ballots must be received. Voting may commence as soon as the polls are opened, and may be continued during all the time the polls remain open. The ballots must be so folded when deposited that no person can see any name printed or written thereon. As soon as the polls are finally closed, the election officers must immediately proceed to count and canvass the votes given at such primary election. The canvass must be public, in the presence of the bystanders, and every political party shall be entitled to have at least two representatives present. The canvass must be continued without adjournment until completed, and the result thereof is declared; but one box shall be opened and canvassed at the same time, and no other box shall be opened until such box being canvassed is completed, and the result written out and certified and declared. Except as herein otherwise provided, said votes shall be counted, canvassed, listed, strung, numbered, tallied, in the same manner required by law for the counting, canvassing, listing, stringing, numbering, and tallying of votes at a general election for public officers, and the tally lists, ballots, and registers must be signed, certified, made up, sealed, delivered, preserved, and kept in the same manner as required by law at a general election for public officers.

SEC. 10. When the counting of the ballots is completed the election officers in each such precinct shall officially declare the result, and shall furnish to the candidates having received a plurality of all the votes cast in such precincts for delegates of each political party to the county or district conventions, when a delegate is to represent a precinct, a certificate, which certificate shall be signed by all of the precinct election officers, and be delivered by them to the successful candidate, and such certificate, when so delivered, shall be the only credential required of any delegate to the party convention to which he was elected. They shall canvass the votes of all delegates to the State

convention, and when it requires more votes to elect than those of one precinct, they shall certify the result of the ballot in such precinct to the Clerk of the Board of Election Commissioners, and shall seal up the ballots cast in such precinct and the poll lists, and on the outside of the envelope so sealed the election officers of each precinct shall write and sign a certificate to the effect that it contains all the ballots cast in such precinct and the poll lists kept by the Clerks. They shall also, in a separate envelope, send a certificate of the number of votes cast for each delegate to the State convention, and to the county convention, when it takes the votes of more than one precinct to elect a delegate, and said County Clerk shall safely keep such ballots and poll lists until the adjournment of all political conventions in that year, when he shall destroy the same. In case it requires more votes than is cast in one precinct to elect a delegate to the county or State convention, the Clerk shall canvass the votes of the precincts voting for such delegates, as returned by the precinct officers; and issue a certificate of election to the several persons receiving a plurality of the votes of his party in such precincts as are within the county.

SEC. 11. The governing body in the county of each political party taking part in such primary election may furnish to the Board of Election Commissioners, prior to or at the time of the selection by the said Board of the election officers, the name of an elector in each precinct whom such party is desirous to have appointed as general challenger for such party. It shall be the duty of such Board of Election Commissioners, finding that the person named is a resident of such precinct, and that his name appears on the last Precinct Register of said precinct, to appoint such person as such challenger, and cause a certificate to that effect, under its seal, to issue to such person, which the said Clerk shall transmit to such person, in the same manner as provided in this Act for transmitting the certificates to the election officers. At any time after that, and as soon as the third day before the election, any body of resident voters of any precinct, not less than the number of delegates of said party to be elected in said precinct, may file a petition with the Board of Commissioners, setting forth that it is their intention to run as candidates at such primary election, and requesting the appointment of some person as a special challenger to act on their behalf, and naming such person, it shall thereupon be the duty of said Board to ascertain if such person has the qualifications hereinbefore provided and if so, to appoint such person, and cause a like certificate to be issued to him. Such challengers shall act without compensation when so appointed, and shall be sworn, the same as an election officer, and shall have power to challenge the vote of any person by him believed to be voting unlawfully, upon any ground mentioned in the General Election Law, and any such challengers, during the progress of any such primary election, shall be vested with all the powers of a peace officer, he shall have free access to such polling place during the election and the counting of the ballots.

SEC. 12. Any person who, at any such primary election, shall vote illegally or attempt so to vote, shall be subject to the same punishment as provided by law in case of such voting or attempting to vote at the general election in this State. No person shall be allowed to vote whose name did not appear upon the Great or the Precinct Register of the county, in the precinct in which he desires to vote, at the last general election, as a person entitled to vote in such precinct. If the election officers at such primary election shall knowingly permit any person to vote after being challenged, who shows, by his examination, that he is not entitled to vote, they shall be guilty of a felony, and upon conviction thereof be imprisoned in State's Prison not less than one nor more than five years.

SEC. 13. Whenever any voter of the political party for which such primary election is being held shall complain to any peace officer of a violation of this Act by any person, said peace officer must immediately arrest the person complained of and take such person into his custody and imprison him until discharged in due course of law. He shall also take the name and address of the person lodging the complaint, and any peace officer failing or refusing to comply with the provisions of this Act, as in this section prescribed, shall be deemed guilty of a misdemeanor, and if convicted shall be removed from office, and such conviction shall be conclusive evidence of a vacancy in such office.

SEC. 14. The primary elections for all political parties or organizations within the State shall be held at the same time under the provisions of this Act. Each political party or organization may determine for itself how many district conventions it will hold for nominating its various candidates; *provided*, all candidates which are to be elected within a given territory must be nominated in the same convention. Delegates to a State convention may, at the option of a party, divide themselves into district conventions to nominate members of Congress, of the Board of Equalization, and Railroad Commissioners, respectively, or any party may, at its option, select separate delegates to compose any or all such district conventions.

The delegates to a county, or city and county convention, must nominate all the candidates which it desires to name for a county, or city and county office, in such county, or city and county; and any party may at its option nominate candidates for State Senator, or Assemblyman, or Supervisors, or Justices of the Peace, or Constable, who are to be voted for in such county, or city and county, or in any part of such county, or city and county, or any party may at its option elect separate delegates to compose any senatorial, assembly, or other local convention. Where any assembly or senatorial district is composed of more than one county, any political party may select separate delegates to a separate convention, to nominate such Assemblyman, or Senator, or it

may, at its option, in any county convention select joint delegates to meet joint delegates from any other part of such senatorial or assembly district to compose a convention to nominate such Assemblyman or State Senator.

Every party shall cause to be printed or written upon the ballots used by it in the general primary election, the different sets of delegates it desires to choose at such primary, and each set of delegates must be separated distinctly from every other set named on the ballot, and over each separate set of delegates must be printed or written the designation of the convention to which the delegates named in such set are selected.

The tickets shall be substantially in the following form—varied to suit each case:

REPUBLICAN PRIMARY TICKET

Delegates to State Convention. Vote for —

- 1 John Doe
- 2 Richard Roe.
- 3 James Black.
- 4 Philip Ross

Delegates to Railroad District Convention, — District Vote for —

- 1 John Doe.
- 2 Richard Roe.
- 3 James Black.
- 4 Philip Ross.

Delegates to Equalization District Convention. Vote for —

- 1 John Doe.
- 2 Richard Roe
- 3 James Black.
- 4 Philip Ross.

Delegates to Congressional District Convention for — Congressional Dist. Vote for —

- 1 John Doe
- 2 Richard Roe.
- 3 James Black.
- 4 Philip Ross.

Delegates to County Convention for — County. Vote for —

- 1 John Doe.
- 2 Richard Roe.
- 3 James Black.

Delegates to State Senatorial Convention for — District Vote for —

- 1 John Doe.
- 2 Richard Roe.
- 3 James Black.

Delegates to Assembly Convention for — Assembly District. Vote for —

- 1 John Doe.
- 2 Richard Roe.
- 3 James Black.

The names of each proposed delegate in each set shall be numbered consecutively, and opposite each set of delegates shall be expressed the number to be voted for in such set. If there is any delegate written or printed for whom any voter does not desire to vote, or if there be more names in any set than is to be selected, the voter may erase any name by drawing a line through such name with ink, and not otherwise. If any set of delegates contain more names, not erased, than is allowed by law, such ticket cannot be counted as to such set, but must be counted as to any other set correctly voted for.

SEC. 15. At a general primary election held for the purpose of electing delegates to a convention other than a State convention, there shall be elected not less than one delegate for each party convention for each two hundred votes, and each fraction of one hundred or more cast in such precinct at the last general election; *provided*, that no convention shall be illegal for lack of the election of a delegate or delegates in any precinct. In selecting delegates for a State convention each political party or organization shall determine how many delegates it will choose from each county, city and county, in the State, and name the number in their petition, and the persons receiving the highest vote for each party shall be determined by canvassing the vote in the various precincts as provided in section ten of this Act.

SEC. 16. At any time in any county, city and county, city, or township, or in any assembly district, or political division, within this State, or any precinct therein, at which

a general primary election is held for the election of delegates to a convention, any voter entitled to vote at such primary election may be a candidate for election as a delegate to any party convention to represent the precinct or district in which he is a voter.

SEC. 17. As soon as the returns are received by the County Clerk, he shall canvass the same and issue a certificate of election for the different State conventions, to the different persons receiving a plurality of the party votes cast for such delegates.

SEC. 18. The ballot to be used at such general primary election shall be of uniform size, twelve inches in length, and six inches in width.

SEC. 19. It shall be the duty of the Board of Supervisors of each county within the State of California, to appropriate from the general funds of the county a sufficient sum of money to pay all necessary expenses of holding any such primary elections within such county, and it shall be the duty of the Auditor of each county within the State of California to draw upon such appropriated funds his several warrants for the payment of all expenses of such primary election as the same shall be certified to him by the County Clerk; such expenses shall consist only of the payment for the box in which to keep the names selected for polling places, election officers, for printing, for advertising, for stationery, ballot-boxes, and postage stamps, and tally sheets. The several political parties shall furnish their own ballots.

SEC. 20. If in any city or county there shall not be by law any Board of Election Commissioners, then all duties enjoined herein upon a Board of Election Commissioners shall be enjoined upon and performed by the Common Council or Trustees of a city, or the Board of Supervisors of a county, and all duties enjoined upon the Clerk of a Board of Election Commissioners, where there is no such Board in any city or county, are enjoined upon and shall be performed by the Clerk of a city, or by a County Clerk, as the case may be, as fully and with equal force and effect as if specifically set forth in this Act.

SEC. 21. Any act denounced as an offense by the general laws concerning elections of this State shall also be an offense in all primary elections, and in all matters relating thereto, antecedent or subsequent, and shall be punished in the same form and with like penalties as is prescribed for the punishment of similar offenses against the general election laws, and all the provisions and penalties provided by law shall apply in all cases connected with primary elections with equal force, and shall be as effective as if specifically set out in this Act.

SEC. 22. No candidate can have his name printed upon any ballot, to be voted for as a candidate for public office at any general election in this State, unless he shall have been nominated by a convention composed of delegates chosen as provided by this Act; *provided, however*, that nothing in this Act shall prevent any candidate or candidates from being nominated as provided by section eleven hundred and eighty-eight of the Political Code, but such nominees can have no other designation upon a ballot than the word "Independent."

SEC. 23. No ticket or ballot must on the day of election be given or delivered to or received by any person except the Inspector, or a Judge acting as Inspector, within one hundred feet of the polling place. No person must on the day of election fold any ticket, or unfold any ballot which he intends to use in voting, within one hundred feet of the polling place, exhibit to another in any manner by which the contents thereof may become known, any ticket or ballot which he intends to use in voting. No person must on the day of the election, within one hundred feet of the polling place, exhibit to another in any manner by which the contents thereof may become known, any ticket or ballot which he intends to use in voting. No person must on the day of election, within one hundred feet of the polling place, request another person to exhibit or disclose the contents of any ticket or ballot which such other person intends to use in voting.

SEC. 24. No polling place shall be held in any saloon where malt, vinous, or spirituous liquors are sold, or in any room leading from or in any manner connected with such saloon.

SEC. 25. Immediately upon making out the credentials of any delegates selected under this law, the Clerk charged with signing such credentials shall mail to the Secretary of each political party or organization which participated in the primary, a complete list of all delegates to whom credentials shall have been given, and said Clerk must, in a proper book to be by him kept, record the names of all delegates elected, with the vote received by each, specifying those to whom credentials have been given, stating when and where such credentials were mailed; and if any delegate entitled to credentials shall not have received his credentials, or have lost the same, said Clerk must, upon request, issue a new credential to such delegate, which must be stamped "Duplicate."

SEC. 26. In years when by law Electors of President and Vice-President are to be voted for, a State Convention, to select delegates to a National Convention, to select candidates for Elector of President and Vice-President, and at its option to divide itself into a District Convention, or District Conventions, to nominate candidates for Congress or other district nominees, shall be composed of delegates selected pursuant to this Act at a general primary for such purpose, to be held upon the last Tuesday of March in each year; *provided*, that in all counties which cast less than nine thousand votes for Governor at the last preceding general election any political party or organization entitled to participate in such a State Convention shall not be bound to proceed under this Act, but may select delegates to such a State Convention in the manner any such party or organization may respectively determine in any such last mentioned county.

SEC. 27. Within thirty days after the passage of this Act the Secretary of State shall

cause ten thousand copies of this Act to be printed in pamphlet form for free distribution

SEC. 28. All Acts and parts of Acts inconsistent with this Act are hereby repealed.

SEC. 29. This Act shall take effect immediately.

Mr. Dixon moved to amend the amendment by substituting the following:

SECTION 1. Any committee or body authorized by the rules or customs of a voluntary association or organization to call elections of or for such associations or organizations for any purpose, may by resolution elect to call or hold a primary election, and such primary election must be conducted in accordance with the rules prescribed in this Act.

SEC. 2. The resolution must declare:

First—The time and place of holding the election, and the hours between which the polls are to be kept open

Second—The names of persons to constitute the Election Board, which Board shall consist of an Inspector, two Judges of Election, and two Clerks for each polling place designated in the call for such election.

Third—The object of the election.

Fourth—That such election will be held under the provisions of this Act.

Fifth—The time and manner of the publication of the notice of such election, the notice thereof to be given by the publication of the call for such election in full in at least one daily newspaper in counties, cities and counties, cities, or towns where a daily newspaper may be published, and in at least one weekly newspaper in counties where no daily newspaper is published, the first publication to be made in the issue of such newspaper next after the date of the adoption of the call. In addition to said first publication there shall be at least two other publications of such call when made in the daily newspaper, one of such publications to be made on the day preceding and the other on the morning of such election.

Sixth—The qualifications required for voters in addition to those prescribed by law; *provided*, that no person who is not a qualified voter under the general election laws of the State of California at the time of such election shall be qualified to vote thereat.

SEC. 3. The persons selected as the Inspector and Judges of Election under the provisions of this Act shall be qualified electors of the precinct, or polling place, wherein they are to serve as such election officers, and shall be persons whose names appear upon the last assessment roll for the preceding year of said county, city, city and county, or town, within which said election is held, and who have paid the tax or taxes for which they are charged upon said assessment roll. In case the persons appointed, or any of them, to act as such election officers do not attend at the opening of the polls on the day of such election, the electors of the precinct present at that hour may appoint the Board or supply the place of any absent member thereof. The persons so selected must possess the same qualifications required for the regularly appointed officers of such election. The Inspector and Judges so selected, or appointed, shall constitute a Board of Election for such precinct, such Board of Election shall canvass the vote for such precinct, and must be present at the closing of the polls. No person shall be eligible to act as an officer of such election at any precinct who has been employed in any official capacity in the county, city and county, city, or town, within ninety days next preceding such election. No person shall be eligible to act as a member of any Election Board, or a Clerk upon such Board, who cannot read and write the English language.

SEC. 4. The Inspector of such election may appoint qualified Judges and Clerks if, during the progress of an election any Judge or Clerk ceases to act. Any member of the Board, or either Clerk thereof, may administer and certify oaths required to be administered during the progress of such election. Before opening the polls each member of the Board and each Clerk must take and subscribe an oath to faithfully perform the duties imposed upon them by law. Any elector of the precinct may administer and certify such oath. The oaths of each election officer shall be made a part of the returns of such election and shall therewith be transmitted to the body authorized to receive such returns.

SEC. 5. Before opening the polls the Board of Election must post in some convenient place easy of access at least one copy of the Great Register of the county as last printed, or in case of cities and counties, where precinct registers are provided for by law, at least one copy of such precinct registers of the precinct or precincts whose electors vote at such polling place. The copy or copies so posted must be maintained during the whole time of voting, and must not in any manner be torn or defaced. Before receiving any ballots the Board must, in the presence of any persons assembled at the polling place, open, exhibit, and close the ballot-box, and thereafter it must not be removed from the polling place or presence of the bystanders until all the ballots are counted, nor must it be opened until after the polls are finally closed. The Board must also, before they receive any ballots, cause it to be proclaimed aloud at the place of election that the polls are open, and when the polls are closed, that fact must also be proclaimed aloud at the place of election, and after such last named proclamation no ballots must be received.

SEC. 6. The form of the poll lists and tally lists to be kept by the Board and Clerks of

such election shall conform to the provisions of the law governing general State elections.

SEC. 7. All polling places of elections held under the provisions of this Act must be upon the ground floor of the buildings within which the same are located, and in no event shall any place be selected as a polling place for such election that is in a saloon or other room or place where vinous, spirituous, or malt liquors are sold or dispensed, nor shall any place be selected for such purpose that is connected with a saloon or other room or place where vinous, spirituous, or malt liquors are sold or dispensed by any door, window, or other opening. No ticket or ballot must on the day of such election be given or delivered to or received by any person except the Inspector, or a Judge acting as Inspector, within one hundred feet of the polling place; and no person must, on the day of such election, fold any ticket or unfold any ballot which he intends to use in voting within one hundred feet of such polling place, nor must any person, on the day of election, within one hundred feet of such polling place, exhibit to another, in any manner by which the contents thereof may become known, any ticket or ballot which he intends to use in voting.

SEC. 8. The committee, or other body issuing the call for such election, must provide therein the size, and form, and characteristics of the ballot to be used and voted at such election. No ballot to be used at such election shall have any distinguishing mark or thing on the back, or outside thereof, whereby it might be distinguished from any other ballot legally used on the same day, nor shall it contain any mark or thing thereon by or from which it can be ascertained what persons or class of persons used or voted for it, or at what time in the day such ballot was voted or used. When any ballot found in any ballot-box bears upon it such distinguishing marks, it must with all its contents be rejected, and if in any such ballot-box two tickets are found folded together in the form of a ballot, they must both be rejected, but no ballot or part thereof must be rejected by reason of any obscurity therein in relation to the name of the person voted for, if the Board from an inspection of the ballot can determine the name of such person for whom such ballot is intended to be cast.

SEC. 9. In addition to the challenges allowed by the general election law, any person offering to vote at such election may be challenged upon the ground that he does not possess the other qualifications prescribed in the resolution and in this Act, and such challenges must be tried and determined by the Board of Election, who, to that end, may administer an oath to such persons, and may ask them any question tending to prove or disprove the challenge. None but persons who possess the qualifications prescribed by the general election law, by the resolution, and by this Act must vote or participate in any of the proceedings at such election.

SEC. 10. It shall be the duty of the County Clerk, or Registrar of Voters, or Secretary or Clerk of any Board or body charged by the laws of this State with the care and custody of Great and Precinct Registers, and of ballot-boxes, upon the written application by the Chairman and Secretary of any committee or political organization calling a primary election under the provisions of this Act, to furnish to said committee the number of registers and ballot-boxes necessary to properly conduct such election under this Act; *provided*, that the said committee shall give a receipt therefor, and become responsible for the safe return of the same.

SEC. 11. It shall be the duty of any committee or political organization calling a primary election under the provisions of this Act, to make written application to the officer or officers who have in their care and custody the official registers and ballot-boxes, for the use of the same, in the conduct of such primary election, and to issue their receipt therefor, and to become responsible for the safe return thereof to such officers. It shall be the duty of said committee or political organization to furnish the necessary printed registers, containing the names of voters of their respective counties, or city and county, city, or towns, ballot-boxes, poll lists, tally lists, forms of oath, copies of the general and primary election laws, and all stationery and paraphernalia necessary for the proper performance of their duties, by the various Election Boards appointed by them to conduct said primary election.

SEC. 12. As soon as the polls are finally closed, the Board of Election in each precinct must immediately proceed to canvass and count the votes given at such election, which canvass and count shall be conducted in accordance with the provisions of chapter ten, part three, title two of the Political Code, so far as the same may be applicable to primary elections held under this Act, and as the same shall not be inconsistent with the provisions of this Act.

SEC. 13. The Board of Election, as soon as the votes are counted and certified as provided by law, must before it adjourns inclose in a cover, seal up, and immediately transmit the said votes and returns to the committee or body from which emanated the resolution calling the election, which committee or body shall, upon the receipt thereof, and under such rules as it may adopt, open and canvass the said returns and issue certificates to the persons elected to the positions to be filled by means of said primary election.

SEC. 14. The committee or body from which emanates the resolution calling such primary election shall have the power to pass and enforce such rules and regulations for the conduct of such election and for the maintenance of the order and the purity thereof as shall not be inconsistent with the provisions of this Act.

SEC. 15. Any member of any political body or organization, and any officer selected or appointed as provided in this Act to serve as such officer in the conduct of a primary election, who shall violate any of the duties or obligations required of him by this Act

shall be guilty of misdemeanor; and any act denounced as an offense by the general laws concerning elections of this State shall also be an offense in all primary elections, and all matters relating thereto, antecedent or subsequent, and shall be punished in the same form and with like penalties as is prescribed for the punishment of similar offenses against the general election laws, and all the provisions and penalties of the Penal Code applicable to general elections shall apply in all cases connected with primary elections with equal force and as effectively as if specifically set forth in this Act.

Sec. 16 All Acts and parts of Acts in conflict with this Act are hereby repealed. This Act shall take effect from and after the date of its passage and approval.

Pending the consideration of Mr. Dixon's amendment to the amendment, the Speaker announced that the hour for consideration of special Senate file had arrived.

LEAVE OF ABSENCE.

Messrs. Laird, Johnson, and Butler were excused for the afternoon.

By unanimous consent Mr. Phelps was allowed to offer the following amendment to Assembly Bill No. 903—An Act relating to commitments to the State School at Whittier, and to the Preston School of Industry; fixing the authority to examine and commit to such schools with the Superior Court Judges of the counties, and fixing the responsibilities from which commitments are made to the State for maintenance of the person committed therefrom, providing for the manner of payment thereof, and fixing the responsibility of the parents to the counties from which their children are committed.

Amend section three, line five, after the word "the" (the first "the" in line five), by inserting the word "Treasurer."

Adopted.

SPECIAL SENATE FILE.

Senate Constitutional Amendment No. 3—A resolution to propose to the people of the State of California an amendment to article thirteen of the Constitution, section one, relative to revenue and taxation.

The question being on the final passage of the amendment.

The roll was called, and the amendment refused final passage by the following vote:

AYES—Messrs. Ash, Bachman, Barker, Bassford, Berry, Bettman, Bledsoe, Boothby, Brusie, Butler, Cutter, Dinkelspiel, Dwyer, Ewing, Gay, Hatfield, Meads, and Powers—18

NOES—Messrs. Bennett, Bulla, Coleman, Collins, Davis, Devine, Devitt, Dixon, Dodge, Dunbar, Fassett, Glass, Guy, Hall, Holland, Huber, Hudson, Jones, Keen, Laugenour, Nelson, North, O'Day, Osborn, Phelps, Price, Sanford, Spencer, Staley, Swisler, Thomas, Tomblin, Twigg, Wade, Waymire, and Weyse—36.

Senate Constitutional Amendment No. 16—A resolution proposing to the people of the State an amendment to section one of article thirteen of the Constitution, relative to exemptions from taxation.

The question being on the final passage of the amendment.

The roll was called, and the amendment refused final passage by the following vote:

AYES—None.

NOES—Messrs. Ash, Bachman, Bassford, Bennett, Bettman, Bledsoe, Brusie, Bulla, Coleman, Collins, Cutter, Dale, Davis, Devine, Devitt, Dinkelspiel, Dixon, Dodge, Dunbar, Dwyer, Ewing, Fassett, Gay, Glass, Guy, Hall, Hatfield, Holland, Huber, Hudson, Jones, Keen, Kelsey, Kenyon, Laugenour, Meads, Merrill, Nelson, O'Day, Phelps, Powers, Robinson, Spencer, Stansell, Swisler, Thomas, Tibbits, Wade, Waymire, and Weyse—50.

Senate Bill No. 61—An Act authorizing and empowering the Board of State Harbor Commissioners to grant, exchange, or transfer certain

property east of the westerly line of East Street, as delineated and located upon the ground between Clay Street and Market Street, in the City and County of San Francisco, to or with the owner or owners of certain property on the triangular corner common to Market, Sacramento, and East Streets.

Passed, to retain its place on file.

Senate Bill No. 62—An Act to authorize and empower the Board of State Harbor Commissioners to institute condemnation proceedings against certain property on the corner of Market, Sacramento, and East Streets, in the City and County of San Francisco, and extending their jurisdiction over the same.

Passed, to retain its place on file.

Senate Bill No. 153—An Act to provide for the organization, incorporation, and government of townships.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill refused final passage by the following vote:

AYES—Messrs. Bachman, Bassford, Belshaw, Berry, Brusie, Bulla, Dixon, Dodge, Fassett, Freeman, Guy, Hatfield, Huber, Jones, Kenyon, McKelvey, North, Richards, Rowell, Wade, Waymire, and Weyse—22.

NOES—Messrs. Ash, Barker, Bennett, Bettman, Bledsoe, Boothby, Butler, Cargill, Coghlin, Coleman, Collins, Cutter, Dale, Devine, Devitt, Dinkelspiel, Dunbar, Dwyer, Ewing, Gay, Glass, Hall, Holland, Hudson, Laugenour, Meads, McCarthy, Merrill, Nelson, O'Day, Osborn, Phelps, Powers, Price, Reid, Robinson, Sanford, Spencer, Staley, Stansell, Swisler, Thomas, Tibbits, Tomblin, Twigg, Wilkinson, and Zocchi—47.

Senate Bill No. 53—An Act to amend section three thousand four hundred and forty-nine and three thousand four hundred and sixty-eight of the Civil Code of the State of California, relating to assignments for the benefit of creditors.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Bachman, Bassford, Belshaw, Berry, Bettman, Brusie, Bulla, Dale, Davis, Devine, Dinkelspiel, Dixon, Dwyer, Ewing, Gay, Glass, Guy, Hall, Hatfield, Holland, Kelsey, Kenyon, Laugenour, Meads, McKelvey, Merrill, O'Day, Osborn, Phelps, Powers, Price, Robinson, Stansell, Swisler, Thomas, Tibbits, Twigg, Wade, Weyse, and Zocchi—41.

NOES—Messrs. Bledsoe, Coghlin, Nelson, and Spencer—4.

Title read and approved.

Senate Bill No. 59—An Act to amend section three thousand four hundred and forty-two of the Civil Code of the State of California, relating to fraudulent instruments and transfers.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Bachman, Barker, Belshaw, Bennett, Berry, Bettman, Boothby, Brusie, Bulla, Coleman, Collins, Dale, Davis, Devitt, Dinkelspiel, Dixon, Dunbar, Ewing, Glass, Guy, Hall, Hatfield, Hudson, Keen, Kelsey, Kenyon, Meads, McCarthy, Merrill, Nelson, North, Osborn, Phelps, Powers, Price, Staley, Stansell, Thomas, Tomblin, Wade, Waymire, Weyse, and Wilkinson—44.

NOES—Mr. Coghlin—1.

Title read and approved.

Senate Bill No. 194—An Act to appropriate money for the erection and equipment of additional buildings for the accommodation and care

of the inmates of the Preston School of Industry, at Ione, Amador County, California.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Bachman, Belshaw, Bennett, Berry, Bettman, Boothby, Brusie, Bulla, Coghlin, Coleman, Collins, Davis, Devitt, Dinkelspiel, Dixon, Dunbar, Dwyer, Ewing, Fassett, Gay, Guy, Hall, Hatheld, Holland, Huber, Keen, Kelsey, Meads, McCarthy, McKelvey, Merrill, Nelson, O'Day, Osborn, Phelps, Richards, Robinson, Sanford, Spencer, Stansell, Swisler, Thomas, Tibbits, Tomblin, Twigg, Wade, Waymire, Weyse, Wilkinson, and Zocchi—51.

NOES—Messrs. Barker, Bledsoe, Dale, Glass, and Laugenour—5.

Title read and approved.

REPORT OF COMMITTEE ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1895.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following bills have been correctly engrossed:

Assembly Bill No. 579—An Act to enable any county, city and county, city, or town, to lease property to associations of ex-soldiers and sailors.

Also, Assembly Bill No. 521—An Act to amend section one thousand three hundred and sixty-five of the Code of Civil Procedure, relative to granting letters of administration, and to add a new section to the said Code, relative to the distribution of the estates of deceased persons who, at the time of death, were residents of any home for veteran soldiers and sailors.

WILKINSON, Chairman

Senate Bill No. 627—An Act to add a new section to the Penal Code of California, to be known and numbered as section three hundred and ten of said Code, relating to the keeping open and conducting of barber shops, hair-dressing establishments, and bath houses, on Sundays and legal holidays.

Mr. Bledsoe moved to commit to a committee of one, with instructions to amend as follows:

By striking out of section one, lines six and seven, the words "after the hour of twelve o'clock m. of said day"

PREVIOUS QUESTION.

Pending the consideration of the amendment, Mr. Thomas moved the previous question, seconded by Messrs. Dinkelspiel and Nelson.

The question being, "Shall the main question be now put?"

So ordered.

Amendment 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. Ash, Barker, Bassford, Berry, Bettman, Boothby, Brusie, Bulla, Cargill, Coghlin, Coleman, Collins, Cutter, Davis, Devitt, Dinkelspiel, Dixon, Dunbar, Ewing, Guy, Hall, Hatfield, Huber, Hudson, Keen, Kelsey, Laugenour, Meads, McCarthy, Merrill, Nelson, O'Day, Osborn, Powers, Richards, Spencer, Staley, Stansell, Thomas, Tomblin, Twigg, Waymire, Weyse, Wilkinson, and Zocchi—45.

NOES—Messrs. Bachman, Belshaw, Bennett, Bledsoe, Fassett, Price, Rowell, and Wade—8.

Mr. Cutter moved to amend as follows:

Amend the title by inserting "½" after the figures "310," in the second line thereof

Adopted.

Ordered to printer.

Senate Bill No. 199—An Act authorizing municipal corporations to join with other persons, corporations, and irrigation districts in developing water, and empowering the legislative authority of such municipal corporations to execute such powers.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Bachman, Barker, Bassford, Belshaw, Berry, Boothby, Brusie, Bulla, Collins, Cutter, Dale, Davis, Devine, Dinkelspiel, Dixon, Dunbar, Dwyer, Ewing, Fassett, Gay, Guy, Hall, Hatheld, Huber, Hudson, Jones, Keen, Kelsey, Laugenour, Meads, McCarthy, McKelvey, Merrill, Nelson, North, O'Day, Osborn, Powers, Price, Richards, Rowell, Sanford, Spencer, Stansell, Swisler, Thomas, Tomblin, Twig, Wade, Wayne, Weyse, and Wilkinson—53

NOES—Messrs. Bettman and Bledsoe—2

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. McKelvey gave notice that on next legislative day he would move to reconsider the vote whereby Senate Bill No. 199 was this day passed.

LEAVE OF ABSENCE.

Mr. Keen was granted leave of absence for the day.

Mr. Dinkelspiel moved that the Assembly take up Senate messages.
So ordered.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 12, 1895.

MR. SPEAKER I am directed to inform your honorable body that the Senate, at the request of the Assembly, herewith returns Senate Bill No. 349—An Act to amend section one of an Act approved March 15, 1883, and entitled "An Act to authorize the Common Council, Board of Trustees, or other governing body of any incorporated city or town, other than cities of the first class, to re-fund its indebtedness, issue bonds therefor, and provide for the payment of the same," as amended March 1, 1893—for such action as your honorable body may see fit.

F. J. BRANDON, Secretary.
By R. SHAW, Assistant.

Mr. Dinkelspiel moved that Senate Bill No. 349 be taken up out of order, and considered at this time.

So ordered.

Senate Bill No. 349—An Act to amend section one of an Act approved March 15, 1883, and entitled "An Act to authorize the Common Council, Board of Trustees, or other governing body of any incorporated city or town, other than cities of the first class, to re-fund its indebtedness, issue bonds therefor, and provide for the payment of the same," as amended March 1, 1893.

Mr. Hatfield moved that a special committee of one be appointed, with instructions to amend as follows:

Amend section one, line three, by inserting before the word "bonds," the words "the principal of."

Also: Amend by striking out of section one, lines three and four, the words "warrants or otherwise."

Also: Amend by striking out of section one, line five, the words "fund or."

Also: Amend section one, line fifteen, by inserting after the word "shall," the following: "not be disposed of in any manner, except in exchange for outstanding bonds for the re funding of which they are authorized to be issued, *provided*, that if any holder of

any such outstanding bonds refuses to exchange any bonds held by him for such re-funding bonds, but will deposit such outstanding bonds held by him with any responsible depository, subject to redemption in money, a sufficient number of such re-funding bonds may."

Also: Amend section one, line eighteen, by inserting the prefix "re" before the word "funding," so that it will create the word "re-funding"

Also: Amend by striking out of section one, line nineteen, the words "indebtedness for" and inserting the following: "outstanding bonds for the re-funding of"

Also: Amend by striking out of section one, line twenty-two, the word "such," and inserting the following: "the"

Also: Amend section one, line twenty-two, by inserting immediately after the word "bonds," the following: "issued under the terms of the provisions under which such re-funding bonds are authorized to be issued."

APPOINTMENT OF COMMITTEE.

Mr. Hatfield was appointed such special committee.

REPORT OF SPECIAL COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1895.

MR. SPEAKER: Your select committee, to whom was referred Senate Bill No. 349—An Act to amend section one of an Act approved March 15, 1883, and entitled "An Act to authorize the Common Council, Board of Trustees, or other governing body of any incorporated city or town, other than cities of the first class, to re-fund its indebtedness, issue bonds therefor, and provide for the payment of the same," as amended March 1, 1893—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.

HATFIELD, Committee

Adopted.

Ordered to printer.

Senate Bill No. 270—An Act to amend section five hundred and thirty-seven of the Penal Code of the State of California, relating to defrauding proprietors and managers of hotels, inns, restaurants, boarding houses, and lodging houses.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Bachman, Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Bledsoe, Boothby, Brusie, Bulla, Coghlin, Coleman, Collins, Dale, Davis, Devitt, Dinkelspiel, Dunbar, Dwyer, Ewing, Fasseit, Gay, Guy, Hall, Hatfield, Huber, Hudson, Jones, Kelsey, Laugenour, Meads, McKelvey, Nelson, North, O'Day, Osborn, Rowell, Sanford, Spencer, Staley, Stansell, Wade, Waymire, Weyse, Wilkinson, Zocchi, and Mr. Speaker—49.

NOES—Mr. Devine—1.

Title read and approved:

Mr. Belshaw moved that the time for considering special Senate file be extended one hour.

So ordered.

Senate Bill No. 103—An Act making an appropriation to pay the deficiency in the appropriation for the support of the State Normal School at Los Angeles for the forty-sixth fiscal year.

Passed, to retain its place on file.

Senate Bill No. 630—An Act making an appropriation to pay the deficiency in the appropriation for the transportation of insane for the forty-fourth fiscal year.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Bachman, Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Boothby, Brusie, Bulla, Cargill, Coleman, Collins, Devine, Dinkelspiel, Dixon, Dwyer, Ewing, Fassett, Gay, Hall, Hathfield, Huber, Hudson, Kelsey, Laugenour, McCarthy, McKelvey, North, O'Day, Osborn, Richards, Rowell, Sanford, Stansell, Twigg, Wade, Waymire, Wilkinson, and Zocchi—41.

NOES—Messrs. Bledsoe, Dale, and Price—3.

Title read and approved.

Senate Bill No. 669—An Act appropriating the sum of five thousand dollars for the care and improvement of the grounds, library, and museum, and purchase of books, maps, globes, models, and Sloyd tools for the use of the State Normal School at Los Angeles, California.

Passed, to retain its place on file.

Senate Bill No. 647—An Act making an appropriation to pay the salary of the Secretary to the Debris Commissioner for the remainder of the forty-sixth fiscal year.

Read third time.

The question being on the final passage of the bill.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the result, Mr. Thomas moved a call of the House, seconded by Messrs. Laugenour and Dixon.

So ordered.

The roll was called, and the following members were found present:

Messrs. Ash, Bachman, Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Bledsoe, Boothby, Brusie, Bulla, Butler, Cargill, Coghlin, Coleman, Collins, Dale, Davis, Devine, Devitt, Dinkelspiel, Dixon, Dodge, Dunbar, Dwyer, Ewing, Fassett, Gay, Glass, Guy, Hall, Hathfield, Holland, Huber, Hudson, Jones, Kelsey, Laugenour, McCarthy, McKelvey, Merrill, Nelson, North, O'Day, Osborn, Powers, Price, Reid, Richards, Robinson, Rowell, Sanford, Spencer, Staley, Stansell, Swisler, Thomas, Tibbits, Tomblin, Twigg, Wade, Waymire, Weyse, Wilkinson, and Zocchi.

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

Lost.

Mr. Powers moved that the Assembly do now adjourn.

Lost.

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

So ordered.

The result of the roll call was announced, and the bill passed by the following vote:

AYES—Messrs. Bassford, Berry, Bettman, Boothby, Brusie, Butler, Cargill, Coghlin, Coleman, Collins, Cutter, Davis, Devine, Dinkelspiel, Dixon, Dwyer, Gay, Guy, Hall, Hathfield, Holland, Huber, Kelsey, Kenyon, Laugenour, McCarthy, McKelvey, Merrill, Nelson, O'Day, Osborn, Phelps, Powers, Reid, Richards, Spencer, Staley, Stansell, Swisler, Tibbits, Tomblin, Twigg, Waymire, Weyse, and Wilkinson—45.

NOES—Messrs. Ash, Bachman, Barker, Belshaw, Bennett, Bledsoe, Bulla, Dale, Dodge, Dunbar, Ewing, Fassett, Hudson, Jones, North, Price, Robinson, Rowell, Sanford, and Wade—21.

Mr. Powers moved that the rules be suspended, and that he be allowed to introduce a resolution out of order.

Lost.

Senate Bill No. 648—An Act making an appropriation to pay the salary of the Debris Commissioner for the remainder of the forty-sixth fiscal year.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Bachman, Bassford, Berry, Bettman, Boothby, Brusie, Butler, Cargill, Coleman, Cutter, Davis, Devine, Dinkelspiel, Dixon, Dunbar, Dwyer, Gay, Hall, Hatfield, Holland, Huber, Kelsey, Kenyon, Merrill, Osborn, Phelps, Powers, Reid, Richards, Sanford, Spencer, Staley, Stansell, Swisler, Thomas, Tibbits, Tomblin, Twigg, Waymire, Weyse, and Wilkinson—41

NOES—Messrs. Ash, Belshaw, Bennett, Bulla, Dale, North, Price, Robinson, and Wade—9.

Title read and approved.

Mr. Thomas moved that Senate Bills Nos. 647 and 648 be immediately transmitted to the Senate.

So ordered.

Senate Bill No. 558—An Act making an appropriation to pay the claim of James A. Johnson, for legal services in the harbor front cases.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Bachman, Bassford, Belshaw, Bennett, Berry, Bettman, Boothby, Brusie, Bulla, Butler, Coleman, Cutter, Davis, Devine, Devitt, Dinkelspiel, Dixon, Dunbar, Dwyer, Ewing, Fassett, Gay, Hall, Hatfield, Holland, Huber, Kelsey, Kenyon, McKelvey, Merrill, North, Phelps, Powers, Richards, Spencer, Staley, Stansell, Tibbits, Twigg, Waymire, Weyse, and Zocchi—43

NOES—Messrs. Bledsoe, Osborn, Price, Robinson, Sanford, and Wade—6.

Title read and approved.

Mr. Wade moved that Senate Bill No. 558 be immediately transmitted to the Senate.

So ordered.

Mr. Powers moved that Senate Bills Nos. 53 and 59 be immediately transmitted to the Senate.

So ordered.

Senate Bill No. 248—An Act to appropriate money for the payment of the claim of Chas. A. Hiett, for the arrest of William B. Coup, in pursuance of the reward offered therefor by the Governor of the State of California.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Bachman, Bassford, Belshaw, Bennett, Berry, Bettman, Brusie, Bulla, Butler, Cargill, Coghlin, Collins, Cutter, Devine, Devitt, Dinkelspiel, Dixon, Dunbar, Dwyer, Gay, Guy, Hatfield, Holland, Kenyon, Laugenour, Meads, McKelvey, Merrill, North, Phelps, Reid, Richards, Spencer, Stansell, Swisler, Tibbits, Tomblin, Twigg, Wade, Waymire, and Weyse—42.

NOES—Messrs. Bledsoe, Ewing, Price, and Robinson—4.

Title read and approved.

Mr. Stansell moved that Senate Bill No. 248 be immediately transmitted to the Senate.

So ordered.

Senate Bill No. 473—An Act to provide for the erection and equipment of a combined laundry, boiler, and power building at the California Home for the Care and Training of Feeble-Minded Children; to establish an electric plant therein; to provide accommodation for idiots; to furnish the girls' wing of said institution, and to appropriate money therefor.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill refused final passage by the following vote:

AYES—Messrs. Ash, Bachman, Berry, Bettman, Boothby, Brusie, Butler, Cargill, Coghlin, Cutter, Devine, Dunbar, Dwyer, Freeman, Gay, Glass, Guy, Hatfield, Huber, Kelsey, Meads, Powers, Price, Richards, Sanford, Staley, Stansell, Swisler, Twigg, Wilkinson, and Zocchi—31.

NOES—Messrs. Bassford, Belshaw, Bledsoe, Collins, Dale, Dinkelspiel, Ewing, Fassett, Hall, Merrill, North, Phelps, Spencer, Waymire, and Weyse—15.

Mr. Cutter moved that the Assembly do now take up Governor's messages.

So ordered.

MESSAGES FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,)
SACRAMENTO, March 12, 1895. }

To the Assembly of the State of California.

I have the honor to inform your honorable body that I have approved Assembly Bills Nos 553, 141, 142, 4, 456, 174, and 10.

JAMES H. BUDD, Governor

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,)
SACRAMENTO, March 12, 1895. }

To the Assembly of the State of California.

I herewith return, without my approval, and with my objections thereto, Assembly Bill No. 55, being "An Act to amend section twelve hundred and twenty-two of an Act entitled 'An Act to establish a Code of Civil Procedure,' approved March 11, 1872."

I recognize that the present laws of the State, in regard to contempts of Court, are imperfect, and I would be pleased at any time to approve such modifications as would secure to all persons their rights under the Constitution, while not depriving Courts of their requisite powers.

A law authorizing the trial by jury of all questions of fact involving contempts of Court, committed without the immediate view and presence of the Court, or Judge at chambers, would, I feel certain, remove the imperfections of the present law. I would be pleased to approve such an Act. The law proposed by Assembly Bill No. 55 is so uncertain as to its operation and effect as to constitute, in my opinion, unwise and injudicious legislation. Its adoption would, in many instances, deprive Courts of their well established powers absolutely necessary for the effective administration of the laws.

JAMES H. BUDD, Governor.

Mr. Cutter moved that the Assembly do now consider the Governor's veto on Assembly Bill No. 55.

Mr. McKelvey moved that the consideration of the veto be made a special order for to-morrow morning, immediately after reading of the Journal.

Lost.

Mr. Cutter's motion carried.

The question being, "Shall Assembly Bill No. 55 become a law notwithstanding the objections of the Governor?"

The roll was called, and the veto sustained by the following vote:

AYES—Messrs. Boothby, McKelvey, and Spencer—3

NOES—Messrs. Ash, Bachman, Barker, Bassford, Belshaw, Bennett, Bettman, Brusie, Bulla, Butler, Coghlin, Collins, Cutter, Dale, Davis, Dinkelspiel, Dixon, Dodge, Dunbar, Ewing, Gay, Guy, Hatfield, Holland, Huber, Hudson, Kelsey, Kenyon, Laugenour, Merrill, Nelson, North, Phelps, Price, Reid, Richards, Robinson, Sanford, Stansell, Thomas, Twigg, Wade, Weyse, Wilkinson, and Mr Speaker—45.

Senate Bill No. 705—An Act to appropriate money to pay the indebtedness incurred by calling the National Guard of California into service, by order of the Governor, to enforce the law, in 1893 and 1894.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Bachman, Bassford, Belshaw, Berry, Bettman, Brusie, Bulla-Coghlin, Cutter, Dale, Devine, Dinkelspiel, Dixon, Fassett, Gay, Guy, Hall, Hatfield, Huber, Kelsey, Kenyon, Laugenour, Meads, McKelvey, Merrill, North, Osborn, Phelps, Powers, Price, Richards, Robinson, Spencer, Staley, Stansell, Swisler, Tibbits, Tomblin, Twigg, Wade, Waymire, Weyse, Wilkinson, and Zocchi—45.

NOES—Messrs. Bledsoe, Collins, and Reid—3.

Title read and approved.

NOTICES OF RECONSIDERATION.

Mr. Wade gave notice that he would move, on the next legislative day, to reconsider the vote whereby Senate Bill No. 705 was finally passed.

Mr. Weyse gave notice that he would move, on the next legislative day, to reconsider the vote whereby Senate Bill No. 473 was refused final passage.

Mr. Cutter moved that the Assembly do now take up Senate messages.
So ordered.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 12, 1895.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Senate Bill No. 739—An Act to amend an Act entitled "An Act to reincorporate Salinas City," approved March 2, 1876, with reference to the levy and collection of taxes by said Salinas City.

F. J. BRANDON, Secretary.
By R. SHAW, Assistant.

Also:

SENATE CHAMBER, SACRAMENTO, March 12, 1895.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Senate Bill No. 127—An Act to pay the claim of W. P. Lampkin against the State of California, and making an appropriation therefor.

Also: Senate Bill No. 763—An Act to provide for the organization and government of drainage districts, for the drainage of agricultural lands other than swamp and overflowed lands.

Also: Senate Bill No. 739—An Act to amend an Act entitled "An Act to reincorporate Salinas City," approved March 2, 1876, with reference to the levy and collection of taxes by said Salinas City.

Also: Adopted Senate Concurrent Resolution No. 17—Relative to the Mexican International Exposition of Industrial Arts.

F. J. BRANDON, Secretary.
By R. SHAW, Assistant.

Senate Bill No. 127—An Act to pay the claim of W. P. Lampkin against the State of California, and making an appropriation therefor.

Senate Bill No. 127 substituted for Assembly Bill No. 235.

Read first time.

Senate Bill No. 763—An Act to provide for the organization and government of drainage districts, for the drainage of agricultural lands other than swamp and overflowed lands.

Read first time, and placed on file.

Senate Bill No. 739—An Act to amend an Act entitled "An Act to reincorporate Salinas City," approved March 2, 1876, with reference to the levy and collection of taxes by said Salinas City.

Read first time, and placed on file.

Assembly Bill No. 953—An Act to amend 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, 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 March 20, 1891, by amending sections one, eleven, and twelve,” approved March 23, 1893, by amending section one thereof.

The following Senate amendments were submitted:

Amend by striking out all of sections two and three

Also: Amend the title so that the same will read as follows:

“An Act to amend 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, 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 March 20, 1891, by amending sections one, eleven, and twelve,” approved March 23, 1893, by amending section one thereof.”

The question being, “Shall the Assembly concur in the Senate amendments?”

The roll was called, and the Assembly concurred by the following vote:

AYES—Messrs. Ash, Bachman, Bassford, Belshaw, Bennett, Berry, Bettman, Bledsoe, Boothby, Brusie, Butler, Cargill, Coleman, Collins, Devine, Dinkelspiel, Dixon, Dunbar, Ewing, Fassett, Gay, Glass, Guy, Hall, Hatfield, Holland, Huber, Hudson, Kelsey, McKelvey, Nelson, North, O’Day, Osborn, Powers, Reid, Richards, Robinson, Rowell, Spencer, Staley, Stansell, Swisler, Thomas, Tibbits, Tomblin, Twigg, Wade, Waymire, and Weyse—50.

NOES—Messrs. Barker, Bulla, Dale, Davis, Dodge, Kenyon, Laugenour, Phelps, Price, Sanford, and Mr. Speaker—11.

Mr. Barker moved that the notice of reconsideration given yesterday on Assembly Bill No. 1013 be continued until to-morrow.

So ordered.

Mr. Bulla moved that the notice of reconsideration given yesterday on Assembly Bill No. 212 be continued until to-morrow.

So ordered.

Mr. Dinkelspiel moved that all notices of reconsideration given yesterday be continued until to-morrow.

So ordered.

RECESS.

At four o’clock and fifty-five minutes P. M., on motion of Mr. Reid, the Assembly took a recess until seven o’clock and thirty minutes P. M.

REASSEMBLED.

The Assembly reassembled at seven o’clock and thirty minutes P. M. Speaker Lynch in the chair.

Quorum present.

REPORT OF COMMITTEE OF CONFERENCE.

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1895.

MR. SPEAKER: Your Committee of Conference concerning Assembly Bill No. 132, report that we have met a like committee of the Senate, consisting of Senators Holloway, Withington, and Biggy, and we report that the Conference Committee have failed

to agree upon said bill, and recommend the following: That a Committee of Free Conference be appointed.

McKELVEY
BACHMAN.
DIXON.

Adopted.

URGENCY FILE.

Assembly Bill No. 736—An Act to create and administer a Public School Teachers' Annuity and Retirement Fund in the several counties, and cities and counties, of the State.

Read third time.

The question being on the final passage of the bill.

The roll was called, and pending the announcement of the result, a call of the House was moved by Mr. Davis, seconded by Messrs. Hall and Holland.

Lost.

The result of the roll call was announced, and the bill refused final passage by the following vote:

AYES—Messrs. Bettman, Boothby, Brusie, Bulla, Coghlin, Coleman, Collins, Cutter, Dixon, Dunbar, Ewing, Guy, Hall, Hatfield, Holland, Keen, Kenyon, McCarthy, McKelvey, Merrill, O'Day, Osborn, Richards, Spencer, Staley, Tibbits, Tomblin, Twigg, Waymire, Weyse, and Wilkinson—31.

NOES—Messrs. Ash, Bachman, Barker, Bassford, Belshaw, Bennett, Berry, Bledsoe, Cargill, Dale, Davis, Devine, Dinkelspiel, Dodge, Fassett, Gay, Glass, Hudson, Johnson, Jones, Kelsey, Laugenour, Meads, Nelson, North, Phelps, Price, Robinson, Rowell, Sanford, Wade, and Mr. Speaker—32

Assembly Bill No. 434—An Act to repeal an Act entitled an Act to declare Lake Earl, in Del Norte County, navigable.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Bassford, Belshaw, Bennett, Berry, Bettman, Bledsoe, Bulla, Cargill, Coghlin, Coleman, Collins, Dale, Davis, Devine, Dinkelspiel, Dixon, Dodge, Dunbar, Dwyer, Ewing, Fassett, Gay, Glass, Guy, Hatfield, Holland, Huber, Hudson, Johnson, Jones, Kelsey, Kenyon, Laugenour, Meads, McKelvey, Merrill, Nelson, North, O'Day, Osborn, Phelps, Powers, Price, Richards, Robinson, Rowell, Sanford, Staley, Stansell, Thomas, Tomblin, Twigg, Wade, Weyse, and Mr. Speaker—56.

NOES—None.

Title read and approved.

Mr. Tomblin moved that Assembly Bill No. 434 be immediately transmitted to the Senate.

So ordered.

Assembly Bill No. 628—An Act prohibiting the use of barbed wire fence in public lanes, streets, alleys, roads, or highways.

Read second time.

The following committee amendment was submitted:

Amend section one, line three, by inserting after the word "fence," the following: "unless such fence contains one or more boards or rails connecting each post, for the protection of stock, such boards or rails to be not less than six inches in width."

Adopted.

Mr. Belshaw moved to amend as follows:

By striking out of section one, lines one and two, the words "in part or in whole."

Adopted.

Ordered to printer, engrossment, and third reading.

Assembly Bill No. 370—An Act to amend section seven hundred and thirty-one of the Penal Code of the State of California, and to add a new section thereto, to be known as section seven hundred and thirty-four, relating to the suppression of riots and parading of independent companies.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Bachman, Bassford, Belshaw, Bennett, Berry, Bledsoe, Bulla, Butler, Cargill, Coleman, Dale, Davis, Devine, Dixon, Dunbar, Ewing, Fassett, Gay, Glass, Hall, Hatfield, Holland, Huber, Hudson, Keen, Kelsey, Kenyon, Laugenour, Meads, McKelvey, North, Osborn, Phelps, Price, Reid, Richards, Robinson, Rowell, Sanford, Spencer, Staley, Stansell, Thomas, Tibbits, Tomblin, Twigg, Waymire, and Mr. Speaker—49

NOES—Messrs. Barker, Bettman, Coghlin, Collins, Dinkelspiel, Dodge, Jones, McCarthy, Nelson, O'Day, Wade, Weyse, and Wilkinson—13

Title read and approved.

Mr. Bachman moved that Assembly Bill No. 370 be immediately transmitted to the Senate.

So ordered.

Assembly Bill No. 357—An Act to amend an Act entitled "An Act to establish a State Reform School for Juvenile Offenders, and to make an appropriation therefor," approved March 11, 1889, and the Act amendatory thereto, approved March 23, 1893, by amending sections sixteen and eighteen of said Act, approved March 11, 1889, as amended, relating to the time for which boys and girls may be committed to said school, and the Courts having jurisdiction to commit minors thereto.

Mr. Huber requested to substitute Assembly Bill No. 985 for Assembly Bill No. 357.

So ordered.

Assembly Bill No. 985—An Act to authorize counties of the second class to build railroads, and to lease or operate the same.

Read second time, and ordered engrossed and to third reading.

Assembly Bill No. 484 having been transmitted to the Senate, the same was recalled from the Senate by unanimous consent.

Assembly Bill No. 897—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 of California, except municipal corporations of the first class, and to provide for the consolidation and abolition of certain municipal offices, and to provide that their duties may be performed by certain officers of the county, and fixing the compensation to be allowed such county officers for the services so rendered to such municipal corporations.

Read third time.

The question being on the final passage of the bill.

The roll was called, and pending the announcement of the result, Mr. Guy moved a call of the House, seconded by Messrs. Twigg and Wilkinson.

Lost.

The result of the roll call was announced, and the bill refused final passage by the following vote:

AYES—Messrs. Ash, Barker, Berry, Bettman, Boothby, Bulla, Butler, Cargill, Coleman, Collins, Dale, Davis, Devine, Dinkelspiel, Dixon, Guy, Hatfield, Huber, Hudson, Keen, Kenyon, Laugenour, McKelvey, Merrill, O'Day, Powers, Rowell, Spencer, Staley, Stansell, Thomas, Tomblin, Twigg, Weyse, Wilkinson, and Mr. Speaker—36.

NOES—Messrs. Bassford, Belshaw, Bennett, Bledsoe, Brusie, Coghlin, Cutter, Dodge, Dwyer, Ewing, Fassett, Glass, Holland, Jones, Kelsey, Meads, Nelson, North, Phelps, Price, Reid, Richards, Wade, and Waymire—24

Assembly Bill No. 485—An Act to provide for the purchase, for State institutions, of supplies of California production or manufacture; that other supplies shall be of American production or manufacture; that no supplies shall be the product of penal or Chinese labor; and regulating the award of contracts therefor.

Read third time.

The question being on the final passage of the bill.

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

A YES—Messrs. Berry, Bettman, Bledsoe, Boothby, Coghlin, Coleman, Cutter, Dale, Davis, Devine, Dinkelspiel, Dixon, Dunbar, Dwyer, Ewing, Glass, Guy, Hatfield, Holland, Hudson, Keen, Kelsey, Kenyon, Laugenour, McKelvey, Merrill, O'Day, Osborn, Powers, Price, Robinson, Spencer, Staley, Stansell, Swisler, Thomas, Tibbits, Tomblin, Twigg, Wade, Waymire, Wilkinson, Zocchi, and Mr. Speaker—44.

NOES—Messrs. Ash, Barker, Bassford, Belshaw, Bennett, Cargill, Collins, and Phelps—8.

Title read and approved.

Mr. North gave notice that on the next legislative day he would move a reconsideration of the vote whereby Assembly Bill No. 897 was refused final passage.

Mr. Dinkelspiel asked leave to present the report of Committee on Rules out of order.

So ordered.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1895.

MR. SPEAKER: Your Committee on Rules, to whom was referred Assembly Concurrent Resolution No. 17—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also: Senate Concurrent Resolution No. 12—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

DINKELSPIEL, Chairman.

Mr. Reid moved that the consideration of Senate Concurrent Resolution No. 12 be laid over until to-morrow.

Mr. Laugenour moved to amend by considering Senate Concurrent Resolution No. 12 at this time.

So ordered.

SENATE CONCURRENT RESOLUTION No. 12

A resolution relative to adjournment *sine die* March 14th.

Resolved by the Senate, the Assembly concurring, That when we adjourn on Thursday, March 14, 1895, we adjourn sine die.

COMMITTEE AMENDMENT.

Make the date to adjourn *sine die* Saturday, March 16, 1895.

Resolution as amended, adopted.

Assembly Bill No. 58—An Act to establish a State Normal School at San Diego, California.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Bachman, Barker, Berry, Bettman, Boothby, Brusie, Butler, Coghlin, Coleman, Collins, Cutter, Dale, Davis, Dinkelspiel, Dixon, Dunbar, Dwyer, Ewing, Guy, Hatfield, Holland, Huber, Keen, Kelsey, Kenyon, Laugenour, Meads, Merrill, Nelson, North, Osborn, Powers, Price, Richards, Sanford, Spencer, Staley, Stansell, Swisler, Thomas, Tibbits, Tomblin, Twigg, Weyse, and Wilkinson—46.

NOES—Messrs. Belshaw, Bennett, Bledsoe, Bulla, Cargill, Devine, Hall, Hudson, Jones, McCarthy, O'Day, Phelps, Reid, Robinson, Rowell, Wade, and Zocchi—17.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Boothby gave notice that he would move, on the next legislative day, to reconsider the vote whereby Assembly Bill No. 58 was finally passed.

Assembly Bill No. 664—An Act to add a new section to the Civil Code, to be designated as section six hundred and sixteen, authorizing corporations organized to establish and maintain or to improve cemeteries, to take and hold property bequeathed, granted, or given to them upon trust, to apply the same or the proceeds or income thereof to the improvement or embellishment of cemeteries, or of any lot therein, or to the erection or maintenance of any monument, structure, or improvement therein.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Barker, Belshaw, Bennett, Berry, Bettman, Brusie, Bulla, Butler, Coleman, Collins, Cutter, Dale, Dixon, Dodge, Dunbar, Gay, Guy, Hatfield, Huber, Hudson, Keen, Kelsey, Kenyon, Laugenour, Meads, Merrill, Nelson, O'Day, Osborn, Powers, Price, Richards, Robinson, Sanford, Stansell, Swisler, Thomas, Tibbits, Tomblin, Twigg, Wade, Waymire, Zocchi, and Mr. Speaker—45.

NOES—None.

Title read and approved.

Mr. Meads moved that Assembly Bill No. 664 be immediately transmitted to the Senate.

So ordered.

Assembly Bill No. 249—An Act to provide for incorporation, operation, and management of cooperative associations.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Bachman, Barker, Bettman, Bledsoe, Boothby, Brusie, Bulla, Butler, Coleman, Collins, Dale, Dixon, Dodge, Dunbar, Dwyer, Ewing, Gay, Hall, Hatfield, Huber, Hudson, Jones, Keen, Kenyon, Laugenour, Merrill, Osborn, Phelps, Powers, Price, Richards, Robinson, Rowell, Sanford, Spencer, Staley, Stansell, Swisler, Thomas, Tibbits, Tomblin, Twigg, Wade, Waymire, and Mr. Speaker—46.

NOES—Messrs. Belshaw, Bennett, Davis, and North—4.

Title read and approved.

Assembly Bill No. 749—An Act to provide for the repayment, by the State of California, of the purchase price of salt marsh lands, when it has been finally determined by a Court of competent jurisdiction that the State had no title to said lands at the time of sale, because and by reason of the lands being included within the limits of a Mexican grant

as finally surveyed and patented by the United States Government, and to make an appropriation therefor.

Mr. Waymire requested that Assembly Bill No. 749 be withdrawn and Assembly Bill No. 930 substituted therefor.

So ordered.

Assembly Bill No. 930—An Act to reimburse John C. Pelton for moneys expended by him for the public schools of California.

Read second time.

MOTION.

Mr. Waymire moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Assembly Bill No. 930.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Lynch in the chair.

Assembly Bill No. 930 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Lynch 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. 930—An Act to reimburse John C. Pelton for moneys expended by him for the public schools of California—and now report, and recommend that the same do pass

LYNCH, Chairman.

Adopted.

Ordered to engrossment and third reading.

Mr. Waymire moved that Assembly Bill No. 930 be made a special order for Wednesday, at three o'clock and thirty minutes P. M.

Lost.

LEAVE OF ABSENCE.

Mr. Laugenour was granted leave of absence for the evening.

Mr. Boothby requested unanimous consent to withdraw his notice of reconsideration of the vote whereby Assembly Bill No. 58 was finally passed.

So ordered.

Assembly Bill No. 529—An Act to amend section three hundred and ninety-four of the Code of Civil Procedure of California, concerning the commencement of actions.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Bachman, Barker, Bassford, Belshaw, Bettman, Boothby, Brusie, Bulla, Butler, Coleman, Collins, Dale, Davis, Dwyer, Ewing, Fassett, Gay, Guy, Hatfield, Holland, Huber, Hudson, Jones, Keen, Laugenour, Merrill, North, Pendleton, Phelps, Reid, Robinson, Rowell, Sanford, Spencer, Staley, Stansell, Swisler, Thomas, Tomblin, Wade, Waymire, Weyse, Wilkinson, Zocchi, and Mr Speaker—46.

NOES—Messrs. Bledsoe and Glass—2

Title read and approved.

Mr. Coleman moved that Assembly Bill No. 529 be immediately transmitted to the Senate.

So ordered.

Mr. Ewing moved that Assembly Bill No. 249 be immediately transmitted to the Senate.

So ordered.

Mr. Guy moved that Assembly Bill No. 58 be immediately transmitted to the Senate.

So ordered.

Assembly Bill No. 1002—An Act authorizing the payment of compensation or commission to persons employed by the State Controller and Attorney-General, or by Boards of Supervisors of the different counties, to collect delinquent State and county taxes, and legalizing all payments made for that purpose.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill refused final passage by the following vote:

AYES—Messrs. Boothby, Brusie, Davis, Dixon, Hatfield, Healey, Kelsey, Laugenour, Lewis, O'Day, Pendleton, Thomas, Twigg, Zocchi, and Mr. Speaker—15.

NOES—Messrs. Ash, Bachman, Bassford, Belshaw, Bennett, Bledsoe, Bulla, Butler, Coghlin, Collins, Dale, Devine, Dinkelspiel, Fassett, Gay, Glass, Guy, Hall, Holland, Hudson, Jones, Keen, Merrill, Nelson, North, Phelps, Price, Robinson, Rowell, Sanford, Spencer, Stansell, Swisler, and Wade—34.

NOTICE OF RECONSIDERATION.

Mr. Dinkelspiel gave notice that he would, on next legislative day, move to reconsider the vote whereby Assembly Bill No. 1002 and Assembly Bill No. 736 were refused final passage.

Assembly Bill No. 224—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to the confinement and performance of labor by prisoners in county jails.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Bachman, Barker, Belshaw, Bennett, Berry, Bettman, Boothby, Brusie, Bulla, Cargill, Coghlin, Collins, Dale, Devine, Dixon, Dwyer, Gay, Glass, Hall, Hatfield, Holland, Hudson, Jones, Keen, Kelsey, Laugenour, McKelvey, Merrill, North, Osborn, Phelps, Powers, Reid, Richards, Robinson, Rowell, Sanford, Spencer, Staley, Stansell, Swisler, Thomas, Tibbits, Wade, Weyse, and Mr. Speaker—47.

NOES—Messrs. Bledsoe, Healey, Huber, Kenyon, and Pendleton—5.

Title read and approved.

Mr. Dixon moved that Assembly Bill No. 485 be immediately transmitted to the Senate.

So ordered.

Assembly Bill No. 210—An Act to provide for a State Veterinarian and County Veterinarians, and prescribe their duties, and to prevent and suppress contagious and infectious diseases among the live stock of the State, and to declare an emergency.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Berry, Bettman, Boothby, Brusie, Butler, Cargill, Coghlin, Cutter, Davis, Devine, Dinkelspiel, Dixon, Dwyer, Ewing, Gay, Guy, Hatfield, Healey, Holland, Huber, Kelsey, Kenyon, Laugenour, Lewis, McCarthy, McKelvey, Merrill, O'Day, Osborn, Pen-

dleton, Powers, Richards, Sanford, Staley, Swisler, Thomas, Tibbits, Tomblin, Twigg, Weyse, Wilkinson, Zocchi, and Mr. Speaker—44.

NOES—Messrs. Ash, Bachman, Barker, Bassford, Belshaw, Bennett, Bledsoe, Bulla, Collins, Dale, Dodge, Fassett, Glass, Hall, Hudson, Jones, Keen, North, Phelps, Reid, Robinson, Rowell, Spencer, Stansell, and Wade—25.

Title read and approved.

Mr. Lewis moved that Assembly Bill No. 210 be immediately transmitted to the Senate.

So ordered.

Assembly Bill No. 734—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 7, 1887, providing for the destruction of all or any part of the bonds of any irrigation district remaining unsold after the completion of their irrigation system.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Bachman, Barker, Belshaw, Berry, Bettman, Bledsoe, Brusie, Bulla, Butler, Coghlin, Collins, Cutter, Davis, Devine, Devitt, Dixon, Dwyer, Ewing, Fassett, Gay, Glass, Guy, Healey, Holland, Hudson, Jones, Kelsey, Kenyon, Lewis, McCarthy, McKelvey, Nelson, North, O'Day, Osborn, Phelps, Powers, Reid, Richards, Robinson, Rowell, Sanford, Spencer, Staley, Stansell, Swisler, Thomas, Tibbits, Weyse, Wilkinson, Zocchi, and Mr. Speaker—52.

NOES—Messrs. Ash and Pendleton—2.

Title read and approved.

Assembly Bill No. 473—An Act to provide for the formation, organization, and classification of new counties, for locating the county seats, for the election and appointment of officers, and for the adjustment and fulfillment of the rights and obligations arising between such new counties and other counties.

Mr. Pendleton requested that Assembly Bill No. 512 be substituted for Assembly Bill No. 473.

So ordered.

Assembly Bill No. 512—An Act to provide for the payment of the claim of Jas. A. Kearney.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Bachman, Barker, Berry, Bettman, Boothby, Brusie, Bulla, Butler, Cargill, Coghlin, Coleman, Davis, Devine, Devitt, Glass, Hatfield, Huber, Hudson, Keen, Kelsey, Lewis, Meads, McCarthy, Nelson, North, O'Day, Osborn, Pendleton, Phelps, Powers, Richards, Staley, Stansell, Swisler, Thomas, Tibbits, Tomblin, Twigg, Wade, Wilkinson, Zocchi, and Mr. Speaker—42.

NOES—Messrs. Belshaw, Bledsoe, Dale, Ewing, Hall, and Jones—6.

Title read and approved.

Assembly Bill No. 515—An Act to pay the claim of Fred. Hansted for services as clerk to the committee appointed for the purpose of investigating the Pilot Commissioners.

Passed, to retain its place on file.

Assembly Bill No. 693—An Act to create a State Board of Public Charities and Correction, and defining their powers and duties.

Mr. Pendleton requested to substitute Assembly Bill No. 907 for Assembly Bill No. 693.

So ordered.

Assembly Bill No. 907—An Act to provide for the disincorporation of municipal corporations of the sixth class.

Read second time, ordered to engrossment and to third reading.

Assembly Bill No. 607—An Act to provide for the letting of contracts for the lighting of streets and public buildings in cities and towns in the State of California.

Passed temporarily on file.

Assembly Bill No. 495—An Act to prevent the use of the Capitol building for dancing.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Bachman, Barker, Bassford, Berry, Bettman, Bledsoe, Boothby, Brusie, Butler, Coleman, Collins, Cutter, Dale, Davis, Devine, Dinkelspiel, Dixon, Dodge, Dunbar, Dwyer, Ewing, Fassett, Glass, Hatfield, Huber, Hudson, Jones, Keen, Kelsey, Meads, McKelvey, Merrill, Nelson, Osborn, Pendleton, Reid, Richards, Staley, Stansell, Swisler, Thomas, Twigg, Wade, Waymire, Weyse, Wilkinson, Zocchi, and Mr. Speaker—49.

NOES—Messrs. Belshaw, Bennett, Bulla, Cargill, Cogblin, Hall, Kenyon, North, Phelps, Powers, Price, Spencer, and Tomblin—13.

Title read and approved.

Mr. Dinkelspiel gave notice that he would move a reconsideration of the vote whereby Assembly Bill No. 495 was finally passed.

Assembly Bill No. 607—An Act to provide for the letting of contracts for the lighting of streets and public buildings in cities and towns in the State of California.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Bachman, Barker, Belshaw, Berry, Bettman, Bledsoe, Brusie, Bulla, Cogblin, Coleman, Collins, Cutter, Dale, Davis, Devine, Devitt, Dinkelspiel, Dixon, Dodge, Dunbar, Ewing, Fassett, Gay, Hatfield, Huber, Hudson, Kelsey, Kenyon, McKelvey, Nelson, Osborn, Phelps, Powers, Price, Spencer, Staley, Stansell, Swisler, Thomas, Wade, Waymire, Weyse, Zocchi, and Mr. Speaker—44.

NOES—Messrs. Bassford, Glass, O'Day, Pendleton, and Wilkinson—5.

Title read and approved.

Mr. Bachman moved that Assembly Bill No. 607 be immediately transmitted to the Senate.

So ordered.

NOTICE OF RECONSIDERATION.

Mr. North gave notice that he would move, on next legislative day, to reconsider the vote whereby Assembly Bill No. 607 was finally passed.

ADJOURNMENT.

At ten o'clock and fifteen minutes P. M., on motion of Mr. Bettman, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER, }
Wednesday, March 13, 1895. }

The Assembly met pursuant to adjournment.

Speaker Lynch in the chair.

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

Messrs. Ash, Bachman, Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Bledsoe, Boothby, Bulla, Butler, Cargill, Coghlin, Coleman, Collins, Cutter, Dale, Davis, Devine, Devitt, Dinkelspiel, Dixon, Dodge, Dunbar, Dwyer, Ewing, Fassett, Freeman, Gay, Glass, Guy, Hall, Hatfield, Healey, Holland, Huber, Hudson, Johnson, Jones, Keen, Kelsey, Kenyon, Laird, Laugenour, Lewis, Meads, McCarthy, McKelvey, Merrill, Nelson, North, O'Day, Osborn, Pendleton, Phelps, Powers, Price, Reid, Richards, Robinson, Rowell, Sanford, Spencer, Staley, Stansell, Swisler, Thomas, Tibbits, Tomblin, Twigg, Wade, Waymire, Weyse, Wilkinson, Zocchi, and Mr. Speaker.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. O. Summers.

READING OF THE JOURNAL.

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

So ordered.

REPORTS OF STANDING COMMITTEES.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1895

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Senate Bill No. 587—An Act to provide the manner of execution of deeds by cemetery corporations—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: The inclosed petitions and resolutions—have had the same under consideration, and respectfully report the same back without recommendation.

BULLA, Chairman.

ON AGRICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1895.

MR. SPEAKER: Your Committee on Agriculture, to whom was referred Senate Bill No. 596—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

RICHARDS, Chairman.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 12, 1895.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Assembly Bill No. 6—An Act appropriating two hundred and fifty thousand dollars for the erection of buildings for the use of affiliated and other departments of the University of California.

Also: Amended, and passed as amended, Assembly Bill No. 470—An Act to amend section one thousand and eighty-three of the Political Code of the State of California, in relation to the qualifications and disabilities of electors.

Also: Passed Assembly Bill No. 624—An Act making an appropriation for the support of the Southern California State Asylum for the Insane and Inebriates for the remainder of the forty-sixth fiscal year.

Also: Assembly Bill No. 171—An Act to purchase adjacent lands at the Folsom State Prison for the use of the State Prison, and making an appropriation therefor.

Also: Assembly Bill No. 329—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-sixth fiscal year.

Also: Assembly Bill No. 934—An Act making an appropriation to pay the deficiency in the appropriation for repairs to Capitol building and furniture, and purchase of carpets and furniture, for the forty-sixth fiscal year.

Also: Assembly Bill No. 917—An Act making an appropriation to pay the indebtedness incurred by the Board of Bank Commissioners, and authorizing and directing the Board to raise the amount, in addition to the amount of annual expenses for the forty-seventh fiscal year.

Also: Senate Bill No. 280—An Act to amend section one thousand six hundred and ninety-one of the Code of Civil Procedure of the State of California, relating to agents for absent interest parties, discharge of executors or administrators.

Also: Senate Bill No. 332—An Act to amend section seven hundred and seventeen of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to leases of agricultural lands.

Also: Senate Bill No. 329—An Act to amend sections ten and one hundred and thirty-four of the Code of Civil Procedure, relating to legal holidays.

Also: Senate Bill No. 328—An Act to amend section seven of the Civil Code of the State of California, relating to legal holidays and non-judicial days.

Also: Senate Bill No. 330—An Act to amend section ten of the Political Code of the State of California, relating to legal holidays and non-judicial days.

Also: Senate Bill No. 523—An Act to amend section five of an Act entitled "An Act regulating the sale of the lands uncovered by the recession or drainage of the waters of inland lakes, and unsegregated swamp and overflowed lands, and validating sales and surveys heretofore made," approved March 24, 1893.

Also: Assembly Bill No. 961—An Act appropriating money to pay the expenses of the Commissioner of Public Works and his employes, for the forty-seventh and forty-eighth fiscal years.

Also: Assembly Bill No. 937—An Act to authorize State agricultural societies under the control of the State to sell property held by them in fee, or held by trustees for their use, or in which they may have any interest, to prescribe a course of procedure therefor; to indemnify purchasers at such sale, and to direct how the proceeds shall be applied.

Also: Return herewith Assembly Bill No. 484, as per your request—An Act to amend section five hundred and forty-eight of the Civil Code, in relation to water and canal corporations.

F. J. BRANDON, Secretary.
By R. SHAW, Assistant.

Senate Bill No. 280—An Act to amend section one thousand six hundred and ninety-one of the Code of Civil Procedure of the State of California, relating to agents for absent interest parties, discharge of executors and administrators.

Read first time, and referred to Committee on Judiciary.

Senate Bill No. 332—An Act to amend section seven hundred and seventeen of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to leases of agricultural lands.

Read first time.

Assembly Bill No. 650 substituted for Senate Bill No. 332.

Assembly Bill No. 650—An Act to amend section seven hundred and seventeen of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to leases of agricultural lands.

Read first time, and placed on special Senate file.

Senate Bill No. 328—An Act to amend section seven of the Civil Code of the State of California, relating to legal holidays and non-judicial days.

Read first time, and referred to Committee on Labor and Capital.

Senate Bill No. 329—An Act to amend sections ten and one hundred and thirty-four of the Code of Civil Procedure of the State of California, relating to legal holidays and non-judicial days.

Read first time, and referred to Committee on Labor and Capital.

Senate Bill No. 323—An Act to amend sections three thousand seven hundred and sixty-five, three thousand seven hundred and seventy-

three, three thousand seven hundred and seventy-eight, three thousand seven hundred and eighty, three thousand seven hundred and eighty-one, three thousand seven hundred and eighty-five, three thousand seven hundred and eighty-eight, three thousand eight hundred and thirteen, three thousand eight hundred and sixteen, and section three thousand eight hundred and seventeen, and to repeal sections three thousand seven hundred and seventy-four, three thousand seven hundred and seventy-five, three thousand seven hundred and seventy-six, three thousand seven hundred and seventy-seven, three thousand seven hundred and seventy-nine, three thousand seven hundred and eighty-two, three thousand seven hundred and eighty-three, three thousand seven hundred and eighty-four, and section three thousand eight hundred and eighteen of an Act of the Legislature of the State of California entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the sale of real property for delinquent taxes, and the redemption and resale of such property, and to add a new section thereto, to be known and designated as section three thousand eight hundred and one, also relating to the sale of real property for delinquent taxes.

Read first time, and referred to Committee on Public Lands.

RESOLUTIONS.

By Mr. McKelvey:

Resolved, That the sum of twenty-five dollars is hereby ordered to be paid to the mail-carrier of the Assembly, out of the appropriation for the contingent expenses of the Assembly, for payment of money expended and paid out by him for wagon hire and car fare, in pursuance of his duties in bringing to the Assembly Post Office and delivering to the Sacramento Post Office the mail and papers of the members of the Assembly.

The Controller is hereby directed to draw his warrant for said sum, and the Treasurer is directed to pay the same.

Referred to Committee on Attachés and Employés.

Also:

Resolved, That Geo. C. Parkinson, Sergeant-at-Arms, and Wm. N. Lamphrey, Assistant Sergeant-at-Arms of the Assembly, and clerks J. J. Evans and J. Hocking, be and they are hereby employed after the final adjournment of the Assembly, for the purpose of completing the work devolving upon the Sergeant-at-Arms, turning over to the Secretary of State the books, papers, and personal property in his charge, and closing up all his accounts, and completing the duties of his office, and that they be allowed one week's extra pay therefor, payable out of the Contingent Fund of the Assembly, and the Controller is hereby directed to draw his warrant for the same, and the Treasurer is hereby directed to pay the same.

Referred to Committee on Attachés and Employés.

MOTIONS.

Mr. Bledsoe moved that Assembly Bill No. 901 be made a special order for three o'clock and thirty minutes P. M.

So ordered.

Mr. Price moved that Assembly Bill No. 604 be made a special order for this afternoon at three o'clock and thirty minutes.

So ordered.

Mr. Wade requested to withdraw his notice of reconsideration of the vote whereby Senate Bill No. 705 was finally passed.

So ordered.

Mr. Wade moved that Senate Bill No. 705 be immediately transmitted to the Senate.

So ordered.

LEAVE OF ABSENCE.

Mr. Brusie was granted leave of absence for the day.

Mr. McKelvey requested that he be allowed to withdraw his notice of reconsideration on Senate Bill No. 199.

So ordered.

Mr. Guy moved to immediately transmit Senate Bill No. 199 to the Senate.

So ordered.

Assembly Bill No. 617—An Act making appropriations for the support of the government of the State of California for the forty-seventh and forty-eighth fiscal years.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Bachman, Bassford, Belshaw, Bennett, Berry, Bettman, Bledsoe, Bulla, Butler, Coghlin, Coleman, Collins, Davis, Devine, Devitt, Dinkelspiel, Dixon, Dunbar, Dwyer, Ewing, Fassett, Gay, Glass, Guy, Hall, Hatfield, Holland, Huber, Hudson, Johnson, Kelsey, Kenyon, McKelvey, Merrill, North, Pendleton, Phelps, Price, Richards, Rowell, Spencer, Staley, Stansell, Swisler, Tibbits, Tomblin, Wade, Weyse, Zocchi, and Mr. Speaker—51.

NOES—Messrs. Barker and Jones—2.

Title read and approved.

Mr. Hatfield moved that Assembly Bill No. 617 be immediately transmitted to the Senate.

So ordered.

REPORT OF COMMITTEE ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1895.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following bills have been correctly engrossed:

Assembly Bill No. 910—An Act to amend an Act entitled "An Act to establish and support a Bureau of Labor Statistics," approved March 3, 1883, and the Act amendatory thereof, approved February 8, 1889, and to establish and maintain public employment offices.

Also: Assembly Bill No. 1007—An Act to pay the claim of Thomas Hatch, and making an appropriation therefor.

WILKINSON, Chairman.

Mr. Huber moved that the Assembly do now take up Senate messages.

So ordered.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 13, 1895.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on March 13, 1895, passed Senate Bill No. 891—An Act to appropriate two hundred thousand dollars for the support of the Whittier State School, at Whittier, California, for the forty-seventh and forty-eighth fiscal years.

F. J. BRANDON, Secretary.
By E. J. ENSIGN, Assistant.

Mr. Huber moved that Senate Bill No. 891 be substituted on the file for Assembly Bill No. 1024.

So ordered.

Senate Bill No. 891—An Act appropriating the sum of two hundred thousand dollars for the support of the Whittier State School, at Whittier, California, for the forty-seventh and forty-eighth fiscal years.

Read first time, and ordered on special Senate file.

SPECIAL FILE.

Assembly Bill No. 903—An Act relating to the commitments to the State School at Whittier, and to the Preston School of Industry; fixing the authority to examine and commit to such schools with the Superior Court Judges of the counties, and fixing the responsibilities from which commitments are made to the State for maintenance of the persons committed therefrom; providing for the manner of payment thereof, and fixing the responsibility of the parents to the counties from which their children are committed.

Passed, to retain its place on file.

Assembly Bill No. 860—An Act to appropriate four thousand seven hundred and fifty dollars as compensation to "The California Demokrat Publishing Company," a corporation incorporated, organized, and existing under the laws of the State of California, for having published proposed amendments to the Constitution of the State of California during the year 1894.

Passed, to retain its place on file.

Assembly Bill No. 954—An Act appropriating the sum of twenty-five thousand dollars for a thorough system of ventilation for the Capitol building.

Mr. Bledsoe moved that a committee of one be appointed, with instructions to amend as follows:

By striking out "twenty-five thousand dollars," and inserting "ten thousand dollars."

Lost.

The question being on the final passage of the bill.

The roll was called, and the bill refused final passage by the following vote:

AYES—Messrs Bachman, Barker, Bassford, Berry, Bettman, Boothby, Butler, Coghlin, Coleman, Collins, Cutter, Davis, Devitt, Dinkelspiel, Ewing, Gay, Hatfield, Healey, Holland, Kelsey, Lewis, McCarthy, McKelvey, Pendleton, Powers, Reid, Sanford, Staley, Swisler, Tomblin, Weyse, Wilkinson, Zocchi, and Mr. Speaker—34.

NOES—Messrs. Ash, Belshaw, Bennett, Bledsoe, Bulla, Dale, Dixon, Dodge, Dunbar, Dwyer, Fassett, Glass, Hall, Huber, Hudson, Johnson, Jones, Kenyon, Laird, Laugenour, Merrill, Nelson, North, Phelps, Price, Richards, Rowell, Spencer, Stansell, Tibbits, Wade, and Waymire—32.

Assembly Bill No. 861—An Act making an appropriation to pay the claim of Louise Rienzi for services rendered the State Board of Silk Culture as Secretary, Instructress, and Silk Expert, from December 12, 1885, to April 2, 1887, at eighty-seven dollars and fifty cents per month.

Passed, to retain its place on file.

At ten o'clock and fifty minutes A. M. the Speaker called Mr. Powers to the chair.

Assembly Bill No. 694—An Act appropriating money to pay the claim of the State Agricultural Society.

Passed, to retain its place on file.

Assembly Bill No. 1024—An Act appropriating the sum of two hundred thousand dollars for the support of the Whittier State School at Whittier, California, for the forty-seventh and forty-eighth fiscal years.

Senate Bill No. 891 substituted for Assembly Bill No. 1024.

Senate Bill No. 891—An Act appropriating the sum of two hundred thousand dollars for the support of the Whittier State School, at Whittier, California, for the forty-seventh and forty-eighth fiscal years.

Read first time, and ordered on special Senate file.

Assembly Bill No. 1025—An Act to amend section three thousand seven hundred and thirteen of the Political Code, relating to the levy of taxes.

Read second time.

Mr. Reid moved to amend as follows:

By striking out of section one, line five, the word "five," and inserting the following: "seven and one half."

Lost.

Assembly Bill No. 1025 ordered to engrossment and third reading.

Assembly Bill No. 332—An Act to authorize the Board of Trustees of the Southern California State Asylum for the Insane and Inebriates to convey certain water rights.

Passed, to retain its place on file.

Mr. Bulla moved that we now take up the consideration of Senate Bill No. 369.

So ordered.

Senate Bill No. 369—An Act to amend an Act entitled "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," approved March 31, 1891, amended March 9, 1893.

The question being on the final passage of the bill as amended.

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

Ayes—Messrs. Ash, Bachman, Barker, Belshaw, Bennett, Berry, Bettman, Bledsoe, Boothby, Bulla, Butler, Coghlin, Cutter, Dinkelspiel, Dixon, Dodge, Dunbar, Dwyer, Ewing, Fassett, Glass, Hall, Hatfield, Holland, Huber, Hudson, Johnson, Jones, Keen, Kelsey, Kenyon, Laird, Meads, McKelvey, Nelson, North, Pendleton, Phelps, Powers, Richards, Rowell, Spencer, Staley, Swisler, Tibbits, Tomblin, Wade, Weyse, and Zocchi—49.

Noes—None.

Title read and approved.

Mr. Bulla moved that Senate Bill No. 369 be immediately transmitted to the Senate.

So ordered.

Mr. Hatfield moved that Assembly Bill No. 864 be substituted for Assembly Bill No. 279.

So ordered.

Assembly Bill No. 864—An Act to amend sections five hundred and forty-one, five hundred and forty-two, five hundred and forty-three, and five hundred and forty-four of the Code of Civil Procedure of the State of California, relating to attachments.

Read second time, ordered to engrossment and third reading.

Mr. North moved that the rules be suspended, and Assembly Bill No. 462 be taken up out of order and read second time.

So ordered.

Assembly Bill No. 462—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 second time.

The following committee amendments were submitted:

Amend section one, line eleven, printed bill, after the word "fair," by inserting the words "and fine."

Adopted.

Also: Amend section one, line twelve, after the words "thereof or of a," by inserting the word "verified."

Adopted.

Also: Amend section one, line thirteen, after the word "official," by adding the words "upon which complaint a warrant shall have been issued."

Adopted.

Ordered to printer, engrossment, and third reading.

Mr. Holland moved that the rules be suspended and Assembly Bill No. 891 be taken up out of order.

Lost.

Assembly Constitutional Amendment No. 35—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, relative to revenue and taxation,

The question being on the final passage of Assembly Constitutional Amendment No. 35.

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

AYES—Messrs. Ash, Bassford, Belshaw, Berry, Bettman, Bledsoe, Boothby, Bulla, Butler, Coghlin, Collins, Cutter, Dale, Devitt, Dodge, Dwyer, Ewing, Guy, Hall, Hatfield, Healey, Huber, Hudson, Keen, Kenyon, Meads, Osborn, Pendleton, Powers, Rowell, Sanford, Staley, Waymire, Weyse, and Mr. Speaker—36

NOES—Messrs. Bachman, Barker, Bennett, Davis, Dinkelspiel, Dixon, Fassett, Gay, Johnson, Jones, Laird, Nelson, North, Phelps, Robinson, Stansell, Swisler, Tibbits, Tomblin, and Wade—20.

NOTICE OF RECONSIDERATION.

Mr. Barker gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Constitutional Amendment No. 35 was refused adoption.

LEAVE OF ABSENCE.

Mr. Cargill was granted leave of absence for the day.

Mr. Dinkelspiel moved to reconsider the vote whereby Assembly Bill No. 1013 was refused passage.

The question being on the reconsideration.

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

AYES—Messrs. Ash, Barker, Berry, Bettman, Boothby, Bulla, Butler, Coghlin, Coleman, Collins, Cutter, Davis, Devine, Devitt, Dinkelspiel, Dixon, Dwyer, Ewing, Fassett, Gay, Guy, Hall, Hatfield, Healey, Holland, Huber, Keen, Kelsey, Kenyon, Laugenour, Lewis, McCarthy, McKelvey, Merrill, Nelson, North, Osborn, Pendleton, Powers, Reid, Richards, Robinson, Sanford, Spencer, Staley, Thomas, Tibbits, Twigg, Waymire, Weyse, Wilkinson, Zocchi, and Mr. Speaker—53.

NOES—Messrs. Belshaw, Bennett, Bledsoe, Dale, Dodge, Glass, Hudson, Johnson, Jones, Meads, Phelps, Price, Stansell, and Wade—14.

Assembly Bill No. 1013—An Act to create and establish a commission for revising, systematizing, and reforming the laws of this State, and for the appointment of the members of said commission, to be known as "The Commissioners for the Revision and Reform of the Law," and to prescribe their powers and duties, and to authorize the appointment of a secretary and stenographer therefor, and to provide for the compensation and expenses of said commission, secretary, and stenographer, and to appropriate money therefor.

The question being on the final passage of the bill.

Pending the consideration of Assembly Bill No. 1013, Mr. Laugenour moved the previous question, seconded by Messrs. Meads and Huber.

Lost.

Mr. Lynch moved the previous question, seconded by Messrs. Meads and Dixon.

The question being, "Shall the main question be now put?"

So ordered.

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

AYES—Messrs. Bachman, Barker, Berry, Bettman, Bulla, Coghlin, Coleman, Collins, Cutter, Davis, Devine, Devitt, Dinkelspiel, Dixon, Dunbar, Dwyer, Ewing, Fassett, Gay, Guy, Hall, Hatfield, Healey, Kelsey, Kenyon, Laugenour, Lewis, McKelvey, Merrill, North, O'Day, Osborn, Pendleton, Powers, Reid, Robinson, Santord, Spencer, Staley, Tomblin, Twigg, Waymire, Weyse, Wilkinson, Zocchi, and Mr. Speaker—47.

NOES—Messrs. Ash, Bassford, Belshaw, Bennett, Bledsoe, Dale, Dodge, Glass, Hudson, Johnson, Jones, Meads, Nelson, Phelps, Price, Richards, Rowell, Stansell, Swisler, and Wade—20

Title read and approved.

Mr. Laugenour moved that Assembly Bill No. 1013 be immediately transmitted to the Senate.

So ordered.

Mr. Dixon moved the reconsideration of the vote whereby Senate Bill No. 60 was refused final passage.

The question being on the motion of Mr. Dixon to reconsider.

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

AYES—Messrs. Berry, Bettman, Boothby, Butler, Coleman, Collins, Davis, Devine, Dinkelspiel, Dixon, Dwyer, Hatfield, Kelsey, Kenyon, Lewis, Meads, McKelvey, North, Pendleton, Phelps, Powers, Richards, Sanford, Spencer, Staley, Swisler, Tomblin, Twigg, Waymire, Weyse, Wilkinson, and Mr. Speaker—32.

NOES—Messrs. Ash, Bachman, Barker, Bassford, Belshaw, Bennett, Bledsoe, Coghlin, Cutter, Dale, Dodge, Dunbar, Ewing, Fassett, Gay, Glass, Guy, Hall, Healey, Huber, Hudson, Johnson, Jones, Keen, Merrill, Nelson, Osborn, Price, Reid, Robinson, Rowell, Stansell, Thomas, Tibbits, and Wade—34

At twelve o'clock and twenty minutes P. M. the Speaker resumed the chair.

QUESTION OF PRIVILEGE.

Messrs. Reid, Powers, Ewing, and Dinkelspiel spoke to a question of privilege regarding certain articles in San Francisco newspapers.

RESOLUTION.

By Mr. Berry:

Owing to the short space of time left to the Assembly in which to dispose of the large amount of business on its files, I move the adoption of the following resolution:

Resolved. That in speaking upon or to any bill or resolution, no member shall be allowed to occupy more than one minute on any one bill or resolution, except the author of said bill or resolution, who may, for the purpose of explanation of same, be allowed a longer time, not to exceed five minutes.

Adopted.

RECESS.

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

REASSEMBLED.

The Assembly reassembled at one o'clock and thirty minutes P. M.

Speaker Lynch in the chair.

Quorum present.

Mr. Laugenour moved that the Assembly do now take up the special Senate file.

So ordered.

RESOLUTION—(OUT OF ORDER).

By Mr. Collins:

Resolved, That the Secretary of State be and is hereby instructed to deliver to H. M. Collins, Assemblyman from the Forty-ninth District, one set of the Codes of the State of California.

Referred to Committee on Ways and Means.

SPECIAL SENATE FILE.

Senate Bill No. 61—An Act authorizing and empowering the Board of State Harbor Commissioners to grant, exchange, or transfer certain property east of the westerly line of East Street, as delineated and located upon the ground between Clay Street and Market Street, in the City and County of San Francisco, to or with the owner or owners of certain property on the triangular corner common to Market, Sacramento, and East Streets.

Passed, to retain its place on file.

Senate Bill No. 62—An Act to authorize and empower the Board of State Harbor Commissioners to institute condemnation proceedings against certain property on the corner of Market, Sacramento, and East Streets, in the City and County of San Francisco, and extending their jurisdiction over the same.

Passed, to retain its place on file.

Senate Bill No. 627—An Act to add a new section to the Penal Code of California, to be known and numbered as section three hundred and ten of said Code, relating to the keeping open and conducting of barber shops, hair-dressing establishments, and bath houses, on Sundays and legal holidays.

The question being on the final passage of the bill, with title amended.

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

AYES—Messrs. Ash, Barker, Bassford, Bennett, Berry, Bledsoe, Bulla, Coghlin, Coleman, Collins, Cutter, Dale, Devitt, Dixon, Gay, Glass, Guy, Hall, Hatfield, Huber, Hudson, Johnson, Kelsey, Kenyon, Laird, Laugenour, Nelson, North, O'Day, Osborn, Powers, Richards, Robinson, Rowell, Sanford, Spencer, Staley, Stansell, Swisler, Tibbits, Twigg, Weyse, Zocchi, and Mr. Speaker—43

NOES—Messrs. Belshaw and Wade—2.

Title read and approved.

Senate Bill No. 103—An Act making an appropriation to pay the deficiency in the appropriation for the support of the State Normal School at Los Angeles for the forty-sixth fiscal year.

Passed, to retain its place on file.

RECONSIDERATION.

The action of the Assembly in adopting Mr. Berry's resolution limiting time of speech was, by unanimous consent, reconsidered, and the resolution of Mr. Berry laid over one day.

Mr. Wade moved that the rules be suspended, and Substitute for Senate Bill No. 787 be taken up out of order.

So ordered.

Substitute for Senate Bill No. 787—An Act to provide for the completion and termination of the duties of the Board of State Viticultural Commissioners, the final disposition and transfer of all properties of the State in its possession, and the repeal of all laws and parts of laws relating to its organization, powers, and duties.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Barker, Bassford, Belshaw, Bennett, Berry, Bledsoe, Bulla, Coleman, Collins, Cutter, Dale, Devine, Devitt, Dixon, Dodge, Gay, Glass, Hall, Hatfield, Huber, Hudson, Johnson, Kelsey, Kenyon, Laird, Laugenour, Meads, Nelson, North, O'Day, Phelps, Powers, Price, Reid, Richards, Robinson, Rowell, Sanford, Spencer, Staley, Stansell, Swisler, Tibbits, Wade, Weyse, and Zocchi—47.

NOES—None.

Title read and approved.

Mr. Wade moved that Substitute for Senate Bill No. 787 be immediately transmitted to the Senate.

So ordered.

Senate Bill No. 753—An Act to promote and secure freedom of speech in Courts of justice.

Read third time.

Pending the consideration of Senate Bill No. 753, the previous question was moved by Mr. Huber, seconded by Messrs. Berry and Dale.

The question being, "Shall the main question be now put?"

So ordered.

The question being on the final passage of the bill.

The roll was called, and pending the announcement of the result, Mr. Dixon moved a call of the House, seconded by Messrs. O'Day and Spencer.

So ordered.

CALL OF THE HOUSE.

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

So ordered.

The result of the roll call was announced, and the bill passed by the following vote:

AYES—Messrs. Barker, Berry, Bledsoe, Boothby, Butler, Coghlin, Collins, Dale, Devine, Dixon, Dunbar, Dwyer, Ewing, Fassett, Gay, Glass, Hall, Healey, Holland, Huber, Hudson, Keen, Kenyon, Lewis, McCarthy, McKelvey, Nelson, O'Day, Osborn, Pendleton, Richards, Robinson, Rowell, Sanford, Spencer, Staley, Thomas, Tibbits, Tomblin, Twigg, and Wade—41.

NOES—Messrs. Ash, Bachman, Belshaw, Bennett, Bettman, Bulla, Cargill, Cutter, Davis, Dinkelspiel, Dodge, Guy, Hatfield, Johnson, Jones, Kelsey, Laugenour, Meads, Merrill, North, Phelps, Price, Stansell, Swisler, Waymire, Weyse, and Mr. Speaker—27.

Title read and approved.

Substitute for Senate Bill No. 544—An Act to amend the Penal Code by adding a new section, to be known as section one thousand and eighty-nine of the Penal Code of the State of California, relating to alternate jurors.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill refused final passage by the following vote:

AYES—Messrs. Ash, Bassford, Belshaw, Bennett, Berry, Bledsoe, Boothby, Butler, Dinkelspiel, Dixon, Dunbar, Dwyer, Ewing, Gay, Hatfield, Holland, Johnson, Nelson, Pendleton, Robinson, Staley, Tibbits, Wade, and Waymire—24

NOES—Messrs. Bachman, Bulla, Cargill, Coghlin, Collins, Cutter, Dale, Davis, Dodge, Glass, Guy, Hall, Huber, Hudson, Jones, Keen, Kelsey, Kenyon, Meads, McKelvey, Merrill, Osborn, Phelps, Powers, Price, Reid, Richards, Stansell, Tomblin, Weyse, Wilkinson, Zocchi, and Mr. Speaker—33.

NOTICE OF RECONSIDERATION.

Mr. Lynch gave notice that he would move, on next legislative day, to reconsider the vote whereby Substitute for Senate Bill No. 544 was refused final passage.

MOTION.

Mr. Swisler moved to reconsider the vote whereby Senate Bill No. 473 was refused final passage.

The question being on the adoption of the motion of Mr. Swisler to reconsider.

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

AYES—Messrs. Ash, Bachman, Barker, Belshaw, Berry, Bettman, Boothby, Butler, Cutter, Davis, Devine, Devitt, Dinkelspiel, Dixon, Dwyer, Ewing, Fassett, Gay, Glass, Guy, Hall, Hatfield, Healey, Holland, Huber, Kelsey, Laugenour, Lewis, Meads, McKelvey, Nelson, North, O'Day, Pendleton, Phelps, Powers, Price, Reid, Richards, Sanford, Spencer, Staley, Stansell, Swisler, Thomas, Tibbits, Tomblin, Wade, Waymire, Weyse, Wilkinson, Zocchi, and Mr. Speaker—53.

NOES—Messrs. Bassford, Bennett, Bledsoe, Bulla, Coghlin, Collins, Dale, Dunbar, Johnson, Keen, Kenyon, and Rowell—12.

Senate Bill No. 473—An Act to provide for the erection and equipment of a combined laundry, boiler, and power building at the California Home for the Care and Training of Feeble-Minded Children; to establish an electric plant therein; to provide accommodation for idiots; to furnish the girls' wing of said institution, and to appropriate money therefor.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Berry, Bettman, Boothby, Butler, Coghlin, Cutter, Davis, Devitt, Dixon, Dwyer, Ewing, Glass, Guy, Hatfield, Healey, Holland, Huber, Kelsey, Laugenour, Meads, McKelvey, North, Osborn, Pendleton, Phelps, Powers, Price, Richards, Robinson, Sanford, Spencer, Staley, Swisler, Thomas, Tomblin, Waymire, Weyse, Wilkinson, Zocchi, and Mr. Speaker—41.

NOES—Messrs. Bachman, Bassford, Belshaw, Bennett, Bledsoe, Bulla, Collins, Dale, Dunbar, Fassett, Hall, Jones, Keen, Kenyon, Rowell, and Wade—16.

Title read and approved.

REPORT OF COMMITTEE ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1895.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following bills have been correctly engrossed:

Assembly Bill No. 402—An Act entitled an Act to appropriate money to pay the claim of Charles E. Cunningham and William C. Rodgers, for the services rendered in running the elevator in the State Capitol.

Also, Assembly Bill No. 332—An Act to authorize the Board of Trustees of the Southern California State Asylum for the Insane and Inebriates to convey certain water rights.

Also: Assembly Bill No. 747—An Act to amend section six 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 23, 1885, as amended by an Act approved March 15, 1887.

Also: Assembly Bill No. 903—An Act relating to the commitments to the State School at Whittier, and to the Preston School of Industry; fixing the authority to examine and commit to such schools with the Superior Court Judges of the counties, and fixing the responsibilities from which commitments are made to the State for maintenance of the persons committed therefrom; providing for the manner of payment thereof, and fixing the responsibility of the parents to the counties from which their children are committed.

Also, Assembly Bill No. 861—An Act making an appropriation to pay the claim of Louise Rienzi for services rendered the State Board of Silk Culture as Secretary, Instructress, and Silk Expert, from December 12, 1885, to April 2, 1887.

Also: Assembly Bill No. 694—An Act appropriating money to pay the claim of the State Agricultural Society.

Also: Assembly Bill No. 479—An Act to amend sections one thousand and ninety-four, one thousand and ninety-six, one thousand one hundred and thirteen, one thousand one hundred and fourteen, one thousand one hundred and fifteen, and one thousand one hundred and sixteen of the Political Code of the State of California, relative to registration of voters.

WILKINSON, Chairman.

At three o'clock and forty minutes P. M. the Speaker called Mr. Pendleton to the chair.

Substitute for Senate Bill No. 449—An Act to appropriate the sum of sixty-three thousand one hundred and fifty dollars, to be expended by the Trustees of the Whittier State School, at Whittier, Los Angeles County, in making the following improvements and repairs at said Whittier State School, to wit: Enlargement of trades building; construction of hospital, and furnishing the same; finishing the attic in the administration building; additional books and periodicals for library; horses, cows, hogs, and agricultural implements; completion and furnishing of building now in course of construction in boys' department for dining-room, kitchen, bakery, and commissary department; for the completion and furnishing of building now in course of construction for girls; for mangle and washing machine; for new boiler for power-house; for equipment of shops; to purchase additional land; for additional water and necessary piping; for barracks; for improvement of grounds around the girls' building, and erection of a barn thereon.

MOTION.

Mr. Huber moved that the Assembly resolve itself into Committee of the Whole, with Mr. Pendleton in the chair, for the purpose of considering Committee Substitute for Senate Bill No. 449.

So ordered.

IN COMMITTEE OF THE WHOLE.

Mr. Pendleton in the chair.

Substitute for Senate Bill No. 449 was considered in Committee of the Whole.

IN ASSEMBLY.

Mr. Pendleton in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

Mr. Pendleton 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. 449—An Act to appropriate the sum of sixty-three thousand one hundred and fifty dollars, to be expended by the Trustees of the Whittier State School, at Whittier, Los Angeles County, in making the following improvements and repairs at said Whittier State School, to wit: Enlargement of trades building; construction of hospital, and furnishing the same; finishing the attic in the administration building; additional books and periodicals for library; horses, cows, hogs, and agricultural implements; completion and furnishing of building now in course of construction in boys' department for dining-room, kitchen, bakery, and commissary department; for the completion and furnishing of building now in course of construction for girls, for mangle and washing machine; for new boiler for power-house, for equipment of shops; to purchase additional land, for additional water and necessary piping; for barracks, for improvement of grounds around the girls' building, and erection of a barn thereon—and now report, and recommend that the same do pass.

PENDLETON, Chairman.

Adopted.

Substitute for Senate Bill No. 449—An Act to appropriate the sum of sixty-three thousand one hundred and fifty dollars, to be expended by the Trustees of the Whittier State School, at Whittier, Los Angeles County, in making the following improvements and repairs at said Whittier State School, to wit: Enlargement of trades building; construction of hospital and furnishing the same; finishing the attic in the administration building; additional books and periodicals for library; horses, cows, hogs, and agricultural implements; completion and furnishing of building now in course of construction in boys' department for dining-room, kitchen, bakery, and commissary department; for the completion and furnishing of building now in course of construction for girls; for mangle and washing machine; for new boiler for power-house; for equipment of shops; to purchase additional land; for additional water and necessary piping; for barracks; for improvement of grounds around the girls' building, and erection of a barn thereon.

Read third time.

The question being on the final passage of the bill.

The roll was called, and pending the announcement of the result, Mr. Huber moved a call of the House, seconded by Messrs. Laugenour and Bulla.

So ordered.

CALL OF THE HOUSE.

The roll was called, and the following members found present:

Messrs. Ash, Bachman, Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Bledsoe, Boothby, Bulla, Butler, Coghlin, Coleman, Collins, Dale, Davis, Devitt, Dinkelspiel, Dixon, Dwyer, Fassett, Gay, Glass, Guy, Hatheld, Healey, Hudson, Johnson, Jones, Kelsey, Laird, Laugenour, Meads, McCarthy, McKelvey, North, O'Day, Pendleton, Phelps, Powers, Richards, Rowell, Spencer, Swisler, Thomas, Tomblin, Wade, Waymire, Weyse, and Zocchi.

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

So ordered.

The result of the roll call was announced, and the bill passed by the following vote:

AYES—Messrs. Bachman, Belshaw, Berry, Bettman, Boothby, Bulla, Butler, Cargill, Coleman, Collins, Davis, Devitt, Dixon, Dwyer, Gay, Guy, Hatfield, Huber, Johnson, Kelsey, Kenyon, Laird, Laugenour, Meads, McKelvey, North, Osborn, Pendleton, Phelps, Powers, Richards, Robinson, Sanford, Swisler, Thomas, Tomblin, Twigg, Waymire, Weyse, Wilkinson, Zocchi, and Mr. Speaker—42.

NOES—Messrs. Ash, Barker, Bassford, Bennett, Bledsoe, Dale, Dunbar, Glass, Hudson, Keen, Rowell, and Wade—12.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Dixon gave notice that he would move, on the next legislative day, to reconsider the vote whereby Substitute for Senate Bill No. 449 was finally passed.

REPORT OF CONFERENCE COMMITTEE—(OUT OF ORDER).

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1895.

MR. SPEAKER: Your Committee of Conference concerning Senate Bill No. 327—An Act making an appropriation for elevator attendant's salary for last four months of the forty-sixth fiscal year—have met a like committee of the Senate, consisting of Senators Orr, Bert, and Arms, and report that the Senate refuses to concur in the Assembly amendment to said bill, and respectfully recommend that the Assembly recede from its amendment.

TWIGG,
PENDLETON,
Assembly Committee.
ORR,
BERT,
ARMS,
Senate Committee.

The question being on the adoption of the report of the Committee of Conference.

The roll was called, and the report refused adoption by the following vote:

AYES—Messrs. Devine, Hudson, Laugenour, Pendleton, Powers, Tomblin, and Zocchi—7.

NOES—Messrs. Ash, Bassford, Belshaw, Bennett, Bledsoe, Bulla, Butler, Cargill, Dale, Davis, Dunkelshiel, Dunbar, Ewing, Fassett, Guy, Hatfield, Johnson, Jones, Kenyon, Laird, North, Price, Rowell, Sanford, Spencer, Staley, Wade, and Weyse—28.

Senate Bill No. 95—An Act to insure preference in appointment, employment, and retention therein, in the public service of the State of California, and municipalities, villages, and counties of the State of California, to ex-Union soldiers of the late war.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Bachman, Berry, Bettman, Bledsoe, Boothby, Bulla, Butler, Cargill, Collins, Davis, Devine, Dixon, Dodge, Dunbar, Dwyer, Ewing, Fassett, Gay, Guy, Hall, Hatfield, Healey, Huber, Johnson, Jones, Keen, Kenyon, Laird, Laugenour, Lewis, Meads, Merrill, Nelson, Osborn, Pendleton, Phelps, Price, Richards, Rowell, Spencer, Staley, Swisler, Thomas, Tomblin, Twigg, Wade, Waymire, Weyse, and Zocchi—50.

NOES—Messrs. Bassford, Belshaw, Bennett, Coghlin, and North—5.

Title read and approved.

Senate Bill No. 646—An Act to amend section one thousand five

hundred and eighty-two of the Code of Civil Procedure, relating to the maintenance of civil actions by executors and administrators.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Bachman, Bassford, Berry, Bettman, Boothby, Bulla, Butler, Coleman, Collins, Dale, Devine, Devitt, Dunbar, Dwyer, Ewing, Guy, Hall, Hatfield, Huber, Johnson, Jones, Keen, Kenyon, Laird, Laugenour, Lewis, Merrill, North, Osborn, Pendleton, Phelps, Powers, Richards, Robinson, Staley, Thomas, Tibbits, Tomblin, Twigg, Wilkinson, and Zocchi—42

NOES—Messrs. Bledsoe, Coghlin, Davis, Dixon, Dodge, Healey, Meads, Price, Wade, and Weyse—10.

Title read and approved.

At three o'clock and twenty-five minutes P. M. the Speaker resumed the chair.

Senate Bill No. 721—An Act to amend section seven hundred and thirty-eight of the Code of Civil Procedure, relating to actions to determine adverse claims to property.

Read third time.

Mr. Laugenour moved that a committee of one be appointed, with instructions to amend as follows:

Amend by adding after the word "claim," in line five of section one of said bill, the following.

"*Provided, however,* that whenever in an action to quiet title to, or to determine adverse claims to real or personal property, or both, the validity of any gift, bequest, devise, or trust, under any will, or instrument purporting to be a will, whether admitted to probate or not, shall be involved, such will, or instrument purporting to be a will, is admissible in evidence; and all questions concerning the validity of any gift, bequest, devise, or trust therein contained, save such as under the Constitution belong exclusively to the probate jurisdiction, shall be finally determined in such action; *and provided, however,* that nothing herein contained shall be construed to deprive a party of the right to a jury trial in any case where, by the law, such right is now given.

"SEC. 3. This Act shall take effect from and after its passage "

Adopted.

APPOINTMENT OF SPECIAL COMMITTEE.

The Speaker appointed Mr. Laugenour as such committee.

REPORT OF SPECIAL COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1895.

MR. SPEAKER: Your select committee, to whom was referred Senate Bill No. 721—An Act to amend section seven hundred and thirty-eight of the Code of Civil Procedure, relating to actions to determine adverse claims to property—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.

LAUGENOUR, Committee.

Adopted.

The question being on the adoption of the amendment offered by the committee, the same was adopted.

Senate Bill No. 721 ordered to printer.

Mr. Spencer moved that the rules be suspended, and Assembly Bill No. 579 be considered at this time.

So ordered.

Assembly Bill No. 579—An Act to enable any county, city and county, city, or town, to lease property to associations of ex-soldiers and sailors.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs Ash, Bassford, Belshaw, Bennett, Berry, Bettman, Bledsoe, Boothby, Bulla, Butler, Cargill, Collins, Cutter, Dale, Davis, Devine, Devitt, Dixon, Dodge, Dunbar, Dwyer, Fassett, Gay, Glass, Guy, Hall, Hatheld, Hudson, Johnson, Kelsey, Kenyon, Laird, Laugenour, Lewis, Meads, Merrill, Nelson, North, Osborn, Phelps, Reid, Richards, Robinson, Spencer, Staley, Thomas, Tibbits, Tomblin, Twigg, Wade, Waymire, Weyse, Wilkinson, and Zocchi—54

NOES—None.

Title read and approved.

Mr. Thomas moved that Assembly Bill No. 579 be immediately transmitted to the Senate.

So ordered.

Mr. Meads moved that Assembly Bills Nos. 517, 518, and 519 be withdrawn, and Senate Bills Nos. 328, 329, and 330 be substituted therefor.

So ordered.

SPECIAL ORDER—CONSIDERATION OF ASSEMBLY BILL No. 751.

Assembly Bill No. 751—An Act providing for a general primary election within the State of California, and to promote the purity thereof by regulating the conduct thereof, and to support the privilege of free suffrage thereat by prohibiting certain acts and practices in relation thereto, and providing for the punishment thereof.

Mr. Spencer moved to amend as follows:

Strike out all after the enacting clause and insert the following:

SECTION 1. The primary elections for delegates to constitute the various respective political conventions for the nomination of candidates for public office shall hereafter be held in this State under and pursuant to this Act. A convention to nominate candidates to be voted for by the electors of the entire State shall be known as a "State Convention." Conventions to nominate members of Congress, of the Board of Equalization, or Railroad Commissioners, shall be known as "District Conventions." All other conventions shall be known as "Local Conventions."

A general primary election for the election of delegates to the State and various local and district conventions in the year eighteen hundred and ninety-six, and every two years thereafter, shall be held on the second Tuesday in the month of July in that year. The day for holding such primary shall be a legal holiday, and the Governor of this State shall issue a proclamation to that effect in accordance with this Act.

SEC. 2. All political parties or organizations of electors desiring to hold a convention or conventions for the purpose of nominating candidates for public office, to be voted for at the ensuing general election, must petition the Board of Election Commissioners of the county, or city and county, in writing, at least thirty days before the day for such general primary election, which petition must set forth:

First—The names by which such political party or organization is known, or desires to be known.

Second—That such political party or organization is desirous of and intends to hold a convention, or conventions, of delegates representing said party or organization—designating the time and place of holding any such convention, or conventions—for the purpose of nominating candidates for offices to be voted for by the people of the State or county, or city and county, or both, at the next ensuing general election, and is desirous of electing delegates to such convention, or conventions, to be held for that purpose, under the provisions of this Act, and requesting that the Board of Election Commissioners of the county, city or county, perform the services hereinafter prescribed in this Act.

If such political party is one which by reason of its previous vote is entitled to hold a convention, defined by sections eleven hundred and eighty-six and eleven hundred and eighty-seven of the Political Code, such petition must be authenticated by the signature of the Chairman and Secretary of its State Committee selected at its last State Convention of such party, verified by the oath of such signers, that the facts therein stated are true, and that the said signers are the Chairman and Secretary of said committee. No political party or organization can use the name of another political party or organization, or any name or designation so similar to another party name that it may deceive voters.

SEC. 3. Any political party or political organization which, at the last election preceding the filing of such application, shall not have polled at least three per cent of the

entire vote cast in the political division for which nominations are sought to be made, may file with the Election Commissioners of the county, or city or county, in which such general primary election is to be held, a petition signed by at least three per cent of the voters of the political division for which nominations are sought to be made, which need not all be on one paper, which petition shall set out all the facts required to be set forth in the application in this Act provided for, and such petition must be verified in the same manner as required for a certificate of nomination mentioned in section eleven hundred and eighty-eight of the Political Code. Upon the filing of such petition, the Election Commissioners of the county, or city and county, in which said primary election is to be held, shall order its Clerk to issue to said political organization a certificate similar to that in this Act provided to be issued to existing political parties, which certificate shall entitle the petitioners to participate in the said general primary election, and shall entitle them to all privileges and rights secured and granted to other political parties heretofore existing, both at said primary election and at the ensuing general election, that is to say, having complied with all the requirements in this Act provided, the petitioners shall be recognized as a political party or organization. Such certificate shall be issued to all parties petitioning, stating the name of the party, the date of the primary, the territory over which it will extend, and be signed by the Clerk of such Board.

SEC. 4. During the month of January of each year in which a general election is to be held, it shall be the duty of the Board of Election Commissioners of each county, and city, and city and county, to select from the last assessment roll of the county, or city, or city and county, the names of not less than thirty electors residing in each election precinct of such county, or city, or city and county, such selection to be made from each of the political parties then existing, in as nearly an equal proportion as practicable, and to write the name of each person so selected on a separate piece of paper, and to fold said paper so that the name written thereon cannot be seen or read without unfolding the same, and when the names are so written and folded, to put all of the names so selected from each separate election precinct in an envelope, then to close and securely seal such envelope, and to write the name and number of the precinct from which such selection was made on the outside of such envelope: and when the names so selected from each election precinct in such county, or city, or city and county, shall have been so placed in separate precinct envelopes, and each sealed and numbered so as to designate the precinct from which each selection was so made, then all of the said envelopes so marked and sealed shall be placed in a box, to be provided by each Board of Election Commissioners for that purpose, and such box shall then be securely locked and sealed, and safely kept by said Board of Election Commissioners until required by them for use as hereinafter provided. The names so selected shall be forthwith recorded in a book for that purpose by the Clerk of the Board of Election Commissioners, which book must be kept open at all times to public inspection, and the said Clerk shall also publish said names once in some paper of general circulation in the county, or city and county, within ten days after the names are so selected.

SEC. 5. Twenty days before the holding of such primary election the said Board of Election Commissioners shall open the said box in the presence of a majority of said Board, and in the presence of each of the members of the various political parties as may be present to witness the same, and shall then take from said box the said envelopes, one at a time, and as each envelope is taken from the box it shall be opened and the names therein contained, without being unfolded, shall be placed in a separate box suitable for the purpose, and, after being thoroughly shaken, the Clerk of said Board, in the presence of the Board, shall draw from said box the name of one person, who shall be the Inspector of the primary election in such precinct; said Clerk shall then draw from said box the names of two persons, who shall be the Judges of such primary election in said precinct; and the names of two other persons shall be drawn in like manner, who shall be the Clerks of such primary election; *provided* that if the persons whose names are drawn for Judges and for Clerks shall both belong to one political party the Clerk of said Board shall lay aside the last name drawn for Judges, and also for Clerks, and draw other names from such box until only one Judge and one Clerk who belong to the same political party are selected; and the same course shall be pursued in each precinct until the election officers are selected in each precinct in such county, or city, or city and county. Should all the names be drawn from said box and not a sufficient number of election officers be selected, the said Board of Election Commissioners must select and deposit more names in the box, and continue to draw therefrom until all the election officers are selected; *provided*, that such subsequent selection shall be made from the electors of the precinct in the same manner as those first selected, as provided for in section four of this Act.

SEC. 6. It shall be the duty of the Clerk of the Board of Election Commissioners to publish in some newspaper published in the county, of general circulation, as soon as they are selected, the names of the persons so selected, with the names of the precincts in which they severally are to serve, and the locations of the polling places. He shall also send a communication to each person so chosen, through the mail, by registered letter, postage paid, to his post office address, informing him of his selection, and of the precinct, and the capacity in which he is to serve.

SEC. 7. It shall be the duty of every person so chosen to act as such election officer at such a general primary election, to perform the services required of him in such capacity, and any person so chosen to act who shall, without having been excused therefrom by the Board of Election Commissioners for sickness of self or family, or

other good cause, fail or refuse to act in the capacity for which he is chosen, shall be deemed guilty of a misdemeanor; and in case he is so excused, the Clerk, in the presence of the Board, shall select another person from said box to serve in his place. It shall be the duty of each of the persons so chosen to appear at the polling places in the precinct for which he is chosen, before the time of opening the polls, and there take the oath of office, as prescribed in the general election law, and perform the duties imposed upon him by the provisions of this Act. But in case of the failure of any of the election officers so selected to appear at the time the polls should be opened, or within ten minutes thereafter, the election officers present must choose some resident elector of the precinct to fill the vacancy.

SEC. 8 It shall be the duty of the Board of Election Commissioners of the county, or city and county, to furnish ballot-boxes for each precinct where such primary is to be held, of the kind and character which were required to be used at the general election held in this State in the year eighteen hundred and ninety, and there must be furnished as many separate ballot-boxes at each precinct as there are parties or organizations entitled by law to participate in such primary. Each such ballot-box must have, in distinct letters and words, upon the front of such box, the name of the respective political party or organization for whose use it is intended. All the ballot-boxes must be placed in a row, side by side, fronting so that the front of each box shall be in the same direction, and be where the voters can easily approach such boxes and present their ballots, and the said party name on each box must be on the front of each, so as to be easily seen and distinguished by any voter within six feet of such box. Every person desiring to vote at such primary must deposit one ballot only, upon which must be the names of all delegates for whom he desires to vote, and it shall be the duty of the Clerk of the Board of Election Commissioners of the county, or city and county, in which said general primary election is to be held, to designate in the certificate which is in this Act provided to be furnished to political parties, the color of the paper upon which the ballots are to be printed, and there shall be so designated for each political party participating in said general primary election, a color to be by them used for the paper upon which such ballots are to be printed, which color shall be in each case distinctive and easily distinguishable from the color to be used at said primary election by any other political party, and the name or designation of each political party must be plainly written or printed at the head of each ticket. The election officers shall stand behind the ballot-boxes, and as each voter approaches to vote, when it is ascertained that he is entitled to vote, he shall be asked by the proper election officer in what box he desires to cast his ballot, and when the voter has declared the fact, it shall be noted in the register by the Clerk in which box he votes, by writing in the register opposite his name the name on the box in which he votes, and thereupon his ballot shall be received by the Judge of Election, or Inspector, and deposited in the box named by such voter, and in no other, in the presence of the voter.

SEC. 9 There shall be as many polling places for the purpose of such general primary election as are provided for at a general election; that is, a polling place in each precinct, and each political party may file with the Board of Election Commissioners a list of the precincts and number and name of street or locality in town, or township, where they want such polling places, and it shall be the duty of the Board of Election Commissioners to examine said lists and decide which polling places will be the most convenient for the voters of the precinct. The polls shall be kept open from nine o'clock A. M. to sunset on the day of holding said primary election, and shall be at all times kept open to the public during the reception of ballots, and until the same are counted and the results declared. There must be furnished, by the Board of Election Commissioners, to the election officers in each precinct, for use at such primary election, a register containing the names of each person entitled to vote in such precinct at the last preceding general election, as shown by the Great or Precinct Register, or both. Before receiving any ballots the election officers must, in the presence of any persons assembled at the polling place, open, and exhibit, and close the ballot-boxes, and thereafter neither of them must be removed from the polling place or presence of the bystanders until all the ballots are counted nor must either box be opened until after the polls are finally closed. Before the election officers receive any ballots they must cause it to be proclaimed aloud at the place of such primary election that the polls are open, and when the polls are closed that fact must be proclaimed aloud at the place of such election, and after such proclamation no ballots must be received. Voting may commence as soon as the polls are opened, and may be continued during all the time the polls remain open. The ballots must be so folded when deposited that no person can see any name printed or written thereon. As soon as the polls are finally closed, the election officers must immediately proceed to count and canvass the votes given at such primary election. The canvass must be public, in the presence of the bystanders, and every political party shall be entitled to have at least two representatives present. The canvass must be continued without adjournment until completed and the result thereof is declared; but one box shall be opened and canvassed at the same time, and no other box shall be opened until such box being canvassed is completed and the result written out and certified and declared. Except as herein otherwise provided, said vote shall be counted, canvassed, listed, strung, numbered, tallied in the same manner required by law for the counting, canvassing, listing, stringing, numbering, and tallying of votes at a general election for public officers, and the tally lists, ballots, and registers must be signed, certified, made up, sealed, delivered, preserved, and kept in the same manner as required by law at a general election for public officers.

SEC. 10. When the counting of the ballots is completed the election officers in each such precinct shall officially declare the result, and shall furnish to the candidates having received a plurality of all the votes cast in such precincts for delegates to each political party to the county or district conventions, when a delegate is to represent a precinct, a certificate, which certificate shall be signed by all of the precinct election officers, and be delivered by them to the successful candidate; and such certificate, when so delivered, shall be the only credential required of any delegate to the party convention to which he was elected. They shall canvass the votes of all delegates to the State convention, and when it requires more votes to elect than those of one precinct, they shall certify the result of the ballot in such precinct to the Clerk of the Board of Election Commissioners, and shall seal up the ballots cast in such precinct and the poll lists, and on the outside of the envelopes so sealed the election officers of each precinct shall write and sign a certificate to the effect that it contains all the ballots cast in such precinct and the poll lists kept by the Clerks. They shall also, in a separate envelope, send a certificate of the number of votes cast for each delegate to the State convention, and to the county convention, when it takes the vote of more than one precinct to elect a delegate, and said County Clerk shall safely keep such ballots and poll lists until the adjournment of all political conventions in that year, when he shall destroy the same. In case it requires more votes than is cast in one precinct to elect a delegate to the county or State convention, the Clerk shall canvass the votes of the precincts voting for such delegates, as returned by the precinct officers, and issue a certificate of election to the several persons receiving a plurality of the votes of his party in such precincts as are within the county.

SEC. 11. The governing body in the county of each political party taking part in such primary election may furnish to the Board of Election Commissioners, prior to or at the time of the selection by the said Board of the election officers, the name of an elector in each precinct whom such party is desirous to have appointed as general challenger for such party. It shall be the duty of such Board of Election Commissioners finding that the person named is a resident of such precinct, and that his name appears on the last Precinct Register of said precinct, to appoint such person as such challenger, and cause a certificate to that effect, under its seal, to issue to such person, which the said Clerk shall transmit to such person, in the same manner as provided in this Act for transmitting the certificates to the election officers. At any time after that, and as soon as the third day before the election, any body of resident voters of any precinct, not less than the number of delegates of said party to be elected in said precinct, may file a petition with the Board of Commissioners, setting forth that it is their attention to run as candidates at such primary election, and requesting the appointment of some person as a special challenger to act on their behalf, and naming such person, it shall thereupon be the duty of said Board to ascertain if such person has the qualifications hereinbefore provided, and if so, to appoint such person, and cause a like certificate to be issued to him. Such challengers shall act without compensation when so appointed, and shall be sworn, the same as an election officer, and shall have power to challenge the vote or any person by him believed to be voting unlawfully, upon any ground mentioned in the General Election Law; and any such challengers, during the progress of any such primary election, shall be vested with all the powers of a peace officer. He shall have free access to such polling place during the election and the counting of the ballots.

SEC. 12. Any person who, at any such primary election, shall vote illegally or attempt so to vote, shall be subject to the same punishment as provided by law in case of such voting or attempting to vote at the general election in this State. No person shall be allowed to vote whose name did not appear upon the Great or the Precinct Register of the county, in the precinct in which he desires to vote, at the last general election, as a person entitled to vote in such precinct. If the election officers at such primary election shall knowingly permit any person to vote after being challenged, who shows, by his examination, that he is not entitled to vote, they shall be guilty of a felony, and upon conviction thereof be imprisoned in State's Prison not less than one nor more than five years.

SEC. 13. Whenever any voter of the political party for which such primary election is being held shall complain to any peace officer of a violation of this Act by any person, said peace officer must immediately arrest the person complained of and take such person into his custody and imprison him until discharged in due course of law. He shall also take the name and address of the person lodging the complaint; and any peace officer failing or refusing to comply with the provisions of this Act, as in this section prescribed, shall be deemed guilty of a misdemeanor, and if convicted shall be removed from office, and such conviction shall be conclusive evidence of a vacancy in such office.

SEC. 14. The primary elections for all political parties or organizations within the State shall be held at the same time under the provisions of this Act. Each political party or organization may determine for itself how many district conventions it will hold for nominating its various candidates, provided, all candidates which are to be elected within a given territory must be nominated in the same convention. Delegates to a State convention may, at the option of a party, divide themselves into district conventions to nominate members of Congress, of the Board of Equalization, and Railroad Commissioners, respectively, or any party may, at its option, select separate delegates to compose any or all such district conventions.

The delegates to a county, or city and county convention, must nominate all the

candidates which it desires to name for a county, or city and county office, in such county, or city and county, and any party may at its option nominate candidates for State Senator, or Assemblyman, or Supervisors, or Justices of the Peace, or Constable, who are to be voted for in such county, or city and county, or in any part of such county, or city and county, or any party may at its option elect separate delegates to compose any senatorial, assembly, or other local convention. Where any assembly or senatorial district is composed of more than one county, any political party may select separate delegates to a separate convention, to nominate such Assemblyman, or Senator, or it may, at its option, in any county convention select joint delegates to meet joint delegates from any other part of such senatorial or assembly district to compose a convention to nominate such Assemblyman or State Senator.

Every party shall cause to be printed or written upon the ballots used by it in the general primary election, the different sets of delegates it desires to choose at such primary, and each set of delegates must be separated distinctly from every other set named on the ballot, and over each separate set of delegates must be printed or written the designation of the convention to which the delegates named in such set are selected.

The tickets shall be substantially in the following form—varied to suit each case:

REPUBLICAN PRIMARY TICKET.

Delegates to State Convention.	Vote for ———
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- 1 John Doe
- 2 Richard Roe.
- 3 James Black.
- 4 Philip Ross.

Delegates to Railroad District Convention,— District	Vote for ———
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- 1 John Doe.
- 2 Richard Roe.
- 3 James Black.
- 4 Philip Ross.

Delegates to Equalization District Convention.	Vote for ———
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- 1 John Doe.
- 2 Richard Roe
- 3 James Black.
- 4 Philip Ross

Delegates to Congressional District Convention for ——— Congressional Dist.	Vote for ———
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- 1 John Doe
- 2 Richard Roe
- 3 James Black.
- 4 Philip Ross.

Delegates to County Convention for ——— County	Vote for ———
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- 1 John Doe
- 2 Richard Roe
- 3 James Black.

Delegates to State Senatorial Convention for ——— District.	Vote for ———
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- 1 John Doe
- 2 Richard Roe
- 3 James Black.

Delegates to Assembly Convention for ——— Assembly District	Vote for ———
--	--------------

- 1 John Doe
- 2 Richard Roe.
- 3 James Black.

The names of each proposed delegate in each set shall be numbered consecutively, and opposite each set of delegates shall be expressed the number to be voted for in such set. If there is any delegate written or printed for whom any voter does not desire to vote, or if there be more names in any set than is to be selected, the voter may erase any name by drawing a line through such name with ink, and not otherwise. If any set of delegates contain more names, not erased, than is allowed by law, such ticket cannot be counted as to such set, but must be counted as to any other set correctly voted for.

Sec 15 At a general primary election held for the purpose of electing delegates to a convention other than a State convention, there shall be elected not less than one delegate for each party convention for each two hundred votes, and each fraction of one hundred or more cast in such precinct at the last general election; *provided*, that no con-

vention shall be illegal for lack of the election of a delegate, or delegates, in any precinct. In selecting delegates for a State convention each political party or organization shall determine how many delegates it will choose from each county, city and county, in the State, and name the number in their petition, and the persons receiving the highest vote for each party shall be determined by canvassing the vote in the various precincts as provided in section ten of this Act.

Sec. 16 At any time in any county, city and county, city, or township, or in any assembly district, or political division, within this State, or any precinct therein, at which a general primary election is held for the election of delegates to a convention, any voter entitled to vote at such primary election may be a candidate for election as a delegate to any party convention to represent the precinct or district in which he is a voter.

Sec. 17 As soon as the returns are received by the County Clerk, he shall canvass the same and issue a certificate of election for the different State conventions, to the different persons receiving a plurality of the party votes cast for such delegates.

Sec. 18 The ballot to be used at such general primary election shall be of uniform size, twelve inches in length, and six inches in width.

Sec. 19 It shall be the duty of the Board of Supervisors of each county within the State of California, to appropriate from the general funds of the county a sufficient sum or money to pay all necessary expenses of holding any such primary elections within such county, and it shall be the duty of the Auditor of each county within the State of California to draw upon such appropriated funds his several warrants for the payment of all expenses of such primary election as the same shall be certified to him by the County Clerk, such expenses shall consist only of the payment for the box in which to keep the name selected for polling places, election officers, for printing, for advertising, for stationery, ballot-boxes, and postage stamps, and tally-sheets. The several political parties shall furnish their own ballots.

Sec. 20 If in any city or county there shall not be by law any Board of Election Commissioners, then all duties enjoined herein upon a Board of Election Commissioners shall be enjoined upon and performed by the Common Council or Trustees of a city, or the Board of Supervisors of a county, and all duties enjoined upon the Clerk of a Board of Election Commissioners, where there is no such Board in any city or county, are enjoined upon and shall be performed by the Clerk of a city, or by a County Clerk, as the case may be, as fully and with equal force and effect as if specifically set forth in this Act.

Sec. 21 Any act denounced as an offense by the general laws concerning elections of this State shall also be an offense in all primary elections, and in all matters relating thereto, antecedent or subsequent, and shall be punished in the same form and with like penalties as is prescribed for the punishment of similar offenses against the general election laws, and all the provisions and penalties provided by law shall apply in all cases connected with primary elections with equal force, and shall be as effective as if specifically set out in this Act.

Sec. 22 No candidate can have his name printed upon any ballot, to be voted for as a candidate for public office at any general election in this State, unless he shall have been nominated by a convention composed of delegates chosen as provided by this Act; *provided, however*, that nothing in this Act shall prevent any candidate or candidates from being nominated as provided by section eleven hundred and eighty-eight of the Political Code, but such nominees can have no other designation upon a ballot than the word "Independent."

Sec. 23. No ticket or ballot must on the day of election be given or delivered to or received by any person except the Inspector, or a Judge acting as Inspector, within one hundred feet of the polling place. No person must on the day of election fold any ticket, or unfold any ballot which he intends to use in voting, within one hundred feet of the polling place, exhibit to another in any manner by which the contents thereof may become known, any ticket or ballot which he intends to use in voting. No person must on the day of the election, within one hundred feet of the polling place, exhibit to another in any manner by which the contents thereof may become known, any ticket or ballot which he intends to use in voting. No person must on the day of election, within one hundred feet of the polling place, request another person to exhibit or disclose the contents of any ticket or ballot which such other person intends to use in voting.

Sec. 24 No polling place shall be held in any saloon where malt, vinous, or spirituous liquors are sold, or in any room leading from or in any manner connected with such saloon.

Sec. 25. Immediately upon making out the credentials of any delegates selected under this law, the Clerk charged with signing such credentials shall mail to the Secretary of each political party organization which participated in the primary, a complete list of all delegates to whom credentials shall have been given, and said Clerk must, in a proper book to be by him kept record the names of all delegates elected, with the vote received by each, specifying those to whom credentials have been given, stating when and where such credentials were mailed and if any delegate entitled to credentials shall not have received his credentials, or have lost the same, said Clerk must, upon request, issue a new credential to such delegate, which must be stamped "Duplicate."

Sec. 26. In years when by law Electors of President and Vice-President are to be voted for, a State Convention, to select delegates to a National Convention, to select candidates for Elector of President and Vice-President, and at its option to divide

itself into a District Convention, or District Conventions, to nominate candidates for Congress or other district nominees, shall be composed of delegates selected pursuant to this Act at a general primary for such purpose, to be held upon the last Tuesday of March in each year, *provided*, that in all counties which cast less than nine thousand votes for Governor at the last preceding general election any political party or organization entitled to participate in such a State Convention shall not be bound to proceed under this Act, but may select delegates to such a State Convention in the manner any such party or organization may respectively determine in any such last mentioned county.

SEC. 27. Within thirty days after the passage of this Act the Secretary of State shall cause ten thousand copies of this Act to be printed in pamphlet form for free distribution.

SEC. 28. All Acts and parts of Acts inconsistent with this Act are hereby repealed.

SEC. 29. This Act shall take effect immediately.

Mr. Dixon moved to amend the amendment by substituting the following:

SECTION 1. Any committee or body authorized by the rules or customs of a voluntary association or organization to call elections of or for such associations or organizations for any purpose, may by resolution elect to call or hold a primary election, and such primary election must be conducted in accordance with the rules prescribed in this Act.

SEC. 2. The resolution must declare:

First—The time and place of holding the election, and the hours between which the polls are to be kept open.

Second—The names of persons to constitute the Election Board, which Board shall consist of an Inspector, two Judges of Election, and two Clerks for each polling place designated in the call for such election.

Third—The object of the election.

Fourth—That such election will be held under the provisions of this Act.

Fifth—The time and manner of the publication of the notice of such election, the notice thereof to be given by the publication of the call for such election in full in at least one daily newspaper in counties, cities and counties, cities, or towns where a daily newspaper may be published, and in at least one weekly newspaper in counties where no daily newspaper is published, the first publication to be made in the issue of such newspaper next after the date of the adoption of the call. In addition to said first publication there shall be at least two other publications of such call when made in the daily newspaper, one of such publications to be made on the day preceding, and the other on the morning of such election.

Sixth—The qualifications required for voters in addition to those prescribed by law, *provided*, that no person who is not a qualified voter under the general election laws of the State of California at the time of such election shall be qualified to vote thereat.

SEC. 3. The persons selected as the Inspector and Judges of Election under the provisions of this Act shall be qualified electors of the precinct, or polling place, wherein they are to serve as such election officers, and shall be persons whose names appear upon the last assessment roll for the preceding year of said county, city, or town, or county, or town, within which said election is held, and who have paid the tax or taxes for which they are charged upon said assessment roll. In case the persons appointed, or any of them, to act as such election officers do not attend at the opening of the polls on the day of such election, the electors of the precinct present at that hour may appoint the Board or supply the place of any absent member thereof. The persons so selected must possess the same qualifications required for the regularly appointed officers of such election. The Inspector and Judges so selected or appointed shall constitute a Board of Election for such precinct; such Board of Election shall canvass the vote for such precinct, and must be present at the closing of the polls. No person shall be eligible to act as an officer of such election at any precinct who has been employed in any official capacity in the county, city and county, city, or town, within ninety days next preceding such election. No person shall be eligible to act as a member of any Election Board, or a Clerk upon such Board, who cannot read and write the English language.

SEC. 4. The Inspector of such election may appoint qualified Judges and Clerks if, during the progress of an election any Judge or Clerk ceases to act. Any member of the Board, or either Clerk thereof, may administer and certify oaths required to be administered during the progress of such election. Before opening the polls each member of the Board and each Clerk must take and subscribe an oath to faithfully perform the duties imposed upon them by law. Any elector of the precinct may administer and certify such oath. The oaths of each election officer shall be made a part of the returns of such election, and shall therewith be transmitted to the body authorized to receive such returns.

SEC. 5. Before opening the polls the Board of Election must post in some convenient place easy of access at least one copy of the Great Register of the county as last printed, or in case of cities and counties, where precinct registers are provided for by law, at least one copy of such precinct registers of the precinct or precincts whose electors vote at such polling place. The copy or copies so posted must be maintained during the whole time of voting, and must not in any manner be torn or defaced. Before receiving

any ballots the Board must, in the presence of any persons assembled at the polling place, open, exhibit, and close the ballot-box, and thereafter it must not be removed from the polling place or presence of the bystanders until all the ballots are counted, nor must it be opened until after the polls are finally closed. The Board must also, before they receive any ballots, cause it to be proclaimed aloud at the place of election that the polls are open, and when the polls are closed, that fact must also be proclaimed aloud at the place of election, and after such last named proclamation no ballots must be received.

SEC. 6 The form of the poll lists and tally lists to be kept by the Board and Clerks of such election shall conform to the provisions of the law governing general state elections.

SEC. 7 All polling places of elections held under the provisions of this Act must be upon the ground floor of the buildings within which the same are located, and in no event shall any place be selected as a polling place for such election that is in a saloon or other room or place where vinous, spirituous, or malt liquors are sold or dispensed, nor shall any place be selected for such purpose that is connected with a saloon or other room or place where vinous, spirituous, or malt liquors are sold or dispensed by any door, window, or other opening. No ticket or ballot must on the day of such election be given or delivered to or received by any person except the Inspector, or a Judge acting as Inspector, within one hundred feet of the polling place, and no person must, on the day of such election, fold any ticket or unfold any ballot which he intends to use in voting within one hundred feet of such polling place, nor must any person, on the day of election, within one hundred feet of such polling place, exhibit to another, in any manner by which the contents thereof may become known, any ticket or ballot which he intends to use in voting.

SEC. 8 The committee, or other body issuing the call for such election, must provide therein the size, and form, and characteristics of the ballot to be used and voted at such election. No ballot to be used at such election shall have any distinguishing mark or thing on the back, or outside thereof, whereby it might be distinguished from any other ballot legally used on the same day, nor shall it contain any mark or thing thereon by or from which it can be ascertained what persons or class of persons used or voted for it, or at what time in the day such ballot was voted or used. When any ballot found in any ballot-box bears upon it such distinguishing marks, it must with all its contents be rejected, and if in any such ballot-box two tickets are found folded together in the form of a ballot, they must both be rejected, but no ballot or part thereof must be rejected by reason of any obscurity therein in relation to the name of the person voted for, if the Board from an inspection of the ballot can determine the name of such person for whom such ballot is intended to be cast.

SEC. 9. In addition to the challenges allowed by the general election law, any person offering to vote at such election may be challenged upon the ground that he does not possess the other qualifications prescribed in the resolution and in this Act, and such challenges must be tried and determined by the Board of Election, who, to that end, may administer an oath to such persons, and may ask them any question tending to prove or disprove the challenge. None but persons who possess the qualifications prescribed by the general election law, by the resolution, and by this Act must vote or participate in any of the proceedings at such election.

SEC. 10. It shall be the duty of the County Clerk, or Registrar of Voters, or Secretary or Clerk of any Board or body charged by the laws of this State with the care and custody of Great and Precinct Registers, and of ballot-boxes, upon the written application by the Chairman and Secretary of any committee or political organization calling a primary election under the provisions of this Act, to furnish to said committee the number of registers and ballot-boxes necessary to properly conduct such election under this Act; *provided*, that the said committee shall give a receipt therefor, and become responsible for the safe return of the same.

SEC. 11. It shall be the duty of any committee or political organization calling a primary election under the provisions of this Act, to make written application to the officer or officers who have in their care and custody the official registers and ballot-boxes, for the use of the same, in the conduct of such primary election, and to issue their receipt therefor, and to become responsible for the safe return thereof to such officers. It shall be the duty of said committee or political organization to furnish the necessary printed registers, containing the names of voters of their respective counties, or city and county, city, or towns, ballot-boxes, poll lists, tally lists, forms of oath, copies of the general and primary election laws, and all stationery and paraphernalia necessary for the proper performance of their duties, by the various Election Boards appointed by them to conduct said primary election.

SEC. 12. As soon as the polls are finally closed, the Board of Election in each precinct must immediately proceed to canvass and count the votes given at such election, which canvass and count shall be conducted in accordance with the provisions of chapter ten, part three, title two, of the Political Code, so far as the same may be applicable to primary elections held under this Act, and as the same shall not be inconsistent with the provisions of this Act.

SEC. 13 The Board of Election, as soon as the votes are counted and certified as provided by law, must, before it adjourns, inclose in a cover, seal up, and immediately transmit the said votes and returns to the committee or body from which emanated the resolution calling the election, which committee or body shall, upon the receipt thereof, and under such rules as it may adopt, open and canvass the said returns and issue cer-

tificates to the persons elected to the positions to be filled by means of said primary election.

SEC. 14. The committee or body from which emanates the resolution calling such primary election shall have the power to pass and enforce such rules and regulations for the conduct of such election and for the maintenance of the order and the purity thereof as shall not be inconsistent with the provisions of this Act.

SEC. 15. Any member of any political body or organization, and any officer selected or appointed as provided in this Act to serve as such officer in the conduct of a primary election, who shall violate any of the duties or obligations required of him by this Act shall be guilty of misdemeanor; and any act denounced as an offense by the general laws concerning elections of this State shall also be an offense in all primary elections, and all matters relating thereto, antecedent or subsequent, and shall be punished in the same form and with like penalties as is prescribed for the punishment of similar offenses against the general election laws, and all the provisions and penalties of the Penal Code applicable to general elections shall apply in all cases connected with primary elections with equal force and as effectively as if specifically set forth in this Act.

SEC. 16. All Acts and parts of Acts in conflict with this Act are hereby repealed. This Act shall take effect from and after the date of its passage and approval.

The question being on the amendment offered by Mr. Dixon.

The ayes and noes were demanded by Messrs. Bledsoe, Dinkelspiel, and Spencer.

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

AYES—Messrs. Ash, Bachman, Bennett, Berry, Bledsoe, Butler, Collins, Cutter, Devine, Devitt, Dixon, Dodge, Dunbar, Gay, Glass, Huber, Johnson, Kelsey, Laugenour, Meads, McCarthy, Powers, Stansell, Weyse, and Zocchi—25.

NOES—Messrs. Barker, Bassford, Belshaw, Bettman, Coleman, Dale, Davis, Dinkelspiel, Dwyer, Ewing, Guy, Hall, Hatfield, Healey, Jones, Keen, Kenyon, Laird, Nelson, North, O'Day, Pendleton, Phelps, Reid, Richards, Robinson, Rowell, Spencer, Staley, Tibbitts, Tomblin, Twigg, Waymire, Wilkinson, and Mr. Speaker—35.

Mr. Spencer moved to amend as follows:

Amend section twenty-seven by inserting the following: "This Act shall apply to and take effect and be in force only in counties of the first and second classes."

Also: Change section twenty-seven, printed bill, to twenty-eight; section twenty-eight to twenty-nine; section twenty-nine to thirty.

Adopted.

Also. Amend title to read as follows: "An Act providing for a general primary election in counties of certain classes within the State of California, and to promote the purity thereof by regulating the conduct thereof, and to support the privilege of free suffrage thereof by prohibiting certain acts and practices in relation thereto, and providing for the punishment thereof."

Adopted.

Also. By striking out all of section thirteen of said bill.

Adopted.

Also: Amend section seven by adding after the word "vacancy," in line thirteen of printed bill, the following: "All persons serving as officers of election at a primary election held under the provisions of this Act shall be exempt from jury duty for the term of one year thereafter, and such person shall receive from the Board of Election Commissioners of the county, or city, or city and county, in which such service is rendered, a certificate setting forth the fact of such service as an officer of a primary election, stating the time of service, and such certificate, on being presented to a Court in which such election officer has been summoned to appear as a juror, shall be deemed sufficient to excuse the person named therein from service as a juror at any time within one year from the date of service named in such certificate."

Adopted.

The amendment of Mr. Spencer as amended was adopted.

Mr. Spencer moved that Assembly Bill No. 751 be printed out of order and placed on special file.

So ordered.

REPORT OF COMMITTEE ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO. March 13, 1895

MR. SPEAKER: Your Committee on Enrollment have examined and found correctly enrolled Assembly Bill No. 353—An Act to reduce the number of Judges of the Superior Court of the county of Tulare from two to one.

Also: Assembly Bill No. 542—An Act to amend an Act entitled "An Act creating a Board of Commissioners of the Building and Loan Associations, and prescribing their duties and powers," approved March 23, 1893

Also: Assembly Bill No. 676—An Act making an appropriation to pay the deficiency in the appropriation to pay for the system of heating and ventilating established in the Training Department of the State Normal School at San José, California.

And presented the same to the Governor on this day at two o'clock and fifty-five minutes P. M.

MEADS, Chairman.

Mr. Bledsoe moved that Assembly Bill No. 901 be made a special order immediately after the consideration of Assembly Bill No. 479.

So ordered.

Assembly Bill No. 479—An Act to amend sections one thousand and ninety-four, one thousand and ninety-six, one thousand one hundred and thirteen, one thousand one hundred and fourteen, one thousand one hundred and fifteen, and one thousand one hundred and sixteen of the Political Code of the State of California, relative to the registration of voters.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Barker, Bennett, Berry, Bettman, Bledsoe, Boothby, Bulla, Butler, Cargill, Coleman, Collins, Cutter, Dale, Davis, Devine, Devitt, Dixon, Dunbar, Dwyer, Gay, Glass, Guv, Hall, Hatfield, Healey, Holland, Hudson, Johnson, Jones, Keen, Kelsey, Laugenour, Merrill, North, O'Day, Phelps, Powers, Robinson, Spencer, Staley, Swisler, Twigg, Wade, Waymire, Weyse, Zocchi, and Mr. Speaker—47.

NOES—None.

Title read and approved.

Mr. Powers moved that Assembly Bill No. 479 be immediately transmitted to the Senate.

So ordered.

Assembly Bill No. 901—An Act to amend an Act entitled an Act to promote the purity of elections by regulating the conduct thereof, and to support the privilege of free suffrage by prohibiting certain acts and privileges in relation thereto, and providing for the punishment thereof.

Read second time.

The following committee amendment was submitted:

Strike out all of said bill after the enacting clause and insert in place thereof the following.

SECTION 1. Section one of an Act entitled an Act to promote the purity of elections by regulating the conduct thereof, and to support the privilege of free suffrage by prohibiting certain acts and privileges in relation thereto, and providing for the punishment thereof, is hereby amended to read as follows

Section 1. All nominations of candidates for public office to be filled by election within this State, and Presidential Electors must be filed with the proper officer within the time and in the manner prescribed by law. Every certificate of nominations made by the members of a political party or by a convention or organized assemblage of delegates, or other body of citizens representing a political party or principle, must be signed as provided by the provisions of sections eleven hundred and eighty-seven (1187) or eleven hundred and eighty-eight (1188) of the Political Code of this State, and at the time of filing the certificate of nomination, the persons signing such certificates of nomination shall also file with the officer authorized by law to receive and file such certificate, the names of three persons who have accepted in writing and consented to act, selected to receive, expend, audit, and disburse all moneys contributed, donated, subscribed, or in any wise furnished or raised for the purpose of aiding or promoting the

election of the candidates for office or electors named in the said certificate of nomination, or in any manner to be used in respect of the conduct and management of the election at which such candidates are to be voted for, except that each candidate may disburse his traveling expenses, including all hotel expenses.

The certificate of nomination must not be received or filed unless accompanied by the names of three persons, citizens and electors of this State, to compose such committee, together with their written acceptance and consent to act as such committee, as required by this Act. The said committee shall have the exclusive custody of all moneys contributed, donated, subscribed, or in anywise furnished or raised for or on behalf of the political party, organized assemblage or body, or candidates represented by said committee, and shall disburse the same on proper vouchers, under the directions of the body or superior authority to which it is subject, if there be any. If, for any cause, a vacancy shall occur in the membership of said committee prior to the fifteenth day before the day of holding an election, the vacancy must be filled by the same authority as vacancies in the list of nominees are filled. No vacancy by resignation therefrom or refusal to act upon said committee shall occur after the fifteenth day before the day of holding an election, or until the said committee shall have completed and discharged all of the duties required of them by this Act. If any vacancy be created by death or legal disability subsequent to the fifteenth day before the day of holding an election, such vacancy shall not be filled, and the remaining members shall discharge and complete the duties required of said committee as if such vacancy had not been created.

SEC. 2. Section three of said Act is hereby amended to read as follows:

Section 3. Every candidate who is voted for at any public election held within the State shall, within thirty days after the day of holding such election, file as hereinafter provided, an itemized statement showing in detail all moneys paid, loaned, contributed, or otherwise furnished to him, or for his use, directly or indirectly, in and of his election, and all moneys contributed, loaned, or expended by him, directly or indirectly, by himself or through any other person, in aid of his election. Such statement shall give the names of the various persons who paid, loaned, contributed, or otherwise furnished such moneys in aid of his election and the names of the various persons to whom such moneys were contributed, loaned, or paid, the specific nature of each item, the service performed, and by whom performed, and the purpose for which the money was expended, contributed, or loaned. There shall be attached to such statement an affidavit, subscribed and sworn to by such candidate, which must be substantially in the following form:

State of California, County of ———, ss.

I (name), having been a candidate for the office of ———, at the election held in the county, city and county, city, or other division, State of California, on the ——— day of ——— 18—, do solemnly swear that I have paid the sum of \$—— for my expenses at the said election, and no more, and that, except as aforesaid, I have not, nor to the best of my knowledge and belief has any person, club, society, or association on my behalf, directly or indirectly, made any payment, or given, promised, or offered any reward, office, employment, or valuable consideration, or incurred any liability on account of or in respect of the conduct or management of the said election, and except such moneys as may have been paid to or expended by the committee selected as prescribed by the Act of the Legislature of this State, approved (date of this Act). And I further solemnly swear that, except as aforesaid, no money, security, or equivalent for money, has to my knowledge or belief been paid, advanced, given, or deposited by any one, to or in the hands of myself, or any other person, for the purpose of defraying any expenses incurred on my behalf, or in aid of my election, or on account of or in respect of the conduct or management of the said election. And I further solemnly swear that I will not at any future time make, or be a party to the making or giving of any payment, reward, office, employment, or valuable consideration for the purpose of defraying any such expenses as last mentioned, or provide or be a party to the providing of any money, security, or equivalent for money, for the purpose of defraying any such expenses.

Proper blank forms for candidates to make such statement shall be prepared and printed by the Secretary of State, and be by him furnished to the respective County Clerks of each county before every general or special election in quantities sufficient for all candidates residing in such county, and the County Clerk of each county must, on the day following any election, mail to every candidate in his county a blank printed form of such statement, containing a notice thereon that the same must be filed according to law within thirty days from the day of the election. Such statements shall be addressed to candidates at the respective places of residence named in the certificate of nomination. The Secretary of State shall in like manner, on the day following any election, mail such a blank to every candidate named in any certificate of nomination filed in his office, to the residence named in such certificate of nomination.

If the candidate seeks to avoid the responsibility of any illegal payment made by any other person in his behalf, he shall set out such illegal payment and disclaim responsibility therefor. Candidates for office to be filled by the electors of the State, or of any political division thereof greater than a county, and for members of the Senate and Assembly, representative in Congress, or for members of the State Board of Equalization, State Board of Railroad Commissioners, shall file their statements in the office of the Secretary of State. Candidates for all other offices shall file their statements in the office of the Clerk of the county wherein the election is held, and within which the duties of the office for which the candidate is voted for are to be exercised. The statement and affidavit of a committee or candidate shall, after being filed, become a public record, and open at all times to public inspection. Vouchers

must be filed for all expenditures, except in the case of sums under five dollars, and except for traveling expenses and hotel bills.

SEC 3 Section five of said Act is hereby amended so as to read as follows:

Section 5. No sum of money shall be paid and no expense shall be incurred by or on behalf of a candidate at an election held within this State at which he is a candidate, or by or on behalf of a committee selected under the provisions of section one of this Act, or by or on behalf of the body or superior authority to which such committee is subject, if any, whether before, during, or after an election, on account of or in respect of the conduct or management of such election, except for the expenses of holding and conducting public meetings for the discussion of public questions, and of printing and circulating specimen ballots, handbills, cards, and other papers previous to such election, and of advertising, and of postage, expressage, telegraphing, and telephoning, and of supervising the registration of voters and watching the polling or counting of votes cast at such election, and of salaries of persons employed in transacting business at office or headquarters, and necessary expenses of maintaining same, and for rent of rooms necessary for the transaction of the business of the candidate or committee, or superior authority to which such committee is subject, if any, and for necessary incidental expenses, which shall not exceed the sum of one hundred dollars if expended by a candidate, or one thousand dollars if expended by a committee, and no sum shall be paid and no expense shall be incurred, directly or indirectly, by or on behalf of a candidate, whether before, during, or after an election, on account of or in respect of the conduct and management of an election at which he is a candidate, in excess of the maximum amount following, that is to say. If the term of the office for which the person is a candidate be for one year or less, five per cent of the amount of one year's salary of the office. If the term be for more than one year and not more than two years, ten per cent of the amount of one year's salary of the office. If the term be for more than two years and not more than three years, fifteen per cent of the amount of one year's salary of the office. If the term be for more than three years and not more than four years, twenty per cent of the amount of one year's salary of the office. If the term be for more than four years, ten per cent of the amount of one year's salary of the office. If the office be one for which in lieu of salary there is allowed per diem for a statutory period or for the number of days actually engaged in the performance of public duties, twenty-five per cent of the amount to accrue for the statutory period. If the office be one for which in lieu of salary a yearly sum is allowed the officer for all the expenses of his office, the expenditures of the candidate for such office shall not exceed the amount of ten per cent of the allowance for such office for one year. If the office be one for which no salary or compensation is allowed except fees, or a salary not exceeding nine hundred dollars per annum and fees, the expenditures of the candidate for such office shall not exceed the amount of one hundred and fifty dollars. If the office be one for which no salary or compensation is allowed, or for which a per diem is allowed for the days actually employed in the performance of a public duty, the expenditures of the candidate for such office shall not exceed one hundred dollars. If the candidate is also at the same time a candidate for an unexpired term, he shall not pay or expend any sum on account of such unexpired term, but the maximum amount to be expended by such candidate shall be as hereinabove provided. But any candidate may expend his traveling expenses and hotel bills in addition to any amount mentioned. When electors of President and Vice-President are nominated, each such elector may expend or contract to the same committee not to exceed one thousand dollars.

For the purpose of expenditure under this Act, a candidate shall be considered as nominated from the time he receives a nomination in a political convention, when nominated by a convention, and from the time a petition is first signed in his behalf, when nominated by petition; and from the time any candidate is nominated until after the day of election, if shall be unlawful for any person to directly or indirectly ask or request from any candidate any money, property, or thing of value, or any loan of any nature, or any appointment or promise of appointment to any public office, position, situation, or employment, or that such candidate shall, or will at any time, use his influence for the benefit of any person, and every person who, after his attention is called to the provisions of this law, shall violate the same, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by fine not exceeding five hundred dollars.

Adopted.

Assembly Bill No. 901 ordered to printer, engrossment, and third reading.

Assembly Bill No. 604—An Act to amend section one of an Act entitled "An Act to promote the purity of elections by regulating the conduct thereof, and to support the privilege of free suffrage by prohibiting certain acts and privileges in relation thereto, and providing for the punishment thereof."

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Bachman, Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Bledsoe, Boothby, Bulla, Cargill, Coleman, Collins, Cutter, Dale, Davis, Devitt, Dinkelspiel, Dodge, Dunbar, Dwyer, Ewing, Gay, Glass, Guy, Hall, Hatfield, Healey, Holland, Hudson, Johnson, Jones, Keen, Kelsey, Laird, Laugenour, McCarthy, Merrill, Nelson, North, O'Day, Osborn, Pendleton, Phelps, Powers, Price, Richards, Rowell, Spencer, Staley, Swisler, Thomas, Tomblin, Wade, Waymire, Weyse, Zocchi, and Mr. Speaker—58.
NOES—Messrs. Devine, Dixon, and Twigg—3.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Laugenour gave notice that he would, on next legislative day, move to reconsider the vote whereby Assembly Bill No. 954 was this day refused passage.

Mr. North asked unanimous consent to withdraw his notice of reconsideration, given on action of Assembly on Assembly Bill No. 607.

So ordered.

Mr. North moved that Assembly Bill No. 607 be immediately transmitted to the Senate.

So ordered.

Mr. Phelps moved that the Senate be requested to return to the Assembly, Substitute for Senate Bill No. 787.

So ordered.

MOTION.

Mr. Pendleton moved to reconsider the vote whereby Assembly Bill No. 212 was refused final passage.

The roll was called, and pending the announcement of the result, Mr. Pendleton moved a call of the House, seconded by Messrs. Laugenour and Weyse.

Lost.

The result of the roll call was announced, and the motion to reconsider lost by the following vote:

AYES—Messrs. Berry, Bettman, Bulla, Butler, Collins, Cutter, Davis, Devine, Devitt, Dinkelspiel, Dixon, Dwyer, Ewing, Guy, Hatfield, Healey, Hudson, Kelsey, Laird, Laugenour, McCarthy, McKelvey, Merrill, O'Day, Pendleton, Powers, Staley, Swisler, Thomas, Tomblin, Twigg, Waymire, Weyse, Wilkinson, and Mr. Speaker—35.

NOES—Messrs. Bachman, Barker, Belshaw, Bennett, Bledsoe, Cargill, Coghlin, Coleman, Dale, Dodge, Dunbar, Fassett, Gay, Glass, Hall, Holland, Johnson, Jones, Keen, Nelson, North, Osborn, Phelps, Price, Rowell, Spencer, and Wade—27.

Assembly Bill No. 787—An Act to provide for the completion and termination of the duties of the Board of State Viticultural Commissioners, the final disposition and transfer of all properties of the State in its possession, and the repeal of all laws and parts of laws relating to its organization, powers, and duties.

Mr. Phelps moved that a committee of one be appointed, with instructions to amend as follows:

Amend the title so as to read as follows:

"An Act to repeal sections one, two, three, four, five, six, seven, and ten of an Act entitled 'An Act for the promotion of the viticultural industries of the State,' approved April fifteenth, eighteen hundred and eighty, also, an Act entitled 'An Act to define and enlarge the duties and powers of the Board of State Viticultural Commissioners, and to authorize the appointment of certain officers, and to protect the interests of horticulture and viticulture,' approved March fourth, eighteen hundred and eighty-one, also, an Act entitled 'An Act to enlarge the duties of the Board of State Viticultural

Commissioners,' approved February twenty-sixth, eighteen hundred and eighty-five; to provide for the completion of unfinished work, for the transfer of the property of the Viticultural Commission, and making an appropriation therefor "

So ordered.

APPOINTMENT OF SPECIAL COMMITTEE.

The Speaker appointed Mr. Phelps as such committee.

REPORT OF SPECIAL COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1895.

MR. SPEAKER: Your select committee, to whom was referred Senate Bill No 787, 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.

PHELPS, Committee.

The question being on the adoption of the amendment offered by the committee, the same was adopted.

Mr. Dixon requested to withdraw his notice of motion to reconsider the vote whereby Senate Bill No. 449 was finally passed.

So ordered.

NOTICE OF RECONSIDERATION.

Mr. Pendleton gave notice that he would move, on next legislative day, to reconsider the vote whereby Senate Bill No. 753 was finally passed.

RECESS.

At five o'clock P. M., on motion of Mr. Bettman, the Assembly took a recess until seven o'clock and thirty minutes P. M.

REASSEMBLED.

The Assembly reassembled at seven o'clock and thirty minutes P. M. Speaker Lynch in the chair.
Quorum present.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON JUDICIARY

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1895.

MR. SPEAKER Your Committee on Judiciary, to whom was referred Senate Bill No. 280—An Act to amend section one thousand six hundred and ninety-one of the Code of Civil Procedure of the State of California, relating to agents for absent interest parties, discharge of executors or administrators—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, and be substituted for Assembly Bill No 217, the terms being similar.

BULLA, Chairman

So ordered.

Senate Bill No. 280—An Act to amend section one thousand six hundred and ninety-one of the Code of Civil Procedure of the State of California, relating to agents for absent interest parties, discharge of executors or administrators.

Read first time.

Ordered on special Senate file.

APPROVAL OF JOURNALS.

The Journals of Monday, March 11th, and Tuesday, March 12th, were approved.

Mr. Bettman moved that the notice of reconsideration of the vote whereby Assembly Bill No. 308 was finally passed be continued until to-morrow.

So ordered.

Mr. Laugenour moved the reconsideration of the vote whereby Assembly Bill No. 756 was refused passage.

The roll was called, and the action of the Assembly reconsidered by the following vote:

AYES—Messrs. Berry, Bettman, Boothby, Cargill, Coghlin, Collins, Cutter, Davis, Devine, Devitt, Dinkelspiel, Dwyer, Gay, Guy, Hall, Hatfield, Healey, Holland, Huber, Kelsey, Laird, Laugenour, Lewis, McKelvey, Merrill, North, O'Day, Osborn, Powers, Reid, Richards, Robinson, Spencer, Staley, Stansell, Thomas, Tibbits, Tomblin, Twigg, Zocchi, and Mr. Speaker—41.

NOES—Messrs. Ash, Belshaw, Bennett, Bledsoe, Dale, Dixon, Dodge, Dunbar, Ewing, Fassett, Glass, Hudson, Johnson, Jones, Keen, Kenyon, Nelson, Phelps, Price, Rowell, and Wade—21.

Assembly Bill No. 756—An Act appropriating money to pay the claims of H. P. Dyer, E. F. Dyer, C. A. Granger, Gaston Goldsmith, and Sullivan & Sullivan.

Passed temporarily on file.

Assembly Bill No. 757—An Act to amend sections seven hundred and two and seven hundred and three of the Code of Civil Procedure, relating to the redemption of property sold on execution.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Bennett, Berry, Bettman, Boothby, Cargill, Coleman, Collins, Cutter, Davis, Devine, Dixon, Dodge, Dunbar, Dwyer, Ewing, Fassett, Gay, Guy, Hall, Hatfield, Healey, Huber, Hudson, Johnson, Jones, Keen, Kelsey, Kenyon, McKelvey, Merrill, North, O'Day, Phelps, Richards, Robinson, Rowell, Staley, Stansell, Thomas, Tomblin, Wade, Waymire, Weyse, Zocchi, and Mr. Speaker—46.

NOES—None.

Title read and approved.

Assembly Bill No. 823—An Act to authorize the construction of hospital buildings for city, or city and county purposes.

Read third time.

Mr. Wade moved to appoint a committee of one, to amend as follows:

Amend by inserting in line one of section two, after the word "county," the words "having a population of one hundred thousand inhabitants."

So ordered.

APPOINTMENT OF SPECIAL COMMITTEE.

The Speaker appointed Mr. Wade as such committee.

REPORT OF SPECIAL COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1895.

MR. SPEAKER Your select committee, to whom was referred Assembly Bill No. 823, 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.

WADE, Committee.

Adopted.

Mr. Cutter moved that the notice of reconsideration of Assembly Bill No. 566 be continued until to-morrow.

So ordered.

Mr. North moved that Assembly Bill No. 757 be immediately transmitted to the Senate.

So ordered.

Mr. Bettman moved that the notices of reconsideration on Senate Bills Nos. 950, 947, and 948 be continued until to-morrow.

So ordered.

Assembly Bill No. 756—An Act appropriating money to pay the claims of H. P. Dyer, E. F. Dyer, C. A. Granger, Gaston Goldsmith, and Sullivan & Sullivan.

Read third time.

Mr. Laugenour moved to refer Assembly Bill No. 756 to a special committee of one, with instructions to amend as follows:

Strike out on line six, section two, all of said section after the word "warrants."

So ordered.

APPOINTMENT OF COMMITTEE.

The Speaker appointed Mr. Laugenour as such special committee.

REPORT OF SPECIAL COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1895.

MR. SPEAKER: Your special committee of one, to whom was referred Assembly Bill No. 756, with instructions to amend as follows: Strike out in line six, section two, all of said section after the word "warrants"—has had the same under consideration, and respectfully reports the same back, amended as per instructions

LAUGENOUR, Committee

The question being on the adoption of the amendment offered by the committee, the same was adopted, and ordered to printer.

Mr. Staley moved that Assembly Bill No. 217 be withdrawn and Assembly Bill No. 880 substituted therefor.

So ordered.

Assembly Bill No. 880—An Act to prevent the sale of intoxicating liquors in the immediate vicinity of soldiers' homes.

Read second time, ordered to engrossment and third reading.

Mr. Dinkelspiel moved to reconsider the vote whereby Assembly Bill No. 736 was, on yesterday, refused final passage.

The roll was called, and the action of the Assembly reconsidered, by the following vote:

AYES—Messrs. Bassford, Bettman, Boothby, Bulla, Butler, Coghlin, Coleman, Collins, Cutter, Davis, Devine, Devitt, Dinkelspiel, Dixon, Dunbar, Dwyer, Ewing, Guy, Hall, Hatheld, Healey, Holland, Huber, Keen, Laugenour, Lewis, McKelvey, Merrill, O'Day, Osborn, Powers, Reid, Richards, Spencer, Staley, Stansell, Tibbits, Tomblin, Twigg, Waymire, Weyse, and Zocchi—42

NOES—Messrs. Ash, Belshaw, Bennett, Berrv, Bledsoe, Cargill, Dale, Dodge, Fassett, Glass, Hudson, Johnson, Jones, Kelsey, Kenyon, Nelson, North, Price, Robinson, Rowell, Sanford, Swisler, Wade, and Mr. Speaker—24.

Assembly Bill No. 736—An Act to create and administer a Public School Teachers' Annuity and Retirement Fund in the several counties, and cities and counties, of the State.

The question being on the final passage of the bill.

The roll was called, and pending the announcement of the result, Mr. Devitt moved a call of the House, seconded by Messrs. O'Day and Zocchi.

So ordered.

CALL OF THE HOUSE.

The roll was called, and the following members found present:

Messrs. Ash, Bassford, Belshaw, Bennett, Bettman, Bledsoe, Boothby, Bulla, Butler, Coleman, Cutter, Dale, Davis, Devitt, Dinkelspiel, Dixon, Dodge, Dunbar, Dwyer, Ewing, Fassett, Gay, Glass, Guy, Hatfield, Healey, Holland, Huber, Hudson, Johnson, Jones, Keen, Kelsey, Kenyon, Laird, Laugenour, Lewis, McKelvey, Merrill, Nelson, North, O'Day, Osborn, Pendleton, Phelps, Powers, Price, Reid, Richards, Robinson, Rowell, Spencer, Staley, Stansell, Swisler, Thomas, Tibbits, Tomblin, Twigg, Wade, Waymire, Weyse, Zocchi, and Mr. Speaker.

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

So ordered.

The result of the roll call was announced, and the bill passed by the following vote:

AYES—Messrs. Bettman, Boothby, Bulla, Butler, Coghlin, Coleman, Collins, Cutter, Davis, Devine, Devitt, Dinkelspiel, Dixon, Dunbar, Dwyer, Ewing, Guy, Hall, Hatfield, Healey, Holland, Huber, Keen, Lewis, McKelvey, Merrill, O'Day, Osborn, Pendleton, Powers, Price, Reid, Richards, Spencer, Staley, Stansell, Tibbits, Tomblin, Twigg, Waymire, Weyse, and Zocchi—42

NOES—Messrs. Ash, Bassford, Belshaw, Bennett, Berry, Bledsoe, Cargill, Dale, Dodge, Fassett, Gay, Glass, Hudson, Johnson, Jones, Kelsey, Kenyon, Laird, Laugenour, Nelson, North, Phelps, Robinson, Rowell, Sanford, Swisler, Wade, and Mr. Speaker—27.

Title read and approved.

Mr. Dodge moved that the Assembly do now take up Senate messages.
Motion lost.

Mr. Huber moved that Senate Bill No. 449 be immediately transmitted to the Senate.

So ordered.

Assembly Bill No. 413—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, and an Act amendatory thereof, approved March 31, 1891.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Bassford, Berry, Bettman, Boothby, Bulla, Butler, Cargill, Coghlin, Coleman, Collins, Dale, Davis, Devitt, Dinkelspiel, Dixon, Dunbar, Dwyer, Ewing, Guy, Hall, Hatfield, Holland, Hudson, Johnson, Jones, Kelsey, Kenyon, Laird, Laugenour, Lewis, McKelvey, Nelson, North, O'Day, Osborn, Pendleton, Phelps, Powers, Price, Reid, Richards, Sanford, Spencer, Staley, Swisler, Thomas, Tomblin, Wade, Waymire, Weyse, Zocchi, and Mr. Speaker—54.

NOES—Messrs. Belshaw, Bledsoe, and Rowell—3.

Title read and approved.

Mr. Dinkelspiel moved that Assembly Bill No. 736 be immediately transmitted to the Senate.

So ordered.

Mr. Dinkelspiel moved that all notices of reconsideration be continued until to-morrow.

So ordered.

At eight o'clock and twenty minutes p. m. the Speaker called Mr. Laugenour to the chair.

Assembly Bill No. 575—An Act to repeal an Act of the Legislature of the State of California entitled "An Act in relation to the assessment and collection of taxes upon personal property in the City and County of San Francisco," approved March 18, 1874, and requiring all counties, and cities and counties of this State to conform to the requirements of the provisions of the Political Code in relation to the assessment, equalization, levy, and collection of taxes for revenue purposes.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Bassford, Belshaw, Bennett, Berry, Bettman, Bledsoe, Boothby, Bulla, Coleman, Collins, Dale, Davis, Devine, Dinkelspiel, Dixon, Dwyer, Ewing, Gay, Glass, Guy, Hall, Hatfield, Healey, Holland, Hudson, Johnson, Jones, Kelsey, Kenyon, Laugenour, McKelvey, Merrill, North, Osborn, Phelps, Powers, Reid, Richards, Robinson, Rowell, Sanford, Spencer, Staley, Stansell, Tibbits, Tomblin, Wade, Waymire, Weyse, Zocchi, and Mr. Speaker—51.

NOES—Mr. Devitt—1.

Title read and approved.

Mr. Reid moved that Assembly Bill No. 575 be immediately transmitted to the Senate.

So ordered.

Assembly Bill No. 701—An Act to amend section sixteen of 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, 1887, relating to the powers and duties of the Trustees of said hospital, also known as the Southern California State Asylum for the Insane and Inebriates.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Butler, Coghlin, Coleman, Collins, Cutter, Dale, Davis, Devine, Devitt, Dinkelspiel, Dixon, Dodge, Dunbar, Dwyer, Ewing, Fassett, Gay, Glass, Guy, Hall, Hatfield, Healey, Huber, Hudson, Johnson, Jones, Kelsey, Kenyon, Laird, Laugenour, Lewis, McKelvey, Merrill, Nelson, North, O'Day, Osborn, Pendleton, Powers, Price, Richards, Robinson, Sanford, Spencer, Staley, Thomas, Tibbits, Tomblin, Twigg, Wade, Waymire, Weyse, Zocchi, and Mr. Speaker—61.

NOES—None

Title read and approved.

Mr. Lynch moved that Assembly Bill No. 701 be immediately transmitted to the Senate.

So ordered.

Assembly Bill No. 473—An Act to provide for the formation, organization, and classification of new counties, for locating the county seats, for the election and appointment of officers, and for the adjustment and fulfillment of the rights and obligations arising between such new counties and other counties.

Mr. Davis moved to amend as follows:

Amend section one by inserting after the word "divided," in line six, the words "nor shall any new county be formed which shall reduce any existing county to a less area than five hundred square miles, except where less area contains a city with a population of over fifteen thousand."

Adopted.

Also: Amend section one as follows: After the word "thousand," in line five of the bill as printed, insert the words "nor shall any county be formed which shall contain more than sixty per cent in value of the property of any county proposed to be divided, as shown by the last assessment roll of such county."

Adopted.

Mr. Reid moved to amend as follows:

By adding in section one, line nine, after the word "taken," the following: "nor shall any part of a county be taken to form a new county without a vote of a majority of the electors of the county proposed to be divided."

Lost.

Mr. Cutter moved to reconsider the vote whereby the amendment offered by Mr. Reid was lost.

Lost.

Mr. Reid offered an amendment to section one, after the reading of section two had been ordered.

The Chair ruled that the amendment was out of order.

Mr. Reid appealed from the decision.

The question being, "Shall the decision of the Chair be sustained?"

It was so ordered.

Mr. Davis moved to amend by striking out all of section two, and inserting the following in lieu thereof:

SEC 2 Whenever any of the inhabitants of a portion of one or more counties desire that such portions shall be formed into a new county, they shall present a petition to the Governor of the State. Said petition shall be signed by at least a majority of those qualified electors of the county or counties, residents within the limits of said proposed new county, who are taxpayers in said county or counties, as shown by the last assessment roll thereof. And said petition shall be signed by such majority of said electors residing within the part of the territory of each county included within the boundaries of said proposed new county. Such signatures need not all be appended to one page, but may be signed to several petitions which are substantially the same in form, and when so signed the several petitions may be fastened together, and shall be treated and presented as one petition. The petition shall set forth and describe with reasonable certainty the proposed boundaries of such new county, and state the estimated population therein and the name of the proposed new county, and shall pray that the same may be organized into a county under the provisions of this Act. Upon the receipt of such petition, the Governor shall appoint a Commission, composed of three disinterested electors of the State, who have no property interests in any of the territory affected thereby, and who are not residents of any of the territory affected thereby. After their appointment the said Commissioners shall take the oath of office and organize by the election of one of their members as President, and one of their members as Secretary. As soon as the organization of said Commission is complete, the Governor shall certify and refer to it the said petition. The said Commission shall establish some place within the territory affected by the petition at which to hold its meetings, and it shall, upon the receipt of said petition, forthwith set the same for hearing at a time not less than twenty (20) nor more than thirty (30) days from such receipt, and the Secretary of said Commission shall cause notice of such hearing to be given by publication at least once a week for two successive weeks before said hearing, in some newspaper of general circulation published in the proposed new county, and if there be no newspaper published therein, then in some newspaper published in one of the counties proposed to be divided. Said notice shall be substantially in the following form:

"Whereas, a petition has been presented to the Governor of the State of California praying for the creation of — county (naming the proposed new county), and that the boundaries of the same are (stating the boundaries described in the petition), and said petition has been certified to this Commission for hearing,

"Now, therefore, notice is hereby given that a hearing will be had before such Commission on — (naming the time) and at — (naming the place), to receive the proofs offered to establish or controvert the facts set forth in said petition, and at which time and place any person interested may show cause why the boundaries of the proposed new county should not be established as set forth in said petition."

At the time fixed for said hearing said Commission shall receive the proofs offered to establish or controvert the facts set forth in said petition, or affecting the boundaries of the proposed new county. Said Commission shall accept the affidavit of any qualified elector residing in the proposed new county as *prima facie* evidence of the genuineness of the signatures, of the residence of the petitioners, and of their being qualified electors, as to such signatures on the petition as to which he deposes. In determining

the population of the proposed new county, and of the remainder of any county proposed to be divided, said Commission shall assume, *prima facie*, that said population is five times the number of names recorded on the Great Register thirty days preceding the hearing. If, prior to the time fixed for such hearing, there shall have been presented to said Governor of the State, one or more further petitions for the formation of new counties in which the proposed boundary lines conflict with those of the petition already filed, he shall certify such further petition or petitions to the same Commission to which has been referred the earlier petition. In such cases the hearing on the earlier petition shall be postponed until due notice of the hearing of such conflicting petitions shall have been given, and the conflicting petitions shall be heard at the same time and place. At such hearing such Commission shall determine how the boundaries set forth in such conflicting petitions shall be changed so as to avoid such conflict.

The hearing of such a petition or petitions before said Commission shall be tried and disposed of by the Commission as rapidly as practicable, and at the conclusion of said hearing the said Commission shall find whether the petition is signed by the requisite number of qualified electors and taxpayers residents of the proposed new county; whether the proposed new county shall reduce any county to a population of less than eight thousand, the population of each county sought to be divided after the proposed new county is taken off the population of the proposed new county; whether any line of the proposed new county will pass within five miles of the county seat of any county proposed to be divided; whether the proposed new county shall contain more than sixty (60) per cent in value of the property of any county proposed to be divided, as shown by the last assessment roll of such county; whether the proposed new county shall reduce any existing county to a less area than five hundred square miles, and, if so, whether said less area contains a city with a population of over fifteen thousand, and fix and confirm the boundaries between the proposed new county and any county sought to be divided as set forth in the petition, or fix and determine other boundaries as may better meet the ends of justice, *provided*, that said Commission shall make no change in said boundaries which shall prevent the county sought to be created from complying with any of the conditions required by section one of this Act, except that in cases where petitions with conflicting boundaries are heard at the same time the Commission shall adjust such conflicting boundaries in such manner as to it may seem just, permitting each of the proposed new counties to comply, if possible, with the conditions required by section one of this Act; *provided*, that in adjusting the conflicting boundaries between two or more proposed new counties, the Commission shall so adjust the boundaries that the two or more proposed new counties do not contain in the aggregate more than sixty per cent in value of the property of any county sought to be divided, as shown by the last assessment roll thereof; and if, in order to comply with this direction, or for any reason, it so adjusts the boundaries that one or more of the proposed new counties does not comply with the conditions of section one of this Act, it shall so state in its certificate herein provided for, and no further action shall be had on the petition for the formation of that proposed new county. And in the event that the Commission should adjust the conflicting boundaries between two or more proposed new counties so that each should comply with all the conditions of section one of this Act, except that both could not be formed, because in the aggregate they would take more than the said sixty per cent in value of the property of a county sought to be divided, the Commission shall determine which of the new counties it is most expedient to form, and fix and determine its boundaries, and as to the other, shall certify that it declined to fix its boundaries and could not form the same without violating said condition, and no further proceedings shall be had on the petition for the formation of that proposed new county. In adjusting and determining the boundaries of any proposed new county, the Commission shall not include any part of a county no part of which is included in the boundaries set forth in the petition. Such findings of said Commission shall be embodied by it in a certificate, and the certificate attached to the original petition and forthwith returned by said Commission to the Governor. Any member of said Commission shall have power to administer oaths. Said Commission may inform itself by testimony at the hearing above mentioned, and also by going upon the ground, if deemed expedient by it. The said Commission shall have the same power to subpoena and compel the attendance of witnesses and the production of books and papers as is possessed by Superior Courts in civil cases. If, from any cause, any of said Commissioners shall die, resign, refuse to qualify, or for any cause shall become disqualified from acting, the Governor shall appoint another Commissioner to act in his place.

After its organization the said Commission, at its first meeting, and before proceeding with the further discharge of its duty, shall require a good and sufficient bond, in double the amount of the probable cost to be incurred by the said Commission, said amount to be fixed by said Commission, and said bond to be approved by said Commission, and conditioned that the bondsmen thereon shall pay all costs incurred by said Commission under and by virtue of this Act. And in the event that said proposed new county is formed, it shall repay the said bondsmen all expenses and costs paid by it under said bond, which shall be presented to the Board of Supervisors of said new county as a claim against it, and said new county shall pay the same.

Each of said Commissioners shall receive as compensation for his services the sum of eight dollars per diem and his actual traveling expenses, the same to be made a part of, and to be included in, the costs and expenses herein provided for.

The said Commission, after having met at the place designated by the notice as

herein provided, may from time to time hold sessions at any other place within the territory affected.

The Commission shall keep a record of its proceedings and the appointment of said Commissioners, and the said petition or petitions shall be entered in said record, and upon the completion of its duties, as in this Act provided, such record shall be, by it, filed in the office of the Secretary of State.

Adopted.

Mr. Reid moved to amend:

By adding to section three, the words "*provided*, that when a county is proposed to be formed from more than one county, it shall require a majority vote of the whole county from which the smallest portion of the new county is to be taken."

The ayes and noes were demanded by Messrs. Reid, Dodge, and Sanford.

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

AYES—Messrs. Bassford, Belshaw, Bennett, Bulla, Cargill, Cutter, Dodge, Dunbar, Huber, Jones, Keen, Kenyon, Nelson, Price, Reid, Sanford, Staley, Stansell, and Wade—19.

NOES—Messrs. Ash, Bettman, Bledsoe, Butler, Coghlin, Coleman, Collins, Dale, Davis, Devine, Devitt, Dinkelspiel, Dixon, Dwyer, Ewing, Fassett, Gay, Glass, Hall, Hatheld, Healey, Holland, Johnson, Kelsey, Laird, Lewis, McCarthy, Merrill, O'Day, Pendleton, Powers, Robinson, Rowell, Spencer, Swisler, Thomas, Tomblin, Twigg, Wilkinson, Zocchi, and Mr. Speaker—41.

Mr. Davis moved to amend as follows:

By striking out of section three of the bill as printed, all of lines one and two, and the first ten words of line three, and inserting the following "When the petition and certificate of the Commission provided for in the last section shall have been filed with the Governor, if it appears therefrom that all the conditions contained in section one of this Act are complied with, that the petition was signed by the requisite number of qualified electors and taxpayers required by section two of this Act, and that the Commission has fixed and determined the boundaries of the proposed new county, the Governor shall."

Adopted.

Also: Amend on page four, line nineteen of section three of the printed bill, after the word "held," add "*provided, however*, that no election precinct shall be established which shall include within its boundaries any territory taken from more than one county to be divided."

Adopted.

Also. Amend section four by adding after line three of the printed bill, the words "Sheriff, Tax Collector."

Adopted.

Also: Amend by striking out of section four, line eight, the word "judgment," and inserting the following: "certificate of the Commission provided for in section two of this Act."

Adopted.

Also: Amend by inserting in section four, end of line ten, the words: "*provided*, that Supervisors, Justices of the Peace, Constables, and School Trustees residing in any new county at the time of its formation, shall continue in their respective offices and discharge the duties thereof for the district or township in which they may reside in the new county for the term for which they have been elected."

Adopted.

Also: Amend by adding at end of section four, line twenty-seven, the words "In case no town or locality received a majority of all the votes cast, the town or locality designated by the Commissioners as the temporary county seat, shall be declared the county seat of the new county, and the county and the county seat shall there remain until removed as provided by law."

Adopted.

Also: Amend by striking out of section four, lines twenty-five and twenty-six, the words "the highest number of votes," and inserting the following: "the majority of all the votes cast."

Adopted.

The following committee amendments were submitted:

Amend by striking out of section seven, line five, printed bill, the words "a majority" and inserting the following: "two thirds."

Adopted.

Also: On page six, line twelve, section seven of printed bill, after the word "officers" insert the following: "*provided, however,* that where said new county is to be taken from more than one county the vote in that part of each of said counties proposed to be incorporated in said new county is to be canvassed separately, and unless the vote of each of said portions of said counties voting as aforesaid shall show a two-thirds vote in favor of said new county the same shall not be created "

Adopted.

Mr. Davis moved to amend as follows:

By striking out of section seven, line eight, the words "judgment of said Court," and inserting the following: "certificate of said Commissioners provided for in section two of this Act."

Adopted.

Also: Amend section seven by adding thereto the words "and any county from which territory was taken to form said proposed new county shall thereupon become a county of the class provided by law for the population contained therein, as determined by the said Commission provided for in section two of this Act "

Adopted.

Also: Amend section eight, line three, by inserting after the word "bond," the words "from the petitioners "

Adopted.

Also: Amend by striking out of section eleven, lines twenty-six and twenty-seven, the words "and bridges erected or in progress of erection."

Adopted.

Mr. Reid moved to amend as follows:

By striking out all after the enacting clause and inserting the following:

SECTION 1. New counties may from time to time be formed and created from portions of one or more counties already in existence, in the manner set forth in this Act; *provided, however,* that no new county shall be established which shall reduce any county to a population of less than ten thousand, or which shall reduce the assessed value of any old county more than one half, as shown by the last assessment thereof, nor shall a new county be formed containing a less population than five thousand, nor shall any line thereof pass within five miles of the county seat of any county proposed to be divided; and every county which shall be enlarged or created from territory taken from any other county or counties, shall be liable for a just proportion of the existing debts and liabilities of the county or counties from which such territory shall be taken, and a just proportion of the salaries of the officials of the old county, until the salaries of said officials shall be reduced by law to the amount allowed in counties of the class to which the old county will be reduced.

SEC. 2. Whenever the inhabitants of a portion of one or more counties desire that such portion shall be formed into a new county, they shall present a petition to the Board of Supervisors of the county from which the largest amount of territory is proposed to be taken for the formation of a new county. Such petition shall be signed by at least one half of the qualified electors whose names are on the last assessment roll and Great Register used at the last general election of the county or counties, and residents of the counties proposed to be divided. Such signatures need not all be appended to one paper, but may be signed to several petitions which are identical in form, and when so signed, the several petitions may be fastened together, and shall be treated and

presented as one petition, and the affidavit of three qualified tax-paying electors, residing within the proposed limits of said proposed new county, filed with the petition, shall be *prima facie* evidence of the requisite number of signers. The petition shall set forth and particularly describe the proposed boundaries of such new county, and state the number of inhabitants therein as nearly as may be, and the assessed value of the property therein, and the name of the proposed new county, and the name of the place that shall be the county seat thereof, and shall pray that the same may be organized into a new county, under the provisions of this Act. Such petition shall be accompanied by a bond in the penal sum of ten thousand dollars, given to the people of the State of California, and conditioned that the obligors will pay into the treasury of the old county, or counties, all costs and expenses incurred under the provisions of this Act, in case said proposed new county is not created, or said proposition is defeated at the election to be held therefor, which said bond shall be approved by the said Board of Supervisors.

Such petition shall be presented at a regular meeting of such Board, and shall be published for at least two weeks previous to the time at which it is to be presented, in some newspaper printed and published in such county; but in such publication the signatures may be omitted, together with a notice stating the time of the meeting at which the same will be presented. When such petition is presented, the Board of Supervisors shall hear the same, and may adjourn such hearing from time to time, not exceeding one month in all, and on the final hearing shall determine the assessed value of the property therein, how many inhabitants there are in the proposed new county with sufficient accuracy to determine the class it will belong to if created, and determine such class, and define the boundaries of the proposed new county; *provided*, that said Board shall not include any territory outside of the boundaries described in such petition, and shall not exclude any territory within its boundaries described in such petition, except on the written request of two thirds of the qualified electors of the territory so sought to be excluded. The boundaries so established by the Board of Supervisors shall be the boundaries of such proposed new county, if it be created as hereinafter provided for.

The action of such Board upon such hearing in determining whether said petition is signed by the requisite number, whether the signatures are the genuine signatures of qualified electors whose names are on the assessment roll and Great Register used at the last general election in said old county, and who are residents of the proposed new county, whether the proposed new county shall reduce any county to a population of less than ten thousand, or reduce the assessed value thereof more than one half, whether the proposed new county contains a less population than five thousand, whether any line of the proposed new county will pass within five miles of the county seat of any county proposed to be divided, or the class of the county, shall not be deemed final or conclusive of the questions of fact therein involved; but upon a writ of review, or of mandate, or of prohibition, issued from any Court having jurisdiction, these questions of fact shall be reviewed and determined as an original question of fact in that Court, and reviewed on appeal, as if it were an original question in the lower Court. Neither the Superior or Appellate Court shall be bound or concluded by the determination of the Board of Supervisors thereon.

SEC. 3 After said Board has heard said petition and established the boundaries, as above provided for, it shall, within two weeks thereafter, divide the proposed new county into a convenient number of judicial townships, road and school districts, define their boundaries, and designate the name of each district. They shall also divide the county into five supervisor districts, to contain, as near as practicable, an equal number of inhabitants, and number said districts. They shall also, if necessary for the purposes of said election, change the boundaries of the election precincts in said old county to make the same conform to the boundaries of the proposed new counties. They shall also give two weeks' notice, by publication in one or more newspapers published in the proposed new county of the precincts established, and shall designate the name and boundaries of each precinct, and number and boundaries of each supervisor district. If there be no newspaper published in the proposed new county, such notice shall be published in some newspaper printed in an adjoining county which circulates in the proposed new county, and shall also be posted in at least ten public places in the proposed new county, and immediately after the expiration of said two weeks in which it has to so divide the new county, and within four weeks from the final hearing of the petition, the Board shall give notice of an election to be held in the county or counties from which territory is proposed to be taken for the new county, not less than fifteen nor more than thirty days thereafter, for the purpose of determining whether the same shall become organized into a new county. Such notice shall fix the date of said election and shall name the election officers, and shall particularly describe the boundaries so established, and shall state the name or such proposed new county and the name of the county seat, and the same shall be published for at least two weeks prior to such election in a newspaper printed and published within the proposed new county, or if there be no newspaper printed and published within the proposed new county, such notice shall be published in some newspaper printed and published within an adjoining county, and which circulates in the proposed new county, and also posted for the same period in at least ten public places in the proposed new county. Such notice shall require the voters to cast ballots, which shall contain the words, "For the new county of —, Yes," and "For the new county of —, No"; and each voter desiring to vote for the establishment and organization of said county shall stamp an X opposite the words, "For the new county of —, Yes," in the man-

ner now required by law. Each voter desiring to vote against the establishment and organization of said county shall mark an X opposite the words, "For the new county of —, No," in the manner now required by law. And said ballots shall also contain the names of persons voted for to fill the various elective offices prescribed by law for counties of the class to which such proposed county will belong, as determined by said Board.

SEC. 4. Such election shall be conducted in accordance with the general election laws of the State, and all qualified electors of this State, who have been residents and electors of the county or counties from which the territory for the new county is proposed to be taken for ninety days preceding said election, and whose names were and are on the Great Register of the old county or counties used at the last general election held therein, and who are on the last assessment roll of said old county or counties, shall be qualified to vote at said election; *provided*, that only the electors of the voting precincts within the proposed new county shall vote for the officers of said new county. The Great Registers of the county or counties from which territory is taken to form new counties, used at the last general election in said counties, shall be *prima facie* evidence of the qualifications of the electors. The County Clerks of such county or counties, are hereby directed to furnish said Board of Supervisors copies of the Great Registers of such county or counties, showing the names of persons registered as residing within the territory forming the proposed new county at the last general election held in said county or counties, and the certificates of the County Clerks of said county or counties, under seal attached to said copies of said Great Register, showing the registration of any qualified voter, shall entitle the holder thereof, if otherwise qualified by law, and under this Act, to vote at said election. The Board of Supervisors shall meet on the Monday next succeeding such election, and if the returns of said election are all in, proceed to canvass the votes cast thereat; or if, on such Monday, said returns are not all in, the said Board of Supervisors will remain in session until said returns are all in, and then proceed to canvass the votes cast thereat; and if, upon such canvass, it appears that a majority of the votes cast are "For the new county of —, Yes," the Board shall, by an order entered upon its minutes, declare such territory duly formed and created as a county of this State, of the class to which the same shall belong, under the name and style of — county (naming it), and that its county seat shall be (naming it) the place stated as such in said petition, and shall declare the persons receiving, respectively, the highest number of votes for such several offices, to be duly elected to such offices, and all expenses of said election shall be an obligation of and payable by the new county when organized. Said Board shall cause a copy of such order, duly certified, to be filed in the office of the Secretary of State, and from and after the date of such filing, such organization shall be deemed complete, such county fully created, and such officers shall be entitled to enter immediately upon the duties of their respective offices, upon qualifying in accordance with law, and shall hold such offices, respectively, only until the next general election to be held in this State, and until their successors are elected and qualified.

SEC. 5. It shall be the duty of the Board of Supervisors of the new county, whose election is by this Act provided for, to meet at the county seat of the new county on the first Monday of the month subsequent to their election, and having duly qualified, shall organize by the election of one of their number as Chairman. Said Board shall, at said meeting, appoint one freeholder, resident of the new county, to act as Commissioner, whose duty it shall be to meet at the county seat of each county from which territory has been taken to form the new county, within twenty days from the time of their appointment, a Commissioner, who shall be appointed by the Board of Supervisors of the old county, and one Commissioner to be appointed by the Governor of this State, who shall be a Judge of the Superior Court of some county adjoining the old or new county. They shall form a Board of Commissioners. A separate Board of such Commissioners shall be organized for each county from which territory is taken to form the new county. Such Commissioners shall jointly organize as a Board by electing from their number a Chairman and Secretary. A majority of said Commissioners shall constitute a quorum of said Board for the transaction of business. Any of said Commissioners shall have power to compel, by a citation or subpoena signed by him, the attendance of such persons, and the production of such books and papers before said Board as he may require in performing the duties imposed by this Act. It shall be the duty of the Sheriff of the counties affected by said Boards, respectively, to execute in their respective counties, all lawful orders and citations of any of said Commissioners, and for any services performed the Sheriff shall be allowed the same fees as are allowed for like services in civil cases, and all witnesses attending before said Board shall be entitled to the same compensation and mileage as is allowed to witnesses in civil cases, *provided*, that no witness shall be excused from attendance at the time and place mentioned in said order and citation by reason of the failure of the officer making service thereof to tender to said witness his fee in advance. Said Board shall, immediately after its organization, ascertain the cost of any election held hereunder, and shall ascertain the existing debts and liabilities of the county from which such territory shall be taken at the date of the creation of the new county, and shall ascertain what shall be a just proportion of the same, for which the new county shall be liable, and said Board shall ascertain the proportionate amount of the salaries of the officers of the old county for which the new county shall be liable annually. For the purpose of finding such just proportion they shall ascertain the

assessed value of all property in the old county, according to the last assessment made therein, and also the assessed value under the same assessment of all property in the territory taken from that county and included in the new county, and divide said indebtedness and salaries in proportion shown by such assessed values. Said Board shall then certify to the respective Boards of Supervisors of the old and new county the cost of holding the election aforesaid, and the amount of the existing debts, salaries, and liabilities of the old county, and the amount that shall be a just proportion of the same, for which the new county shall be liable, and such sum shall be an indebtedness from the new county to the old county, and the new county shall pay the proportion of the salaries due monthly to the old county, and shall pay the existing debts and liabilities at the rate of ten per cent per annum, and such rate of interest thereon as the old county shall be paying thereon at the time said new county is organized, and the money necessary to pay said indebtedness and liabilities shall be raised by a tax levied upon the property contained in the new county, and the new county shall pay the same.

SEC 6. After the creation of a new county as herein provided, its officers shall proceed to complete all proceedings necessary for the assessment or collection of the State and county taxes for the current year, and all acts and steps therefor taken by the officers of the old county, prior to the creation of the new county, shall be taken and deemed as having been performed by the officers of the new county, for the benefit of the new county, and upon the creation of a new county, it shall be the duty of the officers of the old county to immediately execute and deliver to the Board of Supervisors of the new county a certified copy of all assessments or other proceedings relating to the assessment and collection of the current State and county taxes. Such copies shall be filed with the respective officers of the new county who would have the custody of the same if the proceedings had been originally had in the new county, and such certified copies shall be taken and deemed as original proceedings in the new county. And all the proceedings therein recited shall be taken and deemed as original proceedings in the new county, and shall have the same effect as if the proceedings therein stated had been had at the proper time and in the proper manner, by the respective officials of the new county; and the officials of the new county are authorized and directed to proceed from thence on, with the assessment and collection of said taxes, as if all the proceedings originally had in the old county had been originally had in the new county.

SEC 7. The Board of Supervisors of any such new county may provide suitable books, and have transcribed from the records of the old county all such parts thereof as relate to or affect property, or the title thereof, situate in the new county, and said records, when so transcribed and adopted by the Supervisors of the new county, shall have the same force and effect as original records, for all purposes.

SEC 8. All actions or special proceedings (excepting those provided for in sections three hundred and ninety-two and three hundred and ninety-three, Code of Civil Procedure) which shall be pending in the Superior Court in the old county at the time of the organization of the new county, in which the defendants are residents of the new county, shall be removed to the Superior Court of the new county, on motion of any party interested.

SEC 9. The Notaries Public of the old county who are residents of the territory embraced in the new county at the date of its creation, shall hold their offices until the expiration of their terms, and shall be recommissioned as Notaries Public in and for the new county until the expiration of their terms. And the Governor shall from time to time appoint such additional Notaries Public for the new county as he may deem requisite.

SEC 10. The Superintendent of Public Schools of the old county shall furnish the Superintendent of Public Schools of the new county with a certified copy of the last school census of the different school districts in the territory set apart to form the new county, and draw his warrants upon the Treasurer of the old county, in favor of the Superintendent of Schools in the new county, for all money that is or may be due, by apportionment or otherwise, to the different districts embraced in the new county. And the Auditor of the old county shall in like manner respectively draw his warrant on the Treasurer of the old county, in favor of the Auditor of the new county, for all money that is or may be due, by apportionment or otherwise, to the different road and supervisorial district funds in the territory set apart to form the new county, which said amount shall be properly credited in both counties.

SEC 11. A new county, unless otherwise provided by law, shall constitute a part of the assembly district to which the old county from which was taken the largest amount of territory to form the new county belonged. A new county, until otherwise provided by law, shall constitute a part of the senatorial district to which the old county from which was taken the largest amount of territory to form the new county belonged.

SEC 12. This Act shall take effect and be in force from and after its passage.

Amendment lost.

Mr. Reid moved a reconsideration of the vote whereby his amendment was lost.

The ayes and noes were demanded by Messrs. Reid, Sanford, and Dodge.

The roll was called, and the notice of reconsideration lost by the following vote:

AYES—Messrs Ash, Bennett, Cutter, Dodge, Dunbar, Huber, Hudson, Jones, Kenyon, Reid, Rowell, Sanford, Stansell, and Wade—14

NOES—Messrs Bassford, Belshaw, Berry, Bettman, Bledsoe, Boothby, Bulla, Butler, Coghlin, Coleman, Collins, Dale, Davis, Devine, Dixon, Dwyer, Ewing, Fassett, Gay, Glass, Hall, Hatfield, Healey, Holland, Johnson, Kelsey, Laird, Lewis, McCarthy, Merrill, Pendleton, Powers, Richards, Spencer, Swisler, Tomblin, Waymire, Wilkinson, and Zocchi—39

PREVIOUS QUESTION.

Mr. Bettman moved the previous question, seconded by Messrs. Lewis, and McCarthy.

The ayes and noes were demanded by Messrs. Reid, Sanford, and Dodge.

The roll was called, and the previous question ordered by the following vote: .

AYES—Messrs. Ash, Berry, Bettman, Boothby, Coghlin, Coleman, Collins, Dale, Davis, Devine, Dinkelspiel, Dixon, Ewing, Gay, Glass, Hall, Healey, Kelsey, Laugenour, Lewis, McCarthy, Merrill, O'Day, Pendleton, Powers, Spencer, Swisler, Thomas, Tibbits, Tomblin, Twigg, Waymire, Wilkinson, Zocchi, and Mr. Speaker—35

NOES—Messrs. Bassford, Belshaw, Bennett, Bledsoe, Bulla, Butler, Cutter, Devitt, Dodge, Dunbar, Dwyer, Fassett, Hatfield, Holland, Huber, Hudson, Johnson, Jones, Kenyon, Laird, McKelvey, Nelson, Osborn, Price, Reid, Richards, Robinson, Rowell, Sanford, Stansell, Wade, and Weyse—32.

Assembly Bill No. 473 ordered to engrossment and third reading.

Assembly Bill No. 609—An Act entitled an Act to amend section sixteen of an Act entitled "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 provisions for the payment of such bonds, and the disposal of their proceeds," approved March 31, 1891.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs Ash, Bassford, Belshaw, Bennett, Berry, Bettman, Boothby, Bulla, Butler, Collins, Cutter, Dale, Davis, Devine, Dinkelspiel, Dixon, Dodge, Dunbar, Ewing, Fassett, Glass, Hall, Hatfield, Healey, Holland, Johnson, Jones, Keen, Kelsey, Kenyon, Laugenour, McCarthy, Merrill, Nelson, North, O'Day, Osborn, Powers, Price, Richards, Rowell, Spencer, Staley, Twigg, Wade, Waymire, Weyse, and Mr. Speaker—48.

NOES—None.

Title read and approved.

Mr. Belshaw moved that Assembly Bill No. 609 be immediately transmitted to the Senate.

So ordered.

LEAVE OF ABSENCE.

Mr. Keen was granted leave of absence for the evening.

Assembly Bill No. 921—An Act to amend section four hundred and twelve of the Penal Code, relating to boxing.

Read third time.

Mr. Dodge moved that a committee of one be appointed, with instructions to amend as follows:

By adding to section one the following: "Should either of the contestants die by reason of any injury or blow received in any such contest or exhibition, the person so causing the death of such contestant shall be deemed guilty of manslaughter."

The ayes and noes were demanded by Messrs. Reid, Dodge, and Hall. The roll was called, and the motion lost by the following vote:

AYES—Messrs. Belshaw, Bennett, Berry, Bledsoe, Bulla, Cargill, Cutter, Dale, Dodge, Dunbar, Fassett, Hall, Hatfield, Huber, Johnson, Jones, Kenyon, Merrill, Nelson, Osborn, Price, Reid, Robinson, Rowell, and Wade—25

NOES—Messrs. Ash, Bettman, Boothby, Butler, Coghlin, Coleman, Davis, Devine, Devitt, Dinkelspiel, Dixon, Dwyer, Gay, Healey, Holland, Kelsey, Laird, Laugenour, Lewis, McCarthy, North, O'Day, Pendleton, Powers, Richards, Spencer, Staley, Thomas, Twigg, Waymire, Weyse, Wilkinson, Zocchi, and Mr. Speaker—34.

At ten o'clock and thirty minutes P. M. Mr. Reid moved that the Assembly do now adjourn.

Lost.

At ten o'clock and thirty-five minutes P. M. the Speaker resumed the chair.

PREVIOUS QUESTION.

Mr. McCarthy moved the previous question, seconded by Messrs. O'Day and Boothby.

The question being, "Shall the main question be now put?"

So ordered.

The question being on the final passage of the bill.

CALL OF THE HOUSE.

The roll was called, and pending the announcement of the result, Mr. Boothby moved a call of the House, seconded by Messrs. Wilkinson and McCarthy.

So ordered.

The roll was called, and the following members found present:

Messrs. Ash, Bassford, Belshaw, Bennett, Berry, Bettman, Bledsoe, Boothby, Bulla, Butler, Cargill, Coghlin, Coleman, Collins, Cutter, Dale, Davis, Devine, Devitt, Dinkelspiel, Dixon, Dodge, Dunbar, Dwyer, Ewing, Fassett, Gay, Glass, Hall, Healey, Huber, Hudson, Johnson, Jones, Kelsey, Kenyon, Laird, Laugenour, Lewis, McCarthy, Nelson, North, O'Day, Osborn, Pendleton, Powers, Reid, Richards, Robinson, Rowell, Spencer, Staley, Swisler, Thomas, Twigg, Wade, Waymire, Weyse, Wilkinson, and Mr. Speaker

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

So ordered.

The result of the roll call was announced, and the bill refused final passage by the following vote:

AYES—Messrs. Ash, Bassford, Bettman, Boothby, Butler, Coghlin, Coleman, Collins, Cutter, Davis, Devine, Devitt, Dinkelspiel, Dixon, Ewing, Gay, Hatfield, Healey, Holland, Kelsey, Laugenour, Lewis, McCarthy, Nelson, O'Day, Pendleton, Powers, Richards, Spencer, Thomas, Twigg, Waymire, Wilkinson, Zocchi, and Mr. Speaker—35

NOES—Messrs. Belshaw, Bennett, Berry, Bledsoe, Bulla, Dale, Dodge, Dunbar, Dwyer, Fassett, Hall, Huber, Hudson, Johnson, Jones, Kenyon, Laird, North, Osborn, Reid, Robinson, Rowell, Staley, Wade, and Weyse—25

RESOLUTION—(OUT OF ORDER).

By Mr. Devine:

Resolved, That hereafter all Senate Bills upon their receipt by the Assembly shall be placed upon the special file without reference to a committee, unless otherwise ordered by a vote of the House.

Laid over one day.

Mr. Dwyer gave notice that he would move, on the next legislative day, to reconsider the vote whereby Assembly Bill No. 921 was finally passed.

ADJOURNMENT.

At ten o'clock and forty-five minutes P. M., on motion of Mr. Wade, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Thursday, March 14, 1895. }

The Assembly met pursuant to adjournment.

Speaker Lynch in the chair.

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

Messrs Ash, Bachman, Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Bledsoe, Boothby, Brusie, Bulla, Butler, Cargill, Coghlin, Coleman, Collins, Cutter, Dale, Davis, Devine, Devitt, Dinkelspiel, Dodge, Dunbar, Dwyer, Ewing, Fassett, Gay, Glass, Guy, Hall, Hatfield, Healey, Holland, Huber, Hudson, Johnson, Jones, Keen, Kelsey, Kenyon, Laird, Laugenour, Lewis, Meads, McCarthy, McKelvey, Merrill, Nelson, North, O'Day, Osborn, Pendleton, Phelps, Powers, Price, Reid, Richards, Robinson, Rowell, Sanford, Spencer, Staley, Stansell, Swisler, Thomas, Tibbitts, Tomblin, Twigg, Wade, Wayne, Weyse, Wilkinson, Zocchi, and Mr. Speaker.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. O. Summers.

READING OF THE JOURNAL.

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

So ordered.

Mr. Cutter moved that the rules be suspended, and the resolution offered by Mr. Devine on Wednesday be considered at this time.

So ordered.

RESOLUTION.

Resolved, That hereafter all Senate Bills upon their receipt by the Assembly shall be placed upon the special file without reference to a committee, unless otherwise ordered by a vote of the House

Adopted.

REPORTS OF STANDING COMMITTEES.

ON FRUIT AND VINE INTERESTS.

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1895.

MR. SPEAKER: Your Committee on Fruit and Vine Interests, to whom was referred Assembly Bill No. 1017—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

ROWELL, Chairman.

ON STATE PRISONS AND REFORMATORY INSTITUTIONS

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1895.

MR. SPEAKER: Your Committee on State Prisons and Reformatory Institutions, to whom was referred Assembly Bill No. 658 and Assembly Concurrent Resolution No. 15—have had the same under consideration, and respectfully report the same back, and recommend that the authors be allowed to withdraw them.

LAIRD, Chairman

Assembly Bill No. 658 withdrawn by author.

ON COMMERCE AND NAVIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1895.

MR. SPEAKER: Your Committee on Commerce and Navigation, to whom was referred Senate Bill No. 843—An Act to amend section two thousand three hundred and forty-nine of the Political Code, relating to navigable streams and waters—have had the same under consideration, and respectfully report the same back, with amendment, and recommend that it do pass as amended.

DIXON, Chairman.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 13, 1895.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on March 13, 1895, passed Senate Bill No. 486—An Act to amend the Penal Code of the State of California by adding a new section thereto, to be known as section forty, in relation to punishment of crimes against election laws.

Also: Senate Bill No. 424—An Act to determine the term of office, and the bond to be required, of the Superintendent of Dredgers and the assistant to the Chief Wharfinger of the Board of State Harbor Commissioners.

Also: Senate Bill No. 553—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, 1880.

Also: Senate Bill No. 889—An Act appropriating money for the care of Yosemite Valley.

Also: Senate Bill No. 888—An Act appropriating money for the maintenance of the State Board of Horticulture.

Also: Assembly Bill No. 587—An Act making an appropriation from the State School Book Fund for the completion of the revisions and compilation of State school books heretofore authorized and directed to be made, and to provide for the expenditure of the same.

Also: Adopted Senate Concurrent Resolution No. 11—Relative to printing amendments to the Constitution and Codes, for free distribution.

Also: Concurred in the Assembly amendments to Senate Concurrent Resolution No. 12—Relative to adjournment *sine die*.

Also: Passed Assembly Bill No. 1013—An Act to create and establish a commission for revising, systematizing, and reforming the laws of this State, and for the appointment of the members of said commission, to be known as "The Commissioners for the Revision and Reform of the Law," and to prescribe their powers and duties, and to authorize the appointment of a secretary and stenographer therefor; and to provide for the compensation and expenses of said commission, secretary, and stenographer, and to appropriate money therefor.

Also: Passed Assembly Bill No. 665—An Act to provide the office of the Attorney-General with such law books as may be required by him for the conduct of the business of his office, and requiring the State Librarian to provide and furnish the same.

Also: Substitute for Senate Bills Nos. 769, 800, 801, and 802—An Act to pay for publishing the constitutional amendments.

F. J. BRANDON, Secretary.
By GEO. A. LEON, Assistant.

Also:

SENATE CHAMBER, SACRAMENTO, March 13, 1895.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the eighth day of March, adopted the report of the Committee of Free Conference on Assembly Bill No. 617—An Act making appropriations for the support of the government of the State of California for the forty-seventh and forty-eighth fiscal years.

Also, concurred in the Assembly amendment to Senate Bill No. 369—An Act to amend an Act entitled 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.

Also, respectfully refused to concur in the Assembly amendment to Senate Bill No. 705—An Act to appropriate money to pay the indebtedness incurred by calling the National Guard of California into service, by order of the Governor, to enforce the law in 1893 and 1894—and respectfully ask your honorable body to recede from said amendment.

F. J. BRANDON, Secretary.
By R. SHAW, Assistant

Also:

SENATE CHAMBER, SACRAMENTO, March 13, 1895.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Senate Bill No. 376—An Act to amend section three thousand four hundred and ninety-one of the Political Code, relating to the election of trustees of reclamation districts.

Also: Senate Bill No. 106—An Act authorizing and requiring boards or commissions having the management and control of paid fire departments to grant the members thereof yearly vacations.

Also: That the Senate, on this day, concurred in the Assembly amendment to Senate Bill No. 709—An Act to amend an Act entitled "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," approved March 19, 1889, conferring further powers upon the said Board.

Also: Passed Senate Bill No. 857—An Act to create a Court in and for the town of Berkeley, State of California.

F. J. BRANDON, Secretary.
By R. SHAW, Assistant

SENATE CONCURRENT RESOLUTION No. 11

Concurrent resolution relative to printing amendments to the Constitution and Codes, for free distribution.

Resolved by the Senate, the Assembly concurring. That the State Printer be instructed to cause to be prepared and printed an edition of thirty thousand copies of the general laws, amendments to the codes, and proposed constitutional amendments passed at this session, the same to be stitched, but not bound or covered, and to be distributed, under the direction of the Secretary of State, to the County Clerks of the various counties, in proportion to the population of the different counties, for free distribution to the electors thereof.

Adopted.

Senate Bill No. 486—An Act to amend the Penal Code of the State of California, by adding a new section thereto, to be known as section forty, in relation to punishment of crimes against election laws.

Read first time, and placed on special Senate file.

Senate Bill No. 424—An Act to determine the term of office and the bond to be required of the Superintendent of Dredgers and the assistant to the Chief Wharfinger of the Board of State Harbor Commissioners.

Read first time, and placed on special Senate file.

Senate Bill No. 853—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 time, and placed on special Senate file.

Senate Bill No. 889—An Act appropriating money for the care of Yosemite Valley.

Read first time, and placed on special Senate file.

Senate Bill No. 888—An Act appropriating money for the maintenance of the State Board of Horticulture.

Read first time, and placed on special Senate file.

Substitute for Senate Bills Nos. 769, 800, 801, and 802—An Act making an appropriation of money to pay the claims of the California Demokrat. Le Franco Californien, La Voce Del Popolo, and the Italian Publishing Company.

Read first time, and placed on special Senate file.

Senate Bill No. 376—An Act to amend section three thousand four hundred and ninety-one of the Political Code, relating to the election of trustees of reclamation districts.

Read first time, and placed on special Senate file.

MOTIONS.

Mr. Wade moved that the Assembly recede from its amendment to Senate Bill No. 705.

The question being, "Shall the Assembly recede from its amendment to Senate Bill No. 705?"

The roll was called, and the Assembly receded from its amendment by the following vote:

AYES—Messrs. Ash, Bachman, Barker, Bassford, Belshaw, Bennett, Berry, Bledsoe, Bulla, Butler, Coleman, Collins, Dale, Davis, Dinkelspiel, Dodge, Dunbar, Ewing, Gay, Glass, Guy, Hall, Hudson, Johnson, Jones, Keen, Kenyon, Laird, McKelvey, Merrill, Nelson, North, Osborn, Phelps, Powers, Price, Reid, Richards, Robinson, Rowell, Spencer, Staley, Stansell, Wade, Waymire, and Mr. Speaker—46

NOES—Messrs. Bettman, Boothby, Brusie, Cargill, Coghlin, Cutter, Devine, Dixon, Dwyer, Healey, Huber, Kelsey, Laugenour, Lewis, O'Day, Tomblin, Twigg, and Weyse—18.

Mr. Dodge moved that Assembly Bill No. 959 be made special order for three o'clock and thirty minutes this afternoon.

So ordered.

RESOLUTIONS.

By Mr. Berry:

Owing to the short space of time left to the Assembly in which to dispose of the large amount of business on its files, I move the adoption of the following resolution:

Resolved, That in speaking upon or to any bill or resolution, no member representative of the author shall be allowed to occupy more than one minute on any one bill or resolution, except the author of said bill or resolution, who may, for the purpose of explanation of same, be allowed a longer time, not to exceed five minutes.

Adopted.

By Mr. North:

Resolved, That Senate Bill No. 887 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house are 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 constitutional provision suspended by the following vote:

AYES—Messrs. Ash, Bachman, Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Bledsoe, Boothby, Brusie, Bulla, Butler, Cargill, Coleman, Collins, Cutter, Dale, Davis,

Devitt, Dinkelspiel, Dixon, Dodge, Dunbar, Ewing, Fassett, Gay, Glass, Guy, Hatfield, Holland, Huber, Hudson, Jones, Keen, Kelsey, Kenyon, Laird, Laugenour, McKelvey, Merrill, North, Osborn, Phelps, Price, Reid, Richards, Robinson, Rowell, Spencer, Stansell, Swisler, Thomas, Tibbits, Tomblin, Wade, Waymire, and Weyse—58. •

NOES—None

By Mr. Tomblin:

WHEREAS, Section two hundred and sixty-one of the Political Code requires the Chief Clerk and his assistant clerks at the close of each session of the Legislature, to mark, label, and arrange all bills and papers of the Assembly, and deliver them with all books and archives to the Secretary of State; and whereas, the Code requires the Minute Clerk to file with the Secretary of State, all the original minutes so properly labeled and marked; therefore, be it

Resolved, That R. Q. Wickham, Minute Clerk, and his Assistant, Robert Nixon, Jr., be and are each allowed the sum of fifty-six dollars for the work to be done after the final adjournment, the same payable out of the Contingent Fund of the Assembly, and the Controller is hereby directed to pay the same.

Referred to Committee on Attachés and Employés.

Senate Bill No. 887—An Act to create a Court in and for the town of Berkeley, State of California.

Read first, second, and third times.

The question being on the final passage of the bill.

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

AYES—Messrs Ash, Bachman, Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Boothby, Brusie, Bulla, Cargill, Coghlin, Collins, Cutter, Dale, Davis, Devitt, Dinkelspiel, Dixon, Dodge, Dunbar, Ewing, Fassett, Gay, Glass, Guy, Hall, Hatfield, Healey, Holland, Huber, Hudson, Jones, Kelsey, Kenyon, Laird, Laugenour, McKelvey, Merrill, Nelson, North, O'Day, Osborn, Phelps, Price, Richards, Spencer, Staley, Stansell, Swisler, Tomblin, Wade, Weyse, Wilkinson, Zocchi, and Mr Speaker—57.

NOES—None.

Title read and approved.

Mr. Holland moved that the rules be suspended for the purpose of introducing a concurrent resolution.

Lost.

Mr. Spencer moved that the rules be suspended and that Assembly Bill No. 470 be taken up at this time.

So ordered.

Assembly Bill No. 470—An Act to amend section one thousand and eighty-three of the Political Code of the State of California, in relation to the qualifications and disabilities of electors.

The question being, "Shall the Assembly concur in the following Senate amendment?"

Insert the word "male" after the word "native," and after the word "every," on line three of section one, and after the word "every," on line four of section one, and strike out the words "or her," on line ten of section one.

The roll was called, and the Assembly refused to concur by the following vote:

AYES—Messrs Ash, Bassford, Belshaw, Cargill, Coghlin, Cutter, Devitt, Dunbar, Hatfield, Healey, Kelsey, Laird, Laugenour, North, Reid, Robinson, Stansell, Swisler, Thomas, Wade, Weyse, and Mr. Speaker—22

NOES—Messrs. Bachman, Barker, Bennett, Berry, Bledsoe, Boothby, Brusie, Bulla, Collins, Dale, Davis, Devine, Dinkelspiel, Dixon, Dwyer, Ewing, Fassett, Gay, Glass, Guy, Hall, Huber, Hudson, Johnson, Jones, Keen, Kenyon, McKelvey, Merrill, Nelson, O'Day, Osborn, Phelps, Powers, Richards, Rowell, Spencer, Staley, Tibbits, Tomblin, Waymire, Wilkinson, and Zocchi—43.

RESOLUTIONS.

By Mr. McKelvey:

Resolved, That the sum of twenty-five dollars is hereby ordered to be paid out of the Contingent Fund of the Assembly to the Postmistress of the Assembly as compensation to her for keeping and selling stamps to the members of the Assembly, and to compen-

sate her for stamps used in forwarding letters deposited in the Post Office by members without the proper postage, and the Controller is hereby ordered to draw his warrant therefor, and the Treasurer is directed to pay the same.

Referred to Committee on Attachés and Employés.

By Mr. Dinkelspiel:

Resolved, That A. A. Friedlander, Assistant Bill Clerk of the Assembly, be and he is hereby authorized and directed to remain over at the State Capitol, after adjournment *sine die* of the Legislature, for a period of ten days (the time allowed by his Excellency the Governor in which to approve bills), for the purpose of mailing to each member of the Assembly and Senate five copies of each bill that will be approved by the Governor and deposited according to law in the office of Secretary of State.

For the purpose of carrying out the requirements of this resolution, the State Printer is hereby directed and authorized to furnish to said A. A. Friedlander a sufficient number of bills. The Controller is hereby authorized to draw his warrant, and the Treasurer is directed to pay the same, for the sum of forty dollars, the regular per diem, in favor of said A. A. Friedlander.

Referred to Committee on Attachés and Employés.

By Mr. Wilkinson:

Resolved, That the sum of fifty dollars be appropriated out of any moneys now in the State Treasury not otherwise appropriated, to Charles Martin, for services rendered as Clerk to the Engrossment Committee from January 7, 1895, to January 17, 1895.

Referred to Committee on Attachés and Employés.

SPECIAL FILE.

Assembly Bill No. 903—An Act relating to the commitments to the State School at Whittier, and to the Preston School of Industry; fixing the authority to examine and commit to such schools with the Superior Court Judges of the counties, and fixing the responsibilities from which commitments are made to the State for maintenance of the persons committed therefrom; providing for the manner of payment thereof, and fixing the responsibility of the parents to the counties from which their children are committed.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Bachman, Bassford, Belshaw, Bennett, Berry, Bledsoe, Brusie, Bulla, Coghlin, Coleman, Cutter, Dale, Davis, Devine, Devitt, Dixon, Dodge, Fassett, Gay, Guy, Hall, Hatfield, Healey, Huber, Hudson, Johnson, Jones, Keen, Kelsey, Kenyon, Laird, Langenour, Meads, Merrill, North, O'Day, Osborn, Phelps, Powers, Price, Richards, Robinson, Rowell, Stansell, Swisler, Tibbits, Wade, Zocchi, and Mr. Speaker—50.

NOES—None

Title read and approved.

Assembly Bill No. 860—An Act to appropriate four thousand seven hundred and fifty dollars, as compensation to "The California Demokrat Publishing Company," a corporation incorporated, organized, and existing under the laws of the State of California, for having published proposed amendments to the Constitution of the State of California during the year 1894.

Passed, to retain its place on file.

Assembly Bill No. 861—An Act making an appropriation to pay the claim of Louise Rienzi for services rendered the State Board of Silk Culture as Secretary, Instructress, and Silk Expert, from December 12, 1885, to April 2, 1887, at eighty-seven dollars and fifty cents per month.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Bachman, Bassford, Bennett, Berry, Bettman, Brusie, Coghlin, Coleman, Collins, Cutter, Devine, Devitt, Dinkelspiel, Dixon, Dunbar, Dwyer, Ewing, Fassett, Gay, Glass, Hall, Hatfield, Healey, Huber, Hudson, Johnson, Keen, Kelsey, Laugenour, Meads, McCarthy, McKelvey, Merrill, O'Day, Osborn, Pendleton, Powers, Richards, Staley, Swisler, Thomas, Twigg, Weyse, Wilkinson, Zocchi, and Mr. Speaker—47.

NOES—Messrs. Belshaw, Bulla, Dale, Davis, Kenyon, North, Robinson, and Wade—8.

Title read and approved.

Assembly Bill No. 694—An Act appropriating money to pay the claim of the State Agricultural Society.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Bachman, Bassford, Belshaw, Bennett, Berry, Bettman, Boothby, Bulla, Coleman, Collins, Cutter, Devine, Devitt, Dinkelspiel, Dixon, Dunbar, Dwyer, Ewing, Gay, Guy, Hatfield, Healey, Huber, Johnson, Keen, Laird, Laugenour, Meads, McCarthy, McKelvey, Merrill, North, O'Day, Osborn, Pendleton, Richards, Spencer, Staley, Swisler, Tomblin, Wade, Waymire, Weyse, Wilkinson, and Mr. Speaker—45.

NOES—Messrs. Ash, Bledsoe, Dale, Glass, and Kenyon—5.

Title read and approved.

RESOLUTION—(OUT OF ORDER).

By Mr. Huber:

Resolved, That Senate Bill No. 891 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house are hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

The question being on the suspension of the constitutional provision.

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

AYES—Messrs. Bachman, Bassford, Belshaw, Bennett, Berry, Bettman, Boothby, Bulla, Butler, Coghlin, Coleman, Collins, Cutter, Dale, Davis, Devine, Devitt, Dinkelspiel, Dixon, Dodge, Dwyer, Ewing, Fassett, Glass, Guy, Hall, Healey, Huber, Johnson, Jones, Keen, Kenyon, Laugenour, Meads, McCarthy, McKelvey, Merrill, Nelson, North, O'Day, Pendleton, Price, Richards, Robinson, Rowell, Staley, Stansell, Tibbits, Twigg, Wade, Waymire, Weyse, Wilkinson, and Mr. Speaker—54.

NOES—None.

Senate Bill No. 891—An Act appropriating the sum of two hundred thousand dollars for the support of the Whittier State School, at Whittier, California, for the forty-seventh and forty-eighth fiscal years.

Read second and third times.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Bachman, Belshaw, Bennett, Berry, Bettman, Boothby, Bulla, Butler, Cargill, Coleman, Collins, Devine, Devitt, Dinkelspiel, Dixon, Dodge, Dunbar, Dwyer, Fassett, Glass, Guy, Hatfield, Huber, Johnson, Jones, Keen, Kenyon, Laugenour, Meads, McCarthy, McKelvey, Merrill, Nelson, North, O'Day, Osborn, Richards, Rowell, Staley, Stansell, Tibbits, Tomblin, Waymire, Weyse, Wilkinson, and Zocchi—47.

NOES—None.

Title read and approved.

LEAVE OF ABSENCE.

Mr. McCarthy was granted leave of absence until two o'clock p. m.

At eleven o'clock and twenty minutes p. m. the Speaker called Mr. Belshaw to the chair.

Assembly Bill No. 1025—An Act to amend section three thousand seven hundred and thirteen of the Political Code, relating to the levy of taxes.

Passed, to retain its place on file.

Assembly Bill No. 332—An Act to authorize the Board of Trustees of the Southern California State Asylum for the Insane and Inebriates to convey certain water rights.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Bachman, Bassford, Belshaw, Bennett, Berry, Bettman, Bledsoe, Bulla, Butler, Cargill, Coghlin, Coleman, Collins, Dale, Devine, Devitt, Dinkelspiel, Dixon, Dodge, Dunbar, Dwyer, Ewing, Fassett, Gay, Glass, Hall, Hatfield, Huber, Hudson, Johnson, Jones, Keen, Kelsey, Laird, Laugenour, Meads, McKelvey, Nelson, North, O'Day, Osborn, Phelps, Powers, Robinson, Spencer, Staley, Swisler, Tibbits, Tomblin, Twigg, Wade, Waymire, Weyse, Wilkinson, Zocchi, and Mr. Speaker—53.

NOES—None.

Title read and approved.

Mr. McKelvey moved to reconsider the vote whereby Assembly Bill No. 897 was refused final passage.

The roll was called, and the Assembly reconsidered by the following vote:

AYES—Messrs. Ash, Bachman, Bassford, Belshaw, Bennett, Berry, Bettman, Brusie, Bulla, Butler, Cargill, Coghlin, Coleman, Collins, Dale, Davis, Devine, Dinkelspiel, Dixon, Dodge, Dunbar, Dwyer, Ewing, Fassett, Gay, Guy, Hall, Healey, Hudson, Johnson, Jones, Keen, Kelsey, Laugenour, Lewis, Meads, McKelvey, North, O'Day, Osborn, Robinson, Rowell, Spencer, Staley, Tomblin, Wade, Waymire, Weyse, and Mr. Speaker—49.

NOES—Mr. Bledsoe—1.

Assembly Bill No. 897—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 of California, except municipal corporations of the first class, and to provide for the consolidation and abolition of certain municipal offices, and to provide that their duties may be performed by certain officers of the county, and fixing the compensation to be allowed such county officers for the services so rendered to such municipal corporations.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Bachman, Bassford, Belshaw, Bennett, Berry, Bettman, Boothby, Bulla, Cargill, Coghlin, Coleman, Collins, Davis, Devitt, Dixon, Dodge, Dunbar, Dwyer, Ewing, Gay, Guy, Hall, Hatfield, Hudson, Jones, Keen, Kelsey, Kenyon, Laird, Laugenour, Meads, McKelvey, Merrill, Nelson, North, O'Day, Osborn, Powers, Price, Richards, Rowell, Spencer, Staley, Stansell, Tibbits, Tomblin, Twigg, Wade, Waymire, Weyse, Zocchi, and Mr. Speaker—53.

NOES—None.

Title read and approved.

Mr. Lynch moved that the Assembly do reconsider the vote whereby Substitute for Senate Bill No. 544 was on yesterday refused final passage.

The roll was called, and the Assembly reconsidered by the following vote:

AYES—Messrs. Ash, Bachman, Bassford, Belshaw, Bennett, Berry, Bledsoe, Brusie, Bulla, Butler, Cargill, Coleman, Collins, Davis, Devitt, Dinkelspiel, Dixon, Dodge, Dunbar, Dwyer, Fassett, Gay, Guy, Hall, Hatfield, Hudson, Johnson, Kelsey, Kenyon, Laird,

Laugenour, Meads, Nelson, North, O'Day, Osborn, Phelps, Powers, Robinson, Spencer, Thomas, Tibbits, Tomblin, Wade, Waymire, Zocchi, and Mr. Speaker—47.
NOMs—Mr. Weyse—1.

Substitute for Senate Bill No. 544—An Act to amend the Penal Code by adding a new section, to be known as section one thousand and eighty-nine of the Penal Code of the State of California, relating to alternate jurors.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Bachman, Bassford, Belshaw, Bennett, Berry, Bettman, Bledsoe, Boothby, Cargill, Coghlin, Coleman, Dale, Davis, Devine, Devitt, Dixon, Dunbar, Fassett, Gay, Guy, Hatfield, Healey, Holland, Hudson, Johnson, Keen, Kelsey, Kenyon, Laird, Laugenour, Merrill, Nelson, North, O'Day, Osborn, Phelps, Powers, Price, Richards, Spencer, Thomas, Tibbits, Tomblin, Twigg, Wade, Waymire, Zocchi, and Mr. Speaker—50.

NOMs—Mr. Bulla—1

Title read and approved.

At eleven o'clock and forty-five minutes A. M. the Speaker resumed the chair.

Assembly Bill No. 751—An Act providing for a general primary election within the State of California, and to promote the purity thereof by regulating the conduct thereof, and to support the privilege of free suffrage thereat by prohibiting certain acts and practices in relation thereto, and providing for the punishment thereof.

Passed temporarily on file.

Assembly Bill No. 901—An Act to amend an Act entitled an Act to promote the purity of elections, by regulating the conduct thereof, and to support the privilege of free suffrage by providing for the punishment thereof.

Passed temporarily on file.

At eleven o'clock and fifty minutes A. M. the Speaker called Mr. Davis to the chair.

ASSEMBLY CONSTITUTIONAL AMENDMENT No. 36.

A resolution proposing to amend section seventeen, of article one, of the Constitution of the State of California, relative to ownership of property by aliens.

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California, at its regular session, commencing on the seventh day of January, Anno Domini one thousand eight hundred and ninety-five, two thirds of all the members elected to each house concurring, hereby propose that section seventeen of article one of the Constitution of said State be amended so as to read as follows:

Section 17. Foreigners shall not have the right to acquire, possess, enjoy, transmit, or inherit property in this State, unless they are eligible to become citizens of the United States under the naturalization laws thereof

The question being on the adoption of the amendment.

The roll was called, and Assembly Constitutional Amendment No. 36 adopted by the following vote:

AYES—Messrs. Ash, Bachman, Belshaw, Bennett, Berry, Bettman, Bledsoe, Boothby, Bulla, Butler, Cargill, Coghlin, Coleman, Dale, Davis, Devine, Dixon, Dunbar, Dwyer, Ewing, Fassett, Gay, Glass, Guy, Hall, Hatfield, Healey, Holland, Johnson, Jones, Keen, Kelsey, Kenyon, Laird, Laugenour, Meads, Merrill, Nelson, North, O'Day, Osborn, Phelps, Powers, Reid, Richards, Robinson, Rowell, Spencer, Staley, Swisler, Thomas, Tomblin, Twigg, Wade, Waymire, Weyse, Zocchi, and Mr. Speaker—58

NOMs—Messrs. Bassford, Collins, and Hudson—3

Assembly Constitutional Amendment No. 41—A resolution to propose to the people of the State of California an amendment to the Constitu-

tion of the State, amending section six of article nine thereof, relative to the public school system.

Passed, to retain its place on file.

ASSEMBLY CONSTITUTIONAL AMENDMENT No. 20.

Proposed amendment to article four of the Constitution, relating to the legislative department, adding a new section thereto, limiting the contingent expenses of the Senate and Assembly.

The Legislature of the State of California, at its thirty-first session, two thirds of all the members elected to the Senate and Assembly voting therefor, proposes to the qualified electors of the State the following amendment to article four of the Constitution:

That article four be amended by adding thereto a new section, to be numbered twenty-three and one half, reading as follows:

Section 23½. The contingent expenses of the Legislature shall be limited to twenty-five thousand dollars for each house for each session; *provided*, that in case of necessity a further amount may be appropriated therefor, but only by an affirmative vote of three fourths of all the members elected to the Senate and to the Assembly.

The question being on the adoption of the amendment.

The roll was called, and Assembly Constitutional Amendment No. 20 adopted by the following vote:

AYES—Messrs. Ash, Bachman, Bassford, Belshaw, Bennett, Berry, Bettman, Brusie, Bulla, Butler, Cargill, Coleman, Collins, Cutter, Dale, Davis, Devine, Devitt, Dinkelspiel, Dixon, Dodge, Dunbar, Ewing, Fassett, Gay, Guy, Hatfield, Healey, Holland, Hudson, Johnson, Jones, Keen, Kenyon, Laird, Laugenour, McKelvey, Merrill, Nelson, North, Osborn, Phelps, Price, Richards, Robinson, Rowell, Spencer, Staley, Swisler, Thomas, Tibbitts, Tomblin, Wade, Waymire, Weyse, Zocchi, and Mr. Speaker—57.

NOES—Messrs Boothby and Meads—2.

At twelve o'clock M. the Speaker resumed the chair.

RESOLUTION—(OUT OF ORDER).

By Mr. McKelvey:

Resolved, That Assembly Bill No. 873, number three hundred and forty-three on file, presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house are hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

The question being on the adoption of the resolution.

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

AYES—Messrs. Ash, Bachman, Bennett, Berry, Bettman, Boothby, Brusie, Bulla, Butler, Coleman, Collins, Cutter, Dale, Devine, Devitt, Dinkelspiel, Dunbar, Dwyer, Fassett, Gay, Guy, Hall, Hatfield, Hudson, Jones, Kenyon, Laugenour, Meads, McKelvey, North, O'Day, Richards, Robinson, Rowell, Sanford, Spencer, Staley, Thomas, Tibbitts, Tomblin, Wade, Waymire, Weyse, and Mr. Speaker—43.

NOES—Mr. Holland—1.

Mr. McKelvey asked unanimous consent to take up the consideration of Assembly Bill No. 873, and that it be read second time.

So ordered.

Assembly Bill No. 873—An Act to amend the Penal Code by adding a new section thereto, to be known as section two hundred and seventy-three, relating to the care of children.

Read second time.

The following committee amendments were submitted:

Amend section one, line four, after the word "child," in printed bill, by inserting the following: "or children"

Adopted.

Also: Amend section one, line five, after the words "such parent," at the beginning of the line, printed bill, by inserting the following: "or who has been ordered or directed, by any Court of competent jurisdiction, to pay to any person any amount as alimony for the support or maintenance of such child or children."

Adopted.

Also: Amend section one, line six, after the word "thereof," in printed bill, by inserting the following: "or who for such period of days after service upon him or her of such order for the payment of such alimony shall fail to pay the amount of such alimony to the person entitled thereto under the order of the Court."

Adopted.

Also: Amend after section one by adding the following: "Section 2. This Act shall take effect immediately."

Adopted.

Ordered to engrossment and third reading.

Mr. McKelvey moved to make Assembly Bill No. 873 a special order for consideration immediately after special file to-morrow.

So ordered.

The Speaker announced the appointment of the following Committee of Free Conference on Assembly Bill No. 132: Messrs. Bettman, Pendleton, and Laugenour.

The Senate was requested to appoint a like committee.

A Committee of Free Conference on Senate Bill No. 327 was announced as follows: Messrs. Tibbits, Powers, and Brusie.

The Senate was requested to appoint a like committee.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON PUBLIC LANDS.

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1895.

MR. SPEAKER: Your Committee on Public Lands, to whom was referred Senate Bill No. 523—An Act to amend section five of an Act entitled "An Act regulating the sale of the lands uncovered by the recession or drainage of the waters of inland lakes, and unsegregated swamp and overflowed lands, and validating sales and surveys heretofore made," approved March 24, 1893—have had the same under consideration, and respectfully report the same back without recommendation.

DAVIS, Chairman.

Mr. Guy moved that the rules be suspended, and Assembly Bill No. 61 be taken up out of order and read second time.

Lost.

MOTION TO RECONSIDER.

Mr. Laugenour moved to reconsider the vote whereby Assembly Bill No. 954 was refused final passage.

The question being on the motion to reconsider.

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

AYES—Messrs. Bachman, Barker, Bassford, Berry, Bettman, Boothby, Brusie, Butler, Cargill, Coleman, Cutter, Davis, Devine, Devitt, Dinkelspiel, Dixon, Dunbar, Dwyer, Ewing, Gay, Glass, Hatfield, Holland, Huber, Kelsey, Kenyon, Laird, Laugenour, Lewis, McKelvey, Nelson, O'Day, Osborn, Pendleton, Powers, Reid, Richards, Swisler, Thomas, Tibbits, Tomblin, Weyse, Wilkinson, Zocchi, and Mr. Speaker—45

NOES—Messrs. Ash, Belshaw, Bennett, Bulla, Collins, Dale, Dodge, Fassett, Hall, Johnson, Jones, Keen, Meads, North, Phelps, Price, Rowell, Spencer, Wade, and Waymire—20.

Mr. Cutter moved that the hour of recess be extended ten minutes.
So ordered.

REPORT OF COMMITTEE ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1895.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following bills have been correctly engrossed:

Assembly Bill No. 628—An Act prohibiting the use of barbed wire fence in public lanes, streets, alleys, roads, or highways

Also: Assembly Bill No. 930—An Act to reimburse John C. Pelton for moneys expended by him for the public schools of California.

Also: Assembly Bill No. 907—An Act to provide for the disincorporation of municipal corporations of the sixth class.

Also: Assembly Bill No. 462—An Act to amend sections forty-seven and forty-eight of the Civil Code of the State of California, relating to libel and slander.

Also: Assembly Bill No. 864—An Act to amend sections five hundred and forty-one, five hundred and forty-two, five hundred and forty-three, and five hundred and forty-four of the Code of Civil Procedure of the State of California, relating to attachments

Also: Assembly Bill No. 751—An Act providing for a general primary election in counties of certain classes within the State of California, and to promote the purity thereof by regulating the conduct thereof, and to support the privileges of free suffrage thereat by prohibiting certain acts and practices in relation thereto, and providing for the punishment thereof.

WILKINSON, Chairman.

Assembly Bill No. 954—An Act appropriating the sum of twenty-five thousand dollars for a thorough system of ventilation for the Capitol building.

The question being on the final passage of the bill.

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

AYES—Messrs. Bachman, Barker, Bassford, Berry, Bettman, Boothby, Brusie, Butler, Cargill, Coleman, Cutter, Davis, Devine, Devitt, Dinkelspiel, Dunbar, Dwyer, Ewing, Gay, Hatfield, Holland, Huber, Johnson, Kelsey, Kenyon, Laird, Laugenour, Lewis, Meads, McKelvey, O'Day, Osborn, Pendleton, Powers, Reid, Richards, Robinson, Swisher, Thomas, Tibbits, Tomblin, Weyse, Wilkinson, Zocchi, and Mr. Speaker—45

NOES—Messrs. Ash, Belshaw, Bennett, Bledsoe, Bulla, Collins, Dale, Dodge, Fasset, Hall, Hudson, Jones, North, Phelps, Rowell, Wade, and Waymire—17

Title read and approved.

Assembly Bill No. 751—An Act providing for a general primary election within the State of California, and to promote the purity thereof by regulating the conduct thereof, and to support the privilege of free suffrage thereat by prohibiting certain acts and practices in relation thereto, and providing for the punishment thereof.

Read third time.

RECESS.

At twelve o'clock and thirty minutes P. M., on motion of Mr. Reid, the Assembly took a recess until two o'clock P. M.

REASSEMBLED.

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

Speaker Lynch in the chair.

Quorum present.

Assembly Bill No. 751—An Act providing for a general primary election within the State of California, and to promote the purity thereof by regulating the conduct thereof, and to support the privilege of free suffrage thereat by prohibiting certain acts and practices in relation thereto, and providing for the punishment thereof.

The question being on the final passage of the bill.

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

AYES—Messrs Ash, Bassford, Belshaw, Berry, Bettman, Bledsoe, Bulla, Coleman, Cutter, Dale, Dixon, Dodge, Dunbar, Dwyer, Ewing, Fassett, Gay, Glass, Guy, Hall, Hatfield, Healey, Holland, Huber, Hudson, Johnson, Kelsey, Kenyon, Laird, Lauge-nour, Meads, McKelvey, Merrill, Nelson, North, O'Day, Osborn, Phelps, Powers, Price, Rowell, Spencer, Staley, Tibbits, Tomblin, Wade, Waymire, Weyse, Wilkinson, and Mr Speaker—49

NOES—Messrs Bennett, Boothby, and Devine—3.

Title read and approved.

Mr. Bettman moved that Assembly Bill No. 751 be immediately transmitted to the Senate.

So ordered.

RESOLUTIONS—(OUT OF ORDER).

By Mr. Nelson:

Resolved, That Arthur S Vischer, Assistant Journal Clerk of the Assembly, be and he is hereby employed after the final adjournment of the Assembly for the purpose of assisting the Journal Clerk in completing the labor yet to be performed in the office of the Journal Clerk of the Assembly, and that he be allowed the sum of fifty-six dollars for such services, payable out of the Contingent Fund of the Assembly, and the Controller is hereby directed to draw his warrant in favor of said Arthur S. Vischer for said amount, and the Treasurer is authorized to pay the same.

Referred to Committee on Attachés and Employés.

By Mr. Cutter:

WHEREAS, It is necessary for the Engrossing Clerk to remain several days after the adjournment of the Legislature to complete the business of his office, and turn over to the Secretary of State the records, bills, etc., thereof, therefore, be it

Resolved, That the Controller be and he is hereby authorized and directed, after adjournment, to draw his warrant, payable out of the Contingent Fund of the Assembly, in favor of T. E. Atkinson, the Engrossing Clerk, for the same amount allowed by law (section two hundred and sixty-nine, Political Code) to the Chief Clerk and his assistants for services to be performed after adjournment

Referred to Committee on Attachés and Employés.

By Mr. Boothby:

Resolved, That the sum of eighty dollars be and is hereby appropriated out of any money, not otherwise appropriated, now in the State Treasury, to Joseph Brooks, for services rendered from January 7, 1895, to January 17, 1895.

Referred to Committee on Attachés and Employés.

By Mr. Butler:

Resolved, That Milton Berry be and is hereby allowed the sum of forty-seven dollars for an assistant which he hired to get the bound books back to the members, and the said forty-seven dollars was paid out of his own pocket. 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. Pendleton:

Resolved, That S. F. King and J. Kramer, attachés of the Assembly, be and are hereby ordered and directed to remain after the adjournment *sine die* of the Legislature, for the purpose of purchasing boxes, packing, labeling, and shipping of the books, bills, and documents of the members to their respective homes. That for the purpose of carrying out the provisions of this resolution the sum of two hundred and fifty dollars is hereby ordered to be paid out of the contingent expenses of the Assembly to said King and Kramer, for services rendered as above and the State Controller is hereby directed to draw his warrant therefor, and the Treasurer is directed to pay the same.

Referred to Committee on Attachés and Employés.

Also:

Resolved, That Harry Varcoe be and he is hereby allowed the sum of seventy-five dollars for services performed and rendered at the Clerk's desk during the entire session of the Assembly, and the Controller is hereby authorized to draw his warrant for the above amount, payable out of the Contingent Fund of the Assembly.

Referred to Committee on Attachés and Employés.

By Mr. Meads:

Resolved, That D. B. Bowley, the Messenger to the State Printer, be and he is hereby authorized and directed to remain at the State Capitol for one week (seven days) after the adjournment *sine die* of the Legislature, for the purpose of performing his usual duties until the work at the desk is completed. The Controller is hereby directed to draw his warrant for the sum of thirty-five dollars, payable out of the Contingent Fund of the Assembly, in favor of said Messenger to the State Printer, and the Treasurer is hereby directed to pay the same.

Referred to Committee on Attachés and Employés.

By Mr. Wade:

Resolved, That E. S. Gridley, Assistant Journal Clerk, be retained for as many days as may be necessary, not exceeding one week, to assist the Journal Clerk in closing up the Journal work of the session, at the same per diem as he now receives, to be paid out of the Contingent Fund of the Assembly.

Referred to Committee on Attachés and Employés.

Mr. Dixon gave notice that he would move, on the next legislative day, to reconsider the vote whereby Assembly Bill No. 751 was finally passed.

MOTION TO RECONSIDER.

Mr. Dixon moved to reconsider the vote whereby Senate Bill No. 753 was finally passed.

Mr. Waymire moved that the rules be suspended and the opinion of the Chief Justice be read.

Lost.

The question being on the motion to reconsider.

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

AYES—Messrs Bassford, Belshaw, Bennett, Bettman, Boothby, Bulla, Butler, Cutter, Davis, Devitt, Dinkelspiel, Dodge, Fassett, Guy, Hatfield, Huber, Kelsey, Laugenour, Meads, McKelvey, North, Pendleton, Tibbits, Waymire, Weyse, and Zocchi—26.

NOES—Messrs Ash, Barker, Berry, Coghlin, Coleman, Collins, Dale, Devine, Dixon, Dunbar, Dwyer, Ewing, Gay, Glass, Hall, Healey, Holland, Hudson, Kenyon, Laird, McCarthy, Nelson, O'Day, Osborn, Richards, Robinson, Rowell, Sanford, Spencer, Staley, Thomas, Twigg, Wade, and Wilkinson—34.

LEAVE OF ABSENCE.

Messrs. Belshaw and Swisler were granted leave of absence until four o'clock P. M.

At two o'clock and fifteen minutes P. M. the Speaker called Mr. Brusie to the chair.

SPECIAL SENATE FILE.

Senate Bill No. 61—An Act authorizing and empowering the Board of State Harbor Commissioners to grant, exchange, or transfer certain property east of the westerly line of East Street, as delineated and located upon the ground, between Clay Street and Market Street, in the City and County of San Francisco, to or with the owner or owners of

certain property on the triangular corner common to Market, Sacramento, and East Streets.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill refused final passage by the following vote:

AYES—Messrs. Berry, Brusie, Coleman, Collins, Cutter, Davis, Devine, Dinkelspiel, Dwyer, Huber, Kenyon, Laugenour, Meads, McKelvey, Nelson, Phelps, Powers, and Twigg—18

NOES—Messrs. Ash, Barker, Bennett, Bettman, Bledsoe, Bulla, Cargill, Coghlin, Dale, Devitt, Dixon, Dodge, Dunbar, Ewing, Fassett, Glass, Guy, Hall, Hatfield, Healey, Holland, Hudson, Johnson, Jones, Keen, Laird, Merrill, North, Osborn, Price, Reid, Richards, Rowell, Stansell, Wade, Waymire, and Weyse—37.

NOTICE OF RECONSIDERATION.

Mr. Dixon gave notice that he would, on next legislative day, move to reconsider the vote whereby Senate Bill No. 61 was refused final passage.

Senate Bill No. 62—An Act to authorize and empower the Board of State Harbor Commissioners to institute condemnation proceedings against certain property on the corner of Market, Sacramento, and East Streets, in the City and County of San Francisco, and extending their jurisdiction over the same.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Barker, Bennett, Berry, Bettman, Brusie, Bulla, Butler, Coghlin, Coleman, Dale, Davis, Devine, Dinkelspiel, Dixon, Dodge, Dunbar, Dwyer, Ewing, Gay, Hall, Hatfield, Healey, Holland, Huber, Hudson, Johnson, Jones, Kenyon, Laugenour, McKelvey, Nelson, North, O'Day, Osborn, Pendleton, Powers, Price, Reid, Rowell, Sanford, Staley, Stansell, Twigg, Wade, Waymire, Weyse, Zocchi, and Mr. Speaker—47

NOES—Messrs. Bledsoe and Meads—2.

Title read and approved.

Senate Bill No. 103—An Act making an appropriation to pay the deficiency in the appropriation for the support of the State Normal School at Los Angeles for the forty-sixth fiscal year.

Passed, to retain its place on file.

Senate Bill No. 733—An Act amending the Civil Code of the State of California, adding thereto two new sections, to be numbered four hundred and ninety-two and four hundred and ninety-three, concerning franchises for the construction of elevated and underground railroad tracks.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Buchman, Barker, Bassford, Bennett, Berry, Bettman, Brusie, Bulla, Butler, Coghlin, Coleman, Collins, Dale, Davis, Devine, Devitt, Dinkelspiel, Dodge, Dunbar, Dwyer, Ewing, Fassett, Glass, Guy, Hall, Hatfield, Healey, Huber, Hudson, Johnson, Jones, Kenyon, Laird, Laugenour, McKelvey, Merrill, North, O'Day, Osborn, Pendleton, Phelps, Powers, Richards, Sanford, Staley, Twigg, Wade, Weyse, Wilkinson, Zocchi, and Mr. Speaker—52

NOES—None.

Title read and approved.

REPORT OF COMMITTEE ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1895.

MR SPEAKER: Your Committee on Engrossment beg leave to report that the following bill has been correctly engrossed: Assembly Bill No. 985—An Act to authorize counties of the second class to build railroads, and to lease or operate the same.

WILKINSON, Chairman.

Senate Bill No. 721—An Act to amend section seven hundred and thirty-eight of the Code of Civil Procedure, relating to actions to determine adverse claims to property.

Read third time.

Passed, to retain its place on file.

Senate Bill No. 402—An Act relating to the proof and recording of maps of real estate.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Bachman, Barker, Bassford, Bennett, Berry, Brusie, Bulla, Butler, Collins, Cutter, Dale, Davis, Devine, Devitt, Dunkelspiel, Dixon, Dodge, Dunbar, Ewing, Glass, Guy, Hall, Hudson, Johnson, Jones, Kenyon, Laugenour, Meads, North, O'Day, Osborn, Pendleton, Phelps, Powers, Price, Richards, Rowell, Sanford, Staley, Stansell, Tibbitts, and Wilkinson—43

NOES—Messrs Dwyer, Hatfield, Wade, and Weyse—4.

Title read and approved.

Senate Bill No. 434—An Act to add a new section to the Penal Code of the State of California, to be known and designated as section five hundred and two and one half, relating to the severance and removal of fixtures and improvements upon mortgaged property.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs Ash, Bachman, Barker, Bassford, Bledsoe, Bulla, Butler, Coghlin, Coleman, Collins, Dale, Davis, Devine, Dunkelspiel, Dixon, Dunbar, Dwyer, Ewing, Fassett, Glass, Guy, Hall, Hatfield, Huber, Hudson, Johnson, Jones, Kelsey, Laird, Laugenour, Nelson, Phelps, Powers, Richards, Robinson, Rowell, Sanford, Tomblin, Wade, Waymire, Weyse, and Zocchi—42

NOES—Messrs. Bennett, Meads, and McCarthy—3

Title read and approved.

At three o'clock and five minutes P. M. Mr. Laugenour was called to the chair.

Senate Bill No. 631—An Act making an appropriation to pay the deficiency in the appropriation for payment of transportation of children to the State Reform School for Juvenile Offenders for the forty-fourth fiscal year.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Barker, Bassford, Bennett, Bettman, Bulla, Butler, Coleman, Collins, Dale, Davis, Devine, Devitt, Dunkelspiel, Dixon, Dwyer, Ewing, Guy, Hall, Hatfield, Holland, Huber, Hudson, Johnson, Jones, Keen, Kelsey, Laird, Laugenour, Meads, O'Day, Powers, Reid, Richards, Robinson, Rowell, Sanford, Thomas, Tomblin, Twigg, Wade, Waymire, Weyse, and Mr Speaker—44

NOES—Messrs Bledsoe, Glass, McCarthy, Nelson, North, and Phelps—6

Title read and approved.

Senate Bill No. 721—An Act to amend section seven hundred and thirty-eight of the Code of Civil Procedure, relating to actions to determine adverse claims to property.

Mr. Weyse moved that a special committee of one be appointed, with instructions to amend as follows:

By striking out of section one, line four, the words "or personal," and "or in both real and personal property," and in section one, line six, "or personal," and "or both," and in line seven "bequest," and in line ten, "bequest."

Adopted.

APPOINTMENT OF SPECIAL COMMITTEE.

Mr. Weyse was appointed as such committee.

REPORT OF SPECIAL COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1895

MR. SPEAKER: Your special committee of one, to whom was referred Senate Bill No. 721—An Act to amend section seven hundred and thirty-eight of the Code of Civil Procedure, relating to actions to determine adverse claims to property—with instructions to amend, has had the same under consideration, and respectfully reports the same back, amended as per instructions.

WEYSE, Committee.

Adopted.

The question being on the adoption of the amendment offered by the committee.

The same was adopted.

Senate Bill No. 721 ordered to printer.

Senate Bill No. 43—An Act to provide for the purchase of additional grounds for the State Insane Asylum at Napa.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Barker, Bennett, Bettman, Brusie, Bulla, Butler, Coghlin, Coleman, Collins, Cutter, Dale, Davis, Devine, Dwyer, Ewing, Fassett, Glass, Guy, Hall, Hatfield, Hudson, Johnson, Jones, Keen, Kelsey, Laugenour, Lewis, Nelson, O'Day, Powers, Richards, Robinson, Rowell, Staley, Tomblin, Twigg, Wade, Waymire, Weyse, Wilkinson, and Zocchi—42

NOES—Messrs. Bachman, Bassford, Bledsoe, Healey, Laird, Meads, McCarthy, and North—8.

Title read and approved.

Senate Bill No. 235—An Act to amend an Act entitled "An Act for the more effectual prevention of cruelty to animals," approved March 20, 1874, by adding thereto two new sections regarding the disposition of old, maimed, and diseased animals, and relating to the definition of the word "empowered," to be known, respectively, as section four and one half and section thirteen and one half.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Barker, Bassford, Bennett, Bettman, Brusie, Bulla, Butler, Car-gill, Coleman, Collins, Cutter, Dale, Davis, Devine, Fassett, Glass, Guy, Hall, Hatheld, Huber, Hudson, Johnson, Jones, Keen, Kelsey, Laugenour, Nelson, North, O'Day, Phelps, Powers, Price, Rowell, Spencer, Staley, Tomblin, Twigg, Wade, Waymire, Wilkinson, Zocchi, and Mr. Speaker—43

NOES—Messrs. Bachman, Meads, and McCarthy—3

Title read and approved.

At three o'clock and twenty minutes P. M. Speaker Lynch resumed the chair.

Substitute for Senate Bill No. 787—An Act to provide for the completion and termination of the duties of the Board of State Viticultural Commissioners, the final disposition and transfer of all properties of the State in its possession, and the repeal of all laws and parts of laws relating to its organization, powers, and duties.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Barker, Bennett, Bettman, Brusie, Bulla, Butler, Cargill, Coghlin, Coleman, Collins, Cutter, Davis, Devine, Dinkelspiel, Dixon, Dwyer, Ewing, Fussett, Glass, Guv, Hall, Hatfield, Holland, Hudson, Johnson, Keen, Kelsey, Laugenour, Meads, Nelson, North, O'Day, Powers, Reid, Robinson, Rowell, Spencer, Staley, Twigg, Wade, Waymire, Zocchi, and Mr. Speaker—44.

NOES—Mr. McCarthy—1.

Title read and approved.

REPORT OF COMMITTEE ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1895

MR. SPEAKER: Your Committee on Enrollment have examined and found correctly enrolled Assembly Bill No. 889—An Act entitled an Act to amend sections one thousand one hundred and forty-two, one thousand one hundred and ninety-two, one thousand one hundred and ninety-nine, one thousand two hundred and three, one thousand two hundred and four, one thousand two hundred and seven, one thousand two hundred and eight, one thousand two hundred and eleven, and one thousand two hundred and fifty-eight of the Political Code, relating to elections

Also: Assembly Bill No. 917—An Act making an appropriation to pay the indebtedness incurred by the Board of Bank Commissioners, and authorizing and directing the Board to raise the amount.

Also: Assembly Bill No. 953—An Act to amend 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, 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 March 20, 1891, by amending sections one, eleven, and twelve," approved March 23, 1893, amending section one thereof

Also: Assembly Bill No. 171—An Act to purchase adjacent lands at the Folsom State Prison for the use of the State Prison, and making an appropriation therefor

Also: Assembly Bill No. 335—An Act to add a new article to chapter one of title two, part three, of the Political Code of the State of California, to be known and designated as article four, and to add six new sections, to be known and designated as sections one thousand and seventy-five, one thousand and seventy-six, one thousand and seventy-seven, one thousand and seventy-eight, one thousand and seventy-nine, and one thousand and eighty, relative to county, city, and city and county Boards of Election Commissioners

Also: Assembly Bill No. 624—An Act making an appropriation for the support of the Southern California State Asylum for the Insane and Inebriates for the remainder of the forty-sixth fiscal year

Also: Assembly Bill No. 829—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-sixth fiscal year

Also: Assembly Bill No. 961—An Act appropriating money to pay the expenses of the Commissioner of Public Works and his employes for the forty-seventh and forty-eighth fiscal years

And presented the same to the Governor on this day, at twelve o'clock M

MEADS, Chairman.

Senate Bill No. 871—An Act conferring power upon the Common Council, Board of Supervisors, or other governing body of cities, or cities and counties, of over one hundred thousand inhabitants, to acquire or condemn land for a suitable site, and erect thereon a suitable building or buildings for municipal purposes.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Bassford, Bennett, Bettman, Brusie, Bulla, Butler, Cargill, Coghlin, Coleman, Collins, Cutter, Dale, Davis, Devitt, Dixon, Dunbar, Ewing, Gay, Glass, Guy, Hall, Healey, Holland, Huber, Hudson, Kelsey, Kenyon, Laugenour, Lewis, Meads, McKelvey, Nelson, North, O'Day, Osborn, Pendleton, Powers, Price, Robinson, Rowell, Staley, Tibbits, Tomblin, Twigg, Wade, Waymire, Weyse, Wilkinson, Zocchi, and Mr. Speaker—50

NOES—Mr. Reid—1

Title read and approved.

Mr. Brusie moved that the constitutional provision be suspended, and he be allowed to introduce a bill.

The roll was called, and the constitutional provision suspended by the following vote:

AYES—Messrs. Ash, Bachman, Barker, Bassford, Bennett, Bettman, Boothby, Brusie, Bulla, Butler, Cargill, Coghlin, Coleman, Collins, Cutter, Dale, Davis, Devitt, Dinkelspiel, Dixon, Dodge, Dunbar, Dwyer, Fassett, Gay, Glass, Guy, Hall, Hatfield, Healey, Holland, Huber, Hudson, Johnson, Kelsey, Kenyon, Lewis, Nelson, North, O'Day, Osborn, Pendleton, Price, Reid, Robinson, Rowell, Spencer, Staley, Tibbits, Tomblin, Twigg, Wade, Waymire, Weyse, Zocchi, and Mr. Speaker—56.

NOES—None

INTRODUCTION OF BILL—(OUT OF ORDER).

By Mr. Brusie: Assembly Bill No. 1026—An Act to provide for the payment of all private claims allowed by the Legislature of the thirty-first session out of the revenues of the forty-seventh fiscal year.

Read first time, and ordered placed at head of special file.

RESOLUTION—(OUT OF ORDER).

By Mr. Brusie:

Resolved, That the State Printer be and is hereby directed to print Assembly Bill No. 1026 out of order, and return the same to the House forthwith.

Adopted.

MESSAGE FROM THE SENATE.

SENATE CHAMBER. SACRAMENTO, March 13, 1895.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on March 13, 1895, amended, and passed as amended, Assembly Bill No. 959—An Act to establish a uniform system of county and township governments.

Also: Refused to recede from its amendments to Assembly Bill No. 392—An Act to prescribe conditions upon which certain foreign insurance corporations, associations, partnerships, or individuals may be permitted to transact insurance business in the State of California—and has appointed Senators Hart, Orr, and Burke as conference committee to confer with like committee from your honorable body.

F. J. BRANDON, Secretary
By E. J. ENSIGN, Assistant.

Mr. Dodge moved to take up special order.

So ordered.

SPECIAL ORDER.

Assembly Bill No. 959—An Act to establish a uniform system of county and township governments.

The following amendments were considered:

Amend by striking out of section twenty-one, lines seventeen and eighteen.

Amend section twenty-five, line two hundred and twenty-three, by inserting after the word "bids," the following: "shall be on a schedule showing all articles needed in the several offices and departments, prepared by the Clerk of the Board."

Amend section twenty-five, line two hundred and thirty, by inserting after the word "books" the following: "from a schedule prepared by the Clerk of the Board, showing all blanks and blank books used in the several offices and departments."

Amend by striking out of section twenty-five, lines two hundred and twenty-six to two hundred and seventy-one, the words 'to make regulations for the protection of fish and game, when such regulations are made, as provided in this section, relating to game, the laws of the State for the protection thereof are suspended in such county; and to regulate the size and kind of nets and seines to be used for fishing, *provided, however*, that the length of season during which any fish or game may be taken or killed, as provided by the general laws of the State, shall not be extended or increased' and inserting the following "to provide by ordinance, not in conflict with the general laws of the State, for the protection of fish and game, and may shorten the close season for the taking or killing of fish and game within the dates fixed by the general State laws, but shall not lengthen the same"

Amend by striking out of section twenty-five, line two hundred and seventy-four, the words "two dollars and a half per day," after the word "exceed," and inserting the following "one hundred dollars per month"

Amend subdivision thirty-one of section twenty-five, by adding: "*provided*, that the provisions of this section shall not be so construed as to empower said Boards of Supervisors to refuse a license to the conducting of any business for which a license is now authorized under the laws of this State, without first submitting the question of license or no license, upon said business, to a vote of the people of such county, and a majority thereof voting upon the question are against the license; and *provided further*, that nothing herein contained shall in any manner abridge the powers of towns, cities, and municipalities to make and enforce within their limits, all such local police and sanitary regulations as are not in conflict with general laws."

Amend section twenty-five, line three hundred and fourteen, by inserting the following:

"41 To provide by ordinance for the organization and government of districts, to protect and preserve the banks of rivers and streams, and lands lying contiguous thereto, from injury by overflow, or the washing thereof, and to provide for the improvements of said rivers and streams, and to provide for the assessment, levy, and collections within such districts of a tax therefor"

Amend by striking out of section forty-one, lines two and three, the words 'prior to the first or third Mondays of the month in,' and inserting the following. "three days prior to the time of the meeting of the Board at"

Amend by striking out all of section one hundred and forty-nine, after the word 'law,' in line three, and inserting the following "he shall at least once a month, and oftener in his discretion, pay the public moneys in his hands into the County Treasury, taking the receipt of the Treasurer therefor"

Amend by striking out of section one hundred and fifty-nine of the printed bill, lines fifty-one, fifty-two, fifty-three, fifty-four, fifty-five, fifty-six, and fifty-seven, and inserting the following in lieu thereof. "The Treasurer, three thousand six hundred dollars per annum, *provided*, that in counties of this class there shall be and hereby is allowed to the Treasurer one chief deputy, who shall be appointed by the Treasurer, and shall be paid a salary of one hundred and twenty-five dollars per month. The salary of the chief deputy herein provided for shall be paid by said county in monthly installments at the same time and in the same manner and out of the same fund as the salary of the Treasurer"

Amend by inserting in section fifty-six, after line six, the words "but the provisions of this section shall not affect any present incumbent of the office of Justice of the Peace or Constable"

Amend by striking out of section one hundred and sixty-one, line thirty-five, all after the word "fees," and all of lines thirty-six, thirty-seven, thirty-eight, thirty-nine, to and including the word "class," on line forty.

Amend by striking out of section one hundred and sixty-two, line thirty-nine, the words "such fees as are now or may be hereafter allowed by law," and inserting the following. "Ten dollars per day for all work performed for the county, and in addition thereto all necessary expenses and transportation on work performed in the field."

Amend by inserting in section one hundred and sixty-three, after line thirty-seven, the words "and one Assistant District Attorney, at a salary of fifteen hundred dollars per annum, to be paid at the same time and in the same manner as county officers are paid; said Assistant District Attorney allowed in lieu of the Assistant District Attorney allowed by virtue of subdivision thirty-six of section twenty-five of an Act entitled 'An Act to establish a uniform system of county and township governments,' approved March twenty-fourth, eighteen hundred and ninety-three."

Amend by striking out of section one hundred and sixty-three, line fifty-two, the words "of each department"

Amend section one hundred and sixty-three, line fifty-four, by inserting after the word "Court" the following. "and for all preliminary examinations and other services rendered in Court"

Amend section one hundred and sixty-three, line sixty-one, by inserting after the word "motions" the following. "demurrers"

Amend by striking out of section one hundred and sixty-eight, line seventeen, the words "are now or may be hereafter allowed by law," and inserting the following: "as were allowed by law on January 1, 1895."

Amend by striking out of section one hundred and sixty-eight, line eighteen, the words "are now or may be hereafter allowed by law," and inserting the following: "as were allowed by law on January 1, 1895."

Amend by striking out of section one hundred and sixty-eight, line twenty-three, the whole of subdivision sixteen, and inserting the following: "In counties of the eleventh class the office of Phonographic Reporter is hereby created, and the Judges of the Superior Courts of said counties are hereby empowered to make the appointment of such reporter, and the salary and compensation of such reporter is hereby fixed and determined at the sum of one hundred and fifty dollars per month, payable at the same time and in the same manner as the salaries of the other county officers, and for transcription of notes, when required, he shall receive the sum of twelve and one half cents per folio for the original, and five cents per folio for copies. Claims of compensation for transcription in criminal cases to be audited and allowed by the Board of Supervisors as other claims against the county, and paid out of the County Treasury, and in civil cases or proceedings, to be paid by the party ordering the same, or, when ordered by the Judge, by either party, or by both parties, as the Court may direct."

Amend by striking out of section one hundred and sixty-seven all of subdivision sixteen and inserting the following.

"16 In counties of this class the official reporter of each department of the Superior Court shall receive as full compensation for taking notes in civil and criminal cases tried in said Courts, and when requested by a Justice of the Peace, or Coroner, in preliminary examinations or inquests, a monthly salary of one hundred dollars, payable out of the County Treasury, at the same time and in the same manner as the salaries of other county officers; and for transcription of said notes, when required, they shall receive the sum of ten cents per folio for the original, and five cents per folio for a copy, said compensation for transcribing in criminal cases, preliminary examinations, and inquests, to be audited and allowed by the Board of Supervisors as other claims against the county, and paid out of the County Treasury; and in civil cases, to be paid by the party ordering the same, or, when ordered by the Judge, by either party, or jointly by both parties, as the Court may direct."

Amend by striking out of section one hundred and sixty-nine, line seven, the "period" after the word "annum," and inserting the following. "and the fees or commissions for the service of all papers whatsoever issued by any Court outside of his county."

Amend section one hundred and seventy-four by inserting after the word "annum," on line six, the following: "which shall be in full for all services rendered as License Collector."

Amend section one hundred and seventy-one, line twenty-four, by inserting the following: "provided, the amount of mileage shall not exceed the sum of three hundred dollars in any one year."

Amend by adding to section one hundred and seventy-eight line five, the words following, "and all commissions, fees, and mileage for the service of papers or process coming from Courts other than those of his own county."

Amend by adding to section one hundred and seventy-eight, line sixteen, the words following: "and one Assistant District Attorney, to be appointed by the District Attorney, who shall receive as compensation for his services the sum of twelve hundred dollars per annum, to be paid out of the County Treasury, in equal monthly installments, in the same manner and at the same time as other county officials are paid."

Amend by striking out of section one hundred and seventy-eight, line twenty-one, the words "such fees as are now or may be hereafter allowed by law," and inserting the following: "ten dollars per day while engaged in county work, and necessary expenses incurred in going to and from the place of labor outside of his office."

Amend subdivision fifteen of section one hundred and eighty, by striking out of line twenty-three thereof the words "a per diem of," and inserting on said line, after the word "Supervisor," the words "exclusive of mileage."

Amend by striking out of line twenty-four of said section, the words "a per diem of," and inserting after the word "Commissioner," the words "exclusive of actual traveling expenses."

Amend by striking out all of lines thirteen, fourteen, seventeen, eighteen, and nineteen of section one hundred and eighty, after the word "fees," and inserting after the word "fees," in each of said lines, the words "as were allowed by law on the first day of January, 1895."

Amend subdivision fifteen of section one hundred and eighty, by striking out all of said subdivision after the word "Commissioner," in line twenty-four, and inserting in lieu thereof the following:

"The provisions of all subdivisions of this section, except subdivisions nine, ten, twelve, thirteen, fourteen, and fifteen, shall take effect on the first Monday after the first day of January, eighteen hundred and ninety-nine, said subdivisions nine, ten, twelve, thirteen, fourteen, and fifteen to take effect immediately."

Amend by inserting in section one hundred and eighty-one, line twenty-two, the words "and (when requested by the District Attorney) in preliminary examinations and inquests," after the words "said Court."

Amend by inserting in line twenty-six of the same section, after the words "criminal cases," the following: "preliminary examinations and inquests."

Amend by striking out of section one hundred and eighty-two, line six, after the word "and," the word "six," and inserting the following: "seven."

Amend by inserting in section one hundred and eighty-two, line twelve, after the word "thousand," the words "eight hundred."

Amend by striking out of section one hundred and eighty-two, lines twenty-six and twenty-seven, the words "and on all preliminary examinations and Coroner's inquests."

Amend section one hundred and eighty-three, line nineteen, by adding after the word "law," the following: "Constables of townships having more than two thousand and less than twenty-five hundred population, forty dollars per month, their actual traveling expenses, half the fees in criminal cases, and such fees as are now or may hereafter be allowed by law for civil cases; *provided*, the salary and fees allowed in criminal cases shall not exceed one hundred dollars in any one month, or one thousand dollars in any one year."

"Constables of townships having more than fifteen hundred and less than two thousand population, thirty dollars per month, their actual traveling expenses, half the fees in criminal cases, and such fees as are now or may hereafter be allowed by law in civil cases; *provided*, the salary and fees allowed in criminal cases shall not exceed one hundred dollars in any one month, or one thousand dollars in any one year."

"Constables of townships having more than one thousand and less than fifteen hundred population, twenty dollars per month, their actual traveling expenses, half the fees in criminal cases, and such fees as are now or may hereafter be allowed by law in civil cases; *provided*, the salary and fees allowed in criminal cases shall not exceed one hundred dollars in any one month, or one thousand dollars in any one year."

"Constables of townships having more than five hundred and less than one thousand population, fifteen dollars per month, their actual traveling expenses, half the fees in criminal cases, and such fees as are now or may hereafter be allowed by law for civil cases; *provided*, the salary and fees allowed in criminal cases shall not exceed one hundred dollars in any one month, or one thousand dollars in any one year."

"The population of any township shall be ascertained in the same manner as the population of the different counties of the State under this Act."

Amend by striking out of section one hundred and eighty-seven, line twenty-one, the word "six," and inserting the word "four," and also at end of same insert "not to exceed one hundred and fifty dollars per annum."

Amend by striking out of section one hundred and eighty-seven, after the word "direct," in line thirty, all the balance of the section

Amend by striking out of section two hundred and four, line nine, the "period" after the word "annum," and inserting the following: "which shall be in full for all services as said Tax Collector and License Collector"

Amend by adding to section one hundred and sixty-three, line thirty-two, the words "including the percentage collected by him from licenses"

Amend by striking out of section one hundred and seventy-six, line eighteen, the words "are now or may be hereafter allowed by law," and inserting the following: "were allowed by law on the first day of January, 1895"

Amend by striking out of section one hundred and seventy-six, line nineteen, the words "are now or may be hereafter allowed by law," and inserting the following: "were allowed by law on the first day of January, 1895."

Amend by inserting in section fifty-six, line three, after the word "elected," the following: "there shall be but one Justice of the Peace"

Amend by striking out of section one hundred and sixty-six, line forty-three, the words "both per diem and mileage, no"

Amend by striking out of section one hundred and ninety-six, line nine, the "period" after the word "annum," and inserting the following: "and the fees allowed by law for services as License Collector, not to exceed, however, in any one year, the sum of three hundred dollars"

Amend by striking out all of line forty-four, up to and including the word "year," and inserting the following: "per diem, no Supervisor shall receive more than six hundred dollars per annum"

Amend section one hundred and sixty-two by inserting between lines nineteen and twenty the following: "The License Collector, eighteen hundred dollars per annum."

Amend by inserting at end of line five, in section one hundred and eighty-seven, as follows: "also, the following fees, to be audited and paid as other county charges. For serving warrant of arrest, two dollars, for every mile necessarily traveled in executing any warrant of arrest, twenty cents per mile, for taking prisoners to magistrate or to jail, the actual cost of transportation"

Amend by adding to section one hundred and eighty-nine, line thirteen, the words: "*provided*, he may charge and receive for his own use, necessary expenses for traveling on county and public business, to be allowed as other county charges are allowed by law"

Amend by adding to section one hundred and eighty-nine, line twenty-four, the following: "and when serving as Road Commissioners three dollars per day, but he shall not in any one year receive more than three hundred dollars for services as such Road Commissioner"

Amend by inserting in section one hundred and ninety-four, line twenty-five, the words "and (when requested by the District Attorney) in preliminary examinations and inquests," after the words "said Court"

Amend by inserting in line twenty-nine, same section, after the words "criminal cases," the following "preliminary examinations and inquests"

Amend by striking out of section one hundred and ninety-four, lines nineteen, twenty, twenty-one, twenty-two, and twenty-three, being all of paragraph fifteen, and inserting the following "Each Supervisor shall receive three hundred dollars per year, and when serving as Road Commissioner three dollars per day, and twenty cents per mile one

way, for all distances actually traveled by him in the performance of his duties as such Commissioner."

Amend by striking out of section one hundred and ninety-six, line six, the "period" after the word "annum," and adding the following: "provided, that the Recorder shall be paid the actual cost of making the abstract of mortgages, not to exceed two hundred and forty dollars."

Amend by striking out of section one hundred and ninety-six, subdivisions twelve, thirteen, fourteen, and fifteen thereof, and inserting the following:

"12. The Surveyor, nine hundred dollars per annum, which shall be in full for all services required of him by the Court, or the Board of Supervisors, and as ex officio County Recorder, *provided*, that he shall be entitled to receive from the county his actual necessary traveling expenses incurred in the performance of any order of the Court or Board of Supervisors. For all other services, the fees allowed by law.

"13. Justices of the Peace, the following monthly salaries, to be paid each month as salaries of county officers are paid, and which shall be in full for all services rendered by them in criminal cases, to wit:

"In townships having a population of three thousand or more, twenty-five dollars per month.

"In townships having a population of two thousand and less than three thousand, forty dollars per month.

"In townships having a population of one thousand three hundred and less than two thousand, forty dollars per month.

"In townships having a population of one thousand and less than thirteen hundred, twenty dollars per month.

"In townships having a population of less than one thousand, ten dollars per month, *provided*, that Justices of the Peace must pay into the County Treasurer, on the first Monday in each month, the fines collected by them for the preceding month, and shall file with the County Treasurer a sworn statement, showing in detail the amount of, from whom, when, and the offense for which such fines were collected, *provided, also*, that each Justice of the Peace may collect and retain for his own use the fees allowed by law, for services rendered by him in civil cases, but a sworn statement showing, in detail, the amount of, from whom, and when such fees were collected, shall be filed by him at the same time and in the same manner as his statement of fines.

"No Justice of the Peace shall receive his warrant for his salary for the preceding month until he has presented to the County Auditor a receipt showing that the foregoing provisions have been complied with.

"14. Constables, the following monthly salaries, to be paid each month as salaries of county officers are paid, and which shall be in full for all services rendered by them in criminal cases, including attendance on Justice's Court, and the care of prisoners held by them, to wit:

"In townships having a population of three thousand or more, thirty dollars per month.

"In townships having a population of two thousand and less than three thousand, fifty dollars per month.

"In townships having a population of one thousand three hundred and less than two thousand, forty dollars per month.

"In townships having a population of one thousand and less than thirteen hundred, twenty dollars per month.

"In townships having a population of less than one thousand, ten dollars per month; *provided*, that each Constable may collect and retain for his own use the fees allowed by law for services rendered by him in civil cases, but he shall make the same detailed report to the County Treasurer of fees collected by him, and be subject to the same proviso before receiving a warrant for his salary as required of Justices of the Peace in the foregoing subdivision, *provided, also*, that each Constable shall be paid his actual and necessary expenses incurred in conveying prisoners to the county jail, not to exceed, however, in any one month, the sum of twenty dollars.

"The population of the several judicial townships shall be ascertained by the Board of Supervisors, as the population of counties is ascertained in section one hundred and fifty-seven of this Act.

"15. Each Supervisor, nine hundred dollars per annum, which shall be in full for all services rendered by him, either as Supervisor or Road Commissioner, including all mileage, *provided*, that each Supervisor shall be entitled to receive from the county his actual and necessary traveling expenses incurred in the performance of his duty as Supervisor, other than expenses incurred in attendance at meetings of the Board.

"16. In counties of this class the official reporter of the Superior Court shall receive as full compensation for taking notes in civil and criminal cases tried in said Court, a monthly salary of fifty dollars, payable out of the County Treasury, at the same time and in the same manner as salaries of county officers, and for transcription of said notes, when required, he shall receive the sum of ten cents per folio for the original, and five cents per folio for a copy; said compensation for transcription in criminal cases to be audited by the Board of Supervisors as other claims against the county, and paid out of the County Treasury, and in civil cases to be paid by the party ordering the same, or, when ordered by the Judge, by either party, or jointly by both parties, as the Court may decide."

Amend by striking out of section one hundred and ninety-nine, line five, the words

"two thousand six hundred and twenty-five," and inserting the following: "three thousand."

Amend by striking out of section one hundred and ninety-nine, line six, the words "six hundred," and inserting the following: "nine hundred."

Amend by striking out of section one hundred and ninety-nine, line seven, the word "three," and inserting the following: "five hundred."

Amend by striking out of section one hundred and ninety-nine, line eight, the words "nine hundred," and inserting the following: "one thousand two hundred."

Amend by striking out of section one hundred and ninety-nine, line nine, the words "three hundred and seventy-five," and inserting the following: "five hundred."

Amend by striking out of section one hundred and ninety-nine, line ten, the words "one thousand five hundred," and inserting the following: "two thousand."

Amend by striking out of section one hundred and ninety-nine, line eleven, the words "one thousand two hundred," and inserting the following: "one thousand six hundred."

Amend by inserting in section two hundred and one, line twenty-five, the words "and (when requested by the District Attorney) in preliminary examinations and inquests," after the words "said Court."

Amend by inserting in line twenty-nine, of the same section, after the words "criminal cases," the following: "preliminary examinations and inquests."

Amend by striking out of section two hundred and two, all of line twenty-five after the word "Peace", also, by striking out in line twenty-six the words "in addition," and inserting the following: "shall for services in criminal cases be allowed."

Amend by striking out of section two hundred and two, line thirty-four, the words "all of which compensation," and inserting the following: "the per diem herein allowed."

Amend by inserting in section two hundred and two, line thirty-seven, the letter "s," after the word "provision."

Amend section two hundred and three by striking out all of subdivision fifteen of said section, after the word "receive," on line twenty-six, and inserting in lieu thereof the following: "more than three hundred dollars as Supervisor, exclusive of mileage, nor more than three hundred dollars as Road Commissioner, exclusive of traveling expenses."

Amend section two hundred and four by adding a new subdivision thereto, to be numbered sixteen, as follows:

"16 In counties of this class, the official reporter of the Superior Court shall receive as full compensation for taking notes in civil and criminal cases tried in said Court, a monthly salary of fifty dollars, payable out of the County Treasury, at the same time and in the same manner as the salaries of county officers; and for the transcription of said notes, when required, he shall receive the sum of ten cents per folio for the original, and five cents per folio for a copy. said compensation for transcription in criminal cases to be audited by the Board of Supervisors, as other claims against the county, and paid out of the County Treasury, and in civil cases, to be paid by the party ordering the same, or, when ordered by the Judge, by either party, or jointly by both parties, as the Court may decide."

Amend by inserting in section two hundred and five, after line twelve, the words "and his necessary traveling expenses, to be allowed by the Board of Supervisors."

Amend by striking out of section two hundred and five, line thirteen, the words "are now or may be hereafter allowed by law," and inserting the following: "were allowed by law on the first day of January, 1895."

Amend by striking out of section two hundred and five, line fourteen, the words "are now or may be hereafter allowed by law," and inserting the following: "were allowed by law on the first day of January, 1895."

Amend by striking out of section two hundred and five, line seventeen, the words "are now or may be hereafter allowed by law," and inserting the following: "were allowed by law on the first day of January, 1895."

Amend by striking out of section two hundred and five, line eighteen, the words "are now or may be hereafter allowed by law," and inserting the following: "were allowed by law on the first day of January, 1895."

Amend by striking out of section two hundred and five, line nineteen, the words "are now or may be hereafter allowed by law," and inserting the following: "were allowed by law on the first day of January, 1895."

Amend by striking out of section two hundred and six, line twelve, the words "are now or may be hereafter allowed by law," and inserting the following: "were allowed by law on the first day of January, 1895."

Amend by striking out of section two hundred and six, line thirteen, the words "are now or may be hereafter allowed by law," and inserting the following: "were allowed by law on the first day of January, 1895."

Amend by striking out of section two hundred and six, line sixteen, the words "are now or may be hereafter allowed by law," and inserting the following: "were allowed by law on the first day of January, 1895."

Amend by striking out of section two hundred and six, line seventeen, the words "are now or may be hereafter allowed by law," and inserting the following: "were allowed by law on the first day of January, 1895."

Amend by striking out of section two hundred and six, line eighteen, the words "are now or may be hereafter allowed by law," and inserting the following: "were allowed by law on the first day of January, 1895."

Amend by adding to section two hundred and ten, line nine, the words "which shall include all fees as License Collector."

Amend by striking out section ten and inserting the following:

"SEC. 10 The population of the several counties of this State is hereby ascertained and determined to be, and is as follows: County of San Francisco, 298,313; County of Los Angeles, 124,875; County of Alameda, 100,415; County of Santa Clara, 58,290; County of Sacramento, 47,820; County of Sonoma, 37,345; County of San Joaquin, 36,670; County of San Diego, 35,620; County of Fresno, 35,080; County of San Bernardino, 27,500; County of Humboldt, 27,255; County of Solano, 26,130; County of Tulare, 24,150; County of Butte, 22,770; County of Santa Cruz, 22,055; County of Nevada, 21,905; County of Mendocino, 21,095; County of Monterey, 20,600; County of San Luis Obispo, 20,140; County of Placer, 18,985; County of Riverside, 18,460; County of Santa Barbara, 18,310; County of Napa, 18,220; County of Yolo, 17,375; County of Kern, 17,330; County of Contra Costa, 17,200; County of Orange, 16,540; County of Siskiyou, 16,190; County of Shasta, 16,145; County of Ventura, 14,410; County of Calaveras, 14,175; County of Amador, 13,250; County of El Dorado, 13,040; County of Stanislaus, 12,745; County of San Mateo, 12,450; County of Tehama, 11,675; County of Yuba, 11,635; County of Marin, 11,360; County of Colusa, 10,510; County of Tuolumne, 10,235; County of Merced, 9,815; County of San Benito, 9,090; County of Kings, 8,935; County of Sutter, 8,565; County of Madera, 7,975; County of Lake, 7,600; County of Glenn, 7,445; County of Sierra, 6,540; County of Plumas, 5,070; County of Mariposa, 5,720; County of Modoc, 5,565; County of Lassen, 5,330; County of Trinity, 4,990; County of Inyo, 4,360; County of Del Norte, 3,463; County of Mono, 2,775; County of Alpine, 490."

Amend by striking out of section one hundred and fifty-seven, lines three, four, and five, and inserting the following, "as ascertained and determined in section ten, as follows, to wit "

Amend by adding to subdivision six, section one hundred and fifty-nine, line fifty-eight, after the words "per annum," the following "which shall also be full compensation for all services rendered by him as License Tax Collector."

Amend by striking out of section one hundred and eighty-five, lines twenty-one to twenty-nine, inclusive

Amend section one hundred and eighty-five, line five, by inserting the following: "which shall be in full for all services as License Collector."

Amend section one hundred and ninety-six, subdivision fourteen, by striking out the following words: "as the population of counties is ascertained in section one hundred and fifty-seven of this Act," and inserting in lieu thereof the following words: "by multiplying the vote for Governor cast in each township at the next preceding general election by five."

Amend by striking out of section twenty-five, line two hundred and thirty-three, the words "such county officer," and inserting the following: "the Printing Committee of said Board "

Amend by inserting in section one hundred and sixty-seven, after the word "annum," in subdivision two, "and the fees or commissions for the service of all papers whatsoever issued by any Court outside of his county."

Amend section two hundred and eight, line nine, by inserting after the words "the Tax Collector, one thousand dollars per annum," the words "which shall be in full compensation as Tax Collector and ex officio License Collector"

Amend by adding to section two hundred and eleven, after line twenty-three, the words "no fees shall be allowed the Sheriff or Tax Collector for collecting licenses in counties of this class."

Amend by striking out of section two hundred and two, line twenty-nine, the words "as provided in section one hundred and fifty-seven "

Amend by striking out of line thirty the words "of this Act," and inserting the following: "by multiplying by five the vote cast for Governor in each township at the next preceding general election "

Amend by adding to the end of section two hundred and thirteen, the words "provided, that no fees shall be allowed the Sheriff or Tax Collector for collecting licenses in counties of this class."

Amend by adding to section one hundred and eighty-eight, after line eleven, the words "provided, that no fees or compensation, other than the compensation provided for in this section, be allowed the Sheriff or Tax Collector for the collection of licenses in counties of this class."

Amend by adding to section one hundred and eighty-nine, after line nine, the words: "provided, that no fees or compensation, other than the compensation provided for in this section, be allowed the Sheriff or Tax Collector for the collection of licenses in counties of this class."

Amend by striking out of section one hundred and eighty-nine, line twenty-one, "are now or may be hereafter allowed by law," and inserting the following "were allowed by law January 1, 1895."

Amend by striking out of section one hundred and eighty-nine, line twenty, the words "are now or may be hereafter allowed by law," and inserting the following "were allowed by law January 1, 1895"

Amend by striking out of section one hundred and eighty-nine, line fourteen, the words "are now or may be hereafter allowed by law," and inserting the following: "were allowed by law January 1, 1895 "

Amend by striking out of section one hundred and eighty-nine, line fifteen, the words

"are now or may be hereafter allowed by law," and inserting the following: "were allowed by law January 1, 1895."

Amend by striking out of section one hundred and eighty-nine, line twenty-two, the words "are now or may be hereafter allowed by law," and inserting the following: "were allowed by law January 1, 1895."

Amend by adding at the end of section one hundred and seventy-seven, the words "*provided*, that no fees or compensation, other than the compensation provided for in this section, be allowed the Sheriff or Tax Collector for the collection of licenses in counties of this class."

Amend section one hundred and eighty-three, line nineteen, by adding after the word "law" the following: "Constables of townships having more than two thousand and less than twenty-five hundred population, forty dollars per month, their actual traveling expenses, half the fees in criminal cases, and such fees as are now or may hereafter be allowed by law for civil cases, *provided*, the salary and fees allowed in criminal cases shall not exceed one hundred dollars in any one month, or one thousand dollars in any one year."

"Constables of townships having more than fifteen hundred and less than two thousand population, thirty dollars per month, their actual traveling expenses, half the fees in criminal cases, and such fees as are now or may hereafter be allowed by law in civil cases, *provided*, the salary and fees allowed in criminal cases shall not exceed one hundred dollars in any one month, or one thousand dollars in any one year."

"Constables of townships having more than one thousand and less than fifteen hundred population, twenty dollars per month, their actual traveling expenses, half the fees in criminal cases, and such fees as are now or may hereafter be allowed by law in civil cases, *provided*, the salary and fees allowed in criminal cases shall not exceed one hundred dollars in any one month, or one thousand dollars in any one year."

"Constables of townships having more than five hundred and less than one thousand population, fifteen dollars per month, their actual traveling expenses, half the fees in criminal cases, and such fees as are now or may hereafter be allowed by law for civil cases, *provided*, the salary and fees allowed in criminal cases shall not exceed one hundred dollars in any one month, or one thousand dollars in any one year."

"The population of any township shall be ascertained in the same manner as the population of the different counties of the state under this Act."

Amend by striking out of section one hundred and eighty-three, line nineteen, and inserting the following:

"14 Constables of townships numbers one, two, and eight, forty dollars per month, their actual traveling expenses, half the fees in criminal cases, and such fees as are now or may hereafter be allowed by law for civil cases."

"Constables of townships numbers five, nine, and ten, thirty dollars per month, their actual traveling expenses, half the fees in criminal cases, and such fees as are now or may hereafter be allowed in civil cases."

"Constables of townships numbers three, four, and six, twenty dollars per month, their actual traveling expenses, half the fees in criminal cases, and such fees as are now or may hereafter be allowed by law in civil cases."

"Constables of township number seven, fifteen dollars per month, their actual traveling expenses, half the fees in criminal cases, and such fees as are now or may hereafter be allowed by law in civil cases."

Amend by inserting in section one hundred and ninety-nine, line nine, after the words "per annum," the following: "which shall include all fees as License Collector."

Amend by striking out of section fifty-six, line three, the words "three thousand," and inserting the following: "two thousand five hundred."

Amend by adding to the end of section one hundred and thirty-nine the following: "*provided*, that nothing in this section shall prevent competition on any specific work exceeding a cost of two thousand dollars."

Amend section two hundred and twelve, line nine, after the word "annum," by inserting the following: "*provided*, that as such Tax Collector, or as ex officio License Collector, he shall not have or receive any compensation for, or percentage upon, the collection of any license."

Amend section two hundred and twelve, line nine, after the word "annum," by inserting the following: "*provided*, that as such Tax Collector, or as ex officio License Collector, he shall not have or receive any compensation for, or percentage upon, the collection of any license."

Amend by adding to the end of section two hundred and fourteen, after line twenty-two, the words: "*provided, however*, that five per cent only shall be allowed the Sheriff or Tax Collector as fees for collecting licenses in counties of this class."

Amend by striking out of section one hundred and eighty-eight, line twenty-four, the words "are now or may be hereafter allowed by law," and inserting the following: "were allowed by law January 1, 1895."

Amend by striking out of section one hundred and eighty-eight, line twenty-three, the words "are now or may be hereafter allowed by law," and inserting the following: "were allowed by law January 1, 1895."

Amend by striking out of section one hundred and eighty-eight, line twenty-two, the words "are now or may be hereafter allowed by law," and inserting the following: "were allowed by law January 1, 1895."

Amend by striking out of section one hundred and eighty-eight, line nineteen, the

words "are now or may be hereafter allowed by law," and inserting the following: "were allowed by law January 1, 1895"

Amend by striking out of section one hundred and eighty-eight, line eighteen, the words "are now or may be hereafter allowed by law," and inserting the following: "were allowed by law January 1, 1895"

By a unanimous vote the Assembly concurred in the above amendments to Assembly Bill No. 959.

The Assembly refused to concur in the following Senate amendments to Assembly Bill No. 959:

Amend by striking out of section one hundred and eighty-six, line seven, the word "two," and inserting the following: "eight"

Amend by striking out of section one hundred and eighty-six, line eight, the word "six," and inserting the word "five" in lieu thereof.

Amend by striking out of section one hundred and eighty-six, line two, the words "four thousand," and inserting the following: "three thousand six hundred"

Amend by striking out of section one hundred and eighty-six, line eleven, the words "two thousand," and inserting "eighteen hundred" in lieu thereof.

Amend by striking out of section one hundred and eighty-six, line twenty-two, and inserting the following: "when serving as Road Commissioner, twenty-five cents per mile, one way."

Amend section one hundred and eighty-six, line seven, by inserting the following: "which shall include all fees as License Collector."

Amend by striking out of section one hundred and sixty, page fifty-three, line nineteen, the word "five," and inserting the following: "six."

Amend by striking out of section one hundred and sixty, page fifty-three, lines twenty-two and twenty-three, the words "as License Collector he shall receive fifteen per cent of all licenses collected by him," and add a new subdivision, to be numbered six and one half, and to read as follows: "The License Collector shall receive fifteen per cent of all licenses collected by him."

Amend by adding to section one hundred and sixty, page fifty-three, line twenty-four, after the words "the Assessor, fourteen thousand dollars per annum," the following: "one chief deputy, at a salary of twenty-one hundred dollars per annum, to be paid at the same time and in the same manner other county officers are paid, and five Deputy Assessors, who shall hold office from twelve o'clock meridian of the first Monday of March of each year, up to twelve o'clock meridian of the first Monday of July of each year, at a salary of one hundred dollars per month during the time they hold office, to be paid at the same time and in the same manner other county officers are paid"

Amend by striking out of section one hundred and sixty, page fifty-three, line twenty-five, the words "six thousand," and inserting the following: "sixty-five hundred."

Amend by striking out of section one hundred and sixty, page fifty-four, line thirty-eight, the words "such fees as are now or may be hereafter allowed by law," and inserting the following: "shall receive ten dollars per day for all work performed for the county, and in addition thereto all necessary expenses and transportation on work performed in the field."

Amend section one hundred and sixty, line forty-seven, after the words "per month," by inserting the following: "in full"

Amend section one hundred and sixty, line forty-one, after the words "per month," by inserting the following: "in full"

Amend section one hundred and sixty, line fifty-one, after the words "per month," by inserting the following: "in full"

Amend section one hundred and sixty, line fifty-five, after the words "by law," by inserting the following: "*provided, however,* that in criminal cases such fees shall not exceed the sum of one thousand dollars in any one year, or one hundred dollars in any one month"; and in same line, after the word "*provided,*" by inserting the word "*further.*"

Amend by striking out of section one hundred and sixty, lines seventy-one, seventy-two, and seventy-three, the words "the provisions of this section, so far as they reduce the compensation of the Assessor, in counties of this class, shall take effect on the first Monday after the first day of January, eighteen hundred and ninety-six"

Amend by striking out of section one hundred and seventy, lines forty-nine to one hundred and forty-eight, inclusive

Amend by striking out of section one hundred and seventy-two, line twenty, the words "one thousand eight hundred," and inserting the following: "two thousand"

Amend by striking out of section one hundred and seventy-two, line twenty-nine, the word "nine," and inserting the word "eight" in lieu thereof

Amend by striking out of section one hundred and seventy-two, lines thirty-three and thirty-four, the words "and twenty-five"

Amend by striking out of section one hundred and seventy-two, line forty-three, the word "ninety-nine," and inserting the word "ninety-six" in lieu thereof

Amend by striking out of section one hundred and seventy-nine, line five, the word "five," and inserting the following: "six"

Amend by striking out of section one hundred and seventy-nine, lines twenty and

twenty-one, the words 'one hundred,' and inserting the following: "four dollars per day, not to exceed two hundred dollars per annum in the aggregate."

Amend by striking out of section one hundred and seventy-nine, line twenty-four, the words "one hundred," and inserting the following: "one hundred and twenty-five."

Amend by striking out of section one hundred and seventy-two, line fourteen, the words "eighteen hundred," and inserting the following: "two thousand."

Amend by inserting in section one hundred and seventy-two, line fifteen, the words 'inclusive, also for all services rendered for licenses collected by him "'

Amend by inserting in section two hundred and fifteen, line five, before the words "*provided, however,*" the following: "and except that where an Assistant District Attorney has been heretofore appointed in any county, either under the provisions of subdivision thirty-six of section twenty-five, or under any other provisions of an Act entitled 'An Act to establish a uniform system of county and township governments, approved March 24, 1893,' and such assistant is continued by the provisions of this Act, either as an assistant or deputy in such county, then such deputy or assistant shall be paid out of the funds of such county, as heretofore or herein provided."

Amend section two hundred and fifteen by inserting after the word "Act," in line twelve, the following: "*provided, however,* that in counties, and cities and counties, of the first class, the Assessor shall receive no commission for the collection of taxes on personal property, nor shall such Assessor receive any compensation for making out military roll of persons returned by him as subject to military duty, as provided by section one thousand nine hundred and one of the Political Code, nor shall the License Collector in such counties, and cities and counties, of the first class, receive any commission on licenses collected by him."

Amend by adding to section one hundred and seventy, after line forty-eight, the words "no fees shall be allowed the Sheriff or Tax Collector for collecting licenses in counties of this class"

Amend by adding to section two hundred and fifteen, at the end thereof, the following: "*provided,* that in any county where the number of Judges of the Superior Court shall have been increased since the first day of January, eighteen hundred and ninety-three, or shall hereafter be increased, there must be and there hereby is allowed to the Sheriff of such county, by reason of such increase, one additional deputy, to be appointed by the Sheriff, at a salary not exceeding fifteen hundred dollars per annum, to be paid at the same time and in the same manner as other county officers are paid, and also there must be and is hereby allowed to the County Clerk of such county, one additional deputy, to act as court-room clerk, and one additional deputy, to act as register clerk, for each Judge so appointed or elected, at a salary not exceeding fifteen hundred dollars per annum for each of said deputies, to be paid at the same time and in the same manner as other county officers are paid; *provided,* there must be but one such additional register clerk where two additional Judges are elected or appointed, and but two such additional register clerks where three or more additional Judges are elected or appointed, the said deputies being the same deputies provided for by section two hundred and sixteen of an Act entitled 'An Act to establish a uniform system of county and township governments,' approved March 24, 1893."

Amend by striking out of section one hundred and seventy-two, line twenty, the words "one thousand eight hundred," and inserting the following: "two thousand."

Amend section one hundred and seventy-two, line fifteen, by inserting the following at the close of line fifteen "which shall also be in full for all services rendered by him as License Collector."

Amend by inserting in section fifty-five, line one, after the word "Recorder," the words "a License Collector."

Amend by striking out of section one hundred and eighty-six, line twenty-one, the word "five," and inserting the word "six."

APPOINTMENT OF CONFERENCE COMMITTEE.

The Speaker appointed Messrs. Dodge, Osborn, and Reid as a Conference Committee on Assembly Bill No. 959.

REPORT OF COMMITTEE ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1895

MR. SPEAKER, Your Committee on Enrollment have examined and found correctly enrolled Assembly Bill No. 6—An Act appropriating two hundred and fifty thousand dollars for the erection of buildings for the use of affiliated and other departments of the University of California.

Also: Assembly Bill No. 934—An Act making an appropriation to pay the deficiency in the appropriation for the repairs to Capitol building and furniture for the forty-sixth fiscal year.

Also: Assembly Bill No. 937—An Act to authorize State agricultural societies under control of the State to sell property held by them in fee, or held by trustees for their use,

or in which they may have any interest; to prescribe a course of procedure therefor; to indemnify purchasers at such sale, and to direct how the proceeds shall be applied. And presented the same to the Governor on this day, at three o'clock and fifteen minutes P. M.

MEADS, Chairman.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 14, 1895.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Senate Bill No. 892—An Act making an appropriation for the contingent expenses of the Senate.

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

RESOLUTION.

By Mr. Lynch:

Resolved, That Senate Bill No. 892 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house are hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage

The question being on the adoption of the resolution.

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

AYES—Messrs. Ash, Bachman, Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Bulla, Butler, Caigill, Coleman, Collins, Cutter, Dale, Davis, Devine, Devitt, Dinkelspiel, Dixon, Dodge, Dunbar, Ewing, Fassett, Gay, Glass, Guy, Hall, Hatfield, Healey, Holland, Huber, Hudson, Johnson, Jones, Kenyon, Laird, Laugenour, Lewis, Meads, Merrill, Nelson, North, Pendleton, Phelps, Powers, Richards, Staley, Thomas, Tibbits, Tomblin, Wade, Waymire, Weyse, Zocchi, and Mr. Speaker—57.

NOES—None

Senate Bill No. 892—An Act making an appropriation for the contingent expenses of the Senate for the thirty-first session of the Legislature.

Read first and second times.

MOTION.

Mr. Dodge moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bill No. 892.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Lynch in the chair.

Senate Bill No. 892 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Lynch 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. 892—An Act making an appropriation for the contingent expenses of the Senate for the thirty-first session of the Legislature—and now report, and recommend that the same do pass

LYNCH, Chairman.

Adopted.

Senate Bill No. 892—An Act making an appropriation for the contingent expenses of the Senate for the thirty-first session of the Legislature.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Bachman, Bassford, Belshaw, Bennett, Berry, Bettman, Bledsoe, Boothby, Bulla, Butler, Cargill, Coghlin, Collins, Cutter, Dale, Davis, Devitt, Dinkelspiel, Dodge, Dunbar, Ewing, Fassett, Gay, Glass, Guy, Hatfield, Holland, Huber, Hudson, Jones, Kelsey, Kenyon, Laird, Laugenour, Lewis, Meads, McKelvey, North, Phelps, Powers, Richards, Robinson, Staley, Thomas, Tomblin, Twigg, Wade, Waymire, Weyse, Zocchi, and Mr. Speaker—52

NOES—None

Title read and approved.

LEAVE OF ABSENCE.

Messrs. Reid, Osborn, and Dodge were granted leave of absence to attend Conference Committee.

Mr. Merrill was granted leave of absence for the afternoon.

REPORT OF FREE CONFERENCE COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1895.

MR. SPEAKER: Your Committee of Free Conference concerning Senate Bill No. 327—An Act making an appropriation for elevator attendant's salary for last four months of the forty-sixth fiscal year—report that we have met a like committee of the Senate, consisting of Senators Demison, Mathews, and Voorheis, and agreed to recommend that the Assembly recede from its amendment.

TIBBITS, Chairman.
BRUSIE
POWERS

The question being, "Shall the Assembly recede from its amendment?"

CALL OF THE HOUSE.

The roll was called, and pending the announcement of the result, Mr. Bettman moved a call of the House, seconded by Messrs. Brusie and Powers.

So ordered.

The roll was called, and the following members found present:

Messrs. Ash, Bachman, Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Bledsoe, Boothby, Brusie, Bulla, Butler, Cargill, Coghlin, Coleman, Collins, Cutter, Dale, Davis, Devine, Devitt, Dinkelspiel, Dixon, Dunbar, Ewing, Fassett, Gay, Glass, Guy, Hall, Hatfield, Healey, Huber, Hudson, Jones, Kelsey, Kenyon, Laird, Laugenour, Lewis, McKelvey, North, O'Day, Pendleton, Phelps, Powers, Price, Richards, Robinson, Thomas, Tibbits, Tomblin, Twigg, Wade, Waymire, Weyse, Zocchi, and Mr. Speaker.

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

Lost.

The following members—Messrs. Holland, Johnson, Keen, Meads, Rowell, Sanford, Spencer, Dwyer, Stansell, and Wilkinson—were absent without leave, and the Speaker directed the Sergeant-at-Arms to bring the absent members before the bar of the House.

Messrs. Spencer, Holland, Keen, and Dwyer were brought before the bar of the House and excused.

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

So ordered.

The result of the roll call was announced, and the Assembly receded from its amendment by the following vote:

AYES—Messrs. Ash, Barker, Bassford, Berry, Bettman, Boothby, Brusie, Butler, Coghlin, Coleman, Collins, Cutter, Deyme, Devitt, Dinkelspiel, Dunbar, Dwyer, Ewing, Gay, Hatfield, Healey, Huber, Keen, Kelsey, Laugenour, Lewis, McKelvey, O'Day, Pendleton, Powers, Price, Reid, Richards, Staley, Thomas, Tibbits, Tomblin, Twigg, Weyse, Zocchi, and Mr. Speaker—41.

NOES—Messrs. Bachman, Belshaw, Bennett, Bledsoe, Bulla, Cargill, Dale, Davis, Dixon, Fassett, Glass, Guy, Hall, Holland, Hudson, Johnson, Jones, Kenyon, Laird, Nelson, North, Phelps, Robinson, Rowell, Spencer, Wade, and Waymire—27.

RESOLUTIONS.

By Mr. Thomas:

Resolved, That Arthur L. Fisher, Journal Clerk of the Assembly, be and he is hereby employed after the final adjournment of the Assembly for the purpose of completing the work devolving upon him as Journal Clerk of the Assembly, in arranging and properly sealing the original minutes, corrected and approved Journals, and turning over to the State all the property belonging thereto, and completing the labor yet to be performed in the office of Journal Clerk of the Assembly, and that he be allowed the sum of fifty-six dollars for such services, payable out of the Contingent Fund of the Assembly, and the Controller is hereby directed to draw his warrant in favor of said Arthur L. Fisher for the said amount, and the Treasurer is authorized to pay the same.

Referred to Committee on Attachés and Employés.

Also:

Resolved, That Wm. Lynch and R. Woolf be and they are hereby allowed two dollars per day each, from January 8, 1895, to March 16, 1895, inclusive, for services rendered Sergeant-at-Arms, and the Controller is hereby directed to draw his warrant for same on the Contingent Fund of the Assembly.

Referred to Committee on Attachés and Employés.

Also:

Resolved, That the Secretary of State be and he is hereby instructed to furnish each Assemblyman and the Chief Clerk with a set of the Constitutional Debates.

Referred to Committee on Attachés and Employés.

By Mr. Laugenour:

Resolved, That the Enrolling Clerk, Bert Kidder, be and is hereby requested to remain after the session and complete the business of his office and make his returns to the Secretary of State, and that the Controller be and is hereby directed to draw his warrant, payable to said Bert Kidder for the sum of fifty-six dollars, in payment for said services, payable out of the Contingent Fund of the Assembly, and that the Treasurer be directed to pay the same.

Referred to Committee on Attachés and Employés.

By Mr. Boothby:

Resolved, That Joe Currington, Assistant Journal Clerk of the Assembly, be and he is hereby employed after final adjournment of the Assembly for the purpose of assisting the Journal Clerk in completing the labor yet to be performed in the office of the Journal Clerk of the Assembly, and that he be allowed the sum of fifty-six dollars for such services, payable out of the Contingent Fund of the Assembly, and the Controller is hereby directed to draw his warrant in favor of said Joe Currington for said amount, and the Treasurer is authorized to pay the same.

Referred to Committee on Attachés and Employés.

By Mr. Powers:

Resolved, That Senate Bills Nos. 275, 716, 846, 116, 448, 16, 805, 70, and 147, Substitute for Senate Bill No. 391, Senate Concurrent Resolution No. 9, Senate Bills Nos. 446, 349, 782, and 289, Senate Joint Resolution No. 17, Senate Bills Nos. 699 and 653, Substitute for

Senate Bill No '2, Senate Bills Nos 799, 460, 715, 752, 521, 707, 223, 560, 806, 247, 739, 127, 763, 587, 596 332, 329, 328, 330, and 280, Substitute for Senate Bills Nos. 769, 800, 801, and 802, Senate Bills Nos 486, 424, 853, 839, 838, 369, 705, 376, 106, and 887, present cases, and each of them presents a case, of urgency as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bills shall be read on three several days in each house are hereby dispensed with, and it is ordered that said bills be read the first, second, and third times, and placed upon their passage.

Referred to Committee on Rules.

By Mr. Brusie:

Resolved, That the Controller be and is hereby directed to draw his warrant, payable out of the Contingent Fund of the Assembly, payable to George C. Parkinson, for the sum of two hundred and nine dollars, as per items hereto attached:

SACRAMENTO, March 6, 1895.

State of California, Di., to George C. Parkinson, Sergeant-at-Arms, Assembly

For subpoena of following witnesses before Committee on Military Affairs:

Charles Thompson and P. Deavs..... \$2 00

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 6, 1895

Mr P. DEAVS, Western Hotel

SIR: You are hereby directed and commanded to be and appear before the Assembly Committee on Claims, room eighteen, State Capitol, on Wednesday, the sixth day of February, 1895, at seven o'clock and thirty minutes P. M., for the purpose of giving testimony in the matter of Julius A. Hult, a private of Company C, First Regiment Infantry, Second Brigade, N. G. C., for injuries sustained while in active service

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 6, 1895.

Mr CHARLES THOMPSON, Western Hotel

SIR: You are hereby directed and commanded to be and appear before the Assembly Committee on Claims, in room eighteen, State Capitol, on Wednesday, the sixth day of February, 1895, at seven o'clock and thirty minutes P. M., for the purpose of giving testimony in the matter of Julius A. Hult, a private in Company C, First Regiment Infantry, Second Brigade, N. G. C., for injuries sustained while in active service.

Also:

SACRAMENTO, March 14, 1895.

State of California, Di., to Geo. C. Parkinson, Sergeant-at-Arms

Hacks furnished for two calls of the House..... \$20 00

Also:

SACRAMENTO, March 4, 1895

State of California, Di., to Geo. C. Parkinson, Sergeant-at-Arms

Carriage hire.....	\$3 50
Repairing doors, desks, locks, keys, and general carpenter repair work.....	68 70
Two filters.....	30 00
Ice, 2 800 pounds.....	28 00
Washing towels, two months.....	25 00
	<hr/>
	\$155 20

Also:

SACRAMENTO, March 8, 1895.

State of California, Di., to Geo. C. Parkinson, Sergeant-at-Arms

Carriage hire for call of House..... \$20 00

Also:

SACRAMENTO, March 11, 1895

State of California, Di., to Geo. C. Parkinson, Sergeant-at-Arms, Assembly

Repairing typewriter..... \$12 00

Also:

Resolved. That the State Controller be and he is hereby authorized to draw his warrant in favor of Fred. E. Foot, for the sum of thirty dollars, for services performed for the Ways and Means Committee, during the week ending March 14, 1895, and the State Treasurer pay the same out of the Contingent Fund of the Assembly.

Referred to Committee on Attachés and Employés.

Mr. Pendleton moved to reconsider the vote whereby Assembly Bill No. 1002 was refused final passage.

The question being on the motion to reconsider.

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

AYES—Messrs. Ash, Bachman, Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Brusie, Bulla, Butler, Coleman, Collins, Cutter, Dale, Davis, Devine, Devitt, Dinkelspiel, Dixon, Dunbar, Dwyer, Gay, Hall, Hathfield, Holland, Huber, Laugenour, McKelvey, Nelson, North, O'Day, Pendleton, Powers, Richards, Robinson, Thomas, Tomblin, Twigg, Wade, Weyse, and Mr. Speaker—42.

NOES—Messrs. Bledsoe, Laird, Phelps, and Zocchi—4.

Assembly Bill No. 1002—An Act authorizing the payment of compensation or commission to persons employed by the State Controller and Attorney-General, or by Boards of Supervisors of the different counties, to collect delinquent State and county taxes, and legalizing all payments made for that purpose.

Mr. Pendleton moved that a committee of one be appointed to amend Assembly Bill No. 1002 as follows:

By striking out of section one, line one, the words from and after the word "that," down to and including the word "and" in line six; also, by striking out from line ten the words "to persons for such services," and inserting the following: "as a compensation or commission for collecting such delinquent taxes in pursuance of an agreement by such persons with such Boards of Supervisors."

So ordered.

APPOINTMENT OF COMMITTEE.

The Speaker appointed Mr. Pendleton as such committee.

REPORT OF SPECIAL COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1895.

MR. SPEAKER: Your special committee of one, to whom was referred Assembly Bill No. 1002, with instructions to amend as follows: By striking out of section one, line one, the words from and after the word "that," down to and including the word "and," in line six

Also. By striking out from line ten the words "to persons for such services," and inserting the following: "as a compensation or commission for collecting such delinquent taxes in pursuance of an agreement by such persons with such Boards of Supervisors."

Has had the same under consideration, and respectfully reports the same back, amended as per instructions.

PENDLETON, Committee.

The question being on the adoption of the amendment offered by the committee. The same was adopted.

Assembly Bill No. 1002 ordered to printer.

RECESS.

At five o'clock P. M., on motion of Mr. Powers, the Assembly took a recess until seven o'clock and thirty minutes P. M.

REASSEMBLED.

The Assembly reassembled at seven o'clock and thirty minutes P. M.
Speaker Lynch in the chair.
Quorum present.

APPROVAL OF JOURNAL.

The Journal of Wednesday, March 13th, was approved.

Mr. Dixon moved that Assembly Bill No. 751 be withheld from Enrollment Committee.

Lost.

Mr. Dinkelspiel asked permission to withdraw his notice of reconsideration given on Assembly Bill No. 495.

So ordered.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 14, 1895.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Assembly Bill No. 700—An Act to provide for payment of a deficiency in the appropriation for aid to the State Agricultural Society for the forty-sixth fiscal year.

Also: Amended, and passed as amended, Assembly Bill No. 15—An Act to amend section six of an Act entitled "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,' approved March 31, 1891, 'and to provide for clerks of Police Courts in cities having over fifty thousand and under one hundred thousand inhabitants.'"

F. J. BRANDON, Secretary.
By R. SHAW, Assistant

Assembly Bills Nos. 700 and 15 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, March 14, 1895

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, appointed Senators Denison, Mathews, and Voorheis as a Committee of Free Conference on Senate Bill No. 327—An Act making an appropriation for elevator attendant's salary for last four months of forty-sixth fiscal year.

Also: On this day, amended and respectfully refused to pass, Assembly Bill No. 526—An Act to provide for fixing the compensation and reducing the number of employés paid out of appropriations made by the State, or moneys that would otherwise go to the State

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

Also:

SENATE CHAMBER, SACRAMENTO, March 14, 1895.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the thirteenth day of March, 1895, passed Assembly Bill No. 799—An Act to amend an Act approved March 11, 1893 entitled "An Act to amend an Act entitled 'An Act to provide for the completion of all unfinished county, city, city and county, towns, and township buildings in the several counties, cities and counties, cities, and towns throughout the State of California,' approved March 11, 1891."

Also: Respectfully refused to pass Assembly Bill No. 801—An Act to provide for the disposal of the Home for the Adult Blind, at Oakland, Alameda County, the transfer of the inmates to the premises lately occupied as a Home for Feeble-Minded in Santa Clara, and for the improvement of the same.

F. J. BRANDON, Secretary.
By R. SHAW, Assistant.

Also:

SENATE CHAMBER, SACRAMENTO, March 13, 1895

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Senate Bill No. 798—An Act to pay the claim of Cornelius Lynch against the State of California, and to appropriate money therefor.

Also: Substitute for Senate Bill No. 539—An Act for the relief of Mrs. Addie McGinnes, widow of A. W. McGinnes, and family

Also: Senate Bill No. 762—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure of the State of California," adopted March 11, 1872, by adding thereto a new section, to be numbered nine hundred and sixty, relating to dismissal of appeals

Also, Assembly Bill No. 567—An Act amending sections fifty-five, fifty-seven, and sixty-eight of the Civil Code of the State of California, and repealing section seventy-five of said Code

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

Also:

SENATE CHAMBER, SACRAMENTO, March 14, 1895.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Assembly Bill No. 461—An Act to amend an Act entitled "An Act to establish a Penal Code," relating to the crime of rape—and amended the title.

Also: Passed Assembly Bill No. 834—An Act authorizing the payment of salaries by Boards of Supervisors to persons who have been employed to collect county licenses, and legalizing all payments heretofore made to such persons

Also: Passed Assembly Bill No. 114—An Act to prevent the display of foreign flags on public buildings in this State.

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

Also:

SENATE CHAMBER, SACRAMENTO, March 14, 1895

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the thirteenth day of March, 1895, passed Senate Bill No. 522—An Act to amend section three thousand four hundred and forty-six of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the formation of reclamation districts

Also: On March 14, 1895, passed Assembly Bill No. 91—An Act to appropriate the sum of one thousand five hundred dollars to pay the claim of T. Carl Spelling against the State

F. J. BRANDON, Secretary
By R. SHAW, Assistant.

Also:

SENATE CHAMBER, SACRAMENTO, March 14, 1895

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Assembly Bill No. 627—An Act to amend sections three thousand and nine and three thousand and ten, and to repeal sections three thousand and four, three thousand and thirteen, three thousand and fourteen, three thousand and fifteen, three thousand and sixteen, three thousand and seventeen, three thousand and eighteen, three thousand and nineteen, three thousand and twenty, and three thousand and twenty-nine of the Political Code of California, relating to quarantine at the port of San Francisco

Also: Assembly Bill No. 751—An Act providing for a general primary election in counties of certain classes within the State of California, and to promote the purity thereof by regulating the conduct thereof, and to support the privileges of free suffrage thereat by prohibiting certain acts and practices in relation thereto, and providing for the punishment thereof

Also: Amended, and passed as amended, Assembly Bill No. 981—An Act authorizing the Controller to appoint an additional clerk in his office, in addition to the number now allowed by law, to be known as the Revenue Clerk, and making an appropriation for the payment of his salary for the remainder of the forty-sixth fiscal year.

F. J. BRANDON, Secretary.
By R. SHAW, Assistant.

Also:

SENATE CHAMBER, SACRAMENTO, March 14, 1895

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Senate Bill No. 862—An Act to amend section six and section eight 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 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."

Also: Respectfully refused to pass Assembly Bill No. 39—An Act to amend section one thousand two hundred and seven of the Civil Code, relating to notice and certified copies of records as evidence.

Also: Passed Assembly Bill No. 140—An Act to amend section three hundred and

twenty-four of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to the transfer of shares of stock of corporations, and making the shares of corporations engaged in certain business transferable as appurtenances to real property.

Also: Passed Senate Bill No. 890—An Act to amend section seven hundred and ninety-one of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the appointment of Notaries Public and their terms of office.

F. J. BRANDON, Secretary
By R. SHAW, Assistant.

Also:

SENATE CHAMBER, SACRAMENTO, March 14, 1895

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, concurred in the Assembly amendments to Substitute for Senate Bill No. 787—An Act to provide for the completion and termination of the duties of the Board of State Viticultural Commissioners, the final disposition and transfer of all properties of the State in its possession, and the repeal of all laws and parts of laws relating to its organization, powers, and duties.

Also: Concurred in the Assembly amendments to Senate Bill No. 434—An Act to add a new section to the Penal Code of the State of California, to be known and designated as section five hundred and two and one half, relating to the severance and removal of fixtures and improvements upon mortgaged property.

Also: Adopted Senate Concurrent Resolution No. 18—Relative to the granting the use of the cabin and orchard in the Yosemite Valley to J. M. Hutchings.

F. J. BRANDON, Secretary
By R. SHAW, Assistant.

Senate Bill No. 798—An Act to pay the claim of Cornelius Lynch against the State of California, and to appropriate money therefor.

Read first time, and placed on special Senate file.

Senate Bill No. 539—An Act for the relief of Mrs. Addie McGinnes, widow of A. W. McGinnes, and family.

Read first time, and placed on special Senate file.

Senate Bill No. 522—An Act to amend section three thousand four hundred and forty-six of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the formation of reclamation districts.

Read first time, and placed on special Senate file.

Senate Bill No. 762—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure of the State of California," adopted March 11, 1872, by adding thereto a new section, to be numbered nine hundred and sixty, relating to dismissal of appeals.

Read first time, and placed on special Senate file.

Senate Bill No. 862—An Act to amend section six and section eight 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."

Read first time, and placed on special Senate file.

Senate Bill No. 890—An Act to amend section seven hundred and ninety-one of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the appointment of Notaries Public, and their terms of office.

Read first time, and placed on special Senate file.

URGENCY FILE.

Assembly Bill No. 994—An Act to compel street railroad companies to return fare, or its equivalent, to passengers where travel on their cars has been stopped for a period of ten minutes or more, from any cause whatever.

Read second time.

The following committee amendment was submitted:

Strike out all of lines three, four, five, and six, printed bill, and insert in lieu thereof the words "guilty of a misdemeanor."

Lost.

Assembly Bill No. 994 ordered to engrossment and third reading.

Mr. Devine moved to reconsider the vote whereby Assembly Bill No. 921 was on yesterday refused passage.

The roll was called, and the Assembly reconsidered by the following vote:

AYES—Messrs. Ash, Barker, Bassford, Bettman, Boothby, Brusie, Butler, Coghlin, Collins, Cutter, Davis, Devine, Devitt, Dinkelspiel, Dixon, Dwyer, Gay, Glass, Hatfield, Healey, Holland, Laugenour, Meads, McCarthy, McKelvey, Nelson, O'Day, Osborn, Powers, Richards, Sanford, Spencer, Stansell, Thomas, Tibbits, Tomblin, Twigg, Waymire, Weyse, Wilkinson, Zocchi, and Mr. Speaker—42

NOES—Messrs. Belshaw, Bennett, Berry, Bledsoe, Bulla, Coleman, Dale, Dodge, Dunbar, Ewing, Fassett, Guy, Hudson, Johnson, Jones, Keen, Kenyon, Merrill, North, Phelps, Price, Reid, Robinson, Rowell, Staley, and Wade—26.

Assembly Bill No. 921—An Act to amend section four hundred and twelve of the Penal Code, relating to boxing.

Mr. Bledsoe moved that a committee of one be appointed, with instructions to amend as follows:

Amend by adding to section one, line seven, the words "*provided*, that no such scientific glove boxing exhibition shall take place in any incorporated town or city without the permission of the Sheriff or Chief of Police."

The ayes and noes were demanded by Messrs. Bledsoe, Bassford, and Johnson.

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

AYES—Messrs. Barker, Belshaw, Bennett, Bledsoe, Bulla, Cargill, Dale, Dixon, Dodge, Dunbar, Ewing, Fassett, Glass, Guy, Hall, Hudson, Johnson, Jones, Keen, Kenyon, Merrill, Nelson, Phelps, Price, Reid, Rowell, Sanford, Staley, Stansell, Swisler, Tibbits, Wade, and Weyse—33.

NOES—Messrs. Ash, Bassford, Berry, Bettman, Boothby, Brusie, Butler, Coghlin, Cutter, Davis, Devine, Devitt, Dinkelspiel, Dwyer, Gay, Hatfield, Healey, Holland, Kelsey, Laugenour, Lewis, McCarthy, McKelvey, North, O'Day, Osborn, Powers, Richards, Spencer, Thomas, Tomblin, Twigg, Waymire, Wilkinson, Zocchi, and Mr. Speaker—36

The question being on the final passage of the bill.

CALL OF THE HOUSE.

The roll was called, and pending the announcement of the result, Mr. Powers moved a call of the House, seconded by Messrs. Boothby and McCarthy.

So ordered.

Pending the roll call, Mr. Bettman moved that further proceedings under the call of the House be dispensed with.

So ordered.

The result of the roll call was announced, and the bill passed by the following vote:

AYES—Messrs. Ash, Bassford, Bettman, Boothby, Brusie, Butler, Coghlin, Coleman, Collins, Cutter, Davis, Devine, Devitt, Dinkelspiel, Dwyer, Ewing, Gay, Glass, Hathfield, Healey, Holland, Kelsey, Laugenour, Lewis, McCarthy, McKelvey, Nelson, O'Day, Pendleton, Powers, Richards, Spencer, Stansell, Thomas, Tomblin, Twigg, Waymire, Weyse, Wilkinson, Zocchi, and Mr. Speaker—41.

NOES—Messrs. Barker, Belshaw, Bennett, Berry, Bledsoe, Bulla, Cargill, Dale, Dixon, Dodge, Dunbar, Fassett, Guy, Hall, Hudson, Johnson, Jones, Keen, Kenyon, Laird, Meads, Merrill, North, Phelps, Price, Reid, Robinson, Rowell, Sanford, Staley, Swisler, Tibbits, and Wade—33.

Title read and approved.

Mr. Bettman moved that the rules be suspended for the purpose of continuing the reconsideration of the notice of reconsideration given on Assembly Bill No. 308.

Motion lost.

Assembly Bill No. 739—An Act authorizing an increase of the police force in cities of the State having a population of over one hundred thousand population.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Bassford, Bennett, Berry, Bettman, Boothby, Brusie, Bulla, Cargill, Coghlin, Collins, Cutter, Davis, Devine, Devitt, Dinkelspiel, Dixon, Dwyer, Guy, Hathfield, Healey, Hudson, Johnson, Kenyon, Laugenour, Lewis, Meads, McCarthy, McKelvey, Merrill, O'Day, Pendleton, Phelps, Powers, Richards, Robinson, Rowell, Sanford, Tomblin, Twigg, Wade, Wilkinson, Zocchi, and Mr. Speaker—44.

NOES—Messrs. Belshaw, Bledsoe, Dale, and Keen—4.

Title read and approved.

LEAVE OF ABSENCE.

Mr. Dodge was granted leave of absence for the balance of the evening.

Assembly Bill No. 882—An Act to amend section four hundred and eighty-nine, and to repeal section four hundred and ninety of the Civil Code, in relation to railroad rates of charges and railroad tickets.

Assembly Bill No. 882 was withdrawn, and Senate Bill No. 332 substituted therefor.

Senate Bill No. 332—An Act to amend section seven hundred and seventeen of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to leases of agricultural lands.

Read second time, and ordered to third reading.

Assembly Bill No. 939—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 three, four, twelve, eighteen, twenty-two, twenty-seven, and thirty-seven thereof.

The following committee amendments were submitted:

Amend by striking out section four, and inserting the following:

Sec. 4. Section eighteen of said Act is hereby amended to read as follows

Section 18. The Assessor must, between the first Monday in March and the first day in June in each year, assess all real property in the district to the persons who own, claim, have possession, or control thereof, at its full cash value. He must prepare an assessment book, with proper headings, in which must be listed all such property within the district, in which must be specified in separate columns under the proper head

1. The name of the person to whom the property is assessed. If the name is not known to the Assessor, the property shall be assessed to "unknown owners."

2. Land by township, range, section, fractional section, and when such land is not a congressional division or subdivision, by metes and bounds, or other description sufficient to identify it, giving an estimate of the number of acres, locality, and the improvements thereon.

3. City and town lots, naming the city or town, and the number and block, according to the system of numbering in such city or town, and the improvements thereon.

4. The cash value of real estate, other than city or town lots.

5. The cash value of improvements on such real estate.

6. The cash value of city or town lots.

7. The cash value of improvements on city or town lots.

8. The cash value of improvements on real estate assessed to persons other than the owners of the real estate.

9. The total value of all real estate and improvements assessed.

10. The total value of all such property after equalization by the Board of Directors.

11. Such other things as the Board of Directors may require.

When any portion of the works and improvements of the district are completed and in use, and the Board of Directors have determined to provide for the cost and expense of the care, operation, management, repair, and improvement thereof, by an assessment, as provided in section thirty-seven of this Act, the Assessor must, between the first Monday in March and the first Monday in June, in each year, in addition to the assessments hereinbefore provided for, assess and include in the assessment book, specifying the same in separate columns, under the proper head:

12. The cash value of all lands in the district which can be irrigated by the works, and improvements of the district, then completed and in use, exclusive of improvements on such lands.

13. The total value of all such lands, exclusive of improvements thereon.

14. The total value of all such lands, exclusive of improvements thereon, after equalization by the Board of Directors.

Any property which may have escaped the payment of any assessment, for any year, shall, in addition to the assessment for the then current year, be assessed for such year with the same effect and with the same penalties as are provided for such current year.

Adopted.

Also: Amend by striking out section five, and in place thereof inserting the following:
Sec. 5. Section twenty-two is hereby amended so as to read as follows:

Section 22. The Board of Directors shall then levy an assessment sufficient to raise the amount required to pay the interest on outstanding bonds, as it falls due, and at the expiration of ten years from the date of the issue of any bonds shall increase said assessment so as to raise also a sum sufficient to pay the principal of such outstanding bonds as it falls due. At the same time said Board shall levy an assessment sufficient to raise the amount required to pay the salaries and compensation of officers of the district, and the current expenses thereof, other than salaries and expenses in the care, operation, management, repair, and improvement of such portion of the canals or other works of the district as are completed and in use. And at the time of said levies next following the organization of the district said Board shall levy an assessment sufficient to raise the amount required to pay the expenses of such organization, or to pay the warrants that may have been issued therefor, not exceeding the sum of two thousand dollars. In determining the rate or amount of such levies said Board shall take into consideration the probable amount of the assessments which will become delinquent, and of sales of property to the district therefor, and shall make such allowance for the same, not exceeding fifteen per cent on the aggregate assessed value of property in the district, appearing from the assessment roll for the current year, as in the judgment of said Board is necessary in order to insure the payment of interest and principal on bonds, and such salaries, current expenses, and expenses of organizing the district, at the time they become due and payable. The Secretary of the Board must compute and enter in a separate column of the assessment book the respective sums, in dollars and cents, to be paid as assessments on the property enumerated. When collected, the assessment levied for interest, or for interest and principal of bonds, shall be paid into the district treasury, and shall constitute a special fund, to be called the "Bond Fund of — Irrigation District," and said assessment levied for the salaries and compensation of officers, and current expenses, when collected, shall be paid into said treasury, and shall constitute a special fund, to be called the "Salary and Current Expense Fund of — Irrigation District." The assessment levied for the expenses of organizing the district, when collected, shall be paid into said treasury, and shall constitute a special fund, to be called the "Expenses of Organization Fund of — Irrigation District." In case of the neglect or refusal of the Board of Directors to cause such assessments and levies, or either of them, to be made, as in this Act provided, then the assessment of property made by the County Assessor and the State Board of Equalization shall be adopted, and shall be the basis of assessments for the district, and the Board of Supervisors of the county in which the office of the Board of Directors is situated shall cause an assessment roll for said district to be prepared, and shall make the levies required by this Act, in the same manner and with the like effect as if the same had been made by said Board of Directors, and all expenses

incident thereto shall be borne by such district. In case of neglect or refusal of the Collector or Treasurer of the district to perform the duties imposed by law, then the Tax Collector and Treasurer of the county in which the office of the Board of Directors is situated must respectively perform such duties, and shall be accountable therefor upon their official bonds, as in other cases.

Adopted.

Also, Amend by striking out section six and in place thereof inserting the following:

SEC. 6. Section twenty-seven of said Act is hereby amended so as to read as follows:

Section 27. The owner or person in possession of any real estate offered for sale for assessments due thereon, may designate in writing to the Collector, prior to the sale, what portion of the property he wishes sold if less than the whole, but if the owner or possessor does not, then the Collector may designate it, and the person who will take the least quantity of the land, or in case an undivided interest is assessed, then the smallest portion of the interest, and pay the assessments and costs due, including two dollars to the Collector, for the duplicate certificate of sale, is the purchaser. If the purchaser does not pay the assessments and costs before ten o'clock A. M. the following day, the property must be resold on the next sale day, for the assessments and costs. After receiving the amount of assessments and costs, the Collector must make out in duplicate a certificate, dated on the day of sale, stating the name of the person to whom the property was assessed, a description of the land sold, the amount paid therefor, that it was sold for an assessment or assessments, giving the amount and year of the assessment, and specifying the time when the purchaser will be entitled to a deed. The certificate must be signed by the Collector, who must deliver one copy to the purchaser and file the other in the office of the County Recorder of the county in which the land is situated. In case there is no purchaser in good faith for the property on the first day that it is offered for sale, then when the property is offered thereafter for sale, and there is no purchaser in good faith for the same, the whole of the property assessed shall be struck off to the irrigation district within which such property is situated, as the purchaser, and the duplicate certificate of the sale thereof shall be delivered to the Treasurer of the district, and filed by him at his office. In such case the Collector shall make an entry in the delinquent list "sold to the district," and he shall be credited with the amount of the assessment and costs due, appearing from said list. When an irrigation district is the purchaser at such sale, said district shall be entitled to the same rights as any other purchaser thereat, and may at any time before a deed is executed for the property so sold, assign the certificate of sale to any person who will pay to the district the full amount of the assessments and costs for which the property was sold. Such assignment when authorized by a resolution of the Board of Directors of the district, entered upon its minutes, shall be executed and acknowledged by the President and Secretary of the Board of Directors, on behalf of the district. When a deed has been executed to such district, of property sold for a delinquent assessment or assessments, the title so acquired may be sold by the district and a conveyance thereof made to the purchaser, for a price not less than the actual value of such property, but no such conveyance shall be made until the Board of Directors of the district has, by a resolution entered on its minutes, fixed the price at which such sale may be made, and authorized the President and Secretary of the Board to execute a deed of the property on behalf of the district. Coupons for interest or principal then due and payable on outstanding bonds of the district shall be received in payment for property so sold and conveyed, and shall be received by the Collector in payment of assessments levied under section twenty-two of this Act, in payment for property sold by said Collector for delinquent assessments levied under said section, and in payment of the redemption money for property so sold. When the district is the purchaser at a sale made by the Collector for delinquent assessments under this section, he shall not receive anything for said duplicate certificates, unless the property sold is redeemed, or the certificate of sale is assigned by the district, or the property sold to the district is sold and conveyed by the district to some person, in accordance with the provisions of this section, in which cases the Collector shall receive from the redemptioner, assignee of such certificate, or purchaser from the district, the sum of two dollars for the duplicate certificate issued by him on the sale for delinquent assessments.

Adopted.

Also: Amend by striking out section seven, and in place thereof inserting the following:

SEC. 7. Section thirty-seven is hereby amended so as to read as follows:

Section 37. The cost and expense of purchasing and acquiring property, and constructing the works and improvements herein provided for, shall be wholly paid out of the construction fund. For the purpose of defraying the cost and expense of the care, operation, management, repair, and improvement of such portions of said works and improvements as are completed and in use, including the salaries and wages of the officers and employes of the district who are engaged therein, the Board of Directors may either fix rates of tolls or charges, and collect the same from all persons using water from the works of the district for irrigating or other purposes, or may provide for the payment of such expenditures by the levy of assessments therefor, or by both said tolls or charges,

and by assessments. If by tolls or charges, said Board shall fix the rate of such tolls or charges, which shall become due and payable to the collector of the district on the first Monday in November next thereafter, and shall be a lien upon the land on which said water is used, from the time of its use until said tolls or charges are paid. When said tolls or charges have been fixed by said Board, notice thereof shall be given by publication, for two weeks, in a newspaper published in each county in which any portion of the district is situated. Said notice must state the rate of toll or charge so fixed by said Board, the time when the same will become due and payable, that the same must be paid to the collector of the district on or before the last Monday in December next following, and that unless said tolls or charges are then paid suit will be commenced by the district, in accordance with the provisions of section thirty-seven of this Act. If such tolls or charges are not paid on or before the last Monday in December next following such notice, suit may be brought by the district in the Superior Court of the county in which the land upon which the water was used is situated, for the recovery of such tolls or charges, and for the foreclosure of the lien given by this section. In such suit there shall be allowed to the plaintiff, by the Court, in case of a recovery by the plaintiff therein, reasonable attorney's fees, not exceeding the sum of twenty-five dollars, and ten per cent on the amount found due for such tolls or charges. If such Board determines to provide for the payment of the expenditures before mentioned, by the levy of assessments, such levy shall be made at the time of the annual levy provided for in section twenty-two of this Act. The levy for the payment of such expenditures shall be upon all the lands within the district, which at the time of assessment by the Assessor could be irrigated by the works and improvements of the district, then completed and in use, and shall not include any improvements on such lands. The procedure of the Board of Directors in making such levy, in equalizing the assessments so levied, and the proceedings for the collection of said assessments, shall be in all respects in conformity with the provisions of this Act, relating to assessments levied under section twenty-two thereof. When collected, the assessments levied under this section shall be paid into the district treasury, and shall constitute a special fund, to be called the "Operating Expense Fund of — Irrigation District "

Adopted.

Also. Amend the bill by adding the following new section:

SEC 7a. Section forty-one is hereby amended so as to read as follows:

Section 41. The Board of Directors shall, at any time, when in their judgment it is advisable, call a special election, and submit to the qualified electors of the district whether or not an assessment shall be levied for the purpose of raising money, to be applied to the construction of necessary irrigating canals and works, and acquiring the necessary property and rights therefor, or to be applied to any purpose embraced in this Act, other than those for which assessments are authorized to be levied in sections twenty-two and thirty-seven thereof. Such election must be called upon the notice prescribed, and the same shall be held, and the result thereof determined and declared, in all respects in conformity with the provisions of section fifteen of this Act. At such election the ballots shall contain the words "Assessment—Yes," or "Assessment—No." If two thirds, or more, of the votes cast are "Assessment—Yes," the Board shall at the time of the annual levy, provided for in section twenty-two hereof, levy an assessment sufficient to raise the amount voted. The rate of assessment shall be ascertained by deducting fifteen per cent for anticipated delinquencies in the payment of such assessment and sales of property to the district therefor from the aggregate assessed value of the property in the district as it appears on the assessment roll of the district for the current year, and then dividing the sum voted by the remainder of such aggregate assessed value. The assessments so levied shall be computed and entered in the assessment roll by the Secretary of the Board, and collected at the same time and in the same manner as other assessments provided for in section twenty-two of this Act, and when collected shall be paid into the district treasury, and shall constitute special funds for the purposes specified in the notices of such special election.

Adopted.

Assembly Bill No. 1007—An Act to pay the claim of Thomas Hatch, and making an appropriation therefor.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs Ash, Berry, Bettman, Boothby, Brusie, Butler, Cargill, Coghlin, Coleman, Collins, Cutter, Davis, Devine, Dixon, Dwyer, Ewing, Gay, Guy, Hatfield, Healey, Holland, Kelsey, Kenyon, Langenour, McCarthy, McKelvey, Merrill, O'Day, Pendleton, Phelps, Powers, Richards, Sanford, Spencer, Staley, Swisler, Tomblin, Twigg, Wade, Waymire, Weyse, Wilkinson, Zocchi, and Mr. Speaker—44.

NOES—Messrs Bassford, Belshaw, Bennett, Bledsoe, Bulla, Dale, Devitt, Dunbar, Glass, Hall, Hudson, Johnson, Meads, Nelson, and Robinson—15.

Title read and approved.

Assembly Bill No. 402—An Act entitled an Act to appropriate money to pay the claim of Charles E. Cunningham and William C. Rodgers, for the services rendered in running the elevator in the State Capitol.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Bassford, Belshaw, Bennett, Berry, Brusie, Coghlin, Collins, Cutter, Davis, Devine, Devitt, Dixon, Dunbar, Ewing, Guy, Hall, Hatfield, Healey, Holland, Huber, Johnson, Keen, Kenyon, Laird, Laugenour, Lewis, Meads, McKelvey, Merrill, North, O'Day, Pendleton, Phelps, Powers, Price, Richards, Robinson, Spencer, Swisler, Tibbits, Tomblin, Waymire, Weyse, Wilkinson, Zocchi, and Mr. Speaker—47

NOES—Messrs. Bledsoe, Coleman, and Dale—3

Title read and approved.

Mr. Weyse moved the reconsideration of the vote whereby Assembly Bill No. 566 was refused final passage.

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

AYES—Messrs. Barker, Bassford, Belshaw, Berry, Bettman, Boothby, Brusie, Bulla, Collins, Cutter, Davis, Devine, Devitt, Dinkelspiel, Dixon, Dwyer, Fassett, Glass, Guy, Hatfield, Healey, Huber, Hudson, Kenyon, Laugenour, McCarthy, McKelvey, Merrill, Nelson, North, O'Day, Pendleton, Phelps, Powers, Price, Staley, Stansell, Wade, Waymire, Weyse, Wilkinson, and Mr. Speaker—42

NOES—Messrs. Ash, Cargill, Coghlin, Dale, Ewing, Hall, Holland, Johnson, Laird, Lewis, Richards, Robinson, Rowell, Spencer, Swisler, and Tibbits—15.

Assembly Bill No. 566—An Act relating to estrays, and repealing all other Acts and parts of Acts now in force relating to estrays.

The question being on the final passage of the bill.

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

AYES—Messrs. Bassford, Belshaw, Berry, Bettman, Boothby, Brusie, Bulla, Collins, Cutter, Davis, Devine, Devitt, Dinkelspiel, Dixon, Dunbar, Dwyer, Ewing, Fassett, Guy, Hall, Hatfield, Huber, Hudson, Keen, Kenyon, Laugenour, Meads, McCarthy, Merrill, Nelson, North, O'Day, Pendleton, Phelps, Powers, Price, Richards, Staley, Twigg, Waymire, Weyse, Wilkinson, and Mr. Speaker—43

NOES—Messrs. Ash, Bennett, Bledsoe, Cargill, Coghlin, Coleman, Dale, Gay, Glass, Healey, Johnson, Laird, Robinson, Rowell, Spencer, Stansell, Swisler, Thomas, Tibbits, Tomblin, and Wade—21

Title read and approved.

Mr. Boothby moved the reconsideration of the vote whereby Assembly Bill No. 125 was refused final passage.

CALL OF THE HOUSE.

The roll was called, and pending the announcement of the vote, Mr. O'Day moved a call of the House, seconded by Messrs. Devitt and Zocchi.

Pending the roll call, Mr. Powers moved that further proceedings under the call be dispensed with.

So ordered.

The result of the roll call was announced, and the House reconsidered by the following vote:

AYES—Messrs. Ash, Berry, Bettman, Boothby, Brusie, Butler, Cargill, Coghlin, Collins, Cutter, Davis, Devine, Devitt, Dinkelspiel, Dixon, Dunbar, Dwyer, Guy, Healey, Holland, Huber, Kelsey, Laird, Laugenour, Lewis, Meads, McCarthy, Merrill, O'Day, Pendleton, Powers, Richards, Sanford, Staley, Swisler, Thomas, Tibbits, Tomblin, Twigg, Wilkinson, Zocchi, and Mr. Speaker—42

NOES—Messrs. Bassford, Belshaw, Bennett, Bledsoe, Bulla, Coleman, Dale, Ewing, Fassett, Glass, Guy, Hall, Hudson, Johnson, Keen, Kenyon, Nelson, North, Phelps, Robinson, Rowell, Stansell, Wade, and Waymire—23

Assembly Bill No. 125—An Act to appropriate the sum of one thousand and fifty-two dollars to pay the claim of Jerome Deasy.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Barker, Berry, Bettman, Boothby, Brusie, Butler, Cargill, Coghlin, Collins, Cutter, Davis, Devine, Devitt, Dinkelspiel, Dixon, Dwyer, Gay, Guy, Healey, Holland, Huber, Kelsey, Laird, Laugenour, Lewis, Meads, McCarthy, Merrill, O'Day, Pendleton, Powers, Richards, Sanford, Staley, Swisler, Thomas, Tomblin, Twigg, Weyse, Wilkinson, Zocchi, and Mr. Speaker—43

NOES—Messrs. Bassford, Belshaw, Bennett, Bledsoe, Bulla, Dale, Dunbar, Ewing, Fassett, Glass, Hall, Hudson, Johnson, Keen, Kenyon, Nelson, Phelps, Robinson, Rowell, Spencer, and Stansell—21

Title read and approved.

Assembly Bill No. 628—An Act prohibiting the use of barbed wire fence in public lanes, streets, alleys, roads, or highways.

Passed temporarily on file.

Assembly Bill No. 985—An Act to authorize counties of the second class to build railroads, and to lease or operate the same.

Mr. Bulla moved that a committee of one be appointed, with instructions to amend as follows:

Amend by striking out of section one, line one, the words "of the second class," and inserting the following: "having a population of not less than one hundred thousand nor more than two hundred thousand inhabitants."

Also: Amend by striking out after the word "counties," the words "of the second class," and inserting the following: "having a population of not less than one hundred thousand nor more than two hundred thousand inhabitants."

So ordered.

APPOINTMENT OF COMMITTEE.

Mr. Bulla was appointed as such committee.

REPORT OF COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1895.

MR. SPEAKER: Your select committee, to whom was referred Assembly Bill No. 985, 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.

BULLA, Committee.

Adopted.

Ordered to printer.

Assembly Bill No. 930—An Act to reimburse John C. Pelton for moneys expended by him for the public schools of California.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Barker, Bettman, Boothby, Brusie, Butler, Cargill, Coghlin, Coleman, Collins, Cutter, Davis, Devine, Devitt, Dinkelspiel, Dixon, Dunbar, Dwyer, Ewing, Guy, Hall, Hatfield, Healey, Holland, Laird, Laugenour, Lewis, McCarthy, Merrill, Nelson, Osborn, Pendleton, Phelps, Richards, Sanford, Stansell, Swisler, Tibbitts, Tomblin, Twigg, Waymire, Weyse, Wilkinson, and Zocchi—43.

NOES—Messrs. Ash, Belshaw, Bennett, Bledsoe, Bulla, Dale, Glass, Kenyon, Meads, Robinson, Staley, Wade, and Mr. Speaker—13.

Title read and approved.

Assembly Bill No. 515—An Act to pay the claim of Fred Hansted for services as clerk to the committee appointed for the purpose of investigating the Pilot Commissioners.

Passed, to retain its place on file.

Assembly Bill No. 907—An Act to provide for the disincorporation of municipal corporations of the sixth class.

Read third time.

The question being on the final passage of the bill.

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

Ayes—Messrs. Ash, Bassford, Belshaw, Bennett, Bettman, Bledsoe, Boothby, Bulla, Cargill, Coghlin, Coleman, Collins, Cutter, Dale, Davis, Devine, Dinkelspiel, Dixon, Dwyer, Ewing, Fassett, Freeman, Gav, Glass, Guy, Hall, Hathfield, Healey, Holland, Huber, Johnson, Kelsey, Kenyon, Laugenour, Meads, McCarthy, Nelson, Pendleton, Phelps, Powers, Staley, Stansell, Tibbits, Tomblin, Wade, Weyse, Zocchi, and Mr. Speaker—48

Nays—None.

Title read and approved.

Mr. Belshaw moved that Assembly Bill No. 901 be recalled from Committee on Engrossment.

So ordered.

Mr. Swisler moved that the notice of reconsideration given on action of the Assembly on Assembly Bill No. 308 be postponed until to-morrow.

So ordered.

Mr. Dinkelspiel moved that the consideration of Assembly Bills Nos. 950, 947, and 948 be continued until to-morrow.

So ordered.

Assembly Bill No. 628—An Act prohibiting the use of barbed wire fence in public lanes, streets, alleys, roads, or highways.

Mr. Kelsey moved that Assembly Bill No. 628 be withdrawn, and Assembly Bill No. 752 be substituted therefor.

So ordered.

Assembly Bill No. 752—An Act to pay the claim of Ida M. Smith, Violet E. Smith, and Ida Bernice Smith.

Read second time.

MOTION.

Mr. Brusie moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Assembly Bill No. 752.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Lynch in the chair.

Assembly Bill No. 752 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Lynch 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. 752—An Act to pay the claim of Ida M. Smith, Violet E. Smith, and Ida Bernice Smith—and now report, and recommend that the same do pass as amended in the Committee of the Whole.

LYNCH, Chairman.

Adopted.

The following committee amendment was submitted:

Amend section one to read "three thousand five hundred dollars"

Adopted.

Assembly Bill No. 752 ordered to printer and third reading.

Mr. Powers moved that the Committee on Engrossment be allowed to report without Assembly Bill No. 901.

So ordered.

REPORT OF COMMITTEE ON ENGROSSEMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1895.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following bills have been correctly engrossed: Assembly Bill No. 756—An Act appropriating money to pay the claims of H. P. Dyer, E. F. Dyer, C. A. Granger, Gaston Goldsmith, and Sullivan & Sullivan

Also: Assembly Bill No. 823—An Act to authorize the construction of hospital buildings for city, or city and county purposes

Also: Assembly Bill No. 880—An Act to prevent the sale of intoxicating liquors in the immediate vicinity of soldiers' homes.

WILKINSON, Chairman.

Assembly Bill No. 756—An Act appropriating money to pay the claims of H. P. Dyer, E. F. Dyer, C. A. Granger, Gaston Goldsmith, and Sullivan & Sullivan.

The question being on the final passage of the bill.

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

AYES—Messrs. Bassford, Belshaw, Bennett, Berry, Bettman, Bledsoe, Boothby, Brusie, Bulla, Coghlin, Coleman, Collins, Cutter, Devine, Devitt, Dinkelspiel, Dixon, Dwyer, Freeman, Gay, Guy, Holland, Huber, Kelsey, Laugenour, Lewis, McKelvey, North, O'Day, Osborn, Phelps, Powers, Reid, Sanford, Spencer, Staley, Tomblin, Twigg, Weyse, Wilkinson, Zocchi, and Mr. Speaker—42

NOES—Messrs. Ash, Dale, Dunbar, Ewing, Fassett, Glass, Hall, Hudson, Johnson, Meads, McCarthy, Price, and Robinson—13

Title read and approved.

Assembly Bill No. 823—An Act to authorize the construction of hospital buildings for city, or city and county purposes.

The question being on the final passage of the bill.

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

AYES—Messrs. Belshaw, Bennett, Berry, Bettman, Boothby, Brusie, Bulla, Coghlin, Coleman, Collins, Davis, Devine, Devitt, Dinkelspiel, Dixon, Dwyer, Ewing, Gay, Guy, Hatheld, Healey, Huber, Johnson, Kelsey, Kenyon, Laugenour, Lewis, Meads, McCarthy, Merrill, North, O'Day, Pendleton, Phelps, Powers, Price, Richards, Robinson, Staley, Stansell, Tomblin, Wade, Weyse, Wilkinson, Zocchi, and Mr. Speaker—46

NOES—None.

Title read and approved.

Assembly Bill No. 901—An Act to amend an Act entitled an Act to promote the purity of elections by regulating the conduct thereof, and to support the privileges of free suffrage by providing for the punishment thereof.

Mr. Belshaw moved to appoint a committee of one, with instructions to amend as follows:

Strike out of section five, line eighteen, the words "excess of," down to and including the word "provided" in line forty, and inserting the following in lieu thereof: "three hundred dollars."

So ordered.

APPOINTMENT OF SPECIAL COMMITTEE.

The Speaker appointed Mr. Belshaw as such committee.

REPORT OF SPECIAL COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1895.

MR. SPEAKER: Your select committee, to whom was referred Assembly Bill No 901, 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

BELSHAW, Committee.

Adopted.

The question being on the adoption of the amendment offered by the committee, the same was adopted.

Ordered to printer.

Assembly Bill No. 880—An Act to prevent the sale of intoxicating liquors in the immediate vicinity of soldiers' homes.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Bassford, Belshaw, Bennett, Berry Bettman, Bulla, Butler, Cargill, Coghlin, Coleman, Dale, Davis, Devine, Devitt, Dinkelspiel, Dixon, Dunbar, Dwyer, Ewing, Fassett, Freeman, Gay, Glass, Hall, Hathfield, Holland, Hudson, Johnson, Jones, Keen, Kelsey, Kenyon, Laird, Lewis, Meads, Merrill, Nelson, North, O'Day, Phelps, Price, Reid, Richards, Robinson, Sanford, Spencer, Staley, Stansell, Tibbitts, Tomblin, Twigg, Wade, Weyse, and Wilkinson—55.

NOES—Messrs. McCarthy and Zocchi—2.

Title read and approved.

Assembly Bill No. 473—An Act to provide for the formation, organization, and classification of new counties, for locating the county seats, for the election and appointment of officers, and for the adjustment and fulfillment of the rights and obligations arising between such new counties and other counties.

Passed, to retain its place on file.

Mr. Freeman moved that the Assembly do now take up Senate messages.

So ordered.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 14, 1895.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Assembly Bill No 605—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. 600—An Act making an appropriation to pay the City and County of San Francisco for expenses incurred in conveying children to the Whittier State School.

Also: Assembly Bill No 618—An Act to amend sections one thousand nine hundred and twelve, one thousand nine hundred and nineteen, one thousand nine hundred and twenty-three, one thousand nine hundred and twenty-nine, one thousand nine hundred and thirty-two, one thousand nine hundred and forty-two, one thousand nine hundred and sixty-two, one thousand nine hundred and seventy, one thousand nine hundred and eighty, one thousand nine hundred and eighty-three, one thousand nine hundred and eighty-four, one thousand nine hundred and eighty-five, one thousand nine hundred and ninety, two thousand and three, two thousand and four, two thousand and seven, two thousand and twenty-two, two thousand and twenty-four, two thousand and twenty-seven, two thousand and forty, two thousand and forty-eight, two thousand and seventy-six, two thousand and eighty-three, and two thousand and ninety-four, of the Political Code of the State of California, and to add one new section thereto, to be known and numbered as section one thousand nine hundred and ninety-one, and to repeal sections one thousand nine hundred and eighty-seven, one thousand nine

Also: Assembly Bill No. 711—An Act making an appropriation to pay the deficiency in the appropriation for payment of transportation of children to the State Reform School for Juvenile Offenders for the forty-third and forty-fourth fiscal years—was withdrawn by Senator Hart and herewith respectfully returned

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

Mr. Pendleton moved that Assembly Bill No. 1002 be placed on special file.

So ordered.

LEAVE OF ABSENCE.

Messrs. Keene, Merrill, and Ash were granted leave of absence for the evening.

Mr. Cutter moved that the rules be suspended and Assembly Bill No. 391 be now considered.

So ordered.

Assembly Bill No. 391—An Act to create an exempt firemen's relief fund in the several counties, cities and counties, cities, and towns of the State, and relating to the enrollment, formation into fire companies, and services as firemen of such exempt firemen.

Read second time.

The following committee amendments were submitted:

Amend by striking out of section one, line one, the words "or in case there be no Mayor."

Adopted.

Also: Amend by striking out of section one, line two, the words "the several counties, cities and counties, cities and," and insert "any city and county, city, or county, or town."

Adopted.

Also: Amend by striking out of section one, line three, the word "towns."

Adopted.

Also: Amend by striking out of section one, line three, the word "the" and inserting the word "thus"

Adopted.

Also: Amend by striking out of section one, line three, the words "fire departments," and insert the words "an incorporated exempt fire company"

Adopted.

Also: Amend by striking out of section one, line three, the word "exist," and insert the word "exists"

Adopted.

Also: Amend by inserting in section three, line two, after the word "fireman," the words "who is a member of such incorporated exempt fire company"

Lost.

Also: Amend by striking out of section three, line two, the words "to that effect under any"

Adopted.

Also: Amend by striking out of section three, line three, the words "law of this State"

Adopted.

Also: Amend by striking out of section three, line three, the words "laws of this State"

Adopted.

Also: Amend by inserting in section three, line three, before the first word "and," the words "under the laws of this State that he is an exempt fireman"

Adopted.

Also: Amend by striking out of section four, line two, after the word "town," the words "in which such incorporated exempt fire company exists."

Adopted.

Also. Amend by striking out of section five, line nine, the words "be less than," and insert the word "exceed"

Adopted.

Ordered to printer, engrossment, and third reading.

At nine o'clock and fifty-five minutes p. m. the Speaker called Mr. McKelvey to the chair.

Mr. Freeman moved that the rules be suspended and Assembly Bills Nos. 982 and 981 be taken up out of order and considered at this time.

So ordered.

Assembly Bill No. 982—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by adding new sections thereto, to be numbered three thousand six hundred and forty, three thousand six hundred and eighty, three thousand eight hundred and one, and three thousand eight hundred and thirty-one; also, by amending sections three thousand six hundred and seven, three thousand six hundred and seventeen, three thousand six hundred and twenty-eight, three thousand six hundred and thirty, three thousand six hundred and fifty, three thousand six hundred and fifty-one, three thousand six hundred and fifty-three, three thousand six hundred and fifty-four, three thousand six hundred and fifty-five, three thousand six hundred and fifty-six, three thousand six hundred and fifty-eight, three thousand six hundred and sixty-one, three thousand six hundred and sixty-two, three thousand six hundred and sixty-three, three thousand six hundred and sixty-six, three thousand six hundred and sixty-seven, three thousand six hundred and seventy, three thousand six hundred and seventy-eight, three thousand six hundred and ninety-two, three thousand six hundred and ninety-three, three thousand six hundred and ninety-four, three thousand seven hundred and four, three thousand seven hundred and five, three thousand seven hundred and fourteen, three thousand seven hundred and nineteen, three thousand seven hundred and twenty-eight, three thousand seven hundred and thirty, three thousand seven hundred and thirty-one, three thousand seven hundred and thirty-two, three thousand seven hundred and thirty-four, three thousand seven hundred and thirty-six, three thousand seven hundred and thirty-eight, three thousand seven hundred and forty-six, three thousand seven hundred and forty-

seven, three thousand seven hundred and forty-eight, three thousand seven hundred and fifty-two, three thousand seven hundred and fifty-six, three thousand seven hundred and fifty-eight, three thousand seven hundred and fifty-nine, three thousand seven hundred and sixty-two, three thousand seven hundred and sixty-four, three thousand seven hundred and sixty-five, three thousand seven hundred and sixty-six, three thousand seven hundred and sixty-seven, three thousand seven hundred and seventy, three thousand seven hundred and seventy-one, three thousand seven hundred and seventy-two, three thousand seven hundred and seventy-six, three thousand seven hundred and seventy-seven, three thousand seven hundred and eighty, three thousand seven hundred and eighty-one, three thousand seven hundred and eighty-five, three thousand seven hundred and eighty-seven, three thousand seven hundred and eighty-eight, three thousand seven hundred and eighty-nine, three thousand seven hundred and ninety, three thousand seven hundred and ninety-three, three thousand seven hundred and ninety-seven, three thousand seven hundred and ninety-nine, three thousand eight hundred, three thousand eight hundred and four, three thousand eight hundred and five, three thousand eight hundred and eight, three thousand eight hundred and thirteen, three thousand eight hundred and fourteen, three thousand eight hundred and fifteen, three thousand eight hundred and sixteen, three thousand eight hundred and seventeen, three thousand eight hundred and eighteen, three thousand eight hundred and nineteen, three thousand eight hundred and twenty, three thousand eight hundred and twenty-three, three thousand eight hundred and twenty-six, three thousand eight hundred and twenty-nine, three thousand eight hundred and forty, three thousand eight hundred and forty-one, three thousand eight hundred and fifty-four, three thousand eight hundred and fifty-eight, three thousand eight hundred and sixty-seven, three thousand eight hundred and seventy, three thousand eight hundred and seventy-one, three thousand eight hundred and seventy-three, three thousand eight hundred and seventy-eight, three thousand eight hundred and eighty-one, three thousand eight hundred and eighty-eight, three thousand eight hundred and ninety-seven, three thousand eight hundred and ninety-eight, three thousand eight hundred and ninety-nine, three thousand nine hundred; also, by repealing sections three thousand seven hundred and thirty-three, three thousand seven hundred and thirty-seven, three thousand seven hundred and sixty-eight, three thousand seven hundred and seventy-three, three thousand seven hundred and seventy-four, three thousand seven hundred and seventy-five, three thousand seven hundred and seventy-eight, three thousand seven hundred and seventy-nine, three thousand eight hundred and three, three thousand eight hundred and ten, three thousand eight hundred and eleven, three thousand eight hundred and twelve, three thousand eight hundred and thirty, three thousand eight hundred and eighty-six, three thousand eight hundred and ninety-three, three thousand eight hundred and ninety-four, three thousand eight hundred and ninety-five, and three thousand eight hundred and ninety-six, all relating to the revenue and taxes of this State.

The following Senate amendments were submitted:

Amend section one, line five, by inserting after the word "years," the following: "from the time of planting in vineyard form."

Adopted.

Also: Amend section one, line four, by inserting after the word "years," the following: "from the time of planting in orchard form."

Adopted.

Also: Amend after section twenty-eight, line twelve, as follows: "8. The assessed value of all property sold to the State for taxes."

Adopted.

Amend by adding to section seventy-four, line fourteen, after the words "been paid," the following: "Whenever the possessory interest in land belonging to the United States has been assessed, and sold to the State for delinquent State and county taxes the Board of Supervisors in the respective counties shall have power, upon the application of the owner of the land, his representative, or any party interested therein, to direct the County Auditor to cancel the certificate of sale in which such possessory interest was sold. Before an order to cancel the certificate, as provided in this section, can be granted by the Board of Supervisors, the applicant must satisfy the Board that all taxes against the land, or the possessory interest therein of such owner or his predecessor in title, have been paid."

Adopted.

Amend section one hundred and twelve of Assembly Bill No. 982, by adding the following: "*provided*, nothing in this Act contained shall affect the time or manner of collecting delinquent assessments levied and assessed to pay the damages, costs, and expenses for or incident to the laying out, opening, extending, widening, straightening, diverging, curving, contracting, or closing up, in whole or in part, any street, square, lane, alley, court, or place, within municipalities in this State, nor the time or manner of sales, or redemption after sales, of real property sold to pay the damages, costs, and expenses incident to such work or improvement aforesaid; and the time and manner of sale, or redemption after sale, of any real property sold to pay the damages, costs, and expenses for or incident to laying out, opening, extending, widening, straightening, diverging, curving, contracting, or closing up, in whole or in part, any street, square, lane, alley, court, or place, within municipalities in this State, shall be had and made in the same time and manner as provided by law in such matters, on the first day of January, A. D. 1896."

Adopted.

The question being, "Shall the Assembly concur in the Senate amendments?"

The roll was called, and the Assembly concurred by the following vote:

AYES—Messrs. Ash, Barker, Belshaw, Bennett, Boothby, Brusie, Bulla, Butler, Cargili, Coghlin, Coleman, Cutter, Dale, Davis, Dinkelspiel, Dixon, Dunbar, Dwyer, Ewing, Fasset, Freeman, Gay, Glass, Guy, Healey, Holland, Huber, Jones, Kenyon, Lewis, Meads, McKelvey, North, O'Day, Pendleton, Phelps, Powers, Price, Reid, Richards, Sanford, Spencer, Staley, Tibbits, Twigg, Wade, Weyse, and Mr. Speaker—48.

NOES—None

Ordered to Committee on Enrollment.

Assembly Bill No. 981—An Act authorizing the Controller to appoint an additional clerk in his office, in addition to the number now allowed by law, to be known as the Revenue Clerk, and making an appropriation for the payment of his salary for the remainder of the forty-sixth fiscal year.

The following Senate amendments were submitted:

Amend by striking out of section two, line one, the words "July 1, 1896," and inserting the following: "from and after its passage."

Adopted.

Also: Amend by striking out sections two and three, and inserting the following: "Sec. 2 This Act shall take effect July 1, 1895."

Adopted.

The question being, "Shall the Assembly concur in the Senate amendments?"

The roll was called, and the Assembly concurred in the Senate amendments by the following vote:

AYES—Messrs Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Boothby, Bulla, Coghlin, Coleman, Collins, Cutter, Dale, Davis, Devine, Dunbar, Fassett, Glass, Guy, Hall, Hatfield, Healey, Holland, Huber, Hudson, Johnson, Jones, Kelsey, Kenyon, Laird, Laugenour, Lewis, Meads, McKelvey, Nelson, North, O'Day, Pendleton, Powers, Reid, Richards, Robinson, Sanford, Spencer, Staley, Stansell, Tibbits, Tomblin, Wade, Weyse, Wilkinson, and Mr. Speaker—52
NOES—Mr. Bledsoe—1.

Ordered to Committee on Enrollment.

Mr. Powers moved to suspend the rules and consider Assembly Bill No. 705.

So ordered.

Assembly Bill No. 705—An Act to regulate the granting of franchises to lay down railroad tracks upon streets and avenues in cities, or cities and counties having one hundred thousand or more inhabitants.

Read second time.

The following committee amendments were submitted:

Amend by inserting after the word "tracks," on line three of section one of the printed bill, the word "lengthwise"

Adopted.

Also: Amend by striking out all of the bill after the word "more," on line four of section one of the printed bill, and insert the following: "if, by order, ordinance, or resolution of such Boards of Supervisors, City Councils, or governing bodies in force at the time of the passage of this Act, the official width of the roadways of such streets or avenues is fixed at less than sixty feet."

"Sec. 2 This Act shall take effect and be in force from and after its passage"

Adopted.

Assembly Bill No. 705 ordered to printer, engrossment, and third reading.

RESOLUTION.

By Mr. Berry:

Resolved, That the Governor be requested to return to the Assembly Assembly Bill No. 676, for the purpose of concurring in the Senate amendment to said bill.

So ordered.

At ten o'clock and fifteen minutes P. M. the Speaker resumed the chair.

LEAVE OF ABSENCE.

Messrs. Bettman, Dinkelspiel, Powers, Spencer, and Collins were granted leave of absence for the evening.

MOTION.

Mr. Bulla moved that the Assembly do now take up special Senate file for the purpose of reading Senate bills second time.

So ordered.

SPECIAL SENATE FILE.

Senate Bill No. 275—An Act to amend section two thousand eight hundred of the Political Code, relating to the purchase of toll roads by counties.

Read second time, and ordered to third reading.

Senate Bill No. 716—An Act to amend section one thousand two hundred and forty-three of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872.

Read second time, and ordered to third reading.

Senate Bill No. 486—An Act to amend sections one thousand four hundred and eighty-nine, one thousand five hundred and three, one thousand five hundred and seventeen, one thousand five hundred and twenty-one, one thousand five hundred and forty-three, one thousand five hundred and fifty-one, one thousand five hundred and fifty-two, one thousand five hundred and seventy-five, one thousand five hundred and seventy-six, one thousand five hundred and ninety-four, one thousand six hundred and seventeen, one thousand seven hundred and thirteen, one thousand seven hundred and seventy, one thousand seven hundred and seventy-three, one thousand seven hundred and seventy-five, one thousand eight hundred and thirty, one thousand eight hundred and eighty, one thousand eight hundred and eighty-two, one thousand eight hundred and eighty-four, and one thousand eight hundred and eighty-five of the Political Code of California, relating to public schools.

Read second time, and ordered to third reading.

Senate Bill No 116—An Act to repeal an Act entitled "An Act concerning corporations and persons engaged in the business of banking," approved April 1, 1876.

Read second time, and ordered to third reading.

Senate Bill No. 448—An Act making an appropriation to pay the claim of R. B. Young for architect's fees for erection and construction of power and electric plant at the Whittier State School.

Read second time.

Senate Bill No. 16—An Act appropriating money to pay the claim of W. H. Murray, his heirs or assigns.

Read second time.

Senate Bill No. 805—An Act to create a Bureau of Highways, and prescribe its duties and powers, and to make an appropriation for its expenses.

Read second time.

Senate Bill No. 70—An Act appropriating money for the relief of Mrs. Sarah J. Wing, her heirs or assigns.

Read second time.

MOTION.

Mr. Bulla moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bills Nos. 16, 805, 70, and 448.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Lynch in the chair.

Senate Bills Nos. 16, 805, 70, and 448 were considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Lynch 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 following bills, viz.:

Senate Bill No. 448—An Act making an appropriation to pay the claim of R. B. Young for architect's fees for erection and construction of power and electric plant at the Whittier State School.

Also: Senate Bill No. 16—An Act appropriating money to pay the claim of W. H. Murray, his heirs or assigns

Also: Senate Bill No. 805—An Act to create a Bureau of Highways, and prescribe its duties and powers, and to make an appropriation for its expenses

Also: Senate Bill No. 70—An Act appropriating money for the relief of Mrs. Sarah J. Wing, her heirs or assigns

And now report, and recommend that the same do pass.

LYNCH, Chairman.

Adopted.

Senate Bills Nos. 448, 16, 805, and 70 ordered to third reading.

Senate Bill No. 147—An Act to amend and add a new section to an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, to prevent able-bodied persons from banding together and obtaining subsistence by alms.

Read second time, and ordered to third reading.

Substitute for Senate Bill No. 391—An Act to amend sections two hundred and thirty-seven, two hundred and forty-five, two hundred and forty-six, and two hundred and sixty-eight of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the officers and employés of the Legislature.

Read second time, and ordered to third reading.

Senate Concurrent Resolution No. 9—Relative to the employment of convicts in State Prisons.

Passed, to retain its place on file.

Senate Bill No. 446—An Act to amend section four thousand one hundred and twenty-one of the Political Code, prohibiting Clerks, Sheriffs, Auditors, Assessors, Recorders, Treasurers, Tax Collectors, Superintendents of Schools, and Constables, and their deputies, from practicing law or acting as attorneys or counselors-at-law, and to prohibit such officers from conveyancing, drawing deeds, mortgages, leases, contracts, or any instrument of writing not pertaining strictly to the duties of their respective offices, and forbidding the appointment of such officers to the office of Notary Public.

Read second time, and ordered to third reading.

Senate Bill No. 349—An Act to amend section one of an Act approved March 15, 1883, and entitled "An Act to authorize the Common Council, Board of Trustees, or other governing body of any incorporated city or town, other than cities of the first class, to re-fund its indebtedness, issue bonds therefor, and provide for the payment of the same," as amended March 1, 1893.

Passed, to retain its place on file.

Senate Bill No. 782—An Act to amend sections one thousand eight hundred and eighty, one thousand eight hundred and eighty-four, and

one thousand eight hundred and eighty-six of the Political Code of the State of California, relating to public schools.

Read second time, and ordered to third reading.

Senate Bill No. 289—An Act providing for the improvement of streets and roads, and the construction of sidewalks, outside of the limits of incorporated cities and towns.

Read second time, and ordered to third reading.

Senate Joint Resolution No. 17—Joint resolution relative to expending moneys now available for the improvement of our navigable rivers by the National Government.

Passed, to retain its place on file.

Senate Bill No. 699—An Act to provide for the appointment and salary of a clerk in the office of the Superintendent of Public Instruction, and to make an appropriation therefor.

Read second time.

Senate Bill No. 653—An Act to pay the claim of Philip Bauer against the State of California, and to make an appropriation therefor.

Passed, to retain its place on file.

Substitute for Senate Bill No. 2—An Act to appropriate one thousand dollars to pay the claims of D. H. Wyckoff and others for the arrest of the murderers of A. B. Montgomery, in Shasta County, in 1892.

Read second time.

MOTION.

Mr. Bulla moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bills Nos. 699 and 653, and Substitute for Senate Bill No. 2.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Lynch in the chair.

Senate Bills Nos. 699, 653, and Substitute for Senate Bill No. 2 were considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Lynch 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 following:

Senate Bill No. 699—An Act to provide for the appointment and salary of a clerk in the office of the Superintendent of Public Instruction, and to make an appropriation therefor.

Also: Senate Bill No. 653—An Act to pay the claim of Philip Bauer against the State of California, and to make an appropriation therefor.

Also: Substitute for Senate Bill No. 2—An Act to appropriate one thousand one hundred dollars to pay the claims of D. H. Wyckoff and others for the arrest of the murderers of A. B. Montgomery, in Shasta County, in 1892.

And now report, and recommend that the same do pass.

LYNCH, Chairman.

Adopted.

Senate Bills Nos. 699 and 653, and Substitute for Senate Bill No. 2 ordered to third reading.

Senate Bill No. 779—An Act to prevent and forbid all persons who own, operate, or carry on street railroads to require deposits from employés.

Read second time, and ordered to third reading.

Senate Bill No. 460—An Act to add a new title to part four of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, to be known as title five, regulating publications by State officers and Commissioners, Common Councils, Boards of Trustees, or Supervisors, in counties, cities, cities and counties, or towns.

Read second time, and ordered to third reading.

Senate Bill No. 715—An Act to provide for the alteration of the boundaries of incorporated towns and cities by the annexation of uninhabited territory thereto, and for the incorporation of such annexed territory in and as a part of such municipality, and for the districting, government, and municipal control of annexed territory.

Read second time, and ordered to third reading.

Senate Bill No. 752—An Act to amend section fourteen of "An Act for the more effectual prevention of cruelty to animals," approved March 20, 1874.

Read second time, and ordered to third reading.

Senate Bill No. 521—An Act to provide for the issuing of bonds by reclamation districts, and the disposal thereof, for reclamation and other purposes, and their payment by taxation upon the property situated in such reclamation districts.

Read second time, and ordered to third reading.

Senate Bill No. 707—An Act to select and adopt the "Golden Poppy" as the State flower of California.

Read second time, and ordered to third reading.

Senate Bill No. 223—An Act to repeal section thirteen of an Act entitled "An Act to provide for the planting, maintenance, and care of shade trees, upon streets, lanes, alleys, courts, and places within municipalities, and hedges upon the lines thereof; also, for the eradication of certain weeds within city limits," approved March 11, 1893.

Read second time, and ordered to third reading.

Senate Bill No. 560—An Act to amend section twenty-eight of an Act passed March 23, 1893, entitled "An Act amendatory of and supplementary to an Act entitled 'An Act to define the boundary and provide for the government of Levee District No. 2, of Sutter County,' passed March 23, 1876, in relation to the election of officers for said district, funding the floating debt, and re-funding the funded debt thereof."

Read second time, and ordered to third reading.

Senate Bill No. 806—An Act providing for the erection and operation of rock-crushing plants at the State Prisons, for the preparation of highway material for the benefit of the people of the State, and providing for the necessary advances and appropriation of money to carry out said work.

Read second time.

MOTION.

Mr. Bulla moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bill No. 806.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Lynch in the chair.

Senate Bill No. 806 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Lynch 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. 806—An Act providing for the erection and operation of rock-crushing plants at the State Prisons, for the preparation of highway material for the benefit of the people of the State, and providing for the necessary advances and appropriation of money to carry out said work—and now report, and recommend that the same do pass.

LYNCH, Chairman.

Adopted.

Senate Bill No. 806 ordered to third reading.

Senate Bill No. 247—An Act to repeal (1) "An Act appropriating money for the erection of a building in the city of San Francisco for the use of the Home for the Care of the Inebriates," approved May 2, 1862; (2) "An Act relating to the Home of the Inebriate of San Francisco, and to prescribe the powers and duties of the Board of Managers and the officers thereof," approved April 1, 1870; and (3) "An Act to provide for the care and maintenance of inebriates and certain insane persons in the City and County of San Francisco," approved March 17, 1876, relating to the Home for the Care of Inebriates.

Read second time, and ordered to third reading.

Senate Bill No. 739—An Act to amend an Act entitled "An Act to reincorporate Salinas City," approved March 2, 1876, with reference to the levy and collection of taxes by said Salinas City.

Read second time, and ordered to third reading.

Senate Bill No. 127—An Act to pay the claim of W. P. Lampkin against the State of California, and making an appropriation therefor.

Read second time.

MOTION.

Mr. Bulla moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bill No. 127.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Lynch in the chair.

Senate Bill No. 127 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Lynch 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. 127—An Act to pay the claim of W. P. Lampkin against the State of California, and making an appropriation therefor—and now report, and recommend that the same do pass.

LYNCH, Chairman.

Adopted.

Senate Bill No. 127 ordered to third reading.

Senate Bill No. 763—An Act to provide for the organization and government of drainage districts, for the drainage of agricultural lands other than swamp and overflowed lands.

Read second time, and ordered to third reading.

Senate Bill No. 587—An Act to provide the manner of execution of deeds by cemetery corporations.

Read second time, and ordered to third reading.

Senate Bill No. 596—An Act to add a new section to the Penal Code, to be called section two hundred and fifteen, to prohibit the poisoning of domestic animals in towns and cities.

Read second time, and ordered to third reading.

Senate Bill No. 329—An Act to amend sections ten and one hundred and thirty-four of the Code of Civil Procedure of the State of California, relating to legal holidays and non-judicial days.

Read second time, and ordered to third reading.

Senate Bill No. 328—An Act to amend section seven of the Civil Code of the State of California, relating to legal holidays and non-judicial days.

Read second time, and ordered to third reading.

Senate Bill No. 330—An Act to amend section ten of the Political Code of the State of California, relating to legal holidays and non-judicial days.

Read second time, and ordered to third reading.

Senate Bill No. 280—An Act to amend section one thousand six hundred and ninety-one of the Code of Civil Procedure of the State of California, relating to agents for absent interest parties, discharge of executors or administrators.

Read second time, and ordered to third reading.

ADJOURNMENT.

At ten o'clock and thirty minutes P. M., on motion of Mr. McKelvey, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,)
Friday, March 15, 1895. }

The Assembly met pursuant to adjournment.

Speaker Lynch in the chair.

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

Messrs Ash, Bachman, Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Bledsoe, Boothby, Brusie, Bulla, Butler, Cargill, Coghlin, Coleman, Collins, Cutter, Dale, Davis, Devine, Devitt, Dinkelspiel, Dixon, Dodge, Dunbar, Dwyer, Ewing, Fassett, Freeman, Gay, Glass, Guy, Hall, Hatfield, Healey, Holland, Huber, Hudson, Johnson, Jones, Keen, Kelsey, Kenyon, Laird, Laugenour, Lewis, Llewellyn, Meads, McCarthy, McKelvey, Merrill, Nelson, North, O'Day, Osborn, Pendleton, Phelps, Powers, Price, Reid, Richards, Robinson, Rowell, Sanford, Spencer, Staley, Stansell, Swisler, Thomas, Tibbits, Tomblin, Twigg, Wade, Waymire, Weyse, Wilkinson, Zocchi, and Mr. Speaker.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. O. Summers.

READING OF JOURNAL.

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

So ordered.

REPORT OF COMMITTEE OF CONFERENCE.

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1895.

MR. SPEAKER: Your Committee of Conference, to whom was referred Assembly Bill No. 959, recommend that the Senate recede from its amendment to section one hundred and sixty, on line nineteen, page fifty-four.

Also: That the Assembly concur in Senate amendment to said section, on line thirty-one, page fifty-four.

Also: That the Assembly concur in Senate amendments to said section, from line twenty-three to line thirty, inclusive, on page fifty-four.

Also: That the Assembly concur in Senate amendment to said section, lines forty-four to forty-six, inclusive, on page fifty-five.

Also: That the Assembly concur in Senate amendments to said section, lines forty-eight and forty-nine, on page fifty-five.

Also: That the Assembly concur in Senate amendments from line fifty-three to line fifty-seven, inclusive, page fifty-five, in said section.

Also: That the Assembly concur in Senate amendment to said section, on lines sixty-seven and sixty-eight, page fifty-six.

Your committee further recommends that the Assembly concur in Senate amendment to section one hundred and seventy.

Your committee further recommends that the Assembly concur in Senate amendment to section one hundred and seventy-two, line fourteen, page seventy-four.

Also: That the Assembly concur in Senate amendment to said section, lines fifteen and sixteen, page seventy-four.

Also: That the Senate recede from its amendment to said section, on lines thirty, thirty-four, and thirty-five, page seventy-five.

Your committee recommends that the Assembly concur in Senate amendments to section one hundred and seventy-nine.

Your committee recommends that no change is necessary in section one hundred and ninety-seven.

Your committee further recommends that the Assembly concur in Senate amendments to section two hundred.

Your committee further recommends that the Senate recede from its amendment to section one hundred and sixty, in subdivision fourteen, in so far as said amendment raises the salary of Constables to one hundred dollars per month.

Your committee further recommends that the Assembly concur in Senate amend-

ments in section one hundred and eighty-six, except Senate amendment on line thirteen, page eighty-nine.

Your committee further recommends that the Senate recede from its amendment to section two hundred and eight, on lines nine and ten, page one hundred and nine.

Also: That the Assembly concur in Senate amendment to said section, on lines twenty and twenty-one, page one hundred and nine.

Your committee recommends that the Assembly concur in Senate amendment, section one hundred and ninety-three, page ninety-five, lines nine and ten.

Your committee further recommends that the Senate recede from its amendment to section two hundred and fifteen, line thirty-one, page one hundred and fourteen, in so far as it provides for one additional deputy, to act as register clerk, and that the same be referred to a Committee of Free Conference for such action as they deem proper.

Your committee further reports that they are unable to agree as to any recommendation upon Senate amendment to section one hundred and seventy-two, line forty-four, page seventy-five, and that the same be referred to a Committee of Free Conference for such action as they deem proper.

Your committee further report that they are unable to agree on Senate amendment to section one hundred and eighty-six, on line thirteen, page eighty-nine, and that the same be referred to a Committee of Free Conference for such action as they deem proper.

OSBORN.
REID.

I concur in the above report, except so far as it recommends the raising of the Alameda county and township officers' salaries over and above the schedule set forth in Assembly Bill No. 959, which passed the Assembly, save that I approve the compensation of the Assessor being left undisturbed during his term of office.

DODGE.

Mr. Jones moved that the report of the committee be adopted, and that the Assembly concur in all of Senate amendments recommended by the committee, and that a committee of free conference be appointed to take such action as they deem proper in the matters in which the Assembly conference committee advise action by said free conference committee, and that the Assembly refuse to concur in the Senate amendments which the Assembly conference committee recommend the Senate to recede from.

Adopted.

APPOINTMENT OF COMMITTEE OF FREE CONFERENCE.

The Speaker announced the appointment of the following Committee of Free Conference: Messrs. Cutter, Hatfield, and Sanford.

REPORTS OF STANDING COMMITTEES.

ON CLAIMS.

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1895

MR. SPEAKER: Your Committee on Claims, to whom was referred Senate Bill No. 72—An Act for the relief of Charles F. Wells, and to appropriate money therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Assembly Bill No. 737—An Act for the relief of Charles F. Wells, and to appropriate money therefor—have had the same under consideration, and respectfully report the same back, and recommend that the author of the bill be requested to withdraw the same, as provision for the payment of the claim has been made in Senate Bill No. 72.

Also: Assembly Bills Nos. 154, 156, 201, 639, 557, and 970—have had the same under consideration, and respectfully report the same back without recommendation.

GAY, Chairman.

ON PUBLIC MORALS

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1895.

MR. SPEAKER: Your Committee on Public Morals, to whom was referred Senate Bill No. 566—have had the same under consideration, and respectfully report the same back without recommendation.

Also: Assembly Bill No. 1018—have had the same under consideration, and respectfully report the same back without recommendation.

BETTMAN, Chairman.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, March 14. 1895.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Assembly Bill No. 963—An Act to add a new section, to be known as section four thousand four hundred and fifteen of the Political Code, in relation to conveying and disposing by cities and towns the lands occupied as public streets, when such public streets shall have been closed and abandoned as public streets.

Also: Assembly Bill No. 965—An Act to provide for the improvement and protection of streets, avenues, lanes, alleys, courts, and places, and for the construction of sewers, within municipalities, and to establish and regulate grades therein.

Also: Assembly Bill No. 966—An Act entitled an Act for the preservation and maintenance of streets paved by contract.

Also: Assembly Bill No. 975—An Act supplementary to, and to amend an Act entitled "An Act to provide for laying out, opening, extending, widening, straightening, diverging, curving, contracting, or closing up, in whole or in part, any street, square, alley, lane, court, or place, within municipalities, or cities, and cities and counties of forty thousand inhabitants or over, and to condemn and acquire any and all land and property necessary or convenient for that purpose," approved March 23, 1893, by adding another section thereto, relating to the assessment of a whole city for the improvement contemplated by said Act of 1893.

Also: Assembly Bill No. 974—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 fifty-five thereof, relating to the compensation of members of the board of trustees of municipal corporations of the sixth class.

Also: Assembly Bill No. 976—An Act to amend section twenty-two of an Act entitled "An Act to provide for laying out, opening, extending, widening, straightening, or closing up, in whole or in part, any street, square, lane, alley, court, or place within municipalities, and to condemn and acquire any and all land and property necessary or convenient for that purpose," approved March 6, 1889.

Have had the same under consideration, and respectfully report the same back without recommendation.

GUY, Chairman.

WITHDRAWAL OF BILL.

Assembly Bill No. 737 was withdrawn.

RESOLUTION.

By Mr. Pendleton:

Resolved, That the Chairmen of committees be directed to return to the Clerk's desk all bills now in their possession, and take a receipt of the Clerk for such return.

Adopted.

FINAL REPORT OF COMMITTEE ON PUBLIC HEALTH AND QUARANTINE.

MR. SPEAKER: Your Committee on Public Health and Quarantine respectfully submit the following final report:

Our investigations and observations have been conducted under many disadvantages, and the limited time and assistance allotted to us necessitates a curtailed report, which falls far short of what we consider such a report should be, in order to serve the best interests of the public; yet our own observations, coupled with the experience of eminent physicians, not only of this State, but throughout the United States, who have had long years of experience in quarantine matters, have enabled us to reach conclusions which we consider of vital importance to the public, and which should receive the earnest and immediate attention of legislators.

Referring to a former report made to you by our committee, we have only to say that since that report was made public we have received hearty commendation of the truthful, unvarnished statements therein contained from many who are intimately acquainted with the institutions mentioned, and the only adverse criticism comes from those selfishly interested, and from a few who have never visited these institutions personally, and who, through ignorance, are prejudiced against a public exposition of the facts as they exist.

In the matter of public quarantine we are forced to the conviction that nothing short of a rational quarantine, based upon facts as they exist, and under the direct management and control of our Federal Government, will best serve the interest of our country and people. Our popular boast of the most healthful climate on the globe has made possible the introduction, propagation, and dissemination of almost every contagious or epidemic disease known, and the quarantine system which will assist in correcting

existing evils and furnish necessary protection in the future must include within its scope of operations, all commerce, both interstate and international. It must have jurisdiction over and pay constant attention to such matters as drainage, sewage, garbage, cesspools, the obstruction or contamination of waterways, filthy streets and highways, burial places, drinking water, impure food and drink; the general sanitary condition of all public buildings, public or private factories, workshops, lazarettos, pest-houses, homes of the destitute, houses of prostitution, and their inmates.

To give all the reasons for our conclusions would require a historical sketch of the diseases that have grown epidemic in this State, a review of an extensive correspondence with persons who stand high in national authority on matters of public quarantine, and a statement of our own personal investigations and experience. The public, however, is ready to acknowledge the necessity of better quarantine regulations regarding the introduction and spread of diphtheria, smallpox, cholera, leprosy, and malignant fevers that are liable to become epidemic. They are ready to admit that practically all epidemics have their origin elsewhere, and that present local hygienic and sanitary conditions at our ports furnish favorable soil for the propagation of disease, thus laying our people liable to the maladies of other countries whose climatic conditions have a less enviable reputation than ours. They know that epidemics are present and disorder the health of our people before they are manifested in their peculiar and recognized forms, especially is this true of influenza and exanthematous diseases, and they are also ready to brand our present quarantine system as a mockery; that instead of guarding against disease, it concentrates and fosters it under conditions most favorable for its extension, by means of defective lazarettos, pesthouses, etc., and by an utter disregard of sanitary conditions in countless instances. Many are ready to assert that all quarantine regulations are an interference with commerce and the rights of citizens, but that is as false as it is ignorant. Rational quarantine promotes commerce by preventing epidemics and scourges. Such a stand as this places the health of our people in competition with the apparent rights of a few, or a possible cargo of luxuries introduced at the least possible cost of money, and at the greatest cost of human life. There may be individuals who are willing to put a price on human life and barter it for trade, but this is neither common humanity nor public sentiment.

The best people all over our State favor more general, more uniform, and better quarantine regulations, and are practically a unit as to the scope of operations, excepting the recognition of prostitution. On this phase of the proposition our people stand divided. The opposition is based upon religious and moral grounds, the risk of encouraging sin, and the injustice of curtailing individual freedom, but the public claims the right to legislate regarding contagious or infectious diseases, and as prostitution is a prime cause of disease it should be a subject of legislation. Recognition of prostitution by the State, and the benefits of remedial and preventive measures, have long been acknowledged in the Orient, commencing first with regard to the standing armies and navy, then extending to the general public.

The records of the human race bear witness to the perpetual presence of the daughters of shame, and philosophers, statesmen, learned and noble, also the ignorant and simple, have drunk without stint, in every age and clime, of Circe's cup. There has been a constant effort among men who, revolting at the resultant sin, and following their purer instincts, have endeavored to suppress the cause, but they have always failed, and the result of the effort has many times proven more disastrous than that which they sought to suppress, yet to ignore it is equally fatal. It demands recognition, and will at least admit of mitigation.

The conditions as they exist in this regard are deplorable beyond description, and yet all society is acquainted with them, and why should the State refuse to recognize them? Our popular volunteer system is a horrible failure, and has filled our hospitals, asylums, and penitentiaries with the children of prostitution, and the call grows louder and louder for more help in this direction at public expense. If there be any who take issue with us on these statements, they have only to visit the State institutions which we have visited, consult the managers' "cause of commitment" record, and observe the overwhelming living evidence, and if they still doubt their own eyes let them go to the ends of the earth to consult the leading minds of the age who have made these and kindred matters a life study, and their every evidence will bear witness to the truthfulness of these statements.

A large class of thinking people who have given this subject considerable attention are advocating a license system as a remedial and preventive measure, and in some countries this has been put to actual test, but with no good results, and in our judgment such a system, from the very nature of things, must always prove a disastrous failure. But this subject will admit of regulation, amelioration, and prevention, at least in degrees, and in order to do so it must first be recognized by the State.

There are more than one hundred hospitals, asylums, almshouses, etc., in the State of California, many with long lists of officers and employes, and all drawing State aid. These institutions, created out of necessity, have grown to be a monster burden upon our taxpayers. Each has a government of its own, and the only perfect harmony existing between them is in the matter of State appropriations.

Returning again to general quarantine, we will state that quarantine under its worst circumstances falls upon those who can best afford it, while epidemics affect all classes and conditions; thus the entire public is benefited and should bear the expense. We need a complete sanitary cordon all along our coast, founded on rational views of the pathology of diseases, and under Federal control. Local and private interests always

vitate the efficacy of a local quarantine. Congress has the right to regulate commerce and impose a uniform tax on all importations, and can thus make this branch of public quarantine self-supporting. Our investigations have been earnest and sincere, and have led us to the conclusions that a sanitary system having for its object the prevention of transmission of infectious diseases, supplemented with an effort to prevent any local footing for such diseases, ought to be regarded as the most sacred of duties.

We recommend, therefore, that the State Board of Health be empowered to further these investigations, and that they be required to make a report of their labors in this direction, together with a plan for general public quarantine, embracing the various phases of the subject herein mentioned, and such others as they may deem necessary or advisable, the same to be submitted and considered at the next meeting of our State Legislature.

We also recommend that each member of the Assembly shall insist upon the Health Officer of his district placing himself in communication with the State Board of Health, for the purpose of rendering all possible assistance in his power in the matters herein referred to.

In view of the fact that our State Library, which is the pride of every true citizen, and which is complete to date on almost every subject, yet is sadly deficient in statistical or other quarantine literature, we further recommend that this department be made complete by procuring such books, periodicals, statistical and other information as will best assist those having the work in charge to establish a quarantine system in this State that will not only be perfect protection to public health and public interests, but will prove worthy of emulation by other States.

In view of the facts that quarantine facilities at San Diego are entirely inadequate even for our present system, that better and more extensive arrangements will be required, not only at the various ports along our coast, but at many interior points; therefore, we do recommend that, by a joint resolution of the Senate and Assembly of the State of California, our representatives and members in Congress be requested to give this matter special attention at their next session, and to secure an appropriation of seventy-five thousand dollars, to be used in purchasing and equipping quarantine stations in this State.

All of which is respectfully submitted.

GLASS, Chairman.

Ordered printed in the Journal.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1895.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred the following resolution:

By Mr. Collins:

Resolved, That the Secretary of State be and is hereby instructed to deliver to H. M. Collins, Assemblyman from the Forty-ninth District, one set of the Codes of the State of California.

Have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

BRUSIE, Chairman.

Report and resolution adopted.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 15, 1895.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the fourteenth day of March, 1895, passed Assembly Bill No. 708—An Act making an appropriation to pay the deficiency in the appropriation for the erection of additional buildings and improvements for the Southern California State Asylum for the Insane and Inebriates.

Also: Assembly Bill No. 148—An Act to create the office of Fish and Game Warden, and to prescribe the powers, duties, and salary of such officer.

Also: Assembly Bill No. 19—An Act appropriating six thousand five hundred dollars to pay for a system of heating and ventilating in the old State Normal School at Los Angeles, California.

Also: Assembly Bill No. 399—An Act to provide for the erection of an additional building for the use of the Woman's Relief Corps Home Association at their Home for Soldiers' Widows and Orphans, and Army Nurses, at Evergreen, California, and making an appropriation therefor.

Also: Assembly Bill No. 798—An Act concerning the completion of unfinished public buildings in any county, city, or town in this State, and permitting alterations of the original plans or designs for the construction thereof.

Also: Assembly Bill No. 120—An Act to provide for the completion and equipment of the Deaf, Dumb, and Blind Asylum, and to make an appropriation therefor.

F. J. BRANDON, Secretary.
By R. SHAW, Assistant

Assembly Bills Nos. 708, 148, 19, 399, 798, and 120 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, March 14, 1895.

MR. SPEAKER I am directed to inform your honorable body that the Senate, on this day, passed Assembly Bill No 246—An Act making an appropriation to pay the deficiency in the appropriation for the State forestry stations for the forty-fifth and forty-sixth fiscal years.

Also: Assembly Bill No 370—An Act to amend section seven hundred and thirty-one of the Penal Code of the State of California, and to add a new section thereto, to be known as section seven hundred and thirty-four, relating to the suppression of riots and parading of independent companies.

Also: Assembly Bill No. 604—An Act to amend section one of an Act entitled an Act to promote the purity of elections by regulating the conduct thereof, and to support the privilege of free suffrage by prohibiting certain acts and privileges in relation thereto, and providing for the punishment thereof.

Also: Assembly Bill No 714—An Act to provide for the organization and government of drainage districts, for the drainage of agricultural lands other than swamp and overflowed lands.

F. J. BRANDON, Secretary.
By GEO. A. LEON, Assistant.

Assembly Bills Nos. 246, 370, 604, and 714 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, March 14, 1895.

MR. SPEAKER I am directed to inform your honorable body that the Senate, on this day, adopted Assembly Joint Resolution No 9—Relative to requesting Congress to so amend the laws granting certain arid lands to the States, and to permit the State of California to reclaim such lands and retain the ownership thereof, for the purpose of constituting a permanent endowment of the public schools and the State University.

Also: Assembly Concurrent Resolution No 10—WHEREAS, It appears that certain parties have constructed dams in the American River, above Folsom; in the Stanislaus River, at Knight's Ferry; and in the Tuolumne River, near La Grange; and by reason of such obstructions the salmon are unable to reach the headwaters of the American, Stanislaus, and Tuolumne Rivers.

Also: Assembly Joint Resolution No. 12—Relative to mines and mining claims situated within the boundaries of Yosemite National Park.

F. J. BRANDON, Secretary.
By GEO. A. LEON, Assistant.

Assembly Joint Resolutions Nos. 9 and 12 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, March 14, 1895.

MR. SPEAKER I am directed to inform your honorable body that the Senate, on this day, passed Assembly Bill No 616—An Act authorizing the Clerk of the Supreme Court to furnish his offices in San Francisco, Los Angeles, and Sacramento with steel record cases, and make an appropriation therefor.

Also: Assembly Bill No 439—An Act to authorize the State of California to secure the title to and right of way for that certain wagon road situated in El Dorado County, commencing a short distance easterly from the village of Smith's Flat, in said county, and running thence to Lake Tahoe, and to provide for the appointment, duties, and compensation of a person to be known as and called the "Lake Tahoe Wagon Road Commissioner," and to make an appropriation for the purpose of carrying into effect the provisions of this Act.

Also: Assembly Bill No. 725—An Act making an appropriation to pay the deficiency in the appropriation for salary of Secretary of State Board of Examiners for the forty-fourth fiscal year.

Also: Assembly Bill No. 682—An Act authorizing the State Capitol Commissioners to improve certain streets in the city of Sacramento, to wit: L Street from the east line of Tenth Street to the west line of Fifteenth Street, and Fifteenth Street from the north line of L Street to the south line of N Street, and N Street from the east line of Tenth Street to the west line of Fifteenth Street; also, to reconstruct Tenth Street from the center line of L Street to the center line of N Street, and to appropriate money therefor.

F. J. BRANDON, Secretary.
By GEO. A. LEON, Assistant.

Assembly Bills Nos. 616, 439, 725, and 682 ordered to enrollment.

Assembly Bill No. 461—An Act to amend an Act entitled "An Act to establish a Penal Code," relating to the crime of rape.

The following Senate amendment was submitted:

Amend the title by inserting after the word "amend" the following: "section two hundred and sixty-one of"

The question being, "Shall the Assembly concur in the Senate amendment?"

The roll was called, and the Assembly concurred in the Senate amendment by the following vote:

AYES—Messrs. Ash, Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Bulla, Cargill, Dale, Dinkelspiel, Dodge, Dunbar, Ewing, Freeman, Glass, Guy, Hall, Hatfield, Holland, Hudson, Johnson, Jones, Keen, Kenyon, Laird, Laugenour, Lewis, McKelvey, Merrill, Nelson, O'Day, Osborn, Pendleton, Phelps, Powers, Richards, Rowell, Spencer, Staley, Swisler, Tibbits, Wade, Weyse, and Mr. Speaker—45

NOES—None

Assembly Bill No. 15—An Act to amend section six of an Act entitled "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,' approved March 31, 1891, 'and to provide for clerks of Police Courts in cities having a population of more than thirty thousand and not exceeding one hundred thousand inhabitants.'"

The following Senate amendment was submitted:

Amend by inserting the words "section two" in commencement of last line of the bill.

The question being, "Shall the Assembly concur in the Senate amendment?"

The roll was called, and the Assembly concurred in the Senate amendment by the following vote:

AYES—Messrs. Ash, Bachman, Barker, Bassford, Belshaw, Bennett, Berry, Brusie, Bulla, Butler, Coghlin, Dale, Davis, Dixon, Dunbar, Ewing, Gay, Glass, Guy, Hall, Hatfield, Holland, Hudson, Johnson, Jones, Keen, Kelsey, Kenyon, Laugenour, McKelvey, Merrill, Nelson, North, O'Day, Phelps, Powers, Price, Sanford, Stansell, Tibbits, Wade, Weyse, and Mr. Speaker—43.

NOES—None.

Mr. Berry moved that Assembly Bill No. 676, ordered withdrawn from the Governor for purpose of correcting an error, be now taken up and the Senate amendment to said bill be concurred in.

So ordered.

Assembly Bill No. 676—An Act making an appropriation to pay the deficiency in the appropriation to pay for the system of heating and ventilating established in the Training Department of the State Normal School at San José, California.

The following Senate amendment was submitted:

Amend by striking out the enacting clause, and inserting the following in lieu thereof: "The People of the State of California, represented in Senate and Assembly, do enact as follows."

The question being, "Shall the Assembly concur in the Senate amendment?"

The roll was called, and the Assembly concurred by the following vote:

AYES—Messrs. Ash, Bachman, Barker, Bassford, Belshaw, Bennett, Berry, Brusie, Bulla, Butler, Coghlin, Cutter, Dale, Davis, Devine, Devitt, Dinkelspiel, Dixon, Dunbar, Dwyer, Ewing, Fassett, Glass, Guy, Hall, Hatfield, Hudson, Johnson, Jones, Kenyon, Laugenour, McCarthy, McKelvey, Merrill, Nelson, O'Day, Phelps, Powers, Richards, Robinson, Rowell, Sanford, Spencer, Tibbits, Wade, Waymire, Weyse, Wilkinson, and Mr. Speaker—49.

NOES—None.

MESSAGES FROM THE SENATE—(RESUMED).

SENATE CHAMBER, SACRAMENTO, March 15, 1895

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, amended, and passed as amended, Assembly Bill No. 669—An Act prescribing how judgments which may be recovered against any city and county of over one hundred thousand population shall be paid.

Also: Assembly Bill No. 710—An Act making an appropriation to pay the deficiency in the appropriation for the transportation of insane for the forty-fourth fiscal year.

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

REPORT OF COMMITTEE ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1895.

MR. SPEAKER Your Committee on Engrossment beg leave to report that the following bills have been correctly engrossed: Assembly Bill No. 473—An Act to provide for the formation, organization, and classification of new counties, for locating the county seats, for the election and appointment of officers, and for the adjustment and fulfillment of the rights and obligations arising between such new counties and other counties.

Also: Assembly Bill No. 873—An Act to amend the Penal Code by adding a new section thereto, to be known as section two hundred and seventy-three, relating to the care of children.

Also: Assembly Bill No. 1002—An Act authorizing the payment of compensation or commission to persons employed by the State Controller and Attorney-General, or by Boards of Supervisors of the different counties, to collect delinquent State and county taxes, and legalizing all payments made for that purpose.

Also. Assembly Bill No. 994—An Act to compel street railroad companies to return fare, or its equivalent, to passengers where travel on their cars has been stopped for a period of ten minutes or more, from any cause whatever.

WILKINSON, Chairman.

Assembly Bill No. 699—An Act to legalize certain acknowledgments.
The following Senate amendments were submitted:

Strike out in lines one and two, the following: "and any judgments which may hereafter come into existence."

Also: Strike out in lines four, five, and six, the following: "and it shall not be necessary to have the same audited by any Auditor, auditing officer, Board, or other auditing officer or officers, in order that the same, or any part thereof, shall be paid or made payable," and insert the following in line three, after the word "thereof": "after the same shall have been audited by the Auditor, auditing officer, Board, or other auditing officer or officers."

The question being, "Shall the Assembly concur in the Senate amendments?"

The roll was called, and the Assembly concurred in the Senate amendments by the following vote:

AYES—Messrs. Ash, Bachman, Barker, Bassford, Bennett, Berry, Bettman, Brusie, Bulla, Butler, Dale, Davis, Dinkelspiel, Dixon, Dunbar, Ewing, Gay, Glass, Guy, Hall, Hatfield, Huber, Johnson, Keen, Kenyon, Laird, Merrill, Nelson, North, O'Day, Phelps, Powers, Richards, Sanford, Spencer, Staley, Stansell, Tibbits, Wade, Waymire, Weyse, Wilkinson, and Mr. Speaker—43.

NOES—None.

RESOLUTION.

By Mr. Brusie:

Resolved, That the sum of six 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, and the Treasurer is directed to pay the same. Said sum to be distributed by the Chief Clerk to himself, to the statutory Assistant Clerks, History Clerk, and such other persons as may be deemed necessary to complete the work pertaining to the office of the Chief Clerk of this Assembly after the adjournment *sine die*.

The Chief Clerk, statutory Assistant Clerks, History Clerk, and such others as may be selected by the Chief Clerk to remain over at the State Capitol after the adjournment of the thirty-first session of the Legislature, for a sufficient time to complete a final copy of the Assembly Weekly History, and after the same is finally printed, the Chief Clerk shall mail to each member of the Assembly and Senate five copies thereof, one of which shall be bound in pasteboard covers.

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 of which shall be bound in pasteboard covers.

The Controller of State is hereby directed to draw his warrant for the sum of fifty dollars in favor of the Chief Clerk, payable out of the appropriation for the contingent expenses of the Assembly, and the Treasurer is directed to pay the same, for the purpose of paying the necessary postage upon such final history.

Referred to Committee on Attachés and Employés.

SENATE CONCURRENT RESOLUTION No. 18.

Resolved by the Senate, the Assembly concurring, That the use of the cabin in the Yosemite Valley, by J. M. Hutchings, and the orchard adjoining, of about five acres in extent, planted by him, be and the same is hereby granted to said J. M. Hutchings for the term of ten years

Read.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 18 adopted by the following vote:

AYES—Messrs Ash, Bachman, Barker, Bassford, Belshaw, Bennett, Berry, Bledsoe, Brusie, Bulla, Butler, Cargill, Coleman, Collins, Cutter, Dale, Devine, Dixon, Dodge, Dunbar, Ewing, Fassett, Gay, Glass, Guy, Hall, Hatfield, Healey, Huber, Hudson, Johnson, Jones, Keen, Kelsey, Kenyon, Laird, Laugenour, Meads, Nelson, North, O'Day, Osborn, Phelps, Powers, Price, Richards, Robinson, Rowell, Sanford, Spencer, Stansell, Tibbitts, Wade, Waymire, Weyse, Wilkinson, Zocchi, and Mr. Speaker—53.
NOES—None.

RESOLUTION—(OUT OF ORDER).

By Mr. Devine:

Resolved, That the Mail Carrier, Postmistress, and her assistant be and they are hereby instructed to remain at the State Capitol one week after adjournment of the Legislature *sine die*, for the purpose of receiving and remailing all communications addressed to the members of the Assembly; and the Controller is hereby directed to draw his warrant for same and the Treasurer is hereby instructed to pay the same out of the Contingent Fund of the Assembly.

Referred to Committee on Attachés and Employés.

Mr. Bachman was allowed to introduce a concurrent resolution, by unanimous consent, as follows:

ASSEMBLY CONCURRENT RESOLUTION No. 19.

Resolved by the Assembly, the Senate concurring, That no portion of the appropriation for the Yosemite Valley, nor any of the rents from leases of premises or privileges within the Yosemite grant, shall be used for the purpose of clearing out trees or shrubs; nor shall any tree be cut down on any pretense or cause whatsoever, in the Yosemite Valley, until a plan has been formulated by an experienced and competent engineer or landscape gardener, and the same shall have been accepted and approved by the State Board of Examiners

Resolved, That no live stock shall be allowed to run at large in the Yosemite Valley, and any animal found in violation of this rule shall be driven out, by the guardian, beyond the boundaries of the grant.

Resolved, That no exclusive franchise of any kind shall be granted to any person or company by the Board of Yosemite Commissioners; but legitimate competition in every branch of business shall be invited and encouraged by the Board.

Resolved, That no combination or pooling of stage or carriage companies shall be allowed in connection with transportation to the Yosemite Valley, for the purpose of keeping up fares; and should this rule be violated by any person or company, the Board of Yosemite Commissioners shall refuse to allow stable room or other conveniences for animals required by such persons or companies.

Read and adopted.

Mr. Wade moved that Senate Bill No. 862 be taken up out of order and considered at this time.

So ordered.

Senate Bill No. 862—An Act to amend section six and section eight 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."

Read second time.

Mr. Wade moved to amend as follows:

By striking out all of section three, and inserting the following, "Bonds issued and sold subsequent to the approval hereof, pursuant to an election held under the provisions of the Act hereby amended prior to the approval of this Act, shall be valid and binding in the same manner and to the same extent as if said Act hereby amended had originally been enacted as hereby amended. This Act shall not invalidate or in any way affect any bonds issued and sold prior to the approval hereof."

Adopted.

Ordered to printer and third reading.

SENATE MESSAGES—(RESUMED).

SENATE CHAMBER, SACRAMENTO, March 15, 1895.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Assembly Bill No 198—An Act to promote the protection of cities, towns, and municipal corporations from overflow by water and the drainage of the same, and for such purposes authorizing the incurring of indebtedness and the issuance of bonds therefor by the same, and providing for the disposition of the proceeds of such bonds, and for the supervision of the protective and other works.

Also: Adopted Senate Constitutional Amendment No. 13—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending article eleven, relating to cities, counties, and towns.

Also: Adopted Senate Constitutional Amendment No. 25—Proposing to the people of the State of California an amendment to section six, article eleven of the Constitution of the State of California.

Also Respectfully return to your honorable body Assembly Bill No. 337, withdrawn by Senator McAllister.

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

RESOLUTIONS—(OUT OF ORDER).

By Mr. O'Day:

Resolved, That the Controller be and hereby is directed to draw his warrant for the sum of eight hundred and sixty dollars, payable out of the Contingent Fund of the Assembly, and the Treasurer is hereby ordered to pay the same in like amounts as placed opposite the names of the following attachés, for services rendered from January 7, 1895, to January 17, 1895, viz.

G. W. Lewis	\$60 00
Grant Towle	80 00
G. McElhainey	50 00
E. W. Card	50 00
D. Williamson	50 00
George Hatton	50 00
R. Blakiston	40 00
Lee Fairchild	80 00
G. Y. Vandever	50 00
A. A. Friedlander	40 00
D. G. Holt	80 00
R. M. Richardson	50 00
Joseph Brooks	80 00
Robert Young	50 00
J. D. Bailey	50 00

Referred to Committee on Attachés and Employés.

By Mr. Kenyon:

Resolved, That W. E. Ludlow, Assistant Engrossing Clerk, be and he is hereby directed to remain after adjournment to assist the Engrossing Clerk in closing up the business affairs of his office, and the Controller is hereby directed to draw his warrant in the sum of fifty dollars for said services, payable out of the Contingent Fund of the Assembly.

Referred to Committee on Attachés and Employés.

By Mr. Lynch:

Resolved. That on account of his thorough knowledge of the whereabouts of all bills, pamphlets, papers, etc., in the bill department, the Chief Bill Clerk, Gus. McElvain, be retained one week after the adjournment of the Legislature, for the purpose of furnishing the State officers and members bills that they may require, and also to turn over such bills, books, etc., that are left, to the Secretary of State, and that the Controller be and he is hereby authorized and directed, after adjournment, to draw his warrant for the sum of thirty-five dollars, payable out of Contingent Fund, for the payment of the same, and the Treasurer is hereby directed and authorized to pay the same.

Referred to Committee on Attachés and Employés.

By Mr. Huber:

Resolved. That the Controller be and he is hereby directed to draw his warrant in favor of O. H. Huber, Chairman of the Committee on Contested Elections, for the sum of eighty dollars, the same being the amount of fees due stenographer for services rendered said committee, to be paid out of the Contingent Fund of the Assembly, and the Treasurer is hereby authorized to pay the same

Referred to Committee on Attachés and Employés.

By Mr. McKelvey:

Resolved, That the sum of fifty-six dollars is hereby ordered to be paid to Geo. E. Schilling, Assistant Minute Clerk, for work to be done after the final adjournment, payable out of the Contingent Fund of the Assembly, and the Controller is hereby directed to draw his warrant for said sum, and the Treasurer is directed to pay the same.

Referred to Committee on Attachés and Employés.

By Mr. Brusie:

Resolved, That the Controller be and is hereby directed to draw his warrant, and the Treasurer ordered to pay the same, in favor of Geo. C. Parkinson, Sergeant-at-Arms of the Assembly, for the sum of forty-two dollars, for the arrest and appearance before the bar of the House of forty-two members under a call of the House.

Referred to Committee on Attachés and Employés.

SPECIAL FILE.

Assembly Bill No. 1026—An Act to provide for the payment of all private claims, allowed by the Legislature of the thirty-first session, out of the revenues of the forty-seventh fiscal year.

Read second time.

RESOLUTION—(URGENCY).

By Mr. Brusie:

Resolved, That Assembly Bill No. 1026 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house are hereby dispensed with, and it is ordered that said bill be read the third time and placed upon its passage.

The question being on the adoption of the resolution.

The roll was called, and the constitutional provision suspended by the following vote:

AYES—Messrs. Ash, Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Bledsoe, Brusie, Bulla, Butler, Cargill, Coghlin, Coleman, Collins, Dale, Devine, Devitt, Dixon, Dodge, Dunbar, Ewing, Gay, Guy, Hall, Healey, Holland, Huber, Hudson, Keen, Kenyon, Laugenour, Lewis, McCarthy, McKelvey, Merrill, North, O'Day, Phelps, Powers, Price, Reid, Richards, Robinson, Spencer, Staley, Stansell, Swisler, Thomas, Tibbitts, Wade, Waymire, Weyse, Wilkinson, Zocchi, and Mr. Speaker—56.
NOES—None.

Assembly Bill No. 1026—An Act to provide for the payment of all private claims, allowed by the Legislature of the thirty-first session, out of the revenues of the forty-seventh fiscal year.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Bassford, Belshaw, Bennett, Berry, Bettman, Bledsoe, Brusie, Bulla, Cargill, Coleman, Dale, Devitt, Dinkelspiel, Dixon, Dodge, Dunbar, Dwyer, Ewing, Gay, Guy, Hall, Hudson, Keen, Kelsey, Kenyon, Laugenour, Lewis, Meads, McKelvey, North, Pendleton, Phelps, Price, Rowell, Spencer, Staley, Stansell, Swisler, Thomas, Tibbitts, Tomblin, Waymire, Weyse, Wilkinson, Zocchi, and Mr. Speaker—47.
NOES—None.

Title read and approved.

Assembly Bill No. 860—An Act to appropriate four thousand seven hundred and fifty dollars, as compensation to "The California Demokrat Publishing Company," a corporation incorporated, organized, and existing under the laws of the State of California, for having published proposed amendments to the Constitution of the State of California during the year 1894.

Passed, to retain its place on file.

Assembly Bill No. 1025—An Act to amend section three thousand seven hundred and thirteen of the Political Code, relating to the levy of taxes.

Passed, to retain its place on file.

At eleven o'clock and forty minutes A. M. the Speaker called Mr. Pendleton to the chair.

Assembly Bill No. 873—An Act to amend the Penal Code by adding a new section thereto, to be known as section two hundred and seventy-three, relating to the care of children.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Bachman, Barker, Bassford, Belshaw, Bennett, Berry, Bledsoe, Bulla, Butler, Cargill, Coghlin, Coleman, Dale, Davis, Devine, Dinkelspiel, Dixon, Dunbar, Ewing, Gay, Glass, Hall, Holland, Hudson, Keen, Kenyon, Laugenour, Meads, McKelvey, North, Pendleton, Powers, Price, Richards, Rowell, Spencer, Staley, Swisler, Thomas, Wade, Wilkinson, and Zocchi—42.
NOES—None.

Title read and approved.

RESOLUTION—(OUT OF ORDER).

By Mr. Meads:

Resolved, That the Controller be and is hereby instructed to draw his warrant on the Contingent Fund of the Assembly in favor of Hon. L. H. Brown, Secretary of State, for eleven dollars and fifty-five cents, being for one set of Codes furnished Hon. H. M. Collins, member of Assembly, and the Treasurer ordered to cash the warrant.

Adopted.

REPORT OF COMMITTEE ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1895.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following bills have been correctly engrossed:

Assembly Bill No. 752—An Act to pay the claim of Ida M. Smith, Violet E. Smith, and Ida Bernice Smith.

Also: Assembly Bill No. 985—An Act to authorize counties of the second class to build railroads, and to lease or operate the same.

WILKINSON, Chairman.

Mr. Bledsoe moved that Assembly Bill No. 901 be ordered returned from engrossment.

So ordered.

Assembly Bill No. 901—An Act to amend an Act entitled an Act to promote the purity of elections by regulating the conduct thereof, and to support the privilege of free suffrage by providing for the punishment thereof.

Passed, to retain its place on file.

LEAVE OF ABSENCE.

Messrs. Meads and Kenyon were granted leave of absence to attend to business in the enrolling room.

Assembly Bill No. 1002—An Act authorizing the payment of compensation or commission to persons employed by the State Controller and Attorney-General, or by Boards of Supervisors of the different counties, to collect delinquent State and county taxes, and legalizing all payments made for that purpose.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Bachman, Bassford, Belshaw, Bennett, Berry, Brusie, Butler, Cargill, Collins, Davis, Devitt, Dinkelspiel, Dixon, Dunbar, Ewing, Gay, Glass, Hall, Holland, Hudson, Johnson, Keen, Kelsey, Kenyon, Laugenour, Meads, McKelvey, North, Pendleton, Powers, Reid, Richards, Spencer, Staley, Stansell, Swisler, Tibbits, Weyse, Wilkinson, and Zocchi—41.
NOES—Messrs. Barker, Bledsoe, Dale, Price, and Wade—5.

Assembly Constitutional Amendment No. 41—A resolution to propose to the people of California an amendment to the Constitution of the

State, amending section six of article nine thereof, relative to the public school system.

Passed, to retain its place on file.

Assembly Constitutional Amendment No. 24—A resolution to propose to the people of the State of California an amendment to section thirteen of article twenty of the Constitution of the State of California, relative to the mode of voting.

Passed, to retain its place on file.

Assembly Constitutional Amendment No. 48—A resolution proposing to the people of the State of California an amendment to section six, article eleven, of the Constitution of the State of California.

Mr. Dodge moved to substitute Senate Constitutional Amendment No. 25 for Assembly Constitutional Amendment No. 48.

So ordered.

SENATE CONSTITUTIONAL AMENDMENT No 25.

A resolution proposing to the people of the State of California an amendment to section six, article eleven, of the Constitution of the State of California

Resolved by the Senate, the Assembly concurring, That the Legislature of the State of California, at its regular session, commencing on the seventh day of January, in the year one thousand eight hundred and ninety-five, two thirds of all the members elected to each house concurring, hereby propose that section six of article eleven of the Constitution of said State be amended so as to read as follows:

Section 6. Corporations for municipal purposes shall not be created by special laws; but the Legislature, by general laws, shall provide for the incorporation, organization, and classification, in proportion to population, of cities and towns, which laws may be altered, amended, or repealed. Cities and towns heretofore organized or incorporated may become organized under such general laws whenever a majority of the electors voting at a general election shall so determine, and shall organize in conformity therewith, and cities and towns heretofore or hereafter organized, and all charters thereof framed or adopted by authority of this Constitution, except in municipal affairs, shall be subject to and controlled by general laws.

The question being on the adoption of Senate Constitutional Amendment No. 25.

The roll was called, and Senate Constitutional Amendment No. 25 adopted by the following vote:

AYES—Messrs Ash, Bachman, Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Bledsoe, Brusie, Bulla, Butler, Coghlin, Coleman, Collins, Cutter, Dale, Davis, Devitt, Dinkelspiel, Dixon, Dodge, Dunbar, Dwyer, Ewing, Gay, Glass, Guy, Hall, Hatfield, Hudson, Johnson, Jones, Kelsey, Laird, Laugenour, McKelvey, Merrill, Nelson, North, O'Day, Osborn, Pendleton, Powers, Reid, Richards, Rowell, Spencer, Staley, Stansell, Tibbits, Tomblin, Twigg, Wade, Waymire, Weyse, Wilkinson, and Zocchi—58.

NOES—None.

Assembly Bill No. 860—An Act to appropriate four thousand seven hundred and fifty dollars as compensation to "The California Demokrat Publishing Company," a corporation incorporated, organized, and existing under the laws of the State of California, for having published proposed amendments to the Constitution of the State of California during the year 1894.

Mr. Powers moved that Senate Substitute for Senate Bills Nos. 769, 800, 801, and 802 be substituted for Assembly Bill No. 860.

So ordered.

Senate Substitute for Senate Bills Nos. 769, 800, 801, and 802—An Act making an appropriation to pay the claims of the California Demokrat, Le Franco Californien, La Voce del Popolo, and the Italian Publishing Company.

MOTION.

Mr. Powers moved that the Assembly resolve itself into Committee of the Whole, with Mr. Pendleton in the chair, for the purpose of considering Senate Substitute for Senate Bills Nos. 769, 800, 801, and 802.

So ordered.

IN COMMITTEE OF THE WHOLE.

Mr. Pendleton in the chair.

Senate Substitute for Senate Bills Nos. 769, 800, 801, and 802 was considered in Committee of the Whole.

IN ASSEMBLY.

Mr. Pendleton in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

Mr. Pendleton stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Senate Substitute for Senate Bills Nos. 769, 800, 801, and 802—An Act making an appropriation to pay claims of the California Demokrat, Le Franco Californien, La Voce del Popolo, and the Italian Publishing Company—and now report, and recommend that the same do pass

PENDLETON, Chairman.

Adopted.

The question being on the amendment offered by the committee.

The same was adopted.

Ordered to printer and third reading.

REPORT OF COMMITTEE ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1895

MR. SPEAKER: Your Committee on Enrollment have examined and found correctly enrolled Assembly Bill No. 587—An Act making an appropriation from the State School Book Fund for the completion of the revision and compilation of State school books heretofore authorized and directed to be made, and to provide for the expenditure of the same—and presented the same to the Governor on this day, at eleven o'clock and thirty minutes A. M.

MEADS, Chairman.

Mr. Cutter moved that the hour of recess be extended ten minutes.

So ordered.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1895.

MR. SPEAKER: Your Committee on Enrollment have examined and found correctly enrolled Assembly Bill No. 617—An Act making appropriation for the support of the government of the State of California for the forty-seventh and forty-eighth fiscal years.

Also: Assembly Bill No. 665—An Act to provide the office of the Attorney-General with such law books as may be required by him for the conduct of the business of his office, and requiring the State Librarian to provide and furnish the same.

Also: Assembly Bill No. 1013—An Act to create and establish a commission for revising, systematizing, and reforming the laws of this State, and for the appointment of the members of said commission, etc.

And presented the same to the Governor on this day, at eleven o'clock and thirty minutes A. M.

MEADS, Chairman.

Assembly Constitutional Amendment No. 34—Constitutional amendment relative to amending Constitution of State of California, by

repealing sections twenty-two, twenty-three, and twenty-four of article twelve.

The question being on the adoption of Assembly Constitutional Amendment No. 34.

The roll was called, and Assembly Constitutional Amendment No. 34 refused adoption by the following vote:

AYES—Messrs. Barker, Bassford, Belshaw, Bennett, Bledsoe, Bulla, Butler, Cargill, Coghlin, Coleman, Collins, Cutter, Dale, Devine, Dinkelspiel, Dixon, Dodge, Dunbar, Dwyer, Ewing, Fassett, Gay, Glass, Guy, Hall, Healey, Holland, Huber, Hudson, Johnson, Jones, Keen, Kenyon, Laird, Meads, Nelson, North, Phelps, Price, Richards, Sanford, Staley, Swisler, Tibbits, Twigg, Wade, and Weyse—47

NOES—Messrs. Ash, Bachman, Berry, Brusie, Davis, Lewis, McKelvey, O'Day, Reid, Robinson, Spencer, Tomblin, Waymire, Zocchi, and Mr. Speaker—15.

RECESS.

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

REASSEMBLED.

The Assembly reassembled at one o'clock and thirty minutes P. M.
Speaker Lynch in the chair.
Quorum present.

REPORT OF COMMITTEE OF CONFERENCE.

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1895.

MR. SPEAKER: Your Committee of Free Conference, concerning the disagreement of the two houses with reference to certain amendments made by the Senate to Assembly Bill No. 959, entitled "An Act to establish a uniform system of county and township governments," report that we have met a like committee of the Senate, consisting of Senators McGowan, Shine, and Martin, and we report that the committee unanimously agreed upon and recommend the following:

That the Assembly concur in the Senate amendments to section one hundred and sixty

That the Senate recede from its amendment to section one hundred and seventy-two, lines forty-two, forty-three, and forty-four, printed bill, as last amended.

That section one hundred and eighty-six, line thirteen, be amended so as to read: "The Assessor, two thousand eight hundred dollars per annum."

That section one hundred and ninety-four, line nine, be amended by adding thereto the words: "which shall be in full for all services as Tax Collector and as License Collector"

That section two hundred and one, line nine, be amended by adding thereto the words, "which shall be in full for all services as Tax Collector and as License Collector."

That the Senate amendment to section two hundred and fifteen be amended by striking out of line thirty-one the words "and one additional deputy to act as register clerk," and that the Assembly concur in the Senate amendment when so amended.

CUTTER,
SANFORD,
HATFIELD,

Free Conference Committee.

Adopted.

RESOLUTION—(OUT OF ORDER).

By Mr. Bulla:

Resolved, That the Assembly cease consideration of bills or other business on the files at three o'clock and thirty minutes P. M. on Saturday, the 16th instant.

Laid over one day.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, }
SACRAMENTO, March 15, 1895. }

To the Assembly of the State of California.

I have the honor to inform your honorable body that I have approved Assembly Bill No. 1019.

JAMES H. BUDD, Governor

Mr. Brusie moved that the Assembly do now take up Senate messages.

So ordered.

SENATE MESSAGES.

SENATE CHAMBER, SACRAMENTO, March 15, 1895.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Assembly Bill No. 599—An Act making an appropriation to pay the expenses of the funeral and casket for the late Secretary of State, E. G. Waite.

Also: Assembly Bill No. 601—An Act making an appropriation to pay the rent of office for the Commissioner of the Bureau of Labor Statistics in San Francisco, for forty-fifth and forty-sixth fiscal years, ending June 30, 1895.

Also: Assembly Bill No. 694—An Act appropriating money to pay the claim of the State Agricultural Society.

Also: Assembly Bill No. 877—An Act making an appropriation to pay the deficiency in the appropriation for the purchase of ballot paper for the forty-sixth fiscal year

F. J. BRANDON, Secretary.
By GEO. A. LEON, Assistant.

Referred to Committee on Enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, March 15, 1895.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Assembly Bill No. 757—An Act to amend sections seven hundred and two and seven hundred and three of the Code of Civil Procedure, relating to the redemption of property sold on execution.

Also: Assembly Bill No. 756—An Act appropriating money to pay the claims of H. P. Dyer, E. F. Dyer, C. A. Granger, Gaston Goldsmith, and Sullivan & Sullivan.

F. J. BRANDON, Secretary.
By GEO. A. LEON, Assistant.

Referred to Committee on Enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, March 15, 1895.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, amended, and passed as amended, Assembly Bill No. 702—An Act to amend sections four hundred and ninety-nine and five hundred and one of the Civil Code of the State of California, relating to street railroads, and to repeal an Act entitled "An Act to limit and fix the rates of fares on street railroads in cities and towns of more than one hundred thousand inhabitants," approved January 1, 1878.

F. J. BRANDON, Secretary.
By R. SHAW, Assistant.

Mr. Dixon moved that the reconsideration of action of Assembly on Senate Bill No. 61 be postponed until to-morrow.

So ordered.

Assembly Bill No. 702—An Act to amend sections four hundred and ninety-nine and five hundred and one of the Civil Code of the State of California, relating to street railroads.

The following Senate amendments were submitted:

Amend by striking out section two of the bill and substituting the following therefor.
"SEC 2 Section five hundred and one of the Civil Code of the State of California is hereby amended to read as follows.

"Section 501. The rates of fare on the cars must not exceed five cents for one fare for any distance under three miles. The cars must be of the most approved construction for the comfort, safety, and convenience of passengers, and provided with brakes and

the necessary appliances to stop the same when required. The rate of speed shall not be greater than twelve miles an hour. Any person, firm, or corporation, owning, operating, or controlling any street railroad, violating any of the provisions of this section, shall be deemed guilty of a misdemeanor, and be punished by a fine of not less than fifty dollars nor more than five hundred dollars, for each offense; *provided*, that nothing herein contained shall be construed to repeal or in any way modify an Act entitled 'An Act to limit and fix the rates of fares on street railroads in cities and towns of more than one hundred thousand inhabitants,' approved January 1, 1878."

Strike out of the title of Assembly Bill No. 702, the words "and to repeal an Act entitled an Act to limit and fix the rates of fares on street railroads in cities and towns of more than one hundred thousand inhabitants, approved January 1, 1878."

Amend by striking out all of section three

Amend by striking out of section four, line one, the figure "4," and inserting the figure "3."

The question being, "Shall the Assembly concur in the Senate amendments?"

The roll was called, and the Assembly concurred in Senate amendments by the following vote:

AYES—Messrs. Ash, Barker, Bassford, Bennett, Berry, Bettman, Brusie, Bulla, Butler, Coghlin, Coleman, Collins, Davis, Devine, Devitt, Dixon, Freeman, Gay, Guy, Hall, Hatfield, Holland, Huber, Kelsey, Kenyon, Laird, Laugenour, Meads, McKelvey, Merrill, O'Day, Phelps, Powers, Richards, Rowell, Staley, Stansell, Swisler, Tibbits, Weyse, Wilkinson, Zocchi, and Mr. Speaker—43.

NOES—Messrs. Bachman, Belshaw, Bledsoe, Dale, Dinkelspiel, Dodge, Dunbar, Dwyer, Ewing, Fassett, Glass, Healey, Hudson, Johnson, Jones, Nelson, Price, Reid, Robinson, Sanford, Wade, and Waymire—22.

SPECIAL SENATE FILE.

Senate Bill No. 103—An Act making an appropriation to pay the deficiency in the appropriation for the support of the State Normal School at Los Angeles for the forty-sixth fiscal year.

Passed, to retain its place on file.

Senate Bill No. 721—An Act to amend section seven hundred and thirty-eight of the Code of Civil Procedure, relating to actions to determine adverse claims to property.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Bachman, Barker, Bassford, Belshaw, Bennett, Berry, Bledsoe, Brusie, Bulla, Butler, Coleman, Dale, Davis, Devine, Devitt, Dinkelspiel, Dixon, Dunbar, Dwyer, Ewing, Fassett, Glass, Guy, Hall, Hatfield, Holland, Huber, Johnson, Kelsey, Laugenour, McKelvey, Nelson, North, Phelps, Powers, Price, Reid, Robinson, Rowell, Staley, Stansell, Tibbits, Wade, Waymire, Weyse, Wilkinson, Zocchi, and Mr. Speaker—49.

NOES—None.

Title read and approved.

LEAVE OF ABSENCE.

Mr. Devitt was granted leave of absence for twenty minutes.

Senate Bill No. 275—An Act to amend section two thousand eight hundred of the Political Code, relating to the purchase of toll roads by counties.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Ash, Barker, Bassford, Bennett, Berry, Bettman, Brusie, Bulla, Butler, Coghlin, Dale, Davis, Devitt, Dinkelspiel, Dixon, Dodge, Dunbar, Fassett, Guy, Glass, Guy, Hall, Hatfield, Huber, Hudson, Johnson, Kelsey, Laugenour, Merrill, Nelson,

North, Phelps, Price, Reid, Richards, Rowell, Spencer, Staley, Swisler, Tibbits, Tomblin, Wade, Waymire, Weyse, Wilkinson, Zocchi, and Mr. Speaker—47.

NOES—Mr. Bledsoe—1

Title read and approved.

Senate Bill No. 716—An Act to amend section one thousand two hundred and forty-three of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872.

Read third time.

The question being on the final passage of the bill.

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

AYES—Messrs. Barker, Bennett, Berry, Bettman, Brusie, Bulla, Cutter, Dinkelspiel, Dixon, Ewing, Gay, Hatfield, Kenyon, McKelvey, Richards, Spencer, Swisler, Tibbits, Tomblin, Wade, Waymire, Weyse, and Mr. Speaker—23

NOES—Messrs. Ash, Bachman, Bassford, Belshaw, Bledsoe, Butler, Dale, Davis, Fassett, Glass, Guy, Hall, Holland, Huber, Johnson, Kelsey, Meads, Merrill, Nelson, North, Powers, Price, Reid, Robinson, and Stansell—25.

Senate Bill No. 846—An Act to amend sections one thousand four hundred and eighty-nine, one thousand five hundred and three, one thousand five hundred and seventeen, one thousand five hundred and twenty-one, one thousand five hundred and forty-three, one thousand five hundred and fifty-one, one thousand five hundred and fifty-two, one thousand five hundred and seventy-five, one thousand five hundred and seventy-six, one thousand five hundred and ninety-four, one thousand six hundred and seventeen, one thousand seven hundred and thirteen, one thousand seven hundred and seventy, one thousand seven hundred and seventy-three, one thousand seven hundred and seventy-five, one thousand eight hundred and thirty, one thousand eight hundred and eighty, one thousand eight hundred and eighty-two, one thousand eight hundred and eighty-four, and one thousand eight hundred and eighty-five of the Political Code of California, relating to public schools.

Read third time.

The question being on the final passage of the bill.

The bill was called, and the bill passed by the following vote:

AYES—Messrs. Ash, Bachman, Bassford, Belshaw, Bennett, Bettman, Bledsoe, Butler, Collins, Dale, Davis, Devine, Dinkelspiel, Dixon, Dodge, Dunbar, Fassett, Gay, Glass, Guy, Hall, Hatfield, Huber, Johnson, Jones, Kelsey, Kenyon, McKelvey, Merrill, Nelson, North, Pendleton, Phelps, Powers, Price, Rowell, Stansell, Swisler, Tibbits, Wade, Weyse, and Mr. Speaker—42.

NOES—None.

Title read and approved.

Senate Bill No. 116—An Act to repeal an Act entitled "An Act concerning corporations and persons engaged in the business of banking," approved April 1, 1876.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Bassford, Belshaw, Bennett, Berry, Bettman, Bledsoe, Bulla, Butler, Cargill, Coghlín, Collins, Cutter, Dale, Davis, Devine, Dinkelspiel, Dixon, Fassett, Gay, Glass, Guy, Hall, Hatfield, Holland, Huber, Hudson, Johnson, Jones, Kenyon, Laird, Lauge-nour, McKelvey, Merrill, North, Pendleton, Phelps, Powers, Price, Robinson, Rowell, Staley, Stansell, Tibbits, Wade, Waymire, Weyse, Zocchi, and Mr. Speaker—48.

NOES—None.

Title read and approved.

Senate Bill No. 448—An Act making an appropriation to pay the claim of R. B. Young for architect's fees for erection and construction of power and electric plant at the Whittier State School.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Ash, Belshaw, Bennett, Berry, Bettman, Brusie, Bulla, Collins, Davis, Devine, Devitt, Dinkelspiel, Dixon, Dodge, Dunbar, Ewing, Fassett, Guy, Hatfield, Huber, Johnson, Laird, Laugenour, Lewis, McCarthy, McKelvey, Merrill, North, O'Day, Phelps, Powers, Rowell, Stansell, Thomas, Tibbits, Tomblin, Twigg, Wade, Waymire, Weyse, Wilkinson, Zocchi, and Mr Speaker—43.

NOES—Messrs. Bachman, Bledsoe, Cargill, Dale, Gay, Glass, Hall, Price, and Robinson—9.

Title read and approved.

Senate Bill No. 16—An Act appropriating money to pay the claim of W. H. Murray, his heirs or assigns.

Read third time.

Mr. Reid moved that a committee of one be appointed to amend as follows:

Amend by striking out of section one, line three, the words "his heirs or assigns"

So ordered.

APPOINTMENT OF SPECIAL COMMITTEE.

The Speaker appointed Mr. Reid as such committee.

REPORT OF SPECIAL COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1895.

MR. SPEAKER: Your select committee, to whom was referred Senate Bill No. 16—An Act appropriating money to pay the claim of W. H. Murray, his heirs or assigns—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.

REID, Committee.

The question being on the adoption of the amendment offered by the committee, the same was adopted.

Mr. Reid moved that Senate Bill No. 16 be immediately sent to printer and retain its place on file.

So ordered.

Senate Bill No. 805—An Act to create a Bureau of Highways, and prescribe its duties and powers, and to make an appropriation for its expenses.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Bachman, Bettman, Brusie, Bulla, Butler, Cargill, Coghlin, Dale, Devine, Devitt, Dinkelspiel, Dixon, Dunbar, Dwyer, Ewing, Fassett, Gay, Guy, Hatfield, Holland, Huber, Hudson, Johnson, Keen, Kelsey, Kenyon, Laird, Laugenour, Lewis, McCarthy, Merrill, O'Day, Osborn, Pendleton, Powers, Reid, Rowell, Sanford, Swisler, Thomas, Tibbits, Tomblin, Twigg, Weyse, Wilkinson, and Mr. Speaker—46

NOES—Messrs. Ash, Bassford, Belshaw, Bennett, Berry, Bledsoe, Collins, Cutter, Davis, Dodge, Glass, Hall, Jones, Meads, Nelson, North, Phelps, Richards, Robinson, Spencer, Staley, Stansell, and Wade—23.

Title read and approved.

Senate Bill No. 70—An Act appropriating money for the relief of Mrs. Sarah J. Wing, her heirs or assigns.

Read third time.

Pending the consideration of Senate Bill No. 70, Mr. Powers moved the previous question, seconded by Messrs. Bettman and McCarthy.

The question being, "Shall the main question be now put?"

So ordered.

The question being on the final passage of the bill.

The roll was called, and the bill refused final passage by the following vote:

AYES—Messrs. Berry, Brusie, Bulla, Butler, Coleman, Cutter, Devine, Dinkelspiel, Dixon, Dunbar, Dwyer, Ewing, Guy, Hatfield, Holland, Kelsey, Laugenour, Lewis, McKelvey, Merrill, O'Day, Osborn, Pendleton, Powers, Stansell, Thomas, Tibbits, Tomblin, Twigg, Wade, and Weyse—32

NOES—Messrs. Ash, Bachman, Bassford, Belshaw, Bennett, Bledsoe, Collins, Dale, Davis, Devitt, Dodge, Glass, Hall, Hudson, Johnson, Jones, Keen, Kenyon, Laird, Meads, McCarthy, Nelson, North, Phelps, Price, Reid, Richards, Robinson, Rowell, Sanford, Staley, Wilkinson, Zocchi, and Mr. Speaker—35.

Senate Bill No. 147—An Act to amend and add a new section to an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, to prevent able-bodied persons from banding together and obtaining subsistence by alms.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Ash, Bachman, Bassford, Belshaw, Bennett, Berry, Bettman, Brusie, Butler, Coghlin, Collins, Dale, Davis, Devine, Devitt, Dinkelspiel, Dixon, Dodge, Dunbar, Dwyer, Gay, Hall, Hatfield, Hudson, Johnson, Keen, Kelsey, Kenyon, Laird, Laugenour, Lewis, Meads, McKelvey, North, O'Day, Osborn, Phelps, Powers, Price, Richards, Rowell, Sanford, Spencer, Staley, Tibbits, Tomblin, Twigg, Weyse, Wilkinson, Zocchi, and Mr. Speaker—51.

NOES—Messrs. Bledsoe, Bulla, Ewing, Jones, McCarthy, Nelson, Reid, Robinson, and Wade—9.

Title read and approved.

The following committee clerks were ordered to assist the Enrolling Clerk in the performance of his duties: Messrs. G. E. Dixon, E. J. Gates, E. W. Card, F. A. Blakeley, Robert Young, Gus Hartmann, and Mrs. Seeley.

RESOLUTION.

By Mr. North:

Resolved, That all committee clerks, except George E. Dixon, Mrs. L. L. Seeley, Robert Young, E. J. Gates, Gus Hartmann, F. A. Blakeley, and E. W. Card, who are instructed to report to the Clerk on Enrollment for duty, and except James L. Gillis, C. H. Merry, Charles Martin, and G. W. Scott, whose labors are as yet uncompleted, be and they hereby are immediately discharged

So ordered.

REPORT OF COMMITTEE OF FREE CONFERENCE.

To the Senate and Assembly of the State of California

Your Committee of Free Conference on Assembly Bill No. 132—An Act to provide for the organization and management of county fire insurance companies—beg leave to report that they have had the same under consideration, and recommend that the Senate recede from its amendment.

ARAM, Chairman,
SHIPPEE,
Senate Committee.
BETTMAN, Chairman,
LAUGENOUR,
Assembly Committee.

Adopted.

Mr. Bachman moved that the rules be suspended, and Senate Constitutional Amendment No. 13 be now considered.

So ordered.

SENATE CONSTITUTIONAL AMENDMENT No. 13

A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending article eleven, relating to cities, counties, and towns.

Resolved by the Senate, the Assembly concurring, That the Legislature of the State of California, at its regular session, commencing on the seventh day of January, eighteen hundred and ninety-five, two thirds of all the members elected to each house concurring, hereby proposes that article eleven of the Constitution of said State be amended by adding thereto a section, to be numbered eight and one half, and which said section is as follows, to wit:

Section 8½. It shall be competent, in all charters framed under the authority given by section eight of article eleven of the Constitution, to provide, in addition to those provisions allowable by this Constitution and by the laws of the State, as follows:

1. For the constitution, regulation, government, and jurisdiction of Police Courts, and for the manner in which, the times at which, and the terms for which the Judges of such Courts shall be elected or appointed, and for the compensation of said Judges, and of their clerks and attachés

2. For the manner in which, the times at which, and the terms for which the members of the Boards of Education shall be elected or appointed, and the number which shall constitute any one of such Boards.

3. For the manner in which, the times at which, and the terms for which the members of the Boards of Police Commissioners shall be elected or appointed, and for the constitution, regulation, compensation, and government of such Boards and of the municipal police force

4. For the manner in which, the times at which, and the terms for which the members of all Boards of Election shall be elected or appointed, and for the constitution, regulation, compensation, and government of such Boards, and of their clerks and attachés; and for all expenses incident to the holding of any election.

Where a city and county government has been merged and consolidated into one municipal government, it shall also be competent in any charter framed under said section eight of said article eleven, to provide for the manner in which, the times at which, and the terms for which the several county officers shall be elected or appointed, for their compensation, and for the number of deputies that each shall have, and for the compensation payable to each of such deputies

The question being on the adoption of Senate Constitutional Amendment No. 13.

The roll was called, and the amendment adopted by the following vote:

AYES—Messrs. Bachman, Bassford, Belshaw, Bennett, Berry, Bledsoe, Brusie, Bulla, Butler, Coghlin, Coleman, Collins, Cutter, Dale, Devine, Devitt, Dinkelspiel, Dixon, Dodge, Dunbar, Dwyer, Ewing, Gay, Hall, Hatfield, Holland, Huber, Hudson, Johnson, Jones, Kenyon, Laird, Laugenour, McKelvey, Merrill, Nelson, North, O'Day, Osborn, Phelps, Powers, Price, Reid, Richards, Robinson, Rowell, Sanford, Spencer, Staley, Thomas, Tibbits, Tomblin, Twigg, Wade, Waymire, Weyse, Wilkinson, and Mr. Speaker—58.

NOES—Mr. Glass—1.

Substitute for Senate Bill No. 391—An Act to amend sections two hundred and thirty-seven, two hundred and forty-five, two hundred and forty-six, and two hundred and sixty-eight of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the officers and employes of the Legislature.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Ash, Bachman, Bassford, Belshaw, Bennett, Bledsoe, Bulla, Butler, Coleman, Collins, Cutter, Dale, Davis, Dinkelspiel, Dixon, Ewing, Gay, Glass, Guy, Hall, Holland, Huber, Hudson, Johnson, Jones, Merrill, Nelson, North, O'Day, Osborn, Phelps, Powers, Price, Reid, Robinson, Spencer, Tibbits, Tomblin, Twigg, Wade, Waymire, Weyse, and Mr. Speaker—43.

NOES—Mr. Thomas—1.

Title read and approved.

SENATE CONCURRENT RESOLUTION No. 9.

Concurrent resolution relative to employment of convicts in the State Prisons.

WHEREAS, It is costing the taxpayers of this State upwards of three hundred thousand dollars per annum to maintain the State Prisons at San Quentin and Folsom, and to support the two thousand one hundred convicts of those institutions in idleness or at non-productive labor; and whereas, in more than half the States in the Union the prisoners are self-supporting, and in many are made to return an income to the State; now, therefore, be it

Resolved by the Senate, the Assembly concurring, That in our judgment the State Board of Prison Directors should take immediate steps to place the convicts in our State Prisons at some employment which shall assist in lessening the large appropriations demanded biennially for the support of these institutions.

Adopted.

Mr. Brusie moved that Assembly Bill No. 1025 be taken up out of order and considered at this time.

So ordered.

Assembly Bill No. 1025—An Act to amend section three thousand seven hundred and thirteen of the Political Code, relating to the levy of taxes.

Mr. Brusie moved that a committee of one be appointed to amend as follows:

By inserting after the word "fund" in line fourteen, the following: "Two million eight hundred and three thousand eight hundred and seventy dollars and three cents."

Adopted.

Also: By inserting after the word "fund," in line eight, the following: "Five million one hundred and sixty-three thousand one hundred and six dollars."

Adopted.

Also: Amend by striking out of section one, line eleven, after the word "thousand," the word "one," and inserting the word "four."

Adopted.

Also: Amend by striking out of section one, line seventeen, after the word "thousand," the word "one," and inserting the following: "four."

Adopted.

APPOINTMENT OF COMMITTEE.

The Speaker appointed Mr. Brusie as such committee.

REPORT OF SPECIAL COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1895.

MR. SPEAKER Your select committee, to whom was referred Assembly Bill No. 1025—An Act to amend section three thousand seven hundred and thirteen of the Political Code, relating to the levy of taxes—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.

BRUSIE, Committee.

Adopted.

The question being on the adoption of the amendments offered by the committee, the same were adopted.

Mr. Ewing moved that Assembly Bill No. 910 be taken up out of order, and considered at this time.

So ordered.

Assembly Bill No. 910—An Act to amend an Act entitled “An Act to establish and support a Bureau of Labor Statistics,” approved March 3, 1883, and the Act amendatory thereof, approved February 8, 1889. and to establish and maintain public employment offices.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Ash, Boothby, Brusie, Bulla, Butler, Coghlin, Collins, Cutter, Devitt, Dinkelspiel, Dixon, Dunbar, Dwyer, Ewing, Gay, Guy, Hall, Hatfield, Healey, Holland, Huber, Keen, Kelsey, Laugenour, Llewellyn, McCarthy, McKelvey, Merrill, O'Day, Pendleton, Powers, Reid, Richards, Sanford, Staley, Tibbits, Tomblin, Twigg, Wade, Waymire, Weyse, Wilkinson, and Zocchi—43.

NOES—Messrs Bachman, Bassford, Belshaw, Bennett, Berry, Bledsoe, Dale, Devine, Dodge, Glass, Johnson, Jones, Laird, Nelson, Phelps, Price, and Spencer—17.

Title read and approved.

REPORT OF COMMITTEE ON CORPORATIONS—(OUT OF ORDER).

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1895.

MR. SPEAKER: Your Committee on Corporations, to whom was referred Senate Bill No. 89—have had the same under consideration, and respectfully report the same back without recommendation

PENDLETON, Chairman.

RESOLUTIONS—(OUT OF ORDER).

By Mr. Thomas:

WHEREAS, The name of G. W. Lewis, Assistant Sergeant-at-Arms, was omitted from the resolution introduced in this Assembly, March 13, 1895; therefore, be it

Resolved, That G. W. Lewis, Assistant Sergeant-at-Arms, be and is hereby instructed to remain at the State Capitol for not more than one week after adjournment *sine die*, for the purpose of aiding in the clearing of the Assembly Chamber, and assisting the Sergeant-at-Arms, and the Controller is hereby ordered to draw his warrant on the Treasurer, at the same per diem as now paid, out of the Contingent Fund of the Assembly.

Referred to Committee on Attachés and Employés.

Also:

Resolved, That Martha Farmer, Clerk of Committee on Mines and Mining, is hereby allowed the sum of fifty dollars for services as stenographer in assisting the Clerk of the House in compiling and closing up the work after final adjournment, and the Controller is hereby directed to draw his warrant for said sum, and the Treasurer is directed to pay the same.

Referred to Committee on Attachés and Employés.

Also:

Resolved, That the Controller be and hereby is directed and authorized to draw his warrant for the sum of sixty-eight dollars, payable out of the Contingent Fund of the Assembly, and the Treasurer is hereby directed to pay the same to Ross McAmis for services rendered from January 7, 1895, to and including January 23, 1895.

Referred to Committee on Attachés and Employés.

By Mr. Brusie:

Resolved, That the State Controller be and he is hereby directed to draw his warrant in favor of C. H. Merry, for the sum of fifty dollars, for services performed on the Ways and Means Committee as Assistant Clerk, from January 7th to January 17th, 1895, and the State Treasurer is hereby directed to pay the same out of the Contingent Fund of the Assembly.

Referred to Committee on Attachés and Employés.

Mr. Berry moved that we do now take up Senate messages.

So ordered.

At three o'clock and thirty minutes P. M. the Speaker called Mr. Brusie to the chair.

SENATE MESSAGES.

SENATE CHAMBER, SACRAMENTO, March 15, 1895.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, refused to recede from its amendment to Assembly Bill No. 470—An Act to amend section one thousand and eighty-three of the Political Code of the State of California, in relation to the qualifications and disabilities of electors

F. J. BRANDON, Secretary
By R. SHAW, Assistant.

Also:

SENATE CHAMBER, SACRAMENTO, March 13, 1895.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, appointed a Committee of Conference, consisting of Senators Hart, Orr, and Burke, to confer with a like committee appointed by your honorable body, on Senate amendments to Assembly Bill No. 392.

F. J. BRANDON, Secretary.
By GEO. A. LEON, Assistant.

Also:

SENATE CHAMBER, SACRAMENTO, March 15, 1895

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, refused passage, by striking out the enacting clause, of Assembly Bill No. 960—An Act to amend sections two thousand six hundred and thirty-three, 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 fifty-two, and two thousand seven hundred and eleven of the Political Code of the State of California, and to add one new section to said Code, to be known as section two thousand seven hundred and ten, relating to highways and the powers and duties of highway officers.

F. J. BRANDON, Secretary.
By GEO. A. LEON, Assistant.

Also:

SENATE CHAMBER, SACRAMENTO, March 15, 1895.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Senate Bill No. 893—An Act to amend section one of an Act approved March 31, 1891, entitled "An Act to amend 'An Act to provide for the building and furnishing of a 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 said Home,' approved March 16, 1889."

F. J. BRANDON, Secretary.
By GEO. A. LEON, Assistant.

RESOLUTION—(URGENCY).

By Mr. Berry:

Resolved, That Senate Bill No. 893 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house are hereby dispensed with, and it is ordered that said bill be read the second and third times and placed upon its passage.

The question being on the adoption of the resolution.

The roll was called, and the constitutional provision suspended by the following vote:

AYES—Messrs. Bassford, Belshaw, Berry, Bettman, Bledsoe, Boothby, Brusie, Bulla, Butler, Coghlín, Coleman, Collins, Cutter, Davis, Devine, Devitt, Dinkelspiel, Dixon, Dodge, Dunbar, Ewing, Gay, Glass, Guv. Hall, Hatfield, Healey, Holland, Huber, Hudson, Johnson, Kelsey, Laird, Laugenour, Llewellyn, Meads, McCarthy, McKelvey, Merrill, Nelson, North, O'Day, Osborn, Pendleton, Powers, Reid, Richards, Sanford, Staley, Tibbits, Tomblin, Twigg, Wade, Waymire, Weyse, Wilkins, and Mr. Speaker—57.

NOES—Messrs. Bachman, Bennett, Dale, and Phelps—4

Senate Bill No. 893—An Act to amend section one of an Act approved March 31, 1891, entitled "An Act to amend 'An Act to provide for the

building and furnishing of a 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 said Home,' approved March 16, 1889."

Read first and second times.

MOTION.

Mr. Pendleton moved that the Assembly resolve itself into Committee of the Whole, with Mr. Brusie in the chair, for the purpose of considering Senate Bill No. 893.

So ordered.

IN COMMITTEE OF THE WHOLE.

Mr. Brusie in the chair.

Senate Bill No. 893 was considered in Committee of the Whole.

IN ASSEMBLY.

Mr. Brusie in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

Mr. Brusie stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 893, and now report, and recommend that the same do pass.

BRUSIE, Chairman.

Adopted.

Senate Bill No. 893—An Act to amend section one of an Act approved March 31, 1891, entitled "An Act to amend 'An Act to provide for the building and furnishing of a 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 said Home,' approved March 16, 1889."

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Bachman, Bassford, Belshaw, Berry, Bettman, Bledsoe, Boothby, Brusie, Bulla, Butler, Cargill, Coghlin, Coleman, Collins, Cutter, Davis, Devine, Dinkelspiel, Dixon, Dodge, Dunbar, Ewing, Glass, Guy, Hall, Holland, Huber, Hudson, Johnson, Kelsey, Laugenour, Llewellyn, Meads, McCarthy, McKelvey, Merrill, Nelson, North, Osborn, Pendleton, Phelps, Powers, Richards, Rowell, Sanford, Spencer, Staley, Stansell, Tibbits, Tomblin, Twigg, Wade, Weyse, Wilkinson, and Mr. Speaker—55.
NAYS—Mr. Dale—1.

Title read and approved.

Mr. Phelps moved that the Assembly take up messages from the Governor.

So ordered.

MESSAGES FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, {
SACRAMENTO, March 15, 1895. }

To the Assembly of the State of California.

I hereby return to your honorable body, for correction of the title, Assembly Bill No. 665.

JAMES H. BUDD, Governor.

Mr. Phelps moved that a committee of one be appointed to amend as follows:

Amend title to Assembly Bill No. 665 by adding thereto the following: "and making an appropriation therefor, not to exceed five thousand dollars."

So ordered.

APPOINTMENT OF COMMITTEE.

The Speaker appointed Mr. Phelps as such committee.

REPORT OF SPECIAL COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1895.

MR. SPEAKER: Your select committee, to whom was referred Assembly Bill No. 665, 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.

PHELPS, Committee.

Adopted.

The question being on the adoption of the amendment offered by the committee, the same was adopted.

Assembly Bill No. 665—An Act to provide the office of the Attorney-General with such law books as may be required by him for the conduct of the business of his office, and requiring the State Librarian to provide and furnish the same.

The question being on the final passage of the bill, with title amended.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Bassford, Belshaw, Berry, Bettman, Bledsoe, Boothby, Brusie, Bulla, Butler, Cargill, Coleman, Collins, Cutter, Dale, Davis, Devine, Dinkelspiel, Dixon, Dodge, Dunbar, Ewing, Gay, Glass, Hall, Holland, Huber, Hudson, Johnson, Laird, Laugenour, Llewellyn, Meads, McCarthy, McKelvey, Merrill, North, O'Day, Osborn, Phelps, Powers, Richards, Rowell, Sanford, Staley, Stansell, Tibbits, Tomblin, Wade, Weyse, and Wilkinson—54.

NOES—None.

Title read and approved.

REPORT OF COMMITTEE ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1895.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following bills have been correctly engrossed: Assembly Bill No. 901—An Act to amend an Act entitled "An Act to promote the purity of elections, by regulating the conduct thereof, and to support the privilege of free suffrage, by providing for the punishment thereof."

Also: Assembly Bill No. 705—An Act to regulate the granting of franchises to lay down railroad tracks upon streets and avenues in cities, or cities and counties, having one hundred thousand or more inhabitants.

Also: Assembly Bill No. 391—An Act to create an exempt fireman's relief fund in the several counties, cities and counties, cities, and towns of the State, and relating to the enrollment, formation into fire companies, and services as firemen of such exempt firemen

WILKINSON, Chairman.

Mr. Belshaw moved that the Assembly do now take up Senate messages.

So ordered.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 15, 1895.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, amended Assembly Bill No. 221—An Act appropriating money for the use of the two State forestry stations, and for the establishment and use of a third forestry station.

Also: Assembly Bill No. 709—An Act making an appropriation to pay the indebtedness incurred by the Board of Trustees of the Southern California State Asylum for the Insane and Inebriates, in providing a refrigerator for said asylum.

Also: Refused to adopt Assembly Concurrent Resolution No. 15—Relative to the selection of experienced engineers to examine and report on the piling and concrete work now being done for the State at the ferry landing in San Francisco.

F. J. BRANDON, Secretary.

By GEO. A. LEON, Assistant.

Assembly Bill No. 221—An Act appropriating money for the use of the two State forestry stations, and for the establishment and use of a third forestry station.

SENATE AMENDMENTS.

Amend by striking out of section one all of lines seven and eight, and all of line nine to the word "named," inclusive.

Also: Strike out in section one, line one, the word "fifteen," and insert "five."

Also: Strike out of title all of second line.

The question being, "Shall the Assembly concur in the Senate amendments?"

The roll was called, and the Assembly concurred by the following vote:

AYES—Messrs. Bassford, Belshaw, Bennett, Berry, Bettman, Boothby, Brusie, Bulla, Butler, Cargill, Coghlin, Coleman, Collins, Cutter, Dale, Devine, Devitt, Dinkelspiel, Dixon, Dunbar, Ewing, Fassett, Gay, Glass, Guy, Hall, Healey, Holland, Hudson, Johnson, Jones, Kelsey, Laird, Laugenour, Llewellyn, McKelvey, Merrill, Nelson, North, O'Day, Osborn, Phelps, Powers, Price, Richards, Rowell, Sanford, Spencer, Staley, Stan-sell, Tibbits, Tomblin, Twigg, Wade, Waymire, and Zocchi—56.

NOES—Mr. Huber—1.

MESSAGES FROM THE SENATE—(RESUMED).

SENATE CHAMBER, SACRAMENTO, March 14, 1895.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Assembly Bill No. 609—An Act entitled an Act to amend section sixteen of an Act entitled "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 thereon; the issuance and disposal of the bonds thereof, and the determination of their validity, and making provisions for the payment of such bonds, and the disposal of their proceeds," approved March 31, 1891.

F. J. BRANDON, Secretary.

By GEO. A. LEON, Assistant.

Ordered to enrollment.

APPOINTMENT OF COMMITTEE.

The Speaker announced the appointment of the following Committee of Free Conference on Assembly Bill No. 470: Messrs. Spencer, Ewing, and Barker.

Senate Bill No. 446—An Act to amend section four thousand one hundred and twenty-one of the Political Code, prohibiting Clerks,

Sheriffs, Auditors, Assessors, Recorders, Treasurers, Tax Collectors, Superintendents of Schools, and Constables, and their deputies, from practicing law or acting as attorneys or counselors-at-law, and to prohibit such officers from conveyancing, drawing deeds, mortgages, leases, contracts, or any instrument of writing not pertaining strictly to the duties of their respective offices, and forbidding the appointment of such officers to the office of Notary Public.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill refused final passage by the following vote:

AYES—Messrs. Bettman, Bledsoe, Boothby, Bulla, Butler, Collins, Dale, Dinkelspiel, Dixon, Guy, Hatfield, Huber, Laugenour, McKelvey, O'Day, Pendleton, Powers, Rowell, Sanford, Spencer, Swisler, and Zocchi—22.

NOES—Messrs. Belshaw, Bennett, Berry, Brusie, Coleman, Cutter, Dunbar, Ewing, Fassett, Glass, Hall, Hudson, Johnson, Jones, Kelsey, Laird, North, Osborn, Phelps, Price, Richards, Staley, Stansell, Tomblin, Wade, and Wilkinson—26.

Mr. Bettman moved that the Assembly take a recess until seven o'clock and thirty minutes P. M.

Lost.

Senate Bill No. 349—An Act to amend section one of an Act approved March 15, 1883, and entitled "An Act to authorize the Common Council, Board of Trustees, or other governing body of any incorporated city or town, other than cities of the first class, to re-fund its indebtedness, issue bonds therefor, and provide for the payment of the same," as amended March 1, 1893.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Belshaw, Bennett, Berry, Bledsoe, Brusie, Bulla, Butler, Coleman, Collins, Dale, Dinkelspiel, Dixon, Dunbar, Ewing, Fassett, Guy, Hall, Hatfield, Holland, Huber, Hudson, Johnson, Kelsey, Laugenour, McKelvey, North, O'Day, Pendleton, Phelps, Powers, Price, Reid, Richards, Rowell, Sanford, Staley, Stansell, Tomblin, Waymire, Wilkinson, and Zocchi—41.

NOES—Messrs. Glass, Swisler, and Wade—3

Title read and approved.

Senate Bill No. 782—An Act to amend sections one thousand eight hundred and eighty, one thousand eight hundred and eighty-four, and one thousand eight hundred and eighty-six of the Political Code of the State of California, relating to public schools.

Mr. Price moved that a special committee of one be appointed, with instructions to strike out the word "the" between the words "in" and "Senate" in the enacting clause.

So ordered.

APPOINTMENT OF COMMITTEE.

Mr. Price was appointed as such committee.

REPORT OF SPECIAL COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1895.

MR. SPEAKER: Your select committee, to whom was referred Senate Bill No. 782 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

PRICE, Chairman.

The question being on the adoption of the amendment offered by the committee, the same was adopted.

Senate Bill No. 289—An Act providing for the improvement of streets and roads, and the construction of sidewalks, outside of the limits of incorporated cities and towns.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill refused final passage by the following vote:

AYES—Messrs. Fassett, Glass, Guy, Hall, Hudson, McKelvey, North, Rowell, Staley, and Swisler—10.

NOES—Messrs. Belshaw, Bennett, Berry, Bledsoe, Brusie, Bulla, Butler, Collins, Dale, Dinkelspiel, Dixon, Dunbar, Gay, Holland, Huber, Jones, Kelsey, Laird, Laugenour, O'Day, Osborn, Phelps, Price, Reid, Richards, Spencer, Stansell, Wade, Waymire, and Mr. Speaker—31.

RECESS.

At five o'clock and five minutes P. M., on motion of Mr. Hatfield, the Assembly took a recess until seven o'clock and thirty minutes P. M.

REASSEMBLED.

The Assembly reassembled at seven o'clock and thirty minutes P. M. Speaker Lynch in the chair.

Quorum present.

APPROVAL OF JOURNAL.

The Journal of March 14th was approved.

LEAVE OF ABSENCE.

Mr. Berry was granted leave of absence until four o'clock to-morrow.

Mr. Butler moved that the rules be suspended, and Assembly Bill No. 391 taken up out of order and considered at this time.

So ordered.

Assembly Bill No. 391—An Act to create an exempt firemen's relief fund in the several counties, cities and counties, cities, and towns of the State, and relating to the enrollment, formation into fire companies, and services as firemen of such exempt firemen.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Ash, Barker, Berry, Brusie, Bulla, Butler, Cargill, Coleman, Collins, Cutter, Dale, Devine, Devitt, Dinkelspiel, Dixon, Dodge, Dunbar, Dwyer, Ewing, Fassett, Gay, Guy, Hall, Hatfield, Holland, Huber, Hudson, Jones, Kelsey, Kenyon, Laugenour, McKelvey, Merrill, Nelson, Osborn, Powers, Price, Richards, Robinson, Rowell, Sanford, Staley, Swisler, Weyse, and Mr. Speaker—45.

NOES—Messrs. Bassford, Belshaw, Bennett, Bledsoe, Glass, Johnson, Laird, North, and Phelps—9.

Title read and approved.

At seven o'clock and fifty minutes P. M. the Speaker called Mr. North to the chair.

URGENCY FILE.

Senate Bill No. 332—An Act to amend section seven hundred and seventeen of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to leases of agricultural lands.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Ash, Barker, Bassford, Belshaw, Bennett, Bettman, Bledsoe, Boothby, Brusie, Bulla, Butler, Coghlin, Coleman, Collins, Dale, Davis, Devine, Dinkelspiel, Dixon, Dodge, Dunbar, Dwyer, Ewing, Gay, Glass, Guy, Hall, Hatfield, Holland, Huber, Hudson, Johnson, Jones, Keen, Kelsey, Kenyon, Laugenour, Meads, McKelvey, Merrill, Nelson, North, O'Day, Osborn, Powers, Richards, Rowell, Sanford, Staley, Stansell, Swisler, Thomas, Tibbits, Twigg, Wade, Waymire, Weyse, and Mr. Speaker—58.

NOES—None.

Title read and approved.

Assembly Bill No. 939—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 three, four, twelve, eighteen, twenty-two, twenty-seven, and thirty-seven thereof.

Passed, to retain its place on file.

Assembly Bill No. 752—An Act to pay the claim of Ida M. Smith, Violet E. Smith, and Ida Bernice Smith. •

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill refused final passage by the following vote:

AYES—Messrs. Ash, Bennett, Berry, Bettman, Boothby, Brusie, Butler, Coghlin, Collins, Devine, Devitt, Dinkelspiel, Dodge, Fassett, Gay, Guy, Hall, Huber, Johnson, Keen, Kelsey, Kenyon, Laugenour, Meads, Merrill, O'Day, Osborn, Richards, Robinson, Spencer, Weyse, and Wilkinson—32

NOES—Messrs. Barker, Bassford, Belshaw, Bledsoe, Bulla, Coleman, Dale, Davis, Dixon, Dunbar, Ewing, Glass, Hatfield, Healey, Holland, Hudson, Jones, Laird, McKelvey, Nelson, North, Phelps, Price, Rowell, Staley, Swisler, Tibbits, Twigg, Wade, Waymire, and Mr. Speaker—31.

REPORT OF COMMITTEE ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1895.

MR. SPEAKER: Your Committee on Enrollment have examined and found correctly enrolled Assembly Bills as follows:

Assembly Bill No. 700—An Act to provide for payment of a deficiency in the appropriation for aid to the State Agricultural Society for the forty-sixth fiscal year.

Also: Assembly Bill No. 140—An Act to amend section three hundred and twenty-four of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to the transfer of shares of stock of corporations, and making the shares of corporations engaged in certain business transferable as appurtenances to real property.

Also: Assembly Bill No. 114—An Act to prevent the display of foreign flags on public buildings in this State.

Also: Assembly Bill No. 91—An Act to appropriate the sum of one thousand five hundred dollars to pay the claim of T. Carl Spelling against the State.

Also: Assembly Bill No. 799—An Act to amend an Act, approved March 11, 1893, entitled "An Act to amend an Act entitled 'An Act to provide for the completion of all unfinished county, city, city and county, towns, and township buildings in the several counties, cities and counties, cities, and towns throughout the State of California,' approved March 11, 1891."

Also: Assembly Bill No. 676—An Act making an appropriation to pay the deficiency in the appropriation to pay for the system of heating and ventilating established in the Training Department of the State Normal School at San José, California.

Also: Assembly Bill No. 834—An Act authorizing payments by Boards of Supervisors to persons who have been employed to collect county licenses, and legalizing all payments heretofore made to such persons.

Also: Assembly Bill No. 751—An Act providing for a general primary election in counties of certain classes within the State of California, and to promote the purity thereof by regulating the conduct thereof, and to support the privilege of free suffrage thereof by prohibiting certain acts and practices in relation thereto, and providing for the punishment thereof

Also: Assembly Bill No. 567—An Act amending sections fifty-five, fifty-seven, and sixty-eight of the Civil Code of the State of California, and repealing section seventy-five of said Code.

And presented the same to the Governor, on this day, at four o'clock and thirty minutes P. M.

MEADS, Chairman.

Assembly Bill No. 985—An Act to authorize counties of the second class to build railroads, and to lease or operate the same.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Ash, Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Bledsoe, Boothby, Bulla, Butler, Cargill, Coleman, Collins, Dale, Davis, Dodge, Dunbar, Ewing, Fassett, Guy, Hall, Hatfield, Huber, Hudson, Johnson, Jones, Keen, Kelsey, Kenyon, Laugenour, Lewis, Meads, McCarthy, Merrill, Nelson, North, Osborn, Price, Rowell, Sanford, Staley, Swisler, Tibbits, Wade, Waymire, Weyse, and Mr. Speaker—48.

NOES—Messrs. Devine, Dixon, Gay, McKelvey, and Richards—5.

Title read and approved.

Assembly Bill No. 515—An Act to pay the claim of Fred Hansted for services as clerk to the committee appointed for the purpose of investigating the Pilot Commissioners.

Passed, to retain its place on file.

At eight o'clock and ten minutes P. M. the Speaker resumed the chair.

Assembly Bill No. 994—An Act to compel street railroad companies to return fare, or its equivalent, to passengers where travel on their cars has been stopped for a period of ten minutes or more, from any cause whatever.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Ash, Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Bledsoe, Boothby, Brusie, Butler, Cargill, Coghlin, Coleman, Collins, Dale, Davis, Devine, Devitt, Dinkelspiel, Dodge, Gay, Glass, Hall, Hatfield, Healey, Holland, Huber, Hudson, Johnson, Keen, Kelsey, Kenyon, Laird, Laugenour, McCarthy, McKelvey, Nelson, North, Phelps, Price, Reid, Robinson, Rowell, Sanford, Staley, Stansell, Swisler, Thomas, Tibbits, Twigg, Waymire, Weyse, Wilkinson, and Zocchi—55.

NOES—None.

Title read and approved.

Mr. Hatfield moved to suspend the rules and reconsider the vote whereby Senate Bill No. 70 was refused final passage.

Lost

Assembly Bill No. 473—An Act to provide for the formation, organization, and classification of new counties, for locating the county seats, for the election and appointment of officers, and for the adjustment and fulfillment of the rights and obligations arising between such new counties and other counties.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Ash, Bettman, Bledsoe, Boothby, Coghlin, Coleman, Dale, Davis, Devine, Devitt, Dixon, Dwyer, Ewing, Fassett, Gay, Glass, Guy, Hatheld, Healey, Holland, Huber, Johnson, Keen, Laird, Laugenour, Lewis, Llewellyn, McCarthy, McKelvey, Merrill, O'Day, Pendleton, Robinson, Rowell, Spencer, Swisler, Tibbits, Tomblin, Twigg, Waymire, Weyse, Wilkinson, Zocchi, and Mr. Speaker—44.

NOES—Messrs. Barker, Bassford, Belshaw, Bennett, Berry, Brusie, Bulla, Cargill, Collins, Cutter, Dodge, Dunbar, Hall, Jones, Kelsey, Kenyon, Meads, Nelson, Phelps, Price, Reid, Richards, Sanford, Staley, Stansell, Thomas, and Wade—27.

Title read and approved.

SPECIAL SENATE FILE.

SENATE JOINT RESOLUTION No. 17.

Joint resolution relative to expending moneys now available for the improvement of our navigable rivers, by the National Government.

WHEREAS, The river systems of California have been examined by the engineers of the War Department, and recommendations have been made from time to time for their improvement, particularly so by Executive Document No. 246, Fifty-first Congress, Second Session, wherein a recommendation is made for a specific appropriation of two hundred and seventy-five thousand dollars for removal of obstructions in the Lower Sacramento, and for a specific appropriation of three hundred thousand dollars for the treatment of the Yuba near and above Marysville. An appropriation of three hundred and forty-five thousand dollars for the improvement of the Sacramento and Feather Rivers was also recommended by Major W. H. Heuer, of Corps of Engineers, in his annual report of eighteen hundred and ninety-three. Recommendations have also been made by sundry Executive Documents of the War Department for the improvement of the San Joaquin, Mokelumne Rivers, Petaluma Creek, and other navigable streams of the State. Based on these recommendations, Congress has made sundry appropriations for the improvement of the river systems of California. These appropriations have been only a fraction of the amounts recommended by the War Department, but if expended promptly the relief afforded would be incalculable. As said by the report dated February 3, 1891, of the Board of Engineers, consisting of G. H. Mendell, Colonel; A. MacKenzie, Major; and Dan C. Kingman, Captain of Engineers: "The movement of the wheat harvest takes place during the low stage of water, so that the greatest demand for transportation comes when the natural conditions are least favorable. Relief to be adequate needs to be prompt. Prices are affected by existing conditions. A good river makes freighting cheap, whether it be done on the river or on competing railroads. The cost of transportation on the water determines the price on land." The report from which the above quotation is taken is that of a Board of Government Engineers appointed to examine into the necessity for improvement of the river systems of California. It appears by Appendix TT of the annual report of the Chief Engineers that the total amount of freight transported during the year by the river systems of California was eight hundred and fifty-six thousand six hundred and fifty-three tons. This amount of freight is carried at reduced rates, and river transportation also reduces the rates charged by railroads, as said on page twenty-five hundred and fifty-three of that report, at least to the extent of one dollar per ton; and the amount of freight transported by rail, and affected by water competition, is three times as great as that carried by water. The river systems of California have been partially improved by the expenditures already made, but large sums are in the hands of the Government engineers, still unexpended. If California is to have the benefit of the appropriations made by Congress, it is absolutely essential that these sums should be expended immediately. The price of all products is now so low that the improvement of the rivers of California, and the cheapened cost of transportation that will result thereby, is an imperative necessity. Whether the refusal to do the work for which these appropriations have been made is the result of indifference, negligence, or a determination to deprive the people of cheap water transportation, is difficult to determine. However that may be, the result is disastrous to the welfare of California; therefore,

Resolved by the Senate of the State of California, the Assembly concurring, That the Secretary of War of the United States, in behalf of, and in the name of the State of California, be and he is hereby requested to direct the expenditure, in accordance with the recommendations of the Government engineers, of the sums of money appropriated for river improvement and still unexpended.

Resolved, That the Governor be and he is hereby requested to transmit a copy of this resolution to the Secretary of War of the United States, and that our Senators be directed, and our Representatives be requested, to use all honorable means to secure the improvement of the river system of California by the expenditure of the money appropriated for that purpose, as specified in this resolution.

Adopted.

Senate Bill No. 699—An Act to provide for the appointment and salary of a clerk in the office of the Superintendent of Public Instruction, and to make an appropriation therefor.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Barker, Bennett, Berry, Bettman, Boothby, Brusie, Bulla, Butler, Cargill, Coghlin, Coleman, Cutter, Devine, Devitt, Dinkelspiel, Dixon, Dodge, Dunbar, Ewing, Fassett, Gay, Guy, Hatfield, Holland, Huber, Johnson, Kelsey, Kenyon, Laird, Laugenour, Lewis, Llewellyn, Meads, Merrill, Nelson, North, O'Day, Osborn, Pendleton, Phelps, Powers, Price, Reid, Richards, Rowell, Staley, Tomblin, Twigg, and Weyse—49.
NOES—Messrs. Bassford, Belshaw, Bledsoe, Collins, Dale, Glass, Hall, Hudson, and Keen—9.

Title read and approved.

Senate Bill No. 653—An Act to pay the claim of Philip Bauer against the State of California, and to make an appropriation therefor.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Ash, Barker, Bassford, Bennett, Berry, Bettman, Boothby, Brusie, Butler, Coghlin, Coleman, Collins, Devine, Devitt, Dinkelspiel, Dixon, Dunbar, Dwyer, Ewing, Fassett, Gay, Guy, Hall, Hatfield, Healey, Keen, Kelsey, Kenyon, Laugenour, Llewellyn, McKelvey, Merrill, Osborn, Phelps, Powers, Price, Richards, Sanford, Staley, Twigg, Waymire, Wilkinson, Zocchi, and Mr. Speaker—44.
NOES—Messrs. Bachman, Belshaw, Bledsoe, Cargill, Dale, Glass, Johnson, Laird, Meads, Nelson, Reid, Robinson, and Tibbits—13.

Title read and approved.

Substitute for Senate Bill No. 2—An Act to appropriate one thousand one hundred dollars to pay the claims of D. H. Wyckoff and others for the arrest of A. B. Montgomery, in Shasta County, in 1892.

Read third time.

The question being on the final passage of the bill.

CALL OF THE HOUSE.

The roll was called, and pending the announcement of the result, Mr. Laugenour moved a call of the House, seconded by Messrs. Brusie and O'Day.

Lost.

The result of the roll call was announced, and the bill passed by the following vote:

AYES—Messrs. Ash, Bassford, Belshaw, Bennett, Berry, Bettman, Boothby, Brusie, Cargill, Coghlin, Coleman, Davis, Devine, Devitt, Dinkelspiel, Dunbar, Guy, Hatfield, Healey, Holland, Hudson, Johnson, Kelsey, Laugenour, Llewellyn, Meads, McCarthy, North, O'Day, Osborn, Pendleton, Rowell, Sanford, Spencer, Staley, Swisler, Tomblin, Twigg, Wilkinson, Zocchi, and Mr. Speaker—41.
NOES—Messrs. Barker, Bledsoe, Butler, Dale, Dixon, Dodge, Dwyer, Fassett, Glass, Keen, Kenyon, Laird, Merrill, Nelson, Phelps, Price, Reid, Richards, Robinson, Stansell, Tibbits, Wade, Waymire, and Weyse—24.

Title read and approved.

Senate Bill No. 782—An Act to amend sections one thousand eight hundred and eighty, one thousand eight hundred and eighty-four, and one thousand eight hundred and eighty-six of the Political Code of the State of California, relating to public schools.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Ash, Barker, Bassford, Belshaw, Bennett, Bettman, Bledsoe, Brusie, Bulla, Butler, Cargill, Cutter, Dale, Davis, Devine, Devitt, Dinkelspiel, Dixon, Dodge, Dunbar, Dwyer, Ewing, Glass, Guy, Hatfield, Holland, Hudson, Johnson, Kelsey, Kenyon, Laugenour, North, O'Day, Pendleton, Powers, Price, Spencer, Staley, Swisler, Twigg, Wade, Waymire, Wilkinson, and Mr. Speaker—44.
NOES—Mr. Phelps—1.

Title read and approved.

Senate Bill No. 799—An Act to prevent and forbid all persons who own, operate, or carry on street railroads to require deposits from employes.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill refused passage by the following vote:

AYES—Messrs. Barker, Bassford, Bettman, Bledsoe, Brusie, Bulla, Butler, Cargill, Coghlin, Collins, Cutter, Dale, Dinkelspiel, Dixon, Dodge, Dwyer, Glass, Guy, Hall, Hatfield, Healey, Holland, Hudson, Johnson, Keen, Kelsey, Kenyon, Laugenour, Meads, North, O'Day, Osborn, Price, Rowell, Swisler, Wade, and Waymire—37.
NOES—Messrs. Ash, Belshaw, Coleman, Devitt, Fassett, Gay, Jones, Laird, Lewis, Llewellyn, Merrill, Pendleton, Phelps, Robinson, Thomas, Tibbits, Twigg, Wilkinson, and Zocchi—19

REPORT OF COMMITTEE ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1895.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following bills have been correctly engrossed:

Assembly Bill No. 939—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 three, four, twelve, eighteen, twenty-two, twenty-seven, and thirty-seven thereof.

Also: Assembly Bill No. 1025—An Act to amend section three thousand seven hundred and thirteen of the Political Code, relating to the levy of taxes.

WILKINSON, Chairman.

Senate Bill No. 460—An Act to add a new title to part six of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, to be known as title five, regulating publications by State officers and Commissioners, Common Councils, Boards of Trustees, or Supervisors, in counties, cities, cities and counties, or towns.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Ash, Barker, Bassford, Berry, Bettman, Brusie, Butler, Coghlin, Coleman, Collins, Cutter, Dale, Devitt, Dinkelspiel, Dwyer, Ewing, Guy, Hatfield, Holland, Hudson, Johnson, Keen, Kelsey, Laugenour, Llewellyn, McCarthy, Merrill, Nelson, O'Day, Osborn, Powers, Price, Richards, Rowell, Sanford, Staley, Swisler, Thomas, Tibbits, Tomblin, Twigg, Wilkinson, Zocchi, and Mr. Speaker—44.
NOES—Messrs. Belshaw, Bennett, Bledsoe, Boothby, Bulla, Davis, Dixon, Dodge, Dunbar, Fassett, Jones, Laird, Phelps, Robinson, Wade, and Weyse—16.

Title read and approved.

RESOLUTION—(OUT OF ORDER).

By Mr. Reid:

Resolved, That the Assembly take a recess at one o'clock P. M. on the sixteenth day of March, till seven o'clock P. M. on that day, and that no bills be passed after the hour of one o'clock P. M. on said day.

Adopted.

At nine o'clock and twenty minutes P. M. the Speaker called Mr. North to the chair.

Senate Bill No. 715—An Act to provide for the alteration of the boundaries of incorporated towns and cities by the annexation of uninhabited territory thereto, and for the incorporation of such annexed territory in and as a part of such municipality, and for the districting, government, and municipal control of annexed territory.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill refused final passage by the following vote:

AYES—Messrs Ash, Barker, Bassford, Berry, Brusie, Bulla, Butler, Coleman, Collins, Dale, Dixon, Gay, Glass, Guy, Hatfield, Llewellyn, Merrill, North, Powers, Price, Thomas, Twigg, Waymire, Weyse, and Mr. Speaker—25.

NOES—Messrs Bachman, Belshaw, Bennett, Bettman, Bledsoe, Cutter, Davis, Devine, Dinkelspiel, Dodge, Dunbar, Dwyer, Ewing, Fassett, Hall, Healey, Hudson, Johnson, Jones, Keen, Kelsey, Laird, Laugenour, Phelps, Richards, Robinson, Rowell, Sanford, Spencer, Swisler, Tibbits, Tomblin, and Wade—33

Senate Bill No. 752—An Act to amend section fourteen of "An Act for the more effectual prevention of cruelty to animals," approved March 20, 1874.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Ash, Bassford, Belshaw, Berry, Bettman, Bledsoe, Boothby, Brusie, Bulla, Butler, Cargill, Coleman, Collins, Cutter, Davis, Devine, Devitt, Dinkelspiel, Dixon, Dodge, Dunbar, Dwyer, Fassett, Gay, Glass, Hall, Hatfield, Holland, Hudson, Johnson, Kelsey, Laugenour, Llewellyn, North, Pendleton, Phelps, Powers, Price, Richards, Robinson, Sanford, Spencer, Staley, Swisler, Thomas, Tomblin, Twigg, Wade, Waymire, Weyse, Wilkinson, Zocchi, and Mr. Speaker—53.

NOES—Mr. Bennett—1.

Title read and approved.

Senate Bill No. 521—An Act to provide for the issuing of bonds by reclamation districts, and the disposal thereof, for reclamation and other purposes, and their payment by taxation upon the property situated in such reclamation districts.

Read third time

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Ash, Bachman, Belshaw, Bennett, Berry, Bettman, Boothby, Brusie, Bulla, Butler, Coghlin, Coleman, Collins, Cutter, Dale, Davis, Devine, Dinkelspiel, Dixon, Dodge, Dunbar, Fassett, Gay, Glass, Guy, Hall, Hudson, Johnson, Jones, Keen, Kelsey, Laird, Laugenour, Llewellyn, Meads, Pendleton, Phelps, Powers, Price, Richards, Robinson, Rowell, Sanford, Staley, Swisler, Thomas, Tomblin, Twigg, Wade, Waymire, Weyse, and Zocchi—52

NOES—None.

Title read and approved.

Senate Bill No. 707—An Act to select and adopt the "Golden Poppy" as the State flower of California.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Bachman, Belshaw, Bennett, Bettman, Boothby, Brusie, Bulla, Butler, Coleman, Collins, Cutter, Dale, Davis, Devine, Dinkelspiel, Ewing, Gay, Guy, Hall, Huber, Hudson, Jones, Keen, Llewellyn, Meads, Merrill, North, Phelps, Powers, Price,

Richards, Robinson, Rowell, Sanford, Staley, Swisler, Thomas, Tomblin, Twigg, Wade, Waymire, and Weyse—42.

NOES—Messrs. Berry, Bledsoe, Laird, Pendleton, Wilkinson, and Zocchi—6.

Title read and approved.

Mr. Laird moved that Senate Bill No. 805 be recalled from the Senate.

The ayes and noes were demanded by Messrs. Bledsoe, Laird, and Bettman.

The roll was called, and the motion lost by the following vote:

AYES—Messrs. Bachman, Bassford, Belshaw, Bennett, Berry, Bledsoe, Collins, Dodge, Glass, Jones, Laird, Meads, Spencer, Tibbits, and Tomblin—15.

NOES—Messrs. Bettman, Boothby, Brusie, Bulla, Butler, Cutter, Dale, Davis, Devine, Dixon, Fasset, Gay, Guy, Huber, Johnson, Keen, Kelsey, Llewellyn, McKelvey, Merrill, Nelson, Osborn, Pendleton, Powers, Reid, Rowell, Sanford, Staley, Swisler, Thomas, Twigg, Waymire, Weyse, Zocchi, and Mr. Speaker—35.

At ten o'clock P. M. the Speaker resumed the chair.

Senate Bill No. 223—An Act to repeal section thirteen of an Act entitled "An Act to provide for the planting, maintenance, and care of shade trees upon streets, lanes, alleys, courts, and places within municipalities, and hedges upon the lines thereof; also, for the eradication of certain weeds within city limits," approved March 11, 1893.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Ash, Bassford, Berry, Brusie, Bulla, Butler, Cargill, Coghlin, Collins, Cutter, Dale, Devine, Devitt, Dinkelspiel, Dunbar, Ewing, Gay, Guy, Hatheld, Johnson, Keen, Kelsey, Laugenour, Lewis, Meads, McKelvey, Merrill, North, O'Day, Osborn, Pendleton, Powers, Reid, Richards, Robinson, Rowell, Staley, Tibbits, Weyse, Zocchi, and Mr. Speaker—41.

NOES—Messrs. Bachman, Bennett, Bettman, Bledsoe, Boothby, Dixon, Glass, Hall, Holland, Huber, Jones, Laird, Phelps, Spencer, Twigg, Wade, and Waymire—17.

Title read and approved.

At ten o'clock and five minutes P. M. the Speaker called Mr. Pendleton to the chair.

Senate Bill No. 560—An Act to amend section twenty-eight of an Act passed March 23, 1893, entitled "An Act amendatory of and supplementary to an Act entitled 'An Act to define the boundary and provide for the government of Levee District No. 2, of Sutter County,' passed March 23, 1876, in relation to the election of officers for said district, funding the floating debt, and re-funding the funded debt thereof."

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Ash, Belshaw, Berry, Bettman, Brusie, Bulla, Butler, Cargill, Collins, Cutter, Dale, Devine, Devitt, Dinkelspiel, Dodge, Dunbar, Ewing, Gay, Glass, Guy, Hatheld, Holland, Huber, Hudson, Jones, Keen, Kelsey, Laugenour, Llewellyn, Meads, McKelvey, Merrill, O'Day, Pendleton, Powers, Richards, Swisler, Thomas, Tomblin, Twigg, Wade, Weyse, and Wilkinson—43.

NOES—Messrs. Bachman, Bennett, Boothby, Dixon, Johnson, Laird, North, Phelps, Reid, Robinson, Rowell, Spencer, Staley, Tibbits, and Mr. Speaker—14.

Title read and approved.

Mr. Lynch moved that the State Printer be instructed to print one thousand copies of Assembly Bill No. 959 at once.

So ordered.

Senate Bill No. 806—An Act providing for the erection and operation of rock-crushing plants at the State Prisons, for the preparation of highway material for the benefit of the people of the State, and providing for the necessary advances and appropriation of money to carry out said work.

Read third time.*

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Bachman, Bassford, Bennett, Bettman, Boothby, Brusie, Bulla, Butler, Cargill, Coghlin, Collins, Cutter, Davis, Devine, Devitt, Dinkelspiel, Dixon, Dodge, Dunbar, Gay, Guy, Hall, Hatfield, Holland, Laugenour, Meads, Merrill, O'Day, Osborn, Pendleton, Phelps, Richards, Robinson, Rowell, Sanford, Staley, Swisler, Thomas, Tibbits, Tomblin, Twigg, Wade, Weyse, Wilkinson, Zocchi, and Mr. Speaker—54.

NOES—Messrs. Belshaw, Berry, Bledsoe, Dwyer, Glass, Hudson, Jones, Laird, and Nelson—9.

Title read and approved.

Senate Bill No. 247—An Act to repeal (1) "An Act appropriating money for the erection of a building in the city of San Francisco for the use of the Home for the Care of the Inebriates," approved May 2, 1862; (2) "An Act relating to the Home of the Inebriate of San Francisco, and to prescribe the powers and duties of the Board of Managers and the officers thereof," approved April 1, 1870; and (3) "An Act to provide for the care and maintenance of inebriates and certain insane persons in the City and County of San Francisco," approved April 17, 1876, relating to the Home for the Care of Inebriates.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Ash, Belshaw, Bennett, Berry, Bettman, Boothby, Brusie, Bulla, Butler, Cargill, Coleman, Collins, Cutter, Dale, Davis, Devitt, Dinkelspiel, Dixon, Dodge, Dwyer, Gay, Glass, Guy, Hall, Hatfield, Holland, Hudson, Johnson, Jones, Kelsey, Laird, Laugenour, Llewellyn, Meads, Merrill, North, O'Day, Pendleton, Phelps, Powers, Price, Reid, Richards, Sanford, Staley, Swisler, Thomas, Tibbits, Tomblin, Twigg, Weyse, Wilkinson, Zocchi, and Mr. Speaker—54.

NOES—None.

Title read and approved.

Senate Bill No. 739—An Act to amend an Act entitled "An Act to reincorporate Salinas City," approved March 2, 1876, with reference to the levy and collection of taxes by said Salinas City.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Ash, Bassford, Belshaw, Berry, Bettman, Boothby, Brusie, Bulla, Cargill, Coleman, Collins, Dale, Davis, Dixon, Dodge, Gay, Glass, Guy, Hall, Hatfield, Healey, Hudson, Johnson, Jones, Kelsey, Laugenour, Llewellyn, Merrill, O'Day, Pendleton, Phelps, Powers, Price, Reid, Sanford, Spencer, Staley, Swisler, Twigg, Wade, Weyse, Wilkinson, and Mr. Speaker—43.

NOES—Mr. Bachman—1.

Title read and approved.

Mr. Brusie moved that Assembly Constitutional Amendment No. 55 be placed at the head of the special file to-morrow morning.

So ordered.

Senate Bill No. 127—An Act to pay the claim of W. P. Lampkin against the State of California, and making an appropriation therefor.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Ash, Bachman, Bassford, Bennett, Berry, Boothby, Brusie, Bulla, Butler, Coghlin, Coleman, Collins, Cutter, Dale, Devine, Dixon, Dodge, Ewing, Fassett, Glass, Guy, Hatfield, Holland, Johnson, Kelsey, Laugenour, Meads, Nelson, O'Day, Osborn, Pendleton, Phelps, Powers, Price, Reid, Richards, Sanford, Swisler, Wade, Weyse, Wilkinson, and Mr. Speaker—42.

NOES—Messrs. Belshaw, Cargill, Davis, and North—4

Title read and approved.

Senate Bill No. 763—An Act to provide for the organization and government of drainage districts, for the drainage of agricultural lands other than swamp and overflowed lands.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Ash, Bachman, Bassford, Belshaw, Berry, Bettman, Bledsoe, Boothby, Brusie, Butler, Cargill, Coghlin, Coleman, Collins, Cutter, Dale, Devine, Devitt, Dinkelspiel, Dixon, Dunbar, Ewing, Guy, Hall, Hatfield, Healey, Holland, Johnson, Keen, Kelsey, Laugenour, Llewellyn, O'Day, Osborn, Pendleton, Reid, Rowell, Spencer, Stansell, Swisler, Wade, Weyse, and Mr. Speaker—43.

NOES—Messrs. Bulla, Glass, Laird, and Twigg—4.

Title read and approved.

Senate Bill No. 587—An Act to provide for the manner of execution of deeds by cemetery corporations.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Ash, Bachman, Bassford, Bennett, Bettman, Boothby, Brusie, Bulla, Cargill, Coleman, Cutter, Dale, Davis, Devitt, Dinkelspiel, Dixon, Dunbar, Dwyer, Glass, Guy, Hatfield, Holland, Hudson, Johnson, Jones, Keen, Kelsey, Laugenour, Meads, Nelson, North, O'Day, Osborn, Pendleton, Phelps, Powers, Price, Reid, Rowell, Staley, Swisler, Twigg, Wilkinson, and Zocchi—43.

NOES—None.

Title read and approved.

Senate Bill No. 596—An Act to add a new section to the Penal Code, to be called section two hundred and fifteen, to prohibit the poisoning of domestic animals in towns and cities.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Ash, Bassford, Berry, Boothby, Brusie, Bulla, Butler, Cargill, Coleman, Cutter, Dale, Davis, Devine, Devitt, Dinkelspiel, Dixon, Dunbar, Dwyer, Ewing, Guy, Hatfield, Holland, Hudson, Johnson, Jones, Kelsey, Laugenour, Merrill, North, O'Day, Osborn, Pendleton, Powers, Reid, Robinson, Rowell, Swisler, Tomblin, Twigg, Wade, and Wilkinson—43.

NOES—Messrs. Bachman, Bennett, Bledsoe, Fassett, Laird, Meads, Nelson, and Price—8.

Title read and approved,

At ten o'clock and thirty-five minutes p. m. the Speaker resumed the chair.

Senate Bill No. 329—An Act to amend sections ten and one hundred and thirty-four of the Code of Civil Procedure of the State of California, relating to legal holidays and non-judicial days.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote.

AYES—Messrs. Ash, Bachman, Bennett, Berry, Bettman, Boothby, Brusie, Bulla, Cargill, Coleman, Cutter, Dale, Davis, Devine, Dinkelspiel, Dixon, Dodge, Gay, Guy, Hatheld, Hudson, Johnson, Kelsey, Lewis, Meads, North, O'Day, Osborn, Pendleton, Phelps, Powers, Reid, Richards, Robinson, Rowell, Staley, Swisler, Tomblin, Twigg, Wade, Waymire, Wilkinson, Zocchi, and Mr. Speaker—44.

NOES—Mr. Holland—1.

Title read and approved.

Senate Bill No. 328—An Act to amend section seven of the Civil Code of the State of California, relating to legal holidays and non-judicial days.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Ash, Bachman, Belshaw, Bennett, Berry, Brusie, Bulla, Butler, Coleman, Davis, Devine, Dinkelspiel, Dixon, Dodge, Dunbar, Dwyer, Fassett, Guy, Hatfield, Holland, Hudson, Jones, Kelsey, Laugenour, Meads, Merrill, Nelson, Osborn, Pendleton, Powers, Reid, Richards, Robinson, Rowell, Spencer, Staley, Swisler, Twigg, Wade, Waymire, Zocchi, and Mr. Speaker—42.

NOES—None.

Title read and approved.

Senate Bill No. 330—An Act to amend section ten of the Political Code of the State of California, relating to legal holidays and non-judicial days.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Ash, Bachman, Belshaw, Bennett, Berry, Bettman, Bledsoe, Brusie, Bulla, Butler, Coleman, Cutter, Davis, Devine, Dinkelspiel, Dixon, Dodge, Dunbar, Dwyer, Ewing, Fassett, Glass, Hatfield, Holland, Hudson, Johnson, Jones, Laird, Laugenour, Meads, Nelson, O'Day, Osborn, Powers, Price, Reid, Robinson, Rowell, Staley, Swisler, Twigg, Wade, Waymire, Weyse, and Mr. Speaker—45.

NOES—Messrs. Coghill and Healey—2.

Title read and approved.

Senate Bill No. 280—An Act to amend section one thousand six hundred and ninety-one of the Code of Civil Procedure of the State of California, relating to agents for absent interest parties, discharge of executors or administrators.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Ash, Bachman, Belshaw, Bennett, Berry, Boothby, Brusie, Bulla, Butler, Coghill, Coleman, Cutter, Davis, Devine, Dinkelspiel, Dixon, Dunbar, Ewing, Glass, Guy, Healey, Holland, Hudson, Johnson, Jones, Keen, Kelsey, Laugenour, Meads, Merrill, Nelson, North, Osborn, Pendleton, Phelps, Powers, Price, Reid, Richards, Robinson, Rowell, Staley, Swisler, Tomblin, Twigg, Wade, Waymire, Zocchi, and Mr. Speaker—49.

NOES—None.

Title read and approved.

Senate Bill No. 843—An Act to amend section two thousand three hundred and forty-nine of the Political Code, relating to navigable streams and waters.

Read second time.

The following committee amendment was submitted:

Amend section one, line five, of printed bill, by striking out after the word "to," the words "a distance one third of a mile above," and inserting in lieu thereof the words "the southerly line of."

Ordered to printer and third reading.

Senate Bill No. 486—An Act to amend the Penal Code of the State of California, by adding a new section thereto, to be known as section forty, in relation to punishment of crimes against election laws.

Read second time, and ordered to third reading.

Senate Bill No. 424—An Act to determine the term of office and the bond to be required of the Superintendent of Dredgers and the assistant to the Chief Wharfinger of the Board of State Harbor Commissioners.

Read second time, and ordered to third reading.

Senate Bill No. 853—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 second time, and ordered to third reading.

LEAVE OF ABSENCE.

Messrs. Spencer and Collins were granted leave of absence for the remainder of the evening.

Senate Bill No. 889—An Act appropriating money for the care of Yosemite Valley.

Refused second reading.

Senate Bill No. 888—An Act appropriating money for the maintenance of the State Board of Horticulture.

Read second time.

Senate Bill No. 376—An Act to amend section three thousand four hundred and ninety-one of the Political Code, relating to the election of trustees of reclamation districts.

Refused second reading.

Senate Bill No. 106—An Act authorizing and requiring boards and commissions having the management and control of paid fire departments, to grant the members thereof yearly vacations.

Read second time, and ordered to third reading.

Senate Bill No. 523—An Act to amend section five of an Act entitled "An Act regulating the sale of the lands uncovered by the recession or drainage of the waters of inland lakes, and unsegregated swamp and overflowed lands, and validating sales and surveys heretofore made," approved March 24, 1893.

Read second time, and ordered to third reading.

Senate Bill No. 798—An Act to pay the claim of Cornelius Lynch against the State of California, and to appropriate money therefor.

Read second time.

Substitute for Senate Bill No. 539—An Act appropriating seven thousand five hundred dollars to pay the claim of Addie McGinnes.

Read second time.

MOTION.

Mr. Brusie moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bills Nos. 798, 888, and Substitute for Senate Bill No. 539.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Lynch in the chair.

Senate Bills Nos. 798, 888 and Substitute for Senate Bill No. 539 were considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Lynch 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. 888—An Act appropriating money for the maintenance of the State Board of Horticulture.

Also: Senate Bill No. 798—An Act to pay the claim of Cornelius Lynch against the State of California, and to appropriate money therefor.

Also: Substitute for Senate Bill No. 539—An Act appropriating seven thousand five hundred dollars to pay the claim of Addie McGinnies.

And now report, and recommend that the same do pass.

LYNCH, Chairman.

Adopted.

Senate Bills Nos. 798, 888, and Substitute for Senate Bill No. 539 ordered to third reading.

Mr. Brusie moved that Senate Bills Nos. 888, 798, and Substitute for Senate Bill No. 539 be placed at head of special file.

Lost.

Senate Bill No. 522—An Act to amend section three thousand four hundred and forty-six of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the formation of reclamation districts.

Read second time, and ordered to third reading.

Senate Bill No. 890—An Act to amend section seven hundred and ninety-one of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the appointment of Notaries Public and their terms of office.

Read second time, and ordered to third reading.

Senate Bill No. 762—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure of the State of California," adopted March 11, 1872, by adding thereto a new section, to be numbered nine hundred and sixty, relating to dismissal of appeals.

Read second time, and ordered to third reading.

Mr. Meads moved that the Assembly do now take up Senate messages.

So ordered.

SENATE MESSAGES.

SENATE CHAMBER, SACRAMENTO, March 15, 1895.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Assembly Bill No. 897—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 of California, except municipal corporations of the first class, and to provide for the consolidation and abolition of certain municipal offices, and to provide that their duties may be performed by certain officers of the county, and fixing the compensation to be allowed for such county officers for the services so rendered to such municipal corporations.

Also: Assembly Bill No. 861—An Act making an appropriation to pay the claim of Louise Rienzi for services rendered the State Board of Silk Culture as Secretary, Instructor, and Silk Expert, from December 12, 1885, to April 2, 1887, at eighty-seven dollars and fifty cents per month.

Also: Senate Bill No. 629—An Act to amend section three thousand eight hundred and eighty-one of the Political Code, relating to errors, etc., on assessment roll, and the corrections thereof.

Also: Adopted the report of the Committee of Free Conference on Assembly Bill No. 959—An Act to establish a uniform system of county and township governments.

Also: Assembly Bill No. 568—An Act to amend sections six hundred and twenty-six, six hundred and thirty-one, six hundred and thirty-two, six hundred and thirty-three, six hundred and thirty-four, six hundred and thirty-five, and six hundred and thirty-six of, and to add nineteen new sections, to be numbered six hundred and twenty-six *a*, six hundred and twenty-six *b*, six hundred and twenty-six *c*, six hundred and twenty-six *d*, six hundred and twenty-six *e*, six hundred and twenty-six *f*, six hundred and twenty-six *g*, six hundred and twenty-six *h*, six hundred and twenty-six *i*, six hundred and twenty-seven, six hundred and twenty-seven *a*, six hundred and twenty-seven *b*, six hundred and twenty-seven *c*, six hundred and twenty-seven *d*, six hundred and twenty-eight, six hundred and twenty-eight *a*, six hundred and twenty-nine, six hundred and thirty-two *a*, six hundred and thirty-two *b*, to an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to fish and game.

Also: Assembly Bill No. 592—An Act to amend sections one thousand six hundred and seventy and one thousand six hundred and seventy-one of the Political Code, relating to high schools.

Also: Assembly Bill No. 332—An Act to authorize the Board of Trustees of the Southern California State Asylum for the Insane and Inebriates to convey certain water rights.

Also: Senate Bill No. 233—An Act to amend section three thousand and fifty-one of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to the sale of personal property subject to certain liens.

Also: Assembly Bill No. 575—An Act to repeal an Act of the Legislature of the State of California entitled "An Act in relation to the assessment and collection of taxes upon personal property in the City and County of San Francisco," approved March 18, 1874, and requiring all counties, and cities and counties of this State to conform to the requirements of the provisions of the Political Code in relation to the assessment, equalization, levy, and collection of taxes for revenue purposes.

Also: Assembly Bill No. 664—An Act to add a new section to the Civil Code, to be designated as section six hundred and sixteen, authorizing corporations organized to establish and maintain or improve cemeteries, to take and hold property bequeathed, granted, or given to them upon trust, to apply the same or the proceeds or income thereof to the improvement or embellishment of cemeteries, or of any lot therein, or to the erection and maintenance of any monument, structure, or improvement therein.

Also: On this day refused adoption to Assembly Constitutional Amendment No. 6—To amend section seven of article one of the Constitution, relative to juries.

Also: Passed Assembly Bill No. 479—An Act to amend sections one thousand and ninety-four, one thousand and ninety-six, one thousand one hundred and thirteen, one thousand one hundred and fourteen, one thousand one hundred and fifteen, and one thousand one hundred and sixteen of the Political Code of the State of California, relative to registration of voters.

F. J. BRANDON, Secretary.
By C. CLARK, Assistant.

Also:

SENATE CHAMBER, SACRAMENTO, March 15, 1895.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, appointed as a Committee of Free Conference on Assembly Bill No. 470—An Act to amend section one thousand and eighty-three of the Political Code of the State of California, in relation to the qualifications and disabilities of electors—Senators Withington, Aram, and Arms, and respectfully ask your honorable body to appoint a like committee.

F. J. BRANDON, Secretary.
By C. L. PARDEE, Assistant.

Also:

SENATE CHAMBER, SACRAMENTO, March 15, 1895.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Assembly Bill No 218—An Act authorizing the Controller to refurnish his office, and making an appropriation therefor.

Also: Assembly Bill No. 418—An Act to appropriate seven thousand five hundred dollars as compensation to Julius A. Hult, a private in Company C, First Regiment Infantry, Second Brigade, N. G. Co., for injuries sustained while in active service.

Also: Concurred in the Assembly amendment to the title of Assembly Bill No 665—An Act to provide the office of the Attorney-General with such law books as may be required by him for the conduct of the business of his office, and requiring the State Librarian to provide and furnish the same, and making an appropriation therefor not to exceed five thousand dollars.

F. J. BRANDON, Secretary
By R. SHAW, Assistant

Also:

SENATE CHAMBER, SACRAMENTO, March 15, 1895.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Assembly Bill No 606—An Act entitled an Act to amend section four hundred and seventy-five of the Political Code, providing for two clerks and a phonographic reporter in the office of the Attorney-General, declaring said clerks and phonographic reporter to be civil executive officers, and fixing their salaries.

Also: Assembly Bill No. 262—An Act to pay the claim of Major José Ramon Pico, and making an appropriation therefor.

Also: Refused to pass Assembly Bill No. 412—An Act entitled an Act relating to the duties of the State Board of Examiners, providing for the examination, investigation, and inspection, and inquiry into, by said State Board of Examiners, of the books, vouchers, papers, property, and premises, and the general conduct, management, and affairs of all State institutions, commissions, boards, and offices, and providing for the production of the papers, vouchers, books, and property necessary for such examination, and for the defraying of the expenses thereof by said Board of Examiners.

Also: Passed Assembly Bill No 540—An Act authorizing the Trustees of the State Normal School at San José to light the grounds by electricity, and making an appropriation therefor.

Also: Refused to adopt Assembly Joint Resolution No. 4—Relative to foreign immigration to the United States

F. J. BRANDON, Secretary
By C. CLARK, Assistant.

Also:

SENATE CHAMBER, SACRAMENTO, March 15, 1895

MR. SPEAKER: I am directed to inform your honorable body that the Senate requests the return of Assembly Bill No. 711, withdrawn under a misapprehension and returned to your honorable body.

F. J. BRANDON, Secretary
By GEO. A. LEON, Assistant

Assembly Bill No. 711 ordered returned to the Senate.

Also:

SENATE CHAMBER, SACRAMENTO, March 15, 1895

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Assembly Bill No. 280—An Act to amend section four hundred and sixty-one of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872

Also: Assembly Bill No 1021—An Act to amend section five hundred and thirty-nine of the Political Code of the State of California, relative to the engrossment and enrollment of bills and other documents, approved March 31, 1891

Also: Assembly Bill No. 1026—An Act to provide for the payment of all private claims, allowed by the Legislature of the thirty-first session, out of the revenues of the forty-seventh fiscal year

Also: Amended, and passed as amended, Assembly Bill No. 176—An Act to amend an Act entitled "An Act providing for the sale of railroad and other franchises in municipalities, and relative to granting of franchises," approved March 23, 1893

F. J. BRANDON, Secretary
By GEO. A. LEON, Assistant.

Assembly Bills Nos. 897, 861, 959, 568, 592, 332, 575, and 664 ordered to enrollment.

Also: Assembly Bills Nos. 479, 470, 218, 1018, 665, 606, 262, 540, 280, 1021, 1026, and 176 ordered to enrollment.

Senate Bill No. 233—An Act to amend section three thousand five hundred and one of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to the sale of personal property subject to certain liens.

Read first time, and placed on special Senate file.

Senate Bill No. 629—An Act to amend section three thousand eight hundred and eighty-one of the Political Code, relating to errors, etc., on assessment roll, and corrections thereof.

Read first time, and placed on special Senate file.

APPOINTMENT OF COMMITTEE.

The Speaker announced the appointment of the following conference committee on Assembly Bill No. 392: Messrs. Thomas, Collins, and Bachman.

FINAL REPORT OF COMMITTEE ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1895.

MR. SPEAKER: Your Committee on Ways and Means beg leave to submit this, its final report.

The tax levy bill introduced by this committee proposes to raise seven million five hundred thousand dollars for the forty-seventh fiscal year, and five million one hundred and forty thousand seven hundred and sixty four dollars and three cents for the forty-eighth fiscal year, or a total of twelve million six hundred and forty thousand seven hundred and sixty-four dollars and three cents.

Bills were introduced in the Assembly, including the General Appropriation Bill, covering appropriations to the amount of about twelve million dollars, which, together with what is required to be raised by statute, would bring the total amount up to about sixteen millions of dollars.

Bills were referred to your committee, not including the General Appropriation Bill, covering appropriations to the amount of five million three hundred and ninety-two thousand seven hundred and seventy-nine dollars and sixty-one cents. Of this amount, two million two hundred and twenty-eight thousand and sixty-nine dollars and twenty-eight cents were reported back favorably; two million one hundred and sixty-nine thousand one hundred and fifteen dollars and ninety-six cents were reported back adversely, and bills to the amount of nine hundred and ninety-five thousand five hundred and ninety-four dollars and forty-five cents were amended in committee, reducing the appropriation to four hundred and thirty-eight thousand four hundred and fifty-two dollars, and reported favorably, making the total favorable recommendation two million six hundred and sixty-six thousand five hundred and thirty-one dollars and twenty cents.

The following statement will show the items contained in the amount to be raised for the forty-seventh fiscal year, and the necessity therefor:

<i>Forty-seventh Fiscal Year.</i>	
General Fund—	
Appropriation Bill.....	\$2,946,470 03
Deficiencies	770,633 78
Deficiencies, General Fund.....	80,000 00
Improvements and repairs of public buildings.....	550,230 00
Enrolled bills before the Governor for his consideration	815,772 19
	<hr/>
	\$5,163,106 00
School Fund	2,195,459 00
Interest and Sinking Fund.....	141,435 00
	<hr/>
Total.....	\$7,500,000 00

<i>Forty-eighth Fiscal Year.</i>	
General Fund.....	\$2,803,870 03
School Fund.....	2,195,459 00
Interest and Sinking Fund.....	141,435 00
	<hr/>
Total.....	\$5,140,764 03

Making a total of twelve million six hundred and forty thousand and seven hundred and sixty-four dollars and three cents.

This amount will be in excess of the fifty-cent limit, but the deficiencies left over and

due to a failure to make proper appropriations to carry on the government by the previous Legislature, make it absolutely necessary to raise this amount of money in order that the debts owing by the State may be paid.

Included in this report is an itemized statement, showing the deficiencies referred to, and also the improvements and repairs that are deemed absolutely necessary. These amounts do not include appropriations for new buildings, nor do they cover any of the miscellaneous appropriations passed by this Legislature, and now being considered by the Governor.

The item of eight hundred and fifteen thousand seven hundred and seventy-two dollars and nineteen cents, included in the above statement, refers to only such bills as are at this time in his hands, other bills carrying appropriations are constantly being passed by the Legislature, and as fast as they can be enrolled, are placed before him for his consideration. Probably by the time this Legislature adjourns to-morrow night, there will be enrolled bills before him carrying appropriations to the amount of a million and a half dollars.

In making this tax levy, your committee deemed it the part of good business judgment to raise sufficient funds to pay in the forty-seventh fiscal year the debts now pending, and not to follow the usual custom, and fail to raise the necessary amount to pay the State's debts and carry on the government for the forty-seventh and forty-eighth fiscal years without creating deficiencies.

DEFICIENCIES.

Senate Bill No. 366—Stockton Asylum, 44th and 45th fiscal years.....	\$15,013 09
Assembly Bill No. 707—Southern California Asylum for Insane, 45th and 46th fiscal years.....	67,743 65
Senate Bill No. 672—Southern California Hospital, refrigerator.....	1,486 41
Senate Bill No. 124—Mendocino Asylum, 45th and 46th fiscal years.....	45,000 00
Assembly Bill No. 825—Purchase of ballot paper, 46th fiscal year.....	1,553 22
Senate Bill No. 418—Arresting criminals, 43d and 44th fiscal years.....	1,348 45
Senate Bill No. 630—Transportation of insane, 46th fiscal year.....	4,278 86
Senate Bill No. 405—Transportation of children to Whittier, 43d fiscal year.....	161 10
Senate Bill No. 631—Transportation of children to Whittier, 44th fiscal year.....	535 78
Senate Bill No. 461—Salary, Secretary State Board of Examiners, 44th fiscal year.....	163 30
Senate Bill No. 103—Los Angeles Normal School, 46th fiscal year.....	13,500 00
Senate Bill No. 212—Folsom Prison, 46th fiscal year.....	7,500 00
Senate Bill No. 237—Forestry stations, 45th and 46th fiscal years.....	1,545 00
Senate Bill No. 291—Senate Contingent Fund, 30th session.....	371 00
Senate Bill No. 428—Southern California Asylum, 46th fiscal year.....	25,000 00
Senate Bill No. 501—Rent, Bureau of Labor Commissioners.....	1,200 00
Senate Bill No. 550—Ventilating San José Normal School.....	400 00
Assembly Bill No. 676—Heating and ventilating San José Normal School.....	3,000 00
Senate Bill No. 647—Salary, Secretary Debris Commissioner, 46th fiscal year.....	500 00
Senate Bill No. 648—Salary, Debris Commissioner, 46th fiscal year.....	1,200 00
Senate Bill No. 660—State Agricultural Society, 46th fiscal year.....	1,000 00
Senate Bill No. 674—Additional buildings and improvements at Southern California Asylum.....	6,500 00
Senate Bill No. 725—Postage, expressage, etc., Attorney-General's office, 46th fiscal year.....	400 00
Senate Bill No. 792—Repairs to State Capitol, 46th fiscal year.....	2,000 00
Assembly Bill No. 450—State Printing Office, 46th fiscal year.....	50,000 00
Assembly Bill No. 245—State forestry stations, 46th fiscal year.....	831 22
Assembly Bill No. 635—Elevator attendants' salary, 46th fiscal year.....	300 00
Senate Bill No. 431—Postage and expressage, Secretary of State's office, 45th and 46th fiscal years.....	700 00
Senate Bill No. 190—Publishing Constitutional Amendments.....	48,912 00
Senate Bill—Publishing Constitutional Amendments, in German, French, and Italian languages.....	8,000 00
Substitute for Senate Bill No. 44—Payment of troops of National Guard.....	142,235 50
Substitute for Senate Bill No. 44—Supplies for National Guard.....	42,655 35
Senate Bill No. 504—Coyote scalps.....	275,000 00
Assembly Bill No. 599—Funeral expenses of late Secretary of State, E. G. Waite.....	596 85
Total deficiencies.....	\$770,633 78
General Fund, July 1, 1895.....	80,000 00
Total.....	\$850,633 78

The Senate Bill for publishing constitutional amendments in German, French, and Italian languages, is a Substitute for Senate Bills Nos. 769, 800, 801, and 802

IMPROVEMENTS AND REPAIRS TO PUBLIC BUILDINGS.

Assembly Bill No. 417—Repairs to State Capitol building.....	\$6,000 00
Senate Bill No. 129—Additional buildings, Mendocino Asylum.....	147,280 00
Assembly Bill No. 360—Hospital building and girls' cottages, etc., Whittier School.....	36,100 00
Assembly Bill No. 187—Additional buildings, Southern California Asylum.....	125,000 00
Assembly Bill No. 120—Hospital building and repairs, etc, Deaf, Dumb, and Blind Asylum.....	35,000 00
Assembly Bill No. 480—Laundry, electric plant, etc, Home for Feeble-Minded Children.....	46,500 00
Assembly Bill No. 268—Additional buildings, Preston School.....	55,000 00
Assembly Bill No. 173—Improvements and repairs, Folsom Prison.....	20,000 00
Senate Bill No. 365—Repairs, Stockton Insane Asylum.....	15,000 00
Senate Bill No. 152—Cement floor, Chico Normal School.....	1,200 00
Senate Bill No. 449—Improvements, etc, Whittier School.....	63,150 00
Total.....	\$550,230 00

BRUSIE, Chairman.

Ordered printed in the Journal.

Assembly Constitutional Amendment No. 50—A resolution proposing to the people of the State of California an amendment to section four, of article one, of the Constitution of the State of California.

Mr. Davis moved to amend by striking out of line two of the title the figure "I," and inserting the figure "V."

Ordered to printer.

Mr. Reid moved that the Clerk be instructed to leave off the file for to-morrow the second and third reading files.

So ordered.

Mr. Cutter moved that the rules be suspended and Senate Bills Nos. 888 and 798 be placed on the special file, at the head of Constitutional Amendments.

Mr. Reid moved to amend by including all Senate Bills carrying appropriations.

So ordered.

The amendment offered by Mr. Cutter was adopted as amended.

Mr. Glass moved that the rules be suspended and Assembly Bill No. 324 be taken up out of order and considered at this time.

So ordered.

Assembly Bill No. 324—An Act to require an inventory of all State property, and directing the State Board of Examiners to keep a record of the same.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Bachman, Bassford, Belshaw, Bennett, Berry, Boothby, Brusie, Bulla, Coleman, Cutter, Dale, Davis, Dinkelspiel, Dixon, Dodge, Fassett, Glass, Guy, Hall, Hatfield, Hudson, Johnson, Keen, Kelsey, Laugenour, McKelvey, Merrill, Nelson, North, O'Day, Osborn, Pendleton, Phelps, Powers, Price, Reid, Rowell, Staley, Swisler, Tomblin, Waymire, Weyse, Wilkinson, Zocchi, and Mr Speaker—45.

NOES—Mr. Wade—1.

Title read and approved.

Mr. Belshaw moved that the rules be suspended and Assembly Bill No. 901 be taken up out of order and considered at this time.

So ordered.

Assembly Bill No. 901—An Act to amend an Act entitled an Act to promote the purity of elections, by regulating the conduct thereof, and to support the privilege of free suffrage by providing for the punishment thereof.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Bachman, Bassford, Belshaw, Bennett, Berry, Bettman, Bledsoe, Boothby, Brusie, Bulla, Butler, Coleman, Cutter, Dale, Davis, Devitt, Dixon, Ewing, Fassett, Glass, Hatfield, Healey, Hudson, Johnson, Keen, Laugenour, Meads, Nelson, North, Pendleton, Phelps, Powers, Reid, Rowell, Staley, Swisler, Thomas, Tomblin, Wade, Waymire, Weyse, Wilkinson, and Mr. Speaker—43.

NOES—None.

Title read and approved.

ADJOURNMENT.

At eleven o'clock and twenty minutes P. M., on motion of Mr. Merrill, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Saturday, March 16, 1895. }

The Assembly met pursuant to adjournment.

Speaker Lynch in the chair.

The roll was called, and the following members answered to their names:

Messrs. Ash, Bachman, Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Bledsoe, Boothby, Brusie, Bulla, Butler, Cargill, Coghlin, Coleman, Collins, Cutter, Dale, Davis, Devine, Devitt, Dinkelspiel, Dixon, Dodge, Dunbar, Dwyer, Ewing, Fassett, Freeman, Gay, Glass, Guy, Hall, Hatfield, Healey, Holland, Huber, Hudson, Johnson, Jones, Keen, Kelsey, Kenyon, Laird, Laugenour, Lewis, Llewellyn, Meads, McCarthy, McKelvey, Merrill, Nelson, North, O'Day, Osborn, Pendleton, Phelps, Powers, Price, Reid, Richards, Robinson, Rowell, Sanford, Spencer, Staley, Stansell, Swisler, Thomas, Tibbits, Tomblin, Twigg, Wade, Waymire, Weyse, Wilkinson, Zocchi, and Mr. Speaker.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. O. Summers.

READING OF THE JOURNAL.

Pending the reading of the Journal of yesterday, Mr. Laird moved that the further reading be dispensed with.

So ordered.

REPORT OF STANDING COMMITTEE.

ON COMMERCE AND NAVIGATION

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1895

MR. SPEAKER: Your Committee on Commerce and Navigation, to whom was referred Senate Bill No. 876—An Act to amend section two thousand five hundred and twenty-four of the Political Code of the State of California, relative to the duties and powers of the Board of State Harbor Commissioners at San Francisco—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

DIXON, Chairman.

REPORT OF COMMITTEE OF CONFERENCE.

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1895.

MR. SPEAKER: Your Committee of Conference, to whom was referred Assembly Bill No. 470, respectfully report that they have met with the Senate committee and have considered said bill, and are unable to agree upon said bill, or any amendment thereof.

Respectfully submitted.

E. V. SPENCER, Chairman.

RESOLUTIONS.

By Mr. Brusie:

Resolved, That the Controller of State is hereby directed to draw his warrant in favor of F. H. Jones, for twelve dollars and fifty cents, for rent of typewriter used by the Ways and Means Committee for two and one half months, and the State Treasurer is hereby directed to pay the same out of the contingent expenses of the Assembly.

Adopted.

By Mr. Ewing:

Resolved, That the sum of two hundred and forty (\$240) dollars is hereby ordered to be paid out of the Contingent Fund of the Assembly to J. C. Bunner, as compensation for services rendered as expert for the Committee on Homestead and Land Monopoly, the same being for thirty (30) days' services at the rate of eight (\$8) dollars per day; and the Controller is hereby ordered to draw his warrant therefor, and the Treasurer is directed to pay the same.

Referred to Committee on Ways and Means.

By Mr. Belshaw:

Resolved, That the Chief Clerk of the Assembly be and he is hereby instructed to notify the attachés of the Assembly to be in attendance at the next session of the Legislature in accordance with the provisions of section two hundred and thirty-seven of "An Act to establish a Political Code," approved March 12, 1872.

Adopted.

By Mr. Brusie:

Resolved, That the Superintendent of State Printing be and he is hereby directed to have prepared and printed, immediately after the adjournment of the thirty-first session of the Legislature *sine die*, an index to all bills, joint and concurrent resolutions, and constitutional amendments introduced in the Assembly during the present session. The index to be alphabetically arranged by authors and topics, on a plan similar to the one followed in the "Index to bills introduced during the twenty-seventh, twenty-eighth, twenty-ninth, and thirtieth sessions," and to be printed on paper similar in size and quality to that for printing Assembly bills. Four hundred and eighty copies of said index shall be printed, and one copy shall be mailed to each member of the Senate and Assembly. The sum of one hundred and twenty-five dollars is hereby directed to be paid to the Superintendent of State Printing out of the appropriation for the contingent expenses of the Assembly, for the compilation of and postage on the aforesaid index, and the Controller of State is hereby directed to draw his warrant for said sum, payable to the Superintendent of State Printing, out of the appropriation for the contingent expenses of the Assembly.

Adopted.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 15, 1895.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Assembly Bill No 772—An Act to prevent the sale of imitation or adulterated honey, and to provide a punishment therefor.

Also: Senate Joint Resolution No. 15—Relating to appointing delegates to the dedication of the Chickamauga and Chattanooga National Military Park.

F. J. BRANDON, Secretary.
By GEO. A. LEON, Assistant.

Assembly Bill No 772 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, March 15, 1895.

MR SPEAKER: I am directed to inform your honorable body that the Senate, on this day, refused passage to Assembly Bill No 580—An Act to amend section three thousand and five of the Political Code, and providing for the appointment of a Board of Health for the City and County of San Francisco.

F. J. BRANDON, Secretary.
By C. CLARK, Assistant.

ACTION ON SENATE AMENDMENTS.

Assembly Bill No. 176—An Act to amend an Act entitled "An Act providing for the sale of railroad and other franchises in municipalities, and relative to the granting of franchises," approved March 23, 1893.

The following are the Senate amendments to Assembly Bill No. 176:

Amend section two, line nineteen, by inserting after the word "day," in said line, the words "and hour."

Also: In same line, before word "tenders," insert the word "sealed "

The question being, "Shall the Assembly concur in the Senate amendments?"

The roll was called, and the Assembly concurred by the following vote:

AYES—Messrs Ash, Barker, Belshaw, Bennett, Bettman, Brusie, Bulla, Butler, Cargill, Coleman, Collins, Cutter, Dale, Davis, Dinkelspiel, Dixon, Dodge, Dunbar, Ewing, Fassett, Gay, Guy, Hatfield, Holland, Hudson, Johnson, Jones, Keen, Kelsey, Kenyon, Laugenour, Meads, Pendleton, Price, Richards, Robinson, Rowell, Santord, Spencer, Staley, Stansell, Tibbits, Tomblin, Wade, Waymire, and Weyse—46.

NOES—None

Assembly Bill No. 959—An Act to establish a uniform system of county and township governments.

The question being upon the concurrence in the amendments of the Senate to Assembly Bill No. 959, and the final passage of the bill as amended by the Senate and the Committee of Free Conference.

The roll was called, and the amendments were concurred in, the report of the Committee of Free Conference adopted, and the bill as amended passed by the following vote:

AYES—Messrs Ash, Barker, Bennett, Bettman, Brusie, Bulla, Butler, Coghlin, Coleman, Collins, Cutter, Dale, Davis, Devine, Dinkelspiel, Dixon, Dunbar, Ewing, Gay, Glass, Guy, Hatfield, Holland, Hudson, Johnson, Jones, Keen, Kelsey, Kenyon, Laugenour, Lewis, McCarthy, Nelson, North, O'Day, Osborn, Phelps, Powers, Reid, Richards, Robinson, Rowell, Staley, Stansell, Swisler, Tibbits, Tomblin, Wade, Weyse, and Mr. Speaker—50.

NOES—Mr. Hall—1

Title read and approved.

SPECIAL FILE.

Assembly Bill No. 1025—An Act to amend section three thousand seven hundred and thirteen of the Political Code, relating to the levy of taxes.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Ash, Barker, Bassford, Belshaw, Bennett, Bettman, Brusie, Bulla, Butler, Cargill, Coghlin, Coleman, Collins, Cutter, Dale, Davis, Devine, Dinkelspiel, Dixon, Dodge, Dunbar, Ewing, Fassett, Gay, Glass, Guy, Hall, Hatfield, Holland, Hudson, Johnson, Kelsey, Kenyon, Laird, Laugenour, Llewellyn, McCarthy, Nelson, North, Phelps,

Powers, Price, Richards, Robinson, Rowell, Sanford, Stansell, Swisler, Tibbits, Tomblin, Wade, Waymire, Weyse, and Mr. Speaker—54
N^OES—None

Title read and approved.

Senate Substitute for Senate Bills Nos. 769, 800, 801, and 802—An Act making an appropriation to pay the claims of the California Demokrat, Le Franco Californien, La Voce del Popolo, and the Italian Publishing Company.

Read third time.

The question being on the final passage of the bill.

The roll was called, and pending the announcement of the result, Mr. Powers moved a call of the House, seconded by Messrs. Lewis and Boothby.

Lost.

The result of the roll call was announced, and the bill refused passage by the following vote:

A^YES—Messrs. Ash, Bettman, Boothby, Brusie, Cargill, Coghlin, Coleman, Collins, Cutter, Devine, Dinkelspiel, Dixon, Gay, Guy, Hatfield, Kelsey, Laird, Laugenour, Lewis, McCarthy, McKelvey, Merrill, North, O'Day, Osborn, Pendleton, Powers, Richards, Sanford, Spencer, Swisler, Tibbits, Tomblin, and Wilkinson—33.

N^OES—Messrs. Bassford, Belshaw, Bennett, Bledsoe, Bulla, Butler, Dale, Davis, Dodge, Dunbar, Ewing, Fassett, Freeman, Glass, Hall, Huber, Hudson, Johnson, Jones, Keen, Kenyon, Nelson, Phelps, Reid, Robinson, Rowell, Staley, Wade, Weyse, and Mr. Speaker—29.

MOTION.

Mr. Price moved that all Assembly Constitutional Amendments appearing upon the file of to-day with recommendations from committee that they be not adopted, be dropped from the file.

So ordered.

ASSEMBLY CONSTITUTIONAL AMENDMENT No. 55

A resolution proposing to the people of the State of California an amendment to section ten of article thirteen of the Constitution of the State of California, relating to taxation of railroads, telephone and telegraph companies

The Legislature of the State of California, at its thirty-first session, commencing on the seventh day of January, Anno Domini one thousand eight hundred and ninety-five, two thirds of all the members elected to each house of said Legislature voting in favor thereof hereby propose that section ten of article thirteen of the Constitution of the State of California be amended so as to read as follows:

Section 10. All property, except as hereinafter in this section provided, shall be assessed in the county, city, city and county, town, township, or district in which it is situated, in the manner prescribed by law. The franchise, roadway, roadbed, rails, and rolling stock of all railroads operated in more than one county in this State; the franchise, wires, poles, and constructed telegraph or telephone lines, district call boxes, and telephone boxes, and all property used in operating and conducting of telegraph or telephone companies, other than real property, shall be assessed by the State Board of Equalization at their actual value, and the same shall be apportioned to the counties, cities and counties, cities, towns, townships, and districts in which such railroad, telegraph, or telephone lines are located, in the manner following:

The apportionment of railroad property in proportion to the number of miles of railway laid in such county, city, city and county, town, township, and district; and the apportionment of telegraph property, by the Board of Equalization, to the county, city, city and county, town, township, and district, in proportion to the number of miles of telegraph lines constructed in such county, city, city and county, town, township, and district, and the apportionment by the Board of Equalization to the county, city and county, city, town, township, and district, of property of telephone companies, shall be in proportion to the number of telephone boxes located in such county, city and county, city, town, township, and district.

Read.

The question being on its passage.

The roll was called, and Assembly Constitutional Amendment No. 55 passed by the following vote:

AYES—Messrs. Ash, Bassford, Belshaw, Bennett, Bettman, Bledsoe, Brusie, Bulla, Butler, Cargill, Coghlin, Coleman, Collins, Cutter, Dale, Davis, Devine, Dinkelspiel, Dixon, Dodge, Dunbar, Ewing, Freeman, Gay, Guy, Hall, Holland, Huber, Hudson, Johnson, Keen, Kelsey, Kenyon, Laird, Laugenour, McCarthy, McKelvey, Merrill, Nelson, O'Day, Pendleton, Phelps, Price, Reid, Rowell, Sanford, Spencer, Staley, Stansell, Swisler, Tibbits, Tomblin, Wade, Waymire, Weyse, Wilkinson, and Mr. Speaker—57
NOES—Messrs. Glass, Hatfield, and Jones—3.

MOTION.

Mr. Spencer moved that a Committee of Free Conference be appointed to consider Assembly Bill No. 470.

So ordered.

The Speaker appointed Messrs. Phelps, Llewellyn, and Coghlin as such committee.

SPECIAL FILE—(RESUMED).

Senate Bill No. 888—An Act appropriating money for the maintenance of the State Board of Horticulture.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Ash, Bassford, Belshaw, Bennett, Bettman, Boothby, Brusie, Bulla, Butler, Cargill, Coghlin, Coleman, Collins, Cutter, Dale, Davis, Devine, Dinkelspiel, Dixon, Dodge, Dunbar, Ewing, Fassett, Freeman, Gay, Glass, Guy, Hatfield, Holland, Huber, Hudson, Johnson, Keen, Kelsey, Kenyon, Laugenour, Lewis, Llewellyn, McKelvey, Merrill, Nelson, North, O'Day, Pendleton, Phelps, Powers, Price, Richards, Robinson, Rowell, Spencer, Stansell, Swisler, Tibbits, Tomblin, Twigg, Wade, Waymire, Weyse, Wilkinson, and Mr. Speaker—61.
NOES—None

Title read and approved.

Senate Bill No. 798—An Act to pay the claim of Cornelius Lynch against the State of California, and to appropriate money therefor.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Ash, Bassford, Bennett, Bettman, Boothby, Brusie, Bulla, Butler, Cargill, Coghlin, Collins, Cutter, Devine, Dinkelspiel, Dixon, Gay, Guy, Hatfield, Holland, Huber, Keen, Kelsey, Lewis, McCarthy, McKelvey, Merrill, Nelson, North, O'Day, Osborn, Pendleton, Phelps, Powers, Richards, Robinson, Sanford, Spencer, Swisler, Twigg, Wade, Waymire, Weyse, Wilkinson, and Mr. Speaker—44.
NOES—Messrs. Belshaw, Dale, Dunbar, Ewing, Fassett, Glass, Hall, and Johnson—8.

Title read and approved.

MOTION.

Mr. Hatfield moved that the Senate be requested to return to the Assembly, Senate Bill No. 70.

So ordered.

SPECIAL FILE—(RESUMED).

Substitute for Senate Bill No. 539—An Act appropriating seven thousand five hundred dollars to pay the claim of Addie McGinnes.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Ash, Bennett, Bettman, Boothby, Brusie, Bulla, Cargill, Coghlin, Cutter, Devine, Hinkelspiel, Dixon, Dunbar, Freeman, Gay, Guy, Hall, Hatfield, Holland, Huber, Kelsey, Laugenour, Nelson, North, O'Day, Osborn, Pendleton, Phelps, Powers, Richards, Robinson, Spencer, Staley, Stansell, Swisler, Twigg, Wade, Waymire, Weyse, Wilkinson, and Mr. Speaker—41.

NOES—Messrs. Barker, Belshaw, Bledsoe, Collins, Ewing, Fassett, Glass, Johnson, Kenyon, Laird, and Reid—11

Title read and approved.

RESOLUTION—(OUT OF ORDER).

By Mr. Brusie:

Resolved, That C. Alberti and Geo. Y. Vandever, History Clerks of the Assembly, be and they are hereby each allowed the sum of seventy-five dollars for the work to be done by them after the final adjournment of this body, viz.: For the completion of the final copy of the Assembly History, the mailing of five copies to each and every Senator and Assemblyman. The sum hereby allowed is payable out of the Contingent Fund of the Assembly, and the Controller is hereby directed and authorized to draw his warrants for the same, and the Treasurer is hereby directed and authorized to pay same.

Referred to Committee on Attachés and Employés.

SPECIAL FILE—(RESUMED).

Assembly Bill No. 864—An Act to amend sections five hundred and forty-one, five hundred and forty-two, five hundred and forty-three, and five hundred and forty-four of the Code of Civil Procedure of the State of California, relating to attachments.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Ash, Barker, Bassford, Belshaw, Bennett, Bettman, Bledsoe, Brusie, Bulla, Butler, Coghlin, Collins, Cutter, Dale, Devine, Dixon, Dodge, Fassett, Gay, Guy, Hall, Hatfield, Kenyon, Laugenour, Nelson, North, O'Day, Osborn, Pendleton, Phelps, Powers, Richards, Spencer, Staley, Swisler, Tomblin, Twigg, Wade, Waymire, Weyse, Wilkins, Wilkinson, and Mr. Speaker—43.

NOES—None.

Title read and approved.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 16, 1895.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Senate Bill No. 781—An Act to amend sections forty-seven and forty-eight of the Civil Code of the State of California, relating to libel and slander.

Also: Return herewith Assembly Bill No. 959—An Act to establish a uniform system of county and township governments—the report of the Committee of Free Conference having been adopted.

F. J. BRANDON, Secretary.
By R. SHAW, Assistant.

Assembly Bill No. 959 ordered to Committee on Enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, March 16, 1895.

MR. SPEAKER I am directed to inform your honorable body that the Senate, on this day, amended, and passed as amended, Assembly Bill No. 607—An Act to provide for the letting of contracts for lighting of streets and public buildings in cities and towns in the State of California.

F. J. BRANDON, Secretary
By R. SHAW, Assistant.

ACTION ON SENATE AMENDMENT.

Assembly Bill No. 607—An Act to provide for the letting of contracts for lighting of streets and public buildings in cities and towns in the State of California.

The following Senate amendment was submitted:

Amend by striking out of section three, line thirteen, the words "two years," and inserting "one year"

The question being, "Shall the Assembly concur in the Senate amendment?"

The roll was called, and the Assembly concurred by the following vote:

AYES—Messrs. Ash, Barker, Bassford, Belshaw, Bennett, Bettman, Bulla, Butler, Collins, Cutter, Dale, Dinkelspiel, Dodge, Dunbar, Gay, Guy, Hall, Hatfield, Healey, Holland, Johnson, Kenyon, Laugenour, Lewis, McKelvey, North, O'Day, Pendleton, Phelps, Powers, Price, Reid, Richards, Spencer, Tomblin, Twigg, Wade, Waymire, Weyse, Wilkinson, and Mr Speaker—41.

NOES—None.

RESOLUTION.

By Mr. Powers:

Resolved, That Senate Bill No 781 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house are hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

The question being on the adoption of the resolution.

The roll was called, and the constitutional provision suspended by the following vote:

AYES—Messrs. Ash, Barker, Bassford, Belshaw, Bennett, Bettman, Bledsoe, Boothby, Brusie, Bulla, Butler, Cargill, Coghlin, Collins, Cutter, Devine, Dinkelspiel, Dixon, Dodge, Dunbar, Fassett, Guy, Hatfield, Huber, Hudson, Johnson, Keen, Kelsey, Kenyon, Laird, Laugenour, Lewis, McCarthy, McKelvey, Nelson, North, O'Day, Osborn, Pendleton, Phelps, Powers, Price, Reid, Richards, Rowell, Spencer, Stansell, Swisler, Tibbits, Tomblin, Twigg, Wade, Waymire, Weyse, Wilkinson, and Mr. Speaker—56.

NOES—Messrs. Freeman, Hall, Healey, and Jones—4.

CASE OF URGENCY.

Senate Bill No. 781—An Act to amend section forty-seven and forty-eight of the Civil Code of the State of California, relating to libel and slander.

Read second and third times.

The question being on the final passage of the bill.

The roll was called, and pending the announcement of the result, Mr. Powers moved a call of the House, seconded by Messrs. Laugenour and Lewis.

So ordered.

CALL OF THE HOUSE.

The roll was called, and the following members found present:

Messrs. Barker, Bassford, Belshaw, Bennett, Bettman, Bledsoe, Brusie, Bulla, Butler, Cargill, Coghlin, Collins, Cutter, Davis, Devine, Dinkelspiel, Dixon, Dodge, Dunbar, Ewing, Fassett, Freeman, Gay, Hall, Hatfield, Holland, Huber, Hudson, Johnson, Jones, Kelsey, Kenyon, Laird, Laugenour, Lewis, McKelvey, Merrill, Nelson, North, O'Day, Osborn, Pendleton, Phelps, Powers, Price, Reid, Richards, Robinson, Rowell, Staley, Stansell, Thomas, Tomblin, Twigg, Wade, and Waymire.

Mr. Pendleton moved that further proceedings under the call of the House be dispensed with.

So ordered.

The result of the roll call was announced, and the bill passed by the following vote:

AYES—Messrs. Ash, Barker, Bassford, Belshaw, Bettman, Boothby, Brusie, Bulla, Butler, Cutter, Davis, Devine, Dinkelspiel, Dixon, Dunbar, Ewing, Fassett, Gay, Hatfield, Holland, Huber, Hudson, Johnson, Kelsey, Kenyon, Laugenour, Lewis, McKelvey, Merrill, North, O'Day, Osborn, Pendleton, Powers, Price, Richards, Rowell, Spencer, Swisler, Tibbits, Tomblin, Waymire, and Mr. Speaker—43.

NOES—Messrs. Bennett, Bledsoe, Cargill, Coghlin, Collins, Dodge, Guy, Hall, Healey, Jones, Laird, McCarthy, Phelps, Reid, Staley, Twigg, and Wade—17.

Title read and approved.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 16, 1895.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, returned to your honorable body Senate Bill No. 70, as per message, for reconsideration.

F. J. BRANDON, Secretary.
By GEO. A. LEON, Assistant.

Also:

SENATE CHAMBER, SACRAMENTO, March 16, 1895.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the fourteenth day of March, 1895, passed Assembly Bill No. 152—An Act to prevent the sale of short weight in butter.

Also: Adopted Assembly Constitutional Amendment No. 11—An Act to propose to the people of the State of California an amendment to section one of article two of the Constitution, in relation to the right of suffrage.

Also: On March 16, 1895, passed Assembly Bill No. 930—An Act to reimburse John C. Pelton for moneys expended by him for the public schools of California.

F. J. BRANDON, Secretary.
By R. SHAW, Assistant.

Assembly Bill No. 152, Assembly Constitutional Amendment No. 11, and Assembly Bill No. 930 ordered to enrollment.

MOTION.

Mr. Reid moved to reconsider the vote whereby Senate Bill No. 70 was refused final passage.

So ordered.

Senate Bill No. 70—An Act appropriating money for the relief of Mrs. Sarah J. Wing, her heirs or assigns.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Ash, Barker, Bassford, Bennett, Bettman, Brusie, Bulla, Butler, Collins, Cutter, Davis, Devine, Dinkelspiel, Dixon, Dodge, Dunbar, Ewing, Fassett, Freeman, Gay, Hall, Hatfield, Holland, Huber, Hudson, Johnson, Jones, Kelsey, Kenyon, Laugenour, Merrill, North, O'Day, Osborn, Pendleton, Phelps, Powers, Reid, Richards, Rowell, Spencer, Staley, Tibbits, Tomblin, Twigg, Wade, and Waymire—47.

NOES—Messrs. Belshaw, Bledsoe, Cargill, Laird, and Nelson—5.

Title read and approved.

FINAL PASSAGE OF BILL.

Senate Bill No. 862—An Act to amend section six and section eight 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."

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Ash, Barker, Bassford, Belshaw, Bennett, Brusie, Bulla, Collins, Cutter, Dale, Davis, Devine, Dinkelspiel, Dixon, Dodge, Dunbar, Ewing, Fassett, Freeman, Gay, Guy, Hatfield, Holland, Hudson, Johnson, Jones, Kelsey, Kenyon, Laugenour, Merrill, North, O'Day, Osborn, Phelps, Powers, Richards, Rowell, Spencer, Staley, Tibbits, Twigg, Wade, Waymire, Wilkinson, and Mr. Speaker—45.

NOES—Mr. Reid—1.

Title read and approved.

SPECIAL SENATE FILE.

Senate Bill No. 103—An Act making an appropriation to pay the deficiency in the appropriation for the support of the State Normal School at Los Angeles, for the forty-sixth fiscal year.

Senate Bill No. 103 withdrawn, and Senate Bill No. 106 substituted therefor.

Senate Bill No. 106—An Act authorizing and requiring boards and commissions having the management and control of paid fire departments, to grant the members thereof yearly vacations.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Ash, Barker, Bassford, Bennett, Bettman, Bledsoe, Boothby, Brusie, Bulla, Butler, Cargill, Collins, Cutter, Davis, Devine, Dinkelspiel, Dixon, Dodge, Dunbar, Fassett, Freeman, Gay, Glass, Guy, Hall, Hatfield, Holland, Hudson, Johnson, Jones, Kelsey, Kenyon, Laird, Laugenour, Merrill, North, O'Day, Pennington, Phelps, Price, Reid, Richards, Rowell, Sanford, Spencer, Swisler, Tibbits, Twigg, Wade, Waymire, Weyse, and Mr. Speaker—52.

NOES—None.

Title read and approved.

Senate Bill No. 16—An Act appropriating money to pay the claim of W. H. Murray, his heirs or assigns.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill refused passage by the following vote:

AYES—Messrs. Ash, Bettman, Boothby, Brusie, Bulla, Butler, Cargill, Coghlin, Collins, Cutter, Davis, Devine, Dinkelspiel, Dixon, Freeman, Gay, Guy, Hatfield, Holland, Kelsey, Kenyon, Laugenour, Meads, McCarthy, Merrill, O'Day, Powers, Reid, Richards, Rowell, Sanford, Spencer, Staley, Tibbits, Tomblin, Twigg, Waymire, and Wilkinson—38.

NOES—Messrs Barker, Belshaw, Bennett, Bledsoe, Dale, Dodge, Dunbar, Ewing, Fassett, Glass, Hall, Hudson, Johnson, Laird, Nelson, North, Phelps, Price, Swisler, Weyse, and Mr. Speaker—21.

REPORT OF COMMITTEE ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1895.

MR. SPEAKER: Your Committee on Enrollment have examined and found correctly enrolled, Assembly Bill No. 120—An Act to provide for the completion and equipment of the Deaf, Dumb, and Blind Asylum, and to make an appropriation therefor.

Also: Assembly Bill No. 15—An Act to amend section six of an Act entitled "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,' approved March 31, 1891, 'and to provide for Clerks of Police Courts in cities having a population of more than thirty thousand and not exceeding one hundred thousand inhabitants.'"

Also: Assembly Bill No. 461—An Act to amend section two hundred and sixty-one of an Act entitled "An Act to establish a Penal Code," relating to the crime of rape.

Also: Assembly Bill No. 600—An Act making an appropriation to pay the City and County of San Francisco for expenses incurred in conveying children to the Whittier State School.

Also: Assembly Bill No. 627—An Act to amend sections three thousand and nine and three thousand and ten, and to repeal sections three thousand and four, three thousand and thirteen, three thousand and fourteen, three thousand and fifteen, three thousand and sixteen, three thousand and seventeen, three thousand and eighteen, three thousand and nineteen, three thousand and twenty, and three thousand and twenty-nine of the Political Code of California, relating to quarantine at the Port of San Francisco.

Also: Assembly Bill No. 981—An Act authorizing the Controller to appoint an additional clerk in his office, in addition to the number now allowed by law, to be known as the Revenue Clerk, and making an appropriation for the payment of his salary for the remainder of the forty-sixth fiscal year.

Also: Assembly Bill No. 601—An Act making an appropriation to pay the rent of office for the Commissioner of the Bureau of Labor Statistics in San Francisco, for the forty-fifth and forty-sixth fiscal years, ending June 30, 1895.

Also: Assembly Bill No. 756—An Act appropriating money to pay the claims of H. P. Dyer, E. F. Dyer, C. A. Granger, Gaston Goldsmith, and Sullivan & Sullivan.

Also: Assembly Bill No. 616—An Act authorizing the Clerk of the Supreme Court to furnish his offices in San Francisco, Los Angeles, and Sacramento with steel record cases, and make an appropriation therefor.

Also: Assembly Bill No. 669—An Act prescribing how judgments which may be recovered against any city and county of over one hundred thousand population shall be paid.

Also: Assembly Bill No. 708—An Act making an appropriation to pay the deficiency in the appropriation for the erection of additional buildings and improvements for the Southern California State Asylum for the Insane and Inebriates.

Also: Assembly Bill No. 710—An Act making an appropriation to pay the deficiency in the appropriation for the transportation of insane, for the forty-fourth fiscal year.

Also: Assembly Bill No. 605—An Act to amend section four hundred and seventy-two of the Political Code, providing for an assistant and deputies in the Attorney-General's office, fixing their salaries, and prohibiting the employment of other attorneys at the expense of the State.

Also: Assembly Bill No. 618—An Act to amend sections nineteen hundred and twelve, nineteen hundred and nineteen, nineteen hundred and twenty-three, nineteen hundred and twenty-nine, nineteen hundred and thirty-two, nineteen hundred and forty-two, nineteen hundred and sixty-two, nineteen hundred and seventy, nineteen hundred and eighty, nineteen hundred and eighty-three, nineteen hundred and eighty-four, nineteen hundred and eighty-five, nineteen hundred and ninety, two thousand and three, two thousand and four, two thousand and seven, two thousand and twenty-two, two thousand and twenty-four, two thousand and twenty-seven, two thousand and forty, two thousand and forty-eight, two thousand and seventy-six, two thousand and eighty-three, and two thousand and ninety-four of the Political Code of the State of California, and to add one new section thereto, to be known and numbered as section nineteen hundred and ninety-one, and to repeal sections nineteen hundred and eighty-seven, nineteen hundred and eighty-eight, nineteen hundred and eighty-nine, and two thousand and five of said Code, all relating to the National Guard of California.

Also: Assembly Bill No. 702—An Act to amend sections four hundred and ninety-nine and five hundred and one of the Civil Code of the State of California, relating to street railroads.

Also: Assembly Bill No. 725—An Act making an appropriation to pay the deficiency in the appropriation for salary of Secretary of State Board of Examiners for the forty-fourth fiscal year.

Also: Assembly Bill No. 798—An Act concerning the completion of unfinished public buildings in any county, city, city and county, or town in this State, and permitting alterations of the original plans or designs for the construction thereof.

Also: Assembly Joint Resolution No 9—Relative to requesting Congress to so amend the laws granting certain arid lands to the States, as to permit the State of California to reclaim such lands and retain the ownership thereof, for the purpose of constituting a permanent endowment of the public schools and the State University.

And presented the same to the Governor on this day, at ten o'clock and thirty minutes A. M.

MEADS, Chairman.

MOTION.

Mr. Brusie moved that the rules be suspended and the following resolution, offered by him yesterday and referred to Committee on Attachés and Employés, be recalled and the same considered at this time.

So ordered.

RESOLUTION.

By Mr. Brusie:

Resolved. That the Controller be and is hereby directed to draw his warrant, payable out of the Contingent Fund of the Assembly, payable to George C. Parkinson, for the sum of two hundred and nine dollars, as per items hereto attached.

SACRAMENTO, March 6, 1895.

State of California, Dr, to George C. Parkinson, Sergeant-at-Arms, Assembly:

For subpoena of following witnesses before Committee on Military Affairs:

Charles Thompson and P. Deavs..... \$2 00

ASSEMBLY CHAMBER, SACRAMENTO, February 6, 1895.

Mr. P. DEAVS, Western Hotel:

SIR: You are hereby directed and commanded to be and appear before the Assembly Committee on Claims, in room eighteen, State Capitol, on Wednesday, the sixth day of February, 1895, at seven o'clock and thirty minutes P. M., for the purpose of giving testimony in the matter of Julius A. Hult, a private of Company C, First Regiment Infantry, Second Brigade, N. G. C., for injuries sustained while in active service.

ASSEMBLY CHAMBER, SACRAMENTO, February 6, 1895.

Mr. CHARLES THOMPSON, Western Hotel:

SIR: You are hereby directed and commanded to be and appear before the Assembly Committee on Claims, in room eighteen, State Capitol, on Wednesday, the sixth day of February, 1895, at seven o'clock and thirty minutes P. M., for the purpose of giving testimony in the matter of Julius A. Hult, a private in Company C, First Regiment Infantry, Second Brigade, N. G. C., for injuries sustained while in active service.

SACRAMENTO, March 14, 1895.

State of California, Dr, to Geo. C. Parkinson, Sergeant-at-Arms:

Hacks furnished for two calls of the House..... \$20 00

SACRAMENTO, March 4, 1895.

State of California, Dr, to Geo. C. Parkinson, Sergeant-at-Arms.

Carriage hire.....	\$3 50
Repairing doors, desks, locks, keys, and general carpenter repair work.....	68 70
Two filters.....	30 00
Ice, 2,800 pounds.....	28 00
Washing towels, two months.....	25 00
	<hr/> \$155 20

SACRAMENTO, March 8, 1895.

State of California, Dr, to Geo. C. Parkinson, Sergeant-at-Arms:

Carriage hire for call of House..... \$20 00

SACRAMENTO, March 11, 1895.

State of California, Dr, to Geo. C. Parkinson, Sergeant-at-Arms, Assembly:

Repairing typewriter..... \$12 00

Adopted.

SPECIAL SENATE FILE—(RESUMED).

Senate Bill No. 843—An Act to amend section two thousand three hundred and forty-nine of the Political Code, relating to navigable streams and waters.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Ash, Barker, Bassford, Belshaw, Bennett, Bettman, Bledsoe, Boothby, Brusie, Bulla, Butler, Cargill, Coleman, Collins, Dale, Davis, Devine, Dixon, Dodge, Dunbar, Ewing, Gay, Guy, Hatfield, Holland, Hudson, Johnson, Jones, Kelsey, Kenyon, Laugenour, Merrill, North, Powers, Price, Spencer, Staley, Stansell, Tibbits, Tomblin, Waymire, Weyse, and Mr. Speaker—43
NOES—None

Title read and approved.

MOTION.

Mr. Dixon moved the reconsideration of action of the Assembly on Assembly Bill No. 61.

The roll was called, and the Assembly refused to reconsider by the following vote:

AYES—Messrs. Ash, Bassford, Belshaw, Bennett, Bettman, Boothby, Brusie, Butler, Coleman, Collins, Davis, Devine, Dinkelspiel, Dixon, Freeman, Hall, Holland, Laird, Laugenour, Meads, Merrill, Nelson, North, Osborn, Pendleton, Phelps, Reid, Rowell, Spencer, Swisler, Tomblin, Waymire, and Mr. Speaker—33

NOES—Messrs. Barker, Bledsoe, Cargill, Coghlin, Cutter, Dale, Dodge, Dunbar, Ewing, Fassett, Gay, Glass, Guy, Hatfield, Healey, Hudson, Johnson, Jones, Keen, Kenyon, Powers, Price, Richards, Robinson, Staley, Stansell, Wade, and Weyse—23.

SPECIAL SENATE FILE—(RESUMED).

Senate Bill No. 486—An Act to amend the Penal Code of the State of California, by adding a new section thereto, to be known as section forty, in relation to punishment of crimes against election laws.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Ash, Barker, Bassford, Belshaw, Bennett, Bettman, Brusie, Cargill, Collins, Cutter, Dale, Davis, Devine, Dinkelspiel, Dodge, Dunbar, Ewing, Freeman, Gay, Hatfield, Holland, Huber, Hudson, Johnson, Keen, Kenyon, Laugenour, Merrill, Nelson, North, Phelps, Powers, Price, Richards, Robinson, Rowell, Sanford, Staley, Stansell, Swisler, Tomblin, Wade, Weyse, and Mr. Speaker—44

NOES—None

Title read and approved.

Senate Bill No. 424—An Act to determine the term of office, and the bond to be required, of the Superintendent of Dredgers and the assistant to the Chief Wharfinger of the Board of State Harbor Commissioners.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Ash, Barker, Belshaw, Bennett, Bettman, Boothby, Brusie, Dale, Davis, Devine, Dinkelspiel, Dixon, Dunbar, Ewing, Gay, Glass, Hall, Hatfield, Holland, Huber, Hudson, Johnson, Jones, Keen, Kenyon, Laird, Laugenour, Merrill, Nelson, Phelps, Powers, Richards, Robinson, Rowell, Spencer, Staley, Swisler, Tomblin, Wade, Waymire, Weyse, and Mr. Speaker—42.

NOES—None.

Title read and approved.

Senate Bill No. 853—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 third time.

The question being on the final passage of the bill.

The roll was called, and the bill refused passage by the following vote:

AYES—Messrs. Ash, Bettman, Boothby, Brusie, Butler, Cargill, Cutter, Devine, Dinkelspiel, Dixon, Gay, Hall, Hatfield, Holland, Huber, Merrill, Powers, Reid, Richards, Staley, Stansell, Tomblin, Waymire, Weyse, and Wilkinson—25

NOES—Messrs. Barker, Belshaw, Bledsoe, Dale, Dunbar, Ewing, Fassett, Glass, Johnson, Jones, Keen, Kenyon, Laird, North, Osborn, Phelps, Price, Robinson, Rowell, Swisler, Wade, and Mr. Speaker—22.

Senate Bill No. 523—An Act to amend section five of an Act entitled “An Act regulating the sale of the lands uncovered by the recession or drainage of the waters of inland lakes, and unsegregated swamp and overflowed lands, and validating sales and surveys heretofore made,” approved March 24, 1893.

Refused third reading.

REPORT OF COMMITTEE OF FREE CONFERENCE.

MR. SPEAKER: Your Committee of Free Conference, consisting of Messrs. Phelps, Lewellyn, and Coghlín, have met a like committee appointed from the Senate, consisting of Senators Orr, Shippee, and McAllister, for the consideration of Assembly Bill No. 470, and report back that they are unable to agree.

All of which is respectfully submitted.

ORR.
McALLISTER.
SHIPPEE.
PHELPS.
COGHLIN.

SPECIAL SENATE FILE—(RESUMED).

Senate Bill No. 522—An Act to amend section three thousand four hundred and forty-six of an Act entitled “An Act to establish a Political Code,” approved March 12, 1872, relating to the formation of reclamation districts.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill refused passage by the following vote:

AYES—Messrs. Ash, Boothby, Davis, Devine, Dixon, Glass, Guy, Hatfield, Holland, Pendleton, Richards, and Rowell—12.

NOES—Messrs. Barker, Bassford, Belshaw, Bennett, Bledsoe, Bulla, Butler, Cargill, Coghlín, Collins, Dinkelspiel, Dodge, Ewing, Fassett, Freeman, Gay, Hall, Huber, Hudson, Johnson, Jones, Laugenour, Lewis, Nelson, North, Phelps, Price, Reid, Sanford, Stansell, Swisler, Wade, and Weyse—33.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 16, 1895.

MR. SPEAKER. I am directed to inform your honorable body that the Senate, on this day, amended, and passed as amended, Assembly Bill No. 736—An Act to create and administer a Public School Teachers' Annuity and Retirement Fund in the several counties, and cities and counties of the State.

Also Passed Assembly Bill No. 907—An Act to provide for the disincorporation of municipal corporations of the sixth class.

F. J. BRANDON, Secretary.
By R. SHAW, Assistant.

Assembly Bill No. 907 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, March 16, 1895.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Assembly Bill No. 413—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, and an Act amendatory thereof, approved March 31, 1891.

Also: Senate Bill No. 511—An Act to amend sections seven hundred and fifty-one, seven hundred and fifty-two, seven hundred and fifty-four, seven hundred and ninety-six, and eight hundred and four of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

F. J. BRANDON, Secretary.
By R. SHAW, Assistant.

Assembly Bill No. 413 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, March 16, 1895

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Assembly Bill No. 701—An Act to amend section sixteen of 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, 1887, relating to the powers and duties of the Trustees of said hospital, also known as the Southern California State Asylum for the Insane and Inebriates.

Also: Assembly Bill No. 529—An Act to amend section three hundred and ninety-four of the Code of Civil Procedure of California, concerning the commencement of actions.

F. J. BRANDON, Secretary.
By R. SHAW, Assistant.

Assembly Bills Nos. 701 and 529 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, March 16, 1895

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, appointed Senators Orr, Shippee, and McAllister as a Committee of Free Conference on Assembly Bill No. 470—An Act to amend section one thousand and eighty-three of the Political Code of the State of California, in relation to the qualifications and disabilities of electors.

F. J. BRANDON, Secretary.
By R. SHAW, Assistant.

ACTION ON SENATE AMENDMENTS.

Assembly Bill No. 736—An Act to create and administer a Public School Teachers' Annuity and Retirement Fund in the several counties, and cities and counties of the State.

The following Senate amendments to Assembly Bill No. 736 were submitted:

Strike out of section six, line four, printed bill, the words "the several"; also, all of lines five, six, and seven; also, the words "for a substitute teacher and in," in line eight.

The question being, "Shall the Assembly concur in the Senate amendments?"

The roll was called, and the Assembly concurred by the following vote:

AYES—Messrs. Ash, Barker, Belshaw, Bettman, Boothby, Bulla, Butler, Coghlin, Coleman, Collins, Cutter, Dale, Davis, Dinkelspiel, Dixon, Dodge, Dunbar, Ewing, Fassett, Freeman, Gay, Guy, Hall, Hatfield, Healey, Holland, Huber, Hudson, Johnson, Jones, Laugenour, Merrill, Nelson, Pendleton, Powers, Price, Reid, Richards, Robinson, Rowell, Spencer, Staley, Swisler, Tomblin, Waymire, and Weyse—46.

NOES—Messrs. Bassford, Bennett, Bledsoe, Cargill, Devine, Glass, North, Osborn, Phelps, Wade, Wilkinson, and Mr. Speaker—12.

SPECIAL SENATE FILE—(RESUMED).

Senate Bill No. 890—An Act to amend section seven hundred and ninety-one of an Act entitled "An Act to establish a Political Code,"

approved March 12, 1872, relating to the appointment of Notaries Public and their terms of office.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Barker, Bassford, Belshaw, Bennett, Bettman, Brusie, Bulla, Butler, Cargill, Coleman, Collins, Cutter, Dale, Davis, Devine, Dinkelspiel, Dixon, Dodge, Dunbar, Freeman, Glass, Guy, Hall, Hatfield, Huber, Hudson, Johnson, Jones, Llewellyn, McKelvey, Nelson, North, Pendleton, Phelps, Price, Robinson, Rowell, Spencer, Staley, Swisler, Wade, Waymire, and Mr. Speaker—43.

NOES—Messrs. Ash, Bledsoe, Boothby, Laugenour, Osborn, Reid, and Sanford—7.

Title read and approved.

Senate Bill No. 762—An Act to amend an Act entitled “An Act to establish a Code of Civil Procedure of the State of California,” adopted March 11, 1872, by adding thereto a new section, to be numbered nine hundred and sixty, relating to dismissal of appeals.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Barker, Bassford, Belshaw, Bennett, Bettman, Boothby, Brusie, Bulla, Butler, Coleman, Dale, Davis, Dinkelspiel, Dixon, Dodge, Dunbar, Ewing, Fassett, Freeman, Glass, Guy, Hall, Hatfield, Huber, Jones, Laird, Lewis, McKelvey, Nelson, North, O'Day, Osborn, Pendleton, Phelps, Powers, Richards, Robinson, Rowell, Sanford, Staley, Thomas, Waymire, and Weyse—44.

NOES—Messrs. Collins, Hudson, Price, Reid, Swisler, and Wade—6.

Title read and approved.

LEAVE OF ABSENCE.

Messrs. Spencer, Dwyer, and Johnson were granted leave of absence until seven o'clock P. M.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 16, 1895

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Assembly Bill No. 880—An Act to prevent the sale of intoxicating liquors in the immediate vicinity of soldiers' homes.

Also Assembly Bill No. 249—An Act to provide for incorporation, operation, and management of cooperative associations.

Also That the Senate, on March 15, 1895, adopted the report of the Committee of Free Conference on Assembly Bill No. 132, as follows: “Your Committee of Free Conference on Assembly Bill No. 132—An Act to provide for the organization and management of county fire insurance companies—beg leave to report that they have had the same under consideration, and recommend that the Senate recede from its amendment.”

Also: Passed Assembly Bill No. 512—An Act to provide for the payment of the claim of Jas. A. Kearney.

F. J. BRANDON, Secretary.
By R. SHAW, Assistant.

Assembly Bills Nos. 880, 249, and 512 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, March 16, 1895.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, concurred in the Assembly amendment to Senate Bill No. 862—An Act to amend section six and section eight 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: On March fifteenth, concurred in the Assembly amendments to Senate Bill No. 721—An Act to amend section seven hundred and thirty-eight of the Code of Civil Procedure, relating to actions to determine adverse claims to property.

Also: Passed Senate Bill No. 349—An Act to amend section one of an Act approved March 15, 1883, and entitled "An Act to authorize the Common Council, Board of Trustees, or other governing body of any incorporated city or town, other than cities of the first class, to re-fund its indebtedness, issue bonds therefor, and provide for the payment of the same," as amended March 1, 1893.

F. J. BRANDON, Secretary.
By R. SHAW, Assistant.

RESOLUTION.

By Mr Cutter :

Resolved, That Senate Bills Nos 72, 566, 89, 629, and 233 each presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house are hereby dispensed with, and it is ordered that said bills be read the first, second, and third times, and placed upon their passage.

The question being on the suspension of the constitutional provision.

The roll was called, and the constitutional provision suspended by the following vote :

AYES—Messrs. Ash, Barker, Bassford, Belshaw, Bennett, Bettman, Bulla, Butler, Cargill, Coghlin, Collins, Cutter, Dale, Davis, Devine, Dinkelspiel, Dixon, Dunbar, Ewing, Fassett, Freeman, Gay, Glass, Guy, Hall, Hatfield, Healey, Holland, Huber, Hudson, Jones, Kelsey, Kenyon, Laugenour, Llewellyn, Meads, McCarthy, McKelvey, Nelson, Osborn, Pendleton, Phelps, Powers, Price, Richards, Robinson, Rowell, Sanford, Staley, Swisler, Thomas, Tibbits, Tomblin, Wade, Waymire, Weyse, and Mr. Speaker—57.

NOES—Mr Laird—1.

CASE OF URGENCY.

Senate Bill No. 72—An Act for the relief of Charles F. Wells, and to appropriate money therefor.

Read second time.

MOTION.

Mr. Powers moved that the Assembly resolve itself into Committee of the Whole, with Mr. Laugenour in the chair, for the purpose of considering Senate Bill No. 72.

So ordered.

IN COMMITTEE OF THE WHOLE.

Mr. Laugenour in the chair.

Senate Bill No. 72 was considered in Committee of the Whole.

IN ASSEMBLY.

Mr. Laugenour in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

Mr. Laugenour stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 72—An Act for the relief of Charles F. Wells, and to appropriate money therefor—and now report, and recommend that the same do pass.

LAUGENOUR, Chairman.

THIRD READING OF BILL.

Senate Bill No. 72—An Act for the relief of Charles F. Wells, and to appropriate money therefor.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill refused final passage by the following vote:

AYES—Messrs. Ash, Bennett, Bettman, Bulla, Butler, Cargill, Coghlin, Coleman, Collins, Cutter, Davis, Devine, Dixon, Ewing, Freeman, Gay, Hatfield, Healey, Holland, Huber, Kelsey, Kenyon, Laugenour, Lewis, Meads, McCarthy, Pendleton, Phelps, Powers, Richards, Robinson, Thomas, Tibbits, Tomblin, Waymire, and Weyse—36.

NOES—Messrs. Bassford, Belshaw, Dale, Fassett, Glass, Guy, Hall, Jones, Laird, Sanford, Wade, and Mr. Speaker—12

CASES OF URGENCY.

Senate Bill No. 566—An Act for the more effectually prohibiting the keeping or exposing for sale, selling, giving, or permitting others to take, any vinous, alcoholic, malt, or spirituous liquors within one mile of the land belonging to this State upon which a university is situated, and to declare such prohibited acts, and the building or erection, ground or place, in or upon which they are carried on, done, continued to exist, a nuisance, and to provide remedies by suit and procedure in equity against such nuisances.

Read second and third times.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Ash, Bassford, Belshaw, Bennett, Bettman, Bledsoe, Bulla, Butler, Cargill, Coleman, Collins, Cutter, Dale, Davis, Devine, Dixon, Ewing, Fassett, Freeman, Gay, Glass, Hall, Hatfield, Hudson, Jones, Kelsey, Kenyon, Laird, Laugenour, McKelvey, Phelps, Price, Richards, Robinson, Sanford, Stansell, Tibbits, Tomblin, Wade, Waymire, and Weyse—41.

NOES—None.

Title read and approved.

Mr. Freeman requested leave to withdraw Assembly Bill No. 939, and substitute therefor Assembly Bill No. 434.

So ordered.

Senate Bill No. 89—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 second and third times.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Ash, Barker, Bennett, Bettman, Boothby, Bulla, Butler, Cargill, Coleman, Collins, Cutter, Dale, Davis, Devine, Dixon, Fassett, Freeman, Gay, Guy, Hall, Hatfield, Hudson, Jones, Laird, Laugenour, Llewellyn, Meads, McKelvey, North, Osborn, Powers, Price, Reid, Rowell, Sanford, Staley, Stansell, Tomblin, Wade, Waymire, Weyse, and Mr. Speaker—42.

NOES—Messrs. Bassford and Glass—2.

Title read and approved.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 16, 1895.

MR. SPEAKER. I am directed to inform your honorable body that the Senate, on this day, passed Assembly Bill No. 954—An Act appropriating the sum of twenty-five thousand dollars for a thorough system of ventilation for the Capitol building.

Also: Assembly Bill No. 903—An Act relating to commitments to the State School at Whittier and to the Preston School of Industry, fixing the authority to examine and commit to such schools with the Superior Court Judges of the counties, and fixing the responsibilities from which commitments are made to the State for maintenance of the persons committed therefrom; providing for the manner of payment thereof, and fixing the responsibility of the parents to the counties from which their children are committed.

Also: Assembly Bill No. 391—An Act to create an exempt firemen's relief fund in the several counties, cities and counties, cities, and towns of the State, and relating to the enrollment, formation into fire companies, and services as firemen of such exempt firemen.

Also: Assembly Bill No. 58—An Act to establish a State Normal School at San Diego, California.

F. J. BRANDON, Secretary.
By R. SHAW, Assistant.

Assembly Bills Nos. 954, 903, 391, and 58 ordered to enrollment.

CASES OF URGENCY.

Senate Bill No. 629—An Act to amend section three thousand eight hundred and eighty-one of the Political Code, relating to errors, etc., on assessment roll, and the corrections thereof.

Read second and third times.

The question being on the final passage of the bill.

The roll was called, and the bill refused final passage by the following vote:

AYES—Messrs. Ash, Barker, Bassford, Belshaw, Bennett, Bettman, Boothby, Brusie, Butler, Coleman, Collins, Cutter, Dale, Devine, Dixon, Fassett, Gay, Glass, Hall, Hatfield, Hudson, Laird, Laugenour, Meads, McKelvey, Pendleton, Phelps, Powers, Price, Richards, Rowell, Staley, Tibbits, and Mr. Speaker—34.

NOES—Messrs. Bulla, Dodge, Freeman, Guy, Jones, Kelsey, Kenyon, Nelson, North, Osborn, Reid, Robinson, Tomblin, Wade, and Weyse—15.

Senate Bill No. 233—An Act to amend section three thousand and fifty-one of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to the sale of personal property subject to certain liens.

Read second and third times.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Ash, Barker, Bassford, Belshaw, Bettman, Boothby, Brusie, Bulla, Butler, Coleman, Collins, Cutter, Dale, Dixon, Fassett, Freeman, Glass, Guy, Hatfield, Huber, Hudson, Jones, Kelsey, Kenyon, Laugenour, Llewellyn, Meads, McKelvey, North, Osborn, Pendleton, Powers, Price, Reid, Richards, Robinson, Rowell, Staley, Tomblin, Weyse, and Mr. Speaker—42.

NOES—Messrs. Bennett, Dodge, Hall, Laird, Nelson, Phelps, and Wade—8.

Title read and approved.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 16, 1895

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, amended, and passed as amended, Assembly Bill No. 1025—An Act to amend section three thousand seven hundred and thirteen of the Political Code, relating to the levy of taxes.

Also: Concurred in the Assembly amendments to Senate Bill No. 843—An Act to amend section two thousand three hundred and forty-nine of the Political Code, relating to navigable streams and waters.

Also: Passed Assembly Bill No. 1002—An Act authorizing the payment of compensation or commission to persons employed by the State Controller and Attorney-General, or by Boards of Supervisors of the different counties, to collect delinquent State and county taxes, and legalizing all payments made for that purpose.

Also: Passed Assembly Bill No 734—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 7, 1887, providing for the destruction of all or any part of the bonds of any irrigation district remaining unsold after the completion of their irrigation system.

Also: Passed Assembly Bill No 433—An Act to authorize the Trustees of the City of Auburn, Placer County, to remove a cemetery, and to donate the land occupied thereby to the public for a park.

F. J. BRANDON, Secretary.
By R. SHAW, Assistant.

ACTION ON SENATE AMENDMENTS.

The following Senate amendments to Assembly Bill No. 1025—An Act to amend section three thousand seven hundred and thirteen of the Political Code, relating to the levy of taxes—were submitted:

Amend section one, line eight, printed bill, by striking out "five million one hundred and sixty-three thousand one hundred and six dollars," and inserting "four million nine hundred and thirteen thousand one hundred and six dollars."

Adopted.

Amend section one, line fifteen, printed bill, by striking out "two million eight hundred and three thousand eight hundred and seventy dollars and three cents," and inserting "two million six hundred and eighty-one thousand three hundred and seventy-one dollars."

Adopted.

The question being, "Shall the Assembly concur in the Senate amendments?"

The roll was called, and the Assembly concurred by the following vote:

AYES—Messrs. Ash, Barker, Bassford, Belshaw, Bennett, Bettman, Brusie, Bulla, Butler, Coleman, Collins, Cutter, Dale, Dodge, Gay, Glass, Guy, Hall, Hatfield, Huber, Hudson, Kelsey, Laird, Laugenour, McKelvey, Merrill, Nelson, North, Pendleton, Powers, Price, Reid, Richards, Rowell, Staley, Swisler, Thomas, Tibbits, Wade, Waymire, Weyse, and Mr. Speaker—42.
NOES—None

RESOLUTION.

By Mr. Bettman:

Resolved. That Senate Bill No 511 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house are hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

The question being on the adoption of the resolution.

The roll was called, and the constitutional provision suspended by the following vote:

AYES—Messrs. Ash, Barker, Bassford, Belshaw, Bennett, Bettman, Bledsoe, Boothby, Brusie, Bulla, Butler, Coleman, Collins, Cutter, Dale, Davis, Dixon, Dodge, Fassett, Gay, Glass, Guy, Hall, Hatfield, Healey, Huber, Hudson, Kelsey, Kenyon, Laird, Laugenour, Lewis, Llewellyn, McKelvey, Merrill, Nelson, North, O'Day, Osborn, Pendleton, Phelps, Powers, Price, Reid, Robinson, Rowell, Staley, Stansell, Swisler, Thomas, Tomblin, Wade, Waymire, Weyse, and Mr. Speaker—55.
NOES—None.

CASE OF URGENCY.

Senate Bill No. 511—An Act to amend sections seven hundred and fifty-one, seven hundred and fifty-two, seven hundred and fifty-four, seven hundred and ninety-six, and eight hundred and four of an Act

entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Read second and third times.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Ash, Bassford, Belshaw, Bettman, Boothby, Brusie, Bufla, Coleman, Collins, Cutter, Dale, Ewing, Fassett, Gay, Glass, Guy, Hall, Hatfield, Huber, Hudson, Kelsey, Kenyon, Laird, Laugenour, Llewellyn, McKelvey, Merrill, Nelson, Osborn, Pendleton, Phelps, Powers, Price, Reid, Robinson, Rowell, Staley, Tomblin, Waymire, Weyse, and Mr. Speaker—41.

NOES—Messrs. Davis and Wade—2.

• Title read and approved.

MESSAGES FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, }
SACRAMENTO, March 16, 1895. }

To the Assembly of the State of California.

I have the honor to inform your honorable body that I have approved Assembly Bills Nos. 213, 452, 454, 78, 17, 501, 135, and 52.

JAMES H. BUDD, Governor.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, }
SACRAMENTO, March 16, 1895. }

To the Assembly of the State of California.

I herewith return, without my approval and with my objections thereto, Assembly Bill No. 695, entitled "An Act to amend section three thousand three hundred and ninety-eight of the Political Code, appointing the Surveyor-General locating agent in the United States Land Offices, and declaring the effect of selections accepted by the United States."

The change which will be made in this section by the bill is by adding to the section as it now is the words, "a selection made in lieu of sixteenth or thirty-sixth section, if accepted by the United States, shall be a waiver and conveyance to the United States of whatever claim and title the State may have to said section."

The application for the purchase of the sixteenth and thirty-sixth sections of land belonging to the State, or lands in lieu of the sixteenth or thirty-sixth sections of land lost to the State, must be made as provided in section three thousand four hundred and ninety-five of the Political Code, and forms prepared and printed by the Surveyor-General and Register.

If the land proposed to be purchased be suitable for cultivation, then the proposed purchaser cannot purchase exceeding three hundred and twenty acres of such land; if not suitable for cultivation, then six hundred and forty acres of the land may be purchased by one person. Whether the land be or be not suitable for cultivation, is determined by the *ex parte* affidavit of the proposed purchaser and by the *ex parte* affidavits of two other persons.

The selection of lieu lands must be based on a sixteenth or thirty-sixth section lost to the State, because embraced within the limits of a Mexican or Spanish grant, or by reason of settlement thereon at the time of the survey, or because of reservation by the United States for public use.

By the amendments in 1891 to sections two thousand two hundred and seventy-five and two thousand two hundred and seventy-six of the Revised Statutes of the United States, a sixteenth or thirty-sixth section of mineral land could be made a basis for the selection of lieu lands, and by the same sections it is provided that the Secretary of the Interior, without waiting for the extension of the public surveys, may ascertain, by protraction, or otherwise, the number of townships within a Government reservation; and the sixteenth and thirty-sixth sections in each of such townships, if lost to the State, could be used as a basis for the selection of lieu lands, and such selection could be made on any unappropriated surveyed public lands, not mineral lands, in any part of the State.

By the same amendment it was provided that the State could await the extinguishment of a reservation, and then take the sixteenth and thirty-sixth sections therein as school lands. Under the authority of an Act of Congress passed in 1891, the President of the United States, by a proclamation dated December 20, 1892, and by another proclamation dated February 14, 1893, and by two other proclamations dated February 23, 1893, set apart as reservations large quantities of public lands, wholly or in part covered by timber or underbrush. But since, under the provisions of said amendments, the State could await the extinguishment of these reservations and then take the sixteenth and thirty-sixth sections therein as school lands, these sixteenth and thirty-sixth sections would not be lost by the State and would not be a proper basis for the selection of lieu lands unless the State exercised its option not to take such sections as school lands.

In order to ascertain the amount of lands applied for as lieu lands under these amendments and proclamations, I addressed a letter to the Surveyor-General on the seventh day of this month, requesting a statement showing the existing applications filed in his office during and since the year 1891, relative to selections of land in lieu of the sixteenth and thirty-sixth sections embraced within the reservations by the Government of the United States, showing the names of the applicants, the quantity and description of the lands applied for, and the action taken thereon, and the present status of such applications.

This statement was forwarded to me on the fifteenth of the present month, and from an examination of the statement I have ascertained that since these reservations, applications have been filed with the Surveyor-General for the purchase of very many thousands of acres of land in lieu of school lands lost to the State, and that very many thousands of acres of lands in sixteenth and thirty-sixth sections embraced in these reservations have been used as a basis for the selection of lieu lands so applied for, and that many of these applications have been made through the aid and assistance of land lawyers. Under the provisions of section three thousand five hundred and fifteen of the Political Code, certificates of purchase of lands and all rights assured thereunder are subject to sale by deed or assignment.

An examination of the places of residence of many of these applicants for the purchase of these lieu lands indicates that they are not engaged in the farming or grazing business, and that the use and benefit they expect to have from the purchase of these lands are those which result from sale for the purpose of speculation.

In fact, many applications for the purchase of school and lieu lands have been for the purpose of speculation; and this is contrary to the intent and spirit of sections two and three of article seventeen of the Constitution.

In my opinion, the operation of the amendment embraced in the bill herewith returned will be to favor land speculation, which is contrary to the intent and spirit of the Constitution of this State.

If the Legislature of the State relinquish the right of the State to sixteenth and thirty-sixth sections embraced in the reservations, it should be before these sections are used as a basis for the selection of lieu lands, and not after they have been so used, perhaps in the interest of land speculators.

JAMES H. BUDD, Governor.

ACTION ON GOVERNOR'S MESSAGE.

The question being, "Shall Assembly Bill No. 695 become a law notwithstanding the objection of the Governor?"

The roll was called, and the action of the Governor sustained by the following vote:

AYES—Messrs Davis and Weyse—2.

NOES—Messrs. Ash, Barker, Bassford, Belshaw, Bennett, Bettman, Boothby, Brusie, Bulla, Butler, Coleman, Collins, Cutter, Dale, Dinkelspiel, Dixon, Dunbar, Ewing, Fassett, Gay, Glass, Guy, Hall, Hatheld, Huber, Hudson, Laird, Laugenour, Meads, McKelvey, Merrill, Nelson, Osborn, Phelps, Powers, Price, Reid, Robinson, Tomblin, Wade, Waymire, and Mr. Speaker—42

REPORT OF STANDING COMMITTEE.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1895.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred the following resolution, by Mr. Ewing:

Resolved, That the sum of two hundred and forty dollars is hereby ordered to be paid out of the Contingent Fund of the Assembly to J. C. Bunner, as compensation for services rendered as expert for the Committee on Homestead and Land Monopoly, the same being for thirty days' services, at the rate of eight dollars per day; and the Controller is hereby ordered to draw his warrant therefor, and the Treasurer is directed to pay the same.

Have had the same under consideration, and respectfully report the same back, and recommend its adoption

BRUSIE, Chairman.

Lost.

RECESS.

At one o'clock, the hour of recess having arrived, the Speaker declared a recess until seven o'clock P. M.

REASSEMBLED.

The Assembly reassembled at seven o'clock P. M.
Speaker Lynch in the chair.
Quorum present.

RECESS.

At seven o'clock and five minutes P. M., on motion of Mr. Brusie, the Assembly took a recess until eight o'clock and fifteen minutes P. M.

REASSEMBLED.

The Assembly reassembled at eight o'clock and fifteen minutes P. M.
Speaker Lynch in the chair.
Quorum present.

At eight o'clock and twenty minutes P. M. the Speaker called Mr. Laugenour to the chair.

REPORT OF STANDING COMMITTEE.

ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1895.

MR SPEAKER: Your Committee on Enrollment have examined and found correctly enrolled Assembly Bill No 665—An Act to provide the office of the Attorney-General with such law books as may be required by him for the conduct of the business of his office, and requiring the State Librarian to provide and furnish the same, and making an appropriation therefor not to exceed five thousand dollars

Also. Assembly Bill No. 187—An Act making an appropriation for the erection of additional buildings and improvements for Southern California State Asylum for the Insane and Inebriates.

Also. Assembly Bill No. 19—An Act appropriating six thousand five hundred dollars to pay for a system of heating and ventilating in the old State Normal School building at Los Angeles, California.

Also. Assembly Bill No. 982—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by adding new sections thereto, to be numbered three thousand six hundred and forty, three thousand six hundred and eighty, three thousand eight hundred and one, and three thousand eight hundred and thirty-one; also, by amending sections three thousand six hundred and seven, three thousand six hundred and seventeen, three thousand six hundred and twenty-eight, three thousand six hundred and thirty, three thousand six hundred and fifty, three thousand six hundred and fifty-one, three thousand six hundred and fifty-three, three thousand six hundred and fifty-four, three thousand six hundred and fifty-five, three thousand six hundred and fifty-six, three thousand six hundred and fifty-eight, three thousand six hundred and sixty-one, three thousand six hundred and sixty-two, three thousand six hundred and sixty-three, three thousand six hundred and sixty-six, three thousand six hundred and sixty-seven, three thousand six hundred and seventy, three thousand six hundred and seventy-eight, three thousand six hundred and ninety-two, three thousand six hundred and ninety-three, three thousand six hundred and ninety-four, three thousand seven hundred and four, three thousand seven hundred and five, three thousand seven hundred and fourteen, three thousand seven hundred and nineteen, three thousand seven hundred and twenty-eight, three thousand seven hundred and thirty, three thousand seven hundred and thirty-one, three thousand seven hundred and thirty-two, three thousand seven hundred and thirty-four, three thousand seven hundred and thirty-six, three thousand seven hundred and thirty-eight, three thousand seven hundred and forty, three thousand seven hundred and forty-seven, three thousand seven hundred and forty-eight, three thousand seven hundred and fifty-two, three thousand seven hundred and fifty-six, three thousand seven hundred and fifty-eight, three thousand seven hundred and fifty-nine, three thousand seven hundred and sixty-two, three thousand seven hundred and sixty-four, three thousand seven hundred and sixty-five, three thousand seven hundred and sixty-six, three thousand seven hundred and sixty-seven, three thousand seven hundred and seventy, three thousand seven hundred and seventy-one, three thousand seven hundred and seventy-two, three thousand seven hundred and seventy-six, three thousand seven hundred and seventy-seven, three thousand seven hundred and eighty, three thousand seven hundred and eighty-one, three thousand seven hundred and eighty-five, three thousand seven hundred and eighty-seven, three thousand seven hundred and eighty-eight, three

thousand seven hundred and eighty-nine, three thousand seven hundred and ninety, three thousand seven hundred and ninety-three, three thousand seven hundred and ninety-seven, three thousand seven hundred and ninety-nine, three thousand eight hundred, three thousand eight hundred and four, three thousand eight hundred and five, three thousand eight hundred and eight, three thousand eight hundred and thirteen, three thousand eight hundred and fourteen, three thousand eight hundred and fifteen, three thousand eight hundred and sixteen, three thousand eight hundred and seventeen, three thousand eight hundred and eighteen, three thousand eight hundred and nineteen, three thousand eight hundred and twenty, three thousand eight hundred and twenty-three, three thousand eight hundred and twenty-six, three thousand eight hundred and twenty-nine, three thousand eight hundred and forty, three thousand eight hundred and forty-one, three thousand eight hundred and fifty-four, three thousand eight hundred and fifty-eight, three thousand eight hundred and sixty-seven, three thousand eight hundred and seventy, three thousand eight hundred and seventy-one, three thousand eight hundred and seventy-three, three thousand eight hundred and seventy-eight, three thousand eight hundred and eighty-one, three thousand eight hundred and eighty-eight, three thousand eight hundred and ninety-seven, three thousand eight hundred and ninety-eight, three thousand eight hundred and ninety-nine, three thousand nine hundred; also, by repealing sections three thousand seven hundred and thirty-three, three thousand seven hundred and thirty-seven, three thousand seven hundred and sixty-eight, three thousand seven hundred and seventy-three, three thousand seven hundred and seventy-four, three thousand seven hundred and seventy-five, three thousand seven hundred and seventy-eight, three thousand seven hundred and seventy-nine, three thousand eight hundred and three, three thousand eight hundred and ten, three thousand eight hundred and eleven, three thousand eight hundred and twelve, three thousand eight hundred and thirty, three thousand eight hundred and eighty-six, three thousand eight hundred and ninety-three, three thousand eight hundred and ninety-four, three thousand eight hundred and ninety-five, and three thousand eight hundred and ninety-six, all relating to the revenue and taxes of this State

Also: Assembly Bill No. 682—An Act authorizing the State Capitol Commissioners to improve certain streets in the city of Sacramento, to wit: L Street from the east line of Tenth Street to the west line of Fifteenth Street, and Fifteenth Street from the north line of L Street to the south line of N Street, and N Street from the east line of Tenth Street to the west line of Fifteenth Street, also, to reconstruct Tenth Street from the center line of L Street to the center line of N Street, and to appropriate money therefor.

Also: Assembly Bill No. 399—An Act to provide for the erection of additional buildings for the use of Woman's Relief Corps Home at their home for soldiers and orphans and army nurses, at Evergreen, California, and making appropriation therefor

Also: Assembly Bill No. 694—An Act appropriating money to pay the claim of the State Agricultural Society

Also: Assembly Bill No. 877—An Act making an appropriation to pay the deficiency in the appropriation for ballot paper for the forty-sixth fiscal year.

Also: Assembly Bill No. 370—An Act to amend section seven hundred and thirty-one of the Penal Code of the State of California, and to add a new section thereto, to be known as section seven hundred and thirty-four, relating to the suppression of riots and parading of independent companies

Also: Assembly Bill No. 599—An Act making an appropriation to pay the expenses of the funeral and casket for the late Secretary of State, E. G. Waite

Also: Assembly Bill No. 198—An Act to promote the protection of cities, towns, and municipal corporations from overflow by water and the drainage of the same, and for such purposes authorizing the incurring of indebtedness and the issuance of bonds therefor by the same, and providing for the disposition of the proceeds of such bonds, and for the supervision of the protective and other works

Also: Assembly Bill No. 246—An Act making an appropriation to pay the deficiency in the appropriation for the State forestry stations for the forty-fifth and forty-sixth fiscal years.

Also: Assembly Bill No. 148—An Act to create the office of Fish and Game Warden, and to prescribe the powers, duties, and salary of such officer.

Also: Assembly Joint Resolution No. 12—Relative to mines and mining claims situated within the boundaries of the Yosemite National Park

Also: Assembly Bill No. 604—An Act to amend section one of an Act entitled "An Act to promote the purity of elections by regulating the conduct thereof, and to support the privilege of free suffrage by prohibiting certain acts and privileges in relation thereto, and providing for the punishment thereof."

Also: Assembly Bill No. 757—An Act to amend sections seven hundred and two and seven hundred and three of the Code of Civil Procedure, relating to the redemption of property sold on execution.

Also: Assembly Bill No. 439—An Act to authorize the State of California to secure the title to and right of way for that certain wagon road situated in El Dorado County, commencing a short distance easterly from the village of Smith's Flat, in said county, and running thence to Lake Tahoe, and to provide for the appointment, duties, and compensation of a person to be known as and called the "Lake Tahoe Wagon Road Commissioner," and to make an appropriation for the purpose of carrying into effect the provisions of this Act

Also: Assembly Bill No. 709—An Act making an appropriation to pay the indebtedness incurred by the Board of Trustees of the Southern California State Asylum for the Insane and Inebriates, in providing a refrigerator for said asylum.

Also: Assembly Bill No. 221—An Act appropriating money for the use of the two State forestry stations.

Also: Assembly Bill No. 609—An Act entitled an Act to amend section sixteen of an Act entitled "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; 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 provisions for the payment of such bonds, and the disposal of their proceeds," approved March 31, 1891.

Also: Assembly Bill No. 714—An Act to provide for the organization and government of drainage districts for the drainage of agricultural lands other than swamp and overflowed lands.

Also: Assembly Bill No. 609—An Act entitled an Act to amend section four hundred and seventy-five of the Political Code, providing for two clerks and a phonographic reporter in the office of the Attorney-General, declaring said clerks and phonographic reporter to be civil executive officers, and fixing their salaries.

And presented the same to the Governor on this day, at one o'clock and forty minutes P. M.

MEADS, Chairman.

REPORT OF STANDING COMMITTEE.

ON ATTACHES AND EMPLOYES.

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1895.

MR. SPEAKER: Your Committee on Attachés and Employés, to whom was referred a large number of resolutions calling for appropriations for the payment of attachés and for the retention of a certain number after the adjournment of the present session, have had the same under consideration, and beg leave to make the following recommendations:

(1) That Geo. C. Parkinson, Sergeant-at-Arms, and Wm. N. Lamphrey, Assistant Sergeant-at-Arms of the Assembly, and Clerks J. J. Evans and J. Hocking, and Porter John F. Kofod, be and they are hereby employed after the final adjournment of the Assembly for three days, at their regular per diem, for the purpose of completing the work devolving upon the Sergeant-at-Arms, turning over to the Secretary of State the books, papers, and personal property in his charge, and closing up all his accounts, and completing the duties of his office.

(2) That the Postmistress be and she is hereby authorized to remain at the Capitol for three 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 her regular per diem therefor.

(3) That the Journal Clerk and the Assistant Journal Clerks, E. S. Gridley and A. S. Vischer, be employed and retained for as many days as may be necessary, not exceeding one week, after the adjournment of the Legislature, at their regular per diem, for the purpose of completing the writing, ruling, and comparing the Journal of the Assembly.

(4) 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, and the Treasurer is directed to pay the same. Said sum to be used by the Chief Clerk to complete the work pertaining to the office of the Chief Clerk of this Assembly after the adjournment *sine die*. He shall remain over at the State Capitol after the adjournment of the thirty-first session of the Legislature, for a sufficient time to complete a final copy of the Assembly Weekly History, and after the same is finally printed, shall mail to each member of the Assembly and Senate five copies thereof, one of which shall be bound in pasteboard covers. 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 of which shall be bound in pasteboard covers. The Controller of State is hereby directed to draw his warrant for the sum of fifty dollars in favor of the Chief Clerk, payable out of the appropriation for the contingent expenses of the Assembly, and the Treasurer is directed to pay the same, for the purpose of paying the necessary postage upon such Final History.

(5) That R. Q. Wickham, Minute Clerk, and his assistant, Robert Nixon, Jr., be retained for one week after the adjournment of the Assembly for the purpose of finishing the work of their office, and that they receive their usual per diem therefor.

(6) That T. W. Measure, having performed the services of gas and light-man of the Assembly from the commencement of the session, be and he is hereby allowed a per diem of four dollars, payable out of the contingent expenses of the Assembly, from the ninth day of January, 1895.

(7) That the Controller be and is hereby directed to draw his warrant, and the Treasurer ordered to pay the same, in favor of Geo. C. Parkinson, Sergeant-at-Arms of the Assembly, for the sum of forty-two dollars (\$42) for the arrest and appearance before the bar of the House of forty-two members under a call of the House.

(8) That the State Controller be and he is hereby authorized to draw his warrant in favor of Fred S. Foote, for the sum of thirty dollars (\$30) for services performed for the Ways and Means Committee, during the week ending March 14, 1895, as shorthand reporter and typewriter in preparing the General Tax-levy Bill and the report of the said committee.

The Controller of State is hereby directed to draw his warrant for the payment of the foregoing amounts on the Contingent Fund of the Assembly, and the Treasurer is hereby directed to pay the same.

And your committee hereby return the balance of resolutions referred to this committee, and respectfully request that this committee be absolved from further duty.

WEYSE, Chairman.

Report of Committee on Attachés and Employés adopted.

COMMUNICATION.

SAN FRANCISCO, March 8, 1895.

To Hon. JOHN C. LYNCH, Speaker of the House, Sacramento, Cal..

Yourself and members of the Assembly are respectfully invited to be present on Monday night at the Grand Opera House, San Francisco. An entire section will be reserved for the members of the Legislature.

WALTER MOROSCO.

Mr. North moved that the invitation be accepted.

So ordered.

RESOLUTION OF THANKS.

By Mr. Bettman :

Resolved, That the thanks of this Assembly be and they are hereby tendered to Hon. John C. Lynch, Speaker, for his uniform courtesy to all members, and for the fair and impartial manner in which he has presided over the deliberations of this body.

The ayes and noes were demanded by Messrs. Powers, Bettman, and North.

The roll was called, and the resolution adopted by the following vote :

AYES—Messrs. Ash, Bachman, Barker, Bassford, Belshaw, Bennett, Berry, Bettman, Bledsoe, Boothby, Brusie, Bulla, Butler, Cargill, Coghlin, Coleman, Collins, Cutter, Dale, Davis, Devine, Devitt, Dinkelspiel, Dixon, Dodge, Dunbar, Dwyer, Ewing, Fassett, Freeman, Gay, Glass, Guy, Hall, Hatfield, Healey, Holland, Huber, Hudson, Johnson, Jones, Keen, Kelsey, Kenyon, Laird, Langenour, Lewis, Llewellyn, Meads, McCarthy, McKelvey, Merrill, Nelson, North, O'Day, Osborn, Pendleton, Phelps, Powers, Price, Reid, Richards, Robinson, Rowell, Sanford, Spencer, Staley, Stansell, Swisher, Thomas, Tibbits, Tomblin, Twigg, Wade, Waymire, Weyse, Wilkinson, and Zocchi—78.

NOES—None

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, }
SACRAMENTO, March 16, 1895 }

To the Assembly of the State of California :

I have the honor to inform your honorable body that I have approved Assembly Bills Nos. 606, 665, 605

JAMES H. BUDD, Governor.

RESOLUTIONS.

By Mr. Dixon :

WHEREAS, The Hon. J. H. Wilkins, the member from the Twenty-third District, has been absent, by reason of sickness, from the sessions of the House during the last weeks of this session; and whereas, during the time he was with us, we learned to esteem him for his many genial qualities, and admire his honesty and fidelity to the people in matters of legislation; therefore, be it

Resolved, That we deplore the loss of his presence and influence among us; that we express the hope that he will speedily be restored to perfect health, and that his name will appear upon the roll call of the Assembly two years hence; and be it further

Resolved, That a copy of these resolutions be forwarded by the Chief Clerk to Mr. Wilkins.

The resolution was adopted by a unanimous rising vote.

By Mr. Kenyon:

WHEREAS, The Rev. O. Summers, Chaplain of the Thirty-first Assembly of the State of California, has administered to our spiritual welfare, during the past session of this Legislature, in a manner to add to the dignity of our deliberations and to guide us in the paths of righteousness; be it

Resolved, That we, the members of the Thirty-first Assembly, hereby extend to him our sincere and heartfelt thanks for his efforts in our behalf, and our best wishes for his future prosperity.

Adopted.

REPORT OF STANDING COMMITTEE.

ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1895.

MR. SPEAKER: Your Committee on Enrollment have examined and found correctly enrolled Assembly Bill No. 262—An Act to pay the claim of José Ramon Pico, and making an appropriation therefor.

Also: Assembly Bill No. 861—An Act making an appropriation to pay the claim of Louise Rienzi for services rendered the State Board of Silk Culture as Secretary, Instructor, and Silk Expert, from December 12, 1885, to April 2, 1887.

Also: Assembly Bill No. 897—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 of California, except municipal corporations of the first class, and to provide for the consolidation and abolition of certain municipal offices, and to provide that their duties may be performed by certain officers of the county, and fixing the compensation to be allowed for such county officers for the services so rendered to such municipal corporations.

Also: Assembly Bill No. 1021—An Act to amend section five hundred and thirty-nine of the Political Code of the State of California, relative to the engrossment and enrollment of bills and other documents, approved March 31, 1891.

Also: Assembly Bill No. 332—An Act to authorize the Board of Trustees of the Southern California State Asylum for the Insane and Inebriates to convey certain water rights.

Also: Assembly Bill No. 540—An Act authorizing the Trustees of the State Normal School at San José to light the grounds by electricity, and making an appropriation therefor.

Also: Assembly Bill No. 1026—An Act to provide for the payment of all private claims, allowed by the Legislature of the thirty-first session, out of the revenues of the forty-seventh fiscal year.

Also: Assembly Bill No. 772—An Act to prevent the sale of imitation or adulterated honey, and to provide a punishment therefor.

Also: Assembly Bill No. 575—An Act to repeal an Act of the Legislature of the State of California entitled "An Act in relation to the assessment and collection of taxes upon personal property in the City and County of San Francisco," approved March 18, 1874, and requiring all counties and cities and counties of this State to conform to the requirements of the provisions of the Political Code in relation to the assessment, equalization, levy, and collection of taxes for revenue purposes.

Also: Assembly Bill No. 664—An Act to add a new section to the Civil Code, to be designated as section six hundred and sixteen, authorizing corporations organized to establish and maintain or to improve cemeteries, to take and hold property bequeathed, granted, or given to them upon trust, to apply the same or the proceeds or income thereof to the improvement or embellishment of cemeteries, or of any lot therein, or to the erection or maintenance of any monument, structure, or improvement therein.

Also: Assembly Bill No. 218—An Act authorizing the Controller to refund his office, and making an appropriation therefor.

Also: Assembly Bill No. 230—An Act to amend section four hundred and sixty-one of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872.

Also: Assembly Bill No. 418—An Act to appropriate five thousand dollars to pay the claim of Julius A. Hult.

Also: Assembly Bill No. 607—An Act to provide for the letting of contracts for lighting of streets and public buildings in cities and towns in the State of California.

Also: Assembly Bill No. 176—An Act to amend an Act entitled "An Act providing for the sale of railroad and other franchises in municipalities, and relative to granting of franchises," approved March 23, 1893.

Also: Assembly Bill No. 1025—An Act to amend section three thousand seven hundred and thirteen of the Political Code, relating to the levy or taxes.

Also: Assembly Bill No. 959—An Act to establish a uniform system of county and township governments.

And presented the same to the Governor on this day, at nine o'clock and ten minutes P. M.

MEADS, Chairman.

RESOLUTION.

By Mr. Laugenour:

WHEREAS, There is now in the employ of the Assembly, as an Assembly clerk, a person who has for the past eighteen years been an attaché of every regular session of the Legislature, extra sessions, and constitutional convention; be it

Resolved, That the said clerk, Ed. J. Smith, be and he is hereby voted the thanks of the Assembly for his faithful services during the present session.

Adopted.

CONCURRENT RESOLUTION No. 20.

By Mr. Waymire:

WHEREAS, The Hon. Peter H. Burnett, who was the first Governor of the State of California after its admission to the Federal Union, is still living, and though his "Way of life is fall'n into the sere, the yellow leaf," he is in the full enjoyment of "That which should accompany old age, as honor, love, obedience, troops of friends"; and whereas, the people of this State cherish with reverence and gratitude the noble manner in which he performed the duties of his high office at a critical period in the history of the State; therefore, be it

Resolved by the Assembly, the Senate concurring, That the people of California, through their representatives here assembled, do in this formal way extend to their friend and former Governor, Peter H. Burnett, the assurance that they have not forgotten his faithful services, and they most sincerely trust that the remainder of his years in this life shall be altogether free from care and full of that comfort which is the just reward of a life well spent.

Resolved, That in the purity of his public and private life the youth of the State of this and future generations will find an example which, if followed, will make our State the foremost in the Union

Resolved, That an engrossed copy of these resolutions, signed by the presiding officers of the Senate and Assembly and attested by the Governor, be presented to ex-Governor Burnett.

Adopted.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 16, 1895

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Assembly Concurrent Resolution No. 20—Relative to extending the assurance of the Legislature of their regard for Peter H. Burnett.

F. J. BRANDON, Secretary.
By GEO. A. LEON, Assistant

Also:

SENATE CHAMBER, SACRAMENTO, March 16, 1895.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, adopted the following:

Resolved by the Senate, the Assembly concurring, That a committee of three be appointed by the President pro tem. of the Senate, to act with a like committee from the Assembly, to wait upon the Governor and inquire of him if there be any message which the Executive desires to communicate to the Legislature prior to its adjournment *sine die*.

The following Senators have been appointed on behalf of the Senate. Senators Voorheis, Denison, and Burke

F. J. BRANDON, Secretary.
By R. SHAW, Assistant.

REPORT OF STANDING COMMITTEE.

ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1895.

MR. SPEAKER: Your Committee on Enrollment have examined and found correctly enrolled Assembly Bill No. 433—An Act to authorize the trustees of the City of Auburn, Placer County, to remove a cemetery, and to donate the land occupied thereby to the public for a park.

Also: Assembly Bill No. 391—An Act to create an exempt firemen's relief fund in the several counties, cities and counties, cities, and towns of the State, and relating to the enrollment, formation into fire companies, and services as firemen of such exempt firemen.

Also: Assembly Bill No. 249—An Act to provide for incorporation, operation, and management of cooperative associations.

Also: Assembly Bill No. 734—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 7, 1887, providing for the destruction of all or any part of the bonds of any irrigation district remaining unsold after the completion of their irrigation system.

Also: Assembly Bill No. 592—An Act to amend sections one thousand six hundred and seventy and one thousand six hundred and seventy-one of the Political Code, relating to high schools.

Also: Assembly Bill No. 132—An Act to provide for the organization and management of county fire insurance companies.

Also: Assembly Bill No. 479—An Act to amend sections ten hundred and ninety-four, ten hundred and ninety-six, eleven hundred and thirteen, eleven hundred and fourteen, eleven hundred and fifteen, and eleven hundred and sixteen of the Political Code of the State of California, relative to registration of voters.

Also: Assembly Bill No. 903—An Act relating to commitments to the State School at Whittier and to the Preston School of Industry; fixing the authority to examine and commit to such schools with the Superior Court Judges of the counties, and fixing the responsibilities from which commitments are made to the State for maintenance of the persons committed theretom; providing for the manner of payment thereof, and fixing the responsibility of the parents to the counties from which their children are committed.

Also: Assembly Bill No. 880—An Act to prevent the sale of intoxicating liquors in the immediate vicinity of soldiers' homes.

Also: Assembly Bill No. 568—An Act to amend sections six hundred and twenty-six, six hundred and thirty-one, six hundred and thirty-two, six hundred and thirty-three, six hundred and thirty-four, six hundred and thirty-five, and six hundred and thirty-six of, and to add nineteen new sections, to be numbered six hundred and twenty-six *a*, six hundred and twenty-six *b*, six hundred and twenty-six *c*, six hundred and twenty-six *d*, six hundred and twenty-six *e*, six hundred and twenty-six *f*, six hundred and twenty-six *g*, six hundred and twenty-six *h*, six hundred and twenty-six *i*, six hundred and twenty-seven, six hundred and twenty-seven *a*, six hundred and twenty-seven *b*, six hundred and twenty-seven *c*, six hundred and twenty-seven *d*, six hundred and twenty-eight, six hundred and twenty-eight *a*, six hundred and twenty-nine, six hundred and thirty-two *a*, six hundred and thirty-two *b*, to an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to fish and game.

Also: Assembly Bill No. 930—An Act to reimburse John C. Pelton for moneys expended by him for the public schools of California.

Also: Assembly Joint Resolution No. 11—Relative to the control of the maritime quarantine service at the port of San Francisco.

Also: Assembly Bill No. 701—An Act to amend section sixteen of 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, 1887, relating to the powers and duties of the Trustees of said hospital, also known as the Southern California State Asylum for the Insane and Inebriates.

Also: Assembly Bill No. 529—An Act to amend section three hundred and ninety-four of the Code of Civil Procedure of California, concerning the commencement of actions.

Also: Assembly Bill No. 152—An Act to prevent the sale of short weight in butter.

Also: Assembly Bill No. 512—An Act to provide for payment of the claim of James A. Kearney.

Also: Assembly Bill No. 413—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, and an Act amendatory thereof, approved March 31, 1891.

Also: Assembly Bill No. 907—An Act to provide for the disincorporation of municipal corporations of the sixth class.

Also: Assembly Bill No. 736—An Act to create and administer a Public School Teachers' Annuity and Retirement Fund in the several counties and cities and counties of the State.

Also: Assembly Bill No. 1002—An Act authorizing the payment of compensation or commission to persons employed by the State Controller and Attorney-General, or by Boards of Supervisors of the different counties, to collect delinquent State and county taxes, and legalizing all payments made for that purpose.

Also: Assembly Bill No. 954—An Act appropriating the sum of twenty-five thousand dollars (\$25,000), for a thorough system of ventilation for the Capitol building.

Also: Assembly Bill No. 58—An Act to establish a State Normal School at San Diego, California.

And presented the same to the Governor on this day, at eleven o'clock and forty-five minutes p. m.

MEADS, Chairman.

MOTION.

Mr. Hatfield moved that the Speaker appoint a committee of three 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.

So ordered.

APPOINTMENT OF COMMITTEE.

The Speaker appointed as such committee Messrs. Hatfield, Swisler, and Holland.

REPORT OF COMMITTEE.

The committee consisting of Messrs. Hatfield, Swisler, and Holland appeared at the bar of the Assembly, and reported that they had waited upon the Senate; that the Senate had no further message to the Assembly, and that the Senate was ready to adjourn.

MOTION.

Mr. Brusie moved that the Speaker appoint a committee of three to wait upon the Governor, and ask if there be any message which the Executive desires to communicate to the Assembly.

So ordered.

APPOINTMENT OF COMMITTEE.

The Speaker appointed as such committee Messrs. Brusie, Bachman, and Bettman.

REPORT OF COMMITTEE.

The committee consisting of Messrs. Brusie, Bachman, and Bettman reported that they had waited upon the Governor, and that he had no further communication to make to the Assembly.

READING AND APPROVAL OF JOURNAL.

The Journal of to-day was read and approved.

ADJOURNMENT SINE DIE.

At twelve o'clock P. M., the Speaker delivered a valedictory, at the conclusion of which he declared the Assembly adjourned *sine die*.

J. C. LYNCH,
Speaker.

S. J. DUCKWORTH,
Chief Clerk.

R. Q. WICKHAM,
Minute Clerk.

ARTHUR L. FISHER,
Journal Clerk.